



**MINUTES OF THE ORDINARY MEETING  
HELD ON 5 FEBRUARY 2020**

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**PRESENT:**

Deputy Mayor Karnib  
Councillor Ayyad  
Councillor Ballot  
Councillor Hadchiti  
Councillor Hadid  
Councillor Hagarty  
Councillor Harle  
Councillor Kaliyanda  
Councillor Rhodes  
Councillor Shelton  
Ms Kiersten Fishburn, Chief Executive Officer  
Mr Tim Moore, Director City Economy and Growth / Deputy CEO  
Mr Chris White, Director City Corporate  
Dr Eddie Jackson, Director City Community and Culture  
Mr Peter Patterson, Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Mr Andrew Stevenson, Chief Strategy and Engagement Officer  
Ms Tina Sangiuliano, Strategic Organisational Change Manager  
Mr Vishwa Nadan, Chief Financial Officer  
Mr Michael Knight, Deputy General Counsel  
Mr George Georgakis, Manager Council and Executive Services  
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

**STATEMENT REGARDING WEBCASTING  
OF MEETING**

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

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

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









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

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

**Reason:** Clr Rhodes was once a financial member of the Liverpool and District Historical Society.

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

## **PUBLIC FORUM**

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

Nil.

### **Representation – items on agenda**

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

**Item No.** NOM 04 Moorebank Intermodal.

Clr Hadchiti left the Chambers at 6:15pm.

Clr Hadchiti returned to the Chambers at 6:17pm.

**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.

2. **Mr Erik Rakowski** addressed Council on the following item:

**Item No:** NOM 04 Moorebank Intermodal.

**Motion:** **Moved: Clr Hadid** **Seconded: Clr Rhodes**

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

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



**ITEM NO:** CEO 02  
**FILE NO:** 010866.2020  
**SUBJECT:** 2020 National General Assembly of Local Government

## **COUNCIL DECISION**

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

That Council:

1. Notes that the 2020 National General Assembly of Local Government to be held in Canberra from Sunday 14 June – Wednesday 17 June 2020;
2. Councillors to contact the Councillors Support Officer if wishing to attend; and
3. Consider submitting the following motions for debate at the National General Assembly and a report be submitted to the March 2020 Council meeting for Council to consider the motions:

### **i. Koala Protection Order**

**Proposed motion:** That LGA advocate for a National Koala Protection Order.

**Background:** Koala populations have been desecrated as a result of the Australian Bushfires and are under ever increasing threat by logging, the clearing of farming land and urban development. Unless there is a Nation Wide Protection Order with substantial fines and strict enforcement Australia may lose it famous national icon forever.

- ii. **Proposed Motion:** That LGA advocate for Sustainable Long Term Drought Mitigation Action Plan

**Background:** That LGA advocate for a National Action Plan to address negative impacts of drought to deliver sustainable, long term solutions that ensures water supply to all Australian cities and towns.

The recent drought has seen unprecedented number of towns run out of water requiring a national co-ordination to develop:

- a) A national plan to plant indigenous drought proofing trees that will encourage rain and the retention of water in top and sub soil.
- b) Limit on logging and land clearing plan that enforces for every tree removed 4 drought proofing trees must be planted and maintained in same local government area.

- c) Collection of flood waters into subterranean dams.
- d) A national water pipeline network.

**iii. Sustainable Housing Development**

**Proposed motion:** That LGA advocate for the federal government to enforce national housing development regulations that:

- a) Limits housing developments to cover no more than 40% of block size in urban developments.
- b) Ensures that Housing developments comply with heat sink regulations by introducing substantial fines for noncomplying developments.

**iv. Feral Cats in urban areas**

**Proposed motion:** That LGA advocate for funding:

- a) From the Federal Government and NSW State Government to support changes that enables Council to provide services that identifies stray cats that are not microchipped, nor desexed and found on the streets to be microchipped, desexed and housed until rehomed.

Increase of feral cats in suburban areas continues to grow to near plague proportions. Cats can breed at just 6 weeks of age and subsequently every 6 weeks after birth of any litter.

Unless action is taken feral cat populations will only continue to grow to plague proportions. Local Government needs financial support to address this issue.

**v. Fast track Western City rail transportation network**

**Proposed motion:** That: LGA advocate for Federal Government to provide funding to fast track a rail transportation network in the Western City.

**vi. Koala Sanctuary and wildlife hospital**

**Proposed motion:** That LGA advocate for State and Federal funding to provide Koala sanctuary and wildlife animal hospital in the southern end of the Western Sydney Parklands of the Liverpool LGA.

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



## CITY COMMUNITY AND CULTURE REPORT

Cllrs Shelton, Kaliyanda, Hagarty and Rhodes left the Chambers at 6:41pm.

**ITEM NO:** COM 01

**FILE NO:** 317493.2019

**SUBJECT:** Grants, Donations and Corporate Sponsorship

### COUNCIL DECISION

**Motion:**

**Moved: Cllr Hadchiti**

**Seconded: Cllr Balloot**

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

Applicant	Project	Recommended
Vedic Festival Incorporated	Festival of Chariots 2020	\$10,000
Bonnie Support Services Ltd.	South Western Sydney International Women's Day Leadership Forum	\$10,000

That Council approves the recommendation of **\$10,000** (GST exclusive) under the **Community Grants Program** for the following projects:

Applicant	Project	Recommended
The City of Liverpool and District Historical Society	Liverpool Library Exhibition Space	\$5,000
Liverpool Neighbourhood Connections	Learn To Earn II	\$5,000

That Council approves the recommendation of **\$30,000** (GST exclusive) under the **Matching Grants Program** for the following projects:

Applicant	Project	Recommended
Moorebank Liverpool District Hockey Club	Spectator Shelter	\$15,000
Playgroup Queensland Ltd (trading as Sing & Grow)	Sing & Grow for Liverpool Community Hubs	\$15,000

That Council approves the recommendation of **\$10,000** (GST exclusive) under the **Sustainable Environment Grants Program** for the following projects:

<b>Applicant</b>	<b>Project</b>	<b>Recommended</b>
SCRAP	Integrating the Process at Holsworthy Community Garden	\$5,000
Civic Disability Services	Civic Seedling Start Up	\$5,000

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

**Cirs Kaliyanda, Shelton, Rhodes and Hagarty returned to the Chambers at 6:42pm.**

**ITEM NO:** COM 02

**FILE NO:** 017944.2020

**SUBJECT:** Council delegation to Toda City for the Tokyo Olympics in July 2020

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Hadchiti**

**Seconded: Clr Hadid**

That Council:

1. Open the invitation to any Councillor & CEO or delegate wishing to attend subject to it being at no cost to Council whether monetary or by use of frequent flyer points; and
2. Make arrangements for travel if any interest is shown.

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

















**ITEM NO:** QWN 02  
**FILE NO:** 331536.2019  
**SUBJECT:** Question with Notice - Clr Hadchiti - Contamination Reports

Please address the following:

1. What stage contamination reports does Council require with the submission of a DA?
2. How do our requirements compare to other Councils or industry standards?

### **Response**

*State Environmental Planning Policy No. 55 – Remediation of Land (SEPP No. 55)* contains statutory provisions that compel Liverpool City Council to consider contamination and the need for remediation when determining a Development Application. Clause 7(1) of *SEPP No. 55* stipulates that a consent authority must not consent to the carrying out of any development on land unless:

- a) It has considered whether the land is contaminated, and
- b) If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out, and
- c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose

Risk of exposure to underlying contamination is likely to increase where a proposed development involves a transition to a more sensitive use. Therefore, Clause 7(2) of *SEPP No. 55* requires the consent authority to consider a report specifying the findings of a preliminary investigation of land if the proposed development involves a change of use on any land specified in sub clause 4 of the Policy. This includes land within an investigation area and land where potentially contaminating activities identified in Table 1 of the contaminated land planning guidelines have been undertaken.

The requirement for a preliminary investigation of the land extends to a proposed development involving a transition to a more sensitive land use (residential, educational, recreational, child care and hospital land) where there is no knowledge or incomplete knowledge of the site's history and it would have been lawful to carry out potentially contaminating activities on-site during this time.



Table 1 of the contaminated land planning guidelines identify some activities that may cause contamination including:

- acid/alkali plant and formulation
- agricultural/horticultural activities
- airports
- asbestos production and disposal
- chemicals manufacture and formulation
- defence works
- drum re-conditioning works
- dry cleaning establishments
- electrical manufacturing (transformers)
- electroplating and heat treatment premises
- engine works
- explosives industry
- gas works
- iron and steel works
- landfill sites
- metal treatment
- mining and extractive industries
- oil production and storage
- paint formulation and manufacture
- pesticide manufacture and formulation
- power stations
- railway yards
- scrap yards
- service stations
- sheep and cattle dips
- smelting and refining
- tanning and associated trades
- waste storage and treatment
- wood preservation

This is not an exhaustive list and other potentially contaminating uses can be considered at the discretion of the determining authority. It is the Applicant's responsibility to provide Council with the information to address *SEPP No. 55*.

In addition to *SEPP No. 55*, Clause 1, Section 2.3.7 Site Contamination of the Liverpool City Council Growth Centre Precincts Development Control Plan dated November 2016 stipulates that 'all subdivision Development Applications, and applications proposing a change of use to a more sensitive land use (e.g. residential, education, public recreation facility etc.), shall be accompanied by a Stage 1 Preliminary Site Investigation prepared in accordance with the NSW EPA Contaminated Sites Guidelines, State Environmental Planning Policy 55 – Remediation of Land and the *Contaminated Land Management Act, 1995 (sic)* and relevant Council Policies. Liverpool City Council Growth Centre Precincts

Development Control Plan covers development in Austral, East Leppington and a portion of Denham Court.

Clause 2 Section 2.3.7 Site Contamination of the Liverpool City Council Growth Centre Precincts Development Control Plan dated November 2016 specifies that 'where the Stage 1 Investigation identifies potential or actual site contamination a Stage 2 Detailed Site Investigation must be prepared in accordance with the NSW EPA Contaminated Sites Guidelines, *State Environmental Planning Policy (SEPP) No. 55 – Remediation of Land* and the *Contaminated Land Management Act, 1995* (sic) and any relevant Council Policies. A Remediation Action Plan (RAP) will be required to be submitted and approved by Council prior to development consent being granted for areas identified as contaminated land in the Stage 2 Site Investigation.

In accordance with these requirements, the Applicant would be required to engage the services of a suitably qualified contaminated land consultant to prepare a Stage 1 Preliminary Site Investigation for the Land. The Preliminary Site Investigation shall comply with applicable guidelines made or approved by the NSW EPA under the *Contaminated Land Management Act 1997* and identify all past and present potentially contaminating activities; identify potential contamination types; discuss the site condition; provide a preliminary assessment of site contamination; and assess the need for further investigations.

Where contaminating activities are suspected or known to have occurred, or if site history is incomplete, the Application may need to be supported by a Stage 2 Detailed Site Investigation. This investigation would need to give regard to the potential effects of any contaminants on public health, the environment and building structures and shall meet the sampling density outlined in the NSW EPA Contaminated Sites Sampling Design Guidelines (1995).

If the Stage 2 Detailed Site Investigation indicates that the site poses unacceptable risks to human health or the environment, a Remedial Action Plan (RAP) would need to be prepared by a suitably qualified contaminated land consultant in accordance with applicable guidelines made or approved by the NSW EPA under the *Contaminated Land Management Act 1997*. In these circumstances, the Remedial Action Plan shall be referred to Liverpool City Council for review prior to determination of the Application.

The contaminated land planning guidelines state that accredited site auditors can assist a planning authority by commenting on or verifying information provided by a proponent in relation to site assessment. Engaging a site auditor can provide greater certainty about the information on which the planning authority is basing its decision, particularly where sensitive uses are proposed on land that may be contaminated and a statement about the suitability of the site is required.

A Site Audit may be necessary when the planning authority:

- believes on reasonable grounds that the information provided by the proponent is incorrect or incomplete;
- wishes to verify the information provided by the proponent adheres to appropriate standards, procedures and guidelines; and
- does not have the internal resources to conduct its own technical review.

*SEPP No. 55* is a statewide approach to the assessment, management and remediation of contaminated land in NSW. Consent Authorities within NSW are required to address the requirements of *SEPP No. 55* and other Local Government Authorities including but not limited to Parramatta, Cumberland, Camden and Bayside have implemented lodgement requirements and assessment approaches similar to Liverpool.

Submission of the aforementioned documentation when lodging the Development Application enables Council to complete the planning assessment in a timely manner. To improve environmental health outcomes and efficiency during the development assessment process, Council also requires Development Applications to be supported by technical reports prepared by suitably qualified and industry certified environmental consultants.

In this regard, contaminated site reports shall be prepared by a suitably qualified contaminated land consultant who is certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.

It is highly recommended that if clarification as to the extent of technical reporting required to be submitted with a Development Application is required that applicants utilise Council's services prior to lodgment of a DA including a Pre-DA application meeting, lodgment of a planning enquiry or seeking advice from Council's Planning Advisory team.

**ITEM NO:** QWN 03  
**FILE NO:** 331512.2019  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Middleton Grange

Please address the following:

1. How much has been collected in 7/11's for Middleton Grange?
2. What projects are yet to be completed under Sect 7/11?
3. What is the projected 7/11 still to come in?
4. Who owns the sections of roads that run through the Parklands, for example Flynn and Twenty Seventh Ave?
5. Are there any plans to close off any existing roads referred to in point 4?
6. If the road under the M7 has all its approvals in place does Council have the funds to actually build it?

## Response

### 1. How much has been collected in 7.11's for Middleton Grange?

As of 30 November 2019, Council has collected \$53,914,690 in s7.11 contributions in Middleton Grange. Council has provided works in accordance with the Contributions Plan to the value of \$51,688,101.

### 2. What projects are yet to be completed under Sect 7.11?

There is a range of projects encompassing roads/transport, drainage, community facility and recreational. The full list of projects that are identified for delivery within Middleton Grange as a part of *Liverpool Developer Contributions Plan 2009* is included in Appendix A. This list also includes projects funded in the 2019/20 budget.

### 3. What is the projected 7.11 still to come in?

There are two main elements to future contributions in Middleton Grange – development of the remaining residential land and development of the town centre.

Estimated contributions for the town centre is around \$23,000,000. This will be confirmed once a DA is lodged with final yields.

It is expected that the remaining residential land will provide an additional \$3,277,500. This may change depending on the specific densities delivered, as the contribution is based on a per dwelling rate.



**ITEM NO:** QWN 04  
**FILE NO:** 331516.2019  
**SUBJECT:** Question with Notice - Cllr Hadchiti - DA's and Planning Proposals

Please address the following:

1. Based on what has been seen so far, is it fair to say that if the above are assessed externally they are turned around quicker?

## **Response**

### **Development Applications**

Council outsourced two development applications for external assessment, one in 2018 and one in 2019 (DA-191/2018 and DA-228/2019).

DA-191/2018 was withdrawn and Council records indicate that it took 188 working days to be finalised. DA-228/2019 was approved by the Local Planning Panel and Council records indicate that it took 103 working days to be determined.

In 2018 and 2019, Council's average determination times were 87 days and 98 days respectively. Based on this information, applications dealt with internally as opposed to externally were determined quicker.

### **Planning Proposals**

Consultants have assessed eight planning proposals on behalf of Council over the past two years to supplement existing staff resources within the Planning & Transport Strategy department. The work undertaken by consultants involves reviewing the planning proposal and preparing a report for the advice of the Liverpool Local Planning Panel and for a Council decision.

During this time, Council has been responsible for the preparation of several key strategic planning projects involving the use of significant staff resources, including the Local Strategic Planning Statement, the Community Participation Plan and the Local Environmental Plan review. Council has also been involved, through the Western Sydney Planning Partnership on the development of the Western Sydney Aerotropolis Plan.

The use of consultants to undertake the assessment of some planning proposals has been necessary to ensure that the high workload of the strategic planning team is appropriately managed to minimise the time taken from lodgment of the planning proposal to a decision of Council on whether the planning proposal should proceed to a Gateway determination.

Planning proposals undertake a 7-step process, including:

- Preliminary assessment (or preparation of proposal if initiated by Council)
- Prepare a report on the merits of the proposal for the advice of the Liverpool Local Planning Panel (LPP)
- Seek endorsement from Council to proceed to Gateway determination
- Gateway determination by the Department of Planning, Industry and Environment (DPIE)
- Action conditions of Gateway determination (including public agency consultation and public exhibition)
- Seek endorsement from Council to finalise planning proposal
- Liaise with Parliamentary Counsel to gazette changes to the LEP (DPIE may do this depending on authorisation)

Consultants have assisted with the first two steps in the planning proposal process with staff responsible for the remaining once the Council has decided whether a proposal should proceed.

The outsourcing of planning proposals assists greatly in managing workloads and ensuring the merit assessment of a proposal is considered in a timely manner. This is particularly the case at present given the significant development interest in Liverpool and legislative change requiring Councils to prepare a LSPS and review their LEP. However, the use of consultants does not necessarily mean that planning proposals are gazetted quicker as the use of consultants is largely limited to the initial phases of the planning proposal process, with Council officers required to do most of the work after a decision is made by Council on whether a proposal should proceed.

**ITEM NO:** QWN 05  
**FILE NO:** 331517.2019  
**SUBJECT:** Question with Notice - C/r Hadchiti - Flooding

Please address the following:

1. In the history of Liverpool has there ever been a time where a development has been required to be built above the PMF?

## **Response**

Council's management of its flood prone lands is governed by the NSW Government's Flood Prone Lands Policy, its Floodplain Development Manual and associated Guidelines, which together support the wise and rational development of flood prone lands. While Government Guidelines preclude the use of probable maximum flood (PMF) to set development controls for residential development, it acknowledges that development controls may need to be applied to critical infrastructure (such as hospitals) and vulnerable developments (like nursing homes) in floods exceeding the 100-year event. Further, the Guidelines also require Councils to fully consider accessibility of evacuation routes for all types of developments in flood events exceeding the 100-year flood to ensure people affected by the more rare and extreme floods can be safely and quickly evacuated.

To this end, there are numerous critical and vulnerable developments within Liverpool where Council has adopted and accordingly applied the PMF as the flood planning level. Examples include the Scalabirini Village Aged Care Facility at Chipping Norton, and the Liverpool Boys and Liverpool Girls High Schools in Liverpool.

Further, and as noted above, while PMF levels are not suitable to set development controls for residential developments, under the Government Policy, it is prudent to consider evacuation routes and its viability in floods exceeding the 100-year event. It is possible that while flood free and accessible to 100-year flood level, evacuation routes could become inaccessible quite rapidly in flood events even slightly over the 100-year event, thus making any emergency evacuation and recovery efforts impossible, with consequent serious risks to human life.

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



It should also be noted that the State Emergency Services, as the responsible authority for emergency evacuation during floods, do not support council approving developments on such flood prone lands unless appropriate access for fail-safe evacuation of the entire population at risks of flooding is made available.

**Note:** 100-year flood in this report refers to the 1% AEP flood, which has a 1% or 1 in 100 chance of occurring in any one year.

**ITEM NO:** QWN 06  
**FILE NO:** 331519.2019  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Professional Development

Please address the following:

1. Does the CEO think it would be worthwhile to engage an expert to run a session for Councillors on the costs of developments and on impacts policies may have in being able to deliver affordable housing?

**The Question with Notice was included in the 11 December 2019 Council Agenda and a response was provided by the Chief Executive Officer at that meeting.**

**ITEM NO:** QWN 07  
**FILE NO:** 331523.2019  
**SUBJECT:** Question with Notice - Cllr Rhodes - External Reports Commissioned by Council

Please address the following:

1. Can Council provide a report on all external reports commissioned by Council from September 2016 to November 2019?
2. Can all reports be made available to all Councillors on the Council Intranet?

**The Question with Notice was included in the 11 December 2019 Council Agenda. The matter was discussed by Council at that meeting and a motion was moved and carried. Therefore a response to these questions are no longer required as officers will be actioning the resolution from the December meeting.**

**ITEM NO:** QWN 08  
**FILE NO:** 331526.2019  
**SUBJECT:** Question with Notice - Clr Rhodes - RMS Traffic Modelling

Please address the following:

On June 25th 2019 Liverpool City Council advised the Independent Planning Commission the RMS Modelling is being withheld and Liverpool City Council has not been supplied with the traffic modelling.

Only a week later on July 2<sup>nd</sup> 2019 the Road and Maritime Services advised the Independent Planning Commission it had supplied the traffic modelling to Liverpool City Council.

1. Can Council confirm that the \$3.4 million dollar traffic and transport study of the Moorebank / Liverpool region and the Terminals, performed by the NSW State Agency Road and Maritime Services has in fact been supplied to Liverpool City Council?
  - a) If so, when it was supplied?
  - b) Was the underpinning data set also supplied?
  - c) What internal review process has been undertaken by Liverpool City Council since it was supplied?
  - d) What if any external peer review has been sought by Liverpool City Council since it was supplied?
  - e) Can Council obtain the underpinning data set for the mesoscopic modelling, if it was not supplied by Road and Maritime Services?
  - f) Can Council provide a copy of the RMS Traffic report to all Councillors via email before, or at the December Council Meeting 2019?

## **COUNCIL DECISION**

**Moved: Clr Rhodes**

**Seconded: Clr Harle**

That Council:

1. Immediately lodge a GIPA application with the RMS for the traffic modelling report and take any follow up legal action necessary; and
2. Write to the State and Federal Governments requesting an extension of exhibition time for Council and Councillors to be able to carry out their duties in accordance with the law.

**Clr Hadchiti left the Chambers at 7.04pm.**

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

Councillors voted unanimously for this motion (Clr Hadchiti was not in the Chambers when the motion was voted on).

**Clr Hadchiti returned at 7.06pm**

**ITEM NO:** QWN 09  
**FILE NO:** 331530.2019  
**SUBJECT:** Question with Notice - Cllr Harle - Access to GIPA Information Referred to in the Confidential Section at Council Meeting 20 November 2019

Please address the following:

1. Council recently received numerous GIPA request for relevant documents relating to the Warwick Farm Racing Precinct that is now subject to an independent inquiry.
  - a) What steps are necessary for Councillors to have a copy of those documents?

**Response**

The information supplied in response to the applications can be accessed by making an application under the GIPA Act.

**ITEM NO:** QWN 10  
**FILE NO:** 331540.2019  
**SUBJECT:** Question with Notice - Clr Harle - Refurbishment Costs of Council Buildings at Hoxton Park Road Complex

Please address the following:

1. What were the total costs of refurbishing the Council buildings at Hoxton Park Road complex?
2. What were the costs associated with moving the SES Unit from the Rose Street Depot to the Hoxton Park complex?
3. What are the overall costs of accommodating the Men's Shed in the previous SES accommodation at the Rose Street Depot?

## Response

### 1. What were the total costs of refurbishing the Council buildings at Hoxton Park Road complex?

The costs of Council refurbishing the Hoxton park Road building for its accommodation needs are as follows:

Refurbishment, rectification and repair work: \$940,000  
(costs reflect significant repairs due to previous vandalism and theft from vacant building)

Future works – compliance to Australian Standards and Codes: \$750,000

### 2. What were the costs associated with moving the SES Unit from the Rose Street Depot to the Hoxton Park complex?

In accordance with the Council resolution to relocate the SES Unit from the Rose Street Depot to Council's Hoxton Park Road complex, the new SES Unit premises was designed and constructed in conjunction with the SES to meet their operation needs and allow for future growth.

The cost to construct the new SES premises at Hoxton Park Road was: \$1,500,000.

The cost of relocation of the SES from Rose Street Depot to Hoxton Park Road was borne by the SES.

**3. What are the overall costs of accommodating the Men's Shed in the previous SES accommodation at the Rose Street Depot?**

As addressed in the Council meeting of 11 December 2019, Council resolved to allocate \$120,000 for the upgrading/ refurbishment of the old SES premises at Rose Street Depot to accommodate the Men's Shed.



**ITEM NO:** QWN 11  
**FILE NO:** 331542.2019  
**SUBJECT:** Question with Notice - Clr Harle - Parkbridge Estate

Please address the following:

1. Did Council Staff attend the Movie Night function held on 30 November 2019?
2. What was the function of Council Staff's attendance?
3. How and by whom was Council invited?
4. Who authorised Council Staff to attend?
5. How much did it cost Council?
6. Could Council's attendance be misinterpreted as supporting people opposed to the Town Centre proposal by attending and giving them additional information, support, and convenience to make a submission that Council does not offer to the broader residence in Middleton Grange?

## Response

### 1. Did Council Staff attend the Movie Night function held on 30 November 2019?

Yes. Two staff attended the event (Senior Strategic Planner and Community Engagement Officer) for one hour (between 5pm-6pm).

### 2. What was the function of Council Staff's attendance?

At its meeting of 25 September 2019, Council resolved, amongst other things, to "undertake community consultation in conjunction with the assessment of an application and that the community consultation not overlap the December / January holiday period." Two staff attended the event to conduct community consultation on the revised planning proposal for Middleton Grange town centre, as provided for by Council's resolution.

### 3. How and by whom was Council invited?

Council received an invitation to attend the event by the Chairperson of the Parkbridge Executive Committee.

### 4. Who authorised Council Staff to attend?

Based on the Council resolution, the Director of City Economy & Growth accepted the invitation for Council staff to attend the event to undertake community consultation.

**5. How much did it cost Council?**

The cost was limited to staff salary costs for the one hour of attendance at the event.

**6. Could Council's attendance be misinterpreted as supporting people opposed to the Town Centre proposal by attending and giving them additional information, support, and convenience to make a submission that Council does not offer to the broader residence in Middleton Grange?**

Community consultation of the planning proposal was authorised by Council resolution of 25 September 2019. Staff attending the event did not provide "additional information" to those attending the event. The information provided by staff was the same as that provided to those who attended the New Release/Established Areas Community Forum held at the Thomas Hassall Anglican College on 25 November 2019.

**ITEM NO:** QWN 12  
**FILE NO:** 331543.2019  
**SUBJECT:** Question with Notice - Cllr Hadid - Briefing Session on the City Deal

Please address the following:

A couple of Council meetings ago, the CEO advised that the briefing session on the City Deal that was cancelled will be rescheduled.

1. Has it been?
2. Why was the initial one cancelled?

**Response**

The City Deal briefing was postponed due to an unavoidable diary clash that meant the CEO would not be in attendance. As the CEO has been the key officer in all City Deal meetings and negotiations, it was determined that she should be in attendance at a briefing in order to answer any questions. The briefing will be rescheduled as soon as possible.

**ITEM NO:** QWN 13  
**FILE NO:** 331546.2019  
**SUBJECT:** Question with Notice - C/r Ayyad - Civic Place

Please address the following:

1. In relation to the proposed Civic Place, are there any updates on how the submission that Council Officers made to the UOW are going?
2. Once a resolution is carried by Council, what does the Local Government Act state should happen?

**Response**

- 1. In relation to the proposed Civic Place, are there any updates on how the submission that Council Officers made to the UOW are going?**

In relation to Council and Built's joint submission for University of Wollongong's South Western Sydney Campus, University staff are still reviewing the various submissions and expect to short list the options mid-February 2020.

- 2. Once a resolution is carried by Council, what does the Local Government Act state should happen?**

Section 335 of the Local Government Act notes that, in relation to lawful decisions of the Council, they are to be implemented "without undue delay".

**ITEM NO:** QWN 14  
**FILE NO:** 331549.2019  
**SUBJECT:** Question with Notice - Clr Balloot - Warwick Farm Precinct Economic Study

Please address the following:

Council commissioned a report regarding Warwick Farm Precinct Economic Study that Council Management had possession of in 2017:

1. What were the findings of that report?
2. Was this report ever shown to Councillors?
3. And if not, can Councillors have a copy of that report?

## **Response**

### **1. What were the findings of that report?**

Page iii, iv, and v of the AEC report outlines the key findings. These are:

#### Munday Street Precinct

The NSW Joint Regional Planning Panel approved a proposal by the Australian Turf Club (ATC) to develop part of the Warwick Farm Racecourse that will accommodate relocation of William Inglis and Son's thoroughbred auctioneering facility from Randwick to construct a new state-of-the art \$100m equine complex by 2018.

The new Equine Centre is expected to accommodate a multi-purpose selling area, parade areas, hospitality rooms and horse stabling facilities. There is also proposed a 4.5 star hotel on the site with 145 rooms and a range of hospitality facilities including a bar, gym, wellness centre, café and restaurants.

The new stabling facility at the Racecourse is estimated to be a \$40m-\$50m project, indicated to be the first of its kind in Australia (similar facilities understood to be operating in America and France). The ATC are understood to have plans to utilise value released from their landholdings at Munday Street Precinct (should the area be rezoned to permit higher density residential uses) as contribution to the new stabling facility project.

Whilst the Munday Street Precinct is currently operating as a defacto stabling precinct, this function could potentially shift to the racecourse in the future on completion of new stabling facilities. Survey findings from businesses, landowners and trainers in the Precinct indicate there is a highly favourable sentiment in the neighbourhood for rezoning the Precinct for alternative uses so long as suitable alternatives for horse stabling and related activity in

close proximity to the Warwick Farm Racecourse is available.

The ATC proposal to develop horse stabling facilities at the Warwick Farm Racecourse could effectively meet the demand for stabling currently provided for in the Munday Street Precinct. The provision of this new stabling area on the racecourse would enable the economic contribution of the Munday Street Precinct to be retained in the Liverpool LGA, while also allowing for the Munday Street Precinct to be redeveloped for higher value land uses.

#### Lot 1 Governor Macquarie Drive (known as 240 Governor Macquarie Drive)

Large format retailers and commercial uses require certain features in order to be competitive and sustainable in the long term. Large format retailers require large sites which allow numerous retailers to co-locate and cluster. Office precincts require critical mass in order to facilitate the clustering of services amenity and transport access (public transport).

The Site is challenged on all of the above-mentioned fronts.

As a B5 zoned site, due to its modest scale and relative isolation, unless commitment from an anchor tenant can be found the Site will likely struggle to be competitive.

Generic feasibility analysis demonstrates that should the Site be rezoned to R4 High Density Residential, a minimum FSR of 1:1 is required for feasible residential unit development. The FSR is less compared to that which the planning proposal lodged for the Site proposes (FSR 3.5:1).

#### Priddle/Scrivener Street Precinct

The Precinct is generally well occupied, catering to a local service need. While manufacturing activity declined over the 2006-2011 period, the Precinct experienced growth in transport logistics and local service-based businesses.

Market investigations demonstrate the Precinct generally enjoys good market appeal. That said, the difficulty of access to and from the Precinct detracts from its central location within Liverpool and the South West region. If the issue of road access is left unaddressed, it is conceivable that market interest will decline over time as other locations that offer better vehicle access are available.

The Precinct has an important role to play in providing local urban services (i.e. mechanics and construction businesses) and facilitate urban logistics as market penetration for online retail continues to increase. As the population of Liverpool and the South West region grows, so too will the need for urban services to support the population's needs.

Notwithstanding the importance of the Precinct's role, key to the Precinct being sustainable in the long term will be implementation of the proposed Manning Street bypass that

facilitates direct access to and from Governor Macquarie Drive.

## **Planning Scenario Analysis**

### Business-as-usual

In the Business-as-usual scenario, each component precinct within South Warwick Farm remains in their existing use. Implications for each of the precinct components are detailed:

- Munday Street Precinct

This residential area (zoned R2) currently functions as a defacto horse stabling facility for horses who train and race at Warwick Farm Racecourse. Owing to its location just adjacent to the racecourse, it provides horse trainers with the close proximity required for training and racing.

Despite the valuable location of this precinct close to the racecourse, there are a number of safety concerns particularly with respect to horses commuting to and from the racecourse on roads shared with passenger vehicles, heavy trucks and pedestrians.

- Lot 1 Governor Macquarie Drive

The site is relatively small in scale and offers limited opportunity for large format retailers to cluster/co-locate. Unless commitment from an anchor large format retail tenant can be secured, it is conceivable the Site will face market resistance owing to its less desirable location and site characteristics.

- Priddle/Scrivener Street Precinct

The industrial precinct (currently zoned IN1) is not suited to large format industrial users as it does not provide unrestricted access for large trucks. Current road access is via narrow roads and through the residential/horse stabling area of Munday Street.

Notwithstanding the heavy vehicle access challenges, the Precinct continues to play an important role by accommodating service-based businesses as well as urban logistics businesses, both of whom respond to population growth.

Being an established industrial area (and with many older style buildings), it is conceivable that the Precinct will be at risk of being uncompetitive in time (as buildings age and road access continues to be challenged).

## **Potential Planning Interventions and Scenarios**

Owing to the important role played by the Priddle/Scrivener Street industrial precinct, all planning scenarios envisage retention of the area for general industrial uses (i.e. retaining the IN1 General Industrial zone). Various planning interventions are considered for Munday

Street Precinct and Lot 1 Governor Macquarie Drive.

### Residential Uses

A rezoning of Munday Street Precinct and Lot 1 Governor Macquarie Drive to permit a mix of residential densities should be predicated on the ability of the horse stabling function to be relocated and accommodated on the Racecourse. This is important for three key reasons:

- Economic contribution of horse stabling precinct

Economic modelling indicates the contribution Munday Street Precinct makes to the Liverpool LGA is significant - supporting 238 jobs (direct and indirect) and approximately \$20.3m in Gross Regional Product each year, and paying \$11.9m in wages and salaries.

A relocation of horse stabling to the racecourse would allow the economic contribution of Munday Street Precinct to be retained within the Liverpool LGA. Developing horse stables at the racecourse will result in the land being consumed and potential for development for alternative uses on the site being lost. Though, any potential opportunity costs associated with developing horse stables at the racecourse will be more than offset by the retention of horse stabling activities in Liverpool LGA and higher value uses available at Munday Street.

- Viability of Warwick Farm Racecourse

Should the Munday Street Precinct be rezoned independent of the delivery of new horse stabling facility at the racecourse, there is a risk that utilisation rates at the racecourse will decline, thereby resulting in severe economic loss for the Liverpool LGA.

Many respondents to the survey indicated that availability of horse stabling facilities in close proximity to the racecourse is essential in their decision to continue training and racing at Warwick Farm.

- Value released from rezoning

As a major landowner in Munday Street Precinct, it is understood that ATC plan to leverage value that may be released from its landholdings following a rezoning to permit higher density residential uses.

A critical requirement that underpins this scenario is implementation of alternate access to Priddle/Scrivener Street Precinct that bypasses the new residential area.

Residential and industrial uses do not mix. In order for both precincts to be viable and have market appeal, there needs to be provision for separate access and unimpeded access to the industrial precinct.



Existing-use values in Munday Street Precinct and Lot 1 Governor Macquarie Drive are at levels that facilitate even a modest increase in residential density. A rezoning to permit higher densities accompanies an opportunity for Council to require contributions to public benefit as part of a planning proposal. Contributions could include amenity and infrastructure items for the new residential precinct as well as to fund the Manning Street bypass.

While the rezoning of Lot 1 Governor Macquarie Drive would theoretically result in the 'loss of employment land', the nature of its location and scale makes it challenging to establish a viable cluster of large format retail uses. Potentially some local convenience retail and supporting commercial space could be considered at this location (intersection of Manning Street, Warwick Street and Munday Street) as part of wider masterplanning for a new residential precinct.

### Employment Uses

A rezoning to facilitate employment uses at Munday Street Precinct to be sandwiched between two employment zoned areas - Lot 1 Governor Macquarie Drive (zoned B5) and Priddle/Scrivener Street Precinct (zoned IN1) is a logical land use scenario. Similar to the residential scenario, this scenario is predicated on the relocation of Munday Street Precinct's horse stabling function to the racecourse.

A rezoning to employment uses would effectively eliminate any land use conflicts between the existing industrial, residential and horse stabling activities. There would accordingly be a less compelling case to progress and implement the Manning Street bypass.

In practical terms, this scenario is unlikely to result in meaningful outcomes on-ground as existing-uses (low density residential) are generally more valuable than potential B5 or IN1 lands. In the main, it is conceivable that most properties will remain in their existing use (potentially even retaining horse stabling), there being little incentive for landowners to change or redevelop. As a consequence, land use conflicts will arguably still present between existing residential uses and industrial uses at Priddle/Scrivener Street Precinct.

A bypass road solution could still be required to address safety risks and amenity issues. 'New' employment uses are unlikely to be able to contribute to public benefit considering there is unlikely to be any 'value uplift' to the lands in Munday Street Precinct, rather a value decrease.

### **Summary**

The future of Lot 1 Governor Macquarie Drive is inextricably linked to the future of the Munday Street Precinct. Should the horse stabling functions of Munday Street Precinct be successfully and viably relocated to the racecourse, opportunities arise for Munday Street Precinct and Lot 1 to collectively deliver a masterplanned outcome incorporating a range of housing formats, required urban amenity and commercial support services, as well as meet

social/community infrastructure need.

Despite the presence of the Warwick Farm train station, the Precinct (South Warwick Farm) is not currently planned to accommodate higher density residential uses. Comprehensive land use planning will be required to unlock the Precinct's potential for a new community.

Resolution of road access and conflicts between different road users (residents and employment uses) is critical to ensuring any new residential community and the existing industrial precinct are viable and sustainable.

**2. Was this report ever shown to Councillors?**

To inform the Warwick Farm Precinct Strategy, Council officers commissioned FloodMit Pty Ltd to prepare a preliminary flood assessment and the AEC Group (AEC) to prepare an economic and market assessment study.

The Council report to the 26 July 2017 Council meeting and its attachment (the draft Warwick Farm Precinct Strategy) both contained numerous references to the AEC study and extensive quotes directly from it. No Councillor at that time requested a copy of the report or queried why it had not been provided in full.

At the time, copies of the flood and economic studies were not attached to the report because it was considered that focussed summaries and extracts of the key findings was a more effective way to report on their findings.

**3. And if not, can Councillors have a copy of that report?**

A copy of the report was attached to this item of the Council Agenda.

**ITEM NO:** QWN 15  
**FILE NO:** 331554.2019  
**SUBJECT:** Question with Notice - Cllr Hagarty - Edmondson Park Commuter Car Parking

## **Background**

In July 2019 Council passed the following motion in regards to the Commuter Car Parking Crisis in Liverpool:

*That Council write to the relevant Minister as well as the Premier reminding them of their commitment of providing commuter parking at Edmondson Park Train Station and request a firm timeframe of the delivery of such parking provisions.*

Please address the following:

1. Has a letter been sent to the Minister?
2. Has a response been received by the Minister?
3. If so, what was the response?

## **Response**

### **1. Has a letter been sent to the Minister?**

Yes, two letters were sent by Council dated 15 August 2019 to the Premier and to the Minister for Transport and Roads. A copy of these letters were attached to this Item of the Council Agenda.

### **2. Has a response been received by the Minister?**

Yes, a response was received by Council from Hon Gabrielle Upton MP, Parliamentary Secretary to the Premier on behalf of the Premier dated 3 September 2019 and a response was received from Ms Eleni Petinos MP, Parliamentary Secretary for Transport and Roads on behalf of the Minister for Transport and Roads dated 17 October 2019.

The response letter from the Parliamentary Secretary to the Premier and the response letter from the Parliamentary Secretary for Transport and Roads were attached to this Item of the Council Agenda. The responses were included in the Correspondence Register and in the CEO update sent to the Councillors on 24 October 2019.



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

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

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

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

**ITEM NO:** QWN 16  
**FILE NO:** 020162.2020  
**SUBJECT:** Question with Notice - Cllr Hagarty - Community Sport Infrastructure Grants

Please address the following:

1. Did Council make any applications for the Federal Government's Community Sport Infrastructure Grants?
2. If so, what for and how much was requested?

**A response to these questions will be provided in the 26 February 2020 Council meeting business papers.**

**PRESENTATIONS BY COUNCILLORS**

Nil.

**Clr Balloot left the Chambers at 7:30pm.**  
**Clr Balloot returned to the Chambers at 7.34pm.**

**NOTICES OF MOTION**

**ITEM NO:** NOM 01  
**FILE NO:** 021297.2020  
**SUBJECT:** Feral Cats and TNR Program

**BACKGROUND**

Complaints regarding the effects of feral cats on local wildlife, domesticated pets and quality of living of residents are frequently made by members of the community to Council and Councillors.

Thus far, attempts to ascertain which tier of government holds responsibility for this issue and work towards a satisfactory way to manage the concerns of residents and deal with the impacts of feral cats in the area have not been satisfactory.

Trap-neuter-release (TNR) programs are in place around Australia and across many other countries as a way of mitigating the impacts of feral cat populations in an ethical and humane way.

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

That Council:

1. Investigate the feasibility of developing a TNR program at Liverpool Animal Shelter;
2. Involve local veterinarians and veterinary clinics in providing pro bono services to assist with the TNR program and rehoming of cats;
3. Identify other organisations, i.e. the RSPCA, that may also be able to assist and add value to a local TNR program; and
4. Consider other measures that can be undertaken within the LGA to mitigate the impacts of feral cats on the local community and provide a report back to Council by the May 2020 Council meeting.







**ITEM NO:** NOM 03  
**FILE NO:** 021347.2020  
**SUBJECT:** No Injecting Room

## **BACKGROUND**

Council and the community have previously expressed its strong opposition to medically supervised injecting facilities in Liverpool on a number of occasions.

In December last year, the journal 'Current Issues in Criminal Justice' published an article by two academics, George Christopher Dertadian & Stephen Tomsen, titled 'The case for a second safe injecting facility (SIF) in Sydney'. The article attempts to 'make the case' for a second injecting centre in Sydney's Western or South Western Suburbs, with Liverpool listed as a potential location.

In the same week as that article was published, Deputy State Coroner Harriet Grahame, called for NSW Health and Liverpool Hospital to undertake a feasibility study into the establishment of a medically supervised injecting room within the grounds of Liverpool Hospital. The recommendation was made following Ms Grahame's inquest into the tragic 2015 death of a young man who overdosed in the toilets at Liverpool Hospital.

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

That Council:

- reaffirms
  - its strong opposition to a medically supervised injecting facility in the Liverpool LGA; and
  - support for drug rehabilitation services and programs.
- acknowledges that domestic violence, homelessness and mental health are contributing factors to drug addiction.
- notes that the NSW State Government is the level of Government responsible for the approval and establishment of medically supervised injecting facilities.
- calls on the State Government to:
  - immediately rule out the establishment of a medically supervised injecting facility in the Liverpool LGA; and
  - boost funding to legal aid, domestic violence, homelessness and mental health services in the Liverpool LGA.



6. Notes The NSW Government committed new funding of \$61 million over four years to implement the strategy, including:
  - a) \$20 million for social impact investment reducing exits from health institutions into homelessness.
  - b) \$10.7m for assertive outreach to support people sleeping rough, providing an end to end model with increased health capability.
  - c) \$10.6 million for sustaining tenancies support, by addressing complex needs such as mental health and drug and alcohol issues.
  - d) \$9.1 million for additional transitional accommodation.
  - e) \$6.2 million to expand the Staying Home Leaving Violence program to new locations.
  - f) \$4.7 million for universal risk screening and supports to respond early to young people at risk.
  
7. Notes that in 2019-20 State Budget there is \$20 million committed to homelessness programs and services in the South Western Sydney district (including Liverpool), including women's and youth refuges. Non-government organisations (NGOs) are funded to deliver a range of services to support people who are experiencing homelessness or at risk of becoming homeless, including young people, families, single men, and single women, with or without children. Services may include outreach, case management, links to education and training, crisis and transitional accommodation;
  
8. Notes that South Western Sydney Local Health District provides inpatient and community Mental Health services across the age range to the Liverpool area. Community services are provided by Liverpool and Fairfield community Mental Health teams, providing a range of services for people experiencing issues with their mental health and severe psychological distress. The mental health services are accessible 24 hours a day, 7 days a week by calling 1800 011 511;
  
9. Calls on the State Government to put a program in place to phase out the methadone clinics in the Liverpool LGA; and
  
10. Through its social media platforms promote the service identified in point 8.

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

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

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

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

**Vote against:** Clr Shelton



- 1 Continue to act on its promise and duty to do all it can to protect the safety and minimise any negative impacts the Intermodal may have on its ratepayers;
- 2 Note that RAID Moorebank Inc. did lodge a Class 1 merits appeal before the statutory deadline and the first appearance has been set down for the 7<sup>th</sup> February 2020;
- 3 Subject to the public exhibition requirements contained in s.356 of the Local Government Act 1993 and also subject to a case outline to be received from the resident group, Council consider allocating a financial amount of up to \$300,000, subject to presentation of invoices, to fund legal fees and disbursements and expert witness costs relating to the Class 1 Appeal in the NSW Land and Environment Court by RAID Moorebank Inc. at the next Council meeting;
- 4 Advise RAID Moorebank Inc. that no funding is guaranteed and they currently progress this case at their own financial risk; and
- 5 Request the CEO to list this item on the Agenda for 26 February 2020 Council meeting for an update to Council on:
  - a) Community feedback received at that point;
  - b) Any issues; and
  - c) What Council has received from RAID in relation to the prospects and what Council are trying to achieve in that case.

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

Division called:

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

**Vote against:** Clr Shelton











5. Notes that should the negotiations disclose any uncertainty regarding SD Civil's ability to undertake the required works or any material change to the original offer, fresh tenders will be invited for these works;
6. Makes public its decision regarding Tender WT2864 Design and Construction of an External Lift for 3 Hoxton Park Road;
7. 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
8. 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.

Note: Clr Ayyad had retired from the meeting when this item was voted on.





**ITEM NO:** CONF 06  
**FILE NO:** 331553.2019  
**SUBJECT:** Question with Notice - Cllr Hadchiti - 35 Scott Street, Liverpool

Please address the following:

Council is currently leasing floor space at 35 Scott Street, Liverpool.

1. To date what is the overall cost of leasing that space?
2. When did the lease start?
3. What is the ongoing monthly leasing cost?
4. Is the whole leased area being occupied?

**Responses to these questions were provided to Councillors and discussed in confidential session.**

**ITEM NO:** CONF 07  
**FILE NO:** 331532.2019  
**SUBJECT:** Question with Notice - Cllr Harle - Leasing of 33 Moore Street, Liverpool

Please address the following:

1. What is the annual leasing income from space within 33 Moore Street?
2. What were the overall costs of moving Council staff from 33 Moore Street to the refurbished buildings at the Hoxton Park Road complex?

**Responses to these questions were provided to Councillors and discussed in confidential session.**



**THE MEETING CLOSED AT 9.04pm.**

<Signature>

Name: Ali Karnib

Title: Deputy Mayor

Date: 26 February 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 5 February 2020. 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 FEBRUARY 2020**

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**PRESENT:**

Deputy Mayor Ali Karnib  
Councillor Ayyad  
Councillor Balloot  
Councillor Hadchiti  
Councillor Hadid  
Councillor Hagarty  
Councillor Harle  
Councillor Kaliyanda  
Councillor Rhodes  
Councillor Shelton  
Dr Eddie Jackson, Acting Chief Executive Officer  
Mr Tim Moore, Director City Economy and Growth / Deputy CEO  
Mr James Ng, Acting Director City Corporate  
Mr Peter Patterson, Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Ms Tina Sangiuliano, Acting Director City, Community and Culture  
Mr Andrew Stevenson, Chief Strategy and Engagement Officer  
Mr Charles Wiafe, Service Manager Traffic and Transport  
Ms Elizabeth Espinosa, General Counsel Manager Governance Legal  
Mr Michael Knight, Deputy General Counsel, Governance Legal & Procurement  
Mr David Smith, Manager Planning & Transport Strategy  
Mr David Maguire, Internal Ombudsman  
Mr George Georgakis, Manager Council and Executive Services  
Ms Maree Stewart, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.02pm.

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**DECLARATIONS OF INTEREST**

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

- Item:** CONF 01 Mayor and Councillors Charity Ball 2020
- Reason:** Clr Hagarty is the Chairperson of one of the organisations who submitted an Expression of Interest.

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

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

- Item:** COM 01 Grants, Donations and Corporate Sponsorship
- Reason:** Clr Rhodes is a financial member of one of the organisations who submitted a grant application.

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

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

- Item:** NOM 04 Flooding & Drainage Management Austral Precinct
- Reason:** Clr Hadchiti lives in close proximity to the area.

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

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

- Item:** CTTE 04 Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee Meeting held on 29 January 2020 (Leacocks lane, Casula – bus zone item).
- Reason:** Clr Ayyad has relatives that live in Leacocks Lane, Casula.

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

**STATEMENT FROM THE ACTING CEO REGARDING CORONAVIRUS AND SUPPORT FOR CHINESE COMMUNITY**

The Acting CEO made the following statement:

*“The Deputy Mayor and Councillors have asked me to read this Notice of Motion on coronavirus and it states:*

*We as leaders of the Liverpool City Council are exceptionally proud of the diversity and vibrancy of our city. Proud to be known for our welcoming and implicit nature and proud of our community spirit.*

*Liverpool’s Chinese community, residents and students are an integral part of our community. We know that this is a worrying time for us all, when many are concerned for the health of family, friends and loved ones back home in China. Our support is more important than ever before, many businesses here in Australia have been affected, we as Councillors of Liverpool City Council stand together in solidarity with our Chinese community and the need for all of us to support our local restaurants.*

*Madam Mayor through the Deputy Mayor, I seek your support and all the Councillors to send a letter to the Chinese Ambassador and Consul-General expressing our condolences for all the lives that have been lost and our full support at these extremely difficult times for the Republic of China and its people.*

*Thank you.”*

**PUBLIC FORUM**

**Presentation – items not on agenda**

1. **Ms Suzanne Denslow** addressed Council on the following matter:

Liverpool Animal Shelter

2. **Ms Cynthia Meta** addressed Council on the following matter:

Liverpool Animal Shelter

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

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

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

3. **Ms Judith Ann Carter** addressed Council on the following matter:

Liverpool Animal Shelter

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

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

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

4. **Mr David Milovanovic** addressed Council on the following matter:

Dirt mounds at the Serbian Cultural Club, St Sava

**Representation – items on agenda**

5. **Ms Vicki Andrews** addressed Council on the following item:

**CORP 02:** Reducing Red Tape - Development of Policies, Standards, Charters, Procedures and Strategies

6. **Ms Helen Anderson** addressed Council on the following item:

**EGROW 07:** Endorsement of submission on Draft Western Sydney Aerotropolis Plan and Aerotropolis Planning Package.

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

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

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

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

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

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

7. **Ms Leanne Sales** addressed Council on the following item:

**EGROW 07:** Endorsement of submission on Draft Western Sydney Aerotropolis Plan and Aerotropolis Planning Package.

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

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

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

8. **Ms Narelle Sales** addressed Council on the following item:

**EGROW 07:** Endorsement of submission on Draft Western Sydney Aerotropolis Plan and Aerotropolis Planning Package.

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

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

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



**MOTION OF URGENCY****ITEM NO:** MOU 01**SUBJECT:** Liverpool Animal Shelter

In accordance with Clause 8.3 of Council's Code of Meeting Practice, the Chairperson, Deputy Mayor Karnib, ruled the following motion as urgent, and as such it was dealt with at this meeting.

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

That Council:

1. Direct the CEO to immediately enter into negotiations with the land owner/purchaser of the current site which houses the Liverpool Animal Shelter with the aim of:
  - a) Reaching an agreement to extend the current lease on the shelter in the short term; and
  - b) Discussing the possibility of providing an animal shelter for the long term on the current site.
2. Direct the CEO to write to Blacktown City Council advising them that Liverpool City Council will not take up their proposed offer to utilise the new to be built Animal Shelter;
3. Simultaneously with point 1b) investigate and report back to Council at the April 2020 meeting concept plans for a new facility within our LGA on land currently owned by Council;
4. Direct the CEO to report back to Council on medium term options within our LGA should that be required;
5. Further investigate if the Western Sydney Parklands will not encourage a wildlife sanctuary into the Liverpool LGA section of the parklands a possible plan to include a wildlife sanctuary in an animal precinct close to the animal shelter;
6. Form a Community Companion Animal Advisory Committee;
7. Hire a suitably qualified Companion Animal Public Liaison Officer;
8. Report quarterly to Councillors and annually via the Annual Report on the number of dogs and cats:
  - a. Seized
  - b. Returned to owner
  - c. Surrendered by owner

- d. Impounded
  - i. At Blacktown
  - ii. Elsewhere
- e. Of those impounded
  - i. Rehomed
  - ii. Unsuitable animals euthanased
  - iii. Sent to rescue organisations
  - iv. Sold

9. Request WSROC adopt a No Kill policy and encourage all member Councils to do the same; and

10. Write to Local Government NSW to request the Companion Animal Act to better respond to cats.

**Division:**

**Vote for:** Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Harle, Deputy Mayor Karnib, Clr Rhodes, Clr Kaliyanda and Clr Hagarty.

**Vote against:** Clr Shelton.

**MOTION OF URGENCY**

In accordance with Clause 8.3 of Council's Code of Meeting Practice, the Chairperson, Deputy Mayor Karnib, ruled the following motion (proposed by Clr Kaliyanda) was not urgent, and as such, it was not dealt with at this meeting.

It is however shown below for the record:

That Council:

Supports legislation introduced into NSW Parliament this week disqualifying real estate agents and property developers from holding the office of Councillor or Mayor.

**CHIEF EXECUTIVE OFFICER REPORT**

**ITEM NO:** CEO 01  
**FILE NO:** 029349.2020  
**SUBJECT:** Biannual Progress Report - July-December 2019

**COUNCIL DECISION**

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

That Council notes and receives the Biannual Progress Report which outlines the progress of the actions detailed in the Delivery Program and Operational Plan 2019-20.

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

**MOTION TO BRING ITEM FORWARD**

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

That item EGROW 07 Endorsement of submission on Draft Western Sydney Aerotropolis Plan and Aerotropolis Planning Package be brought forward and dealt with now.

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

**ITEM NO:** EGROW 07  
**FILE NO:** 039303.2020  
**SUBJECT:** Endorsement of submission on Draft Western Sydney Aerotropolis Plan and Aerotropolis Planning Package

### **COUNCIL DECISION**

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

That Council endorse the submission on the Aerotropolis Planning Package and forward the submission to the Western Sydney Planning Partnership for consideration with the following amendments:

- Dwyer Road Precinct should be included in the developments to be done before the airport opens;
- The Luddenham village remain R2 and not be rezoned to the new agribusiness zone;
- Remove Recommendation 9;
- Delete recommendation 21 regarding zero carbon neutrality target;
- Recommendation 22 – retain low rather than zero carbon;
- Recommendation 23 – do not strike out the words “beyond compliance”;
- Delete Recommendation 33 regarding wind turbines being a permitted use in the area;
- Amend Recommendation 34 to provide a timeframe;
- Amend Recommendation 36 to provide a timeframe for when the permissible uses transition to the new zoning; and
- Amend Recommendation 37 to include protecting the heritage buildings in Luddenham Village.

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

That Council endorse the submission on the Aerotropolis Planning Package and forward the submission to the Western Sydney Planning Partnership for consideration with the following amendments:

- Dwyer Road Precinct should be included in the developments to be done before the airport opens;
- The Luddenham village remain R2 and not be rezoned to the new agribusiness zone;
- Recommendation 23 – do not strike out the words “beyond compliance”;
- Delete Recommendation 33 regarding wind turbines being a permitted use in the area;

- Amend Recommendation 34 to provide a timeframe;
- Amend Recommendation 36 to provide a timeframe for when the permissible uses transition to the new zoning; and
- Amend Recommendation 37 to include protecting the heritage buildings in Luddenham Village.

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











**Clr Hagarty and Clr Hadid left the Chambers at 8.29pm.**

**Clr Hagarty returned to the Chambers at 8.30pm.**

**ITEM NO:** EGROW 05  
**FILE NO:** 029355.2020  
**SUBJECT:** Draft Intermodal Precinct Committee Charter

**COUNCIL DECISION**

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

That Council endorse the Intermodal Precinct Committee Charter (and revoke the Intermodal Committee Charter) with the following amendments:

1. Clause 4.1 FUNCTIONS be amended and renumbered to read:
  - a) *To ensure, through collaboration with the Intermodal Company, so that the negative impacts are minimised and financial mitigation offers are considered and utilised to improve the health and safety of residents in Liverpool.*
  - b) *To provide advice to assist in any Council submissions on development or modification applications relating to the Intermodal development, with emphasis on minimising adverse impacts on the health of the community.*
  - c) *To develop partnerships with relevant stakeholders, environmental groups and key organisations;*
  - d) *To make recommendations to Council regarding achievement of positive and negative outcomes for the residents of Liverpool.*
  
2. Clause 7.1 Councillor Representation be changed from “One Councillor” to “Two Councillors”.
  
3. Clause 7.3 Community Representation be changed to read:
 

*Appoint a Selection Committee to appoint up to 5 voting community members.*
  
4. Clause 8.1 be changed to read:
 

*The quorum to enable business to be transacted at meetings will be half the membership plus one and must include one Councillor and any other Councillor present although not a member of the committee may substitute the missing Councillor to make up the quorum.*

5. Clause 8.3 be changed to read:

*Recommendations of the committee will be made on the basis of a majority consensus. At the discretion of the Chairperson a vote may be called to decide a matter. This may occur when a consensus cannot be reached or in a relation to a matter that is more significant in nature. In such cases, the matter will be resolved by a simple majority of those at the meeting, provided there is a quorum present. In the event of a tied vote, the Chairperson will exercise the deciding vote.*

6. An additional clause be added as below:

*“The Chairperson must be called to resolve a matter.”*

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

That the recommendation be adopted.

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

Clr Shelton and Clr Balloot asked that they be recorded as voting against the motion.



























- Obtaining a Road Occupancy License from the Transport Management Centre.
  - Council liaises with the event organisers, Police and local bus companies to minimise traffic impacts of the event.
- vi) Weir Crescent, Lurnea – Proposed Signs and Line Marking Scheme
- Council approves installation of ‘BB’ lines at BB’ line marking at the 90<sup>o</sup> bend road section.
- vii) Mallow Avenue and Carmichael Drive Roundabout – Proposed Reconfiguration
- Council approves re-line marking with rumble bars at the existing Mallow Avenue and Carmichael Drive roundabout, West Hoxton
- viii) Soldiers Parade and Greenway Drive Intersection, Edmondson Park - Proposed Roundabout
- Council approves the installation of a roundabout at the Soldiers Parade and Greenway Road intersection, Edmondson Park.
- ix) Northumberland Serviceway, Liverpool – Proposed Special Community Event and Temporary Road Closure
- Council classifies the ‘Love Livo Nights’ event as **Class 3** Special Events requiring submission of Special Event Transport Management Plan to TfNSW and Police for information.
- x) Middleton Drive, Middleton Grange – Signs and Line Marking Scheme for a New Subdivision
- Council approves the proposed traffic facilities and associated signs and line marking scheme in the sections of Southern Cross Drive, Middleton Drive and Monoplane Avenue, Middleton Grange.
- xi) Whitford Road, Partridge Avenue and Dotterel Street Intersection, Hinchinbrook – Intersection Upgrade
- Council approves the proposed raised thresholds and associated signs and line marking on all the approaches to the existing roundabout at Whitford Road, Partridge Avenue and Dotterel Street intersection, Hinchinbrook, incorporating landscaping changes to discourage pedestrian movements
- xii) Various Streets, Liverpool LGA - Community Requests for Minor Traffic Facilities



**Kingsford Smith Avenue and Flynn Avenue roundabout, Middleton Grange – Road Safety Concern**

- The findings of a road safety audit to be presented to the Committee at a future meeting.

**170 Leacocks Lane, Casula – Bus Zone**

- Council approves installation of 'Bus Zone' signs along with pavement markings.

**Cecil Hills – Speed Review**

- Council note that speed classifications will be carried out and the results with recommendations on traffic management will be presented to a future committee meeting.

**Tucker Road/Cleary Place, Casula – Parking at Intersection**

- Council approves 'No Stopping' yellow edge line at the Tucker Road/Cleary Place intersection, Casula.

**Dampier Place, Prestons – Truck Parking**

- Council approves after hours truck parking in Dampier Place, Prestons.

**Hill Road, Lurnea – Parking restrictions in the off-street car park**

- Council notes that stakeholder consultation will be carried out and the outcomes of the consultation will be presented to the Committee at a future meeting if required.

xiii) Liverpool City Centre – Review of Parking Restrictions

- Council approves the proposed adjustments to the existing signs

xiv): Items Approved Under Delegated Authority.

- Council approves the works endorsed through delegated authority approvals during the period between 11 November 2019 and 8 January 2020.

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

**BRING ITEMS FORWARD**

**Motion**

**Moved: Clr Ayyad**

**Seconded: Clr Balloot**

That Council deal with the Notice of Motion items now and then move into Closed session immediately after dealing with those motions.

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

**NOTICES OF MOTION**

**ITEM NO:** NOM 01  
**FILE NO:** 033822.2020  
**SUBJECT:** Out of Office Hours Compliance Officers

**BACKGROUND**

It is not acceptable for Liverpool Council to only provide Compliance Officers to address the needs of the community between the hours of 9am to 4pm.

There are numerous reports from constituents directly to Councillors that the public are aware that it is publicly known that the Council’s Compliance Officers do not start before 9am and finish at 4pm Monday to Friday and that violations are on the increase outside those timeframes.

Council has to recognise that violations do not tab on and off in between 9am and 4pm and in fact the constituents knowledge of the compliance officers working hours has directed them to violate more outside those hours when they know the Compliance Officers are not clocked on.

Reporting of any violation to police outside the compliance officers working hours is not working.

Compliance complaints such as parking, and noise need to be addressed at the time of the violation and this is not currently being done.

At the recent Traffic Committee Meeting it was noted that it only takes one car to park illegally outside the Compliance Officer’s clock in time to park in the Liverpool City’s through traffic flow streets to cause considerable traffic congestion and disruption to Liverpool Constituents getting to and from work.

Traffic congestion in the Liverpool CBD is not conducive to encouraging further business and job opportunities as we embark on selling Liverpool as the third city of Sydney. It is as equally damaging to our future prospects as the lack of provision of adequate parking to support business and jobs within the CBD.

In our suburbs Councillors are receiving more and more direct contact complaints by constituents who say they have lost confidence in reporting complaints through the Council complaints system or that they are frustrated by their issues falling outside the Compliance Officer’s clock in and out times.

It has been reported to Councillors of air quality violations that operate outside the Compliance Officer’s clock in or out times.



**ITEM NO:** NOM 02  
**FILE NO:** 033842.2020  
**SUBJECT:** Wildlife Protection Special Levy

**BACKGROUND**

The recent devastation of Australian wildlife through drought, fire and floods has made it vitally important that everything possible is being done to protect and promote their survival in an environment that is becoming increasingly hostile to them.

Australia’s international identity and tourism that contributes \$57.3 billion to the Australian economy has to be retained at all costs.

We can no longer, not consider the harm that the urban sprawl is doing to the habitats of our wildlife and all levels of government including local government must have a unified understanding of the issues and a unified approach to the solutions needed.

Liverpool Council has to do its part. It is no longer a question of identifying established wildlife corridors, it is now a necessity for Liverpool Council to create safe corridors. To plant koala feeder trees within these corridors and most important to connect all corridors with neighbouring LGA’s and with safe road crossings where they are necessary in linking the corridors.

It is important more than ever that Liverpool Council continues discussions with the Department of Defence to make available corridors through their land to protect and nurture Australian wildlife.

It is important the wildlife corridors are created, locally, throughout the State of NSW and Nationally in order to provide Australian wildlife with access to routes without fences to escape any future fire threats.

It is not acceptable that 800 million of Australia’s wildlife was impacted by the recent fires.

It is not acceptable, that although Liverpool was not impacted in the recent fires, it is not acceptable that Liverpool does not respond to the warning and make sure we have done all that is possible to protect wildlife for not if it happens but when it happens in Liverpool.

**NOTICE OF MOTION (submitted by Cllr Rhodes)**

That Council

1. Recognises the importance of wildlife protection and the economic benefits that Australian wildlife continues to contribute through tourism to the local and national economies;





- That Option 2 be implemented, not in 2024 when the Metro opens, but as soon as the existing Bankstown line is closed; and
  - That the route be named 'City via Regents Park' line.
2. Continues to advocate for:
    - Genuine express services from Liverpool to the City Circle; and
    - Better public transport service in Liverpool.
  3. Immediately make a submission to Transport NSW to:
    - Lobby for an express service from Liverpool to Bankstown.
    - For this express service to be put in place before 2024 (opening of the South West Metro)
  4. Commission a study to assist the express service from Liverpool to Bankstown, identifying what infrastructure is required.
  5. Congratulate the NSW Government on the construction of the South West Metro and its commitment to bring it to Liverpool in the long term master plan.
  6. Continue to lobby for the South West Metro to be extended to Liverpool and to Western Sydney Airport.
  7. Make a submission to the relevant bodies advising them of Council's position

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



**ITEM NO:** NOM 04  
**FILE NO:** 040359.2020  
**SUBJECT:** Flooding & Drainage Management Austral Precinct

## **BACKGROUND**

All will be aware of the storm events that occurred over the weekend of the 8<sup>th</sup> & 9<sup>th</sup> of February 2020 with parts of the LGA impacted with flooding.

In the past the Director of City Presentation has actioned my requests for drainage management along, for example, Fourth Ave Austral.

Whilst I am no engineer or flood expert being on the ground in the Austral area on Sunday my eyes told me that the flooding would not have been so bad if water was able to freely run through the drainage channels and into Kemps Creek.

The Creek had capacity, but the water was struggling to get there for a variety of reasons, overgrowth in channels, channels along roads not interconnecting, small pipes under driveways at entry points to properties, etc.

I can expand on the above during the meeting and can provide photos if required.

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

That Council:

1. Direct the CEO to immediately put a plan in place to:
  - a. Clear out the water channels along the road verges that collect water at Austral;
  - b. Connect these channels to each other;
  - c. Replace any driveway crossover pipes that restrict the flow of water; and
  - d. Remove any trees in close proximity to the water channels which are deemed unsafe due to root exposure etc and plant replacement trees elsewhere in lieu of.
2. Direct the CEO to urgently make contact with the Minister responsible for roads so that discussions can take place around the detrimental effects of the water detention basin they built on the Corner of Bringelly Road and Fourth Ave; and
3. Allocate funds from the unrestricted reserve to ensure these works are funded immediately.



**ITEM NO:** NOM 05  
**FILE NO:** 040517.2020  
**SUBJECT:** Auditory Processing Disorder

## **BACKGROUND**

Auditory Processing Disorder (APD) is a problem with recognizing and interpreting the meaning of sounds. People with APD have normal hearing but have trouble listening, learning and concentrating in noisy environments, such as classrooms. Experts estimate that APD affects between 3 and 10% of school-aged children.

APD can often look like or be confused with language problems, learning difficulties, Autism Spectrum Disorder (ASD), or attention deficit hyperactivity disorder (ADHD). Because of this, it can often be hard to diagnose. Diagnosis can also be hampered by the length and complexity of the testing process (it requires testing by 3 different specialized health professionals and can take over 4 hours), as well as the associated costs of testing.

Awareness of APD, both in the education system and in the broader community, is also very low. Liverpool has a large migrant and refugee community, many of who may not have ever come across APD previously.

Public libraries have many necessary functions. Not only are they an important meeting point for many within our community, they are also a reference point for information and resources. This is particularly true for marginalized members of our community, such as those from a refugee or migrant background, those with limited financial resources and those with disabilities.

Early diagnosis and intervention is crucial to closing the achievement gap for those with APD. Awareness and education about the existence of APD and its impact on people is an important step in facilitating early diagnosis.

Having resources and information available in public spaces can help those in our community with APD to feel like they are visible and acknowledged members of our community, and can hopefully help those who are not aware of APD to learn more and enable better outcomes for those in their family or social network.

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

That Council:

1. Use Auditory Processing Disorder Awareness Day (4 April), as an opportunity to educate and raise awareness about APD in the Liverpool community;
2. Work with Australian Hearing (the peak body for hearing and auditory processing related problems) to have educational resources available at our public libraries;







**Note:** *The Question with Notice items (QWN 1 - QWN 11) as published in the Council Agenda are shown below. The response to QWN 01 is shown below. Responses to QWN 02 – QWN 11 will be included in the March Council Agenda).*

## QUESTIONS WITH NOTICE

**ITEM NO:** QWN 01

**FILE NO:** 025437.2020

**SUBJECT:** Question with Notice - Clr Hagarty - Community Sport Infrastructure Grants

### Please address the following:

1. Did Council make any applications for the Federal Government's Community Sport Infrastructure Grants?
2. If so, what for and how much was requested?

### Response

Liverpool City Council did not submit any applications to the Community Sport Infrastructure grant program which closed in September 2018.

Two community sporting organisations in the Liverpool LGA were successful in gaining funding of \$50,000 under this program.

- Kemps Creek Soccer Club (\$50,000 – Floodlighting improvements)
- Moorebank Soccer Club (\$50,000 – Floodlighting improvements)

Council subsequently provided support to both the Kemps Creek Soccer Club and Moorebank Soccer Club to complete their floodlighting projects.

**ITEM NO:** QWN 02  
**FILE NO:** 033779.2020  
**SUBJECT:** Question with Notice - Cllr Rhodes - Public Art for New Civic Centre

At a recent Art exhibition by local artists held at CPAC, there were a number of paintings based on the theme "The history of Liverpool". It would be an opportunity for Council to support both local artists and provide appropriate art in the new Civic Centre.

**Question**

Could paintings be nominated by the public for possible purchase by Council to be hung in the new Civic Centre once it is built?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**



**ITEM NO:** QWN 03  
**FILE NO:** 033792.2020  
**SUBJECT:** Question with Notice - Cllr Rhodes - Seniors Community Consultation

Council recently identified the concerns seniors identified having a healthy, mind, body and feeling safe as what matters most to them and that Council will be considering policies and strategic directions towards creating an age-friendly City.

**Questions**

1. When will Council be presenting policies to deliver an Age Friendly City?
2. Will there be a specific Council workshop through which Councillors and Community are invited to participate?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**

**ITEM NO:** QWN 04  
**FILE NO:** 033799.2020  
**SUBJECT:** Question with Notice - Clr Rhodes - Monitoring of Air Quality in Child Care Centres

Children's services is working closely with NSW Health and the Rural Fire Services to ensure that risks are minimised for Children and their Families, protecting their health, while in Council's Early Education Centres.

**Questions**

1. What is Council doing to educate and protect the health of Children who do not attend Early Education Centres, or an Education Centre that does not belong to Liverpool Council?
2. How can Liverpool Council ensure the protection of all Liverpool residents during periods of poor air quality?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**

**ITEM NO:** QWN 05  
**FILE NO:** 033804.2020  
**SUBJECT:** Question with Notice - Clr Rhodes - Liverpool Community Hub

Recently Liverpool Council partnered with Community Hubs Australia to support the National Community Hubs Program in Liverpool.

The purpose of the Hubs are to:

Connect Families with each other, their school and existing services and local organisations, that can supply health, settlement support and socialising for Migrant mothers.

**Questions**

1. What does the new National Community Hubs do that was not already being supplied through the Migrant Resource Centre other than a closer connection to the school children may attend?
2. What is the manner in which Council has partnered with the new National Community Hubs, what does Council actually contribute?
3. Does it cost Council money and if so how much?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**

**ITEM NO:** QWN 06  
**FILE NO:** 033809.2020  
**SUBJECT:** Question with Notice - Cllr Harle - Membership on Planning Panels

Council currently operates two Planning Panels that assess Development Applications.

One is the Local Planning Panel and the other is the Sydney Western City Planning Panel. Both Panels have Councillor appointed members.

Can Council ensure that whenever possible the required number of panel members are present at each of the meetings?

Over the past 18 months there has been a notable absence of the required number of panel members assessing development applications for the Liverpool LGA. This is despite having several alternative members listed on the eligibility list.

Is it possible to extend that list and ensure adequate community representation takes place at each and every Panel Meeting?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**

**ITEM NO:** QWN 07  
**FILE NO:** 040253.2020  
**SUBJECT:** Question with Notice - Clr Ayyad - Memorial School of Arts

**Please address the following:**

1. How much was spent on the upgrade of the surrounds of the school of arts?
2. Who prepared the landscaping plan?
3. How much was spent on the design of the landscaping plan?
4. How much did it cost to deliver the landscaping plan?
5. Can you please provide photos of the completed landscaping plan and any media releases related to it?
6. When was the school of arts leased out?
7. When was agreement reached?
8. How much income has been received so far from the lease?
9. When does the lease finish.

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**

**ITEM NO:** QWN 08  
**FILE NO:** 040289.2020  
**SUBJECT:** Question with Notice - Clr Hadchiti - Section 7.11's

**Please address the following:**

1. Is Council aware if the NSW Audit is undertaking a performance audit on Section 7.11 Contribution Towards Provision or Improvement of Amenities or Services, (of the Environmental Planning and Assessment Act 1979)?
2. Has Council undertaken any audits internally/externally on s7.11's during this term of Council and if so, can we be provided with these reports?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**

**ITEM NO:** QWN 09  
**FILE NO:** 040302.2020  
**SUBJECT:** Question with Notice - Clr Hadchiti - Contamination Reports

I thank staff for their response regarding contamination reports in the last business paper.

**Please address the following:**

1. Has Council ever undertaken a survey from companies that have provided contamination reports as part of DA's to seek feedback on Council processes?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**

**ITEM NO:** QWN 10  
**FILE NO:** 040317.2020  
**SUBJECT:** Question with Notice - Clr Hadchiti - Moorebank Recyclers

**Please address the following:**

1. Has any progress been made on ensuring we don't see a recycling facility in Georges Fair?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**



**ITEM NO:** QWN 11  
**FILE NO:** 040329.2020  
**SUBJECT:** Question with Notice - Clr Hadchiti - Civic Place

**Please address the following:**

1. By submitting an early works DA for Civic Place, can it be interpreted by the public that Council has already determined the final outcome of the building DA before a building DA has even been submitted?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**

**Deputy Mayor Karnib called a recess of Council at 9.36pm.**

**Deputy Mayor Karnib reopened the meeting at 9.44pm - Cllr Balloot and Cllr Hadid were not in the Chambers when the meeting reopened.**

**The public were asked to leave the Chambers.**

## **CLOSED SESSION**

Deputy Mayor Karnib advised that Council would now move into Closed Session to deal with the confidential items on the Council Agenda in accordance with the Local Government Act 1993 as outlined below:

- CONF 01      Mayor and Councillors Charity Ball 2020  
*Item CONF 01 is confidential pursuant to the provisions of s10(A)(2)(a)(g) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors); and, advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege*
- CONF 02      Minutes of the Civic Advisory Committee Meeting held 31 January 2020  
*Item CONF 02 is confidential pursuant to the provisions of s10(A)(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors).*
- CONF 03      RCL2828– Provision of Asbestos Removal, Site Remediation and Demolition Services  
*Item CONF 03 is confidential pursuant to the provisions of s10(A)(2)(d i) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*
- CONF 04      Proposed Acquisition of Lot C DP 19162, 78 Rickard Road, Chipping Norton under the Moorebank Voluntary Acquisition Scheme  
*Item CONF 04 is confidential pursuant to the provisions of s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*



2. Continue with its adopted policy as a means of determining the beneficiary of the Mayor & Councillors Ball proceeds; and
3. The proceeds of the Charity Ball be shared evenly between CNA Italian Australian Services & Welfare Centre (NSW) Inc, and the Salvation Army.

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

Clr Kaliyanda asked that she be record as voting against the motion.

**Clr Hagarty returned to the Chambers at 9.59pm.**











**THE MEETING CLOSED AT 12.00am.**

<Signature>

Name:

Title:

Date: 25 March 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 February 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

.....

Chairperson



## MINUTES OF THE ORDINARY MEETING HELD ON 25 MARCH 2020

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### **PRESENT VIA VIDEO CONFERENCING:**

Mayor Wendy Waller  
Councillor Ayyad  
Councillor Ballot  
Councillor Hadchiti  
Councillor Hadid  
Councillor Hagarty  
Councillor Harle  
Councillor Kaliyanda  
Councillor Karnib  
Councillor Rhodes  
Councillor Shelton  
Ms Kiersten Fishburn, Chief Executive Officer  
Dr Eddie Jackson, Director City Community and Culture  
Mr David Smith, Acting Director City Economy and Growth  
Mr George Hampouris, Acting Director City Corporate  
Mr Peter Patterson, Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Mr Andrew Stevenson, Chief Strategy and Engagement Officer  
Mr Vishwa Nadan, Chief Financial Officer  
Ms Tina Sangiuliano, Strategic Organisational Change Manager  
Mr John F Morgan, Director Property & Commercial Development  
Ms Elizabeth Espinosa, General Counsel Manager Governance Legal  
Mr David Maguire, Internal Ombudsman  
Mr George Georgakis, Manager Council and Executive Services  
Ms Maree Stewart, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.02pm

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### **STATEMENT REGARDING WEBCASTING OF MEETING**

The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice, the meeting is being recorded and will be on the website later this week.

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

The prayer of the Council was read by the Chief Executive Officer, Ms Kiersten Fishburn.

**APOLOGIES**

Nil

**CONDOLENCES**

**Mrs Pamela Short (read by Mayor Waller)**

Tonight, we pause to remember one of Liverpool's most accomplished daughters.

Pamela Kay Short was born on 22 February 1947 at Crown Street Women's Hospital, the first child of Phoebe and Noel Short, a former Mayor of Liverpool. She grew up at Yarrara Road, Hoxton Park on family acres.

She went to Hoxton Park Primary School where her lifelong passion for reading ignited. She graduated from Liverpool High School. Popular, she loved art and English and playing basketball.

Pam's intellect, even then, was remarkable. Her independent streak first showed when Pam was 17. She won a radio station contest, and without telling her parents, headed to the big smoke to see her beloved Beatles at the Sydney Stadium at Rushcutters Bay.

Despite the long commute, Pam's first job was at an accountancy firm in the city. She was determined to be financially independent and have her own voice.

Later in the 1960s, she joined Viscount Caravans at Milperra as a secretary. It gave her experience in all aspects of a business; skills she would find invaluable in the future. She even featured in advertising for the brand.

A short time later she married John Cornish, the Austral son of chook farmers Harold and Una. Their daughter Tania was born in 1970 and their son Brett in 1972.

Pam and John were a formidable team, prospering in business. They took risks and reaped the rewards.

Their companies built thousands of homes for people who made the Liverpool area their home, shopping and industrial centres.

The Cornish family has a great love of thoroughbred horse breeding and racing. Their Torryburn Stud in the Hunter Valley is a landmark in the industry.



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

**Item:** QWN 04 Question with Notice - Clr Rhodes - Liverpool Community Hub

**Reason:** Clr Hagarty is the chairperson of the Liverpool Community Hub.

Clr Hagarty remained in the room for the duration of the item.

**Clr Hagarty declared a pecuniary interest in the following item:**

**Item:** NOM 04 Ban on Prohibited Donors

Clr Hagarty is a staff member of a Member of Parliament.

**Note: Item NOM 04 was withdrawn and not dealt with at this meeting.**

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

**Item:** CORP 01 Response to NOM 05 - A Prominent Permanent Home for the City of Liverpool and District Historical Society

**Reason:** Clr Hagarty, Clr Kaliyanda and Clr Shelton are Ordinary members of the City of Liverpool and District Historical Society.

**Note: Item CORP 01 was deferred to the April 2020 Council meeting.**

**Clr Karnib and Clr Balloot joined the meeting at 6.09pm**

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

**Item:** NOM 04 Ban on Prohibited Donors

**Reason:** Clr Kaliyanda has previously been a candidate for state and federal parliament.

**Note: Items NOM 04 was withdrawn and not dealt with at this meeting.**

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

**Item:** NOM 01 Disqualifying real estate agents and property developers from civic office

**Item:** NOM 04 Ban on Prohibited Donors

**Reason:** Clr Ayyad's husband holds a NSW Real Estate licence but does not currently work as a real estate agent.

**Note: Items NOM 01 and NOM 04 were withdrawn and not dealt with at this meeting.**

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

**Item:** NOM 01 Disqualifying real estate agents and property developers from civic office

**Item** NOM 04 Ban on Prohibited Donors

**Reason:** Clr Balloot holds a NSW Real Estate Licence but has never worked as a real estate agent.

**Note: Items NOM 01 and NOM 04 were withdrawn and not dealt with at this meeting.**

## **PUBLIC SUBMISSIONS**

### **Written submissions for items not on agenda**

1. **Mr Erik Rakowski** from RAID Moorebank made a written submission to Council on the following matter:

Funding for appeal proceedings.

This submission has been circulated to Councillors.

### **Written submissions for items on agenda**

1. **Ms Fiona Macnaught** made a written submission to Council on the following item:

**NOM 03:** Save Liverpool Animal Shelter

This submission has been circulated to Councillors.

**MAYORAL MINUTE**

**SUBJECT: Council's response to Novel Coronavirus (COVID-19)**  
**REPORT OF: Mayor Wendy Waller**  
**ITEM NO: MAYOR 01**

Liverpool City Council is closely following information provided by the NSW and Australian Governments about novel coronavirus (COVID-19) and as the situation evolves, continues to share updates with Council staff and the wider community.

Following directives of the Australian and NSW Governments, Council's Critical Incident Response Team has acted quickly to make changes to Council services and facilities to ensure the health and wellbeing of Council staff and community members.

Many Council departments have been split into smaller teams, each working at a different office or home location to minimise close contact with one another and ensure Council is equipped to continue serving the community. Staff have been provided with tools and resources to continue working effectively from their allocated location.

At this stage, Council's Customer Service Centre, Casula Powerhouse Arts Centre, all Liverpool City Library branches, Liverpool Regional Museum, Council-owned leisure and recreation centres, Liverpool Animal Shelter and the Community Recycling Centre have been closed to the public until further notice.

Council's public events have been postponed indefinitely, all casual hire of community facilities has been suspended and there are restrictions on the use of Council parks and sporting grounds. Council has also suspended bulk rubbish household collections for the time being.

Council continues to receive and respond to customer requests lodged online or over the phone. Council will continue kerbside waste collection and its early learning and childcare centres remain open.

This information and future changes, pending requirements set out by the Australian and NSW Governments, will continue to be communicated to the community.

Council staff continue to investigate ways Council can support and keep connected with the wider community during these unprecedented times.

**Motion: Moved: Mayor Waller**

That Council:

1. Thank Council staff for their speedy and effective response to the challenges

of novel coronavirus (COVID-19);

2. Waive the following fees:
  - Outdoor Café permit; and
  - Parking in Warren Service Way for essential workers on available spaces;
3. Contact state government and request they waive their parking fees at the Liverpool Hospital carpark; and
4. Consider waiving any previously outstanding amounts for Outdoor Café permits.

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



**MOTION OF URGENCY**

**ITEM NO: MOU 01**

**SUBJECT: Approval to provide funding for RAID Moorebank Class 1 merits appeal**

The Chairperson accepted the motion as urgent.

Approval to provide funding for RAID Moorebank Class 1 merits appeal as resolved by Council on the 5 February subject to conditions and again on the 26 February 2020. On a matter of urgency to address matters not covered in the 26<sup>th</sup> February Motion and in order to meet allocated court dates.

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Hadchiti**

**Seconded: Cllr Rhodes**

That Council:

1. Continue to act on its promise and duty to do all it can to protect the safety and minimise any negative impacts the Intermodal may have on its ratepayers;
2. Notes that approval to provide funding up to \$300,000 to RAID Moorebank Inc to execute a Class 1 merits appeal was approved by this council on the 5 February subject to due process and again on the 26 February 2020;
3. Notes that there were no submission received against Council funding the litigation from the Community and that 28 submissions were received in support of the Council providing Funding at the conclusion of the exhibition period in accordance to the public exhibition requirements contained in s.356 of the Local Government Act 1993;
4. Notes that the case outline provided via letter from RAID Moorebank Inc's instructing solicitor is founded on advice from senior counsel. The letter received by Council reconfirms the conditions place on the provision of funding that was discussed at the February 25 meeting included advice that;
  - a) the basis of challenge is on matters of Air Quality and Traffic Issues;
  - b) and costs for expert witnesses of between and up to \$30,000 - \$50,000 which is necessary to provide an outline of Case prospects; and
  - c) the Total costs for litigation to be up to \$300,000;
5. Council acknowledges having previously agreed to Council funding of between \$30,000 to \$50,000 in order to provide expert advice outlining case prospects during discussions at the Council meeting 25 February, and reconfirms to direct the CEO to make necessary arrangements for any such payment of invoices upon presentation;
6. Allocate an amount of up to \$50,000 from the approved \$300,000 to allow the collation of expert advice which will inform the prospects of success of the case;

7. Notes that a legal report will be provided outlining the case prospects from expert witnesses and pending that report, Council may further agree to allocate the financial amount of up to \$300,000 in total so as to fund legal fees and disbursements and expert witness costs relating to the Class 1 Appeal in the NSW Land and Environment Court by RAID Moorebank Inc., subject to presentation of invoices; and.
8. Directs the CEO to urgently write to Woolf Associate Solicitors confirming the Council resolution to make such funds available in such a timely manner to meet dates designated by the court.

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

Clr Shelton voted against the motion.

### **BACKGROUND**

As advised by Mr Rakowski, the matter of funding as previously approved by Council has now become urgent in order to meet the Court date of 4 April 2020.

Council resolved on the 5 and 25 February to provide funding to RAID Moorebank Intermodal Inc in order to execute a Class 1 Merits appeal to protect the safety and minimise the negative impacts on the residents of Liverpool.

We note the letter from the instructing Solicitor failed to be delivered to Councillors before the Council Meeting 26 February, and that greater clarity in the motion provided in CORP 06 was necessary to initiate action in accordance with the resolution of Council.

We appreciate Mr Rakowski, has now presented to all Councillors all documentation in the interest of explanation and transparency.

We note that all information is now before all Councillors so they can understand the urgency to have this matter resolved in a manner that will deliver the funding of legal matters as agreed.

We note that the documentation provided by Mr Rakowski confirms the verbal account of the matters addressed at the February 26 meeting in regard to the conditions place upon the approval of funding in that the case basis is acknowledged as that of Air Quality and Traffic issues all costs are confirmed, the need to engage expert advice on the prospects of the case, together with that cost being as stated at the February 25 meeting being between \$30,000 and \$50,000.

Councillors have voted in a majority on two separate occasions to fund litigation proceedings in order to mitigate on behalf of the safety and wellbeing of Liverpool residents.

We apologise that the wording of the previous motion CORP 06 did not address all matters in such a way to make clear the intention of the resolution made by Councillors at the February 25 meeting and ask that Councillors reconfirm their resolution to fund the litigation against the Moorebank Intermodal by passing the above motion.





4. Notes that the final decision on the LSPS will be made by the Greater Sydney Commission but that the residents have requested B4 zoning, which Council is supportive of.
5. Notes that the bypass road is paramount and it is needed for residents safety and is something that the residents have requested and that the bypass road should be zoned Special Purpose (SP2).

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

**Vote for:** Clr Harle, Clr Rhodes.

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

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

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

**Vote against:** Clr Harle, Clr Rhodes, Clr Shelton.

**CITY COMMUNITY AND CULTURE REPORT**

**ITEM NO:** COM 01  
**FILE NO:** 018356.2020  
**SUBJECT:** Grants, Donations and Corporate Sponsorship

**COUNCIL DECISION**

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

That this item be deferred until the applicants can be contacted and projects can be assessed with the current COVID-19 issues in mind and a report brought back to Council.

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

## QUESTIONS WITH NOTICE

**ITEM NO:** QWN 01  
**FILE NO:** 049226.2020  
**SUBJECT:** Question with Notice - Clr Rhodes - Public Art for New Civic Centre

At a recent Art exhibition by local artists held at CPAC, there were a number of paintings based on the theme "The History of Liverpool". It would be an opportunity for Council to support both local artists and provide appropriate art in the new Civic Centre.

### Question

Could paintings be nominated by the public for possible purchase by Council to be hung in the new Civic Centre once it is built?

### Response

Council acquires artwork for the Collection via the following prizes which are currently budgeted for:

- \$5,000.00 Liverpool City Council Overall Winner Prize from the annual Liverpool Art Society Exhibition and Prize.
- \$3,000.00 Mayor's Choice Award from the annual Mil-Pra AECG Prize.
- \$2,000.00 Maria Lock Award from the annual Mil-Pra AECG Prize.
- \$5,000.00 Blake Emerging Artist Award (every second year).

The winners of each of these go into the collection and there is currently no further acquisition budget.

To purchase artworks outside of these prizes (for example from the **ANZ History Prize**) would require a new initiative to acquire funds to cover the sale price of the artwork.

Additionally, any artwork or asset acquired by Council needs to be acquired under set criteria, be approved by a Manager with appropriate delegation and be managed within a collection plan.

Any artworks to be displayed in the new Civic Centre would need to have longevity: be secure from theft, be easily maintained and conserved and be constructed with materials and media durable enough to withstand long-term display in a non-gallery environment.



**ITEM NO:** QWN 02  
**FILE NO:** 049231.2020  
**SUBJECT:** Question with Notice - Cllr Rhodes - Seniors Community Consultation

Council recently identified the concerns seniors identified having a healthy, mind, body and feeling safe as what matters most to them and that Council will be considering policies and strategic directions towards creating an age-friendly City.

### Questions

1. When will Council be presenting policies to deliver an Age Friendly City?
2. Will there be a specific Council workshop through which Councillors and Community are invited to participate?

### Response

In November 2019, Council staff conducted community consultation with local seniors who attended the Liverpool Seniors Concerts. Over 900 senior community members attended these concerts over two days and identified the key concerns of having a healthy mind and body and feeling safe as they age in Liverpool.

In December 2014, Council joined the World Health Organisation (WHO) Global Network of Age-Friendly Cities and Communities (GNAFCC). This network strives to create urban environments that foster healthy and active ageing and the wellbeing of older people. Being part of this global network gives Council the opportunity to:

- Link with participating cities and share information, expertise and technical assistance;
- Facilitate the exchange of information and best practice with participating cities;
- Provide programs that are sustainable and cost-effective for improving the lives of older people; and
- Promote and brand Liverpool as a centre for business and services that cater to the needs of older community members.

The Community Development team is currently investigating the process of renewing this membership with a view to this being achieved by December 2020. Councillors will be invited to provide direction on outcomes and programs to meet Liverpool's ageing population.

A number of existing Council strategies incorporate actions which address the needs identified by seniors as being important to them:



**ITEM NO:** QWN 03  
**FILE NO:** 049237.2020  
**SUBJECT:** Question with Notice - Cllr Rhodes - Monitoring of Air Quality in Child Care Centres

Children's services is working closely with NSW Health and the Rural Fire Services to ensure that risks are minimised for Children and their Families, protecting their health, while in Council's Early Education Centres.

## Questions

- 1. What is Council doing to educate and protect the health of Children who do not attend Early Education Centres, or an Education Centre that does not belong to Liverpool Council?**

The NSW Environment Protection Authority works with Government, industry, community, environment and other stakeholders on strategies to reduce air pollution and improve air quality. In NSW the Department of Education developed key strategies and educational tools to support NSW schools and education and care services to understand the impacts of poor air quality and the potential impact on student's health. Awareness campaigns were conducted for early childhood education, primary and high schools, providing specific strategies to reduce smoke exposure.

In order to promote public awareness and education, NSW Health have developed a wide array of educational materials for the community, children's services providers and general practitioners ensuring that risks of exposure to poor air quality are minimised.

- 2. How can Liverpool Council ensure the protection of all Liverpool residents during periods of poor air quality?**

As outlined in the Local Government Air Quality Toolkit, Local government authorities play an important role in implementing Commonwealth and State initiatives for managing air quality. In NSW, this role is defined through the Protection of the Environment Operations Act 1997 (POEO Act), the Environmental Planning and Assessment Act 1979 (EP&A Act) and the Local Government Act 1993 (LG Act). Local councils' main air quality responsibilities are in respect of small businesses, domestic premises and urban planning.

Council will rely upon the NSW Department of Planning, Industry and Environment's Air Quality Index (AQI). There are 2 air monitoring locations within or close to Liverpool City Council, at Bringelly and Liverpool. Air Quality Index values are calculated using measurements of ozone, carbon monoxide, sulfur dioxide, nitrogen dioxide, airborne particles and visibility. The AQI provides a comparison of air



**ITEM NO:** QWN 04  
**FILE NO:** 049238.2020  
**SUBJECT:** Question with Notice - Cllr Rhodes - Liverpool Community Hub

Recently Liverpool Council partnered with Community Hubs Australia to support the National Community Hubs Program in Liverpool.

The purpose of the Hubs are to:

Connect Families with each other, their school and existing services and local organisations, that can supply health, settlement support and socialising for Migrant mothers.

### Questions

1. What does the new National Community Hubs do that was not already being supplied through the Migrant Resource Centre other than a closer connection to the school children may attend?
2. What is the manner in which Council has partnered with the new National Community Hubs, what does Council actually contribute?
3. Does it cost Council money and if so how much?

### Response

The National Community Hubs Program (NCHP) provides support to refugee and migrant women with pre-school aged children to support them in accessing education, health, settlement support and social cohesion programs. Without a welcoming hub to go to, many of these parents, mostly women, can spend most of their time at home, feeling isolated from the rest of the community.

Community Hubs in schools differ from the work of the Western Sydney Migrant Resource Centre (WSMRC) in that they provide a soft entry point for community members who might otherwise not engage. For many community members, their child's school is one of the few locations they are confident to attend, and the hubs provide an opportunity to connect with other community members, organisations and services within that existing safe and familiar space. The hubs enable connection and engagement for parents with agencies such as WSMRC to access programs and services they offer.

Council has a convening role within the NCHP in Liverpool. Council acts as Support Agency for the Liverpool Network of hubs and provides operational support, strategic leadership and guidance to the local hub network, as well as managing the relationship between the Liverpool Network and Community Hubs Australia (CHA). Council is responsible for the development and submission of quarterly reports and data on the progress of the Liverpool Network of hubs.

Council provides a significant connection between the NCHP Liverpool Network of hubs and relevant services and organisations who can provide vital programs and activities to benefit community members who access the hubs. Examples include the connection of two hubs with Liverpool Neighbourhood Connections, who have now partnered with the program to provide playgroups in these hubs. Council has also facilitated a relationship between the hubs and educational institutions such as TAFE to deliver training courses free of charge within the community hubs.

Since it commenced in Liverpool in January 2019, the NCHP Liverpool Network has engaged 216 new families with activities and programs that will support their education, employment and social cohesion goals. The community hubs have provided 180 conversational English language classes to community members who are otherwise ineligible to receive free classes due to visa or other restrictive eligibility criteria. The hubs have facilitated 108 referrals to services for additional support including family support, child health services, pre-school and community health services.

Council's role as Support Agency for the NCHP is funded through Community Hubs Australia, who receives funding from the Department of Home Affairs and the Scanlon Foundation. Commencing the financial year 2020/2021, Council will contribute \$10,000 annually towards the salary and program costs for the role of Support Agency.

**ITEM NO:** QWN 05  
**FILE NO:** 049241.2020  
**SUBJECT:** Question with Notice - Cllr Harle - Membership on Planning Panels

Council currently operates two Planning Panels that assess Development Applications.

One is the Local Planning Panel and the other is the Sydney Western City Planning Panel. Both Panels have Councillor appointed members.

Can Council ensure that whenever possible the required number of panel members are present at each of the meetings?

Over the past 18 months there has been a notable absence of the required number of panel members assessing development applications for the Liverpool LGA. This is despite having several alternative members listed on the eligibility list.

Is it possible to extend that list and ensure adequate community representation takes place at each and every Panel Meeting?

### **Response**

There are two panels responsible for determining certain Development Applications (depending on the cost of works or referral criteria). They are the Liverpool Local Planning Panel (LPP) and the Sydney Western City Planning Panel (SWCPP). Only the Sydney Western City Planning Panel has Councillor representation. The Local Planning Panel is not permitted to have Councillor representation following changes introduced to the planning system by the NSW Government in 2017.

### **Local Planning Panel**

Under Section 2.18(2) of the Environmental Planning and Assessment Act, members of the Liverpool Local Planning Panel are appointed by Council. The LPP consists of four members. They are:

- An approved independent person appointed as the Chairperson of the Panel with relevant expertise in law or in government and public administration;
- 2 other approved independent persons with relevant expertise
- A representative of the local community who is not a Councillor or Mayor.

When setting meetings, Council ensures that a community representative member attends Local Planning Panel meetings.





**ITEM NO:** QWN 06  
**FILE NO:** 049243.2020  
**SUBJECT:** Question with Notice - Clr Ayyad - Memorial School of Arts

Please address the following:

**1. How much was spent on the upgrade of the surrounds of the school of arts?**

Approximately \$1.6 million was spent on the upgrade works.

**2. Who prepared the landscaping plan?**

Urbis Pty Ltd was engaged to prepare the landscaping plan.

**3. How much was spent on the design of the landscaping plan?**

\$43,450 (inc. GST)

**4. How much did it cost to deliver the landscaping plan?**

Approximately \$1.6 million as in (1) above.

**5. Can you please provide photos of the completed landscaping plan and any media releases related to it?**

Photos of the completed works are attached. There were no media releases published following the completion of the works.

**6. When was the school of arts leased out?**

The original Lease was agreed in August 2017. The Lease commencement date was subject to the Tenant submitting and obtaining the necessary Development Approvals for the proposed fitout, signage and use. The Tenant has since obtained the Development Approval but is still awaiting issue of the Construction Certificate.

Delays in obtaining the planning approvals are due to the impact of the tenant's proposed fitout on the heritage fabric of the building, the compliance requirements associated with proposed use as an educational institution, and determination by the Local Planning Panel, Lessees response in providing additional information required during this process and works required to the building.

**7. When was agreement reached?**

The original Lease agreement was reached in August 2017, whilst the Tenant was awaiting the issue of the above-mentioned approvals, the parties agreed to amend the Lease based on the delays to a proposed new Lease version which was to commence on 30 September 2019, by inserting a termination clause which allows the lease to be terminated any time after 30 June 2023, by giving a six month notice to terminate. The commencement date is being revised pending the Construction Certificate being issued.

**8. How much income has been received so far from the lease?**

No rental income has been received.

**9. When does the lease finish.**

The initial term is due to expire on 28 September 2022 with provision for a three year option term which will expire on 28 September 2025. Under the terms of the amended new lease the termination clause will include provision for termination any time after 30 June 2023 by giving a six month notice.

**ITEM NO:** QWN 07  
**FILE NO:** 049342.2020  
**SUBJECT:** Question with Notice - Clr Hadchiti - Local Infrastructure Contributions  
 (Section 7.11)

**Please address the following:**

1. Is Council aware if the NSW Audit is undertaking a performance audit on Section 7.11's?
2. Has Council undertaken any audits internally/externally on Section 7.11's during this term of Council and if so, can we be provided with these reports?

**Response**

- 1. Is Council aware if the NSW Audit is undertaking a performance audit on Section 7.11's?**

Yes. The NSW Audit Office initially contacted Council on 23 August 2019 to commence the audit process. Council were officially notified on 6 September 2019 of the audit, inclusive of an engagement letter and audit plan.

The stated aim of the audit was "to assess the effectiveness of governance and internal controls over local infrastructure contributions collected by councils."

Liverpool was selected to be a part of the audit along with 3 other Councils.

Staff have been active and transparent in all dealings with the NSW Audit Office during the audit process. The draft audit report was submitted to Council on 2 March 2020. The purpose of the draft report is to provide Council with the opportunity to correct errors of fact or interpretation before the NSW Audit Office prepare the final report. The draft report remains confidential during this process, and Council has been asked to limit its distribution.

It is anticipated that the NSW Audit Office will issue the final report by 27 March 2020 for formal response. The formal response will be included in the published report when it is tabled in the NSW Parliament by the Auditor-General.

- 2. Has Council undertaken any audits internally/externally on Section 7.11's during this term of Council and if so can we be provided with these reports??**

Council's Internal Audit Unit undertook an audit of the developer contributions and consent levies in 2018. The final report issued on 14 December 2018 identified several issues and opportunities for improvement, incorporating management agreed actions to address the issues identified in the report. A copy of this report has been circulated to Councilors via email.

Please note that the management responses in the report were written at the time the audit was finalised. The progress status on the implementation of these actions are tracked and updated through Promapp (Council's audit action tracking software). Summary status updates and time extensions in relation to implementing these recommendations are tabled to the Audit, Risk and Improvement Committee (ARIC) quarterly (Councillors are provided a copy of the Agenda).

On the 8 Feb 2019 ARIC were briefed on the outcomes of the Contributions audit. Senior Management presented the approach to address key findings and recommendations contained in the report to the independent ARIC members.

Following this internal audit, Council has commenced a wide-ranging program of initiatives and actions to address all findings of the audit report with the overall aim of improving the way that Council manages developer contributions. The initiatives and actions include:

- Recruitment of Manager Infrastructure Planning to lead a small team of staff dedicated to developer contributions;
- Creation of an internal reference group to better manage the contributions framework;
- Broad ranging review of governance, systems and plans;
- Improved documentation available for customers, including mapping of items and relevant plan application areas on the ePlanning Portal;
- Commencement of Aerotropolis Contributions Plan in conjunction with Penrith City Council and the Western Sydney Planning Partnership;
- Progressing updates to "capped" contribution plans to make them fit for submission to IPART as an important step towards recovering contributions impacted by the government imposed s7.11 cap on contributions. A summary of the status of these updates is as follows:
  - Austral/Leppington North – awaiting exhibition
  - Edmondson Park – review underway
  - East Leppington – procurement process underway;
- Inclusion of details of the financial impact of the cap in Council reports on *Liverpool Contributions Plan 2014 – Austral Leppington North precincts* (25 September 2019 and 11 December 2019). Both reports include detail of the cost per lot of \$56,097 and the capped amount of \$30,000. Additionally, the 11 December 2019 report also includes specific reference to an anticipated \$20m annual shortfall and that this shortfall would "be addressed once council is collecting strictly in accordance with the updated contributions plan".
- Enhanced internal reporting of contribution accounts (income/expenditure);
- Engagement with Independent Pricing and Regularity Tribunal (IPART) to ensure more efficient processing of review of Council plans;

- Participation in Western Sydney Planning Partnership contributions working group – developing best practice amongst Western Sydney councils;
- Identification of key risks associated with S7.11 related activities are ranked in the top 10 of Council's strategic risks;
- Quarterly Enterprise Risk Management reporting to ARIC and Councillors of Councils key strategic and operational risk, including the contribution risk; and
- Regular briefing of the CEO by the Director City Economy & Growth on the progress of mitigating key risk areas pertaining to S7.11 audit and risk outcomes.

These initiatives have reduced the risk associated with the contributions framework while allowing the Infrastructure Planning team to undertake a full review of the systems, plans and processes supporting the contributions framework. It is intended that this new approach to growth management will see Council become a leader in this space and will ensure all the remaining risks are addressed in a systematic and transformative nature.



**ITEM NO:** QWN 09  
**FILE NO:** 049371.2020  
**SUBJECT:** Question with Notice - Clr Hadchiti - Moorebank Recyclers

**Please address the following:**

1. Has any progress been made on ensuring we don't see a recycling facility in Georges Fair?

**Response**

At its meeting on 30 May 2018, Council resolved:

*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.*

Following Council's resolution, the following formal meetings between Council, the landowner and their consultant team have occurred:

13 July 2018 – Meeting to discuss development of a structure plan for the Moorebank East precinct

10 October 2018 – Meeting to discuss proposed density and height of buildings for the site

20 February 2019 – Meeting to discuss planning positioning paper prepared by the proponent. This document outlined the proponents preferred development outcome for the site

11 April 2019 – Meeting to discuss timeframes, noting that the proponents had not lodged a planning proposal with Council for assessment

13 August 2019 – Meeting to discuss flooding issues including flood evacuation for the site.

20 September 2019 –Pre-planning proposal meeting, with formal advice issued to the proponent

10 December 2019 – Meeting with the proponent following their review of the flood evacuation report

The proponent contacted Council on 14 February 2020 and 26 February 2020 advising of the imminent lodgement of a planning proposal. The planning proposal was lodged with Council on 5 March 2020.





**ITEM NO:** QWN 11  
**FILE NO:** 065428.2020  
**SUBJECT:** Question with Notice - Clr Balloot - Cyber Security and Operating Expenditure

Please address the following:

1. Does Liverpool council have its cyber security policies up to date to meet the current cyber security threats?
2. Does Liverpool council have it's IT policy for security and disaster recovery in place to meet the challenges in 2020 and beyond?
3. Please advise if Liverpool council operating expenditure exceeds their operating revenue for 2020?

**A response to these questions will be provided in the April 2020 Council meeting business papers.**

**ITEM NO:** QWN 12  
**FILE NO:** 065444.2020  
**SUBJECT:** Question with Notice - Clr Ballot - Forum - National Redress Scheme of Survivors of Institutional Child Sexual Abuse

Please address the following:

On Thursday 5th of March I attended the special briefing by New South Wales Attorney General the Honorable Mark Speakman regarding the National redress scheme is part of the federal government response to the royal commission into institutional responses to child sexual abuse.

Council, and Mayors specifically, have new obligations under these reforms, which the state government has committed to.

While historically cases of child abuse in councils and council-run institutions are expected to be rare, councils were signed up to the national redress scheme by the New South Wales government, which will underwrite any financial liability.

Does Liverpool Council have a policy on child sexual abuse?

**A response to these questions will be provided in the April 2020 Council meeting Business Papers.**

**ITEM NO:** QWN 13  
**FILE NO:** 065464.2020  
**SUBJECT:** Question with Notice - Clr Balloot - Coronavirus (COVID-19)

Please address the following:

We have over 100 Coronavirus cases confirmed in Australia, including three deaths up-to-date (11 March 2020).

We have 54 Confirmed cases in NSW up to date (11 March 2020).

What measures is Council taking to ensure the safety of our staff and residents from the spread of Coronavirus?

What measures is Council taking to ensure to the support of small business in our LGA?

**A response to these questions will be provided in the April 2020 Council meeting business papers.**

**ITEM NO:** QWN 14  
**FILE NO:** 067196.2020  
**SUBJECT:** Question with Notice - Cllr Hagarty - Brontos

Please address the following:

Previously the nearest Brontos were located at St Andrews and Parramatta. Is this still the case?

**A response to this question will be provided in the April 2020 Council meeting business papers.**

**ITEM NO:** QWN 15  
**FILE NO:** 069282.2020  
**SUBJECT:** Question with Notice - Cllr Shelton - Event Cancellations

Please provide:

- i. A list of all Council events cancelled or postponed over the *last* twelve months due to extreme weather events;
- ii. A list of all Council events cancelled or postponed over the *preceding* twelve months due to extreme weather events; and
- iii. An estimate as to the costs arising from item (i).

**A response to these questions will be provided in the business papers for the April 2020 Council meeting.**

**ITEM NO:** QWN 16  
**FILE NO:** 069344.2020  
**SUBJECT:** Question with Notice - Clr Balloot - Civic Place

Please address the following:

1. Has Council done an internal audit report in recent times?
2. Did any of the Councillors view the signed contract between Liverpool Council and Buildcorp Australia for the construction of Civic Place?
3. Can you advise why the cost for the Civic Place has risen from an estimated \$75 million in 2016 to \$195 million currently?

**A response to these questions will be provided in the business papers for the April 2020 Council meeting.**





**ITEM NO:** NOM 02  
**FILE NO:** 069317.2020  
**SUBJECT:** Future for Waste

## **BACKGROUND**

Liverpool residents are aware of the importance of recycling and most do their bit to reduce, reuse or recycle waste in their daily lives.

However, despite these efforts, the amount of waste we're generating is increasing and recycling and waste diversion rates are flatlining.

Our waste and recycling infrastructure is barely keeping up with demand and local governments across Australia have seen the fallout of sending our recycling overseas for other countries to process.

The NSW Government collects approximately \$800 million every year through the Waste Levy. Recently, the Government put a call out for submissions to a 20 year Waste Strategy issues paper and Plastics Plan discussion paper.

The issue of recycling and effective waste management has been brought before Council a number of times. This process presents an timely opportunity to advocate for important improvements to waste management infrastructure and policy.

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

That Council:

1. Notes the long-awaited release of two Issues Papers (Cleaning Up Our Act – The Future for Waste and Resource Recovery in NSW & Redirecting the Future of Plastic in NSW) by the NSW Government on 8 March 2020;
2. Notes that the City of Liverpool paid \$9.7m in the S88 waste levy in the last financial year, and received \$217k in NSW Waste Less Recycle More grants in the same period (equal to 2.2% of waste levy paid); and
3. Makes a submission to both Issues Papers, consistent with its previously adopted positions, encouraging:
  - a. NSW state government funding to support waste avoidance and recovery, including grant to support councils with major capital investments (including by reinvesting the \$800 million collected under the S88 Waste Levy into recycling);
  - b. The development of a local circular economy, and support for local manufacturing using recycled product;



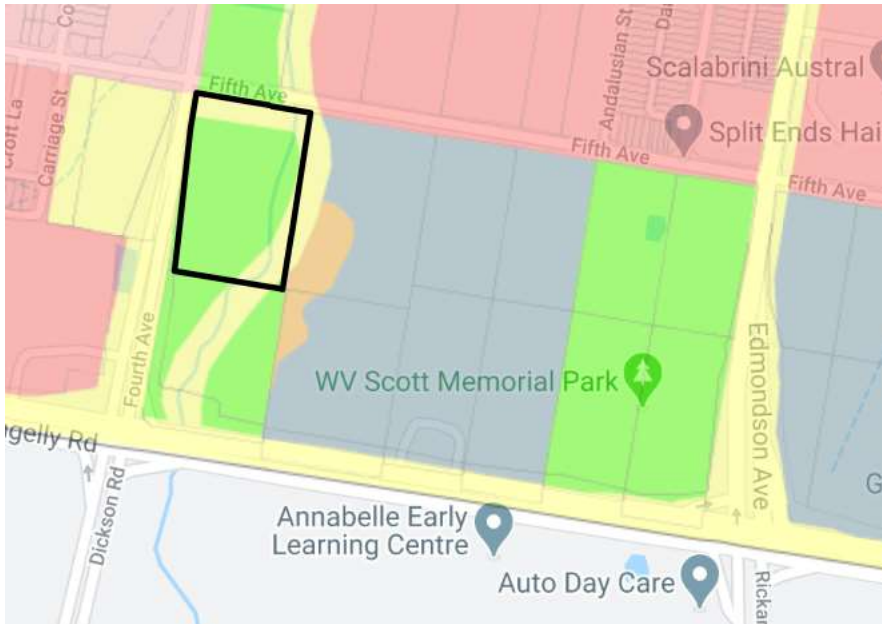
**ITEM NO:** NOM 03  
**FILE NO:** 069426.2020  
**SUBJECT:** Save Liverpool Animal Shelter

**BACKGROUND**

The community has been outraged by some on this Council wanting to outsource essential services and close Liverpool Animal Shelter and instead have our residents travel to Blacktown Council as the alternate animal shelter.

To make things worse, some people in this room told us through the media, that it would cost \$17m to build a new animal shelter in Liverpool. This is almost DOUBLE the cost of building the Quest hotel in Liverpool.

This motion calls on Council to save ratepayers money and keep the animal shelter in Liverpool and as close as possible to its current location.



## DA-525/2013

Development Application - Construction of a nine storey hotel and commercial building with two levels of basement car parking and associated signage

Status: **Approved**

Lodged: 15/05/2013

Determined: 12/11/2013 **Approved** by Council

Estimated Cost of Work: \$ 9,539,569

Officer: Marcus Jennejohn

Processing Group: Normally Processed Application

Location

People

History

Documents

Show All

[39 SCOTT STREET LIVERPOOL NSW 2170](#)

### NOTICE OF MOTION (submitted by Cllr Ayyad)

That Council:

1. Allow animal shelters to be a permitted use on the land bordered by Fourth Ave, Fifth Ave, Edmonson Ave, and Bringelly Rd. This includes WV Scott Memorial Park; and
2. Delegate to the CEO to send prepare the amendment to the LEP and report back to Council at its next meeting.

### COUNCIL DECISION

The Mayor declared that based on legal advice received, the motion is an illegal motion unless it is dealt with as a rescission motion.





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

**Vote for:** Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadid, Clr Hagarty, Clr Harle,  
Clr Karnib, Clr Kaliyanda, Clr Rhodes, Clr Shelton.

**Vote against:** Clr Hadchiti.











The Mayor advised that the remaining items on the agenda (as shown below) will be dealt with at the April 2020 Council meeting:

- CEO 01 Change of date for November 2020 Council meeting;
- CEO 03 Response to QWN 15 Edmondson Park Commuter Car Parking from 5 February 2020 council meeting;
- CEO 04 Mayoral Direction pursuant to Section 226(d) of the Local Government Act 1993;
- EGROW 01 Report back - NOM 01 Feral Cats and Trap-Neuter-Return (TNR) Program from 5 February 2020 Council meeting;
- EGROW 02 Destination Management Plan - First year review;
- EGROW 03 Draft Former Liverpool Courthouse Conservation Management Plan;
- EGROW 04 Draft Amendment to Liverpool Development Control Plan 2008 - Part 1 General Controls (Chapter 26 Outdoor Advertising and Signage);
- EGROW 05 Draft Amendments to Liverpool Contributions Plan 2009 and Liverpool Contributions Plan 2018 – Liverpool City Centre to ensure clarity around the payment of development contributions for complying development certificates;
- EGROW 06 Draft Amendment 1 to Liverpool Contributions Plan 2018 – Existing Areas - Instalment Payments for Secondary Dwellings;
- EGROW 07 Post Exhibition Report - Draft Liverpool Local Environmental Plan 2008 (Amendment 76) - Schedule 1 Amendment to permit vehicle sales or hire premises at 36-36A Kookaburra Rd, North Prestons;
- EGROW 08 Street Naming Request - Edmondson Park;
- EGROW 09 Post Exhibition Report - Draft Liverpool Development Control Plan 2008 (Amendment 25);
- EGROW 10 Out of Office Hours Compliance Officers;
- COM 02 Response to NOM 2 - Ferrington Park;
- CORP 01 Response to NOM 05 - A Prominent Permanent Home for the City of Liverpool and District Historical Society;
- CORP 02 Investment Report February 2020;
- CORP 03 Amendment to Councils Investment Policy;
- INF 01 Upgrades to Whitlam Leisure Centre;
- INF 02 Roads in Middleton Grange and Western Sydney Parklands;
- INF 03 Conservation of Koala Habitat Corridors;
- CTTE 01 Minutes of the Audit, Risk and Improvement Committee Meeting held on 7 February 2020;
- CTTE 02 Minutes of the Tourism and CBD Committee meeting held on 11 February 2020;

- CONF 01 Acquisition - Clermont Park, Lot 4601 in DP 1248502 - Edmondson Park, for open space purposes; and
- CONF 02 Hammondville Park Leisure Precinct.

**THE MEETING CLOSED AT 8.18pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 29 April 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 25 March 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE EXTRAORDINARY MEETING  
HELD ON 16 APRIL 2020**

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**PRESENT VIA VIDEO CONFERENCING:**

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 George Hampouris, Acting Director City Corporate  
Mr David Maguire, Internal Ombudsman  
Ms Elizabeth Espinosa, General Counsel, Manager Governance, Legal and Procurement  
Ms Julie Scott, Manager City Economy  
Mr Vishwa Nadan, Chief Financial Officer  
Dr Eddie Jackson, Director City Community and Culture  
Mr Peter Patterson, Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Mr Andrew Stevenson, Chief Strategy and Engagement Officer  
Ms Tina Sangiuliano, Strategic Organisational Changer Manager  
Mr George Georgakis, Manager Council and Executive Services  
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

**OPENING**

6.02pm.

**STATEMENT REGARDING  
WEBCASTING OF MEETING**

The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice, the meeting is being livestreamed.

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

Read by the Chief Executive Officer, Ms  
Kiersten Fishburn.

**APOLOGIES**

Nil.

**DECLARATIONS OF INTEREST**

Clr Shelton declared a non-pecuniary less than significant interest in relation to **Initiative 13** dealing with fees for casual hirers of Council facilities.

**Reason:** Clr Shelton is a member of an organisation that does hire casually Council facilities from time to time. Clr Shelton does not get any benefit.

Clr Shelton will stay online for the meeting during discussion on this item.

Clr Shelton declared a non-pecuniary less than significant interest in relation to **Initiative 5** dealing parking permit system to businesses and their staff operations from the CBD.

**Reason:** Clr Shelton owns a business that operates from the CBD.

Clr Shelton will stay online for the meeting during discussion on this item.

Mayor Waller declared a non-pecuniary less than significant interest in relation to **Initiatives 13, 14 and 15** dealing with fees for casual hirers of Council facilities, licence fees for Licensed tenants of Council’s community facilities, and fees and charges.

**Reason:** Mayor Waller is a member of organisations that casually hire Council’s community facilities and also have licence agreements. The Mayor does not have any gain in it, only the organisations which she is a member of do.

Mayor Waller will stay online for the meeting during discussion on this item.

Clr Hadchiti declared a non-pecuniary less than significant interest in relation to **Initiative 13** dealing with fees for casual hirers of Council halls.

**Reason:** Clr Hadchiti’s children do karate and a sister organisation rents a Council hall. Clr Hadchiti does not get any benefit.

Clr Hadchiti will stay online for the meeting during discussion on this item.





**Motion:**

**Moved: Clr Hadchiti**

**Seconded: Clr Clr Hadid**

**Community**

**2. Initiative**

That Council:

1. Support the homeless by co-ordinating the services offered by the NSW Government through the 'People sleeping rough and COVID-19 – DCJ and homelessness sector response' last published 23 March 2020.

Where that is not possible, Council direct the CEO to:

2. Establish a 'COVID-19 Emergency Response Program' to action timely requests for Council support toward critical and essential services for vulnerable community groups in Liverpool, including allocation of funds for provision of food, accommodation and PPE.

The scope of this Program is to include the following financial and in-kind initiatives:

- Keep open public amenities at Bigge Park, Collimore Park, Lighthorse Park and Seton Hall (Moorebank) 24/7 so that rough sleepers and the general public have access to soap and water at all times, to wash their hands;
- Provide access to shower facilities at Francis Greenway Centre two to three days a week for rough sleepers;
- Provide access for government agencies and charities to utilise Council facilities to deliver critical services such as food sorting and distribution;
- Run a campaign to encourage food donations to designated charities;
- Allocate funds to purchase food and hygiene supplies for rough sleepers and charities from existing budgets;
- Allocate funds toward essential relief services in Liverpool; and
- Coordinate provision of food and essential services to vulnerable groups in Liverpool.

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





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

**8. Initiative**

That Council direct the CEO to suspend all health inspection fees from the date of restrictions coming into place however continue to undertake health inspections. Allow an extra 6 months for health inspections billed but not yet paid.

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

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

**9. Initiative**

That Council:

1. Defer on application, 50% of Sect 7.11 contributions payable from Construction Certificate stage to Occupation Certificate/Subdivision stage for all applications received or approved till December 2020;
2. Fast track Sect 4.55 and/or 4.56 applications requesting 50% Sect 7.11 deferrals to Occupation/Subdivision stage for applications already approved but yet to be issued a Construction Certificate;
3. Commit to drive down the outstanding DA currently being determined and allow the use of external providers should this be required; and
4. Amend the Contributions Plan to remove the requirement of a bank guarantee (for the full amount of the contribution payable), adopt immediately if permissible, otherwise exhibit for statutory 28 days period.

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

Clr Balloot asked that he be recorded as having voted against the motion.









**Motion:**

**Moved: Clr Hadchiti**

**Seconded: Clr Hadid**

**20. Initiative**

That Council ensure all payments that can be made to suppliers where the goods/services have been delivered in full (noting some may be staged payments) be made immediately and not wait until the due date should that be a period of less than 2 months

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

**THE MEETING CLOSED AT 7.34pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 29 April 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 16 April 2020. 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 APRIL 2020**

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**PRESENT VIA VIDEO CONFERENCING:**

Mayor Wendy Waller  
Councillor Ayyad (arrived at 6.15pm)  
Councillor Balloot (arrived at 6.26pm)  
Councillor Hadchiti  
Councillor Hadid  
Councillor Hagarty  
Councillor Harle  
Councillor Kaliyanda  
Councillor Karnib (arrived at 6.19pm)  
Councillor Rhodes  
Councillor Shelton  
Ms Kiersten Fishburn, Chief Executive Officer  
Mr Tim Moore, Director City Economy and Growth / Deputy CEO  
Mr George Hampouris, Acting Director City Corporate  
Dr Eddie Jackson, Director City Community and Culture  
Mr Peter Patterson, Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Mr Andrew Stevenson, Chief Strategy and Engagement Officer  
Ms Tina Sangiuliano, Strategic Organisational Change Manager  
Mr David Maguire, Internal Ombudsman  
Ms Elizabeth Espinosa, General Counsel, Manager Governance, Legal and Procurement  
Mr John F Morgan, Director Property & Commercial Development  
Mr Vishwa Nadan, Chief Financial Officer  
Ms Nada Mardini, Manager Community Standards  
Mr David Smith, Manager Planning and Transport Strategy  
Mr George Georgakis, Manager Council and Executive Services  
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm

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**STATEMENT REGARDING WEBCASTING  
OF MEETING**

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



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

**Item:** CORP 02 - Response to NOM 05 - A Prominent Permanent Home for the City of Liverpool and District Historical Societys and property developers from civic office

**Reason:** Clr Kaliyanda is an ordinary member of the City of Liverpool and District Historical Society.

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

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

**Item:** CORP 02 - Response to NOM 05 - A Prominent Permanent Home for the City of Liverpool and District Historical Societys and property developers from civic office

**Reason:** Clr Hagarty is an ordinary member the City of Liverpool and District Historical Society. .

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

**PUBLIC FORUM**

Nil.

**MAYORAL REPORT**

Nil.











**Vote for:** Mayor Waller, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton.

**Vote against:** Clr Ayyad, Clr Hadchiti, Clr Hadid, Clr Harle and Clr Rhodes.

The Foreshadowed motion (moved by Clr Hadchiti) then became the motion and on being put to the meeting was declared CARRIED, with the Mayor using her casting vote to vote for the motion.

**Vote for:** Clr Ayyad, Clr Hadchiti, Clr Hadid, Clr Harle and Clr Rhodes.

**Vote against:** Mayor Waller, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton.



















**CITY COMMUNITY AND CULTURE REPORT**

**ITEM NO:** COM 01

**FILE NO:** 070863.2020

**SUBJECT:** Alcohol Free-Zones in the Liverpool Local Government Area

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Rhodes**

**Seconded: Cllr Shelton**

That Council:

1. Endorses the recommended sites for re-establishment of Liverpool Alcohol-Free Zones (AFZ);
2. Places the recommended AFZs on public exhibition for a period of 30 days as required by the Ministerial Guidelines on Alcohol-Free Zones; and
3. Delegates to the CEO the finalisation of the recommended AFZs if no submissions are received; or receive a further report outlining details of the submissions received at the conclusion of the exhibition period.

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







**Cllrs Shelton, Hagarty and Kaliyanda left the meeting for the duration of ITEM CORP 02**

**ITEM NO:** CORP 02

**FILE NO:** 300783.2019

**SUBJECT:** Response to NOM 05 - A Prominent Permanent Home for the City of Liverpool and District Historical Society

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Rhodes**

**Seconded: Cllr Harle**

That Council:

1. Prepare a master plan for a Visitation Precinct that includes:

Collingwood House;  
Liverpool Museum;  
New Liverpool Historical Society building;  
An Aboriginal Arts, Culture and Learning facility;  
Café; and  
Car and Bus Parking

For the land bounded by the Hume Highway, Congressional Drive and Birkdale Crescent Liverpool.

2. Prepare the Visitation Concept Precinct Master Plan design and possible cost and Report back to July Council Meeting 2020 in order to further place on Exhibition for Community Consultation.
3. Lobby State and Federal Governments for funding and include the Visitation Precinct Master Plan in the 10 year plan of Council.
4. Consider the Government initiative for TCorp loans for Community projects could be applicable for this project at the next Budget Review Meeting.

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































**ITEM NO:** CTTE 07  
**FILE NO:** 089335.2020  
**SUBJECT:** Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 18 March 2020

## COUNCIL DECISION

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

That Council adopts the following recommendations of the Committee:

Item 1 - Jedda Road, Prestons - Proposed Line marking Scheme

- Council approves separation 'BB' and 'S1' line marking, as well as 'E1' edge line marking on both sides of the Jedda Road section east of Joadja Road to provide a single traffic and parking lane in both directions.

Item 2 - George Street and Lachlan Street intersection, Liverpool – Proposed Roundabout

- Council approves the construction of a single lane roundabout at the George Street and Lachlan Street intersection, Liverpool.

Item 3 - 365-405 Denham Court Road, Leppington – Proposed Roundabout and Signs and line marking Scheme for the subdivision

- Council approves installation of a single lane roundabout and raised thresholds at three intersections and regulatory signs and line marking scheme in the new subdivision.
- Detailed designs of the roundabout, raised thresholds and signs and line marking scheme addressing the Committee's comments are to be submitted to TfNSW for endorsement prior to installation.

Item 4 - 68 Speed Street, Liverpool – Proposed Car Park

- Council approves signs and line marking within the proposed carpark at the intersection of Speed Street, Mill Road and Shepherd Street, Liverpool.
- Detailed design addressing the following comments are to be submitted to the Committee Technical Members for endorsement prior to installation:
  - Raised threshold across the northern Speed Street approach to the Speed Street/Mill Road roundabout.
  - The proposed driveway design off Speed Street restricted to entry only.
  - The informal opening in the median island (in the Speed Street northern approach) being closed to form part of the splitter island.

- Additional pedestrian access from the south west corner to Shepherd Street.

Item 5 - Stroud Avenue, Warwick Farm – Proposed Parking Restriction

- Council approves in-principle 4P, 7am-6pm MON-FRI, 8am-1pm SAT restrictions, along a section of Stroud Avenue (opposite Rosedale Oval), subject to TfNSW's endorsement.

Item 6 - Marsden Road, Liverpool - Proposed Raised Pedestrian Crossing

- Council approves upgrade of the existing combined pedestrian crossing facility in front of Marsden Road Public School to a raised marked combined crossing and removal of the adjacent speed hump.

Item 7 - Cecil Hills Various Streets – Request for Traffic Calming Devices

- Council undertakes community consultation with Lancaster Avenue, Spencer Road and Edinburgh Circuit residents, and if supported prepare and present detailed designs of speed humps to a future Committee meeting.

Item 9 - Ganeshotsava Special Event – Street Parade, Liverpool on 30 August 2020.

- Council classify the 'Ganeshotsava Procession' through the Liverpool city centre on 30 August 2020, as a Class 2 Special Event with all associated conditions including:
  - Submission of a Traffic Management Plan to TfNSW for endorsement
  - Police approval for the management of the associated rolling road closures
  - Advertisement of the event in local newspapers
  - Road Occupancy License to be obtained from Transport Management Centre.

Item 10 - Various Streets - Community Requests for Minor Traffic Facilities

- Council approves Installation of a 'Bus Zone' along the southern side of Cabramatta Avenue, Miller, in front of Michael Wenden Aquatic Leisure Centre.
- Council approves installation of separation (S1) and edge (E1) line markings in sections of Talana Hill Drive, between Bergendal Drive and Jardine Drive, Edmondson Park, as shown the report.

Item 11 - Bernera Road and Greenway Drive, Edmondson Park – Proposed traffic facilities including signs and line marking

- Council approves signs and line marking scheme along sections of Bernera Road and Greenway Drive, and installation of a roundabout at Bernera Road and Henderson Road intersection.

Item 12 - 220 Mclver Avenue and 195 Southern Cross Avenue, Middleton Grange - Signs and line marking

- Council approves signs and line marking scheme along sections of Flight Circuit and Mclver Avenue and associated intersections.

Item 13 - Items Approved Under Delegated Authority

- Notes the traffic facilities approved under Delegated Authority between 9 January 2020 and 8 March 2020.

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







## QUESTIONS WITH NOTICE

**ITEM NO:** QWN 01  
**FILE NO:** 065430.2020  
**SUBJECT:** Question with Notice - Clr Balloot - Cyber Security and Operating Expenditure

Please address the following:

1. Does Liverpool council have its cyber security policies up to date to meet the current cyber security threats?
2. Does Liverpool council have its IT policy for security and disaster recovery in place to meet the challenges in 2020 and beyond?
3. Please advise if Liverpool council operating expenditure exceeds their operating revenue for 2020?

### Response

#### 1. Does Liverpool council have its cyber security policies up to date to meet the current cyber security threats?

Liverpool City Council's Cyber Security Standard was developed and implemented in December 2019. This is an important component in Council's overall approach to manage cyber security threats across the organisation. The standard is designed to ensure Council is resilient, current and emerging risks are appropriately managed, mitigated and monitored and a level of expectation is established. Council has an extensive project list geared around cyber security which is led by the IT Business Unit such as;

- complying with the ASD 8 which has been developed by the ACSC Australian Cyber Security Centre <https://www.cyber.gov.au/publications/essential-eight-maturity-model>
- Upgrading of councils Firewalls which is currently being implemented with all the latest features
- Adoption of Multifactor Authentication
- Security patching of all councils' systems
- Annual Testing (which is currently being conducted)
  - Vulnerability Scanning of internal network
  - External Penetration testing
  - Internal penetration testing
- Ensuring correct user permissions and delegations by auditing user access of corporate systems on a regular basis.
- Running phishing campaigns across council
- User awareness training programs
- Keeping logs of cyber security threats

- Upgrading councils Email security
- Council system backups (Daily backups)
- We are also register with the Cyber Security advisory board.

Attached in the Agenda is an extract from the “Report on Local Government 2019” by the NSW Audit Office which was published in March 2020 (Pages 41 to 46). As shown in this extract, Council is well positioned and has a mature cyber security framework when compared to its peers in the Local Government Sector. Council’s program of works ensures that it keeps up to date with best practice and to protect the integrity of Council’s data and information.

**2. Does Liverpool council have its IT policy for security and disaster recovery in place to meet the challenges in 2020 and beyond?**

Council has a Disaster Recovery Plan (DRP) which aligns with Council’s BCP (Business Continuity Plan). The DRP was revised in October 2019. As part of this revision, the DRP was submitted to ARIC and subsequently endorsed prior to being finalised.

At a high level, the scope of the DRP is based on 2 possible scenarios for System Recovery:

- 1) A catastrophic failure and/or unavailability of the entire production Virtual Datacentre infrastructure. This includes loss of power and access to the datacentre and its main buildings for a prolonged period of time.
- 2) A system specific failure that would result in data loss if restored from a previous backup and the impact caused by the recovery time if data needs to be restored from backup Disks or Tapes.

This DRP details disaster recovery plans for various systems and infrastructure. For instance, there is a DRP for each core application. The DRP does not replace the need for having a backup solution, but instead complements it by providing the ability to quickly recovery systems in the scenario of a data backup failure.

Council is committed to peer reviewing this towards the end of the calendar year to ensure it is up to date and all risks and best practices are considered.

Council IT, as part of Audit Office requirements and internal best practice assessments, conduct on a cyclical basis, auditing of user permissions and access to core application and IT Systems. This is to ensure appropriate permissions and access along with maintaining data integrity.

**3. Please advise if Liverpool council operating expenditure exceeds their operating revenue for 2020?**

The OLG Code of Accounting Practice and Financial Reporting requires Councils to include in its audited annual statements performance matrices, including “operating performance

ratio” which measures the extent to which Council has succeeded in containing operating expenditure within operating revenue. The benchmark is greater than 0%.

Table below provided historical and projected results for 2019/20:

Actual 2015/16	Actual 2016/17	Actual 2017/18	Actual 2018/19	Original Budget 2019/20	Revised Budget 2019/20	Forecast Post-Covid19 2019/20
-2.63%	2.40%	5.43%	6.39%	-4.07%	-4.01%	-4.92%

The negative result in 2015/16 is due to significant expenditure on asbestos waste remediation.

**ITEM NO:** QWN 02  
**FILE NO:** 065448.2020  
**SUBJECT:** Question with Notice - Clr Balloot - Forum - National Redress Scheme of survivors of institutional child sexual abuse

Please address the following:

On Thursday 5th of March I attended the special briefing by New South Wales Attorney General the Honorable Mark Speakman regarding the National redress scheme is part of the federal government response to the royal commission into institutional responses to child sexual abuse.

Council, and Mayors specifically, have new obligations under these reforms, which the state government has committed to.

While historically cases of child abuse in councils and council-run institutions are expected to be rare, councils were signed up to the national redress scheme by the New South Wales government, which will underwrite any financial liability.

Does Liverpool council have a policy on child sexual abuse?

## Response

The Children's Guardian Act was passed on 21 November 2019 to implement the recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse.

Under this Act, there are legal statutory requirements for all councils including:

- Implementing the Royal Commission's 10 Child Safe Standards;
- The development of a Child Protection Policy that covers all Council departments;
- A working group to consider and embed child safe practices across Council; and
- A designated Child Safety Officer position/s from existing staff profiles to carry out the functions requiring regulatory compliance.

The Community Development and Planning team are leading Council's implementation of the Children's Guardian Act requirements, including the drafting of a Child Protection Policy.

In accordance with the statutory requirements of the Act, Council has established a Child Safe Working Group. This working group includes representatives from each directorate and is leading the development of a Child Protection Policy. Although not all Council staff work directly with children, the child safe practices include measures for upholding children's rights. These include: children's participation in decisions that affect them; and ensuring anyone working with children in any capacity understands the child's rights, child protection, safety and wellbeing. Some of the practical implications for Council include Council events, activities, surveys, workshops, community engagement, school engagement, recruitment of

staff, ethical procurement (not using companies implemented in child exploitation) and competitions.

Council will be provided with regular updates of the implementation of the Children's Guardian Act requirements.

**ITEM NO:** QWN 03  
**FILE NO:** 065466.2020  
**SUBJECT:** Question with Notice - Clr Balloot - Coronavirus (COVID-19)

Please address the following:

We have over 100 Coronavirus cases confirmed in Australia, including three deaths up-to-date (11 March 2020).

We have 54 Confirmed cases in NSW up to date (11 March 2020).

What measures is Council taking to ensure the safety of our staff and residents from the spread of Coronavirus?

What measures is Council taking to ensure to the support of small business in our LGA?

**Response**

Council has undertaken extensive work to ensure the safety of our staff and residents from the spread of coronavirus. All staff who are able to are working from home; teams have been split to ensure business continuity; and additional safety precautions implemented on continuing worksites, including City Presentation. Regular and continuing updates on Council's response, as well as Federal and NSW Government safety advice, have been communicated with residents. Councillors were provided with an extensive briefing by Council staff on Thursday 2 April and Wednesday 8 April. A comprehensive package of 19 initiatives was then endorsed by Councillors at an Extraordinary Council meeting on 16 April.

**ITEM NO:** QWN 04  
**FILE NO:** 067198.2020  
**SUBJECT:** Question with Notice - Clr Hagarty - Brontos

Please address the following:

Previously the nearest Brontos were located at St Andrews and Parramatta. Is this still the case?

**Response**

Fire & Rescue NSW have informed Council that St Andrews does not have a Bronto but Parramatta does. They have also advised that if there is a fire at Liverpool it would be serviced by the Bronto at Parramatta.

Attached in the Agenda is a letter from the Minister for Police and Emergency Services to the Mayor dated 3 August from 2018 concerning the location of the Bronto.



**ITEM NO:** QWN 05  
**FILE NO:** 069301.2020  
**SUBJECT:** Question with Notice - Cllr Shelton - Event Cancellations

Please provide:

- i. A list of all Council events cancelled or postponed over the last twelve months due to extreme weather events;
- ii. A list of all Council events cancelled or postponed over the preceding twelve months due to extreme weather events; and
- iii. An estimate as to the costs arising from item (i).

### Response

A list of all Council events cancelled or postponed over the <i>last</i> twelve months due to extreme weather events	An estimate as to the costs arising from item (i).	A list of all Council events cancelled or postponed over the <i>preceding</i> twelve months due to extreme weather events
<b>Major Events</b>		
No major events have been cancelled due to extreme weather events in the last twelve months (March 2019 - March 2020). <ul style="list-style-type: none"> <li>• The NYE pyrotechnics display was cancelled, but the event proceeded.</li> </ul>	Cost to Council was the \$15,000 forfeited deposit, and a credit was issued for the pyrotechnic product to use at a future event.	In the preceding 12 months (March 2018 - March 2019) no Major Events were cancelled due to extreme weather events, and all events were executed in full.
<b>City Economy</b>		
<ul style="list-style-type: none"> <li>• Movies in the Mall 4 October – Wind</li> </ul>	\$123.60	None
<ul style="list-style-type: none"> <li>• Movies in the Mall 4 December – Smoke</li> </ul>	No cost	
<ul style="list-style-type: none"> <li>• Love Livo Nights 5 March – Heavy rain</li> </ul>	Still in cancellation process current costs \$1343.32	
<ul style="list-style-type: none"> <li>• Love Livo Nights 5</li> </ul>	Cancellation cost was \$3146.75	

Minutes of the Ordinary Council Meeting held on Wednesday, 29 April 2020 and confirmed on Wednesday, 27 May 2020

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Chairperson

December – Postponed to January due to smoke		
Library & Museum Services		
<ul style="list-style-type: none"> <li>Outdoor Cinema 2001: A Space Odyssey (One Small Step Moon Landing exhibition)</li> </ul> <p>High wind weather forecast</p>	Cost to Council was \$2,032.00. Hired furniture, heaters, barriers, toilets had been delivered onsite from Pillingers Hiring Service.	None
<ul style="list-style-type: none"> <li>Outdoor Cinema The Dish (One Small Step Moon Landing exhibition)</li> </ul> <p>Decided not to proceed due to potential weather risk</p>	Cost to Council was the \$312.75 for security	
Community Development and Planning		
<ul style="list-style-type: none"> <li>Stop DV Day (6 December 2019). Postponed due to smoke</li> </ul>	Council provided a \$10,000 Corporate Sponsorship Grant for this project. The group has been granted an extension of the funding to deliver the event at a later stage.	None
<ul style="list-style-type: none"> <li>Christmas in Carnes Hill (19 December 2019) smoke hazard and excessive temperature (over 40 degrees)</li> </ul>	Cost to Council was \$10,780.41, \$3,256.00 of which was issued as credit to use at a future event	
<ul style="list-style-type: none"> <li>Outdoor Cinema in Carnes Hill (6 March 2020) – Heavy rain</li> </ul>	Cost to Council was \$4,125.20, \$2,550.00 of which was issued as credit to use at a future event.	In the preceding 12 months, there were two events at Carnes Hill that were cancelled due to extreme weather: - Movie under the stars (October 2018) Heavy rain  - Summer holiday movie (January 2019) Thunderstorms
<ul style="list-style-type: none"> <li>Memories in the Mall</li> </ul>	\$1485 paid to performer. Artist	

(13 February 2020) Cancelled due to rain.	is holding this amount as a deposit for a later event.	
Civic and Citizenship		
<ul style="list-style-type: none"> <li>John Dwyer Bridge relaunch (19 November 2019) Cancelled due to extreme hot weather.</li> </ul>	\$2500 for infrastructure delivered on the day.	No citizenships or civic events cancelled from March 2018 to March 2019. All events were executed in full.
<b>TOTAL:</b> \$49,364.03 <b>CREDITS:</b> \$19,831.20 <b>NET COST:</b> \$29,532.83		

**ITEM NO:** QWN 06  
**FILE NO:** 069345.2020  
**SUBJECT:** Question with Notice - Clr Balloot - Civic Place

Please address the following:

1. Has council done an internal audit report in recent times?
2. Did any of the Councillors view the signed contract between Liverpool Council and Buildcorp Australia for the construction of Civic Place?
3. Can you advise why the cost for the Civic Place has risen from an estimated \$75 million in 2016 to \$195 million currently?

### Response

#### 1. Has council done an internal audit report in recent times?

LCP has been subjected to probity and scrutiny by a number of independent probity advisors and the Council's Audit, Risk and Improvement Committee. No Internal audits have been performed on the Liverpool Civic Place project until now.

The Head of Audit, Risk and Improvement has now prioritised an audit of LCP, after the QWN raised by Councillor Hadchiti. The audit scope for the proposed audit was presented at the 19 March 2020 Councillor briefing with no additional concerns noted at the time. An external audit firm has subsequently been appointed on 6 April 2020 to conduct this review.

#### 2. Did any of the Councillors view the signed contract between Liverpool Council and Buildcorp Australia for the construction of Civic Place?

No, Councillors have not yet viewed the signed contract. Council resolved on 29 October 2019, in relation to LCP, to amongst other things, "Delegate authority to the CEO to negotiate and execute any changes to the Project Development Agreement with Built Holdings Pty Ltd.....". Councillors have been provided with access to the executed agreement.

#### 3. Can you advise why the cost for the Civic Place has risen from an estimated \$75 million in 2016 to \$195 million currently?

Liverpool Civic Place (LCP) was approved by Council in June 2016 with a Total Project Cost estimated at \$87m. Since then, LCP has gone through many changes since the initial concept plan in 2016.

The key change has been an increase in the Council Works scope, from the initial 7,000 sqm of Council offices, 6,000 sqm Commercial /UoW office space and 3,000 sqm Library, for a total of 16,000 sqm to a now current total of 22,500 sqm.

This new Council Works scope represents a 41% increase in area and now includes 8,500 sqm Commercial/UoW space, 8,000 sqm Council offices, Council Chambers and Childcare and 5,000 sqm of City Library.

In addition to the above scope increase and associated additional building costs, it should be noted the cost escalation, increase in construction costs per annum, had been running at 4-5% pa and were forecast to continue at these rates for the term of the project i.e. 2-3 years.

It should also be noted, that the current LCP Total Project Cost at \$195m now includes provision for this forecast escalation(\$4m), in addition to further design and project contingencies(\$16m) on advice of our consultants.

All of the above information, including the increase to the Council Works scope, has been presented in detail to Councillors and reported numerous times to Council, including the latest report and endorsement in October 2018.





## NOTICES OF MOTION

**ITEM NO:** NOM 01  
**FILE NO:** 094925.2020  
**SUBJECT:** Wildlife Protection Special Levy

### BACKGROUND

The recent devastation of Australian wildlife through drought, fire and floods has made it vitally important that everything possible is being done to protect and promote their survival in an environment that is becoming increasingly hostile to them.

Australia's international identity and tourism that contributes \$57.3 billion to the Australian economy has to be retained at all costs.

We can no longer, not consider the harm that the urban sprawl is doing to the habitats of our wildlife and all levels of government including local government must have a unified understanding of the issues and a unified approach to the solutions needed.

Liverpool Council has to do its part. It is no longer a question of identifying established wildlife corridors, it is now a necessity for Liverpool Council to create safe corridors. To plant koala feeder trees within these corridors and most important to connect all corridors with neighbouring LGA's and with safe road crossings where they are necessary in linking the corridors.

It is important more than ever that Liverpool Council continues discussions with the Department of Defence to make available corridors through their land to protect and nurture Australian wildlife.

It is important the wildlife corridors are created, locally, throughout the State of NSW and Nationally in order to provide Australian wildlife with access to routes without fences to escape any future fire threats.

It is not acceptable that 800 million of Australia's wildlife was impacted by the recent fires. It is not acceptable, that although Liverpool was not impacted in the recent fires, it is not acceptable that Liverpool does not respond to the warning and make sure we have done all that is possible to protect wildlife for not if it happens but when it happens in Liverpool.

### NOTICE OF MOTION (submitted by Cllr Rhodes)

That Council

1. Recognises the importance of wildlife protection and the economic benefits that Australian wildlife continues to contribute through tourism to the local and national economies;







**ITEM NO:** NOM 03  
**FILE NO:** 098221.2020  
**SUBJECT:** Economic Development Committee Meetings

## **BACKGROUND**

Liverpool Council has experienced an unprecedented situation as a cause of the Coronavirus.

It can be observed now that there are emerging demands and priorities for Council to be able to achieve the best outcomes both economically and socially for Liverpool's recovery.

Experience can now show that there are State and Federal initiatives and changes made both National and in NSW on a daily to weekly basis that have enormous considerations on Councils decisions. The decisions made daily have impacts on the decisions of Council and the directions that Council has to take in order to deliver the most effective and expedient directions for Council and our constituents.

At the extraordinary meeting on the 16 April, it became more obvious than ever that business as usual by Council in holding meetings, even on a weekly basis, can and has put the decisions of Council one week behind the latest directives and initiatives by both the State and Federal Governments.

The issues considered at the Extraordinary meeting were issues raised by Council the previous week and by the time of the meeting a week later, the Federal Council was already announcing its intention to possibly move to a recovery stage in less than three weeks' time.

The Recovery stage implementation was not the focus of the extraordinary meeting as Council was still focused on implementing measures to soften the economic hardships in the belief, as expressed one week before by the Federal Government and before the Council Extraordinary meeting, that we were in this for the long haul and that the lockdown measures may even be a part of the new normality.

Just one week later after the announcements we were in this for the long haul and actually on the night of the Extraordinary meeting the Federal Government announced a new direction that initiated plans for the recovery to begin in just three weeks.

The matters addressed at the Extraordinary meeting of Council discussed measures to enable Liverpool to be able to survive the possible ongoing pandemic for at least 3 months and possibly 18 months, this of course as we now know was not the directive from the Federal Government on the night of the Extraordinary meeting and it was announced that it was likely lockdown restrictions would begin being lifted in just three weeks' time.



- b) The results of the actions taken by Council to address the economic challenges as a result of the Covid Pandemic.

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















**ITEM NO:** CONF 07  
**FILE NO:** 057574.2020  
**SUBJECT:** Lurnea Council property - proposed sale

### **COUNCIL DECISION**

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

That Council move this item into Closed Session to be dealt with later in the meeting pursuant to the provisions of s10A(2)(c) (d ii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.'

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

Note: this item was dealt with later in the meeting in Closed Section as shown on page number 70 of these minutes.

### **CLOSED SESSION**

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

That Council move into Closed Session to consider QWN 07, CONF 03, CONF 05 and CONF 07 pursuant to the provisions of the Local Government Act 1993 shown below:

**Item QWN 07 Question with Notice - Clr Hadchiti - Trees** is confidential pursuant to the provisions of s10A(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors).

**Item CONF 03 - Hammondville Park Leisure Precinct** is confidential pursuant to the provisions of s10A(2)(c) (d i) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**Item CONF 05 Legal Affairs Report - 1 January 2020 to 31 March 2020** is confidential pursuant to the provisions of s10A(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.











**THE MEETING CLOSED AT 9.09pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 27 May 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 29 April 2020. 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 MAY 2020

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### **PRESENT VIA VIDEO CONFERENCING:**

Mayor Wendy Waller  
Councillor Ayyad  
Councillor Balloot (arrived at 6.08pm)  
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 George Hampouris, Acting Director City Corporate  
Dr Eddie Jackson, Director City Community and Culture  
Mr Peter Patterson, Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Mr Andrew Stevenson, Chief Strategy and Engagement Officer  
Ms Tina Sangiuliano, Strategic Organisational Change Manager  
Ms Nada Mardini, Manager Community Standards  
Mr David Petrie, Manager City Design Public Domain  
Ms Julie Scott, Manager City Economy  
Mr John Milicic, Manager, Property  
Mr David Smith, Manager Planning & Transport Strategy  
Mr James Ng, Acting General Counsel, Manager Governance, Legal and Procurement  
Mr Vishwa Nadan, Chief Financial Officer  
Mr John Morgan, Director Property and Commercial Development  
Mr George Georgakis, Manager Council and Executive Services  
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.02pm



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

**Item CONF 01:** RCL2860 – Provision of External Legal Services.

**Reason:** Clr Ayyad has a relative that works for one of the law firms mentioned in the report.

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

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

**Item EGROW 01:** Update on development of the Warwick Farm Precinct Structure Plan, Planning Proposal and Developer Contributions Plan

**Reason:** He has family members that live in the area.

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

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

**Item NOM 04:** Extending Support to People Seeking Asylum and Refugees.

**Reason:** Clr Rhodes is the Treasurer of WSROC and was asked to table a letter on WSROC's behalf on this issue.

Clr Rhodes left the meeting for the duration of this item and did not vote but did present a letter in the Councillors Presentation which relates to this matter.

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

**Item NOM 04:** Extending Support to People Seeking Asylum and Refugees.

**Reason:** Clr Hagarty is the chair of the organisation that has quite a bit to do with asylum seekers.

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

## **PUBLIC FORUM**

Nil.

**MAYORAL REPORT**

Nil.

**Clr Balloot arrived at the meeting at 6.08pm.**

**CITY ECONOMY AND GROWTH REPORT**

**ITEM NO:** EGROW 01

**FILE NO:** 051181.2020

**SUBJECT:** Update on development of the Warwick Farm Precinct Structure Plan, Planning Proposal and Developer Contributions Plan

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Hadid**

**Seconded: Clr Kaliyanda**

That Council:

1. Receives and notes this report; and
2. Receives a further report on the draft structure plan, draft planning proposal and draft contributions plan for the Warwick Farm precinct at the 26 August 2020 Council meeting.

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

Councillors voted unanimously for this motion.











**ITEM NO:** EGROW 06  
**FILE NO:** 126770.2020  
**SUBJECT:** Public Arts Policy

**COUNCIL DECISION**

**Motion:** **Move Cllr Kaliyanda** **Seconded: Cllr Shelton**

That Council:

1. Place the draft Public Arts Policy on exhibition for a period of 28 days;
2. Delegate to the CEO the finalisation of the Public Art Policy if no submissions are received; or receive a further report outlining details of the submissions received at the conclusion of the exhibition period; and
3. Thanks the staff involved for their work.

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

**CITY COMMUNITY AND CULTURE REPORT**

**ITEM NO:** COM 01

**FILE NO:** 067079.2020

**SUBJECT:** Post Public Exhibition Report - Social Impact Assessment Policy and Guidelines

**COUNCIL DECISION**

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

That Council endorses the Social Impact Assessment Policy and Guidelines.

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









**ITEM NO:** CORP 02  
**FILE NO:** 114401.2020  
**SUBJECT:** Reducing Red Tape

There was no Mover or Secunder so this item lapsed.











**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01

**FILE NO:** 081932.2020

**SUBJECT:** Notes of the Liverpool Access Committee meeting held on 20 February 2020

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Hadchiti**

**Seconded: Cllr Rhodes**

That Council receives and notes the Meeting Notes of the Liverpool Access Committee Meeting held on 20 February 2020.

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









## QUESTIONS WITH NOTICE

**ITEM NO:** QWN 01  
**FILE NO:** 111472.2020  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Trees

Please address the following:

1. What progress has been made with the grant to plant trees across the City Centre?
2. Some trees on Council owned land create issues for resident's sewer and stormwater pipe systems. Besides leaving a hole in the ground when this occurs and waiting for Council to inspect pipes and confirm the roots are creating a problem, is there another solution for confirmation?

### Response

#### 1. What progress has been made with the grant to plant trees across the City Centre?

The Urban Forest Strategy project is a 50% grant funded initiative through the NSW State Government and proposes to plant 245 advanced trees (up to 4m tall) across the Liverpool city centre. The project has progressed from concept design, through detail design and is now completing the construction and tender documentation phase. The project will soon go to tender 'For construction'. An update will be provided to Councillors outlining the construction sequencing for the tree plantings once the construction program is finalised with the preferred contractor.

Unfortunately there has been some short delays to the project. The delays from the original program have been due to a number of reasons including:

1. Additional survey requirements and 'pot-holing' has been required to ensure proposed trees do not impact underground services during planting or during the life span of the trees.
2. Some locations identified for tree planting at concept stage cannot accommodate trees due the size and extent of the (now confirmed) underground services. This has required additional locations to be found. This process has required a variation to the grant administrator (NSW Government) and the process takes time for approval.
3. Some of the tree planting locations have required heritage approvals from the DPIE. These approvals required the final design locations of the proposed trees to be completed.

4. Unforeseen consultant delays attributed to COVID-19.

Despite the delays tree planting will still occur in 2020.

**2. Some trees on Council owned land create issues for resident's sewer and stormwater pipe systems. Besides leaving a hole in the ground when this occurs and waiting for Council to inspect pipes and confirm the roots are creating a problem, is there another solution for confirmation?**

With proper coordination a convenient time can be arranged between Council, the resident and their plumber to ensure all stakeholders are onsite when the excavation takes place. Residents are encouraged to do this by contacting the Customer Experience team and providing details for a mutually convenient time for excavation and inspection thereby eliminating the issue of any hole being left open. Should that occur it is up to the plumber to cover or barricade any excavation to ensure it remains safe.

It is necessary for Council to inspect and photograph damaged pipes as the feeder roots on any type of flora is the only actively "moving" root and is common for very small fibrous roots to grow into pipes through unsealed or leaking joints and then multiply within the pipe ultimately causing a blockage.

A pipe can leak a number of ways but most commonly with terracotta pipes it is the rubber fittings deteriorating over time or pipes moving due to varying soil moisture levels. PVC pipes are now used and it has been evidenced that if the pipes are not glued correctly or fitted together properly they will easily move and leak with soil movement and can crack at joints. Once a root finds a source of moisture it will take advantage and increase in size quickly leading to the belief that the root has broken the pipe.

A CCTV inspection can quickly and easily confirm if there are roots in the pipes, however permanent repair will nearly always require excavation to determine an entry point and enable repair to be undertaken.

On completion of the investigation, all photos, assessments and any additional information is provided to Councils Operational Risk and Insurance Coordinator to make an informed decision on liability of any claim. In 99% of claims root entry is via unsealed joints or other pipe damage that has not been caused by trees or tree roots.

Council will only accept liability where a tree or tree root has caused physical damage to a pipe allowing tree root entry.

Council acknowledges the process may create issues for the resident however it is the only reliable way to determine how tree roots have entered pipes. City Presentation together with Risk Management is currently reviewing the Blockages in Pipes Advisory Note that is provided to residents.

**ITEM NO:** QWN 02  
**FILE NO:** 121716.2020  
**SUBJECT:** Question with Notice - Clr Hagarty - Speed Camera Warning Signs

Please address the following:

1. Have any speed camera or red light camera warning signs been removed in the Liverpool LGA since 'NOM 01 - Speed Camera Warning Signs' was passed in November 2019?

**A response to this question will be provided in the 24 June 2020 Council meeting business papers.**

**ITEM NO:** QWN 03  
**FILE NO:** 124879.2020  
**SUBJECT:** Question with Notice - Clr Harle - Compliance, Private Certifiers and Private Certifying Authorities

**Background:**

Since Compliant Development has been introduced by State Governments some two decade ago, there have been numerous issues where noncompliant development has occurred. The main concern is where the health and safety of the community is compromised. When this occurs, the obligations to address such issues passes onto the Private Certifier (PC) or Private Certifying Authority (PCA) responsible for the lodgement of the initial Development Application (DA). A copy of the DA must be lodged with Council to ensure it is aware of the development and its conditions. If the PC or PCA fails to address the issue it can be reported to the relevant authority for further action. Unfortunately further action rarely occurs as the complainant may not have the necessary resources required to do so, hence the matter remains unresolved.

Where noncompliance involves the health and safety of the community Local Councils need to act quickly, irrespective of the costs involved. The latter is based on its "Duty of Care" obligations to the community.

Currently, if residents suspect noncompliance issues within a development, they are informed to contact the PC or PCA responsible for the DA. Unfortunately, most residents don't have the resources to take the matter further which often results in nothing being done to address the issues.

For those issues that manage to get addressed, any forthcoming action may take several weeks, months or sometimes years, however, for those involving illegal or contaminated fill it is usually too late to mitigate any negative effects for the foreseeable future.

Unfortunately, the Environment Protection Authority (EPA) also follows the State Governments' recommendation of informing the PC or PCA to address any issues of non-compliance. It is only when the Health and Safety of the Community is at risk that the EPA may investigate, however, noncompliance such as the amount of fill is not their responsibility and falls back on the PC or PCA and we are back where we started.

Please address the following:

1. Does Council have a procedure or action in place to ensure a Development Applications (DA) made by a Private Certifier (PC) or a Private Certifying Authority (PCA) complies with their conditions of consent?
  - a. If noncompliance is suggested by concerned residents, how is that action triggered?

- b. What is Councils procedure if non-compliance continues despite Council action?
  - c. How can Council ensure that compliance does occur, especially those impacting on community health and safety?
  - d. Is Council legally responsible for any subsequent health and safety risks to the community due to noncompliance it was made aware of?
2. Will changes to the “Building and Development Certifier Act 2018”, due to take effect as of 1<sup>st</sup> July 2020, impact on the points raised in 1, a to d?

**A response to this question will be provided in the 24 June 2020 Council meeting business papers.**



## PRESENTATIONS BY COUNCILLORS

As Treasurer of WSROC, WSROC asked Cllr Rhodes to table a letter at this meeting advising that they are in support of councils settling a higher proportion of humanitarian migrant and asylum seekers. WSROC included a letter to the Prime Minister, Mr Scott Morrison to be signed by the relevant Mayors as referred to in NOM 04 of this Agenda.

## NOTICES OF MOTION

**ITEM NO:** NOM 01  
**FILE NO:** 111056.2020  
**SUBJECT:** Animal Shelter

### NOTICE OF MOTION (submitted by Cllr Ayyad)

That Council:

1. Direct the CEO to prepare a planning proposal amending Schedule 1 (Additional Permitted Uses) of Appendix 8 – Liverpool Growth Centres Precinct Plan contained within State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to permit with development consent an animal shelter, also known as an “animal boarding or training establishment” under the Standard Instrument LEP on the land bordered by Fourth Ave, Fifth Ave, Edmonson Ave, and Bringelly Rd. This includes WV Scott Memorial Park; and
2. Notes that the advice of the Liverpool Local Planning Panel is required before Council considers whether or not to forward the planning proposal to Minister for a Gateway determination.

This item was dealt with later in the meeting in Closed Session in conjunction with CONF 03 Animal Shelter and Koala Hospital Site Options.



**ITEM NO:** NOM 02  
**FILE NO:** 125829.2020  
**SUBJECT:** Hoxton Park Road Upgrade

### **Background**

Transport for NSW (TfNSW) recently released their Community Consultation Report for the upgrade Hoxton Park Road.

The report was written in response to submissions made during the community consultation period late last year. The community, local MPs and Council all raised serious concerns with TfNSW's preferred option for kerbside transit lanes and the impact on businesses at Hoxton Park Shopping Centre and surrounding residents.

Disappointingly, the report has dismissed these concerns and TfNSW will be making no changes to their current plans.

Western Sydney Airport and the aerotropolis are once in a century projects. Safe and effective public transport links between Liverpool and the airport, including the Hoxton Park Road and the Fifteenth Avenue Smart Transit, are critical to our region's future success.

Sydney is plagued with short sighted transport projects, let's not create another one.

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

That Council:

- Reaffirms its strong commitment to the Fifteenth Avenue Smart Transit (FAST) project;
- Notes plans for the FAST project are well advanced;
- Notes rapid bus services from Liverpool to Western Sydney Airport (WSA) are a key deliverable of the Western Sydney City Deal;
- Notes the route for rapid bus services from Liverpool to WSA will likely involve the FAST corridor;
- Notes its preference for centre running transit lanes along the entirety of the FAST corridor;
- Notes the upgrade of Hoxton Park Road will have a major impact on Hoxton Park Shopping Centre and surrounding residents; and
- Continue to make representations to Transport for New South Wales in regards to the upgrade of Hoxton Park Road.

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Hagarty**

**Seconded: Cllr Rhodes**

That Council:

- Reaffirms its strong commitment to the Fifteenth Avenue Smart Transit (FAST) project;
- Notes plans for the FAST project are well advanced;
- Notes rapid bus services from Liverpool to Western Sydney Airport (WSA) are a key deliverable of the Western Sydney City Deal;
- Notes the route for rapid bus services from Liverpool to WSA will likely involve the FAST corridor;
- Notes its preference for centre running transit lanes along the entirety of the FAST corridor;
- Notes the upgrade of Hoxton Park Road will have a major impact on Hoxton Park Shopping Centre and surrounding residents;
- Continue to make representations to Transport for New South Wales in regards to the upgrade of Hoxton Park Road; and
- That Council undertake a public campaign including a petition or other matters.

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

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**ITEM NO:** NOM 03  
**FILE NO:** 125887.2020  
**SUBJECT:** COVID-19 and Major Planning Projects

**Background**

Due to Coronavirus, it is more difficult for the community to be informed and to make submissions about major developments.

People are travelling less, local newspapers are no longer publishing and Australia Post are experiencing delays with the delivery of mail.

A modification was recently lodged with the Department of Planning, Industry and Environment (DPIE) to decrease the number of parking spaces at Frasers Ed Square development.

This proposal comes just over 12 months to the day a similar application was made which was opposed by Council and subsequently refused by the Independent Planning Commission.

The public submission period for this current modification was initially for a two week period with submissions only being able to be made via email and mail.

This is despite the previous application accepting website submissions.

There is also scant information regarding the notification process for this application on the Department's website.

Rather than making a greater effort to inform community and making it easier to provide submissions on major developments during the COVID-19 pandemic, the Department appear to be doing the opposite.

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

That Council write to the Minister for Planning and Public Spaces requesting, in light of COVID-19, that the Department of Planning, Industry and Environment (DPIE) take greater steps to inform the community about major developments and make submissions via website an option for all major development.

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Hagarty**

**Seconded: Cllr Rhodes**

That Council:

1. Write to the Minister for Planning and Public Spaces requesting, in light of COVID-19, that the Department of Planning, Industry and Environment (DPIE) take greater steps to inform the community about major developments and make submissions via website an option for all major development; and
2. Provide an option for people to be able to make submissions to applications through Council's website.

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

**Clr Hagarty and Clr Rhodes left the meeting at 9:13pm.**

**ITEM NO:** NOM 04  
**FILE NO:** 125963.2020  
**SUBJECT:** Extending Support to People Seeking Asylum and Refugees

**Background**

The City of Greater Dandenong, on behalf of the Local Government Mayoral Taskforce Supporting People Seeking Asylum, are inviting local governments across Australia to sign on to an open letter to Prime Minister Scott Morrison in order to extend critical support to people seeking asylum and refugees.

At present, people seeking asylum do not have access to Medicare or income support and have uncertain visa status. They also cannot return home.

In addition to the moral argument, there are cost shifting issues and serious public health implications by not extending support to people seeking asylum and refugees.

Without access to Medicare or a liveable income, demand for emergency relief and housing support has already increased. This places a growing strain on already overstretched front line service providers, including Council.

It also creates a barrier to people seeking COVID-19 testing and treatment.

In recent weeks, COVID-19 infections have skyrocketed in Singapore. More than 70% of those infections have come from migrant workers who have limited access to medical services, income support and housing.

Australia has thankfully been spared the worst of this global pandemic.

Federal and State Governments have worked together to mitigate the impact of COVID-19 on our community. This positive work must be expanded to include people seeking asylum.

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

That Council sign on to the open letter from the Local Government Mayoral Taskforce Supporting People Seeking Asylum to Prime Minister Scott Morrison requesting the extension of critical support to people seeking asylum and refugees.

**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.

**Clr Hagarty and Clr Rhodes returned to the meeting at 9:23pm.****ITEM NO:** NOM 05**FILE NO:** 125997.2020**SUBJECT:** Response to COVID-19 restrictions – Update from South West Sydney Academy of Sport (SWSAS)**Background**

Recognising the strong role Liverpool City Council has in support of the South West Sydney Academy of Sport, please accept this update outlining the commitment and the manner in which it has been going about its business, since the 1st April 2020.

The Academy's job has not changed, it is still providing as strong a level of support to our region's athletes and coaches now, as it has sought to provide prior to the NSW Covid-19 lockdown.

Naturally, the restrictions that have been imposed have led to a necessity to change the delivery of Academy services, however in some ways it has required it to implement some activities sooner than anticipated and certainly differently than anticipated. And, in a number of cases in a new and highly innovative way. These include:

- Physical Conditioning: All athletes now have a home-based body weight series of Strength and Conditioning exercises. Athletes also have a direct link to an exercise video with voice-over, emphasising appropriate age-related exercise criteria, relevant to their sport.
- Small Group online engagement: Each athlete group regularly provides information to the Academy on how it may actively better assist them in their endeavours. Some great ideas have already been implemented directly from this format.
- Regular athlete Zoom meetings with their coach. This allows the coach to monitor the continued development for each of the groups, along with the wellbeing of its athletes.
- The implementation of a series of webinars for all Academy athletes across a whole range of pertinent sport and community good-citizenship development, related subjects.
- The expansion of a series of sports education topics for all athletes, with a schedule for delivery that will continue to August (Financial Fitness; Mental Health and Well-being, plus Cyberbullying and owning your Social Media; etc).
- Implementation of a series of online challenges through Academy social medial platforms to encourage continued interaction between athletes. And also

demonstrate to the broader community the commitment of athletes, coaches, and the Academy, to ongoing health, fitness, and personal improvement.

- The continuation of a personalised professional development program designed specifically for each volunteer coach and support staff member, within the Academy.
- The engagement of sport skills specialists to support the development of identified coaches, within the Academy.

Integrity, citizenship, self-determination, and motivation are some of the real values attached to sport, and those espoused by the Academy. And as it is widely recognised the premier sports development organisation in the South West Sydney region, the Academy needed to, and appropriately demonstrated leadership in these difficult times.

The Academy will not stop in its pursuit to provide the highest quality service available to athletes and coaches, in our region. It will just approach it in a different way and in a manner that will place its - your local athletes in a prime position to be strong in character, mind, spirit, and physical prowess once we, as a community, defeat COVID-19.

The Academy hopes that these are values that will shine through to the rest of our local community and will allow Council to continue to be proud of its association with its regional sports academy.

With many of the sporting entities around us ceasing operations or dramatically reducing capacity and operational capability, the Academy is one of the few organisations that is continuing to provide a service of this calibre to young athletes. A testament to the forward-thinking of its Board of Management.

The Academy is adapting to the remote delivery and online environment that is currently imposed upon it and is providing leadership to its local and broader NSW sporting community. It is envisaged that this could place the Academy in a unique positive position, as we look to recover from the current restrictions.

The Academy is not stopping - in fact, it is are now busier than ever. It is important that you are aware that the support provided by Council is a critical factor in enabling this to occur.

And, on behalf of all associated with the Academy we say, 'Thank You', for Liverpool Council's ongoing support.

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

That Council receive and note this update.







**Clr Shelton returned to the meeting at 9:48pm.**

**ITEM NO:** CONF 02  
**FILE NO:** 105628.2020  
**SUBJECT:** Tender ST2952 Receival and Processing of Bulky Waste

**COUNCIL DECISION**

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

That Council:

1. Accepts the Tender from Bingo Waste Services Pty Ltd for Tender ST2952 – Receivable and Processing of Bulky Waste for an initial four (4) years contract term at the GST inclusive price of \$5,034,960.00 (based on Schedule of Rates) with the option of extending a further three (3) x (1) year as precautionary in case that Project 24 is delayed;
2. Makes public its decision regarding tender ST2952 – Receivable and Processing of Bulky Waste;
3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance following the publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority; and
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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, Deputy Mayor Karnib, Clr Rhodes and Clr Shelton.

**Vote against:** Clr Kaliyanda.



10. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

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

Councillors voted unanimously for this motion.

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**ITEM NO:** NOM 01  
**FILE NO:** 111056.2020  
**SUBJECT:** Animal Shelter

**NOTICE OF MOTION (submitted by Cllr Ayyad)**

That Council:

1. Direct the CEO to prepare a planning proposal amending Schedule 1 (Additional Permitted Uses) of Appendix 8 – Liverpool Growth Centres Precinct Plan contained within State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to permit with development consent an animal shelter, also known as an “animal boarding or training establishment” under the Standard Instrument LEP on the land bordered by Fourth Ave, Fifth Ave, Edmonson Ave, and Bringelly Rd. This includes WV Scott Memorial Park; and
2. Notes that the advice of the Liverpool Local Planning Panel is required before Council considers whether or not to forward the planning proposal to Minister for a Gateway determination.

This item lapsed as it was covered in CONF 03 (shown above on the previous item) which related to the issue of the animal shelter.

**OPEN SESSION**

Council moved back into Open Session at 10.28pm

Mayor Waller then read out the resolutions for CONF 01, CONF 02 and CONF 03 which were passed in Closed Session.

Note: NOM 01 lapsed as it was dealt with as part of CONF 03.

**THE MEETING CLOSED AT 10.33pm**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 24 June 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 27 May 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

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## MINUTES OF THE EXTRAORDINARY MEETING HELD ON 9 JUNE 2020

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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 George Hampouris, Acting Director City Corporate  
Dr Eddie Jackson, Director City Community and Culture  
Mr Peter Patterson, Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Mr Andrew Stevenson, Chief Strategy and Engagement Officer  
Ms Tina Sangiuliano, Strategic Organisational Change Manager  
Ms Julie Scott, Manager City Economy  
Mr James Ng, Acting General Counsel, Manager Governance, Legal and Procurement  
Mr David Maguire, Internal Ombudsman  
Mr George Georgakis, Manager Council and Executive Services  
Ms Maree Stewart, Coordinator Council and Executive Services (minutes)

### **OPENING**

6.00pm

### **STATEMENT REGARDING WEBCASTING**

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

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

The prayer of the Council was read by the  
Chief Executive Officer, Ms Kiersten Fishburn.

**APOLOGIES**

Nil

**DECLARATIONS OF INTEREST**

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

**Item EGROW 01:** Business Resilience Grants

**Reason:** Mayor Waller knows and has associations with many local business owners.

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

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

**Item EGROW 01:** Business Resilience Grants

**Reason:** Clr Ayyad knows and has associations with many local business owners.

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

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

**Item EGROW 01:** Business Resilience Grants

**Reason:** Clr Balloot knows and has associations with many local business owners.

Clr Balloot remained in the room for the duration of the item.

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

**Item EGROW 01:** Business Resilience Grants

**Reason:** Clr Hadchiti knows and has associations with many local business owners.

Clr Hadchiti remained in the room for the duration of the item.

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

**Item EGROW 01:** Business Resilience Grants

**Reason:** Clr Hadid knows and has associations with many local business owners.

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

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

**Item EGROW 01:** Business Resilience Grants

**Reason:** Clr Hagarty knows and has associations with many local business owners.

Clr Hagarty remained in the room for the duration of the item.



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

**Item EGROW 01:** Business Resilience Grants

**Reason:** Clr Kaliyanda knows and has associations with many local business owners.

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

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

**Item EGROW 01:** Business Resilience Grants

**Reason:** Clr Karnib knows and has associations with many local business owners.

Clr Karnib remained in the room for the duration of the item.

**Clr Rhodes declared a pecuniary interest in the following item:**

**Item EGROW 01:** Business Resilience Grants

**Reason:** Prior to becoming a Councillor, Clr Rhodes held the position of Secretary of the Liverpool Chamber of Commerce and was also a member of Business Network International (Liverpool Chapter). Clr Rhodes recognises businesses on the list of grant applicants that are members of either one or both of these organisations.

Clr Rhodes left the room for the duration of the item.

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

**Item EGROW 01:** Business Resilience Grants

**Reason:** Clr Shelton knows and has associations with many local business owners. Additionally, Clr Shelton has business dealings with land owners in the CBD.

Clr Shelton remained in the room for the duration of the item.

## **PUBLIC FORUM**

Nil

**Clr Rhodes left the room at 6.07pm and did not return to the meeting.**

**CITY ECONOMY AND GROWTH REPORT**

**ITEM NO:** EGROW 01  
**FILE NO:** 138716.2020  
**SUBJECT:** Business Resilience Grants

**COUNCIL DECISION**

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

That Council:

1. Adopts the recommendations to provide grants to 50 businesses as outlined in the report. The recommendation is to provide grants to the value of \$106,000 to 28 CBD businesses from the City Development Fund, and to provide grants to the value of \$66,000 to 22 businesses in the greater Local Government Area;
2. Allow those applicants that were not successful as outlined in the report and referred to as 'Business pivot requires more development and assistance to demonstrate whether it can generate profit or support existing or new jobs' or 'Reasonable pivot, however, required stronger demonstration that it could generate profit or support existing or new jobs' the opportunity to provide more information to determine whether they would be eligible;
3. By application rebate land owners in the CBD (excluding Westfield & Liverpool Plaza) that were affected by mandatory restrictions an amount equal to three months of 'City Development Fund' levies where it can be demonstrated that a loss in rental income has occurred, providing they meet the same criteria as in the grants program. Council staff to investigate a realistic way of capping these monies be pursued and brought to the next Council meeting; and
4. A communication and/or letter go out to all the business owners in Liverpool that may be eligible for any federal or state government grants, specifically referring to the following government grants:

**Federal**

- Cash Flow Boost for small businesses to the value of \$20,000 -\$100,000;
- Job Keeper allowance of \$1,500 per employee per fortnight until September 2020; and
- Small Business Grant of \$10,000 for small business expenses.

**State**

- \$10,000 business grants.

The letter should also state that if a business has not received any of these grants, they should contact the Australian Taxation Office.

**Vote for:** Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Hagarty, Clr Kaliyanda and Deputy Mayor Karnib.

**Vote against:** Clr Harle and Clr Shelton.

**Note:** Clr Rhodes had left the meeting and did not take part in the discussion or the vote for the above item.

**THE MEETING CLOSED AT 6.41pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 24 June 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 9 June 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

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Chairperson



**MINUTES OF THE ORDINARY MEETING  
HELD ON 24 JUNE 2020**

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**PRESENT VIA VIDEO CONFERENCING:**

- Mayor Wendy Waller
- Councillor Ayyad
- Councillor Ballot
- Councillor Hadchiti
- Councillor Hadid
- Councillor Hagarty
- Councillor Harle
- Councillor Kaliyanda
- Councillor Karnib
- Councillor Rhodes
- Councillor Shelton
- Mr Tim Moore, Acting Chief Executive Officer
- Mr George Hampouris, Acting Director City Corporate
- Dr Eddie Jackson, Director City Community and Culture
- Mr Peter Patterson, Director City Presentation
- Mr Raj Autar, Director City Infrastructure and Environment
- Mr David Smith, Acting Director City Economy and Growth
- Mr David Maguire, Internal Ombudsman
- Mr Vishwa Nadan, Chief Financial Officer
- Mr Andrew Stevenson, Chief Strategy and Engagement Officer
- Ms Tina Sangiuliano, Strategic Organisational Change Manager
- Mr James Ng, Acting General Counsel, Manager Governance, Legal and Procurement
- Mr George Georgakis, Manager Council and Executive Services
- Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

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**STATEMENT REGARDING WEBCASTING  
OF MEETING**

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



Clr Hadchiti declared a nonpecuniary but significant interest in the following item:

**Item:** CONF 01 - Liverpool Youth Council - Membership Nominations for term 2020-2022.

**Reason:** Clr Hadchiti knows one of the nominees.

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

## **PUBLIC FORUM**

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

Nil.

### **Representation – items on agenda**

#### **Written submissions for items on agenda**

1. **Mr Robert Pinoso** made a written submission to Council on the following item:

**EGOW 05** - Street Naming Requests - Austral, Edmondson Park and Prestons

This submission has been circulated to Councillors.

2. **Mr John Wynne** from Urbis made a written submission to Council on the following item:

**EGROW 04** – Planning Proposal Request to rezone land and amend development standards at 1400 – 1480 Elizabeth Dr, Cecil Park.

This submission has been circulated to Councillors.

3. **Mr James Stanton-Cooke** from Lock the Gate Alliance made a written submission to Council on the following item:

**EGROW 03** - Sustainable Energy

This submission has been circulated to Councillors.

**MAYORAL MINUTE**

**ITEM NO:** MAYOR 01  
**FILE NO:** 160043.2020  
**SUBJECT:** Greater Sydney Women's Safety Charter

Liverpool is one of the fastest growing Local Government Areas in Australia and a place where women and girls should feel safe, included and able to reach their full potential.

Women of all ages, abilities, identities and social and cultural backgrounds should be able to fully and freely participate and enjoy our city's social, economic and cultural life. This benefits everyone in our city.

The Greater Sydney Women's Safety Charter was launched on International Women's Day this year. It is made up of government agencies, businesses, peak groups and not-for-profit organisations who work together to improve the safety of women and girls in Greater Sydney.

In December last year, the Greater Sydney Commission and Transport for NSW co-hosted the Symposium, A City for People – Women and Safety in the City. The charter was an outcome of this event. More than 70 organisations came together to make this Charter possible.

Groups that join the charter improve the safety of women and girls through policies and practices, service planning and delivery, and communication with stakeholders and the community. They help to promote equality and create cities that are welcoming, open and accessible to everyone.

The Charter has three foundation principles:

1. A commitment to a culture of gender equality.
2. A commitment to listen, share and reflect; and
3. A commitment to collective action and continuous improvement.

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

That Council endorse becoming a signatory to the Greater Sydney Women's Safety Charter.

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





















**CITY COMMUNITY AND CULTURE REPORT**

**ITEM NO:** COM 01  
**FILE NO:** 114570.2020  
**SUBJECT:** Grants, Donations and Corporate Sponsorship

**COUNCIL DECISION**

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

That Council:

1. Postpone all future community funding grants and redirect all funds to the General Reserve to cover the \$50million anticipated COVID-19 costs.
2. Defer considerations of current grant applications until such time as COVID-19 no longer has a financial cost impact on the budget of Council.

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

**Vote for:** Clr Harle and Clr Rhodes.

**Vote against:** Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadid, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton. Clr Hadchiti did not vote on this item and in accordance with Council's Code of Meeting Practice is therefore recorded as voting against).

**The following motion was then moved:**

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

That this motion be considered later at the meeting for a question asked to be looked into and responded to.

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

Note: this item was dealt with later in the meeting.











Item 7 - Bird Walton Drive – Proposed road rehabilitation

- Council approves the proposed signs and linemarking scheme.

Item 8 - Greendale Road – Proposed road rehabilitation

- Council approves the road rehabilitation and associated signs and linemarking scheme, including the arrangement to maintain the existing sign posted speed limit and advisory speed on the curved road section.

Item 9 - Feodore Drive, Cecil Hills – Minor Traffic Facilities

- Council approves the proposed raised threshold, median island and signs and linemarking with installation of a pedestrian fence at the southern side of the raised threshold.

Item 10 - Wonga Road and Hill Road – Proposed Traffic Management

- Council approves the raised thresholds and associated signs and linemarking.

Item 11 - Items Approved Under Delegated Authority

- Notes the traffic facilities approved under Delegated Authority between 8 March 2020 and 12 May 2020.

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





**ITEM NO:** CTTE 05  
**FILE NO:** 144158.2020  
**SUBJECT:** Minutes of Budget Review Panel 21 May 2020

**COUNCIL DECISION**

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

That Council:

1. Adopts the minutes of the Budget Review Panel meeting held on 21 May 2020; and
2. Considers applying to the Federal and State Government from the \$50million Council Community Projects recently announced for possible funding for the concept plans for the Visitation Precinct if appropriate.

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

**Vote for:** Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Rhodes and Clr Shelton.

**Vote against:** Mayor Waller and Deputy Mayor Karnib.

**ITEM NO:** CTTE 06  
**FILE NO:** 146402.2020  
**SUBJECT:** Minutes of the Civic Advisory Committee meeting held on 3 June 2020

**COUNCIL DECISION**

**Motion:**                                  **Moved: Cllr Kaliyanda                  Seconded: Cllr Hadid**

That Council:

- 1. Receives and notes the Minutes of the Civic Advisory Committee Meeting held on 3 June 2020;
- 2. Reject the recommendation to supply and install the City of Liverpool flag and the 60<sup>th</sup> birthday (as a City) flag which has cost implications; and
- 3. Endorse all other recommendations in the Minutes.

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

**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 139288.2020  
**SUBJECT:** Question with Notice - Clr Hagarty - Speed Camera Warning Signs

Please address the following:

1. Have any speed camera or red light camera warning signs been removed in the Liverpool LGA since 'NOM 01 - Speed Camera Warning Signs' was passed in November 2019?

**Response**

Following Council's resolution from November 2019, Council received correspondence (see Attachment 1 in the Council Agenda) from the Parliamentary Secretary for Transport and Roads confirming that the NSW Government's position on speed camera warning signage has not changed. Council has also discussed this matter with TfNSW staff who have advised that no speed camera or red-light camera warning signs in the Liverpool Local Government Area have been removed.

TfNSW has advised Council they are aware of a 'missing' sign at the Newbridge Road / Milperra Road / Henry Lawson Drive intersection, due to limited space in the location identified (see Attachment 2 in the Council Agenda) and are considering what options are available for the sign to be installed.

**ITEM NO:** QWN 02  
**FILE NO:** 139293.2020  
**SUBJECT:** Question with Notice - Clr Harle - Compliance, Private Certifiers and Private Certifying Authorities

## Background

Since Compliant Development has been introduced by State Governments some two decade ago, there have been numerous issues where noncompliant development has occurred. The main concern is where the health and safety of the community is compromised. When this occurs, the obligations to address such issues passes onto the Private Certifier (PC) or Private Certifying Authority (PCA) responsible for the lodgement of the initial Development Application (DA). A copy of the DA must be lodged with Council to ensure it is aware of the development and its conditions. If the PC or PCA fails to address the issue it can be reported to the relevant authority for further action. Unfortunately further action rarely occurs as the complainant may not have the necessary resources required to do so, hence the matter remains unresolved.

Where noncompliance involves the health and safety of the community Local Councils need to act quickly, irrespective of the costs involved. The latter is based on its "Duty of Care" obligations to the community.

Currently, if residents suspect noncompliance issues within a development, they are informed to contact the PC or PCA responsible for the DA. Unfortunately, most residents don't have the resources to take the matter further which often results in nothing being done to address the issues.

For those issues that manage to get addressed, any forthcoming action may take several weeks, months or sometimes years, however, for those involving illegal or contaminated fill it is usually too late to mitigate any negative effects for the foreseeable future.

Unfortunately, the Environment Protection Authority (EPA) also follows the State Governments' recommendation of informing the PC or PCA to address any issues of non-compliance. It is only when the Health and Safety of the Community is at risk that the EPA may investigate, however, noncompliance such as the amount of fill is not their responsibility and falls back on the PC or PCA and we are back where we started.

Please address the following:

1. Does Council have a procedure or action in place to ensure a Development Applications (DA) made by a Private Certifier (PC) or a Private Certifying Authority (PCA) complies with their conditions of consent?

- a. If noncompliance is suggested by concerned residents, how is that action triggered?
  - b. What is Council's procedure if non-compliance continues despite Council action?
  - c. How can Council ensure that compliance does occur, especially those impacting on community health and safety?
  - d. Is Council legally responsible for any subsequent health and safety risks to the community due to noncompliance it was made aware of?
2. Will changes to the "Building and Development Certifier Act 2018", due to take effect as of 1<sup>st</sup> July 2020, impact on the points raised in 1, a to d?

## Response

A private certifier can determine applications for complying development certificates, construction certificates and occupation certificates. They can also be nominated as the Principal Certifier whose role is to carry out inspections of building work to determine compliance with legislative requirements and conditions of consent. In addition the Principal Certifier can take action to address non-compliant work and, if needed report, it to Council if any non-compliances are ongoing.

Certifiers do not determine development applications. Council has no legal responsibility to check certificates issued by certifiers. Private certification has been in place since 1998 and accredited private certifiers are public officials who are required to act with integrity and impartiality . They are accredited under the Building Professionals Act 2005 and regulated by NSW Fair Trading.

Generally if a resident contacts Council regarding non-compliance with building work on a privately certified site the resident is asked to contact the certifier in the first instance. The certifier's responsibility is to investigate the complaint and if non compliance is detected the certifier under the Environment Planning and Assessment Act is required to issue a Written Direction. If the direction is not complied with the certifier will notify Council and Council officers will then issue notice/order.

Generally issues relating to hours of construction, occupation of footpath/road contrary to development consent and sediment control are all dealt with by council officers without referral to the certifier even if the site is privately certified as these issues impact resident's amenity and the environment.

In some instances where the certifier does not take adequate action Council does intervene and take enforcement action. Anyone can report a certifier, if they have grounds to do so, to the Building Professionals Board.

**1. Does Council have a procedure or action in place to ensure a Development Applications (DA) made by a Private Certifier (PC) or a Private Certifying Authority (PCA) complies with their conditions of consent?**

**a. If noncompliance is suggested by concerned residents, how is that action triggered?**

As mentioned above residents are directed to the certifier in the first instance.

**b. What is Councils procedure if non-compliance continues despite Council action?**

If Council is involved a notice is issued followed by an order and if non compliance continues legal action is taken.

**c. How can Council ensure that compliance does occur, especially those impacting on community health and safety?**

Under the legislation it is not Council's role to check on certifiers to ensure compliance, however as mentioned above if Council intervenes then a notice/order can be issued and ultimately legal action pursued.

**d. Is Council legally responsible for any subsequent health and safety risks to the community due to noncompliance it was made aware of?**

It is the Principal Certifier who is responsible for the work on site and if Council is not the nominated Principal Certifier then Council is not responsible.

**2. Will changes to the "Building and Development Certifier Act 2018", due to take effect as of 1<sup>st</sup> July 2020, impact on the points raised in 1, a to d?**

The new legislative framework regulates the conduct of certifiers by providing for new conflict of interest provisions and establishes a code of conduct. The Building Professionals Board will be abolished and the certifiers will be fully regulated by NSW Fair Trading. It is expected that Certifiers who do not comply with the new legislative framework will not be able to continue to be registered.

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Harle**

**Seconded: Cllr Rhodes**

That Council:

1. Investigate implementing a development assessment compliance policy dealing with compliance issues raised by residents irrespective of whether it is a Private Certifier, Private Certifying Authority or Environmental Protection Authority issue; and

2. A report to be brought to the August 2020 Council meeting addressing issues related to implementing such a policy including budgetary implications.

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

**PRESENTATIONS BY COUNCILLORS**

Nil

**NOTICES OF MOTION**

**ITEM NO:** NOM 01

**FILE NO:** 137811.2020

**SUBJECT:** End of the Corona Virus Pandemic Definition

**BACKGROUND**

An oversight has come to my attention for the need to clarify by definition the end of the Corona Virus Pandemic as referred to as a date for Council to initiate actions as resolved in Motions previously passed by Council.

As it is very unclear as to what could be considered the end of the Corona Virus Pandemic as being when Business is resumed in NSW or when a possible vaccine is found, it is necessary that Council resolve a definition to give Council clarity of intention in resolutions previously passed by Council, where such motions have referred for Council action “after COVID 19” or other similar expressions in motions.

The need for a definition for the end of the Corona Virus is to enable Council a date that Council Staff recognise as the defined date and to make it clear that the end of COVID 19 is not defined by but not excluded by the possible vaccine that may or may not ever be found.

**NOTICE OF MOTION (submitted by Cllr Rhodes)**

That Council defines the end of COVID 19 as referred to in resolutions previously passed by Council from which Council has been resolved to act “after the COVID Pandemic” or words similar as being defined as the date declared by the NSW State Government that all businesses are to return to work although maintaining social distancing guidelines.

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Rhodes** **Seconded: Cllr Balloot**

That Council adopt the following definitions to clarify any times or time periods in Council resolutions relating to COVID-19 pandemic:

1. Where a date is specified in the resolution – then that date will continue to apply.
2. Where no date is specified in the resolution and the resolution is subject to the lifting of a restriction – then, for the purpose of implementing the resolution, the date will be 1 July 2020. It would be anticipated that at that point minimal restrictions would



remain in place affecting only some businesses. For example, on 16 April 2020 Council resolved to waive all out-door dining fees from the date of restriction coming into place until 2 months after these restrictions are lifted. The proposed amendment would mean that out-door dining fees would be waived until 2 months after 1 July 2020.

3. Where a resolution is not subject to the lifting of a restriction and the resolution requires Council to provide assistance for an unspecified period – then, for the purpose of implementing the resolution, the resolution will apply for the duration of the 2020/21 financial year, unless otherwise resolved by Council.

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



2. Work with developers and landlords to find suitable locations in the Liverpool CBD for public sector working hubs; and
3. Report back on progress in 6 months.

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

**Clr Shelton left the meeting at 7:13pm.**

**ITEM NO:** NOM 03  
**FILE NO:** 152495.2020  
**SUBJECT:** Sustainable Energy

## **BACKGROUND**

In November 2019, Council indicated its support for a Renewable Solar Power Purchase Agreement negotiated by WSROC. Liverpool Council is also one of 18 local councils that are part of a Local Government Power Purchase Agreement, where Origin Energy supplements the energy needs of our community. Furthermore, in October 2017, Council joined the Cities Power Partnership, an initiative of the Climate Council of Australia seeking to accelerate the benefits of emissions reduction and clean energy for Australian towns and cities.

The use of hydraulic fracturing (fracking) to extract gas presents significant environmental risks. The use of chemicals in the process presents a potential contamination hazard to water resource. Significantly, fracking results in increase greenhouse gas emissions through the use of the fuel itself as well as through the escape of gases, such as methane, during the extraction process. Banning the use of fracking right across the country presents the most effective strategy to eliminate these environmental hazards.

Furthermore, the recent destruction of a 46,000 year-old Aboriginal cultural site in WA as part of a mining operation by Rio Tinto shows the impact that such processes could have on local environments and cultural heritage.

On a local level Council is investing in a wide range of initiatives designed to increase the use of sustainable energy and reduce the urban heat island effect. Some of these initiatives include purchasing sustainable energy, installing solar systems on Council properties and encouraging schools, residents and businesses to install solar panels on their buildings, transitioning to the use of electric fleet vehicles and installing heat pumps at pools and leisure centres. Rejecting the use of damaging processes, such as fracking, and simultaneously increasing the use of renewable energy are both vital if we hope to limit the worst impacts of climate change.

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

1. Write to Origin Energy:
  - Noting Council's Power Purchase Agreement with Origin Energy, through SSROC, 20% of which is currently sourced from the Moree Solar Farm;
  - Expressing our support for the traditional owners and communities in the Northern Territory who have expressed their strong opposition to fracking due its threats to the climate and to their lands, waters and rights; and

- Requesting that Origin Energy cease all plans to conduct fracking in the Northern Territory and elsewhere due to its impact on the climate, communities, environment and water, and commit to further investment in environmentally and socially sustainable renewable energy projects.
2. Forward a copy of the letter referred to above to all NSW Regional Organisation of Councils and Joint Organisations.
  3. Writes to all state and territory Energy and Environment ministers urging them to implement, strengthen or retain permanent bans on the use of hydraulic fracturing (fracking) to extract gas within their jurisdictions.
  4. Continues to increase the use of sustainable energy for its operations.

## **COUNCIL DECISION**

**Motion:**

**Moved: Cllr Kaliyanda**

**Seconded: Cllr Hagarty**

1. Write to Origin Energy:
  - Noting Council's Power Purchase Agreement with Origin Energy, through SSROC, 20% of which is currently sourced from the Moree Solar Farm;
  - Expressing our support for the traditional owners and communities in the Northern Territory who have expressed their strong opposition to fracking due its threats to the climate and to their lands, waters and rights; and
  - Requesting that Origin Energy cease all plans to conduct fracking in the Northern Territory and elsewhere due to its impact on the climate, communities, environment and water, and commit to further investment in environmentally and socially sustainable renewable energy projects.
2. Forward a copy of the letter referred to above to all NSW Regional Organisation of Councils and Joint Organisations.
3. Writes to all state and territory Energy and Environment ministers urging them to implement, strengthen or retain permanent bans on the use of hydraulic fracturing (fracking) to extract gas within their jurisdictions.
4. Continues to increase the use of sustainable energy for its operations.
5. That Council provide a briefing meeting before September Council meeting inviting WSROC to present to Councillors and the financial management team of Council, information relating to the opportunity for Council to participate in a Power Purchase Agreement through WSROC Limited through a 10 year Power Purchase Agreement on offer from renewable energy developer GENX Power.

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

Councillors voted unanimously for this motion.

Note Cllr Shelton was not in the meeting when this item was voted on.

**Clr Shelton returned to the meeting at 7.19pm**

**ITEM NO:** NOM 04  
**FILE NO:** 152513.2020  
**SUBJECT:** Support for Australian Aviation

**BACKGROUND**

Earlier this year we saw perhaps the most significant corporate victim of COVID-19 when Virgin Australia elected to enter into voluntary administration. This was a deeply concerning development, not only for the stress, anxiety and uncertainty on the thousands of employees, but for the potential impact this will have on our society and economy.

This is clearly a Federal issue and it will be up to the Federal Government to address this. But it is important that we all speak up, particularly for Liverpool as an aviation city and the home of Sydney's second international airport, to raise two important points: we need a healthy and competitive domestic airline industry, and that industry needs to be serviced by Australian-based companies.

If any airline attains a monopoly over the domestic airline market, we know from the collapse of Ansett in 2002, that there will be a significant increase in the cost of air travel. I am aware of some analysts predicting the rise in cost of air travel in a monopoly environment could exceed 20%.

For Australia, with our vast expanses and remote communities, affordable air travel is vital to our ongoing prosperity. If there are to be rises in the cost of domestic air travel, it will be our vulnerable populations that suffer along with the regions. And it is the regions upon which Australia relies.

But it is not simply enough to have a competitive domestic airline market; it is critical that the companies servicing those routes are Australian-based. Encouraging a strong Australian aviation sector would have significant short and long-term benefits for Liverpool.

There has been discussion of international airlines, Etihad or Singapore Airlines for example, servicing our domestic routes. Should this eventuate, we will see the irreversible flow of profits, money from Australians, offshore. This cannot be allowed to happen.

Furthermore, it is fanciful to entertain the idea that these international airlines will service anything but the most profitable, high-volume routes of the east coast. This would likely leave our regional and remote communities to languish and die. We cannot let this happen.

In the coming weeks and months, it will be critical for the Federal Government to protect Australia's future through whatever mechanism they deem appropriate, and ensure that on the other side of this, Australia continues to be serviced by a competitive, Australian-based domestic airline industry.













6. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

Councillors voted unanimously for this motion.



interviewed candidates, and makes a recommendation for appointment by the Council.

7. Appoint the Mayor or her Councillor delegate, Cllr Balloot or their Councillor delegate and Cllr Harle or their Councillor delegate to the working group noting that any Councillor may attend any meetings as an observer and have access to any documents throughout the process.
8. Notes that the final decision to appoint a Chief Executive Officer will be made by the Council, as required by s.344 of the Local Government Act 1993.
9. Appoints Dr Eddie Jackson as Acting Chief Executive Officer, with all delegated authority currently assigned to the position of Chief Executive Officer, for up to 12 months from Monday 29 June 2020 (inclusive) or until such time as a new permanent Chief Executive Officer is appointed, and commences the position, whichever is the lesser period.
10. Delegate authority to the Mayor to negotiate, on behalf of Council, suitable terms with Dr Eddie Jackson for their appointment to the role of Acting Chief Executive Officer.
11. Note that once a permanent Chief Executive Officer is appointed a separate Committee will need to be established to set and monitor key performance indicators for the Chief Executive Officer.

On being put to the meeting the motion was CARRIED.

Mayor Waller asked that she be recorded as having voted against the motion.

**OPEN SESSION**

**Council moved back into Open Session at 8.43pm.**

Mayor Waller then read out the resolutions for EGROW 01, COM 01, CONF 01, CONF 02, and CONF 03 which were passed in Closed Session (Note, Mayor Waller asked that her name be recorded against the motion for CONF 02).

**THE MEETING CLOSED AT 8.47pm**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 29 July 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 24 June 2020. 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 JULY 2020

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**PRESENT:**

Mayor Wendy Waller  
Councillor Ayyad  
Councillor Balloot (arrived at the meeting at 6.18pm)  
Councillor Hadchiti  
Councillor Hadid  
Councillor Hagarty  
Councillor Harle  
Councillor Kaliyanda  
Councillor Karnib (arrived at the meeting at 6.18pm)  
Councillor Rhodes  
Councillor Shelton  
Dr Eddie Jackson, Acting Chief Executive Officer  
Mr Tim Moore, Director City Economy and Growth / Deputy Chief Executive Officer  
Mr George Hampouris, Acting Director City Corporate  
Ms Tina Sangiuliano, Acting Director City Community and Culture  
Mr Peter Patterson, Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Mr Andrew Stevenson, Chief Strategy and Engagement Officer  
Mr David Smith, Manager Planning & Transport Strategy  
Mr James Ng, Acting General Counsel Manager Governance Legal and Procurement  
Mr Vishwa Nadan, Chief Financial Officer  
Mr John Milicic, Manager Property  
Mr George Georgakis, Manager Council and Executive Services

The meeting commenced at 6.00pm.

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**STATEMENT REGARDING WEBCASTING  
OF MEETING**

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

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

The prayer of the Council was read by Dr Eddie Jackson, Acting Chief Executive Officer.



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

**Item EGROW 06:** Business Resilience Grants

**Reason:** Clr Ayyad knows and has associations with many local business owners.

Clr Ayyad remained in the virtual room for the duration of the item.

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

**Item EGROW 06:** Business Resilience Grants

**Reason:** Clr Rhodes knows and has associations with many local business owners.

Clr Rhodes remained in the virtual room for the duration of the item.

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

**Item EGROW 06:** Business Resilience Grants

**Reason:** Clr Hagarty knows and has associations with many local business owners.

Clr Hagarty remained in the virtual room for the duration of the item.

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

**Item EGROW 06:** Business Resilience Grants

**Reason:** Clr Kaliyanda knows and has associations with many local business owners.

Clr Kaliyanda remained in the virtual room for the duration of the item.

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

**Item EGROW 06:** Business Resilience Grants

**Reason:** Clr Hadid knows and has associations with many local business owners.

Clr Hadid remained in the virtual room for the duration of the item.

## **PUBLIC FORUM**

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

1. Mrs Vicki Andrews made a written submission to Council on the following matter:

#### **Promotion of Liverpool Regional Museum**

### **Representation – items on agenda**

Nil



**Clr Balloot and Clr Karnib joined the meeting at 6.18pm.**

**ITEM NO:** CEO 02  
**FILE NO:** 179105.2020  
**SUBJECT:** Review of Media Policy

**COUNCIL DECISION**

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

That Council adopt the Media Policy for a two-year period.

On being put to the meeting the motion was declared CARRIED and the Foreshadowed motion (which Clr Rhodes was proposing to move) lapsed.

**Vote for:** Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton.

**Vote against:** Clr Harle and Clr Rhodes.



**ITEM NO:** EGROW 02  
**FILE NO:** 149642.2020  
**SUBJECT:** Report back - Reference Group Charter Companion Animal Advisory Committee

**COUNCIL DECISION**

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

That Council endorse the Companion Animals Advisory Committee Terms of Reference, subject to review by legal, with the following changes:

- That the Mayor or delegate be the Chairperson of this committee;
- The Purpose and Objective section be amended to state that the Companion Animal Advisory Committee is a Council community advisory committee and reports to Council;
- Section 4.1 Community Participation be amended so that the Committee will consist of five community members, and the Mayor or delegate, and one Councillor, with either the Mayor, delegate or Councillor to attend the meeting;
- The first point of Section 4.2 Council Staff be removed so that Council staff cannot chair the meeting;
- The last point of Section 4.2 Council Staff be replaced with “advisory committee reporting to Council”;
- Section 4.5 Chairperson be amended by removing the word “staff” in the second paragraph;
- Section 4.5 Chairperson be amended by deleting the third point which reads “Councillors will not be eligible to be Chairperson unless specifically appointed by Council”; and
- Section 5 Timetable for Meeting, remove the words “At Council’s Administration building”.

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

**ITEM NO:** EGROW 03  
**FILE NO:** 167832.2020  
**SUBJECT:** Planning proposal request to rezone land from RE2 (Private Recreation) to R3 (Medium Density Residential) at 146 Newbridge Road, Moorebank

**COUNCIL DECISION**

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

That Council:

1. Notes the advice of the Liverpool Local Planning Panel;
2. Endorses in principle the planning proposal request;
3. Delegates to the CEO to prepare the formal planning proposal including any typographical or other editing amendments if required;
4. Forwards the planning proposal to the Department of Planning, Industry and Environment, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination;
5. Subject to Gateway determination, undertake public exhibition and community consultation on the planning proposal in accordance with the conditions of the Gateway determination and Council's Community Participation Plan;
6. Receive a further report on the outcomes of public exhibition and community consultation;
7. Receive a further report with a status update on all the outstanding planning proposals from Moorebank at the August 2020 Council meeting; and
8. Publicly exhibit all of the outstanding planning proposals in Moorebank now.

**Foreshadowed motion:** **Moved: Cllr Hagarty** **Seconded: Cllr Kaliyanda**

That Council:

1. Notes the advice of the Liverpool Local Planning Panel;
2. Endorses in principle the planning proposal request;
3. Delegates to the CEO to prepare the formal planning proposal including any typographical or other editing amendments if required;
4. Forwards the planning proposal to the Department of Planning, Industry and Environment, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination;



5. Subject to Gateway determination, undertake public exhibition and community consultation on the planning proposal in accordance with the conditions of the Gateway determination and Council's Community Participation Plan;
6. Receive a further report on the outcomes of public exhibition and community consultation; and
7. Receive a further report with a status update on all the outstanding planning proposals from Moorebank at the August 2020 Council meeting.

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

**Vote for** (the motion moved by Clr Ayyad): Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Harle, Clr Rhodes

**Vote against** (the motion moved by Clr Ayyad): Mayor Waller, Clr Hagarty, Clr Kaliyanda, Clr Karnib, Clr Shelton





































**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01

**FILE NO:** 190020.2020

**SUBJECT:** Question with Notice - Clr Hagarty - Appeal Powers Against Land and Environment Court Decisions

Please address the following:

1. What appeal powers do Council (or the public) have when an applicant's appeal of previously refused DA is upheld by the Land and Environment Court?

**A response to this question will be provided in the 26 August 2020 Council meeting business papers.**

**ITEM NO:** QWN 02  
**FILE NO:** 190083.2020  
**SUBJECT:** Question with Notice - Clr Kaliyanda - Processing of Organic Waste in the Liverpool LGA

Please address the following:

1. How much of waste collected in the Liverpool LGA is organic waste? How much of this is organic food waste?
2. How much organic waste in the Liverpool LGA actually ends up in landfill?
3. Do we currently have any policies or strategies in place to divert organic food waste from landfill?
4. Are there collective procurement contracts or similar arrangements for organic waste in NSW?

**A response to these questions will be provided in the 26 August 2020 Council meeting business papers.**

## PRESENTATIONS BY COUNCILLORS

Mayor Waller made a presentation regarding Council's Internal Ombudsman, Mr David Maguire. The Mayor's statement is below:

"Council's first appointed Internal Ombudsman Mr David Maguire is retiring tomorrow after nine years of working tirelessly at this organisation.

David started working at Council in January 2011 as a Governance Officer, a position he held for four years. Since then, David has worked as Council's Coordinator Governance, Acting Deputy General Counsel, Acting General Counsel and Acting Head of Audit and Risk, before moving to his current role three years ago.

As the Internal Ombudsman, David skilfully balanced protecting Council's reputation with looking after the customer and their needs. David's rational approach to difficult matters has been invaluable.

A trusted advisor with high moral standards, David's enthusiasm has had a ripple effect on the culture of the organisation. David always found a way to achieve a reason-based solution to a difficult problem.

On behalf of Council, thank you David for your passion and the contribution you have made to this organisation. We wish you all the best for a long and happy retirement."

## NOTICES OF MOTION

**ITEM NO:** NOM 01  
**FILE NO:** 190120.2020  
**SUBJECT:** Georges River Koala Park

### BACKGROUND

On 30 June 2020, a year-long NSW Parliamentary Inquiry released their report.

They found that koalas are on track to become extinct in the wild in NSW well before 2050 without urgent intervention to stop the destruction of their habitat.

This is shocking and appalling.

The 2019-20 bushfires destroyed almost a quarter of the koala habitat on public land, with some areas reporting "a devastating loss of up to 81 per cent". Furthermore, the Inquiry found that climate change is already "having a severe impact on koala populations", in part by affecting the nutritional quality of the eucalyptus leaves they feed on.

One of the recommendations of the Inquiry's report was creating a Georges River National Park to protect the south-west Sydney koala population. This is known to be the last disease-free koala population in NSW, and as such, should be protected from over-development in south-west Sydney.

Another recommendation was the establishment of a well-resourced network of wildlife hospitals in key areas of the state, including south-west Sydney, staffed by suitably qualified personnel and veterinarians, including funding where appropriate.

### NOTICE OF MOTION (moved by Cllr Kaliyanda)

That Council:

1. Note the findings and report of the NSW Parliamentary Inquiry into Koala Populations and Habitats in NSW; and
2. Write to the NSW Premier, Gladys Berejiklian, and NSW Minister for the Environment, Matt Kean, to express support for the creation of a Georges River National Park, and establishment of a well-resourced wildlife hospital in south-west Sydney.

### COUNCIL DECISION

This item was withdrawn as the matter was dealt with earlier in the meeting in item INF 02 Conservation of Koala Habitat Corridors on page 18 of these minutes.



2. Investigate the feasibility of including World Cup opportunities in the Destination Management Plan.

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

**ITEM NO:** NOM 03  
**FILE NO:** 190048.2020  
**SUBJECT:** Better Funding of Health Services in Liverpool

## **BACKGROUND**

The New South Wales Parliament is currently holding an inquiry into "Current and future provision of health services in the South-West Sydney Growth Region". The revelations at this inquiry have been shocking. Comparisons of the South West Area Health District with other Health Districts in Sydney have found:

- public health spending is up to \$800 per person less
- the least number of specialist mental health staff
- junior doctors committing suicide at higher rates

While additional investment in health infrastructure is welcome, this must be matched with funding for additional front-line services including more health professionals.

While it is still early days, the long-term effects for those who recover from COVID-19 include:

- scarred lungs and lung disease
- blood clots leading to stroke
- delirium and brain damage
- inflammatory illness similar to Kawasaki disease
- inflammation of the heart and arrhythmia
- chronic deep fatigue

The recent COVID-19 cluster in South West Sydney coupled with the revelations coming out this inquiry, have drawn urgent attention to the need for better funded health services in Liverpool.

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

That Council:

1. Acknowledges and commends the work of all health professionals in Liverpool during the COVID-19 pandemic;
2. Acknowledges and welcomes the \$740m investment from the NSW Government into the Liverpool Health and Academic Precinct; and
3. Recommits its support for the Liverpool Health and Academic Precinct;





8. Coordinates with WSROC and other LGAs in South West Sydney to collectively advocate for better health services funding in the South West Sydney Local Health District; and
9. Seek reassurance for the ongoing commitment for the development of a medical precinct in Badgerys Creek.

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

**ITEM NO:** NOM 04  
**FILE NO:** 190076.2020  
**SUBJECT:** Toll Mania

## **BACKGROUND**

Approximately 70% of Liverpool residents leave the LGA for work. With many traveling by car.

Given our location at the intersection of the M5 and M7, with easy access to major hubs, Liverpool is an area of choice for many transport and logistics companies.

Earlier this month the State Government imposed a new toll on the previously untolled old M5 East. Free since it opened in 2001, drivers will now be slugged \$6.95 for cars and \$20.86 for trucks.

These tolls do not just impact residents who travel for work, but also impact small business, many who are not just tolled once, but multiple times per day.

There was no grace period and the M5 Cashback scheme will not apply.

Previous toll roads have had grace periods to allow drivers to adjust to the roads. Not this time.

Currently, motorists in Sydney are charged a toll when they drive on the:

- M2
- M4
- M4 WestConnex
- M5
- M5 East
- M7
- M8
- Eastern Distributor
- Cross-City Tunnel
- Lane Cove Tunnel
- Sydney Harbour Bridge
- Sydney Harbour Tunnel

There will be at least three more tolls by 2023 when the following roads are completed:

- M4 tunnels



2. Write to the State Government requesting:
  - a toll-free period on the M8; and
  - the removal of the toll, or a cash back scheme, or other measures to alleviate the financial burden on residents on the old M5 East.
3. Writes to local State and Federal MPs seeking their endorsement of the above; and
4. Seeks support for this campaign from WSROC and other LGAs in south west Sydney.

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

**ITEM NO:** NOM 05  
**FILE NO:** 189999.2020  
**SUBJECT:** Animal Welfare Advisory Committee

## **BACKGROUND**

The closure of the Liverpool Animal Welfare Shelter in the interim of finding a permanent home has highlighted the opportunity for the community to become more involved in the delivery of better outcomes for the welfare, and rehoming of domestic animals in the Liverpool LGA.

It was envisioned that such a committee would be established when the Liverpool Animal Shelter re-opened.

It would serve Liverpool if the Committee was established prior to the new animal shelter opening to assist Council in Animal management now and when it is needed perhaps more than ever.

The network of concerned Animal lovers in Liverpool could greatly assist Liverpool Council through a Committee in assisting Council in educating and promoting responsible pet ownership by encouraging, registration, microchipping and rehoming.

A Community Committee would best serve Council in assisting in microchipped animals being returned to homes, or by providing foster homes for rehabilitation and or assistance, that would avoid animals being impounded.

## **NOTICE OF MOTION (moved by Cllr Rhodes)**

That Council:

1. Provide a report on the establishment of an Animal Welfare Advisory Committee back to Council Meeting August 2020.  
 The Committee would meet four times per year for the term of the committee and provide:
  - Advice to Council on domestic animal management matters including ways in which animal welfare can be continuously improved in the Liverpool LGA; and
  - Assist in promoting a positive view on options of responsible pet ownership and investigate, provide advice and recommendations relevant to programs that achieve this.
2. The Advisory Committee include two Councillors (one of whom will act as Chair), up to four representatives from the community who may be appointed as individuals or as representatives of local community organisations.

**COUNCIL DECISION**

This item was withdrawn as it was dealt with earlier in the meeting in item EGROW 02 Report back - Reference Group Charter Companion Animal Advisory Committee on page 7 of these minutes.

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**ITEM NO:** CEO 03  
**FILE NO:** 179017.2020  
**SUBJECT:** Endorsement of Delivery Program 2017-2022 and Operational Plan 2020-21, including Budget and Revenue Pricing Policy (fees and charges)

## COUNCIL DECISION

**Motion:** **Moved: Cllr Hagarty** **Seconded: Cllr Hadchiti**

That Council:

1. Adopts the draft Delivery Program 2017-2022 and 2020-2021 Operational Plan, including Budget and Revenue Pricing Policy (fees and charges) with the following additions:
  - Notes the COVID-19 pandemic has had a significant budgetary impact on Council's cultural institutions;
  - Notes that a third of NSW's population lives in Western Sydney, yet the region only receives 5% of State arts, heritage and events funding;
  - Notes the proposed \$940m relocation of the Powerhouse Museum in Parramatta and the \$100m redevelopment of the Riverside Theatre will have minimal impact on the imbalance of social and cultural infrastructure in the Western Parkland City;
  - Writes to the State and Federal Government requesting an increase in arts funding for the Western Parkland City;
  - Writes to local State and Federal MPs seeking their endorsement of the above;
  - Seeks support for this campaign from other LGAs in the Western Parkland City;
  - Council commit to zero based budgeting for the next financial year where practicable; and
  - Direct the Acting Chief Executive Officer to undertake an organisational review to identify cost saving measures.
2. Makes the fees and charges for the period commencing on 1 August 2020 as outlined in the draft Revenue Pricing Policy with the exception of changes to childcare fees which will commence on 28 September 2020;
3. Extend the period of the Disability Inclusion Action Plan 2017-2021 (DIAP) and Reconciliation Action Plan (RAP) 2017-2020 until 2022 in line with the extended Delivery Program; and
4. Receives a further report following public exhibition of the proposed amendments to the fees and charges as outlined in Attachment F.

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



**CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 110466.2020  
**SUBJECT:** Fire and Rescue NSW Referrals

**COUNCIL DECISION**

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

That Council:

1. In relation to 49 Lachlan Street Warwick Farm:
  - a) note the inspection report by Fire and Rescue NSW, as shown in Attachment 1; and
  - b) exercise its power to issue a Fire Safety Order as recommended by Council's Fire Safety Officer to address the identified fire safety deficiencies.

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

















**THE MEETING CLOSED AT 9.57pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 26 August 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 29 July 2020. 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 AUGUST 2020**

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**PRESENT VIA VIDEO CONFERENCING:**

- Mayor Wendy Waller
- Councillor Ayyad
- Councillor Hadchiti (arrived at the meeting at 6.27pm)
- Councillor Hadid
- Councillor Hagarty
- Councillor Harle
- Councillor Kaliyanda
- Councillor Karnib
- Councillor Rhodes
- Councillor Shelton
- Dr Eddie Jackson, Acting Chief Executive Officer
- Mr George Hampouris, Acting Director City Corporate
- Ms Tina Sangiuliano, Acting Director City Community and Culture
- Mr Peter Patterson, Director City Presentation
- Mr Raj Autar, Director City Infrastructure and Environment
- Mr David Smith, Acting Director City Economy and Growth
- Ms Ellen Whittingstall, Acting Internal Ombudsman
- Mr James Ng, General Counsel Manager Governance Legal and Procurement
- Ms Lina Kakish, Manager Development Assessment
- Mr Tim Pasley, Manager Waste and Cleansing
- Mr Andrew Stevenson, Chief Strategy and Engagement Officer
- Mr George Georgakis, Manager Council and Executive Services
- Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

**STATEMENT REGARDING WEBCASTING  
OF MEETING**

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

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

The prayer of the Council was read by George Georgakis, Manager Council and Executive Services.





**Item:** QWN 04 – Question with Notice – Clr Rhodes – Georges River Bank Stabilisation.

**Reason:** Clr Shelton holds office in an organisation, which has no regulatory powers, but is otherwise involved in the issues raised.

Clr Shelton will remain in the virtual meeting for the duration of this item.

**PUBLIC FORUM**

**Presentation – items not on agenda**

Nil.

**Representation – items on agenda**

1. **Mr Tom Goode** on behalf of Ethos Urban made a written submission on the following item:

**EGROW 01** - Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan.

2. **Mr Marc Conners** made a written submission on the following item:

**EGROW 01** - Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan.

3. **Ms Danica Canoza** on behalf of AE Design Studio made a written submission on the following item:

**EGROW 01** – Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan.

4. **Mr Martin Musgrave** on behalf of PPM Consulting made a written submission on the following item:

**EGROW 06** - Post Exhibition Report - LEP Review Phase 1 Planning Proposal (Amendment 82) and Draft Land Use Planning Strategies.

**MAYORAL MINUTE****ITEM NO:** MAYOR 02**FILE NO:** 218668.2020**SUBJECT:** Local Government Representation on the National Cabinet

The Prime Minister, Premiers and Chief Ministers met in Sydney on 13 March this year and agreed to establish a National Cabinet to coordinate Australia's response to the coronavirus pandemic.

The National Cabinet has proven effective in taking decisions in Australia's interest and the Prime Minister announced on 29 May that it would continue beyond the pandemic. Local Government is not represented in the National Cabinet. The Australian Local Government Association (ALGA) has been given a seat on the National Federation Reform Council, but this body will only meet once a year.

All three tiers of government should be represented on the National Cabinet. Councils have an important role to play because we are the level of government closest to the people. We are also responsible for the delivery of a range of vital community services, programs and infrastructure.

Over coming months, the National Cabinet is likely to face enormous challenges unlike those seen by governments in recent times. This will require the three levels of government to collaborate and support each other to encourage economic growth, implement reforms, create jobs, assist businesses and residents and rebuild consumer confidence.

A seat at the table will ensure Local Government can contribute to the discussion, highlight the impact of federal policies and help shape a stronger future for everyone in Australia. Getting it right on the ground is local government's area of expertise.

The ALGA Board and LGNSW are advocating for the inclusion of councils in the National Cabinet, a position I am sure is supported by all Councils.

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

That Council:

1. Writes to NSW Premier Gladys Berejiklian and local Federal and State Members of Parliament to highlight the critical necessity for Local Government representation on the National Cabinet and seeks their assistance in requesting that the First Ministers review the decision to exclude Local Government;

2. Seeks a meeting with local Federal and State MPs to discuss in more detail the importance of having Local Government representation on the National Cabinet and the value of partnerships with Councils in achieving the objectives of the National Cabinet and the national reform agenda; and
3. Notes that the Australian Local Government Association, LGNSW and other state/territory local government associations will continue to advocate for Local Government representation on the National Cabinet and for local government's interests in all relevant forums.

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

































Item 6 - Soldiers Parade, Edmondson Park – Additional on-street parking.

- Council approves on-street kerbside parking with associated signs and line marking along the western side of Soldiers Parade.
- Council approves installation of a raised median island as part of the kerbside parking works.

Item 7 - Heathcote Road/Bardia Parade/Walder Road intersection upgrade, Holsworthy - Signs and line marking Scheme.

- Council approves the signs and line marking along Bardia Parade and Walder Road as well as a central median island on the Walder Road approach to Heathcote Road.

Item 8 - Kelly Street, Austral – Proposed roundabout and signs and line marking scheme.

- Council approves the proposed traffic facilities including the roundabout and associated signs and line marking scheme.
- The project is to investigate tree planting and landscaping in the central island.

Item 9 - Items approved under delegated authority

- Council notes the traffic facilities approved under delegated authority between 20 May 2020 and 22 July 2020.

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

**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 190647.2020  
**SUBJECT:** Question with Notice - Clr Hagarty - Appeal Powers Against Land and Environment Court Decisions

Please address the following:

1. What appeal powers do Council (or the public) have when an applicant's appeal of previously refused DA is upheld by the Land and Environment Court?

**Response**

What is the applicant's right of appeal against refusal of a DA?

Where the Council is the consent authority for development and decides to refuse consent to a development application ('DA'), the applicant has the right to appeal to the Land and Environment Court ('Court') within 6 months of the decision.

When is the Council a party to an appeal against refusal of a DA?

The Council is the consent authority responsible for determining the DA, and hence a party to the appeal to the Court, where the decision to refuse consent was made by the local planning panel/regional planning panel on the Council's behalf or by an officer of the Council under delegated authority from the Council.

Can members of the public be a party to an appeal against refusal of a DA?

Only the applicant and the Council are parties to the appeal proceedings, unless the Court orders that another person is joined as a party, which is uncommon.

Members of the public have no right of appeal to the Court against a decision by the Council to refuse consent to a DA.

Can an objector appeal against refusal of a DA that is designated development?

No. An objector can only appeal a decision of a consent authority to grant consent to designated development.

If the Court grants consent to designated development, ordinarily, an objector cannot appeal the Court's decision.

In very limited circumstances, an objector can bring judicial review proceedings to review a decision by the Court to grant consent to a designated development.

On what basis is an appeal against refusal of a DA dealt with by the Land and Environment Court?

An appeal against the refusal of a DA is heard and determined by the Court on the planning merits of the DA.

The appeal does not involve a review of the Council's decision but instead involves the making of an entirely new decision.

The appeal is ordinarily heard and determined by a commissioner of the Court rather than a judge.

Who can appeal the Land and Environment Court's determination of an appeal against the refusal of a DA & on what basis?

Ordinarily, only parties to the appeal have a right to appeal the Court's decision in an appeal against refusal of a DA. Therefore, ordinarily only the applicant and the Council will have appeal rights against the Court's decision.

Where an appeal against the refusal of a DA is heard and determined by a commissioner of the Court, the Council has a right to appeal to a judge of the Court against an order or decision made by the Commissioner but only on a question of law. The appeal must be brought within 28 days. The Council may bring a further appeal to the Supreme Court against the decision of the judge of the Court, but only on a question of law, and the leave of the Supreme Court is required for it to do so. This further appeal process must be commenced within 28 days.

Where the Council is a party to an appeal against the refusal of a DA that is heard and determined by a judge of the Court, the Council may appeal to the Supreme Court against the decision of the judge on a question of law. The appeal process must be commenced within 28 days.

What is a question of law?

In general terms, a question of law is one that must be answered by applying relevant legal principles to interpretation of the law rather than by applying facts and evidence. Thus, in an appeal involving a question of law, the appellate body does not review the merits of the decision the subject of the appeal but rather the legal basis on which the decision was made.



**ITEM NO:** QWN 02  
**FILE NO:** 190649.2020  
**SUBJECT:** Question with Notice - Clr Kaliyanda - Processing of Organic Waste in the Liverpool LGA

Please address the following:

1. How much of waste collected in the Liverpool LGA is organic waste? How much of this is organic food waste?
2. How much organic waste in the Liverpool LGA actually ends up in landfill?
3. Do we currently have any policies or strategies in place to divert organic food waste from landfill?
4. Are there collective procurement contracts or similar arrangements for organic waste in NSW?

**Response**

**1. How much of waste collected in the Liverpool LGA is organic waste? How much of this is organic food waste?**

In 2019/2020 there was 16,736.69 tonnes of organic garden waste collected through the Council’s kerbside garden waste bin. From a recent audit, 48% of the red bin waste is food material. This means that in 2019/2020 there was 24,860.75 tonnes of food waste in the red general waste bin.

**2. How much organic waste in the Liverpool LGA actually ends up in landfill?**

All waste in the red general waste bin currently goes to landfill. The waste in the organics garden bin is processed into soil products.



**3. Do we currently have any policies or strategies in place to divert organic food waste from landfill?**

The NSW government is currently working on a 20 year Waste Strategy which is due to be released in late 2021. Council has undertaken research into a local strategy and is waiting for the release of the state strategy to finalise our strategy. This will give council the ability to align our strategy with the state government targets and goals and respond accordingly.

The Domestic Waste Collections tender which is currently being evaluated will have provisions for future changes in bin configurations and processing locations. This will give council the opportunity to adapt to any future opportunities such as Food Organics Garden Organics (FOGO), energy from waste, or other technologies.

Council has also placed an application for a grant under the Local Government Transition Fund. This grant will commission a feasibility and transition strategy around FOGO. Council will also be supporting the separate WSROC submission around food waste disposal option in multi-unit dwellings.

Council does encourage residents to divert food waste from their general waste bins by offering residents a \$50 rebate off a compost bin or worm farm reciprocal. Council also offers community workshops on worm farming and composting. Our waste primary school and preschool program address worm farming and composting.

**4. Are there collective procurement contracts or similar arrangements for organic waste in NSW?**

Liverpool is working with Camden, Campbelltown, Liverpool, Wollondilly and Wingecarribee to collectively tender and secure the provision of waste processing and disposal services for:

- General Waste
- Recycling
- Organics
- Bulky Waste

The project aims to ensure Councils have collective bargaining power to attract market investment in technology and infrastructure to service the South West Sydney region. Through this partnership, the Councils will also gain access to a dedicated facility, secure disposal and price certainty for the life of the contract.

**ITEM NO:** QWN 03  
**FILE NO:** 216410.2020  
**SUBJECT:** Question with Notice - Clr Hagarty - Western Sydney Parklands Trust

### **Background**

In July the Berejiklian government announced it will fold the Centennial Park and Moore Park, Parramatta Park and the Western Sydney Parklands trusts into a new super trust.

This move would appear to run counter to Western Sydney Parklands' ethos of being Western Sydney's backyard and the Greater Sydney Commissions' Metropolis of Three Cities Plan.

While Centennial, Moore & Parramatta Parks are established open space which have existed for well over a century, Western Sydney Parklands is still being developed.

The social, economic and cultural needs of Western Sydney must be determined by the people of Western Sydney.

With this latest move and the impact of COVID-19 on the NSW budget, Liverpool needs reassurance that plans for Western Sydney Parklands are still on track.

### **Please address the following:**

1. Are plans for the development of the Liverpool section of Western Sydney Parklands still on track?
2. Will these plans change with the Western Sydney Parklands Trust being rolled into a super parklands trust?
3. How will the unique needs and priorities of Western Sydney and Western Sydney Parklands be catered for in this new structure?
4. What structure will the board of the new trust take?
5. How many board members on the new trust will be from Western Sydney?
6. Will a board quota be set to ensure sufficient representation from Western Sydney?

**A response to these questions will be provided in the 30 September 2020 Council meeting business papers.**

**ITEM NO:** QWN 04  
**FILE NO:** 218196.2020  
**SUBJECT:** Question with Notice - Clr Rhodes - Georges River Bank Stabilisation

Please address the following:

Can Council provide a report on the recent collapse of the Eastern bank of the Georges River opposite the Council dog park and bordering the Moorebank Intermodal.

1. What is being done to stabilise the banks of the Georges River at this particular site and others along the Georges River?
2. Who is responsible to stabilise the bank of the Georges River?
3. When will stabilisation of the Georges River bank be done?
4. Explain the Georges Riverkeeper's involvement vs conditions imposed on development applications to stabilise the Georges River banks?

Recent collapse of the Georges River bank alongside the Moorebank Intermodal site and opposite the Council dog park was disturbing to say the least.

A large chunk of the bank that borders the Moorebank Intermodal Development site recently fell into the River.

When the ground is left bare by human activities including clearing, building (and related activities) and vehicle use such as 4WD's and trail bikes the soil is easily washed away when it rains. Examples of this can be seen between Sandy Point and Alford's Point as sediment from the ridges washes into Mill Creek and then into the Georges River. This erosion removes the fertile topsoil and the soil that is washed into waterways can contain plant nutrients, minerals, organic matter and seeds. It can also contain pesticides and toxic heavy metals.

When soil, sand, dust, cement, paint and building debris reach the waterways, they can:

- increase the risk of flooding;
- block drains;
- spread weeds to bushland;
- result in algal blooms;
- cause health problems for swimmers; and
- smother and suffocate water plants and animals and impact on their ability to reproduce.

The size of the erosion that fell into the Georges River in the one event is of particular concern and needs to be addressed.

**A response to these questions will be provided in the September 2020 Council meeting business papers.**

**ITEM NO:** QWN 05  
**FILE NO:** 219555.2020  
**SUBJECT:** Question with Notice - Cllr Kaliyanda - Wattle Grove Lake

Please address the following:

1. What measures have been undertaken to improve the water quality at Wattle Grove Lake? What measures have been found to be successful?
2. What is the underlying issue with the water quality at Wattle Grove Lake?
3. What measures are still being undertaken, or are currently planned, to improve the water quality at Wattle Grove Lake?
4. How has Council sought partnerships and worked with other organisations in order to address this issue?

**A response to these questions will be provided in the September 2020 Council meeting business papers.**



3. Direct the Acting CEO to lodge an application under the Public Space Legacy Program consistent with the recommendations of this report.

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

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Chairperson





**Foreshadowed motion:**            **Moved: Cllr Hagarty**            **Seconded: Cllr Karnib**

That Council:

1. Notes the Gateway determination for Liverpool Local Environmental Plan 2008 Amendment 82 and the submissions received on the planning proposal and draft strategies;
2. Proceeds with Amendment 82, subject to the amendments proposed in the post exhibition version of the planning proposal included in Attachment 4;
3. Delegates authority to the A/CEO to make any other minor typographical or editing amendments to the planning proposal and to forward the amended planning proposal to the Department of Planning, Industry and Environment for finalisation;
4. Adopts the amended Local Housing Strategy; Centres and Corridors Strategy and Industrial and Employment Lands Strategy;
5. Delegates authority to the A/CEO to make any other minor typographical or editing amendments to the strategies and to forward the amended strategies to the Department of Planning, Industry and Environment for endorsement; and
6. Notify submitters of Council's decision.

The Foreshadowed motion (moved by Cllr Hagarty) then became the motion and on being put to the meeting was declared CARRIED with the Mayor using her casting vote.

**Vote for:**            Mayor Waller, Cllr Hagarty, Cllr Kaliyanda, Deputy Mayor Karnib and Cllr Shelton.

**Vote against:** Cllr Ayyad, Cllr Hadchiti, Cllr Hadid, Cllr Harle and Cllr Rhodes.

**Note:** Cllr Balloot was an apology for the meeting.

#### **PRESENTATION BY COUNCILLORS**

Nil.



2. Bring back a report to the October Council meeting; and
3. Run an awareness campaign on this clear and unambiguous guidance through the District Forums, social and traditional media and other suitable forums.

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

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Chairperson



**ITEM NO:** NOM 03  
**FILE NO:** 219498.2020  
**SUBJECT:** Use of Data to Improve Energy Efficiency and Reduce Pollution

## **BACKGROUND**

The ClimateClever app enables users to measure and monitor electricity, gas and water consumption. Developed by Curtin University, it provides users with an action plan on how to be more efficient with their energy use, reducing pollution and utility bills.

ClimateClever works in three simple steps:

- Measure – Calculate and track consumption, pollution and costs.
- Audit – Understand how the home or school consumes resources, and how this contributes to pollution and utility costs.
- Action – Create a custom action plan to systematically reduce resource consumption, pollution and utility bills.

A growing number of local governments across Australia have partnered with ClimateClever to offer residents, local schools and businesses a way to measure their energy consumption, reduce pollution and save on their utility bills.

Some of the benefits for local governments include:

- Enhance tree planting across the LGA – to date, more than 85,000 trees have been planted across Perth and regional WA under this scheme.
- Adopt an easy, concrete and measurable way to meet strategic goals – apps simplify the collection and analysis of utility and usage data.
- Build genuine community engagement around sustainability – the ClimateClever program provides a new and innovative way to up-skill a large and engaged audience of students, teachers and school staff; households; and, soon, local businesses.
- Fostering and developing leadership in sustainability – helping to engage, educate and up-skill students around these important issues.
- Help our local schools, households and businesses achieve savings on their utility bills

The ClimateClever initiative already has a number of local government partners, including the Cities of Albany, Canning, Stirling and Mosman Council.

With Liverpool regularly having the worst air quality in the Sydney basin, we should welcome initiatives that encourages schools, households and businesses to plant more trees and reduce pollution.



**CONFIDENTIAL ITEMS****ITEM NO:** CONF 01**FILE NO:** 195722.2020**SUBJECT:** Endorsement of the Liverpool Access Committee membership 2020 - 2022**COUNCIL DECISION****Motion:** **Moved: Cllr Hagarty** **Seconded: Cllr Hadid**

That Council endorses the applicants outlined in the table below as members of the Liverpool Access Committee:

<b>Name</b>	<b>Suburb</b>	<b>Representation Category</b>
Ellie Robertson	Holsworthy	Category 1
Peter Fraser	Liverpool	Category 1
Jim Simpson	Liverpool	Category 1
Quang Nguyen	Casula	Category 1
Grace Fava	Liverpool	Category 2
Najla Turk	Kemps Creek	Category 2
Leanne Park	Liverpool	Category 2
Kaye Bruce	Liverpool	Category 2
Christine O'Neill	Casula	Category 3
Mohamed Issak	Liverpool	Category 3
Toby Pitt	Fairfield East	Category 3
Theresa Tran	Liverpool	Category 3

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



**ITEM NO:** CONF 02  
**FILE NO:** 207987.2020  
**SUBJECT:** ST2954 - Waste, recyclables and Garden Organics Collection Services (2020/2321)

**COUNCIL DECISION**

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

That Council:

1. Accept the Tender from J.J Richards & Sons Pty Ltd T/A JJ's Waste & Recycling for Tender ST2954 – Waste, Recyclables and Garden Organics Collection for an initial seven (7) years at the GST inclusive price of \$77,074,081 (Option 1), \$82,871,231 (Option 2) contract term with the option of extending three (3) in 1 year increments.
2. Makes public its decision regarding tender ST2954 – Waste, Recyclables and Garden Organics Collection.
3. This report has been brought to Council because the Chief Executive Officer's instrument of delegation, approved by Council in accordance with the current provisions of section 377 of the Local Government Act 1993, only permits the Chief Executive Officer to approve (and not to reject) tenders up to a value of \$2 million.
4. Delegates the Acting Chief Executive Officer to finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
5. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

Councillors voted unanimously for this motion.



**THE MEETING CLOSED AT 8.37pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 30 September 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 August 2020. 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 SEPTEMBER 2020**

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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  
Dr Eddie Jackson, Acting Chief Executive Officer  
Mr George Hampouris, Acting Director City Corporate  
Ms Tina Sangiuliano, Acting Director City Community and Culture  
Mr David Smith, Acting Director City Economy and Growth  
Mr Peter Patterson, Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Mr John Milicic, Manager Property Services  
Ms Nada Mardini, Manager Community Standards  
Mr Chris Guthrie, Acting Manager City Economy  
Mr George Georgakis, Manager Council and Executive Services  
Ms Maree Stewart, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

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**STATEMENT REGARDING WEBCASTING  
OF MEETING**

The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice, the meeting is being livestreamed.

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

The prayer of the Council was read by the Acting Chief Executive Officer, Dr Eddie Jackson.

**APOLOGIES**

Nil

**CONDOLENCES**

**Mr Bob Ingham AO (read by Mayor Waller)**

Tonight, we pause to remember one of Liverpool's most highly respected and accomplished sons.

Bob Ingham AO, the son of farmer Walter Ingham, was born in Casula in 1931.

On his father's death in 1953, Bob and his older brother Jack took over the family's poultry breeding business, which was founded in 1918.

Bob and Jack were a formidable team. They transformed Inghams Enterprises into the largest producer of chickens and turkeys in Australia.

Bob continued to run the company until after Jack's death in 2003. He sold Inghams Enterprises in 2013.

Bob and Jack had also inherited the broodmare Valiant Rose from their father. They used Valiant Rose to begin building the largest thoroughbred horse racing and breeding operation in Australia at the time.

They raced, among others, champions Octagonal and Lonhro, with their distinctive cerise colours becoming well known on the racing circuit.

In 2004, Bob was inducted into the Australian Racing Hall of Fame.

Bob sold the racehorse breeding operation in 2008.

The respected philanthropist was well-known for his wish to establish an independent health and medical research institute in his hometown of Liverpool. His vision was realised in 2012 when the world-class Ingham Institute for Applied Medical Research was opened.

Today, the Institute is home to more than 350 researchers who are leading advanced medical breakthroughs and clinical discoveries, with a commitment to saving lives and improving outcomes.

Bob's philanthropic gifts to the Institute exceed \$15 million, ranking him among Australia's most generous supporters of health and medical research.





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

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

**Reason:** Clr Hadchiti's children attend karate lessons with an organisation that is involved in the 29th ISKA NSW Open but his children are not competing.

Clr Hadchiti remained in the meeting for the duration of the item.

## **PUBLIC FORUM**

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

Nil

### **Representation – items on agenda**

1. **Wayne and Lorelai Burns** made a submission on the following item which was circulated to Councillors:

**Item EGROW 04** Issues and Options Report - Potential amendment to Liverpool Local Environmental Plan to permit a Recreation Facility (Outdoor) at 25 Dwyer Road, Bringelly



**MAYORAL MINUTE****ITEM NO: MAYOR 01****SUBJECT: Support to flood relief appeal for Sudan**

Since July 2020, widespread and heavy rain has been falling across Sudan, in North-East Africa, causing unprecedented flooding in 17 of its 18 states.

The disaster has claimed at least 100 lives. More than 500,000 people are in urgent need of shelter, water, food, hygiene, healthcare and other basic needs. An estimated 100,000 homes have been carried away by the flood waters. Crops have been destroyed. A lack of clean drinking water is increasing the risk of exposure to water-borne disease.

On 4 September, the Sudanese Government declared a three-month national state of emergency.

The Nile River and some of its tributaries have also reached their highest levels in 100 years.

Sennar, Khartoum and Al Gezira are the most affected states.

Teams of volunteers in Sudan are providing emergency support, shelter and food to people affected by the disaster and helping them move to higher and safer ground.

The number of people of Sudanese ancestry in Liverpool is larger than the Greater Sydney average and many Sudanese-Australians in the Liverpool Local Government area are deeply concerned about the floods and their impact on Sudan. These residents also have concerns for the safety and welfare of their family members and friends who remain in Sudan.

On behalf of Liverpool City Council, I express my sympathy and support to the people of Sudan during this difficult time. Council values the contribution Sudanese Australians have made to the rich fabric of Liverpool.

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

That Council:

1. Donates \$10,000 to the International Federation of Red Cross and Red Crescent Societies Emergency Appeal for Sudan.
2. Writes to the Embassy of the Republic of the Sudan in Australia to express Council's sympathy and support, and to advise of the donation.

3. Writes to the Liverpool Australian Sudanese Community organisation to express Council's sympathy and support, and to advise of the donation.

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

**CHIEF EXECUTIVE OFFICER REPORT**

**ITEM NO:** CEO 01  
**FILE NO:** 240618.2020  
**SUBJECT:** Outcome of Public Exhibition of amendments to the Revenue Pricing Policy 2020-21

**COUNCIL DECISION**

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

That the Revenue Pricing Policy (fees and charges) be adopted with the exception of the item regarding Telecommunications Infrastructure Facilities on Council owned / managed land, which is to be brought back to Council for consideration.

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

**ITEM NO:** CEO 02  
**FILE NO:** 242015.2020  
**SUBJECT:** Election of Deputy Mayor

### COUNCIL DECISION

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

That:

1. Council proceeds with the election of the Deputy Mayor to be conducted by the Returning Officer for the 30 September 2020 – 4 September 2021 period; and
2. The method of election for the position of Deputy Mayor of Liverpool City Council for the term 30 September 2020 – 4 September 2021 be determined by Open Vote.

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

### NOMINATIONS

Nominations were called for the position of Deputy Mayor by the Acting Chief Executive Officer as the Returning Officer.

The Acting Chief Executive Officer advised that 2 nominations had been received, being for Clr Hadid and Clr Hagarty.

### VOTING

	CLR HADID	CLR HAGARTY
Clr Ayyad	X	
Clr Balloot	X	
Clr Hadchiti	X	
Clr Hadid	X	
Clr Hagarty		X
Clr Harle	X	
Clr Kaliyanda		X
Clr Karnib		X
Clr Rhodes	X	
Clr Shelton		X
Mayor Waller		X

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

That:

1. Clr Hadid be declared the Deputy Mayor of Liverpool City Council for the term 30 September 2020 to 4 September 2021;

2. Council's Register of Delegations be amended accordingly; and
3. Council thank the outgoing Deputy Mayor, Cllr Karnib for his three years of service to the role.

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

**ITEM NO:** CEO 03  
**FILE NO:** 244060.2020  
**SUBJECT:** Appointment of Councillors to Committees and Affiliated Bodies

## COUNCIL DECISION

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

That Council:

1. Appoint Councillors as representatives to the following Committees for the period to September 2021:

<b>Aboriginal Consultative Committee</b>	
<i>Representatives</i>	Mayor (or delegate) and one Councillor
<i>Current Representatives</i>	Mayor Waller and Clr Shelton
<i>Representatives for 2020-21</i>	Mayor Waller and Clr Shelton

<b>Audit, Risk and Improvement Committee</b>	
<i>Representatives</i>	Deputy Mayor and one Councillor
<i>Current Representatives</i>	Deputy Mayor Karnib and Clr Shelton
<i>Representatives for 2020-21</i>	Deputy Mayor Hadid and Clr Shelton

<b>Casula Powerhouse Arts Centre Board</b>	
<i>Representatives</i>	Mayor (or delegate), Deputy Mayor, and one Councillor
<i>Current Representatives</i>	Mayor Waller and Clr Kaliyanda.
<i>Representatives for 2020-21</i>	Mayor Waller and Clr Kaliyanda.

<b>Companion Animal Advisory Committee</b>	
<i>Representatives</i>	Mayor (or delegate), and one Councillor
<i>Current Representatives</i>	A report was submitted to the July 2020 Council meeting to endorse the Terms of Reference. A Councillor representative has not yet been determined.
<b>Representatives for 2020-21</b>	Mayor Waller and Clr Rhodes

<b>District Forums</b>	
<i>Representatives</i>	One Councillor to chair.
<i>Current Rural District Chairperson</i>	Clr Harle
<b>Chairperson for 2020-21</b>	Clr Harle
<i>Current New Release/Established District Chairperson</i>	Clr Hagarty
<b>Chairperson for 2020-21</b>	Clr Hadid
<i>Current 2168 District Chairperson</i>	Mayor Waller
<b>Chairperson for 2020-21</b>	Mayor Waller
<i>Current Eastern District Chairperson</i>	Clr Rhodes
<b>Chairperson for 2020-21</b>	Clr Rhodes

<b>Environment Advisory Committee</b>	
<i>Representatives</i>	Two Councillors
<i>Current Representatives</i>	Clrs Shelton and Harle
<b>Representatives for 2020-21</b>	Clr Rhodes and Clr Shelton

<b>Heritage Advisory Committee</b>	
<i>Representatives</i>	Two Councillors
<i>Current Representatives</i>	Clrs Hadid and Harle
<b>Representatives for 2020-21</b>	Clr Rhodes and Clr Shelton

<b>Intermodal Precinct Committee</b>	
<i>Representatives</i>	Two Councillors (Clrs Hadchiti and Rhodes)
<i>Current Representatives</i>	<p>At its meeting of 26 February 2020 Council adopted the Intermodal Precinct Committee Charter and revoked the Intermodal Committee Charter. At the 27 May 2020 Council meeting, Councillors Hadchiti and Rhodes were appointed as Council's representatives, and as such can continue for the next 12 months. A separate report has been included in this Council Agenda paper relating to nominating a Chair to the Intermodal Precinct Committee.</p> <p>Clr Rhodes to Chair this Committee.</p>

<b>Liverpool Access Committee</b>	
<i>Representatives</i>	Mayor (or delegate) and one Councillor
<i>Current Representatives</i>	Mayor Waller and Clr Harle
<b>Representatives for 2020-21</b>	Mayor Waller and Clr Rhodes

<b>Liverpool Sports Committee</b>	
<i>Representative</i>	Mayor (or delegate)
<i>Current Representative</i>	Clr Kaliyanda
<b>Representative for 2020-21</b>	Clr Kaliyanda



<b>Tourism &amp; CBD Committee</b>	
<i>Representatives</i>	Mayor (or delegate) and four Councillors
<i>Current Representatives</i>	Clrs Balloot, Hadid, Hadchiti, Hagarty and Shelton
<b>Representatives for 2020-21</b>	Mayor Waller, Clr Shelton, Clr Rhodes Clrs Balloot, Hadid and Clr Hagarty

<b>Youth Council</b>	
<i>Representatives</i>	Mayor (or delegate) and two Councillors
<i>Current Representatives</i>	Mayor Waller, Clr Hagarty and Clr Kaliyanda
<b>Representatives for 2020-21</b>	Mayor Waller, Clr Kaliyanda and Clr Hagarty

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 2021:

<b>Georges River Combined Councils Committee (GRCCC)</b>	
<i>Representatives</i>	Two Councillors
<i>Current Representatives</i>	Clrs Harle and Shelton
<b>Representatives for 2020-21</b>	Clr Shelton and Clr Harle

<b>Liverpool Pedestrian, Active Transport and Traffic Committee</b>	
<i>Representatives</i>	Mayor (or delegate)
<i>Current Representatives</i>	Clr Hagarty
<b>Representatives for 2020-21</b>	Clr Hagarty

<b>Macarthur Bushfire Management Committee</b>	
<i>Representative</i>	One Councillor
<i>Current Representative</i>	Clr Harle
<b>Representative for 2020-21</b>	Clr Harle

<b>NSW Metropolitan Public Libraries Association (NSW MPLA)</b>	
<i>Representatives</i>	Two representatives, one of whom shall be an elected Councillor and the other generally being a Library Manager.
<i>Current Representatives</i>	Clr Kaliyanda
<b>Representatives for 2020-21</b>	Clr Kaliyanda

<b>South West City Planning Panel</b>	
<i>Current Representatives</i>	Mayor Waller and Clr Harle, with Clrs Hagarty, Karnib and Rhodes as alternates
<b>Representatives for 2020-21</b>	Mayor Waller and Clr Harle, with Clr Hagarty, Clr Karnib and Clr Rhodes as alternatives.

<b>South West Sydney Academy of Sport (SWSAS)</b>	
<i>Representative</i>	One Councillor
<i>Current Representative</i>	Clr Kaliyanda
<b><i>Representative for 2020-21</i></b>	Clr Kaliyanda

<b>Western Sydney Regional Organisation of Councils (WSROC)</b>	
<i>Representatives</i>	Mayor and one Councillor
<i>Current Representatives</i>	Clr Rhodes and Clr Balloot
<b><i>Representatives for 2020-21</i></b>	Clr Rhodes (as the Mayor's delegate) and Clr Balloot, with Clr Harle and Clr Kaliyanda as alternates.

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



**ITEM NO:** CEO 05  
**FILE NO:** 239029.2020  
**SUBJECT:** Adoption of new Code of Conduct and Code of Conduct Procedures

**COUNCIL DECISION**

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

That Council:

1. Adopt the Code of Conduct and Code of Conduct Procedures attached to this report;
2. Retain the maximum \$50 cap on the acceptance of gifts and benefits;
3. Retain the position that all gifts and benefits no matter the monetary value are declared;
4. Request the Chief Executive Officer to arrange appropriate training for the Mayor and Councillors concerning recent changes to the Code of Conduct and Code of Conduct Procedures; and
5. Note that Council's Governance team will provide appropriate training and resources in regard to the Code of Conduct for Council staff, members of Council advisory committees, Council volunteers and Council contractors.
6. Note that the maximum cap for State Members of Parliament is \$500 and is discretionary.

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

## CITY ECONOMY AND GROWTH REPORT

**ITEM NO:** EGROW 01

**FILE NO:** 196421.2020

**SUBJECT:** Planning proposal request to amend development standards and Schedule 1 of the Liverpool Local Environmental Plan 2008 to facilitate a mixed use development in the B6 zone at 146 Newbridge Road, Moorebank

### COUNCIL DECISION

**Motion:**

**Moved: Cllr Ayyad**

**Seconded: Cllr Rhodes**

That Council:

1. Notes the advice of the Liverpool Local Planning Panel;
2. Endorses in principle the planning proposal request;
3. Delegates to the Acting Chief Executive Officer authority to prepare the formal planning proposal including any typographical or other editing amendments if required;
4. Notes that negotiations will occur with the proponent on a potential voluntary planning agreement for the provision of affordable housing;
5. Forwards the planning proposal to the Department of Planning, Industry and Environment pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination with a request that Council be authorised as the local plan making authority and that the Gateway determination be conditioned requiring relevant technical documents be updated, that Section 9.1 Direction 2.6 (Remediation of Contaminated Land) be updated and a site specific DCP be prepared prior to public exhibition;
6. Subject to Gateway determination, undertakes public exhibition and community consultation in accordance with the conditions of the Gateway determination and Council's Community Participation Plan; and
7. Receives a further report on the outcomes of public exhibition and community consultation.
8. Forward the planning proposals for the Flower Power site and Concrete Crushers site to the Local Planning Panel and then receive a further report back to Council by the earliest possible Council meeting in 2020.

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

Councillors voted unanimously for this motion.



**ITEM NO:** EGROW 03  
**FILE NO:** 209517.2020  
**SUBJECT:** Planning proposal request to rezone land and amend development standards at 1370 Camden Valley Way, East Leppington

### **COUNCIL DECISION**

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

That Council:

1. Notes the advice of the Liverpool Local Planning Panel;
2. Endorses in principle the planning proposal request, subject to the proponent finalising the required amendments to the Liverpool Growth Centres Precinct DCP;
3. Delegates to the Acting Chief Executive Officer authority to prepare the formal planning proposal including any typographical or other editing amendments if required;
4. Delegates to the Acting Chief Executive Officer authority to negotiate a Voluntary Planning Agreement with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the VPA prior to exhibition of the planning proposal, consistent with the Council's Planning Agreements Policy;
5. Endorses in principle the potential public benefits, to be further negotiated, including:
  - Social Court located within Open Space Area 'C' of approximately 330m<sup>2</sup> including outdoor seating, basketball and netball hoop and bocce area including tree planting;
  - Concrete walking loop located within Open Space Area 'C' of approximately 180m;
  - Pedestrian crossing (including refuge island) located in the southern portion of the site across the future collector road to the open space area;
  - Boardwalk/bridge across riparian corridor along the south-east portion of the site of approximately 70m;
6. Forwards the planning proposal to the Department of Planning, Industry and Environment pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination with a recommendation that amendments to the Liverpool Growth Centres Precinct DCP is included as a Gateway condition to be satisfied prior to public exhibition;



7. Subject to Gateway determination, undertake public exhibition and community consultation on the planning proposal in accordance with the conditions of the Gateway determination and Council's Community Participation Plan;
8. Receive a further report on the outcomes of public exhibition and community consultation.

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

Councillors voted unanimously for this motion.











**ITEM NO:** COM 03  
**FILE NO:** 224048.2020  
**SUBJECT:** Child Safe Policy

**COUNCIL DECISION**

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

That Council:

1. Receives and notes this report;
2. Endorses the draft Child Safe Policy and the Draft Behavioural Standards for Keeping Children Safe for public exhibition for a period of 28 days, with a report to be provided back to Council following the conclusion of the exhibition period; and
3. Should no responses be received from the public exhibition period, authorise the Acting Chief Executive Officer to finalise the Child Safe Policy and oversee its implementation.
4. Amend the Behavioural Standards for Keeping Children Safe so that the fourth point under the heading “Staff are not to engage in any of the following behaviours, at all times”, so that it reads:

*“Show favour towards any child and should treat all children equally and fairly.”*

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

**CITY CORPORATE REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 230066.2020  
**SUBJECT:** Bigge Park Cafes - Lot 702 DP 1056246, Bigge Street, Liverpool

**COUNCIL DECISION**

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

That:

1. Council receive and note the report;
2. A further report be submitted to Council upon completion of the tender process of the Pump House café; and
3. A further report be submitted to Council in relation to the Courtside Café in due course.

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









**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01  
**FILE NO:** 232120.2020  
**SUBJECT:** Meeting Notes of the Liverpool Access Committee meeting held on 13 August 2020

**COUNCIL DECISION**

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

That Council receives and notes the Meeting Notes of the Liverpool Access Committee Meeting held on 13 August 2020.

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













## QUESTIONS WITH NOTICE

**ITEM NO:** QWN 01  
**FILE NO:** 218251.2020  
**SUBJECT:** Question with Notice - Clr Rhodes - Georges River Bank Stabilisation

Please address the following:

Can Council provide a report on the recent collapse of the Eastern bank of the Georges River opposite the Council dog park and bordering the Moorebank Intermodal.

1. What is being done to stabilise the banks of the Georges River at this particular site and others along the Georges River?
2. Who is responsible to stabilise the bank of the Georges River?
3. When will stabilisation of the Georges River bank be done?
4. Explain the Georges Riverkeeper's involvement vs conditions imposed on development applications to stabilise the Georges River banks?

Recent collapse of the Georges River bank along side the Moorebank Intermodal site and opposite the Council dog park was disturbing to say the least.

A large chunk of the bank that borders the Moorebank Intermodal Development site recently fell into the River.

When the ground is left bare by human activities including clearing, building (and related activities) and vehicle use such as 4WD's and trail bikes the soil is easily washed away when it rains. Examples of this can be seen between Sandy Point and Alford's Point as sediment from the ridges washes into Mill Creek and then into the Georges River. This erosion removes the fertile topsoil and the soil that is washed into waterways can contain plant nutrients, minerals, organic matter and seeds. It can also contain pesticides and toxic heavy metals.

When soil, sand, dust, cement, paint and building debris reach the waterways, they can:

- increase the risk of flooding;
- block drains;
- spread weeds to bushland;
- result in algal blooms;
- cause health problems for swimmers; and
- smother and suffocate water plants and animals and impact on their ability to reproduce.

The size of the erosion that fell into the Georges River in the one event is of particular concern and needs to be addressed.

**Response**

**1. What is being done to stabilise the banks of the Georges River at this particular site and others along the Georges River?**

Riverbank erosion is generally a natural process which allows rivers to meander and change course and stabilise over time. However, while bank erosion is considered a necessary ecological process, eroding soil and associated nutrients are the most important and widespread causes of reduced water quality impacting overall river system health. Further, if uncontrolled, serious damage can result to community infrastructure including loss of valuable land and riparian vegetation.

Council has therefore adopted a risk-based program of works to stabilise bank erosion along the Georges River. This approach is primarily guided by the need to restore and protect Council assets comprising stormwater infrastructure considered to be in danger of collapse; land and open space that would otherwise suffer significant loss; and to preserve public safety.

The following presents examples of riverbank erosion works that have recently been undertaken along the Georges River:

- a) South Park, Chipping Norton - to provide stormwater outlet protection works.



- b) Pleasure Point Reserve, Pleasure Point - to restore progressive loss of land through bank erosion.



c) Haigh Park, Moorebank - to repair significant asset damage from ongoing bank erosion and to restore public safety.



## 2. Who is responsible to stabilise the bank of the Georges River?

At its meeting of 26 June 2019, Council considered a report on *Activating the Georges River* (copy attached), which included a detailed discussion regarding the current management responsibilities for the River and its broader catchment. The report outlined that due to its environmental value and recreation potential, around 18 agencies comprising State Government agencies, councils and community groups played different roles in the ongoing management of the Georges River. In this regard, the report concluded that with so many stakeholders and agencies having broad and overlapping responsibilities for the River, the lack of a clear governance structure has resulted in any improvement efforts being fragmented and uncoordinated.

With regards to the banks of the Georges River, based on legal advice received previously, Council's local government area does not extend below the water level (or the low water mark for tidal areas of Georges River). The State has rights to the control, use and flow of all waters in rivers, with the areas below the low water mark generally vested in the Crown. In view of this advice, it's clear that Council's powers over rivers are limited.

In order to provide a coordinated approach to investigate and address management needs across the whole of the Georges River catchment, in May 2012, the NSW Office of



Environment and Heritage (OEH) in collaboration with the Georges Riverkeeper member councils developed the Georges River Estuary Management Plan. Known as the Coastal Zone Management Plan (CZMP), it provides strategic direction and guidance on future strategic and environmental planning within the estuary and its catchment. It also provides an action plan for undertaking targeted works and other initiatives aimed at achieving the overall goal of improving estuary and river condition.

Bank erosion along sections of the Georges River was identified as a key issue facing the estuary. The CZMP accordingly identified erosion protection and bank stabilisation works along a four-kilometre reach of the Georges River, generally between Liverpool Weir and Chipping Norton Lakes. It was estimated that the required stabilisation works would cost between \$10 million and \$20 million.

In view of this significant cost, Council’s constrained budgets and other competing priorities for infrastructure funding, the identified bank stabilisation works have not been able to be progressed at the scale envisaged in the CZMP.

**3. When will stabilisation of the Georges Riverbank be done?**

The mass failure and subsequent collapse of the riverbank adjoining Casula Parklands (refer to photos below) was triggered by an extreme flood event of February 2020, where flow velocities and volumes exceeded the structural capacity of the banks. Such an extensive bank erosion would normally require engineered revetment infrastructure works to stabilise the banks and arrest further bank erosion. However, in this instance such a response is not considered necessary in view of the following:

- due to its location along a bend in the River, there could potentially be long term adverse impacts downstream arising from natural river geomorphic processes of erosion and sediment deposition;
- the eroded bank is not a current threat to any built environment and will very likely stabilise over time; and
- costs associated with such significant restoration works would be prohibitive in the short to medium term.



While at this stage there are no plans for a comprehensive bank stabilisation program to be implemented along the Georges River, the following current and future programs provide the opportunity to selectively consider the need for bank stabilisation works:

- a) **River Connections** - Council is currently progressing the planning and delivery of a package of high value projects along the Georges River corridor to create public spaces along the river that are inviting and desirable. These include the multi-million dollar planned investments in Light Horse Park and Casula Parklands. These on-ground activation programs will not only transform the parklands into thriving and vibrant public spaces, but will also play a crucial role in providing the required interface infrastructure and amenities to support the many in-river activation activities being planned. As part of planning for the interface infrastructure such as viewing platforms, jetties and ceremonial Ghats, opportunities to selectively restore and protect riverbanks will also be considered. An update on the full scope the River Connections Program is planned to be provided in early 2021.
- b) **Riparian vegetation** - vegetation along riparian corridors play a crucial role in controlling and preventing erosion. Council's Riparian Areas Vegetation Management Strategy (being developed) and Council's bush regeneration activities along the riparian corridors will continue to provide ongoing protection to the riverbanks.
- c) **Urban developments and development applications** - Council has been utilising opportunities and funding mechanisms available through urban intensification to undertake relevant riverbank stabilisation works, such as the planned riverbank stabilisation along the Georges River between Atkinson Street and Mill Park as part of the Shepherd Street Precinct development.

#### 4. Explain the Georges Riverkeeper's involvement vs conditions imposed on development applications to stabilise the Georges Riverbanks?

Georges Riverkeeper, formerly the Georges River Combined Councils' Committee (GRCCC), consists of eight local councils, as well as government agencies and community representatives within the Georges River catchment. The Georges Riverkeeper Program services the GRCCC's eight member councils to identify key rubbish hotspots and areas for primary bush regeneration and weed control activities on the river's foreshores, creeks and tributaries. It coordinates the removal of rubbish and waste from the river catchment and monitors the ecological health of the river.

The Riverkeeper helps to facilitate a coordinated approach to the management of the Georges River. However, the role does not extend to providing input in the development assessment process.

**ITEM NO:** QWN 02  
**FILE NO:** 218348.2020  
**SUBJECT:** Question with Notice - Clr Hagarty - Western Sydney Parklands Trust

## **Background**

In July the Berejiklian government announced it will fold the Centennial Park and Moore Park, Parramatta Park and the Western Sydney Parklands trusts into a new super trust.

This move would appear to run counter to Western Sydney Parklands' ethos of being Western Sydney's backyard and the Greater Sydney Commissions' Metropolis of Three Cities Plan.

While Centennial, Moore & Parramatta Parks are established open space which have existed for well over a century, Western Sydney Parklands is still being developed.

The social, economic and cultural needs of Western Sydney must be determined by the people of Western Sydney.

With this latest move and the impact of COVID-19 on the NSW budget, Liverpool needs reassurance that plans for Western Sydney Parklands are still on track.

## **Please address the following:**

### **1. Are plans for the development of the Liverpool section of Western Sydney Parklands still on track?**

The Trust's priorities remain activating, managing and maintaining Western Sydney Parklands including the Liverpool section under The Parklands Plan of Management 2030 and the Southern Parklands Framework 2018. Earlier this year, Shale Hills Dog Park opened in West Hoxton featuring 2-hectares of open space with state-of-the-art dog agility and is already a popular community destination

The Trust continues to work closely with Liverpool City Council and Transport for NSW to relocate Wylde MTB trail.

The Trust's priorities for the area also include delivery of the new western ridges Walk, a 12-kilometre trail through the Cecil Hills Precinct. Construction is due to start next year with the walk anticipated to be open for visitors later in 2021.

### **2. Will these plans change with the Western Sydney Parklands Trust being rolled into a super parklands trust?**





2. Writes to the relevant minister in support of a stand-alone board to manage the Western Sydney Parklands.

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

**ITEM NO:** QWN 03  
**FILE NO:** 220455.2020  
**SUBJECT:** Question with Notice - Clr Kaliyanda - Wattle Grove Lake

Please address the following:

1. What measures have been undertaken to improve the water quality at Wattle Grove Lake? What measures have been found to be successful?
2. What is the underlying issue with the water quality at Wattle Grove Lake?
3. What measures are still being undertaken, or are currently planned, to improve the water quality at Wattle Grove Lake?
4. How has Council sought partnerships and worked with other organisations in order to address this issue?

### **Response**

#### **1. What measures have been undertaken to improve the water quality at Wattle Grove Lake? What measures have been found to be successful?**

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

Over the past few decades significant urban developments have occurred within the catchment. Stormwater runoff from roads, residential and commercial premises and other sources appears to have transported significant litter, sediment, heavy metals, grease, oils, bacteria, nutrients and other chemicals into the Lake.

Wattle Grove Lake suffered a major fish kill event in 2012 triggering a comprehensive investigation into the causes of the fish kills. Council engaged consultants and set up partnerships with the Western Sydney University for a rigorous program of water sampling and testing. Following a period of testing and monitoring, it was found that the Lake had abnormally high levels of iron and other nutrients, particularly Nitrogen and Phosphorous. The elevated concentrations of iron and other heavy metals appear to have been the primary cause of the decline in the quality of the water and ecological condition of the Lake. Council immediately developed and implemented a program of improvements to address the poor

water quality issues. The improvement works included:

- Extensive bank erosion protection works to eliminate sediment runoff and control turbidity;
- Selected removal of silt and sediment from within the Lake to directly remove contaminants.
- A regular program of carp and eel removal, including partnering with the local fishing club to allow fishing and removal of carp and eels. The presence of large numbers of carp and eels are detrimental to the survival of the native wildlife. Further, due to shallow depths of the Lake, any disturbance to the sediment beds caused by the eels and carp results in an immediate surge in turbidity. As a result, the Lake constantly appears to be murky.
- Installation of fountains and aerators to increase circulation and oxygen levels.
- Improvements to garden beds to reduce sediment runoff into the Lake.
- Introduction of a program of regular audit of the gross pollutant traps (GPT) to analyse its performance. This resulted in modifications to numerous GPTs to improve capture of pollutants before reaching the Lake.



Photos showing sediment removal and bank protection works undertaken.

Council considers that the above measures, together with ongoing monitoring of water quality, have been successful in addressing the extreme conditions that resulted in the fish kills. This is further demonstrated by past water sampling data that shows a gradual decline in the turbidity and iron levels.

The turbidity and appearance issues arise from the shallow depths and the fauna that inhabit the Lake. It is considered that regular and systematic removal of carp and eels will assist in controlling these issues over time. Based on a more recent inspection of the Lake, the water quality appears to have stabilised and is considered satisfactory, as shown in the photos below.



Photos of Wattle Grove Lake

## 2. What is the underlying issue with the water quality at Wattle Grove Lake?

Following extensive sampling, testing and analysis of water in the Lake, Council considers that the following factors have been the primary cause of poor water quality in Wattle Grove Lake:

- Urban development in the area over the past few decades has resulted in significant transport of pollutants into the Lake.
- The original design of the Lake does not appear to consider potential pollutant transport and necessary treatment requirements.
- Existing depth of the lake is not sufficient to allow the sediment particles to settle, causing an ongoing turbidity issue. Shallow depth and movement of carp and eels has also exacerbated the turbidity issue.

## 3. What measures are still being undertaken, or are currently planned, to improve the water quality at Wattle Grove Lake?

A range of water sampling and testing programs have continued over the years to actively monitor water quality variations to enable Council to predict extreme events such as algal blooms and fish kills. These have included:

- Ongoing partnership with Western Sydney University enabling coordinated monitoring of the water quality of the Lake. This monitoring program was recently expanded to include groundwater monitoring around Wattle Grove Lake to assess if groundwater is a potential source of lake water contamination causing the deterioration of the lake water quality. The results concluded that there was no evidence of groundwater contaminating the Wattle Grove Lake.
- More recently, the Department of Defence have undertaken sediment and surface water samples from Wattle Grove Lake as part of PFAS related investigations in and around the Holsworthy Barracks. All results were below the human health and ecological screening criteria and there was no evidence of any external contaminants, other than those identified above.

To provide longer term solutions to the water quality issues, Council investigated the following two options:

- a) Addressing inherent design flaws - it was considered that redesigning the Lake to improve inlet conditions and to increase the Lake depth would improve the water quality. However, it was found that any major engineering works would require draining of the Lake causing serious damage to the lake ecology. This option would also require a significant investment of capital funds.
- b) Construction of floating reed beds - research has shown that introducing floating reed beds into the lake would increase the uptake and absorption of the nutrients and improve water quality. The estimated cost for establishment of a floating reed bed was found to be over \$2.0M. Due the high cost of this option and other competing priorities for council funding, this option was not further progressed.

**4. How has Council sought partnerships and worked with other organisations in order to address this issue?**

As discussed above, Council has worked with numerous consultants and has formed partnership with the Western Sydney University to develop a detailed understanding of the underlying factors that are causing the water quality issues. This has enabled council to develop and implement improvement strategies that appears to have controlled the extreme conditions that have previously affected this lake.

**ITEM NO:** QWN 04  
**FILE NO:** 255955.2020  
**SUBJECT:** Question with Notice - Cllr Hagarty - JobKeeper and JobSeeker

Please address the following:

With JobKeeper and JobSeeker set to be reduced or removed for many come October, do we have approximate numbers on:

1. Number of businesses in Liverpool who will lose JobKeeper?
2. Number of people they employ?
3. Number of people on JobSeeker in Liverpool?

**A response to these questions will be provided in the 27 October 2020 Council meeting business papers.**

**ITEM NO:** QWN 05  
**FILE NO:** 255990.2020  
**SUBJECT:** Question with Notice - Clr Hadchiti - Western Sydney Aerotropolis State Environmental Planning Policy (SEPP) 2020

Please address the following:

1. With the release of the Western Sydney Aerotropolis State Environmental Planning Policy (SEPP) 2020, have any major implications been identified that effect our LGA?

**A response to these questions will be provided in the 27 October 2020 Council meeting business papers.**

## NOTICES OF MOTION

**ITEM NO:** NOM 01  
**FILE NO:** 255803.2020  
**SUBJECT:** Integrated Pest Management Policy and Strategy

### BACKGROUND

Council is frequently contacted by residents regarding the management of introduced and other species regarded as pests, such as Indian myna birds, eels, carp and foxes.

Such species threaten native biodiversity and may potentially pose a threat to humans.

Neighbouring local government areas (LGAs) such as Camden and Campbelltown have either specific plans, such as an Indian Myna Bird Management Plan, or more comprehensive Integrated Pest Management Plans.

The NSW EPA recommends Integrated Pest Management (IPM) as an environmentally sensitive way of managing pests. It uses a combination of practices and control methods with the aim of preventing problems from occurring and reducing the need for pesticide intensive activities. IPM activities include:

- Forward planning
- Regular monitoring
- Timely decision making

A necessary component of an IPM Policy and Strategy should also be a community engagement strategy to ensure residents, local businesses and schools, are also encouraged to be involved and take part in initiatives to protect native biodiversity.

An IPM Policy and Strategy integrates appropriate measures that discourage the development of pest populations while maintaining pesticides and other interventions to levels that are economically justified and reduce or minimise risks to human health and the environment. They should establish local priorities for pest species and areas to be managed and includes an action plan outlining time frames for implementation.

### NOTICE OF MOTION (submitted by Cllr Kaliyanda)

That Council:

1. Develop an Integrated Pest Management Policy and Strategy for the Liverpool LGA and report back to Council by the first February 2021 meeting, with the strategy to follow subsequently; and





**ITEM NO:** NOM 02  
**FILE NO:** 255851.2020  
**SUBJECT:** Liverpool Multicultural Park

## **BACKGROUND**

Liverpool prides itself as a vibrant multicultural community. Our residents come from all corners of the earth and we have a rich and proud indigenous history.

As a peaceful, democratic nation, each of us are afforded the opportunity to proudly celebrate our heritage. In Liverpool will do this openly and inclusively with the entire community, peacefully and in harmony.

It is often said that Australia is the most successful multicultural nation on Earth. While we believe this to be true, it is not enough to simply repeat a cliché for it to continue to be so. It requires continuous hard work and reminders of what it took to build this great achievement.

As the face of multicultural Australia, Liverpool should have a place that celebrates this achievement and the contribution of multiculturalism to Australia and specifically our LGA.

The Serbian Orthodox Youth Association (SOYA) are seeking to celebrate the contribution of the Serbian Community in South West Sydney and in particular Liverpool, which is home to thousands of Serbian Australians, with a park.

In the case of the Serbian community, the park would highlight the long standing alliances between Serbia and Australia shared in both World Wars. It would also honour modern Australians of Serbian descent such as Rale Rasic; Jelena Dokic; Professor Ana Deletic; and Karl and Peter Stefanovic.

Let the passion and drive of SOYA to honour to the contribution of Serbian Australians, serve as the catalyst for Liverpool to recognise the enormous contribution of multiculturalism to our city.

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

That Council:

1. Notes Liverpool is the face of multicultural Australia;
2. Notes Australia as the most successful multiculturalism nation on Earth;
3. Notes the successful contribution multiculturalism has made to modern Australia;
4. Acknowledge the contribution the Serbian Community makes to the Liverpool LGA;





2. Notes the many standing motions of Council regarding a lack of infrastructure in our LGA;
3. Notes it will work constructively with the State and Federal Governments to ensure housing targets are matched with the required infrastructure to support them; and
4. Acknowledges it may increase or reduce housing targets as it sees fit.
5. Acknowledge the continued lobbying by Council for the improvement of infrastructure and that it continue to be a priority.

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

**PRESENTATIONS**

Clr Hagarty made a presentation relating to a book by the federal member for Fenner, The Hon Dr Andrew Leigh and Mr Nick Terrell, titled “Reconnected: A Community Builder’s Handbook”.

The book looks at some of the most successful community organisations and initiatives in Australia, with regards to community building in the 21<sup>st</sup> century. It includes conversation groups, community gardens, park runs and pub choir, which has been active in Liverpool

Clr Hagarty provided the authors with information relating to the Ferrington Collective, which worked with the Men’s Shed and Council to restore Ferrington Park. A quote from Lisa Wharton, a prominent member of the Ferrington Collective, has been included in this book and refers to Council and the Ferrington Collective in a very positive light and highlights this project as a fantastic example of Community building.

Clr Hagarty commended the Ferrington Collective and all Council staff for their work on this project.

















**ITEM NO:** CONF 03  
**FILE NO:** 237384.2020  
**SUBJECT:** ST2964 Environment Restoration Plan Bush Regeneration Program of Works 2020-2023

## COUNCIL DECISION

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

That Council:

1. Accept the Tender from the following Offerors for Tender ST2964 Environment Restoration Plan Bush Regeneration Program of Works 2020-2023 for three (3) year contract term at the GST inclusive price:

Portion A	Toolijoa Pty Ltd	\$127,429.50
Portion B	National Trust of Australia (NSW)	\$249,448.58
Portion C	Total Earth Care Pty Ltd ATF The Irrawong Trust	\$156,707.10
Portion D	National Trust of Australia (NSW)	\$178,351.80
Portion E	National Trust of Australia (NSW)	\$311,042.60
Portion F	National Trust of Australia (NSW)	\$408,611.50
Portion G	National Trust of Australia (NSW)	\$130,110.20
Total		\$1,561,701.28

2. Makes public its decision regarding Tender ST2964 Environment Restoration Plan Bush Regeneration Program of Works 2020-2023.
3. This report has been brought to Council because the Chief Executive Officer's instrument of delegation, approved by Council in accordance with the current provisions of section 377 of the Local Government Act 1993, only permits the Chief Executive Officer to approve (and not to reject) tenders up to a value of \$2 million. Therefore, subclause 377 (1)(i) of the Local Government Act 1993 a council may, by resolution, delegate the Chief Executive Officer, the acceptance of tenders to provide services currently provided by members of staff of the council.
4. Delegates the Chief Executive Officer to finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.

5. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
6. Receive a future report at a Strategic Panel meeting that investigates the opportunities for Council staff to undertake the future restorations themselves rather than requesting tenders.

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

Councillors voted unanimously for this motion.





Mayor Waller moved the meeting into Open Session at 9.03pm and read the resolutions for items CONF 01, CONF 02, CONF 03 and CONF 07, found on pages 65, 66, 67 and 69 of these minutes.

**THE MEETING CLOSED AT 9.07pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 27 October 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 30 September 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

.....

Chairperson



**MINUTES OF THE ORDINARY MEETING  
HELD ON 27 OCTOBER 2020**

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**PRESENT (VIA VIDEO CONFERENCING):**

Mayor Wendy Waller  
Councillor Ayyad  
Councillor Balloot  
Councillor Hadchiti  
Councillor Hadid  
Councillor Hagarty  
Councillor Harle  
Councillor Kaliyanda  
Councillor Karnib  
Councillor Rhodes  
Councillor Shelton  
Dr Eddie Jackson, Acting Chief Executive Officer  
Mr George Hampouris, Acting Director City Corporate  
Ms Tina Sangiuliano, Acting Director City Community and Culture  
Mr David Smith, Acting Director City Economy and Growth  
Mr Peter Patterson, Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Mr Vishwa Nadan, Chief Financial Officer  
Mr John Morgan, Director Property and Commercial Development  
Mr James Ng, Acting General Counsel, Manager Governance Legal and Procurement  
Mr Shaun Beckley, Manager Infrastructure Planning  
Mr George Georgakis, Manager Council and Executive Services  
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.01pm

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**STATEMENT REGARDING WEBCASTING  
OF MEETING**

The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice the meeting is being livestreamed.

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

The prayer of the Council was read by the Acting Chief Executive Officer, Dr Eddie Jackson.



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

**DECLARATIONS OF INTEREST**

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

**Item:** CONF 01 - Order of Liverpool Awards.

**Reason:** Clr Ayyad's husband was nominated for one of the awards.

Clr Ayyad remained in the virtual meeting for the duration of this item.

**PUBLIC FORUM**

**Presentation – items not on agenda**

Nil.

**Representation – items on agenda**

Nil.

**MOTION OF URGENCY**

**ITEM NO:** MOU 01

**SUBJECT:** 122 Atkinson Street, Liverpool

**In accordance with Clause 8.3 of Council's Code of Meeting Practice, the Chairperson Mayor Waller, ruled the following motion as urgent, and as such it was dealt with at the meeting and is shown below:**

**Background**

On 11 August 2020, Council was notified by members of the community of the impending auction of 122 Atkinson Street, Liverpool. The property is a single storey timber weatherboard cottage, advertised as an opportunity for knock down and rebuild.

The cottage, known as Stephenville, was built in 1917 by the Voluntary Workers' Association for Mrs Boyland, wife of Private Harry Boyland with two children. The cottage was built at a cost of £269 and furniture and internal fittings were provided by Henry Bull and Co and the Challenge Woollen Mills.

Private Harry Boyland served with the 11<sup>th</sup> Australian Infantry Battalion, Australian Imperial Force and died on the battlefields of France on 30 May 1916.





**CITY ECONOMY AND GROWTH REPORT**

**ITEM NO:** EGROW 01  
**FILE NO:** 230146.2020  
**SUBJECT:** Draft Western Sydney Aerotropolis Joint Contributions Plan 2020

**COUNCIL DECISION**

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

That Council:

1. Exhibits the draft *Joint Aerotropolis Contributions Plan 2020* and background report for a minimum of 28 days in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*.
2. Delegates to the Acting Chief Executive Officer authority to finalise the Aerotropolis Contributions Plan if no submissions in opposition are received.
3. Exhibits draft Amendment 2 to the *Liverpool Contributions Plan 2009* for a minimum 28 days in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*.
4. Delegates to the Acting Chief Executive Officer authority to finalise Amendment 2 to the *Liverpool Contributions Plan 2009*.

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

**Vote for:** Mayor Waller, Clr Ayyad, Clr Balloot, Deputy Mayor Hadid, Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Karnib, Clr Rhodes and Clr Shelton.

**Vote against:** Clr Hadchiti.







2. Seek quotations from suitably qualified industry representatives to become members of the Liverpool Design Excellence Panel for a two-year period.

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

























Item 5 - Eleventh Avenue, Austral – reconstruction of the road section in front of St Anthony of Padua Catholic School.

- Council approves the proposed children’s crossing and associated signs and linemarking scheme.
- Detailed design is to be submitted to TfNSW for review prior to construction.

Item 6 - Buchan Avenue, Edmondson Park – Road construction including signs and linemarking scheme.

- Council approves the detailed design drawings including signs and linemarking scheme.
- Detailed design drawing is to be submitted to TfNSW for review prior to construction.

Item 7 - Beech Road, Casula - Request for timed on-street parking at 245 Beech Road in front of the Macchiato & Co café.

- Council approves 2 x 30-minute on-street parking spaces east of the “No Stopping” sign close to the Beech Road and Berriwerri Place roundabout intersection.

Item 8 - Reilly Street, Lurnea – Proposed median Island extension to wombat crossing and raised threshold.

- Council approves the median island extension to wombat crossing and raised threshold.

Item 9 - Mclver Avenue, Middleton Grange – Road extension including signs and linemarking scheme.

- Council approves the Mclver Avenue road extension and associated signs and linemarking scheme.
- The road extension is to include a gate (at the entry to the park) to be closed at night.

Item 10 - Various Streets – Request for Traffic calming devices.

- Council approves the installation of separation and edge linemarkings along the section of Ardennes Avenue from Okinawa Road, Edmondson Park to the southern end of the road.
- Speed classification is to be carried out to assess whether additional traffic calming devices are required.

- Council to consider road improvement on the eastern side of Shepherd Street between Atkinson Street to Powerhouse Road, Liverpool.
- Council to carry out speed classifications along Webster Road, Ardennes Avenue and Christiansen Boulevard to assess the need for traffic calming devices.

Item 11 - Bigge Street, between Elizabeth Street and Campbell Street, Liverpool – Minor Traffic Management Works.

- Council supports the re-linemarking of double-barrier and edge lines and installation of entry thresholds.

Item 12 - Items Approved Under Delegated Authority.

- Council notes the traffic facilities approved under delegated authority between 22 July 2020 and 23 September 2020.

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





**QUESTIONS WITH NOTICE****ITEM NO:** QWN 01**FILE NO:** 273287.2020**SUBJECT:** Question with Notice - Clr Hagarty - JobKeeper and JobSeeker

Please address the following:

With JobKeeper and JobSeeker set to be reduced or removed for many come October, do we have approximate numbers on:

1. Number of businesses in Liverpool who will lose JobKeeper?
2. Number of people they employ?
3. Number of people on JobSeeker in Liverpool?

**Response**

According to federal government figures there are at least 27,000 people in the Liverpool LGA on income support through JobKeeper, JobSeeker or Youth Allowance. The following information is the most up-to-date data, as at 30 September 2020, released by the Australian Tax Office and Profile ID.

**JobKeeper**

In June 2020 there were 10,354 applications processed for JobKeeper in the Liverpool LGA. The table below, from data collated from Australian Tax Office, shows the number of organisations that have had their applications processed. Because this is an organisation count, rather than number of employees, it is unclear how many Liverpool residents are receiving JobKeeper.

<b>Postcode</b>	<b>April</b>	<b>May</b>	<b>June</b>
2168	963	987	1003
2179	372	397	410
2556	156	163	163
2171	1140	1177	1220
2170	4070	4193	4293
2178	235	251	259
2565	917	971	987
2174	229	238	236
2745	780	835	864
2173	294	300	299
2172	87	94	97
2557	473	513	523
<b>TOTAL</b>	<b>9716</b>	<b>10119</b>	<b>10354</b>

On 21 July 2020 the Government announced it would extend the JobKeeper payment until 28 March 2021, and that it would target businesses and not-for-profits which continue to be significantly impacted by the Corona Virus.

From 28 September 2020, eligibility for JobKeeper will be decreased and paid at two rates.

From 28 September 2020 to 3 January 2021 the payment will be reduced from \$1500 a fortnight to \$1200 a fortnight for eligible employees who were working for 20 hours or more a week. For employees who were working less than 20 hours a week, the payment will be reduced to \$750 a fortnight.

From 4 January 2021 to 28 March 2021 the payment for employees working more than 20 hours a week will be further reduced to \$1000 a fortnight. For employees working less than 20 hours a fortnight the payment will be reduced to \$650.

Council officers have requested projections and modelling about the impact the changes would have on the economy from the federal Treasury via a contact at Ausindustry. Officers received the following response:

*“We put your request to Treasury (federal) but unfortunately, they do not have the projections data you specifically require.*

*“The additional modelling information you are seeking is unlikely to be publicly available and as you understand, any such data would vary significantly across the nation plus the complex economic interactions across many supply chains and demands are constantly changing.”*

### **JobKeeper payment schedule**

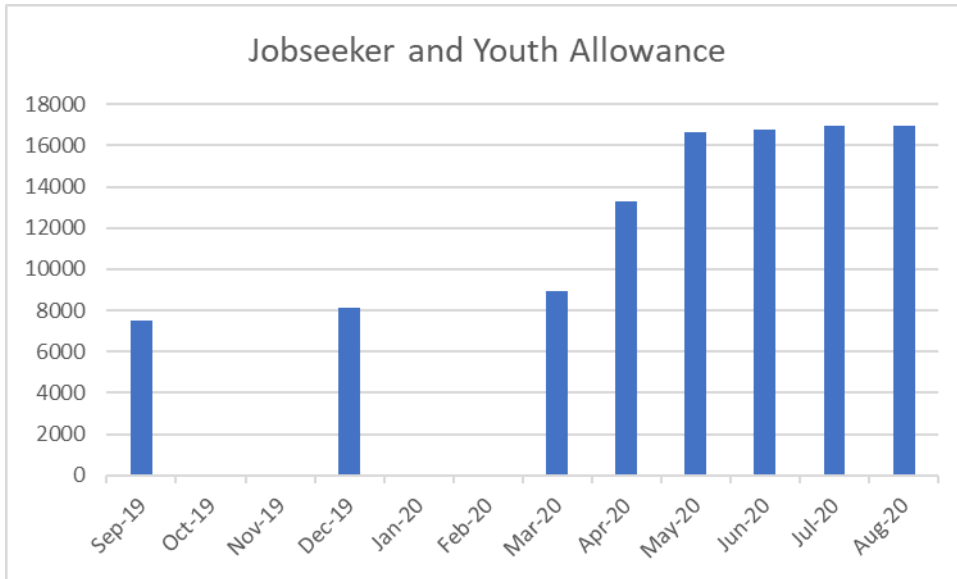
(Source: <https://www.ato.gov.au/General/JobKeeper-Payment/Payment-rates/>)

<b>Dates</b>	<b>Staff who worked on average less than 20 hours a fortnight</b>	<b>Staff who worked on average more than 20 hours a fortnight</b>
30 March 2020 - 27 September 2020	\$1500/fortnight	\$1500/fortnight
28 September 2020 - 3 January 2021	\$750/fortnight	\$1200/fortnight
4 January 2021 – 28 March 2021	\$650/fortnight	\$1000/fortnight

### **JobSeeker**

In August 2020 (latest information available) there were 16,930 people on JobSeeker or Youth Allowance (11.2 per cent of 15-64-year-olds). During the same period 8.9 per cent of the NSW 15-64-year-olds were on JobSeeker or Youth Allowance.

Figures from Profile ID show JobSeeker and Youth Allowance figures climbing rapidly during April to stabilise from May onwards to more than 16,000.



(Source: <https://profile.id.com.au/cws/job-seeker?EndYear=201909>)

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**ITEM NO:** QWN 02  
**FILE NO:** 273290.2020  
**SUBJECT:** Question with Notice - Clr Hadchiti - Western Sydney Aerotropolis State Environmental Planning Policy (SEPP) 2020

Please address the following:

1. With the release of the Western Sydney Aerotropolis State Environmental Planning Policy (SEPP) 2020, have any major implications been identified that effect our LGA?

**Response:**

The SEPP was released by the NSW Government on 13 September 2020, as part of the finalisation of the Western Sydney Aerotropolis Planning Package. The SEPP came into effect on 1 October 2020 and rezoned the initial precincts within the Liverpool LGA (Aerotropolis Core, Agribusiness, Badgerys Creek and Wianamatta-South Creek precincts).

In addition to the SEPP gazettal, the following documents were released as part of the Western Sydney Aerotropolis Planning Package:

- Western Sydney Aerotropolis Plan (WSAP)
- Western Sydney Aerotropolis Development Control Plan (DCP) Phase 1
- Section 9.1 Ministerial Direction: Implementation of the Western Sydney Aerotropolis Plan

The final planning package is available on the NSW Planning Portal:

<https://www.planningportal.nsw.gov.au/draftplans/made-and-finalised/western-sydney-aerotropolis-planning-package>

The SEPP contains a number of aviation safeguarding clauses, the majority of which extend well beyond the Aerotropolis boundary, and therefore apply to land across the Liverpool LGA, as well as surrounding LGAs. These clauses relate to aircraft noise, building wind shear and turbulence, wildlife hazards, wind turbines, lighting, airspace operations, and public safety areas.

Notably, Clause 19 of the SEPP relating to aircraft noise, has implications for the Liverpool LGA and surrounding LGAs, as the clause takes a precautionary approach to managing aircraft noise by placing further restrictions on developments when compared to clauses in Council's LEPs. Details of the restrictions are as follows.

### Development within ANEC 20+ Contours

Clause 19 (Aircraft Noise) of the SEPP prohibits development of new noise sensitive uses (residential accommodation, education establishments, places of public worship etc.) within ANEC 20 and above contours. Despite this clause, if at the time of the SEPP's commencement, a dwelling house was permissible, and there were no dwellings on the land, the SEPP allows its development to be permissible.

Prior to the SEPP being gazetted, the *Liverpool Local Environmental Plan* (LLEP 2008), Clause 7.18 permitted the development of residential accommodation on land subject to ANEC 20 contours (but less than 25). Development was, however, required to meet relevant Australian Standards for indoor design sound levels in relation to aircraft noise intrusion. Under the LLEP 2008, the development of residential accommodation is prohibited on land identified as being subject to ANEC 25 and above.

### Development beyond ANEC 20 Contours

Additionally, Clause 19 (Aircraft Noise) of the SEPP requires the development of noise sensitive uses beyond land subject to the ANEC to be built to the Australian Standards. This requirement applies to all new noise sensitive uses within the boundary of the Obstacle Limitation Surface Map. This map extends approximately 13km from the airport site, therefore reaching east to Prestons, and encompassing the growth areas of Austral, Leppington and part of Edmondson Park.

Clause 19(5)(b) of the SEPP has been deferred by the Government and will commence on 26 April 2021.

### **Other Notable SEPP Clauses which could affect developments**

#### Wildlife Hazards

To manage risk of wildlife strike, the SEPP restricts certain land uses within 3km of the airport, including turf farming, livestock processing and outdoor waste or resource management facilities.

Additionally, certain land uses within 13km of the airport will require additional consideration in relation to wildlife management at the development application stage. This includes applications for plant nurseries, sewerage treatment plants and water storage facilities.

#### Complying Development

Complying development under *SEPP (Exempt and Complying Development Codes) 2008* is not enabled within the initial precincts under the Aerotropolis SEPP. Instead, complying development is enabled following the approval of a master plan.

A master plan is to specify which development is to be undertaken as complying development and set development controls for its assessment criteria as complying development. Exempt Development Codes still apply within the Aerotropolis, subject to minor variations to safeguard aviation operations (e.g. reduce wildlife attraction) and meet the Parkland City vision (e.g. limit extent of hardstand space).

The SEPP also contains various provisions regarding flooding, native vegetation, heritage, design excellence and transport corridors.

Aerotropolis Precinct Planning

The Western Sydney Planning Partnership are continuing to develop precinct plans for the initial precincts identified in the WSAP. These are anticipated to go on public exhibition in late 2020, early 2021. The Partnership are also developing a comprehensive Development Control Plan which will replace the Phase 1 DCP. This DCP will also be subject to public exhibition.

**ITEM NO:** QWN 03  
**FILE NO:** 281539.2020  
**SUBJECT:** Question with Notice - Clr Balloot - Mental Health Issues

2020 has been an extremely stressful year for many; fire, floods and now COVID. Many in our community continue to suffer with mental health issues. Adolescence and young individuals are particularly vulnerable to external pressures of every life.

Please address the following:

With the added unprecedented pressures:

1. What initiatives/programs has Council supported to assist the community and particularly adolescence and young person's when dealing with mental health issues?
2. Has Council conducted a review of services available to the local community?
3. What initiatives has Council implemented to support the mental health of staff during this unprecedented time?

**A response to these questions will be provided in the 25 November 2020 Council meeting business papers.**

**ITEM NO:** QWN 04  
**FILE NO:** 281543.2020  
**SUBJECT:** Question with Notice - Cllr Hagarty - Schoeffel Park

**Background**

Since it recently opened, Schoeffel Park has been a big success. Many families are using the park and enjoying its facilities.

The demand has placed increased pressure on the surrounding road network.

There has been at least one accident and a number of near misses involving both cars and pedestrians.

**Questions**

Please address the following:

1. Do subsequent phases of the development of Schoeffel Park include car parking?
2. If so, how many spots and where will they be located?
3. What traffic treatments are being considered to the surrounding road network, in particular Strzlecki Drive?
4. When are these traffic treatments expected to be delivered?
5. What consideration is given to the impact of the surrounding road and path networks when planning and funding work to parks?

**A response to these questions will be provided in the 25 November 2020 Council meeting business papers.**



**ITEM NO:** QWN 05  
**FILE NO:** 281559.2020  
**SUBJECT:** Question with Notice - Clr Hadchiti - Board work / bank stabilization in the Shepherd Street Precinct

Please address the following:

1. Can an update please be provided on the delivery of the board work/ bank stabilization which formed part of a VPA in the Shepherd Street precinct?

**A response to these questions will be provided in the 25 November 2020 Council meeting business papers.**

**ITEM NO:** QWN 06  
**FILE NO:** 281575.2020  
**SUBJECT:** Question with Notice - Cllr Hagarty - Amazon

**Background**

Amazon has now been operating in Liverpool for several years.

In late 2018, I asked the following questions on notice.

Two years on from those questions, Amazon has been one of the few businesses to benefit from the COVID-19 pandemic.

Hopefully Liverpool, Amazon's employees and its subcontracted employees are also benefiting.

**Questions**

Please address the following:

What percentage of workers based at the Amazon Moorebank fulfilment centre are:

- from the Liverpool LGA?
- directly employed by Amazon?
- employed by a labour hire company?
- in insecure casual employment?

**A response to these questions will be provided in the 25 November 2020 Council meeting business papers.**



## PRESENTATIONS BY COUNCILLORS

Nil.

## NOTICES OF MOTION

**ITEM NO:** NOM 01  
**FILE NO:** 281448.2020  
**SUBJECT:** Ban of Fur Sales on Council Land

### BACKGROUND

Numerous reports have highlighted the animal cruelty involved in fur production. Animals are being kept in small cages unable to act out their natural behaviours, after which they are killed in harrowing ways such as electrocution, bludgeoning, or being skinned alive.

Increasing awareness of this cruelty has reduced consumer demand for fur products. However, some producers and vendors are now mislabelling fur products sold in Australia.

Late last year, [forensic tests on faux fur products](#) sold at the Queen Victoria and South Melbourne markets revealed they were made from racoon and racoon dog fur – animals known to be mistreated in fur harvesting facilities in China. Similarly, the trade in exotic animal skins – such as snakes, alligators, crocodiles and other reptiles – is marked by cruelty and significant environmental impacts, with wild animals removed from their native habitat and harvested for skins.

Over the last few weeks, the international trade in wildlife for fur, exotic animal skins and other products has been subject to [renewed calls for bans due to the coronavirus pandemic](#), and the [risk that this trade will lead to other deadly disease outbreaks in future](#).

Stamping out the trade in fur and exotic animal skins requires action at local, state and federal levels. Therefore, Council can have an important advocacy component to its role. Under the *Local Government Act 1993 (NSW)*, which allows a council to establish policies for the use of its land, Council can also act to prevent the sale of these products on our properties. For example, markets operate under section 68 approvals that permit them to use Council land. It is possible under section 68 approvals to add a condition prohibiting the sale of fur and exotic animal skins in any markets operated on Council-owned land.

Additionally, an amendment to Council's General Conditions of Hire for Community Facilities that prevents the sale of such products in our venues could reduce markets for these cruel industries, particularly if combined with information to help local residents and business report suspect sales of illegal animal products to the relevant authorities.

The resale of second-hand or vintage fur products can also contribute to demand by perpetuating the idea of 'fur as fashion', however, throwing these products out conflicts with



2. Writes to the Minister for Home Affairs to call for the introduction of random forensic testing of imported fake fur products, as well as an investigation into prohibition of fur product imports into Australia;
3. Writes to the NSW Minister for Better Regulation and Innovation to request a fur task force be established to assess the size and impact of illegal fur labelling;
4. Promotes through its website and other suitable communications channels:
  - a) Information to help local residents and businesses report the sale of suspected illegal animal products to the relevant authorities; and
  - b) Ethical and sustainable alternatives to reselling or throwing out old or vintage fur products.

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

Councillors voted unanimously for this motion.



3. Inform the community of how the debt repayments will be funded if there is no tenant for Civic Place or the other vacant space in 33 Moore Street, including the library;
4. Make public the results from the community consultation that was conducted earlier this year;
5. Provide Councillors and the community with sufficient information to be adequately informed in-line with the advice from the Office of the Local Government officially dated 13<sup>th</sup> October 2020; and
6. Provide information about the project on Council's website by December 2020 and links to the progress of the project.

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

Councillors voted unanimously for this motion.



**CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 244956.2020  
**SUBJECT:** Order of Liverpool Awards

**This item was dealt with later in the meeting in Closed Session pursuant to the provisions of s10A(2)(a) of the Local Government Act 1993 because it contains personal matters concerning particular individuals (other than councillors).**





**ITEM NO:** CONF 04  
**FILE NO:** 273292.2020  
**SUBJECT:** Confidential Question With Notice - Management of the operating system for the parking meters

Please address the following:

Is there anything that restricts Council from seeking expressions of interest or calling for a tender to supply the management of the operating system for the parking meters throughout our LGA?

**Response:**

Council has the following two agreements with Duncan Solutions associated with the parking meters:

- Parking Meter contract- This expired on 10 March 2020 and is currently on carryover. This can be terminated with one month's notice.
- Park and Pay App agreement- Under the agreement Council is required to provide 90 days notice to terminate.

Given the current contractual arrangements, there is nothing preventing Council going to tender and upon the selection of a proponent, ceasing existing arrangements with the above notice periods.

It is noted that Council resolved at the 30 September meeting to "undertake a market assessment to understand what technology is in the market with a view to undertaking a competitive selection process".

On this basis staff are currently undertaking a market assessment which will inform the tender specifications prior to going to tender.







**THE MEETING CLOSED AT 9.35pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 25 November 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 27 October 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



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## MINUTES OF THE ORDINARY MEETING HELD ON 25 NOVEMBER 2020

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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  
Dr Eddie Jackson, Acting Chief Executive Officer  
Mr George Hampouris, Acting Director City Corporate  
Ms Tina Sangiuliano, Acting Director City Community and Culture  
Mr David Smith, Acting Director City Economy and Growth  
Mr Peter Patterson, Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Mr Vishwa Nadan, Chief Financial Officer  
Mr John Milicic, Manager Property Services  
Mr George Georgakis, Manager Council and Executive Services  
Ms Maree Stewart, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

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### **STATEMENT REGARDING WEBCASTING OF MEETING**

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

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

The prayer of the Council was read by the Acting Chief Executive Officer, Dr Eddie Jackson.

**APOLOGIES**

Nil.

## CONDOLENCES

### **Pastor John Keane (read by Mayor Waller)**

Tonight, we pause to remember the Liverpool Baptist Church elder and West Hoxton Community Church Pastor, John Keane.

Born in Glebe in 1943, Pastor Keane devoted his life to helping others in the community.

He started attending Sydney City Mission and the Christian youth organisation, the Boys Brigade while growing up in Glebe.

At age 15, he qualified as an engineer and spent more than 50 years working in the truck building industry.

He continued his community work and his devotion to his faith during these years.

After he and wife Rita married in 1971 and moved to Punchbowl, Pastor Keane became a Sunday school teacher and preacher at Riverwood Methodist Church.

The couple and their five children moved to Liverpool 36 years ago. They joined Liverpool Baptist Church soon after.

He became a preacher at church services, taught Sunday school and captained the Boys Brigade.

Pastor Keane was also passionate about his missionary trips to outback Australia.

He served as the Pastor at West Hoxton Community Church for 17 years, only retiring a few weeks ago due to his health.

Pastor Keane was diagnosed with pancreatic cancer in July 2019.

The grandfather of six died on Monday 9 November at age 77.

At his memorial service on Monday 16 November, daughter Melinda spoke about her father's dedication, integrity and passion for helping others.

She said if he heard someone needed help, he would run to their aid and assist any way he could.

Melinda also spoke of her father's zest for life and his love for his family and his congregation.

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

May he rest in peace.

**Mrs Jo-Anne Margaret McIntosh (read by Cllr Kaliyanda)**

Tonight we pause to remember a committed and passionate member of the Liverpool community.

Jo-Anne Margaret McIntosh was born on 3 September 1958 and sadly passed away on 5 November 2020 at 62 years of age. Jo-Anne is the daughter of Ron and Margaret Blayney and has a sister, Jenny and two brothers Garry and Greg who grew up in Cabramatta.

Jo-Anne and her beloved husband Robert, lived in Glenfield when they were first married, then moved to Moorebank, Holsworthy, settling in Wattle Grove in recent years.

The most pride that Jo-Anne had was her family telling many stories of her children Elizabeth and Greg growing up into the wonderful people they are today.

Jo-Anne gave so much of herself to her family, to her friends and community and was respected by everyone who knew her. She led her life to the fullest and cared for those around her.

During her early adult years, Jo-Anne loved travelling and lived all over Europe working for Contiki. Throughout her life she continued to travel experiencing culture, learning and enriching her life by travelling all over the world.

She was involved in lots of community work throughout her life, always selfless and giving.

Over 40 years ago Jo-Anne was a member of the Lions Club of Cabramatta and in 1979 was Cabramatta Lions Club's Miss Personality at the International Fespic Games for the Disabled where she wooed the community to support the Games.

A beauty inside out she was also crowned Miss South West Suburbs in 1981.

Jo-Anne was extremely community minded, it was in her DNA. She joined the Lions Club of Wattle Grove 4 years ago and was always ready to help with every fundraiser and activity, particularly sharing her creative, organisational and baking skills.

Recently, Jo-Anne was involved in fundraising for and raising awareness about the needs of those experiencing domestic and family violence in our community. She contributed to the establishment of a new women and children's refuge in south-west Sydney.

She was a member of the Australian Decorating Network and early this year assisted in organising and baking for the Bunnings Cake Bake bushfire relief sale for Young which raised over \$40,000 for the Young community.

Over the last 3 years Cake Angels was an organisation she loved to support. Cake Angels donate custom designed celebration cakes to children with seriously ill medical challenges. Jo-Anne made sure that no child ever missed out on their special celebration cake.

Jo-Anne fought her battle with brain and lung cancer for 14 months. She showed everyone how it was done up until the last moments leading by dignified example, never missing out on a good time and sharing her pearls of wisdom.

To her family and friends our Council expresses its sincere condolences.

May she rest in peace.

**COUNCIL DECISION**

**Motion**

**Moved: Mayor Waller**

**Seconded: Cllr Rhodes**

That Council write to the family of Pastor John Keane, and Mrs Jo-Anne Margaret McIntosh expressing our condolences for their loss.

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



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

EGROW 03: Street Naming Request - Austral  
Reason: Clr Shelton personally knows family members of an individual named in the report.

Clr Hadid remained in the virtual room for the duration of the item.

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

CONF 03: 2021 Australia Day Awards  
Reason: Clr Hagarty personally knows a nominee.

Clr Hadchiti left the virtual room for the duration of the item.

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

CONF 03: 2021 Australia Day Awards  
Reason: Clr Hagarty personally knows a nominee.

Clr Hagarty left the virtual room for the duration of the item.

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

CONF 03: 2021 Australia Day Awards  
Reason: Clr Rhodes personally knows a nominee.

Clr Rhodes remained in the virtual room for the duration of the item.

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

CORP 05: Proposed Funding - Edmondson Park Basin 14  
Reason: Clr Hadid is President of a non-profit organisation and part of their land is going through compulsory acquisition.

Clr Hadid left the virtual room for the duration of the item.



**PUBLIC FORUM**

**Presentation – items not on agenda**

Nil.

**Representation – items on agenda**

1. **Ms Lawrissa Chan and Mr Greg Parkes** made a presentation to Council on the following item:

**Item CORP 07** Annual Financial Reports 2019/20

2. **Mr Michael Andjelkovic** made a written submission to Council on the following item:

**Item QWN 06** Question with Notice - Clr Rhodes - Delivering a Multicultural Park for Liverpool.

3. **Mr David Borger**, Chairperson of the Liverpool Innovation Precinct, made a written submission to Council on the following item:

**Item EGROW 05** Planning proposal request to rezone land and amend development standards in the Liverpool Local Environmental Plan for land at Moore Point Bridges Road, Moorebank.

4. **Mr Aras Labutis**, on behalf of Coronation Developments made a written submission to Council on the following item:

**Item EGROW 05** Planning proposal request to rezone land and amend development standards in the Liverpool Local Environmental Plan for land at Moore Point Bridges Road, Moorebank.

5. **Ms Camilla Firman**, on behalf of Mecone made a written submission to Council on the following item:

**Item EGROW 05** Planning proposal request to rezone land and amend development standards in the Liverpool Local Environmental Plan for land at Moore Point Bridges Road, Moorebank.

**MAYORAL MINUTE**

**ITEM NO:** MAYOR 01  
**FILE NO:** 321366.2020  
**SUBJECT:** Selection of Chief Executive Officer

This matter is to be dealt with at the end of the meeting in Closed Session pursuant to the provisions of S10A(2)(a) of the Local Government Act 1993 because it contains personal matters concerning particular individuals (other than councillors).







**Clr Shelton returned to the meeting at 6.34pm.**

**ITEM NO:** EGROW 04

**FILE NO:** 299268.2020

**SUBJECT:** Liverpool Health and Innovation Trade Delegation to New Zealand 2021

**COUNCIL DECISION**

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

That Council:

1. Approves the Trade and Civic delegation to Auckland, New Zealand in March 2021, (or as soon as practicable following the easing of Covid restrictions) and notes the A/CEO will facilitate the necessary arrangements;
2. Determine which Councillors will attend as members of the delegation;
3. Endorse expenditure for this delegation of up to \$20,000 from the City Economy budget; and
4. Receive a future report on the outcomes of the visit.

Clr Ayyad, Clr Hadchiti and Clr Hadid requested that they be recorded as voting against the motion.

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

That the Mayor, Clr Harle, Clr Kaliyanda, Clr Rhodes and any other councillor who is willing to self-fund the trip attend as members of the delegation.

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

Clr Ayyad requested that she be recorded as voting against the motion.















**Clr Hadid left the virtual room at 7.10pm.**

**ITEM NO:** CORP 05

**FILE NO:** 299079.2020

**SUBJECT:** Proposed Funding - Edmondson Park Basin 14

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Hagarty**

**Seconded: Clr Kaliyanda**

That Council:

1. Approves in principle to borrow funds to accelerate the delivery of s7.11 infrastructure;
2. Delegates authority to the A/CEO to make an application to NSW TCorp to borrow \$4.7m as a contribution to the Basin 14 Edmondson Park Project;
3. Notes that the loan principal and interest repayments will be made from interest earnings on funds held in s7.11 reserve;
4. Delegates authority to the A/CEO and Council's nominated Power of Attorney holder to execute any required documentation to give effect to this resolution; and
5. Delegates authority to the A/CEO to apply for interest subsidy in the next round of NSW Government's Low Cost Loan Initiative.
6. Investigate ways and means of preventing the shortfall in funds to address the shortfall of funding to provide infrastructure in new areas.

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





















**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 287587.2020  
**SUBJECT:** Question with Notice - Clr Balloot - Mental Health Issues

2020 has been an extremely stressful year for many; fire, floods and now COVID.

Many in our community continue to suffer with mental health issues.

Adolescence and young individuals are particularly vulnerable to external pressures of every life.

Please address the following:

With the added unprecedented pressures:

1. What initiatives/programs has Council supported to assist the community and particularly adolescence and young person's when dealing with mental health issues?
2. Has Council conducted a review of services available to the local community?
3. What initiatives has Council implemented to support the mental health of staff during this unprecedented time?

**Responses**

- 1. *What initiatives/programs has council supported to assist the community and particularly adolescence and young person's when dealing with mental health issues?***

Primary responsibility for mental health rests with Federal and State agencies. However, Council plays an important role in support of statutory services through advocacy, representation and the provision of preventive and supportive programs and projects, some of which are highlighted below.

Council is committed to supporting community members experiencing mental health concerns. In a broader sense, the work of Council's Community Development team addresses mental health concerns by all community groups through supporting the delivery of programs and initiatives that aim to increase social cohesion, reduce isolation and build community capacity. To support residents to access programs and activities, Council advocates and makes representation on mental health issues with and on behalf of the

community to relevant government agencies, including SWSLHD, Headspace, and NSW Refugee Health Services directly or indirectly at forums and networks .

Council's Community and Culture directorate supports a number of community-based initiatives which work to address mental health, raise awareness and reduce the stigma surrounding mental health issues in the community. These include:

#### *Community Development*

- Supporting the delivery of the 2018 “Mental Health in CALD Communities” Symposium, which discussed mental health, wellbeing and recovery for CALD communities in partnership with a number of South West/Western Sydney Councils and Local Health Districts;
- Participating in the planning and delivery of “Tackling the Challenge: Talking Men’s Health” in partnership with SWSLHD. This project aims to identify the factors and experiences influencing men’s mental wellbeing across South West Sydney by interviewing men who have experienced trauma, addiction, homelessness or other life-changing circumstances and exploring how they successfully navigated their issues by seeking support from appropriate services. This project will raise awareness of men’s health issues and works to reduce the stigma associated with mental health particularly in young men;
- Council is a leading partner, alongside Fairfield City Council, in convening the Fairfield/Liverpool Homelessness Interagency, which brings together government and non-government organisations who work to support people who are experiencing or are at risk of homelessness, including providing access and connection to mental health services;
- Council is a leading partner, alongside Fairfield, Campbelltown and Canterbury-Bankstown City Councils, Macarthur Disability Services and The Multicultural Network in convening the Sydney South West Aged and Disability Forum, which brings together government and non-government organisations who work with community members living with disability, including mental health issues;
- Supporting Community STaR, an outreach service of the Centre for Health Equity, Training, Research and Evaluation (CHETRE). This program focusses on a range of community issues including men’s mental health and gambling in locational disadvantage areas;
- Taking a convening role in the Liverpool Community Kitchen and Hub (LCK&H) Strategic Committee, which provides direction and support to the LCK&H, particularly regarding access to services and supports for community members experiencing or at risk of homelessness, food insecurity and financial disadvantage as a result of mental health issues, substance use or other social concerns;
- Providing information through networks and interagencies on mental health programs and projects throughout the LGA;



- Council is supporting the Gambling Treatment and Research Clinic at the University of Sydney – establishment of a clinic in SWS to provide counselling services; and
- Providing essential funding through the Grants, Donations and Corporate Sponsorship program to mental health focussed activities. Examples of recent funded programs include:
  - “Junior Top Blokes” by Liverpool Neighbourhood Connections (LNC), funded in March 2019. This project designed and delivered social education and mentoring programs to boys and young men between 10-24 years old. It aimed to improve mental health and social wellbeing for at-risk young men by fostering inclusion and building resilience; and
  - “Youth Clicks” by The Junction Works, funded in July 2020. This project delivers online workshops to young people aged 12 -18 years on topics such as bullying, mental health, drugs and alcohol and leadership. Workshops are focussed on reducing isolation and disengagement by addressing productive ways to manage mental health concerns in young people.

The Liverpool Youth Council recently participated in a session called “Burning Issues for Liverpool” which aimed to identify the key concerns and issues for young people in Liverpool. The Youth Councillors consulted with their families, friends and peers to determine their top three priorities to be the focus of their work during the Youth Council’s current term (2020 – 2023). These priorities are:

- Mental Health / Loneliness;
- Youth Unemployment/ Career Pathways; and
- Making Mental Health Support Services Known.

All Youth Council events, activities and projects will have these priorities at the forefront of planning and implementation to support positive mental wellbeing and connectedness for young people in Liverpool.

### *Library*

- Participating in the planning and delivery of the Mental Health Month “Living Library” project, a collaborative project delivered in partnership with South Western Sydney Local Health District Mental Health Unit and local service providers including Neami National, STARTTS, SSI and Headspace. The project sought stories from communities members whose lives have been touched by mental health concerns. This resulted in four live events across October of community members telling their stories and answering questions to help others, raise awareness of mental health issues and highlight service providers. The stories included lived experience of Bipolar, caring for a loved one with Schizoaffective Disorder and PTSD, lived

experience of mental health recovery and stigma and a clinician's perspective. The Living Library was delivered across the SWS Wellbeing Facebook page and shared to Liverpool City Library Facebook page to increase access to the stories and reach a youth demographic. Past videos are also available through the Library website and have been used in the tertiary education sector to give students real life insight and value to their learning; and

- Liverpool City Library is a registered venue as part of the Welcome Here project <https://www.welcomehere.org.au/>. Finding acceptance and safe spaces within the community contribute to positive mental health, particularly of adolescents. To support this initiative Library staff also undertook PRIDE awareness eLearning between March and May 2020 to develop a better understanding of diversity in the community. The Welcome Here pinpoint can be seen in the Youth space in the library and acts as a marker to young people that the library is a safe space.

### *Recreation*

- Youth Take Charge – a free 60-day mental health and wellbeing program for people who have been referred by a medical or allied health professional. This program supports people experiencing mental health concerns by providing additional social and wellness support through fitness programs at Council's Leisure Centres. This program includes both youth and adult specific program streams.

### *Casula Powerhouse Arts Centre*

- Creative Spark Access Incursions;
- Forever Young Seniors Street Art Class;
- Creative Connection Art class;
- International People with Disability Day including an online exhibition;
- Bravery Unmasked;
- Creativity Packs for Seniors in Isolation; and
- Creativity Packs for Young Migrants and Refugees.

### *South Western Sydney Health and Arts Coordinator (partnership project with SWSLHD)*

- Domestic Violence Survivors Wellbeing Workshops;
- The Healing Hospital Arts Project – Creating Wellbeing Environments. This project aims to reduce social isolation, increased self-esteem, resilience, relaxation and self-expression; and
- Art at the Heart of Healthcare – creating better healing environments by providing innovative arts programs that address mental health and wellbeing at Liverpool Hospital.

It has been reported that instances of suicide are predicted to increase in Australia in light of the coronavirus pandemic. Of particular concern is young people aged 12-25, many of whom

are facing the additional pressure of end of school exams, increased social isolation and loss of employment and income, particularly for those engaged in part-time and casual work. Council is committed to pursuing further opportunities for implementing mental health recovery and wellbeing initiatives in Liverpool, including supporting local suicide prevention initiatives through various means. This support could include the provision of funding for programs and activities and the sharing of information and resources with various networks. Furthermore, Council will continue to act as an advocate to relevant state and federal government bodies to raise awareness and encourage funding and resources be allocated to the provision of mental health and suicide prevention services in Liverpool and South Western Sydney.

## **2. Has Council conducted a review of services available to the local community?**

Council's convening role in the community services sector includes the ongoing collection of accurate and up to date information on relevant community services and initiatives in the Liverpool area, including mental health services. Council takes a lead role in the facilitation of the following networks and interagenices:

- The Liverpool Youth Workers Network;
- The Liverpool Refugee and Migrant Interagency;
- Fairfield/Liverpool Homelessness Interagency;
- The South West Sydney Ageing and Disability Forum; and
- The Liverpool Community Safety and Crime Prevention Advisory Committee.

These networks, comprised of service providers and community organisations in the relevant sector, provide an opportunity for services and organisations to network and connect, facilitate partnerships for specific projects and initiatives and provide up to date and relevant information regarding programs, training opportunities and partnership projects.

As part of Council's response to the COVID-19 pandemic, the Community Development team undertook a service mapping project whereby information was gathered on the community services sector, including their responses to COVID-19, changes to service provision as result of the pandemic and challenges to service delivery presented by COVID-19. This exercise supported Council's understanding of the provision of services to vulnerable community groups during COVID-19 and presented opportunities for Council to offer assistance through funding or other in-kind support activities. The information gained through this project has also allowed Council to identify gaps in service provision. The Community Development team are reviewing these findings in more detail to pursue opportunities to advocate for adequate services in a particular area.

## **3. What initiatives has Council implemented to support the mental health of staff during this unprecedented time?**

Council's People and Organisational Development (POD), Risk Management and Work Health and Safety departments have been instrumental in ensuring the ongoing mental wellbeing of staff during the COVID-19 pandemic. A number of initiatives were implemented

during the pandemic. These include:

- Weekly CEO updates to provides updates to staff on Council's response to the pandemic, working remotely and mental health;
- Inviting a psychologist to participate in one of these weekly conferences to discuss mental health and wellbeing with staff;
- Actively encouraging teams to stay connected and engaged with one another through regular catch ups via Microsoft Teams;
- Reminding staff of their ability to access the services of Council's Employee Assistance Program (EAP) Counselling Service;
- Developing of "Working from Home" resources to assist staff to access the necessary programs and functions remotely. These resources included tips on wellbeing and self-care when working remotely;
- Providing staff with details of "Mental Health Check Ins" and meetings with Council's EAP provider;
- Periodically posting information on Yammer, Council's internal social media tool, including tips and reminders on looking after one's own mental health and wellbeing, reducing social isolation during social distancing restrictions, and sharing experiences of working remotely amongst staff; and
- As part of Mental Health Month (October), Council has been sharing additional information regarding general mental wellbeing and supporting mental health during COVID-19.

**ITEM NO:** QWN 02  
**FILE NO:** 287588.2020  
**SUBJECT:** Question with Notice - Clr Hagarty - Schoeffel Park

## Background

Since it recently opened, Schoeffel Park has been a big success. Many families are using the park and enjoying its facilities.

The demand has placed increased pressure on the surrounding road network.

There has been at least one accident and a number of near misses involving both cars and pedestrians.

## Questions

Please address the following:

1. Do subsequent phases of the development of Schoeffel Park include car parking?
2. If so, how many spots and where will they be located?
3. What traffic treatments are being considered to the surrounding road network, in particular Strzlecki Drive?
4. When are these traffic treatments expected to be delivered?
5. What consideration is given to the impact of the surrounding road and path networks when planning and funding work to parks?

## Response

The development of Schoeffel Park into a multi-purpose recreational facility and open space will ultimately cost an estimated \$2.5M. In view of the available annual funding levels, the Project was originally staged over 3 years, with Stage 1 to be completed in 2019/20 (this is now complete), Stage 2 planned for completion in 2020/21 followed by Stage 3 in 2021/22.

In May 2020, the Australian Government announced a \$500M Road and Community Infrastructure Program with \$1.4M allocated to Liverpool. This additional funding enabled Council to call tenders for Stages 2 and 3 as a single package enabling entire works to be brought forward and completed by June 2021.

### 1. Schoeffel Park - staging and scope of works

Stages 2 and 3 of the Schoeffel Park Project will commence in early 2021 and will include the provision of:

- solar lighting along the internal pathways;
- a bike pump track;
- outdoor gym;
- amenities building;
- children's playground; and
- indented parking bays along Strzlecki Drive and Singleton Street providing 50 car spaces.

It is anticipated that these works will be completed by the end of June 2021.

## **2. Proposed Traffic Treatments and Delivery Timeframe**

The road network close to the park includes Strzlecki Drive, Schoeffel Grove, Singleton Street and Rosedale Circuit. These streets are all local residential streets with the default urban residential speed limit of 50km/h. A speed classification carried out along Strzlecki Drive indicated that the 85<sup>th</sup> percentile speed was 58km/h.

Council recently inspected the road network close to the park and identified the need for pedestrian crossing facilities at the Strzlecki Drive/Schoeffel Grove and Rosedale Circuit/Strzlecki Drive intersections.

Council is also investigating appropriate traffic calming devices to address the identified traffic and pedestrian safety issues. The traffic calming devices would include speed humps whilst the pedestrian facilities would include road narrowing or a pedestrian refuge at Strzlecki Drive /Schoeffel Grove and Strzlecki Drive / Singleton Street intersections.

A design layout of these facilities will be presented to the November 2020 meeting of the Liverpool Pedestrian, Active Transport and Traffic Committee for consideration.

The proposed traffic calming device and pedestrian crossing facilities will be installed during construction of the indented car parking bays.

## **3. Planning for broader impacts arising from open space development works**

Council's infrastructure development activities are driven by the Delivery Program and the long-term Capital Works Program. The scope of identified open space development projects are first determined using Council's relevant strategies, relevant standards and guidelines, which are translated into preliminary concept designs. Relevant areas of Council also provide input into the design to ensure broader connectivity and access issues are properly considered. These designs are then presented to the community as part of a broader community consultation process, which seeks to obtain community feedback and input into the preliminary designs.

With regards to Schoeffel Park, the community consultation process identified the following

issues:

- the current traffic speeding issues along Strzlecki Drive and the potential for this issue to be exacerbated following completion of the Park;
- the need for off-street car parking; and
- amenities.

While Council's original plan was to progressively deliver the various elements of the Project over a 3-year program, the program is now being accelerated to enable full completion by June 2021.

**ITEM NO:** QWN 03  
**FILE NO:** 287589.2020  
**SUBJECT:** Question with Notice - Clr Hadchiti - Board walk / bank stabilisation in the Shepherd Street Precinct

Please address the following:

- 1. Can an update please be provided on the delivery of the board walk / bank stabilisation which formed part of a VPA in the Shepherd Street precinct?**

### **Response**

A Voluntary Planning Agreement (VPA) has been executed between Council and the following parties:

- Shepherd Street Developments Pty Ltd
- Coronation (33 Shepherd St) Pty Ltd
- Coronation (28 Shepherd St) Pty Ltd
- Coronation (26 Shepherd St) Pty Ltd
- Shepherd Property Nominee Pty Limited

The purpose of the VPA is to deliver infrastructure and for the payment of financial contributions to support the redevelopment of the Shepherd Street precinct in Liverpool.

Council currently holds a bank guarantee in excess of \$12m for the works identified in the VPA.

Council has been working with Coronation in relation to the delivery of the infrastructure items identified in the VPA. To date, a number of items have been delivered, however the riverbank works (bank stabilisation and shared path) have not been completed.

On 25 February 2020, Coronation submitted design drawings for the riverbank works for Council's review. Following a review of the design drawings, Council identified a number of issues that needed to be addressed in the design, with advice being provided to Coronation to that effect on 17 March 2020.

In September 2020, Council received revised engineering plans for the riverbank works. As of 3 November 2020, Council has accepted the design as complete, subject to an independent peer review (as required by the VPA). Agreement on the design does not represent an approval to undertake the works.



Now that the design is agreed, Council has commenced assessment of the Review of Environmental Factors (REF) submitted by Coronation. The REF forms the basis for Council assessment and approval of the works under Part 5 of the Environmental Planning and Assessment Act, 1979. Council has requested Coronation update the REF to reflect the updated design drawings and other matters within 28 days. This will enable council to finalise assessment and issue the approval this year.

Council will continue to work with Coronation to ensure the earliest delivery timeframe for the works identified in the VPA.

**ITEM NO:** QWN 04  
**FILE NO:** 287590.2020  
**SUBJECT:** Question with Notice - Clr Hagarty - Amazon

**Background**

Amazon has now been operating in Liverpool for several years.

In late 2018, I asked the following questions on notice.

Two years on from those questions, Amazon has been one of the few businesses to benefit from the COVID-19 pandemic.

Hopefully Liverpool Amazon's employees and its subcontracted employees are also benefiting.

**Questions**

Please address the following:

What percentage of workers based at the Amazon Moorebank fulfilment centre are:

- from the Liverpool LGA?
- directly employed by Amazon?
- employed by a labour hire company?
- in insecure casual employment?

**Response**

No direct response to the above questions were provided by Amazon but the following statement has been issued by the company in response:



Councillor Wendy Waller  
 Mayor of Liverpool City Council  
 Locked Bag 7064, Liverpool BC, NSW 1871

5 November 2020

Via email: [YoungL@liverpool.nsw.gov.au](mailto:YoungL@liverpool.nsw.gov.au)

Dear Mayor

There's no denying 2020 has been a challenging year for all Australians. At Amazon, we are committed to supporting the community, agencies and local government close to our fulfilment centres and delivery stations, particularly in challenging times. This means finding meaningful ways to help people in the the Liverpool City area. During the COVID-19 pandemic, we have prioritised donations to support the vulnerable groups that have been impacted significantly, requiring assistance with education, housing, food and basic needs.

#### **Lending a hand during COVID-19**

We have partnered with agencies such as the Foodbank, Australian Red Cross, the Salvation Army Australia as well as Liverpool City Council directly to support many vulnerable members within the community. We have sought out opportunities to donate funding as well as sourcing and donating products to Liverpool City including hundreds of bottles of hand sanitizer, 1,000 face masks, pantry staples, hygiene staples and household staples.

We donated \$30,000 to support Kids Helpline expand their services during COVID-19 to include young people aged 18 to 25 years old who are facing challenging circumstances and need additional support.

#### **Supporting education and Science, Technology, Engineering & Mathematics ("STEM")**

We have worked closely with local schools and families in Sydney's South West to advocate for STEM participation in school aged children. In 2019, Amazon Australia launched Camp Amazon – a two-year STEM program aimed at developing skills for children in coding and robotics. While we couldn't host Camp Amazon in person this year, after our last face-to-face workshop in January, we were pleased to offer Camp Amazon students and primary school children free access to an Amazon-sponsored virtual robotics and coding program called [CoderZ](#) so they could continue to build important computer literacy skills from home in the June school holidays.

In the October school holidays 150 students participated in a virtual Camp Amazon program over a series of three sessions. Another way we have supported primary school children around our Moorebank fulfilment centre is by supporting The Smith Family's [Learning For Life](#) program, supporting 24 students and their families in the local area. The program supports young children experiencing disadvantage with financial assistance for education essentials, access to targeted learning, mentoring and personal support through their learning journey.



#### **Supporting Australian kids with Cancer**

In September, our Moorebank team and Regents Park Delivery Station team took part in our annual global Amazon initiative 'Amazon Goes Gold for Childhood Cancer', wearing their pyjamas to work to raise awareness and funds for children with cancer. As part of this Amazon matched the donations made by the team and donated a further \$15,000 to support cancer programs at the Sydney Children's Hospital Network. We also continued our partnership with the Starlight Children's Foundation, donating toys, books and activities so that up to 2,000 kids received individual packages, bringing smiles to these kids during these difficult times.

#### **Proud local workforce**

Amazon's Moorebank fulfillment centre jobs have provided an opportunity to learn skills and develop careers. Amazon is committed to being a great employer in Australia and creating permanent employment opportunities for Associates within our Fulfilment Centres and broader operations business. We are pleased to confirm we have more than 500 Associates in permanent full time roles across Australia. Amazon continues to employ a mixture of permanent and agency staff to enable us to move quickly, access talent and manage variation in customer demand.

#### **Amazon's Career Choice Program**

Amazon believes everyone should have the opportunity to learn new skills and build their career. Career Choice is an innovative Amazon program uniquely designed to upskill our employees who are interested in pursuing a future outside of Amazon.

Launched in Australia on 1 June 2020, we are funding education in areas that are in high demand according to local labour market analysis, regardless of whether those skills are relevant to a career at Amazon. By delivering training in high-demand career paths, we are proud to give eligible employees the tools they need to make a move and pursue their career aspirations beyond Amazon. Amazon will pre-pay 95% of tuition, books and fees up to a yearly and lifetime maximum.

Our associates who have been employed as a full-time for one continuous year are eligible to participate in this program. This includes all Fulfilment Centres, Customer Service and Corporate (including AWS).

#### **Keeping safe during COVID-19**

At Amazon, safety is our top priority and we work hard to provide a safe work environment for the many hundreds of associates in our facilities across Australia. In light of the COVID-19 pandemic, we have invested more than US\$4 billion dollars globally on COVID-related initiatives, getting products to customers and keeping employees safe. We have implemented more than 150 significant process changes around the world, including Australia, to support our teams. Some of these measures include:

- Enhanced cleaning protocols and social distancing measures of 2 metres at our sites
- Distribution of personal protective gear, such as masks and hand sanitiser
- Implemented disinfectant spraying and daily temperature screening checks across our operations worldwide



- Taped markings on the floor to provide visual aids to limit congestion
- Installed Plexiglass for added protection at our HR and operational desks
- Stopped stand-up meetings during shifts – all business essential information is shared via televisions near main areas
- Staggered shift start times and break times
- Added additional breakrooms and changed breakroom configuration.

These measures have been necessary to ensure that all individuals working at Amazon sites are adhering to the critical safety measures we have adopted as well as those required by state and federal governments.

While there have been no confirmed cases of COVID-19 at any of our Australian facilities, were an employee to be diagnosed with COVID-19, they would receive up to two weeks of paid time off—this is in addition to their other paid and unpaid time off options. We also established The Amazon Relief Fund, with a \$25 million USD contribution, to help support our Amazon Flex delivery partners and agency associates under financial distress as a result of COVID-19. We are offering all of these groups the ability to apply for a grant if diagnosed with COVID-19 or placed into quarantine by the government or Amazon.

If you have further questions contact Ryan Smith, Manager of Public Policy. Ryan can be contacted at [ryesmith@amazon.com](mailto:ryesmith@amazon.com)

Yours faithfully,

A handwritten signature in black ink that reads "Craig Fuller".

**Craig Fuller**  
Director, Amazon Australia Operations

**ITEM NO:** QWN 05  
**FILE NO:** 293427.2020  
**SUBJECT:** Question with Notice - Clr Rhodes - Valuation of Property Surrounding Western Sydney Airport

With reference to Council report EGROW 01 Draft Western Sydney Aerotropolis Joint Contributions Plan 2020 from the Council meeting of 27 October 2020, please address the following:

The statement below is an extract from the report:

*“Penrith and Liverpool Councils have engaged with both DPIE and the WSPP throughout the preparation of the background report and contributions plan. The Councils have liaised with consultants working on behalf of the WSPP on feasibility testing within the Aerotropolis in order to understand land values.”*

1. With reference to the above statement, has Council used an assumed land value in order to determine the value of the land necessary for Council to acquire for community provisions included in the contributions plan?
2. The rates for the land affected by the new Airport have increased based on averaged sales in the area. If sales in the area were recorded at approximately \$1m per acre similar to the price paid for the Leppington Triangle being approximately 30 acres and other known sales of similar price and considering the controversy surrounding claiming that price paid for the Leppington Triangle was way above the Governments perceived real value of the land and that the reported revised more realistic value of the triangle was more likely \$3million:
  - a) How was the \$3m re-evaluation figure derived? Was that figure based on recent sales within the area?
  - b) Did the Valuer General’s Department average the sales that included properties sold at \$1m per acre in their figures to increase the rates in the area?
  - c) And, if the averaged sales for the area that included the \$1m per acre price tag is now considered by the Federal Government to be unreasonable are our constituents in the affected areas of the Aerotropolis being charged too much in rates?
3. What land value per acre will or has Council considered in order to acquire the land it needs to be able to provide community facilities that it includes in the Contributions Plan and has that value taken into consideration the market price of \$1m per acre that more than just the Leppington Triangle have been sold for?

## Response

1. Land values listed in the draft Aerotropolis Contributions Plan are generic estimates based on anticipated land use. They are not intended to be specific to any site. The schedule of generic land values is prepared from research of superlot development sites in Western Sydney. Generic rates are developed from analysed sale rates of development sites by their proposed use. They are intended to represent developable land that is not flood affected.
2.
  - a) There are many factors that the NSW Valuer General uses in determining the value of land. It is not clear from the information available what specific factors were used in deriving the value of this property.
  - b) The values that are currently being used to assess Council rates are as at 1 July 2019 and would reflect conditions, zonings and comparable sales data for the years 2016 to 2019. Only the Valuer General could advise how the impact of one sale amongst many would affect the surrounding areas or whether it was viewed as an exception to the overall data used to value the area as a whole.
  - c) Council must use the values as supplied by the Valuer General to determine rates. If landowners believe that the land value of their property is not correct or inflated due to any particular sale or exceptional circumstance, they have the ability to lodge an objection with the Valuer General.
3. The Aerotropolis Contributions Plan Background Report (Table 29) identifies acquisition rates for community infrastructure. These values have been factored into the total acquisition cost for land in the Contributions Plan.

Land type	Acquisition rate (\$/m <sup>2</sup> )	Acquisition rate (\$/acre)	Acquisition rate (\$/hectare)
Passive open space	\$85	\$343,983	\$850,000
Active open space	\$400	\$1,618,744	\$4,000,000
Social infrastructure	\$400	\$1,618,744	\$4,000,000

**ITEM NO:** QWN 06  
**FILE NO:** 308851.2020  
**SUBJECT:** Question with Notice - Cllr Rhodes - Delivering a Multicultural Park for Liverpool

Can Council please address the concerns of members of the Public that might be outlined in Council's intended methodology to progress the delivery of a Multicultural Park as moved at the September Council meeting including questions below:

1. Will the Park will be an equal and inclusive opportunity for all diverse nationalities that make up Liverpool's multicultural community?
2. Will all initiatives be in accordance with Council's Multicultural Policies, and Procedures?
3. How do all interested nationalities make application for expressions of interest?
4. Will there be Community consultation?
5. What will be the likely time frame for the expressions of interest and delivery process to follow?
6. Will there be open and transparent communication with the Public as the plans for the Park develop on Council Website and through Social Media?

### **Background**

There has been considerable public Interest in the Motion moved at the September Council meeting 2020 that will deliver a Multicultural Park in Liverpool.

Many constituents have expressed their confusion in regards to the motion.

Some community members who may be unaware of Council's Policies, Procedures and Regulations governing Multiculturalism may be taking the opportunity to unnecessarily spread fear and anxiety in the Liverpool LGA.

In the interest of quelling any further unnecessary fear and anxiety in the Community the above questions have been submitted to me for Council to address.

### **Response**

#### **1. Will the Park be an equal and inclusive opportunity for all diverse nationalities that make up Liverpool's multicultural community?**

Liverpool is one of Australia's most culturally diverse cities and this diversity is our strength. Residents from 150 nationalities, speaking 140 languages, call Liverpool home. This means over 40% of Liverpool residents are born overseas, and about 60% speak a language other than English.



The development of the Liverpool Multicultural Park is to celebrate and reflect this significant cultural diversity, and the social cohesion and community harmony enjoyed by our community. The Park will be an inclusive space for all residents to celebrate the many cultures and contributions they make to Liverpool.

**2. Will all initiatives be in accordance with Council’s Multicultural Policies, and Procedures?**

Yes. The development of the Park will be informed and guided by various policies and strategies of Council. They will include, but not limited to:

- Recreation, Open Space and Sports Strategy;
- Community Facilities Strategy;
- Cultural Strategy;
- Reconciliation Action Plan;
- Disability Inclusion Action Plan;
- Economic Development Strategy;
- City Activation Plan;
- Communications Strategy;
- Destination Management Plan; and
- Relevant environmental, planning and control plans.

**3. How do all interested nationalities make application for expressions of interest?**

Planning for this project will commence soon. Council staff are currently investigating the feasibility of suitable sites. A Project Plan is being developed; and it will be inclusive of a Comprehensive Community Consultation Plan; and methodologies to submit expressions of interests and ideas by community. The process for participation and opportunities for contribution will be promoted widely to all residents of Liverpool, using the many communication channels of Council. The interpretation and incorporation process of ideas will be analysed and further consultation with community will be facilitated.

**4. Will there be Community consultation?**

Yes, as stated above, the Project Plan will be inclusive of a Comprehensive Community Consultation Plan. The community consultation will commence at the planning stage and will continue throughout the project.

**5. What will be the likely time frame for the expressions of interest and delivery process to follow?**

The timeframes for community participation will be built into the Project Plan and they will be promoted through Council's diverse communication channels. The delivery timeframe will be investigated through the planning process. Preliminary discussion with key internal stakeholders has commenced and will inform future public consultation.

**6. Will there be open and transparent communication with the Public as the plans for the Park develop on Council Website and through Social Media?**

The success of the Multicultural Park is dependent on inclusive and active participation of all community groups. To achieve this, a communication strategy will form part of the Comprehensive Community Consultation Plan, which will detail the process for community participation and to ensure all residents can have a say.

**ITEM NO:** QWN 07  
**FILE NO:** 309644.2020  
**SUBJECT:** Question with Notice - Clr Ayyad - Civic Place

How many people were in favour of Civic Place following our last round of community consultation?

How many people were against Civic Place following our last round of community consultation?

What does that equate to in percentages?

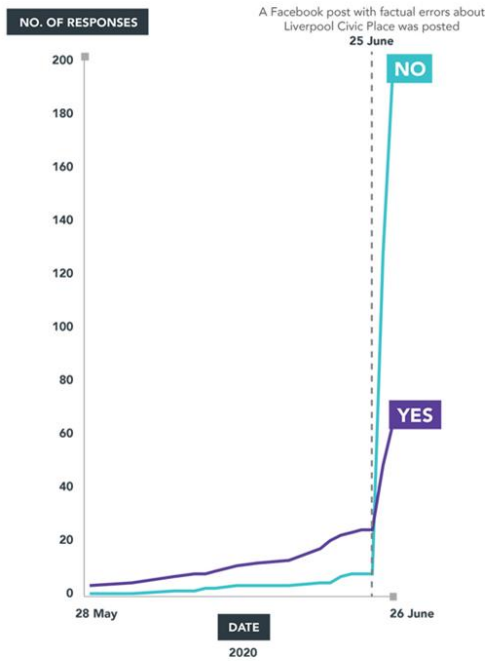
New information regarding Liverpool Civic Place has now been placed on Council's website since its last meeting. In the section titled 'Response to Community Consultation', Council makes the following comment on its graph (see graph below):

"A Facebook post with factual errors about Liverpool Civic Place was posted (25 June)."

Please answer the following questions:

- What was said in that Facebook post?
- What are the 'factual errors' contained in that post?
- Who posted it?
- Please provide a copy of that post.

Based on the above do you still support Council's vision of a new Liverpool Civic Place including the above Council facilities in Scott St?



A response to these questions will be provided in the 16 December 2020 Council meeting business papers.

**ITEM NO:** QWN 08  
**FILE NO:** 310051.2020  
**SUBJECT:** Question with Notice - Clr Kaliyanda - Liverpool Bike Plan: Implementation Status

Please address the following:

1. What is the current status of the Liverpool Bike Plan 2018-2023? What measures or aspects of the Bike Plan have been implemented to date?
2. What impact has COVID-19 had on the usage of the existing bike network/infrastructure?
3. How have we engaged with the State or Federal Governments to acquire available data in relation to this?
4. A core element of the Bike Plan was the development and implementation of wayfinding signage in relation to the bike paths and infrastructure. What is the status of the implementation of this? What discussions have taken place with other organisations, i.e. Western Sydney Parklands, in relation to this?
5. How has Council sought partnerships and worked with other organisations in order to address this issue?

**A response to these questions will be provided in the 16 December 2020 Council meeting business papers.**

**ITEM NO:** QWN 09  
**FILE NO:** 310057.2020  
**SUBJECT:** Question with Notice - Cllr Kaliyanda - Green Star Rating Scheme Changes

Please address the following:

1. Given the significant changes to the benchmarks used to determine Green Star Ratings, how do current and future council buildings perform against the new benchmarks?
2. What impact will this have on other significant developments in the Liverpool LGA?
3. How will this impact the assessment process of such developments, especially when they are considered by the Design Excellence Panel (DEP)?
4. What other impacts will the changes to these benchmarks have in the Liverpool LGA?

**A response to these questions will be provided in the 16 December 2020 Council meeting business papers.**



completion of relevant studies be included as a condition of any Gateway determination and that the Department play an active role in the planning process given the strategic significance of this proposal to Liverpool and Greater Sydney; and

9. Receives a further report on the outcomes of public exhibition and community consultation.

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

**Vote for:** Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadchiti, Deputy Mayor Hadid, Clr Hagarty, Clr Kaliyanda, Clr Karnib and Clr Shelton.

**Vote against:** Clr Harle and Clr Rhodes.





## **PRESENTATIONS BY COUNCILLORS**

### **Clr Hagarty made a presentation regarding the ISKA Karate Australian Open.**

Clr Hagarty attended the International Sport Karate Association (ISKA) Australian Open on the weekend of 21 & 22 November 2020. Clr Hagarty highlighted the challenges relating to Covid-19 that were successfully managed during the event and relayed ISKA's appreciation of Council's financial contribution, which allowed ISKA to be Covid safe during the event.

As the ISKA World Championships were not held this year, the World Championship belt and a face mask were given to Councillor Hagarty in thanks for Council's support.

Mayor Waller stated that Council would send a letter to ISKA to thank them for their gift and that the World Championship belt and face mask would be framed and put on display in an appropriate place.

### **Clr Rhodes made a presentation regarding the WSROC AGM.**

Western Sydney Region of Councils held their Annual General Meeting on Thursday 19 November I was pleased that two fellow Councillors, Councillor Peter Harle and Councillor Charishma Kaliyanda also attended and witnessed for themselves the value for Liverpool as a participating Council.

The principal address was by Australian writer and comedian Craig Reucassel who is the renowned presenter of "War on Waste" and "Fight for Planet A" through which he advocates for sustainable solution to Waste, whilst on the program Big Weather he addresses such issues as climate change, energy efficiency, bushfires, flooding and extreme heat.

His address was both entertaining and enlightening as he traversed the current failures and contemplated possible future solutions.

WSROC is well placed to continue to advocate for, and deliver programs that undoubtedly will assist all Council Members for the coming year.

The on-going and new WSROC projects are too numerous to include in this report but just a couple of the projects funded for the coming year include:

- The continuation of Western Sydney Energy Program that facilitates a regional approach to energy efficiency;
- WSROC has helped shape the NSW Governments 20 Year Waste Strategy;

- Supported alternate waste infrastructure provisioning and service delivery models that could be delivered through Local Councils, such as:
  - Local Planning Review, a collaborative effort to integrate urban heat controls into the NSW Planning System;
  - Cool Suburbs, a voluntary rating tool to support heat mitigation;
  - Behind the Meter Solar, supporting council owned solar sites delivering saving their communities; and
  - Solar PPA's working with participating Councils to procure renewable energy for Council operations via a Power Purchase Agreement.

WSROC continues to support our council members in advocacy for transport infrastructure to serve the entire Western City and yes that includes lobbying for the continuation of the Bankstown Metro and the Leppington connection to the New Airport.

It is a great honour and privilege to be able to also announce that at the AGM I was returned for a 2<sup>nd</sup> term onto the Executive Board of WSROC as Treasurer, Hawksbury Council Mayor Clr Barry Calvert was returned for a 3<sup>rd</sup> term as President, Blacktown Council Mayor Tony Bleasdale was returned as Senior Vice President, Blue Mountains Councillor Don McGregor returned as Junior Vice President.

It is also my privilege to be able to confirm that WSROC is in a strong financial position to be able to continue its ongoing delivery of their essential benefits to member Councils.

Over this year WSROC secured over \$1.2m in grant funding for projects open to Council members

The Western Sydney energy program has delivered to participating Councils \$15.8m and more than 320,000 tonnes of greenhouse savings to date.

Anti-waste projects supported Councils in delivering 95% litter reduction in targeted parks and public spaces, and WSROC successfully advocated for support for refugees during COVID resulting in \$4m NSW Government funding.

As Council is aware, hosting the WSROC COVID Safe face to face meetings are shared between all WSROC member Councils.

It was announced at the AGM that next year on Thursday 25 February, it will be Liverpool's honour to host WSROC's Board of Directors meeting.

This announcement at the AGM drew comments of great anticipated expectations from all the other Councils present.

No pressure intended but apparently Liverpool Council has an excellent reputation where we have set the bar very high and to which other councils aspire.

I reassured the members that Liverpool will live up to their expectations and to that end I have already forwarded to the CEO, the very high standard set at the AGM as a guide.

WSROC continues to be a joint organisation of councils that has delivered great value to Liverpool Council and will continue to do so.

**Clr Kaliyanda made a presentation regarding the Annual Presentation Days of the Kemps Creek United football club.**

Council and Mayor were thanked for funding that allowed a new car park to be built. After Covid-19, the Mayor and Councillors will be invited to a ribbon cutting event.



**Mayor Waller reopened the meeting at 8.15pm.**

At 8.15pm Mayor Waller moved the meeting into Confidential Session and dealt with items MOU 01, CONF 01, CONF 02, CONF 03, CONF 04, CONF 05, CONF 06 and MAYOR 01 pursuant to provisions of:

- s10(A)(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors); and
- s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**MOTION OF URGENCY**

**ITEM NO:** MOU 01  
**SUBJECT:** Council's Safe Work Practices

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

That a verbal report be received from the Acting Chief Executive Officer on Council's safe work practices and policies including whether improvements can be made and if this is the case, whether any extra resources are required.

Mayor Waller ruled that the motion was urgent and can be considered at this meeting.

A verbal report was then received from the Acting Chief Executive Officer.









**Clr Hadchiti and Clr Hagarty returned to the virtual room at 8.33pm.**

**ITEM NO:** CONF 04

**FILE NO:** 302107.2020

**SUBJECT:** Review and update on potential Council surplus land

### **COUNCIL DECISION**

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

That Council:

1. Endorses the further investigation and sale of the following properties:
  - 75-77 Hill Road, Lurnea (comprising Lot 1 DP 513777, Lot 2 DP 513777, Lot 3 DP 513777 and Lot 4 DP513777)
  - 22 First Avenue, Hoxton Park (comprising Lot 1 DP 1220807, Lot 2 DP 1220807 and Lot 3 DP 1220807)
  - 9 McLean St, Liverpool (Lot 7 DP 238364)
2. Receive a further report upon completion of investigations and for a decision on the reserve price prior to sale.

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

That Council:

1. Endorses the further investigation into the suitable uses of the following properties:
  - 75-77 Hill Road, Lurnea (comprising Lot 1 DP 513777, Lot 2 DP 513777, Lot 3 DP 513777 and Lot 4 DP513777)
  - 22 First Avenue, Hoxton Park (comprising Lot 1 DP 1220807, Lot 2 DP 1220807 and Lot 3 DP 1220807)
  - 9 McLean St, Liverpool (Lot 7 DP 238364)
2. Receive a further report upon completion of investigations.

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

Vote for (the Foreshadowed motion moved by Clr Hagarty): Mayor Waller, Clr Hadchiti, Clr Hadid, Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Karnib, Clr Rhodes, Clr Shelton.





## MAYORAL MINUTE

**ITEM NO:** MAYOR 01  
**FILE NO:** 321366.2020  
**SUBJECT:** Selection of Chief Executive Officer

On 24 June 2020, Council resolved to appoint Local Government Management Solutions (LGMS) to assist scoping, advertising and assessing applications for the position of Chief Executive Officer.

LGMS advertised the position across various online recruitment websites from Friday, 14 August 2020, and applications closed on Monday, 7 September 2020.

The Recruitment Panel interviewed five candidates on Thursday 15 and Friday 16 October 2020. The LGMS report and a probity report from O'Connor Marsden & Associates Pty Limited (OCM) on the recruitment process have been circulated under separate confidential cover to Councillors.

The Recruitment Panel agreed unanimously to recommend one candidate to Council in closed session at the Ordinary Meeting on 25 November 2020.

It is proposed that Mark Anderson, Manager, Local Government Management Solutions, who sat on the Recruitment Panel, attend the closed session to answer any questions Council may have.

## COUNCIL DECISION

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

1. That the recommended successful candidate be offered the position of Chief Executive Officer of Liverpool City Council and the Mayor be authorised, with advice from the Recruitment Consultant to finalise negotiations based on the following:
  - a) A five (5) year performance-based Contract, as advertised.
  - b) An annual total remuneration package to be kept confidential.
  - c) The contract of employment being in accordance with the standard contract required by the Office of Local Government.
  - d) Adoption of the Council Policies in Schedule A of the contract relating to entitlements provided to the Chief Executive Officer.
  - e) Commencement of the contract on a date to be negotiated, and in any event, as soon as practicable.
2. That no public announcement of the name of the successful candidate be made until the Mayor has obtained a written acceptance of the offer from the preferred candidate.



Mayor Waller reopened the meeting at 9.26pm and read the resolutions made in Closed Session for items MOU 01, CONF 01, CONF 02, CONF 03, CONF 04, CONF 05, CONF 06 and MAYOR 01.

**THE MEETING CLOSED AT 9.34pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 16 December 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 25 November 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING  
HELD ON 16 DECEMBER 2020**

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**PRESENT VIA VIDEO CONFERENCING:**

Mayor Wendy Waller  
Councillor Ayyad  
Councillor Balloot  
Councillor Hadchiti  
Councillor Hadid  
Councillor Hagarty  
Councillor Harle  
Councillor Kaliyanda  
Councillor Karnib  
Councillor Rhodes  
Councillor Shelton  
Dr Eddie Jackson, Chief Executive Officer  
Mr George Hampouris, Acting Director City Corporate  
Ms Tina Bono, Acting Director City Community and Culture  
Mr David Smith, Acting Director City Economy and Growth  
Mr Peter Patterson, Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Mr John Morgan, Director Property and Commercial and Development  
Mr Vishwa Nadan, Chief Financial Officer  
Mr Thomas Wheeler, Heritage Officer  
Mr George Georgakis, Manager Council and Executive Services  
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

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**STATEMENT REGARDING WEBCASTING  
OF MEETING**

The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice the meeting is being livestreamed.

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

The prayer of the Council was read by the Chief Executive Officer, Dr Eddie Jackson.





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

**COM 02:** Macarthur FC A-League Sponsorship.

**Reason:** Clr Hadchiti is a foundation member of the club.

**CONF 02:** Tourism and CBD Committee – New Community Representatives.

**Reason:** Clr Hadchiti knows some of the nominees in his capacity as a Councillor.

Clr Hadchiti remained in the virtual meeting for the duration of these items.

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

**COM 02:** Macarthur FC A-League Sponsorship.

**Reason:** Clr Hagarty is a foundation member of the club.

**CONF 02:** Tourism and CBD Committee – New Community Representatives.

**Reason:** Clr Hagarty knows some of the nominees in his capacity as a Councillor.

Clr Hagarty remained in the virtual meeting for the duration of these items.

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

**CONF 02:** Tourism and CBD Committee – New Community Representatives.

**Reason:** Clr Kaliyanda serves on a board with one of the community representatives.

Clr Kaliyanda remained in the virtual meeting for the duration of this item.

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

**CONF 02:** Tourism and CBD Committee – New Community Representatives.

**Reason:** Clr Balloot knows some of the nominees in his capacity as a Councillor.

Clr Balloot remained in the virtual meeting for the duration of this item.

**PUBLIC FORUM**

**Presentation – items not on agenda**

Nil.

**Representation – items on agenda**

Nil.

**MAYORAL MINUTE**

Nil.

























- Detailed design of the roundabout including swept path analysis, tree planting and associated signs and linemarking to be submitted to TfNSW for endorsement prior to construction.

#### **Item 5 - 30 - 50 Tenth Avenue Austral – Proposed Signs & Linemarking Scheme**

- Approves the proposed signs and linemarking scheme.

#### **Item 6 - Passendale Road and Costello Lane, Edmondson Park – Proposed Signs and Linemarking Scheme**

- Approves the proposed signs and linemarking scheme for the interim and alternate road layout for the extension of Passendale Road and Costello Lane.

#### **Item 7 - 185 Edmondson Avenue, Austral – Proposed Signs and Linemarking Scheme**

- Approves the proposed signs and linemarking scheme for sections of Pear Street (north-south road) off Ninth Avenue and Loop Road off the new north-south road.

#### **Item 8 - Brighton Lakes Development, Moorebank – Linemarking Scheme**

- Approves the ‘BB’ and C3 Yellow Edge-linemarking in Brighton Lakes Subdivision, Moorebank.

#### **Item 9 - Wattle Grove Shopping Centre – Proposed Signs and Linemarking Scheme**

- Approves the installation of the directional sign for Wattle Grove Shopping Centre near the Heathcote Road and Bardia Parade intersection.

#### **Item 10 - Items approved under delegated authority**

- That Council notes the Delegated Authority applications approved by the NSW Police Force and TfNSW representatives over the two-month period 24 September 2020 and 18 November 2020.

#### **Item 11 - Dates for the 2021 Committee Meetings**

- That Council endorse the following scheduled meeting dates for 2021 of the Liverpool Pedestrian, Active Transport and Traffic Committee and included the dates in the corporate calendar for 2021.

<b>Meeting Number</b>	<b>Date</b>
1	Wednesday 3 February
2	Wednesday 17 March
3	Wednesday 19 May
4	Wednesday 21 July
5	Wednesday 15 September
6	Wednesday 17 November

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







**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 313472.2020  
**SUBJECT:** Question with Notice - Clr Ayyad - Civic Place

How many people were in favour of Civic Place following our last round of community consultation?

How many people were against Civic Place following our last round of community consultation?

What does that equate to in percentages?

“A Facebook post with factual errors about Liverpool Civic Place was posted (25 June).”

Please answer the following questions:

- What was said in that Facebook post?
- What are the ‘factual errors’ contained in that post?
- Who posted it?
- Please provide a copy of that post.

**Response**

**How many people were in favour of Civic Place following our last round of community consultation?**

61 survey respondents

**How many people were against Civic Place following our last round of community consultation?**

188 survey respondents

**What does that equate to in percentages?**

24.5 per cent in favour  
75.5 per cent against

**“A Facebook post with factual errors about Liverpool Civic Place was posted (25 June).”**



Ned Mannoun

25 June · 🌐

...

This is a very sad post for me to write however I feel obliged to say something about this as it will effect all of us now and our kids into the future.

When our Council building burnt down, we bought our current building using the insurance money (almost an even swap) and then decided we would build a new building and lease it out to a University.

The building was supposed to have a library and desperately needed parking for our community. The cost was \$85m and it was supposed to be finished in 2019.

Today in 2020, the project still doesn't have planning approval and the cost has blown out to \$195 million!!!

The building is 35% larger now so the cost should be \$115m, not \$195m.

There also isn't any significant amount of community parking and what is extremely scary is that no tenant has signed up to be in the building.

It's a project that will be great for Liverpool, but it's not something we can afford at a \$195m.

If council goes ahead with this, it will be a bigger mistake than the Oasis which set us back a decade and where millions of \$\$\$ of ratepayers money disappeared under Labor's watch.

Our roads and parks will suffer because we will be in a sea of debt and we will be forced to sell community land - mark my words.

Council is now doing a survey about this and want to know how you feel. Please take 1 minute out of your day and answer the few questions and let them know how you feel.

Please click on the link and share it and make your voice heard.

<https://listens.liverpool.nsw.gov.au/liverpool-civic...>

## Liverpool Civic Place



👍👎👏 147

55 comments 37 shares

### What are the 'factual errors' contained in that post?

The post suggested and portrayed a misconception that Council was not managing the

project in a prudent manner, resulting in a budget blowout and delay in completion.

Responses to the factual errors are as set out below:

The increase in the cost of project is due to:

- Liverpool Civic Place (LCP) has evolved into a larger project on a larger site since 2016. It will have the biggest library in South West Sydney, which is almost twice the size of that initially proposed. The community Civic Plaza at LCP is almost three times the size of the original public plaza. The new LCP office plans will accommodate Liverpool City Council, as the major tenant, and now will also include state-of-the-art childcare facilities.

Community Parking provision:

- There will be provision for at least 150 public/community car parking spaces at LCP. Potentially an additional 150 public/community car parking spaces could be utilised after hours and on weekends to further invigorate businesses in the southern end of Liverpool's CBD.

The delay in the project was due to:

- NSW Government approval for rezoning - Local Environment Plan 2008 Amendment 52. This delayed the project by at least two years;
- The LCP Early Works DA has been approved, with the LCP Master Plan DA determination received in July 2020 and the Council Works DA expected in the first half of 2021.

Roads and Parks impact:

The project will be funded by a combination of NSW Treasury Corporation (a NSW Government agency) and commercial loans. The loan will be repaid in 20 and 25 years, mainly from commercial rent income from Council properties. At the end of the project, ratepayers will have a community asset worth considerably more than the \$195 million capital cost. There will be no impact on core community services.

**Who posted it?**

Mr. Ned Mannoun

**Please provide a copy of that post.**

As attached.

**ITEM NO:** QWN 02  
**FILE NO:** 313507.2020  
**SUBJECT:** Question with Notice - Clr Kaliyanda - Liverpool Bike Plan: Implementation Status

Please address the following:

1. What is the current status of the Liverpool Bike Plan 2018-2023? What measures or aspects of the Bike Plan have been implemented to date?
2. What impact has COVID-19 had on the usage of the existing bike network/infrastructure?
3. How have we engaged with the State or Federal Governments to acquire available data in relation to this?
4. A core element of the Bike Plan was the development and implementation of wayfinding signage in relation to the bike paths and infrastructure. What is the status of the implementation of this? What discussions have taken place with other organisations, i.e. Western Sydney Parklands, in relation to this?
5. How has Council sought partnerships and worked with other organisations in order to address this issue?

## Response

### **1. What is the current status of the Liverpool Bike Plan 2018-2023? What measures or aspects of the Bike Plan have been implemented to date?**

The Liverpool Bike Plan 2018-2023 (the Bike Plan) is a high-level planning document that outlines the provision of bicycle-related infrastructure within the LGA. In this regard, it provides strategic direction and a plan of action for the provision of cycleways, bicycle facilities and the promotion of cycling within Liverpool.

The Bike Plan is an active document that has been informing Council's priority program for the construction and expansion of the cycling network within Liverpool. While the Bike Plan identifies a range of elements, Council's priority has been:

- provision of missing cycleway links along the existing regional and strategic routes;
- provision of new cycleways along the identified strategic routes to continue to expand the regional network and to improve connectivity between the key urban centres; and
- associated signage and pavement markings.

Since the commencement of this Bike Plan, Council has progressively constructed around 5km of new cycleways with a further 2.5km planned for the current program year, as shown below.

Year	Length	Location
2017-18	1.6 km	1. Wagga Wagga Street, Prestons 2. Braidwood Drive, Prestons 3. Jedda Road, Prestons 4. Newbridge Road, Chipping Norton
2018-19	1.5 km	1. Newbridge Road, Chipping Norton 2. Hume Highway, Casula 3. Hume Hwy (around Apex Park), Liverpool
2019-20	1.5 km	1. Newbridge Rd, Chipping Norton 2. Hume Highway, Casula 3. Remembrance Avenue, Warwick Farm 4. Hume Highway, Warwick Farm
2020-21 (planned works)	2.5 km	1. Governor Macquarie Drive, Chipping Norton 2. Newbridge Road, Moorebank 3. Hume Highway, Lurnea 4. Hall Circuit, Middleton Grange 5. M7 Links at Inverell Avenue and Middleton Drive

## 2. What impact has COVID-19 had on the usage of the existing bike infrastructure?

Transport Findings, an interdisciplinary journal sponsored by several Sydney universities, recently released findings of a research into cycling in Sydney during COVID-19 social distancing and lockdown restrictions. The research, which was conducted by the Faculty of Built Environment of the University of New South Wales, shows a general increase in the uptake of urban cycling during the COVID pandemic. Some of the findings from the survey that supported the research found that:

- more cyclists were observed than usual.
- lower traffic volumes positively influenced cycling due to improved safety.
- more families and children were cycling for recreation and exercise.

Please refer to the full article (attached): Lock, Oliver. 2020. "Cycling Behavior Changes as a Result of COVID-19: A Survey of users in Sydney". *Transport Findings*, June.

## 3. How have we engaged with the State or Federal Governments to acquire available data in relation to this?

The most current data is available in the attached article referenced above.

**4. A core element of the Bike Plan was the development and implementation of wayfinding signage in relation to the bike paths and infrastructure. What is the status of the implementation of this? What discussions have taken place with other organisations, i.e. Western Sydney Parklands, in relation to this?**

Council's key priority for implementation has been the provision of cycleways and associated missing links along the strategic routes to improve access and connectivity across the regional network. In this regard, Council has been constructing 1.5km of cycleway annually for the last five years at an average annual cost of \$1M.

Council intends to implement wayfinding signage progressively from the next program year and will be installing wayfinding signage on strategic routes at the focal points identified in the Bike Plan. Key destinations such as the Western Sydney Parklands will also be considered in the wayfinding strategy.

**5. How has Council sought partnerships and worked with other organisations in order to address this issue?**

Transport for New South Wales (TfNSW) is Council's key partner in the provision and management of active transport infrastructure. TfNSW has continued to provide funding assistance to enable Council to meet the objectives of the Bike Plan. Council was recently successful in securing grant funds of \$1.7M from TfNSW, which will enable the construction of 2.5 km of cycleways this year.

**ITEM NO:** QWN 03  
**FILE NO:** 313622.2020  
**SUBJECT:** Question with Notice - Clr Kaliyanda - Green Star Rating Scheme Changes

Please address the following:

1. Given the significant changes to the benchmarks used to determine Green Star Ratings, how do current and future council buildings perform against the new benchmarks?
2. What impact will this have on other significant developments in the Liverpool LGA?
3. How will this impact the assessment process of such developments, especially when they are considered by the Design Excellence Panel (DEP)?
4. What other impacts will the changes to these benchmarks have in the Liverpool LGA?

### **Response**

- 1. Given the significant changes to the benchmarks used to determine Green Star Ratings, how do current and future council buildings perform against the new benchmarks?**

The Green Star rating system assesses the sustainability of buildings at various stages of their life cycle. This includes the design stage, post-construction stage and interior fit-outs. The performance rating tool is based on a scale from 1 to 6 Green Stars, with 1 being minimum practice and 6 being world leadership.

The extent of impacts of the benchmark changes depends on the level of Green Star rating being pursued. The highest rating (6 Star World Leadership) requires zero operational carbon emissions. A 5 Star Australian Excellence Green Star building will need to be net zero ready, so that by 2023 they will source their electricity from 100 per cent renewables. A 4 Star Green Star building will need to have 10 per cent less upfront and operational emissions than current NCC requirements.

The Green Building Council of Australia (GBCA) has revised the benchmarks used by the Green Star rating tool to set clearer expectations for buildings, ensuring lower carbon emissions, enhancement of ecological values of the site, reduction of environmental impacts and reduction of operational waste. The key changes made to the benchmarks focus on the reduction of energy and emissions.

Some of Council's existing buildings would not meet the revised Green Star benchmarks. However, there is no requirement to reassess existing buildings against the new benchmarks. It may be a voluntary consideration during future major refurbishments of the buildings.



The assessment of future Council buildings against the new benchmarks is already underway. The performance of the Liverpool Civic Place has been assessed against the new benchmarks utilising the revised Green Star tool. The Civic Building is designed to achieve a 5 Star certification.

## **2. What impact will this have on other significant developments in the Liverpool LGA?**

Increased measures could be considered by developers if they would like to achieve and maintain Green Star Certification. Given that Green Star is a voluntary rating system, there is no legal or planning requirements to achieve this certification.

Energy requirements under the National Construction Code (NCC) have been mandatory since mid-2020. The upgraded Green Star rating tool considers the NCC energy requirements. These requirements aim to improve the environmental and sustainability performance of buildings and will provide a further avenue for future development to incorporate sustainability mechanisms into the design of their buildings.

It is important to note that the NCC energy requirements primarily relate to Class 3-9 buildings under the NCC, which include but are not limited to buildings such as hotels/motels, schools, office buildings, shopping centres, warehouses, industrial buildings and hospitals.

## **3. How will this impact the assessment process of such developments, especially when they are considered by the Design Excellence Panel (DEP)?**

All significant developments that are required to demonstrate compliance with the NCC energy requirements will be accompanied by a technical report with recommendations to be incorporated into the development. These reports will be reviewed and if deemed satisfactory will form part of conditions of consent.

The SEPP 65 Design Quality Test is the framework used by Council's Design Excellence Panel to assess proposed developments that are being considered by the panel. Sustainability is one of the measures used in the test to assess the quality of the proposed development. Council will continue to encourage the Design Excellence Panel to adopt best practice sustainability measures, including promoting the updated Green Star rating certification for new buildings.

## **4. What other impacts will the changes to these benchmarks have in the Liverpool LGA?**

Voluntary Green Star certification under the new benchmarks enhances the value of a building through increased resilience to climate change and natural disasters, lower emissions, and reduced energy and operational costs. The new benchmarks will also drive design innovation and supply chain transformation.

**ITEM NO:** EGROW 03  
**FILE NO:** 321586.2020  
**SUBJECT:** Planning proposal request to rezone land and amend development standards at Lot 6 Newbridge Road, Moorebank

**COUNCIL DECISION**

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

That Council:

1. Receive and note this report;
2. Continue to negotiate with the proponent around issues of density, flood mitigation;
3. Note the correspondence from the Department of Planning, Industry and Environment dated 10 December 2020 that Council finalise the Regional Flood Evacuation Study and that the Study informs those planning proposals in the Moorebank East precinct prior to forwarding planning proposals in this precinct to DPIE for a Gateway determination;
4. Invite the proponent to work with Council Officers on an amended planning proposal that also investigate opportunities to collaborate with neighbouring developments, Canterbury Bankstown Council and the State Government for the possible inclusion of a bridge crossing the Georges River;
5. Defer a decision on whether to forward this planning proposal request to the Department of Planning, Industry and Environment for a Gateway determination until after the Regional Flood Evacuation Study and further report to Council regarding issues in (2) above has been completed in April 2021.
6. Consider options for the design and construction of a fully accessible shared path along the Georges River.

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

Councillors voted unanimously for this motion.







**ITEM NO:** NOM 02  
**FILE NO:** 332243.2020  
**SUBJECT:** Urban Heat Planning

**Background**

Urban heat is a significant and growing issue for Western Sydney. The WSROC Urban Heat toolkit (attached) has been developed to help local councils strengthen local planning provisions to reduce the impacts of heat.

WSROC recently released a final draft of the Urban Heat Planning Kit for Council's consideration and input.

Western Sydney is experiencing an increasing number of hot, very hot and extremely hot days and heatwaves, and yet we are building new dwellings and communities that fail to provide adequate mitigation measures that address these rising temperatures.

In the Western City we are failing to provide communities that are in fact as LIVEABLE under the new and emerging climatic conditions. We are still delivering communities that were suitable before the rising temperatures and or are geographically located in areas closer to the central city that benefit through established infrastructure.

The Western City - Liverpool - is more so affected by the rising temperatures than any other areas because we do not have the benefit of sea breezes and have to contend with both hot Westerlies and blustering Southerlies.

State planning instruments do not account for possible variants that are a result of geographical location and or lack of infrastructure which makes a mockery of their one size fits all planning instruments and deprives our citizens of as LIVEABLE communities as should be being provided.

The workshops proposed in this motion would deliver the opportunity for Liverpool Council to consolidate into precise documentation what Council has already implemented or plans to implement in the way of heat and cooling mitigation measures, together with the individual past motions by Councillors that have addressed certain aspects of mitigation, as well as provide the opportunity to examine what other Councils have done and provide the platform for all Councillor's input to address their individual ideas through which heat and cooling mitigation can be included in Council's DCP and LEP planning documents.

Further to the workshops, we as Councillors understand that all Councils are hobbled by what they can achieve individually through their LEP and DCP's. There is the need as proposed in this motion for a joint effort by all Councils in the Western City to call on the DPIE to engage with local government in the Western City and carry out a much needed revision of the State Government BASIX.

We as a Council have an obligation to our citizens to fight against the one size fits all State Planning regulations. We need to have our geographical location and prevailing weather conditions, lack of transportation infrastructure together with the rising temperatures recognised and considered by the DPIE. There is a need for these specific and current conditions to be addressed in BASIX, SSEP and Controlled Developments planning instruments that will enable the citizens of Liverpool to live in an environment that meets their needs and gives them a quality of life in a city that is truly LIVEABLE.

I ask all Councillors to vote in favour of this motion.

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

That Council:

1. Hold Councillor workshops in April 2021 to discuss the WSROC Urban Heat Planning Kit and address:
  - a) The current status of provision of Urban Heat Planning in Liverpool Councils DCP and LEP;
  - b) The further integration of Urban Heat Planning mitigation into Liverpool Council's LEP and DCP and BASIX;
  - c) Other possible ways to introduce new initiatives that will encourage more resilient and sustainable communities in the Liverpool LGA; and
  - d) Examine how other Councils have already addressed the same issues.
2. Write to WSROC expressing our support for their initiative for all Councils in the Western City to engage in a joint submission to DPIE calling for the revision of the BASIX; and
3. Write to all Western City Council's requesting their support in the joint submission to DPIE.

### **COUNCIL DECISION**

**Motion:**

**Moved: Cllr Rhodes**

**Seconded: Cllr Harle**

That Council:

1. Hold Councillor workshops in April 2021 to discuss the WSROC Urban Heat Planning Kit and address:
  - a) The current status of provision of Urban Heat Planning in Liverpool Councils DCP and LEP;
  - b) The further integration of Urban Heat Planning mitigation into Liverpool Council's LEP and DCP and BASIX;

- c) Other possible ways to introduce new initiatives that will encourage more resilient and sustainable communities in the Liverpool LGA; and
  - d) Examine how other Councils have already addressed the same issues.
2. Write to WSROC expressing our support for their initiative for all Councils in the Western City to engage in a joint submission to DPIE calling for the revision of the BASIX; and
  3. Write to all Western City Council's requesting their support in the joint submission to DPIE.

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

**RECESS**

Mayor Waller called a recess at 7.43pm.

**RESUMPTION OF MEETING**

Mayor Waller resumed the meeting at 7.53pm in open session.

















**THE MEETING CLOSED AT 9.17pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 3 February 2021

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 16 December 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.