



## MINUTES OF THE ORDINARY MEETING HELD ON 3 FEBRUARY 2021

---

**PRESENT:**

Deputy Mayor Hadid  
Councillor Ayyad  
Councillor Balloot  
Councillor Hadchiti  
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  
Ms Nada Mardini, Manager Community Standards  
Mr John Milicic, Manager Property  
Ms Jennifer Chenhall, General Counsel, Manager Governance Legal & Procurement  
Ms Ellen Whittingstall, Acting Internal Ombudsman  
Mr Vishwa Nadan, Chief Financial Officer  
Mr George Georgakis, Manager Council and Executive Services  
Ms Maree Stewart, 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 the meeting is being livestreamed.

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

The prayer of the Council was read by the Chief Executive Officer, Dr Eddie Jackson.

**APOLOGIES**

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

That Mayor Waller be recorded as an apology for this meeting and leave of absence be granted.

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

## CONDOLENCES

**ITEM NO:** COND 01  
**FILE NO:** 025716.2021  
**SUBJECT:** CONDOLENCE MOTION - Michael Coffey OAM (read by Deputy Mayor Hadid)

Tonight, we pause to honour the memory of Liverpool Catholic Club President, Michael Coffey OAM.

The father of three, grandfather of seven, successful businessman and keen golfer passed away unexpectedly and peacefully on Monday 11 January aged 79.

Michael will be remembered for making a major difference in the community. These achievements were also recognised in 2015 when he was awarded the Medal of the Order of Australia (OAM) for service to business, commerce and the community.

The son of a firefighter, Michael was born on 26 October 1941 and grew up in Bathurst and then Pymble.

After graduating with a Bachelor of Science degree from the University of NSW, Michael began working for the CSIRO's food division in 1959. He was part of the team that revolutionised food preservation and transport through the use of shipping containers to import and export goods.

Michael moved to the private sector in 1969. He was recruited by shipping company OCL, which later became P&O Containers. Michael played a role in opening up international trade relationships around the world. He travelled to the Middle East and India. He also led Australian trade missions to Saudi Arabia, Kuwait, Pakistan and Iran.

He later founded the logistics company River Heights Trading Consultancy and worked as the managing director for 21 years.

Michael met his wife Trudy at a Catholic Youth Organisation dance in Liverpool. The couple married in 1967 and later settled in Lansvale. Trudy is the Director of Social Work at South Western Sydney Local Health District.

At his funeral service at All Saints Catholic Church, Liverpool, on Wednesday 27 January, his daughter Roz said Michael treasured people and nurtured and cherished his relationships.

"If you know dad, you'd know it was literally not possible for him to sit next to someone in any setting and not strike up a conversation and shortly after a mutual connection would be formed and a new friendship would be the result," she said.

Roz said her father was a devoted family man who also had genuine care and compassion for people involved in all of the organisations he had been part of.

“Dad held all of his roles with great pride. He took all of his board roles seriously and brought enthusiasm and corporate governance to all of his positions,” she said.

Michael became a member of Liverpool Catholic Club in 1998.

He was appointed to the Board in 2004 before serving as the Assistant Treasurer from 2004 to 2015 and Vice President from 2015 to 2016.

Michael served as the President from 2016 until his death.

He has also served as a board member and later honorary chairman of Karitane Mothercraft Society, which helps parents in the first five years of their child’s life.

Michael was a board director at Carrington Centennial Care in Camden.

He was a former president and board member of the Rotary Club of Liverpool West.

Michael was a life member of the Australian Arab Chamber of Commerce and Industry. He had previously served as president of that organisation.

On behalf of Liverpool City Council, I express my deepest condolences to Trudy, their children, grandchildren and extended family members and friends during this difficult time.

Michael will be missed by the community.

May he rest in peace.

**COUNCIL DECISION**

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

That Council writes to the family of Michael Coffey to express our condolences for their loss.

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

**CONFIRMATION OF MINUTES**

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

That the minutes of the Ordinary Meeting held on 16 December 2020 be confirmed as a true record of that meeting.

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

**DECLARATIONS OF INTEREST**

Nil

**PUBLIC FORUM**

**Presentation – items not on agenda**

Nil

**Representation – items on agenda**

Nil

**CITY ECONOMY AND GROWTH REPORT**

**ITEM NO:** EGROW 01

**FILE NO:** 009183.2021

**SUBJECT:** Transport for NSW upgrade of the Heathcote Road bridge over the Woronora River

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Ayyad**

**Seconded: Clr Kaliyanda**

That Council:

1. Notes that a submission will be prepared on the Review of Environmental Factors for the upgrade of the Heathcote Road Bridge over the Woronora River;
2. Supports Sutherland Shire Council's position that the project should involve bridge duplication rather than bridge widening; and
3. Advises Sutherland Shire Council of Council's resolution.

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

**CITY CORPORATE REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 347220.2020  
**SUBJECT:** Investment Report December 2020

**COUNCIL DECISION**

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

That Council receives and notes this report.

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

**ITEM NO:** CORP 02  
**FILE NO:** 007720.2021  
**SUBJECT:** 2021 National General Assembly of Local Government

**COUNCIL DECISION**

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

That:

- 1. Councillors submit motions to the CEO by 10 February 2021 for consideration at the 24 February 2021 Council meeting; and
- 2. Any Councillors interested in attending the National General Assembly contact the CEO by 10 February 2021 for consideration at the 24 February 2021 Council meeting.

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



**ITEM NO:** CORP 03  
**FILE NO:** 008678.2021  
**SUBJECT:** Review of Council Policies

**COUNCIL DECISION**

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

That Council:

1. Endorses the Councillor Induction and Professional Development Policy;
2. Endorses the Councillor Access to Information and Interaction with Staff Policy subject to written legal advice relating to whether Councillors can have access to the ratepayers details for the inclusion of the following clause to the Policy:

*“Councillors are entitled to access the list and roll of ratepayers within the Liverpool local government area.”*

3. Endorses the Strategic Panel Charter with Clauses 4 (Purpose), 5 (Functions), 6 (Outcomes), 7.3 (Support staff) and 7.5 (Other office bearers) to be amended as shown in the Charter attached to the report; and
4. Endorses the Councillor Briefing Procedure with the inclusion of the following Clause:

*“The NSW Government has authorised local councils to hold official meetings electronically instead of physically due to the risk to staff, Councillors and members of the community due to the current situation with the novel coronavirus (Covid-19) pandemic. In accordance with a Mayoral Direction dated 17 March 2020 (and reported to the 25 March 2020 Council meeting) this has also been extended to Committee meetings and Councillor Briefing Sessions. As such, Clauses 8.4, 12.2 and 13.2 – 13.7 would not apply whilst Councillor Briefing Sessions continue to be held electronically”.*

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

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

**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01

**FILE NO:** 342562.2020

**SUBJECT:** Minutes of the Tourism and CBD Committee meeting held 1 December 2020

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Tourism and CBD Committee Meeting held on 1 December 2020.

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

**ITEM NO:** CTTE 02  
**FILE NO:** 008685.2021  
**SUBJECT:** Minutes of the Intermodal Precinct Committee meeting of 7 December 2020

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the minutes of the Intermodal Precinct Committee; and
2. Endorses the Committee's recommendation to proceed with a communications campaign, pending further information from the Moorebank Intermodal Company representative at an estimated cost of \$5,000.

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

**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01

**FILE NO:** 019442.2021

**SUBJECT:** Question with Notice - Clr Hadchiti - Fast Transit Corridor

Council has invested a lot of time and money working on plans for a fast transit corridor from the CBD through to Fifteenth Avenue.

Please address the following:

1. What has the cost been to the ratepayer, including staff cost, promotional material, study tours (converting points if used to real dollars) etc?
2. What stage is this project at?

**A response to these questions will be provided in the 24 February 2021 Council meeting business papers.**

**ITEM NO:** QWN 02  
**FILE NO:** 019456.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Section 7/11 Contributions

Please address the following:

1. Can a reconciliation be provided individually on Section 7/11 Contributions that include the suburbs of Middleton Grange and Edmondson Park providing:
  - Money collected to date;
  - Money spent to date;
  - Anticipated money yet to be collected;
  - Properties remaining to be acquired;
  - Estimated cost of those properties;
  - Strategy to acquire those properties.

**A response to this question will be provided in the 24 February 2021 Council meeting business papers.**

**ITEM NO:** QWN 03  
**FILE NO:** 019507.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Drainage Channels Rural/Growth Areas

Please address the following:

1. How often are the drainage channels relating to the rural/growth areas mowed/cleaned out?

**A response to this question will be provided in the 24 February 2021 Council meeting business papers.**

**ITEM NO:** QWN 04  
**FILE NO:** 019510.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Water Detention Basins in Growth Areas

Please address the following:

1. What compliance measures are being undertaken to ensure that the water detention basins in growth areas are maintained?

**A response to this question will be provided in the 24 February 2021 Council meeting business papers.**

**ITEM NO:** QWN 05  
**FILE NO:** 019511.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Developer Road Construction in Growth Areas

Please address the following:

1. What is the process of ensuring that the developer road construction in growth areas are built to the correct standards?

**A response to this question will be provided in the 24 February 2021 Council meeting business papers.**



**ITEM NO:** QWN 06  
**FILE NO:** 019513.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Kerb Gutter and Roads Fronting Council Owned Land in Growth Areas

**Kerb Gutter and Roads Fronting Council Owned Land in Growth Areas**

Please address the following:

1. What program is in place to ensure that Council constructs the above once a development and half roads are built opposite Council owned land?

**A response to this question will be provided in the 24 February 2021 Council meeting business papers.**



**PRESENTATIONS BY COUNCILLORS**

Nil

.....

Chairperson

**ITEM NO:** CORP 04  
**FILE NO:** 001536.2021  
**SUBJECT:** Council leading in good governance practices

**COUNCIL DECISION**

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

That Council accepts the advice of the OLG and does not create a corporate policy for accessing independent professional advice.

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

**For:** Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Karnib, Clr Rhodes, Clr Shelton

**Against:** Deputy Mayor Hadid, Clr Ayyad, Clr Balloot, Clr Hadchiti

## NOTICES OF MOTION

**ITEM NO:** NOM 01  
**FILE NO:** 019306.2021  
**SUBJECT:** Aerotropolis Acquisition Scheme

### BACKGROUND

The current system for compulsory land acquisition is unfair and inefficient. Adequate contributions to acquire land take years to be collected while landowners, ratepayers and new residents are disadvantaged:

- New residents have to wait many years for infrastructure to be built.
- Council and ratepayers are forced to pay more due to increasing land values and inflation.
- Landowners are stuck with a plot of land they can't sell or develop.

The flaws in this system are starkly apparent at the Aerotropolis. Despite earmarking a large amount of the 11,200 hectare site for parks and open space, at this stage, the State Government has only committed to acquiring land along a small stretch of Thompsons Creek. With no other buyers, this has left landowners in these areas with little option but to sit and wait, with no concrete timeline or a plan for their land to be acquired.

Since the Western Sydney Airport and the Aerotropolis were announced, landowners and residents have asked for certainty in the process and a reliable timeline. With commitment from all three levels of government, a better, fairer, more efficient process is possible. Residents in these areas are experiencing stress, illness and family breakdown. Those with hardship, should be given the chance to be able sell up and move on.

### NOTICE OF MOTION (Submitted by Cllr Hagarty)

That Council:

1. Notes:
  - The current system for compulsory land acquisition is unfair and inefficient;
  - Existing land acquisition schemes such as the Moorebank Voluntary Acquisition Scheme; and
  - Existing hardship provisions for land acquisition.
2. Write to the State Government proposing an Aerotropolis Acquisition Scheme to allow for expedited land acquisition for landowners experiencing hardship in the Aerotropolis.

## 3. Upon approval:

- Seek collaboration from the State and Federal Government to fund and administer the scheme; and
- Assess the viability of applying a similar scheme to all land acquisitions in the Liverpool LGA.

**COUNCIL DECISION**

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

That Council:

## 1. Notes:

- The current system for compulsory land acquisition is unfair and inefficient;
- Existing land acquisition schemes such as the Moorebank Voluntary Acquisition Scheme; and
- Exiting hardship provisions for land acquisition.

## 2. Write to the State Government proposing an Aerotropolis Acquisition Scheme to allow for expedited land acquisition for landowners experiencing hardship in the Aerotropolis;

## 3. Upon approval:

- Seek collaboration from the State and Federal Government to fund and administer the scheme; and
- Assess the viability of applying a similar scheme to all land acquisitions in the Liverpool LGA.

## 4. That Council write to WSROC, neighbouring Councils, LGNSW, ALGA, Western Parklands City Authority, State and Federal MP's to support this proposal.

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

That Council:

1. Receive a further report on the list of properties that need to be acquired through a government agency and also write to those affected landowners and advise them of the hardship policy;

2. Notes:
  - The current system for compulsory land acquisition is unfair and inefficient;
  - Existing land acquisition schemes such as the Moorebank Voluntary Acquisition Scheme; and
  - Exiting hardship provisions for land acquisition.
3. Write to the WSROC, neighbouring Councils, Western Parklands City Authority and State and Federal MP's urging the state and federal governments to work with local government on an Aerotropolis Acquisition Scheme to allow for expedited land acquisition for landowners;
4. Upon approval:
  - Seek collaboration from the State and Federal Government to fund and administer the scheme; and
  - Assess the viability of applying a similar scheme to all land acquisitions in the Liverpool LGA.
5. Submit the motion to the National General Assembly annual conference requesting forward funding acquisition scheme that will enable local governments to provide infrastructure supporting the development of national assets.
6. Write to the state government asking them why the date referred to for release of the Wianamatta-South Creek Delivery Strategy has been removed.

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.

**Voting (for the motion moved by Clr Hagarty)**

**For:** Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Karnib

**Against:** Deputy Mayor Hadid, Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Rhodes, Clr Shelton

**Voting (for the Foreshadowed motion moved by Clr Hadchiti)**

**For:** Deputy Mayor Hadid, Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hagarty, Clr Harle, Clr Karnib, Clr Kaliyanda, Clr Rhodes, Clr Shelton

**Against:** Nil

Councillors voted unanimously for this motion.

**ITEM NO:** NOM 02  
**FILE NO:** 019373.2021  
**SUBJECT:** Community Gardens Policy and Strategy

## **BACKGROUND**

Community gardens can fulfil a variety of functions in addition to food production, including the enhancement of healthy lifestyles and good nutrition, reduction in social isolation, encouraging a sense of place, improving local food security and management of public spaces. The people of Liverpool, through the Liverpool Local Strategic Planning Statement (LSPS) community consultation process, have identified the significance of community gardens and have expressed their support for the development of these as well as other local food systems.

Community gardens improve the social fabric within and among communities by increasing and deepening social connections. They also foster community engagement and improve participation as members are able to self-manage the gardens.

Community gardens and other local food system are increasingly being supported in Australian towns and cities in consonance with growing demand for local/regional food. The high community demand in local government associations across Australia for community gardens is in recognition of the wide range of benefits they provide. External factors such as concerns about the environment and climate change, food miles and 'Grow Local' movement are also giving impetus towards the provision of space for community garden and contribute to an increasing number of community gardens.

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

That Council:

1. Develop a Community Gardens Policy and Strategy document to:
  - Provide a framework for residents who want to establish a community garden
  - Encourage existing community gardens to be self-managed to a high standard
2. Explore the feasibility of incorporating footpath gardening into these documents; and
3. Investigate funding opportunities to develop community gardens in the Liverpool LGA.



**COUNCIL DECISION**

**Motion:**                                      **Moved: Cllr Kaliyanda**                      **Seconded: Cllr Harle**

That Council:

1. To explore the feasibility of expanding community gardens, including footpath gardening and their long-term operation and financial sustainability; and
2. Report back the finding to Council at the June 2021 Council meeting.

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



**MOTION TO MOVE INTO CLOSED SESSION**

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

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

- 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; and
- s10A(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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

**Deputy Mayor Hadid called a recess of Council at 7.46pm.**

**Deputy Mayor Hadid reopened the meeting at 7.56pm and moved the meeting into closed session.**

**ITEM NO:** CONF 02

**FILE NO:** 008067.2021

**SUBJECT:** Legal Affairs Report - 1 October 2020 - 31 December 2020

**COUNCIL DECISION**

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

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

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

**ITEM NO:** CONF 03  
**FILE NO:** 002629.2021  
**SUBJECT:** Courtside Cafe - Lot 702 DP 1056246, Bigge Street, Liverpool

**COUNCIL DECISION**

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

That Council enters into a lease with the South Western Sydney Local Health District for premises known as 'Courtside Café' located in Bigge Park for a period of 5 years on the terms outlined in this report.

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

**Council moved back into open session at 8.18pm and Deputy Mayor Hadid read the resolutions relating to CONF 02 and CONF 03 that were passed in closed session and are found on this page and the previous page.**

**THE MEETING CLOSED AT 8.20pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 24 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 3 February 2021. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING  
HELD ON 24 FEBRUARY 2021**

---

**PRESENT:**

Mayor Wendy Waller  
Councillor Ayyad  
Councillor Balloot (arrived at 6.14pm)  
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 Diplas, Acting Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Mr John Morgan, Director, Property and Commercial Development  
Ms Ellen Whittingstall, Internal Ombudsman  
Mr Vishwa Nadan, Chief Financial Officer  
Mr Thomas Wheeler, Heritage Officer  
Ms Nada Mardini, Manager Community Standards  
Mr Tim Pasley, Manager Waste and Cleansing  
Mr Darrell Bartlett, Acting Manager City Works  
Mr George Georgakis, Manager Council and Executive Services  
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm

---

**STATEMENT REGARDING WEBCASTING  
OF MEETING**

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

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

The prayer of the Council was read by Reverend Manoj Chacko from Liverpool South Anglican Church.

**APOLOGIES**

Nil.

**CONDOLENCES**

Nil.

**CONFIRMATION OF MINUTES**

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

That the minutes of the Ordinary Meeting held on 3 February 2021 be confirmed as a true record of that meeting, subject to the following correction of facts:

Information contained in point 4 of the resolution to item CONF 01 Fire and Rescue NSW Referrals (as shown on page 31 of the 24 February 2021 Council Agenda) stated:

*“Council note that Council carries out annual inspections of properties”.*

This is inaccurate. As outlined in a memo sent to Councillors on 12 February 2021, the true position is as follows:

*“Council’s involvement in this process is limited to ensuring that annual fire safety statements are submitted annually, on time and certifies all services in the building”.*

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

**DECLARATIONS OF INTEREST**

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

**Item:**            CONF 01 - Companion Animals Advisory Committee Membership 2021-2023

**Reason:**    Clr Shelton has had business dealings in the past with at least one of the individuals referred to therein.

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

During discussion on item CORP 05 – Mayoral Direction pursuant to Section 226(d) of the Local Government Act 1993, Clrs Shelton, Hagarty and Kaliyanda declared a non-pecuniary, less than significant interest as follows:

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

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

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

Clrs Shelton, Hagarty and Kaliyanda remained in the Chambers for the duration of this item.

## **PUBLIC FORUM**

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

Nil.

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

1. **Mr Lachlan Hyde** from the Moorebank Squadron of the Australian Air League addressed Council on the following item:

**Item:** NOM 02 Australian Air League Moorebank 60th Anniversary Commendation



**MAYORAL MINUTE**

**SUBJECT: Bicentenary Commemoration of Liverpool Pioneers' Memorial Park**  
**FILE REF: 056583.2021**  
**ITEM: MAYOR 01**

This year marks the 200<sup>th</sup> anniversary of Liverpool Pioneers' Memorial Park.

The Memorial Park is the resting place of more than 13,000 people, with the first recorded burial taking place on 16 April 1821.

Laid to rest are the early pioneers of Liverpool – a community of colonial officials and military personnel, free settlers, convicts, and members of their families including many infants and young children who sadly died early.

The Memorial Park also contains the remains of children from local institutions including the Male Orphan School, Thomas Moore College and hundreds of pauper inmates from the Liverpool Asylum. Service personnel from World War I were also buried there as well as German and Austrian internees who died at the Holsworthy internment camp during the same period.

From 1827 the cemetery was divided into denominational sectors, the closest to Campbell Street being allocated to Anglicans, then a one-acre lot north of that for Roman Catholics in 1846 which was expanded in 1868.

A small sector along Macquarie Street, near Lachlan Lane was set aside for Wesleyans in 1863. In 1884, a small area in the north-east corner of the site, adjacent to the Hume Highway was dedicated for Presbyterians and an extension west of that (adjacent to Northumberland Street) for Catholic paupers' burials. Non-denominational pauper and asylum inmate burials occurred between those areas and Lachlan lane, in unmarked graves.

Liverpool Pioneers' Memorial Park closed for burials in 1958 and in October 1970 the Old Liverpool Cemetery Act authorised Liverpool City Council to convert the cemetery into a rest park. I had the honour of re-opening the park in 2010.

As the Council is aware, the ashes of former Mayors have also been interred at the Memorial Park.

Liverpool Pioneers' Memorial Park is an important part of Liverpool's history and its Bicentenary should be commemorated.

**RECOMMENDATION**

That Council:

1. Acknowledges the Bicentenary of Liverpool Pioneers' Memorial Park; and
2. Hold a civic ceremony in April 2021 to commemorate the Bicentenary of Liverpool Pioneers' Memorial Park as part of the 2020/2021 Civic Events program.

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

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

Councillors voted unanimously for this motion.

**CHIEF EXECUTIVE OFFICER REPORT**

**ITEM NO:** CEO 01  
**FILE NO:** 024142.2021  
**SUBJECT:** Annual Code of Conduct Complaints Statistics Report

**COUNCIL DECISION**

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

That Council receive and note this report and the attached Complaints Statistics Report, which has been submitted by the Acting Internal Ombudsman to the Office of Local Government.

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

**Clr Balloot arrived at the meeting at 6.14pm.**

**CITY ECONOMY AND GROWTH REPORT**

**ITEM NO:** EGROW 01

**FILE NO:** 008291.2021

**SUBJECT:** Proposed Natural Disaster Clause in Liverpool Local Environmental Plan 2008

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Ayyad**

**Seconded: Clr Rhodes**

That Council:

1. Opt-in to the initiative from the Department of Planning, Industry & Environment (DPIE) for a new natural disaster clause to be included in the Liverpool Local Environmental Plan, State Environmental Planning Policy (Sydney Region Growth Centres) and State Environmental Planning Policy (State Significant Precincts) to also include outbuildings on the site of the dwelling or secondary dwelling;
2. Request DPIE consider applying this clause in suitable zones subject to SEPP (Western Sydney Aerotropolis);
3. Endorse the zones as outlined in this report to be subject to the opt-in clause; and
4. Write to Department of Planning, Industry and Environment advising of Council's decision.

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

Councillors voted unanimously for this motion.

**ITEM NO:** EGROW 02  
**FILE NO:** 008305.2021  
**SUBJECT:** Submissions on Draft Western Sydney Aerotropolis Precinct Plan, Draft Special Infrastructure Contribution Plan and Draft Western Sydney Place Infrastructure Compact

**COUNCIL DECISION**

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

1. Endorses the submission on the draft Western Sydney Aerotropolis Precinct Plan and forwards a copy to the NSW Department of Planning, Industry and Environment and the Western Sydney Planning Partnership;
2. Endorses the submission on the draft Western Sydney Aerotropolis Special Infrastructure Contributions Plan and forwards a copy to the NSW Department of Planning, Industry and Environment;
3. Endorses the submission on the draft Western Sydney Place Infrastructure Compact and forwards a copy to the Greater Sydney Commission;
4. Write to the NSW Valuer General and the Department of Planning, Industry and Environment requesting a review of land values used to set local government rates in the Western Sydney Aerotropolis, specifically for those properties that have been zoned Environment and Recreation, or identified for open space in the draft Precinct Plan that have an underlying zoning under SEPP (Western Sydney Aerotropolis) or Mixed Use, Enterprise or Agribusiness;
5. Inform all Federal and State Members within the zone of Council's submission and seek their support; and
6. Request the above members stand up in Parliament and raise the issues included in Council's submission and thank the Federal Member for Werriwa, Anne Stanley, for standing up in Parliament and supporting our local residents.

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

Councillors voted unanimously for this motion.

**ITEM NO:** EGROW 03  
**FILE NO:** 041418.2021  
**SUBJECT:** Post exhibition report - Liverpool Local Environmental Plan Amendment 89 - Recreation Facility (Outdoor) at 25 Dwyer Road, Bringelly

**COUNCIL DECISION**

**Motion:**    **Moved: Clr Rhodes**    **Seconded: Clr Ayyad**

That Council:

1. Notes the Gateway determination for Liverpool Local Environmental Plan 2008 (Amendment 89) and the results of public exhibition and community consultation; and
2. Proceeds with Amendment 89 and delegates authority to the CEO (or his delegate) to liaise with the NSW Parliamentary Counsel's Office and the Department of Planning, Industry and Environment to finalise the amendment.

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

Councillors voted unanimously for this motion.

.....

**CITY COMMUNITY AND CULTURE REPORT**

**ITEM NO:** COM 01

**FILE NO:** 014601.2021

**SUBJECT:** Post Exhibition Report - Miller Social Infrastructure Masterplan

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the report;
2. Adopts the revised Draft Miller Social Infrastructure Masterplan;
3. Commences the development of a staged Implementation Strategy; and
4. Report back the findings of the Implementation Strategy by June 2021.

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

Councillors voted unanimously for this motion.

**CITY CORPORATE REPORT**

**ITEM NO:** CORP 01

**FILE NO:** 009811.2021

**SUBJECT:** Biannual Progress Report - December 2020

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Hadid**

**Seconded: Cllr Shelton**

That Council notes and receives the Biannual Progress Report which outlines the progress of Principal Activities detailed in the Delivery Program 2017-2022 and Operational Plan 2020-2021.

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



**ITEM NO:** CORP 02  
**FILE NO:** 025425.2021  
**SUBJECT:** Budget Review - December 2020

**COUNCIL DECISION**

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

That:

1. Council approves the identified budget variations in accordance with this report; and
2. Money raised through parking revenue be put into a parking reserve, as per the Council Resolution of 27 March 2019 which stated:

*That Council effective 1 July 2019 direct all revenue raised from parking meters to parking related activities.*

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

Councillors voted unanimously for this motion.

**ITEM NO:** CORP 03  
**FILE NO:** 026576.2021  
**SUBJECT:** Investment Report January 2021

**COUNCIL DECISION**

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

That Council receives and notes this report.

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

**ITEM NO:** CORP 04  
**FILE NO:** 032917.2021  
**SUBJECT:** 2021 National General Assembly of Local Government

## COUNCIL DECISION

**Motion:** **Moved: C/r Rhodes** **Seconded: C/r Kaliyanda**

That Council:

1. Endorse the five motions to be submitted to the National General Assembly as shown below:

- **Acquisition Scheme**

That:

1. The National General Assembly request that the Federal Government investigate forward funding acquisition scheme that will enable local governments to provide infrastructure supporting the development of national assets; and
2. The investigation of a forward funding acquisition scheme also consider funding opportunities through a value capture process or increased funds generated in the existing tax regime due to higher land values and transaction volumes associated with areas of major infrastructure delivery.

- **Community spaces/work hubs**

That the National General Assembly calls on the Australian Local Government Association Board to advocate to Federal, State and Territory Governments, and other relevant authorities to develop a framework and establish a fund to support and incentivise cooperation across state and local governments, the private sector and community organisations to deliver better, integrated co-working or shared work hub options for the community.

- **City Deals**

That the National General Assembly calls on the Federal Government to recommit to genuine partnership between three levels of Government in the City Deal model, and commit resources to progress stalled negotiations; reconcile real progress against planned outcomes such as in the Western Sydney City Deal; and leverage the learnings from the current City Deals to inform improved and replicable models for future Deals.

- **Pandemic safe Housing and Development**

That a national consultation process be held to enable Governments at all levels, the opportunity to re-assess and implement new planning controls that will ensure the delivery of future Pandemic safe Housing and development.

- **Extension of JOB KEEPER for the Visitation Sector of Hospitality**

That JOBKEEPER be reinstated for the Visitation Sector of Hospitality until Airports and State Borders are permanently open

2. Endorse the attendance of Mayor Waller, Councillor Shelton, Councillor Hagarty, Councillor Kaliyanda and Councillor Rhodes at the Conference.

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

**ITEM NO:** CORP 05  
**FILE NO:** 036446.2021  
**SUBJECT:** Mayoral Direction pursuant to Section 226(d) of the Local Government Act 1993

**COUNCIL DECISION**

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

That:

1. Council note and endorse the Mayoral Direction dated 9 February 2021 attached to the report;
2. Council enter into good faith negotiations with the owner of the subject site for the acquisition of the site and report back to Council with the outcomes;
3. Should negotiations be successful, direct the CEO to prepare an options paper for the future use of the site including the possibility of providing a home for organisations such as, but not limited to, The City of Liverpool District Historical Society and the Australian Air League Moorebank; and
4. Council apply the above to the property at Atkinson Street, Liverpool that Council recently placed an interim heritage on.

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

**CITY INFRASTRUCTURE AND ENVIRONMENT REPORT**

**ITEM NO:** INF 01  
**FILE NO:** 038500.2021  
**SUBJECT:** Integrated Pest Management Policy and Strategy

**COUNCIL DECISION**

**Motion:** **Moved: Clr Ayyad** **Seconded: Clr Shelton**

That Council:

1. Receives and notes this report; and
2. Notes that a draft Integrated Pest Management Policy will be provided in June 2021 following completion of required consultation processes.

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

**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01

**FILE NO:** 345448.2020

**SUBJECT:** Liverpool Sports Committee Minutes of meeting held 26 November 2020

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Rhodes**

**Seconded: Cllr Hadid**

That Council receives and notes the Minutes of the Liverpool Sports Committee meeting held on 26 November 2020.

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

**ITEM NO:** CTTE 02  
**FILE NO:** 001224.2021  
**SUBJECT:** Minutes of the Community Safety and Crime Prevention Advisory Committee meeting 3 December 2020

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the Minutes of the Community Safety and Crime Prevention Advisory Committee Meeting held on 3 December 2020.
2. Endorse the recommendations in the Minutes.

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



**ITEM NO:** CTTE 03  
**FILE NO:** 004726.2021  
**SUBJECT:** Minutes of the Liverpool Access Committee meeting held on 9 December 2020

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Liverpool Access Committee Meeting held on 9 December 2020.

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

**ITEM NO:** CTTE 04  
**FILE NO:** 011067.2021  
**SUBJECT:** Minutes of the Aboriginal Consultative Committee meeting held on 26 November 2020

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Aboriginal Consultative Committee Meeting held on 26 November 2020.

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

**ITEM NO:** CTTE 05  
**FILE NO:** 013641.2021  
**SUBJECT:** Minutes of the Liverpool Youth Council Committee Meeting held 8 December 2020

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Liverpool Youth Council Meeting held on 8 December 2020.

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

**ITEM NO:** CTTE 06  
**FILE NO:** 013746.2021  
**SUBJECT:** Minutes of the Environment Advisory Committee Meeting held on 14 December 2020

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 14 December 2020.

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

**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01

**FILE NO:** 019732.2021

**SUBJECT:** Question with Notice - Clr Hadchiti - Fast Transit Corridor

Council has invested a lot of time and money working on plans for a fast transit corridor from the CBD through to Fifteenth Avenue.

Please address the following:

- 1. What has the cost been to the ratepayer, including staff cost, promotional material, study tours (converting points if used to real dollars) etc?**
  
- 2. What stage is this project at?**

**Response**

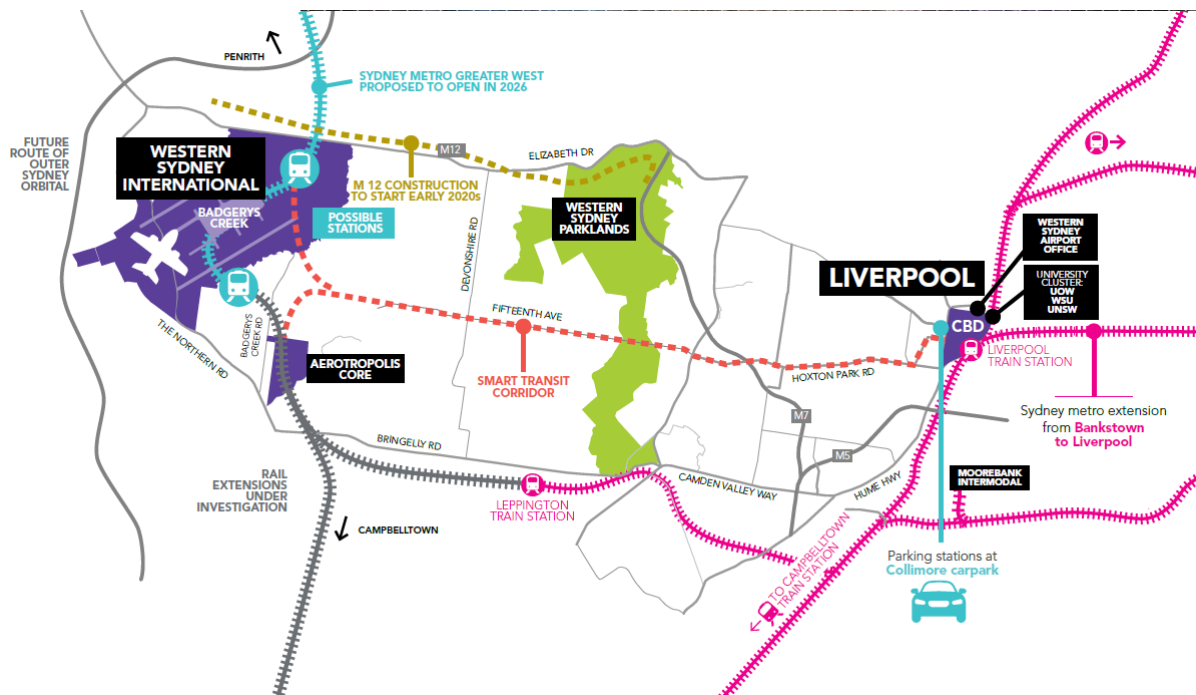
Background

Council's vision is for the Fast Transit Corridor to be a high-quality public transport link between Liverpool CBD and the Airport/Aerotropolis.

The corridor consists of the following road links:

- Liverpool Station along Moore Street to Hoxton Park Road.
- Hoxton Park Road along the existing Liverpool to Parramatta transit way to Banks Road.
- Hoxton Park Road, from Banks Road to Cowpasture Road.
- Fifteenth Avenue, from Cowpasture Road to the Western Sydney Airport and Aerotropolis.

The corridor in its local context is shown below.



Council's Local Strategic Planning Statement (LSPS) identifies the FAST corridor as a project of strategic significance to Council, and other strategic planning documents including the Liverpool City Centre Public Domain Plan identify the corridor.

The NSW Government, through the Western Sydney Growth Centres State Infrastructure Contribution (SIC) levy, has allocated funding for road upgrades along the following road sections:

- Hoxton Park Road between the end of the existing Liverpool to Parramatta transit way (at Banks Road) to Cowpasture Road.
- Fifteenth Avenue between Cowpasture Road and Devonshire Road.

The Department of Planning, Industry and Environment (DPIE) administers SIC funding.

**1. What has the cost been to the ratepayer, including staff cost, promotional material, study tours (converting points if used to real dollars) etc?**

This project is largely a SIC funded project. Council secured \$4,845,500.00 in grant funding from DPIE towards the concept and detailed designs for the upgrade of the section of Fifteenth Avenue between Cowpasture Road and Devonshire Road.

There has been general funds expenditure of \$56,214.58 to date which is not claimable expenditure under the SIC funding agreement. In addition, Council utilised accumulated air points for travel which amounted to \$21,037.03 (if converted into dollars).

## Expenditure Summary

Total project expenditure to date = \$2,025,380.34

Grant funding received to date = \$2,742,500.00

### **2. What stage is the project at?**

TfNSW and Council have both received funding under the SIC and design investigations for the upgrade of the above-mentioned road sections is underway.

The status of the two projects are as follows:

#### TfNSW upgrade of Hoxton Park Road

TfNSW has completed a strategic concept design which involves road widening to provide two dedicated bus lanes along both sides of the existing four-lane road. The design was placed on public exhibition early last year. TfNSW provided a briefing to Councillors on the project.

The main project feature which attracted community submissions was the arrangement to restrict right turn movements into and out of Dorrigo Avenue. Council also raised a concern that the provision of two dedicated bus lanes as a continuation of the existing Liverpool to Parramatta transit lane would be a better arrangement should an upgrade to a mass transit system such as light rail or trackless tram be required in the future.

#### Council's Fifteenth Avenue Road Upgrade

Council engaged consultants with the funding provided by DPIE to prepare an optioneering report on the corridor between Liverpool City Centre and the Airport as well as a strategic concept design for the road section between Cowpasture Road and Devonshire Road.

The optioneering report has been completed and is used as an advocacy document for the project. The report has enabled Council to advise DPIE and TfNSW on the need for a coordinated design and implementation strategy for the project's delivery.

In response, the three agencies have funded the preparation of an Integrated Transport Corridor Plan to ensure a uniform design approach and implementation strategy can be adopted. The plan is expected to be completed in the middle of 2021.

In addition, to fulfill the commitment in the Western Sydney City Deal, TfNSW has engaged consultants to prepare delivery programs for the provision of rapid bus networks from Penrith, Liverpool and Campbelltown to Western Sydney International (Nancy-Bird Walton) Airport before it opens in 2026, and to the Western Sydney Aerotropolis. The report on this is expected to be completed in the middle of 2021.

Project Advocacy

The advocacy to date has included representations to the Department of Planning, Industry & Environment, Transport for NSW, the Minister for Transport and Roads and meetings with senior DPIE and Transport for NSW representatives. This has enabled Council to highlight the importance of the project to DPIE and TfNSW management and both agencies have agreed to partner with Council to prepare an Integrated Transport Corridor Plan.



**ITEM NO:** QWN 02  
**FILE NO:** 019746.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Drainage Channels Rural/Growth Areas

Please address the following:

1. How often are the drainage channels relating to the rural/growth areas mowed/cleaned out?

### **Response**

Drainage channel maintenance in rural and growth areas is monitored and serviced as part of the Council's Tailout Reactive Program. On average, depending on the area, the drains are serviced on 6 month and 12 month programs. In addition, known problem areas are monitored on a more regular basis and headwalls in all areas are cleared daily.

Following unprecedented rain fall events in late January 2020, maintenance work was carried out on drainage channels along Bringelly Road, Fifteenth Avenue, Fourth Avenue, Fourteenth Avenue, Edmondson Avenue and Kelly Street.

As the LGA continues to expand, the need for regular drainage channel works will increase. City Presentation is continuously reviewing its service delivery standards to meet community expectations.

At the Council meeting of 3 February 2021, Clr Rhodes asked a follow-up question regarding design of open drainage channels without separate low-flow provisions.

Low-flow drainage systems within drainage channels allow stormwater from normal rain events to be discharged via pipes leaving the channel dry for most of the time and available for other uses e.g. passive recreation. However, due to its long-term detrimental impact on water quality, ecology and flooding, State Government Agencies over time have discouraged the use of low-flow and hard-engineered drainage systems. Over the last ten years, State Agencies have been encouraging the naturalisation of drainage channels designed to achieve a large number of benefits including:

- water quality improvement through progressive removal of litter and nutrients;
- ecological restoration e.g. fish friendly waterways;
- flood mitigation through better management of water velocity and timing resulting in reduced flood severity;
- potential urban cooling and associated environmental improvements;
- creating high quality and accessible public open space; and
- improving the visual amenity as the appearance of the creek becomes more natural.

It is acknowledged, however, that there are constructed drainage channels across the LGA where not all the above benefits have been realised, with some channels requiring a more intensive maintenance regime to ensure satisfactory performance and amenity. To address the underlying design issues, Council has commissioned a study to review performance of existing drainage channels and develop best-practice guidelines that achieves a satisfactory balance amongst the above listed attributes and outcomes.

At this stage, the draft Guidelines are anticipated to be completed in April 2021 and will be presented to the Environmental Advisory Committee (EAC) and Council for input.

**ITEM NO:** QWN 03  
**FILE NO:** 019751.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Water Detention Basins Growth Areas

**Water Detention Basins Growth Areas**

Please address the following:

1. What compliance measures are being undertaken to ensure that the above are maintained?

**Response**

Council’s Development Engineering Team are responsible for managing compliance in relation to temporary water detention basins. Compliance action is only carried out in response to any complaints received by members of the community, or at times when development engineers observe maintenance issues upon regular physical inspections nearby.

The owner of the land (developer) is responsible for the ongoing maintenance of the onsite detention basins (OSD) at their own expense via Section 88(F) of the Conveyancing Act 1919, as restrictions are placed on the land title for the ongoing maintenance of the basins. In the event the registered owner fails to comply with the terms of any written notice issued by Council to comply with their maintenance obligations, Council or its authorised agents may enter the land and undertake maintenance works and Council may recover associated costs from the registered proprietor.

At the Council meeting of 3 February 2021, Cllr Rhodes asked a follow-up question relating to the maintenance of the water detention basins, and the production of a calendar of the maintenance for all Council parks which would include Council detention basins. Cllr Rhodes asked for an update on that calendar and when it’s planned to be available on the Council website.

The maintenance of the water detention basins is on a regular 12 week service program, completed by Team Cecil Hills. The parks maintenance programs were developed over 18 months ago and our Parks Team is about to undertake a review of all maintenance programs for our Parks and Open Spaces. Once the programs are finalised and commissioned they will be made available on the Council website.

**ITEM NO:** QWN 04  
**FILE NO:** 019787.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Developer Road Construction Growth Areas

**Developer Road Construction Growth Areas**

Please address the following:

**1. What is the process of ensuring that the above are built to the correct standards?**

**Response**

The process for ensuring that road infrastructure is constructed to the correct standards is based on the following two main objectives:

**1. Design Compliance**

At this stage Council checks civil engineering drawings for compliance with relevant Australian Civil Engineering Standards. This applies to:

- stormwater drainage
- pavement design
- carriageway width
- services provision
- earthworks
- traffic management facilities
- any other civil infrastructure required by the DA.

**2. Construction compliance**

Council carries out critical stage compliance inspections of the works as they are being undertaken. Council also requires independent testing of works by consultant specialists (supplied by the Developer) to double check road pavements and drainage structures, for compliance with design standards.

Materials testing certificates from an accredited NATA laboratory are also requested, to ensure materials used in road and drainage construction comply with construction standards.

Materials compliance certificates and other test results are submitted to the satisfaction of council, prior to a subdivision certificate being released.

Council collects a 12-month maintenance bond to ensure the works are constructed as designed. If at the end of the maintenance period, no major faults are evident within the road and drainage system, the bond is refunded.

**ITEM NO:** QWN 05  
**FILE NO:** 019790.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Kerb Gutter and Roads Fronting Council Owned Land Growth Areas

**Kerb Gutter and Roads Fronting Council Owned Land Growth Areas**

Please address the following:

1. What program is in place to ensure that Council constructs the above once a development and half roads are built opposite Council owned land?

**Response**

When considering subdivision of land opposite Council owned land, Council's Land Development Engineers will typically request that the developer constructs the road, pavement, kerb and gutter along the frontage of Council owned land. This arrangement benefits both the developer and council, in that the developer will use the services of the contractor who is already onsite carrying out the half road along the developer's property. In return, the developer receives a credit for developer contributions via a Works-In-Kind Agreement executed between Council and the Developer.

There are times where Council's Land Development Engineers do not negotiate the construction of the half road fronting Council land due to existing projects or a master planning exercise (commissioned by council) seeking to redevelop council's land e.g. significant sporting reserve/precinct. These redevelopments can sometimes change the design of the frontage of the property due to upgrades required or the provision of indented parking bays.

Council will undertake a review to identify any council owned land where the surrounding sites have been developed and the frontage road needs to be upgraded. These sites can be included on council's works program and completed using developer contributions funding.

**ITEM NO:** QWN 06  
**FILE NO:** 032584.2021  
**SUBJECT:** Question with Notice - Cllr Shelton - Liverpool Pioneers' Memorial Park

Please address the following:

1. Given the Liverpool Pioneers' Memorial Park has its bi-centenary and turns two hundred this year please advise whether any commemoration plans or other form of recognition for this milestone are proposed.

**A response to this Question with Notice was to be provided in the 31 March 2021 Council Agenda, however it was dealt with earlier at this meeting during the Mayoral Minute item.**

**ITEM NO:** QWN 07  
**FILE NO:** 041210.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Boardwalk at the Paper Mill

Please address the following:

1. Has the board walk which formed part of the developers VPA at the Paper Mill been approved for construction?

**A response to this Question with Notice will be provided in the 31 March, 2021 Council Meeting Business paper.**



**ITEM NO:** QWN 08  
**FILE NO:** 041217.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Service Level Agreements

Please address the following:

1. Council was to introduce Service Level Agreements between departments. Has this been implemented?

**A response to this Question with Notice will be provided in the 31 March, 2021 Council Meeting Business paper.**

**ITEM NO:** QWN 09  
**FILE NO:** 041220.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Heritage Review

Please address the following:

1. Council is undertaking a city-wide heritage review. My understanding is staff have identified sites that will form part of this review. If these sites are privately owned have the owners been notified that their property will be reviewed or will the first they know of it be when the report is presented to Council?

**A response to this Question with Notice will be provided in the 31 March, 2021 Council Meeting Business paper.**

**ITEM NO:** QWN 10  
**FILE NO:** 041221.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Machinery Purchase

Please address the following:

1. Council allocated approximately \$3m to the City Presentation team for the purchase of new equipment. What machinery was purchased and how was this determined?

**A response to this Question with Notice will be provided in the 31 March, 2021 Council Meeting Business paper.**

**ITEM NO:** QWN 11  
**FILE NO:** 041234.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Wait Time for Household Clean Up Service

Please address the following:

1. What is the wait time as at 15 February, 2021 for a household clean up service (waste pick up)?

**A response to this Question with Notice will be provided in the 31 March, 2021 Council Meeting Business paper.**

**ITEM NO:** QWN 12  
**FILE NO:** 041259.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - One Lane Bridge on Sixth Avenue, Austral

Please address the following:

1. Who is responsible for the dangerous one lane bridge on Sixth Avenue, Austral close to the intersection of Thirtieth Avenue?

**A response to this Question with Notice will be provided in the 31 March, 2021 Council Meeting Business paper.**

**ITEM NO:** QWN 13  
**FILE NO:** 041262.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Twenty Sixth Avenue, Austral  
Resurfacing

Please address the following:

1. Twenty Sixth Ave Austral is in desperate need of resurfacing. Is it on the program of works?

**A response to this Question with Notice will be provided in the 31 March, 2021 Council Meeting Business paper.**

**ITEM NO:** QWN 14  
**FILE NO:** 041269.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Edmondson Avenue, Austral - Part Road Resurfaced

Please address the following:

1. Parts of Edmondson Avenue, Austral have been resurfaced. Are there any plans to finish off the Bringelly Road end?

**A response to this Question with Notice will be provided in the 31 March, 2021 Council Meeting Business paper.**

**ITEM NO:** QWN 15  
**FILE NO:** 041273.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Extra Road Lanes on Greenway Drive,  
West Hoxton

Please address the following:

1. Is there anything that stops Council from considering adding extra road lanes on Greenway Drive West Hoxton (East bound) between Cowpasture Road and Wyattville Drive?

**A response to this Question with Notice will be provided in the 31 March, 2021 Council Meeting Business paper.**



**ITEM NO:** QWN 16  
**FILE NO:** 041280.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Drive Through to Inspect the Quality of Roads in the Rural Area

Please address the following:

1. When was the last time a drive through was done to inspect the quality of roads in the rural area?

**A response to this Question with Notice will be provided in the 31 March, 2021 Council Meeting Business paper.**

**ITEM NO:** QWN 17  
**FILE NO:** 041322.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti Annual Fire Safety Statement (AFSS)

Please address the following:

1. Do all Council owned/managed properties have an up to date Annual Fire Safety Statement (AFSS)?

**A response to this Question with Notice will be provided in the 31 March, 2021 Council Meeting Business paper.**

**RECESS:**

Mayor Waller called a 5 minute recess at 7.38pm.

**RESUMPTION OF MEETING**

Mayor Waller resumed the meeting at 7.43pm with the following Councillors present:

Mayor Waller, Clr Ayyad, Clr Hagarty, Clr Harle, Clr Karnib, Clr Rhodes and Clr Shelton.

Clr Balloot, Clr Hadchiti, Clr Hadid and Clr Kaliyanda returned to meeting at 7.44pm.

**PRESENTATIONS BY COUNCILLORS**

Clr Hagarty made the following presentations:

1. A book titled Reconnected, A Community Builder's Handbook written by Andrew Leigh and Nick Terrell has been published, it's about new initiatives and organisations around building stronger communities. The book mentions Ferrington Collective and Liverpool Council. Clr Hagarty recommends all staff in City Community and Culture read it, as every page has a different project which he thought gave amazing examples of things we could be doing. An autograph copy has been given to Council.
2. In November an event at State Parliament House was hosted by Melanie Gibbons, Member for Holsworthy and it was the first public event since COVID. It was to celebrate Guru Nanak's 551<sup>st</sup> birthday and it was held by Turbans 4 Australia. Council received an ornament at this event.
3. Congratulate Craig in Casula Parklands who started up a park run at Casula Parklands. The park run had been started earlier this month. Bellbird Café is opening 30 minutes earlier to accommodate those doing the 5km run. Staff in Recreation are also to be congratulated for helping to get this up and running and are encouraged to participate in doing the run.

The path run is on every Saturday at 8.00am.

## NOTICES OF MOTION

**ITEM NO:** NOM 01

**FILE NO:** 045602.2021

**SUBJECT:** The Global Greening Project - Tourism Ireland

### BACKGROUND

For the last 11 years, over the St Patricks Day Period (17 March), Tourism Ireland has worked with friends of Ireland all over the globe to turn the world green. In a gesture of support for the 70+ million people around the world who claim links to the island of Ireland and to mark St Patrick's Day, hundreds of iconic landmarks and sites in over 50 countries will again go green in March. This is helping to bring some positivity and hope at a challenging time for all.

In 2020, a number of Australian sites joined the 'Global Greening Project' – including the State Library of New South Wales and Town Hall in Sydney and Flinders Street Railway Station in Melbourne.

The inclusion of a Liverpool icon would be an opportunity to raise the city's profile with Irish and international audiences and encourage new connections with Ireland. Liverpool is home to over 7,500 residents who identify with Irish heritage or ancestry.

Furthermore, Liverpool City Council is building its relationship with the Consulate General of Ireland in Sydney, by hosting an annual event at Casula Powerhouse to celebrate St Brigid's Day in February. This event celebrates Irish heritage through spoken word and music.

### NOTICE OF MOTION (Submitted by Cllr Hadid)

That Council:

1. Investigate the possibility of including a landmark – Macquarie Mall – in the Global Greening Project for 2021; and
2. Change the colour of the lights in Macquarie Mall to green on St Patricks Day, 17 March and use the Macquarie Mall Urban Screen to highlight the Global Greening Project during the St Patrick's Day Period.

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Hadid**

**Seconded: Clr Ayyad**

That Council:

1. Investigate the possibility of including a landmark – Macquarie Mall – in the Global Greening Project for 2021; and
2. Change the colour of the lights in Macquarie Mall to green on St Patricks Day, 17 March and use the Macquarie Mall Urban Screen to highlight the Global Greening Project during the St Patrick’s Day Period.

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

Councillors voted unanimously for this motion.

**ITEM NO:** NOM 02  
**FILE NO:** 040352.2021  
**SUBJECT:** Australian Air League Moorebank 60th Anniversary Commendation

## **BACKGROUND**

The Australian Air League is a youth organisation for boys and girls aged from 8 years which encourages an interest in aviation as a career or as a hobby for the youth of Australia.

The organisation is entirely self-funding and is staffed by volunteers who give their time generously to achieve its goals. The Australian Air League has no political, racial or religious connections.

The aims and objectives of the Australian Air League include:

- To promote and encourage the development of Aviation in the Youth of Australia
- To promote good citizenship
- To promote ingenuity and resourcefulness of its members
- To develop the physical and mental abilities of its members

The Australian Air League first established the City of Liverpool Squadron in February 1961 and would meet at the Memorial School of Arts, and later at the Liverpool Public School every Tuesday Night with a weekly fee of 1 shilling.

A provisional charter for the Moorebank Squadron was issued on the 29<sup>th</sup> April 1998.

The Moorebank Squadron has represented at various Civic events, both inside and outside the Liverpool LGA where they have assisted in the promotion of Liverpool by their outstanding performances

In 2019 the Moorebank squadron participated in the League's Annual NSW Group Ceremonial Parade when cadets honour the fallen at the Martin Place Cenotaph before marching through the Sydney CBD and finishing the afternoon with a ceremony at Pyrmont Bay Park.

The squadron at that event took out the Most Outstanding Squadron of the Year title for the third year running.

Other achievements at that event included the squadron placing in several categories, including second in Best Flag Party on the March and second in Best Drum Major.

A Moorebank Squadron leading cadet was also awarded a flying scholarship from the Royal Australian Air Force Association to continue his flying training at the league's flight centre at Camden Airport.

On December 11 2020 they held their End of Year Presentation Night at the Casula Powerhouse that was attended by many, Federal State and Local Government members, all who spoke so highly of the Squadron acknowledging that it was what might be described as an incubator for leaders in the community and good corporate citizens, who will serve Liverpool well into the future.

The Diamond Jubilee of the Australian Air League arriving in the Greater Liverpool and South-West Sydney area is certainly deserving of Liverpool Council's support particularly as we are the Home of Australia's newest International Airport which will provide future local career opportunities for Liverpool's youth.

I urge all Councillors to endorse this motion.

### **NOTICE OF MOTION (Submitted by Cllr Rhodes)**

That Council:

1. Congratulate the Australian Air League Moorebank Squadron on their 60<sup>th</sup> Year Anniversary of active service to the Liverpool and the South West Sydney Area;
2. Support the celebration of their 60<sup>th</sup> Year Anniversary in any means possible, including delegating to the CEO the ability to provide support (staffing etc);
3. Provide \$20,000 for the Commemoration event that they plan for Sunday 18<sup>th</sup> July 2021 so that Liverpool City and its residents can participate in celebrating and acknowledging their achievements with them; and
4. Investigate the opportunity for the Australian Air League Moorebank Squadron to be granted the Keys to the City as part of the Commemoration event.

### **COUNCIL DECISION**

**Motion:**

**Moved: Cllr Rhodes**

**Seconded: Cllr Hadchiti**

That Council:

1. Congratulate the Australian Air League Moorebank Squadron on their 60<sup>th</sup> Year Anniversary of active service to the Liverpool and the South West Sydney Area;
2. Support the celebration of their 60<sup>th</sup> Year Anniversary in any means possible, including delegating to the CEO the ability to provide support (staffing etc);

3. Provide the funds of \$20,000 from funds which were previously budgeted for the New Zealand business event and redirect the \$20,000 to the Commemoration event that they plan for Sunday 18<sup>th</sup> July 2021, so that Liverpool City and its residents can participate in celebrating and acknowledging their achievements with them; and
4. Investigate the opportunity for the Australian Air League Moorebank Squadron to be granted the Keys to the City as part of the Commemoration event.

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



**ITEM NO:** NOM 03  
**FILE NO:** 040999.2021  
**SUBJECT:** Climate Action Plan

## BACKGROUND

The *Climate Council of Australia* states as follows:

*2020 was the second hottest year on record, cementing the last decade as the hottest on record globally, as climate change continues to accelerate.*

*The National Oceanic and Atmospheric Administration (NOAA) has confirmed global average temperature for 2020 was +0.98C above the 20<sup>th</sup> century average, and only 0.02C shy of the previous record set in 2016.*

*It's remarkable that despite La Nina conditions, 2020 was the second hottest year on record', said Climate Council expert Professor Will Steffen.*

*'What it's telling us is that climate change is driving very rapid warming trends and worsening the impacts of natural variability events. This sets off yet another alarm bell to the climate change siren', he said*

### *Fast Facts:*

- *2020 was the second hottest year globally on record – despite a cooling La Nina, whereas 2016, the hottest on record, began with a strong warming El Nino event.*
- *The past decade (2011-2020) was the hottest on record (+0.82C above the 20<sup>th</sup> century average). This surpassed the previous decade record (2001-2010) of +0.62C.*
- *The global annual temperature has increased at an average rate of 0.08C per decade since 1880 and over twice that rate (0.18C) since 1981.*
- *The past seven years in the 1880-2020 record have been the hottest seven on record.*
- *The 10 hottest years on record have occurred since 2005.*
- *2020 marks the 44<sup>th</sup> consecutive year (since 1977) with global land and ocean temperatures above the 20<sup>th</sup> century average.*
- *The 2020 Northern Hemisphere land and ocean surface temperature was the highest in the 141-year record at +1.28C above average.*
- *2020 was the hottest year on record for Europe and Asia.*

Campaigns for actions in relation to climate change have focussed on the younger generations, who have the most at stake, and local government because it is easier to find

local governments who promote themselves as innovators and early and nimble movers than other levels of government and of course local government is the tier of government closest to and most likely to reflect, on a ground up basis, the wishes of the communities they represent.

The *City of Darebin* in Melbourne's north was the first local government globally to declare a climate emergency (on 5 December 2016). This was followed by Hoboken in New Jersey and Berkley in California. Notable further other local government units in Australia to initially take action in this context include the *City of Yarra*, *City of Sydney*, *City of Banyule* and *Bass Coast Shire*. *Mosman Council* has been preparing a *Climate Strategy and Action Plan*, and since 2012 the *City of Yarra* has been the first council in Victoria to be accredited as carbon neutral. By July 2020 over 1,755 local government jurisdictions, across thirty countries, had declared a climate emergency, 96 of which were in Australia, representing eight million Australians.

This motion does not however call for the declaration of a climate emergency for the *Liverpool Local Government Area* notwithstanding this region has hardly been exempt from the accelerating effects of climate change, particularly within recent memory, and many would easily consider as much to be entirely justifiable. The reality is, and despite the overwhelming evidence previously referred to, such a motion is unlikely to be politically supported.

Instead, the motion seeks to gather together what other councils have undertaken in this space together with various policy goals of this Council to form a cohesive *Climate Action Plan* for *Liverpool City Council* which in due course will become an overarching policy document which informs a number of piecemeal statements already in existence.

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

That Council:

1. That this Council moves towards the creation of an evolving, overarching centralised policy document styled in terms of a *Climate Action Plan*:
  - which draws together existing programs of this or other councils relating to: the promotion of WSUD principles; minimum tree canopy in urban developments to prevent heat sinking effects; the promotion of solar and other forms of renewal energy for private development and government buildings; the reduction of emissions from the Council fleet and equipment, and any public transport services council provides or sponsors, ensuring energy efficient building standards, ensuring energy efficient public lighting, improving infrastructure for walking and cycling; the promotion of recycling; the protection of vulnerable flora and fauna; and the general embedding of climate resilience into council strategies, and such other matters as may from time to time in the future be relevant for inclusion.

2. This Council sets ambitious but realistic explicit goals in terms of measuring and attaining carbon neutral status for its own operations, with the intention such goals will in due course be expressed in the aforesaid *Climate Action Plan*.
3. A new stream be added to Council's grants program for *Community Led Climate Action Projects*.
4. This Council wherever possible advocates in terms of the contents of this motion and supports other councils and/or local government units who have taken positive action on climate change, and further supports and joins various coalitions, networks and conferences created (or supported) by local governments addressing the issue of climate change.
5. Advocate for state and federal governments to adopt climate targets and actions including net zero emission targets that are, at least, consistent with international standards.

## COUNCIL DECISION

**Motion:**

**Moved: Cllr Shelton**

**Seconded: Cllr Kaliyanda**

1. That this Council moves towards the creation of an evolving, overarching centralised policy document styled in terms of a *Climate Action Plan*:
  - which draws together existing programs of this or other councils relating to: the promotion of WSUD principles; minimum tree canopy in urban developments to prevent heat sinking effects; the promotion of solar and other forms of renewal energy for private development and government buildings; the reduction of emissions from the Council fleet and equipment, and any public transport services council provides or sponsors, ensuring energy efficient building standards, ensuring energy efficient public lighting, improving infrastructure for walking and cycling; the promotion of recycling; the protection of vulnerable flora and fauna; and the general embedding of climate resilience into council strategies, and such other matters as may from time to time in the future be relevant for inclusion.
2. This Council sets ambitious but realistic explicit goals in terms of measuring and attaining carbon neutral status for its own operations, with the intention such goals will in due course be expressed in the aforesaid *Climate Action Plan*.
3. A new stream be added to Council's grants program for *Community Led Climate Action Projects* and funded from Government grants.

4. This Council wherever possible advocates in terms of the contents of this motion and supports other councils and/or local government units who have taken positive action on climate change, and further supports and joins various coalitions, networks and conferences created (or supported) by local governments addressing the issue of climate change.
5. Advocate for state and federal governments to adopt climate targets and actions including net zero emission targets that are, at least, consistent with international standards.
6. That Council notes that a Workshop with Councillors will be held in May 2021 and that Council look at setting timeframes at that workshop.

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

Clr Hadchiti asked that his name be recorded as having voted against the motion.

**ITEM NO:** NOM 04  
**FILE NO:** 041077.2021  
**SUBJECT:** Liverpool Business Resilience Campaign

## **BACKGROUND**

Earlier this month, the State Government announced a funding package for hardship grants of up to \$5000 for businesses on the Northern Beaches following the recent Avalon COVID-19 outbreak. Funds will also be set aside to promote the Northern Beaches and encourage tourism back to the area.

During the height of the Northern Beaches outbreak, the Premier, Ministers and the media regularly made comparisons between the Northern Beaches outbreak and the outbreak in the Liverpool LGA from July last year. Despite this, there has been no comparable offer of support for Liverpool's businesses, even as many of them still struggle to recover.

The Prime Minister has said "We are all in this together" when it comes to the COVID-19 pandemic. If this is the case, then Liverpool's businesses should be offered the same opportunities as those on the Northern Beaches.

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

That Council:

1. establish a public awareness campaign and petition calling on the State Government to provide the same business resilience support to Liverpool and Liverpool's businesses that has been provided to the Northern Beaches.
2. write to all local businesses in Liverpool:
  - o informing them about the campaign and petition; and
  - o requesting their support and signing of the petition.
3. promote the campaign and petition including through Council's social media channels.
4. write to local State and Federal MPs requesting their support of the campaign and signing of the petition.
5. write to the State Government:
  - o informing them about the campaign and petition; and
  - o requesting Liverpool and Liverpool's businesses be offered the same support as those in the Northern Beaches, including business grants and funding to encourage our tourism economy.

**COUNCIL DECISION**

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

That Council:

1. Establish a public awareness campaign utilising technology and a petition consisting of local businesses calling on the State Government to provide the same business resilience support to Liverpool and Liverpool's businesses that has been provided to the Northern Beaches;
2. Promote all available funding provided by the Federal and State Government including Dine and Discover NSW vouchers; and
3. Inform all local State and Federal Members of Parliament of the actions of Council.

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

.....

**ITEM NO:** NOM 05  
**FILE NO:** 041096.2021  
**SUBJECT:** Moratorium on Cemeteries

## **BACKGROUND**

The residents of the Mulgoa Valley and Wallacia have been fighting a series of development applications against cemeteries and crematoriums in their community. They do not oppose cemeteries and crematoria, they do however, oppose the amount and scale of some of those being proposed.

In August 2017, Penrith City Council submitted a planning proposal seeking to amend their LEP to prohibit cemeteries and crematoriums within the Mulgoa Valley and Wallacia. With parts of this region falling within the Liverpool City and the Wollondilly Shire Councils, a moratorium will only be effective with all three Councils on board. Evidence of this can be seen in a recent development application, DA-1059/2020. This application seeks to turn prime agricultural and heavily flood prone land on the banks of the Nepean River into a cemetery for 775,000 burials.

Penrith's planning proposal states:

The Mulgoa Valley and Wallacia contains significant rural landscape, including agricultural qualities, cultural heritage values, scenic values and is the setting for the villages of Mulgoa and Wallacia. The establishment of cemeteries and crematoriums in this area has the potential to irreparably damage these qualities.

Let's preserve these important qualities while we still have the chance.

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

That Council:

1. Direct the CEO to bring to the April Council Meeting a planning proposal similar to that of Penrith City Council seeking to amend our LEP prohibiting cemeteries and crematoriums within Wallacia;
2. Write to Wollondilly Council informing them of Penrith's planning proposal and Liverpool's proposed amendment and requesting the same; and
3. Notes its opposition to DA-1059/2020, a proposal for the construction of a cemetery at 1290 Greendale Road, Wallacia, housing 775,000 burials.

**COUNCIL DECISION**

**Motion:**                               **Moved: Cllr Hagarty**                       **Seconded: Cllr Hadchiti**

That Council:

1. Direct the CEO to bring to the April Council Meeting a planning proposal similar to that of Penrith City Council seeking to amend our LEP prohibiting cemeteries and crematoriums within Wallacia;
2. Write to Wollondilly Council informing them of Penrith's planning proposal and Liverpool's proposed amendment and requesting the same; and
3. Notes its opposition to DA-1059/2020, a proposal for the construction of a cemetery at 1290 Greendale Road, Wallacia, housing 775,000 burials.

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



**ITEM NO:** NOM 06  
**FILE NO:** 041141.2021  
**SUBJECT:** Food and Organic Waste

## **BACKGROUND**

In 2019/2020, Liverpool Council identified that up to 48% of the red-lidded waste bins were filled with food material, or 24,860.75 tonnes. This is in addition to 16,736.69 tonnes of organic garden waste collected through the Council's kerbside garden waste bin.

Recently, a report commissioned by Sustainability Victoria on strategies to reduce food waste identified that a lot of this food waste is unnecessary. Furthermore, the NSW EPA also identifies that wasting food also costs the community a lot of money – billions of dollars per year – as well as energy, water and other resources needed to produce food. However, one in five Australians does not have adequate access to food.

Although the Australian Government has introduced a target to halve our food waste by 2030, the NSW Government has not.

Governments, especially local governments, can play a role in reducing food waste by:

- Supporting and educating businesses and households to reduce food waste
- Using policy and regulatory levers to support reducing food waste
- Monitor and report on food waste
- Connect supply chains and sectors by fostering an environment of innovation and collaboration to reduce food waste.

Local government also has a key role to play in connecting businesses, community organisations and households.

## **NOTICE OF MOTION (Submitted by Cllr Kaliydanda)**

That Council:

1. Provide a report on the nature of food and organic waste in Liverpool, by the June meeting of Council. The report should include:
  - The impact of the volume of Liverpool's food and organic waste in terms of energy and water wastage.
  - The economic cost of food and organic waste in Liverpool.
  - The cost and feasibility of introducing measures such as: a community education program, specific bins for food waste.

- Explore the feasibility of other strategies to reduce the level of food and organic waste generated in Liverpool.
- 2. Identify funding opportunities and other resources to support measures to reduce Liverpool's food waste.
- 3. Write to the NSW Government to undertake a similar review to identify where and how food waste can be reduced across NSW, with a view to introducing a target or goal to halve our food and organic waste by 2030.

## COUNCIL DECISION

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

That Council:

1. Provide a report on the nature of food and organic waste in Liverpool, by the June meeting of Council. The report should include:
  - The impact of the volume of Liverpool's food and organic waste in terms of energy and water wastage.
  - The economic cost of food and organic waste in Liverpool.
  - The cost and feasibility of introducing measures such as: a community education program, specific bins for food waste.
  - Explore the feasibility of other strategies to reduce the level of food and organic waste generated in Liverpool.
2. Identify funding opportunities and other resources to support measures to reduce Liverpool's food waste.
3. Write to the NSW Government to undertake a similar review to identify where and how food waste can be reduced across NSW, with a view to introducing a target or goal to halve our food and organic waste by 2030.
4. Request a presentation from staff on food and organic waste processing in Liverpool.

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

Mayor Waller advised that Council would now move into Closed Session to deal with:

- Items **CONF 01 - Companion Animals Advisory Committee Membership 2021-2023** and item **CONF 02 – Tourism and CBD Committee – New Community Representative** are confidential under section 10A(2)(a) of the Local Government Act 1993 because they contain personal matters concerning particular individuals (other than councillors).

.....

- Item **CONF 03 – Question with Notice – Clr Hadchiti – Section 7/11 Contributions** is confidential under section 10A(2)(c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

## **RECESS OF COUNCIL**

Mayor Waller called a recess of Council at 8.47pm to allow members of the gallery to leave the Chambers. The meeting resumed at 8.56pm in Closed Session with all Councillors present except Clr Balloot.

## **COUNCIL IN CLOSED SESSION**

**Clr Hadchiti left the Chambers at 8:57pm.**

**Clrs Hadchiti and Balloot returned to the Chambers at 8:58pm.**

## **CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01

**FILE NO:** 317279.2020

**SUBJECT:** Companion Animals Advisory Committee Membership 2021-2023

**During discussion of this item Clr Shelton moved the following motion:**

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

That the motion be put.

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

## **COUNCIL DECISION**

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

That Council:

1. Endorses the community representatives detailed in this report as members of the Companion Animals Advisory Committee for 2020-2023 term; and
2. Write to those not successful thanking them for their interest in joining the committee.

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

Councillors voted unanimously for this motion.

**ITEM NO:** CONF 02  
**FILE NO:** 008936.2021  
**SUBJECT:** Tourism and CBD Committee - New Community Representative

**COUNCIL DECISION**

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

That Council appoints Adrian N. Lal as an additional community representative to the Tourism and CBD Committee.

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

**ITEM NO:** CONF 03  
**FILE NO:** 038809.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Section 7/11 Contributions

Please address the following:

1. Can a reconciliation be provided individually on Section 7/11 Contributions that include the suburbs of Middleton Grange and Edmondson Park providing:
  - Money collected to date;
  - Money spent to date;
  - Anticipated money yet to be collected;
  - Properties remaining to be acquired;
  - Estimated cost of those properties;
  - Strategy to acquire those properties.

Councillors noted the response provided to the question in Closed Session.

#### **OPEN SESSION**

Council moved back into Open Session at 9.40pm, Mayor Waller then read out the resolutions for CONF 01 and CONF 02 which were passed in Closed Session and noted that Councillors were provided with a response in relation to CONF 03 during discussion in Closed Session.

**THE MEETING CLOSED AT 9.41pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 31 March 2021

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 24 February 2021. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING  
HELD ON 31 MARCH 2021**

---

**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, 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 Diplas, Acting Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Mr Vishwa Nadan, Chief Financial Officer  
Mr George Harb, Chief Information Officer  
Mr John Milicic, Manager Property Services  
Ms Jennifer Chenhall, General Counsel, Manager Governance Legal and Procurement  
Mr Charles Wiafe, Manager Planning and Transport Strategy  
Mr George Georgakis, Manager Council and Executive Services  
Ms Maree Stewart, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.01pm.

---

**STATEMENT REGARDING WEBCASTING  
OF MEETING**

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

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

The prayer of the Council was read by Reverend David Morgan from St Mark's Anglican Church.

**NATIONAL ANTHEM**

The National Anthem was played at the meeting.

**APOLOGIES**

Nil.

**CONDOLENCES**

Nil.

**CONFIRMATION OF MINUTES**

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

That the minutes of the Ordinary Meeting held on 24 February 2021 be confirmed as a true record of that meeting.

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

**DECLARATIONS OF INTEREST**

Cllr Ayyad declared a pecuniary interest in the following item:

**Item:**        EGROW 01 - Amendments to Austral/Leppington North Planning Framework  
**Reason:**    Cllr Ayyad’s husband owns and runs a consultancy firm and his services have been employed by a local school in the area.

Cllr Ayyad left the Chambers for the duration of the item.

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

**Item:**        CONF 02 - Dedication to Council of Lot 39 in DP 1160527, Lot 39 Swoffer Avenue, Middleton Grange for drainage purposes  
**Reason:**    One of the landowners has provided professional services to Cllr Ayyad and her family.

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



Clr Hadchiti declared a pecuniary interest in the following item:

- Item:** EGROW 01 - Amendments to Austral/Leppington North Planning Framework  
**Reason:** Clr Hadchiti and his immediate family members live and have property in the area that the report relates to.

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

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

- Item:** EGROW 02 - Issues and Options Report - Temporary Use of Land in Growth Areas  
**Reason:** Clr Hadchiti and his immediate family members live and have property in the area, however the interest is non-pecuniary and less than significant.

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

Clr Hadchiti declared a pecuniary interest in the following item:

- Item:** INF 01 - Wianamatta South Creek Flood Study Update  
**Reason:** Clr Hadchiti and his immediate family members live and have property in the area that the report relates to.

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

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

- Item:** QWN 21 - Question with Notice - Clr Hagarty - Infrastructure and Services in Growth Areas  
**Reason:** Clr Hadchiti and his immediate family members live and have property in the area, however the interest is non-pecuniary and less than significant.

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

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

- Item:** QWN 24 - Question with Notice - Clr Hadchiti - Drainage Channels  
**Reason:** Clr Hadchiti and his immediate family members live and have property in the area, however the interest is non-pecuniary and less than significant.

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

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

**Item:** CONF 02 - Dedication to Council of Lot 39 in DP 1160527, Lot 39 Swoffer Avenue, Middleton Grange for drainage purposes

**Reason:** Clr Hagarty has had dealings through his work and in his community work with one of the owners.

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

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

**Item:** CONF 04 - Environment Advisory Committee - Appointment of Committee Membership

**Reason:** Clr Kaliyanda knows one of the people recommended in the report to be appointed to the Environment Advisory Committee.

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

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

**Item:** CEO 01 - Payment of Fees for Members of the Audit, Risk and Improvement Committee

**Reason:** Clr Shelton sits on the same Committee as the individuals involved, has had a role in relation their selection and is involved in voting and exchanging views on various issues from time to time.

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

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

**Item:** INF 01 - Wianamatta South Creek Flood Study Update

Clr Shelton had a non-pecuniary less than significant interest in relation to the motion as it was originally proposed, rather than the motion as adopted.

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

**PUBLIC FORUM**

**Presentation – items not on agenda**

Nil.

**Representation – items on agenda**

1. **Mr John Anderson, President Raid Moorebank Inc. Wattle Grove** addressed Council on the following item:

**Item:** CTTE 09 Minutes of the Intermodal Precinct Committee meeting held on 1 March 2021

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

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

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

**MAYORAL MINUTE**

**ITEM NO:** MAYOR 01  
**FILE NO:** 093897.2021  
**SUBJECT:** Thank You for Support Provided During Severe Weather Event

**BACKGROUND**

On the weekend of 20 March, a severe weather event inundated the Local Government Area, causing widespread flooding which had a major impact on the road networks and drainage channels.

Working around the clock from Saturday 20 March, Council’s City Presentation Team proactively patrolled the Local Government Area attending to numerous emergency call-outs and managing flash-flooding locations, clearing blocked drainage channels, redirecting rapids away from homes, clearing debris to make roads safe, and executing traffic control management plans with road closures and detours.

Our recovery efforts now focus on an assessment of all Council areas and facilities. As the flash flooding areas recede, our Teams have moved from immediate response mode to an assessment and recovery phase. All areas will be assessed to determine the damage, and this will provide visibility of risks and priorities to be addressed.

The Council’s City Presentation Team and State Emergency Services along with other members of the Local Emergency Management Committee played an important role in providing immediate responses to critical issues impacting the community and keeping people safe. Our community is thankful that no community members were evacuated, and no homes or lives were lost during this event.

**COUNCIL DECISION**

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

That Council:

1. Acknowledge and thank all staff involved for their diligent and tireless work during the severe weather event; and
2. Write to the Liverpool NSW State Emergency Service and the Local Emergency Management Committee to thank them for their service and support in assisting the local community during the severe weather event.

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

**MOTION OF URGENCY**

Cllr Rhodes requested that she be permitted to move a Motion of Urgency relating to the Revised Parameters of the Intermodal Appeal Case No.: 2020/0004407.

Mayor Waller ruled that the motion was urgent and that it would be dealt with in Confidential Session at the end of the meeting.

**CHIEF EXECUTIVE OFFICER REPORT**

**ITEM NO:** CEO 01  
**FILE NO:** 064694.2021  
**SUBJECT:** Payment of Fees for Members of the Audit, Risk and Improvement Committee

**COUNCIL DECISION**

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

That Council:

1. Approves the scale of payment of fees to the chairperson and independent members of the Audit, Risk and Improvement Committee, as set out in this report; and
2. Refers the budget for payment of fees for the chairperson and independent members of the Audit, Risk and Improvement Committee to Council's next quarterly budget review.

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

**Clr Hadchiti and Clr Ayyad left the Chambers at 6.21pm.**

## **CITY ECONOMY AND GROWTH REPORT**

**ITEM NO:** EGROW 01

**FILE NO:** 035016.2021

**SUBJECT:** Amendments to Austral/Leppington North Planning Framework

## **COUNCIL DECISION**

**Motion:**

**Moved: Clr Harle**

**Seconded: Clr Kaliyanda**

That Council:

1. Notes the Gateway determination for Liverpool Local Environmental Plan 2008 (Amendment 75) and the results of public exhibition and community consultation on the Austral/Leppington North Planning Framework.
2. Proceeds with Liverpool Local Environmental Plan 2008 Amendment 75 (Attachment 1) and forwards the amendment to the Department of Planning, Industry and Environment for finalisation and gazettal.
3. Approves amendments to Liverpool Growth Centres Precinct DCP in accordance with Attachments 2 and 3, on publication of the required notice and to come into effect once Liverpool LEP 2008 Amendment 75 is gazetted.
4. Endorses Liverpool Contributions Plan 2021 – Austral and North Leppington Precincts (Attachments 4 and 5) and forwards the contributions plan to the Independent Regulatory and Pricing Tribunal (IPART) for assessment followed by consideration of IPART's assessment by the Minister for Planning and Public Spaces (or nominee).
5. Receives a further report following IPART's assessment and the Minister's advice for adoption of Liverpool Contributions Plan 2021 – Austral and North Leppington Precincts as an 'IPART Reviewed Contributions Plan'.
6. Delegates to the Chief Executive Officer authority to make any typographical amendments and consequential changes to maps and works schedules in the DCP and CP if required.
7. Directs the CEO to further investigate issues relating to odour impacts and dwelling density/variety controls in the Austral/Leppington North Precinct, with a further report back to Council.

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

The Councillors voted unanimously for this motion.

Clr Hadchiti and Clr Ayyad returned to the Chambers at 6.33pm.

**ITEM NO:** EGROW 02

**FILE NO:** 036332.2021

**SUBJECT:** Issues and Options Report - Temporary Use of Land in Growth Areas

**COUNCIL DECISION**

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

That Council receives and notes the report.

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

The Councillors voted unanimously for this motion.



**ITEM NO:** EGROW 03  
**FILE NO:** 064538.2021  
**SUBJECT:** Street Naming Request - Austral

**COUNCIL DECISION**

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

That Council:

1. Supports the renaming of Impala Street to Dagostino Street, Austral;
2. Forwards the name to the Geographical Names Board (GNB), seeking formal approval;
3. Publicly exhibit the name in accordance with Council’s Naming Convention Policy, for a period of 28 days and notify adjacent landowners, following formal approval from the GNB; and
4. Authorises the Chief Executive Officer (CEO) to undertake the process of gazettal, if there are no submissions received during public exhibition.

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

.....  
Chairperson

**ITEM NO:** EGROW 04  
**FILE NO:** 073082.2021  
**SUBJECT:** NSW Government Funding for Staged Upgrade of Edmondson Avenue, Austral

**COUNCIL DECISION**

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

That Council:

1. Notes the successful application for grant funding totalling \$59.1 million for the staged upgrade of Edmondson Avenue from Bringelly Road to Seventh Avenue, Austral to a four-lane road and for design investigations for the upgrade of Denham Court Road from Commissioners Road to Campbelltown Road, Denham Court to a four-lane road.
2. Writes to the Minister for Planning and Public Spaces expressing Council's appreciation for the funding allocation and to seek a commitment for additional funding to complete the upgrade of the remaining section of Edmondson Avenue from Seventh Avenue to Fifteenth Avenue and for the full upgrade of Fifteenth Avenue.
3. Lobby the State Government to contribute funds for the complete upgrade of Edmondson Avenue and Fifteenth Avenue.

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

**CITY CORPORATE REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 054490.2021  
**SUBJECT:** Investment Report February 2021

**COUNCIL DECISION**

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

That Council receives and notes this report.

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

**ITEM NO:** CORP 02  
**FILE NO:** 061294.2021  
**SUBJECT:** 2021 National General Assembly of Local Government

**COUNCIL DECISION**

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

That Council endorse the attendance of Councillor Balloot at the National General Assembly

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

**ITEM NO:** CORP 03  
**FILE NO:** 063475.2021  
**SUBJECT:** Order of Liverpool Awards and Australia Day Awards

**COUNCIL DECISION**

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

That Council endorse the inclusion of the following clause to the eligibility criteria of the Order of Liverpool Awards and Australia Day Awards:

*“A confirmed breach of Code of Conduct, finalised through Council process for breach of Code of Conduct in the previous 12 months, prior to the close of nominations precludes from being considered for an award until nominations are being called for the following 12 month period.”*

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

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

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

That Council endorse the inclusion of the following clause to the eligibility criteria of the Order of Liverpool Awards and Australia Day Awards:

*“A breach of Council’s Code of Conduct in the previous 12 months would preclude a nominee from being considered for an Award”.*

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

Clr Hadchiti, Clr Rhodes and Clr Shelton asked that they be recorded as voting against the motion.

**ITEM NO:** CORP 04  
**FILE NO:** 065712.2021  
**SUBJECT:** Geographical Information System License - Corporate Applications

**COUNCIL DECISION**

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

That Council:

1. Approves by resolution pursuant to section 55 (3) (i) of the Local Government Act 1993 not to tender for existing services on the grounds that *(i) because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution that a satisfactory result would not be achieved by inviting tenders* in so far as:
  - 1.1 The existing system is a market leader having significant participation in local and state government;
  - 1.2 The likelihood the tender process achieving an equivalent or superior system is remote given the supplier saturation of the market;
  - 1.3 The existing systems are integral software packages allowing Council to meet customer service objectives across all service delivery areas;
  - 1.4 Operations are familiar with the platform having successfully used the systems for many years;
  - 1.5 Migrating to alternative systems at this time would be both cost prohibitive and difficult to achieve.
2. Delegate authority to the CEO to enter into direct negotiate with the incumbent suppliers pursuant to 55(3)(i) of the *Local Government Act 1993*.
  - AAM Pty Ltd - Verti GIS - Geocortex
  - ESRI Australia - ESRI
  - Hexagon Geospatial - Apollo
3. Delegate to the CEO authority to enter into a formally binding licenced contract with the existing services providers for a period of five (5) years with the option to extend for a further 2 12-month intervals.

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

**ITEM NO:** CORP 05  
**FILE NO:** 069271.2021  
**SUBJECT:** Information Technology - Product Standardisation

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Shelton** **Seconded: Cllr Ayyad**

That Council delegates authority to the CEO to directly procure Apple smart devices from Apple PTY LTD pursuant to S55(3) (i) of the *Local Government Act 1993* for a period of up to 3 years.

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

**Clr Hadchiti left the Chambers at 7.08pm.**

**Clr Balloot left the Chambers at 7.35pm.**

**Clr Balloot returned to the Chambers at 7.40pm.**

**CITY INFRASTRUCTURE AND ENVIRONMENT REPORT**

**ITEM NO:** INF 01

**FILE NO:** 071829.2021

**SUBJECT:** Wianamatta South Creek Flood Study Update

**COUNCIL DECISION**

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

That Council

1. Note that the State Government is undertaking studies of the area and it is unknown how long these studies will take, and defer the matter until such time as:
  - the latest flood event is adequately assessed by independent consultants in relation to the proposed flood study.
2. Investigate illegal fill and undertake flood mitigation works in the areas covered by the draft flood maps;
3. Lobby the State and Federal Governments for funding to mitigate the effects of flooding in the areas covered by the draft flood maps; and
4. Look at current flood maps based on the local history, going back to the 2019 flood, and consult with the local community about how this relates to the existing flood maps and provide a further report to Council.

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

The Councillors voted unanimously for this motion.



**Clr Hadchiti returned to the Chambers at 7.42pm.**

**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01

**FILE NO:** 047472.2021

**SUBJECT:** Minutes of the Audit, Risk and Improvement Committee Meeting held on 5 February 2021

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the Minutes of the Audit, Risk and Improvement Committee Meeting held on 5 February 2021; and
2. Provide a report to strategic panel once the changes to the legislation regarding the private certifiers has been made available, regarding the :
  - a) How the Council's planning instruments are protected from being undermined by non-conformance to the Council's Planning instruments by private certifiers;
  - b) The changes to legislation regarding Private Certifiers reserved under the department of Fair Trading as suggested by ARIC;
  - c) How the Enforcement Standard may be changed to meet the ever changing challenges in the needs of the Liverpool Community;
  - d) The Enforcement Standards should be included in the report so that people can read them again; and
  - e) Including the complaints that have been received and the outcome of any investigation.

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

.....

**ITEM NO:** CTTE 02  
**FILE NO:** 055063.2021  
**SUBJECT:** Minutes of the Liverpool Youth Council meeting held Tuesday 9 February 2021

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the Minutes of the Liverpool Youth Council Meeting held on Tuesday 9 February 2021; and
  
2. Endorse the recommendations in the Minutes.

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

**ITEM NO:** CTTE 03  
**FILE NO:** 060262.2021  
**SUBJECT:** Minutes of the Environment Advisory Committee held 8 February 2021

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Environment Advisory Committee meeting held on 8 February 2021.

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

**ITEM NO:** CTTE 04  
**FILE NO:** 061091.2021  
**SUBJECT:** Minutes of Strategic Panel Meeting held on 8 February 2021

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 8 February 2021

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

**ITEM NO:** CTTE 05  
**FILE NO:** 064078.2021  
**SUBJECT:** Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee Meeting held on 3 February 2021

## COUNCIL DECISION

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

That Council adopts the following recommendations of the Committee:

Item 1 - Manning Street, Priddle Street and Scrivener Street, Warwick Farm – Review of Parking Restrictions.

- Approves transverse line marking between 2m and 7m on either side of major driveways along Manning Street, to accommodate safe turning movements.
- Centre and edge line marking along sections of Manning Street, Priddle Street and Scrivener Street.

Item 2 - The Northern Road, (realigned road section), Bringelly - Request for Parking Restrictions.

- Approves proposed timed 'No Parking', bus stop and associated signs and line marking scheme.

Item 3 - Strzlecki Drive and Singleton Street, Carnes Hill – Proposed Traffic Facilities.

- Approves a pedestrian refuge at the intersection of Strzlecki Drive and Schoeffel Grove, two speed humps across Strzlecki Drive as well as minor intersection treatments at Strzlecki Drive - Singleton Street and Strzlecki Drive -Rosedale Circuit intersections.
- Detailed design of the facilities be submitted to TfNSW for comment, prior to construction.
- Community consultation to be carried out with the affected residents prior to construction.

Item 4 - Nuwarra Road and Marshall Avenue Intersection, Moorebank - Request for Intersection Treatment.

- Approves installation of a mountable roundabout at the Nuwarra Road and Marshall Avenue intersection, Moorebank.
- Detailed design of the roundabout is to consider tree planting in the central island.
- Approves C3 yellow linemarking on the northern side of the intersection, along Clyde Avenue.
- Council to undertake community consultation prior to installation.

- Council to investigate options for imposing a load limit along Nuwarra Road, in consultation with TfNSW.

Item 5 - Brickmakers Drive/Christiansen Boulevard/Greenview Drive, Moorebank – Request for a Pedestrian Crossing Facility.

- Approves construction of a gap through the eastern splitter island at the Brickmakers Drive/Christiansen Boulevard/Greenview Drive roundabout, to act as a pedestrian refuge.

Item 6 - Mallow Avenue, West Hoxton – Proposed Line marking Scheme.

- Approves separation signs and line marking scheme along the section of Mallow Avenue, west of Carmichael Drive.

Item 7 - Fourth Avenue/Tenth Avenue, Road upgrade, Austral – Proposed signs and line marking scheme.

- Approves road upgrades along sections of Fourth Avenue and Tenth Avenue, two roundabouts at Fourth Avenue/Tenth Avenue and Fourth Avenue/ Eleventh Avenue intersections and associated signs and line marking scheme.

Item 8 - New Subdivisions – Proposed signs and line marking schemes.

- Approves signs and line marking at the intersection of Eighth Avenue and Muster Street.
- Signs and line marking at the intersections of Stock Street (half-road), Hackney Street and an unnamed laneway.

Item 9 - Hume Highway – Proposed Cycleway.

- Approves sign and line marking scheme for the proposed shared path.

Item 10 - Northumberland Street, Liverpool – Proposed Parking restrictions.

- Approves a works zone along the section of Northumberland Street and No Stopping restrictions along Laurantus Serviceway between 7am-6pm, MON-FRI, 8am-1pm SAT.
- Advise all stakeholders of Council's resolution.

Item 11 - Items Approved Under Delegated Authority.

Approve delegated authority applications approved by the NSW Police Force and RMS representatives during the period 19 November 2020 and 3 February 2021.

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

**ITEM NO:** CTTE 06  
**FILE NO:** 065063.2021  
**SUBJECT:** Minutes of the Aboriginal Consultative Committee meeting held on 4 February 2021

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Aboriginal Consultative Committee Meeting held on 4 February 2021.

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

**ITEM NO:** CTTE 07  
**FILE NO:** 066329.2021  
**SUBJECT:** Minutes of Budget Review Panel 18 February 2021

**COUNCIL DECISION**

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

That Council adopts the minutes of the Budget Review Panel meeting held on 18 February 2021.

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



**ITEM NO:** CTTE 08  
**FILE NO:** 068747.2021  
**SUBJECT:** Minutes of the Tourism and CBD Committee meeting held on 23 February 2021

**COUNCIL DECISION**

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

That Council:

- 1. Receives and notes the minutes of the Tourism and CBD Committee meeting held on 23 February 2021; and
- 3. Endorse the recommendations in the minutes.

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

.....

**ITEM NO:** CTTE 09  
**FILE NO:** 072598.2021  
**SUBJECT:** Minutes of the Intermodal Precinct Committee meeting held on 1 March 2021

**COUNCIL DECISION**

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

That Council receives and notes the minutes of the Intermodal Precinct Committee.

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

**ITEM NO:** CTTE 10  
**FILE NO:** 076874.2021  
**SUBJECT:** Liverpool Sports Committee Minutes of meeting held 25 February 2021

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Liverpool Sports Committee meeting held on 25 February 2021.

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

.....

**Mayor Waller called a recess of Council at 8.03pm.**

**Mayor Waller reopened the meeting at 8.17pm.**

**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01

**FILE NO:** 043112.2021

**SUBJECT:** Question with Notice - Clr Hadchiti - Boardwalk at the Paper Mill

**Please address the following:**

1. Has the board walk which formed part of the developers VPA at the Paper Mill been approved for construction?

**Response**

A voluntary planning agreement (VPA) was entered into 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 financial contributions to support the redevelopment of the Shepherd Street precinct. Council has been dealing directly with Coronation in relation to the delivery of the infrastructure items included in the VPA, including the riverbank works (bank stabilisation and shared path) subject to this question with notice.

There are two key approvals required from Council to enable the commencement of works:

1. Approval under Part 5 of the Environmental Planning and Assessment Act
2. Licence for occupation of Council land for a works compound

The Part 5 approval is facilitated by a "Review of Environmental Factors" or REF. The REF is prepared by the proponent and then assessed and approved by Council. Coronation has provided Council with a REF to review and approve. Council have required some additional information and clarification of specific issues to ensure that the REF is suitable for the works.

Final assessment has been made on the REF by Council. On 18 March 2021, Council received the final documentation that it requires to complete this assessment. If this documentation addresses the requirements of the VPA and the issues raised in submissions, then the REF will be approved. Council acknowledges the risks of continued erosion of the bank adjacent to the development site and are working quickly to finalise the approval.

In relation to the works compound, Council have issued a draft site compound licence to Coronation for their review. This draft licence has been subject to a public exhibition process in accordance with the requirements of the Local Government Act.

Once the REF is approved and the licence executed, all relevant Council approvals will be complete.

**ITEM NO:** QWN 02  
**FILE NO:** 043118.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Service Level Agreements

**Please address the following:**

1. Council was to introduce Service Level Agreements between departments. Has this been implemented?

**Response**

All Council departments have developed a draft set of internal customer service levels which include response and turn-around times for interdepartmental activity.

Although these have been developed, Council's Executive has determined that the implementation of internal customer service levels needs to be aligned to the broader organisational service and budgeting review which is currently being undertaken. This would mean that both internal and external customer service level agreements will be streamlined with a focus on key service outcomes. These will be consistent across the organisation with accountability and clarity around turnaround times ingrained in their development.

By aligning the internal customer service levels with Council's broader service and budgeting review, Council can ensure that internal customer service levels include the appropriate monitoring, reporting and accountability measures and that these are embedded into the day to day operations of Council.

**ITEM NO:** QWN 03  
**FILE NO:** 043121.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Heritage Review

**Please address the following:**

1. Council is undertaking a city-wide heritage review. My understanding is staff have identified sites that will form part of this review. If these sites are privately owned have the owners been notified that their property will be reviewed or will the first they know of it be when the report is presented to Council?

**Response**

Council is preparing a detailed project brief for the proposed Liverpool Heritage Study project. Council will go to market via an Expressions of Interest process to identify suitable consultants. The EOI process is schedule to commence by the end of April 2021 with shortlisting in May 2021. Subject to a budget allocation in the 2021/22 financial year, the shortlisted consultants will be invited to tender in July/August 2021.

This project is a comprehensive community-based heritage study for the Liverpool Local Government Area. At this stage, no properties, beyond any requests for Interim Heritage Orders, have been identified or assessed.

The proposed community-based heritage study will consist of at least four components, as follows:

1. A detailed thematic history of the Liverpool area;
2. The Heritage Study;
3. Land Use Planning Analysis; and
4. Financial Implications Analysis.

A list of potential heritage items will be created through a series of community workshops, engagement through Council's digital platforms, and consultation with identified key stakeholder groups. The list of potential items collated through this process will be analysed by the independent heritage consultant, compressing the list down to a schedule of potential items that meets the Heritage Significance Assessment criterion. This list will not be made public, at this stage of the project.

Engagement with the owners of potential heritage items will commence at this stage of the project and the engagement program will consist of the following:

1. Initial notification to owners of the identification of their property, and a factsheet will be prepared that that will outline the study process and the timeframe. A request will also be made for Council's consultant team to visit the property to inform the assessment process. This will also give the owner an opportunity to meet the consultant team, to discuss the process and provide any information they feel is necessary.

2. Following the initial notification, a Q&A forum will be held with all owners of potential heritage items. The forum panel will consist of the heritage, land use planning and economic experts of the independent consultant team as well as Council's heritage and planning representatives. The forum will be chaired by an independent community engagement specialist and will provide all owners an opportunity to ask questions relating to potential heritage listing and to get answers from the panel. Where questions cannot be answered, these will be taken on notice and a formal response will be provided after the forum. All questions and answers will be documented, and a draft will be provided to all attendees to confirm the question and answers provided.
3. During the Land Use Planning and Financial Implications analysis, one-on-one interviews will be held with each owner of a potential heritage item. The purpose of these interviews will be to understand the condition of the building, future intentions of the owner and any potential financial challenges. This information will form part of a confidential report which will inform an analysis outlining the issues identified and provide recommendations or mitigation measures. The analysis will be a public document, however, will not identify specific owners and properties and their identified situations.
4. The outcome of the assessment process will then be presented to each owner in a detailed letter. Opportunities will be provided for the owner to again meet with the consultant team to discuss the outcome and potential implications.
5. The outcomes of these detailed consultation stages with the owners will be documented and summarised in a stakeholder engagement report that will be tabled to Council with the draft study. Where owners clearly object to the listing of their property, this will be documented along with the reasonings and a response from the consultant team.

The proposed approach to consultation with owners of potential heritage items is extensive and will occur before a draft is presented to Council. The proposed consultation program is greater than what is recommended for heritage studies, but Council considers it important to bring owners into the process early and to have them actively involved.



**ITEM NO:** QWN 04  
**FILE NO:** 043125.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Machinery Purchase

**Please address the following:**

1. Council allocated approximately \$3m to the City Presentation team for the purchase of new equipment. What machinery was purchased and how was this determined?

**Response**

In 2019, the City Presentation Directorate requested additional funding for the purchase of plant and equipment to address the increasing servicing requirement across the expanding Local Government Area. Council Resolution (Corp 03 dated December 2019) approved budget variations for the transfer of \$1.5M of unrestricted reserves to City Presentation.

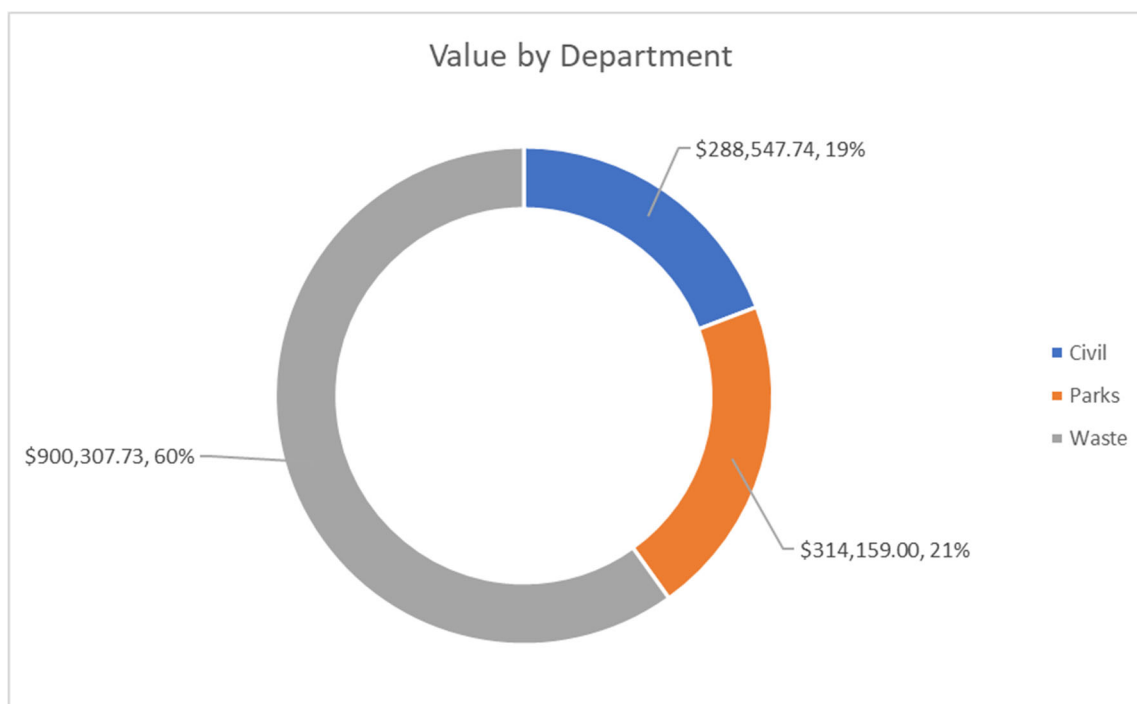
In March 2020, the Managers for City Works (Parks and Civil), Waste and Cleansing as well as Operational Facilities presented individual rationales to the Director of City Presentation for consideration. A review of service and maintenance programs in each area was undertaken, and a final decision of plant and equipment acquisitions was based on service priorities.

The acquisition strategy evolved from the original list as presented in the Memo to the Mayor and Councillors dated 6 March 2020.

Please refer to the table below, outlining the latest commitments.

### Plant and Equipment Acquisition Status Report

Department	Replacement/ New Initiative	Description of Plant Make	Model	Qty	Contract Value	Procurement Status	Estimated Arrival Month	Timing during month
Civil	New Initiative	Hino	6X4 Tipper	1	\$213,547.74	Plant Ordered	Jun-2021	End
Civil	New Initiative	Rogers Willex	Trailer for civil excavator 951	1	\$25,000.00	Plant Manufacturing	Apr-2021	End
Parks	New Initiative	Kubota	Extra tractor for Dave Taylor team	1	\$74,282.00	Delivered to dealership	Apr-2021	End
Waste	New Initiative	Isuzu	FXV 6X4	1	\$179,133.63	Plant Ordered	May-2021	Mid
Waste	New Initiative	Effer	80-2 Crane	1	\$59,000.00	Plant Ordered	May-2021	Mid
Waste	New Initiative	Hartliffe	Crane attachments	1	\$11,500.00	Plant Ordered	May-2021	Mid
Waste	New Initiative	Avant	850 Loader	1	\$108,712.73	Delivered to supplier for modification	Mar-2021	End
Waste	New Initiative	Garwood	1 Compactor	1	\$210,023.64	Procurement - Award	Sep-2021	End
Waste	New Initiative	Carler Wesco	BT450	1	\$18,475.00	Completed	ready now	
Waste	New Initiative	Garwood	1 X Street Sweeper	1	\$313,462.73	Plant Manufacturing	Sep-2021	End
Civil	New Initiative	tbc	Mulching Head for excavator	1	\$50,000.00	Procurement - Scoping	tbc	tbc
Parks	New Initiative	tbc	Condor Slasher – West Sports Fields	1	\$30,000.00	Procurement - Scoping	tbc	tbc
Parks	New Initiative	tbc	Mentay 2000 Wicket roller – Rosedale	1	\$32,000.00	Procurement - Scoping	tbc	tbc
Parks	New Initiative	tbc	Small plant & hardware for Cirrillo Reserve	1	\$8,000.00	Procurement - Scoping	tbc	tbc
Parks	New Initiative	tbc	2 X Kubota trailers	1	\$55,000.00	Procurement - Scoping	tbc	tbc
Parks	New Initiative	tbc	Walk Behind Roller	1	\$22,000.00	Procurement - Scoping	tbc	tbc
Parks	New Initiative	Kubota	Out-Front Mowers F3690	1	\$30,959.00	Completed	ready now	
Parks	New Initiative	Kubota	Out-Front Mowers F3690	1	\$30,959.00	Completed	ready now	
Parks	New Initiative	Kubota	Out-Front Mowers F3690	1	\$30,959.00	Completed	ready now	
					<b>\$1,503,014.47</b>			



It is important to note - “the current lead-time for tendering plant and equipment in accordance with the Local Government Act 1993 – Section 55 and Local Government (General) Regulation 2005, Part 7 would take approximately 6 months to purchase. In addition, average manufacturing time range anywhere from 3-8 months, once contracts are awarded. This means there would be a lead-time of a maximum total of 14 months before plant is available to our workforce”.

The Council's priority at the time was to ensure the plant renewal budget of over \$4M to replace the aging plant and equipment had to be delivered first, to meet the Council's safety obligations under the National Heavy Vehicle Law (NHVL).

The expenditure of the \$1.5M for plant and machinery commenced after this initiative in a two-phased procurement process, which allowed Council to manage the budget and take into account uncertainty associated with market pricing.

The procurement process takes approximately 6-9 months to scope and go through the procurement cycle. In addition, significant events such as the NSW Bushfires in December/January 2019/2020, the February flood event in 2020 and the COVID19 pandemic presented significant challenges across manufacturing, logistics, as well as, shipping and transport which further impacted the timeline.

The Council aims to have all plant and equipment purchasing completed by December 2021.

**ITEM NO:** QWN 05  
**FILE NO:** 043131.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Wait Time for Household Clean Up Service

**Please address the following:**

1. What is the wait time as at 15 February, 2021 for a household clean up service (waste pick up)?

**Response**

Currently Council's website states "please book at least four weeks in advance", our current service timeframes range from four to six weeks which is in line with our current resourcing (Waste Operatives and Plant availability).

On 1 February 2021 Council launched a new booking system, which has been well received by the community. The ease of the new booking system has introduced a positive impact with increased bookings which has also led to the lead times increasing.

Each household is permitted two bookings per year at a maximum capacity of 2 tonnes allowed per booking.

Starting on 22 February 2021 our Waste Teams' maximum capacity for household collections is up to 175 collections per day. This was increased from 140 collections per day once the acquisition and roll out of the five new Compactors (Trucks) was completed.

Council is currently reviewing resourcing to improve wait times and service delivery to the community.

**ITEM NO:** QWN 06  
**FILE NO:** 043141.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - One Lane Bridge on Sixth Avenue, Austral

**Please address the following:**

1. Who is responsible for the dangerous one lane bridge on Sixth Avenue, Austral close to the intersection of Thirtieth Avenue?

**Response**

The bridge on Sixth Avenue, Austral near its intersection with Thirteenth Avenue, crosses the Water NSW Upper Canal. Water NSW owns the bridge and has responsibility for its maintenance.

The road approaches to the bridge have been inspected and stop signs have been relocated. In addition, overgrown grass which was obstructing sight distances has been mowed to improve visibility on the bridge approaches.

Water NSW engaged consultants last year to assess heavy vehicle movements across the bridge and as a result, an 18-tonne load limit to restrict heavy vehicles has been imposed. The load limit signs will be installed this month.

To reduce traffic speeds on the bridge approaches, the Liverpool Pedestrian, Active Transport and Traffic Committee will consider the installation of two rubber speed humps on either side of the bridge at its meeting on 17 March 2021.

When the Austral / Leppington North precinct was zoned by the NSW Government, no provision was made for the widening of this bridge, including within the Contributions Plan. Further, Browns Road is to be upgraded to a collector road linking Austral to Bringelly Road which then crosses the Upper Canal to the east.

**COUNCIL DECISION**

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

That Council starts a conversation with Water NSW with the ultimate aim to widen the one lane bridge on Sixth Avenue, Austral close to the intersection of Thirtieth Avenue.

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

**ITEM NO:** QWN 07  
**FILE NO:** 043163.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Twenty Sixth Avenue, Austral Resurfacing

**Please address the following:**

1. Twenty Sixth Ave Austral is in desperate need of resurfacing. Is it on the program of works?

**Response**

Council acknowledges that the condition of Twenty Sixth Avenue is very poor with extensive surface and pavement failures, which are beyond the scope of normal maintenance repairs. Accordingly, Council has scheduled major repairs and resurfacing of the full length of Twenty Sixth Avenue, between Stuart Road and Twenty Fifth Avenue. At this stage, these works are planned to be completed in May 2021.

**ITEM NO:** QWN 08  
**FILE NO:** 062858.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Edmondson Avenue, Austral - Part Road Resurfaced

**Please address the following:**

1. Parts of Edmondson Avenue, Austral have been resurfaced. Are there any plans to finish off the Bringelly Road end?

**Response**

Council's Civil Maintenance Team repaired several deteriorated road sections in Edmondson Avenue towards Fifteenth Avenue in September 2020.

Additional funds were required to complete the works and Council endorsed \$120,000 to be transferred to this project in the first quarter budget review. Repair and resurfacing works which will include the Bringelly Road end, have been programmed to commence in April 2021 and are anticipated to be completed by the end of June 2021.

Council's Civil Maintenance Team continues to be committed to undertaking routine inspections and road repairs as required until the proposed upgrade of the two-lane divided road construction is completed as part of future programmed capital road works.

**ITEM NO:** QWN 09  
**FILE NO:** 062862.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Extra Road Lanes on Greenway Drive, West Hoxton

**Please address the following:**

1. Is there anything that stops Council from considering adding extra road lanes on Greenway Drive West Hoxton (East bound) between Cowpasture Road and Wyattville Drive?

**Response**

Greenway Drive is a collector road providing access to the southern part of West Hoxton between Cowpasture Road and Joshua Moore Drive. With its intersection with Joshua Moore Drive, Greenway Drive forms a loop road (between Cowpasture Road north and Cowpasture Road south).

The section of Greenway Drive between Cowpasture Road and Wyattville Drive is a two-lane divided road. Cowpasture Road is a state road under the care and control of Transport for NSW (TfNSW). It has a signalised intersection with Kurrajong Road and Greenway Drive, which permits all turning movements. The section of Greenway Drive between Cowpasture Road and Wyattville Drive is the western leg of the intersection.

The signal operation particularly in the AM peak periods results in traffic queues and congestion along this road section. The western approach to the signals has a lane configuration as shown below, with a left turn slip lane, a through lane and a short right turn lane of approximately 60m. The congestion (along this approach) could be the result of queueing vehicles blocking the left turn or through traffic movements.



This section of Greenway Drive has a carriageway width of approximately 12m with a 2m raised concrete median island. The eastbound carriageway width is approximately 5m wide.



To accommodate an additional eastbound traffic lane, the carriageway will need to be widened by approximately 1.5m. This will require reconfiguration of the existing traffic lanes involving narrowing, reconstruction of the existing central median island to the south and/or minor kerb adjustment. Such reconfiguration involves changing the western approach to the signalised intersection with Cowpasture Road and will require consultation with and approval by TfNSW.

Upgrading this road section is not identified in Council's capital works program. Council will develop preliminary designs, undertake necessary agency consultation and advise Councillors of the outcome.

Following this, detailed costings and designs can be prepared for Council's consideration for inclusion in the capital works program for funding consideration in future financial years' budgets.

**ITEM NO:** QWN 10  
**FILE NO:** 062863.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Drive Through to Inspect the Quality of Roads in the Rural Area

**Please address the following:**

1. When was the last time a drive through was done to inspect the quality of roads in the rural area?

**Response**

The Council inspects its road network using external consultants and internal crews.

Council also undertakes a comprehensive condition survey of road assets including rural roads every 4 years using an external expert. This informs the Council of the long-term financial forecast for the road assets. The last comprehensive survey was completed in 2018. Approximately 890 km of the road assets were inspected during this survey including 158 km of the rural roads.

Council's maintenance crews undertake an inspection of rural roads regularly and aim to complete the tasks within 6 to 12 months. The major arterial roads (Fifteenth Avenue, Badgerys Creek Road, Edmondson Avenue, Greendale Road, etc.) are inspected monthly.

Currently, inspections and maintenance of roads in rural areas are undertaken by Council's City Presentation Team. There is a total of 5 teams (Crews) in City Presentation which focus on civil maintenance for the Council's entire road network and that includes:

- Minor Patching Teams – focus on minor patching and potholes
  - the Minor Patching Teams comprises of 3 Crews with 8 staff members operating 3 key pieces of plant - Flo-con machines (quantity 2) and one Jet Master system.
- Heavy Patch Team – focus on larger and lengthy road repairs
  - The Heavy Patch Team comprises 1 Crew with 5 staff members operating heavy plant such as backhoe and road roller.
- Shoulder Team – focus on reconstructing road shoulders (edges and natural causeway) of the side of the road.
  - The Shoulder Crew comprises 1 Crew with 6 staff members operating heavy plant bobcat, excavator and road roller and grader.

For larger and more complex works which require a specialised plant, City Presentation

engages external contractors to undertake the works.

Council's maintenance team manages the rural roads using the above-mentioned crews if they have safety and complaint issues. In addition to the above, road shoulder reconstruction and grading works are also undertaken by the Depot for rural roads.

Council manages its road network including the rural roads at set standards and makes sure they are accessible all year.

**ITEM NO:** QWN 11  
**FILE NO:** 062866.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti Annual Fire Safety Statement (AFSS)

**Please address the following:**

1. Do all Council owned/managed properties have an up to date Annual Fire Safety Statement (AFSS)?

**Response**

There are currently 69 Council owned properties on the Annual Fire Safety Statement register. As at 22<sup>nd</sup> March 2021, 65 are up to date and 4 are overdue which are listed below.

<b>Property Name</b>	<b>Address</b>	<b>Comments</b>
SES Liverpool	99-101 Rose St Liverpool	The premises is under renovation. Therefore, not currently being occupied. Date not specified for AFSS submission.
Casula Community Centre & Library & Childcare Centre	39 Ingham Drive Casula	Repairs scheduled for the 24 <sup>th</sup> March.
Warwick Farm Children's Centre	68 Williamson Crescent	The certificate has been submitted. Therefore, this is a timing issue towards official certification.
Rose Street Depot (Mechanics Workshop)	99-101 Rose Street, Liverpool	Testing is being completed. Awaiting fire testing report to determine whether repairs are required prior to certification

Over the last 10 months, Council has worked diligently to put in place appropriate resources, budgets and work schedules to maintain a sustainable program of fire safety certification across our property portfolio. Even though this meets compliance standards, Council has an appetite to progressively move towards best practice with regards to Fire Safety.

In order to progress to best practice, Council has engaged an independent fire safety engineer to complete a due diligence process to validate the integrity of the schedule's base line data, identify opportunities for full functional testing and identify those Fire safety assets within its properties which aren't itemised on the schedules.

Council intends to translate the outcomes of this report into a program of capital works and a revision of Council Property Fire Schedules where applicable.

**ITEM NO:** QWN 12  
**FILE NO:** 082263.2021  
**SUBJECT:** Question with Notice - Cllr Rhodes - Mobile Office Services

**Please address the following:**

Mobile Office Services

1. People in the Community who are not computer literate, have no internet service, and consequently are not on facebook or other social media platforms have asked when is Council intending to start Council Mobile Office services again?
2. What else can Council do to bridge the communication gap with constituents who are not Computer or smart phone savvy?

**Response to point 1**

The last Council Mobile Office was held on 12 February 2020 and then ceased due to Covid-19.

Staff propose to recommence Mobile Offices in May and hold another one in July for the current term of Council.

It's intended that Mobile Offices then continue to be held bi-monthly in the new term of Council.

**A response to point 2 of this QWN will be provided in the April 2021 Council meeting business papers.**

**ITEM NO:** QWN 13  
**FILE NO:** 083327.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Customer Service Request

**Please address the following:**

1. Once a customer service request is made whether on line or over the phone, what measures are in place to ensure that the request is actioned?

**Response**

All customer requests are issued with a unique identifier. Once a customer request is lodged it is assigned to an actioning and responsible officer in the relevant department.

At times customers call Council to request an update on their request, if it is found that the request is unactioned a follow up request will be issued to the actioning/responsible officer.

Customer Service rely on the information updated in the customer request to update the customer on the progress.

At times customer service requests are escalated to People Leaders for follow up or actioning.

Monthly reporting is available and reported on for outstanding customer request trend analysis.

**ITEM NO:** QWN 14  
**FILE NO:** 083347.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Climate Action Plan

**Please address the following:**

1. At the last ordinary meeting Council passed a resolution to create a 'Climate Action Plan'. What community consultation will take place prior to the implementation of such plan and will this plan include a dollar cost which ultimately will be paid for by the ratepayer?

**Response**

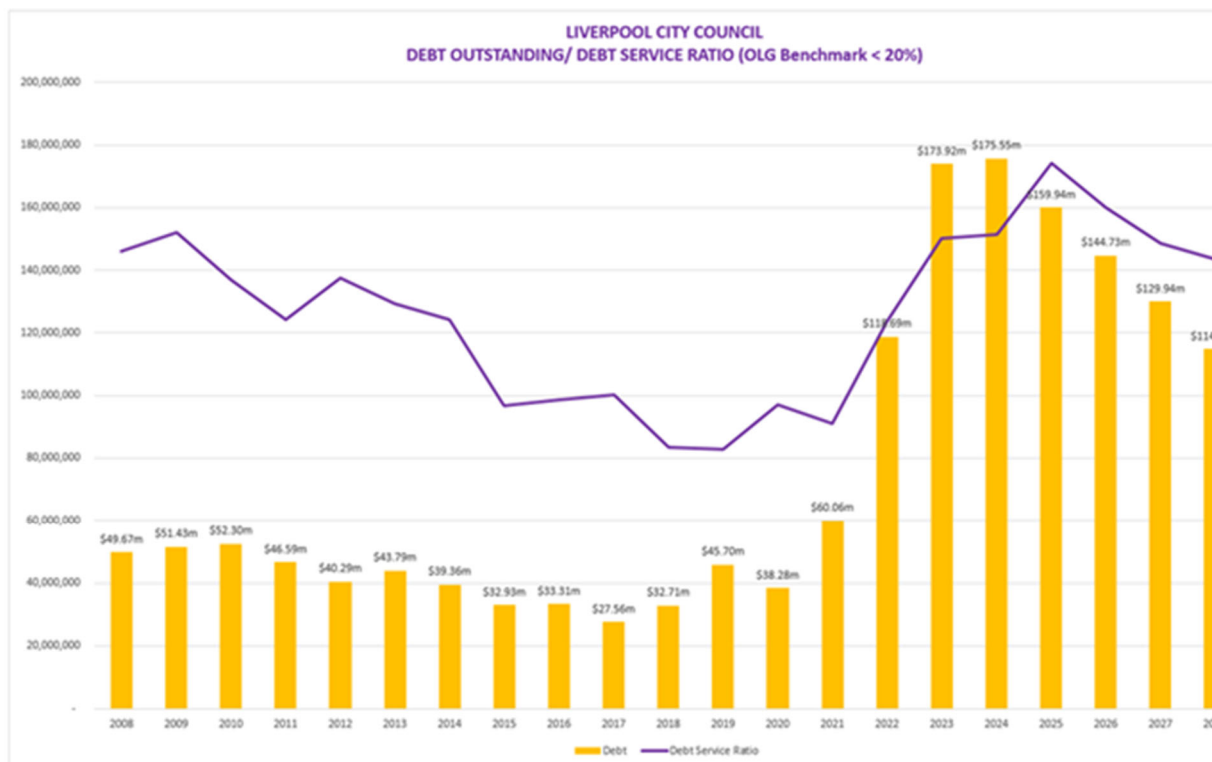
The development of a Climate Action Plan is likely to include a public exhibition period prior to adoption. The scope of the Plan will be informed by the scheduled Councillor workshop, and may include cost estimates for pertinent actions. However, until funding opportunities (such as grants) and cost savings are further explored, it may not be possible to identify the cost to the ratepayers.

**ITEM NO:** QWN 15  
**FILE NO:** 083251.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Council's Debt Level

**Please address the following:**

1. Can a graph please be put together showing Council's debt level from 2008 to 2028 based on current projections?

**Response**



The graph indicates that Council's debt level will remain significantly lower than the OLG Benchmark ratio throughout the period to 2028.

.....  
 Chairperson



**ITEM NO:** QWN 16  
**FILE NO:** 083271.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - 35 Scott Street, Liverpool

**Please address the following:**

1. Has the empty commercial floor space at 35 Scott St been leased out yet?

**Response**

The empty floor space is approximately 700 sqm, on Level 6 at 35 Scott St and is currently yet to be leased. Council has appointed a commercial agent to lease the space.

**ITEM NO:** QWN 17  
**FILE NO:** 083283.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Civic Place

**Please address the following:**

1. What percentage of the rate base would the repayments on the loan for Civic Place equate to?

**Response**

The loan for Liverpool Civic Place will be drawn in tranches during the construction period and full impact of loan repayment will be in 2024-25.

The loan repayment (after adjusting for LCLI interest subsidy) as a percentage of Council's rate base (excluding Domestic Waste Management Charges) in 2024-25 will be 11.4%, calculated as follows:

Total Rates & annual charges	\$165.7m
Less: Domestic Waste Management Fees	\$42.9m
General Rates & annual charges	\$122.8m
Loan Repayment (Less LCLI Subsidy)	\$14.0m
Repayment as % of rate base	11.4%

Council is expecting to generate an additional \$8.4m in rental income. The repayment, after adjusting for an increase in rental revenue, as a percentage of Council's rate base will be 4.6%

**ITEM NO:** QWN 18  
**FILE NO:** 083295.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Rates

**Please address the following:**

1. Can the CEO rule out based on Council's current position that a request for an increase in rates will not be made for the 22/23 financial year?

**Response**

Council's current financial projections do not indicate a need for any special rate variation in a short to medium term.

**ITEM NO:** QWN 19  
**FILE NO:** 083091.2021  
**SUBJECT:** Question with Notice - Cllr Kaliyanda - Food Insecurity

**Please address the following:**

1. What is the status of food insecurity in the Liverpool LGA?
2. As COVID-19 related restrictions have eased, what impact has this had on people accessing food relief?
3. How are gaps in government support being met in the Liverpool LGA?

**A response to these Questions with Notice will be provided in the 28 April 2021, Council Meeting Business Papers.**

**ITEM NO:** QWN 20  
**FILE NO:** 083179.2021  
**SUBJECT:** Question with Notice - Cllr Kaliyanda - Gender Pay Gap

**Please address the following:**

1. Has Council ever conducted a gender pay gap analysis for the organisation?
2. If so, how does our Council compare to benchmarks?

**A response to these Questions with Notice will be provided in the 28 April 2021, Council Meeting Business Papers.**

**ITEM NO:** QWN 21  
**FILE NO:** 083199.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - Infrastructure and Services in Growth Areas

### **Background**

There is still a lack of infrastructure and services in our growth areas. Suburbs like Middleton Grange, Edmondson Park and Austral are poorly served with choked roads and a lack of bus services. This issue is set to become worse if it is not addressed quickly.

While Council is delivering on State Government housing targets, other levels of Government must provide their fair share such as main roads, bus services and regional infrastructure like hospitals, schools, police stations and top tier venue spaces.

### **Please address the following:**

1. What additional bus services are planned for our growth suburbs?
2. When are these new bus services set to arrive?
3. How are major upgrades to roads like Fifteenth Avenue funded?
4. Are there plans for additional public services and infrastructure like hospitals, schools, police stations, ambulance stations in our growth suburbs?
5. When are these expected to be delivered?

**A response to these Questions with Notice will be provided in the 28 April 2021, Council Meeting Business papers.**

**ITEM NO:** QWN 22  
**FILE NO:** 083222.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Civic Place Documentation

**Please address the following:**

1. Can all the documents relating to Civic Place, ie QS reports etc, be made public?

**A response to this Question with Notice will be provided in the 28 April 2021, Council Meeting Business papers.**

**ITEM NO:** QWN 23  
**FILE NO:** 083305.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Aerotropolis

**Please address the following:**

1. Currently landowners in the Aerotropolis are stuck in no man's land based on the new zonings. Although a range of developments are permissible under the new zoning, applications are not able to be submitted or determined due to the lack of an infrastructure plan or infrastructure to service the land. What options are available to landowners for temporary use DAs? What discretions can Council apply if it chooses to allow structures to remain that are currently in place?

**A response to these Questions with Notice will be provided in the 28 April 2021, Council Meeting Business papers.**



**ITEM NO:** QWN 24  
**FILE NO:** 083313.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Drainage Channels

**Please address the following:**

1. Can the CEO please provide a map of the drainage channels that Council is responsible for in the rural/growth areas and a timeline for when they will all be cleared?

**A response to these Questions with Notice will be provided in the 28 April 2021, Council Meeting Business paper.**

**ITEM NO:** QWN 25  
**FILE NO:** 083339.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Consultants

**Please address the following:**

- a) There is a dramatic increase in dollar terms from the adopted budget to the current projections for consultants. Can a reconciliation please be provided for that line item identifying the consultant, the amount spent, when the request for that consultant was made, the purpose and when it was first known that that consultancy work would be needed?

**Response**

Attached reconciliation of consultants' expenditure. A significant increase in projected expenditure relate to the following:

- a) \$3m grant funded (from the NSW Department of Planning & Infrastructure) consultancy on works undertaken by Western Sydney Planning Partnership Office;
- b) \$400k grant funded (from the NSW Department of Planning & Infrastructure) consultancy on LEP review.

Reconciliation - Consultants Expenditure 2020-21 Budget vs Projections

Project Description	Original Budget	Projections	YTD		Service Providers	Comments
			Mar 21	\$		
Advanced Investigations - Design & Documentation Open Space	10,000	10,000	2,500		Swan Architecture	Landscape Improvement Design 1 - 3 Dixon Park Blvd Liverpool
Cabrantia Creek Flood Study	50,000	50,000	43,177		Kaloon Brown & Root Pty Ltd	Underpinning Review of Cabrantia Creek
Shoalhaven Maintenance Planning for Fish & Otter Species	10,000	10,000	8,470		Geosilo Australia Pty Ltd	Functional layout and ERF7 mitigation support
Liverpool Collaboration Area - Flood Evacuation Constraints	50,000	50,000	48,400		Metro Stewart	Liverpool Collaboration Area - Flood Evacuation Constraint
Preparation of LCC Signs and Line Marking Asset Register	0	111,000	55,445		Pavement Management Services	LCC Signs and Line Markings
Review of Dam Safety Emergency Plan	0	160,000	130,051		Mulino Stewart	Review and update DSEP, O&M reports and page 2 surveillance report for drainage basins
Update of Dam Safety Management Plan	20,000	20,000	12,030		Letchment Simulation Solutions Pty Ltd	Liverpool Overland Flow Path study for surge catchment
Floodplain & Water Management	10,000	10,000	1,800		Adrian Pty Ltd	Updating flood maps in South Creek catchment
Natural Environment Implementation	0	39,560	4,400		Fluorion Pty Ltd	Updating flood maps in South Creek catchment
Design Excellence Panel	77,800	77,800	4,444		Letchment Simulation Solutions Pty Ltd	Liverpool Overland Flow Path study for surge catchment
The Liverpool Local Planning Panel	55,000	55,000	28,140		Mulino Stewart	Environmental education benchmarking
Aboriginal Cultural Heritage Study	25,000	25,000	12,091		Boyer Pty Ltd	Costs transfer / appropriate business case
Comprehensive Review of Liverpool LEP	0	400,000	25,919		Various	Panel Members' fees for the Liverpool Local Planning Panel
	0	0	4,988		University of New South Wales	Aboriginal economic study
	0	0	22,159		Harfield City Council	Affordable Housing project
	0	0	28,859		Camplin & Associates Pty Ltd	Urban Planning tasks - LEP Project Manager
	0	0	44,400		Sue Agrealla	Aviation Program Review
	0	0	25,425		Kinross Pty Ltd	Liverpool Emissions Reduction and Resource Efficiency
	0	0	9,375		SOS Economics & Planning Pty Ltd	Peer Review of submissions on SBS Centre Strategy
Waste Planning & Policy	100,000	100,000	58,500		HL PDA Pty Ltd	Review residential land use controls
Waste Planning & Policy	0	0	7,394		Lenden Municipal Council	Regional Waste Procurement contract
Waste Planning & Policy	0	0	87,400		All Civil Works Pty Ltd VIA Prolead Plus	Waste, Recyclables and garden organics collection service
Aerodrome Planning	0	3,000,000	5,000		EC Sustainable	Household kerbside bin composition audit
	0	0	33,400		Schultz Pty Ltd	Western Sydney Aerodrome Flood Risk and Impact Assessment
	0	0	547,150		Aecom Australia	Western Sydney Aerodrome Transport Planning
	0	0	101,861		Aburjan Consulting Australia Pty Ltd	Western Sydney Aerodrome Sustainability and Heat
	0	0	89,400		Site Urban Economics	Aerodrome Emergency and Market Growth Analysis
	0	0	183,454		Aecom Australia Pty Ltd	Western Sydney Aerodrome Land Capability Assessment, Utilities Audit, Air Quality, Odour Baseline, Noise and Acoustic Assessment studies
	0	0	17,840		Schultz Pty Ltd	Western Sydney Land Use Planning Guidelines for Wildlife Management Assessment
	0	0	106,450		Eco Logical Australia	Western Sydney Aerodrome Biodiversity and Riparian Corridor Study
	0	0	50,000		Extent Heritage	Western Sydney Aerodrome - Aboriginal and Non-Aboriginal Heritage
	0	0	281,410		Orch Pty Ltd	Western Sydney Aerodrome Aboriginal Engagement
	0	0	261,548		Hensel Ltd	Aerodrome Core Urban Design
	0	0	347,375		HL Trade Architecture & Urban Projects Pty Ltd	Urban Design - Northern Gateway Precinct
	0	0	350,400		Studio Effect	Western Sydney Aerodrome Master Planning Services for the Aerodrome North-Western Precinct
	0	0	1,000		Toddack Communications	Public Review - Western Sydney Aerodrome Project Finalisation Report
Infrastructure Asset Condition Assessment	30,000	30,000				
Investment Control and Project Management Framework	80,000	80,000				
Mattress Recycling Feasibility Study	0	80,000				
Wahamatta South Creek Flood Study Update	0	40,000				
Sustainable Environment	10,000	10,000				
Shoalhaven Planning	0	100,000				
LCC Development Corp	250,000	250,000				
<b>Total</b>	<b>787,800</b>	<b>4,698,360</b>	<b>3,190,710</b>			

**NOTICES OF MOTION**

**ITEM NO:** NOM 01  
**FILE NO:** 081367.2021  
**SUBJECT:** Parking on Verges and Nature Strips

**BACKGROUND**

Following the recent communication from Eleni Petinos MP Parliamentary Secretary for Transport and Roads advising that Council has the authority to permit parking on the verge or nature strips by providing appropriate parking control signage, it is in the best interest of residents that Council identify suitable areas where such parking is safe to do so and implement it as soon as possible.

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

That Council establish parking areas on verges and nature strips where safe to do so in accordance with NSW Road Rule 197 by:

- a) Identifying all streets in the Liverpool LGA where parking on the verge and nature strips can be safely permitted;
- b) Report back to May 2021 Council Meeting on areas found to be permissible together with the time it would take to implement and cost to appropriately sign post or paint roads indicating where such parking is permissible;
- c) Cease immediately any parking fines for vehicles parked on verges or nature strips as long as they are doing so safely and in accordance with the requirements of Road Rule 197 until Council has completed all necessary reports and implementation; and
- d) Promote on Council's website, the press, and all Council social media platforms information to educate residents on Council's intentions together with clear diagrams on legal and illegal parking.

**COUNCIL DECISION**

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

That Council receive a report in June 2021 on the progress of the *Guidelines for the Assessment and Prioritisation of Parking along Narrow Streets* resolution that was passed by Council in December 2019. The report is to include information on the costs of appropriate sign posting or painting of roads.

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

**ITEM NO:** NOM 02  
**FILE NO:** 081395.2021  
**SUBJECT:** Liveable Communities - One Size state Planning Does Not Fit All

**BACKGROUND**

State planning legislation is currently based on what the future might be when infrastructure is provided similar to the Sydney CBD that makes the dependence on privately owned vehicles redundant.

That is not the current situation for Western Sydney where the provision of such infrastructure is measured in decades if not many decades into the future.

It is time that all Local Governments in the growth centres of Western Sydney stood together to reject the one size fits all planning regulation and legislations of the State Government and insist on behalf of our residents that the current needs of our Local Communities are address now, not what their needs may be into the future.

The current State regulations and legislations are based on the needs of the Sydney CBD and those areas that the Government has already supplied the necessary infrastructure that makes owning a car unnecessary. Here in Western Sydney there is no such existing infrastructure and Western Sydney unlike other areas remains very much car dependent.

Dependent to get to work, dependent to get to schools, the shops dependent for your everyday living in the Western Sydney City.

To meet that need we need roads that are wide enough for traffic to flow in either direction at the same time with cars parked on both sides of the street all at the same time.

It is not ok for our residents to be forced into communities where the roads are so narrow that cars cannot park outside residential properties that then only permits one single flow of traffic in one direction, this is not acceptable.

It is not acceptable that residents are forced to break the law in order to park their cars in efforts to keep traffic trickling through residential areas all because of the State Planning belief that one day people will not need cars..

It is not ok for emergency services not to be able to reach any and every house that may have a need because the roads are just too narrow for them to be able to attend, this is not acceptable.

Western Sydney is more prone to extreme heat than areas closer to the cost and the one size fits all for minimum block size may be suitable for those areas, but here in Western Sydney we need larger blocks to enable opportunities for heat mitigation.

Block sizes need to be relevant to the dwelling foot print with enough room between boundaries to enable air flow and tree planting.

There is a need for a maximum density to be set to the identified infrastructure planning recognised in new development areas at time of zoning and there is a need to set maximum density upgrades in established area in accordance with the limits of existing infrastructure.

It is not ok to increase densities in established areas where the existing infrastructure is inadequate because it was established years before when the area was first zoned and. Infrastructure was established on the planned density needs at time of zoning. It is not always possible to meet new increased density infrastructure requirements. When State Government encourages increase in densities in such already developed areas that does not have the necessary infrastructure to cope with increased densities it simply lowers the standard of liveability for existing residents.

We as representatives of our Community need to stand united to deliver more liveable communities for the Liverpool LGA and the Western City that is based on the current needs of our residents not what might there needs be in decades to come.

#### **NOTICE OF MOTION (Submitted by Cllr Rhodes)**

That Council:

1. Write to Minister for Western Sydney and DPIE seeking changes to State Planning legislation and planning regulations that will ensure the delivery of Liveable Communities that meets the current needs of the residents in Western Sydney.
2. Seek supporting collaboration with all Western Sydney Local Governments, WSROC, Western Sydney State and Federal MP's for changes to the State Planning legislation and regulations that includes:
  - a) maximum permissible density in all areas subject to original zoning and identified infrastructure at the time of original zoning for green fill areas and
  - b) maximum permissible densities in areas already developed subject to the existing supplied infrastructure.
  - c) Set a percentage of variety of zoning densities in all new green fill developments that provides a choice of housing from premium larger blocks with single dwelling to smaller block sizes with a variety of dwelling types and levels of affordability.
  - d) Increase the size of the smallest block size, in conjunction with the maximum permissible dwelling foot print per block to ensure deep soil opportunities for tree planting on each building block.
  - e) Increase the minimum residential road width to 12m
  - f) Increase the minimum off street parking required for any development to be aligned to the number of bedrooms for each dwelling and



**ITEM NO:** NOM 03  
**FILE NO:** 082812.2021  
**SUBJECT:** Western Sydney City Deal

## **BACKGROUND**

The *Western Sydney City Deal* was signed in March 2018, and was said to represent a ‘collaborative approach’ across three tiers of government. A ‘core goal’ was said to be ‘(r)eaching the 30-minute city by delivering the Sydney Metro-Western Airport (formerly the North South) Rail Link’. Quotations are from the website of the *Department of Infrastructure, Transport, Regional Development and Communications*. Previously the original rail scoping study had in fact supported an east west rail spur link from LEPPINGTON to the airport as the quickest, fastest and cheapest method of achieving mass public transport connectivity with the *Western Sydney Airport*. Nothing has ever emerged which challenges the logic of this conclusion.

In the June 2020 *Western Sydney City Deal – Annual Progress Report* it is stated (at page 50): ‘*The three levels of Government are working together to develop an evaluation framework and strategy to measure progress of the City Deal*’. It is troubling that at the time of the most recent *Annual Progress Report* this was still a work in progress.

In the meantime *Infrastructure Australia* states in a March 2021 Media Release headed ‘*Project business case evaluation summary*’, relating to an evaluation of the Sydney Metro-Western Airport Rail Link dated 18 February 2021: ‘*the proponent’s (NSW Government’s) business case does not provide sufficient evidence that the proposed project is the best solution...Based on the business case and evidence available, Infrastructure Australia has not included the Sydney Metro-Western Sydney Airport project on the infrastructure Priority List...*’.

Disquiet as to the manner in which the *City Deal* was created, the nascent attempts to implement its goals, be they described as so-called ‘core goals’ or otherwise, and as to its capacity to ultimately deliver at all and still less without skewing outcomes to marginal electorates has also been expressed in several other contexts.

The *City Deal* is new in design and substantial in terms of community impact and in dollar terms.

For all of these reasons this Council should have its own formal system for evaluation of its part in the *City Deal*.

## **NOTICE OF MOTION (Submitted by Cllr Shelton, Cllr Rhodes, and Cllr Hadchiti)**

That this Council develop a formal system for periodical written evaluation of its part in the *City Deal*.

**COUNCIL DECISION**

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

That this Council develop a formal system for periodical written evaluation of its part in the *City Deal*.

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



**Mayor Waller ruled that this item be moved into Committee of the Whole.**

**Clr Balloot left the Chambers at 9.09pm.**

**Clr Balloot returned to the Chambers at 9.11pm.**

**ITEM NO:** NOM 04  
**FILE NO:** 082824.2021  
**SUBJECT:** Racism Not Welcome

## **BACKGROUND**

For many years, Liverpool City Council has been a proud and active participant in campaigns and initiatives that reject racism and support multiculturalism. We are members of the Human Rights Commission's 'Racism. It Stops with Me Campaign'. Liverpool City Council is also a member of "welcoming cities", a national network of cities which are committed to an Australia where everyone can belong and participate in social, cultural, economic and civic life. Council is also a Refugee Welcome Zone, and has worked with many local multicultural organisations to provide support and resources to build a strong, vibrant and equal community.

However, 2020 saw a worrying rise in racism in Australia and around the world. As one of the most diverse local government areas (LGAs) in the country, this impacts our residents in many ways. We have a long history of willingness to challenge racism in every way possible every day.

Recently, I have been made aware of a new campaign targeting racism. It is a campaign, spearheaded by Craig Foster - a former Socceroo captain, SBS presenter and human rights campaigner which has gained support from various local councils. The campaign is titled 'Racism Not Welcome' and amongst other aims, wants to see symbolic anti-racism messages pop up on street corners in iconic locations around the country.

The 'Racism Not Welcome' campaign emerged as a response to an increase in racist attacks on people in our communities. There is evidence-based research for the rise in racism, including reports published by UTS and UNSW, and Per Capita and the Asian-Australian Alliance. The aim of the campaign is to create:

1. A Liverpool where racism is not welcome. A place with strong social cohesion where racism is "called out" and we stand with each other.
2. Places where people feel a sense of belonging and are equal.
3. A place where decision making is shared, and diversity is valued and celebrated.
4. Through the street sign element of the campaign, a call to action to encourage the local community to have these important, if difficult, conversations and call out racism when they see it.

Racism is both hurtful and enraging, it robs people of their dignity and denies the equality that all human beings rightfully have. This gets to the heart of the issue – racism is not fought through our TVs or mobile phones. It's eradicated in our daily lives, our actions, in every local street, café, park or library.

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

That Council:

1. Note the recent, alarming rise of racism in our community;
2. Endorse and become a member of the “racism not welcome” campaign and continue to encourage advocacy and promotion of the campaign in the local area;
3. Identify locations for street signage within our LGA;
4. Provide a report to Council with street sign locations and cost implications; and
5. Join the NSW Anti-Racism Working Group, an initiative of the Local Government Multicultural Workers' Network.

### **COUNCIL DECISION**

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

That Council:

1. Note the recent, alarming rise of racism in our community;
2. Receive further information about the “racism not welcome” campaign and continue to encourage advocacy and promotion of the campaign in the local area; and
3. Join the NSW Anti-Racism Working Group, an initiative of the Local Government Multicultural Workers' Network.
4. Receive a report with recommendations on how the campaign can be implemented.

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

### **Division:**

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

**Vote against:** Clr Balloot, Clr Hadchiti, Deputy Mayor Hadid and Clr Harle and Clr Rhodes.

**Mayor Waller called a recess of Council at 9.25pm.**

**Mayor Waller reopened the meeting at 9.30pm.**

**COUNCIL IN CLOSED SESSION**

The meeting then moved into Closed Session 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).
- 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.
- 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.
- s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

**CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 031970.2021  
**SUBJECT:** Acquisition of Pt Lot 141 DP 852633 being Part of 305 Denham Court Road, Denham Court for drainage purposes

**COUNCIL DECISION**

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

That Council:

1. Approves the acquisition of Pt Lot 141 in DP 852633, being part of 305 Denham Court Road, Denham Court for the price and terms outlined in this report;
2. Authorises the CEO or his delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision;
3. Resolves to classify the part of Lot 141 in DP 852633 to be acquired as “operational” land in accordance with the *Local Government Act 1993*; and

4. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act 1993* as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business

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

**Clr Hagarty left the Chambers at 9.32pm.**

**ITEM NO:** CONF 02

**FILE NO:** 038482.2021

**SUBJECT:** Dedication to Council of Lot 39 in DP 1160527, Lot 39 Swoffer Avenue, Middleton Grange for drainage purposes

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Rhodes**

**Seconded: Clr Shelton**

That Council:

1. Approves a Deed of Settlement and Release associated with dedication of Lot 39 in DP 1160527, Lot 39 Swoffer Avenue, Middleton Grange based on the terms outlined in this confidential report;
2. Authorises the CEO or their delegated officer to execute a Deed of Settlement and Release any other document, under Power of Attorney, necessary to give effect to the decision in item 1 above; and
3. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

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

**Clr Hagarty returned to the Chambers at 9.40pm.**

**ITEM NO:** CONF 03  
**FILE NO:** 052989.2021  
**SUBJECT:** Fire and Rescue NSW Referrals

**COUNCIL DECISION**

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

That Council:

- 1. Note the inspection reports by Fire and Rescue NSW, as shown in Attachment 1 and 2 and;
- 2. Exercise its power to issue a Fire Safety Order as recommended by Council's Fire Safety Officer to address the identified fire safety deficiencies.

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

**ITEM NO:** CONF 04  
**FILE NO:** 055984.2021  
**SUBJECT:** Environment Advisory Committee - Appointment of Committee Membership

## COUNCIL DECISION

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

That Council:

1. Appoints the following representatives to the Environment Advisory Committee in accordance with the terms of their appointment in the EAC Charter.
  - (a) Community Membership
    - Ms Kacy Benfield
    - Mr Stephen Dobell-Brown
    - Ms Rosalyn Faddy
    - Ms Ellie Robertson
    - Mr Joseph Rover
    - Mr Olusegun Samuel
    - Mr Robert Storey
    - Mr Joseph Tharrappel
    - Ms Signe Westerberg
    - Ms George Youssef
  - (b) Industry Membership
    - Georges Riverkeeper – Mr Robert Dixon
  - (c) Environment Volunteer Membership
    - Mr Graham McLachlan

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

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





**ITEM NO:** CONF 06  
**FILE NO:** 026845.2021  
**SUBJECT:** School Infrastructure NSW proposed partnership

**COUNCIL DECISION**

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

That Council provides direction on a position to enter into partnership with SINSW to deliver Preschools in Edmondson Park and Liverpool CBD:

1. Joint Partnership (option1) for Edmondson Park; and
2. Tender as licenced provider (option 2) for Liverpool CBD.

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

**Mayor Waller moved the meeting into Committee of the Whole.**

**Clr Ayyad left the Chambers at 9.43pm.**

**Clr Ayyad returned to the Chambers at 9.48pm.**

**MOTION OF URGENCY**

**Item No: MOU 01**

**Subject: Revised Parameters of the Intermodal Appeal Case No.: 2020/0004407**

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

That Council:

1. Approves the provision of up to a further \$400,000, capped at \$400,000 in legal funding for RAID Moorebank Inc. for the current appeal, to be paid subject to the outcome of the public notification process;
2. Delegate the CEO and LCC Staff to commence the public notification process; and
3. Allocate the funds from Council's General Fund for payment to RAID upon the presentation of invoices to Council.

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

**Division:**

**Vote for:** Deputy Mayor Hadid, Clr Harle and Clr Rhodes.

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

**Mayor Waler reopened the meeting at 10.14pm and read the resolutions made by Council in Closed Session relating to CONF 01, CONF 02, CONF 03, CONF 04, CONF 05 and CONF 06 as shown in these minutes.**

**THE MEETING CLOSED AT 10.19pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 28 April 2021

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 31 March 2021. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING  
HELD ON 28 APRIL 2021**

---

**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, 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 Diplas, Acting Director City Presentation
- Mr Raj Autar, Director City Infrastructure and Environment
- Mr John Morgan, Director Commercial and Property Development
- Mr Vishwa Nadan, Chief Financial Officer
- Ms Ellen Whittingstall, Acting Internal Ombudsman
- Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement
- Mr Michal Szczepanski, Senior Property Officer Property Assets
- Mr Scott Sidhom, Acting Manager, City Design and Public Domain
- Mr Daniel Lavorato, Digital Services and Design Coordinator
- Mr George Georgakis, Manager Council and Executive Services
- Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

**STATEMENT REGARDING WEBCASTING  
OF MEETING**

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

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

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

**NATIONAL ANTHEM**

The National Anthem was played at the meeting.

**APOLOGIES**

Nil.

**CONDOLENCES**

**ITEM NO:** COND01  
**FILE NO:** 106345.2021  
**SUBJECT:** CONDOLENCE MOTION – Iris May Wallis (read by Mayor Waller)

Tonight, we pause to remember Iris May Wallis, former president of The City of Liverpool and District Historical Society.

Mrs Wallis was born on 10 August 1927. She was married to Keith (deceased) for 52 years.

She was a beloved Mum and mother-in-law to Julie and Joseph, Nan to Allison, John and Pauline, and Timothy, and Nanny Iris (great-grandmother) to Cohen & Isla, and Alicia & Sienna.

Mrs Wallis was a stalwart of The City of Liverpool and District Historical Society during the 1980s and 90s and held many positions on the committee including president.

Due to the hard work of volunteers like her, The City of Liverpool and District Historical Society was awarded an Order of the City of Liverpool in 2008.

Mrs Wallis was also a founding member of the Liverpool Volunteer Resource Centre.

She was also known as “Nanna Iris” to a generation of students at Casula Public School as a volunteer through the “Grandfriends” program that ran in the early 2000s.

Her family members have remembered her as a special Aunty to all her nieces and nephews, a loyal friend and exceptional colleague to many, and a fighter to the end.

Mrs Wallis was truly a prolific and energetic volunteer who gave so much of her time to help those in the Liverpool community.

She passed away on 7 April 2021, aged 93.

A Requiem Mass for the Eternal Repose of Iris Wallis' Soul was held at the Lady of Mount Carmel Catholic Church at Varroville on Friday 16 April. Following the service Mrs Wallis was laid to rest at The Forest Lawn Memorial Park at Leppington.

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

May she rest in peace.

### **COUNCIL DECISION**

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

That Council writes to the family of Iris Wallis to express our condolences for their loss.

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

One minute silence was then observed for Iris May Wallis.

### **CONFIRMATION OF MINUTES**

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

That the minutes of the Ordinary Meeting held on 31 March 2021 be confirmed as a true record of that meeting.

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

### **DECLARATIONS OF INTEREST**

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

**Item EGROW 06** Planning Proposal request to amend provisions contained within Clauses 21 and 24 of Schedule 1 of the Liverpool Local Environmental Plan 2008 to facilitate the expansion of The Grove, Warwick Farm.

**Reason:** Persons recommended in the report are known to Clr Hadchiti through the normal course of business.

**Item CONF 3** Bigge Park Cafes - Lot 702 DP 1056246, Bigge Street, Liverpool.

**Reason:** Persons mentioned in the report are known to Clr Hadchiti.

Clr Hadchiti remained in the Chambers for the duration of these items.

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

**EGROW 04** Update on the draft Warwick Farm Racing Precinct Structure Plan, draft Planning Proposal and draft Contributions Plan.

**EGROW 06** Planning Proposal request to amend provisions contained within Clauses 21 and 24 of Schedule 1 of the Liverpool Local Environmental Plan 2008 to facilitate the expansion of The Grove, Warwick Farm.

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

Clr Harle remained in the Chambers for the duration of these items.

## **PUBLIC FORUM**

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

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

MOU 01 Revised parameters of the Intermodal Appeal from the Council meeting of 31 March 2021.

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

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

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

Clr Hadchiti asked that he be recorded as having voted against the motion granting the extension of time to address the meeting.

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

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

**Item: EGROW 07** - Proposed Moorebank Avenue Realignment – Submission on Environmental Impact Statement.

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

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

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

**MAYORAL MINUTE**

**SUBJECT: 30 Years of Wattle Grove**  
**FILE REF: 125161.2021**  
**ITEM: MAYOR 01**

This year marks 30 years since the opening of Wattle Grove, a much-loved suburb in the City of Liverpool.

Wattle Grove was officially opened on 12 April 1991, by the then prime minister of Australia, The Honourable R J L (Bob) Hawke. At the ceremony Mr Hawke presented commemorative keys to the first four service families who had relocated from the adjacent Holsworthy village, to occupy their new homes in the Wattle Grove development.

The suburb was originally designed for 8000 people, with a village atmosphere. Two thousand lots of various housing types were progressively released in the early 1990s. One-third was dedicated to housing service families and the rest were sold for private housing.

Wattle Grove was considered by the Defence Housing Authority to be its “flagship” development and the Authority asserted that “Wattle Grove has been recognised as setting the standard for planned communities in Sydney.” The development at Wattle Grove was awarded the 1991 Special Award for Excellence by Liverpool City Council.

An artificial lake known as “Wattle Grove Lake” was opened in March 1993. Surrounded by parklands, Wattle Grove Lake was the centrepiece of the new suburb. The lake is still well used by the residents of Wattle Grove and the surrounding area today.

Wattle Grove Shopping Centre and the Council-run Wattle Grove Community Centre were subsequently built. They are great facilities contributing to the continued liveability of Wattle Grove.

The Wattle Grove development created a close-knit, caring community which is a very positive part of Liverpool.

I would also like to thank The City of Liverpool and District Historical Society for bringing to my attention this significant occasion for the City of Liverpool.

**COUNCIL DECISION**

**Motion: Moved: Mayor Waller**

That Council acknowledges the 30th anniversary of the suburb of Wattle Grove.

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



**MOTION OF URGENCY**

**ITEM NO:** MOU 01

**SUBJECT:** Rescission Motion for MOU 01 – Revised Parameters of the Intermodal Appeal Case No.: 2020/0004407 from the 31 March 2021 Council Meeting. –

In accordance with Clause 8.3 of Council’s Code of Meeting Practice, the Chairperson Mayor Waller, ruled the above matter as urgent, and would be dealt with later in the meeting as it is confidential under Section 10A(2)(d)(i) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**CHIEF EXECUTIVE OFFICER REPORT**

**ITEM NO:** CEO 01

**FILE NO:** 098074.2021

**SUBJECT:** Council's Website Hosting and Content Management System License

**COUNCIL DECISION**

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

That Council:

1. Approves by resolution pursuant to section 55 (3) (i) of the Local Government Act 1993 not to tender for existing services on the grounds that (i) because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution that a satisfactory result would not be achieved by inviting tenders in so far as:
  - 1.1 The existing system is a market leader having significant participation in local and state government;
  - 1.2 The likelihood of the tender process achieving an equivalent or superior system is remote given the supplier saturation of the market;
  - 1.3 The existing systems are integral software packages allowing Council to meet customer service objectives across all service delivery areas;
  - 1.4 Operations are familiar with the platform having successfully used the systems for many years;
  - 1.5 Migrating to alternative systems at this time would be both cost-prohibitive and difficult to achieve.
  
2. Delegate authority to the CEO to enter into direct negotiations with the incumbent suppliers pursuant to 55(3)(i) of the Local Government Act 1993.
  - Squiz Digital Services

3. Delegate authority to the CEO to enter into a formally binding, licensed contract with the existing service providers for a period of three (3) years with the option to extend for up to two (2) more years.

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

**CITY ECONOMY AND GROWTH REPORT**

**ITEM NO:** EGROW 01

**FILE NO:** 293762.2020

**SUBJECT:** Proposed realignment of Liverpool Hospital's Helicopter Flight Path

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Hadid**

**Seconded: Cllr Harle**

That Council:

1. Direct the CEO to prepare a planning proposal to update the relevant Key Site Maps in the Liverpool Local Environmental Plan relating to hospital helicopter airspace in accordance with the updated helicopter flight paths.
2. Forwards the planning proposal to the Liverpool Local Planning Panel for advice in accordance with Local Planning Panel Direction – Planning Proposals dated 23 February 2018.
3. Receives a further report, following the advice of the Liverpool Local Planning Panel on whether the planning proposal should be referred to the Department of Planning, Industry and Environment for a Gateway determination.

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

**ITEM NO:** EGROW 02  
**FILE NO:** 071406.2021  
**SUBJECT:** Liverpool Design Excellence Panel

## **COUNCIL DECISION**

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

That Council:

1. Approves the following 12 applicants, to be appointed by the Chief Executive Officer, as representatives on Council's Design Excellence Panel for a period of two years (with an option for a further one-year extension):
  - Shaun Carter, from The Trustee for The Carter Williamson Architects
  - Kim Crestani, from Order Architects Pty. Ltd
  - David Matthew Taylor, from Taylor Brammer Landscape Architects
  - Garth Paterson, from Paterson Design Studio Pty. Ltd
  - Lee Hillam, from Workshop 1 T/A Dunn & Hillam Architects
  - Sam Crawford, from Elemental Architecture T/A Sam Crawford Architects
  - Alexander Koll, from Mako Architecture Pty. Ltd
  - David Moir, from Moir Landscape Architecture Pty. Ltd
  - Alf Lester, from The Trustee for LFA
  - Ian Armstrong, from DesignInc Sydney Pty. Ltd
  - Michael Mandl, from Group GSA Pty. Ltd
  - Vishal Lakhia (Individual).
  
2. When the Liverpool Design Excellence Panel Charter and Procedure is next reviewed, that consideration be given to having a certain number of panel members residing in the Liverpool LGA and also look at the diversity of the panel as part of the criteria.

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

Clr Rhodes asked that she be recording as voting against the motion.

**ITEM NO:** EGROW 03  
**FILE NO:** 080038.2021  
**SUBJECT:** Proposed Planning Agreement in conjunction with DA-904/2019 at 28 Yarrunga Street, Prestons

**COUNCIL DECISION**

**Motion:** **Moved: Clr Harle** **Seconded: Clr Ayyad**

That Council:

1. Endorse the draft planning agreement for a monetary contribution of \$207,300 towards the upgrade of the Bernera Road / Yarrunga Street / Yato Road intersection and direct the CEO to publicly exhibit the planning agreement and accompanying explanatory note for 28 days.
2. Delegate authority to the CEO, subject to consideration of any changes following public exhibition, to execute the planning agreement in the form that is publicly exhibited or with minor modifications.
3. Notes that if changes, other than minor changes, arise from the public exhibition process these will be reported back to Council for endorsement.
4. Notes that any planning agreement will be subject to approval of modification application DA-904/2019/B which proposes deletion of Conditions 130 and 131 (relating to design and construction of a portion of Bernera Road / Yarrunga Street / Yato Road intersection upgrade) and the addition of a condition requiring execution of the planning agreement and payment of the monetary contribution prior to the release of any occupation certificate for the site.

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

Councillors voted unanimously for this motion.

**Clr Balloot left the Chambers at 6:55pm.**

**ITEM NO:** EGROW 04

**FILE NO:** 102193.2021

**SUBJECT:** Update on the draft Warwick Farm Racing Precinct Structure Plan, draft Planning Proposal and draft Contributions Plan

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Rhodes**

**Seconded: Clr Ayyad**

That Council:

1. Receives and notes this report;
2. Notes that appropriate funds will need to be allocated and delegates the necessary funds in the current financial year to refine the draft structure plan, draft planning proposal and draft contributions plan for the Warwick Farm Racing precinct, to:
  - a. Respond to feedback received during public exhibition of the draft plans;
  - b. Incorporate the outcomes of regional transport, flood, and open space studies;
  - c. Respond to the outcomes of feasibility testing;
  - d. Incorporate the 240 Governor Macquarie Drive site into the draft planning proposal and structure plan, considering DPIE's Gateway refusal and feedback received from public exhibition; and
  - e. Conduct a detailed flood impact assessment to better understand land needed for flood mitigation and potential flood mitigation options.
3. Receives a further report on the draft structure plan, draft planning proposal and draft contributions plan for the Warwick Farm racing precinct following the refinement of the plans.
4. Notes the importance of this piece of work including the existing safety issues being experienced by horse trainers in the precinct.

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

Councillors voted unanimously for this motion.

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

**ITEM NO:** EGROW 05  
**FILE NO:** 102338.2021  
**SUBJECT:** Proposed Planning Agreement in support of Draft Amendment 79 to Liverpool Local Environmental Plan - 4-8 Hoxton Park Road, Liverpool

**COUNCIL DECISION**

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

That Council:

- 1. Endorse the draft planning agreement and direct the CEO to publicly exhibit the planning agreement and accompanying explanatory note for 28 days.
- 2. Delegate authority to the CEO, subject to consideration of any changes following public exhibition, to execute the planning agreement in the form that is publicly exhibited or with minor modifications.
- 3. Notes that if changes, other than minor changes, arise from the public exhibition process these will be reported back to Council for endorsement.

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

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

**Vote against:** Clr Shelton.

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

**ITEM NO:** EGROW 06  
**FILE NO:** 102681.2021  
**SUBJECT:** Planning Proposal request to amend provisions contained within Clauses 21 and 24 of Schedule 1 of the Liverpool Local Environmental Plan 2008 to facilitate the expansion of The Grove, Warwick Farm

**COUNCIL DECISION**

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

That Council:

1. Notes the advice of the Liverpool Local Planning Panel;
2. Endorses in principle the amended planning proposal request as follows:
  - Include *business premises* as an additional permitted use under Schedule 1, Clause 24 as it applies to the 'Homemaker Centre' site at 10 Orange Grove Road, Warwick Farm (Lot 101 DP 1043160).
  - Increase the current cap on *retail premises* under Schedule 1, Clause 21 from 19,000sqm to 21,000sqm and change the legal description so that the subject clause would apply to the 'Fashion Spree' site at 5 Viscount Place, Warwick Farm (Lot 23 DP 1190437).
3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
4. Endorses in principle the public benefit offer dated 13 April 2021;
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;
6. Subject to Gateway determination, undertakes public exhibition and community consultation in accordance with the conditions of the Gateway determination; and
7. Receives a further report on the outcomes of public exhibition and community consultation.

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

Councillors voted unanimously for this motion.

Note: Cllr Balloot was not in Chambers when this item was considered and voted on.



**ITEM NO:** EGROW 07  
**FILE NO:** 103300.2021  
**SUBJECT:** Proposed Moorebank Avenue Realignment – Submission on Environmental Impact Statement

**COUNCIL DECISION**

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

That Council:

- 1. Notes that a submission will be made to DPIE on the proposed Moorebank Avenue Realignment Environmental Impact Statement; and
- 2. Endorse the key issues identified in this report to be included in the submission.

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

Councillors voted unanimously for this motion.

Note: Cllr Balloot was not in the Chambers when this item was considered and voted on.

**RECESS**

Mayor Waller called a recess at 7.01pm.

**RESUMPTION OF MEETING**

Mayor Waller resumed the meeting at 7.13pm with all councillors present except for Cllrs Hagarty and Ayyad.

**CITY COMMUNITY AND CULTURE REPORT****ITEM NO:** COM 01**FILE NO:** 094378.2021**SUBJECT:** Grants, Donations and Corporate Sponsorship**COUNCIL DECISION****Motion:** **Moved: Cllr Shelton** **Seconded: Cllr Hadchiti**

That Council endorses the recommendation of **\$9,870** (GST exclusive) under **Corporate Sponsorship** for the following project:

<b>Applicant</b>	<b>Project</b>	<b>Recommended</b>
The Business Concierge LTD	Survivor Life Skills	\$9,870

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



**Clr Hagarty returned to the Chambers at 7.14pm.**

**Clr Kaliyanda retired from the meeting at 7.14pm.**

**ITEM NO:** CORP 02

**FILE NO:** 100327.2021

**SUBJECT:** Submission on Consultation Paper regarding Remote Attendance by Councillors at Council Meetings

### **COUNCIL DECISION**

**Motion:**

**Moved: Clr Harle**

**Seconded: Clr Rhodes**

That Council:

1. Makes a submission to the Office of Local Government supporting the proposed amendments outlined in the "*Remote attendance by Councillors at Council Meetings Consultation Paper*".
2. Adopt the Procedures attached to the OLG Circular, with the timeframe for requests by Councillors to attend meetings remotely by audio-visual link to be made in writing to the CEO at least 48 hours before a meeting. This would form an Appendix to the Code of Meeting Practice whilst it is in effect.

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

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

**Clr Ayyad returned to the Chambers at 7.15pm.**

**CITY PRESENTATION REPORT**

**ITEM NO:** PRES 01  
**FILE NO:** 092596.2021  
**SUBJECT:** Nature Strip / Verge Mowing Policy

**COUNCIL DECISION**

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

That Council defer this matter for further consideration.

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

**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01

**FILE NO:** 090198.2021

**SUBJECT:** Minutes of the Liverpool Youth Council meeting held Tuesday 9 March 2021

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Hadid**

**Seconded: Cllr Harle**

That Council receives and notes the Minutes of the Liverpool Youth Council Meeting held on Tuesday 9 March 2021.

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

**ITEM NO:** CTTE 02  
**FILE NO:** 101733.2021  
**SUBJECT:** Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 17 March 2021

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Hadid** **Seconded: Cllr Harle**

That Council adopts the following recommendations of the Committee:

Item 1 - Badgerys Creek Road, Badgerys Creek – Access to the metro station proposed roundabout.

- Approves the submitted concept design of the proposed roundabout.
- Consideration is to be given for tree planting in the central island or around the roundabout.
- Detailed design to be submitted to the Committee for further assessment prior to construction.

Item 2 - Governor Macquarie Drive, Chipping Norton – Signs and Linemarking Scheme.

- Approves signs and linemarking scheme for the road upgrade of Governor Macquarie Drive between Newbridge Road and Alfred Road, Chipping Norton to a four-lane divided road.

Item 3 - Adams Road, Luddenham – Revised access to existing quarry - request to lift load limit.

- Approves lifting the load limit on the northern section of Adams Road approximately 300m from Elizabeth Drive, to permit heavy vehicle movements.
- Community consultation is to be carried out prior to removing the load limit.

Item 4 - Braidwood Drive and Michelago Circuit – proposed signs and linemarking scheme.

- Approves Installation of a raised threshold across the northern approach to the existing roundabout at Braidwood Drive, Michelago Circuit and Ulladulla Drive intersection, Prestons.
- Modification to the existing splitter islands on all approaches to the existing roundabout to include a pedestrian refuge and to narrow the traffic lanes around the roundabout.

Item 5 - Regentville Drive, Elizabeth Hills – proposed traffic management changes.

- Approves Installation of the proposed speed thresholds on Regentville Drive, Elizabeth Hills at the following locations, subject to community consultation:
  - In front of House Nos. 23
  - In front of House Nos. 53
- All stakeholders be advised accordingly of Council's decision.

Item 6 - Special Event – Street Parade, Liverpool by Australian Air League on 18 July 2021.

- Approves the event as a Class 2 Special Event with all associated conditions including:
  - Submission of a Special Event Transport Management Plan for TfNSW 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.
  - The organisers must obtain relevant approval from NSW Health for this street parade.
- The Committee support in principle the Australian Air League march through the Liverpool City Centre on 18 July 2021.
- Council liaise and if required, organise a meeting with the event organisers, Police and local bus companies to adopt a revised route that would minimise traffic impacts of the event.
- The organisers to obtain relevant approval from NSW Health for this street parade.

Item 7 - Liverpool City Centre - Special Community Event, Festival of Chariots on 17 July 2021.

- Approves the event as a Class 2 Special Event with all associated conditions including:
  - Submission of a Special Event Transport Management Plan for TfNSW 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.
  - The organisers must obtain relevant approval from NSW Health for this street parade.
- Support in principle the route and classify the event as Class 2.
- Council liaises and if required organise a separate meeting with the event organisers, Police and local bus companies to ensure that traffic impacts of the event is minimised.



Item 8 - Powerhouse Road and Woodbrook Road – proposed new carpark signs and linemarking.

- Approves in principle the reopening of Woodbrook Road, associated shared path and pedestrian refuge to connect to Powerhouse Road.
- Consultation be carried out with the local residents and for the results to be presented to a future committee meeting.
- Detailed design of the car park in front of CPAC is to include paved footpath connection to the path along the river and signs and linemarking scheme including 4P (8am-12pm) parking for the new carpark.

Item 9 - Subdivision and development – signs and linemarking – Seventh Avenue and Fifteenth Avenue.

- Approves signs and linemarking scheme for the four subdivisions as indicated in the agenda item.

Item 10 - Items Approved Under Delegated Authority.

- Approves the Delegated Authority applications approved by the NSW Police Force and TfNSW representatives over the period between 3 February 2021 and 17 March 2021.

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

**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 105834.2021  
**SUBJECT:** Question with Notice - Cllr Rhodes - Mobile Office Services

**Please address the following:**

**Mobile Office Services**

1. People in the Community who are not computer literate, have no internet service, and consequently are not on facebook or other social media platforms have asked when is Council intending to start Council Mobile Office services again?
2. What else can Council do to bridge the communication gap with constituents who are not Computer or smart phone savvy?

**Response to point 1 (as provided for the Council meeting of 31 March 2021)**

The last Council Mobile Office was held on 12 February 2020 and then ceased due to Covid-19.

Staff propose to recommence Mobile Offices in May and hold another one in July for the current term of Council.

It's intended that Mobile Offices then continue to be held bi-monthly in the new term of Council.

**Response to point 2**

Council are aware that community members have varied experiences when accessing Council information and services. COVID-19 restrictions impacted most of the traditional and direct communication methods with community. Prior to COVID-19 Council utilised a variety of methods to communicate with residents including door to door consultations, info stalls at events, community BBQ, district forums and presenting at various networks and community functions.

Council acknowledges the use of online methods as a primary communication method disadvantages residents who are not computer literate, have no access to internet, or are not using social media platforms. Residents and community groups mostly impacted include new arrivals, older people, people with a disability or residents who experience financial difficulties.

Council is currently in the process of developing a Community Engagement Strategy. The Strategy is intended to review current methods of engaging with residents; and to develop

new and innovative ways to inform and consult residents. The limitations imposed by COVID-19 and lessons learnt will be key considerations during the review; and will assist Council with developing a holistic approach to communicating with residents. Key internal and external stakeholder, including Councillors, will be consulted on the draft Community Engagement Strategy in the coming months, prior to presenting it to Council for consideration.

**ITEM NO:** QWN 02  
**FILE NO:** 094288.2021  
**SUBJECT:** Question with Notice - Cllr Kaliyanda - Food Insecurity

**Please address the following:**

**1. What is the status of food insecurity in the Liverpool LGA?**

The significance of food insecurity across Liverpool is largely undetermined, however anecdotally, demand for free food and low-cost groceries in Liverpool continues to grow as reported by charity and religious groups.

The demand for Council's Christmas food and gift hampers program was unprecedented, with 19 service providers engaged to distribute 270 hampers to their clients across Liverpool. The verbal feedback received from participating service providers was that many families and individuals were in dire financial situations impacting their access to food and other necessities. It should be noted that the Council hampers were in addition to other hampers distributed directly from non-participating charity and religious groups.

More recently, general feedback from some local free food service providers that engage with Council suggests there is inadequate supply and distribution of free food and low-cost groceries in Liverpool to meet the demand. Further, they predict the end of Jobkeeper will put more pressure on charities to increase their supplies.

Information received from one charity indicated they are seeing increased demand for services from different facets of the community that would not normally access their programs as a direct result of job losses.

One service reported that in the last six months a sharp increase in demand for their free hot meal program has seen an average of 60 meals per day increase to an average of 100 meals per day. Similarly, their low-cost grocery program went from 15-20 shoppers per week to over 40 per week.

Another charity group has reported that while requests for their low-cost groceries has increased slightly, the demand for free food has skyrocketed due to increased financial hardship amongst their client base. This has put considerable pressure on the service to keep up with added operational costs, as well as the increased need for volunteers and in-kind supports.

**2. As COVID-19 related restrictions have eased, what impact has this had on people accessing food relief?**

Feedback from Liverpool's food service providers indicates that the easing of COVID-19 restrictions has not had much impact on the community accessing free food services. Council's Community Development and Planning team worked closely with charity and

religious groups to ensure vital free food services were supported throughout the pandemic to meet community need. Since the easing of restrictions, the free food and low-cost grocery programs continue to provide their services albeit, with increased community demand.

**3. How are gaps in government support being met in the Liverpool LGA?**

Gaps in government support are largely being filled by a dedicated group of volunteers representing not-for-profit charity, religious and government funded agencies in meeting community demand for access to free food services and low-cost groceries.

Council engages with known charities and religious groups where possible to help coordinate a balanced delivery of free food services to the Liverpool community.

At the height of the pandemic the free food services were encouraged to support one another by way of sharing space and resources, thus opening opportunities for creating new partnerships and networks. For example, a major free food service (Liverpool Community Kitchen and Hub) forced to close at the height of the pandemic was able to continue delivering free hot meals to the community outside the Uniting Church premises via a partnership arrangement with the Bill Crew's Exodus Foundation.

Council continues to receive enquiries from charities and religious groups wanting to set up free food services in Liverpool. In recent months, two new free food programs have been established at Pioneers Memorial Park.

Council provides a schedule of known Free Food Services to community members, which is available on Council's website and is updated and shared regularly with Council's community partners for distribution to their client cohort.

**ITEM NO:** QWN 03  
**FILE NO:** 094294.2021  
**SUBJECT:** Question with Notice - Cllr Kaliyanda - Gender Pay Gap

**Please address the following:**

1. Has Council ever conducted a gender pay gap analysis for the organisation?
2. If so, how does our Council compare to benchmarks?

**Response**

1. Council participates in the *Australian Local Government Performance Excellence Program*, an annual survey of participating Councils comparing and benchmarking against a range of metrics, including gender diversity.

During recruitment, a mixed gender panel is required as part of Council's Recruitment and Appointment Policy. In addition, as per this Policy, all people involved in the recruitment and appointment process are responsible for ensuring all decisions are made on merit and free from bias and discrimination which includes, amongst other things, gender.

Council through its endorsed Plan, is committed to eliminate and ensure the absence of discrimination in employment, and places particular emphasis on the promotion of equal opportunity for woman.

Council is currently developing a formal *Diversity and Inclusion Strategy* aimed at aligning the diversity of Council's workforce to reflect the diversity of the population that Council serves. A range of initiatives targeting gender equity will form part of the strategy.

2. As at 30 June 2020, the proportion of women across all participating Councils was 44% of the workforce. For Liverpool, women represented 46% of the workforce.

**ITEM NO:** QWN 04  
**FILE NO:** 094306.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - Infrastructure and Services in Growth Areas

## **Background**

There is still a lack of infrastructure and services in our growth areas. Suburbs like Middleton Grange, Edmondson Park and Austral are poorly served with choked roads and a lack of bus services. This issue is set to become worse if it is not addressed quickly.

While Council is delivering on State Government housing targets, other levels of Government must provide their fair share such as main roads, bus services and regional infrastructure like hospitals, schools, police stations and top tier venue spaces.

### **Please address the following:**

1. What additional bus services are planned for our growth suburbs?
2. When are these new bus services set to arrive?
3. How are major upgrades to roads like Fifteenth Avenue funded?
4. Are there plans for additional public services and infrastructure like hospitals, schools, police stations, ambulance stations in our growth suburbs?
5. When are these expected to be delivered?

## **Response**

### **1. What additional bus services are planned for our growth suburbs?**

As with other areas in the Liverpool LGA, bus services are provided by three local bus companies on contract with Transport for NSW (TfNSW).

TfNSW has advised that as the new suburbs develop, and the required road network is constructed, bus services will be provided, subject to funding allocation in the NSW State Budget.

The agency is planning improvements to existing bus services to provide local connections to train stations and activity centres including shopping centres, places of employment and entertainment.

On 2 March 2019, the NSW Government announced that it was planning to introduce an additional 14,000 weekly services across the greater metropolitan area over the next four years. As part of these additional services, there will be the following new or additional services within Liverpool LGA:

<b>Route</b>	<b>Planned improvements</b>
859 Carnes Hill – Edmondson Park	Increase peak service frequency. Extend span of hours later in the evening; and introduce new weekend services.
869 Liverpool – Ingleburn via Edmondson Park	Increase weekend service frequency. Extend span of hours
New route Austral to Carnes Hill via Edmondson Park	Introduce new route between Austral and Carnes Hill
901, 902 Liverpool to Holsworthy via Wattle Grove/Moorebank	Increase weekday AM & PM frequency to 15 minutes. Extend weekday and weekend service hours

## **2. When are these new bus services set to arrive?**

As indicated above, the extra or new bus services will be rolled out over the next four years and funded under TfNSW's Growth Services Program.

In the last twelve months the following additional bus services have been added to services in the Liverpool LGA.

- More than 120 extra weekly services on route 869 from Ingleburn to Liverpool via Edmondson Park.
- A new N31 night ride service between Liverpool and Leppington, seven days a week, with stops at Liverpool, Casula, Edmondson Park and Leppington.
- New electric bus service along route 859 (Carnes Hill to Edmondson Park) since early 2021.

Council has previously made representations for bus services to Middleton Grange but has been advised by TfNSW that funding is not yet available. Council will continue to make representations to TfNSW for the provision of new bus services.



### **3. How are major upgrades to roads like Fifteenth Avenue funded?**

As part of the Austral Leppington North release area, The Department of Planning, Industry and Environment (DPIE), in consultation with TfNSW, carried out regional transport studies which identified that Fifteenth Avenue along with Edmondson Avenue needed to be upgraded to accommodate the expected additional travel demand.

The NSW Government established a Special Infrastructure Contribution (SIC) Program for the South-West and North-West Sydney Growth Centres to assist in funding infrastructure improvements, including transport infrastructure in the growth centres.

The South West Growth Centre includes the Austral / Leppington North and East Leppington release areas. The SIC program contains a funding allocation for the upgrading of Fifteenth Avenue.

The program requires land developers to make a SIC contribution to fund the required infrastructure improvements. DPIE collects and distributes contributions to the relevant delivery agencies, including TfNSW and Councils.

To date, Council has received funding for the design of Fifteenth Avenue upgrade for the section between Cowpasture Road and Devonshire Road. Once the design is completed, Council will be submitting funding applications under the SIC to DPIE to enable the required road upgrade to be carried out.

### **4. Are there plans for additional public services and infrastructure like hospitals, schools, police stations, ambulance stations in our growth suburbs?**

Plans for the provision of public services and infrastructure like hospitals, schools, police stations, ambulance stations in the growth suburbs (within the south-west growth centre) are outlined in the South Western Sydney State Infrastructure Contribution Scheme (the SIC) and the relevant precinct plans for the release areas.

In addition, the draft Western Sydney Place Infrastructure Compact (the PIC) is another infrastructure planning document which outlines infrastructure needs in the broader area. The PIC covers the Western Sydney Aerotropolis Growth Area and the Austral to Glenfield Corridor.

#### The South Western Sydney State Infrastructure Contribution Scheme

The SIC scheme requires land developers (within the Growth Centre) to make contributions towards state/regional roads, public transport infrastructure, health, education, emergency, and open space/conservation facilities within its catchment.

In the Liverpool Local Government area, the SIC applies to rezoned precincts such as Edmondson Park, Austral, and Leppington (but not Middleton Grange).

The SIC also includes a table of works which will be funded by monies collected. Key items of the SIC for the Edmondson Park, Austral, Leppington North and East Leppington precincts include:

- Fifteenth Avenue, Cowpasture Road to Western Road
- Edmondson Avenue, Bringelly Road to Fifteenth Avenue
- 1x bus depot in Austral
- 1x bus interchange at Leppington and
- Leppington Integrated Health Care Centre (noting that 0% of construction cost is attributed to the SIC, only a land component)

Other key items identified for the South West Priority Growth Areas include:

- 37 primary schools
- 6 secondary schools
- 1 special school
- 1 TAFE site (identified near Leppington Station)
- Land for 6 ambulance services
- Land for 5 fire services, and
- Land for 3 police services.

#### The Western Sydney Place Infrastructure Compact

The draft Western Sydney Place Infrastructure Compact (the PIC) is another infrastructure planning document which outlines infrastructure needs in the area. The PIC covers the Western Sydney Aerotropolis Growth Area and the Austral to Glenfield Corridor.

The PIC sits above the SIC and identifies all state infrastructure demands, with components to be funded by the SIC and other revenue sources. Combined, these two documents provide a broad outline of state/regional infrastructure to be delivered in growth areas. The PIC includes estimated timeframes for when infrastructure is predicted to be required.

The 'Thriving Aerotropolis Scenario' (preferred scenario of the PIC) is the scenario most likely to inform the provision of state/regional infrastructure in the area. Council recently made a submission on the PIC, raising concerns that the population and infrastructure commitments do not appear to reflect the anticipated population growth. Council has met with the Greater Sydney Commission to further explain Council's concerns.

Infrastructure highlights relevant to Middleton Grange, Austral, Leppington North, East Leppington, and Edmondson Park includes:

<b>Suburb</b>	<b>Planned Infrastructure</b>
Austral within 20 years	New primary school Primary school upgrade
Leppington within 20 years	1 Ambulance station 1 school for specific purposes Primary school upgrade
Edmondson Park within 20 years	1 new primary school 1 new high school
Outside of the 20-year period key items identified for the Austral to Glenfield corridor	1 secondary school "South-west Sydney courthouse expansion/upgrade"

### Precinct plans

Middleton Grange, Edmondson Park, East Leppington, and the Austral & Leppington North precincts were all rezoned on the basis that new populations would be supported by new and/or upgraded state and local infrastructure. In most instances, new state social infrastructure land was zoned to enable acquisition of that land by a relevant authority.

Social infrastructure assessments were prepared for these release areas. Details of the plans and the proposed infrastructure are as follows.

### Austral and Leppington North

<b>Precinct</b>	<b>Planned Infrastructure</b>
<p>Austral/Leppington North</p> <p>The precinct was forecast to yield 17,350 dwellings with a population of approximately 54,000.</p> <p>It is likely that the population forecast will be exceeded and could be approximately 70,000.</p>	<p>An existing primary school (Austral Primary School)</p> <p>4 x new primary schools at:</p> <ul style="list-style-type: none"> <li>• Gurner Avenue east of Fourth Avenue (site of Amity College SSD proposal),</li> <li>• Thirteenth Avenue on the corner with Fourth Avenue,</li> <li>• Kelly Street near the corner of Tenth Avenue,</li> <li>• Sixth Avenue west of Fourth Avenue</li> </ul> <p>A new high school between Eighth and Ninth Avenues west of Fourth Avenue</p> <p>A new TAFE (in the Camden LGA on the Corner of Bringelly and Rickard Roads)</p>

	<p>A new health facility (in the Camden LGA on Rickard Road)</p> <p>A new district community facility (in the Camden LGA on Rickard Road),</p> <p>A new district indoor sports facility (in the location of Scott Memorial Park)</p>
	<p>A police station and a courthouse</p> <p>These two facilities were identified as being required in the Leppington Town Centre, but land has not been zoned.</p>
<p><b>East Leppington</b></p> <p>The precinct covers areas in Campbelltown, Camden, and Liverpool LGAs.</p> <p>The combined dwelling forecast was 4,386 dwellings (1,153 in Liverpool), with a population of 14,493 persons. This population forecast is likely to be exceeded.</p>	<p>1 primary school (which is currently under construction), though it was acknowledged that a single school wouldn't be sufficient to cater for 4,386 dwellings.</p> <p>No high schools. The study acknowledged that surrounding schools were at capacity, but the precinct isn't large enough to cater for a new school. Like with the additional primary school, a site would need to be identified in a future precinct.</p> <p>No health facilities, acknowledging that GPs and the like can locate in commercial centres, and that higher order facilities will be provided at the Leppington Major Centre.</p>
<p><b>Edmondson Park</b></p> <p>The benchmarks for state infrastructure would be considered outdated, but indicative of the kinds of infrastructure needed.</p> <p>The assessment predicted that the zoning and development standards would provide for 7,566 dwellings and 20,835 persons. Recent forecasts estimate 8,642 dwellings and about 27,500-29,000 persons.</p>	<p>3 new primary schools (note: Bardia Public School was assumed to close).</p> <p>1 new high school.</p> <p>1 Primary Health Care Service (though it was noted in the assessment that these spaces would operate satellite services and would likely be rented floorspace in a community or privately operated medical facility).</p> <p>The report identified that a new police station would be needed in the south-west growth</p>

	<p>sector, but would be more suited to a major centre, rather than Edmondson Park (Leppington would most likely have satisfied this criteria had it have been identified as a strategic centre in 2003).</p> <p>A fire station was identified as being likely required, but not confirmed as the ILP road layout had not been developed at the time and the authority could not assess the longest potential response time.</p>
<p><b>Middleton Grange</b></p> <p>Like Edmondson Park, the benchmarks for state infrastructure will be outdated, but relevant in identifying the kind of infrastructure that the precinct will demand.</p> <p>The projected population of Middleton Grange is and was lower than that of other release areas (being less than 10,000 residents), and benefits from proximity to assets in adjoining areas (such as West Hoxton, Hoxton Park and Hinchinbrook).</p>	<p>A new primary school (Middleton Grange Public School).</p>

### 5. When are these expected to be delivered?

None of the above-mentioned infrastructure provision plans commits to specific delivery timeframes (particularly social infrastructure, such as schools and healthcare).

Timing for regional road upgrades such as Fifteenth Avenue and Edmondson Avenue is dependent on Council being allocated funding by DPIE (on funding submissions every two/three years).

Many utility agencies and state government agencies rely on state government budget allocations, population projections, or their own forecasting methodologies to predict and provide for state infrastructure (and the PIC aims to better co-ordinate this process).

Often such state agencies will consult with Council and communities prior to infrastructure being delivered (e.g. Bringelly Road), although it is noted that this is still usually at an advanced planning stage. State government budget estimates will often indicate when a project will receive funding for planning and investigation.

However, whilst such items may be investigated and have preliminary designs prepared, this does not guarantee that the state government will then commit to delivery, and as such, Council needs to continue representations to Government, as it has been doing, for the required infrastructure to be delivered to support growth in the LGA.

**COUNCIL DECISION**

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

That Council:

1. Write to the Federal and State Government calling for additional services in our growth areas; and
  
2. Publish the information provided in this item in an appropriate format for residents, and also include details of when infrastructure which are within Council’s control and responsibility will be delivered.

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

**ITEM NO:** QWN 05  
**FILE NO:** 094310.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Civic Place Documentation

**Please address the following:**

Can all the documents relating to Civic Place, ie QS reports etc, be made public?

**Response**

Liverpool Civic Place documentation is Commercial and in Confidence and cannot be made public.

With regards to Liverpool Civic Place delivery, the Council web site is updated regularly to ensure the community is aware of the project's status.

**ITEM NO:** QWN 06  
**FILE NO:** 094313.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Aerotropolis

**Please address the following:**

Currently landowners in the Aerotropolis are stuck in no man's land based on the new zonings. Although a range of developments are permissible under the new zoning, applications are not able to be submitted or determined due to the lack of an infrastructure plan or infrastructure to service the land.

1. What options are available to landowners for temporary use DAs?
2. What discretions can Council apply if it chooses to allow structures to remain that are currently in place?

**Response**

**Background**

State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 (Aerotropolis SEPP) came into effect on 1 October 2020 and rezoned the initial precincts within the Aerotropolis, being the Northern Gateway, Aerotropolis Core, Agribusiness, Badgerys Creek and Wianamatta-South Creek precincts to non-standard land use zones of Enterprise, Mixed Use, Agribusiness and Environment & Recreation.

Certain provisions within the Aerotropolis SEPP also apply to the non-initial precincts within the Liverpool LGA (Dwyer Road, Rossmore, and Kemps Creek), however these precincts retain their existing zoning under the Liverpool Local Environmental Plan 2008 (LLEP 2008).

A Draft Precinct Plan was placed on public exhibition in 2020 by the Department of Planning, Industry and Environment and submissions have now closed. The Draft Precinct Plan builds upon the Western Sydney Aerotropolis Plan and Aerotropolis SEPP and further establishes the strategic vision and objectives of the initial precincts, by setting out the location of land uses and specifying criteria for land development. This includes the staging of infrastructure delivery, water cycle management, open space framework, centre hierarchy, and built form requirements.

**Development prior to precinct plan**

Clause 42 of the Aerotropolis SEPP applies to development on land in the Western Sydney Aerotropolis where there is no precinct plan in force, except for development that has a capital investment value of less than \$1 million and which relates to an existing or permitted use. Currently, there is no finalised precinct plan in force in the Aerotropolis



This Clause states that development consent must not be granted to development unless the consent authority has considered whether the development:

- is consistent with the aims of this Policy, and
- will result in further fragmentation of land holdings, and
- will hinder the orderly and co-ordinated provision of infrastructure that is planned for the land to which this Policy applies, and
- is incompatible with, or will adversely affect, the long-term operations and development of the Airport, and
- appropriately takes into account the development and infrastructure in areas adjacent to the development, and
- will be adequately serviced by public utility infrastructure.

#### Restrictions on issuing DAs due to infrastructure requirements

Clauses 49-51 of the Aerotropolis SEPP specifies infrastructure matters that a consent authority must take into consideration when assessing a development application in the Aerotropolis. This applies to new residential, commercial, and industrial developments (except for development that has a capital investment value of less than \$1 million and relates to an existing or permitted use).

Clause 50 of the Aerotropolis SEPP states that development consent must not be granted unless the consent authority has obtained the concurrence of the Planning Secretary, who, before granting concurrence, must consider:

- the impacts of the development on existing designated State public infrastructure;
- the need for additional designated State public infrastructure;
- the cumulative impact of the development with other development that has, or is likely to be, carried out in surrounding areas on existing designated State public infrastructure, and the need for additional designated State public infrastructure;
- the steps taken to address those impacts, including whether a planning agreement has been, or will be, entered into contributing to designated State public infrastructure.

This Clause only applies until such a time that a Special Infrastructure Contribution Plan is in force pursuant to Section 7.23 of the Act.

Clause 51 of the Aerotropolis SEPP further restricts development consent from being granted, unless the consent authority is satisfied that:

- The development will be adequately serviced by public utility infrastructure (water, sewerage, and electricity) when required.

This requirement ensures that new residential, commercial and industrial developments will have adequate access to utilities (or is able to manage sewer, drinking water, and/or electricity supply to the satisfaction of the utility agency and Council).

### Exempt Development

As in other areas of the Liverpool LGA, certain developments may be characterised as exempt, or complying development. The Aerotropolis SEPP also contains provision for exempt and complying developments, however such development is narrower than in other areas of the Liverpool LGA.

Clause 36 of the Aerotropolis SEPP specifies that the Codes SEPP does not apply to the Aerotropolis, however, Clauses 37-39 of the Aerotropolis SEPP then enable some of these codes, albeit for minor developments and often with different specifications.

### Complying Development

Under Clause 36 of the Aerotropolis SEPP, none of the complying development codes apply to the Aerotropolis precincts; however, under Clauses 43-45 of the Aerotropolis SEPP, if a masterplan is prepared for a particular site, the masterplan may provide provisions relating to complying development.

### Response to Questions

#### 1. What options are available to landowners for temporary use Development Applications (DAs)?

Similar to Clause 2.8 of the Liverpool LEP and the Growth Centres SEPP, Clause 18 of the Aerotropolis SEPP provides for the ability to apply to Council, via a development application, for the temporary use of land (for no more than 52 days within a 12-month period).

As with other areas in the LGA, there are matters that the consent authority must consider when considering the application, including how the use will impact surrounding land-uses, whether the temporary use will prejudice the long-term use of the land, and how the land will be restored back to its previous state. The Aerotropolis SEPP also has specific considerations relating to minimising impacts on the airport.

The Aerotropolis SEPP also has a savings and transitional clause (Clause 53). This Clause allows a development application that was lodged prior to the SEPP coming into force, but not determined by then, to continue to be assessed under the zoning and development controls in the Liverpool LEP.

This Clause also allows for development in Luddenham Village, that was previously permissible under the Liverpool LEP, to remain permissible until such a time as a Precinct Plan is in force for the land.

Other than those provisions above, the Aerotropolis SEPP does not have any other provisions to permit land uses (whether permanent or temporary) that were previously permitted under the LEP in the new zones under the Aerotropolis SEPP.

2. What discretion can Council apply if it chooses to allow structures to remain that are currently in place?

Existing, lawfully established buildings are not impacted by the changes to the planning framework. This is known as existing use rights. These buildings would most likely have either been exempt from needing development consent under an Environmental Planning Instrument applying at the time or were constructed under a complying development certificate or a development application.

Under the Enforcement Policy, if a complaint is received by Council concerning alleged development without consent in the Aerotropolis, as is the case for any allegations throughout the LGA, Council will investigate the matter to determine whether the building was built without obtaining the required approvals and whether grounds exist to issue an Order.

Some buildings unlawfully constructed may be able to be regularised by applying for a development consent or building information certificate. However, given the changes in the planning framework, Council can only consider that pathway if the use is permitted with consent in the zone.

As outlined above, Clause 42(2) of the Aerotropolis SEPP allows for development that has a capital investment value of less than \$1 million, and relates to an existing or permitted use, to not need to satisfy the provisions of Clause 42 of the SEPP (relating to development prior to a precinct plan) or Division 4 (relating to Infrastructure provision).

**ITEM NO:** QWN 07  
**FILE NO:** 094317.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Drainage Channels

**Please address the following:**

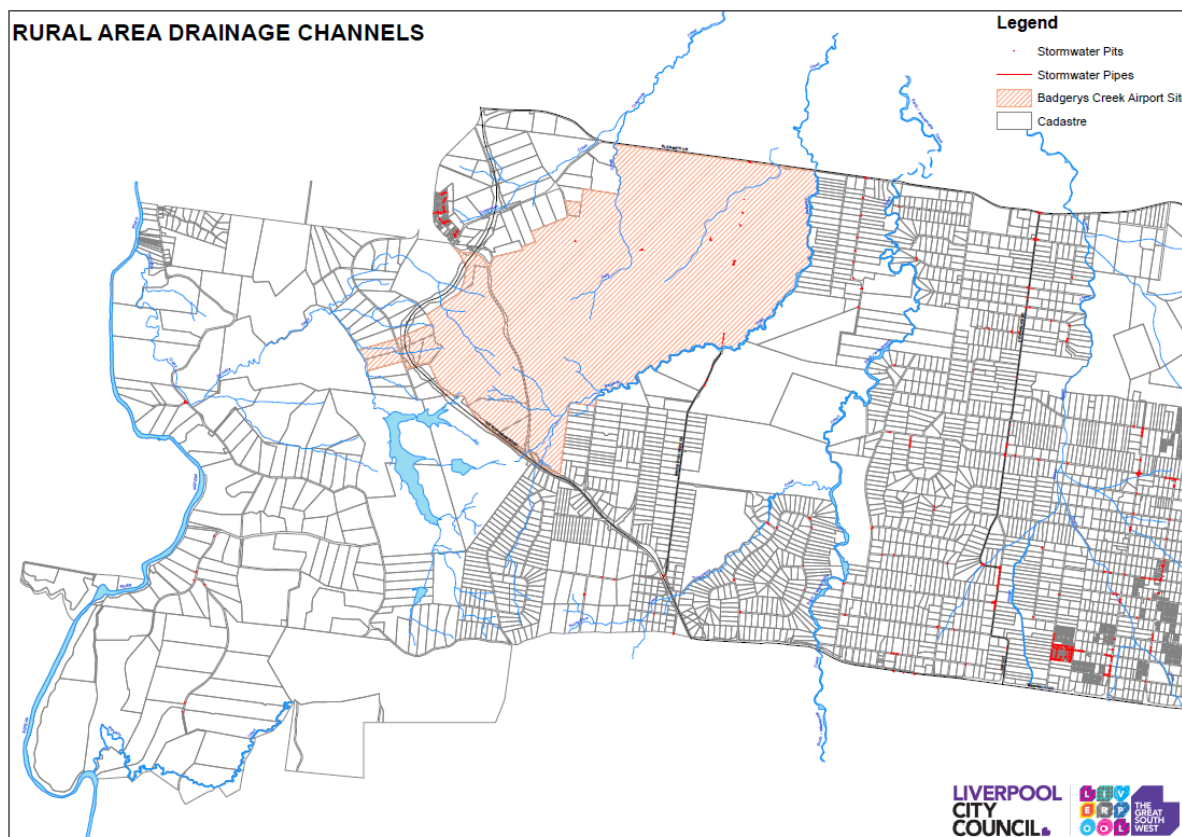
Can the CEO please provide a map of the drainage channels that Council is responsible for in the rural/growth areas and a timeline for when they will all be cleared?

**Response**

Below is a copy of the current Rural Area Drainage Channels taken from Council's Geocortex system.

Currently, the cleaning of the channels is undertaken as a reactive response to the requests received. If Council were to adopt a proactive approach to the maintenance of drainage channels within growth areas, additional resources, including labour and equipment, would be required.

City Presentation is planning to review its drainage maintenance operations and develop a combined proactive and reactive operation that will manage a sustainable service for current and future growth of the LGA.



**ITEM NO:** QWN 08  
**FILE NO:** 112343.2021  
**SUBJECT:** Question with Notice - Cllr Rhodes - The Moorebank Intermodal Special Rates Provision

Please address the following:

1. What date was the special rate provision with the Moorebank Intermodal Company Inc. negotiated and what, if any, were any conditions that formed part of the negotiated Agreement?
2. What amount of funds have been received so far?
3. What Council account are the funds being held?
4. What is the current account balance of funds received as part of the Agreement?
5. How have any funds been spent so far?
6. Is there any current need for any of the funds collected from the Intermodal Company Inc. as a part of the negotiated special rates agreement to be returned to Intermodal Company Inc.?
7. If so, what is the amount that needs to be returned and why do they have to be returned?
8. If so, has there been any recent negotiation by Council before the May Council Meeting 2021 to negate the need for Council to return any funds if owing to the Intermodal Company Inc.?
9. If so, were there any conditions expressed or implied and placed on Council that may have formed part of any possible negotiations for any possible agreement to negate the need for Council to return any funds to the Intermodal Company Inc. if owed to them by Liverpool Council?
10. If so, what were the conditions expressed or implied upon Council in order to negate the return of any funds if owing to the Moorebank Intermodal Company Inc.?

**Responses to the above questions were sent to Councillors via a separate confidential memo in accordance with S10(A)(2)(d)(i) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.**



**ITEM NO:** QWN 09  
**FILE NO:** 112508.2021  
**SUBJECT:** Question with Notice - Cllr Rhodes – Semi-detached housing engineering specifications in New Release Areas

**Please address the following:**

Does Liverpool Council have necessary engineering specifications for semi-detached housing opportunities permitted in the new development areas, that details when one side of the property is bought and built and that has to attach to a second dwelling as a part of the development conditions, but the second attached dwelling has yet to be built by a new and separated Development Application. Are engineering specifications submitted in the first development application done to acceptable specifications that is subject to the engineering needs that permits a second dwelling to be attached to the first dwelling built?

Or, are all the necessary engineering specifications only addressed and imposed on the second dwelling to attach to the first dwelling in order to comply with the condition of development for semi-detached developments when the adjoining Development Application is submitted?

**A response to these questions will be provided in the May 2021 Council meeting business papers.**

**ITEM NO:** QWN 10  
**FILE NO:** 113145.2021  
**SUBJECT:** Question with Notice - Cllr Hagarty - Mice

**Background**

After drought, bushfires, COVID and floods, rural Australia is now being severely impacted by a mouse plague. There have also been recent reports of mice in Liverpool's own rural and new release areas.

Please address the following:

1. Has Council received any recent complaints about mouse infestations?
2. Does Council have any jurisdiction in controlling mouse populations? If not, who does?

**A response to these questions will be provided in the May 2021 Council meeting business papers.**



**ITEM NO:** QWN 11  
**FILE NO:** 113157.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - Towards Zero

**Background**

Each year over a thousand people die on Australian roads. Thankfully, these figures have decreased significantly over recent decades.

The NSW Government's "Toward Zero" initiative urges all of us to do everything in our power to push the number of deaths on NSW roads towards zero.

We absolutely must try new approaches to ensure road deaths continue to trend down. Any number higher than zero is unacceptable.

However, if an approach is poorly implemented or not working, it must be reassessed and potentially stopped.

Please address the following:

1. When does the Transport for NSW's 30kmh trial in the Liverpool CBD finish?
2. Who decides whether to continue or finish the trial?
3. What input does Council have into the future of the trial?
4. What input do local residents and businesses have into the future of the trial?
5. How much revenue has the State Government raised from the speed camera on Bigge Street since the trial commenced?

**A response to these questions will be provided in the May 2021 Council meeting business papers.**

**ITEM NO:** QWN 12  
**FILE NO:** 113176.2021  
**SUBJECT:** Question with Notice - Cllr Ayyad - Civic Place

Please address the following:

1. Can the CEO guarantee the community and Councillors, that when Civic Place is completed, Council will have the building fully leased?

**A response to these questions will be provided in the May 2021 Council meeting business papers.**

**PRESENTATIONS BY COUNCILLORS**

Nil.

**CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 098253.2021  
**SUBJECT:** Western Sydney Parklands BMX Track Proposed Partnership

**COUNCIL DECISION**

**Motion:**                                 **Moved: Clr Rhodes**                         **Seconded: Clr Ayyad**

That Council endorse the contribution of up to \$500,000 in the 2020/2021 financial year.

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

Clrs Hadchiti and Balloot asked that they be recorded as having voted against the motion.

**ITEM NO:** CONF 02  
**FILE NO:** 103487.2021  
**SUBJECT:** Legal Affairs Report - 1 January 2021 - 31 March 2021

**COUNCIL DECISION**

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

That Council receive and note the report concerning the legal affairs of Liverpool City Council.

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

.....

**ITEM NO:** CONF 03  
**FILE NO:** 095612.2021  
**SUBJECT:** Bigge Park Cafes - Lot 702 DP 1056246, Bigge Street, Liverpool

This matter was dealt with later in the meeting in Closed Session in accordance with *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.

**ITEM NO:** CONF 04  
**FILE NO:** 087174.2021  
**SUBJECT:** Update on Interim Heritage Orders

## **COUNCIL DECISION**

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

### **That Council:**

1. Notes the Interim Heritage Order on 122 Atkinson Street, Liverpool expires on 6 May 2021;
2. Notes the Interim Heritage Order on 124 Moore Street, Liverpool expires on 12 August 2021;
3. Notes that no agreement has been reached at this point in time with the owners of 122 Atkinson Street, Liverpool and 124 Moore Street, Liverpool for the purchase of the properties by Council;
4. Prepare a planning proposal to amend the Liverpool Local Environmental Plan 2008 to include 122 Atkinson Street, Liverpool in Schedule 5 – Environmental Heritage, noting the recommendation in CONF 07 from the 16 December 2020 Council meeting was to prepare a planning proposal to list the property as an item of local heritage significance;
5. Receives a further report following the completion of the assessment of heritage significant of 124 Moore Street, Liverpool for a decision on whether the building/site should be listed as a local heritage item in the Liverpool Local Environmental Plan by the 30 June 2021 Council meeting;
6. Notes that a heritage study is planned to commence in July 2021, subject to budget allocation in the 2021/22 Operation Plan, and that further consideration be given during the development of the study to the potential for transfer of development rights and the development of detailed heritage management guidelines; and
7. Enhance the existing opportunities for communication and engagement with heritage property owners through a dedicated section on Council's website.

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

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

**ITEM NO:** CONF 05  
**FILE NO:** 102095.2021  
**SUBJECT:** Domestic Waste Management Levy

**COUNCIL DECISION**

**Motion:**                                      **Moved: Clr Ayyad**                                      **Seconded: Clr Harle**

That Council:

- 1. Receive and note the report; and
- 2. Receive a further report, the 10 Year Waste Strategy, in July 2021 which will outline detailed cost and data analysis.

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

**Mayor Waller advised that Council would now move into Closed Session to deal with Item CONF 03 - Bigge Park Cafes - Lot 702 DP 1056246, Bigge Street, Liverpool pursuant to the provisions of S10(A)2(d)(i) of the Local Government Act because the item contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.**

Mayor Waller called a recess at 7.36pm to allow members of the gallery to leave.

Mayor Waller resumed the meeting at 7.41pm in Closed Session with all councillors present except for Clr Kaliyanda who had retired from the meeting earlier in the evening.

**COUNCIL IN CLOSED SESSION**

**Clr Hagarty left the Chambers at 8:02pm.**

**ITEM NO:** CONF 03  
**FILE NO:** 095612.2021  
**SUBJECT:** Bigge Park Cafes - Lot 702 DP 1056246, Bigge Street, Liverpool

**COUNCIL DECISION**

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

That Council defer this item and instruct the CEO to undertake reference checks and for financials to be checked for the top two tenderers named in the Confidential Book and the matter to be brought back to the next Council meeting.

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

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

**Vote against:** Mayor Waller, Clr Balloot, Clr Hale, Clr Karnib and Clr Shelton.

Note: Clr Hagarty was not in the Chambers when this motion was considered and voted on and Clr Kaliyanda had retired earlier from the meeting.

The following Foreshadowed motion then became the motion:

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

That Council:

1. Accepts the Tender from Stazi Group Pty Ltd for Tender ST2904 - Licensing of Pump House Café Bigge Park Liverpool for a term of five years as per the commercial terms outlined in the body of this report.
2. Makes public its decision regarding tender ST2904 - Licensing of Pump House Café Bigge Park Liverpool.
3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance and delegate for the License to be executed under the Power of Attorney following the publication of the draft Minutes on Council's website for the tender, giving it contractual effect, in accordance with delegated authority.
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of *Section 10A(2)(d)(i) of the Local*



*Government Act 1993* as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

**Clr Hagarty returned to the Chambers at 8.10pm.**

## **NOTICE OF MOTION OF RESCISSION**

**ITEM NO:** NOMR 01

**SUBJECT:** Rescission of MOU 01 - Revised Parameters of the Intermodal Appeal Case No.: 2020/0004407 from the Council Meeting of 31 March 2021 (from Clrs Rhodes, Hadchiti and Harle).

## **COUNCIL DECISION**

**Motion to rescind negated motion: Moved: Clr Rhodes Seconded Clr Hadchiti**

That the negated motion for item MOU 01 – Revised Parameters of the Intermodal Appeal Case No.: 2020/0004407 from the Ordinary Council Meeting on 31 March 2021 (as shown below) be rescinded.

*That Council:*

1. *Approves the provision of up to a further \$400,000, capped at \$400,000 in legal funding for RAID Moorebank Inc. for the current appeal, to be paid subject to the outcome of the public notification process;*
2. *Delegate the CEO and LCC Staff to commence the public notification process; and*
3. *Allocate the funds from Council's General Fund for payment to RAID upon the presentation of invoices to Council.*

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

## **Division**

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

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

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

Note: Clr Kaliyanda had retired from the meeting earlier.

**OPEN SESSION**

Council moved back into Open Session at 8.14pm.

**Mayor Waller then read the resolution for CONF 03 - Bigge Park Cafes - Lot 702 DP 1056246, Bigge Street, Liverpool that was carried and advised that the Rescission Motion for item MOU 01 - Revised Parameters of the Intermodal Appeal Case No.: 2020/0004407 from the Council Meeting of 31 March 2021 was lost in Closed Session.**

.....

**THE MEETING CLOSED AT 8.15pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 26 May 2021

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 28 April 2021. 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 MAY 2021**

---

**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, Chief Executive Officer  
Mr Raj Autar, Director City Infrastructure and Environment  
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 Diplas, Acting Director City Presentation  
Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement  
Mr Vishwa Nadan, Chief Financial Officer  
Mr George Georgakis, Manager Council and Executive Services  
Ms Maree Stewart, 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 Father Anthony Morgan from St George and Prince Tadros Coptic Orthodox Church.

**NATIONAL ANTHEM**

The National Anthem was played at the meeting.

**APOLOGIES**

Nil

**CONDOLENCES**

**ITEM NO: COND 01**

**SUBJECT: Ms Estelle Lawler (read by Mayor Waller)**

Tonight, we pause to honour the memory of the Secretary of the Liverpool City Netball Association, Estelle Lawler.

Estelle Lawler was born in 1941 and lived at Lurnea. She was a mother, grandmother, and friend to many. Affectionately known by many names - Mrs Lawler, Estelle, Aunty Ess or Mumma Ess - she was involved with the Liverpool City Netball Association for 47 years, including 20 years as Secretary.

Mrs Lawler joined the Liverpool City Netball Association after enrolling her seven-year-old daughter and watching her play. She subsequently took up umpiring and coaching before eventually playing netball herself. Mrs Lawler also worked closely with Liverpool City Council staff for several years to help with the continuing growth of the sport in our local government area.

In their tribute, Liverpool City Netball Association praised Mrs Lawler and said “her contribution and tenacity to ensure the success of Liverpool City Netball can be seen every Saturday around the courts when we are all participating in the sport she loved so dearly.”

She was further remembered by the association as a “strong, widely outspoken, funny woman who was compassionate and fiercely protective of all the people who she called a friend.”

During netball games on May 21 players paused to pay their respects to Mrs Lawler and on May 22 players and spectators participated in a loud cheer to celebrate her lifetime of service to netball.

In 2018 Estelle Lawler was recognised with a nomination for the Service to Sport Award as part of NewsLocal’s Liverpool Leader Local Sports Star competition.

A funeral service to celebrate the life of Estelle Lawler will be held on Friday 28 May at 11:30am at the Forest Lawn Memorial Park’s South Chapel at Leppington. Due to COVID-19 restrictions seating inside the chapel will be restricted to immediate family. However, there will also be TV screens and speakers on the lawn outside the chapel and the service will be livestreamed.

On behalf of Liverpool City Council, I express my deepest condolences to Mrs Lawler’s children, grandchildren and extended family members and friends during this difficult time.

Estelle Lawler's contribution to netball and the wider Liverpool community was immense and she will be greatly missed.

May she rest in peace.

**COUNCIL DECISION**

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

That Council observe a minutes silence in respect to Estelle Lawler and write to the family to express our condolences for their loss.

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



## CONFIRMATION OF MINUTES

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

That the minutes of the Ordinary Meeting held on 28 April 2021 be confirmed as a true record of that meeting.

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

## DECLARATIONS OF INTEREST

Nil.

## PUBLIC FORUM

### Presentation – items not on agenda

Nil.

### Representation – items on agenda

1. **Ms Toni Walter** on behalf of Urbis addressed Council on the following item:

**EGROW 06** Planning Proposal Request - 193 Macquarie Street and 77 Moore Street, Liverpool

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

**NOM 04** - Harris Creek Bridge

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

That a three minute extension of time be given to Mrs Andrews.

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

3. **Mr Michael Byrne on behalf of the East Liverpool Progress Association** addressed Council on the following item:

**CONF 04** Council 2021-05-26 - Confidential Report - CONF 04 - Moorebank Intermodal Development possible negative impact on Liverpool residents

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

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

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



**ITEM NO:** EGROW 02  
**FILE NO:** 097229.2021  
**SUBJECT:** Construction of enclosure for the Liverpool Animal Shelter at Rossmore Vet

### **COUNCIL DECISION**

**Motion:**                                      **Moved: Cllr Ayyad**                      **Seconded: Cllr Harle**

That Council:

1. Resolve, pursuant to Section 67(2)(b) of the Local Government Act 1993, to construct an enclosure at Rossmore Vet and it be completed at no cost to Rossmore Vet.
2. Note the estimated cost to Council of constructing the enclosure is up to \$10,000 and can be catered for in the current 2020/21 budget and through Council's standard procurement processes.

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

**ITEM NO:** EGROW 03  
**FILE NO:** 337300.2020  
**SUBJECT:** Reducing Red Tape - Revocation of Development and Subdivision of Land Policy

**COUNCIL DECISION**

**Motion:**    **Moved: Cllr Hagarty**                          **Seconded: Cllr Harle**

That Council:

1. Update the Development and Subdivision of Land Policy; and
2. Bring an updated policy to the next Council meeting.

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

**ITEM NO:** EGROW 04  
**FILE NO:** 143691.2021  
**SUBJECT:** Proposed Planning Agreement in support of draft Amendment 88 to the  
Liverpool Local Environmental Plan at 1370 Camden Valley Way, Leppington

**COUNCIL DECISION**

**Motion:**                                      **Moved: Cllr Ayyad**                                      **Seconded: Cllr Kaliyanda**

That Council:

- 1. Endorse the draft Planning Agreement and direct the CEO to publicly exhibit the planning agreement and accompanying explanatory note for 28 days;
- 2. Delegate authority to the CEO, subject to consideration of any changes following public exhibition, to execute the planning agreement in the form that is publicly exhibited or with minor modifications; and
- 3. Notes that if changes, other than minor changes, arise from the public exhibition process these will be reported back to Council for endorsement.

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

The Councillors voted unanimously for this item.

**ITEM NO:** EGROW 05  
**FILE NO:** 126847.2021  
**SUBJECT:** Planning Proposal to amend Part 7 of Liverpool Local Environmental Plan 2008 to prohibit Cemeteries and Crematoria in Wallacia

**COUNCIL DECISION**

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

That Council:

1. Notes the advice of the Liverpool Local Planning Panel;
2. Supports in principle the planning proposal to amend Part 7 (Division 2) of the *Liverpool Local Environmental Plan 2008* to prohibit cemeteries and crematoria in Wallacia;
3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
4. Forwards the planning proposal to the Department of Planning, Industry and Environment pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination;
5. Subject to Gateway determination, undertake public exhibition and community consultation 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. Collaborates with Penrith City and Wollondilly Shire Councils and the State Government to ensure that cemeteries and crematoria are only developed in appropriate locations.

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

The Councillors voted unanimously for this item.

**ITEM NO:** EGROW 06  
**FILE NO:** 126878.2021  
**SUBJECT:** Planning Proposal Request - 193 Macquarie Street and 77 Moore Street,  
Liverpool

**COUNCIL DECISION**

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

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 the preparation of 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; and
6. Receive a further report on the outcomes of public exhibition and community consultation.

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

The Councillors voted unanimously for this item.

**ITEM NO:** EGROW 07  
**FILE NO:** 127968.2021  
**SUBJECT:** Proposed amendment to Schedule 1 Liverpool Local Environmental Plan 2008 - additional permitted use for 'animal boarding or training establishment' at 40 Ramsay Road, Rossmore

**COUNCIL DECISION**

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

That Council:

1. Notes the advice of the Liverpool Local Planning Panel;
2. Supports the planning proposal to amend Schedule 1 of the *Liverpool Local Environmental Plan 2008* to permit 'animal boarding or training establishment' as a land use permitted with consent at 40 Ramsay Road, Rossmore;
3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
4. Forwards the planning proposal to the Department of Planning, Industry and Environment pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination;
5. Subject to Gateway determination, complete further studies and undertake public exhibition and community consultation in accordance with the conditions of the Gateway determination; and
6. Receive a further report on the outcomes of public exhibition and community consultation.

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

The Councillors voted unanimously for this item.



**ITEM NO:** EGROW 08  
**FILE NO:** 132610.2021  
**SUBJECT:** Removal of Boarding Houses as a Permissible Use within the R2 Low Density Residential Zone

**COUNCIL DECISION**

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

That Council:

1. Supports the removal of 'boarding houses' as a permissible land use in the R2 Low Density Residential Zone within the Liverpool Local Environmental Plan 2008;
2. Writes to the Department of Planning, Industry and Environment advising of Council's decision; and
3. Direct the CEO to provide a further report to Council on the opportunity of including dual occupancy with development consent in R2 and R3 zones, including the pros and cons, and that the report be brought back in July 2021.

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

The Councillors voted unanimously for this item.

**ITEM NO:** EGROW 09  
**FILE NO:** 134079.2021  
**SUBJECT:** Street Naming Requests - Luddenham and Bringelly

**COUNCIL DECISION**

**Motion:**                                      **Moved: Clr Ayyad**                                      **Seconded: Clr Rhodes**

That Council:

1. Supports the renaming of original sections of The Northern Road:
  - through Luddenham as Willmington Road;
  - between Bringelly Road and Thames Road as Wentworth Road.
2. Forwards the names to the Geographical Names Board (GNB), seeking formal approval;
3. Publicly exhibit the names in accordance with Council’s Naming Convention Policy, for a period of 28 days, following formal approval from the GNB; and
4. Authorises the Chief Executive Officer (CEO) to undertake the process of gazettal, if there are no submissions received during public exhibition.

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

**ITEM NO:** EGROW 10  
**FILE NO:** 134216.2021  
**SUBJECT:** Adoption of Urban Cat Management Plan 2021

**COUNCIL DECISION**

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

That Council adopt the Urban Cat Management Plan and Action Plan 2021

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

**CITY COMMUNITY AND CULTURE REPORT**

**ITEM NO:** COM 01  
**FILE NO:** 090021.2021  
**SUBJECT:** Grants, Donations and Corporate Sponsorship

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Shelton** **Seconded: Cllr Ayyad**

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

<b>Applicant</b>	<b>Project</b>	<b>Recommended*</b>
Western Sydney Community Forum	2021 ZEST Community Awards	\$10,000
Miracle Babies Foundation	NICU Survival Packs for families of babies born premature or sick	\$10,000

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

**ITEM NO:** COM 02  
**FILE NO:** 107950.2021  
**SUBJECT:** Liverpool City Council Sporting Grants Program 2020/2021

### **COUNCIL DECISION**

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

That Council:

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

<b>Club</b>	<b>Project Description</b>	<b>Grant Amount Recommended</b>
Austral City Bears Incorporated	Purchase of playing equipment (Tackle bags, pads and cones)	\$5,000.00
Fiji Football Australia Pty Ltd	Purchase of equipment (kits, marquees)	\$5,000.00
Hinchinbrook Hornets JRLFC	Purchase of playing equipment (Tackle bags, tackle rings, speed sleds, speed chute)	\$2,570.00
Kemps Creek United Soccer Club	Costs associated with the start-up of a Walking Football Program	\$5,000.00
Southern Districts Soccer Football Association Inc	Purchase and installation of VEO Sports Cameras to aid coaching and high-performance feedback	\$ 2,430.00
Liverpool District Touch Association	Purchase of playing equipment and volunteer training (balls, kits, training courses)	\$5,000.00
Moorebank Liverpool District Hockey Club	Purchase of playing equipment (cones, training singlets, coach white boards, helmets)	\$5,000.00

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

**CITY CORPORATE REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 133621.2021  
**SUBJECT:** Budget Review - March 2021

**COUNCIL DECISION**

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

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

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

**ITEM NO:** CORP 02  
**FILE NO:** 137239.2021  
**SUBJECT:** Investment Report April 2021

**COUNCIL DECISION**

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

That Council receives and notes the report.

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

**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01  
**FILE NO:** 103198.2021  
**SUBJECT:** Minutes of the Companion Animals Advisory Committee meeting held on 30 March 2021

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Kaliyanda** **Seconded: Cllr Balloot**

That Council receives and notes the minutes of the Companion Animals Advisory Committee meeting held on 30 March 2021.

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



**ITEM NO:** CTTE 02  
**FILE NO:** 124312.2021  
**SUBJECT:** Minutes of the Liverpool Youth Council Meeting held Tuesday 13 April 2021

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Kaliyanda** **Seconded: Cllr Balloot**

That Council receives and notes the Minutes of the Liverpool Youth Council Meeting held on Tuesday 13 April 2021.

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

**ITEM NO:** CTTE 03  
**FILE NO:** 134301.2021  
**SUBJECT:** Minutes of the Tourism and CBD Committee meeting held on 27 April 2021

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Kaliyanda** **Seconded: Cllr Ballot**

That Council:

1. Receives and notes the minutes of the Tourism and CBD Committee meeting held on 27 April 2021; and
2. Endorse the recommendations in the minutes.

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

**ITEM NO:** CTTE 04  
**FILE NO:** 135511.2021  
**SUBJECT:** Minutes of Strategic Panel Meeting held on 12 April 2021

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Kaliyanda** **Seconded: Cllr Balloot**

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 12 April 2021.

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

**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 120405.2021  
**SUBJECT:** Question with Notice - Cllr Hagarty - Mice

**Background**

After drought, bushfires, COVID and floods, rural Australia is now being severely impacted by a mouse plague. There have also been recent reports of mice in Liverpool's own rural and new release areas.

**Please address the following:****1. Has Council received any recent complaints about mouse infestations?**

Council has not received any complaints about mouse infestations within the LGA. Council receives the occasional complaint regarding reports of rodents associated with overgrown properties. In these cases, Council may undertake enforcement action, where justifiable.

**2. Does Council have any jurisdiction in controlling mouse populations? If not, who does?**

Council does not have jurisdiction in controlling mouse populations. While there are no obligations for landholders to control mice, Local Land Services, a State Government Agency, can provide advice to landholders to assist them in managing mice numbers on their property.

**ITEM NO:** QWN 02  
**FILE NO:** 120410.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - Towards Zero

## **Background**

Each year over a thousand people die on Australian roads. Thankfully, these figures have decreased significantly over recent decades.

The NSW Government's "Toward Zero" initiative urges all of us to do everything in our power to push the number of deaths on NSW roads towards zero.

We absolutely must try new approaches to ensure road deaths continue to trend down. Any number higher than zero is unacceptable.

However, if an approach is poorly implemented or not working, it must be reassessed and potentially stopped.

## **Please address the following:**

### **1. When does the Transport for NSW's 30kmh trial in the Liverpool CBD finish?**

Transport for NSW (TfNSW) has advised that the 30km/h zone in the Liverpool CBD precinct is a 'pilot' change to the speed limit rather than a trial with an end date. The 30km/h zone was implemented on 17 July 2020, with Transport for NSW (TfNSW) planning to complete an evaluation after twelve months, being in July this year.

TfNSW has advised that the intention of the evaluation is to inform future improvements to the Liverpool CBD 30km/h area, and other 30km/h areas, rather than deciding whether the 30km/h area will stay in place or be removed.

### **2. Who decides whether to continue or finish the trial?**

Transport for NSW is responsible for speed management on NSW roads. As advised above, TfNSW will complete the evaluation after twelve months, being in July this year. TfNSW has advised that the intention of the evaluation is to inform future improvements to the Liverpool CBD 30km/h area and other 30km/h areas rather than deciding whether the 30km/h area will stay in place or be removed.

### **3. What input does Council have into the future of the trial?**

TfNSW has advised that it is happy to work with Council on the 30km/h zone in Liverpool, including the provision of any changes to traffic calming within the area to reinforce the lower speed limits and intends to engage with Council as part of the evaluation.

**4. What input do local residents and businesses have into the future of the trial?**

Residents and businesses can continue to contact Transport for NSW through the online feedback form to submit an enquiry. The online feedback form can be found through the following link: <https://roads-waterways.transport.nsw.gov.au/contact-us/feedback-form.html>.

**5. How much revenue has the State Government raised from the speed camera on Bigge Street since the trial commenced?**

TfNSW advised that the fixed speed camera on Bigge Street between Campbell Street and Elizabeth Street has been in warning mode since the lower speed zones of 30km/h were introduced on 17 July 2020. Warning letters have been sent to speeding motorists to encourage them to change their driving behaviour. However, motorists who exceeded the 30km/h speed limit by more than 30km/h were subject to penalties.

TfNSW has advised that the amount of revenue raised would need to be requested from Revenue NSW. Council has requested this information, and if received, will be included in a future CEO update.

**COUNCIL DECISION**

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

That Council promote the TfNSW online feedback form through social media channels encouraging feedback on the 30km/hr speed zone in the Liverpool CBD.

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

**ITEM NO:** QWN 03  
**FILE NO:** 137466.2021  
**SUBJECT:** Question with Notice - Clr Rhodes – Semi-detached housing engineering specifications in New Release Areas

**Please address the following:**

Does Liverpool Council have necessary engineering specifications for semi-detached housing opportunities permitted in the new development areas, that details when one side of the property is bought and built and that has to attach to a second dwelling as a part of the development conditions, but the second attached dwelling has yet to be built by a new and separated Development Application. Are engineering specifications submitted in the first development application done to acceptable specifications that is subject to the engineering needs that permits a second dwelling to be attached to the first dwelling built?

Or, are all the necessary engineering specifications only addressed and imposed on the second dwelling to attach to the first dwelling in order to comply with the condition of development for semi-detached developments when the adjoining Development Application is submitted?

**Response**

Council does not have engineering specifications for the construction of semi-detached housing development. However, the construction of buildings, including dwellings, is required to comply with the Building Code of Australia (BCA). The BCA specifies construction requirements for separating walls which include structural, fire rating and weather proofing. Each dwelling is required to comply with the BCA when it is built and attaching a dwelling to an existing dwelling will be for aesthetic purposes only, and will not affect the structural integrity of the existing dwelling or the subsequent dwelling to be attached to it.

While there have been instances where a dwelling needs to be attached to an existing dwelling in recent times, this will no longer occur. Development approvals will now include additional conditions which prevent semi-detached dwellings from being constructed at different times. They must be built at the same time.

**ITEM NO:** QWN 04  
**FILE NO:** 147940.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - Macquarie Mall and Bigge Park

**Background**

Council has previously borrowed money to improve the public domain in the CBD. In 2015 Council borrowed money for the upgrade on Macquarie Mall and Bigge Park in 2015.

**Please address the following:**

- 1. How much was borrowed to fund the upgrade of Macquarie Mall and Bigge Park?**

Council borrowed \$10m, on a 10-year fixed interest rate of 3.73%.

An interest subsidy of 3% was approved for this project under the NSW Governments Local Infrastructure Renewal Scheme (LIRS)

- 2. What are the annual loan repayments?**

Principal and interest repayment for this loan is \$1.2m per year. Payments are made quarterly.

- 3. How are those repayments funded?**

Repayments for this loan are fully funded from the City Development Fund.



**ITEM NO:** QWN 05  
**FILE NO:** 147924.2021  
**SUBJECT:** Question with Notice - Cllr Kaliyanda - Well-being at Liverpool Council

The mental health and well-being impacts of COVID-19 and other natural disasters in the last 18 months have been highlighted in the media and other places. The NSW Government is due to release an updated version of its Mentally Healthy Workplaces Strategy this month.

**Please address the following:**

1. What measures has Council undertaken to track the mental health and well-being on staff over this period?
2. How does Council plan to implement the updated Strategy?
3. Has well-being had an effect on staff retention or turnover in the last 18mths?
4. What strategies are in place to manage workload to ensure sustainability?

**A response to these questions with notice will be published in the 30 June 2021 Council Meeting Business Papers.**

**ITEM NO:** QWN 06  
**FILE NO:** 147952.2021  
**SUBJECT:** Question with Notice - Cllr Kaliyanda - Study Tours

**Please address the following:**

1. What study tours have been undertaken in this term of Council?
2. What outcomes/benefits have they delivered to Council and ratepayers?
3. What has been the financial cost of these?
4. How does this compare to the number, cost and outcomes/benefits to ratepayers undertaken in previous terms of Council?

**A response to these questions with notice will be published in the 30 June 2021 Council Meeting Business Papers.**

**ITEM NO:** QWN 07  
**FILE NO:** 147963.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - City Presentation

**Please address the following:**

1. How many vacancies are there in City Presentation?
2. When are these expected to be filled?

**A response to these questions with notice will be published in the 30 June 2021 Council Meeting Business Papers.**

**ITEM NO:** QWN 08  
**FILE NO:** 148015.2021  
**SUBJECT:** Question with Notice - Cllr Hagarty - Compliance Discretion

**Please address the following:**

1. Are compliance officers legally allowed to apply discretion?
2. Is it Council policy to apply discretion?
3. Does Council keep track of when discretion is applied?
4. What training is given on the application of discretion?
5. What checks and balances are in place for when discretion is applied?

**A response to these questions with notice will be published in the 30 June 2021 Council Meeting Business Papers.**

**ITEM NO:** QWN 09  
**FILE NO:** 148067.2021  
**SUBJECT:** Question with Notice - Cllr Ayyad - Childcare in Civic Place

**Please address the following:**

1. What is the cost of the childcare component proposed in Civic Place?
2. How many children is it going to cater for?
3. Who is going to run it?
4. Did the original concept for Civic Place, as resolved in 2016, have a childcare centre?
5. If no, why did this change?
6. Who initiated this change?
7. Who completed the business case to justify this change?
8. How was the organisation that completed the business case chosen?
9. What date was the business case completed?
10. Who has seen the business case?
11. Does the business case contain a feasibility study?
12. Was any elected official consulted about a childcare in Civic Place before it was resolved by Council?
13. How much extra is it going to cost to build this childcare centre? This figure is to include fit out and any parking requirements that need to be built for this childcare.

**A response to these questions with notice will be published in the 30 June 2021 Council Meeting Business Papers.**

**ITEM NO:** QWN 10  
**FILE NO:** 148095.2021  
**SUBJECT:** Question with Notice - Clr Ayyad - 33 Moore Street, Liverpool

**Please address the following:**

1. In this term of Council, how much has been spent on 33 Moore Street?
2. Can you please provide a breakdown of the costs? That is to include which levels the monies were spent on and for what purpose (as a minimum).

**A response to these questions with notice will be published in the 30 June 2021 Council Meeting Business Papers.**

**ITEM NO:** QWN 11  
**FILE NO:** 148108.2021  
**SUBJECT:** Question with Notice - Clr Ayyad - Staff Payouts

**Please address the following:**

1. In this term of Council, how much has been spent to pay out staff through terminating their contracts (please provide as a total number)?

**A response to these questions with notice will be published in the 30 June 2021 Council Meeting Business Papers.**

**ITEM NO:** QWN 12  
**FILE NO:** 148126.2021  
**SUBJECT:** Question with Notice - Clr Ayyad - Travel

**Please address the following:**

1. In this term of Council, how many flights has Council booked (both interstate and international)?
2. How many hotel room nights have been booked in this term of Council?

**A response to these questions with notice will be published in the 30 June 2021 Council Meeting Business Papers.**



**PRESENTATIONS BY COUNCILLORS**

Nil.

.....

Chairperson

**ADDENDUM**

**ITEM NO:** CORP 03  
**FILE NO:** 147032.2021  
**SUBJECT:** For Public Exhibition – Draft Delivery Program 2017-2022 and Operational Plan and Budget 2021-2022, including Revenue Pricing Policy, Fees and Charges

**COUNCIL DECISION**

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

That Council:

1. Place the draft Delivery Program 2017-2022 and Operational Plan and Budget 2021-2022, including Revenue Pricing Policy, Fees and Charges on Public Exhibition for 28 days;
2. Include a table that indicates each Councillor’s attendance at all Council meetings, committee meetings, and briefing sessions for this term of Council, under the Your Council section of the Delivery Program 2017-2022 and Operational Plan and Budget 2021-2022.
3. Receives a further report at the June 2021 Council meeting after a review of public submissions; and
4. Notes the amendments to the Principal Activities in the 2021-2022 Operational Plan as tabled.

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

Clr Ayyad and Clr Hadchiti requested that they be recorded as voting against the motion.

**Clr Ayyad left the Chambers at 7.01pm.**

**NOTICES OF MOTION**

**ITEM NO:** NOM 01  
**FILE NO:** 146019.2021  
**SUBJECT:** Payment Plans for Liverpool Council Animal Shelter Fees

**BACKGROUND**

Liverpool LGA is a great animal loving community.

It is well documented that mental health outcomes are often improved through pet ownership.

During times of uncertainty and social threats such as the COVID pandemic, many people have turned more to the companionship that pets such as dogs provide to help cope with isolation and loneliness.

However, this is often done without considering all the ongoing responsibilities that come with pet ownership nor the different requirements that different breeds of animals might require.

Many of our citizens live either close to the poverty line and or below it, but they are pet owners as well and are people particularly prone to embarking on pet ownership for comfort and companionship and as such may need financial assistance should their new animal companion escape and be impounded in the Liverpool City Animal Shelter presenting them with an expense they never may have considered.

Constituents have told me that some people whose animals are impounded are reluctant to claim their dog when registered or unregistered for fear of the financial burden of paying the accumulated fees for the period of time their animal has been in the pound. This results in increased costs to the Liverpool Animal Shelter operations and in some cases great stress to dogs because their owner cannot afford the fees to reclaim their dog.

Greater education and information can assist not only Liverpool Constituents to be better informed as to what sort of dog might be best suited for them, but also make them more aware of the cost and responsibility of pet ownership. Such education and information could result in less cost to operations at the Council Animal Shelter and less dogs having to be impounded or at the very least being reclaimed sooner and by their original owner who may be currently unaware that payment options are available to them.

The promotion of Liverpool Council's payment plan options could lead to more animals being reclaimed from the pound also reducing the cost to operations of the Liverpool Council Animal Shelter.

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

That Council:

- 1. Provide a costing and report to June Council meeting for options to provide education material on the responsibilities of dog ownership that includes information on the different needs that different types of dogs may require, in regards to space, enclosures, exercise and approximate cost to feed; and
- 2. Promote on the Liverpool Council's Animal Shelter fees and Council's payment plan options by placing information prominently on the Liverpool Council Website and on social media platforms.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

Cllr Balloot and Cllr Hadchiti requested that they be recorded as voting against the motion.

**Clr Ayyad returned to the Chambers at 7.05pm.**

**ITEM NO:** NOM 02  
**FILE NO:** 146026.2021  
**SUBJECT:** Housing Diversity SEPP

**BACKGROUND**

The new Housing Diversity SEPP is intended to replace SEPPs currently in place which Council has submitted endorsement in principal including new definitions that include build to rent housing, student housing and co-living developments.

New definitions included in the new SEPP are Student Housing, Co-Living where Council has made recommendations to support standards to ensure quality of livability issues, but has made no comment regarding the continued threat that shared co-living type of housing poses to the spread of COVID-19 and or the professional opinion that there will be the continued threat of new or similar pandemics that will be the new reality into the foreseeable future.

Liverpool has a very culturally diverse population that brings more people from every corner of the world into our LGA and by doing so makes Liverpool more prone perhaps than other parts of Sydney to possible future outbreaks.

It is significant that the pandemic spreads predominantly in Australia through quarantine and share co-living situations, that are similar build to the new proposed Housing Diversity SEPP.

Before the Housing Diversity SEPP is endorsed there is a need for a full comprehensive reassessment of the current and proposed development controls that will ensure that all future housing development meets COVID safe legislation built into the Housing Diversity SEPPs.

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

That Council submit to DPIE Housing Diversity SEPP currently under consideration concerns about all shared living developments and the need for new legislation that addresses the needs to deliver COVID safe housing developments into the future, by calling for a review of all planning regulations specifically to address any form of share living COVID safe housing development.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**Division:**

Vote for: Cllr Ayyad and Cllr Rhodes

Vote against: Mayor Waller, Cllr Baloote, Cllr Hadchiti, Cllr Hadid, Cllr Hagarty, Cllr Harle, Cllr Kaliyanda, Cllr Karnib, Cllr Shelton

Clr Balloot left the Chambers at 7.06pm.

**ITEM NO:** NOM 03  
**FILE NO:** 147976.2021  
**SUBJECT:** Warwick Farm DA-790/2020

## BACKGROUND

Council has spent considerable time and effort consulting with residents, landowners and other stakeholders as part of the LEP review process. One outcome of this process was the concept of a comprehensive masterplan for Warwick Farm.

The Liverpool Place Strategy's Priority 4, Action 10 states:

*Investigate the potential for master planned precincts (such as NSW Land and Housing Corporation properties in Warwick Farm and rezoned land) to improve and increase social and affordable housing above the targets set out in A Metropolis of Three Cities.*

The Liverpool Local Strategic Planning Statement Action 7.3 states:

*Partner with State Government to investigate the potential for master planned precincts (such as NSW Land and Housing Corporation properties in Warwick Farm and Green Valley) to improve and increase social and affordable housing (medium term)*

Despite the above, DA-790/2020 for a has been lodged by NSW Land and Housing Corporation to consolidate 5 lots into 2, and construct a 6-storey building with 43 apartments in Warwick Farm.

## NOTICE OF MOTION (Submitted by Clr Hagarty)

That Council write to the relevant State Minister asking why the State Government has ignored the principles set out in its own Council mandated strategic planning documents.

## COUNCIL DECISION

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

That the recommendation be adopted.

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

**Clr Balloot returned to the Chambers at 7.14pm.**

**ITEM NO:** NOM 04  
**FILE NO:** 147997.2021  
**SUBJECT:** Harris Creek Bridge

**BACKGROUND**

The Heritage Council of NSW has given notice of its intention to consider listing the Harris Creek Rail Bridge on the State Heritage Register.

The Harris Creek Rail Bridge is likely to be of state heritage significance for its historical association with the German Concentration Camp in Holsworthy.

The rail bridge has a strong connection to local military history, in particular, the movement of troops and equipment in support of the military operations in the Liverpool area from WWI.

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

That Council:

- 1. Make a written submission in support of listing the Harris Creek Rail Bridge on the State Heritage Register; and
- 2. Notes submissions close 26 May 2021.

**COUNCIL DECISION**

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

That Council:

- 1. Make a written submission in support of listing the Harris Creek Rail Bridge on the State Heritage Register;
- 2. Bring a report to the Heritage Advisory Committee to consider including the ANZAC Creek Bridge on the State Heritage Register; and
- 3. Notes submissions close 26 May 2021.

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

Councillors voted unanimously for this item.



Mayor Waller called a recess of Council at 7.17pm

Mayor Waller reopened the Council meeting at 7.24pm.

### **COUNCIL IN CLOSED SESSION**

Council moved into closed session at 7.24pm 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; and
- s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

**ITEM NO:** CONF 01

**FILE NO:** 128057.2021

**SUBJECT:** Rescission of CONF 03 - Bigge Park Cafes - Lot 702 DP 1056246, Bigge Street, Liverpool from 28 April 2021 Council meeting.

### **NOTICE OF MOTION OF RESCISSION**

That Council rescinds the resolution relating to CONF 03 – Bigge Park Cafes – Lot 702 DP 1056246, Bigge Street, Liverpool from the 28 April 2021 Council Meeting.

*That Council:*

1. *Accepts the Tender from Stazi Group Pty Ltd for Tender ST2904 - Licensing of Pump House Café Bigge Park Liverpool for a term of five years as per the commercial terms outlined in the body of this report.*
2. *Makes public its decision regarding tender ST2904 - Licensing of Pump House Café Bigge Park Liverpool.*
3. *Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance and delegate for the License to be executed under the Power of Attorney following the publication of the draft Minutes on Council's website for the tender, giving it contractual effect, in accordance with delegated authority.*
4. *Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

**COUNCIL DECISION**

The Rescission Motion which was lodged by Clrs Ayyad, Hadchiti and Rhodes was moved and voted on.

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

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

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

**ITEM NO:** CONF 02  
**FILE NO:** 120423.2021  
**SUBJECT:** Question with Notice - Clr Ayyad - Civic Place

Responses to the Questions with Notice were provided to Councillors.

**ITEM NO:** CONF 03  
**FILE NO:** 146091.2021  
**SUBJECT:** Question with Notice - Cllr Rhodes - Moorebank Intermodal Development  
Special Levy

Responses to the Questions with Notice will be provided to Councillors at the June Council meeting.

**ITEM NO:** CONF 04  
**FILE NO:** 146069.2021  
**SUBJECT:** NOM from Clr Rhodes - Moorebank Intermodal Development possible negative impact on Liverpool residents

**COUNCIL DECISION**

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

That Council:

1. Seek the waiver advice from the RAID solicitors for the appeal Class 1 Appeal Court Case 2020/0004407 so that the documents can be released, and Councillors can be further advised to the merit or otherwise for Council to consider a class 1 and class 4 appeal for the stage 3 and MPW Stage 2 of the Moorebank Intermodal Development. Including those documents that were paid for by ratepayers. Notwithstanding small portions of the traffic report have been redacted to confidentiality for Transport NSW;
2. Receive a report back as soon as possible following receipt of the waiver advice; and
3. Provide this information to the Moorebank Intermodal Committee members on the provision of the waiver being received.

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

Mayor Waller and Clr Shelton requested that they be recorded as voting against the motion.

Mayor Waller reopened the meeting at 7.47pm and read the resolution that was made in Closed Session, on the previous page of these minutes.

**THE MEETING CLOSED AT 7.49pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 30 June 2021

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 May 2021. 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 JUNE 2021**

---

**PRESENT VIA VIDEO CONFERENCING:**

- Mayor Wendy Waller
- Councillor Ayyad
- Councillor Balloot
- 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 Corporate Services
- Ms Tina Bono, Acting Director Community and Culture
- Mr David Smith, Acting Director Planning & Compliance
- Mr Peter Diplas, Acting Director City Presentation
- Mr Raj Autar, Director Infrastructure and Environment
- Mr John Morgan, Director Economy and Commercial Development
- Mr John Milicic, Manager Property
- Mr Thomas Wheeler, Heritage Officer
- Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement
- Ms Ellen Whittingstall, Internal Ombudsman
- Mr Vishwa Nadan, Chief Financial Officer
- Mr George Georgakis, Manager Council and Executive Services
- Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

**STATEMENT REGARDING WEBCASTING  
OF MEETING**

The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice, 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.

**APOLOGIES**

Nil.

**CONDOLENCES**

Nil.

**CONFIRMATION OF MINUTES**

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

That the minutes of the Ordinary Meeting held on 26 May 2021 be confirmed as a true record of that meeting.

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

**DECLARATIONS OF INTEREST**

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

**Item PLAN 01:** Properties subject to acquisition in Liverpool LGA.

**Reason:** Clr Hadid is a President of an Association that own property that is subject to acquisition.

Clr Hadid left the virtual meeting for the duration of this item.

Mayor Waller declared a pecuniary interest in the following item:

**Item CORP 03:** Local Government Remuneration Tribunal Annual Report and Determination under sections 239 and 241 of the Local Government Act 1993.

**Reason:** Mayor Waller is a member of the Sydney Western City Planning Panel.

Mayor Waller left the virtual meeting for this item and Deputy Mayor Hadid became the Chair of the meeting.

.....  
Chairperson



Clr Harle declared a pecuniary interest in the following item:

**Item CORP 03:** Local Government Remuneration Tribunal Annual Report and Determination under sections 239 and 241 of the Local Government Act 1993.

**Reason:** Clr Harle is a member of the Sydney Western City Planning Panel and is paid an allowance.

Clr Harle left the virtual meeting for this item.

Clr Hagarty declared a pecuniary interest in the following item:

**Item CORP 03:** Local Government Remuneration Tribunal Annual Report and Determination under sections 239 and 241 of the Local Government Act 1993.

**Reason:** During consideration of the item, an amendment was moved which proposed Panel members for the Sydney Western City Planning Panel be paid an increased allowance. As Clr Hagarty is an alternate member of the Panel, he potentially stood to gain financially, and declared a Pecuniary Interest and left the virtual meeting.

The amendment was withdrawn and not voted on.

Clr Hagarty left the virtual meeting for this item.

Clr Rhodes declared a pecuniary interest in the following item:

**Item CORP 03:** Local Government Remuneration Tribunal Annual Report and Determination under sections 239 and 241 of the Local Government Act 1993.

**Reason:** During consideration of the item, Clr Rhodes seconded an amendment which proposed Panel members for the Sydney Western City Planning Panel be paid an increased allowance before realising she had a pecuniary interest as she's an alternate member, despite not having served on the panel for over 5 years. She then withdrew her support for the motion and the motion was withdrawn and not voted on.

Clr Rhodes left the virtual meeting for this item.

**PUBLIC SUBMISSIONS**

**Written submissions for items not on agenda**

Nil.

**Written submissions for items on agenda**

Nil.

**MAYORAL MINUTE**

**ITEM: MAYOR 01**  
**FILE REF: 208357.2021**  
**SUBJECT: Retirement of Reverend Stuart Pearson**

Today we acknowledge Reverend Stuart Pearson of St Luke's Anglican Church, Liverpool on the occasion of his retirement. Reverend Pearson officially ends his tenure at St Luke's today, 30 June.

Reverend Pearson has served as a minister at St Luke's for 25 years, with 20 of those years as Senior Minister.

During his time at St Luke's, Reverend Pearson presided over many important occasions as Minister. One of the most notable occasions was in 2019, the 200-year anniversary of St Luke's, at which I was privileged to be present. Reflecting Liverpool's multicultural heritage, Bible passages in more than 20 languages were read at the event.

Also, during Reverend Pearson's tenure, a Nepalese congregation was welcomed into St Luke's in 2010. Reverend Pearson made a trip to Nepal a few years ago visiting with people associated with the Liverpool Nepalese congregation.

Reverend Pearson has also generously given his time to support several Council events over the years, including most recently through his participation at this year's Liverpool ANZAC Day Commemoration.

Friends since Year 7 with the newly elected Anglican Archbishop of Sydney, Kanishka Raffel, Reverend Pearson led prayers for Archbishop Raffel at his election on May 6 this year. Reverend Pearson and Archbishop Raffel also attended Theological College together.

Reverend Pearson will continue to reside in the area following his retirement and attend St Luke's as a parishioner.

I, along with many working at Liverpool City Council, have had a privilege of knowing Reverend Pearson over his years at St Luke's and I sincerely thank him for his service to his Church and the Liverpool Community. I wish him all the best for his retirement.

**COUNCIL DECISION:**

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

That Council:

1. Acknowledge the service of Reverend Stuart Pearson to St Luke's Anglican Church, Liverpool and the support he has given to the wider Liverpool community and Liverpool City Council.
2. Write to Reverend Stuart Pearson on the occasion of his retirement, acknowledging his service to St Luke's, the Anglican church and the Liverpool community, enclosing a copy of this Mayoral Minute.

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

Councillors voted unanimously for this motion.

## MOTIONS OF URGENCY

### MOTION OF URGENCY

**Item No:** MOU 01

**Subject:** Real Estate Agents and Property Developers banned from being on Liverpool Council

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 this meeting.

**Motion:** **Moved: Clr Balloot** **Seconded: Clr Kaliyanda**

That Council supports the recent amendment that passed in the NSW Upper House to ban property developers (and real estate agents) from being candidates at the Liverpool local government elections.

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

### MOTION OF URGENCY

**Item No:** MOU 02

**Subject:** Candidates on Liverpool Council

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 this meeting.

**Motion:** **Moved: Clr Ayyad** **Seconded Clr Rhodes**

That Council endorses the sentiment that professional staff involved in the construction industry be banned from running as a candidate at the Liverpool local government elections.

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

**Clr Hadid left the meeting at 6.38pm**

**PLANNING & COMPLIANCE REPORT**

**ITEM NO:** PLAN 01

**FILE NO:** 095857.2021

**SUBJECT:** Properties subject to acquisition in Liverpool LGA

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Harle**

**Seconded: Clr Rhodes**

That Council receive and note this report.

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

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

**Vote against:** Nil.

Note: Clr Hadid was absent from the meeting when this item was voted on and Clr Hadchiti was not at the meeting.

**Clr Hadid returned to the meeting at 6.44pm.**

**ITEM NO:** PLAN 02

**FILE NO:** 114340.2021

**SUBJECT:** Draft Liverpool Contributions Plan 2021 - East Leppington

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Harle**

**Seconded: Clr Rhodes**

That Council:

1. Endorses draft Liverpool Contributions Plan 2021 – East Leppington for public exhibition in accordance with Clause 28 of the *Environmental Planning and Assessment Regulation 2000*;
2. Delegates to the CEO the authority to make any typographical and other minor amendments to the draft Contributions Plan following exhibition and submit the draft Plan to the Independent Pricing and Regulatory Tribunal (IPART) for assessment followed by consideration of IPART’s assessment by the Minister for Planning and Public Spaces (or nominee); and
3. Receives a further report following IPART’s assessment and the Minister’s advice for adoption of Liverpool Contributions Plan 2021 – East Leppington as an ‘IPART Reviewed Contributions Plan.’

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

Councillors voted unanimously for this motion.

Note: Clr Hadchiti was not at this meeting.

**ITEM NO:** PLAN 03  
**FILE NO:** 133563.2021  
**SUBJECT:** Post exhibition report - Liverpool Local Environmental Plan Amendment 83 - rezoning land and amending development standards at 1400-1480 Elizabeth Drive, Cecil Park

**COUNCIL DECISION**

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

That Council:

1. Notes the Gateway determination for Liverpool Local Environmental Plan 2008 (Amendment 83) and the results of the public authority consultation and community consultation;
2. Endorses Draft Amendment 3 to Liverpool Development Contributions Plan 2009 for public exhibition in accordance with Clause 28 of the *Environmental Planning and Assessment Regulation 2000*;
3. Delegates to the CEO the authority to adopt Amendment 3 to the Liverpool Development Contributions Plan 2009 following public exhibition;
4. Proceeds with Amendment 83 to the Liverpool Local Environmental Plan 2008, following adoption of Amendment 3 to Liverpool Development Contributions Plan 2009;
5. Delegates authority to the CEO to liaise with the Department of Planning, Industry and Environment and the Parliamentary Counsel's Office to finalise Amendment 83 to the Liverpool Local Environmental Plan; and
6. Delegates to the CEO to further negotiate the proposed Planning Agreement with the proponent.

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

Councillors voted unanimously for this motion.

Note: Clr Hadchiti was not at this meeting.



**ITEM NO:** PLAN 04  
**FILE NO:** 173471.2021  
**SUBJECT:** Companion Animals

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Kaliyanda** **Seconded: Cllr Harle**

That Council receive and note this report.

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

**ITEM NO:** PLAN 05  
**FILE NO:** 183574.2021  
**SUBJECT:** Development and Subdivision of Land Policy

**COUNCIL DECISION**

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

That Council adopt the updated Development and Subdivision of Land Policy.

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

Councillors voted unanimously for this motion.

Note: Clr Hadchiti was not at this meeting.

**ITEM NO:** PLAN 06  
**FILE NO:** 184230.2021  
**SUBJECT:** Progress on implementing the Guidelines for the Assessment and  
Prioritisation of Parking along Narrow Streets

**COUNCIL DECISION**

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

That Council receive and note this report.

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

## COMMUNITY & CULTURE REPORT

**ITEM NO:** COM 01  
**FILE NO:** 126985.2021  
**SUBJECT:** Grants, Donations and Corporate Sponsorship

### COUNCIL DECISION

**Motion:**                                **Moved: Cllr Ballot**                                **Seconded: Cllr Shelton**

That Council endorses the recommendation of **\$10,000** (GST exclusive) under the **Corporate Sponsorship Program** for the following project:

Applicant	Project	Recommended*
Turbans 4 Australia Inc.	Unity Walk Liverpool Birth of Guru Nanak	\$10,000

That Council endorses the recommendation of **\$15,000** (GST exclusive) under the **Matching Grant Program** for the following project:

Applicant	Project	Recommended*
Royal Life Saving NSW	Diverse Community Adult Swim Safety and Swimming Lessons Liverpool	\$15,000

That Council endorses the recommendation of **\$9,410** (GST exclusive) under the **Sustainable Environment Grant Program** for the following projects:

Applicant	Project	Recommended
Liverpool Neighbourhood Connections	Our Garden	\$4,410
Georges River Environmental Education Centre	Science in a box	\$5,000

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

**ITEM NO:** COM 02  
**FILE NO:** 181854.2021  
**SUBJECT:** The 60th Anniversary of Australian Air League - Moorebank Squadron

**COUNCIL DECISION**

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

That Council:

- 1. Grant Freedom of Entry to the Australian Air League Moorebank Squadron on the 15 August 2021; and
- 2. Bestow on the Australian Air League Moorebank Squadron a scroll signed by the Mayor and CEO granting Freedom of Entry.

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

**CORPORATE SERVICES REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 137529.2021  
**SUBJECT:** Investment Report May 2021

**COUNCIL DECISION**

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

That Council receives and notes this report.

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

**ITEM NO:** CORP 02  
**FILE NO:** 075940.2021  
**SUBJECT:** Community Strategic Plan 2022-2032 - Community Engagement Strategy  
2021-2022

**COUNCIL DECISION**

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

That Council endorses the Community Engagement Strategy 2021 – 2022.

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

**ITEM NO:** CORP 03  
**FILE NO:** 164430.2021  
**SUBJECT:** Local Government Remunerational Tribunal Annual Report and Determination under sections 239 and 241 of the Local Government Act 1993

*During discussion on this item Mayor Waller declared a pecuniary interest as she is on the Sydney Western City Planning Panel and left the virtual meeting. Deputy Mayor Hadid then became the Chairperson.*

*Clr Hagarty and Clr Rhodes (who are alternates on the Sydney Western City Planning Panel) and Clr Harle (who attends Sydney Western City Planning Panel meetings) also declared a pecuniary interest during discussion on the item and left the meeting and did not vote on this item.*

### **COUNCIL DECISION**

**Motion:**                                **Moved: Clr Ballot**                        **Seconded: Clr Kaliyanda**

That Council:

1. Receives and notes the 2021 Annual Report and Determination – LGRT;
2. Resolves to set the fees payable to the Mayor and Councillors for the period 1 July 2021 to 30 June 2022 to an amount equal to the maximum allowable under the determination of the Local Government Remuneration Tribunal, dated 23 April 2021; and
3. Endorse the updated Civic Expenses and Facilities Policy.

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

Councillors voted unanimously for this motion.

*Note: Mayor Waller, Clr Hagarty and Clr Harle had left the meeting during the above item and did not vote on this item.*



**Mayor Waller returned to the meeting at 7.08pm and resumed as Chairperson.  
Clr Hagarty and Clr Harle also returned to the meeting ay 7.08pm.**

**ITEM NO:** CORP 04  
**FILE NO:** 191082.2021  
**SUBJECT:** Mayoral Direction pursuant to Section 226(d) of the Local Government Act 1993

**COUNCIL DECISION**

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

That Council note and endorse the Mayoral Direction dated 9 June 2021 attached to the report.

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



## **INFRASTRUCTURE & ENVIRONMENT REPORT**

**ITEM NO:** INF 01  
**FILE NO:** 167828.2021  
**SUBJECT:** Integrated Pest Management Policy and Strategy

### **COUNCIL DECISION**

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

That Council:

1. Receives and notes this report;
2. Endorses the draft Integrated Pest Management Policy; and
3. Receives a further report upon finalisation of the Integrated Pest Management Policy and Strategy, with the view to placing them on public exhibition.

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



**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01  
**FILE NO:** 132141.2021  
**SUBJECT:** Minutes of the Environment Advisory Committee held on 12 April 2021

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 12 April 2021.

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

**ITEM NO:** CTTE 02  
**FILE NO:** 160183.2021  
**SUBJECT:** Minutes of the Audit, Risk and Improvement Committee Meeting held on 30 April 2021

**COUNCIL DECISION**

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

That Council

1. Receives and notes the Minutes of the Audit, Risk and Improvement Committee Meeting held on 30 April 2021;
2. Adopt the revised draft Audit, Risk and Improvement Committee Charter; and
3. Adopt the revised draft Internal Audit Charter.

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

**ITEM NO:** CTTE 03  
**FILE NO:** 170964.2021  
**SUBJECT:** Minutes of the Liverpool Youth Council Meeting held Tuesday 11 May 2021

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the Minutes of the Liverpool Youth Council Meeting held on Tuesday 11 May 2021; and
2. Endorse the recommendations in the Minutes.

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

**ITEM NO:** CTTE 04  
**FILE NO:** 105592.2021  
**SUBJECT:** Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 19 May 2021

## COUNCIL DECISION

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

That Council adopts the following recommendations of the Committee:

Item 1 - Adams Road, Luddenham – Proposed Traffic Calming Devices.

- Approves the proposed raised threshold, pedestrian refuge, and associated signs and linemarking scheme along Adams Road, Luddenham.
- Detailed design of the pedestrian refuge be forwarded to TfNSW and Police for review and endorsement prior to installation.
- Council undertakes consultation with affected residents prior to installation.

Item 2 - Adams Roads Luddenham – Proposed Traffic Management Plan for road reconstruction.

- Approves full road closure of the affected road sections of Adams Road and Anton Road during the six months construction period, with conditions including signposted detour route and placement of variable message signboards at both ends of the roads.

Item 3 - Nuwarra Road and Balanada Avenue, Moorebank – Proposed intersection treatment

- Approves the proposed changes to the Nuwarra Road/Balanada Avenue intersection and associated signs and linemarking scheme.
- Council undertakes consultation with affected residents prior to installation.
- Monitor traffic conditions following implementation of the proposed changes.

Item 4 - Charlton Avenue, Chipping Norton – Request for a pedestrian refuge.

- Approves the proposed pedestrian refuge in Charlton Avenue, Chipping Norton, at the front of House No. 289.
- Detailed design of the pedestrian refuge be forwarded to TfNSW for review and endorsement prior to installation.
- Council undertakes consultation with affected residents prior to installation.



Item 5 - Skyline Crescent, Horningsea Park - Proposed on-street heavy vehicle parking.

- Approves the signs and linemarking scheme to permit heavy vehicle parking after business hours along Skyline Crescent.

Item 6 - Vinny Road, Edmondson Park – Proposed traffic calming facilities.

- Approves installation of splitter islands to provide pedestrian refuges on all approaches to the existing Vinny Road/Dalmatia Avenue intersection roundabout; and two midblock raised thresholds across sections of Vinny Road.
- Detailed design of the pedestrian refuge be forwarded to TfNSW for review and endorsement prior to installation.
- Council undertakes consultation with adjoining residents who could be affected by the proposed facilities, prior to installation.

Item 7 - Delfin Drive, Wattle Grove – Proposed pedestrian refuge.

- Approves the proposed pedestrian refuge in Delfin Drive between Cola Court and Tweed Court, Wattle Grove.

Item 8 - Ironbark Avenue, Casula - Proposed Signs and Line Marking Scheme.

- Approves the proposed signs and line marking scheme.
- Council undertakes consultation with adjoining residents who could be affected by the proposed signs and line marking scheme, prior to installation.

Item 9 - Elizabeth Street, Liverpool – Request for a Works Zone and associated relocation of existing Bus Zone into Works Zone in Elizabeth Street at the front of Westfields.

- Approves the proposed Works Zone approximately 70m long along the section of Elizabeth Street on the eastbound approach to the signalised pedestrian crossing adjacent to Macquarie Mall and associated reconfiguration of the existing Bus Zone, for approximately 12 months.
- The bus zone east of Macquarie Mall be extended by approximately 14m.

Item 10 - Items Approved Under Delegated Authority.

- Notes the approved items under Delegated Authority.

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

**ITEM NO:** CTTE 05  
**FILE NO:** 179992.2021  
**SUBJECT:** Minutes of Budget Review Panel 20 May 2021

**COUNCIL DECISION**

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

That Council adopts the minutes of the Budget Review Panel meeting held on 20 May 2021.

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

## QUESTIONS WITH NOTICE

**ITEM NO:** QWN 01

**FILE NO:** 158976.2021

**SUBJECT:** Question with Notice - Cllr Kaliyanda - Well-being at Liverpool Council

The mental health and well-being impacts of COVID-19 and other natural disasters in the last 18 months have been highlighted in the media and other places. The NSW Government is due to release an updated version of its Mentally Healthy Workplaces Strategy this month.

### Please address the following:

1. What measures has Council undertaken to track the mental health and well-being on staff over this period?
2. How does Council plan to implement the updated Strategy?
3. Has well-being had an effect on staff retention or turnover in the last 18mths?
4. What strategies are in place to manage workload to ensure sustainability?

### Response

- 1. What measures has Council undertaken to track the mental health and well-being on staff over this period?**

During the last 18 months there have been a number of measures put in place to manage the health and wellbeing of staff during various shock events that have occurred. Key initiatives and practices are outlined below;

- Council, via the CEO all staff update and other communication channels, has had mental health messaging as a core focus area throughout 2020 and early 2021. This is during the time where working from home, social distancing, mask wearing and issues around social isolation were prevalent;
- Quotes were also obtained from external providers for staff mental health awareness sessions and staff resilience skills workshop for inclusion in the 2021-2022 training budget;
- Council has programs and participates in providing information access to webinars and other resources via Safework NSW Safety Month <https://www.safework.nsw.gov.au/advice-and-resources/campaigns/Safe-Work-Month/mentally-healthy-workplaces>. Mental Health Month occurs in October each year in NSW in which Council actively partakes in and promotes;

- Council also has free and confidential counselling that staff and their family can access through its Employee Assistance Program. This external provider reports on service usage and this data is reviewed monthly for any identified issues;
- During the start of COVID, a timeslot was allocated for a psychologist to participate in the “CEO all staff presentation”. The psychologist provided advice and tips, and fielded questions from staff on all facets of mental health. The session was extremely well received by all participants;
- Council arranges for trained Counsellors to make themselves available for staff following specific incidents (e.g. following the death of an employee/colleague) and at other important times.

## **2. How does Council plan to implement the updated Strategy?**

The NSW Government Mentally Healthy Workplaces Strategy is predominately designed for the small business sector. Notwithstanding this, in the most part Council already has in place a number of key areas identified in the strategy. Council is always seeking for opportunities to improve the way it extracts data and draws insights in regards to Health and Safety. Quality data provides improved justification to drive prioritisation and early intervention strategies. Council will seek to conduct a gap analysis and where applicable operationalise any opportunities that stem from this strategy.

## **3. Has well-being had an effect on staff retention or turnover in the last 18mths?**

Whilst Council undertakes exit surveys for staff leaving the organisation, there are no specific indicators of any work related factors or personal well-being stated as a specific reasons for resignation. Lifestyle choices including working closer to home or career moves for personal reasons can be a factor in many decisions. Covid-19 and the broader uncertainty in the marketplace has not resulted in any significant differences in staff turnover compared to previous years (in fact there has been a slight turnover decrease in the 2020 calendar year compared to the 2019 equivalent period).

## **4. What strategies are in place to manage workload to ensure sustainability?**

Council through its flexible arrangements policy offers a range of benefits including flexible working hours. As such excess hours worked by an employee during a spike in workload can be offset (hour for hour) with flex leave at a future date. It is acknowledged that limitations on funding and resourcing does affect the workload in some areas which has to be monitored and managed by the applicable area Managers as best they can. Council has procedures in place through HR people assessment tools, achievement planning and development plans to assist in monitoring workload and performance.

**ITEM NO:** QWN 02  
**FILE NO:** 158981.2021  
**SUBJECT:** Question with Notice - Clr Kaliyanda - Study Tours

**Please address the following:**

1. What study tours have been undertaken in this term of Council?
2. What outcomes/benefits have they delivered to Council and ratepayers?
3. What has been the financial cost of these?
4. How does this compare to the number, cost and outcomes/benefits to ratepayers undertaken in previous terms of Council?

**Response**

**1. What study tours have been undertaken in this term of Council?**

Travel undertaken by Council Staff and Councillors internationally is declared publicly in the Annual Report each year. Please refer to the attached table for a breakdown of these overseas study tours.

**2. What outcomes/benefits have they delivered to Council and ratepayers?**

The outcomes of the overseas study tours have been identified in the attached table. In relation to interstate and intrastate study tours for Council staff, the *Local Government (State) Award 2020* (Section 32) requires Council to develop a training plan and budget for such activities. The CEO, (under Section 335 of the Local Government Act – Functions of the General Manager) has endorsed a “Developing Talented People Policy’ to satisfy the requirements of the award. Any training and development matters for staff are therefore an operational issue.

**3. What has been the financial cost of these?**

As to the financial costs of International Travel, refer to Attachment A and the Annual Reports. As to the costs of Interstate and Intrastate travel, the training and development budget is part of the overall yearly budget approved by Council each year.

**4. How does this compare to the number, cost and outcomes/benefits to ratepayers undertaken in previous terms of Council?**

Cost comparisons of overseas study tours compared to the preceding term of Council have been outlined in the attached table. In addition, a brief overview of the

benefits/outcomes have been outlined against each study tour. Council staff are unable to comment on the outcomes/benefits of the study tours undertaken in this Council term compared to the previous term of Council as this is subjective.

**ITEM NO:** QWN 03  
**FILE NO:** 158985.2021  
**SUBJECT:** Question with Notice - Cllr Hagarty - City Presentation

**Please address the following:**

1. How many vacancies are there in City Presentation?
2. When are these expected to be filled?

**Response**

In the past 6 months, City Presentation has dealt with a number of challenges such as COVID restrictions, industrial disputes, emergency response (flooding), changes to senior management, as well as, an increase in the number of Councillor and customer requests.

**1. How many vacancies are there in City Presentation?**

There are currently 17 vacancies in City Presentation.

**2. When are these expected to be filled?**

Along with delivering services to our residents, the recruitment of the vacant positions continues to be a priority. The merit-based recruitment process takes time and management are working through each of these vacancies methodically to meet the organisation's expectations.

**ITEM NO:** QWN 04  
**FILE NO:** 158988.2021  
**SUBJECT:** Question with Notice - Cllr Hagarty - Compliance Discretion

**Please address the following:**

1. Are compliance officers legally allowed to apply discretion?
2. Is it Council policy to apply discretion?
3. Does Council keep track of when discretion is applied?
4. What training is given on the application of discretion?
5. What checks and balances are in place for when discretion is applied?

**Response**

**1. Are compliance officers legally allowed to apply discretion?**

Section 9.34 of the Environment Planning and Assessment Act relating to development control orders, states that:

1. *The development control orders that **may** be given under the Act are as follows:*
  - (a) *general orders in accordance with the table to Part 1 of Schedule 5,*
  - (b) *fire safety orders in accordance with the table to Part 2 of Schedule 5,*
  - (c) *brothel closure orders in accordance with the table to Part 3 of Schedule 5.*

The use of the term 'may' rather than 'must' implies a level of discretion.

This wording is also contained in Section 124 of the Local Government Act which states that a Council:

*“**may** order a person to do or to refrain from doing a thing specified in Column 1 of the following Table if the circumstances specified opposite it in Column 2 of the Table exist and the person comes within the description opposite it in Column 3 of the Table”.*

However, Council's Enforcement Standard states that:

*“all complaints regarding unlawful activities and uses will be investigated by Council unless:*

- a) *The matter has been actioned and resolved, or*
- b) *A Principal Certifier is responsible for monitoring compliance with the conditions of development consent where a construction certificate has been issued for works to be carried out (i.e. construction of a building).*



## 2. Is it Council policy to apply discretion?

It is not Council policy to apply discretion when dealing with unlawful activity which is defined under the Enforcement Standard as:

- a) *Contrary to the terms or conditions of a development consent, construction certificate, approval, or licence;*
- b) *Contrary to an environmental planning instrument that regulates the activities or work that can be carried out on particular land;*
- c) *Without a required development consent, approval, or licence; and*
- d) *Contrary to a legislative provision regulating a particular activity or work.*

Clause 4.3.3 of Council's Enforcement Standard states:

*4.3.3 All complaints regarding unlawful activities and uses will be investigated by Council unless:*

- c) *The matter has been actioned and resolved, or*
- d) *A Principal Certifier is responsible for monitoring compliance with the conditions of development consent where a construction certificate has been issued for works to be carried out (i.e. construction of a building).*

Council conducts its compliance activities in accordance with the Enforcement Standard, and by staff following detailed documented procedures and processes. The compliance process involves issuing of notices/orders and follow up action including legal action if required. This provides for a consistent, fair, and transparent process for all compliance matters.

## 3. Does Council keep track of when discretion is applied?

As outlined above, Council conducts its compliance activities in accordance with the Enforcement Standard, which states that "*all complaints regarding unlawful activities and uses will be investigated by Council*". This provides for a consistent, fair, and transparent process for all compliance matters.

## 4. What training is given on the application of discretion?

All compliance staff are trained in the application of the Enforcement Standard and the detailed documented procedures and processes to follow when unlawful activities are established.

## 5. What checks and balances are in place for when discretion is applied?

As outlined above, all compliance staff are trained in the application of the Enforcement Standard and the detailed documented procedures and processes to follow when unlawful activities are established. Notices and Orders are reviewed and co-signed by a senior member of the compliance team.

**ITEM NO:** QWN 05  
**FILE NO:** 159001.2021  
**SUBJECT:** Question with Notice - Clr Ayyad - Staff Payouts

**Please address the following:**

1. In this term of Council, how much has been spent to pay out staff through terminating their contracts (please provide as a total number)?

**Response**

Termination payments for Key Management Personnel (KMP) are included as an aggregate amount in the Annual Report under the section 'related party disclosures', as required by the Local Government Code of Accounting and Financial Reporting. Please refer to the Annual Reports, which are publicly available on the Council's internet pages.

KMP includes:

- The Mayor;
- Councillors;
- Chief Executive Officer;
- Directors; and
- The Responsible Accounting Officer.

Under Section 337 of the Local Government Act 1993 (the Act), the CEO may appoint or dismiss senior staff only after consultation with Council. This provision only applies to senior staff.

Staff other than those listed as KMP, are employed under an award, not employed under contract. Any terminations or redundancies of these staff are managed as per the Award. Therefore the decision to terminate a non KMP is an operational decision, not a decision of Council.

Under section 335 of the Act (Functions of General Manager), the general manager of Council has been delegated responsibility for such functions.

**ITEM NO:** QWN 06  
**FILE NO:** 159007.2021  
**SUBJECT:** Question with Notice - Clr Ayyad - Travel

**Please address the following:**

1. In this term of Council, how many flights has Council booked (both interstate and international)?
2. How many hotel room nights have been booked in this term of Council?

**Response**

Travel undertaken by Council Staff and Councillors Internationally is declared publicly in the Annual Report each year. In relation to interstate and intrastate travel and accommodation, the *Local Government (State) Award 2020* (Section 32) requires Council to develop a training plan and budget for such activities. The CEO, (under Section 335 of the Local Government Act – Functions of the General Manager) has endorsed a “Developing Talented People Policy’ to satisfy the requirements of the award. Any training and development matters for staff are therefore an operational decision, with the training and development budget being included in the budget approved by Council each year.

A detailed breakdown of information relating to Study Tours is included in response to a Question with Notice within this month’s Council papers.

**ITEM NO:** QWN 07  
**FILE NO:** 196274.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - Animal Welfare

1. What is the process from when rangers attend to a found pet?
2. What is the average time between an animal being taken to the shelter and appearing on:
  - Council's website?
  - the facilities Facebook page?
3. What other channels are used?
4. What details are posted?
5. Are there KPIs for this?
6. Are Council meeting these KPIs?
7. Are there KPIs in place for rehoming animals?
8. Are Council meeting these KPIs?
9. How much time each day are dogs given out of their kennels?
10. What enrichment are they provided each day?
11. What strategies are in place to prevent dogs from suffering significant kennel stress such as aggressive behaviour, barking and lunging at people?
12. What training and information do rangers and rehoming officers undertake and have access to in relation to:
  - animal handling, enrichment and recognising body language?
  - the latest methods in animal rehoming?
  - dangerous dog handling?

**A response to these questions with notice will be provided in the 28 July 2021 Council Meeting Business Papers.**

**ITEM NO:** QWN 08  
**FILE NO:** 196313.2021  
**SUBJECT:** Question with Notice - Clr Kaliyanda - Digitisation of Services

**Please address the following:**

1. What Council services or functions have been digitised (partially or completely) as a response to the impacts of COVID-19?
2. Has follow up been conducted as to which of these were successful and which were not?
3. If so, what factors have been identified in the successful digitisation of a service or function?
4. What factors have been identified in the unsuccessful digitisation of a service or function?
5. Please outline what aspects of Council's functions or services have explored, or are currently exploring, digital transformation to improve resident experience, effectiveness or efficiency.

**A response to these questions with notice will be provided in the 28 July 2021 Council Meeting Business Papers.**

**PRESENTATIONS BY COUNCILLORS**

NIL.

**ADDENDUM**

**ITEM NO:** CORP 05  
**FILE NO:** 187161.2021  
**SUBJECT:** Delivery Program 2017-2022, Operational Plan and Budget 2021-2022, including Revenue Pricing Policy, Fees and Charges

**COUNCIL DECISION**

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

That Council:

- 1. Adopts the Draft Delivery Program 2017-2022 and Operational Plan and Budget 2021-2022, including Revenue Pricing Policy, Fees and Charges; and
- 2. Makes the fees and charges for the period commencing on 1 July 2021 as outlined in the draft Revenue Pricing Policy.
- 3. Report back as part of the first quarter budget review and identify strategies to reduce the bottom line deficit and bring Council to a balanced budget.

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

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

That CORP 05 be re-committed to show the voting.

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

**Voting for CORP 05:**

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

**Vote against:** Clr Ayyad and Deputy Mayor Hadid.

**Note:** Clr Hadchiti was not at the meeting.

## NOTICES OF MOTION

**ITEM NO:** NOM 01  
**FILE NO:** 196292.2021  
**SUBJECT:** Bring the ABC to Liverpool

### BACKGROUND

The ABC recently announced the relocation of 300 staff from inner-city Ultimo to new facilities in Western Sydney.

Instead of the planned move to Parramatta, the national broadcaster should look to Liverpool for its new headquarters.

Earlier this year, the national broadcaster was based in Liverpool for a month with a pop up news room and programs being hosted here.

The initiative was immensely successful and showed Liverpool was a more than worthy permanent home for our national broadcaster.

### NOTICE OF MOTION (Submitted by Cllr Hagarty)

That Council:

1. Approach the ABC about the viability of Liverpool being the new location of their headquarters in Sydney; and
2. Work with local stakeholders, property managers and other interested parties on a proposal should Liverpool be a viable option.

### COUNCIL DECISION

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

That Council:

1. Approach the ABC and SBS about the viability of Liverpool being the new location of their headquarters in Sydney;
2. Work with local stakeholders, property managers and other interested parties on a proposal should Liverpool be a viable option; and

3. Acknowledge the work of former Councillors and staff on working on bringing SBS to Liverpool.

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

Councillors voted unanimously for this motion.



**ITEM NO:** NOM 02  
**FILE NO:** 196304.2021  
**SUBJECT:** Use of 'environmentally sensitive' artificial turf

## **BACKGROUND**

Recently, Lane Cove Council on Sydney's North Shore advised that it would install what it says will be Australia's first 'environmentally sensitive' artificial turf football field.

The project proposes that the synthetic field be constructed without any performance infill made of micro plastics.

The Council advises that artificial turf surfaces play a crucial role in accommodating the high demand and use of sporting fields across metropolitan Sydney. A synthetic surface can be played on intensively and extensively throughout all weather conditions.

The synthetic surface proposed is a fully woven product made of one polymer family (polyolefin). The woven construction results in the grass fibres and backing structure being produced as one combined product, with superior tuft lock and filament bind to traditional tufted grass. This will significantly reduce the likelihood of lost fibres migrating into the environment.

Critics say synthetic fields cause rubber and microplastics to leach into waterways; reduce the amenity for families and dog owners; potentially increase cancer risk through the chemicals used to make them; and cause unsustainably high temperatures near and on these fields on hot days.

New research by the Australian Microplastic Assessment Project (AUSMAP) with Northern Beaches Council, funded by NSW's Environment Protection Authority, has found 80 per cent of the waste entering stormwater drains was black crumb (recycled tyres used for the base of these fields) and microplastics from astroturf – compared to 5 per cent in areas without these playing fields.

Earlier this year, campaigns by community groups objecting to synthetic grass installations at sportsfields led NSW Minister for Planning and Public Spaces Rob Stokes to prompt his department to investigate sustainable alternatives to synthetic grass.

This study is understood to be ongoing with no results yet released.

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

That Council:

1. Explore the feasibility of environmentally sustainable alternatives to synthetic turf surfaces for playing fields and recreational spaces;
2. Monitor the progress of DPIE’s investigation to sustainable alternatives to synthetic grass; and
3. Work with local sporting clubs and association to monitor and mitigate the impacts of synthetic turf fields on the urban heat island effect, as part of the overall measures to address this issue.

**COUNCIL DECISION**

**Motion:** **Moved: Clr Kaliyanda** **Seconded: Clr Balloot**

That Council:

1. Explore the feasibility of environmentally sustainable alternatives to synthetic turf surfaces for playing fields and recreational spaces;
2. Monitor the progress of DPIE’s investigation to sustainable alternatives to synthetic grass including for fields of national and international standards; and
3. Work with local sporting clubs and association to monitor and mitigate the impacts of synthetic turf fields on the urban heat island effect, as part of the overall measures to address this issue.

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

Mayor Waller advised that Council would now move into Closed Session to deal with Items CONF 01 to CONF 10 because:

*CONF 01, CONF 02, CONF 04 and CONF 05 are confidential pursuant to the provisions of s10A(2)(d)(i) of the Local Government Act 1993 because they contain commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*

*CONF 03, CONF 07, CONF 08 and CONF 09 are confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

*CONF 06 is confidential 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).*

*CONF 10 is confidential pursuant to the provisions of s10A(2)(a) (b) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors); AND matters concerning the personal hardship of any resident or ratepayer.*

Council moved into Closed Session at 7.58pm.

## **COUNCIL IN CLOSED SESSION**

### **CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 149889.2021  
**SUBJECT:** Question with Notice - Cllr Rhodes - Moorebank Intermodal Development Special Levy

Responses to the questions asked (and provided in Confidential Book) were sent to Councillors via a separate confidential memo in accordance with S10A(2)(d)(i) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

A motion was moved during Closed Session, however it was lost and as such, is not shown in the Minutes.

**ITEM NO:** CONF 02  
**FILE NO:** 158994.2021  
**SUBJECT:** Question with Notice - Cllr Ayyad - Childcare in Civic Place

**Please address the following:**

1. What is the cost of the childcare component proposed in Civic Place?
2. How many children is it going to cater for?
3. Who is going to run it?
4. Did the original concept for Civic Place, as resolved in 2016, have a childcare centre?
5. If no, why did this change?
6. Who initiated this change?
7. Who completed the business case to justify this change?
8. How was the organisation that completed the business case chosen?
9. What date was the business case completed?
10. Who has seen the business case?
11. Does the business case contain a feasibility study?
12. Was any elected official consulted about a childcare in Civic Place before it was resolved by Council?
13. How much extra is it going to cost to build this childcare centre? This figure is to include fit out and any parking requirements that need to be built for this childcare.

**Responses to questions on this item were sent to Councillors via a separate confidential report in accordance with S10A(2)(d)(i) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.**

**ITEM NO:** CONF 03  
**FILE NO:** 158999.2021  
**SUBJECT:** Question with Notice - Cllr Ayyad - 33 Moore Street, Liverpool

**Please address the following:**

1. In this term of Council, how much has been spent on 33 Moore Street?
2. Can you please provide a breakdown of the costs? That is to include which levels the monies were spent on and for what purpose (as a minimum).

**Responses to the above questions were sent to Councillors via a separate confidential report in accordance with S10A(2)(c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.**

**ITEM NO:** CONF 04  
**FILE NO:** 183547.2021  
**SUBJECT:** Liverpool City Centre Parking Meters

**COUNCIL DECISION**

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

That Council, in accordance with section 55 (3) (i), of the Local Government Act 1993, approves:

1. Defer the public contesting of the provision for maintenance of Off-Street and On-Street Parking Machines for a period of four (4) months, ending 30 November 2021; and
2. Approves Reino International to continue delivering the current maintenance of Off-Street and On-Street Parking Machines services during this period.

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

Councillors voted unanimously for this motion.

Note: Clr Hadchiti was not at this meeting.

**ITEM NO:** CONF 05  
**FILE NO:** 180452.2021  
**SUBJECT:** ST2956 - Reveal, Processing and Recycling of Civil Construction and Maintenance Waste

**COUNCIL DECISION**

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

That Council:

1. Accept the Tender submissions from the following suppliers under the new tender ST2956 – Reveal, Processing and Recycling of Civil Construction and Maintenance Waste for an initial two (2) years with an additional two (2) 12-month options (maximum 24 months) to extend.
  - Benedict Recycling Pty Ltd
  - Bingo Waste Services Pty Ltd
  - The Trustee for Eco Resource Recovery unit trust
  - G.P.P. Excavation & Demolition Contractors Pty Ltd
  - Hi-Quality Recycling Services Pty Ltd
  - Total Drain Cleaning Services Pty Ltd
2. Makes public its decision regarding tender ST2956 - Reveal, Processing and Recycling of Civil Construction and Maintenance Waste.
3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the *Local Government Act 1993* as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

Councillors voted unanimously for this motion.

Note: Clr Hadchiti was not at this meeting.

**ITEM NO:** CONF 06  
**FILE NO:** 184376.2021  
**SUBJECT:** Interim Heritage Order - 124 Moore Street, Liverpool

**COUNCIL DECISION**

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

That Council:

1. Endorse the finding of the independent assessment of heritage significance prepared by Edwards Heritage for 124 Moore Street, Liverpool;
2. Direct the CEO to prepare a planning proposal to amend the Liverpool Local Environmental Plan 2008 to include 124 Moore Street, Liverpool in Schedule 5 – Environmental Heritage;
3. Note the planning proposal is required to be considered by the Liverpool Local Planning Panel pursuant to the *Local Planning Panels Direction – Planning Proposals* dated 27 September 2018; and for the Panel’s advice to be considered by Council prior to Council making a decision to forward the planning proposal to the Department of Planning, Industry & Environment for a Gateway determination; and
4. Notify the landowner of Council’s decision.

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



**ITEM NO:** CONF 07  
**FILE NO:** 186341.2021  
**SUBJECT:** Transfer of Lot 50 DP 1261083 to Council for dedication as Public Road.

**COUNCIL DECISION**

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

That Council:

1. Approves the transfer of Lot 50 DP 1261083 at Edmondson Avenue, Austral to Council, at nil value, for dedication as a public road, as part of the proposed Edmondson Avenue road widening, on the terms outlined in this report;
2. Authorises the CEO or his delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision;
3. Resolves to classify Lot 50 DP 1261083 as “operational” land in accordance with the Local Government Act, 1993;
4. Also resolves to dedicate the land as public road upon completion of transfer; and
5. 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.

**ITEM NO:** CONF 08  
**FILE NO:** 187108.2021  
**SUBJECT:** Transfer/Dedication as Public Road of Lot 1 DP129675, Lot 1 DP996420, Lot 2 DP996420 and Lot 1 DP1230172 Elizabeth Drive, Badgerys Creek to Council

### COUNCIL DECISION

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

That Council:

1. Provides approval to enter into a Security of Purpose Deed with the Commonwealth of Australia associated with the proposed transfer/dedication of land being Lot 1 DP 129675, Lot 1 DP 996420, Lot 2 DP 996420 and Lot 1 DP 1230172 at Elizabeth Drive, Badgerys Creek as public road on the terms outlined in this report;
2. Authorises the CEO or his delegated officer to execute the Security of Purpose Deed, under power of Attorney, necessary to give effect to this decision;
3. Resolves to classify the land being Lot 1 DP 129675, Lot 1 DP 996420, Lot 2 DP 996420 and Lot 1 DP 1230172 as "operational" land in accordance with the Local Government Act 1993, if the land is transferred prior to dedication as public road;
4. Also resolves to dedicate the land as public road if transferred to Council;
5. Notes that if Council changes the use from Public Road, or seeks to sell the land in the future, it may need to pay compensation and or grant a covenant in favour of the Commonwealth; and
6. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

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

**ITEM NO:** CONF 09  
**FILE NO:** 187934.2021  
**SUBJECT:** Further investigation of potential Surplus Properties

**COUNCIL DECISION**

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

That Council:

1. Endorse the recommendation to retain the following properties subject to future requirements on the terms outlined in this report:
  - 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); and
  - 9 McLean St, Liverpool (Lot 7 DP 238364).

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

.....

Chairperson

**ITEM NO:** CONF 10  
**FILE NO:** 200728.2021  
**SUBJECT:** Interim Heritage Order - 10 Hoxton Park Road, Liverpool

**COUNCIL DECISION**

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

That Council:

1. Issue an Interim Heritage Order on 10 Hoxton Park Road, Liverpool and for appropriate funds to be allocated to engage an Independent Heritage Consultant to undertake a Heritage Significance Assessment;
2. Notify the landowner and real estate agent of Council's decision; and
3. Receive a further report in October 2021 on the findings of the Independent Heritage Significance Assessment and for a decision by Council on whether to list the property in Schedule 5 Environmental Heritage of the Liverpool Local Environmental Plan 2008.

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

**OPEN SESSION**

Council moved back into Open Session at 8.33pm. Mayor Waller read out the resolutions that were passed in Closed Session (as shown on the previous pages) and also advised that there was a lost motion for CONF 01.

**THE MEETING CLOSED AT 8.39pm**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 28 July 2021

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 30 June 2021. 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 28 JULY 2021

---

### **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, Chief Executive Officer  
Mr George Hampouris, Acting Director Corporate Services  
Ms Tina Bono, Acting Director Community and Culture  
Mr David Smith, Acting Director Planning and Compliance  
Mr Peter Diplas, Acting Director City Presentation  
Mr Raj Autar, Director Infrastructure and Environment  
Mr John Morgan, Director Economy and Commercial Development  
Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement  
Mr John Milicic, Manager Property Services  
Mr Vishwa Nadan, Chief Financial Officer  
Ms Ellen Whittingstall, Acting Internal Ombudsman  
Mr George Georgakis, Manager Council and Executive Services  
Ms Rose Koch, Committee Officer (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, 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 Mr Eddie Jackson, Chief Executive Officer.

**APOLOGIES**

Nil.

**CONDOLENCES**

Nil.

**CONFIRMATION OF MINUTES**

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

That the minutes of the Ordinary Meeting held on 30 June 2021 be confirmed as a true record of that meeting.

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

**DECLARATIONS OF INTEREST**

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

**CONF 06:**      Consideration of an application for the acquisition of land on the grounds of hardship – 46 Body Street, Austral identified as Lot 122 in DP 738282.

**Reason:**      Clr Hadid is a friend of the owner of the property.

Clr Hadid left the virtual meeting for the duration of this item.

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

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

**Reason:**      Clr Kaliyanda knows several of the organisations that are listed in the report through her work in the community.

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

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

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

**Reason:**      Clr Hagarty knows several of the organisations that are listed in the report through his work in the community.

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

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

**CONF 01:** Tender WT3013 – Construction of stormwater basin 6 in Austral

**Reason:** Clr Hadchiti lives in the area.

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

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

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

**Reason:** Clr Rhodes knows organisations that are listed in the report through her work in the community.

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

Clr Hadchiti declared a pecuniary interest in the following item:

**MAYOR 01:** Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021

Clr Hadchiti left the virtual meeting for this item.

## **PUBLIC FORUM**

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

Nil.

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

Nil.



**Clr Hadchiti declared a pecuniary interest in MAYOR 01 and left the virtual meeting at 6.08pm.**

## **MAYORAL MINUTES**

**ITEM NO: MAYOR 01**  
**FILE NO: 245497.2021**  
**SUBJECT: Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021**

On Friday 16 July 2021, Council was notified by the Chief Executive of LGNSW of the passage by the NSW State Government of the Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021 (NSW). Liverpool City Council is one of 29 councils in NSW which charges compliance levies to support council development and compliance activities.

Earlier this year, while Council was finalising its 2021/2022 budget, the Government announced it intended to prohibit the ability of councils to charge a compliance levy from 1 July 2021. Following strong advocacy from LGNSW and councils, the Government announced it would defer this imposition on councils so it could consult with the sector and introduce a new compliance funding regime.

Regrettably, in the absence of any consultation and despite ongoing advocacy by LGNSW, the Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021 was published on Friday 16 July 2021 with the effect of prohibiting councils from collecting compliance levies. For those councils that currently collect compliance levies, this prohibition now takes effect from 31 December 2021.

This regulation was made in the same month the Government saw the passage of new legislation which facilitates 'compliance levies' for the NSW Building Commissioner's Office. Councils will be required to collect the new compliance levies for the Building Commissioner's Office and remit the funds but won't be able to collect compliance levies to fund their own development and compliance activities.

LGNSW considers this an outrageous impost on councils. LGNSW will be strongly responding to the Government's action and has requested our Council's assistance by providing information about the financial impacts of this change.

For Liverpool City Council, the compliance levy has raised, on average, \$3 million per year (since the levy was introduced in FY 2015/16). This Council has previously resolved that all revenue from the levy be used to fund council development and compliance activities. Removing the ability for councils to collect a compliance levy will result in at least a \$3 million shortfall in Council's operational budget position in future years (potentially more depending on the level of development activity in the LGA) and will significantly affect our capacity to deliver the level of compliance activities expected by the community.

For high growth Councils like Liverpool, the Compliance Levy is an opportunity to ensure adequate oversight and resourcing of our regulatory responsibilities. Coming on top of changes to the contributions planning framework, the removal of the compliance levy is yet another cut to local government funding without any reduction in demand.

The State Government should reverse this decision or implement, at least, a 2-year moratorium on the removal of the levy for high growth Councils like Liverpool to enable a transition to any new scheme. This would enable a transition to alternative budget arrangements for future financial years without impacting so significantly on service delivery over the short term.

**COUNCIL DECISION**

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

That Council write to the Hon Rob Stokes, Minister for Planning and Public Spaces requesting the Government reverse the decision to prohibit council from collecting compliance levies from 31 December 2021, or in the alternative, for the State Government to implement (at least) a 2 year moratorium on the removal of the levy for high growth Councils like Liverpool to enable a transition to any new scheme.

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

Cllr Ayyad voted asked that she be recorded as having voted against the above motion.

**ITEM NO: MAYOR 02**  
**FILE NO: 245450.2021**  
**SUBJECT: 2021 COVID-19 Lockdown**

I would like to take this opportunity to thank Liverpoolians for staying home and doing the right thing. We are living through very unusual and challenging times.

While virus case numbers across Greater Sydney are concerning, Liverpool's numbers remain lower compared to other named Local Government Areas.

Due to the pandemic the local government elections have been postponed until 4 December 2021.

Like everyone in our community I'm in lockdown with my immediate family members including children and can very much relate to the challenges of home schooling and working life. It's not easy and we are all doing it tough

We are a resilient community and when faced with adversity we stand together.

If you are at home and experiencing distress, please reach out via phone or use technology to reach out to someone you trust. Support is available through the Beyond Blue Helpline, Lifeline, the National Sexual Assault, Domestic Family Violence Counselling Service and the National Debt Hotline.

This pandemic is serious because the virus has mutated and this time people of all ages in our community are vulnerable and it's extremely contagious. As a parent and grandparent, automatically you wish to protect those most vulnerable in your family. I would like to stress that health guidelines are provided regarding care for family members not of your household - please follow these instructions.

The Minister for Health and Medical Research, Brad Hazzard has explained recently that a number of community infections had occurred due to families intermingling to pay their respects after a death in the family.

This would indeed be a very sad time with plenty of rituals and traditions involved, but it is crucial that you do not visit other households during this time. My own cousin recently passed away and sadly I cannot attend the household nor attend the funeral. We will use technology and yes, we were close.

I have lobbied for more vaccination centres in Liverpool and there has been some success. From 2 August, pop-up mobile vaccination centres will be set up in nominated suburbs in our community.

It is important that you get tested if you are unwell.

Currently, the Whitlam Centre is offering a 24-hour testing service.

Getting Australians vaccinated is important now more than ever and we're proud to be doing our bit to help bolster the vaccine roll-out in South West Sydney which is the only way to safeguard the community against COVID-19.

We saw the eradication of polio and tetanus through vaccinations and we hope to see the same result during this pandemic. Consult your GP if you are in need.

We really need to think of the safety of each other. Don't take risks, don't ignore health directives. Stay home, get tested and get vaccinated if you can.

The wellbeing of our residents seriously weighs heavily on my mind and my fellow Councillors' minds - this is a pandemic, a national emergency and it's serious.

To get the numbers down we will need to stick to the necessary but sometimes restrictive health directives.

Please stay home and stay safe, so we all stay safe.

**COUNCIL DECISION**

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

That Council note the report.

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

**CHIEF EXECUTIVE OFFICER REPORT**

**ITEM NO:** CEO 01

**FILE NO:** 222812.2021

**SUBJECT:** Annual Report to Council by the Internal Ombudsman

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Rhodes**

**Seconded: Cllr Shelton**

That Council receive and note the annual report presented by the Internal Ombudsman.

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

**PLANNING & COMPLIANCE REPORT**

**ITEM NO:** PLAN 01  
**FILE NO:** 174998.2021  
**SUBJECT:** Planning Proposal to amend the Liverpool Local Environmental Plan 2008 to realign Liverpool Hospital's Helicopter Flight Paths

**COUNCIL DECISION**

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

That Council:

- 1. Notes the advice of the Liverpool Local Planning Panel;
- 2. Endorses the planning proposal to amend the relevant Key Site Maps in the Liverpool Local Environmental Plan 2008 relating to hospital helicopter airspace in accordance with the updated helicopter flight paths;
- 3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
- 4. Forwards the planning proposal to the Department of Planning, Industry and Environment pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination, with a request that Council be authorised as the local plan making authority;
- 5. Subject to Gateway determination, undertake public exhibition and community consultation in accordance with the conditions of the Gateway determination and the Liverpool Community Participation Plan; and
- 6. 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:** PLAN 02  
**FILE NO:** 195713.2021  
**SUBJECT:** Post-exhibition report - Liverpool Local Environmental Plan 2008 Amendment 79 - rezoning land and amending development standards at 4-8 Hoxton Park Road, Liverpool

**COUNCIL DECISION**

**Motion:** **Moved:** Clr Harle **Seconded:** Clr Ayyad

That Council:

1. Notes the Gateway determination for Liverpool Local Environmental Plan 2008 (Amendment 79) and the results of the public authority consultation and community consultation; and
2. Subject to the execution of the planning agreement, proceeds with Amendment 79 to the Liverpool Local Environmental Plan 2008 and delegates authority to the CEO (or his delegate) to liaise with the Parliamentary Counsel's Office and the Department of Planning, Industry and Environment to finalise the amendment.

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

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

**Vote against:** Clr Shelton.

**ITEM NO:** PLAN 03  
**FILE NO:** 201856.2021  
**SUBJECT:** Issues and Options Report - Permitting Dual Occupancies in the R2 and R3 zones of the Liverpool Local Environmental Plan 2008

**COUNCIL DECISION**

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

That Council:

1. Receive and note this report; and
2. Investigates including ‘Dual Occupancies’ as a land use permitted with development consent in the R2 Low Density Residential and R3 Medium Density Residential zones of the Liverpool Local Environmental Plan as part of Phase 2 of the LEP Review.

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

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

**Vote against:** Clr Rhodes



**Clr Hagarty and Clr Kaliyanda temporarily left the meeting at 6.20pm.**

## **COMMUNITY & CULTURE REPORT**

**ITEM NO:** COM 01  
**FILE NO:** 196466.2021  
**SUBJECT:** Grants, Donations and Corporate Sponsorship

### **COUNCIL DECISION**

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

That Council endorses the recommendation of **\$28,950** (GST exclusive) under the **Corporate Sponsorship Program** for the following projects subject to the projects going ahead due to Covid restrictions;

<b>Applicant</b>	<b>Project</b>	<b>Recommended</b>
Friends of India Australia Incorporated	Ganeshotsava	\$10,000
Southern Districts Soccer Football Association	Annual Liverpool Knockout Competition (Soccer)	\$8,950
Ingham Institute for Applied Medical Research	Robotics, Health Technology & Industry Symposium	\$10,000

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

Clr Hagarty and Clr Kaliyanda returned to the meeting at 6.22pm

**ITEM NO:** COM 02

**FILE NO:** 198692.2021

**SUBJECT:** Review of the Grants, Donations and Corporate Sponsorship Policy

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Ayyad**

**Seconded: Clr Hadid**

That Council endorse the Grants, Donations, and Community Sponsorship Policy and place it on public exhibition for a period of 28 days.

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

**CORPORATE SERVICES REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 176706.2021  
**SUBJECT:** Investment Report June 2021

**COUNCIL DECISION**

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

That Council receives and notes this report.

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

.....  
Chairperson

**ITEM NO:** CORP 02  
**FILE NO:** 206185.2021  
**SUBJECT:** Western Sydney City Deal - Participation Evaluation

**COUNCIL DECISION**

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

That Council notes the report which provides an overview of Council's costs and benefits associated with the Western Sydney City Deal to date.

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

**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01  
**FILE NO:** 170965.2021  
**SUBJECT:** Minutes of the Liverpool Youth Council meeting held Tuesday 8 June 2021

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the Minutes of the Liverpool Youth Council Meeting held on Tuesday 8 June 2021.
  
2. Endorse the recommendations in the Minutes.

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

**ITEM NO:** CTTE 02  
**FILE NO:** 191038.2021  
**SUBJECT:** Liverpool Sports Committee Minutes of meeting held 27 May 2021

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the Minutes of the Liverpool Sports Committee meeting held on 27 May 2021.
2. Endorse the recommendation in the minutes

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

**ITEM NO:** CTTE 03  
**FILE NO:** 200415.2021  
**SUBJECT:** Minutes of the Companion Animals Advisory Committee meeting held on 1 June 2021

**COUNCIL DECISION**

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

That Council receive and note the minutes of the Companion Animals Advisory Committee meeting held on 1 June 2021.

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

**ITEM NO:** CTTE 04  
**FILE NO:** 201301.2021  
**SUBJECT:** Meeting notes of the Liverpool Access Committee meeting held on 15 April 2021 and minutes of the Liverpool Access Committee meeting held on 10 June 2021

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the meeting notes of the Liverpool Access Committee meeting held on 15 April 2021;
2. Receives and notes the minutes of the Liverpool Access Committee Meeting held on 10 June 2021; and
3. Endorses the recommendations in the notes and minutes.

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



**ITEM NO:** CTTE 05  
**FILE NO:** 214065.2021  
**SUBJECT:** Minutes of the Tourism and CBD Committee Meeting held 29 June 2021

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the Minutes of the Tourism and CBD Meeting held on 29 June 2021; and
2. Endorse the recommendations in the Minutes.

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

**ITEM NO:** CTTE 06  
**FILE NO:** 214288.2021  
**SUBJECT:** Minutes of Strategic Panel meeting held on 15 June 2021

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 15 June 2021.

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

**ITEM NO:** CTTE 07  
**FILE NO:** 216781.2021  
**SUBJECT:** Minutes of the Environment Advisory Committee Meeting held on 15 June 2021

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the Minutes of the Environment Advisory Committee Meeting held on 15 June 2021.
2. Endorse the recommendations in the Minutes.

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

**ITEM NO:** CTTE 08  
**FILE NO:** 220289.2021  
**SUBJECT:** Intermodal Precinct Committee 7th June 2021

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Intermodal Precinct Committee Meeting held on 7th June 2021 and considers the following recommendations:

- 1. That the Committee write to Woolworths to seek an ongoing scholarship program for:
  - a. at least one local student from the Liverpool LGA to study an engineering or advanced technologies undergraduate program at a local university; and
  - b. at least one scholarship for a local student to attend TAFE to study in an emerging field such as electrotechnology.
  
- 2. Council to consider engagement with the NSW and Federal governments as well as relevant parties to retain the current Moorebank Avenue upgrade and seek alternative solutions to the realignment such as overpass bridges;
  
- 3. Council consider engagement with the NSW and Federal governments as well as relevant parties to construct an eastbound M5 weave upgrade at the same time as the Moorebank Ave Interchanges and westbound weave projects are undertaken, and to place appropriate transparent noise walls in both directions, similar to those on the M7;
  
- 4. Council to write to the NSW government and EPA NSW to advise that Council is no longer the authorised regulatory authority for air and noise pollution, that this role is assumed by the EPA NSW and that Council provide a list of location metrics for air and noise pollution enforcement to the Committee; and
  
- 5. That Council consider engaging with NSW and Federal government to redesign the Moorebank Precinct West Masterplan to be consistent with concept approvals at 300,000 square metres of warehousing.

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

**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 196276.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - Animal Welfare

**Please address the following:**

1. What is the process from when rangers attend to a found pet?
2. What is the average time between an animal being taken to the shelter and appearing on:
  - Council's website?
  - The facilities Facebook page?
3. What other channels are used?
4. What details are posted?
5. Are there KPIs for this?
6. Are Council meeting these KPIs?
7. Are there KPIs in place for rehoming animals?
8. Are Council meeting these KPIs?
9. How much time each day are dogs given out of their kennels?
10. What enrichment are they provided each day?
11. What strategies are in place to prevent dogs from suffering significant kennel stress such as aggressive behaviour, barking and lunging at people?.
12. What training and information do rangers and rehoming officers undertake and have access to in relation to:
  - Animal handling, enrichment and recognising body language?
  - The latest methods in animal rehoming?
  - Dangerous dog handling?

## Response

### 1. What is the process from when rangers attend to a found pet?

Council officers will scan the animal, and if microchipped, will contact the owner and return the animal home within 2 hours and update Council's records. If the animal is not identified, then the animal is taken to the Liverpool Animal Shelter at Rossmore Vet.

Under the Companion Animals Act, a companion animal must be identified (microchipped) from 12 weeks of age and it is an offence not to do so and is subject to an on the spot fine. In addition, the Act requires a dog to wear a collar which shows the name of the dog and the address or phone number of the owner. It is also an offence for a dog not to have a collar.

### 2. What is the average time between an animal being taken to the shelter and appearing on:

- Council's website?
- the facilities Facebook page?

Lost animals that are not identified are posted on both pages within 24 hours of entering the shelter on a Monday to Friday. If an animal enters the animal shelter on the weekend, details are posted on Monday. However, the shelter can be contacted 7 days a week for residents to enquire about lost animals or to pick up lost animals.

### 3. What other channels are used?

Council monitors local lost & found Facebook pages. Where an owner has posted details regarding their lost pet, Council officers will contact them directly. Staff also circulate Lost Pet Alerts amongst the team, so officers are aware of missing animals in the area.

Council also keeps a log of all calls made to the shelter regarding lost pets in the Liverpool LGA and surrounding areas which is referred to when an animal is impounded, to reunite the pet and owner sooner.

### 4. What details are posted?

Species, breed, gender, name (if known), suburb found, and a photo.

### 5. Are there KPIs for this?

As identified above, lost animals that are not identified are posted on both pages within 24 hours of entering the shelter on a Monday to Friday. If an animal enters the animal shelter on the weekend, details are posted on Monday. However, the shelter can be contacted 7 days a week for residents to enquire about lost animals or to pick up lost animals.

**6. Are Council meeting these KPIs?**

Yes.

**7. Are there KPIs in place for rehoming animals?**

The Delivery Program and Operational Plan (DPOP) (C.4.06) target is 65% of dogs to be rehomed within two months and 40% of cats to be rehomed within two months.

**8. Are Council meeting these KPIs?**

Council reports on how it is meeting targets in the DPOP through the biannual report. Council is currently exceeding this target. In the January to June 2021 period, 94% of dogs were rehomed and 100% of cats were rehomed within 2 months.

**9. How much time each day are dogs given out of their kennels?**

Dogs are out of their kennels all day. Dogs are taken out of their night kennels and taken to their outdoor runs every morning. Dogs are also walked by staff and have one on one training and enrichment time in Council's off-leash area.

**10. What enrichment are they provided each day?**

As outlined above, dogs are taken to their outdoor runs every morning, walked by staff, have one on one time with staff, provided with toys, kongs with food / treats, and training with treats for mental stimulation.

**11. What strategies are in place to prevent dogs from suffering significant kennel stress such as aggressive behaviour, barking and lunging at people?**

As outlined above, dogs are out of their kennels all day. Dogs are taken out of their night kennels and taken to their outdoor runs every morning. Dogs are also walked by staff and have one on one training and enrichment time in Council's off-leash area.

The welfare and enrichment of animals is Council's priority. Staff spend time with each animal to build a relationship with them and gain their trust. Keeping the dogs mentally stimulated and physically active along with one on one training time helps ensure dogs are happy while at the shelter. Council officers are at the facility Monday to Friday to work with and monitor the welfare of each animal. Animals are cared for by Rossmore Vet staff on the weekends.

**12. What training and information do rangers and rehoming officers undertake and have access to in relation to:**

- animal handling, enrichment and recognising body language?

Formal training sessions have been held at the Liverpool Animal Shelter and included all shelter staff. The training was carried out by an Animal Behaviourist. There is also ongoing training on a one to one basis when a particular dog is identified that requires assessment to deal with a behavioral issue.

- **the latest methods in animal rehoming?**

Council's officers have access to online information, communication with other shelter rehoming officers and connection with rescue groups.

- **dangerous dog handling?**

Dangerous dog training has been conducted for Rangers and Shelter staff by an external trainer. Ongoing training and development is available to Council staff and forms part of Council's continuous learning and development program.

## **COUNCIL DECISION**

**Motion:**

**Moved: Cllr Hagarty**

**Seconded: Cllr Rhodes**

1. That Council staff investigate ways and means of posting animals on Council's website, prior to Monday, if found on Friday evening or over the weekend;
2. Investigate implementing an expression of interest waitlist for people interested in a particular breed of animal;
3. The ongoing statistics and information detailed in this item be regularly reported to the Companion Animals Advisory Committee;
4. Council investigates updates to its website in relation to animal rehoming; and
5. Council investigate the ability of the public to surrender cats and different ways of rehoming cats.

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



**ITEM NO:** QWN 02  
**FILE NO:** 196334.2021  
**SUBJECT:** Question with Notice - Clr Kaliyanda - Digitisation of Services

**Please address the following:**

**1. What Council services or functions have been digitised (partially or completely) as a response to the impacts of COVID-19?**

Since the commencement of the pandemic, Council has re-prioritised some of its IT projects to better enable the way both its staff operate whilst working from home and the Community engages with Council. Some examples are the upgrade of Council's security infrastructure which has allowed for remote working without compromising on security. Council's full suite of corporate software has been made accessible both to corporate and personal devices. Other implementations have been the Online booking management system, the digitisation of GIPA lodgements and the expansion of virtual and hybrid meetings throughout our Community Engagement This includes the Liverpool District Forums, Council Committees and consultation methodologies.

In regards to CPAC, a series of digital initiatives have been implemented and are available in the below links;

<https://www.casulapowerhouse.com/visit/cpac-digital-program>

<https://www.casulapowerhouse.com/visit/cpac-digital-program/art-activities>

CPAC was the first NSW Arts Centre to do so during the initial 2020 lockdown. The Digital Program is still ongoing during the 2021 lockdown period with more activities coming online each week. These include virtual tours, online film screenings, online exhibitions, artist talks, activities for kids and families, music, cooking lessons and gardening tips.

In the Events space, NAIDOC Week 2021 was heavily impacted by Covid restrictions and has transitioned partially to the digital realm. Some examples of video contents and activities are included in the below links.

<https://www.facebook.com/watch/?v=907245306472147>

<https://www.casulapowerhouse.com/visit/naidoc-week>

**2. Has follow up been conducted as to which of these were successful and which were not?**

As Council continues to navigate through the challenges of the pandemic delivery of some services in alternative formats have been assessed for their effectiveness. For

example, the review of Liverpool District Forums identified some challenges and opportunities when they are delivered solely online. The alternative method of hybrid is currently being investigated to allow residents' participation in-person and or online. Other services such as library and CPAC have been innovative in their approach to communicate information and engage service users through virtual sessions.

What Council has learnt though, is that large sections of the community are happy to be engaged in a virtual environment. This has in some areas increased participation due to the ease of accessibility, resolves the problem for those whom lack the transport means and enhances flexibility. Notwithstanding this, Council is acutely aware that a section of the community still prefers face to face interaction.

During government stay at home orders periods, Council has no option but to rely on online channels to inform and consult with the community. As the pandemic continue, for all other times outside the lockdown, in accordance to NSW Health advice and through a COVID Safe Plan, Council will adopt innovative and flexible arrangements to maximise engagement and interaction with residents.

Council will review the Community Engagement Plan to provide overarching framework and guidelines for diverse and flexible community engagement methods during the pandemic.

For CPAC, Google Analytics and Social Media metrics are analysed regularly to ensure content is being used by as many as possible. Encouragingly, total virtual visitation to the centre has at least matched and often exceeded usual attendance figures.

**3. If so, what factors have been identified in the successful digitisation of a service or function?**

While Council certainly couldn't have predicted the COVID-19 pandemic, this event has acted as a catalyst for the shift in community engagement by accelerating the speed at which local governments are adapting to meet the community's changing needs. As a case in point, preliminary data from the online booking system shows that the community's utilisation of the online bookings portal is increasing steadily month to month.

Based on the "Building stronger communities in an increasingly digital post pandemic society" report (a community focused research assessment co-published by CIVICA and UTS in May 2021), 79% of citizens expect the main interactions with their council to be through self-service technologies in the next five years. In addition, 47% of citizens agree they will primarily use social media to connect with their local council in the future. This broad appetite for digital engagement is consistent with Council's own observation of its community and business. Council is acutely aware that there are sub-groups in the community who might miss out where digital engagement is the

predominate approach and this needs to be catered for.

In the arts and culture space, some of the most successful digitised services have been in the film screening, virtual exhibitions/tours and kids/family areas. The latter being especially so when the online activity is paired with downloadable activity sheets/instructions for parents.

**4. What factors have been identified in the unsuccessful digitisation of a service or function?**

Council recognises that there are sub-groups in the community (seniors, people with a disability or socio-economic disadvantage groups) which lack the technological skills or equipment to connect via digital engagement. Council has also recognised that there is a large part of the community which prefers engagement of services when they are digitised.

Council's Library Services and Community Development teams have existing strategies and programs that are currently being explored to provide training and assistance to the residents who lack the access to technology and/or require upskilling in the utilisation of technology. It is envisaged that the staff will host and facilitate these sessions when the state's lockdown eases.

At CPAC, music performances have been identified by the measurement mechanisms mentioned above to be the least successful digitised translation of service, so they have been discontinued in response. This has probably been as a result of the increased volume of digitised concert experiences made available to people during the pandemic from across Australia and around the world.

**5. Please outline what aspects of Council's functions or services have explored, or are currently exploring, digital transformation to improve resident experience, effectiveness or efficiency.**

Council has been working on a digital transformation strategy which will position Council to future proof itself as a "connected Council". In other words, digitising its community, service and back office functions in a seamless and integrated way to both improve organisational efficiency, community engagement and the overall customer experience. This will also form the foundation to leverage off the technological future which includes Smart Cities, open data, IoT and 5G. This is expected to be presented to Council later in the calendar year.

**ITEM NO:** QWN 03  
**FILE NO:** 234116.2021  
**SUBJECT:** Question with Notice - Cllr Rhodes - Provision of "Off the Leash Dog Parks" throughout the Liverpool LGA

Can Council explain what process does Liverpool Council use when determining:

- a) Where "off the leash dog parks" are situated throughout the Liverpool LGA?
- b) How many "off the leash Dog Parks" should be provided in Liverpool LGA?

**A response to these Questions with Notice will be provided in the 25 August 2021 Council Meeting Business Papers.**

**ITEM NO:** QWN 04  
**FILE NO:** 234120.2021  
**SUBJECT:** Question with Notice - Clr Rhodes - Council submission on Moorebank Intermodal State Significant Development

Can Council answer the following:

1. Did Liverpool Council submit an objection to NSW Government Planning – Major Projects – Project 271156 submissions – 13111 – 3251
2. Can Council confirm if they received a Notice of Determination of Application Moorebank Intermodal Precinct West - Stage 3 (SSD-10431), from the Department of Planning Industry and Environment that they would have received on or around 18 June 2021, like the other Objectors within our community?
3. Can Council provide a copy of the letter if received, to all Councillors?
4. Can Council confirm that as an Objector; as is listed on the DPIE major projects portal; that Liverpool City Council has until August 13th [56 days from June 18th] to exercise its right as an Objector as per s8.8 and s8.10 of **the Act** (Environmental Planning and Assessment Act 1979 No 203)?

**A response to these Questions with Notice will be provided in the 25 August 2021 Council Meeting Business Papers.**

**ITEM NO:** QWN 05  
**FILE NO:** 234143.2021  
**SUBJECT:** Question with Notice - Cllr Rhodes - Legal Reports and records

Does Council:

1. Make available on the Councillor intranet, Liverpool Council's Legal reports of all legal engagements on an Annual Basis listed first under:
  - a) The years of a Council elected term, and also
  - b) Year that the Council engagement was first initiated, eg: 2016 – 2021/ 2016 – 2017 etc,

That can be accessed by Councillors at any time, and also provide the use of a historic record for the transition of different elected members onto Council per term?

2. Would it be possible for all past legal report records to be filed and made available in a similar fashion on the Councillor intranet for Councillors referral?

**A response to these Questions with Notice will be provided in the 25 August 2021 Council Meeting Business Papers.**

**PRESENTATIONS**

Clr Harle advised that he would like to make a presentation relating to CONF 01.

Mayor Waller advised that he could make his presentation prior to discussion of that item during the Closed Session part of this meeting.

## NOTICES OF MOTION

**ITEM NO:** NOM 01  
**FILE NO:** 236016.2021  
**SUBJECT:** Proposed Changes to Developer Levies

### BACKGROUND

Recently the NSW Government released draft legislation that proposed changes to reduce the type of community projects that could be eligible for funding from developer contributions. This is one component of an overhaul of NSW's infrastructure contributions system, which is due to come into force by July 2022.

However, these changes, if adopted, could shift more of the cost of infrastructure from developers onto ratepayers. It also means there is no guarantees that the money collected as part of these developments would be directed back into projects in the local areas that these levies had been collected.

Liverpool, as part of the south-west growth corridor, is already under significant pressure to meet the infrastructure needs of our fast-growing community. We need to juggle the responsibilities associated with developing infrastructure from scratch in many of the new release areas of our LGA. Furthermore, there is a risk that these changes could result in the NSW Planning Minister having discretion over what these developer contributions are spent on, rather than having extensive input and determination by the local communities that would need and use this infrastructure.

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

That Council:

1. Write to the NSW Government expressing our concern over the impact of these proposed changes to the legislation on our local community;
2. Seek a guarantee from the NSW Government that contributions levied in a local area will be spent on that community; and
3. Seek a guarantee from the NSW Government that community consultation and voices of the local community will be given specific importance in the determination of infrastructure spending and delivery.



**COUNCIL DECISION**

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

That Council:

1. Write to the NSW Government expressing our concern over the impact of these proposed changes to the legislation on our local community;
2. Seek a guarantee from the NSW Government that contributions levied in a local area will be spent on that community;
3. Seek a guarantee from the NSW Government that community consultation and voices of the local community will be given specific importance in the determination of infrastructure spending and delivery; and
4. The matter to also be raised and explained at the Rural and Development area forums and any other relevant community forums.

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

**ITEM NO:** NOM 02  
**FILE NO:** 236043.2021  
**SUBJECT:** COVID Support

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

**1. Testing and Vaccination**

That Council lobby for:

- a. More locations and resources to conduct testing; and
- b. A mass vaccination hub in a highly accessible location in Liverpool.

**2. Parking for essential workers**

That Council provides parking for essential workers including health care providers.

**3. Vulnerable community groups**

That Council:

- a. Re-establish the 'COVID-19 Emergency Response Program' to support critical and essential services for vulnerable community groups in Liverpool.
- b. Lobby the State and Federal Government for long term funding and resources in local targeted services, including but not limited to:
  - mental health support for communities from non-English speaking backgrounds; and
  - youth unemployment.

**4. Rate relief**

That Council extend hardship provisions for rates implemented at 16 April 2020 Council meeting.

**5. Community facilities and sporting fields**

That Council provide a full refund for hirers/licence holders of any parks, sporting fields and other community facilities where a fee has been paid and the use of that facility is not possible due to restrictions being put into place for the duration of those restrictions.

**6. Animal Shelter**

That Council direct the CEO to keep the Liverpool Animal Shelter open with restricted access and in line with relevant public health orders.

**7. Local Business**

That Council:

- a. Support businesses to facilitate effective pivots of their existing business models;
- b. Promote successful examples of local business pivots since the beginning of the pandemic; and
- c. provide ongoing information and support to local businesses about relevant State and Federal business relief and support services.

**8. Retail tenants**

That Council provide rent abatement for all existing retail and small tenants/licence holders for the duration of the lockdown.

**9. Outdoor dining**

That Council waive all out-door dining fees for the duration of the lockdown.

**10. Supplier payments**

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.

**11. Planning and Development**

That Council commit to drive down the outstanding Development Applications and Planning Proposals.

**12. Staff**

That Council direct the CEO to, where practical, retain staff during the lockdown, through meaningful means such as redeployment to other duties.

**13. Stimulus**

That Council seek funding from the State and Federal Government for accelerated capital works projects that can be delivered in the Liverpool LGA within a short timeframe.

**COUNCIL DECISION****Motion:****Moved: Cllr Hagarty****Seconded: Cllr Kaliyanda****1. Testing and Vaccination**

That Council write to the State Government to advise that Council is willing to work with the government to help with offering locations for testing clinics, and vaccination hubs.

**2. Parking for essential workers**

That Council provides parking for essential workers including health care providers.

**3. Vulnerable community groups**

That Council:

1. Re-establish the 'COVID-19 Emergency Response Program' to support critical and essential services for vulnerable community groups in Liverpool;
2. Lobby the State and Federal Government for long term funding and resources in local targeted services, including but not limited to:
  - a. mental health support for vulnerable communities; and
  - b. youth unemployment.

**4. Rate relief**

That Council:

- a. Take the following measures in relation to hardship provisions:
  1. extends hardship provision to all rateable properties (i.e. residential, business and farmland);
  2. apply hardship provisions to rates that fall due from July 2021 onwards only;
  3. assign the Rates Department to undertake initial assessments of hardship applications;
  4. re-establishment the Hardship Committee to review all applications rejected for final determination;
  5. Council suspend debt recovery action until state-wide COVID related restrictions are lifted; and
  6. provide an online form to enable residents to submit hardship applications.

b. *Exhibit its intentions for the minimum statutory period for a one off reduction of 10% on properties that sit within the definition residential use subject to a criteria that would include but not limited to:*

- *Property being used for owner occupier purposes;*
- *At least one owner has claimed a government COVID disaster payment;*
- *The property is in the name of an individual.*

*Present a report back to Council after the exhibition period.*

Note: Following the Council meeting, Councillors were advised that the information in italics above relating to the provision of a rate reduction within NOM 02 is unlawful. Therefore, section 4 (b) of NOM 02 cannot be enacted.

## **5. Community facilities and sporting fields**

a. That Council:

1. Provide a full refund for hirers/licence holders of any parks, sporting fields and other community facilities where a fee has been paid and the use of that facility is not possible due to Covid-19 restrictions being put in place for the duration of those Covid-19 restrictions; and
2. If Covid-19 restrictions return, that this become a policy position of Council.

## **6. Animal Shelter**

That Council direct the CEO to keep the Liverpool Animal Shelter open with restricted access and in line with relevant public health orders.

## **7. Local Business**

a. That Council:

1. Support businesses to facilitate effective pivots of their existing business models;
2. Promote successful examples of local business pivots since the beginning of the pandemic;
3. provide ongoing information and support to local businesses about relevant State and Federal business relief and support services;
4. Create a business directory for free online services and investigate integrating this to Council's What's On page; and

5. Write to the State Government calling for a resumption of construction in the Liverpool local government area (LGA) and allow construction workers living in the Liverpool LGA to resume work in line with Covid-19 health regulations.

**8. Retail tenants**

That Council defer a decision on rent abatement for all existing retail and small tenants/licence holders until the August 2021 meeting.

**9. Outdoor dining**

That Council waive all out-door dining fees for the 2021/22 and 2022/23 financial years.

**10. Supplier payments**

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.

**11. Planning and Development**

That Council commit to drive down the outstanding Development Applications and Planning Proposals.

**12. Staff**

That Council direct the CEO to, where practical, retain staff during the lockdown, through meaningful means such as redeployment to other duties in accordance with the “splinter award”.

**13. Stimulus**

That Council:

- a. Seek funding from the State and Federal Government for accelerated capital works projects that can be delivered in the Liverpool LGA within a short timeframe; and
- b. Direct the CEO to present a report to the next Council meeting of all capital expenditure which has a contract value of more than \$500,000, excluding any projects fully funded by Section 7/11 or State or Federal grants, detailing:
  - The project/spend;

- Importance of the project/spend; and
- Whether a force majeure clause is included in the contract

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

## COUNCIL IN CLOSED SESSION

Mayor Waller advised that Council would now move into Closed Session to deal with items CONF 01 to CONF 06 because:

*CONF 01 and CONF 05 are confidential pursuant to the provisions of s10A(2)(d i) of the Local Government Act because they contain commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*

*CONF 02, CONF 03 and CONF 04 are confidential pursuant to the provisions of s10A(2)(g) of the Local Government Act because they contain advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

*CONF 06 is confidential pursuant to the provisions of s10A(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.*

Council moved into Closed Session at 7.31pm.

Clr Balloot retired from the meeting at 7.31pm.

## CONFIDENTIAL ITEMS

**ITEM NO:** CONF 01  
**FILE NO:** 201850.2021  
**SUBJECT:** Tender WT3013 - Construction of Stormwater Basin 6 in Austral

***During this item, Clr Harle made a presentation to Councillors on Stormwater Channels in Urban Areas. The presentation is shown below:***



## **Stormwater Channels in Urban areas.**

**Comparing systems – old, new and proposed.**

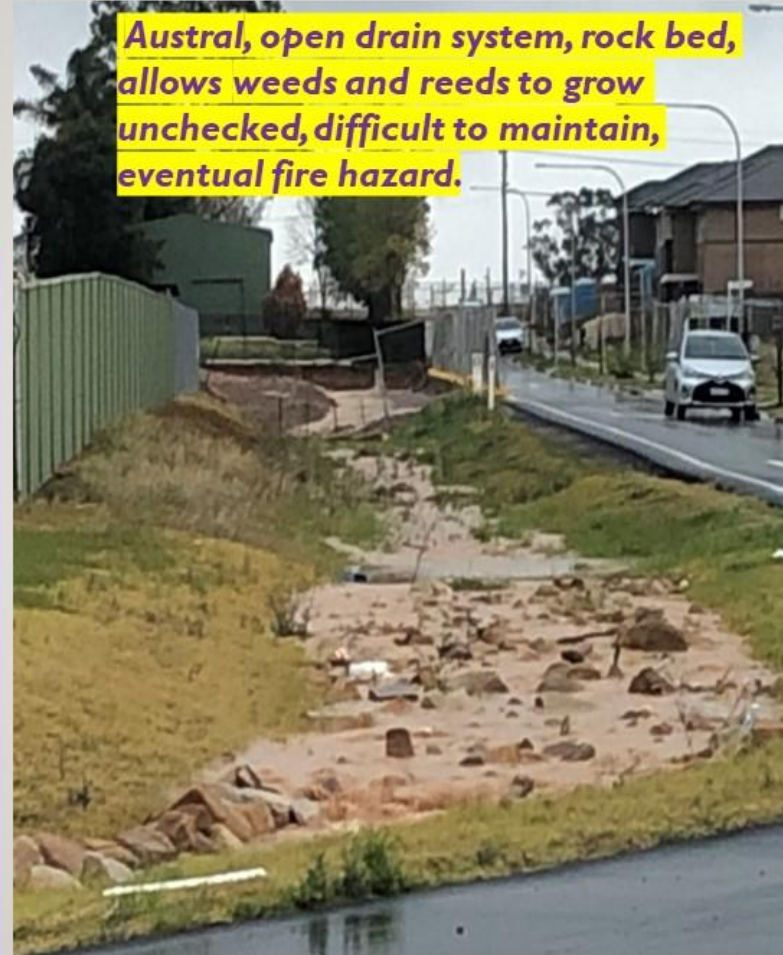
**By Councillor Peter Harle**

- ***Liverpool City Council is in the process of analysing stormwater and flood water control systems in the new areas of Austral, West Hoxton, Rossmore and existing areas of Middleton Grange and Edmondson Park.***
- ***Residents need to be aware of these proposals and ensure that they meet their needs.***
- ***I have major concerns with those proposals and believe they will lead to many undesirable health and safety effects on nearby residential developments. Residents need to be aware of these proposals and raise concerns with Liverpool City Council to ensure they meet residents needs and wants.***
- ***It is evident from the following information that there are major concerns with the proposed Open Drain Stormwater and flood drainage system currently being constructed.***

## **CURRENT STORMWATER CHANNELS**

**This is the current and proposed system of open drains; rocks, reeds, weeds, and unsightly rubbish traps.**

**Smelly in dry periods and very difficult to maintain.**





**Hinchinbrook: Open Drainage Channel after weed cutting and heavy rain washed away cut reeds.**



**Dry reeds become a fire hazard, attract rats and snakes.**



**High maintenance, requires regular rubbish removal.**



**Open drain, soil erosion and high maintenance.**

**Open stormwater channels are difficult to maintain, trap street borne rubbish, a place for rats, snakes, mice and mosquitos to hang out. Produce bad odours in summer especially during extended dry periods. Are serious fire hazards when reeds, weeds and grass dry out. This is the State Governments' preferred stormwater and floodwater control system and want Councils to install in place of existing "low flow" piped underground drains and concrete lined canal systems which are much less maintenance intensive. Residents need to oppose open drain systems. Once constructed they will cost millions of \$ to replace and remediate.**





Open drains, lined sandstone banks



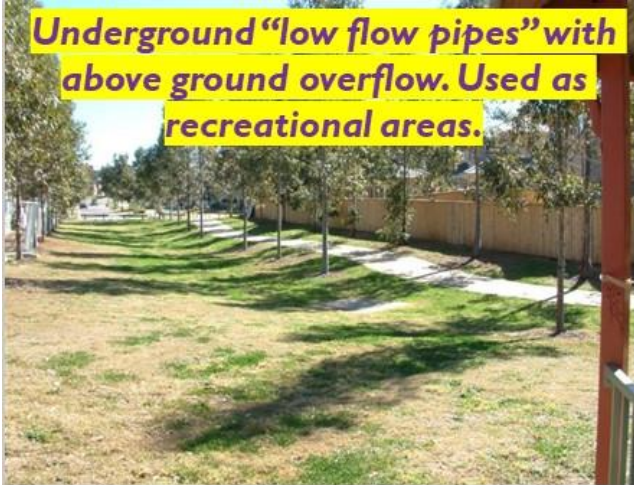
Underpass drains blocked causing road flooding.



Underpass and Gross Pollution trap



Recent drainage works at 17 Ave Austral. Similar works are proposed in new developed areas. These open drains have not yet overgrown with difficult to remove vegetation and rubbish.



**Underground “low flow pipes” with above ground overflow. Used as recreational areas.**



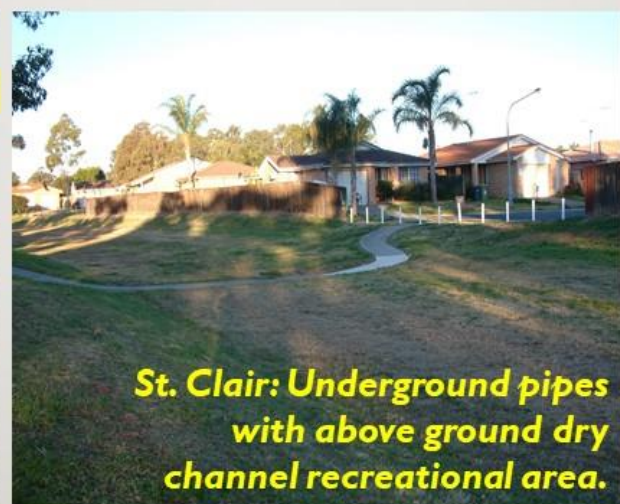
**Horningsea park: underground pipes, above ground overflow, used as recreational area**

Examples of existing “low flow” combined underground and above ground stormwater and flood control channels. No place for vermin, reeds, weeds and rubbish to collect. Only require grass cutting and minimum long term maintenance.

During flood events water is spread across a wide channel, eventually flowing into major creeks and rivers. “Billabongs” or small lakes could be incorporated spaced at 500m intervals or more to allow water to clean itself, fish and marine animals are used to minimise mosquitos.



**Horningsea Park: Underground “low flow” pipes with above ground wide channel recreational area.**



**St. Clair: Underground pipes with above ground dry channel recreational area.**

An example of this is at Bedwell Park near Horningsea Park which is part of the overall “low flow” system, it works well, with Gross Pollution Traps installed.

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

That Council:

1. Accepts the Tender from Devcon Civil Pty Ltd for Tender WT3013 – Construction of Stormwater Basin 6 at Austral and Leppington North for an 8 month contract term and an additional 12 months defects liability period at the GST inclusive price of \$3,885,957.23;
2. Makes public its decision regarding Tender WT3013 – Construction of Stormwater Basin 6 at Austral and Leppington North;
3. 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;
4. 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 accept tenders up to a value of \$2 million.
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; and
6. Identify suitable areas where underflow drainage would possibly work and report back to the September Council meeting.

On being put to the meeting the motion was declared CARRIED

Councillors voted unanimously for this motion.

Cllr Balloot had left the meeting prior to this item and was not in the meeting when this item was discussed.

**ITEM NO:** CONF 02  
**FILE NO:** 206958.2021  
**SUBJECT:** Fire and Rescue NSW Referrals

**COUNCIL DECISION**

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

That Council:

1. Note the inspection report by Fire and Rescue NSW, as shown in Attachment 1; and
2. Exercise its power to issue a Fire Safety Order as recommended by Council's Fire Safety Officer to address the identified fire safety deficiencies.

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



**ITEM NO:** CONF 03  
**FILE NO:** 225644.2021  
**SUBJECT:** Legal Affairs Report - 1 April 2021 - 30 June 2021

**COUNCIL DECISION**

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

That Council:

1. Receive and note the report concerning the legal affairs of Liverpool City Council;  
and
2. A report to be received at the August Council meeting once a response is received in relation to line item 28 of the confidential report.

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

**ITEM NO:** CONF 04  
**FILE NO:** 230833.2021  
**SUBJECT:** Report back on CONF 04 - NOM from Clr Rhodes - Moorebank Intermodal Development possible negative impact on Liverpool residents from 26 May 2021 Council meeting

**COUNCIL DECISION**

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

That Council receive legal advice on whether the documents received can be publicly released.

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

**ITEM NO:** CONF 05  
**FILE NO:** 234109.2021  
**SUBJECT:** Question with Notice - Cllr Rhodes - Liverpool Animal Shelter

**A response to the Questions with Notice will be provided in the 25 August 2021 Council Meeting Business Papers.**

**Clr Hadid temporarily left the meeting at 8.54pm.**

**ITEM NO:** CONF 06

**FILE NO:** 237867.2021

**SUBJECT:** Consideration of an Application for the acquisition of land on the grounds of hardship - 46 Boyd Street, Austral identified as Lot 122 in DP 738282

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Hadchiti**

**Seconded: Clr Ayyad**

That Council:

1. Approves the hardship application and the acquisition of 46 Boyd Street, Austral identified as Lot 122 in DP 738282 on the basis that there is no income being derived from the property by the owner and on the terms outlined in this report;
2. Delegates authority to, and directs the CEO and his delegates to enter into negotiations with the property owner and/or their representative to acquire the property by agreement on the basis recommended in this report without having to submit a further report to Council for approval;
3. Delegates authority to, and directs the CEO and his delegates in the event that agreement cannot be reached, to proceed with all necessary steps to give effect to the compulsory acquisition of the property;
4. Delegates authority to, and directs the CEO and his delegates, to proceed with making the necessary application to the Minister for Local Government and the Governor in accordance with the *Local Government Act, 1993* to obtain approval to acquire the property in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*;
5. Resolves that, upon acquisition, 46 Boyd Street, Austral identified as Lot 122 in DP 738282 is classified as operational land in accordance with the *Local Government Act, 1993*;
6. Authorises its delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision; and
7. Keeps this report confidential pursuant to the provisions of Section 10(A)(2)(c) of the *Local Government Act, 1993* as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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

**OPEN SESSION**

Council moved back into Open Session at 9.04pm. Mayor Waller read out the resolutions that were passed in Closed Session (as shown on the previous pages).

**Clr Hadid returned to the meeting at 9.07pm**

**THE MEETING CLOSED AT 9.09PM.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 25 August 2021

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 28 July 2021. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.



**MINUTES OF THE ORDINARY MEETING  
HELD ON 25 AUGUST 2021**

---

**PRESENT VIA VIDEO CONFERENCING:**

Mayor Wendy Waller  
Councillor Ayyad  
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 Corporate Services  
Ms Tina Bono, Acting Director Community & Culture  
Mr David Smith, Acting Director Planning & Compliance  
Mr Peter Diplas, Acting Director City Presentation  
Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement  
Mr Raj Autar, Director Infrastructure & Environment  
Mr John Morgan, Director Economy & Commercial Development  
Ms Ellen Whittingstall, Internal Ombudsman  
Mr Vishwa Nadan, Chief Financial Officer  
Mr George Georgakis, Manager Council & Executive Services  
Ms Susan Ranieri, Coordinator Council & 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, 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, Chief Executive Officer.

## APOLOGIES

Nil.

## CONDOLENCES

**ITEM NO:** COND 01

**FILE NO:** 273166.2021

**SUBJECT:** Condolence Motion - Bernard Jeffery (read by Mayor Waller)

Tonight, we pause to honour the memory of Bernard Jeffery, a valued staff member of Liverpool City Council.

Bernard passed away suddenly last week. He was aged 66. Bernard worked for Council in the position of Senior Land Development Engineer. He will be sorely missed by his colleagues, especially in the Land Development, Development Assessment and Infrastructure and Environment teams.

Bernard will be remembered as someone who was always ready to help in any matters asked of him without question or complaint. His knowledge, expertise and efforts were recognised and respected within the development community.

He was instrumental in supporting the design and delivery of engineering systems in Austral/Leppington and was an extremely reliable colleague. He worked tirelessly with developers and the planning team to achieve great outcomes for our growth areas.

The news of Bernard's passing has been met with great sadness by all Council staff.

On behalf of Liverpool City Council, I humbly express my deepest condolences to Bernard's wife Leanne, and all his family and friends. Our thoughts are with Bernard's loved ones during this difficult time.

May he rest in peace.

## COUNCIL DECISION

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

That Council write to the family of Bernard Jeffery to express our condolences for their loss.

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

**ITEM NO:** COND 02  
**FILE NO:** 273166.2021  
**SUBJECT:** Condolence Motion - COVID-19 (read by Mayor Waller)

Tonight, we pause to honour the memory of those whose lives have been lost to COVID-19, particularly residents of the Liverpool local government area. It is such a heartbreaking time for many people, and we take this time to remember them.

The current Delta coronavirus outbreak began on 16 June. Almost 14,000 cases and 75 related deaths have since been reported as of yesterday. Every one of those deaths is a tragedy and I offer my deepest condolences to the loved ones of all those who have lost their lives in this pandemic. The Delta outbreak has affected the Liverpool community enormously with a total of 1049 cases so far recorded amongst our residents.

As of Tuesday 24 August, 11 people have lost their lives after contracting the disease at Liverpool Hospital, despite entering the hospital with other health conditions. Several people who contracted the virus within the community have sadly died at Liverpool Hospital. Several other Liverpool residents have died from COVID-19 at home. This is an incredibly difficult time for their families many of whom are sick with coronavirus themselves.

I would like to extend my deepest thanks to all the health care workers and frontline workers. The challenges you're facing are immeasurable; yet you continue to put the lives of others before your own, risking your own health to help others. As you keep showing up to care for those who need it most, we will continue to stay home for you.

Most of the Liverpool community are doing the right thing and adhering to the lockdown rules. We know this disease spreads quickly once it is within households and is often brought back to households by authorised workers, doing the essential work to keep our society functioning. The stigma around the disease unfortunately means some people seek medical help far too late, once their condition is already critical.

COVID-19 is also placing a toll on the community forced to adapt to learning and working from home and spending all their time in the same environment. Many people have also lost work entirely or cannot work from home and are struggling just to put food on the table. Milestones can't be celebrated, grandparents can't meet their newborn grandchildren, and people can't attend the funerals of loved ones.

We will come out of this lockdown and slowly return to normal – it can't come soon enough. We must have hope. But we will always be touched by this difficult period of our lives.

I urge people to continue to get vaccinated. I know this isn't always a straightforward process and getting an appointment can be challenging. I hope that the four community vaccination hubs across Liverpool, which were doing a great job of vaccinating locals, will be able to reopen again in September.



Nothing will bring back the lives lost in this pandemic. There are so many people in our community suffering immensely and we need to be kind to each other and offer support where we can. While this is a challenging time for all of us, it is so much harder for those directly affected by the loss of someone they love to COVID-19.

May they all rest in peace.

**COUNCIL DECISION**

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

That Council expresses its condolences for those that have lost their lives.

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

*One minute silence was then observed for Bernard Jeffery and all those who have lost their lives due to COVID-19.*

**CONFIRMATION OF MINUTES**

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

That the minutes of the Ordinary Meeting held on 28 July 2021 be confirmed as a true record of that meeting.

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

**DECLARATIONS OF INTEREST**

Clr Shelton declared a pecuniary interest in the following items:

**Item:**                         CONF 06 - Management of Contaminated Lands.  
**Reason:**                   In part that report refers to an area near where Clr Shelton lives and therefore owns real estate.

**Item:**                         CONF 08 - Tender for Supply of Electricity - Renewable Energy Percentage Election.  
**Reason:**                   Clr Shelton owns shares in one of the companies referred to in the report.

Clr Shelton left the meeting for the duration of these items.

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

**Item:** COM 02 - Grants, Donations and Corporate Sponsorship  
**Reason:** Clr Kaliyanda has had previous dealings with one of the organisations listed in the report through her work and as a community member.

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

**Item:** CONF 05 – Order of Liverpool Awards 2021.  
**Reason:** Clr Kaliyanda knows one of the nominees.

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

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

**Item:** CONF 05 - Order of Liverpool Awards 2021  
**Reason:** Clr Rhodes knows some of the people nominated but not all the people nominated.

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

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

**Item:** CONF 05 - Order of Liverpool Awards 2021  
**Reason:** Clr Harle knows several of the people nominated for an award.

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

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

**Item:** PLAN 02 - Post exhibition report - Revised Middleton Grange Town Centre Planning Proposal.  
**Reason:** Clr Ayyad lives in Middleton Grange.

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

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

**Item:** CONF 05 – Order of Liverpool Awards 2021.  
**Reason:** Clr Hagarty knows one of the nominees.

Clr Hagarty remained in the meeting for the duration of this item.

**PUBLIC SUBMISSIONS**

**Written submissions for items not on agenda**

Nil.

**Written submissions for items on agenda**

Nil.

**MAYORAL MINUTE**

**ITEM NO:           MAYOR 01**  
**FILE NO:           273095.2021**  
**SUBJECT:           60 Years of Green Valley**

This August we mark 60 years since the start of construction of the Green Valley Housing Project, an important part of the history of Liverpool and the nation.

Before European colonisation, the land which later became known as Green Valley was the home of the Cabrogal clan of the Darug nation. In 1804, in the early days of the British colony of New South Wales, Governor Philip King granted a large portion of the land making up this area to support the Orphan School. The name Green Valley was used from the late-nineteenth century to refer to the area Northwest of the town of Liverpool. For a long time, Green Valley was mostly farming land, sitting on the fringe of greater Sydney. Some early landowners in the area included Peter Miller, Charles Ambrose Scrivener, James Bull and Bridget Peters.

On 3 August 1961, the Housing Commission of NSW marked the turning of the first sod for an ambitious public housing project. The housing constructed between 1961 and 1964 was intended to provide accommodation for 6000 families, many relocating from other more densely populated areas of Sydney. Green Valley today encompasses the suburbs of Green Valley, Ashcroft, Busby, Cartwright, Heckenberg, Miller and Sadleir, and part of Hinchinbrook - all sharing the 2168 postcode.

The people of Green Valley are proud, and they have faced challenges. But Green Valley has also been a place of opportunity. Peter Weir's 1973 film "Whatever happened to Green Valley" defied many deeply held and incorrect perceptions of the area. The film is available online through the National Film and Sound Archive website and it is worthwhile viewing.

Green Valley is also an unrecognised rugby league cradle, with deep links to our victorious NSW Blues State of Origin side. The game of rugby league owes a lot to the Valley. Several rugby league legends and current players attended Ashcroft High, including Brad Fittler, Jason Taylor and Junior Paulo. I am also a proud former attendee of Ashcroft High.

The Green Valley area is also producing future leaders. For the past few years, the Liverpool Council Chambers has held sessions of the 2168 Children's Parliament. This ground-breaking initiative between Council and Mission Australia aims to help primary schools in this area to actively engage in civic life and participate in decisions that directly affect them.

As we look forward to the next 60 years for the Green Valley area, I believe there is great potential, which will be met by further investment in infrastructure and a program of urban renewal. Council is aiming to redress the historic disadvantage in Green Valley and surrounds through the Miller Social Infrastructure Masterplan. The nearby Lurnea Community Hub at Phillips Park, currently under development, will also be a great facility for

the community. The area will sit only a short distance from the future Western Sydney International Airport and Aerotropolis and all the opportunities this will provide.

Green Valley will continue to thrive in coming years, and I look forward to seeing its growth and the future achievements of its residents.

Congratulations to a great community with a bright future.

**COUNCIL DECISION:**

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

That Council acknowledges the 60th anniversary of the suburb of Green Valley.

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

**PLANNING & COMPLIANCE REPORT**

**ITEM NO:** PLAN 01  
**FILE NO:** 247426.2021  
**SUBJECT:** Draft Amendment to Liverpool Growth Centre Precincts Development Control Plan

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Hadchiti** **Seconded: Cllr Hagarty**

That Council:

- 1. Place the draft amendment to the Liverpool Growth Centre Precincts Development Control Plan on public exhibition for 28 days in accordance with Clause 18 of the Environmental Planning and Assessment Regulation 2000 and the Liverpool Community Participation Plan 2019; and
- 2. Receive a further report on the outcomes of public exhibition and community consultation on the planning proposal, voluntary planning agreement and DCP amendment.

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

Councillors voted unanimously for this item.

Note: Cllr Balloot was not at this meeting.

.....  
Chairperson

## COMMUNITY & CULTURE REPORT

**ITEM NO:** COM 01  
**FILE NO:** 179274.2021  
**SUBJECT:** Community Gardens Options Paper

## COUNCIL DECISION

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

That Council:

1. Receives and notes this report; and
2. Develops a framework for community and developer driven opportunities for individual and communal gardening on private property in Liverpool. This could include rooftop gardening, balcony gardening and garden beds in common areas and that Council receives a report on the progress of this resolution.

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

**Clr Kaliyanda left the meeting at 6.26pm.**

**ITEM NO:** COM 02

**FILE NO:** 234155.2021

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

### **COUNCIL DECISION**

**Motion:**

**Moved: Clr Shelton**

**Seconded: Clr Rhodes**

That Council endorses the recommendation of **\$10,000** (GST exclusive) under the **Corporate Sponsorship Program** for the following projects:

<b>Applicant</b>	<b>Project</b>	<b>Recommended</b>
Hindu Council of Australia	Deepavali - Festival of Lights	\$7,800

That Council endorses the recommendation of **\$15,000** (GST exclusive) under the **Matching Grants Program** for the following projects:

<b>Applicant</b>	<b>Project</b>	<b>Recommended</b>
HelpMe Feed Foundation Ltd	HelpMe Feed maternal and child health support for CALD women	\$15,000

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



**Clr Kaliyanda returned to the meeting at 6.27pm.**

**ITEM NO:** COM 03

**FILE NO:** 243078.2021

**SUBJECT:** Report back to Council - Racism Not Welcome campaign

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Rhodes**

**Seconded: Clr Hadchiti**

That Council receives and notes this report.

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

**CORPORATE SERVICES REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 216619.2021  
**SUBJECT:** Investment Report July 2021

**COUNCIL DECISION**

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

That Council receives and notes this report.

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

**ITEM NO:** CORP 02  
**FILE NO:** 248229.2021  
**SUBJECT:** Biannual Progress Report - June 2021

**COUNCIL DECISION**

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

That Council notes and receives the Biannual Progress Report which outlines the progress of Principal Activities detailed in the Delivery Program 2017-2022 and Operational Plan 2020-2021.

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

**ITEM NO:** CORP 03  
**FILE NO:** 249068.2021  
**SUBJECT:** Alteration to Council Meeting dates for remainder of 2021

**COUNCIL DECISION**

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

That Council:

1. Make the following changes to its Council meeting cycle for 2021:
  - i. Hold a Council meeting in the last Wednesday of September, being 29 September 2021;*
  - ii. Change the date of the October meeting (currently scheduled for 20 October 2021), to the last Wednesday in October being 27 October 2021;*
  - iii. Change the date of the November meeting (currently scheduled for 17 November 2021) to the last Wednesday in November being 24 November 2021; and*
  - iv. Remove the meeting scheduled for 15 December 2021 as this will be after the elections and prior to any declaration of the new Council.*
2. Receive a further report at the October 2021 Council meeting with proposed Council meeting dates for 2022.

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

**ITEM NO:** CORP 04  
**FILE NO:** 255741.2021  
**SUBJECT:** Amendment to Council's Investment Policy

**COUNCIL DECISION**

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

That Council adopts the amended Investment Policy.

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

**ITEM NO:** CORP 05  
**FILE NO:** 256287.2021  
**SUBJECT:** Postponement of Council Elections, Deputy Mayor and Council Committees

**COUNCIL DECISION**

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

That:

1. Council resolve to alter its resolution of 30 September 2020 under section 372 of the Act to extend the term of the current Deputy Mayor to 4 December 2021;
2. Council notes that the current Councillor representatives appointed to Council Committees at the 30 September 2020 meeting, remain in place until the end of this Council term; and
3. If the council election date is postponed again, that there be an election for the Deputy Mayor at a meeting in December.

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

**INFRASTRUCTURE & ENVIRONMENT REPORT**

**ITEM NO:** INF 01  
**FILE NO:** 245587.2021  
**SUBJECT:** 2020-21 Capital Works Carryover of Projects

**COUNCIL DECISION**

**Motion:** **Moved: Clr Kaliyanda** **Seconded: Clr Karnib**

That Council approves the works and services listed in Attachment 1 with a remaining budget of \$19,138,615 to be carried over from the 2020-21 Program Year to the 2021-22 Program Year.

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

**ITEM NO:** INF 02  
**FILE NO:** 251380.2021  
**SUBJECT:** Impact of COVID on current contracts

*Mayor Waller ruled that INF 02 be moved to the end of the meeting and be held in Closed Session in accordance with S10A(2)(d i) and (d ii) ) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.*

**This item was dealt with later in the meeting in Closed Session.**



**ITEM NO:** INF 03  
**FILE NO:** 253443.2021  
**SUBJECT:** Monitoring and Managing Sustainability Outcomes

**COUNCIL DECISION**

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

That Council does not proceed with the trial of the ClimateClever partnership at this time.

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

That Council:

1. Does not proceed with the trial of the ClimateClever partnership at this time;
2. Continues to progress the development of the Climate Action Plan to lead a strategic approach to Council's response to climate change and identify measures to reduce emissions. Consideration can be given to trialing the partnership, or an equivalent service at a later date, if it is determined that it would add value to the implementation phase of the Climate Action Plan; and
3. Come back with a report in a few months about climate initiatives that will save money.

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

**COMMITTEE REPORTS****ITEM NO:** CTTE 01**FILE NO:** 216433.2021**SUBJECT:** Minutes of the Heritage Advisory Committee meeting held on 24 May 2021**COUNCIL DECISION****Motion:****Moved: Cllr Rhodes****Seconded: Cllr Ayyad**

That Council:

1. Receives the minutes of the Heritage Advisory Committee meeting held on 24 May 2021;
2. Endorses the following recommendation of the Committee:
  - That Council thank and acknowledge the effort of Council's Parks team in restoring the gardens at Collingwood House;
3. Notes the following recommendations of the Committee which are operational matters and will be further investigated.
  - Council to consider allocating a section within Council with responsibility for the monitoring and maintenance of the Liverpool Pioneers Memorial Park website and to undertake all work necessary to ensure the website is operating as designed; and
  - Council considers the employment of trades people with traditional trade skills to in-house heritage building maintenance, with the aim of placing Liverpool City Council as a leader in heritage asset management.

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

**ITEM NO:** CTTE 02  
**FILE NO:** 250523.2021  
**SUBJECT:** Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 21 July 2021

## COUNCIL DECISION

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

Council adopts the following recommendations of the Committee subject to the following change in Item 6 (as shown below) and the inclusion of an additional point in General Business item 1 (as shown below):

- Item 6 Flynn Avenue, Middleton Grange - Proposed Traffic Restrictions through the Western Sydney Parklands.
  - **Does not approve the proposed road closures until such time as other road works in the area are completed**
  - All stakeholders to be advised of the road closures.
- Additional point in relation to General Business item 1: Second Avenue, West Hoxton – Proposed Road Extension.
  - **Community consultation take place in relation to General Business 1**

## Recommendations

- Item 1 Campbell Street, Liverpool – Proposed Raised Threshold.
- Approves the raised threshold as shown in the Attachment booklet.
- Item 2 88 Kurrajong Road, Prestons - Proposed Traffic Facilities and Signs and Linemarking Scheme.
- Approves the proposed median islands and associated signs and linemarking scheme in Kurrajong Road, west of Kookaburra Road (North) as shown in the Attachment booklet.
- Item 3 Fourteenth Avenue, Austral - Proposed Traffic Facilities and Signs and Linemarking Scheme.
- Approves the signs and linemarking scheme as shown in the Attachment booklet.

- Item 4 Moorebank East, Moorebank – Proposed Traffic Facilities and Signs and Linemarking Scheme.
- Approves the signs and linemarking scheme as presented.
- Item 5 Flynn Avenue, Middleton Grange – Speed Concerns and Proposed Raised Threshold in front of Thomas Hassell College.
- Approves the proposed traffic facilities as shown in the Attachment booklet.
- Item 6 Flynn Avenue, Middleton Grange - Proposed Traffic Restrictions through the Western Sydney Parklands.
- **Does not approves the proposed road closures until such time as other road works in the area are completed** (*this point was added at the Council meeting on 25 August 2021*).
  - All stakeholders to be advised of the road closures.
- Item 7 Talana Hill Drive, Edmondson Park - Request for Raised Thresholds.
- Approves Installation of two raised thresholds across Talana Hill Drive Section. Community consultation is to be carried out with residents close to the proposed raised threshold location to confirm the locations.
  - Detailed design of the raised thresholds be submitted to the TfNSW and Police for review prior to installation.
- Item 8 Stanton Street, Liverpool - Request for AM and PM peak ‘No Left Turn’ and ‘No Right Turn’ restrictions at its intersection with Memorial Avenue and Flowerdale Road.
- The ‘No Left Turn’ and ‘No Right Turn’ access restrictions through Stanton Street be deferred.
  - Community consultation be carried out with local residents to consider treatment options including ‘No Left Turn’ at the Stanton Street and Flowerdale Road intersection, installation of traffic calming devices including rumble bars in the curved road section.
  - The outcome of the community consultation be presented to the September traffic committee meeting.
- Item 9 Manning Street, Warwick Farm – Proposed Traffic Calming Scheme.
- Approves the interim treatments along Manning Street involving improved signage, pavement marking, and street lighting as shown in the Attachment booklet.

- Item 10 Barry Road, Chipping Norton – Proposed Pedestrian Refuge.
- Approves installation of pedestrian refuge in Barry Road at Ernest Avenue intersection, Chipping Norton, as shown in the Attachment booklet.
  - Detailed design of the pedestrian refuge to include design of a crossing facility across Ernest Street, to be presented at a future meeting.
- Item 11 Fifteenth Avenue, Austral – Proposed ‘No Right Turn’ restrictions at Craik Avenue intersection.
- Approves installation of the proposed No Right Turn into Craik Avenue subject to TfNSW approval.
  - A traffic management plan (on the proposed right turn movements) be prepared and submitted to TfNSW endorsement prior to implementation.
- Item 12 Transport for NSW Digital Smart Kerb Pilot Scheme – Update and Second Street.
- Approves installation of parking sensors in the parking spaces along sections of Elizabeth Street, College Street, Bigge Street, and Moore Street as part of the Smart Kerb Pilot.
- Item 13 Badgerys Creek Road, Badgerys Creek – Access to the metro station proposed roundabout.
- Approves the submitted detailed design and signage and linemarking plans of the proposed roundabout.
  - Council to enter an agreement with Sydney Metro for removal of this temporary roundabout once the construction work is complete. Alternative access is to be identified and established to access the Metro station and future Bradfield City Centre.
- Item 14 Ardennes Avenue, Edmondson Park - Request for Traffic Calming Devices.
- Approves installation of asphalt concrete speed humps in front of House No’s 113-115 and between Darwin Road/Normandy Road.
- Item 15 Items Approved Under Delegated Authority.
- Approves the works approved under the delegated approval process.

General Business item 1 – Second Avenue, West Hoxton – Proposed Road Extension. Community consultation take place in relation to General Business 1 (GB1) for community feedback. *(This point was added at the Council meeting on 25 August 2021).*

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

**ITEM NO:** CTTE 03  
**FILE NO:** 253720.2021  
**SUBJECT:** Minutes of the Civic Advisory Committee meeting held on 3 August 2021

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Civic Advisory Committee meeting held on 3 August 2021.

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

## QUESTIONS WITH NOTICE

**ITEM NO:** QWN 01  
**FILE NO:** 241481.2021  
**SUBJECT:** Question with Notice - Cllr Rhodes - Provision of "Off the Leash Dog Parks" throughout the Liverpool LGA

Can Council explain what process does Liverpool Council use when determining:

- a) Where "off the leash dog parks" are situated throughout the Liverpool LGA?
- b) How many "off the leash Dog Parks" should be provided in Liverpool LGA?

### Response

Provision of off-leash dog parks are a legislative requirement. The Local Government Act 1993 requires all local councils to provide at least one off-leash dog area and promote such facilities to the owners of companion animals.

In meeting this requirement of the Act, Council's Recreation, Open Space and Sports Strategy (ROSS Strategy) includes a section regarding off-leash dog areas which guides the planning and provision of off-leash dog parks.

Off-leash areas bring many benefits to dogs and owners including:

- Reduced nuisance dog behaviour;
- Socialisation of dogs;
- Healthier and friendlier dogs;
- Increased chance of owner exercise and social connection, both spontaneous and planned; and
- Connection with nature for both dogs and owners.

The ROSS Strategy outlines the equitable provision of dog-friendly areas throughout the LGA and that they should be located in areas with easy access, including areas of high need, including Liverpool CBD where there is a rise in high density and apartment living. Therefore, designated spaces for companion animals to exercise and socialise have become increasingly important.

The planning, design and delivery of off-leash dog parks is identified as key action of the ROSS Strategy Action Plan. The strategy recommends planning and provision of:

- One large fenced off-leash area in each of Liverpool District areas; and



- At least one off-leash area in every suburb (subject to site availability).

Council's current off-leash dog parks are fenced. In areas such as reserves and parklands with low vehicle and pedestrian access, unfenced off-leash areas can be designed. All dog parks are designed to include and make available supporting facilities like dog bowls, water refill stations, disposal bags and bins, and signage outlining owners' responsibilities. These supporting facilities will be necessary in both fenced and unfenced designated off-leash areas.

Council currently provides off-leash dog areas at the following locations:

1. Lieutenant Cantello Reserve, Hammondville
2. Casula Parklands, Casula
3. Macleod Park, Prestons
4. Miller Park, Miller
5. Hoxton Park Reserve, Hoxton Park
6. Cirillo Reserve, Middleton Grange
7. Shale Hills Dog park, West Hoxton (within Western Sydney Parklands)

In addition, the provision of off-leash dog areas is being considered as part of the planning and design of the following parks:

1. Basin 14-open space, Edmondson Park - Off leash dog park included within the basin design and will be delivered as part of the project.
2. The Homestead Park, Chipping Norton - Future off-leash area is being investigated through Georges River Parklands and Chipping Norton Lakes Spatial Framework.

Council will continue to assess the demand for provision of off-leash dog parks across the Liverpool LGA.

**ITEM NO:** QWN 02  
**FILE NO:** 241484.2021  
**SUBJECT:** Question with Notice - Clr Rhodes - Council submission on Moorebank Intermodal State Significant Development

**Can Council answer the following:**

1. Did Liverpool Council submit an objection to NSW Government Planning – Major Projects – Project SSD-10431.
2. Can Council confirm if they received a Notice of Determination of Application Moorebank Intermodal Precinct West - Stage 3 (SSD-10431), from the Department of Planning Industry and Environment that they would have received on or around 18 June 2021, like the other Objectors within our community?
3. Can Council provide a copy of the letter if received, to all Councillors?
4. Can Council confirm that as an Objector; as is listed on the DPIE major projects portal; that Liverpool City Council has until August 13th [56 days from June 18th] to exercise its right as an Objector as per s8.8 and s8.10 of **the Act** (Environmental Planning and Assessment Act 1979 No 203)?

**Response**

1. **Did Liverpool Council submit an objection to NSW Government Planning – Major Projects – Project SSD-10431**

Yes. Please refer to Attachment 1 for a copy of Council's submission.

2. **Can Council confirm if they received a Notice of Determination of Application Moorebank Intermodal Precinct West - Stage 3 (SSD-10431), from the Department of Planning Industry and Environment that they would have received on or around 18 June 2021, like the other Objectors within our community?**

Yes. Please refer to Attachment 2 for a copy of the Notice of Determination.

3. **Can Council provide a copy of the letter if received, to all Councillors?**

Please refer to Attachment 2 for a copy of the Notice of Determination.

4. **Can Council confirm that as an Objector; as is listed on the DPIE major projects portal; that Liverpool City Council has until August 13th [56 days from June 18th] to exercise its right as an Objector as per s8.8 and s8.10 of the Act (Environmental Planning and Assessment Act 1979 No 203)?**

Yes, Council had until 13 August 2021 to exercise its rights as an objector. Council had not resolved to appeal the decision before that date.

**COUNCIL DECISION**

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

That there is an update on how Council has resolved the objections to the Moorebank Precinct West – Stage 3 (SSD-10431) to the Moorebank Intermodal Committee on a regular basis.

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

**ITEM NO:** QWN 03  
**FILE NO:** 241489.2021  
**SUBJECT:** Question with Notice - Cllr Rhodes - Legal Reports and Records

**Does Council:**

1. Make available on the Councillor intranet, Liverpool Council's legal reports of all legal engagements on an Annual Basis listed first under:
  - a) The years of a Council elected term, and also;
  - b) Year that the Council engagement was first initiated, e.g.: 2016 – 2021/ 2016 – 2017 etc

That can be accessed by Councillors at any time, and also provide the use of a historic record for the transition of different elected members onto Council per term?

2. Would it be possible for all past legal report records to be filed and made available in a similar fashion on the Councillor intranet for Councillors referral?

**Response**

1. **Make available on the Councillor intranet, Liverpool Council's Legal reports of all legal engagements on an Annual Basis listed first under:**
  - a) **The years of a Council elected term, and also**
  - b) **Year that the Council engagement was first initiated, e.g.: 2016 – 2021/ 2016 – 2017 etc**

Past Legal Affairs Reports are already available on the Councillor Intranet page, under the archive tab. Further to this, legal proceedings are also reported in Councils Annual Report.

If a separate tab is being sought for the reports to be held under, this may be able to be arranged, to allow for easier access.

If the request is for the reports to be re-formatted as above, such as in year of commencement, this is not possible, not only due to the intensive resources that would be required, but matters also commence and cease and commence again throughout the years.

2. **Would it be possible for all past legal report records to be filed and made available in a similar fashion on the Councillor intranet for Councillor's referral?**

As previously stated in the answer above to question 1, Legal Affairs Reports can already be accessed through the archive tab on the Councillor Intranet page. It may be possible for a separate tab to be placed on the intranet page for these reports, to allow for ease of access.

**COUNCIL DECISION:**

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

That a separate tab be placed on the Councillor Intranet page for legal reports to allow ease of access.

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

**ITEM NO:** QWN 04  
**FILE NO:** 263293.2021  
**SUBJECT:** Question with Notice - Clr Harle - Shopping Trolleys, Parkbridge Estate Road Extension, Solar Energy, and Staff Changes

**Please address the following:**

1. In relation to shopping trolleys,
  - a) What progress, if any, has been made on the issue of abandoned shopping trolleys with the State Government?
  - b) How is Council policing shopping trolley owners to take all necessary steps to ensure their shopping trolleys remain within their designated areas?
  - c) What action is Council taking if the owners are not complying?
  - d) With the new shopping centres such as Edmondson Park, has there been any significant change in the number of abandoned shopping trolleys compared to older areas?
2. With reference to the Parkbridge Estate road extension under the M7, when is it likely that this connection will be undertaken and a possible completion date?
3. Does Council have a policy encouraging solar energy is retrofitted to Community buildings as part of their refurbishment when and if it falls due?
  - a) Examples?
4. Can Council provide a regular update of relevant staff changes that Councillors may have access to?

**A response to these questions will be provided in the business papers for the September 2021 Council meeting.**

**ITEM NO:** QWN 05  
**FILE NO:** 263325.2021  
**SUBJECT:** Question with Notice - Cllr Harle - Covid and English Language Courses

**Please address the following:**

Considering the current Covid pandemic and communications problems caused by language difficulties within our community, what is Council offering in English language Courses to the community?

**A response to these questions will be provided in the business papers of the September 2021 Council meeting.**

**ITEM NO:** QWN 06  
**FILE NO:** 264008.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Retail Hierarchy

Given that retail outlets can shut their doors down at will to walk in customers, what's the point of investing in and implementing a Retail Hierarchy?

**A response to this question with notice will be provided in the business papers for the September 2021 Council meeting.**



**PRESENTATIONS BY COUNCILLORS**

Nil.

**ADDENDUM ITEMS**

**ITEM NO:** PLAN 02  
**FILE NO:** 242507.2020  
**SUBJECT:** Post exhibition report - Revised Middleton Grange Town Centre Planning Proposal

*Mayor Waller ruled that PLAN 02 be moved to the end of the meeting and be held in Closed Session in accordance with S10A(2)(d i) and (d ii) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.*

**This item was dealt with later in the meeting in Closed Session.**

**ITEM NO:** ECD 01  
**FILE NO:** 262955.2021  
**SUBJECT:** Rent Relief Assistance for Council's Commercial/Retail Tenants

### COUNCIL DECISION

**Motion:** **Moved: Cllr Hadchiti** **Seconded: Cllr Hagarty**

That Council:

1. Apply the provisions of the *Retail and other Commercial Leases (COVID-19) Regulation 2021 (the New Regulation)* for Council's tenants (subject to qualification);
2. Approve the rental waiver of up to 50% for the period 26 June 2021 until 13 January 2022 and rental deferral for a period of up to 6 months, subject to qualification and impact on turnover;
3. Note that 70 free parking pass cards have also been provided to NSW Health (Public Health Unit), which has been extended from the previously approved period of 8 August 2021 until 30 September 2021, associated with the extended lockdown period; and
4. Council make provision of \$250,000, in its 2021/2022 budget, to cover the cost of rent waivers and rent deferrals that may be granted to tenants, as outlined in this report.

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

Councillors voted unanimously for this motion.

**NOTICES OF MOTION**

**ITEM NO:** NOM 01  
**FILE NO:** 262566.2021  
**SUBJECT:** Liverpool Animal Shelter - Animal Return Policy for previously rehomed animals

**Background**

I am aware of a recent incident where a dog recently rehomed from the Liverpool Animal shelter was no longer able to be kept at the home of the person who had adopted the animal.

I was also informed that the person could not return the animal to the Liverpool Animal Shelter as the contract of sale does not allow an animal to be returned to the animal shelter once adopted.

I also confirmed that Council has a clause written into the contract of sale that doesn't allow adopted animals to be returned to the shelter.

Council advice also confirms that there is a rigorous rehoming process that Council believes has resulted in only three people having contacted the shelter to discuss returning their animal after recent adoption.

I note in the most recent case that I am aware of, involving an animal having to be rehomed after recently being adopted from the Liverpool Animal Shelter, the owner made no attempt to contact Council because of the no return clause in the contract of sale.

The question is, is the reported low rate of people contacting the shelter about return issues a result of rigorous rehoming procedures at the shelter or is it because of the no return clause in the contract of sale agreement and that perhaps there is a higher number?

The current contract of sale that people sign states that the shelter will not accept the return of any animals adopted from the shelter.

I am concerned about the consequences for animals caught in such circumstances if not rehomed or being able to be returned to the shelter.

It is not a good outcome for the animal nor for Liverpool as such animals may find themselves back on the streets as strays and only after much suffering, again end up being the responsibility of Liverpool Council and possibly with health issues as a result of neglect.

It may be in the best interest of the welfare of any such animal adopted from the Liverpool Animal Shelter, but who for certain prescribed exceptional circumstances within a qualified period of time from being first adopted, are accepted by the Liverpool Animal Shelter to be returned by the original adoptee of the animal, all of which would be prescribed in the report back to Council that addresses the merits or otherwise of a possible return policy to address the situation and questions raised in this motion for further discussion and consideration.

The following is a question I asked at the last Council meeting, and which was taken on notice:

*“Is there a return policy whereby an animal can be returned to the pound, within a particular timeframe if it hasn’t worked out”?*

The response to the question to council taken on notice from the July 2021 Council meeting was:

*“Council does not accept returns of animals adopted from the shelter. Statistically, Council has rehomed 294 dogs between June 2019 - June 2021. Out of these, only 3 owners have contacted the shelter to discuss returns. One was after having the dog for six months. Council’s Sale Agreement is attached.*

*Prior to the adoptee signing this form, adoptees go through a rigorous process to be matched up with the right pet. Council’s Rehoming Officer first conducts a phone interview to determine whether the person’s home and lifestyle is suitable for the dog and discusses the dog’s behaviours and characteristics. If it is a good match, the officer books a meet and greet with the family at the shelter.*

*These often take more than an hour, and in some cases the family is encouraged to come back on a second occasion (if the dog is shy and needs time to warm up). At the end of each meet and greet the officer has an open clear discussion with the family to ensure they are ready to meet the needs of the dog and discusses Council’s no returns policy, so it is clear to them prior to finalising their adoption paperwork.*

*Due to rigorous rehoming processes, Council does not have any issues with people seeking to return animals”.*

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

That Council receive a report at the September 2021 Council meeting on the merits or otherwise, including any reasonable conditions, of allowing the return of animals previously rehomed from the Liverpool Animal Shelter, that would need to be considered in a possible Return Policy for previously rehomed animals.

**COUNCIL DECISION**

Cllr Rhodes withdrew the Motion following discussion as it is now null and void.



**ITEM NO:** NOM 03  
**FILE NO:** 264095.2021  
**SUBJECT:** Pedestrian Bridge from Casula Railway Station to Moorebank Intermodal

### **Background**

The anticipated employment opportunities that the Moorebank Intermodal site has been reported to be the most significant employment opportunity in the Liverpool LGA to date. Liverpool's congested traffic makes the Intermodal site difficult to access by roads particularly when you consider the impact of delivery truck movements transferred from Port Botany to this site. The truck movements of goods competing with the sites employee access could be better addressed by utilising the Casula Railway Station, encouraging and promoting rail rather than vehicle access, through the delivery of a pedestrian bridge directly to the Moorebank Intermodal place of employment, taking traffic off Liverpool roads, reducing air pollution and supporting local jobs.

The plans to build a substantial parking station at the Casula Railway Station also supports the positive benefit that such a pedestrian bridge would provide in servicing Liverpool's reported most significant employment opportunity.

The Casula Parkland has been the focus of Liverpool Council's delivery of social amenity infrastructure such as the Casula Powerhouse Arts Centre and restaurant, sculpture walk, dog park, soon to be delivered Environment Centre and river access that is a major visitation precinct unequalled in the Liverpool LGA thus far.

A pedestrian bridge would provide residents east of the Georges River the opportunity to enjoy the social benefits of Council investment into social infrastructure into the Casula Parklands that residents west of the Georges River currently enjoy. A bridge would encourage physical activity and improve health outcomes for Liverpool citizens.

The pedestrian bridge would further contribute to the visitation economy and enhance the activation of the Casula Powerhouse Arts Centre, restaurant, and parklands by making access more available to all residents in the Liverpool LGA.

### **NOTICE OF MOTION (Submitted by Cllr Rhodes)**

That Council consider and report to the October 2021 Council meeting on the merits or otherwise of the provision of a pedestrian crossing over the Georges River from the Casula Railway Station to the Moorebank Intermodal site, that includes:

1. Cost of bridge and possible Moorebank Intermodal contribution to the cost;
2. Possible State and Federal grants;

3. Analysis of anticipated Moorebank Intermodal job opportunities that would benefit through the train, pedestrian access;
4. Estimated number of vehicles that could be taken off our roads by employees using trains and or pedestrian access to the Moorebank Intermodal job opportunities; and
5. Benefit of pedestrian bridge to CPAC, dog park, Environment Centre linking east of the Georges River residents to driverless access to the Liverpool Council facilities.

### **COUNCIL DECISION**

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

That Council:

1. Consider in the 2022/2023 Budget and Operational Plan the necessary funding provision to undertake the studies on concept drawings, build costs, grant opportunities, analysis of anticipated job opportunities, potential reduced vehicle trips and other potential benefits for the provision of a pedestrian bridge from Casula Railway Station to Moorebank Intermodal and for its inclusion in the 10 year strategic plans and the 10 year capital works program.
2. Negotiate with Moorebank Intermodal for a possible VPA or equivalent State Significant Contribution that considers the provision of the pedestrian bridge.

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



**ITEM NO:** NOM 04  
**FILE NO:** 263697.2021  
**SUBJECT:** COVID Restrictions in Western Sydney

## **Background**

For weeks Liverpool, along with other Western Sydney LGAs, have faced restrictions over and above the rest of Sydney. These additional restrictions have included extra testing requirements, limits on working and a ban on construction.

On Saturday 14 August, all of New South Wales was put in lockdown and restrictions were increased across Sydney. Both the Statewide lockdown and the case numbers confirm that the outbreak is now widespread. However, additional restrictions still exist in Liverpool and the other "LGAs of concern".

We've seen the dangers of confused and conflicting messaging from Governments throughout this pandemic. Clear, consistent and concise information during a crisis saves lives.

Additional restrictions, statements from politicians and footage from other parts of Sydney of people congregating in large numbers have many locals feeling ostracized and subject to double standards. This has fermented a dangerous undercurrent of resentment in our community.

If we're all in this together like the Premier has said, then there should be one rule for all.

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

That Council:

1. Notes:
  - additional restrictions, statements from politicians and footage suggesting inconsistent enforcement across Sydney is causing distress and resentment in our community.
  - the importance of clear and consistent messaging from Government and health authorities.
2. Write to the Premier as matter of urgency requesting serious consideration for consistent restrictions and enforcement across Sydney.

**COUNCIL DECISION**

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

That Council:

1. Notes:
  - additional restrictions, statements from politicians and footage suggesting inconsistent enforcement across Sydney is causing distress and resentment in our community.
  - the importance of clear and consistent messaging from Government and health authorities.
2. Write to the Premier and other local Members of Parliament as a matter of urgency requesting serious consideration for consistent restrictions and enforcement across Sydney.

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

**ITEM NO:** NOM 05  
**FILE NO:** 264038.2021  
**SUBJECT:** Naming of Western Sydney Aerotropolis

## **Background**

In March 2021, NSW Government announced that the name of the Western Sydney Aerotropolis city would be 'Bradfield', in honour of the engineer that designed the Sydney Harbour Bridge and Sydney's rail network. However, the name still requires the approval of the NSW Geographical Names Board.

There is no question that John Bradfield has left an immense mark on this city and his legacy warrants recognition.

However, the name should better reflect the times, our region, and its aspirations. A new city is an opportunity to set out a new vision. The government attests, this new urban centre will drive the next wave of opportunities in advanced manufacturing, research, science and education, creating up to 200,000 jobs. So why not select a name that better represents the multi-layered First Nations, colonial and multicultural identity of this region?

Despite the government saying that community consultation had been conducted, it has since emerged that was a lack of in-depth First Nations involvement in the naming decision, which should be at the heart of any discussion on naming. Local residents have expressed this view as well.

The Geographical Names Board is currently seeking community feedback on Western Parkland City Authority's proposed name for the aerotropolis city. They have identified that "it is important that place names reflect the character and history of the local area and community."

The closing date for these submissions is September 4, 2021.

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

That Council:

1. Develop a submission to the Geographical Names Board expressing our preference for the naming of the Aerotropolis City to better reflect our local community;
2. Seek a guarantee from the NSW Government to more extensively consult with the local First Nations community on the naming of the Aerotropolis city;

- 3. Start a formal parliamentary petition of local residents who would also like a name that better reflects the character and history of our local area and community; and
- 4. Share this petition on Council's social media channels.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**ITEM NO:** NOM 06  
**FILE NO:** 263677.2021  
**SUBJECT:** Rates

## Background

During the Council meeting held on Wednesday 28 July 2021 I proposed an inclusion to NOM 02 – COVID Support, shown below, which was unanimously carried.

### 4. Rate relief

*Exhibit its intentions for the minimum statutory period for a one-off reduction of 10% on properties that sit within the definition of residential use subject to a criteria that would include but not limited to:*

- *Property being used for owner occupier purposes;*
- *At least one owner has claimed a government COVID disaster payment; and*
- *The property is in the name of an individual.*

*Present a report back to Council after the exhibition period.*

On Friday 30 July 2021 the Mayor & Councillors were advised via email that the above was 'unlawful' and would not be enacted. The minutes of the meeting were published which also referred to the above as being "unlawful".

Section 356 of the Local Government Act 1993 Act 30 states word for word the following:

#### *356 Can a council financially assist others?*

- 1) *A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.*
- 2) *A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.*
- 3) *However, public notice is not required if—*
  - a) *the financial assistance is part of a specific program, and*
  - b) *the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*

- c) *the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
  - d) *the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.*
- 4) *Public notice is also not required if the financial assistance is part of a program of graffiti removal work.*

*Note - Part 4 of the Graffiti Control Act 2008 deals with graffiti removal work.*

Point 1 & 2 of Sect 356 above are clear that Council may grant assistance as long as proper procedures are followed and those procedures were proposed

I thank Councils General Counsel for her time on the phone and via email talking through the issues, but our residents are suffering from this pandemic and Council should act quickly to show some extra support.

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

That Council:

1. Direct the CEO to immediately exhibit its intentions for the minimum statutory period required, for a one-off grant of financial assistance equivalent to 10% of the person/s annual rates payable, with a minimum grant of \$150 and maximum grant of \$300, to a person/persons who own property within the Liverpool Local Government Area that fits within the definition of residential use, subject to a criteria that would include but not limited to:
  - The property is being used for owner occupier purposes;
  - At least one owner has claimed and been granted a government COVID disaster payment 2021; and
  - The property is in the name of an individual(s).
2. Direct the CEO to immediately exhibits its intentions immediately for the minimum statutory period for a one-off grant equivalent to 10% of the annual rates, to a person/s who own properties that sit within the definition of residential that currently receive the pensioner rebate;
3. Direct the CEO to present a report back to Council in the September 2021 meeting, with clear instructions on how persons who meet the criteria can apply for the grant; and

4. Direct the CEO to ensure that immediately following the report to Council, that applications can be submitted via electronic means and in person should COVID restrictions allow for in person submission.

## COUNCIL DECISION

**Motion:**

**Moved: Cllr Hadchiti**

**Seconded: Cllr Hadid**

That Council:

1. Direct the CEO to immediately exhibit its intentions for the minimum statutory period required, for a one-off grant of financial assistance equivalent to 10% of the person/s annual rates payable, with a minimum grant of \$150 and maximum grant of \$300, to a person/persons who own property within the Liverpool Local Government Area that fits within the definition of residential use, subject to criteria that includes but is not limited to:
  - The property being used solely for owner occupier purposes;
  - All owners have claimed and been granted a government COVID disaster payment 2021;
  - The property is in the name of an individual(s); and
  - Excludes owners or persons that have applied under the Hardship provisions due to COVID.
2. Direct the CEO to immediately exhibit its intentions for the minimum statutory period for a one-off grant of \$50, to a person/s who own properties that sit within the definition of residential that currently receive the pensioner rate rebate. **Note that grants will only be approved for people who apply for the grant;**
3. Direct the CEO to present a report back to Council in the September 2021 meeting, with clear instructions on how persons who meet the criteria can apply for the grant;
4. Direct the CEO to ensure that immediately following the report to Council, that applications can be submitted via electronic means and in person should COVID restrictions allow for in person submission;
5. Close applications for this grant at the end of October on the proviso that applications are opened no later than the 1<sup>st</sup> of October;
6. Direct the CEO to update Councillors at the October briefing session on applications received to that date.

Note: At the subsequent Council meeting of 29 September 2021, the minutes of this meeting were confirmed, with an amendment to this item. Point 2 of the motion shown above was amended to include the text shown in bold print.

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

**Vote against:** Clr Shelton.

Note: Clr Balloot was not at this meeting.

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



**ITEM NO:** NOM 07  
**FILE NO:** 263604.2021  
**SUBJECT:** Civic Place Development Application

## **Background**

Councillors have recently become aware that DA 836/2020/A was submitted and appeared in the weekly communication of lodged DA's.

This modification proposes as indicated in the planning portal the following:

*Modification to Development Consent DA-836/2020 under Section 4.55 of the Environmental Planning and Assessment Act 1979, to delete the approved fifth basement level resulting in an updated car parking quantum and mix within a four level basement. This involves a reduction in the currently approved 344 car spaces in the Phase A component of Liverpool Civic Place to 271 car spaces. Specifically, this results in the removal of 73 car spaces. (Submitted: 26/07/2021).*

Concerning in the above is the removal of 73 car spaces.

There should be no debate whether or not compliance with carparking is still achieved for the size of the development with the removal of these car spaces.

Council has been committed for years in delivering more car spaces and the Civic Place development was seen as a great opportunity.

More car parking in the CBD is long overdue.

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

That Council:

1. Note the need for extra public car parking spaces in the CBD;
2. Not support a reduction in public carparking within the CBD; and
3. Direct the CEO to immediately withdraw DA-836/2020/A.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

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

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

**Note:** Clr Balloot was not at this meeting.

The following motion was then moved:

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

That Council:

- notes its strong support for more public parking in the Liverpool CBD;
- work with the developer of Liverpool Civic Place to maximise public parking as part of the developer works; and
- seeks further opportunities for more public parking in the southern part of the CBD at both private and Council owned land.

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

**ITEM NO:** NOM 08  
**FILE NO:** 263902.2021  
**SUBJECT:** Protecting Liverpool's Koalas

## **Background**

It is with great sadness that I learned that a member of the public, driving home at 4am on Sunday 15 August 2021, stopped to save a young female Koala who was sitting on the side of Moorebank Avenue, scared, and confused.

I am personally disappointed that a Koala transit corridor along the George's River hasn't been established with possible feeder poles, Koala Feeder Trees and Koala River Crossing Bridges over the Georges River.

The State Government consented to the development of the Moorebank Intermodal despite local constituents reports that it was known as a Koala habitat and that there was evidence that the land was used as a Koala transit corridor.

This Koala, thankfully saved, was a female whose life is so precious in any attempts to save Australia's national emblem from extinction. She was of an age that Koalas leave their mothers in search of a territory of their own. They do this in Spring, this lucky little Koala has been saved, others will come, she will not be the last one to make the now treacherous journey along what was once a safer Koala transit corridor. Others might not be so lucky.

Moorebank Avenue and the Moorebank Intermodal site are on the natural habitat of the free-living Koala population, who will continue to use this corridor in order to find new mates and establish new territory, particularly during Spring, and each year and their lives will be in danger by doing so.

In view of the approval of the State Significant Moorebank Intermodal Development, and its interface with a natural habitat of free-living Koalas, there is the opportunity to consider what additional measures Council could consider to further protect Koalas transitioning through the Liverpool LGA.

We all want to save the Koala from extinction.

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

That Council prepare a report for the September 2021 Council meeting on what measures Council currently has in place and what additional measures Council could consider to further protect Koalas transitioning through the Liverpool LGA.

**COUNCIL DECISION**

Cllr Rhodes withdrew this Notice of Motion.

**RECESS**

Mayor Waller called a 5 minute recess at 9.12pm.

**RESUMPTION OF MEETING**

Mayor Waller reopened the meeting at 9.17pm in Closed Session with all Councillors present except Cllr Balloot who was not present at the meeting.

**CLOSED SESSION**

**ITEM NO:** INF 02  
**FILE NO:** 251380.2021  
**SUBJECT:** Impact of COVID on current contracts

**COUNCIL DECISION**

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

That Council receives and notes this report.

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

**ITEM NO:** PLAN 02  
**FILE NO:** 242507.2020  
**SUBJECT:** Post exhibition report - Revised Middleton Grange Town Centre Planning Proposal

## **COUNCIL DECISION**

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

That Council:

1. Notes the Gateway determination and subsequent alterations for Liverpool Local Environmental Plan 2008 (Amendment 63) and the results of public exhibition and community consultation;
2. Notes that Council has not been authorised as the local plan making authority for this planning proposal and that the final decision will be made by the Minister for Planning and Public Spaces (or delegate);
3. Notes the assessment of the revised planning proposal undertaken by Hill PDA and its recommendations including reducing the scale of the proposal to approximately 98,000 sqm GFA;
4. Notes the need for a centre in Middleton Grange has been identified in the Liverpool Local Strategic Planning Statement and the Liverpool Centres and Corridors Strategy;
5. Supports the revised planning proposal lodged by the proponent, (approximately 113,000 sqm GFA), and the public benefits offered by the proponent to support the planning proposal and the development of a town centre for Middleton Grange;
6. Notes a draft Planning Agreement is being negotiated with the proponent (and which is required to be reported to Council for endorsement and publicly exhibited) to provide for the following public benefits:
  - a. Construction of an open space park and embellishment works to the area designated as 'Park 3' with a minimum area of 2,500 sqm (park will remain in the private ownership of the developer, but with a public access easement);
  - b. Dedication of 'Park 2' to Council. Park 2 is the land not currently owned by Council that is proposed to be rezoned RE1 – Public Recreation;
  - c. Construction of a signalised intersection at Main Street and Flynn Avenue and the intersection for the new proposed access lane and Flynn Avenue;

- d. Construction of an upgrade to the Cowpasture Road intersection, Flynn Avenue from Qantas Boulevard to Ulm Street as a widened 4 lane road within the existing road reserve, in consultation with Council;
  - e. Construction of a road upgrade and services for Southern Cross Avenue between the western boundary of the Land to the Middleton Grange Primary School;
  - f. Construction of the culvert and drainage works approved under DA-64/2007/C;
  - g. A monetary contribution of \$8,000,000.
7. Forwards the revised planning proposal to the Department of Planning, Industry and Environment with a recommendation that the revised planning proposal proceeds in its current form, subject to completion of the following:
- a. The execution of a Planning Agreement that establishes a secure mechanism to deliver the proposed public open space, road upgrades and monetary contribution;
  - b. The finalisation of an amendment to ‘Part 2.5 – Middleton Grange’ of the Liverpool Development Control Plan 2008;
  - c. An amendment to the proposed Land Reservation Acquisition map in the LEP to rectify the inconsistency with the Liverpool Contributions Plan 2008.

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

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

The motion (moved by Clr Ayyad) was declared LOST on the Mayor’s casting vote.

The following motion was then moved:

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

That Council:

- 1. Notes the Gateway determination and subsequent alterations for Liverpool Local Environmental Plan 2008 (Amendment 63) and the results of public exhibition and community consultation;
- 2. Notes that Council has not been authorised as the local plan making authority for this planning proposal and that the final decision will be made by the Minister for Planning and Public Spaces (or delegate);

.....  
Chairperson

3. Notes the assessment of the revised planning proposal undertaken by Hill PDA and its recommendations;
4. Notes the draft Planning Agreement and negotiations undertaken to date with the proponent;
5. Endorses the planning proposal, subject to the recommended changes contained within the Hill PDA assessment, and forwards it to the Department of Planning, Industry and Environment with a recommendation that the planning proposal proceeds, with a request that finalisation only occurs once the following are completed:
  - a. The execution of a Planning Agreement that establishes a secure mechanism to deliver the proposed supporting public open space and road upgrades as follows:
    - i. Construction of an open space park and embellishment works to the area designated as 'Park 3' with a minimum area of 2,500 sqm (park will remain in the private ownership of the developer, but with a public access easement);
    - ii. Dedication of 'Park 2' to Council. Park 2 is the land not currently owned by Council that is proposed to be rezoned RE1 – Public Recreation;
    - iii. Construction of a signalised intersection at Main Street and Flynn Avenue and the intersection for the new proposed access lane and Flynn Avenue;
    - iv. Construction of an upgrade to the Cowpasture Road intersection, Flynn Avenue from Qantas Boulevard to Ulm Street as a widened 4 lane road within the existing road reserve, in consultation with Council;
    - v. Construction of a road upgrade and services for Southern Cross Avenue between the western boundary of the Land to the Middleton Grange Primary School;
    - vi. Construction of the culvert and drainage works approved under the Modification DA-64/2007/C;
    - vii. A monetary contribution of \$8,000,000;
  - b. The finalisation of an amendment to 'Part 2.5 – Middleton Grange' of the Liverpool Development Control Plan 2008; and
  - c. An amendment to the proposed land acquisition map is made to rectify the inconsistency with the Liverpool Contributions Plan 2008.

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



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

**Vote against:** Clr Ayyad and Clr Rhodes.

Note: Clr Balloot was not at the meeting.

**CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 241493.2021  
**SUBJECT:** Question with Notice - Cllr Rhodes - Liverpool Animal Shelter

*Item CONF 01 is confidential pursuant to the provisions of s10A(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.*

**Responses to questions were provided to Councillors in the Confidential book**

**ITEM NO:** CONF 02  
**FILE NO:** 262733.2021  
**SUBJECT:** Question with Notice - Clr Rhodes - Land adjoining Kokoda Oval,  
Hammondville

***Item CONF 02 is confidential pursuant to the provisions of s10A(2)(d ii) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.***

**Responses to questions were provided to Councillors in the Confidential book**

**ITEM NO:** CONF 03  
**FILE NO:** 246986.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Basin 6, Austral

*Item CONF 03 is confidential pursuant to the provisions of s10A(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.*

**Responses to questions were provided to Councillors in the Confidential book**



**Cllrs Rhodes and Harle left the meeting at 10.18pm**

**ITEM NO:** CONF 05  
**FILE NO:** 253960.2021  
**SUBJECT:** Order of Liverpool Awards 2021

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Ayyad** **Seconded: Cllr Shelton**

That Council endorse the award recipients as recommended by the Civic Advisory Committee at its meeting held on 3 August 2021.

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







**ITEM NO:** CONF 08  
**FILE NO:** 256724.2021  
**SUBJECT:** Tender for Supply of Electricity - Renewable Energy Percentage Election

### COUNCIL DECISION

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

That Council:

1. Advises SSROC that Liverpool Council supports a Renewable Energy Target of 70% in both the Large and Small Market. This will result in an increase of Council's renewable energy from approximately 20% to 70% and is anticipated to have an immaterial financial impact to Council's Long Term Financial Plan;
2. Delegates the Chief Executive Officer to enter into a Contract on behalf of Council with the preferred tenderer/s for the purchase of electricity;
3. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it; and
4. Provides a report back to Council as to the outcome of the tender, including the tender particulars, once completed.

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

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

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

**Vote against:** Clr Hadchiti.

Note: Clr Shelton had left the meeting during this item and Clr Balloot was not present at this meeting.

**Clr Shelton returned to the meeting at 10.28pm.**

**Councillors then finalised and voted on PLAN 02 - Post exhibition report - Revised Middleton Grange Town Centre Planning Proposal. (The motion is shown on the previous pages).**

**OPEN SESSION:**

**Council moved back into Open Session at 10.45pm.**

**Mayor Waller then read out the resolutions that were considered in Closed Session for INF 02, PLAN 02, CONF 04, CONF 05, CONF 06, CONF 07 and CONF 08 (as shown on the previous pages).**

**THE MEETING CLOSED AT 10.52pm**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 29 September 2021

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 25 August 2021. 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 SEPTEMBER 2021

---

### **PRESENT:**

Mayor Wendy Waller  
Councillor Ayyad (arrived at 6.30pm)  
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 Corporate Services  
Ms Tina Bono, Acting Director Community and Culture  
Mr David Smith, Acting Director Compliance and Planning  
Mr Peter Diplas, Acting Director City Presentation  
Mr Raj Autar, Director Infrastructure and Environment  
Mr John Morgan, Director, Commercial Development and Economy  
Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement  
Ms Ellen Whittingstall, Internal Ombudsman  
Mr Vishwa Nadan, Chief Financial Officer  
Mr George Georgakis, Manager Council and Executive Services  
Ms Maree Stewart, 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, 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, Chief Executive Officer.

**APOLOGIES**

Nil.

**CONDOLENCES**

Nil.

**CONFIRMATION OF MINUTES**

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

That the minutes of the Ordinary Meeting held on 25 August 2021 be confirmed as a true record of that meeting, subject to the following change (which is shown below in bold):

Point 2 of the resolution for Item NOM 06 Rates (from the Council meeting 25 August 2021) which is shown below in full, be amended to read:

*That Council:*

- 1. Direct the CEO to immediately exhibit its intentions for the minimum statutory period required, for a one-off grant of financial assistance equivalent to 10% of the person/s annual rates payable, with a minimum grant of \$150 and maximum grant of \$300, to a person/persons who own property within the Liverpool Local Government Area that fits within the definition of residential use, subject to criteria that includes but is not limited to:*
  - The property being used solely for owner occupier purposes;*
  - All owners have claimed and been granted a government COVID disaster payment 2021;*
  - The property is in the name of an individual(s); and*
  - Excludes owners or persons that have applied under the Hardship provisions due to COVID.*
  
- 2. Direct the CEO to immediately exhibit its intentions for the minimum statutory period for a one-off grant of \$50, to a person/s who own properties that sit within the definition of residential that currently receive the pensioner rate rebate. **Note that grants will only be approved for people who apply for the grant;***
  
- 3. Direct the CEO to present a report back to Council in the September 2021 meeting, with clear instructions on how persons who meet the criteria can apply for the grant;*

4. *Direct the CEO to ensure that immediately following the report to Council, that applications can be submitted via electronic means and in person should COVID restrictions allow for in person submission;*
5. *Close applications for this grant at the end of October on the proviso that applications are opened no later than the 1<sup>st</sup> of October; and*
6. *Direct the CEO to update Councillors at the October briefing session on applications received to that date.*

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

**DECLARATIONS OF INTEREST**

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

**Item:** PLAN 06 Revised draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Contributions Plan

**Reason:** Clr Harle has family in the area.

Clr Harle remained in the virtual room for the duration of this item.

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

**Item:** CONF 04 RCL2999 Provision of Essential Trade Services

**Reason:** Clr Hagarty knows one of the people listed.

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

**PUBLIC FORUM**

**Presentation – items not on agenda**

Nil.

**Representation – items on agenda**

Nil.

**PLANNING & COMPLIANCE REPORT**

**ITEM NO:** PLAN 01  
**FILE NO:** 278808.2021  
**SUBJECT:** Draft Amendment 3 to Liverpool Contributions Plan 2008 - Edmondson Park

**COUNCIL DECISION**

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

That Council:

1. Endorses Draft Amendment 3 to Liverpool Contributions Plan 2008 – Edmondson Park for public exhibition in accordance with Clause 28 of the Environmental Planning and Assessment Regulation 2000; and
2. Delegates authority to the CEO to adopt Amendment 3 to Liverpool Contributions Plan 2008 – Edmondson Park following public exhibition.

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

Councillors voted unanimously for this item.

Note: Cllr Ayyad had not joined the meeting when this item was voted on.





**ITEM NO:** PLAN 03  
**FILE NO:** 284237.2021  
**SUBJECT:** Street Naming Requests - Casula and Middleton Grange

**COUNCIL DECISION**

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

That Council:

- 1. Supports the naming of Ginkgo Close, Casula, Citrus Close, Casula, and Defence Street, Middleton Grange;
- 2. Forwards the names to the Geographical Names Board, seeking formal approval;
- 3. Publicly exhibit the names in accordance with Council’s Naming Convention Policy, for a period of 28 days, following formal approval from the GNB; and
- 4. Authorises the Chief Executive Officer to undertake the process of gazettal, if there are no submissions received during public exhibition.

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

Note: Clr Hagarty made a presentation relating to this item in the Presentations section of the Council meeting.

**ITEM NO:** PLAN 04  
**FILE NO:** 288772.2021  
**SUBJECT:** Draft amendments to existing planning agreement in support of Draft Amendment 91 to Liverpool Local Environmental Plan - The Grove, Warwick Farm

**COUNCIL DECISION**

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

That Council:

1. Endorse the draft amendments to the existing planning agreement and direct the CEO to publicly exhibit the amended planning agreement and accompanying explanatory note for 28 days.
2. Delegate authority to the CEO, subject to consideration of any changes following public exhibition, to execute the planning agreement in the form that is publicly exhibited or with minor modifications.
3. Notes that if changes, other than minor changes, arise from the public exhibition process these will be reported back to Council for endorsement.

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

Councillors voted unanimously for this item.

Note: Clr Ayyad had not joined the meeting when this item was voted on.

**ITEM NO:** PLAN 05  
**FILE NO:** 280219.2021  
**SUBJECT:** Liverpool Animal Shelter

**COUNCIL DECISION**

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

That Council:

1. Receive and note this report;
2. Make arrangements in order to adopt a COVID strategy for the Animal Welfare adoption processes in line with neighbouring Councils and in conjunction with Rossmore Vets COVID safe processes and the NSW Health orders, to be automatically used in future lockdown situations should they arise; and
3. Promote the COVID safe practices on Council's website and social media platforms.

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

**COMMUNITY & CULTURE REPORT**

**ITEM NO:** COM 01  
**FILE NO:** 271460.2021  
**SUBJECT:** Endorsement of new membership for Community Safety and Crime Prevention Advisory Committee 2020-2022

**COUNCIL DECISION**

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

That Council endorses new membership applications from the agencies listed below as members of the Liverpool Community Safety and Crime Prevention Advisory Committee for the period 2020 – 2022 to include:

- Islamic Women’s Association Australia
- Wesley Mission
- Legal Aid NSW
- Fiji Diaspora Women’s Alliance

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

.....

**ITEM NO:** COM 02  
**FILE NO:** 280430.2021  
**SUBJECT:** Grants, Donations and Corporate Sponsorship report

**COUNCIL DECISION**

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

That Council endorses the recommendation of **\$5,000** (GST exclusive) under the **Community Grants Program** for the following projects:

<b>Applicant</b>	<b>Project</b>	<b>Recommended</b>
Good360 Australia	PPE and essential items for vulnerable residents in Liverpool LGA	\$5,000

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

.....

**ITEM NO:** COM 03  
**FILE NO:** 282637.2021  
**SUBJECT:** Report Back - Rates assistance

**COUNCIL DECISION**

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

That Council receive and note the report.

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

**CORPORATE SERVICES REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 260810.2021  
**SUBJECT:** Investment Report August 2021

**COUNCIL DECISION**

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

That Council receive and note this report.

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

**ITEM NO:** CORP 02  
**FILE NO:** 283308.2021  
**SUBJECT:** LGNSW Board Election and Annual Conference

**COUNCIL DECISION**

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

That:

1. Any Councillors who wish to attend the LGNSW online Conference from 9.30am – 10.30am on Monday 29 November 2021 notify the Councillor Support Officer by 5 October 2021;
2. Council nominate Mayor Waller, Clr Balloot, Clr Hadchiti, Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Karnib, Clr Rhodes and Clr Shelton as its voting delegates for the LGNSW Board Election and Conference on 29 November 2021, noting that Liverpool City Council is entitled to 9 voting delegates, and also noting that Councillor Hadid is entitled to one vote as he is a Director of the Association;
3. Council receive a further report at the October 2021 Council meeting for Council to consider motions to be submitted to the Special Conference in 2022; and
4. Council receive a further report at the first meeting of the new Council to determine its voting delegates for the Special Conference on 28 February – 2 March 2022.

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





**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01

**FILE NO:** 271143.2021

**SUBJECT:** Minutes of the Audit, Risk and Improvement Committee Meeting held on 13 August 2021

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Rhodes**

**Seconded: Clr Kaliyanda**

That Council

1. Receives and notes the Minutes of the Audit, Risk and Improvement Committee Meeting held on 13 August 2021;
2. Adopt the 4 Year Strategic Internal Audit Plan 2021-25.
3. Adopt the Annual Internal Audit Plan 2021/22.
4. Adopt the Annual Risk Management Plan 2021/22.

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

.....

**ITEM NO:** CTTE 02  
**FILE NO:** 271485.2021  
**SUBJECT:** Minutes of the Liverpool Access Committee meeting held on 12 August 2021

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Liverpool Access Committee Meeting held on 12 August 2021.

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

**ITEM NO:** CTTE 03  
**FILE NO:** 272314.2021  
**SUBJECT:** Minutes of the Aboriginal Consultative Committee meeting held on 5 August 2021

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the Minutes of the Aboriginal Consultative Committee meeting held on 5 August 2021; and
2. Endorse the recommendations in the Minutes.

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

**ITEM NO:** CTTE 04  
**FILE NO:** 276378.2021  
**SUBJECT:** Meeting Notes of the Liverpool Youth Council Committee Meeting held 13 July 2021 and Minutes of the Liverpool Youth Council Committee Meeting held 10 August 2021

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the Meeting Notes of the Liverpool Youth Council Meeting held on 13 July 2021 and Minutes of the Liverpool Youth Council Meeting held on 10 August 2021; and
2. Endorse the recommendations in the Minutes.

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

**ITEM NO:** CTTE 05  
**FILE NO:** 280034.2021  
**SUBJECT:** Minutes of the Tourism and CBD Committee meeting held 24 August 2021

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the Minutes of the Tourism and CBD Committee Meeting held on 24 August 2021; and
2. Endorse the recommendations in the Minutes.

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



**ITEM NO:** CTTE 07  
**FILE NO:** 287178.2021  
**SUBJECT:** Minutes of Strategic Panel meeting held on 9 August 2021

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Strategic Panel meeting held on 9 August 2021.

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



## QUESTIONS WITH NOTICE

**ITEM NO:** QWN 01  
**FILE NO:** 266252.2021  
**SUBJECT:** Question with Notice - Clr Harle - Shopping Trolleys, Parkbridge Estate Road Extension, Solar Energy, and Staff Changes

### Please address the following:

1. In relation to shopping trolleys,
  - a) What progress, if any, has been made on the issue of abandoned shopping trolleys with the State Government?
  - b) How is Council policing shopping trolley owners to take all necessary steps to ensure their shopping trolleys remain within their designated areas?
  - c) What action is Council taking if the owners are not complying?
  - d) With the new shopping centres such as Edmondson Park, has there been any significant change in the number of abandoned shopping trolleys compared to older areas?
2. With reference to the Parkbridge Estate road extension under the M7, when is it likely that this connection will be undertaken and a possible completion date?
3. Does Council have a policy encouraging solar energy is retrofitted to Community buildings as part of their refurbishment when and if it falls due?
  - a) Examples?
4. Can Council provide a regular update of relevant staff changes that Councillors may have access to?

## Responses

### **1(a) What progress, if any, has been made on the issue of abandoned shopping trolleys with the State Government?**

Council wrote to the Minister for Local Government on 23 January 2019 (**Attachment 1**) requesting changes to the Impounding Act. OLG responded on 22 February 2019 (**Attachment 2**). Council again wrote to OLG on 6 May 2019 (**Attachment 3**) on this matter. LGNSW also congratulated Council on its advocacy on this important issue (**Attachment 4**).

In August 2019, the Office of Local Government (OLG) initiated a review of the *Impounding Act 1993* (the Act). The Act provides a framework for councils and public land managers to enforce the impounding of abandoned and unattended articles and animals.

As part of the review, a discussion paper was released in December 2019 seeking feedback

from the broader community and public land managers (including councils) about whether the objectives of the Act were meeting community needs and expectations. The OLG received 85 written submissions in response to the discussion paper.

In June 2021, the OLG released an options paper recommending next steps for amending the Act (**Attachment 5**). In addition to the options paper, the OLG hosted a workshop with key stakeholders to finalise its comprehensive review of the Act. Particularly, it was recommended that provisions for minimising abandoned shopping trolleys be added to the Impounding Regulation 2013 or a potential Code of Practice.

The new provisions would enable businesses to implement the most appropriate and cost-effective shopping trolley containment method to suit their local circumstances, provided they can still meet their obligations.

A Better Regulation Statement examining the costs and benefits of the option paper, is being developed to support the Government's decision-making process. Should any changes to the Act be required, the OLG proposes that a Bill and supporting Regulations will be introduced to Parliament in late 2021, with any changes to the Act being implemented in 2022.



### 1(b) How is Council policing shopping trolley owners to take all necessary steps to ensure their shopping trolleys remain within their designated areas?

Council has updated its Development Control Plan to require, through the development assessment process, consideration of trolley containment systems. Council imposes conditions of consent requiring owners to manage shopping trolleys via a lockable or coin operated trolley system. Additionally, trolleys are to be maintained in accordance with a Plan of Management that has been approved by Council.

Council can impound abandoned trolleys and charge impounding fees to the trolley owner. However, the Impounding Act provides for further legal action/penalties to be taken against the person who abandons the trolley, not the owner of the trolley.

As a strategic measure, as noted above, Council wrote to the Minister for Local Government in early 2019 requesting that the *Impounding Act 1993* be amended to enable Council to issue fines to owners of shopping trolleys left on public land. Further, a motion to change the

necessary legislation was submitted to the LGNSW conference in October 2019. LGNSW wrote to the Minister for Local Government on Council's behalf and received a response which advised that due consideration will be given to the proposal. Consequently, the Office of the Local Government initiated the above-mentioned review of the *Impounding Act 1993* (the Act).

**1(c) What action is Council taking if the owners are not complying?**

As outlined above, there is limited action Council can take against owners of shopping trolleys under current legislation. Council has previously undertaken a trolley blitz to remove abandoned trolleys and a media campaign to highlight the issue of abandoned trolleys. Council will remove trolleys if they are safety issue, however Council encourages the community to report abandoned trolleys directly to the supermarket chains using the "report abandoned trolley forms" or via the supermarket trolley trackers app.

**1(d) With the new shopping centres such as Edmondson Park, has there been any significant change in the number of abandoned shopping trolleys compared to older areas?**

Since opening, Council hasn't received complaints about abandoned trolleys in the Edmondson Park area. Most complaints have been made within the Liverpool CBD.

**2. With reference to the Parkbridge Estate road extension under the M7, when is it likely that this connection will be undertaken and a possible completion date?**

Following a lengthy engagement and approval process, detailed designs for the extension of Middleton Drive to connect to Aviation Road are currently underway and are anticipated to be completed by March 2022. Council is concurrently exploring funding strategies for this \$6 million project, and subject to availability of full funding, construction tenders are planned to be issued in mid-2022. At this stage, construction works are anticipated to take between 12 and 18 months to complete.

There have been a number of requests from the community to link existing cycleways to the M7 cycleway, in particular Middleton Drive in Middleton Grange and Inverell Avenue in Hinchinbrook.

Council formally initiated the approval process with the M7 authority in 2018. After extensive dialogue and negotiation with the authority, the M7 cycleway link at Middleton Drive in Middleton Grange has now been approved. This link will connect the cycleway from the cul-de-sac of Middleton Drive.

The proposed M7 cycleway link at Inverell Avenue in Hinchinbrook has been rejected by the M7 authority due to flooding impact on their land and the cycleway. However, the alternative proposal, M7 cycleway link at Government Road, which is about 260m from Inverell Avenue, has been approved in principle. The final approval will be subject to meeting a number of

conditions and other requirements.

### 3. Does Council have a policy encouraging solar energy is retrofitted to Community buildings as part of their refurbishment when and if it falls due?

Council's energy efficiency and renewable energy initiatives are guided by the Energy Management Plan developed in 2012 and site-specific energy audits of Council's top energy consuming facilities. These resources are supplemented by ongoing monitoring by Azility of energy use data for Council facilities. This has allowed a strategic approach to solar energy installations, prioritising sites that result in the best cost benefit.

The main solar energy installations completed to date for Council buildings are included in the following table.

Year	Council Building	Solar Panel System Size
2011/12	City Library	10kW
2013/14	Hinchinbrook Childcare Centre	8kW
2013/14	Wattle Grove Childcare Centre	8kW
2015/16	Warwick Farm Childcare Centre	8kW
2015/16	Cecil Hills Childcare Centre	8kW
2015/16	Green Valley Community Centre	8kW
2015/16	Moorebank Community Centre	8kW
2016/17	Holsworthy Childcare Centre	10kW
2016/17	Casula Childcare Centre	5kW
2016/17	Wattle Grove Community Centre	5kW
2016/17	Chipping Norton Community Centre	10kW
2017/18	Preston Childcare Centre	8kW
2018/19	Casula Parkland Amenities Building	5kw
2021	Rose Street Depot	42kW

A solar energy installation is proposed for Casula Powerhouse Arts Centre with a Development Application recently being lodged for the project. Solar energy installations are also currently being designed for Casula Library, Carnes Hill Community Centre, and Michael Wenden Aquatic & Leisure Centre, which are anticipated to be installed this financial year.

The feasibility of solar energy installations is also considered for all new buildings. For example, solar energy installations have recently been completed for the new amenities building within Cirillo Reserve and the community building within Phillips Park. Solar lighting has also been installed at Cirillo Reserve and Phillips Park and is being progressively installed within reserves in high use areas such as outdoor gyms and pathways.

More recently, energy efficiency projects have been considered within the scope of climate change related strategic documents. The Sustainable Resilient Liverpool Strategy was developed in 2020 to outline potential emission reduction actions including solar energy initiatives.

Council is also currently drafting a Climate Action Plan, which builds upon the Sustainable Resilient Liverpool Strategy and is an important component of a broader framework to deliver the sustainability outcomes of the Our Home, Liverpool 2027 Community Strategic Plan. The installation of solar PV on Council assets is an action item in the Climate Action Plan, with a commitment to explore additional solar energy installations as part of future capital works. The Climate Action Plan will also include measures to monitor trends such as energy consumption.

The Sustainable Resilient Liverpool Strategy identified that Council's operational emissions have decreased by 25% since 2008 due to efficiency measures being implemented. This has been despite an over 25% increase in the Liverpool LGA population over the same time period, and the development of additional facilities and services.

**4. Can Council provide a regular update of relevant staff changes that Councillors may have access to?**

The Councillor Intranet includes a "Staff Contact List" link from the home page to the list of staff who can interact with Councillors in accordance with the "Councillor Access to information and Interaction with Staff Policy."

This list is updated on a fortnightly basis in relation to staff changes across the organisation. Once any changes are made to the staff in that list, Councillors will be advised, and the Intranet will be updated accordingly.

**ITEM NO:** QWN 02  
**FILE NO:** 271966.2021  
**SUBJECT:** Question with Notice - Clr Harle - Covid and English Language Courses

**Please address the following**

Considering the current Covid pandemic and communications problems caused by language difficulties within our community, what is Council offering in English language Courses to the community?

**Response**

The provision of English language courses in Liverpool are the responsibly of government funded agencies, including:

- Navitas Australia which is the largest provider of English language training in Australia;
- TAFE NSW which provides various English language courses toward training and education pathways;
- Intensive English Centres at Miller Technology and Lurnea High Schools provides newly arrived students with English language classes; and
- MTC Australia which delivers Skills for Employment and Education Program, English language classes for job seekers.

Council has led community based programs that assist adult migrant and refugees to access English language classes outside the formal courses.

- The Liverpool Community Hubs Network, delivered by Council in partnership with Community Hubs Australia and three local primary schools – Heckenberg, Marsden Road and Hoxton Park – offer formal and informal English education classes through their various programs and initiatives. Each hub hosts a number of English courses, both beginner and intermediate classes, as well providing an opportunity to practice conversational English language skills through the further education programs and social activities on offer at each individual hub.
- Liverpool City Libraries are supporting English language learning in a number of ways:
  - Weekly Conversation Café delivered at Liverpool and Carnes Hill Libraries - this is a volunteer run group for anyone wanting to practice or improve their English language Skills. It is delivered in an informal setting which provide opportunities for learning and social connections.
  - Provides tours and assistance to Navitus students, ensuring that students enrolled in the English language classes have the opportunity to join the library and access the English Language Learning Collection.

- The Library hold a comprehensive collection of English learning study materials for students and teachers. The collection has learning resources to supports all levels of study, and to support recognition of overseas qualifications.
- Liverpool City Library provides access to online English learning tools. The library's eLearning page provides access to these tools from the comfort of home, 24/7. These include:
  - AMES - online English language courses from beginners to advanced.
  - Clarity English - a comprehensive resource that supports skills in active reading, pronunciation, writing, as well as general and academic training for IELTS.
  - Transparent Language Online - a self-paced language learning program supporting over 90 languages including English as a Second Language (ESL).
  - LinkedIn Learning – the LinkedIn Learning provides video tutorials with transcripts to develop skills in business, project management, graphic design, web development, photography, music, video editing and more. These courses are designed for beginners to advanced levels and presented by industry experts. It features content in 7 different languages - English, French, German, Portuguese, Japanese, Spanish and simplified Chinese.

These resources are available to all library members with immediate access to the online resource. The non-library members can also have access, but are required to enter their details, agree to the conditions of membership and receive a temporary membership number.

**ITEM NO:** QWN 03  
**FILE NO:** 272005.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Retail Hierarchy

### Question

Given that retail outlets can shut their doors down at will to walk in customers, what's the point of investing in and implementing a Retail Hierarchy?

### Response

The retail hierarchy is outlined in Council's adopted Centres and Corridors Strategy, which was prepared in response to Action 11.1 of Council's Local Strategic Planning Statement (LSPS) which identifies the need to develop a Centres and Corridors Strategy and review the LEP and DCP to ensure alignment. A copy of the Strategy is available to view at the below link.

[https://www.liverpool.nsw.gov.au/\\_data/assets/pdf\\_file/0007/194182/FOR-WEBSITE-Final-Liverpool-Centres-and-Corridors-Strategy-28-08-2020.PDF](https://www.liverpool.nsw.gov.au/_data/assets/pdf_file/0007/194182/FOR-WEBSITE-Final-Liverpool-Centres-and-Corridors-Strategy-28-08-2020.PDF)

Centres act as important focal points for the local community, especially when they are well integrated with social infrastructure (e.g., libraries and community centres). Centres also provide opportunities for local employment and are an important part of establishing the 30-minute city when collocated with high quality public transport.

The Strategy notes there is a need to ensure that centres can respond to growth and emerging commercial and retail trends. It is also important that centres have adequate supporting infrastructure and are well designed to meet the needs of the wider community.

The retail hierarchy is used to make informed strategic land use decisions that ensure centres are of an appropriate scale for the community they serve. Furthermore, it helps to ensure impacts are avoided when new or existing centres are developed that could have impacts on the viability of other existing or planned centres.

Each retail operator runs their business as they see fit, provided the land use is permitted in the relevant zone and subject to appropriate approvals.



**Clr Ayyad joined the meeting at 6.30pm.**

**ITEM NO:** QWN 04  
**FILE NO:** 300966.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - Community Sport

**Background**

Many of our local community sporting clubs have been heavily impacted for two seasons due to the COVID-19 pandemic and shutdown of community sport.

Clubs have lost players who haven't returned and they've also lost significant canteen and fundraising receipts.

Community sport is also a proven way to boost ones physical and mental well-being.

If it can be done in a COVID safe way, it should be allowed.

**Questions**

Please address the following:

1. Is there any indication as to when community sport will return?
2. What engagement and advocacy has Council undertaken with sporting bodies and the State Government for a return to community sport?

**A response to these Questions with Notice will be provided in the 27 October 2021 Council Meeting Business Papers.**

**ITEM NO:** QWN 05  
**FILE NO:** 300997.2021  
**SUBJECT:** Question with Notice - Clr Harle - Pearce Park

### **Background**

Pearce Park, an overgrown unused area located at the rear of Councils' Rose Street Depot, has been used to store a range of waste materials including road base, concrete rubble, building waste and similar materials originating from several Liverpool CBD sites. Included in the waste are several large diameter concrete stormwater pipes scattered throughout the overgrown area. These pipes appear to be used as a "rough sleeper area" and a gathering place by groups of people that may be homeless. This activity, especially under current Covid restrictions, may pose a significant health risk to themselves and anyone that may enter the area especially unaccompanied children.

### **Questions**

Please address the following:

1. Is Council aware of the use of these pipes as "rough sleeping areas" or homeless people?
2. What plans does Council have for any future use and rehabilitation of the overall area?
3. What are the estimated costs of carrying out remediation works?

**A response to the questions with notice will be provided in the 27 October, 2021 Council Meeting Business Papers.**

**ITEM NO:** QWN 06  
**FILE NO:** 301253.2021  
**SUBJECT:** Question with Notice - Cllr Rhodes - Impacts of NSW Health Work orders on home owners issued with Council Works Orders and their ability to comply

**Please address the following:**

1. What are the impacts of COVID NSW Health work restrictions on Council Order timeframes on individual homes that possibly affect homeowners' ability to comply?
2. How many illegal works orders have been issued on Liverpool homeowners whilst Liverpool is, or has been under NSW Health Work restrictions?
3. How many fines have been issued to homeowners because they have been unable to comply with Council Works Orders issued against their homes, during the time Liverpool has been under NSW Health Work restrictions?
4. Has Council changed its procedure in order to consider the NSW Health Order restrictions on homeowners' ability to be able to comply with Council Works Orders time frames when issuing Council Work Orders on private homes and if so, how?

**A response to these Questions with Notice will be provided in the 27 October, 2021 Council Meeting Business Papers.**

**ITEM NO:** QWN 07  
**FILE NO:** 301347.2021  
**SUBJECT:** Question with Notice - Cllr Kaliyanda - Growth of African Olives and Other Invasive Weed Species

**Please address the following:**

1. What approach does Council currently have toward the management of the African Olive, and other invasive weed species in Leacocks Regional Park, and other parks and green spaces in Liverpool?
2. What resources are currently allocated to manage the problem and prevent these invasive weed species from impacting the natural biodiversity of the area, especially in the ever-reducing Cumberland Plain Woodland?
3. Is the current level of allocated resources sufficient to adequately address the issue?
4. How does Council interact with other levels of government, agencies and volunteer groups in relation to this issue?

**A response to these Questions with Notice will be provided in the 27 October, 2021 Council Meeting Business Papers.**

**ITEM NO:** QWN 08  
**FILE NO:** 301411.2021  
**SUBJECT:** Question with Notice - Cllr Kaliyanda - Disaster Preparation Tool

### **Background**

A new geospatial tool has been released, designed to help councils prepare for severe weather events while supporting recovery and expediting insurance claims. Developed by analytics provider Nearmap, the tool looks to map every major natural disaster that impacts property, infrastructure and communities in the country. More than 6,200 square kilometres of disaster-affected land, including Cyclone Seroja, the Perth Hills fires and the NSW floods have already been captured. The tool has been developed in collaboration with government agencies and disaster relief organisations.

### **Please address the following:**

1. Is Council aware of this tool?
2. If so, how will this be integrated with Council's existing policies and measures in relation to disaster preparation and mitigating the impacts of severe weather events.

**A response to these Questions with Notice will be provided in the 27 October, 2021 Council Meeting Business Papers.**

**ITEM NO:** QWN 09  
**FILE NO:** 301438.2021  
**SUBJECT:** Question with Notice - C/r Kaliyanda - FOGO Grants from NSW Government

**Please address the following:**

1. Has Council applied for the up to \$12 million in grant funding to help improve their food and garden waste management and reduce the amount of organic waste sent to landfill?
2. If so, how much has been received/allocated, and what programs or initiatives will these funds be directed to?

**Response**

Council is currently not eligible for the current round of funding which is applicable for Council's in the advance stages of FOGO implementation. However Council has applied for the Local Government Transition Fund and succeeded in obtaining \$180,000 in grant funding towards the following FOGO related initiatives:

- FOGO Tender Writing : \$30,000
  - Drafting of new FOGO collection Tender to form part of Council's Tender for Waste Recyclables and Garden Organics Collection Service in 2024.
- FOGO Implementation Plan : \$70,000
  - Drafting and completion of a detailed implementation plan to transition to a new FOGO service.
- Kerbside Waste composition audit : \$40,000
  - Full kerbside waste audit of Waste, Recycling and Garden organics bin using aggregated truck method pre FOGO service transition to determine the composition of organics in different waste streams and allow Council for form a benchmark for the introduction of FOGO.
- FOGO Community Engagement: \$40,000
  - Targeted Community Engagement to change behaviour to reduce organic, recoverable and hazardous material placed into the garbage bin and increase participation of the community in the correct use of FOGO bins. This would include the engagement to ensure community understand the value of separating food organics to increase recovery of total organics from all waste stream.

Council will continue to seek grant funding in future rounds that are applicable to Councils current position in FOGO transition.

**Clr Balloot left the virtual room at 6.53pm and did not return to the meeting.**

**ITEM NO:** PLAN 06  
**FILE NO:** 285643.2021  
**SUBJECT:** Revised draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Contributions Plan

**COUNCIL DECISION**

**Motion:** **Moved: Clr Rhodes** **Seconded: Clr Ayyad**

That Council:

1. Place the revised draft structure plan, planning proposal and local contributions plan for public exhibition for 28 days;
2. Hold consultation with the residents in the area;
3. Note the staging is indicative and note the safety and planning conflict issues along Manning Street; and
4. Receives a further report following public exhibition of the revised planning package and the finalisation of the regional flood evacuation study for a decision on whether to forward the planning proposal to the Department of Planning, Industry and Environment for a Gateway determination.

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

**Vote against:** Clr Shelton

Note: Clr Balloot had left the meeting when this item was voted on.

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

**PRESENTATIONS BY COUNCILLORS**

Clr Kaliyanda made a presentation, with an associated petition relating to the establishment of a Permanent Fairy Glen at Harris Creek in Holsworthy.

Clr Hagarty made a presentation relating to an application for subdivision at 44 to 46 Maple Road, Casula.







**CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 246926.2021  
**SUBJECT:** Draft 10 Year Waste Management and Resource Strategy

**COUNCIL DECISION**

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

That Council:

1. Endorse the draft Waste Management and Resource Recovery Strategy 2021 - 2031 in principle, subject to a detailed Project Action Plan which will breakdown the initiatives and indicative costing across three implementation timeframes of 1 to 2 years, 3 to 5 years and 6 to 10 years; and
2. Place the draft Waste Management and Resource Recovery Strategy 2021-2031 on public exhibition subject to removal of commercial in confidence information.

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



**ITEM NO:** CONF 03  
**FILE NO:** 285983.2021  
**SUBJECT:** Acquisition of Lot 10 DP1203674, 220 Fifth Avenue, Austral for drainage purposes

**COUNCIL DECISION**

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

That Council:

1. Approves the acquisition of Lot 10 DP1203674, 220 Fifth Avenue, Austral, for the price and terms outlined in this confidential report;
2. Authorises the CEO, or his delegated officer, to execute any document, under Power of Attorney, necessary to give effect to this decision;
3. Resolves to classify Lot 10 DP1203674 as “operational” land, in accordance with the *Local Government Act 1993*; and
2. 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.





**THE MEETING CLOSED AT 7.37pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 27 October 2021

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 29 September 2021. 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 OCTOBER 2021

---

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

Mayor Wendy Waller  
Councillor Ayyad (arrived at 6.08pm)  
Councillor Balloot (arrived at 6.11pm)  
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 Corporate Services  
Ms Tina Bono, Acting Director Community and Culture  
Mr David Smith, Acting Director Compliance and Planning  
Mr Peter Diplas, Acting Director City Presentation  
Mr Raj Autar, Director Infrastructure and Environment  
Mr John Morgan, Director, Commercial Development and Economy  
Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement  
Ms Ellen Whittingstall, Internal Ombudsman  
Mr Vishwa Nadan, Chief Financial Officer  
Mr John Milicic, Manager, Property Service  
Mr David Sharman, Manager, Library and Museum Services  
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 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, Chief Executive Officer.

**APOLOGIES**

Nil.

**CONDOLENCES**

Nil.

**CONFIRMATION OF MINUTES**

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

That the minutes of the Ordinary Meeting held on 29 September 2021 be confirmed as a true record of that meeting.

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

**DECLARATIONS OF INTEREST**

**Cllr Shelton** declared a pecuniary interest in the following item:

**Item:**                                CONF 03 – Proposed Road Closure and Sale/Land Swap of part of Hanwell Serviceway and part of Elizabeth Street, Liverpool.

**Reason:**                            Cllr Shelton has had business dealings in the past with some of the individuals and organisations referred to in the report.

Cllr Shelton left the virtual meeting for the duration of this item.

**Cllr Hadchiti** declared a pecuniary interest in the following item:

**Item:**                                PLAN 02 – Quarterly Report – Clause 4.6 Variations to Development Standards.

**Reason:**                            Cllr Hadchiti owns a property that is noted in this report.

Cllr Hadchiti left the virtual meeting for the duration of this item.

**PUBLIC FORUM**

**Presentation – items not on agenda**

Nil.

**Representation – items on agenda**

The Mayor advised that 60 submissions were received in relation to items NOM 03, CONF 01 and CONF 02 which all deal with 1 Sirius Road, Voyager Point.

It was noted that the submissions were forwarded to Councillors before the meeting.

**MAYORAL MINUTE**

Nil.

**PLANNING & COMPLIANCE REPORT**

**ITEM NO:** PLAN 01

**FILE NO:** 307054.2021

**SUBJECT:** Post Exhibition Report - Renaming of The Northern Road to Willmington Road, Luddenham

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Harle**

**Seconded: Cllr Kaliyanda**

That Council:

1. Note the submissions received on the renaming proposal;
2. Supports the renaming of the original section of The Northern Road through Luddenham as Willmington Road; and
3. Delegates authority to the Chief Executive Officer to proceed with the process of gazettal.

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

**Clr Hadchiti left the virtual meeting at 6:07pm.**

**ITEM NO:** PLAN 02

**FILE NO:** 319652.2021

**SUBJECT:** Quarterly Report - Clause 4.6 Variations to Development Standards

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Harle**

**Seconded: Clr Rhodes**

That Council receives and notes this report.

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

**Clr Hadchiti returned to the virtual meeting at 6:08pm.**

**Clr Ayyad arrived to the virtual meeting at 6.08pm.**

**CORPORATE SERVICES REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 286674.2021  
**SUBJECT:** Investment Report September 2021

**COUNCIL DECISION**

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

That Council receives and notes this report.

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

**ITEM NO:** CORP 02  
**FILE NO:** 303317.2021  
**SUBJECT:** Tabling Annual Pecuniary Interest Returns for Councillors and Designated Persons

**COUNCIL DECISION**

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

That:

1. The annual pecuniary interest returns of Councillors and designated persons, as at 30 June 2021, are now tabled before the Council in accordance with clause 4.25 of the Model Code of Conduct and available to view by making an appointment with the General Counsel;
2. Governance will only make redacted copies available to the public, if requested; and
3. Governance will publish a register on the Council website that will have a list of all the completed returns and trim numbers for redacted version only.

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

**ITEM NO:** CORP 03  
**FILE NO:** 313956.2021  
**SUBJECT:** NSW Grants Commission - Financial Assistance Grants Policy

**COUNCIL DECISION**

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

That Council receives and notes this report.

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



**Clr Balloot arrived to the virtual meeting at 6.11pm.**

**ITEM NO:** CORP 04

**FILE NO:** 321941.2021

**SUBJECT:** Council Meeting Dates - January to December 2022 and Proposed Councillor Induction Session Dates

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Rhodes**

**Seconded: Clr Shelton**

That Council:

1. Confirms the Council meeting time as 6.00pm and Council meeting dates for the 2022 calendar year as follows:
  - 2 February 2022
  - 23 February 2022
  - 30 March 2022
  - 27 April 2022
  - 25 May 2022
  - 29 June 2022
  - 27 July 2022
  - 31 August 2022
  - 28 September 2022
  - 26 October 2022
  - 16 November 2022
  - 14 December 2022
2. Advertises the Council meeting dates and commencing times of Council meetings for the 2022 calendar year.
3. Notes the proposed program for Councillor Induction Sessions and notes that this is subject to change depending on the date of declaration of the election results.

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

**ITEM NO:** CORP 05  
**FILE NO:** 322724.2021  
**SUBJECT:** Motions for LGNSW Special Conference February - March 2022

**COUNCIL DECISION**

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

That Council endorse the motions as outlined in the report to be submitted to the Local Government NSW 2022 Special Conference with an amendment to the motion for Climate Action Plan as follows:

- Climate Action Plan Motion to be amended to also include 2030 and 2050. The change is highlighted in bold below:

**MOTION**

That LGNSW advocate for state and federal governments to adopt **2030 and 2050** climate targets and actions including net zero emission targets that are, at least, consistent with international standards.

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

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

**INFRASTRUCTURE & ENVIRONMENT REPORT**

**ITEM NO:** INF 01  
**FILE NO:** 286324.2021  
**SUBJECT:** Cabramatta Creek Flying-fox Camp Management Plan

**COUNCIL DECISION**

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

That Council receives and endorses the *Cabramatta Creek Flying-fox Camp Management Plan, Final October 2018*.

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

**ECONOMY & COMMERCIAL DEVELOPMENT REPORT**

**ITEM NO:** ECD 01  
**FILE NO:** 326927.2021  
**SUBJECT:** TfNSW proposed Construction Lease over Council land being part Lot 5000  
DP 855173 off Albemarle Place, Cecil Hills

**COUNCIL DECISION**

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

That the matter be deferred to the next Council meeting pending responses to the queries sought from TfNSW.

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

**ITEM NO:** ECD 02  
**FILE NO:** 326936.2021  
**SUBJECT:** Sydney Water proposed Compulsory Acquisition of part of Lot A & Lot B DP 380884

**COUNCIL DECISION**

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

That Council:

1. Resolve that it has no objection to the compulsory acquisition of the relevant Parts of Lot A and Lot B DP 380884 Bridge Road, Liverpool by Sydney Water, on the basis that in addition to any other interests, that Council's interest as Crown Land Manager, is addressed in the compensation determination and
2. Authorises its delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision.

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

**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01

**FILE NO:** 292434.2021

**SUBJECT:** Liverpool Sports Committee Minutes of meeting held 26 August 2021

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Hadid**

**Seconded: Cllr Rhodes**

That Council receives and notes the Minutes of the Liverpool Sports Committee meeting held on 26 August 2021.

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

**ITEM NO:** CTTE 02  
**FILE NO:** 301464.2021  
**SUBJECT:** Minutes of the Community Safety and Crime Prevention Advisory Committee Meeting held on 2 September 2021

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the Minutes of the Community Safety and Crime Prevention Advisory Committee Meeting held on 2 September 2021; and
2. Endorse the actions in the Minutes.

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

**ITEM NO:** CTTE 03  
**FILE NO:** 305839.2021  
**SUBJECT:** Minutes of the Intermodal Precinct Committee meeting held on 6 September 2021

**COUNCIL DECISION**

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

That Council:

1. Receives the minutes of the Intermodal Precinct Committee meeting held on 6 September 2021;
2. Notes the following recommendation of the Committee that has been actioned:
  - Council writes to the CEO of the NSW EPA requesting attendance at a future meeting of the Intermodal Committee;
3. Write to QUBE to thank them for their efforts in establishing a vaccination hub on their site, and that Council promotes the vaccination hub to the community; and
4. Writes to the Secretary of the Department of Planning, Industry and Environment and the relevant Federal Infrastructure Minister responsible for the Moorebank Intermodal requesting QUBE approve Council access to the bike path located between Casula Parklands and Leacock Park.

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

*NOTE: As outlined in the report (on pages 157-158), Council adopted the officer recommendation not to adopt some of the Committee recommendations.*





**ITEM NO:** CTTE 05  
**FILE NO:** 308967.2021  
**SUBJECT:** Minutes of the Environment Advisory Committee held on 9 August 2021

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 9 August 2021.

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

**ITEM NO:** CTTE 06  
**FILE NO:** 309995.2021  
**SUBJECT:** Minutes of the Companion Animals Advisory Committee meeting held on 31 August 2021

**COUNCIL DECISION**

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

That Council receives and notes the minutes of the Companion Animals Advisory Committee meeting held on 31 August 2021.

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

**ITEM NO:** CTTE 07  
**FILE NO:** 323474.2021  
**SUBJECT:** Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 15 September 2021

**COUNCIL DECISION**

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

That Council adopts the following recommendations of the Committee:

**Item 1 Australis Avenue, Wattle Grove – Proposed Raised Pedestrian Crossing**

- Approves the upgrade of the existing marked crossing across Australis Avenue, Wattle Grove
- Submits a Traffic Management Plan (TMP) to TfNSW for endorsement, for the required no right turn from Yarran Court, Wattle Grove into Australis Avenue.
- Undertakes community consultation prior to construction.

**Item 2 Fourth Avenue, Austral – Proposed Roundabouts and interim treatments at its intersections with Eleventh Avenue and Tenth Avenue**

- Approves the proposed roundabouts and associated signs and linemarking scheme.
- Approves Stop signs interim intersection treatment at the Eleventh Avenue/Fourth Avenue intersection and re-installation of the signs and line marking at the Fourth Avenue/Tenth Avenue intersection.
- Notes that detailed design drawings of the roundabouts and the interim intersection treatments are to be submitted to TfNSW for review prior to installation.

**Item 3 Moorebank Avenue and Bapaume Road, Moorebank – Proposed Temporary Right Turn for Construction Access**

- Approves the temporary modification (for 12 months) to the Moorebank Avenue and Bapaume Road intersection, Moorebank, and associated signs and linemarking scheme.
- Approves the internal roundabout and associated signs and line making scheme.
- Notes that detailed design drawings and additional information including swept analysis on the temporary intersection treatment and the internal roundabout are to be submitted to TfNSW for review prior to installation.

Item 4 Liverpool City Centre High Pedestrian Activity Area, Liverpool – Proposed Treatments

- Approves four entry and one midblock treatment and associated regulatory signs and linemarking scheme.
- Notes that detailed design drawings are to be forwarded to TfNSW and Police for review prior to installation.

Item 5 Wilson Road and Hinchinbrook Road Intersection, Hinchinbrook – Proposed Roundabout modification

- Approves the modification to the existing splitter islands and installation of raised thresholds across the Hinchinbrook Drive and Partridge Avenue approaches at the intersection.
- Notes that detailed design be forwarded to TfNSW and Police for review prior to installation.

Item 6 Middleton Drive, Middleton Grange – Proposed Pedestrian Refuge

- Approves installation of a pedestrian refuge in Middleton Drive, Middleton Grange, north of Bird Walton Avenue.

Item 7 Wonga Road, Lurnea - Proposed Raised Pedestrian Crossing

- Approves upgrade of the existing marked crossing to a raised threshold along with associated signs and linemarking scheme.

Item 8 Fifteenth Avenue and Fourth Avenue intersection, Austral – Proposed roundabout modification

- Approves installation of raised thresholds across the four approach lanes at the Fifteenth Avenue and Fourth Avenue roundabout.
- Notes that prior to installation of the raised threshold across the Fifteenth Avenue (western leg) and Fourth Avenue (southern leg) approaches, vehicle classification is to be carried out and results discussed with TfNSW.

Item 9 Fifteenth Avenue and Craik Avenue intersection, Austral – Traffic Management Plan for Proposed Right Turn Restrictions

- Submits the required Transport Management Plan to TfNSW for endorsement, to restrict right turn movement at the Fifteenth Avenue and Craik Avenue intersection, Austral.

Item 10 Sergeant Street, Edmondson Park – Proposed Temporary Road Closure for Outdoor Dining

- Approves temporary road closure of Sergeant Street to through traffic from November 2021 to March 2022.
- Notes the required Transport Management Plan is to be submitted to TfNSW for endorsement.
- Notes that delegated approval will be sought for required changes to the existing signposting.

Item 11 Items Approved Under Delegated Authority.

- Approves the works approved under the delegated approval process.

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

## QUESTIONS WITH NOTICE

**ITEM NO:** QWN 01  
**FILE NO:** 320547.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - Community Sport

### Background

Many of our local community sporting clubs have been heavily impacted for two seasons due to the COVID-19 pandemic and shutdown of community sport.

Clubs have lost players who haven't returned and they've also lost significant canteen and fundraising receipts.

Community sport is also a proven way to boost ones physical and mental well-being. If it can be done in a COVID safe way, it should be allowed.

### Questions

Please address the following:

1. Is there any indication as to when community sport will return?
2. What engagement and advocacy has Council undertaken with sporting bodies and the State Government for a return to community sport?

### Response

1. The NSW State Governments Roadmap to Freedom outlines an in-principle plan for the return to community sport that is broadly based around the achievement of state-based vaccination milestones. In summary:
  - i. At 70% vaccination rates outdoor gatherings are permissible in groups of less than twenty (20) persons. NSW Office of Sport have advised that this ruling allows sporting groups to commence some activities where all persons including coaches and administrators are fully vaccinated. At this stage full club training and competition is not able to commence.
  - ii. At 80% vaccination rates community sport can recommence training for fully vaccinated persons with some restrictions. This allows sports clubs to commence training and competitive activity for fully vaccinated person, those holding medical exemptions and children under the age of 16. Council expects that NSW will reach the 80% vaccination rate on 15 October 2021.

- iii. On December 1, 2021 the road map proposes that all Community Sport can recommence for all persons irrespective of vaccination rates.

While the roadmap outlines the milestones for the re-emergence of sporting activity, Council continues to work with sporting organisations and associations to determine how clubs can apply this ruling for registrations, how to administer strategies for spectators and non-playing persons. Under the NSW Health Guidelines, all Sporting Clubs are required to apply their own COVID safe plan that is relevant for both the sporting code and venue.

- 2. Council has maintained close contact with major state sporting organisations, NSW Office of Sport and other peak industry bodies to both provide local representation and to ensure that up to date information can be provided to clubs accordingly.



**ITEM NO:** QWN 02  
**FILE NO:** 320550.2021  
**SUBJECT:** Question with Notice - Clr Harle - Pearce Park

### **Background**

Pearce Park, an overgrown unused area located at the rear of Councils' Rose Street Depot, has been used to store a range of waste materials including road base, concrete rubble, building waste and similar materials originating from several Liverpool CBD sites. Included in the waste are several large diameter concrete stormwater pipes scattered throughout the overgrown area. These pipes appear to be used as a "rough sleeper area" and a gathering place by groups of people that may be homeless. This activity, especially under current Covid restrictions, may pose a significant health risk to themselves and anyone that may enter the area especially unaccompanied children.

### **Questions:**

#### **Please address the following:**

1. Is Council aware of the use of these pipes as "rough sleeping areas" or homeless people?
2. What plans does Council have for any future use and rehabilitation of the overall area?
3. What are the estimated costs of carrying out remediation works?

### **Response**

- 1. Is Council aware of the use of these pipes as "rough sleeping areas" or homeless people?**

As co-convenor of the Fairfield/Liverpool Homelessness Interagency (a shared responsibility with Fairfield City Council), Council works closely with a number of key sector services and government agencies to coordinate responses to reports of rough sleepers in Liverpool. Part of this approach includes providing weekly updates to the Department of Communities and Justice (DCJ) to support their Assertive Outreach Patrols. Representatives from DCJ conduct twice-weekly Assertive Outreach patrols to known rough sleeper locations to offer support and assistance.

At the time of this question Pearce Park was not identified as a known rough sleeper location in Liverpool. However, this location was reported to the Department of Communities and Justice (DCJ) on 24 September 2021 for inclusion in their Assertive Outreach Patrols. On 1 October 2021 this report was followed up with DCJ with a request to provide feedback to Council on the result of the patrol once it has occurred, including whether any individuals

were sighted and if so, were engaged and support offered. The DCJ have confirmed that due to isolation of the site, this request was referred to their local access team to investigate, hence the delay in the process.

The DCJ patrol on 12 and 14 October 2021 advise that no rough sleepers were sighted at Pearce Park. The patrol officers advise the concrete pipes are believed to be too small for someone to sleep in. They advised of signs of drinking activity but not believed to be street sleeping. Council will be requesting the DCJ continue to monitor Pearce Park for the next few weeks to confirm whether any rough sleepers are at this location so they can be assisted. This information will be shared with Councillors once received.

Council's Asbestos Assessment Officer inspected the site to identify possible remediation works required at this location and collected a sample of the stormwater pipe material to determine if it contained asbestos. Whilst some bedding and clothing was noticed, there were no individuals present at the site at the time of inspection.

The result from the sample analysis (received on 7 October 2021), confirmed the presence of asbestos containing material. Given the positive asbestos result, Council is awaiting new advice from DCJ to inform and relocate any rough sleepers that may be living at the site as soon as practicable. Following the relocation of any rough sleepers from this area, Council will remove the asbestos stormwater pipe and any other building waste material.

## **2. What plans does Council have for any future use and rehabilitation of the overall area?**

In the short term, the City Presentation Team will continue to spray for noxious weeds in the turf area and address safety issues as part of the Parks Team regular program of works.

In the mid to long term, City Presentation operations and facilities are being reviewed with a strategy to upgrade to a state-of-the-art depot in line with the growth of the LGA. Council is reviewing options for the Rose Street Depot, Western Depot and possibly a Western Western Depot closer to the new airport. A further report will be submitted to Council for consideration when further details are available.

## **3. What are the estimated costs of carrying out remediation works?**

Soil contamination investigations will be undertaken at the park in early 2022 to understand the sub surface soil conditions and start planning for any required remediation work. The costs for the remediation work will be determined following the completion of soil investigations.

**ITEM NO:** QWN 03  
**FILE NO:** 320555.2021  
**SUBJECT:** Question with Notice - Cllr Rhodes - Impacts of NSW Health Work orders on homeowners issued with Council Works Orders and their ability to comply

**Please address the following:**

1. What are the impacts of COVID NSW Health work restrictions on Council Order timeframes on individual homes that possibly affect homeowners' ability to comply?
2. How many illegal works orders have been issued on Liverpool homeowners whilst Liverpool is, or has been under NSW Health Work restrictions?
3. How many fines have been issued to homeowners because they have been unable to comply with Council Works Orders issued against their homes, during the time Liverpool has been under NSW Health Work restrictions?
4. Has Council changed its procedure in order to consider the NSW Health Order restrictions on homeowners' ability to be able to comply with Council Works Orders time frames when issuing Council Work Orders on private homes and if so, how?

**Response**

- 1. What are the impacts of COVID NSW Health work restrictions on Council Order time frames on individual homes that possibly affect homeowner's ability to comply?**

Council ceased issuing notices/orders on 16 July 2021 including the issuing of warning letters on outstanding orders. Council's Compliance & Regulatory staff recommenced inspections and compliance action from 1 September 2021, in line with the easing of restrictions on construction work.

- 2. How many illegal works orders have been issued on Liverpool homeowners whilst Liverpool is, or has been under NSW Health Work restrictions?**

As outlined above, Council ceased issuing notices/orders on 16 July 2021 including the issuing of warning letters on outstanding orders. Since inspections and compliance action recommenced on 1 September 2021, 4 notices/orders have been issued at the time of writing this response.

3. **How many fines have been issued to homeowners because they have been unable to comply with Council Works Orders issued against their homes, during the time Liverpool has been under NSW Health Work restrictions?**

Nil.

4. **Has Council changed its procedure in order to consider the NSW Health Order restrictions on homeowners' ability to be able to comply with Council Works Orders time frames when issuing Council Work Orders on private homes and if so how?**

Council ceased issuing notices/orders on 16 July 2021 including the issuing of warning letters on outstanding orders. Anyone issued with a Notice can make representations to Council and extensions of time are considered on a case-by-case basis.

**Motion**

**Moved: Cllr Rhodes**

**Seconded: Cllr Harle**

That a report be brought to Council on possible COVID Policy and procedure for Council orders, fines and/or other legal matters that addresses situations where Public Health Orders and/or State or Federal restrictions make it impossible for constituents to carry out the orders, or within timeframes addressed in the Council orders as a result of a pandemic placed restrictions.

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

**ITEM NO:** QWN 04  
**FILE NO:** 320559.2021  
**SUBJECT:** Question with Notice - Clr Kaliyanda - Growth of African Olives and Other Invasive Weed Species

**Please address the following:**

- 1. What approach does Council currently have toward the management of the African Olive, and other invasive weed species in Leacock Regional Park, and other parks and green spaces in Liverpool?**

### **Response**

Leacock Regional Park is the tenure of National Parks and Wildlife Services.

Council's management of invasive weed species varies depending on the category of land. Informed by the *Biosecurity Act 2015* and regional plans of management, Council takes a risk management approach to the control of pest species, which balances management objectives with cost effectiveness.

Much of Council's approach to weed management can be classified as asset protection, containing existing threats and prioritising those that impact the function of a given asset. High priority weeds, particularly those emerging in the region, have been identified for eradication (e.g., Frogbit).

With regards to natural assets, such as bushland and waterways, Council has a number of operational programs targeting weeds. Council's Aquatic Weed Program targets a suite of species that impede recreational use and impact ecosystem functions in Council waterways. The Environment Restoration Plan (ERP) program works to restore and maintain areas of high conservation value. Weed management forms a significant part of these activities; however, it is limited to established ERP sites.

Weed treatments on Council's remaining natural assets take a reactive management approach in response to Councillor and Customer Requests. Whenever possible, Council officers leverage grant funding opportunities to target an area of concern or add value to existing approaches.

Where Council actively manages weeds, such as African Olive, priority is given to areas of high conservation value. These areas have remnant native vegetation and greatest capacity to regenerate following removal of weeds. Areas with significant infestations require a greater input of resources to effectively restore than more resilient areas. Where large infestations are treated, best practice requires a staged 'mosaic' approach to the removal of weeds, ensuring there is adequate habitat for fauna and that soil stability is maintained. This also ensures that no area is over

cleared.

Council is currently developing an Integrated Pest Management (IPM) policy and strategy which will provide priorities and guidance on the management of weeds and other pests. The draft IPM policy was presented to the June 2021 Council meeting. A draft IPM strategy is due to be presented to the February 2022 Council meeting.

**2. What resources are currently allocated to manage the problem and prevent these invasive weed species from impacting the natural biodiversity of the area, especially in the ever-reducing Cumberland Plain Woodland?**

**Response**

The on-ground management of Council's environmental assets falls under the jurisdiction of the Environmental Operations Unit of City Presentation.

Council's Biosecurity Officer is primarily responsible for the execution of relevant biosecurity duties, which include priority weed control and investigation of high-risk pathways. The biosecurity portfolio also delivers the Aquatic Weeds Program, with an annual operating budget of \$40,000. Council leverages Weed Action Plan grant funding for the delivery of the Kei Apple Eradication Program.

The ERP program is a package of projects and programs, funded by Council's Environment Levy permanent special rates variation, for the improvement of Liverpool's natural environment for the long-term benefit of the community. The ERP program manages approximately 200ha of bushland. Projects are managed by a dedicated project officer. The on-ground works component consists of a series of ecological restoration projects and their subsequent management by Council's ERP Bush Regeneration team. The ERP program engages two bush regeneration teams totalling 8 staff for the ongoing management of ERP sites. Projects featuring the targeted removal of African Olive in the Casula locality have been included in the last two rounds of ERP projects.

Council does not have a dedicated officer for the management of natural assets. Reactive management of these areas is programmed by Coordinator Environment Operations. Reactive works cost \$270,000 in the 2020-2021 financial year. This has included short term treatments for African Olive and exotic vines in waterways and all other natural areas and environmental operational issues.

**3. Is the current level of allocated resources sufficient to adequately address the issue?**

**Response**

It is important to note that weed management is an ongoing process. Ecological restoration can take upwards of 20 years to remediate degraded bushland when actively managed. Adequate resourcing depends on the management outcomes sought for a particular area or weed species, and the extent and severity of weed infestations.

The responsibilities of Council as a land manager are identified in the *Local Government Act 1993* and described core business. Other legislation, such as the *Biodiversity Conservation Act 2016* and *Biosecurity Act 2015*, identifies additional statutory requirements of land managers for the conservation of biodiversity and the management of invasive species.

The *Local Government Act 1993* (the Act) requires Council to prepare Plans of Management (PoM) for land under its care and control, determining the use and management objectives for a given location, and set service standards for those areas. This defines the performance targets and operating budget.

Natural Area is one category of community land identified under the Act and pertains to areas of conservation value. This includes bushland, watercourses, and wetlands. With a few exceptions, the majority of Council's environmental assets fall under a Generic Plan of Management for Parks. As such, the management objectives for Natural Areas identified under the Act are not applicable, and service standards are inadequate. Those sites that are exceptions have a site-specific PoM, where Natural Areas are identified on a portion of the site. However, these plans are generally out of date and operational management programs have not been developed to achieve the stated objectives.

The reliance on reactive management is a product of incorrect categorisation and lack of governance for these assets. Reactive management does not satisfy core business objectives for the management on these assets, as defined by the Act, and does not produce long-term biodiversity gains.

The ERP Bushland Project Officer manages the delivery of the ERP ecological restoration projects using contractors due to the intensity, frequency, and seasonal nature of the works. Projects are identified and budgeted for within the operating budget afforded by the Environment Levy. Two of the eight bush regenerator positions are temporarily vacant. With the ERP program limited to established ERP sites, it has been possible to scale up resourcing over time as new sites are added. It is noted that the ERP program constitutes a prescribed set of outputs that sit outside Council's core business. While the objectives align, the ERP program and the

Environment Levy were not established to satisfy core business delivery. The Environment Levy provides adequate resourcing for the ERP program.

Resourcing is considered adequate for the current service standard, though this is below stakeholder expectations and statutory requirements. Without dedicated officers and operational funding, it is not possible to address the issue in a way that would be deemed satisfactory. Without Plans of Management and an operational management program it is not possible to systematically and effectively reduce the presence of a broad spectrum of weeds and improve the conservation outcomes of Council's environmental assets.

Operational management of natural areas includes weed treatment as an activity. However, this is undertaken holistically and typically without regards to priority weed concerns. Priority pest programs are another layer of management that target a particular species for management. The aquatic weed program in the biosecurity portfolio is an example of this.

The Biosecurity Officer role is a dedicated position, though it covers all public and private land within the LGA. The position has a limited operating budget and relies on external funding opportunities to build capacity. Programs are restricted to a limited number of priority species. The current capacity satisfies statutory requirements but does not represent best practice or align with community expectation.

The IPM policy and strategy that is currently being developed will consider a range of weed and pest animal species that may be suitable for a priority pest management program.

City Presentation is in the process of reviewing operational expectations and resourcing requirements of the Parks and Open Spaces business unit. The review and recommendations are expected to be completed in six months.

**4. How does Council interact with other levels of government, agencies and volunteer groups in relation to this issue?**

**Response**

Council officers work with relevant stakeholders and agencies, and with all levels of government.

Council works with Local Land Services and Department of Primary Industry on biosecurity matters, particularly managing new incursions. Council works with Department of Planning Infrastructure and Environment on matters pertaining to biodiversity conservation.

Council is actively involved in the regional Weed Committee.



Council and its officers are active members of the Georges Riverkeeper Combined Councils Catchment Management Group. Council receives support in return for its participation, including weed control and litter collection.

The ERP program facilitates the Environment Volunteer Program, consisting of 10 groups of volunteers that meet monthly to undertake weed control on their local bushland areas. Weed management techniques are limited in scope due to lack of vocational qualification and restrictions on the use of power tools and pesticides.

Council applies to external agencies for grant funding opportunities when they arise.

**ITEM NO:** QWN 05  
**FILE NO:** 320567.2021  
**SUBJECT:** Question with Notice - Clr Kaliyanda - Disaster Preparation Tool

## **Background**

A new geospatial tool has been released, designed to help councils prepare for severe weather events while supporting recovery and expediting insurance claims. Developed by analytics provider Nearmap, the tool looks to map every major natural disaster that impacts property, infrastructure and communities in the country. More than 6,200 square kilometres of disaster-affected land, including Cyclone Seroja, the Perth Hills fires and the NSW floods have already been captured. The tool has been developed in collaboration with government agencies and disaster relief organisations.

## **Please address the following:**

### **1. Is Council aware of this tool?**

#### **Response**

Council is aware of Nearmap's Impact Response geospatial tool feature. The tool is a "Post-Catastrophe" program to capture imagery in the aftermath of natural disasters.

The images are captured by services flown by Nearmap however in accordance with Nearmap terms they will not fly in certain adverse conditions such as bad weather and thick smoke. The geospatial tool does not provide assurances of the timing of images, when the image will be captured (post-disaster) or even if an event will be covered. Capturing the images will depend on the scale of the impact on the community, infrastructure and property, as well as the official declaration of a "disaster" or "emergency" by the state or federal government.

Council is currently a Nearmap subscriber. The cost for this add on feature (Post-Catastrophe program) is \$5,300.00 (excl GST) per year, which would provide Council with the imagery (if available) 30 days before it is released to all Nearmap subscribers.

In relation to disaster preparedness and mitigating the impacts there would be very few advantages gained with the Post-Catastrophe program as it is not an early warning system. The system could provide some benefit by comparing imagery of a site or location pre-event to post-event for desktop impact assessment. However, this imagery would be available post 30 days as an existing Nearmap subscriber. A review of the geospatial tool offered by Nearmap and the additional annual cost, it is not recommended as the best option for the Council as a tool for disaster preparation and mitigating the impacts of severe weather events.

The Local Emergency Management Officer (LEMO) is working with NSW Government Spatial Services and the Emergency Information Coordination Unit (EICU) who are also involved in the whole of government imagery capture. This service includes imagery flown by Spatial Services, imagery available from tasked satellites, and imagery captured by Nearmap. As an Emergency Management Agency and through the LEMO, the EICU will provide Council with access to this imagery.

**2. If so, how will this be integrated with Council's existing policies and measures in relation to disaster preparation and mitigating the impacts of severe weather events.**

**Response**

In the last 2 years, Council has experienced severe weather events including, bushfires, major flooding and most recently, the COVID-19 pandemic. All the events have resulted in an increased focus on councils being "resilient ready." Council is looking at several critical and strategic initiatives to enhance and evolve Council's disaster preparedness, risk mitigation, resilience planning and emergency response operations. The initiatives include:

Creation and appointing of an FTE Local Emergency Management Officer (LEMO)

The LEMO role has transformed in recent years, with an increased workload and additional responsibilities, including being on-call on a 24/7 basis. In relation to governance, the LEMO function is bound by the requirements of the state and regional Emergency Management Plans (EMPLANs) and other supporting plans. Currently, the LEMO function is an auxiliary role to the Director of City Presentation. This makes it extremely demanding on both business-as-usual workloads and emergency management functions, particularly time-critical events. To provide greater capability and capacity in emergency management operations and disaster preparedness initiatives to support the community, a full-time LEMO position reporting to the Director City Presentation is required. The 2021/2022 budget made financial provisions for the appointment of a full time LEMO however, due to the ongoing pandemic situation, to date no appointment has been made.

Multi-Agency cooperation and alignment

Critical to the success of the Council's local emergency management planning (disaster preparedness and subsequent emergency response operation) is a collaborative synchronizing multi-agency practice managed through the Local Emergency Management Committee (LEMC).

As chairperson, the LEMO coordinates and leads the LEMC working with the Regional Emergency Management Officer, NSW Police, Transport for NSW, NSW Health, Fire and Rescue, SES, and the Rural Fire Service. On occasions with state-wide declared disasters, the State Emergency Operation Command is stood up and leads the support at a state level. There are also other stakeholders that can contribute an understanding of local resources, vulnerabilities, and networks, such as local council representatives in community and environmental services.

The flood response in March 2021 and the recent experience the COVID lockdown provision placed on Liverpool and the surrounding LGA's, reinforced the need and benefit to maintain these relationships on an ongoing basis outside of the critical response setting.

For example, from lessons learnt reviews in the aftermath of the flood disaster experience, this event highlighted new initiatives required such, as a dedicated Council Liaison Officer being embedded within SES operations during emergency response operations.

The LEMC multi-agency alliance is critical for supporting Council's early warning systems as well as emergency management operations and is an essential function of the LEMO to build and maintain these relationships constantly.

#### Build Internal Capacity and Capability

The Council must continue to develop the capability and capacity for emergency management by increasing the awareness across the organisation with internal local emergency management teams. The Critical Incident Response Team (CIRT) currently plays an important role in raising awareness and making decisions during emergency events.

However, as an emergency response support agency, Council will need to undertake an audit of its emergency management operations to ensure it has the resources and trained staff to undertake emergency management operations and effectively support the LEMC. Training and Development of staff in emergency management principles and operations will benefit the organisation. Additional resources for surge capacity will also assist in integrating Council's existing policies and measures in disaster preparation and mitigating the impacts of severe weather events and emergency operations.

**ITEM NO:** QWN 06  
**FILE NO:** 332408.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - Private Investigators

**Please address the following:**

1. Does Council use private investigators?
2. If so, in what capacity?

**A response to these questions will be provided in the business papers for the Council meeting of 24 November 2021.**

**PRESENTATIONS BY COUNCILLORS**

Nil.

**NOTICES OF MOTION**

**ITEM NO:** NOM 01  
**FILE NO:** 331569.2021  
**SUBJECT:** Recycle waste without having to separate waste at point of collection

**Background**

The significant difference claimed in recycling of waste proposed in the SSD development in Shoalhaven LGA is that there is no need for separation Collection which benefits in a simplification of the waste collection process that relieves the individual decision making and guess work by individual constituents on how to go about throwing away all the different types of waste such as plastic bottles with a metal cap, paper stuck to its side and some ketchup still inside which necessitates education of the masses and delivers questionable results.

Benefits claimed are:



Waste collection operators can decrease the amount of bins and trucks in circulation for collection because of the one Simple collection of municipal solid waste which appears to offer a cost saving with:

- Less money spent on the number of bins required;
- Less money spent on truck movements reducing traffic congestion and traffic pollution;
- Less money spent educating the masses on what has to go into what bin; and
- Less contamination issues that is a result of people not doing the right thing.

The Shoalhaven State Significant Development proposes:

- That 96% is saved from landfill;
- Recycling: glass, plastics, metals, minerals, fuels (rdf/srf) and biomass to be used as fertilizer or fuel with a remaining 4% destined to landfill;
- The process is odourless, and it does not include any incineration processes; and
- Biomass is widely used: as an agricultural fertilizer, a base for the fermentation process or as a fuel (SRF). Laboratory tests have also confirmed its potential as a substrate for the production of hydrogen or for the production of building materials.

### **The current progress of the SSD in Shoalhaven LGA Bioelektra development.**

The commencement of Stage 1 works is awaiting construction certificate (CC). We have been advised by the DPIE that CC will be issued by the end of this week. This will allow us to commence the demolition and clearing of the site as per Stage 1 approval.

The Stage 2 Development Application is a State Significant Development (SSD) and is currently under assessment by the Department of Planning.

The public exhibition period of the Environmental Impact Statement (EIS) and accompanying documents closed on Monday 12<sup>th</sup> of July 2021. As a result, 11 submissions were received from the public, organisations and public authorities.

(<https://www.planningportal.nsw.gov.au/major-projects/project/10271>).

WaterNSW, the Biodiversity and Conservation Division of DPIE, Roads and Maritime Service, Transport for NSW, Crown Lands, Heritage NSW, and the public submission support the development as drafted.

Fire and Rescue NSW, Shoalhaven City Council, Environmental Protection Authority and Endeavour Energy either asked for additional information or provided recommendations on specific conditions to incorporate in the final approval.

Bioelektra have prepared a Response to Submissions which will be provided to DPIE in October 2021. The response will also be provided to stakeholders to confirm that their concerns have been addressed, prior to issuing any approvals and finalising the approval conditions.







3. To communicate details of this initiative across Liverpool Council's social media and website.

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

Councillors voted unanimously for this motion.

**ITEM NO:** NOM 03  
**FILE NO:** 332584.2021  
**SUBJECT:** 1 Sirius Road, Voyager Point

### **Background**

1 Sirius Road, Voyager Point is currently for sale.

This and neighbouring Lots 68 and 75 have significant environmental value and are unique examples of an intact wetland ecosystem in Liverpool. The entire site includes almost 10 hectares of prime koala habitat.

There is already approval for one house and there are significant concerns in the community about the potential for further development to take place at the site.

The site is currently zoned E3 Environmental Management and is also mapped as 'Environmentally Significant Land' in the LEP.

The area is also identified in the draft Cumberland Plain Conservation Plan as a Strategic Conservation Area.

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

That Council:

1. Notes that 1, Lot 68 and Lot 75 Sirius Road, Voyager Point:
  - have significant environmental value;
  - are prime koala habitat; and
  - are unique examples of an intact wetland ecosystem in Liverpool.
2. Reaffirms its commitment to the protection of the site through E3 Environmental Management zoning and its designation as Environmentally Significant Land in the LEP.
3. Writes to the State Government in support of the site's designation as a Strategic Conservation Area.

**This item was moved to be dealt with in Closed Session in conjunction with CONF 01 and CONF 02 which also related to 1 Sirius Road, Voyager Point.**

**This item is confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.**

**ITEM NO:** NOM 04  
**FILE NO:** 332392.2021  
**SUBJECT:** Independent Commission Against Corruption (ICAC)

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

That Council notes:

- The Independent Commission Against Corruption (ICAC) was established by the New South Wales Government in 1988 in response to growing community concerns about the integrity of public administration in the state; and
- Its strong support for an independent organisation to protect the public interest, prevent breaches of public trust and guide the conduct of MPs, Councillors and public officials in the NSW public sector.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

**ITEM NO:** NOM 05  
**FILE NO:** 333706.2021  
**SUBJECT:** Greater Sydney Parklands Trust Bill

### **Background**

In July last year, 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, the Greater Sydney Parklands Trust.

The government have now released a Draft Exposure Bill on the Greater Sydney Parklands Trust. The Bill is on public exhibition until October 29. If it goes ahead, the Bill will grant the Greater Sydney Parklands Agency sweeping powers to further over-commercialise Sydney's open spaces.

Western Sydney Parklands were a sanctuary for many during lockdown and they must be protected.

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

That Council write to the State Government requesting:

- a four week extension to the consultation period for the Draft Exposure Bill on the Greater Sydney Parklands Trust; and
- a briefing for Councillors on the Draft Bill and its impact on the Western Sydney Parklands.

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

That Council:

- Makes a submission on the Greater Sydney Parklands Trust Bill that includes:
  - Consideration be given to establishing a specific Community Trustee Board for Western Sydney Parklands (rather than a group that covers a number of different parklands) and that a Council representative be appointed to that Board.
  - Use Council's social media platforms and Council's website to advise the community about the proposed changes of the management of Western Sydney Parklands under the proposed Greater Sydney Parklands Bill and encourage public submissions on the "Bill".
- Request:
  - A four week extension to the consultation period for the Draft Exposure Bill on the Greater Sydney Parklands Trust; and

- A briefing for Councillors on the Draft Bill and its impact on the Western Sydney Parklands.

## **COUNCIL DECISION**

**Motion:**

**Moved: Cllr Hagarty**

**Seconded: Cllr Rhodes**

That Council:

- Makes a submission on the Greater Sydney Parklands Trust Bill that includes:
  - Consideration be given to establishing a specific Community Trustee Board for Western Sydney Parklands (rather than a group that covers a number of different parklands) and that a Council representative be appointed to that Board.
  - Use Council's social media platforms and Council's website to advise the community about the proposed changes of the management of Western Sydney Parklands under the proposed Greater Sydney Parklands Bill and encourage public submissions on the "Bill".
  - Safeguards that any income generated from Western Sydney Parklands is spent on Western Sydney Parklands.
- Request:
  - A four week extension to the consultation period for the Draft Exposure Bill on the Greater Sydney Parklands Trust; and
  - A briefing for Councillors on the Draft Bill and its impact on the Western Sydney Parklands.

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

## RECESS

Mayor Waller advised that Council would now move into Closed Session to deal with Items CONF 01, CONF 02, CONF 03, CONF 04, CONF 05, CONF 06, CONF 07 and NOM 03 pursuant to the provisions of S10A(2) of the Local Government Act 1993 because:

- **CONF 01** – Question with Notice – Clr Harle – 1 Sirius Road, Voyager Point is confidential pursuant to the provisions of s10A(2)(c) (g) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- **CONF 02** - Sirius Road, Voyager Point, **CONF 03** - Proposed Road Closure and Sale/Land Swap of part of Hanwell Serviceway and part of Elizabeth Street, Liverpool, **CONF 06** – Maintenance of Council’s On and Off Street Parking Machines and **NOM 03** – 1 Sirius Road, Voyager Point are confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act 1993 because they contain information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
- **CONF 04** - Legal Affairs Report – 1 July 2021 to 30 September 2021 is confidential pursuant to the provisions of s10A(2)(g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- **CONF 05** – Update on Interim Heritage Order at 10 Hoxton Park Road, Liverpool is confidential pursuant to the provisions of s10A(2)(b) of the Local Government Act 1993 because it contains matters concerning the personal hardship of any resident or ratepayer.
- **CONF 07** – RCL3070 – Supply of Library Materials is confidential pursuant to the provisions of s10A(2)(d i), (dii), and (diii) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it; AND commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council; AND commercial information of a confidential nature that would, if disclosed reveal a trade secret.

Before moving into Closed Session, Mayor Waller called a short recess at 6:54pm.

## RESUMPTION OF MEETING

Mayor Waller resumed the meeting in Closed Session at 6.58pm with all Councillors present.

**CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01

**FILE NO:** 332384.2021

**SUBJECT:** Question with Notice - Clr Harle - 1 Sirius Road Voyager Point

Questions and responses with regards to 1 Sirius Road, Voyager Point were provided to Councillors in a Confidential Book.

Questions and responses were confidential in accordance with s10A(2)(c) (g) of the Local Government Act 1993 because they contain information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

**CONF 01 and CONF 02 were discussed concurrently. The resolution is shown under CONF 02 on the next page.**





**ITEM NO:** NOM 03  
**FILE NO:** 332584.2021  
**SUBJECT:** 1 Sirius Road, Voyager Point

### **Background**

1 Sirius Road, Voyager Point is currently for sale.

This and neighbouring Lots 68 and 75 have significant environmental value and are unique examples of an intact wetland ecosystem in Liverpool. The entire site includes almost 10 hectares of prime koala habitat.

There is already approval for one house and there are significant concerns in the community about the potential for further development to take place at the site.

The site is currently zoned E3 Environmental Management and is also mapped as 'Environmentally Significant Land' in the LEP.

The area is also identified in the draft Cumberland Plain Conservation Plan as a Strategic Conservation Area.

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

That Council:

1. Notes that 1, Lot 68 and Lot 75 Sirius Road, Voyager Point:
  - have significant environmental value;
  - are prime koala habitat; and
  - are unique examples of an intact wetland ecosystem in Liverpool.
2. Reaffirms its commitment to the protection of the site through E3 Environmental Management zoning and its designation as Environmentally Significant Land in the LEP.
3. Writes to the State Government in support of the site's designation as a Strategic Conservation Area.

**This motion was withdrawn as it was dealt with in conjunction with CONF 02 (see resolution on previous page).**

**Clr Shelton left the virtual meeting at 7:24pm.**

**ITEM NO:** CONF 03

**FILE NO:** 313473.2021

**SUBJECT:** Proposed Road Closure and Sale/Land Swap of part of Hanwell Serviceway and part of Elizabeth Street, Liverpool

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Harle**

**Seconded: Clr Rhodes**

That Council:

1. Approves the commencement of a road closure process of part of Hanwell Serviceway and part of Macquarie Street/Elizabeth Street, Liverpool as outlined in the confidential report;
2. Notes, that a public notification process which also involves the notification of relevant service authorities and NSW Crown lands will be undertaken;
3. Approves to classify the land comprising any area of closed road area as "Operational" land pursuant to s.43 of the *Roads Act 1993*;
4. Authorises the CEO or his delegated officer to execute any documents, under Power of Attorney, necessary to give effect to this decision;
5. Resolves that a further report be made to Council upon completion of the road closure consultation process, prior to any proposed sale or land/swap progressing; and
6. Keeps this report confidential pursuant to the provisions of Section 10A(2)(c ) of the *Local Government Act 1993* as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

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

**Clr Shelton returned to the virtual meeting at 7:25pm.**

**ITEM NO:** CONF 04

**FILE NO:** 323517.2021

**SUBJECT:** Legal Affairs Report - 1 July 2021 to 30 September 2021

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Harle**

**Seconded: Clr Rhodes**

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

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

**ITEM NO:** CONF 05  
**FILE NO:** 315813.2021  
**SUBJECT:** Update on Interim Heritage Order for 10 Hoxton Park Road, Liverpool

### **COUNCIL DECISION**

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

That Council:

1. Receive and note the assessment of heritage significance prepared by FORM Architects for 10 Hoxton Park Road, Liverpool;
2. Not proceed with a planning proposal to list 10 Hoxton Park Road, Liverpool as an item of local heritage significance in Schedule 5 of the Liverpool Local Environmental Plan 2008;
3. Revoke the Interim Heritage Order issued on 10 Hoxton Park Road, Liverpool effective from the next available NSW Government Gazette; and
4. Notify the landowner of Council's decision.

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

**ITEM NO:** CONF 06  
**FILE NO:** 315935.2021  
**SUBJECT:** Maintenance of Council's On and Off Street Parking Machines

**COUNCIL DECISION**

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

That Council, in accordance with section 55 (3) (i) of the Local Government Act 1993, approves:

1. Deferring the public contesting of the provision of maintenance of Off-Street and On-Street Parking Machines for a period of six (6) months, ending 31 May 2022; and
2. Reino International Pty Ltd to continue delivering the current maintenance of Off-Street and On-Street Parking Machines until the new tender is awarded or 31 May 2022.

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

**ITEM NO:** CONF 07  
**FILE NO:** 324904.2021  
**SUBJECT:** RCL3070 - Supply of Library Materials

**COUNCIL DECISION**

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

That Council:

1. Accept the tenders from the recommended tenderers for Tender RCL3070 - Supply of Library Materials for an initial three (3) years contract term with the option of extending 2 x 12 months at the Schedule of Rates GST inclusive as contained in the submissions;
2. Makes public its decision regarding tender RCL3070 - Supply of Library Materials;
3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority; and
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

Councillors voted unanimously for this motion.

**Council moved back into open session at 7:43pm and Mayor Waller read the resolutions relating to CONF 02, CONF 03, CONF 04, CONF 05, CONF 06 and CONF 07 that were passed in Closed Session and are found on previous pages.**

**THE MEETING CLOSED AT 7:49pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 24 November 2021

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 2021. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.





## MINUTES OF THE ORDINARY MEETING HELD ON 24 NOVEMBER 2021

---

### **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, Chief Executive Officer  
Mr George Hampouris, Acting Director Corporate Services  
Ms Tina Bono, Director Community and Culture  
Mr David Smith, Director Planning and Compliance  
Mr Peter Diplas, Director City Presentation  
Mr Raj Autar, Director Infrastructure and Environment  
Mr John Morgan, Director, Commercial Development and Economy  
Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement  
Mr Vishwa Nandan, Chief Financial Officer  
Mr George Georgakis, Manager Council & Executive Services  
Ms Maree Stewart, 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, the meeting is being livestreamed.

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

The prayer of the Council was read by the Chief Executive Officer, Dr Eddie Jackson.



Clr Hadchiti declared a pecuniary interest in the following item:

**Item:** CONF 03 Acquisition of lands in Eighteenth Avenue, Cortina Avenue and Tokyo Road, Austral for drainage purposes

**Reason:** Clr Hadchiti has family in the area.

Clr Hadchiti left the virtual room for the duration of the item.

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

**Item:** CORP 02 Annual Financial Reports 2020-21

**Reason:** Clr Kaliyanda knows Surbhi Katyal (from the Audit Office of NSW) who was one of the presenters on the item.

Clr Kaliyanda remained in the virtual room for the duration of the item.

During the item, subsequent to point 4 being added to the motion, Clr Hadchiti declared an interest in the following item:

**Item:** PLAN 03 Submission on Aerotropolis Planning Package

**Reason:**

Clr Hadchiti left the virtual room for the remainder of the item and did not vote on the item.

**6.06pm Clr Ayyad arrived at the meeting.**

## **PUBLIC FORUM**

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

Nil.

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

1. **Lawrissa Chan** and **Surbhi Katyal** on behalf of the **Audit Office of New South Wales** made a presentation to Council on the following item:

**CORP 02** Annual Financial Reports 2020-21

**MAYORAL MINUTE**

**ITEM: MAYOR 01**  
**FILE REF: 381434.2021**  
**SUBJECT: Chief Executive Officer Performance Review**

The CEO's 2020-21 annual performance review was conducted by Council's CEO Review Panel on 19 November 2021.

The Review Panel consisted of the Mayor, Cllr Hagarty, Cllr Harle and Cllr Rhodes. Apologies were received from Cllr Hadid and Cllr Balloot.

The performance review was facilitated by Mark Anderson from LGNSW Management Solutions.

The Review Panel assessed the CEO's performance as More than Satisfactory with an average rating over the three sections of the performance agreement of 8.30 / 10.

In terms of feedback to the CEO, the Review Panel was generally very positive and expressed to the CEO that he is working very well, and the organisation appears to be responding positively under his leadership.

The facilitator provided the Review Panel with benchmarking data of GM's/CEO's remuneration of large metropolitan councils which showed the current remuneration is well below the rate of other councils.

Using this information and meeting the criteria for awarding an increase (clause 8.3 of the standard GM/CEO contract), the Review Panel all agreed and recommend a performance-based increase to the CEO's Total Remuneration Package (TRP) of 2%.

The next performance review will be conducted in May 2022.

**RECOMMENDATION**

That Council receive and note the report.

**COUNCIL DECISION**

**Motion: Moved: Mayor Waller**

That the recommendation be adopted.

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

**MAYORAL MINUTE**

**ITEM: MAYOR 02**  
**FILE REF: 380313.2021**  
**SUBJECT: Goodbye Liverpool**

Tonight will be my last Council meeting in over two decades.

I have personally experienced the ups and downs of local government since the 1993 Act came into being. It was to strengthen local government and to make modern structural changes.

I'm not sure whether these aspirations totally bore fruit but here we are. It is a very different environment I find myself in now to when I was first elected.

I've seen cost shifting take a formal hold on local government, planning powers for most part be removed from the council floor, and of course rate pegging. The debate about this could go on forever but the main issue is the general public mostly don't understand the restrictions and challenges placed on local government and councillors today.

We remain the level of government closest to the people, and yet we are expected to respond to needs of our growing communities with our hands tied behind our backs in many instances.

We are expected to respond to performance measures imposed on us by State Government authorities with little room to move, treating us as a business but we are not a business - we are the core of our community. We've had to value assets which businesses don't. Business doesn't have our situation. It has been argued as artificial in the sense of our financial existence. Depreciation being a very good example.

The issues we have faced in the last 18 months have been a testament to our resilience; floods, fire, and a continuing pandemic; all having a large resource impact on us never seen before by our sector. All we need now is a plague of locusts. I am very aware we have had mice in the rural areas.

Councillors are like Board Members of a company. Their job is to create the overarching policy which will assist the whole of the community, but within constraints. We are expected to bring leadership to the fore and to create stability for staff and to oversee the progress of the organisation through working with senior staff and the CEO.

This is a serious role and it comes with some liability. We have little protection.

The danger of just appeasing one part of our community without the thought of the global good could come at a cost and isn't in line with the expectations of the Act and nor does it showcase professionalism. We are always under the microscope.

It is imperative that councillors work together for the betterment of our community, across political barriers but understanding our limitations.

We could be seen as the barometers of our community.

Candidates for local government need to do their homework before they put their hands up, because of the restrictions placed on us all, the expectations and the unique nature of our roles.

We need to pass the pub test in character and ethics but also, we need to know what we are doing.

Liverpool is the third CBD.

In my lifetime I've seen Liverpool move from a township, to a city, to a regional centre and now in my view a third CBD but a great deal of continued work and vision must be maintained for this mantle to be assigned proper.

If we miss the boat, we are damming generations to come to limited work choices, negative influences on family lives and long-lasting damage to our local economy.

Our innovation precinct was a gamble, but we felt it was necessary and it has paid off especially through the dedication of our staff and our stakeholders. This is a real achievement and I thank our talented staff for this. And of course there's the airport. The connectivity between our CBD and the aerotropolis must continue be a priority. Transport and logistics will play its part, but it must be done well to include real investment in our CBD.

Globally, local government needs to be elevated and respected by other tiers of Government and until this happens, I believe our fate is uncertain.

I have been fortunate to represent Liverpool in so many ways and to see our local government area evolve into what it is today. I am so proud and humbled to have had a role in this growth and to have met so many interesting and committed people along the way.

I would like to thank my husband Paul for his support over such a long time. We've been together over 40 years and over half of this time I've been involved in local government in some way. It's been a partnership for this whole time. I would like to thank my children for their support because Mum was usually at a council functions, in fact my younger daughter accompanied me to many functions because we didn't have childcare. Many things were missed at a family level because of council obligations. I would also like to thank my two granddaughters who through no fault of their own also have had to fit into this lifestyle. And they have done it well, especially being quiet when I'm on Teams.

I would like to thank all those in the community who have supported me over these years and showed kindness and support when needed, and there were times when that support was very much needed.

I would like to call out my colleagues and thank you for your work this term. I would especially like to thank Councillor Karnib for his friendship and support over so many years. Councillor Karnib has been on the same journey as myself, although he has more children, and I wish him the best in the up and coming election. He will now hold the record!

I would also take this opportunity to wish Chris and Bernadette Hayes well in their retirement. Chris has been the Federal Member for Fowler, and together they have worked very hard for their community – they will be missed.

I've worked with over 10 CEOs and GMs and numerous acting GMs since being elected in 1995, the 5<sup>th</sup> woman ever to be elected to council. Then becoming the first female Mayor elected by the people in 2008.

I'm extremely proud to be the daughter of bread carter, one of 16 children from an impoverished Irish family, who delivered bread all over Liverpool in the 50s and 60s and who died at the young age of 39.

I believe he would be proud that his daughter became Mayor of Liverpool and did it twice. Especially given he ran for council as in independent but was not successful.

The Mayoral position has been an extremely stressful role at times, but it came also with rewards, and it has been a genuine honour to serve our residents and work with such talented staff.

I'd like to thank the current CEO for his commitment to the organisation, I wish him well. I would also like to thank the directors and staff especially the councillor support staff including my EA Lauren Myers who has been professional throughout. There's a great deal of work behind the scenes that councillors don't see which makes council what it is.

I wish all the councillors running again the best in the upcoming elections - for those who aren't running I wish you well in a life after council. There is one. For those who get re-elected, don't sweat the small stuff.

It is my hope the new councillors can be mentored by returning councillors so that we can continue to move this city forward as it has been master planned across political lines to ensure a solid future for our city, our region and our residents.

Thank you all – Goodbye and good luck in your futures.





**PLANNING & COMPLIANCE REPORT**

**ITEM NO:** PLAN 01

**FILE NO:** 343216.2021

**SUBJECT:** Place Naming Requests: Car Parks in Liverpool and Stairway in Casula

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Shelton**

**Seconded: Cllr Rhodes**

That Council:

1. Supports the naming of Gasworks Car Park (Liverpool), Telowra Car Park (Liverpool) and Sophienburg Stairway (Casula).
2. Forwards the names to the Geographical Names Board seeking formal approval;
3. Publicly exhibit the names in accordance with Council's Naming Convention Policy, for a period of 28 days, following formal approval from the GNB; and
4. Authorises the Chief Executive Officer to undertake the process of gazettal if there are no submissions received during public exhibition.
5. Install a plaque at Sophienburg Stairway to outline the significance and history of the site.

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





**Clr Hadchiti returned to the virtual room at 6.43pm.**

**ITEM NO:** PLAN 04

**FILE NO:** 365429.2021

**SUBJECT:** Report back - QWN 03 from 27 October 2021 Council meeting COVID-19 and Council Orders

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Rhodes**

**Seconded: Clr Hagarty**

That Council present the Enforcement Standard at a Councillor workshop in 2022 with the purpose of enabling open discussion with Councillors with views to improve the Enforcement Standard at the CEO's discretion.

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

**COMMUNITY & CULTURE REPORT**

**ITEM NO:** COM 01  
**FILE NO:** 331127.2021  
**SUBJECT:** Grants, Donations & Community Sponsorship Report

**COUNCIL DECISION**

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

That Council endorses the recommendation of **\$5,000** (GST exclusive) under the **Community Grants Program** for the following projects:

<b>Applicant</b>	<b>Project</b>	<b>Recommended</b>
Sweltering Cities	Language accessibility for community survey on heat and health	\$5,000

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

**ITEM NO:** COM 02  
**FILE NO:** 354717.2021  
**SUBJECT:** Report back to Council: Harris Creek Reserve Fairy Glen

**COUNCIL DECISION**

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

That Council receives and notes this report.

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



**ITEM NO:** CORP 02  
**FILE NO:** 325358.2021  
**SUBJECT:** Annual Financial Reports 2020-21

**COUNCIL DECISION**

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

That Council:

1. Receives and endorses the 2020-21 audited financial reports;
2. Authorises the Mayor, Deputy Mayor, Chief Executive Officer and the Responsible Accounting Officer (Chief Financial Officer) to sign the prescribed statement that will form part of the financial reports;
3. Authorises the Chief Executive Officer to:
  - a) forward a copy of the financial reports together with the auditor’s report to the Office of Local Government in accordance with Section 417(5) of the Local Government Act 1993;
  - b) issue a public notice containing a summary of financial results and put the financial statements on exhibition for 7 days to seek public submissions; and
  - c) Note that the financial statements and a summary of public submissions received will be presented to Council at its next meeting for consideration and adoption.

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

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





**ITEM NO:** CORP 04  
**FILE NO:** 357718.2021  
**SUBJECT:** Budget Review - September 2021

**COUNCIL DECISION**

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

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

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



**ECONOMY & COMMERCIAL DEVELOPMENT REPORT**

**ITEM NO:** ECD 01

**FILE NO:** 347359.2021

**SUBJECT:** Dedication of Lot 613 in DP1268345 First Avenue, Hoxton Park as Public Road

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Shelton**

**Seconded: Clr Rhodes**

That Council:

1. Resolves to dedicate Lot 613 DP1268345 as Public Road in accordance with the *Roads Act 1993*; and
2. Authorises the CEO or his delegated officer to execute any documents required, under Power of Attorney, necessary to give effect to this decision.

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



**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01

**FILE NO:** 328054.2021

**SUBJECT:** Minutes of Liverpool Access Committee meeting held on 7 October 2021

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the Minutes of the Access Committee Meeting held on 7 October 2021; and
2. Endorses actions in the minutes.

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

**ITEM NO:** CTTE 02  
**FILE NO:** 358952.2021  
**SUBJECT:** Minutes of the Environment Advisory Committee held on 11 October 2021

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Environment Advisory Committee meeting held on 11 October 2021.

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









**ITEM NO:** CTTE 06  
**FILE NO:** 354566.2021  
**SUBJECT:** Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 1 November 2021

## COUNCIL DECISION

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

That Council adopts the following Committee recommendations:

Item 1 - Woodbrook Road, Casula – Proposed reopening to traffic

- Approves Woodbrook Road reopening and associated traffic management works.
- Undertakes community consultation prior to construction.

Item 2 - Liverpool City Centre – Raised Threshold

- Approves the proposed treatments, subject to changes outlined in the minutes, and associated regulatory sign and line marking scheme.
- Detailed design drawings to be submitted to TfNSW for review prior to installation.

Item 3 - Walder Road, Hammondville – Proposed access arrangement to a Medical Centre

- Approves No Parking/No Stopping signs and linemarking scheme for the access driveway off Walder Road.

Item 4 - 106 Ninth Avenue, Austral - Proposed signs and line marking scheme

- Approves the sign and line marking scheme within the subdivision roads at 106 Ninth Avenue, Austral.

Item 5 - 15 Sixteenth Avenue, Austral - Proposed signs and line marking scheme

- Approves the sign and line marking scheme within the new subdivision roads at 15 Sixteenth Avenue, Austral.

Item 6 - Skyline Crescent, Horningsea Park - Proposed Bunnings Warehouse Development

- Approves in-principle the proposed access arrangement.
- Detailed drawings showing the required fourth leg approach including a pedestrian refuge and signs and line marking scheme is to be submitted to TfNSW for review prior to installation.

Item 7 - Twenty Seventh Avenue, Austral – Proposed Load Limit

- Approves implementation of a 5-tonne load limit along Twenty Seventh Avenue (north), Austral.
- Council discusses alternative bus route with Interline bus company.
- Council submits the required Traffic Management Plan to TfNSW for endorsement prior to implementation.

Item 8 - Items Approved Under Delegated Authority.

- Approves the work approved under the delegated approval process.

Item 9 - Committee Meeting dates for 2022

- Approves the following Liverpool Pedestrian, Active Transport and Traffic Committee 2022 meeting dates to be included in Council's corporate calendar as shown below:

<b>Meeting Number</b>	<b>Date</b>
1	Thursday 3 February 2022
2	Wednesday 16 March 2022
3	Wednesday 18 May 2022
4	Wednesday 20 July 2022
5	Wednesday 21 September 2022
6	Wednesday 9 November 2022

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



**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 343809.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - Private Investigators

**Please address the following:**

1. Does Council use private investigators?
2. If so, in what capacity?

**Response**

Council periodically uses private investigators as a legitimate source of augmenting the investigation of complaints by Councils authorised officers. They have proved useful in obtaining positive outcomes for Council in court proceedings or addressing complainant issues.

Private investigators are mainly used for:

- Activity Surveillance - to ascertain the extent of an activity being carried out or conducted on a property (mainly after-hours), and whether there is sufficient evidence to substantiate a complaint from the community or form a reasonable belief that the activity is prohibited such that enforcement action is warranted;
- Service of court documents; and
- Skip tracing to locate owners of properties for the purposes of service of court documents (in circumstances where usual searches and service of documents have been unsuccessful).

The use of private investigators for surveillance is infrequent and in response to community complaints. On average private investigators have been engaged around twice a year over the last 6 years.

**COUNCIL DECISION**

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

That this item be moved into Closed Session 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).

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

**ITEM NO:** QWN 02  
**FILE NO:** 368742.2021  
**SUBJECT:** Question with Notice - Cllr Kaliyanda - Staff Picnic Day

**Please address the following:**

Each year Council allows non-unionised staff to take the union picnic day off. What is the cost in wages and salaries to Council for non-unionised staff to take this day off?

**Response**

Council's Leave Management Policy (which is an operational policy of Council) provides information and guidance on the management of a range of leave entitlements in accordance with applicable Awards, agreements, legislation and related policies.

Clause 4.22 of the Leave Management Policy provides for a Picnic Day that is available to all employees of Council. This Clause of the Policy recognises that a Union Picnic Day is provided to financial members of any of the industry unions in accordance with the relevant provisions of the Local Government (State) Award.

This Clause also states that a Picnic Day is provided for all employees (subject to operational requirements and sufficient staff coverage) to coincide with the Union Picnic Day.

In accordance with the relevant provisions of the Award and Leave Management Policy, a distinction applies to the applicable rates of pay where, due to operational requirements, a union member or a non-financial member of a union is required to work on Picnic Day.

Employees who are not financial members of a union and who are required to work on Picnic Day will be paid normal rates of pay and will be granted time in lieu equivalent to the time they have worked, at single time. Unlike financial members of any of the unions they do not receive penalty / overtime payments or time in lieu of overtime.

These particular Picnic Day arrangements have been in place at Liverpool City Council since at least 2008.





**PRESENTATIONS**

**LGNSW Service Awards**

Mayor Waller presented Cllr Hadchiti, Cllr Hadid, Cllr Harle and Cllr Karnib with certificates from LGNSW to commend them for their contributions over three or more consecutive terms on Liverpool City Council.

The Chief Executive Officer, Dr Eddie Jackson presented Mayor Waller with a certificate and a medal from LGNSW to commend her for her contributions over 22 years on Liverpool City Council.

Copies of the certificates and medal are included on the next 6 pages of these minutes.

Councillors made statements to thank fellow Councillors and Council staff for the achievements during their term on Council.

## MERIT AWARD

PRESENTED TO

**Cr Anthony Hadchiti**

in appreciation of commitment and dedication to the pursuit of achievement for the community of a local government in NSW as a member of

**Liverpool City Council**

YEARS SERVED

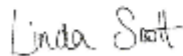
**2008 to 2021**

**Deputy Mayor**

**2009 – 2010, 2015 - 2016**

*Cr Hadchiti served on numerous Council Committees during his time on Council covering all facets of the Council as listed below:*

*Ethics and Audit (more recently known as the Audit, Risk & Improvement Committee), Street Naming Committee, Floodplain Management, Strategic & Financial Planning (more recently changed to Strategic Panel and Budget Review Panel), Aboriginal Consultative, Badgerys Creek Task Force, Building our New City, Civic Advisory Committee, Intermodal Committee, Warwick Farm Racing Precinct Steering Committee, Master Plan Steering Committee, Multicultural Advisory Committee, Youth Council, Planning and Development, Sports Committee, Tourism & CBD Committee, Community Safety & Crime Prevention Committee, Heritage Advisory Committee.*



CR LINDA SCOTT  
PRESIDENT  
LOCAL GOVERNMENT NSW



## MERIT AWARD

PRESENTED TO

**Cr Mazhar Hadid**

in appreciation of commitment and dedication to the pursuit of achievement for the community of a local government in NSW as a member of

**Liverpool City Council**

YEARS SERVED

**2008 to 2021**

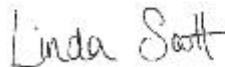
**Deputy Mayor**

**2012 – 2014 & 2020 – 2021**

**LGNSW Board 2015 - 2021**

*Cr Hadid served on numerous Council Committees during his time on Council covering all facets of the Council as listed below:*

*Tourism & CBD Committee, Sports, Order of Liverpool (more recently changed/ known as the Civic Advisory Committee), Community & Recreation Panel, Strategic & Financial Planning (more recently changed to Strategic Panel and Budget Review Panel), Ethics & Audit Committee (more recently known as the Audit, Risk & Improvement Committee), Badgerys Creek Task Force, Building our New City, Casula Powerhouse Arts Centre Board, Economic Development & Events Committee, Heritage Advisory Committee, Master Plan Steering Committee, Sports Committee, Community Safety & Crime Prevention Committee, Planning and Development and the Environment Advisory Committee.*



**CR LINDA SCOTT**  
PRESIDENT  
LOCAL GOVERNMENT NSW





## MERIT AWARD

### PRESENTED TO

**Cr Peter Harle**

in appreciation of commitment and dedication to the pursuit of achievement for the community of a local government in NSW as a member of

**Liverpool City Council**

### YEARS SERVED

**2008 to 2021**

**Deputy Mayor**

**2008 – 2009**

*Cr Harle served on numerous Council Committees during his time on Council covering all facets of the Council as listed below:*

*CBD, Environment Advisory, Floodplain Management, Aboriginal Consultative, Ethics and Audit (more recently known as the Audit, Risk & Improvement Committee), Order of Liverpool (more recently changed to the Civic Advisory Committee), Youth Council, Budget & Finance (more recently changed to the Budget Review Panel), Strategic Panel, Badgerys Creek Task Force, Economic Development Committee, Intermodal Committee, Tourism & Events, Warwick Farm Racing Precinct Steering Committee, Building our New City, Master Plan Steering Committee, Planning and Development, Street Naming Committee, Heritage Advisory, Access and the Community Safety & Crime Prevention Committee.*

*Linda Scott*

**CR LINDA SCOTT**  
PRESIDENT  
LOCAL GOVERNMENT NSW





## MERIT AWARD

### PRESENTED TO

**Cr Ali Karnib**

in appreciation of commitment and dedication to the pursuit of achievement for the community of a local government in NSW as a member of

**Liverpool City Council**

### YEARS SERVED

**1999 to 2021**

**Deputy Mayor**

**2016 – 2017, 2018 – 2019 & 2019 - 2020**

*Cr Karnib was elected on Liverpool City Council in 1999 after working in the community as President of the Lebanese Community Council.*

*Cr Karnib served on numerous Council Committees during his time on Council covering all facets of the Council as listed below:*

*Order of Liverpool (more recently changed/ known as the Civic Advisory Committee), Strategic & Financial Planning (more recently changed to Strategic Panel and Budget Review Panel), Ethics & Audit Committee (more recently known as the Audit, Risk & Improvement Committee), Badgerys Creek Task Force, Economic Development & Events Committee, Community Safety & Crime Prevention Committee, Planning and Development and the Youth Council.*

*Linda Scott*

CR LINDA SCOTT  
PRESIDENT  
LOCAL GOVERNMENT NSW





# OUTSTANDING SERVICE AWARD

PRESENTED TO

**Cr Wendy Waller**

In appreciation of services to the people through Local Government in NSW covering a period of 22 years as a member of

**Liverpool City Council**

YEARS OF SERVICE

1995 to 2021

Mayor 2008 to 2012, 2016 to 2021

Deputy Mayor 1997 to 1998, 1999 to 2000, 2001 to 2003

CR LINDA SCOTT  
PRESIDENT  
LOCAL GOVERNMENT NSW





.....









**ITEM NO:** NOM 04  
**FILE NO:** 368676.2021  
**SUBJECT:** A Stadium for Liverpool

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

That Council:

1. Reaffirm its support for a stadium in Liverpool; and
2. Include a stadium in Liverpool as part of lobbying efforts with the State and Federal Governments for further infrastructure investment in our LGA.

**COUNCIL DECISION**

**Motion:**                                      **Moved: Cllr Hagarty**                      **Seconded: Cllr Hadchiti**

That Council:

1. Reaffirm its support for a stadium in Liverpool;
3. Include a stadium in Liverpool as part of lobbying efforts; and
4. Notes media reports that the NRL are considering funding a stadium in the South West.

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

Cllr Harle requested that he be recorded as voting against the motion.

**CLOSED SESSION**

Mayor Waller advised Council would now move into Closed Session to deal with items QWN 01, CONF 01, CONF 02 and CONF 03 pursuant to provisions of S10A(2) of the Local Government Act 1993 because:

- QWN 01 Question with Notice - Clr Hagarty - Private Investigators 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 01 2022 Australia Day Awards 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 02 Report back- Energy and Environmental Risk Solution (PEERS 3) Tender outcome for Large and Small Scale Energy is confidential pursuant to the provisions of s10(A)(2)(d i) (d ii) 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; AND commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.
- CONF 03 Acquisition of lands in Eighteenth Avenue, Cortina Avenue and Tokyo Road, Austral for drainage purposes 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.

**Council moved into Closed Session at 8.30pm.**



**Clr Rhodes left the virtual room at 8.38pm.**

**CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 356415.2021  
**SUBJECT:** 2022 Australia Day Awards

**COUNCIL DECISION**

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

That Council:

1. Endorse the recommended award recipients as proposed in the report; and
2. Keep the report and nominations containing the recommended award recipients confidential, pursuant to the provision of Section 10A(2)(a) of the *Local Government Act 1993*.

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



**Clr Hadchiti left the virtual room at 8.45pm.**

**ITEM NO:** CONF 03

**FILE NO:** 366371.2021

**SUBJECT:** Acquisition of lands in Eighteenth Avenue, Cortina Avenue and Tokyo Road, Austral for drainage purposes

**COUNCIL DECISION**

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

That Council:

1. That Council approves the acquisition of Lot 182 DP 1237400, identified as Lot 182 Eighteenth Avenue, and part Cortina Avenue in DP 1237400, and part Tokyo Road in DP 1237400 and part Tokyo Road in DP 1238766 and Part Tokyo Road in DP 1238762, in Austral, within the terms outlined in this confidential report;  
.
2. Authorises the Chief Executive Officer or their delegated officer, to execute any document under Power of Attorney, necessary to give effect to this decision, and
3. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act 1993* as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

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



**Clr Hadchiti returned to the virtual room at 8.47pm.**

**Mayor Waller moved the meeting into Open Session at 8.47pm and read the resolutions made in Closed Session.**

**THE MEETING CLOSED AT 8.54pm.**

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 2 February 2022

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 24 November 2021. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.