LIVERPOOL CITY COUNCIL

MINUTES OF THE ORDINARY MEETING HELD ON 5 FEBRUARY 2020

PRESENT:

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

The meeting commenced at 6.00pm.

STATEMENT REGARDING WEBCASTING OF MEETING	The Deputy Mayor reminded everyone that in accordance with Council's Code of Meeting Practice (other than the Public Forum Section), the meeting is being livestreamed.
ACKNOWLEDGMENT OF COUNTRY,	The prayer of the Council was read by
PRAYER OF COUNCIL AND	Reverend Bruce Hammonds from Liverpool
AFFIRMATION TO BE READ BY	Presbyterian Church.

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

NATIONAL ANTHEM

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

APOLOGIES

Motion: Moved: Clr Kaliyanda Seconded: Clr Hagarty

That a leave of absence be granted for Mayor Waller for her absence from the meeting.

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

CONDOLENCES

Mr John Jewell (read by Clr Rhodes).

Long-time Liverpool resident John Jewell passed away on Monday 16 December 2019.

John Jewell is well known for his service to the local community and has served on many committees including:

- Bicentennial Committee;
- Holsworthy Amateur Swimming Club;
- Macarthur Woodturners; and
- Liverpool District and Moorebank Men's Sheds.

He was a member of the Liverpool Sailing Club.

John organised the 75th Anniversary Commemoration of Lieutenant George Cantello's death at Lieutenant Cantello Reserve, Hammondville. At that time he arranged for the American family descendants to come to Australia inviting them into his own home so that they could participate in their father and grandfather's 75th Memorial Service, after which he proudly became their personal tour guide, taking them to Sydney's iconic tourist attractions.

John was a passional advocate for the monument erected in Lieutenant Cantello's honour, making sure it was maintained and presented well for the memorial services.

He was an Officer of the Order of Liverpool Award recipient in 2017 for services to the community.

He was the local go to person for the history of Liverpool and in particular the Hammondville community where he grew up and attended school as a young boy.

John was a living memory of the Hammondville housing grants, from the depression during and just after WWII.

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

He would delight in telling me how the housing grants were only open to those people who had recently been laid off work, were married, had kids, and had a skill to offer the Hammondville community. If you ticked all those boxes, you were then entered into a lottery system and the lucky winners had to build their own homes on a block of land given to them on the basis they supplied something of value to the community.

In John's family, they had a cow, and they supplied milk to the Community.

He would tell me about the Masterton family of Masterton homes here in Liverpool who was also one of the lottery winners, his service to the community was to oversee the building of the homes.

The only condition placed on the new home owners John would tell me was that if and when you got a job, you would then and only then pay for your home at a nominal percentage of your wage.

John's love and passion for Liverpool had no limits. He was the first to put his hand up to help whoever and whenever.

John had a love for working with wood and would make all sorts of wooden objects that he would give away to people who also shared a passion for Liverpool....and yes, I too was on the receiving end of one of his treasures made with love from one of Liverpool's finest residents.

John was an asset to the Liverpool community, he will be sadly missed.

To his wife, children and grandchildren, I wish to extend heartfelt condolences.

May John rest in peace, he was an exceptional citizen of Liverpool.

Motion: Moved: CIr Rhodes Seconded: CIr Ayyad

That Council writes to the family of Mr Jewell, the families of the two volunteer firefighters who lost their lives and the families of the four children who lost their lives in Oatlands on Saturday, 1 February 2020 expressing our condolences for their loss.

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

CONFIRMATION OF MINUTES

Motion: Moved: Clr Ayyad Seconded: Clr Shelton

That the minutes of the Ordinary Meeting held on 11 December 2019 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

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

Item COM 01: Grants, Donations and Corporate Sponsorship.

Reason: CIr Hagarty is an ordinary member of the Liverpool and District Historical Society which is recommended for a grant.

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

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

- Item COM 01: Grants, Donations and Corporate Sponsorship.
- **Reason:** Clr Shelton is an ordinary member of the Liverpool and District Historical Society. No offices held.

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

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

- Item COM 01: Grants, Donations and Corporate Sponsorship.
- Reason:CIr Kaliyanda is an ordinary member of the Liverpool and District
Historical Society. She does not hold any official positions. The Liverpool
and Districts Historical Society is applying for a grant.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

Item COM 01: Grants, Donations and Corporate Sponsorship.

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

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

PUBLIC FORUM

Presentation - items not on agenda

Nil.

Representation – items on agenda

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

Item No. NOM 04 Moorebank Intermodal.

Clr Hadchiti left the Chambers at 6:15pm.

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

Motion: Moved: CIr Rhodes Seconded: CIr Hadid

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

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

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

Item No: NOM 04 Moorebank Intermodal.

Motion: Moved: CIr Hadid Seconded: CIr Rhodes

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

3. Dr Agnes Chiu addressed Council on the following item:

Item No. NOM 01 Feral Cats and TNR Program.

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO:CEO 01FILE NO:010444.2020SUBJECT:2020 Australian Local Government Women's Association NSW Branch
Conference

COUNCIL DECISION

Motion:	Moved: Clr Hadchiti	Seconded: Clr Ayyad
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That Council open the invitation to any Councillor wishing to attend and that Councillors advise the relevant officer as soon as possible.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

COUNCIL DECISION

Moved: CIr Rhodes Seconded: CIr Harle

That Council:

Motion:

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

i. Koala Protection Order

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

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

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

iii. Sustainable Housing Development

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

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

iv. Feral Cats in urban areas

Proposed motion: That LGA advocate for funding:

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

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

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

v. Fast track Western City rail transportation network

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

vi. Koala Sanctuary and wildlife hospital

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

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

CITY ECONOMY AND GROWTH REPORT

ITEM NO:	EGROW 01
FILE NO:	330736.2019
SUBJECT:	Innovation Strategy - first year review

COUNCIL DECISION

Motion:	Moved: Clr Hadchiti	Seconded: Clr Ayyad

That Council:

- 1. Receive and note the report; and
- 2. Thank the staff for the thorough presentation presented at the Councillor Briefing Session on 30 January 2020 on the first year review of the Innovation Strategy and congratulate them for the work being done.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

CITY COMMUNITY AND CULTURE REPORT

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

ITEM NO:	COM 01
FILE NO:	317493.2019
SUBJECT:	Grants, Donations and Corporate Sponsorship

COUNCIL DECISION

Motion: Moved: CIr Hadchiti Seconded: CIr Balloot

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

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

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

ITEM NO:	COM 02
FILE NO:	017944.2020
SUBJECT:	Council delegation to Toda City for the Tokyo Olympics in July 2020

COUNCIL DECISION

Motion:	Moved: Clr Hadchiti	Seconded: Clr Hadid

That Council:

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

ITEM NO:COM 03FILE NO:019145.2020SUBJECT:Carnes Hill Recreation Precinct Stage 2 Master Plan - Progress Report

13

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That Council:

- 1. Receives and notes the Carnes Hill Recreation Precinct Stage 2 Master Plan Progress Report; and
- 2. As part of the final report on the draft masterplan to be presented to Council in May 2020, a full range of funding options/sources be provided.

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

Councillors voted unanimously for this motion.

CITY CORPORATE REPORT

ITEM NO:CORP 01FILE NO:003742.2020SUBJECT:Investment Report December 2019

COUNCIL DECISION

Motion:	Moved: CIr Hadid	Seconded: CIr Hagarty

That Council receives and notes this report.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

COMMITTEE REPORTS

ITEM NO:CTTE 01FILE NO:000059.2020SUBJECT:Minutes of the Heritage Advisory Committee on 5 November 2019.

COUNCIL DECISION

Motion:	Moved: Clr Hagarty	Seconded: Clr Ayyad

That Council:

- 1. Receive and note the Minutes of the Liverpool Heritage Advisory Committee Meeting held on 5 November 2019; and
- 2. Endorse the recommendations in the Minutes.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

ITEM NO:CTTE 02FILE NO:001471.2020SUBJECT:Minutes of the Environment Advisory Committee held on 2 December 2019

COUNCIL DECISION

Motion: Moved: Clr Kaliyanda Seconded: Clr Ayyad

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 2 December 2019.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

ITEM NO:CTTE 03FILE NO:001952.2020SUBJECT:Minutes of the Tourism and CBD Committee meeting held on 3 December
2019

COUNCIL DECISION

Motion: Moved: Clr Kaliyanda Seconded: Clr Ayyad

That Council receives and notes the Minutes of the Tourism and CBD Committee Meeting held on 3 December 2019, noting that quorum was lost in the second half of the meeting, and there were no recommendations.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

ITEM NO:CTTE 04FILE NO:007951.2020SUBJECT:Minutes of the Liverpool Access Committee Meeting held on 12 December
2019

COUNCIL DECISION

Motion: Moved: Clr Kaliyanda Seconded: Clr Ayyad

That Council receives and notes the Minutes of the Liverpool Access Committee meeting held on 12 December 2019.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

QUESTIONS WITH NOTICE

ITEM NO:	QWN 01
FILE NO:	331507.2019
SUBJECT:	Question with Notice - Clr Hadchiti - Civic Place

Please address the following:

Given the importance of this project and the cost to the rate payer, has an external audit been undertaken on the process so far from its inception to where we currently stand?

If not does the CEO thinks it's worth doing?

Response

The project has been subject to repeated and ongoing review by Council's Audit, Risk and Improvement Committee (ARIC), as well as close oversight by Audit NSW (as part of Council's annual external audit program). No dedicated external audit has been conducted. In the absence of any concerns having been raised by either ARIC or Audit NSW, staff do not see the need for a separate audit of the project at this time. However, if Council were minded to submit the project to further audit, staff would be more than happy to facilitate that process.

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Hadid

That Council:

- 1. Engage a suitably qualified organisation to undertake a full review/audit on the Civic Place project from its inception, including but not limited to the changes of the design to value for money; and
- 2. Resources be allocated from the unrestricted reserve to undertake this review.

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

Response

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

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

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

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

Chairperson

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

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

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

A Site Audit may be necessary when the planning authority:

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

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

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

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

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

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

Please address the following:

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

Response

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

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

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

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

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

4. Who owns the sections of roads that run through the Parklands, for example Flynn and Twenty Seventh Ave?

Council is the owner and roads authority for all roads that run through the western Sydney Parklands.

5. Are there any plans to close of any existing roads referred to in point 4?

There are currently no plans to close any roads that run through the Parklands area.

6. If the road under the M7 has all its approvals in place does Council have the funds to actually build it?

Council currently has half of the estimated \$6m budget for the works as a part of Section 7.11 contributions for Middleton Grange. The additional funds will need to be allocated by Council as a part of a future budget update.

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Hagarty

That Council immediately review the condition of roads such as Twenty Seventh Avenue and report back to Council in the March 2020 meeting on the cost to bring the roads up to a standard that allows driving on them.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

Response

Development Applications

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

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

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

Planning Proposals

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

Planning proposals undertake a 7-step process, including:

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

ITEM NO:	QWN 05
FILE NO:	331517.2019
SUBJECT:	Question with Notice - Clr Hadchiti - Flooding

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

Response

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

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

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

COUNCIL DECISION

Moved: Clr Rhodes Seconded: Clr Harle

That Council:

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

CIr Hadchiti left the Chambers at 7.04pm.

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

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

Clr Hadchiti returned at 7.06pm

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

Response

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

Response

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

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

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

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

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

Please address the following:

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

Response

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

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

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

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

3. How and by whom was Council invited?

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

4. Who authorised Council Staff to attend?

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

5. How much did it cost Council?

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

Please address the following:

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

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

Response

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

ITEM NO:QWN 13FILE NO:331546.2019SUBJECT:Question with Notice - Clr Ayyad - Civic Place

Please address the following:

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

Response

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

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

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

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

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

Please address the following:

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

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

Response

1. What were the findings of that report?

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

Munday Street Precinct

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

close proximity to the Warwick Farm Racecourse is available.

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

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

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

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

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

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

Priddle/Scrivener Street Precinct

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

facilitates direct access to and from Governor Macquarie Drive. **Planning Scenario Analysis**

Business-as-usual

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

• Munday Street Precinct

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

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

• Lot 1 Governor Macquarie Drive

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

• Priddle/Scrivener Street Precinct

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

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

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

Potential Planning Interventions and Scenarios

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

Street Precinct and Lot 1 Governor Macquarie Drive.

Residential Uses

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

• Economic contribution of horse stabling precinct

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

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

• Viability of Warwick Farm Racecourse

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

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

• Value released from rezoning

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

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

Employment Uses

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

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

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

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

Summary

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

social/community infrastructure need.

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

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

2. Was this report ever shown to Councillors?

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

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

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

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

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

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

Background

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

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

Please address the following:

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

Response

1. Has a letter been sent to the Minister?

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

2. Has a response been received by the Minister?

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

3. If so, what was the response?

In summary, the response included the following paragraph "the NSW Government has committed to invest \$40 million to deliver up to 700 additional commuter car spaces at Edmondson Park Station. These spaces are on top of the 400 parking spots already available. This means that, once complete, there will be around 1,100 spaces available at the station. Transport for NSW has started planning for the new commuter car park. While this will involve the investigation of complex issues, the Minister has asked for this work to be prioritised. We will update the community on the project as soon as more information is available".

COUNCIL DECISION

Motion: Moved: Clr Hagarty Seconded: Clr Kaliyanda

That Council:

- 1. Welcomes any additional parking at Edmondson Park Station, but also expresses its disappointment that to date no work has taken place despite promises made by the Premier and the Member for Holsworthy in January 2019; and
- 2. Write to the State Government and Federal Ministers requesting them to fast track funds for rail infrastructure in Western City.

Foreshadowed motion: Moved: Clr Ayyad Seconded: Clr Hadid

That Council:

- 1. Welcomes any additional parking at Edmondson Park Station and Council also expresses the need for an increase in parking spaces at Edmondson Park Station;
- 2. Request the State Government to implement the proposal as quickly as possible noting that under Section 335 of the Local Government Act 1993, lawful decisions of the Council are to be implemented without undue delay;
- 3. Receive an update at the March 2020 Council meeting as to when these letters were sent out and copies of letters written to relevant Ministers in State Government provided; and
- 4. Write to the State Government and Federal Ministers requesting them to fast track funds for rail infrastructure in Western City including the metro and the Leppington link to the Airport.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

Division called (for the Motion moved by CIr Hagarty):

- Vote for: Deputy Mayor Karnib Clr Hagarty Clr Kaliyanda Clr Shelton
- Vote against: Clr Ayyad Clr Balloot Clr Hadchiti Clr Hadid Clr Harle Clr Rhodes

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

49

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

Please address the following:

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

PRESENTATIONS BY COUNCILLORS

Nil.

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

NOTICES OF MOTION

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

BACKGROUND

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

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

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

NOTICE OF MOTION (submitted by CIr Kaliyanda)

That Council:

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

COUNCIL DECISION.

Motion:

Moved: Clr Kaliyanda Seconded: Clr Hagarty

That Council:

- 1. Investigate the feasibility of developing a TNR program at Liverpool Animal Shelter;
- 2. Involve local veterinarians and veterinary clinics in providing pro bono services to assist with the TNR program and rehoming of cats;
- 3. Identify other organisations, i.e. the RSPCA, that may also be able to assist and add value to a local TNR program;
- 4. Consider other measures that can be undertaken within the LGA to mitigate the impacts of feral cats on the local community and provide a report back to Council by the May 2020 Council meeting;
- 5. Write to relevant State Minister recommending that the State Government adopt legislation similar to the Western Australian Cat Act;
- 6. Addresses with WSROC the opportunity for WSROC to advocate for a regional solution;
- 7. Include in the LGA and LGNSW Conference Agenda a call for the Federal and State Government to provide funding to Council, to change the Companion Animal Act and provide Council funding to enable councils to enact the new measures to identify stray animals and non-registered cats as homeless and desex and house the cats until homes can be found in order to address feral cat plagues in urban areas; and
- 8. Bring its No Kill Policy to the next Council meeting for its consideration and that the report include some measurement in terms of what neighbouring Councils do or what the standard is across NSW.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

ITEM NO:NOM 02FILE NO:021320.2020SUBJECT:Bushfire Thank You

BACKGROUND

The entire nation has been moved by the unprecedented bushfire emergency.

I recently had the privilege of speaking to members from the Casula and Middleton RFS crews. When asked what the community could do to show their appreciation, one of the members remarked "we thrive on thank you".

The Liverpool community is proud of every one of its residents who have assisted in the emergency response, rescue and recovery effort. Let's come to together and give them the thank you they deserve.

NOTICE OF MOTION (submitted by CIr Hagarty)

That Council hold a 'Thank you' BBQ for all of the volunteers and workers from the Liverpool LGA involved in the bushfire response, rescue and recovery effort.

COUNCIL DECISION

Motion:

Moved: Clr Hagarty Second

Seconded: Clr Hadchiti

- 1. That Council hold a 'Thank you' BBQ for all of the volunteers and workers from the Liverpool LGA involved in the bushfire response, rescue and recovery effort.
- 2. That we use our social media channels to promote the RFS and how to become a volunteer in the RFS.

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

Councillors voted unanimously for this motion.

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

BACKGROUND

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

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

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

NOTICE OF MOTION (submitted by CIr Hagarty)

That Council:

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

COUNCIL DECISION

Motion: Moved: Clr Hagarty	Seconded: Clr Kaliyanda
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That the recommendation be adopted.

Foreshadowed motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That Council

1. Note the NOM of the Council Meeting dated 12th October 2016 that I proposed which was not supported by the majority of Council being:

That Council:

- 1. Reaffirms its position that it will never support a program that encourages the use of illicit drugs in our LGA.
- 2. Writes to Mr Matt Noffs making it clear that an "ice" room is not welcome here.
- 3. Support programs that encourage users to get off these deadly drugs rehabilitation centres).
- 4. Writes to each State & Federal member that represent our LGA requesting their support to ensure no "ice" room is established in Liverpool noting that Melanie Gibbons MP has already made her position of no support clear.
- 2. Strongly oppose a medically supervised injecting facility in the Liverpool LGA;
- 3. Notes the State Government through the local member for Holsworthy previously ruled out support for the establishment of medically supervised injecting facilities in the Liverpool LGA;
- 4. Notes The Drug Misuse and Trafficking Act 1985 only allowed for one supervised injecting facility licence in NSW to be issued, and a 2016 statutory review found there was insufficient need elsewhere to recommend changes to the act to add more;
- 5. Notes The 2019-20 NSW Budget includes \$1 billion in continued funding towards a range of homelessness and social and affordable housing programs;

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

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

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

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

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

Vote against: Clr Shelton

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

ITEM NO:NOM 04FILE NO:021359.2020SUBJECT:Moorebank Intermodal

BACKGROUND

An application to modify Moorebank Precinct West was lodged over three and half years ago, in July 2016, prior to this term of Council. The modification application and the associated 'staged development application' for Moorebank Precinct West was determined and notified in November and December of 2019.

As stated by the NSW DPIE Notification the Staged Development for Moorebank Precinct West has merits appeal rights attached. This statutory notification made on December 9th 2019 triggered a 28-day deadline for appeal.

During the last Council meeting it was proposed off the floor that Council lodge an appeal in the courts. Given the timing and information available at short notice, Council was not in a position to make an informed decision within the statutory limit of Jan 6th 2020.

A community advocacy group has lodged a Class 1 merits appeal before the statutory deadline and the first appearance has been set down for the 7th Feb 2020.

We now find ourselves able to join this action as the 2nd Applicant or provide financial and material support to the 1st Applicant.

At the time of Councillors deadline (28/01/2020 - 9.30am) to have motions in for the 5th February 2020 Council meeting, I still had some questions of the community group which I am awaiting answers. These go to the scope of the case, the possible outcomes and cost estimates that ensure a case can be run in its entirety.

The purpose for now is to give all notice that pending the response, a motion may be moved to commit funding subject to statutory requirements or have Council join as the 2nd applicant.

NOTICE OF MOTION (submitted by CIr Hadchiti)

That Council note that a motion may be moved to commit funding subject to statutory requirements or have Council join as the 2nd applicant.

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Rhodes

That Council:

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

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

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

Division called:

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

Vote against: Clr Shelton

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

Deputy Mayor Karnib called a recess at 8.16pm.

The Council meeting resumed at 8.27pm with all Councillors present.

Motion: Moved: Clr Hagarty Seconded: Clr Hadchiti

That Council move into Closed Session to consider CONF 01 – CONF 07 pursuant to the provisions of the Local Government Act 1993 shown below:

Item CONF 01 - EOI2910 Lurnea Affordable Housing Project and Item CONF 03 - WT2864 - Design and Construction of external lift at 3 Hoxton Park Road, Liverpool 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;

Item CONF 02 - WT2805 - Whitlam Leisure Centre Indoor Pool Concourse: is confidential pursuant to the provisions of s10A(2)(d ii) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council;

Item CONF 04 – Legal Affairs Report 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; and

Item CONF 05 - Proposed Acquisition of Lot 19 DP 17134, 36 Rickard Road, Chipping Norton under the Moorebank Floodway Voluntary Acquisition Scheme, item CONF 06 Question with Notice - Clr Hadchiti - 35 Scott Street, Liverpool and item CONF 07 Question with Notice - Clr Harle - Leasing of 33 Moore Street, Liverpool 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.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

COUNCIL IN CLOSED SESSION

CONFIDENTIAL ITEMS

ITEM NO:	CONF 01
FILE NO:	329294.2019
SUBJECT:	EOI2910 Lurnea Affordable Housing Project

COUNCIL DECISION

Motion: Moved: Clr Rhodes	Seconded: Clr Hadchiti
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That Council:

- In accordance with Section 178(1) (b) of the Local Government (General) Regulation 2005, declines to accept any of the Expression of Interest received for EOI2910 Lurnea affordable Housing Project;
- 2. Makes public its decision regarding tender EOI2910 Lurnea Affordable Housing Project; and .
- 3. Bring a report to the March 2020 Council meeting with other possible land uses suitable for this parcel of land (options to be presented in a table format) and the value of the land.

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

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

ITEM NO:CONF 02FILE NO:005109.2020SUBJECT:WT2805 - Whitlam Leisure Centre Indoor Pool Concourse Refurbishment

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Harle

That Council:

- 1. Declines to accept any of the tenders received for WT2805 Whitlam Leisure Centre Indoor Pool Concourse Refurbishment in accordance with Section 178(1)(b) of the Local Government (General) Regulation 2005.
- 2. In accordance with Section 178(3)(f) of the Local Government (General) Regulation 2005, noting that Council is carrying out the requirements of the proposed contract itself.
- 3. Makes public its decision regarding Tender WT2805 Whitlam Leisure Centre Indoor Pool Concourse Refurbishment.
- 4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
- 5. Be supplied with a costing to:
 - a) Soundproof and paint the exhibition hall; and
 - b) Upgrade the electricity supply to the hall to be able to run the air conditioning unit and that a report with the above costings to be brought back to the March 2020 Council meeting.

Clr Ayyad retired from the meeting at 8.30pm.

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

Councillors voted unanimously for this motion.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

ITEM NO:CONF 03FILE NO:006220.2020SUBJECT:WT2864 - Design and Construction of external lift at 3 Hoxton Park Road,

COUNCIL DECISION

Liverpool

Motion: Moved: Clr Hadchiti Seconded: Clr

That Council:

- 1. Retracts the Letter of Acceptance dated 30 October 2019 issued to All Tilt SLD Pty Ltd;
- Declines to accept any of the Tenders received for WT2864 Design and Construction of an external lift at 3 Hoxton Park Road, Liverpool in accordance with Section 178(1)(b) of the Local Government (General) Regulation 2005;
- In accordance with Section 178(3)(e) of the Local Government (General) Regulation 2005, enters into negotiations with SD Civil with a view to entering into a contract for the same scope of works;
- 4. In accordance with Section 178(4) of the Local Government (General) Regulation 2005, notes that the reasons for entering into negotiations with SD Civil and not calling fresh tenders are:
 - a) SD Civil is a subsidiary of the same parent SD Group as was All Tilt and will deploy the same resources and subcontractors as per All Tilt's offer;
 - b) Based on the evaluation of all the tenders, All Tilt provided the most advantageous offer to Council and negotiations will allow Council to evaluate SD Civil's capacity to provide the same offer;
 - c) SD Civil is the only tenderer offering a lift that is uniform with the other lifts that are being provided across Council's other facilities. This will enable cost-effective long-term operations and maintenance arrangements to be established for Council's entire portfolio of lifts; and
 - d) Inviting fresh tenders at this stage for the same scope of works is not expected to result in any significant benefits considering time delays and additional costs associated with a new tender process.

- 5. Notes that should the negotiations disclose any uncertainty regarding SD Civil's ability to undertake the required works or any material change to the original offer, fresh tenders will be invited for these works;
- 6. Makes public its decision regarding Tender WT2864 Design and Construction of an External Lift for 3 Hoxton Park Road;
- 7. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance for the tender, giving it contractual effect, in accordance with delegated authority; and
- 8. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

Councillors voted unanimously for this motion.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

ITEM NO:CONF 04FILE NO:009668.2020SUBJECT:Legal Affairs Report

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Balloot

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.

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

ITEM NO:CONF 05FILE NO:010775.2020SUBJECT:Proposed Acquisition of Lot 19 DP 17134, 36 Rickard Road, Chipping Norton
under the Moorebank Floodway Voluntary Acquisition Scheme

COUNCIL DECISION

Motion: Moved: Clr Hagarty Seconded: Clr Hadchiti

That Council:

- 1. Approves the acquisition of Lot 19 DP 17134, 36 Rickard Road, Chipping Norton under the provisions of the Moorebank Voluntary Acquisition Scheme for the price and terms outlined in this report;
- 2. Upon settlement of the acquisition, classifies Lot 19 DP 17134, 36 Rickard Road, Chipping Norton as 'Community' land;
- 3. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and
- 4. Authorises its delegated officer to execute any documents, under Power of Attorney necessary to give effect to this decision.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

Chairperson

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

Please address the following:

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

Please address the following:

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

THE MEETING CLOSED AT 9.04pm.

<Signature>

Name: Ali Karnib

Title: Deputy Mayor

Date: 26 February 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 5 February 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

Minutes of the Ordinary Council Meeting held on Wednesday, 5 February 2020 and confirmed on Wednesday, 26 February 2020

LIVERPOOL CITY COUNCIL

MINUTES OF THE ORDINARY MEETING HELD ON 26 FEBRUARY 2020

PRESENT:

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

The meeting commenced at 6.02pm.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

STATEMENT REGARDING WEBCASTING OF MEETING	The Chairperson reminded everyone that in accordance with Council's Code of Meeting Practice (other than the Public Forum Section), the meeting is being livestreamed.
ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY	The prayer of the Council was read by Pastor Stephen Reddish from New Life Christian Ministries.
NATIONAL ANTHEM	The National Anthem performed by Rebekah Ferro was played at the meeting.

APOLOGIES

Motion: Moved: Clr Karnib Seconded: Clr Kaliyanda

That Mayor Waller be recorded as an apology for the meeting.

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

CONDOLENCES

Mr Mark Amos (read by Clr Ayyad)

Mark Amos was born on 24 November 1956. He came from a large family and had five sisters, and was the 3rd child. Mark and his sisters were raised by their single father.

Mark grew up in Punchbowl with his family, until he was around 8 years old when he had to move into a specialised care home for his safety. When he was a very young child he was always running away and walking the streets, he was never to be held in one spot, and this continued till the day he passed.

He attended a special school when he was young, for a time, however school was not for him.

Mark moved to Liverpool around 25 years ago. He quickly learnt the area, from the hospitals, police stations, food courts and volunteer kitchens. He used to get on a train, and loved catching trains everywhere. He would often get a train to Bankstown or Punchbowl as that is where he grew up.

He loved to be out and about and was often out till early hours of the morning talking, walking and eating.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

He is a well-known member of the community in Liverpool. Everybody knew Mark. Some good stories, some not so good, but all very well known.

A memorial was held for Mark at the Hilda Davis Hall on 22 February 2020. May he rest in peace.

Ms Wendy Tesoriero (read by Deputy Mayor Karnib)

Wendy Tesoriero passed away on 25 February 2020.

Wendy was a Branch Librarian doing an outstanding job at Carnes Hill, following her passion to make libraries inviting spaces for the community, particularly for young people.

Wendy was working with youth and schools to support their involvement in the library, as well as working with the Carnes Hill precinct team.

Wendy had worked in local government libraries for nearly 20 years and loved her job. She really wanted to make a difference in Carnes Hill and the library was running extremely well under her guidance.

The news of Wendy's passing is shocking and distressing to staff at Liverpool City Council.

Wendy will be remembered for her community spirit and enthusiasm.

On behalf of Liverpool City Council, I humbly express my deepest condolences to Wendy's husband David, her daughter Alison, and all of her family and friends during this difficult time.

May she rest in peace.

Motion: Moved: Clr Karnib Seconded: Clr Ayyad

That Council writes to the families of Mr Mark Amos and Ms Wendy Tesoriero expressing our condolences for their loss.

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

CONFIRMATION OF MINUTES

Motion: Moved: Clr Shelton Seconded: Clr Hadchiti

That the minutes of the Ordinary Meeting held on 5 February 2020 be confirmed as a true record of that meeting.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

DECLARATIONS OF INTEREST

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

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

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

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

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

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

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

Item: NOM 04 Flooding & Drainage Management Austral Precinct

Reason: Clr Hadchiti lives in close proximity to the area.

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

The Acting CEO made the following statement:

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

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

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

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

Thank you."

PUBLIC FORUM

Presentation - items not on agenda

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

Liverpool Animal Shelter

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

Liverpool Animal Shelter

Motion: Moved: Clr Shelton Seconded: Clr Hadchiti

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

Liverpool Animal Shelter

	Motion:	Moved: CIr Shelton	Seconded: Clr Hadchiti
	That a three minute extension of time be given to Ms Carter.		
	On being put to the meeting the motion was declared CARRIED.		
4.	Mr David Milovanovic addressed Council on the following matter:		
	Dirt mounds at t	he Serbian Cultural Club, St S	Sava
Representation – items on agenda			

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

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

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

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

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

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

Motion: Moved: Clr Karnib Seconded: Clr Hadchiti

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

Motion: Moved: Clr Shelton Seconded: Clr Hadchiti

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

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

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

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

Motion: Moved: Clr Kaliyanda Seconded: Clr Rhodes

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

MOTION OF URGENCY

ITEM NO: MOU 01 **SUBJECT:** Liverpool Animal Shelter

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

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

That Council:

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

- d. Impounded
 - i. At Blacktown
 - ii. Elsewhere
- e. Of those impounded
 - i. Rehomed
 - ii. Unsuitable animals euthanased
 - iii. Sent to rescue organisations
 - iv. Sold
- 9. Request WSROC adopt a No Kill policy and encourage all member Councils to do the same; and
- 10. Write to Local Government NSW to request the Companion Animal Act to better respond to cats.

Division:

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

Vote against: Clr Shelton.

MOTION OF URGENCY

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

It is however shown below for the record:

That Council:

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

CHIEF EXECUTIVE OFFICER REPORT

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

COUNCIL DECISION

Motion: Moved: CIr Shelton Seconded: CIr Rhodes

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

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

MOTION TO BRING ITEM FORWARD

Motion Moved: Clr Hadchiti Seconded: Clr Shelton

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

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

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

Foreshadowed motion: Moved: Clr Kaliyanda Seconded: Clr Hagarty

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

The Chairperson, Deputy Mayor Clr Karnib called a recess of Council at 7.53pm.

The Chairperson, Deputy Mayor Clr Karnib reopened the meeting at 8.03pm.

Clr Kaliyanda returned to the meeting at 8.06pm.

CITY ECONOMY AND GROWTH REPORT

ITEM NO:EGROW 01FILE NO:324661.2019SUBJECT:Developer Contributions - instalment payments for secondary dwellings

COUNCIL DECISION

Motion:	Moved: Clr Ayyad	Seconded: Clr Hadchiti
Motion:	Moved: Clr Ayyad	Seconded: Clr Hadchil

That this item be deferred to the March Council meeting until questions relating to the increases in section 7/11s, new fees and charges and the Compliance Levy can be answered.

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That Council:

- 1. Resolve to exhibit draft *Liverpool Contributions Plan 2018 Established Areas* (*Amendment 1*) on public exhibition in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and regulations; and
- 2. Delegate to the CEO authority to finalise *Liverpool Contributions Plan 2018 Established Areas (Amendment 1)* if no submissions opposing the changes are received.

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

COUNCIL DECISION

Motion: Moved: CIr Harle Seconded: CIr Rhodes

That Council defer this item and a Councillor workshop be held on the matter.

Councillors voted unanimously for this motion.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

ITEM NO:	EGROW 03
FILE NO:	004624.2020
SUBJECT:	Report on Implementation Strategy for Smoke-Free Areas

COUNCIL DECISION

Motion:	Moved: CIr Rhodes	Seconded: Clr Harle

That Council:

- 1. Receives and notes the report; and
- 2. Continue to engage in opportunities to participate in organisations such as WSROC to continue to encourage and educate people about the outdoor smoke and smoking zone laws.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

	gazotal of Athonamont to to the EEET, and
4.	Advises those who made a submission of Council's decision.

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

Councillors voted unanimously for this motion.

ITEM NO: EGROW 04

FILE NO: 028362.2020

SUBJECT: Post Exhibition Report - Draft Liverpool Local Environmental Plan 2008 (Amendment 78) and Draft Liverpool Development Control Plan (Amendment 35) - land subject to Basin 14 and Bernera Road, Edmondson Park

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COUNCIL DECISION

Motion:	Moved: Clr Shelton	Seconded: Clr Kaliyanda

That Council:

- 1. Notes the Gateway determination for draft Liverpool Local Environmental Plan 2008 (Amendment 78) and the results of public exhibition and community consultation;
- 2. Approves Amendment 78 to the Liverpool Local Environmental Plan 2008 and delegates authority to the CEO to liaise with the Parliamentary Counsel's Office and the Department of Planning, Industry and Environment to finalise Amendment 78;
- 3. Adopts Amendment 35 to Liverpool Development Control Plan 2008, to come into effect upon the publication of the required notice in the local newspaper following gazettal of Amendment 78 to the LLEP: and

CIr Hagarty and CIr Hadid left the Chambers at 8.29pm.

Cir Hagarty returned to the Chambers at 8.30pm.

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

COUNCIL DECISION

Motion:	Moved: Clr Rhodes	Seconded: Clr Harle

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

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

Appoint a Selection Committee to appoint up to 5 voting community members.

4. Clause 8.1 be changed to read:

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

5. Clause 8.3 be changed to read:

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

6. An additional clause be added as below:

"The Chairperson must be called to resolve a matter."

Foreshadowed motion: Moved: Clr Balloot Seconded: Clr Kaliyanda

That the recommendation be adopted.

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

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

CIr Hadid returned to the Chambers at 8.36pm.

ITEM NO:EGROW 06FILE NO:032711.2020SUBJECT:Liverpool City Centre Car Parking Strategy

COUNCIL DECISION

Moved: Clr Ayyad Seconded: Clr Kaliyanda

That Council

Motion:

- 1. Adopts the Liverpool City Centre Car Parking Strategy 2020-2030.
- 2. Identify locations within 100m of Liverpool train station, which Council owns or can acquire for a carpark, and for this to be reported to the April 2020 Council meeting.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

Clr Rhodes left the Chambers at 8.36 pm.

Clr Ayyad left the Chambers at 8.36 pm.

CITY COMMUNITY AND CULTURE REPORT

ITEM NO:COM 01FILE NO:330035.2019SUBJECT:Grants, Donations and Corporate Sponsorship

COUNCIL DECISION

Motion: Moved: Clr Shelton Seconded: Clr Hadchiti

That Council endorses the recommendation of **\$10,000** (GST exclusive) under the **Corporate Sponsorship Program** for the following project:

Applicant	Project	Recommended
Liverpool-Fairfield Community Radio	Transmission Upgrade	\$10,000

That Council endorses the recommendation of **\$18,000** (GST exclusive) under the **Matching Grants Program** for the following projects:

Applicant	Project	Recommended
Holsworthy High P&C Association	Holsworthy Community Garden Greening Dreaming	\$9,000
CuriousWorks Incorporated	GENerate 2168	\$9,000

That Council endorses the recommendation of **\$5,000** (GST exclusive) under the **Sustainable Environment Grants Program** for the following project:

Applicant	Project	Recommended
Middleton Grange Public School	Lakeside Outdoor Learning Project	\$5,000

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

CIr Rhodes returned to the Chambers at 8.37 pm.

CITY CORPORATE REPORT

ITEM NO:CORP 01FILE NO:026342.2020SUBJECT:Investment Report January 2020

COUNCIL DECISION

Motion:	Moved: CIr Hagarty	Seconded: Clr Shelton

That Council receives and notes this report.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

Clr Balloot left the Chambers at 8.39pm.

Clr Ayyad returned to the Chambers at 8.39pm.

Cir Balloot returned to the Chambers at 8.41pm.

ITEM NO:CORP 02FILE NO:028056.2020SUBJECT:Reducing Red Tape - Development of Policies, Standards, Charters,
Procedures and Strategies

COUNCIL DECISION

Motion:	Moved: Clr Kaliyanda	Seconded: Clr Hadchiti
	Moved. On Ranyanda	

That Council:

- 1. Rescind the following policies:
 - 1.2. Liverpool City Library Collection Development and Information Access Policy;
 - 1.4. On- Site Stormwater Detention Policy;
 - 1.5. Development Construction Specifications (superseded); and
 - 1.6. Development Design Specification (superseded).
- 2. Convert the following documents to CEO-approved standards under the Development of Policies, Standards, Charters, Procedures and Strategies Framework:
 - 2.2. Liverpool City Library Collection Development and Information Access Standard and Procedures;
 - 2.4. On-Site Stormwater Detention Standard.
- 3. The following policies remain as policies for the time being and be further reviewed at a later date:
 - i. Liverpool Regional Museum Collecting and Care of Collections; and
 - ii. Footpath/Nature Strip Mowing

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

ITEM NO:CORP 03FILE NO:030828.2020SUBJECT:Budget Review - December 2019

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti Seco

Seconded: Clr Ayyad

That Council:

- 1. Approves the identified budget variations in accordance with this report; and
- 2. Transfer \$1.5 million from the unrestricted reserves to City Presentation so that any required machinery can be purchased.

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

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

ITEM NO:CORP 04FILE NO:033098.2020SUBJECT:Draft Policy - Customer Engagement and Quality Assurance

COUNCIL DECISION

Motion:	Moved: Clr Rhodes	Seconded: Clr Hadchiti

That Council:

- 1. Not adopt the draft Customer Engagement and Quality Assurance Policy; and
- 2. Direct the CEO to brief Councillors in April 2020 and give feedback to Councillors on any dashboards that are available to keep Councillors informed on the Customer Service tracking system.

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

ITEM NO:CORP 05FILE NO:034100.2020SUBJECT:Provision of Mail Services for Council

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Rhodes

That Council delegate authority to the CEO to negotiate directly with Australia Post to extend their engagement with Council to provide postal services for up to five (5) years (to February 2025) pursuant to 55(3)(i) of the Local Government Act 1993, for the following reasons:

- a. The security of core notice delivery to residents and ratepayers is a business-critical function; and
- b. Australia Post is broadly considered to be the most reliable and cost-effective provider of general mailout services to residents and ratepayers of the Liverpool Local Government Area.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

Cir Hagarty returned to the Chambers at 9.14pm.

ITEM NO:	CORP 06
FILE NO:	036832.2020
SUBJECT:	Moorebank Intermodal

COUNCIL DECISION

Motion:	Moved: Clr Rhodes	Seconded: Clr Harle

That Council continue the exhibition period (due to expire on 10 March 2020) and at the completion of the period delegate authority to the CEO to progress funding in the event of no negative submissions being received.

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

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

COMMITTEE REPORTS

ITEM NO:	CTTE 01
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FILE NO: 016614.2020

SUBJECT: Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on 5 December 2019

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Rhodes
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That Council receives and notes the Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on 5 December 2019.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

ITEM NO:CTTE 02FILE NO:014461.2020SUBJECT:Liverpool Sports Committee Minutes of meeting held 28 November 2019

COUNCIL DECISION

That Council receives and notes the Minutes of the Liverpool Sports Committee Meeting held on 28 November 2019.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

ITEM NO:CTTE 03FILE NO:017708.2020SUBJECT:Minutes of the Liverpool Youth Council Meeting held on 10 December 2019

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Rhodes

That Council receives and notes the Minutes of the Liverpool Youth Council meeting held on 10 December 2019.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

ITEM NO:CTTE 04FILE NO:030126.2020SUBJECT:Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee
Meeting held on 29 January 2020

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Rhodes

That Council adopts the following recommendations of the Committee:

- i) Kurrajong Road and Cowpasture Road intersection, West Hoxton Signs and line marking scheme for approved intersection upgrade
 - Council approves the signs and line marking scheme along the Kurrajong Road approach to its signalised intersection with Cowpasture Road
- ii) Cartwright Avenue and Maxwell Avenue, Miller Proposed intersection upgrade
 - Council approves the proposed roundabout upgrade along with the associated signs and line marking scheme.
- iii) Moore Street and College Street, Liverpool Proposed pedestrian refuge and reconfiguration of on-street parking arrangement
 - Council approves proposed kerb returns and footpath works as well as signposting of the proposed carpark off Moore Street as 2P parking 7am-6pm Monday to Friday and 7am-1pm Saturday.
 - Council reviews the design of the proposed pedestrian refuge and, if required, re-submit the design to the Committee at a future meeting
- iv) Hume Highway, Casula Proposed shared path
 - Council approves the proposed signs and line marking scheme associated with the proposed shared user path along the section of Hume Highway between De Meyrick Avenue and Grove Street, Casula.
- v) Liverpool City Centre Festival of Chariot Community Event Classification of event and conditions for rolling road closure
 - Council classifies the event as a Class 2 Special Event requiring:
 - Submission of a Traffic Management Plan to TfNSW for endorsement
 - Advertisement of the event in local newspapers

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

xii) Various Streets, Liverpool LGA - Community Requests for Minor Traffic Facilities

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

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

170 Leacocks Lane, Casula – Bus Zone

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

Cecil Hills – Speed Review

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

Tucker Road/Cleary Place, Casula – Parking at Intersection

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

Dampier Place, Prestons – Truck Parking

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

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

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

xiii)Liverpool City Centre – Review of Parking Restrictions

• Council approves the proposed adjustments to the existing signs

xiv): Items Approved Under Delegated Authority.

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

BRING ITEMS FORWARD

Motion Moved: Clr Ayyad Seconded: Clr Balloot

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

NOTICES OF MOTION

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

BACKGROUND

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

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

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

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

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

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

It has been reported to Councillors that noise complaints often occur on weekends when Council has no Compliance Officers on the ground and able to investigate the complaint at the time of the violation.

Violations are increasing in hours of operation outside the hours that Liverpool Council Compliance officers work and a solution has to be found.

NOTICE OF MOTION (submitted by Clr Rhodes)

That Council:

- 1. Provide a costing report to the March Council Meeting for providing on the ground services by compliance officers during, and between 7am 9am and 4pm 10pm seven days a week each year.
- 2. Consider:
 - a. Cost to employ directly such officers under stipulated agreement to the hours needed by Council and not subject to overtime rates; and / or
 - b. Cost in overtime to utilise existing compliance officers on a rotation basis to service the out of hours requirements of Council; and / or
 - c. Contractual agreement through a local business with payment on invoice to Council for services supplied in responding to incidences within the outlined times.

COUNCIL DECISION

Motion: Moved: CIr Rhodes Seconded: CIr Harle

That the recommendation be adopted.

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

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

BACKGROUND

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

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

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

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

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

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

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

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

NOTICE OF MOTION (submitted by CIr Rhodes)

That Council

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

- 2. Nominate a percentage proportion of the Environment Levy to be used to support wildlife protection through the Liverpool LGA.
- 3. Provides all reports and communications in relation to all the above work already carried out and/or implemented by Council to Councillors.

COUNCIL DECISION

That this item be deferred to a future council meeting.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

ITEM NO:NOM 03FILE NO:038959.2020SUBJECT:Rail Services West of Bankstown

BACKGROUND

The South West Metro project will soon begin, tearing up the existing Bankstown line and converting it to a metro. This will remove Liverpool's 'express' route to the City Circle. Transport for NSW is now seeking feedback on proposed rail service options for train stations west of Bankstown once the metro is open.

Council has previously advocated on behalf of the community for a genuine express service from Liverpool to the City Circle, it should do so again.

NOTICE OF MOTION (submitted by CIr Hagarty)

That Council:

- 1. Makes a submission to Transport for NSW:
 - Endorsing Option 2, the restoration of the City via Regents Park line, as its preferred option;
 - Requesting peak services for Option 2 are genuine express services;
 - That Option 2 be implemented, not in 2024 when the Metro opens, but as soon as the existing Bankstown line is closed; and
 - That the route be named 'City via Regents Park' line.
- 2. Continues to advocate for:
 - Genuine express services from Liverpool to the City Circle; and
 - Better public transport services in Liverpool.

COUNCIL DECISION

Moved: Clr Hagarty Seconded: Clr Ayyad

That Council:

Motion:

- 1. Makes a submission to Transport for NSW:
 - Endorsing Option 2, the restoration of the City via Regents Park Line, as its preferred option;
 - Requesting peak services for Option 2 are genuine express services;

Chairperson

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

BACKGROUND

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

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

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

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

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

NOTICE OF MOTION (submitted by CIr Hadchiti)

That Council:

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

COUNCIL DECISION

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

That the recommendation be adopted.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

ITEM NO:NOM 05FILE NO:040517.2020SUBJECT:Auditiory Processing Disorder

BACKGROUND

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

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

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

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

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

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

NOTICE OF MOTION (submitted by Clr Kaliyanda)

That Council:

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

- 3. Develop a public display at Liverpool City Library about APD for the community;
- 4. Purchase phonics resources and educational materials for the regular collection of the Liverpool library network; and
- 5. Source educational resources about APD suitable for multicultural communities.

COUNCIL DECISION

Motion: Moved: CIr Kaliyanda Seconded: CIr Hagarty

That the recommendation be adopted.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

ITEM NO:NOM 06FILE NO:040547.2020SUBJECT:Media in election period

BACKGROUND

With the Council election set for September this year it is important that Council focus on delivering services to the community and that no perception exist that Council resources are used for campaigning.

NOTICE OF MOTION (submitted by CIr Ayyad)

In the 6 months prior to any voting (including pre-poll), that Council no longer use any social media channel to display any picture or name of a Councillor or any other form of Council advertisement (including newsletters etc).

COUNCIL DECISION

Motion: Moved: Clr Ayyad Seconded: Clr Balloot

Subject to the provisions of the Local Government Act 1993, in the 6 months prior to any voting (including pre-poll), that Council no longer use any social media channel or any other form of Council advertisement (including newsletters etc.) to display any picture or name of a Councillor.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

ITEM NO:NOM 07FILE NO:040536.2020SUBJECT:Personnel Matter

NOTICE OF MOTION (submitted by CIr Ayyad)

That Council move into closed session to discuss a personnel matter, in accordance with the provisions of section 10A(2)(a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors).

COUNCIL DECISION

Motion:

Moved: Clr Ayyad

Seconded: Clr Hadid

That the recommendation be adopted.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

QUESTIONS WITH NOTICE

ITEM NO:	QWN 01
FILE NO:	025437.2020
SUBJECT:	Question with Notice - Clr Hagarty - Community Sport Infrastructure Grants

Please address the following:

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

Response

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

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

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

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

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

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

Question

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

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

Questions

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

Questions

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

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

50

The purpose of the Hubs are to:

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

Questions

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

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

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

Council currently operates two Planning Panels that assess Development Applications.

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

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

Please address the following:

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

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

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

Please address the following:

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

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

54

Please address the following:

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

Please address the following:

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

Please address the following:

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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

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

The public were asked to leave the Chambers.

CLOSED SESSION

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

CONF 05 Personnel Matter Item CONF 05 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).

Council moved into Closed Session at 9.44pm.

CIr Hagarty left the Chambers at 9.44pm.

Clr Hadid and Clr Balloot returned to the Chambers at 9.47pm.

CONFIDENTIAL ITEMS

ITEM NO:CONF 01FILE NO:040489.2020SUBJECT:Mayor and Councillors Charity Ball 2020

BACKGROUND

Councillors received a memo from the Mayor on the 14th February 2020 outlining a Mayoral Direction.

The purpose of this motion is to set aside the Mayoral Direction and for Council to follow the process as adopted by Council in order to determine the beneficiary of the Ball.

NOTICE OF MOTION

That Council:

- 1. Set aside the Mayoral direction dated 14 February 2020; and
- 2. Continue with its adopted policy as a means of determining the beneficiary of the Mayor & Councillors Ball proceeds.

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Hadid

That Council:

1. Set aside the Mayoral direction dated 14 February 2020;

2. Continue with its adopted policy as a means of determining the beneficiary of the Mayor & Councillors Ball proceeds; and

59

3. The proceeds of the Charity Ball be shared evenly between CNA Italian Australian Services & Welfare Centre (NSW) Inc, and the Salvation Army.

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

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

CIr Hagarty returned to the Chambers at 9.59pm.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

ITEM NO:CONF 02FILE NO:032893.2020SUBJECT:Minutes of the Civic Advisory Committee Meeting held 31 January 2020

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Shelton

That Council receives and notes the Minutes of the Civic Advisory Committee Meeting held on 31 January 2020.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

 ITEM NO:
 CONF 03

 FILE NO:
 018516.2020

 SUBJECT:
 RCL2828– Provision of Asbestos Removal, Site Remediation and Demolition Services

COUNCIL DECISION

Moved: Clr Shelton Seconded: Clr Rhodes

That Council:

Motion:

- 1. Accepts the tenders from the following six contractors for RCL2828, to be issued with contracts for all Portions (A, B, C) for an initial three-year contract term, with the option of extending for two 12 month extensions:
 - Ford Civil Contracting Pty Ltd;
 - Beasy Pty Ltd;
 - RMA Contracting Pty Ltd;
 - CPA Contracting Pty Ltd;
 - Insite Remediation Services Unit Trust T/A Insite Remediation Services Pty Ltd; and
 - Liberty Industrial Pty Ltd.
- 2. Makes public its decision regarding Tender RCL2828– Provision of Asbestos Removal, Site Remediation and Demolition Services.
- 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.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

ITEM NO:	CONF 04
FILE NO:	029732.2020
SUBJECT:	Proposed Acquisiti

SUBJECT: Proposed Acquisition of Lot C DP 19162, 78 Rickard Road, Chipping Norton under the Moorebank Voluntary Acquisition Scheme

RECOMMENDATION

That Council:

- 1. Approves the acquisition of Lot C DP 19162, 78 Rickard Road, Chipping Norton under the provisions of the Moorebank Voluntary Acquisition Scheme for the price and terms outlined in this report;
- 2. Delegate authority to the CEO or her delegate to negotiate any reduction in price if required as outlined in this report;
- 3. Upon settlement of the acquisition, classifies Lot C DP 19162, 78 Rickard Road, Chipping Norton as 'Community' land;
- 4. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
- 5. Authorises its delegated officer to execute any documents, under Power of Attorney necessary to give effect to this decision.

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Harle

That the recommendation be adopted.

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

Chairperson

The Chairperson, Deputy Mayor Karnib asked that all staff leave the Chambers so that Councillors can deal with CONF 05.

ITEM NO:	CONF 05
FILE NO:	042261.2020
SUBJECT:	Personnel Matter

COUNCIL DECISION

Motion:	Moved: Clr Ayyad	Seconded: Clr Kaliyanda
	moved: on Ayyaa	

That Council:

- 1. Acknowledges the contributions and capabilities of the CEO over the course of the term.
- 2. Expresses confidence in the leadership of the CEO.
- 3. Indicates its belief that the newly elected Council should be afforded the opportunity to determine the CEO.
- 4. Note that the current CEO's contract will expire on 18 December 2020.
- 5. For the avoidance of doubt, Council determines not to renew the contract of the CEO for the reason stated above (3).
- 6. As per clause 5.2 of the contract, direct the Mayor to notify the CEO in writing of the decision within 48 hours from the conclusion of this meeting.

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

MOVE BACK INTO TO OPEN COUNCIL

Motion: Moved: Clr Hadchiti Seconded: Clr Balloot

That Council move back into Open Session.

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

Deputy Mayor Karnib reopened the meeting at 11.57pm and read out the resolution for CONF 05 (as shown in points 1 - 6 above) which was passed in Closed Session.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

THE MEETING CLOSED AT 12.00am.

<Signature>

Name:

Title:

Date: 25 March 2020

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

LIVERPOOL CITY COUNCIL

MINUTES OF THE ORDINARY MEETING HELD ON 25 MARCH 2020

PRESENT VIA VIDEO CONFERENCING:

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

The meeting commenced at 6.02pm

STATEMENT REGARDING WEBCASTING OF MEETING

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

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

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

APOLOGIES

Nil

CONDOLENCES

Mrs Pamela Short (read by Mayor Waller)

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

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

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

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

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

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

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

Pam and John played a significant part in enticing William Inglis & Son to move their bloodstock operations from Randwick, which they established in 1906, to Warwick Farm.

When diagnosed with breast cancer, Pam remained practical and courageous. She never complained about her situation and was compassionate and giving to others before herself.

To her family and her parents, former Liverpool Mayor Noel Short and his wife Phoebe, our Council expresses its sincere condolences.

May she rest in peace.

COUNCIL DECISION

Motion:Moved: Mayor WallerSeconded: Clr SheltonThat Council writes to Pamela Short's 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 Shelton	Seconded: Clr Hadid

That the minutes of the Ordinary Meeting held on 26 February 2020 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: NOM 01 Disqualifying real estate agents and property developers from civic office
- Item NOM 04 Ban on Prohibited Donors
- **Reason:** CIr Hadchiti holds a NSW Real Estate Licence (Corporate & Individual). Both item NOM 01 and NOM 04 call for real estate agents to be banned from running for Civic Office. CIr Hadchiti made the decision in December 2019 that he will not be standing for Civic Office after this term of Council and therefore the items will have nil effect on him.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

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

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

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

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

Clr Hagarty declared a pecuniary interest in the following item:

Item: NOM 04 Ban on Prohibited Donors

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

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

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

- Item: CORP 01 Response to NOM 05 A Prominent Permanent Home for the City of Liverpool and District Historical Society
- **Reason:** Clr Hagarty, Clr Kaliyanda and Clr Shelton are Ordinary members of the City of Liverpool and District Historical Society.

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

CIr Karnib and CIr Balloot joined the meeting at 6.09pm

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

Item: NOM 04 Ban on Prohibited Donors

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

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

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

- Item: NOM 01 Disqualifying real estate agents and property developers from civic office
- Item NOM 04 Ban on Prohibited Donors
- **Reason:** Clr Ayyad's husband holds a NSW Real Estate licence but does not currently work as a real estate agent.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

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

- Item: NOM 01 Disqualifying real estate agents and property developers from civic office
- Item NOM 04 Ban on Prohibited Donors
- **Reason:** Clr Balloot holds a NSW Real Estate Licence but has never worked as a real estate agent.

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

PUBLIC SUBMISSIONS

Written submissions for items not on agenda

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

Funding for appeal proceedings.

This submission has been circulated to Councillors.

Written submissions for items on agenda

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

NOM 03: Save Liverpool Animal Shelter

This submission has been circulated to Councillors.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

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

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

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

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

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

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

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

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

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

Motion:

Moved: Mayor Waller

That Council:

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

MOTION OF URGENCY

ITEM NO: MOU 01 SUBJECT: Approval to provide funding for RAID Moorebank Class 1 merits appeal

The Chairperson accepted the motion as urgent.

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

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Rhodes

That Council:

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

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

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

Clr Shelton voted against the motion.

BACKGROUND

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

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

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

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

ITEM NO:CEO 02FILE NO:054926.2020SUBJECT:Motions for 2020 National General Assembly of Local Government

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Hadid

That Council:

Endorse the officer amendments to the motions as outlined in the report to be submitted to the Australian Local Government Association (ALGA) for consideration at the June ALGA Board meeting, subject to the following amendment to Proposed Motion iii)(a) Sustainable Housing Development so that it reads:

 Limits housing developments to cover no more than 40% of block size in urban Developments excluding secondary developments.

Foreshadowed motion: Moved: CIr Rhodes Seconded: CIr Harle

Endorse the officer amendments to the motions as outlined in the report to be submitted to the Australian Local Government Association (ALGA) for consideration at the June ALGA Board meeting.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

Clr Kaliyanda left the room at 6.44pm.

Clr Kaliyanda returned to the meeting at 6.45pm.

CITY ECONOMY AND GROWTH REPORT

ITEM NO:EGROW 11FILE NO:069170.2020SUBJECT:Adoption of Liverpool Local Strategic Planning Statement

COUNCIL DECISION

Motion:	Moved: CIr Rhodes	Seconded: Clr Harle
Motion:	Moved: Cir Rhodes	Seconded: Cir Harle

That Council:

1. Does not amend the draft Liverpool Local Strategic Planning Statement (LSPS) Action 10.2 and Structure Plan inset map so that the clause remains unchanged and reads:

"Prepare structure plan and planning proposal to rezone the Warwick Farm racing precinct to B4."

- 2. Delegates authority to the CEO to make any other minor typographical or editing amendments to the LSPS if required; and
- 3. Subject to receiving a formal letter of support from the Greater Sydney Commission (GSC), delegates authority to the CEO to adopt the LSPS, in accordance with Section 3.9(3A) of the *Environmental Planning & Assessment Act 1979*.

Foreshadowed motion: Moved: Clr Hagarty Seconded: Clr Kaliyanda

That Council:

1. Amends the draft Liverpool Local Strategic Planning Statement (LSPS) Action 10.2 and Structure Plan inset map to read:

"Prepare structure plan and planning proposal to rezone the Warwick Farm racing precinct to a mix of uses, including B4."

- 2. Delegates authority to the CEO to make any other minor typographical or editing amendments to the LSPS if required;
- Subject to receiving a formal letter of support from the Greater Sydney Commission (GSC), delegates authority to the CEO to adopt the LSPS, in accordance with Section 3.9(3A) of the *Environmental Planning & Assessment Act 1979*;

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

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

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

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

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

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

CITY COMMUNITY AND CULTURE REPORT

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

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Rhodes

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

QUESTIONS WITH NOTICE

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

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

Question

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

Response

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

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

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

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

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

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

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

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

Questions

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

Response

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

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

- The Disability Inclusion Action Plan considers the need for inclusiveness and accessible public spaces and activities for community members who require additional support to access their community.
- The Community Safety and Crime Prevention Strategy and Action Plan also addresses the need of older people to feel safe by including actions which encourage the delivery of community health and wellbeing projects specifically targeted to older residents. This include programs which address fall and trip injuries.
- The Liverpool City Centre Public Domain Masterplan outlines that Liverpool will provide inclusive places for all people, ensure spaces are accessible for all, and provide places that will allow programs to support healthy living. This plan is informed by Council's Community Strategic Plan, which emphasises the importance of providing access and equity to all community members, including seniors.

As co-convenors of the South West Sydney Ageing and Disability Forum (SWSADF), Council will continue to work closely with relevant community groups and organisations to support programs and initiatives in Liverpool which support seniors. These stakeholders will inform the most appropriate methods of consultation with senior community members. Councillors will be invited to participate in this consultation process and will have the opportunity to contribute to these ongoing discussions with Liverpool's older residents.

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Harle

Council prepare a report of all identified areas of opportunity for Council to better engage the aged Community and present it to the Age Workshops in December 2020 where the following is addressed:

- Suitable changes to notification periods for DAs in consideration of the aged;
- Suitable changes to methods of distribution of notification to the aged;
- Suitable changes to communications to the Aged on Age relevant matters;
- Possible Council run daily Agedcare facilities where their social and personal daily needs are catered for such as meals; and
- Culturally sensitive and CALD background aged care support be developed.

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

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

Questions

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

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

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

pollutants, standardising these measurements into an index which illustrates the level of risk.

NSW AQI updates can be found at: <u>https://www.dpie.nsw.gov.au/air-quality/current-air-quality</u>

To subscribe to regular air quality updates follow this link: <u>https://www.dpie.nsw.gov.au/air-quality/subscribe-to-air-quality-updates</u>

A specific index for Liverpool can be found at <u>https://aqicn.org/city/australia/nsw/liverpool/sydney-south-west/</u>

Ljverpool City Council in conjunction with the University of Wollongong has been installing air-monitoring systems within the Liverpool City Centre to enable collection of data on air pollution arising from both fine and coarse particles. Having objective data will enable a more effective conversation with the NSW Environment Protection Authority regarding appropriate response and corresponding funding.

Council also has street level air quality monitoring in the city centre as a result of the Smart Cities and Suburbs Program. This live data can be found at <u>https://pavo.its.uow.edu.au/</u>

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Harle

That Council:

- a) Prepare a report to be provided to the May Council Meeting on the cost and effectiveness of providing portable air monitoring stations to be made available for use throughout the LGA on a similar basis as the Council Cameras.
- b) A time frame where if determined to proceed, when the air monitoring stations could be in operation.

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

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

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

The purpose of the Hubs are to:

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

Questions

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

Response

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

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

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

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

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

Council currently operates two Planning Panels that assess Development Applications.

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

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

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

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

Response

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

Local Planning Panel

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

Sydney Western City Planning Panel

The Sydney Western City Planning Panel (SWCPP) is the designated regional panel that determines development applications that are classified as 'regionally significant' in the Liverpool LGA.

The SWCPP is a NSW Government agency pursuant to Section 2.12(4) of the Environmental Planning and Assessment Act. The SWCPP consist of 5 members. 3 members are appointed by the Minister of Planning and Public Spaces and 2 members from Council (the Council nominees). Council resolved at its meeting on 25 September 2019 that its primary representatives on the Panel are Mayor Waller and Cr Harle and its alternate members are Cr Hagarty and Deputy Mayor Cr Karnib.

The SWCPP has alternate members in case a primary panel member cannot attend a meeting.

The SWCPP operates under their own operational procedures including the required quorum for a meeting to proceed. The operational procedures states that a quorum for a planning decision is a majority of the panel members, including the chair, i.e. a total of three members. The Planning Panel Secretariat always extends meeting invitations to Council's representatives. If Council's primary representatives cannot attend a meeting, the Secretariat will extend the invitation to Council's alternate representatives. If for whatever reason a Council representative cannot attend the meeting, the operational procedures of the Panel allow for the meeting to proceed with the three State appointed members forming the quorum.

COUNCIL DECISION

Motion: Moved: CIr Harle Seconded:CIr Rhodes

That a report be brought back to Council about the feasibility of additional members or reserves on the Sydney Western City Planning Panel and the Local Planning Panel.

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

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

Please address the following:

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

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

2. Who prepared the landscaping plan?

Urbis Pty Ltd was engaged to prepare the landscaping plan.

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

\$43,450 (inc. GST)

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

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

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

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

6. When was the school of arts leased out?

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

7. When was agreement reached?

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

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

No rental income has been received.

9. When does the lease finish.

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

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

Please address the following:

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

Response

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

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

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

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

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

ITEM NO:QWN 08FILE NO:049368.2020SUBJECT:Question with Notice - Clr Hadchiti - Contamination Reports

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

Please address the following:

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

Response

Council has not undertaken any surveys from companies that have provided contamination reports as part of the DA assessment.

COUNCIL DECISION

Motion: Moved: CIr Hadchiti Seconded: CIr Hadid

That Council undertake surveys from companies that have provided contamination reports as part of the DA assessment.

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

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

Please address the following:

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

Response

At its meeting on 30 May 2018, Council resolved:

That Council:

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

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

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

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

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

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

ITEM NO:QWN 10FILE NO:049376.2020SUBJECT:Question with Notice - Clr Hadchiti - Civic Place

Please address the following:

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

Response

Noted, it could be interpreted this way, but no works will commence until the Masterplan DA has been approved.

Council has submitted an early works DA to enable the demolition and excavation, a major time component of Liverpool Civic Place, to potentially commence on approval of the Masterplan DA and the subsequent approval of the early works DA, but also potentially before the approval of the actual Council Works DA.

COUNCIL DECISION

Motion:

Moved: CIr Hadchiti

Seconded: Clr Balloot

That Council move into Closed session (pursuant to the provisions of Section 10(A)(2)(d ii) of the Local Government Act 1993) at the end of the meeting to discuss this matter.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

Please address the following:

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

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

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

Please address the following:

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

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

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

Does Liverpool Council have a policy on child sexual abuse?

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

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

Please address the following:

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

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

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

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

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

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

Please address the following:

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

Please provide:

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

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

Please address the following:

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

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

NOTICES OF MOTION

ITEM NO:NOM 01FILE NO:065535.2020SUBJECT:Disqualifying real estate agents and property developers from civic office

NOTICE OF MOTION

That Council supports moves to disqualify real estate agents and property developers from holding the office of Councillor or Mayor.

COUNCIL DECISION (submitted by CIr Hagarty)

Motion: Moved: Clr Hagarty Seconded: Clr Hadchiti

That this Notice of Motion be withdrawn.

On being put to the meeting the motion was declared CARRIED

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

BACKGROUND

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

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

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

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

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

NOTICE OF MOTION (submitted by Clr Kaliyanda)

That Council:

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

- c. Deliver consistent education campaigns to promote waste avoidance (reduce/reuse products) and recycling; and
- d. Introduce producer responsibility schemes for problematic materials

COUNCIL DECISION

Motion:

Moved: Clr Kaliyanda Seconded: Clr Karnib

That Council:

- Notes the long-awaited release of two Issues Papers (Cleaning Up Our Act The Future for Waste and Resource Recovery in NSW & Redirecting the Future of Plastic in NSW) by the NSW Government on 8 March 2020;
- Notes that the City of Liverpool paid \$9.7m in the S88 waste levy in the last financial year, and received \$217k in NSW Waste Less Recycle More grants in the same period (equal to 2.2% of waste levy paid);
- 3. Makes a submission to both Issues Papers, consistent with its previously adopted positions, encouraging:
 - a. NSW state government funding to support waste avoidance and recovery, including grant to support councils with major capital investments (including by reinvesting the \$800 million collected under the S88 Waste Levy into recycling);
 - b. The development of a local circular economy, and support for local manufacturing using recycled product;
 - c. Deliver consistent education campaigns to promote waste avoidance (reduce/reuse products) and recycling; and
 - d. Introduce producer responsibility schemes for problematic materials.
 - e. Continues to investigate all waste to energy opportunities.
- 4. Waste to energy projects be investigated to demonstrate benefits to the community and then consider including waste to energy in the Community Strategic Plan or Delivery Program/Operation Plan.

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

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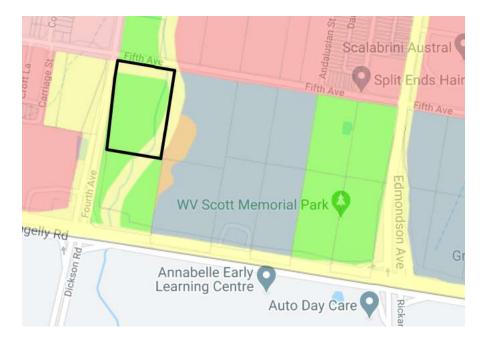
ITEM NO:NOM 03FILE NO:069426.2020SUBJECT:Save Liverpool Animal Shelter

BACKGROUND

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

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

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



Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

DA-525/201	3			
Development Application and associated signage	- Construction of a nine st	orey hotel and commercia	al building with two levels of	basement car parking
Status: Approved Lodged: 15/05/2013 Determined: 12/11/2013 Estimated Cost of Work: 9 Officer: Marcus Jennejoh	\$ 9,539,569 n			
Processing Group: Norma	People	History	Documents	Show All
39 SCOTT STREET LIVE		ristory	Contraction	CIDH FIL

NOTICE OF MOTION (submitted by CIr Ayyad)

That Council:

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

COUNCIL DECISION

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

ITEM NO:NOM 04FILE NO:069485.2020SUBJECT:Ban on Prohibited Donors

BACKGROUND

If you cannot donate, then why can you run for office? This motion calls on Council to write to both major parties to ban people who are prohibited donors and also those who benefit from industries associated with prohibited donors. It also calls upon those who have significant conflicts of interest to also be prohibited from running on Council.

NOTICE OF MOTION (submitted by Clr Ayyad)

That Council write the NSW Government and Opposition to ban people who are prohibited donors and also those who benefit from industries associated with prohibited donors and those who have significant conflicts of interest to also be prohibited from running on Council. An example of these industries are to include:

- Developers
- Real Estate Agents
- Builders
- Concreters
- Carpenters
- People engaged in the selling of alcohol and tobacco
- Staff of members of parliament (both State and Federal)
- Surveyors
- Excavators
- Candidates for state and federal elections
- And any other person who can benefit from a decision of Council.

COUNCIL DECISION

That this Notice of Motion be withdrawn.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

CONFIDENTIAL ITEMS

ITEM NO:CONF 03FILE NO:047681.2020SUBJECT:ST2953 Recycling Material Acceptance and Processing Service

COUNCIL DECISION

Moved: Clr Shelton

Seconded: Clr Rhodes

That Council:

Motion:

- In accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005 declines to accept Visy Paper Pty Ltd T/A Visy Recycling submission in response to the ST2953 Recycling Material Acceptance and Processing Service tender.
- 2. In accordance with Section 178(3)(e) of the Local Government (General) Regulation 2005 by resolution, delegates authority to the CEO or her nominee to enter into negotiations with Visy Paper Pty Ltd T/A Visy Recycling but with the ability to open this up to other parties, with a view to entering into a contract in relation to ST2953 Recycling Material Acceptance and Process Service.
- 3. In accordance with clause 178(4) off the Local Government (General) Regulation 2005, notes that the reasons for entering into negotiations and not calling fresh tenders are:
 - a) The market was not as expected, resulted in insufficient submissions.
 - b) Local offerings within the Liverpool LGA have not been fully explored. By proceeding with direct negotiations, Council will be able to engage with local suppliers and promote awareness of Council's purchasing procedures, facilitating economic development in the process.
- 4. Makes public its decision on ST2953 Recycling Material Acceptance and Processing Service.
- 5. 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.
- 6. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

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

Vote against: Clr Hadchiti.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

ITEM NO:CONF 04FILE NO:057403.2020SUBJECT:Tender WT2892 - Phillips Park Redevelopment

COUNCIL DECISION

Motion:

Moved: Clr Hagarty

Seconded: Clr Shelton

That Council:

- 1. Accepts the tender from HPAC Pty Ltd for Tender WT2892 Phillips Park Redevelopment for a 52 week contract term at the GST inclusive price specified in the confidential report.
- 2. Makes public its decision regarding Tender WT2892 Phillips Park Redevelopment.
- 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.

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

Councillors voted unanimously for this motion.

ITEM NO:CONF 05FILE NO:056949.2020SUBJECT:Acquisition of part of Lot 431 DP2475 being part of 270 Fifteenth Avenue,
Austral for drainage purpose

COUNCIL DECISION

Moved: Clr Shelton Seconded: Clr Kaliyanda

That Council:

Motion:

- 1. Approves the acquisition of part of Lot 431 DP2475, being part of 270 Fifteenth Avenue, Austral on the terms outlined in this confidential report;
- 2. Authorises the CEO or her delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision;
- 3. Resolves to classify part of Lot 431 DP2475 as "operational" land in accordance with the Local Government Act, 1993; and
- 4. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

COUNCIL IN CLOSED SESSION

Mayor Waller advised that Council would now move into Closed Session to discuss item QWN 10 (Question with Notice - Clr Hadchiti - Civic Place) because the information discussed was confidential pursuant to the provisions of s10(A)(2)(d ii) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.

Council moved into Closed Session at 8.00pm.

Motion: Moved: Clr Kaliyanda Seconded: Clr Shelton

That Council move back into open session.

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

At 8.04pm, Council moved back into open session.

Note, there was no motion or resolution regarding QWN 10.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

ITEM NO:NOM 05FILE NO:069522.2020SUBJECT:Civic PlacePDF1_Heading_21

BACKGROUND

According to media and Council's website, Civic Place is going to cost rate payers \$195 million dollars, up from the \$75m it was supposed to cost in the last term of Council.

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Whilst there is support for the project, many residents have been concerned that they haven't been consulted about the cost.

This motion calls on Council to immediately begin community consultation and let the ratepayers and residents know how much Civic Place will cost them and the cost difference from when originally started, as they are the ones paying for it.

NOTICE OF MOTION (submitted by CIr Ayyad)

That Council:

- 1. Immediately undertake extensive community consultation regarding the new vs old cost of civic place. This is to include a direct mail out to all rate payers and residents; and
- 2. Undertake no further work until this has been completed and the results are returned to Council.

COUNCIL DECISION

Motion: Moved: Clr Ayyad Seconded: Clr Balloot

That Council immediately undertake extensive community consultation regarding the new vs old cost of civic place. This is to include a direct mail out to all rate payers and residents.

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

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

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

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

THE MEETING CLOSED AT 8.18pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 29 April 2020

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

Minutes of the Ordinary Council Meeting held on Wednesday, 25 March 2020 and confirmed on Wednesday, 29 April 2020

LIVERPOOL CITY COUNCIL

MINUTES OF THE EXTRAORDINARY MEETING HELD ON 16 APRIL 2020

PRESENT VIA VIDEO CONFERENCING:

Mayor Wendy Waller Councillor Ayyad Councillor Balloot Councillor Hadchiti **Councillor Hadid** Councillor Hagarty **Councillor Harle** Councillor Kaliyanda **Councillor Karnib** Councillor Rhodes **Councillor Shelton** Ms Kiersten Fishburn, Chief Executive Officer Mr Tim Moore, Director City Economy and Growth / Deputy CEO Mr George Hampouris, Acting Director City Corporate Mr David Maguire, Internal Ombudsman Ms Elizabeth Espinosa, General Counsel, Manager Governance, Legal and Procurement Ms Julie Scott, Manager City Economy Mr Vishwa Nadan, Chief Financial Officer Dr Eddie Jackson, Director City Community and Culture Mr Peter Patterson, Director City Presentation Mr Raj Autar, Director City Infrastructure and Environment Mr Andrew Stevenson, Chief Strategy and Engagement Officer Ms Tina Sangiuliano, Strategic Organisational Changer Manager Mr George Georgakis, Manager Council and Executive Services Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

OPENING

6.02pm.

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

Minutes of the Extraordinary Council Meeting held on Thursday, 16 April 2020 and confirmed on Wednesday, 29 April 2020

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION

Read by the Chief Executive Officer, Ms Kiersten Fishburn.

APOLOGIES

Nil.

DECLARATIONS OF INTEREST

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

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

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

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

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

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

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

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

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

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

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

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

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Minutes of the Extraordinary Council Meeting held on Thursday, 16 April 2020 and confirmed on Wednesday, 29 April 2020

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

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

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

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

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

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

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO:CEO 01FILE NO:092286.2020SUBJECT:COVID-19 - Liverpool City Council Response

DECISION

In relation to the Initiatives outlined in the report, that Council carry out the following (as listed and voted on separately at the meeting):

Moved Clr Shelton Seconded: Clr Hadchiti

Workforce

Motion

1. Initiative

That Council direct the CEO for the first six months of 2020/2021, retain the staff budget, as in the 2019/2020 staff budget, with the exception of any mandated award increases.

Minutes of the Extraordinary Council Meeting held on Thursday,	16 April 2020 and confirmed on Wednesday, 2	29 April 2020

Motion:

Moved: Clr Hadchiti

Community

2. Initiative

That Council:

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

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

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

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

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

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

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

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Chairperson

Motion: Moved: Clr Hagarty Seconded: Clr Shelton

CITY ECONOMY

3. Initiative:

That Council:

- 1. Support businesses specialising in hospitality, retail, tourism and leisure by allocating funds from the CDF for a *Rebuilding Liverpool's Economy* package to support businesses in the Liverpool CBD affected by the crisis; and
- 2. Also offer this support package to impacted businesses beyond the CBD, with a separate funding allocation.

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

Motion:

Moved: Clr Hagarty

Seconded: Clr Shelton

4. Initiative:

That Council:

Implement a Business to Consumer program for non-retail businesses (eg manufacturers, wholesalers, transport and logistics companies) to facilitate an effective pivot of their existing business models; to deliver a Business Resilience webinar series to local businesses; support local businesses to pivot towards resilient operations; develop a digital ready grants program for businesses outside the CBD; and support skills development of people who become unemployed or are redeployed, by working with them and with tertiary institutions. All businesses in the LGA (in particular those outside the CBD) would be supported by this initiative.

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

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Moved: Clr Hadchiti

Seconded: Clr Hadid

Motion:

COMPLIANCE

5. Initiative:

That Council extend the parking permit system to businesses and their staff operating from the CBD (excluding Westfields) including health care providers. All permits to have an initial lifespan till end of July 2020.

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

6. Initiative

Note, Initiative 6 (as shown in the Council report) was not voted on as this was raised at the meeting and Council was advised that rehoming will be undertaken and will commence next week.

Motion:

Moved: Clr Kaliyanda Seconded: Clr Hadchiti

7. Initiative

That Council direct the CEO to apply discretion when issuing infringements, while protecting public health and safety. In that regard, fines will only be issued in the following circumstances:

- Parking in a "No Stopping" and "No Parking" zones and in close proximity to an intersection;
- Trucks parking in residential areas in excess of one hour;
- Parking on nature strips where it causes an obstruction to pedestrians and/or a blind spot for drivers exiting their driveways;
- Environmental pollution incidents; and
- Dog attacks.

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

Minutes of the Extraordinary Council Meeting held on Thursday, 16 April 2020 and confirmed on Wednesday, 29 April 2020

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

8. Initiative

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

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

Motion:

Moved: Clr Hadchiti

Seconded: Clr Rhodes

9. Initiative

That Council:

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

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

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

Moved: Clr Hadchiti Seconded: Clr Rhodes

Motion:

RATES AND REVENUE

10. Initiative:

That Council:

- 1. Amend Rating Revenue policy to extend hardship provisions to all rating categories as defined under section 514 of the Local Government Act;
- 2. Allow applications for hardship to be made online to simplify process and remove requirements to provide detailed and complex information;
- 3. Report to a full Council meeting any hardship applications made that are being recommended for refusal for Council to determine;
- 4. Waive any interest due on approved hardship cases for a period of 6 months subject to review after the 6 month period; and
- 5. Include the Mayor as part of the Hardship Committee membership.

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

Motion: Moved: Clr Hadchiti Seconded: Clr Balloot

11. 12. 13. and 14. Initiatives:

Note: The following motion was moved and carried with respect to Initiatives 11, 12, 13 and 14.

That Council:

- 1. Provide a 100% rent abatement for all existing retail and small tenants/licence holders that have been affected by Federal restrictions put into place (excluding telecommunications lease) until 2 months after those restrictions are lifted;
- 2. For commercial tenants manage these in line with the Code of Conduct for Commercial Tenancies as introduced by the Federal Government, and report back to Council on these negotiations (excluding telecommunications lease); and
- 3. Provide a full refund for hirers/licence holders of any community facility whether casual or permanent where a fee has been paid and the use of that facility is not possible due to restrictions being put into place from the date restrictions were put into place.

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

Minutes of the Extraordinary Council Meeting held on Thursday, 16 April 2020 and confirmed on Wednesday, 29 April 2020

9

Motion: Moved: CIr Hagarty Seconded: CIr Hadchiti

15. Initiative:

That Council defer this initiative until further information is received about the budget.

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

Motion:	Moved: CIr Kaliyanda	Seconded: Clr Shelton
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ADVOCACY

16. <u>Initiative:</u>

That Council seek funding from the NSW Government for an accelerated package of capital works projects (attached to the report) that can be delivered in the Liverpool LGA within a short timeframe.

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

Motion:

Moved: Clr Kaliyanda

Seconded: Clr Rhodes

17. Initiative

That Council direct the CEO to support the actions endorsed in previous resolutions through Ministerial letters and targeted communications campaigns; and

Additionally:

Write to Federal and NSW Treasurers outlining collapse in revenues and seeking a rates guarantee to ensure financial liquidity, financial assistance to maintain existing employment levels and explicit inclusion of local government in any future stimulus packages;

Support LGNSW's campaign to suspend Fit for the Future guidelines given current circumstances, including writing to Minister for Local Government as appropriate;

Council believes FFF targets and benchmarks are now outdated and should be abandoned as councils will be increasingly unable to meet targets and benchmarks during the pandemic. Further information on the LGNSW campaign will be sought.

Write to Minister for Local Government seeking regulations requiring notices to be placed in newspapers be waived for six months in light of local papers suspending printing and for

Minutes of the Extraordinary Council Meeting held on Thursday, 16 April 2020 and confirmed on Wednesday, 29 April 2020

Council be allowed to advise residents through websites and social media;

With local newspapers suspending printed publication Council faces a potentially expensive increase in advertising costs if it is forced to publish notices in metropolitan newspapers. Accordingly, a suspension or abolition of current arrangements is sought.

Write to the Federal and NSW Governments to highlight the financial impact on Council of new childcare arrangements announced last week;

Write to local MPs with a summary of relevant resolutions; and

Implement an ongoing communications campaign to ensure residents and businesses have all available information about COVID-19 and Council's responses to support the community.

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

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

18. Initiative

That Council require any new expenditure that commits Council to an amount over \$500k be approved by Council.

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

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

19. Initiative

That Council waive all out-door dining fees from the date of restrictions coming into place until 2 months after these restrictions are lifted. Any fees paid to be refunded on a pro rata basis for that period.

Motion:

Moved: Clr Hadchiti Seconded: Clr Hadid

20. Initiative

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

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

Minutes of the Extraordinary Council Meeting held on Thursday, 16 April 2020 and confirmed on Wednesday, 29 April 2020

THE MEETING CLOSED AT 7.34pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 29 April 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 16 April 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

Minutes of the Extraordinary Council Meeting held on Thursday, 16 April 2020 and confirmed on Wednesday, 29 April 2020

LIVERPOOL CITY COUNCIL

MINUTES OF THE ORDINARY MEETING HELD ON 29 APRIL 2020

PRESENT VIA VIDEO CONFERENCING:

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

The meeting commenced at 6.00pm

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.

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

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

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

APOLOGIES

Nil.

CONDOLENCES

Nil.

CONFIRMATION OF MINUTES

Motion: Moved: CIr Shelton Seconded: CIr Harle

That the minutes of the Ordinary Meeting held on 25 March 2020 and Extraordinary Meeting held on 16 April 2020 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

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

- Item: CORP 02 Response to NOM 05 A Prominent Permanent Home for the City of Liverpool and District Historical Societys and property developers from civic office
- **Reason:** Clr Shelton is an ordinary member of the Historical Society. He holds no offices and will not participate in the discussions as he's done in previous occasions.

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

- Item: CONF 01 Independent Members of the Audit, Risk and Improvement Committee Term of Office Extension.
- **Reason**: Clr Shelton is an ordinary member of the Audit Committee. He knows some of the individuals involved only through their involvement in the Audit Committee.

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

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

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

- Item: CORP 02 Response to NOM 05 A Prominent Permanent Home for the City of Liverpool and District Historical Societys and property developers from civic office
- **Reason:** Clr Kaliyanda is an ordinary member of the City of Liverpool and District Historical Society.

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

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

- Item: CORP 02 Response to NOM 05 A Prominent Permanent Home for the City of Liverpool and District Historical Societys and property developers from civic office
- **Reason:** CIr Hagarty is an ordinary member the City of Liverpool and District Historical Society. .

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

PUBLIC FORUM

Nil.

MAYORAL REPORT

Nil.

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO:	CEO 01
FILE NO:	075692.2020
SUBJECT:	Draft Privacy Policy - recommendations for amendment by Information and Privacy Commission

COUNCIL DECISION

Motion:	Moved: CIr Shelton	Seconded: Clr Hagarty

That Council adopt the Draft Privacy Policy attached to this report.

ITEM NO: CEO 02
FILE NO: 058398.2020
SUBJECT: Response to QWN 15 Edmondson Park Commuter Car Parking from 5 February 2020 council meeting

COUNCIL DECISION

Motion: Moved: Clr Hagarty Seconded: Clr Hadchiti

That Council receive and note the report and perform the necessary road repairs and construct a safe thoroughfare along Croatia Avenue (along the stretch of road where a pedestrian was hit on 22 April 2020 and passed away) and calls on the NSW Government to immediately fast track construction of the commuter carpark and have alternate parking arrangements in place during construction.

ITEM NO:CEO 03FILE NO:071117.2020SUBJECT:Mayoral Direction pursuant to Section 226(d) of the Local Government Act
1993

6

COUNCIL DECISION

Motion: Moved: Clr Shelton Seconded: Clr Hadchiti

That Council note and endorse the Mayoral Direction dated 17 March 2020 attached to the report.

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

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

Clr Ayyad arrived at 6.15pm Clr Karnib arrived at 6.19pm

CITY ECONOMY AND GROWTH REPORT

ITEM NO:	EGROW 01
FILE NO:	052059.2020
SUBJECT:	LEP Review: Public Exhibition of draft Local Housing Strategy, draft Centres
	and Corridors Strategy & draft Industrial and Employment Lands Strategy

COUNCIL DECISION:

Motion:	Moved: Clr Shelton	Seconded: Clr Kaliyanda

That Council:

- 1. Place the Draft Local Housing Strategy; Draft Centres and Corridors Strategy and Draft Industrial and Employment Lands Strategy on public exhibition for 42 days; and
- 2. Receive a further report following the public exhibition period detailing submissions received and any amendments proposed.

Foreshadowed motion Moved: Clr Hadchiti Seconded: Clr Hadid

That Council:

- 1. Place the Draft Local Housing Strategy; Draft Centres and Corridors Strategy and Draft Industrial and Employment Lands Strategy on public exhibition for 42 days, subject to the following changes;
 - i. Remove the key action in the draft Strategy (as shown on page 87 of the Council Agenda) and copied below:

"Develop an Affordable Housing Contributions Scheme in line with Greater Sydney Commission's requirement for 5-10% affordable housing on up-zoned land"; and

- ii. To classify Middleton Grange as a town centre.
- 2. Receive a further report following the public exhibition period detailing submissions received and any amendments proposed.

One being put to the meeting the Motion (moved by Clr Shelton) was declared LOST with the Mayor not using her casting vote.

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

- Vote for: Mayor Waller, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton.
- Vote against: Clr Ayyad, Clr Hadchiti, Clr Hadid, Clr Harle and Clr Rhodes.

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

- **Vote for:** Clr Ayyad, Clr Hadchiti, Clr Hadid, Clr Harle and Clr Rhodes.
- **Vote against:** Mayor Waller, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton.

CIr Balloot arrived at the meeting at 6.26pm.

ITEM NO:	EGROW 02
FILE NO:	034212.2020
SUBJECT:	Report back - NOM 01 Feral Cats and Trap-Neuter-Return (TNR) Program
	from 5 February 2020 Council meeting

COUNCIL DECISION

Motion:	Moved: CIr Rhodes	Seconded: Clr Kaliyanda

That Council receives and notes this report.

ITEM NO: EGROW 03

FILE NO: 049640.2020

SUBJECT: Draft Amendment to Liverpool Development Control Plan 2008 - Part 1 General Controls (Chapter 26 Outdoor Advertising and Signage)

COUNCIL DECISION

Motion:	Moved: CIr Rhodes	Seconded: Clr Harle

That Council:

- 1. Place the draft amendment to the Liverpool Development Control Plan 2008 Part 1 General Controls (Outdoor Advertising and Signage) on public exhibition for a minimum period of 28 days in accordance with Clause 18 of the *Environmental Planning and Assessment Regulation 2000.*
- 2. Delegates to the CEO the finalisation of the DCP amendment should no submissions in opposition be received; or receive a further report outlining details of the submissions in opposition received at the conclusion of the exhibition period.

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, Deputy Mayor Karnib and Clr Rhodes.

Vote against: Clr Shelton.

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

FILE NO: 050882.2020

SUBJECT: Draft Amendments to Liverpool Contributions Plan 2009 and Liverpool Contributions Plan 2018 – Liverpool City Centre to ensure clarity around the payment of development contributions for complying development certificates

COUNCIL DECISION

Motion: Moved: Clr Hagarty Seconded: Clr Shelton

That Council:

- Exhibits draft Liverpool Contributions Plan 2009 (April 2020 Amendment) and draft Liverpool Contributions Plan 2018 – Liverpool City Centre (April 2020 Amendment) in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and regulations; and
- Delegates to the A/CEO authority to finalise Liverpool Contributions Plan 2009 (April 2020 Amendment) and Liverpool Contributions Plan 2018 Liverpool City Centre (April 2020 Amendment) if no submissions opposing the changes are received.

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

Councillors voted unanimously for this motion.

ITEM NO:EGROW 05FILE NO:056459.2020SUBJECT:Draft Amendment 1 to Liverpool Contributions Plan 2018 – Existing Areas -
Instalment Payments for Secondary Dwellings

12

COUNCIL DECISION

Motion: Moved: CIr Hagarty Seconded: CIr Kaliyanda

That Council:

- 1. Exhibits draft *Liverpool Contributions Plan 2018 Established Areas (Amendment 1)* in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and Regulations; and
- Delegates to the CEO authority to finalise *Liverpool Contributions Plan 2018 Established Areas (Amendment 1)* if no submissions opposing the changes are received.

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

Councillors voted unanimously for this motion.

ITEM NO: EGROW 06	
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FILE NO: 052134.2020

SUBJECT: Post Exhibition Report - Draft Liverpool Local Environmental Plan 2008 (Amendment 76) - Schedule 1 Amendment to permit vehicle sales or hire premises at 36-36A Kookaburra Rd, North Prestons

COUNCIL DECISION

Motion: Moved: Clr Hagarty Seconded: Clr Karnib

That Council:

- 1. Notes the Gateway determination for draft Liverpool Local Environmental Plan 2008 (Amendment 76) and the results of public exhibition and community consultation; and
- 2. Approves Amendment 76 and delegates authority to the CEO to liaise with the NSW Parliamentary Counsel's Office to finalise the amendment.

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

Councillors voted unanimously for this motion.

ITEM NO:EGROW 07FILE NO:054341.2020SUBJECT:Street Naming Request - Edmondson Park

COUNCIL DECISION

Moved: Clr Rhodes Seconded: Clr Harle

That Council:

Motion:

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

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

Councillors voted unanimously for this motion.

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

ITEM NO:EGROW 08FILE NO:056601.2020SUBJECT:Post Exhibition Report - Draft Liverpool Development Control Plan 2008
(Amendment 25)

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Harle

That Council:

- 1. Adopts draft Amendment 25 to the Liverpool Development Control Plan (Part 1 and Part 4) (Attachment 1 and 2) and authorises the CEO to finalise Amendment 25 including the correction of any minor typographical errors to come into effect upon the publication online; and
- 2. Notifies those who lodged a submission of Council's decision.

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

Councillors voted unanimously for this motion.

ITEM NO:EGROW 09FILE NO:057507.2020SUBJECT:Out of Office Hours Compliance Officers

COUNCIL DECISION

Motion:

Moved: Clr Rhodes Sec

Seconded: Clr Hadid

That Council,

- 1. Trial an after-hours service (7am to 9am and 4pm to 10pm) at the expense of no more than \$192,500 for 3 months commencing after the Covid lockdown ceases.
- 2. Monitor the number of out of hour issues responded to and report back to Council.
- 3. The out of hours shift to have the 2 officers work together.
- 4. Council to promote the employment of out of hour Ranger and environmental Health Officers surveillance in the Liverpool LGA on Council Website and Social Media including the service contact access telephone number that is answered by the out of hours officers.
- 5. Council receives a detailed briefing on compliance operations.

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

Clr Shelton asked that he be noted as having voted against the motion.

CITY COMMUNITY AND CULTURE REPORT

ITEM NO:	COM 01
FILE NO:	070863.2020
SUBJECT:	Alcohol Free-Zones in the Liverpool Local Government Area

COUNCIL DECISION

Motion:	Moved: Clr Rhodes	Seconded: Clr Shelton

That Council:

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

ITEM NO:COM 02FILE NO:082328.2020SUBJECT:Community Development and Planning Committee Charters

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Harle

That Council:

- 1. Receives and endorses the following updated charters:
 - Liverpool Access Committee;
 - Liverpool Community Safety and Crime Prevention Advisory Committee;
 - Aboriginal Consultative Committee; and
 - Liverpool Youth Council.
- 2. Amends the Tourism Events and CBD Committee Charter so that:
 - Committee members who cannot attend a meeting may delegate a representative to attend the meeting on their behalf by notifying Council officers prior to the meeting. This representative would then be included in the quorum;
 - Change of the quorum requirements to a number of Committee members (4), rather than half-plus-one;
- 3. Amends the Liverpool Access Committee Charter in 9.4.2 to add the words "Non Councillor" to Committee members so that it reads:

9.4.2 - Non Councillor Committee members who cannot attend a meeting may delegate a representative to attend the meeting on their behalf by notifying Council officers prior to the meeting. This representative would then be included in the quorum.

ITEM NO:COM 03FILE NO:042967.2020SUBJECT:Response to NOM 2 - Ferrington Park

COUNCIL DECISION

Motion:

Moved: CIr Harle

Seconded: Clr Rhodes

That Council:

- 1. Notes the alignment of revitalisation of pocket parks with Council's Recreation, Open Space and Sports Strategy; and
- 2. Notes the development of an Assessment and Planning Framework when working with the community on open space revitalisation projects.

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:	095230.2020
SUBJECT:	Car parking options within 100 metres of Liverpool train station

COUNCIL DECISION

Motion: Moved: Clr Hagarty Seconded: Clr Ayyad

That Council receive and note this report and that Council notes that most of the land is owned by the State and Council continues to lobby the State Government for a multi-storey carparking within a 600 metres radius of Liverpool train station and include the whole of Scott Street and Railway Street.

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

Clr Shelton and Clr Harle voted against the motion.

Liverpool and District Historical Society

Response to NOM 05 - A Prominent Permanent Home for the City of

COUNCIL DECISION

CORP 02

300783.2019

Motion:	Moved: CIr Rhodes	Seconded: Clr Harle

That Council:

ITEM NO:

FILE NO:

SUBJECT:

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

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

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

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

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

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

ITEM NO:CORP 03FILE NO:055849.2020SUBJECT:Investment Report February 2020

COUNCIL DECISION

Motion:	Moved: Clr Hadid	Seconded: Clr Shelton
Motion:	Moved: Cir Hadid	Seconded: Cir Shelton

That Council receives and notes this report.

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

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

ITEM NO:CORP 04FILE NO:060049.2020SUBJECT:Amendment to Councils Investment Policy

COUNCIL DECISION

Motion: Moved: CIr Hadid Seconded: CIr Rhodes

That Council considers and adopts the amended Investment Policy.

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

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

ITEM NO:CORP 05FILE NO:084313.2020SUBJECT:Investment Report March 2020

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.

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

CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO:	INF 01
FILE NO:	051729.2020
SUBJECT:	Upgrades to Whitlam Leisure Centre

COUNCIL DECISION

Motion:	Moved: CIr Rhodes	Seconded: Clr Harle
	woved. On Knodes	Seconded. On Marie

That Council:

- 1. Receives and notes this report with amendment to include the feasibility of solar panels on exhibition hall roof with the necessary power to run the Air Conditioning System.
- 2. Notes that identified works will be included in next year's capital works program (if feasible) following completion of all required investigations and design be included in Council's 2019/20 works program.
- 3. Seek appropriate grants for the project.

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

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

ITEM NO:INF 02FILE NO:052678.2020SUBJECT:Roads in Middleton Grange and Western Sydney Parklands

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That Council:

- 1. Receives and notes this report; and
- 2. Notes that a program of improvement works covering the identified rural roads will be included in Council's 2019/20 works program.

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

Councillors voted unanimously for this motion.

ITEM NO:INF 03FILE NO:058439.2020SUBJECT:Conservation of Koala Habitat Corridors

COUNCIL DECISION

Motion:

Moved: Clr Rhodes Seconded: Clr Harle

That Council:

- 1. Receives and notes this report;
- 2. Investigate virtual fencing to mitigate road kill of Koalas at kill hotspots in Liverpool;
- 3. Meet with Featherdale Wildlife Park in time to contribute the response to issues raised in:
 - a) INF 04 Animal Holding Facility; and
 - b) NOM 02 Animal Shelter.
- 4. Notes that a further report will be provided following completion of investigations into the outcomes of the feasibility of provision of a koala hospital and sanctuary within the LGA by the May/June/July Council meeting 2020; and
- 5. Negotiates with other councils bordering Liverpool.

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

ITEM NO:INF 04FILE NO:083909.2020SUBJECT:Animal Holding Facility

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Hadchiti

That Council:

- 1. Receives and notes this report.
- Identifies land that can accommodate a permanent animal shelter and possible Koala sanctuary in the Liverpool LGA (if the Koala Sanctuary is not provided for in the Western Sydney Parklands) and includes a possible animal training and exercise facility.
- 3. Prepare a report on costs to:
 - a) build a temporary animal holding facility on the current site if a long term lease could be arranged with the current owner for a period necessary for Council to build its new permanent facility.
 - b) build a temporary holding facility on the Rossmore Grange site land while the permanent facilities are being built.
 - c) time it would take to build temporary and permanent facilities.
 - d) inclusive of concept designs, costing and funding strategy for the building of the proposed animal holding facilities both temporary and permanent that is comparative to the current facility.
 - e) an option to include a possible Koala Sanctuary with a third party if interested in a joint venture and agrees to its management of the sanctuary operation.
 - f) The report to be presented back to the May Council Meeting 2020.

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

Councillors voted unanimously for this motion.

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

COMMITTEE REPORTS

FILE NO: 081065.2020

SUBJECT: Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee meeting held on 5 March 2020

COUNCIL DECISION

Motion:	Moved: Clr Rhodes	Seconded: Clr Hadid
		Seconded. Chi Hadid

That Council receives and notes the Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on 5 March 2020.

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

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

ITEM NO:CTTE 02FILE NO:081615.2020SUBJECT:Liverpool Sports Committee Minutes of meeting held 5 March 2020

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Hadid

That Council receives and notes the Minutes of the Liverpool Sports Committee Meeting held on 5 March 2020.

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

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

ITEM NO: CTTE 03

FILE NO: 081925.2020

SUBJECT: Meeting Notes of the Liverpool Youth Council meeting held on 12 February 2020 and Minutes of the Liverpool Youth Council meeting held on 4 March 2020

COUNCIL DECISION

Motion: Moved: CIr Rhodes Seconded: CIr Hadid

That Council:

- 1. Receives and notes the Meeting Notes of the Liverpool Youth Council meeting held on 12 February 2020; and
- 2. Receives and notes the Minutes of the Liverpool Youth Council meeting held on 4 March 2020.

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

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Hadid

That Council receives and notes the Minutes of the Aboriginal Consultative Committee Meeting held on 19 February 2020.

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

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

33

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Hadid

That Council receives and notes the Minutes of the Audit, Risk and Improvement Committee Meeting held on 7 February 2020.

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

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

ITEM NO:CTTE 06FILE NO:057499.2020SUBJECT:Minutes of the Tourism and CBD Committee meeting held on 11 February
2020

COUNCIL DECISION

Moved: Clr Shelton

Seconded: Clr Rhodes

That Council:

Motion:

 Receive and note the Minutes of the Tourism and CBD Committee meeting held on 11 February 2020, noting that the first motion shown on page 337 of the Council Agenda (and shown below) has lapsed in the circumstances.

MOTION: Report from City Economy team if there are any ongoing impacts of the corona virus on Liverpool's economy.

2. Endorse the other recommendations and actions in the Minutes

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

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

COUNCIL DECISION

Motion: Moved: CIr Rhodes Seconded: CIr Hadid

That Council adopts the following recommendations of the Committee:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Item 13 - Items Approved Under Delegated Authority

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

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

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

ITEM NO:CTTE 08FILE NO:089598.2020SUBJECT:Minutes of the Strategic Panel Meetings held on 3 March and 9 March 2020

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Hadid

That Council receives and notes the Minutes of the Strategic Panel Meetings held on 3 March and 9 March 2020.

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

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

ITEM NO:CTTE 09FILE NO:089732.2020SUBJECT:Minutes of Budget Review Panel 20 March 2020

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Hadid

That Council adopts the minutes of the Budget Review Panel meeting held on 20 March 2020.

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

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

QUESTIONS WITH NOTICE

ITEM NO:	QWN 01
	005400 0000

FILE NO: 065430.2020

SUBJECT: Question with Notice - Clr Balloot - Cyber Security and Operating Expenditure

Please address the following:

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

Response

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Please address the following:

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

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

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

Does Liverpool council have a policy on child sexual abuse?

Response

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

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

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

The Community Development and Planning team are leading Council's implementation of the Children's Guardian Act requirements, including the drafting of a Child Protection Policy.

In accordance with the statutory requirements of the Act, Council has established a Child Safe Working Group. This working group includes representatives from each directorate and is leading the development of a Child Protection Policy. Although not all Council staff work directly with children, the child safe practices include measures for upholding children's rights. These include: children's participation in decisions that affect them; and ensuring anyone working with children in any capacity understands the child's rights, child protection, safety and wellbeing. Some of the practical implications for Council include Council events, activities, surveys, workshops, community engagement, school engagement, recruitment of

Minutes of the Ordinary Council Meeting held on Wednesday, 29 April 2020 and confirmed on Wednesday, 27 May 2020

staff, ethical procurement (not using companies implemented in child exploitation) and competitions.

Council will be provided with regular updates of the implementation of the Children's Guardian Act requirements.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 April 2020 and confirmed on Wednesday, 27 May 2020

Please address the following:

We have over 100 Coronavirus cases confirmed in Australia, including three deaths up-todate (11 March 2020).

We have 54 Confirmed cases in NSW up to date (11 March 2020).

What measures is Council taking to ensure the safety of our staff and residents from the spread of Coronavirus?

What measures is Council taking to ensure to the support of small business in our LGA?

Response

Council has undertaken extensive work to ensure the safety of our staff and residents from the spread of coronavirus. All staff who are able to are working from home; teams have been split to ensure business continuity; and additional safety precautions implemented on continuing worksites, including City Presentation. Regular and continuing updates on Council's response, as well as Federal and NSW Government safety advice, have been communicated with residents. Councillors were provided with an extensive briefing by Council staff on Thursday 2 April and Wednesday 8 April. A comprehensive package of 19 initiatives was then endorsed by Councillors at an Extraordinary Council meeting on 16 April.

ITEM NO:QWN 04FILE NO:067198.2020SUBJECT:Question with Notice - Clr Hagarty - Brontos

Please address the following:

Previously the nearest Brontos were located at St Andrews and Parramatta. Is this still the case?

Response

Fire & Rescue NSW have informed Council that St Andrews does not have a Bronto but Parramatta does. They have also advised that if there is a fire at Liverpool it would be serviced by the Bronto at Parramatta.

Attached in the Agenda is a letter from the Minister for Police and Emergency Services to the Mayor dated 3 August from 2018 concerning the location of the Bronto.

Please provide:

- i. A list of all Council events cancelled or postponed over the last twelve months due to extreme weather events;
- ii. A list of all Council events cancelled or postponed over the preceding twelve months due to extreme weather events; and
- iii. An estimate as to the costs arising from item (i).

Response

A list of all Council events cancelled or postponed over the <i>last</i> twelve months due to extreme weather events	An estimate as to the costs arising from item (i).	A list of all Council events cancelled or postponed over the <i>preceding</i> twelve months due to extreme weather events
Major Events		
 No major events have been cancelled due to extreme weather events in the last twelve months (March 2019 - March 2020). The NYE pyrotechnics display was cancelled, but the event proceeded. 	Cost to Council was the \$15,000 forfeited deposit, and a credit was issued for the pyrotechnic product to use at a future event.	In the preceding 12 months (March 2018 - March 2019) no Major Events were cancelled due to extreme weather events, and all events were executed in full.
City Economy		
 Movies in the Mall 4 October – Wind 	\$123.60	None
 Movies in the Mall 4 December – Smoke 	No cost	
 Love Livo Nights 5 March – Heavy rain 	Still in cancellation process current costs \$1343.32	
• Love Livo Nights 5	Cancellation cost was \$3146.75	

Minutes of the Ordinary Council Meeting held on Wednesday, 29 April 2020 and confirmed on Wednesday, 27 May 2020

December – Postponed to January due to smoke						
Library & Museum Services	Library & Museum Services					
 Outdoor Cinema 2001: A Space Odyssey (One Small Step Moon Landing exhibition) 	Cost to Council was \$2,032.00. Hired furniture, heaters, barriers, toilets had been delivered onsite from Pillingers Hiring Service.	None				
High wind weather forecast						
 Outdoor Cinema The Dish (One Small Step Moon Landing exhibition) 	Cost to Council was the \$312.75 for security					
Decided not to proceed due to potential weather risk						
Community Development and Plan	nning					
• Stop DV Day (6 December 2019). Postponed due to smoke	Council provided a \$10,000 Corporate Sponsorship Grant for this project. The group has been granted an extension of the funding to deliver the event at a later stage.	None				
 Christmas in Carnes Hill (19 December 2019) smoke hazard and excessive temperature (over 40 degrees) 	Cost to Council was \$10,780.41, \$3,256.00 of which was issued as credit to use at a future event					
 Outdoor Cinema in Carnes Hill (6 March 2020) – Heavy rain 	Cost to Council was \$4,125.20, \$2,550.00 of which was issued as credit to use at a future event.	In the preceding 12 months, there were two events at Carnes Hill that were cancelled due to extreme weather: - Movie under the stars (October 2018) Heavy rain - Summer holiday movie (January 2019) Thunderstorms				
Memories in the Mall	\$1485 paid to performer. Artist					

Minutes of the Ordinary Council Meeting held on Wednesday, 29 April 2020 and confirmed on Wednesday, 27 May 2020

(13 February 2020)	is holding this amount as a	
Cancelled due to rain.	deposit for a later event.	
Civic and Citizenship		
 John Dwyer Bridge relaunch (19 November 2019) Cancelled due to extreme hot weather. 	\$2500 for infrastructure delivered on the day.	No citizenships or civic events cancelled from March 2018 to March 2019. All events were executed in full.
	TOTAL:\$49,364.03CREDITS:\$19,831.20NET COST:\$29,532.83	

ITEM NO:QWN 06FILE NO:069345.2020SUBJECT:Question with Notice - Clr Balloot - Civic Place

Please address the following:

- 1. Has council done an internal audit report in recent times?
- 2. Did any of the Councillors view the signed contract between Liverpool Council and Buildcorp Australia for the construction of Civic Place?
- 3. Can you advise why the cost for the Civic Place has risen from an estimated \$75 million in 2016 to \$195 million currently?

Response

1. Has council done an internal audit report in recent times?

LCP has been subjected to probity and scrutiny by a number of independent probity advisors and the Council's Audit, Risk and Improvement Committee. No Internal audits have been performed on the Liverpool Civic Place project until now.

The Head of Audit, Risk and Improvement has now prioritised an audit of LCP, after the QWN raised by Councillor Hadchiti. The audit scope for the proposed audit was presented at the 19 March 2020 Councillor briefing with no additional concerns noted at the time. An external audit firm has subsequently been appointed on 6 April 2020 to conduct this review.

2. Did any of the Councillors view the signed contract between Liverpool Council and Buildcorp Australia for the construction of Civic Place?

No, Councillors have not yet viewed the signed contract. Council resolved on 29 October 2019, in relation to LCP, to amongst other things, "Delegate authority to the CEO to negotiate and execute any changes to the Project Development Agreement with Built Holdings Pty Ltd.....". Councillors have been provided with access to the executed agreement.

3. Can you advise why the cost for the Civic Place has risen from an estimated \$75 million in 2016 to \$195 million currently?

Liverpool Civic Place (LCP) was approved by Council in June 2016 with a Total Project Cost estimated at \$87m. Since then, LCP has gone through many changes since the initial concept plan in 2016.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 April 2020 and confirmed on Wednesday, 27 May 2020

The key change has been an increase in the Council Works scope, from the initial 7,000 sqm of Council offices, 6,000 sqm Commercial /UoW office space and 3,000 sqm Library, for a total of 16,000 sqm to a now current total of 22,500 sqm.

This new Council Works scope represents a 41% increase in area and now includes 8,500 sqm Commercial/UoW space, 8,000 sqm Council offices, Council Chambers and Childcare and 5,000 sqm of City Library.

In addition to the above scope increase and associated additional building costs, it should be noted the cost escalation, increase in construction costs per annum, had been running at 4-5% pa and were forecast to continue at these rates for the term of the project i.e. 2-3 years.

It should also be noted, that the current LCP Total Project Cost at \$195m now includes provision for this forecast escalation(\$4m), in addition to further design and project contingencies(\$16m) on advice of our consultants.

All of the above information, including the increase to the Council Works scope, has been presented in detail to Councillors and reported numerous times to Council, including the latest report and endorsement in October 2018.

ITEM NO:QWN 07FILE NO:098282.2020SUBJECT:Question with Notice - Clr Hadchiti - Trees

Please address the following:

1. What progress has been made with the grant to plant trees across the City Centre?

52

2. Some trees on Council owned land create issues for resident's sewer and stormwater pipe systems. Besides leaving a hole in the ground when this occurs and waiting for Council to inspect pipes and confirm the roots are creating a problem, is there another solution for confirmation?

A response to these questions will be provided in the 27 May 2020 Council meeting business papers.

Motion: Moved: Clr Hadchiti Seconded: Clr Hagarty

That Council move into Closed Session at the end of this meeting to deal with this item pursuant to the provisions of s10A(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.

Note: this item was dealt with later in the meeting in Closed Section as shown on page number 67 of these minutes.

PRESENTATIONS BY COUNCILLORS

Nil.

ITEM NO:EGROW 10FILE NO:098127.2020SUBJECT:Timing of Section 7.11 & 7.12 Payments

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Hadid

That Council:

- 1. Exhibit concurrently the amendments included in this report to:
 - 1.1 Liverpool Contributions Plan 2009,
 - 1.2 Liverpool Contributions Plan 2008 Edmondson Park,
 - 1.3 Liverpool Contributions Plan 2014 East Leppington 2014,
 - 1.4 Liverpool Contributions Plan 2014 Austral and Leppington North,
 - 1.5 Liverpool Contributions Plan 2018 Liverpool City Centre and
 - 1.6 Liverpool Contributions Plan 2018 Established Areas

in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and regulations;

- 2. Delegates to the CEO authority to adopt the amendments to the Contributions Plans; and
- 3. Endorse the interim approach to conditioning development approvals prior to formalising the amendment to the Contributions Plans.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 April 2020 and confirmed on Wednesday, 27 May 2020

NOTICES OF MOTION

ITEM NO:NOM 01FILE NO:094925.2020SUBJECT:Wildlife Protection Special Levy

BACKGROUND

The recent devastation of Australian wildlife through drought, fire and floods has made it vitally important that everything possible is being done to protect and promote their survival in an environment that is becoming increasingly hostile to them.

Australia's international identity and tourism that contributes \$57.3 billon to the Australian economy has to be retained at all costs.

We can no longer, not consider the harm that the urban sprawl is doing to the habitats of our wildlife and all levels of government including local government must have a unified understanding of the issues and a unified approach to the solutions needed.

Liverpool Council has to do its part. It is no longer a question of identifying established wildlife corridors, it is now a necessity for Liverpool Council to create safe corridors. To plant koala feeder trees within these corridors and most important to connect all corridors with neighbouring LGA's and with safe road crossings where they are necessary in linking the corridors.

It is important more than ever that Liverpool Council continues discussions with the Department of Defence to make available corridors through their land to protect and nurture Australian wildlife.

It is important the wildlife corridors are created, locally, throughout the State of NSW and Nationally in order to provide Australian wildlife with access to routes without fences to escape any future fire threats.

It is not acceptable that 800 million of Australia's wildlife was impacted by the recent fires. It is not acceptable, that although Liverpool was not impacted in the recent fires, it is not acceptable that Liverpool does not respond to the warning and make sure we have done all that is possible to protect wildlife for not if it happens but when it happens in Liverpool.

NOTICE OF MOTION (submitted by Clr Rhodes)

That Council

1. Recognises the importance of wildlife protection and the economic benefits that Australian wildlife continues to contribute through tourism to the local and national economies;

54

Minutes of the Ordinary Council Meeting held on Wednesday, 29 April 2020 and confirmed on Wednesday, 27 May 2020

- 2. Nominate a percentage proportion of the Environment Levy to be used to support wildlife protection through the Liverpool LGA; and
- 3. Provides all reports and communications in relation to all the above work already carried out and/or implemented by Council to Councillors.

COUNCIL DECISION

Motion: Moved: CIr Rhodes Seconded: CIr Harle

That Council provides a percentage of the Environment Protection Levy for the protection of Wildlife in the Liverpool LGA providing the Environment Protection Levy accepts the protection of habitat for wildlife as being one of its responsibilities.

ITEM NO:NOM 02FILE NO:097686.2020SUBJECT:Animal Shelter

NOTICE OF MOTION (submitted by Clr Ayyad)

That Council:

- Direct the CEO to prepare a planning proposal amending Schedule 1 (Additional Permitted Uses) of Appendix 8 – Liverpool Growth Centres Precinct Plan contained within State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to permit with development consent an animal shelter, also known as an "animal boarding or training establishment" under the Standard Instrument LEP on the land bordered by Fourth Ave, Fifth Ave, Edmonson Ave, and Bringelly Rd. This includes WV Scott Memorial Park; and
- 2. Notes that the advice of the Liverpool Local Planning Panel is required before Council considers whether or not to forward the planning proposal to Minister for a Gateway determination.

COUNCIL DECISION

Motion:

Moved: Clr Ayyad

Seconded: Clr Hadid

That Council defer this item to the next council meeting to be discussed as part of the Animal Shelter Location report.

On being put to the meeting the motion was declared CARRIED.

BACKGROUND

Liverpool Council has experienced an unprecedented situation as a cause of the Coronavirus.

It can be observed now that there are emerging demands and priorities for Council to be able to achieve the best outcomes both economically and socially for Liverpool's recovery.

Experience can now show that there are State and Federal initiatives and changes made both National and in NSW on a daily to weekly basis that have enormous considerations on Councils decisions. The decisions made daily have impacts on the decisions of Council and the directions that Council has to take in order to deliver the most effective and expedient directions for Council and our constituents.

At the extraordinary meeting on the 16 April, it became more obvious than ever that business as usual by Council in holding meetings, even on a weekly basis, can and has put the decisions of Council one week behind the latest directives and initiatives by both the State and Federal Governments.

The issues considered at the Extraordinary meeting were issues raised by Council the previous week and by the time of the meeting a week later, the Federal Council was already announcing its intention to possibly move to a recovery stage in less than three weeks' time.

The Recovery stage implementation was not the focus of the extraordinary meeting as Council was still focused on implementing measures to soften the economic hardships in the belief, as expressed one week before by the Federal Government and before the Council Extraordinary meeting, that we were in this for the long haul and that the lockdown measures may even be a part of the new normality.

Just one week later after the announcements we were in this for the long haul and actually on the night of the Extraordinary meeting the Federal Government announced a new direction that initiated plans for the recovery to begin in just three weeks.

The matters addressed at the Extraordinary meeting of Council discussed measures to enable Liverpool to be able to survive the possible ongoing pandemic for at least 3 months and possibly 18 months, this of course as we now know was not the directive from the Federal Government on the night of the Extraordinary meeting and it was announced that it was likely lockdown restrictions would begin being lifted in just three weeks' time.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 April 2020 and confirmed on Wednesday, 27 May 2020

This has highlighted the need for Council to be more flexible than the business as usual approach in lead times for meetings. It has shown the need for the opportunity for the frequent changes to be discussed in open forums on a regular basis, in order for Council to be in step with the timing of and decisions made in this very volatile time.

The most significant department of Council to lead Liverpool in the recovery process is Economic and Development section of Council, they need councillor engagement as the representatives of the community to be a part of the very important flow of information from the community into that decision making.

The decisions have to be flexible and decisive to meet what might be a very fast moving bumpy ride as both the Federal and State Governments will no doubt be making their state and national directives on a daily basis.

Council and Councillors needs to do more to meet the demands of the situation in order to deliver the most effectual decisions and directions for the recovery of the Liverpool social order and economy.

I as a Councillor as I am sure all other Councillors want to do whatever is needed in their duty of care for the constituents who elected us to represent them.

Together we can lead the direction for Liverpool's social and economic recovery by all working together with the department who is in charge of that recovery.

I ask for the opportunity as a councillor be able to contribute to the ideas, the constituent feedback and the discussion and reporting on measuring of the initiatives success through weekly meetings of the Economic and Development team of Council.

NOTICE OF MOTION (submitted by Clr Rhodes)

That Council hold weekly economic development committee meetings open to Councillors to address the changing needs in the recovery process for Liverpool as a result of Covid 19.

COUNCIL DECISION

Motion:

Moved: Clr Rhodes Seconded: Clr Hadchiti

That Council:

- 1. Include in the monthly Briefing meeting agenda, a report addressing the:
 - a) Actions taken by Council to address the economic challenges as a result of the Covid Pandemic.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 April 2020 and confirmed on Wednesday, 27 May 2020

b) The results of the actions taken by Council to address the economic challenges as a result of the Covid Pandemic.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 April 2020 and confirmed on Wednesday, 27 May 2020

CONFIDENTIAL ITEMS

ITEM NO:CONF 01FILE NO:072820.2020SUBJECT:Independent Members of the Audit, Risk and Improvement Committee Term
of Office Extension

COUNCIL DECISION

Motion:	Moved: CIr Shelton	Seconded: Clr Harle

That Council:

- 1. Approve an extension of the current term of office for the Audit, Risk and Improvement Committee Chair and independent members for an additional 1-year term to September 2021; and
- 2. Approve an optional 1-year option should the new OLG pre-qualification for ARIC members not be operational by August 2021.

ITEM NO:CONF 02FILE NO:277900.2019SUBJECT:Acquisition - Clermont Park, Lot 4601 in DP 1248502 - Edmondson Park, for
open space purposes

COUNCIL DECISION

Motion: Moved: Clr Shelton	Seconded: Clr Kaliyanda
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That Council:

- 1. Approves the acquisition of Clermont Park, being Lot 4601 in DP 1248502, land bounded by Guillemont Road, Bezentin Ridge Road, Buchan Avenue and Faulkner Way, Edmondson Park, for the price and terms outlined in this report;
- 2. Upon settlement of the acquisition, classifies Lot 4601 in DP 1248502 as 'Community' land;
- 3. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and
- 4. Authorises its delegated officer to execute any document under Power of Attorney necessary to give effect to this decision.

ITEM NO:CONF 03FILE NO:070566.2020SUBJECT:Hammondville Park Leisure Precinct

COUNCIL DECISION

Motion: Moved: CIr Harle Seconded: CIr Hagarty

That Council deal with this item in Closed Session later in the meeting pursuant to the provisions of s10A(2)(c) (d i) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

On being put to the meeting the motion was declared CARRIED.

Note: this item was dealt with later in the meeting in Closed Section as shown on page number 68 of these minutes.

ITEM NO:CONF 04FILE NO:088908.2020SUBJECT:Acquisition of Lot 1046 DP2475 and being 255 Sixth Avenue, Austral

COUNCIL DECISION

Motion: Moved: Clr Harle Seconded:

That Council:

- 1. Approves the acquisition of Lot 1046 DP2475, being 255 Sixth Avenue, Austral on the terms outlined in this confidential report;
- 2. Authorises the CEO or her delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision;
- 3. Resolves to classify Lot 1046 DP2475 as "operational" land in accordance with the Local Government Act, 1993; and
- 4. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

ITEM NO:CONF 05FILE NO:090824.2020SUBJECT:Legal Affairs Report - 1 January 2020 to 31 March 2020

COUNCIL DECISION

Motion: Moved: Clr Harle Seconded: Clr Hagarty

That Council move into Closed Session later in the meeting to deal with this item pursuant to the provisions of s10A(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

On being put to the meeting the motion was declared CARRIED.

Note: this item was dealt with later in the meeting in Closed Section as shown on page number 69 of these minutes.

64

ITEM NO:CONF 06FILE NO:093323.2020SUBJECT:Tender WT2892 - Phillips Park Redevelopment

COUNCIL DECISION

Motion:

Moved: Clr Kaliyanda

Seconded: Clr Karnib

That Council:

- 1. Accepts the tender from HPAC Pty Ltd for Tender WT2892 Phillips Park Redevelopment for a 52 week contract term at the corrected GST inclusive price of \$13,634,393.30.
- 2. Makes public its decision regarding Tender WT2892 Phillips Park Redevelopment.
- 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.

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 Kaliyanda, Deputy Mayor Karnib and Clr Shelton.

Vote against: CIr Harle and CIr Rhodes.

ITEM NO: **CONF 07** FILE NO: 057574.2020 SUBJECT: Lurnea Council property - proposed sale

COUNCIL DECISION

Motion: Motion: Moved: Clr Harle Seconded: Clr Hagarty

That Council move this item into Closed Session to be dealt with later in the meeting pursuant to the provisions of s10A(2)(c) (d ii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.'

On being put to the meeting the motion was declared CARRIED.

Note: this item was dealt with later in the meeting in Closed Section as shown on page number 70 of these minutes.

CLOSED SESSION

Motion: Moved: Clr Harle Seconded: Clr Hagarty

That Council move into Closed Session to consider QWN 07, CONF 03, CONF 05 and CONF 07 pursuant to the provisions of the Local Government Act 1993 shown below:

Item QWN 07 Question with Notice - Clr Hadchiti - Trees is confidential pursuant to the provisions of s10A(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors).

Item CONF 03 - Hammondville Park Leisure Precinct is confidential pursuant to the provisions of s10A(2)(c) (d i) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Item CONF 05 Legal Affairs Report - 1 January 2020 to 31 March 2020 is confidential pursuant to the provisions of s10A(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 April 2020 and confirmed on Wednesday, 27 May 2020

Item CONF 07 Lurnea Council property - proposed sale is confidential pursuant to the provisions of s10A(2)(c) (d ii) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.

On being put to the meeting the motion was declared CARRIED.

Recess

Mayor Waller called a 5 minute recess at 8.23pm.

Council moved into Closed Session at 8.28pm.

ITEM NO:QWN 07FILE NO:098282.2020SUBJECT:Question with Notice - Clr Hadchiti - Trees

Please address the following:

- 1. What progress has been made with the grant to plant trees across the City Centre?
- 2. Some trees on Council owned land create issues for resident's sewer and stormwater pipe systems. Besides leaving a hole in the ground when this occurs and waiting for Council to inspect pipes and confirm the roots are creating a problem, is there another solution for confirmation?

A response to these questions will be provided in the 27 May 2020 Council meeting business papers.

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti Seconded: Clr Balloot

That Council

- 1. Remove the small tree located on Council land in front of 10 Whelan Ave Chipping Norton (right hand side).
- 2. Trim the larger tree located on Council land in front of 10 Whelan Ave Chipping Norton (left hand side) so that no branches overhang the side/back yard.

On being put to the meeting the motion was declared CARRIED.

Mayor Waller, Clr Hagarty and Clr Shelton voted against the motion.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 April 2020 and confirmed on Wednesday, 27 May 2020

ITEM NO:CONF 03FILE NO:070566.2020SUBJECT:Hammondville Park Leisure Precinct

COUNCIL DECISION

Motion:

Moved: Clr Hagarty Seconded: Clr Karnib

That Council:

- 1. Reject the current offer provided by the Moorebank Sports Club;
- 2. Approve the development of a masterplan for Hammondville Park to enable the creation of a leisure precinct;
- 3. Direct the CEO to provide sufficient funds for the proposed masterplan works in the 2020/2021 financial year budget;
- 4. Seek State Government funding support for the creation of a commuter carpark at Hammondville Park to support the demand at Holsworthy Station;
- 5. Seek State Government support for the creation of more frequent bus services to Holsworthy Train Station via Hammondville Park;
- 6. Notes that Moorebank Sports Club is a major stakeholder in this process.
- 7. Works constructively with Moorebank Sports Club on the development of a masterplan for Hammondville Park.
- 8. Undertake community consultation.

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 Kaliyanda, Deputy Mayor Karnib and Clr Shelton.

Vote against: Clr Harle, Clr Rhodes.

68

ITEM NO:CONF 05FILE NO:090824.2020SUBJECT:Legal Affairs Report - 1 January 2020 to 31 March 2020

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Hagarty

That Council receives and notes the report concerning the legal affairs of Liverpool City Council and note that the date of the DA lodged for item 13 attached to the Confidential report be corrected to 23 October 2019.

ITEM NO:CONF 07FILE NO:057574.2020SUBJECT:Lurnea Council property - proposed sale

COUNCIL DECISION

Motion: Moved: CIr Hagarty Seconded: CIr Karnib

In light of Federal and State Government funding opportunities as a result of Covid-19, Council explore options to retain the site for public benefit.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

OPEN SESSION

Council moved back into Open Session at 9.06pm.

Mayor Waller then read out the resolutions from the Closed Session (as shown on pages 67-70 of these minutes).

THE MEETING CLOSED AT 9.09pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 27 May 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 29 April 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 April 2020 and confirmed on Wednesday, 27 May 2020

LIVERPOOL CITY COUNCIL

MINUTES OF THE ORDINARY MEETING HELD ON 27 MAY 2020

PRESENT VIA VIDEO CONFERENCING:

Mayor Wendy Waller Councillor Ayyad Councillor Balloot (arrived at 6.08pm) Councillor Hadchiti Councillor Hadid Councillor Hagarty **Councillor Harle** Councillor Kaliyanda Councillor Karnib **Councillor Rhodes Councillor Shelton** Ms Kiersten Fishburn, Chief Executive Officer Mr Tim Moore, Director City Economy and Growth / Deputy CEO Mr George Hampouris, Acting Director City Corporate Dr Eddie Jackson, Director City Community and Culture Mr Peter Patterson, Director City Presentation Mr Raj Autar, Director City Infrastructure and Environment Mr Andrew Stevenson, Chief Strategy and Engagement Officer Ms Tina Sangiuliano, Strategic Organisational Change Manager Ms Nada Mardini, Manager Community Standards Mr David Petrie, Manager City Design Public Domain Ms Julie Scott, Manager City Economy Mr John Milicic, Manager, Property Mr David Smith, Manager Planning & Transport Strategy Mr James Ng, Acting General Counsel, Manager Governance, Legal and Procurement Mr Vishwa Nadan, Chief Financial Officer Mr John Morgan, Director Property and Commercial Development Mr George Georgakis, Manager Council and Executive Services Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.02pm

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

STATEMENT REGARDING WEBCASTING OF MEETING	The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice (other than the Public Forum Section), the meeting is being livestreamed.
ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY	The prayer of the Council was read by the Chief Executive Officer, Ms Kiersten Fishburn.

APOLOGIES

Nil.

CONDOLENCES

Nil.

CONFIRMATION OF MINUTES

Motion: Moved: Clr Shelton Seconded: Clr Hadid

That the minutes of the Ordinary Meeting held on 29 April 2020 be confirmed as a true record of that meeting subject to the following change:

Item EGROW 01, change the words under point 1. ii "To leave Middleton Centre as it is, as a Town Centre" to be corrected to read:

1. ii. To classify Middleton Grange as a town centre.

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: RCL2860 – Provision of External Legal Services.

Reason: Over the years, Clr Shelton has had dealings with a number of parties referred to in the report.

Clr Shelton left the meeting for the duration of this item.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

2

Clr Ayyad declared a non-pecuniary, less than significant interest in the following item:

Item CONF 01: RCL2860 – Provision of External Legal Services.

Reason: Clr Ayyad has a relative that works for one of the law firms mentioned in the report.

Clr Ayyad remained in the meeting for the duration of this item.

Clr Harle declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 01: Update on development of the Warwick Farm Precinct Structure Plan, Planning Proposal and Developer Contributions Plan

Reason: He has family members that live in the area.

Clr Harle remained in the meeting for the duration of this item.

Clr Rhodes declared a non-pecuniary interest, less than significant interest in the following item:

Item NOM 04: Extending Support to People Seeking Asylum and Refugees.

Reason: CIr Rhodes is the Treasurer of WSROC and was asked to table a letter on WSROC's behalf on this issue.

Clr Rhodes left the meeting for the duration of this item and did not vote but did present a letter in the Councillors Presentation which relates to this matter.

Clr Hagarty declared a non-pecuniary interest, less than significant interest in the following item:

Item NOM 04: Extending Support to People Seeking Asylum and Refugees.

Reason: Clr Hagarty is the chair of the organisation that has quite a bit to do with asylum seekers.

Clr Hagarty will remain in the Chambers for the duration of this item.

PUBLIC FORUM

Nil.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

MAYORAL REPORT

Nil.

CIr Balloot arrived at the meeting at 6.08pm.

CITY ECONOMY AND GROWTH REPORT

ITEM NO:EGROW 01FILE NO:051181.2020SUBJECT:Update on development of the Warwick Farm Precinct Structure Plan,
Planning Proposal and Developer Contributions Plan

4

COUNCIL DECISION

Motion:	Moved: CIr Hadid	Seconded: Clr Kaliyanda

That Council:

- 1. Receives and notes this report; and
- 2. Receives a further report on the draft structure plan, draft planning proposal and draft contributions plan for the Warwick Farm precinct at the 26 August 2020 Council meeting.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

ITEM NO:EGROW 02FILE NO:036256.2020SUBJECT:Destination Management Plan - First year review

COUNCIL DECISION

Moved: Clr Shelton Seconded: Clr Hagarty

That Council:

Motion:

- 1. Receive and note the report and notes that there is currently a master plan underway for the Visitation Precinct; and
- 2. Receive a review of the DMP in March 2022.

ITEM NO:EGROW 03FILE NO:114007.2020SUBJECT:Rebuilding Liverpool's Economy update

COUNCIL DECISION

Motion:

Moved: Clr Ayyad Seconded: Clr Balloot

That Council:

- 1. Receive and note the report; and
- 2. All applications for grant funding to be presented to Council.

On being put to the meeting the motion was declared CARRIED.

Division called:

Vote for: Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Harle and Clr Rhodes.

Vote against: Mayor Waller, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton.

ITEM NO:EGROW 04FILE NO:121670.2020SUBJECT:Appointment of Councillors to the Intermodal Precinct Committee

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That Council nominates CIr Hadchiti and CIr Rhodes to the Intermodal Committee:

On being put to the meeting the motion was declared CARRIED.

Vote for: Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Hagarty, Clr Harle, Clr Kaliyanda and Clr Rhodes.

Vote against: Mayor Waller, Deputy Mayor Karnib and Clr Shelton.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

ITEM NO:EGROW 05FILE NO:114812.2020SUBJECT:Rail Services West of Bankstown

COUNCIL DECISION

Motion:

Moved: Clr Kaliyanda

Seconded: Clr Karnib

That Council:

- 1. Receives and notes this report; and
- 2. Not proceed with the commissioning of a study to assist the express service from Liverpool to Bankstown noting that this project is being undertaken by Transport for NSW.

ITEM NO:EGROW 06FILE NO:126770.2020SUBJECT:Public Arts Policy

COUNCIL DECISION

Motion:

Move Clr Kaliyanda

Seconded: Clr Shelton

That Council:

- 1. Place the draft Public Arts Policy on exhibition for a period of 28 days;
- 2. Delegate to the CEO the finalisation of the Public Art Policy if no submissions are received; or receive a further report outlining details of the submissions received at the conclusion of the exhibition period; and
- 3. Thanks the staff involved for their work.

CITY COMMUNITY AND CULTURE REPORT

ITEM NO:	COM 01
FILE NO:	067079.2020
SUBJECT:	Post Public Exhibition Report - Social Impact Assessment Policy and
	Guidelines

COUNCIL DECISION

Motion: Moved: CIr Kaliyanda	Seconded: Clr Hagarty
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That Council endorses the Social Impact Assessment Policy and Guidelines.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

ITEM NO: COM 02 FILE NO: 092663.2020 SUBJECT: BMX Track Construction Funding

COUNCIL DECISION

Motion:

Moved: CIr Hagarty Seconded: CIr Hadid

That:

- 1. Council resolves to provide 2019/2020 financial year funding up to \$56,000 ex GST to complete the detailed design work for the BMX track, then relies on external funding, including but not limited to, COVID19 stimulus and joint funding from Western Sydney Parklands; and
- 2. If we fail to get any grant from the State or Federal government, Council considers funding this infrastructure from its budget or that Council investigate a parkland suitable in the 2168 area for a BMX track and provide costs on that in a report back to Council.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

ITEM NO:COM 03FILE NO:100453.2020SUBJECT:Liverpool City Council Sporting Grants Program 2019/2020

COUNCIL DECISION

Motion:

Moved: CIr Shelton

Seconded: Clr Karnib

That Council:

1. Adopts the following recommendations for the allocation of sporting grants funding, as recommended by the Liverpool Sports Committee grants assessment panel:

Club	Project Description	Grant Amount Recommended
FC Bossy Liverpool Youth Inc	Purchase of playing equipment (Balls, goals flags, nets)	\$2,940.03
Australian North Cyprus Friendship Association (Green Island FC)	Purchase of playing equipment (first aid kits, field markers, balls)	\$3,716.89
Casula Lakers Baseball Club	Purchase of playing equipment (Balls, bases, safety signs, ball buckets)	\$2,000.00
Liverpool City Robins Soccer Club	Purchase of playing equipment (Balls and kit bags)	\$2,100.00
Werriwa All Breeds Dog Training Club	Purchase of equipment (fridge, office desk, heavy duty shelving)	\$1,800.00
Moorebank Baseball Softball Club	Purchase of L frames and training equipment	\$4,689.93
Southern Districts Softball Association Inc	Purchase of playing equipment (kit bags, balls, safety bases, first aid kits)	\$4,873.15
Fairfield Liverpool Cricket Association	Purchase of playing equipment (stumps, balls and pads)	\$4,880.00
Liverpool City Little Athletics Centre	Purchase of ride on mower	\$3,000.00

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

COUNCIL DECISION

Motion: Moved: Clr Shelton Seconded: Clr Karnib

That Council endorses the recommendation of **\$16,500** (GST exclusive) from the funds available in the Grants, Donations and Corporate Sponsorship Program budget to the following project:

Applicant	Project	Recommended
St Vincent de Paul (Vinnies)	Liverpool Night Patrol van	\$16,500

On being put to the meeting the motion was declared CARRIED.

RECESS

Mayor Waller called a recess at 7.48pm.

Mayor Waller resumed the meeting at 8.05pm with all Councillors present.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

CITY CORPORATE REPORT

ITEM NO:CORP 01FILE NO:108659.2020SUBJECT:Investment Report April 2020

COUNCIL DECISION

Motion:	Moved: CIr Shelton	Seconded: Clr Kaliyanda
That Council receives and n	otes this report.	

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

ITEM NO:CORP 02FILE NO:114401.2020SUBJECT:Reducing Red Tape

There was no Mover or Seconder so this item lapsed.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

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15

ITEM NO:CORP 03FILE NO:116503.2020SUBJECT:Budget Review - March 2020

COUNCIL DECISION

Motion:	Moved: Clr Ha	agarty Se	econded: Clr Ka	liyanda
That Council ap	proves the identified budget	variations in acc	ordance with the	report.
Vote for:	Mayor Waller, Clr Hagarty	, Clr Kaliyanda,	Deputy Mayor	Karnib and Clr

Shelton.

Vote against: Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Harle and Clr Rhodes.

On being put to the meeting the motion was declared LOST.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO:INF 01FILE NO:116553.2020SUBJECT:Clean Air for Liverpool

COUNCIL DECISION

Motion:	Moved: Clr Harle	Seconded: Clr Rhodes

That Council:

- 1. Provides a further report for the July 2020 Council meeting:
 - i. On options of incorporating conditions of consent for air quality monitoring devices for those industries considered capable of causing detrimental effects on surrounding air quality.
 - ii. Investigate the possibility of applying similar conditions on existing industries retrospectively.
 - iii. If the above are not possible, investigate alternative means of addressing negative air quality conditions within the Liverpool LGA.
- 2. If there is a legal barrier to any parts of this resolution that Council investigate the possibility of a policy which could apply to encapsulate the sentiment of i, ii and iii.

ITEM NO:INF 02FILE NO:119163.2020SUBJECT:Management of contaminated lands

COUNCIL DECISION

Motion:

Moved: Clr Hagarty Seconded: Clr Karnib

That Council receives and notes the report.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

ITEM NO:INF 03FILE NO:121186.2020SUBJECT:Managing Stray Cats

COUNCIL DECISION

Motion:

Moved: CIr Rhodes

Seconded: Clr Hadchiti

That:

- 1. Council lobbies the State Government for funds for all Councils within Sydney to address the stray cat problem;
- 2. Council work towards an urban stray cat management plan;
- 3. The Reference Group Charter come to the June 2020 Council meeting for endorsement; and
- 4. Council also write to the Local Government NSW, and its umbrella organisations to lobby on behalf of its members to address the stray cat problem.

COMMITTEE REPORTS

ITEM NO:CTTE 01FILE NO:081932.2020SUBJECT:Notes of the Liverpool Access Committee meeting held on 20 February 2020

COUNCIL DECISION

Motion: Moved: CIr Hadchiti Seconded: CIr Rhodes

That Council receives and notes the Meeting Notes of the Liverpool Access Committee Meeting held on 20 February 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

ITEM NO:CTTE 02FILE NO:113780.2020SUBJECT:Minutes of Strategic Panel Meeting held on 17 April 2020

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Rhodes

That Council receives and notes the Minutes of the Strategic Panel meeting held on 7 April 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

ITEM NO:CTTE 03FILE NO:114686.2020SUBJECT:Minutes of the Extraordinary Meeting of the Heritage Advisory Committee on
17 March 2020

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Rhodes
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That Council:

- 1. Receive and note the Minutes of the Extraordinary Meeting of the Heritage Advisory Committee Meeting held on 17 March 2020; and
- 2. Endorse the recommendations of this report.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:CTTE 04FILE NO:119495.2020SUBJECT:Minutes of the Audit, Risk and Improvement Committee Meeting held on 1
May 2020

COUNCIL DECISION

Motion: Moved: CIr Hadchiti Seconded: CIr Rhodes

That Council receives and notes the Minutes of the Audit, Risk and Improvement Committee Meeting held on 1 May 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

QUESTIONS WITH NOTICE

ITEM NO:QWN 01FILE NO:111472.2020SUBJECT:Question with Notice - Clr Hadchiti - Trees

Please address the following:

- 1. What progress has been made with the grant to plant trees across the City Centre?
- 2. Some trees on Council owned land create issues for resident's sewer and stormwater pipe systems. Besides leaving a hole in the ground when this occurs and waiting for Council to inspect pipes and confirm the roots are creating a problem, is there another solution for confirmation?

Response

1. What progress has been made with the grant to plant trees across the City Centre?

The Urban Forest Strategy project is a 50% grant funded initiative through the NSW State Government and proposes to plant 245 advanced trees (up to 4m tall) across the Liverpool city centre. The project has progressed from concept design, through detail design and is now completing the construction and tender documentation phase. The project will soon go to tender 'For construction'. An update will be provided to Councillors outlining the construction sequencing for the tree plantings once the construction program is finalised with the preferred contractor.

Unfortunately there has been some short delays to the project. The delays from the original program have been due to a number of reasons including:

- 1. Additional survey requirements and 'pot-holing' has been required to ensure proposed trees do not impact underground services during planting or during the life span of the trees.
- 2. Some locations identified for tree planting at concept stage cannot accommodate trees due the size and extent of the (now confirmed) underground services. This has required additional locations to be found. This process has required a variation to the grant administrator (NSW Government) and the process takes time for approval.
- 3. Some of the tree planting locations have required heritage approvals from the DPIE. These approvals required the final design locations of the proposed trees to be completed.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

4. Unforeseen consultant delays attributed to COVID-19.

Despite the delays tree planting will still occur in 2020.

2. Some trees on Council owned land create issues for resident's sewer and stormwater pipe systems. Besides leaving a hole in the ground when this occurs and waiting for Council to inspect pipes and confirm the roots are creating a problem, is there another solution for confirmation?

With proper coordination a convenient time can be arranged between Council, the resident and their plumber to ensure all stakeholders are onsite when the excavation takes place. Residents are encouraged to do this by contacting the Customer Experience team and providing details for a mutually convenient time for excavation and inspection thereby eliminating the issue of any hole being left open. Should that occur it is up to the plumber to cover or barricade any excavation to ensure it remains safe.

It is necessary for Council to inspect and photograph damaged pipes as the feeder roots on any type of flora is the only actively "moving" root and is common for very small fibrous roots to grow into pipes through unsealed or leaking joints and then multiply within the pipe ultimately causing a blockage.

A pipe can leak a number of ways but most commonly with terracotta pipes it is the rubber fittings deteriorating over time or pipes moving due to varying soil moisture levels. PVC pipes are now used and it has been evidenced that if the pipes are not glued correctly or fitted together properly they will easily move and leak with soil movement and can crack at joints. Once a root finds a source of moisture it will take advantage and increase in size quickly leading to the belief that the root has broken the pipe.

A CCTV inspection can quickly and easily confirm if there are roots in the pipes, however permanent repair will nearly always require excavation to determine an entry point and enable repair to be undertaken.

On completion of the investigation, all photos, assessments and any additional information is provided to Councils Operational Risk and Insurance Coordinator to make an informed decision on liability of any claim. In 99% of claims root entry is via unsealed joints or other pipe damage that has not been caused by trees or tree roots.

Council will only accept liability where a tree or tree root has caused physical damage to a pipe allowing tree root entry.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

Council acknowledges the process may create issues for the resident however it is the only reliable way to determine how tree roots have entered pipes. City Presentation together with Risk Management is currently reviewing the Blockages in Pipes Advisory Note that is provided to residents.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

Please address the following:

1. Have any speed camera or red light camera warning signs been removed in the Liverpool LGA since 'NOM 01 - Speed Camera Warning Signs' was passed in November 2019?

A response to this question will be provided in the 24 June 2020 Council meeting business papers.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

ITEM NO:	QWN 03
FILE NO:	124879.2020
	Question with Notice - Clr Harle - Compliance, Private Certifiers and Private Certifying Authorities

Background:

Since Compliant Development has been introduced by State Governments some two decade ago, there have been numerous issues where noncompliant development has occurred. The main concern is where the health and safety of the community is compromised. When this occurs, the obligations to address such issues passes onto the Private Certifier (PC) or Private Certifying Authority (PCA) responsible for the lodgement of the initial Development Application (DA). A copy of the DA must be lodged with Council to ensure it is aware of the development and its conditions. If the PC or PCA fails to address the issue it can be reported to the relevant authority for further action. Unfortunately further action rarely occurs as the complainant may not have the necessary resources required to do so, hence the matter remains unresolved.

Where noncompliance involves the health and safety of the community Local Councils need to act quickly, irrespective of the costs involved. The latter is based on its "Duty of Care" obligations to the community.

Currently, if residents suspect noncompliance issues within a development, they are informed to contact the PC or PCA responsible for the DA. Unfortunately, most residents don't have the resources to take the matter further which often results in nothing being done to address the issues.

For those issues that manage to get addressed, any forthcoming action may take several weeks, months or sometimes years, however, for those involving illegal or contaminated fill it is usually too late to mitigate any negative effects for the foreseeable future.

Unfortunately, the Environment Protection Authority (EPA) also follows the State Governments' recommendation of informing the PC or PCA to address any issues of non-compliance. It is only when the Health and Safety of the Community is at risk that the EPA may investigate, however, noncompliance such as the amount of fill is not their responsibility and falls back on the PC or PCA and we are back where we started.

Please address the following:

- 1. Does Council have a procedure or action in place to ensure a Development Applications (DA) made by a Private Certifier (PC) or a Private Certifying Authority (PCA) complies with their conditions of consent?
 - a. If noncompliance is suggested by concerned residents, how is that action triggered?

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

- b. What is Councils procedure if non-compliance continues despite Council action?
- c. How can Council ensure that compliance does occur, especially those impacting on community health and safety?
- d. Is Council legally responsible for any subsequent health and safety risks to the community due to noncompliance it was made aware of?
- 2. Will changes to the "Building and Development Certifier Act 2018", due to take effect as of 1st July 2020, impact on the points raised in 1, a to d?

A response to this question will be provided in the 24 June 2020 Council meeting business papers.

ITEM NO:CEO 01FILE NO:121211.2020SUBJECT:Draft Delivery Program 2017-21, Operational Plan 2020-21 and Budget
(including Statement of Revenue Policy)

COUNCIL DECISION

Motion:	Moved: Clr Hadchiti	Seconded: Clr Hadid
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That Council

- 1. Defer this item to the June 2020 Council meeting; and
- 2. Direct the CEO to provide a further briefing on the budget, broken down by business unit.

On being put to the meeting the motion was declared CARRIED.

PRESENTATIONS BY COUNCILLORS

As Treasurer of WSROC, WSROC asked Clr Rhodes to table a letter at this meeting advising that they are in support of councils settling a higher proportion of humanitarian migrant and asylum seekers. WSROC included a letter to the Prime Minister, Mr Scott Morrison to be signed by the relevant Mayors as referred to in NOM 04 of this Agenda.

NOTICES OF MOTION

ITEM NO:NOM 01FILE NO:111056.2020SUBJECT:Animal Shelter

NOTICE OF MOTION (submitted by CIr Ayyad)

That Council:

- Direct the CEO to prepare a planning proposal amending Schedule 1 (Additional Permitted Uses) of Appendix 8 – Liverpool Growth Centres Precinct Plan contained within State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to permit with development consent an animal shelter, also known as an "animal boarding or training establishment" under the Standard Instrument LEP on the land bordered by Fourth Ave, Fifth Ave, Edmonson Ave, and Bringelly Rd. This includes WV Scott Memorial Park; and
- 2. Notes that the advice of the Liverpool Local Planning Panel is required before Council considers whether or not to forward the planning proposal to Minister for a Gateway determination.

This item was dealt with later in the meeting in Closed Session in conjunction with CONF 03 Animal Shelter and Koala Hospital Site Options.

ITEM NO:NOM 02FILE NO:125829.2020SUBJECT:Hoxton Park Road Upgrade

Background

Transport for NSW (TfNSW) recently released their Community Consultation Report for the upgrade Hoxton Park Road.

The report was written in response to submissions made during the community consultation period late last year. The community, local MPs and Council all raised serious concerns with TfNSW's preferred option for kerbside transit lanes and the impact on businesses at Hoxton Park Shopping Centre and surrounding residents.

Disappointingly, the report has dismissed these concerns and TfNSW will be making no changes to their current plans.

Western Sydney Airport and the aerotropolis are once in a century projects. Safe and effective public transport links between Liverpool and the airport, including the Hoxton Park Road and the Fifteenth Avenue Smart Transit, are critical to our region's future success.

Sydney is plagued with short sighted transport projects, let's not create another one.

NOTICE OF MOTION (submitted by CIr Hagarty)

That Council:

- Reaffirms its strong commitment to the Fifteenth Avenue Smart Transit (FAST) project;
- Notes plans for the FAST project are well advanced;
- Notes rapid bus services from Liverpool to Western Sydney Airport (WSA) are a key deliverable of the Western Sydney City Deal;
- Notes the route for rapid bus services from Liverpool to WSA will likely involve the FAST corridor;
- Notes its preference for centre running transit lanes along the entirety of the FAST corridor;
- Notes the upgrade of Hoxton Park Road will have a major impact on Hoxton Park Shopping Centre and surrounding residents; and
- Continue to make representations to Transport for New South Wales in regards to the upgrade of Hoxton Park Road.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

COUNCIL DECISION

Motion: Moved: CIr Hagarty Seconded: CIr Rhodes

That Council:

- Reaffirms its strong commitment to the Fifteenth Avenue Smart Transit (FAST) project;
- Notes plans for the FAST project are well advanced;
- Notes rapid bus services from Liverpool to Western Sydney Airport (WSA) are a key deliverable of the Western Sydney City Deal;
- Notes the route for rapid bus services from Liverpool to WSA will likely involve the FAST corridor;
- Notes its preference for centre running transit lanes along the entirety of the FAST corridor;
- Notes the upgrade of Hoxton Park Road will have a major impact on Hoxton Park Shopping Centre and surrounding residents;
- Continue to make representations to Transport for New South Wales in regards to the upgrade of Hoxton Park Road; and
- That Council undertake a public campaign including a petition or other matters.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

Background

Due to Coronavirus, it is more difficult for the community to be informed and to make submissions about major developments.

People are travelling less, local newspapers are no longer publishing and Australia Post are experiencing delays with the delivery of mail.

A modification was recently lodged with the Department of Planning, Industry and Environment (DPIE) to decrease the number of parking spaces at Frasers Ed Square development.

This proposal comes just over 12 months to the day a similar application was made which was opposed by Council and subsequently refused by the Independent Planning Commission.

The public submission period for this current modification was initially for a two week period with submissions only being able to be made via email and mail.

This is despite the previous application accepting website submissions.

There is also scant information regarding the notification process for this application on the Department's website.

Rather than making a greater effort to inform community and making it easier to provide submissions on major developments during the COVID-19 pandemic, the Department appear to be doing the opposite.

NOTICE OF MOTION (submitted by CIr Hagarty)

That Council write to the Minister for Planning and Public Spaces requesting, in light of COVID-19, that the Department of Planning, Industry and Environment (DPIE) take greater steps to inform the community about major developments and make submissions via website an option for all major development.

COUNCIL DECISION

Motion:

: Moved: Clr Hagarty Seconded: Clr Rhodes

That Council:

- Write to the Minister for Planning and Public Spaces requesting, in light of COVID-19, that the Department of Planning, Industry and Environment (DPIE) take greater steps to inform the community about major developments and make submissions via website an option for all major development; and
- 2. Provide an option for people to be able to make submissions to applications through Council's website.

On being put to the meeting the motion was declared CARRIED.

Clr Hagarty and Clr Rhodes left the meeting at 9:13pm.

ITEM NO:	NOM 04
FILE NO:	125963.2020
SUBJECT:	Extending Support to People Seeking Asylum and Refugees

Background

The City of Greater Dandenong, on behalf of the Local Government Mayoral Taskforce Supporting People Seeking Asylum, are inviting local governments across Australia to sign on to an open letter to Prime Minister Scott Morrison in order to extend critical support to people seeking asylum and refugees.

At present, people seeking asylum do not have access to Medicare or income support and have uncertain visa status. They also cannot return home.

In addition to the moral argument, there are cost shifting issues and serious public health implications by not extending support to people seeking asylum and refugees.

Without access to Medicare or a liveable income, demand for emergency relief and housing support has already increased. This places a growing strain on already overstretched front line service providers, including Council.

It also creates a barrier to people seeking COVID-19 testing and treatment.

In recent weeks, COVID-19 infections have skyrocketed in Singapore. More than 70% of those infections have come from migrant workers who have limited access to medical services, income support and housing.

Australia has thankfully been spared the worst of this global pandemic.

Federal and State Governments have worked together to mitigate the impact of COVID-19 on our community. This positive work must be expanded to include people seeking asylum.

NOTICE OF MOTION (submitted by Clr Kaliyanda)

That Council sign on to the open letter from the Local Government Mayoral Taskforce Supporting People Seeking Asylum to Prime Minister Scott Morrison requesting the extension of critical support to people seeking asylum and refugees.

COUNCIL DECISION

Motion:

Moved: Clr Kaliyanda See

Seconded: Clr Ayyad

That the recommendation be adopted.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

Clr Hagarty and Clr Rhodes returned to the meeting at 9:23pm.

ITEM NO:	NOM 05
FILE NO:	125997.2020
SUBJECT:	Response to COVID-19 restrictions – Update from South West Sydney Academy of Sport (SWSAS)

Background

Recognising the strong role Liverpool City Council has in support of the South West Sydney Academy of Sport, please accept this update outlining the commitment and the manner in which it has been going about its business, since the 1st April 2020.

The Academy's job has not changed, it is still providing as strong a level of support to our region's athletes and coaches now, as it has sought to provide prior to the NSW Covid-19 lockdown.

Naturally, the restrictions that have been imposed have led to a necessity to change the delivery of Academy services, however in some ways it has required it to implement some activities sooner than anticipated and certainly differently than anticipated. And, in a number of cases in a new and highly innovative way. These include:

- Physical Conditioning: All athletes now have a home-based body weight series of Strength and Conditioning exercises. Athletes also have a direct link to an exercise video with voice-over, emphasising appropriate age-related exercise criteria, relevant to their sport.
- Small Group online engagement: Each athlete group regularly provides information to the Academy on how it may actively better assist them in their endeavours. Some great ideas have already been implemented directly from this format.
- Regular athlete Zoom meetings with their coach. This allows the coach to monitor the continued development for each of the groups, along with the wellbeing of its athletes.
- The implementation of a series of webinars for all Academy athletes across a whole range of pertinent sport and community good-citizenship development, related subjects.
- The expansion of a series of sports education topics for all athletes, with a schedule for delivery that will continue to August (Financial Fitness; Mental Health and Wellbeing, plus Cyberbullying and owning your Social Media; etc).
- · Implementation of a series of online challenges through Academy social medial platforms to encourage continued interaction between athletes. And also

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

demonstrate to the broader community the commitment of athletes, coaches, and the Academy, to ongoing health, fitness, and personal improvement.

- The continuation of a personalised professional development program designed specifically for each volunteer coach and support staff member, within the Academy.
- The engagement of sport skills specialists to support the development of identified coaches, within the Academy.

Integrity, citizenship, self-determination, and motivation are some of the real values attached to sport, and those espoused by the Academy. And as it is widely recognised the premier sports development organisation in the South West Sydney region, the Academy needed to, and appropriately demonstrated leadership in these difficult times.

The Academy will not stop in its pursuit to provide the highest quality service available to athletes and coaches, in our region. It will just approach it in a different way and in a manner that will place its - your local athletes in a prime position to be strong in character, mind, spirit, and physical provess once we, as a community, defeat COVID-19.

The Academy hopes that these are values that will shine through to the rest of our local community and will allow Council to continue to be proud of its association with its regional sports academy.

With many of the sporting entities around us ceasing operations or dramatically reducing capacity and operational capability, the Academy is one of the few organisations that is continuing to provide a service of this calibre to young athletes. A testament to the forward-thinking of its Board of Management.

The Academy is adapting to the remote delivery and online environment that is currently imposed upon it and is providing leadership to its local and broader NSW sporting community. It is envisaged that this could place the Academy in a unique positive position, as we look to recover from the current restrictions.

The Academy is not stopping - in fact, it is are now busier than ever. It is important that you are aware that the support provided by Council is a critical factor in enabling this to occur.

And, on behalf of all associated with the Academy we say, 'Thank You', for Liverpool Council's ongoing support.

NOTICE OF MOTION (submitted by CIr Kaliyanda)

That Council receive and note this update.

COUNCIL DECISION

Motion: Moved: Clr Kaliyanda Seconded: Clr Hadchiti

That Council receive and note this update and thanks the South West Sydney Academy of Sport (SWSAS).

39

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, CONF 02, pursuant to the provisions of s10A(2)(d i) and CONF 03 and NOM 01 pursuant to the provisions of s10A(2)(c) of the Local Government Act because:

CONF 01 RCL2860 - Provision of External Legal Services and **CONF 02 Tender ST 2952 Receival and Processing of Bulky Waste** 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 03 Animal Shelter and Koala Hospital Site Options and **NOM 01 Animal Shelter** are confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act 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.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

Mayor Waller called a recess at 9.27pm. Mayor Waller resumed the meeting at 9.38pm in Closed Session.

Clr Shelton left the meeting at 9:39pm.

COUNCIL IN CLOSED SESSION

ITEM NO:CONF 01FILE NO:074432.2020SUBJECT:RCL2860 – Provision of External Legal Services

COUNCIL DECISION

Motion: Moved: CIr Hagarty Seconded: CIr Karnib

That Council:

- Approves the recommended Legal Services Panel for RCL2860 Provision of External Legal Services for an initial 3 year term with 2 options to renew for a period of 1 year each;
- 2. Makes public its decision regarding tender RCL2860 Provision of External Legal Services;
- 3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance and Legal Services Agreement for the Tender, giving it contractual effect, in accordance with delegated authority; and
- 4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

On being put to the meeting the motion was declared CARRIED.

Vote for: Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Hagarty, Clr Harle, Clr Kaliyanda, Deputy Mayor Karnib and Clr Rhodes.

Vote against: Nil.

Note: Clr Shelton was not in the meeting when this item was voted on.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

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Chairperson

CIr Shelton returned to the meeting at 9:48pm.

ITEM NO:	CONF 02
FILE NO:	105628.2020
SUBJECT:	Tender ST2952 Receival and Processing of Bulky Waste

COUNCIL DECISION

Motion:	Moved: Clr Hagarty	Seconded: Clr Shelton
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That Council:

- Accepts the Tender from Bingo Waste Services Pty Ltd for Tender ST2952 Receivable and Processing of Bulky Waste for an initial four (4) years contract term at the GST inclusive price of \$5,034,960.00 (based on Schedule of Rates) with the option of extending a further three (3) x (1) year as precautionary in case that Project 24 is delayed;
- Makes public its decision regarding tender ST2952 Receivable and Processing of Bulky Waste;
- 3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance following the publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority; and
- 4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

On being put to the meeting the motion was declared CARRIED.

Vote for: Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Hagarty, Clr Harle, Deputy Mayor Karnib, Clr Rhodes and Clr Shelton.

Vote against: Clr Kaliyanda.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

ITEM NO:CONF 03FILE NO:110137.2020SUBJECT:Animal Shelter and Koala Hospital Site Options

COUNCIL DECISION

Moved: Clr Rhodes Seconded: Clr Ayyad

That Council:

Motion:

- 1. Approves the purchase of the property identified in Option 8 on the terms outlined in this report;
- 2. Delegates authority to the CEO and her delegates to negotiate the price in accordance with the valuation outlined in this report;
- 3. Authorises the CEO or her delegated officer to negotiate a Management Agreement or lease as identified in Option 8 and Option 10 for temporary occupation, if agreement to purchase is not finalised;
- Approves the temporary construction cost option (as outlined in this report under Construction Considerations) if a site is purchased and in the instance there are works required to bring it to an operational level;
- 5. Authorises the CEO or her delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision;
- 6. Resolves to classify the properties identified at Option 3 or Option 8 to be classified as 'Operational' land if purchased for the provision of an Animal Shelter.

If these options are not realised and we proceed with Option 9 that the land be reclassified as 'Operational' or an amendment be undertaken to the Plan of Management;

- 7. Notes that a further report be submitted to Council in July 2020 to provide an update on the progress of the animal shelter site options;
- 8. Notes that a future report dealing with the koala sanctuary/hospital will be submitted to Council once further investigations are completed and a detailed business case developed to assess demand for such a facility, its viability and corresponding costs;
- 9. That a report be brought back to Council on all the surplus lands that have been presented to Council over the last few years.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

10. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

ITEM NO:NOM 01FILE NO:111056.2020SUBJECT:Animal Shelter

NOTICE OF MOTION (submitted by CIr Ayyad)

That Council:

- Direct the CEO to prepare a planning proposal amending Schedule 1 (Additional Permitted Uses) of Appendix 8 – Liverpool Growth Centres Precinct Plan contained within State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to permit with development consent an animal shelter, also known as an "animal boarding or training establishment" under the Standard Instrument LEP on the land bordered by Fourth Ave, Fifth Ave, Edmonson Ave, and Bringelly Rd. This includes WV Scott Memorial Park; and
- 2. Notes that the advice of the Liverpool Local Planning Panel is required before Council considers whether or not to forward the planning proposal to Minister for a Gateway determination.

This item lapsed as it was covered in CONF 03 (shown above on the previous item) which related to the issue of the animal shelter.

OPEN SESSION

Council moved back into Open Session at 10.28pm

Mayor Waller then read out the resolutions for CONF 01, CONF 02 and CONF 03 which were passed in Closed Session.

Note: NOM 01 lapsed as it was dealt with as part of CONF 03.

THE MEETING CLOSED AT 10.33pm

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 24 June 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 27 May 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 May 2020 and confirmed on Wednesday, 24 June 2020

45

LIVERPOOL CITY COUNCIL

MINUTES OF THE EXTRAORDINARY MEETING HELD ON 9 JUNE 2020

PRESENT:

Mayor Wendy Waller Councillor Ayyad **Councillor Balloot** Councillor Hadchiti Councillor Hadid Councillor Hagarty **Councillor Harle** Councillor Kaliyanda Councillor Karnib **Councillor Rhodes Councillor Shelton** Ms Kiersten Fishburn, Chief Executive Officer Mr Tim Moore, Director City Economy and Growth / Deputy CEO Mr George Hampouris, Acting Director City Corporate Dr Eddie Jackson, Director City Community and Culture Mr Peter Patterson, Director City Presentation Mr Raj Autar, Director City Infrastructure and Environment Mr Andrew Stevenson, Chief Strategy and Engagement Officer Ms Tina Sangiuliano, Strategic Organisational Change Manager Ms Julie Scott, Manager City Economy Mr James Ng, Acting General Counsel, Manager Governance, Legal and Procurement Mr David Maguire, Internal Ombudsman Mr George Georgakis, Manager Council and Executive Services Ms Maree Stewart, Coordinator Council and Executive Services (minutes)

OPENING

6.00pm

STATEMENT REGARDING WEBCASTING

The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice (other than the Public Forum Section), the meeting is being livestreamed.

Minutes of the Extraordinary Council Meeting held on Tuesday, 9 June 2020 and confirmed on Wednesday, 24 June 2020

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY

The prayer of the Council was read by the Chief Executive Officer, Ms Kiersten Fishburn.

APOLOGIES

Nil

DECLARATIONS OF INTEREST

Mayor Waller declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 01: Business Resilience Grants

Reason: Mayor Waller knows and has associations with many local business owners. Mayor Waller remained in the room for the duration of the item.

Clr Ayyad declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 01: Business Resilience Grants

Reason: Clr Ayyad knows and has associations with many local business owners. Clr Ayyad remained in the room for the duration of the item.

Clr Balloot declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 01: Business Resilience Grants

Reason: Clr Balloot knows and has associations with many local business owners. Clr Balloot remained in the room for the duration of the item.

Clr Hadchiti declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 01: Business Resilience Grants

Reason: Clr Hadchiti knows and has associations with many local business owners. Clr Hadchiti remained in the room for the duration of the item.

Clr Hadid declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 01: Business Resilience Grants

Reason: Clr Hadid knows and has associations with many local business owners. Clr Hadid remained in the room for the duration of the item.

Clr Hagarty declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 01: Business Resilience Grants

Reason: Clr Hagarty knows and has associations with many local business owners. Clr Hagarty remained in the room for the duration of the item.

Minutes of the Extraordinary Council Meeting held on Tuesday, 9 June 2020 and confirmed on Wednesday, 24 June 2020

Clr Kaliyanda declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 01: Business Resilience Grants

Reason: Clr Kaliyanda knows and has associations with many local business owners. Clr Kaliyanda remained in the room for the duration of the item.

Clr Karnib declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 01: Business Resilience Grants

Reason: Clr Karnib knows and has associations with many local business owners. Clr Karnib remained in the room for the duration of the item.

Clr Rhodes declared a pecuniary interest in the following item:

Item EGROW 01: Business Resilience Grants

Reason: Prior to becoming a Councillor, Clr Rhodes held the position of Secretary of the Liverpool Chamber of Commerce and was also a member of Business Network International (Liverpool Chapter). Clr Rhodes recognises businesses on the list of grant applicants that are members of either one or both of these organisations.

Clr Rhodes left the room for the duration of the item.

Clr Shelton Declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 01: Business Resilience Grants

Reason: Clr Shelton knows and has associations with many local business owners. Additionally, Clr Shelton has business dealings with land owners in the CBD. Clr Shelton remained in the room for the duration of the item.

PUBLIC FORUM

Nil

Minutes of the Extraordinary Council Meeting held on Tuesday, 9 June 2020 and confirmed on Wednesday, 24 June 2020

CITY ECONOMY AND GROWTH REPORT

ITEM NO:EGROW 01FILE NO:138716.2020SUBJECT:Business Resilience Grants

COUNCIL DECISION

Motion: Moved: Clr Hagarty

Seconded: Clr Kaliyanda

That Council:

- Adopts the recommendations to provide grants to 50 businesses as outlined in the report. The recommendation is to provide grants to the value of \$106,000 to 28 CBD businesses from the City Development Fund, and to provide grants to the value of \$66,000 to 22 businesses in the greater Local Government Area;
- 2. Allow those applicants that were not successful as outlined in the report and referred to as 'Business pivot requires more development and assistance to demonstrate whether it can generate profit or support existing or new jobs' or 'Reasonable pivot, however, required stronger demonstration that it could generate profit or support existing or new jobs' the opportunity to provide more information to determine whether they would be eligible;
- 3. By application rebate land owners in the CBD (excluding Westfield & Liverpool Plaza) that were affected by mandatory restrictions an amount equal to three months of 'City Development Fund' levies where it can be demonstrated that a loss in rental income has occurred, providing they meet the same criteria as in the grants program. Council staff to investigate a realistic way of capping these monies be pursued and brought to the next Council meeting; and
- 4. A communication and/or letter go out to all the business owners in Liverpool that may be eligible for any federal or state government grants, specifically referring to the following government grants:

Federal

- Cash Flow Boost for small businesses to the value of \$20,000 \$100,000;
- Job Keeper allowance of \$1,500 per employee per fortnight until September 2020; and
- Small Business Grant of \$10,000 for small business expenses.

Minutes of the Extraordinary Council Meeting held on Tuesday, 9 June 2020 and confirmed on Wednesday, 24 June 2020

State

• \$10,000 business grants.

The letter should also state that if a business has not received any of these grants, they should contact the Australian Taxation Office.

Vote for: Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Hagarty, Clr Kaliyanda and Deputy Mayor Karnib.

Vote against: Clr Harle and Clr Shelton.

Note: Clr Rhodes had left the meeting and did not take part in the discussion or the vote for the above item.

Minutes of the Extraordinary Council Meeting held on Tuesday, 9 June 2020 and confirmed on Wednesday, 24 June 2020

THE MEETING CLOSED AT 6.41pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 24 June 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 9 June 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

Minutes of the Extraordinary Council Meeting held on Tuesday, 9 June 2020 and confirmed on Wednesday, 24 June 2020

LIVERPOOL CITY COUNCIL

MINUTES OF THE ORDINARY MEETING HELD ON 24 JUNE 2020

PRESENT VIA VIDEO CONFERENCING:

Mayor Wendy Waller Councillor Ayyad Councillor Balloot Councillor Hadchiti Councillor Hadid **Councillor Hagarty Councillor Harle** Councillor Kaliyanda Councillor Karnib **Councillor Rhodes** Councillor Shelton Mr Tim Moore, Acting Chief Executive Officer Mr George Hampouris, Acting Director City Corporate Dr Eddie Jackson, Director City Community and Culture Mr Peter Patterson, Director City Presentation Mr Raj Autar, Director City Infrastructure and Environment Mr David Smith, Acting Director City Economy and Growth Mr David Maguire, Internal Ombudsman Mr Vishwa Nadan, Chief Financial Officer Mr Andrew Stevenson, Chief Strategy and Engagement Officer Ms Tina Sangiuliano, Strategic Organisational Change Manager Mr James Ng, Acting General Counsel, Manager Governance, Legal and Procurement Mr George Georgakis, Manager Council and Executive Services Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

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.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

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Chairperson

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY

The prayer of the Council was read by the Acting Chief Executive Officer, Mr Tim Moore.

APOLOGIES

CONDOLENCES

Nil.

CONFIRMATION OF MINUTES

Motion:

Moved: Clr Shelton

Seconded: Clr Hadid

That the minutes of the Ordinary Meeting held on 27 May 2020 and Extraordinary Meeting held on 9 June 2020 be confirmed as a true record of those meetings.

On being put to the meeting the motion was declared CARRIED.

DECLARATIONS OF INTEREST

Clr Shelton declared a pecuniary interest in the following item:

Item: NOM 03 – Sustainable Energy.

Reason: Clr Shelton has shares in a company referred to there.

Clr Shelton left the meeting for the duration of this item.

Clr Kaliyanda declared a nonpecuniary but significant interest in the following item:

- Item: CONF 01 Liverpool Youth Council Membership Nominations for term 2020 2022.
- **Reason:** One of the nominated members has done some work with Clr Kaliyanda's Youth Reference Group at Headspace Campbelltown and is known to her.

Clr Kaliyanda left the meeting for the duration of this item.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

Clr Hadchiti declared a nonpecuniary but significant interest in the following item:

Item: CONF 01 - Liverpool Youth Council - Membership Nominations for term 2020-2022.

Reason: Clr Hadchiti knows one of the nominees.

Clr Hadchiti left the meeting for the duration of this item.

PUBLIC FORUM

Presentation - items not on agenda

Nil.

Representation – items on agendal

Written submissions for items on agenda

1. Mr Robert Pinosa made a written submission to Council on the following item:

EGOW 05 - Street Naming Requests - Austral, Edmondson Park and Prestons

This submission has been circulated to Councillors.

2. **Mr John Wynne** from Urbis made a written submission to Council on the following item:

EGROW 04 – Planning Proposal Request to rezone land and amend development standards at 1400 – 1480 Elizabeth Dr, Cecil Park.

This submission has been circulated to Councillors.

3. **Mr James Stanton-Cooke** from Lock the Gate Alliance made a written submission to Council on the following item:

EGROW 03 - Sustainable Energy

This submission has been circulated to Councillors.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

MAYORAL MINUTE

ITEM NO:MAYOR 01FILE NO:160043.2020SUBJECT:Greater Sydney Women's Safety Charter

Liverpool is one of the fastest growing Local Government Areas in Australia and a place where women and girls should feel safe, included and able to reach their full potential.

Women of all ages, abilities, identities and social and cultural backgrounds should be able to fully and freely participate and enjoy our city's social, economic and cultural life. This benefits everyone in our city.

The Greater Sydney Women's Safety Charter was launched on International Women's Day this year. It is made up of government agencies, businesses, peak groups and not-for-profit organisations who work together to improve the safety of women and girls in Greater Sydney.

In December last year, the Greater Sydney Commission and Transport for NSW co-hosted the Symposium, A City for People – Women and Safety in the City. The charter was an outcome of this event. More than 70 organisations came together to make this Charter possible.

Groups that join the charter improve the safety of women and girls through policies and practices, service planning and delivery, and communication with stakeholders and the community. They help to promote equality and create cities that are welcoming, open and accessible to everyone.

The Charter has three foundation principles:

- 1. A commitment to a culture of gender equality.
- 2. A commitment to listen, share and reflect; and
- 3. A commitment to collective action and continuous improvement.

Motion: Moved: Mayor Waller

That Council endorse becoming a signatory to the Greater Sydney Women's Safety Charter.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO:	CEO 01
FILE NO:	011212.2020
SUBJECT:	Meeting date for September and change of date for October and November 2020 Council meetings

COUNCIL DECISION

Motion:	Moved: Clr Rhodes	Seconded: Clr Shelton
Motion:	Moved: Clr Rhodes	Seconded: Clr Shelton

That Council make the following changes to its meeting schedule for 2020:

- A meeting be scheduled for Wednesday 30 September;
- The October meeting originally scheduled for Wednesday 21 October, be changed to Tuesday 27 October; and
- The November meeting originally scheduled for Wednesday 18 November, be changed to Wednesday 25 November.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

ITEM NO:CEO 02FILE NO:146991.2020SUBJECT:For Public Exhibition - Draft Delivery Program 2017-22 and Operational Plan
2020-21 including Budget and Statement of Revenue Policy

COUNCIL DECISION

Motion: Moved: Clr Hagarty Seconded: Clr Kaliyanda

That Council:

1. Places the draft 2017-22 Delivery Program and Operational Plan and Budget (including Statement of Revenue Policy) on Public Exhibition for 28 days, subject to the following change to be made:

Amends S.2.02 *Development and implement improvement strategies, policies and programs for the management of stormwater*, in the first point (as shown on page 241 of the Attachment Book), physical locations be included and to add after Georges River, "Wattle Grove Lake and ANZAC Creek", so that point 1 reads:

"Undertake water quality monitoring along the Georges River, Wattle Grove Lake and ANZAC Creek, Kemps Creek, Bonds Creek and the tributaries of Kemps Creek to ensure the required level of water quality within the waterways are maintained".

- 2. Receives a further report at the July 2020 Council meeting after a review of public submissions; and
- 3. Extends the 2019-20 budget and fees and charges until 31 July 2020.

CITY ECONOMY AND GROWTH REPORT

ITEM NO: EGROW 01

FILE NO: 134715.2020

SUBJECT: Proposed Planning Agreement in conjunction with DA-527/2017 at 14 Yarrunga Street, Prestons

RECOMMENDATION

That Council:

- Endorse the planning agreement for a monetary contribution of \$85,000 towards the upgrade of the Bernera Road / Yarrunga Street / Yato Road intersection and directs 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 alterations;
- 3. Note that if changes, other than minor changes, arise from the public exhibition process these will be reported back to Council;
- 4. Note that any planning agreement will be subject to approval of modification application DA-527/2017/A which proposes deletion of Conditions 107, 108 and 109 (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.

COUNCIL DECISION

Motion:

Moved: CIr Hagarty Sec

Seconded: Clr Rhodes

That this item be dealt with in Closed Session pursuant to the provisions of s10A(2)(e) of the *Local Government Act 1993 because* it contains information that would, if disclosed, prejudice the maintenance of law.

On being put to the meeting the motion was CARRIED.

Note: This item was dealt with later in the meeting in Closed Session.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

ITEM NO:EGROW 02FILE NO:136033.2020SUBJECT:Liverpool City Centre Public Domain Master Plan

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Harle

That Council:

- 1. Receive and note the report;
- 2. Adopt the Liverpool City Centre Public Domain Master Plan (ATTACHMENT 1);
- 3. Note that all residents and stakeholders who made submissions during the public exhibition period be notified of Councils determination; and
- 4. Note that the master plan be used to guide future capital public domain upgrades in the city centre.

 ITEM NO:
 EGROW 03

 FILE NO:
 136062.2020

 SUBJECT:
 Railway Street Serviceway Tactical Urbanism State Government Funding Program

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Harle

That Council receive and note the report.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

ITEM NO:EGROW 04FILE NO:140457.2020SUBJECT:Planning proposal request to rezone land and amend development standards
at 1400-1480 Elizabeth Drive, Cecil Park

COUNCIL DECISION

Moved: Clr Rhodes Seconded: Clr Harle

That Council:

Motion:

- 1. Notes the advice of the Liverpool Local Planning Panel;
- 2. Endorses in principle the planning proposal request, with an amendment to also rezone part of the site subject to the proposed M12 motorway as SP2 Infrastructure;
- 3. Delegates to the CEO to prepare the formal planning proposal incorporating the above amendment in point 2 and any other 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.

Councillors voted unanimously for this motion.

ITEM NO:EGROW 05FILE NO:141693.2020SUBJECT:Street Naming Requests - Austral, Edmondson Park and Prestons

COUNCIL DECISION

Motion:

Moved: Clr Hagarty

Seconded: Clr Harle

That Council:

- 1. Supports the naming of:
 - Pinosa Avenue, Austral
 - General Boulevard, Edmondson Park; and
 - Austinmer Place, Prestons;
- 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.

ITEM NO:EGROW 06FILE NO:142657.2020SUBJECT:Response to Question with Notice - Clr Harle - Membership on Planning
Panels

COUNCIL DECISION

Motion:	Moved: Clr Hadchiti	Seconded: Clr Hadid

That Council:

- 1. Receive and note the report; and
- 2. Nominates CIr Rhodes as an additional alternate member for the SWCPP and direct the CEO to notify the SWCPP Secretariat within 14 days of the resolution.

CITY COMMUNITY AND CULTURE REPORT

ITEM NO:	COM 01
FILE NO:	114570.2020
SUBJECT:	Grants, Donations and Corporate Sponsorship

COUNCIL DECISION

Motion:	Moved: CIr Rhodes	Seconded: Clr Harle

That Council:

- 1. Postpone all future community funding grants and redirect all funds to the General Reserve to cover the \$50million anticipated COVID-19 costs.
- 2. Defer considerations of current grant applications until such time as COVID-19 no longer has a financial cost impact on the budget of Council.

On being put to the meeting the motion was declared LOST.

Vote for: Clr Harle and Clr Rhodes.

Vote against: Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadid, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton. Clr Hadchiti did not vote on this item and in accordance with Council's Code of Meeting Practice is therefore recorded as voting against).

The following motion was then moved:

Motion:	Moved: Clr Hagarty	Seconded: Clr Hadid
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That this motion be considered later at the meeting for a question asked to be looked into and responded to.

On being put to the meeting the motion (moved by Clr Hagarty) was declared CARRIED.

Note: this item was dealt with later in the meeting.

ITEM NO:COM 02FILE NO:130415.2020SUBJECT:Response to Question With Notice - Seniors Community Consultation

COUNCIL DECISION

Motion: Moved: CIr Rhodes Seconded: CIr Shelton

That Council receives and notes this report.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

CITY CORPORATE REPORT

ITEM NO:CORP 01FILE NO:137524.2020SUBJECT:Investment Report May 2020

COUNCIL DECISION

Motion: Moved: CIr Kaliyanda Seconded: CIr Karnib

That Council receives and notes this report.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

COMMITTEE REPORTS

ITEM NO:CTTE 01FILE NO:129946.2020SUBJECT:Minutes of the Liverpool Youth Council meeting held on 6 May 2020.

COUNCIL DECISION

Motion: Moved: CIr Kaliyanda Seconded: CIr Hadid

That Council receives and notes the Minutes of the Liverpool Youth Council meeting held on 6 May 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

ITEM NO:CTTE 02FILE NO:131380.2020SUBJECT:Minutes of the Environment Advisory Committee held on 20 April 2020

COUNCIL DECISION

Motion: Moved: Clr Kaliyanda Seconded: Clr Hadid

That Council receives and notes the minutes of the Environment Advisory Committee Meeting held on 20 April 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

ITEM NO:CTTE 03FILE NO:140577.2020SUBJECT:Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee
meeting held on 20 May 2020

COUNCIL DECISION

Motion: Moved: Clr Harle Seconded: Clr Rhodes

That Council adopts the following recommendations of the Committee:

Item 1 - Range Road - Proposed New Intersections

• Council approves the new intersections and associated signs and linemarking.

Item 3 - Kurrajong Road, Prestons – Proposed combined crossing in front of Amity College

- Council approves the upgrade of the existing pedestrian crossing and associated signs and linemarking scheme.
- The combined pedestrian crossing is to be flood lit in accordance with AS1158 at no cost to Council.

Item 4 - Moore Street - Proposed Pedestrian Refuge

- Council approves kerb adjustments on both sides of Moore Street to provide a safe pedestrian crossing location.
- A detailed design is to be submitted to TfNSW and the Police for review prior to installation.

Item 5 - Main Street, Edmondson Park – Signs and Linemarking scheme

- Council approves 2P timed parking with an amendment including removal of the marked pedestrian crossing and C3 linemarking to supplement "No Stopping" signs.
- Installation of the 2P parking to be delayed until the construction of the additional 1000 commuter parking spaces at Edmondson Park Train Station.

Item 6 - Kingsford Smith Avenue/Southern Cross Avenue - Revised Roundabout

- Council approves the revised roundabout.
- The design is to be modified to include a pedestrian crossing facility on the northern side of the roundabout and extend the "no stopping" zone along Southern Cross Avenue.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

Item 7 - Bird Walton Drive - Proposed road rehabilitation

• Council approves the proposed signs and linemarking scheme.

Item 8 - Greendale Road – Proposed road rehabilitation

• Council approves the road rehabilitation and associated signs and linemarking scheme, including the arrangement to maintain the existing sign posted speed limit and advisory speed on the curved road section.

Item 9 - Feodore Drive, Cecil Hills – Minor Traffic Facilities

• Council approves the proposed raised threshold, median island and signs and linemarking with installation of a pedestrian fence at the southern side of the raised threshold.

Item 10 - Wonga Road and Hill Road – Proposed Traffic Management

• Council approves the raised thresholds and associated signs and linemarking.

Item 11 - Items Approved Under Delegated Authority

• Notes the traffic facilities approved under Delegated Authority between 8 March 2020 and 12 May 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

ITEM NO:CTTE 04FILE NO:144090.2020SUBJECT:Minutes of the Strategic Panel Meeting held on 13 May 2020

COUNCIL DECISION

Motion: Moved: Clr Kaliyanda Seconded: Clr Hadid

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 13 May 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

ITEM NO:CTTE 05FILE NO:144158.2020SUBJECT:Minutes of Budget Review Panel 21 May 2020

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Harle

That Council:

- 1. Adopts the minutes of the Budget Review Panel meeting held on 21 May 2020; and
- 2. Considers applying to the Federal and State Government from the \$50million Council Community Projects recently announced for possible funding for the concept plans for the Visitation Precinct if appropriate.

On being put to the meeting the motion was declared CARRIED.

Vote for: Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Rhodes and Clr Shelton.

Vote against: Mayor Waller and Deputy Mayor Karnib.

ITEM NO:CTTE 06FILE NO:146402.2020SUBJECT:Minutes of the Civic Advisory Committee meeting held on 3 June 2020

COUNCIL DECISION

Moved: Clr Kaliyanda Seconded: Clr Hadid

That Council:

Motion:

- 1. Receives and notes the Minutes of the Civic Advisory Committee Meeting held on 3 June 2020;
- 2. Reject the recommendation to supply and install the City of Liverpool flag and the 60th birthday (as a City) flag which has cost implications; and
- 3. Endorse all other recommendations in the Minutes.

QUESTIONS WITH NOTICE

ITEM NO:QWN 01FILE NO:139288.2020SUBJECT:Question with Notice - Clr Hagarty - Speed Camera Warning Signs

Please address the following:

1. Have any speed camera or red light camera warning signs been removed in the Liverpool LGA since 'NOM 01 - Speed Camera Warning Signs' was passed in November 2019?

Response

Following Council's resolution from November 2019, Council received correspondence (see Attachment 1 in the Council Agenda) from the Parliamentary Secretary for Transport and Roads confirming that the NSW Government's position on speed camera warning signage has not changed. Council has also discussed this matter with TfNSW staff who have advised that no speed camera or red-light camera warning signs in the Liverpool Local Government Area have been removed.

TfNSW has advised Council they are aware of a 'missing' sign at the Newbridge Road / Milperra Road / Henry Lawson Drive intersection, due to limited space in the location identified (see Attachment 2 in the Council Agenda) and are considering what options are available for the sign to be installed.

Background

Since Compliant Development has been introduced by State Governments some two decade ago, there have been numerous issues where noncompliant development has occurred. The main concern is where the health and safety of the community is compromised. When this occurs, the obligations to address such issues passes onto the Private Certifier (PC) or Private Certifying Authority (PCA) responsible for the lodgement of the initial Development Application (DA). A copy of the DA must be lodged with Council to ensure it is aware of the development and its conditions. If the PC or PCA fails to address the issue it can be reported to the relevant authority for further action. Unfortunately further action rarely occurs as the complainant may not have the necessary resources required to do so, hence the matter remains unresolved.

Where noncompliance involves the health and safety of the community Local Councils need to act quickly, irrespective of the costs involved. The latter is based on its "Duty of Care" obligations to the community.

Currently, if residents suspect noncompliance issues within a development, they are informed to contact the PC or PCA responsible for the DA. Unfortunately, most residents don't have the resources to take the matter further which often results in nothing being done to address the issues.

For those issues that manage to get addressed, any forthcoming action may take several weeks, months or sometimes years, however, for those involving illegal or contaminated fill it is usually too late to mitigate any negative effects for the foreseeable future.

Unfortunately, the Environment Protection Authority (EPA) also follows the State Governments' recommendation of informing the PC or PCA to address any issues of non-compliance. It is only when the Health and Safety of the Community is at risk that the EPA may investigate, however, noncompliance such as the amount of fill is not their responsibility and falls back on the PC or PCA and we are back where we started.

Please address the following:

1. Does Council have a procedure or action in place to ensure a Development Applications (DA) made by a Private Certifier (PC) or a Private Certifying Authority (PCA) complies with their conditions of consent?

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

- a. If noncompliance is suggested by concerned residents, how is that action triggered?
- b. What is Council's procedure if non-compliance continues despite Council action?
- c. How can Council ensure that compliance does occur, especially those impacting on community health and safety?
- d. Is Council legally responsible for any subsequent health and safety risks to the community due to noncompliance it was made aware of?
- 2. Will changes to the "Building and Development Certifier Act 2018", due to take effect as of 1st July 2020, impact on the points raised in 1, a to d?

Response

A private certifier can determine applications for complying development certificates, construction certificates and occupation certificates. They can also be nominated as the Principal Certifier whose role is to carry out inspections of building work to determine compliance with legislative requirements and conditions of consent. In addition the Principal Certifier can take action to address non-compliant work and, if needed report, it to Council if any non-compliances are ongoing.

Certifiers do not determine development applications. Council has no legal responsibility to check certificates issued by certifiers. Private certification has been in place since 1998 and accredited private certifiers are public officials who are required to act with integrity and impartiality. They are accredited under the Building Professionals Act 2005 and regulated by NSW Fair Trading.

Generally if a resident contacts Council regarding non-compliance with building work on a privately certified site the resident is asked to contact the certifier in the first instance. The certifier's responsibility is to investigate the complaint and if non compliance is detected the certifier under the Environment Planning and Assessment Act is required to issue a Written Direction. If the direction is not complied with the certifier will notify Council and Council officers will then issue notice/order.

Generally issues relating to hours of construction, occupation of footpath/road contrary to development consent and sediment control are all dealt with by council officers without referral to the certifier even if the site is privately certified as these issues impact resident's amenity and the environment.

In some instances where the certifier does not take adequate action Council does intervene and take enforcement action. Anyone can report a certifier, if they have grounds to do so, to the Building Professionals Board.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

- 1. Does Council have a procedure or action in place to ensure a Development Applications (DA) made by a Private Certifier (PC) or a Private Certifying Authority (PCA) complies with their conditions of consent?
 - a. If noncompliance is suggested by concerned residents, how is that action triggered?

As mentioned above residents are directed to the certifier in the first instance.

b. What is Councils procedure if non-compliance continues despite Council action?

If Council is involved a notice is issued followed by an order and if non compliance continues legal action is taken.

c. How can Council ensure that compliance does occur, especially those impacting on community health and safety?

Under the legislation it is not Council's role to check on certifiers to ensure compliance, however as mentioned above if Council intervenes then a notice/order can be issued and ultimately legal action pursued.

d. Is Council legally responsible for any subsequent health and safety risks to the community due to noncompliance it was made aware of?

It is the Principal Certifier who is responsible for the work on site and if Council is not the nominated Principal Certifier then Council is not responsible.

2. Will changes to the "Building and Development Certifier Act 2018", due to take effect as of 1st July 2020, impact on the points raised in 1, a to d?

The new legislative framework regulates the conduct of certifiers by providing for new conflict of interest provisions and establishes a code of conduct. The Building Professionals Board will be abolished and the certifiers will be fully regulated by NSW Fair Trading. It is expected that Certifiers who do not comply with the new legislative framework will not be able to continue to be registered.

COUNCIL DECISION

Motion:

Moved: Clr Harle

Seconded: Clr Rhodes

That Council:

1. Investigate implementing a development assessment compliance policy dealing with compliance issues raised by residents irrespective of whether it is a Private Certifier, Private Certifying Authority or Environmental Protection Authority issue; and

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

2. A report to be brought to the August 2020 Council meeting addressing issues related to implementing such a policy including budgetary implications.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

PRESENTATIONS BY COUNCILLORS

Nil

NOTICES OF MOTION

ITEM NO:NOM 01FILE NO:137811.2020SUBJECT:End of the Corona Virus Pandemic Definition

BACKGROUND

An oversight has come to my attention for the need to clarify by definition the end of the Corona Virus Pandemic as referred to as a date for Council to initiate actions as resolved in Motions previously passed by Council.

As it is very unclear as to what could be considered the end of the Corona Virus Pandemic as being when Business is resumed in NSW or when a possible vaccine is found, it is necessary that Council resolve a definition to give Council clarity of intention in resolutions previously passed by Council, where such motions have referred for Council action "after COVID 19" or other similar expressions in motions.

The need for a definition for the end of the Corona Virus is to enable Council a date that Council Staff recognise as the defined date and to make it clear that the end of COVID 19 is not defined by but not excluded by the possible vaccine that may or may not ever be found.

NOTICE OF MOTION (submitted by Clr Rhodes)

That Council defines the end of COVID 19 as referred to in resolutions previously passed by Council from which Council has been resolved to act "after the COVID Pandemic" or words similar as being defined as the date declared by the NSW State Government that all businesses are to return to work although maintaining social distancing guidelines.

COUNCIL DECISION

Motion:

Moved: Clr Rhodes Seconded: Clr Balloot

That Council adopt the following definitions to clarify any times or time periods in Council resolutions relating to COVID-19 pandemic:

- 1. Where a date is specified in the resolution then that date will continue to apply.
- Where no date is specified in the resolution and the resolution is subject to the lifting of a restriction – then, for the purpose of implementing the resolution, the date will be 1 July 2020. It would be anticipated that at that point minimal restrictions would

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

remain in place affecting only some businesses. For example, on 16 April 2020 Council resolved to waive all out-door dining fees from the date of restriction coming into place until 2 months after these restrictions are lifted. The proposed amendment would mean that out-door dining fees would be waived until 2 months after 1 July 2020.

3. Where a resolution is not subject to the lifting of a restriction and the resolution requires Council to provide assistance for an unspecified period – then, for the purpose of implementing the resolution, the resolution will apply for the duration of the 2020/21 financial year, unless otherwise resolved by Council.

ITEM NO: NOM 02 FILE NO: 152349.2020 SUBJECT: Public Sector Hub

BACKGROUND

For the past 3 months, the nation has effectively been run from home. The COVID-19 lockdown has proven the ability of the workforce, in particular the public sector, to work outside of the traditional office environment.

Over the last decade, the Liverpool CBD has lost a host of public sector jobs.

As the world contemplates what work in the post COVID-19 world looks like, some have raised the idea of local satellite offices for workers. The satellite 'hubs' would provide public sector workers with the option of travelling a short distance to their local CBD rather than the Sydney or Parramatta CBDs where most public sector agencies are based.

A local public sector hub has numerous benefits:

- reduces traffic congestion
- reduces overcrowding on public transport
- improves work life balance
- stimulates the local economy

With Liverpool positioning itself as the third CBD, it is the perfect location for a public sector hub.

NOTICE OF MOTION (submitted by CIr Hagarty)

That Council:

- 1. Lobby the State and Federal Governments for public sector hot desking hubs to be located in the Liverpool CBD;
- 2. Work with developers and landlords to find suitable locations in the Liverpool CBD for public sector hot desking hubs; and
- 3. Report back on progress in 6 months.

COUNCIL DECISION

Motion: Moved: CIr Hagarty Seconded: CIr Hadid

That Council:

1. Lobby the State and Federal Governments for public sector working hubs to be located in the Liverpool CBD;

Chairperson

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

- 2. Work with developers and landlords to find suitable locations in the Liverpool CBD for public sector working hubs; and
- 3. Report back on progress in 6 months.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

Clr Shelton left the meeting at 7:13pm.

ITEM NO:	NOM 03
FILE NO:	152495.2020
SUBJECT:	Sustainable Energy

BACKGROUND

In November 2019, Council indicated its support for a Renewable Solar Power Purchase Agreement negotiated by WSROC. Liverpool Council is also one of 18 local councils that are part of a Local Government Power Purchase Agreement, where Origin Energy supplements the energy needs of our community. Furthermore, in October 2017, Council joined the Cities Power Partnership, an initiative of the Climate Council of Australia seeking to accelerate the benefits of emissions reduction and clean energy for Australian towns and cities.

The use of hydraulic fracturing (fracking) to extract gas presents significant environmental risks. The use of chemicals in the process presents a potential contamination hazard to water resource. Significantly, fracking results in increase greenhouse gas emissions through the use of the fuel itself as well as through the escape of gases, such as methane, during the extraction process. Banning the use of fracking right across the country presents the most effective strategy to eliminate these environmental hazards.

Furthermore, the recent destruction of a 46,000 year-old Aboriginal cultural site in WA as part of a mining operation by Rio Tinto shows the impact that such processes could have on local environments and cultural heritage.

On a local level Council is investing in a wide range of initiatives designed to increase the use of sustainable energy and reduce the urban heat island effect. Some of these initiatives include purchasing sustainable energy, installing solar systems on Council properties and encouraging schools, residents and businesses to install solar panels on their buildings, transitioning to the use of electric fleet vehicles and installing heat pumps at pools and leisure centres. Rejecting the use of damaging processes, such as fracking, and simultaneously increasing the use of renewable energy are both vital if we hope to limit the worst impacts of climate change.

NOTICE OF MOTION (submitted by Clr Kaliyanda)

- 1. Write to Origin Energy:
 - Noting Council's Power Purchase Agreement with Origin Energy, through SSROC, 20% of which is currently sourced from the Moree Solar Farm;
 - Expressing our support for the traditional owners and communities in the Northern Territory who have expressed their strong opposition to fracking due its threats to the climate and to their lands, waters and rights; and

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

- Requesting that Origin Energy cease all plans to conduct fracking in the Northern Territory and elsewhere due to its impact on the climate, communities, environment and water, and commit to further investment in environmentally and socially sustainable renewable energy projects.
- 2. Forward a copy of the letter referred to above to all NSW Regional Organisation of Councils and Joint Organisations.
- 3. Writes to all state and territory Energy and Environment ministers urging them to implement, strengthen or retain permanent bans on the use of hydraulic fracturing (fracking) to extract gas within their jurisdictions.
- 4. Continues to increase the use of sustainable energy for its operations.

COUNCIL DECISION

Motion:

Moved: Clr Kaliyanda Seconded: Clr Hagarty

- 1. Write to Origin Energy:
 - Noting Council's Power Purchase Agreement with Origin Energy, through SSROC, 20% of which is currently sourced from the Moree Solar Farm;
 - Expressing our support for the traditional owners and communities in the Northern Territory who have expressed their strong opposition to fracking due its threats to the climate and to their lands, waters and rights; and
 - Requesting that Origin Energy cease all plans to conduct fracking in the Northern Territory and elsewhere due to its impact on the climate, communities, environment and water, and commit to further investment in environmentally and socially sustainable renewable energy projects.
- 2. Forward a copy of the letter referred to above to all NSW Regional Organisation of Councils and Joint Organisations.
- 3. Writes to all state and territory Energy and Environment ministers urging them to implement, strengthen or retain permanent bans on the use of hydraulic fracturing (fracking) to extract gas within their jurisdictions.
- 4. Continues to increase the use of sustainable energy for its operations.
- 5. That Council provide a briefing meeting before September Council meeting inviting WSROC to present to Councillors and the financial management team of Council, information relating to the opportunity for Council to participate in a Power Purchase Agreement through WSROC Limited through a 10 year Power Purchase Agreement on offer from renewable energy developer GENX Power.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

Councillors voted unanimously for this motion.

Note Clr Shelton was not in the meeting when this item was voted on.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

CIr Shelton returned to the meeting at 7.19pm

ITEM NO:	NOM 04
FILE NO:	152513.2020
SUBJECT:	Support for Australian Aviation

BACKGROUND

Earlier this year we saw perhaps the most significant corporate victim of COVID-19 when Virgin Australia elected to enter into voluntary administration. This was a deeply concerning development, not only for the stress, anxiety and uncertainty on the thousands of employees, but for the potential impact this will have on our society and economy.

This is clearly a Federal issue and it will be up to the Federal Government to address this. But it is important that we all speak up, particularly for Liverpool as an aviation city and the home of Sydney's second international airport, to raise two important points: we need a healthy and competitive domestic airline industry, and that industry needs to be serviced by Australian-based companies.

If any airline attains a monopoly over the domestic airline market, we know from the collapse of Ansett in 2002, that there will be a significant increase in the cost of air travel. I am aware of some analysts predicting the rise in cost of air travel in a monopoly environment could exceed 20%.

For Australia, with our vast expanses and remote communities, affordable air travel is vital to our ongoing prosperity. If there are to be rises in the cost of domestic air travel, it will be our vulnerable populations that suffer along with the regions. And it is the regions upon which Australia relies.

But it is not simply enough to have a competitive domestic airline market; it is critical that the companies servicing those routes are Australian-based. Encouraging a strong Australian aviation sector would have significant short and long-term benefits for Liverpool.

There has been discussion of international airlines, Etihad or Singapore Airlines for example, servicing our domestic routes. Should this eventuate, we will see the irreversible flow of profits, money from Australians, offshore. This cannot be allowed to happen.

Furthermore, it is fanciful to entertain the idea that these international airlines will service anything but the most profitable, high-volume routes of the east coast. This would likely leave our regional and remote communities to languish and die. We cannot let this happen.

In the coming weeks and months, it will be critical for the Federal Government to protect Australia's future through whatever mechanism they deem appropriate, and ensure that on the other side of this, Australia continues to be serviced by a competitive, Australian-based domestic airline industry.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

NOTICE OF MOTION

That Council:

- 1. Acknowledges the critical importance a healthy, competitive domestic airline industry;
- 2. Recognises that the domestic airline industry should be serviced by Australian-based companies;
- 3. Acknowledges that domestic aviation is the responsibility of the Federal Government; and
- 4. Writes to its Federal Members of Parliament expressing its concern at the prospect of the domestic airline industry becoming a monopoly.

COUNCIL DECISION

Motion:	Moved: Clr Kaliyanda	Seconded: Clr Hagarty
That the recommen	dation be adopted.	
		OOT

On being put to the meeting the motion was declared LOST.

Vote for: Mayor Waller, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton.

Vote against: Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Harle and Clr Rhodes.

RECESS

Mayor Waller called a Recess of Council at 7.34pm.

RESUMPTION OF MEETING

Mayor Waller resumed the meeting at 7.50pm.

Motion: Moved: Clr Hadchiti Seconded: Clr Shelton

That Council move into Closed Session and that CONF 02 Appointment of Acting Chief Executive Officer be dealt with at the end of the meeting.

COUNCIL MOVED INTO CLOSED SESSION AT 7.51PM

ITEM NO:	EGROW 01	
FILE NO:	134715.2020	
SUBJECT:	Proposed Planning Agreement in conjunction with DA-527/2017 at 14	
	Yarrunga Street, Prestons	

COUNCIL DECISION

conded: Clr Kaliyanda
C

That Council:

- Endorse the planning agreement for a monetary contribution of \$85,000 towards the upgrade of the Bernera Road / Yarrunga Street / Yato Road intersection and directs 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 alterations;
- 3. Note that if changes, other than minor changes, arise from the public exhibition process these will be reported back to Council;
- 4. Note that any planning agreement will be subject to approval of modification application DA-527/2017/A which proposes deletion of Conditions 107, 108 and 109 (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.

COUNCIL DECISION

Motion: Moved: Clr Shelton Seconded: Clr Kaliyanda

That Council endorses the recommendation of **\$9,500** (GST exclusive) under the **Matching Grants Program** for the following project:

Applicant	Project	Recommended
The Bill Crews Charitable Trust	2168 Community Household Survey	\$9,500

That Council endorses the recommendation of **\$20,000** (GST exclusive) under the **Sustainable Environment Grants Program** for the following projects:

Applicant	Project	Recommended
Heckenberg Public School	Community Connections Garden	\$5,000
Hoxton Park Public School	Community Kitchen Garden	\$5,000
Malek Fahd Islamic School Limited	Reducing Single Use Plastic Water Bottles	\$5,000
Marsden Road Public School	Community Native Garden	\$5,000

On being put to the meeting the motion was declared CARRIED.

Clr Rhodes asked that she be recorded as having voted against the motion.

Clrs Kaliyanda and Hadchiti left the meeting at 7.55pm.

ITEM NO:CONF 01FILE NO:130196.2020SUBJECT:Liverpool Youth Council - Membership Nominations for term 2020-2022

COUNCIL DECISION

Moved: Clr Harle Seconded: Clr Hadid

That Council:

Motion:

1. Adopts the new members nominated by the Selection Panel to be appointed to the Liverpool Youth Council for the 2020-2023 term.

The names of the nominated members are listed below:

- Ella-Jay Nuttal
- Jorja Suga
- Alyssia Dower
- Vishal Senthilkumar
- Sonia Sharma
- Mikaela Jenkins
- Mustafa Sawalhi
- Emily D'Silva
- Simbarashe Zimbudzana
- Phillip Gigliotti
- Elise Vadala
- Adrian Lal
- 2. The Liverpool Youth Council Charter section 9 Term of Office be amended to increase the membership term from two years to three years as follows:
 - 9. TERM OF OFFICE
 - 9.1 Youth Council members serve a three-year term, with a maximum of two consecutive terms served by any one member (i.e. members can serve a maximum of six years).
 - 9.2 A young person appointed to the Youth Council will continue as a member until the Youth Council is disbanded at the end of the three-year term.
- 3. At the end of the Youth Councillors' service a letter be sent from the Mayor (on behalf of the Councillors) to congratulate and thank them for their years of commitment.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

Clr Hadchiti and Clr Kaliyanda returned to the meeting at 8.00pm.

ITEM NO:	CONF 03
FILE NO:	328535.2019
SUBJECT:	ST2755 Building and Amenities Cleaning Services

COUNCIL DECISION

Motion: Moved: Clr Harle	Seconded: Clr Rhodes
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That Council:

- In accordance with Section 178(1) (b) of the Local Government (General) Regulation 2005, declines to accept all tenders received for ST2755 – Building and Amenities Cleaning Services.
- In accordance with Section 178 (3) (e) of the Local Government (General) Regulation 2005, enter into negotiations with Advanced National Services Pty Ltd (T/A Advanced Cleaning), Solo Services Group Australia Pty Ltd and Service Master Solutions Cleaning Pty Ltd with a view of entering into a contract covering the subject matter of the tender.
- 3. In accordance with Section 178 (4) of the Local Government (General) Regulation 2005, notes that the reasons for entering into negotiations and not calling fresh tenders are:
 - a. Significant variation in the price, quantity of service and charge out rates of the submissions received.
 - b. Clearer scope, service expectation and KPI's can be established;
 - c. Rates and fixed services prices can be negotiated resulting in better value for Council and quantifiable savings;
 - d. No benefit will be achieved by inviting fresh tenders in view of the time and cost involved in such a process.
- 4. Delegate to the Chief Executive Officer all necessary authority to finalise and execute a contract with a party or parties ultimately determined to present the best value for the provision of the specified services.
- 5. This report has been brought to Council because the Chief Executive Officer's instrument of delegation, approved by Council in accordance with the current provisions of section 377 of the Local Government Act 1993, only permits the Chief Executive Officer to approve (and not to reject) tenders up to a value of \$2 million. Therefore, subclauses 178(3) and 178(4) of the Local Government (General) Regulation 2005 require a decision not to accept any of the tenders for a proposed contract to be made by way of a Council resolution.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

6. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

ITEM NO:CONF 02FILE NO:150575.2020SUBJECT:Appointment of Acting Chief Executive Officer

COUNCIL DECISION

Moved: Clr Hadchiti Seconded: Clr Balloot

That Council:

Motion:

- 1. Note the current CEO Kiersten Fishburn's resignation effective 26/06/2020.
- 2. Acknowledge and thank Ms Kiersten Fishburn for her service to Liverpool for the past nine years in various roles.
- 3. Note that it was the intention of this Council to allow the new Council which would have been in place in September 2020 to determine the holder of the CEO's position, but due to COVID-19 the Minister for Local Government has announced that Council elections will not take place till September 2021.
- 4. Undertake a competitive process of appointing the Chief Executive Officer.
- 5. Immediately seek the services by way of RFQ for a suitable independent consultant to assist in the recruitment process.
- 6. Establish a working group with delegation from Council to undertake the following tasks:
 - a. Work with the appointed independent consultant to draft and finalise a Position Description for the Chief Executive Officer role;
 - b. Provide instruction to the appointed independent consultant on advertising and interview arrangements;
 - c. With guidance and assistance from the appointed independent consultant, complete interviews for the role and undertake an assessment of the interviewed candidates;
 - d. With guidance and assistance from the appointed independent consultant, negotiate and agree on in-principle contract terms, subject to approval by Council, with the preferred candidate;
 - e. With guidance and assistance from the appointed independent consultant, prepare a report to the Council that provides a detailed assessment of the

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

interviewed candidates, and makes a recommendation for appointment by the Council.

- 7. Appoint the Mayor or her Councillor delegate, Clr Balloot or their Councillor delegate and Clr Harle or their Councillor delegate to the working group noting that any Councillor may attend any meetings as an observer and have access to any documents throughout the process.
- 8. Notes that the final decision to appoint a Chief Executive Officer will be made by the Council, as required by s.344 of the Local Government Act 1993.
- 9. Appoints Dr Eddie Jackson as Acting Chief Executive Officer, with all delegated authority currently assigned to the position of Chief Executive Officer, for up to 12 months from Monday 29 June 2020 (inclusive) or until such time as a new permanent Chief Executive Officer is appointed, and commences the position, whichever is the lesser period.
- 10. Delegate authority to the Mayor to negotiate, on behalf of Council, suitable terms with Dr Eddie Jackson for their appointment to the role of Acting Chief Executive Officer.
- 11. Note that once a permanent Chief Executive Officer is appointed a separate Committee will need to be established to set and monitor key performance indicators for the Chief Executive Officer.

On being put to the meeting the motion was CARRIED.

Mayor Waller asked that she be recorded as having voted against the motion.

Council moved back into Open Session at 8.43pm.

Mayor Waller then read out the resolutions for EGROW 01, COM 01, CONF 01, CONF 02, and CONF 03 which were passed in Closed Session (Note, Mayor Waller asked that her name be recorded against the motion for CONF 02).

THE MEETING CLOSED AT 8.47pm

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 29 July 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 24 June 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

Minutes of the Ordinary Council Meeting held on Wednesday, 24 June 2020 and confirmed on Wednesday, 29 July 2020

LIVERPOOL CITY COUNCIL

MINUTES OF THE ORDINARY MEETING HELD ON 29 JULY 2020

PRESENT:

Mayor Wendy Waller Councillor Ayyad Councillor Balloot (arrived at the meeting at 6.18pm) Councillor Hadchiti **Councillor Hadid Councillor Hagarty Councillor Harle** Councillor Kaliyanda Councillor Karnib (arrived at the meeting at 6.18pm) **Councillor Rhodes Councillor Shelton** Dr Eddie Jackson, Acting Chief Executive Officer Mr Tim Moore, Director City Economy and Growth / Deputy Chief Executive Officer Mr George Hampouris, Acting Director City Corporate Ms Tina Sangiuliano, Acting Director City Community and Culture Mr Peter Patterson, Director City Presentation Mr Raj Autar, Director City Infrastructure and Environment Mr Andrew Stevenson, Chief Strategy and Engagement Officer Mr David Smith, Manager Planning & Transport Strategy Mr James Ng, Acting General Counsel Manager Governance Legal and Procurement Mr Vishwa Nadan, Chief Financial Officer Mr John Milicic, Manager Property Mr George Georgakis, Manager Council and Executive Services

The meeting commenced at 6.00pm.

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,	The prayer of the Council was read by Dr
PRAYER OF COUNCIL AND	Eddie Jackson, Acting Chief Executive
AFFIRMATION TO BE READ BY	Officer.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

APOLOGIES

Nil

CONDOLENCES

Nil

CONFIRMATION OF MINUTES

Motion:

Moved: CIr Shelton

Seconded: Clr Kaliyanda

That the minutes of the Ordinary Meeting held on 24 June 2020 be confirmed as a true record of that meeting.

On being put to the meeting the motion was declared CARRIED.

DECLARATIONS OF INTEREST

 Mayor Waller declared a non-pecuniary, less than significant interest in the following item:

 Item EGROW 06:
 Business Resilience Grants

 Reason:
 Mayor Waller knows and has associations with many local business owners.

 Mayor Waller remained in the virtual room for the duration of the item.

 Clr Shelton declared a non-pecuniary, less than significant interest in the following item:

 Item EGROW 06:
 Business Resilience Grants

Reason: Clr Shelton knows and has associations with many local business owners.

Clr Shelton remained in the virtual room 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 has investment in property referred to in the report.

Clr Hadchiti left the virtual room for the duration of the item.

Clr Hadchiti declared a non-pecuniary, less than significant interest in the following item: **Item EGROW 06**: Business Resilience Grants

Reason: Clr Hadchiti knows and has associations with many local business owners.

Clr Hadchiti remained in the virtual room for the duration of the item.

Clr Ayyad declared a non-pecuniary, less than significant interest in the following item: **Item CONF 07**: Liverpool Civic Place Independent Review

Reason: Clr Ayyad has a close relative who is in a senior role at Clayton Utz. Clr Ayyad remained in the virtual room for the duration of the item.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

Clr Ayyad declared a non-pecuniary, less than significant interest in the following item: **Item EGROW 06:** Business Resilience Grants

Reason:	Clr Ayyad knows and has associations with many local business
	owners.

Clr Ayyad remained in the virtual room for the duration of the item.

Clr Rhodes declared a non-pecuniary, less than significant interest in the following item:Item EGROW 06:Business Resilience GrantsReason:Clr Rhodes knows and has associations with many local business owners.

Clr Rhodes remained in the virtual room for the duration of the item.

Clr Hagarty declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 06:	Business Resilience Grants		
Reason:	Clr Hagarty knows and has associations with many local business owners.		

Clr Hagarty remained in the virtual room for the duration of the item.

Clr Kaliyanda declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 06:	Business Resilience Grants	
Reason:	Clr Kaliyanda knows and has associations with many local business	
	owners.	

Clr Kaliyanda remained in the virtual room for the duration of the item.

Clr Hadid declared a non-pecuniary, less than significant interest in the following item:

Item EGROW 06:	Business Resilience Grants		
Reason:	Clr Hadid knows and has associations with many local business		
	owners.		
Clr Hadid remained in the virtual room for the duration of the item.			

PUBLIC FORUM

Presentation – items not on agenda

1. Mrs Vicki Andrews made a written submission to Council on the following matter:

Promotion of Liverpool Regional Museum

Representation – items on agenda

Nil

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO:	CEO 01
FILE NO:	176066.2020
SUBJECT:	Annual Report to Council by the Internal Ombudsman

COUNCIL DECISION

Motion:	Moved: CIr Shelton	Seconded: Clr Hadid

That Council:

- 1. Receive and note the annual report presented by the Internal Ombudsman.
- 2. Thank the Internal Ombudsman, Mr David Maguire for his hard work during his time at Council.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

Clr Balloot and Clr Karnib joined the meeting at 6.18pm.

ITEM NO:CEO 02FILE NO:179105.2020SUBJECT:Review of Media Policy

COUNCIL DECISION

Motion: Moved: Clr Hagarty Seconded: Clr Kaliyanda

That Council adopt the Media Policy for a two-year period.

On being put to the meeting the motion was declared CARRIED and the Foreshadowed motion (which Clr Rhodes was proposing to move) lapsed.

Vote for: Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton.

Vote against: Clr Harle and Clr Rhodes.

CITY ECONOMY AND GROWTH REPORT

ITEM NO:	EGROW 01
FILE NO:	138950.2020
SUBJECT:	Rebuilding Liverpool's Economy update

COUNCIL DECISION

Motion:	Moved: CIr Ayyad	Seconded: Clr Hadchiti

That:

- 1. Council receive and note the report; and
- 2. The Mayor write to staff to congratulate them on behalf of the Council.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

ITEM NO:EGROW 02FILE NO:149642.2020SUBJECT:Report back - Reference Group Charter Companion Animal Advisory
Committee

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That Council endorse the Companion Animals Advisory Committee Terms of Reference, subject to review by legal, with the following changes:

- That the Mayor or delegate be the Chairperson of this committee;
- The Purpose and Objective section be amended to state that the Companion Animal Advisory Committee is a Council community advisory committee and reports to Council;
- Section 4.1 Community Participation be amended so that the Committee will consist of five community members, and the Mayor or delegate, and one Councillor, with either the Mayor, delegate or Councillor to attend the meeting;
- The first point of Section 4.2 Council Staff be removed so that Council staff cannot chair the meeting;
- The last point of Section 4.2 Council Staff be replaced with "advisory committee reporting to Council";
- Section 4.5 Chairperson be amended by removing the word "staff" in the second paragraph;
- Section 4.5 Chairperson be amended by deleting the third point which reads "Councillors will not be eligible to be Chairperson unless specifically appointed by Council"; and
- Section 5 Timetable for Meeting, remove the words "At Council's Administration building".

On being put to the meeting the motion was declared CARRIED.

ITEM NO:	EGROW 03
FILE NO:	167832.2020
SUBJECT:	Planning proposal request to rezone land from RE2 (Private Recreation) to R3 (Medium Density Residential) at 146 Newbridge Road, Moorebank
	(mediam Density Residential) at 140 Newbhaye Road, moorebank

COUNCIL DECISION

Motion:

Moved: Clr Ayyad Seconded: Clr Balloot

That Council:

- 1. Notes the advice of the Liverpool Local Planning Panel;
- 2. Endorses in principle the planning proposal request;
- 3. Delegates to the CEO to prepare the formal planning proposal including any typographical or other editing amendments if required;
- 4. Forwards the planning proposal to the Department of Planning, Industry and Environment, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination;
- 5. Subject to Gateway determination, undertake public exhibition and community consultation on the planning proposal in accordance with the conditions of the Gateway determination and Council's Community Participation Plan;
- 6. Receive a further report on the outcomes of public exhibition and community consultation;
- 7. Receive a further report with a status update on all the outstanding planning proposals from Moorebank at the August 2020 Council meeting; and
- 8. Publicly exhibit all of the outstanding planning proposals in Moorebank now.

Foreshadowed motion: Moved: Clr Hagarty Seconded: Clr Kaliyanda

That Council:

- 1. Notes the advice of the Liverpool Local Planning Panel;
- 2. Endorses in principle the planning proposal request;
- 3. Delegates to the CEO to prepare the formal planning proposal including any typographical or other editing amendments if required;
- 4. Forwards the planning proposal to the Department of Planning, Industry and Environment, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination;

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

- 5. Subject to Gateway determination, undertake public exhibition and community consultation on the planning proposal in accordance with the conditions of the Gateway determination and Council's Community Participation Plan;
- 6. Receive a further report on the outcomes of public exhibition and community consultation; and
- 7. Receive a further report with a status update on all the outstanding planning proposals from Moorebank at the August 2020 Council meeting.

On being put to the meeting the motion (moved by Clr Ayyad) was declared CARRIED and the Foreshadowed motion (moved by Clr Hagarty) lapsed.

Vote for (the motion moved by Clr Ayyad): Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Harle, Clr Rhodes

Vote against (the motion moved by Clr Ayyad): Mayor Waller, Clr Hagarty, Clr Kaliyanda, Clr Karnib, Clr Shelton

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

ITEM NO:	EGROW 04
FILE NO:	171601.2020
SUBJECT:	Planning proposal to amend the dwelling density map in the Liverpool Local Environmental Plan 2008 for certain lands in Pleasure Point

COUNCIL DECISION

Motion:

Moved: Clr Ayyad

Seconded: Clr Harle

That Council:

- 1. Notes the advice of the Liverpool Local Planning Panel;
- 2. Endorses the planning proposal to increase the permitted number of lots on certain sites along Pleasure Point Road, Pleasure Point from four lots to five lots;
- 3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
- 4. Forwards the planning proposal to the Department of Planning, Industry and Environment pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination;
- 5. Subject to Gateway determination, undertake public exhibition and community consultation in accordance with the 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.

Councillors voted unanimously for this motion.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

ITEM NO:EGROW 05FILE NO:172721.2020SUBJECT:Clean Air for Liverpool

COUNCIL DECISION

Motion:

Moved: Clr Harle

Seconded: Clr Rhodes

That Council:

- 1. Acknowledges Council for the report; and
- 2. Further acknowledges Council's commitment to improve Air Quality in Liverpool and will provide a further report back to Council in December 2020 that includes:
 - a) close arrangements with the EPA necessary to address Industries that do not comply with DA conditions;
 - b) increasing tree canopies;
 - c) addressing hotspot mitigation;
 - d) possible further conditions placed on identified Development Applications to mitigate possible non compliance and pollution; and
 - e) a long term plan to measure and monitor air pollution in various specific areas in the Liverpool LGA with portable devices that were used similarly to measure Air Quality in the Liverpool CBD.
- 3. Trees, ideally Plane Trees to be planted on Kurrajong Road.
- 4. Every roundabout in Liverpool where possible, with the construction of the roundabout and safety considerations in mind, be green and colourful.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:EGROW 06FILE NO:180589.2020SUBJECT:Business Resilience Grants

COUNCIL DECISION

Motion:

Moved: Clr Ayyad

Seconded: Clr Hadchiti

That:

- 1. Council defer the report to the September 2020 Council meeting;
- 2. If the situation regarding COVID-19 deteriorates, that the matter be brought back to an earlier meeting or an extraordinary meeting;
- 3. Council write to the state government to thank them and show appreciation for the support provided to Local Government and small business in New South Wales; and
- 4. The Mayor write to Council Staff and thank them and acknowledge Council received accolades on the backbone of the work undertaken.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

Mayor Waller called a recess of Council at 7.32pm.

Mayor Waller reopened the meeting at 7.47pm.

CITY COMMUNITY AND CULTURE REPORT

ITEM NO:COM 01FILE NO:157523.2020SUBJECT:Grants, Donations and Corporate Sponsorship

COUNCIL DECISION

Motion:	Moved: Clr Shelton	Seconded: Clr Kaliyanda

That Council:

1. Endorses the recommendation of **\$10,000** (GST exclusive) under the **Corporate Sponsorship Program** for the following project:

Applicant	Project	Recommended
Open Support	Outreach Crisis Service	\$10,000

That Council endorses the recommendation of **\$5,000** (GST exclusive) under the **Community Grants Program** for the following project:

Applicant	Project	Recommended
Junction Works	Youth Clicks	\$5,000

That Council endorses the recommendation of **\$15,000** (GST exclusive) under the **Matching Grants Program** for the following project:

Applicant	Project	Recommended
The Salvation Army	Food 4 Life	\$15,000

2. An annual report regarding the acquittal of grants be provided to Council.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

ITEM NO:COM 02FILE NO:172422.2020SUBJECT:Carnes Hill Recreation Precinct Stage 2 Masterplan

COUNCIL DECISION

Moved: Clr Hadchiti Seconded: Clr Hadid

That Council:

Motion:

- 1. Receives and notes the report;
- 2. Adopts the Draft Masterplan for public exhibition for community information and feedback for a period of 28 days;
- 3. Delegates to the A/CEO the finalisation of the draft Masterplan if no submissions are received; or receive a further report outlining details of the submissions received at the conclusion of the exhibition period;
- 4. Subject to Council adoption of the Masterplan, commission a detail design process to include a feasibility study and a funding strategy for the delivery of the project through a staging process; and
- 5. Council prepare a lobbying brochure for this project.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

CITY CORPORATE REPORT

ITEM NO:CORP 01FILE NO:171205.2020SUBJECT:Investment Report June 2020

COUNCIL DECISION

That Council:

- 1. Receives and notes this report.
- 2. Remove the requirement for the Independent verification by Head of Audit, Risk and Improvement (HARI) on Council's investment portfolio.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:CORP 02FILE NO:177058.2020SUBJECT:Local Government Remuneration Tribunal Annual Report and Determination
under sections 239 and 241 of the Local Government Act 1993

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Hagarty

That Council:

- 1. Receive and note the 2020 Annual Report and Determination LGRT; and
- 2. Note there has been no changes to the Civic Expenses and Facilities Policy.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

17

CIr Hadchiti left the virtual room at 8.01pm.

CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO:	INF 01
FILE NO:	158038.2020
SUBJECT:	Wianamatta South Creek Flood Study Update

COUNCIL DECISION

Motion:	Moved: CIr Rhodes	Seconded: Clr Harle

That Council:

- 1. Endorses the public exhibition of the draft Wianamatta South Creek Flood Study and associated flood maps for 28 days; and
- 2. Receives a further report following conclusion of the exhibition period to adopt the Flood Study and associated flood maps for the Wianamatta South Creek catchment

On being put to the meeting the motion was declared CARRIED.

CIr Hadchiti returned to the meeting at 8.04pm.

ITEM NO:INF 02FILE NO:166610.2020SUBJECT:Conservation of Koala Habitat Corridors

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Kaliyanda

That Council:

- 1. Thanks Council for the report and Acknowledges Council's advice on:
 - a) the limitations of Virtual fences in urban areas;
 - b) Councils proposed report and Business Case for a Koala Hospital and Sanctuary in the Liverpool LGA;
 - c) Councils support for a Georges River National Park and opportunity to plant Koala Feeder trees;
 - d) The recent delivery of Koala Crossing Sign at a recognised Liverpool kill hotspot;
 - e) The inclusion of wildlife crossings incorporated into the upgrade of Heathcoate Road;
 - f) The ongoing discussions with Department of Defence on Koala preservation on Army Land in the Liverpool LGA; and
 - g) The ongoing co-operation with Sutherland and Campbelltown Councils in the interest of Koala preservation.
- 2. Also note the findings and report of the NSW Parliamentary Inquiry into Koala Populations and Habitats in NSW and
 - a) The creation of a Georges River National Park; and
 - b) The need for a wildlife hospital in Southwest Sydney.
- 3. Write to the NSW Premier, Gladys Berejiklian, and NSW Minister for the Environment, Matt Kean, to express support for the creation of a Georges River National Park, and establishment of a well-resourced wildlife hospital in South West Sydney.

On being put to the meeting the motion was declared CARRIED.

COMMITTEE REPORTS

ITEM NO:CTTE 01FILE NO:154530.2020SUBJECT:Liverpool Sports Committee Minutes of meeting held 28 May 2020

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Harle

That Council receives and notes the Minutes of the Liverpool Sports Committee Meeting held on 28 May 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

ITEM NO:CTTE 02FILE NO:161219.2020SUBJECT:Minutes of the Liverpool Youth Council Meeting held Wednesday 3 June
2020.

20

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Harle

That Council receives and notes the Minutes of the Liverpool Youth Council Meeting held on Wednesday 3 June 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

ITEM NO:CTTE 03FILE NO:161266.2020SUBJECT:Minutes of the Community Safety and Crime Prevention Advisory Committee
meeting held on 4 June 2020

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Harle

That Council receives and notes the Minutes of the Community Safety and Crime Prevention Advisory Committee meeting held on 4 June 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

ITEM NO:CTTE 04FILE NO:161447.2020SUBJECT:Notes of the Liverpool Access Committee meeting held on 11 June 2020

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Harle

That Council receives and notes the Notes of the Liverpool Access Committee meeting held on 11 June 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

ITEM NO:CTTE 05FILE NO:168333.2020SUBJECT:Minutes of the Aboriginal Consultative Committee meeting held on 7 May
2020

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Harle

That Council receives and notes the Minutes of the Aboriginal Consultative Committee Meeting held on 7 May 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

ITEM NO:CTTE 06FILE NO:172763.2020SUBJECT:Minutes of Strategic Panel Meeting held on 9 June 2020

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Harle

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 9 June 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

ITEM NO:CTTE 07FILE NO:176856.2020SUBJECT:Minutes of the Tourism and CBD Committee meeting held on 23 June 2020

25

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Harle

That Council:

- 1. Receives and notes the Minutes of the Tourism and CBD Meeting held on 23 June 2020; and
- 2. Endorse the recommendations in the Minutes.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

QUESTIONS WITH NOTICE

ITEM NO:QWN 01FILE NO:190020.2020SUBJECT:Question with Notice - Clr Hagarty - Appeal Powers Against Land and
Environment Court Decisions

Please address the following:

1. What appeal powers do Council (or the public) have when an applicant's appeal of previously refused DA is upheld by the Land and Environment Court?

A response to this question will be provided in the 26 August 2020 Council meeting business papers.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

Please address the following:

- 1. How much of waste collected in the Liverpool LGA is organic waste? How much of this is organic food waste?
- 2. How much organic waste in the Liverpool LGA actually ends up in landfill?
- 3. Do we currently have any policies or strategies in place to divert organic food waste from landfill?
- 4. Are there collective procurement contracts or similar arrangements for organic waste in NSW?

A response to these questions will be provided in the 26 August 2020 Council meeting business papers.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

PRESENTATIONS BY COUNCILLORS

Mayor Waller made a presentation regarding Council's Internal Ombudsman, Mr David Maguire. The Mayor's statement is below:

"Council's first appointed Internal Ombudsman Mr David Maguire is retiring tomorrow after nine years of working tirelessly at this organisation.

David started working at Council in January 2011 as a Governance Officer, a position he held for four years. Since then, David has worked as Council's Coordinator Governance, Acting Deputy General Counsel, Acting General Counsel and Acting Head of Audit and Risk, before moving to his current role three years ago.

As the Internal Ombudsman, David skilfully balanced protecting Council's reputation with looking after the customer and their needs. David's rational approach to difficult matters has been invaluable.

A trusted advisor with high moral standards, David's enthusiasm has had a ripple effect on the culture of the organisation. David always found a way to achieve a reason-based solution to a difficult problem.

On behalf of Council, thank you David for your passion and the contribution you have made to this organisation. We wish you all the best for a long and happy retirement."

NOTICES OF MOTION

ITEM NO: NOM 01 FILE NO: 190120.2020 SUBJECT: Georges River Koala Park

BACKGROUND

On 30 June 2020, a year-long NSW Parliamentary Inquiry released their report.

They found that koalas are on track to become extinct in the wild in NSW well before 2050 without urgent intervention to stop the destruction of their habitat.

This is shocking and appalling.

The 2019-20 bushfires destroyed almost a quarter of the koala habitat on public land, with some areas reporting "a devastating loss of up to 81 per cent". Furthermore, the Inquiry found that climate change is already "having a severe impact on koala populations", in part by affecting the nutritional quality of the eucalyptus leaves they feed on.

One of the recommendations of the Inquiry's report was creating a Georges River National Park to protect the south-west Sydney koala population. This is known to be the last disease-free koala population in NSW, and as such, should be protected from over-development in south-west Sydney.

Another recommendation was the establishment of a well-resourced network of wildlife hospitals in key areas of the state, including south-west Sydney, staffed by suitably qualified personnel and veterinarians, including funding where appropriate.

NOTICE OF MOTION (moved by Clr Kaliyanda)

That Council:

- 1. Note the findings and report of the NSW Parliamentary Inquiry into Koala Populations and Habitats in NSW; and
- 2. Write to the NSW Premier, Gladys Berejiklian, and NSW Minister for the Environment, Matt Kean, to express support for the creation of a Georges River National Park, and establishment of a well-resourced wildlife hospital in south-west Sydney.

COUNCIL DECISION

This item was withdrawn as the matter was dealt with earlier in the meeting in item INF 02 Conservation of Koala Habitat Corridors on page 18 of these minutes.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

BACKGROUND

Recently, Australia and New Zealand were announced as the joint hosts of the 2023 FIFA Women's World Cup.

Football is the most popular sport in the world, with over half of the world's population (4 billion people) considering themselves fans. Liverpool residents are no different, with both casual and formal participation in the sport on the rise.

A combined 1.12 billion people viewers tuned into the coverage of the 2019 FIFA Women's World Cup across all platforms, a record audience for the competition. This is expected to rise for the 2023 tournament, and Australia and New Zealand will have the eyes of almost half the world's population on us.

Liverpool is uniquely positioned to capitalise on the 2023 Women's World Cup, as:

- Cirillo Reserve at Middleton Grange could serve as a regional headquarters for women's football
- There are an increasing number of quality hotels and accommodation coming online
- Ideally located close to the M5, M7 and Hume Highway

Liverpool could be home base for a number a teams, could host training games and promote itself as a destination on an international stage.

NOTICE OF MOTION (moved by Clr Kaliyanda)

That Council:

- 1. Lobby the FFA, FIFA, State and Federal Governments to host teams, training games and other promotional opportunities for the 2023 FIFA Women's World Cup; and
- 2. Investigate the feasibility of including World Cup opportunities in the Destination Management Plan.

COUNCIL DECISION

Motion:

Moved: Clr Kaliyanda

Seconded: Clr Rhodes

That Council:

1. Lobby the FFA, FIFA, State and Federal Governments to host teams, training games and other promotional opportunities for the 2023 FIFA Women's World Cup; and

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

2. Investigate the feasibility of including World Cup opportunities in the Destination Management Plan.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

ITEM NO:NOM 03FILE NO:190048.2020SUBJECT:Better Funding of Health Services in Liverpool

BACKGROUND

The New South Wales Parliament is currently holding an inquiry into "Current and future provision of health services in the South-West Sydney Growth Region". The revelations at this inquiry have been shocking. Comparisons of the South West Area Health District with other Health Districts in Sydney have found:

- public health spending is up to \$800 per person less
- the least number of specialist mental health staff
- junior doctors committing suicide at higher rates

While additional investment in health infrastructure is welcome, this must be matched with funding for additional front-line services including more health professionals.

While it is still early days, the long-term effects for those who recover from COVID-19 include:

- scarred lungs and lung disease
- blood clots leading to stroke
- delirium and brain damage
- inflammatory illness similar to Kawasaki disease
- inflammation of the heart and arrhythmia
- chronic deep fatigue

The recent COVID-19 cluster in South West Sydney coupled with the revelations coming out this inquiry, have drawn urgent attention to the need for better funded health services in Liverpool.

NOTICE OF MOTION (moved by CIr Hagarty)

That Council:

- 1. Acknowledges and commends the work of all health professionals in Liverpool during the COVID-19 pandemic;
- 2. Acknowledges and welcomes the \$740m investment from the NSW Government into the Liverpool Health and Academic Precinct; and
- 3. Recommits its support for the Liverpool Health and Academic Precinct;

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

- 4. Notes its concern with the revelations coming out of the inquiry into "Current and future provision of health services in the South-West Sydney Growth Region";
- 5. Notes the recent COVID-19 cluster in South West Sydney;
- 6. Notes recovery from COVID-19 is associated with serious long-term health effects;
- 7. Calls on the NSW State Government to increase funding for front line health services in line with other Sydney Area Health Districts;
- 8. Calls on the Federal Government to increase funding for primary health services in South West Sydney; and
- 9. Coordinates with WSROC and other LGAs in South West Sydney to collectively advocate for better health services funding in the South West Sydney Local Health District.

COUNCIL DECISION

Motion:	Moved: Clr Hagarty	Seconded: Clr Hadchiti
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That Council:

- 1. Acknowledges and commends the work of all health professionals in Liverpool during the COVID-19 pandemic;
- 2. Acknowledges and welcomes the \$740m investment from the NSW Government into the Liverpool Health and Academic Precinct; and
- 3. Recommits its support for the Liverpool Health and Academic Precinct;
- 4. Notes its concern with the revelations coming out of the inquiry into "Current and future provision of health services in the South-West Sydney Growth Region";
- 5. Notes the recent COVID-19 cluster in South West Sydney;
- 6. Notes recovery from COVID-19 is associated with serious long-term health effects;
- 7. Calls on the NSW State Government to increase funding for front line health services in line with other Sydney Area Health Districts;
- 8. Calls on the Federal Government to increase funding for primary health services and aged care in South West Sydney facilities;

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

- 8. Coordinates with WSROC and other LGAs in South West Sydney to collectively advocate for better health services funding in the South West Sydney Local Health District; and
- 9. Seek reassurance for the ongoing commitment for the development of a medical precinct in Badgerys Creek.

On being put to the meeting the motion was declared CARRIED.

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Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

 ITEM NO:
 NOM 04

 FILE NO:
 190076.2020

 SUBJECT:
 Toll Mania

BACKGROUND

Approximately 70% of Liverpool residents leave the LGA for work. With many traveling by car.

Given our location at the intersection of the M5 and M7, with easy access to major hubs, Liverpool is an area of choice for many transport and logistics companies.

Earlier this month the State Government imposed a new toll on the previously untolled old M5 East. Free since it opened in 2001, drivers will now be slugged \$6.95 for cars and \$20.86 for trucks.

These tolls do not just impact residents who travel for work, but also impact small business, many who are not just tolled once, but multiple times per day.

There was no grace period and the M5 Cashback scheme will not apply.

Previous toll roads have had grace periods to allow drivers to adjust to the roads. Not this time.

Currently, motorists in Sydney are charged a toll when they drive on the:

- M2
- M4
- M4 WestConnex
- M5
- M5 East
- M7
- M8
- Eastern Distributor
- Cross-City Tunnel
- Lane Cove Tunnel
- Sydney Harbour Bridge
- Sydney Harbour Tunnel

There will be at least three more tolls by 2023 when the following roads are completed:

• M4 tunnels

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

- M4-M5 link
- NorthConnex

Unsurprisingly, research from the Institute of Transport Logistics Studies at the University of Sydney has found Sydney has the greatest amount of tolled road in the world.

Dr Michelle Zeibots from the UTS Transport Research Centre has stated.

"Tollways aren't successful at reducing road congestion,"

The reason why governments continue to build them is that they are put under enormous pressure by the tollway industry and individuals sometimes within their own party, who I would suggest are there to see tollway businesses make a lot of money.

But that is at the expense of the general community and the local businesses of Sydney."

With the economy in recession for the first time in three decades, slugging families in Liverpool with additional tolls is unfair and must be reversed.

NOTICE OF MOTION (moved by CIr Hagarty)

That Council:

- Endorses the Premier's comments that the new toll on the old M5 East is "toll 1. mania", noting that Sydney has the greatest amount of tolled road in the world;
- 2. Writes to the State Government requesting:
 - a toll-free period on the M8; and •
 - the scrapping of the new toll on the old M5 East. •
- 3. Writes to local State and Federal MPs seeking their endorsement of the above; and
- 4. Seeks support for this campaign from WSROC and other LGAs in south west Sydney.

COUNCIL DECISION

Motion:

Moved: Clr Hagarty Seconded: Clr Hadchiti

That Council:

Note that Sydney has the greatest amount of tolled road in the world. 1.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

- 2. Write to the State Government requesting:
 - a toll-free period on the M8; and
 - the removal of the toll, or a cash back scheme, or other measures to alleviate the financial burden on residents on the old M5 East.
- 3. Writes to local State and Federal MPs seeking their endorsement of the above; and
- 4. Seeks support for this campaign from WSROC and other LGAs in south west Sydney.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

ITEM NO:NOM 05FILE NO:189999.2020SUBJECT:Animal Welfare Advisory Committee

BACKGROUND

The closure of the Liverpool Animal Welfare Shelter in the interim of finding a permanent home has highlighted the opportunity for the community to become more involved in the delivery of better outcomes for the welfare, and rehoming of domestic animals in the Liverpool LGA.

It was envisioned that such a committee would be established when the Liverpool Animal Shelter re-opened.

It would serve Liverpool if the Committee was established prior to the new animal shelter opening to assist Council in Animal management now and when it is needed perhaps more than ever.

The network of concerned Animal lovers in Liverpool could greatly assist Liverpool Council through a Committee in assisting Council in educating and promoting responsible pet ownership by encouraging, registration, microchipping and rehoming.

A Community Committee would best serve Council in assisting in microchipped animals being returned to homes, or by providing foster homes for rehabilitation and or assistance, that would avoid animals being impounded.

NOTICE OF MOTION (moved by CIr Rhodes)

That Council:

- Provide a report on the establishment of an Animal Welfare Advisory Committee back to Council Meeting August 2020. The Committee would meet four times per year for the term of the committee and provide:
 - Advice to Council on domestic animal management matters including ways in which animal welfare can be continuously improved in the Liverpool LGA; and
 - Assist in promoting a positive view on options of responsible pet ownership and investigate, provide advice and recommendations relevant to programs that achieve this.
- 2. The Advisory Committee include two Councillors (one of whom will act as Chair), up to four representatives from the community who may be appointed as individuals or as representatives of local community organisations.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

COUNCIL DECISION

This item was withdrawn as it was dealt with earlier in the meeting in item EGROW 02 Report back - Reference Group Charter Companion Animal Advisory Committee on page 7 of these minutes.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

ITEM NO:CEO 03FILE NO:179017.2020SUBJECT:Endorsement of Delivery Program 2017-2022 and Operational Plan 2020-21,
including Budget and Revenue Pricing Policy (fees and charges)

COUNCIL DECISION

Motion:

Moved: Clr Hagarty See

Seconded: Clr Hadchiti

That Council:

- 1. Adopts the draft Delivery Program 2017-2022 and 2020-2021 Operational Plan, including Budget and Revenue Pricing Policy (fees and charges) with the following additions:
 - Notes the COVID-19 pandemic has had a significant budgetary impact on Council's cultural institutions;
 - Notes that a third of NSW's population lives in Western Sydney, yet the region only receives 5% of State arts, heritage and events funding;
 - Notes the proposed \$940m relocation of the Powerhouse Museum in Parramatta and the \$100m redevelopment of the Riverside Theatre will have minimal impact on the imbalance of social and cultural infrastructure in the Western Parkland City;
 - Writes to the State and Federal Government requesting an increase in arts funding for the Western Parkland City;
 - Writes to local State and Federal MPs seeking their endorsement of the above;
 - Seeks support for this campaign from other LGAs in the Western Parkland City;
 - Council commit to zero based budgeting for the next financial year where practicable; and
 - Direct the Acting Chief Executive Officer to undertake an organisational review to identify cost saving measures.
- 2. Makes the fees and charges for the period commencing on 1 August 2020 as outlined in the draft Revenue Pricing Policy with the exception of changes to childcare fees which will commence on 28 September 2020;
- 3. Extend the period of the Disability Inclusion Action Plan 2017-2021 (DIAP) and Reconciliation Action Plan (RAP) 2017-2020 until 2022 in line with the extended Delivery Program; and
- 4. Receives a further report following public exhibition of the proposed amendments to the fees and charges as outlined in Attachment F.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

CONFIDENTIAL ITEMS

ITEM NO:CONF 01FILE NO:110466.2020SUBJECT:Fire and Rescue NSW Referrals

COUNCIL DECISION

Motion: Moved:	Clr Hadchiti	Seconded: Clr Harle

That Council:

- 1. In relation to 49 Lachlan Street Warwick Farm:
 - a) note the inspection report by Fire and Rescue NSW, as shown in Attachment 1; and
 - b) exercise its power to issue a Fire Safety Order as recommended by Council's Fire Safety Officer to address the identified fire safety deficiencies.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:CONF 02FILE NO:166004.2020SUBJECT:Acquisition of Lot 2 DP1263707 being part of 285 Fifteenth Avenue, Austral
for drainage purposes

COUNCIL DECISION

Moved: Clr Shelton Seconded: Clr Harle

That Council:

Motion:

- 1. Approves the acquisition of Lot 2 DP1263707, being part of 285 Fifteenth Avenue Austral, on the terms outlined in this confidential report;
- 2. Authorises the A/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 2 DP1263707 as "operational" land in accordance with the Local Government Act, 1993; and
- 4. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

ITEM NO:CONF 03FILE NO:171017.2020SUBJECT:COVID-19 Variation of Leisure Centre Management Contract ST2492

COUNCIL DECISION

Moved: Clr Rhodes Seconded: Clr Kaliyanda

That Council:

Motion:

 Due to extenuating circumstances and in accordance with s55(3)(i) of the Local Government Act 1993 (NSW), Council not invite tenders for the grant of the additional one (1) year term of the contract known as ST2492 – Management of Leisure and Aquatic Centres (Contract).

The reasons for the above Resolution are:

- 1.1 the additional term of the Contract is being granted to the existing contractor as part of arrangements to address the impact of the COVID-19 pandemic, and as such the existing contractor is the only party to which that extension could be granted;
- 1.2 the need for the extension has arisen as a consequence of the COVID-19 pandemic, and in particular the impact on the operation of the leisure centres to which the Contract relates; and
- 1.3 the current economic climate, and in particular the ongoing restrictions on the operation of the leisure centres to which the Contract relates and the uncertainty as to when that impact will cease, mean that a satisfactory result would not be achieved by inviting tenders for any alternative arrangements for the operation of the leisure centres.
- 2. Receive and note the negotiated variation of the Contract for the current contract period till 31 July 2022.
- 3. Resolve to extend the term of the Contract to the existing contractor by one (1) year to conclude 31 July 2023 under the financial terms identified in this report.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this item.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

ITEM NO:CONF 04FILE NO:177689.2020SUBJECT:Animal Shelter Update

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti Secon

Seconded: Clr Hagarty

That Council move into closed session and deal with items CONF 04, CONF 06, and CONF 07 at the end of the meeting pursuant to the provisions of s10(A)(2)(c), (di) and (g) 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;
- It contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; and
- It contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

 ITEM NO: CONF 05
 FILE NO: 177813.2020
 SUBJECT: Project Delivery and Land Transfer Agreements with Department of Planning, Industry and Environment and the Planning Ministerial Corporation at Leppington

45

COUNCIL DECISION

Motion:

Moved: Clr Harle Seconded: Clr Rhodes

That Council:

- Approves the land transfer to Council from Department of Planning, Industry and Environment and the Planning Ministerial Corporation of the relevant parts of Lot 101 DP 1176542, Lot 2 DP 501499 and Lot 17 DP 1201906 having an area of approximately 7.6Ha, situated along Camden Valley Way, Leppington for a nominal \$1 consideration on the terms outlined in this report;
- 2. Approves the Strategic Open Spaces program Project Delivery Agreement with the Department of Planning, Industry and Environment and the Planning Ministerial Corporation on the terms outlined in this report;
- 3. Delegates authority to the A/CEO and his delegates to negotiate the terms of the Project Delivery Agreement and Land transfer Agreement as outlined in this report;
- 4. Approves the classification of the land as "community" classified land and that a Plan of Management be prepared for the site at no cost to Council;
- 5. Authorises the A/CEO or his delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision; 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.

Mayor Waller moved the meeting into closed session at 8.52pm.

CONFIDENTIAL ITEMS IN CLOSED SESSION

ITEM NO:	CONF 04
FILE NO:	177689.2020
SUBJECT:	Animal Shelter Update

COUNCIL DECISION

Motion:	Moved: CIr Rhodes	Seconded: Clr Hagarty
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That Council:

- 1. Notes that offers as outlined in this report have been made for the purchase of the properties previously identified in the Council report of 27 May 2020;
- 2. Also notes the temporary arrangements for the housing of impounded animals from the Liverpool Animal Shelter under an agreement with the Rossmore Vets for the provision of animal care and veterinary services;
- 3. Further notes that a report will be provided on or prior to the October 2020 meeting to provide an update in respect to a permanent future site for the Animal shelter facility; and
- 4. Hold a Councillor briefing session for an update on the matter and to discuss options.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

 ITEM NO:
 CONF 06

 FILE NO:
 192255.2020

 SUBJECT:
 Legal Affairs Report - 1 April 2020 to 30 June 2020

COUNCIL DECISION

Motion: Moved: CIr Hadid Seconded: CIr Hagarty

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.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

ITEM NO: **CONF 07** FILE NO: 181066.2020 SUBJECT: Liverpool Civic Place Independent Review

COUNCIL DECISION

Motion:

Moved: Clr Harle

Seconded: Clr Kaliyanda

That Council:

- 1. Receive and note the Liverpool Civic Place independent audit report; and
- 2. Direct the CEO and management team to implement the agreed management actions outlined in the attached report.

On being put to the meeting the motion was declared CARRIED.

Clr Ayyad asked that she be recorded as voting against the motion.

OPEN SESSION

Council moved back into Open Session at 9.54pm.

Mayor Waller read out the resolutions in relation to items CONF 04, CONF 06 and CONF 07 which were passed in Closed Session.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

THE MEETING CLOSED AT 9.57pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 26 August 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 29 July 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

Minutes of the Ordinary Council Meeting held on Wednesday, 29 July 2020 and confirmed on Wednesday, 26 August 2020

LIVERPOOL CITY COUNCIL

MINUTES OF THE ORDINARY MEETING HELD ON 26 AUGUST 2020

PRESENT VIA VIDEO CONFERENCING:

Mayor Wendy Waller Councillor Ayyad Councillor Hadchiti (arrived at the meeting at 6.27pm) **Councillor Hadid** Councillor Hagarty **Councillor Harle** Councillor Kaliyanda Councillor Karnib **Councillor Rhodes Councillor Shelton** Dr Eddie Jackson, Acting Chief Executive Officer Mr George Hampouris, Acting Director City Corporate Ms Tina Sangiuliano, Acting Director City Community and Culture Mr Peter Patterson, Director City Presentation Mr Raj Autar, Director City Infrastructure and Environment Mr David Smith, Acting Director City Economy and Growth Ms Ellen Whittingstall, Acting Internal Ombudsman Mr James Ng, General Counsel Manager Governance Legal and Procurement Ms Lina Kakish, Manager Development Assessment Mr Tim Pasley, Manager Waste and Cleansing Mr Andrew Stevenson, Chief Strategy and Engagement Officer Mr George Georgakis, Manager Council and Executive Services Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

STATEMENT REGARDING WEBCASTING OF MEETING	The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice (other than the Public Forum Section), the meeting is being livestreamed.
ACKNOWLEDGMENT OF COUNTRY,	The prayer of the Council was read by
PRAYER OF COUNCIL AND	George Georgakis, Manager Council and
AFFIRMATION TO BE READ BY	Executive Services.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

APOLOGIES

Motion: Moved: Clr Shelton Seconded: Clr Hadid

That a leave of absence be granted to Clr Balloot for his absence from the Council meeting.

On being put to the meeting the motion was declared CARRIED.

CONDOLENCES

ITEM NO:	MAYOR 01
FILE NO:	218625.2020

Victims of the Beirut Explosion (to be read by Mayor Waller)

On 4 August 2020, a massive explosion tore through the port area in Beirut, in Lebanon, killing at least 163 people, including one Australian, and injuring more than 5000. The death toll is expected to rise as emergency workers continue to search through devastated areas of the city. About 300,000 people have been left homeless.

The force of the explosion destroyed the port and resulted in the near total destruction of downtown Beirut within at least a 5km radius. The explosion was felt in parts of Europe and heard in Cyprus, an estimated 240km away.

Liverpool is home to a large number of people of Lebanese ancestry, and Council values the contribution Lebanese Australians have made to the rich fabric of Liverpool. Many people in the Liverpool Local Government Area remain deeply distressed about the explosion and its impact on Beirut. Others continue to have concerns for the safety and welfare of their family members and friends who remain in Lebanon.

On behalf of Liverpool City Council, I express my deepest condolences to the families and friends of the victims, and my thoughts and prayers are with the people who were injured in the explosion. To the people of Lebanon and all Lebanese Australians, I offer my solidarity and support on behalf of all Councillors during this devastating time.

Motion:

Moved: Mayor Waller

That Council:

- 1. Write to the Lebanese Consulate expressing our condolences and solidarity; and
- 2. Donate \$20,000 to AusRelief to support the victims of the Beirut explosion.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

CONFIRMATION OF MINUTES

Motion: Moved: Clr Shelton Seconded: Clr Hadid

That the minutes of the Ordinary Meeting held on 29 July 2020 be confirmed as a true record of that meeting subject to the following change:

Item: NOM 04 Toll Mania

Remove the word "suggest" in point 2 so that point 2 should now read:

- 2. Write to the State Government requesting:
 - a toll-free period on the M8; and
 - the removal of the toll, or a cash back scheme, or other measures to alleviate the financial burden on residents on the old M5 East.

On being put to the meeting the motion was declared CARRIED.

DECLARATIONS OF INTEREST

Clr Ayyad declared a non-pecuniary, less than significant interest in the following item:

- Item: EGROW 06 LEP Review: Public Exhibition outcomes Phase 1 Planning Proposal and Local Contributions Plan.
- **Reason:** Clr Ayyad owns a property in the affected area.

Clr Ayyad will remain in the virtual meeting for the duration of this item.

Clr Harle declared a non-pecuniary, but significant interest in the following item:

- Item: EGROW 01 Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan.
- **Reason:** He has family members that live in Warwick Farm.

Clr Harle will leave the virtual meeting and will not be participating in the debate.

Clr Shelton declared a non-pecuniary, less than significant interest in the following item:

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

- Item: QWN 04 Question with Notice Clr Rhodes Georges River Bank Stabilisation.
- **Reason:** Clr Shelton holds office in an organisation, which has no regulatory powers, but is otherwise involved in the issues raised.

Clr Shelton will remain in the virtual meeting for the duration of this item.

PUBLIC FORUM

Presentation - items not on agenda

Nil.

Representation – items on agenda

1. **Mr Tom Goode** on behalf of Ethos Urban made a written submission on the following item:

EGROW 01 - Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan.

2. Mr Marc Conners made a written submission on the following item:

EGROW 01 - Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan.

3. **Ms Danica Canoza** on behalf of AE Design Studio made a written submission on the following item:

EGROW 01 – Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan.

4. **Mr Martin Musgrave** on behalf of PPM Consulting made a written submission on the following item:

EGROW 06 - Post Exhibition Report - LEP Review Phase 1 Planning Proposal (Amendment 82) and Draft Land Use Planning Strategies.

MAYORAL MINUTE

ITEM NO:	MAYOR 02
FILE NO:	218668.2020
SUBJECT:	Local Government Representation on the National Cabinet

The Prime Minister, Premiers and Chief Ministers met in Sydney on 13 March this year and agreed to establish a National Cabinet to coordinate Australia's response to the coronavirus pandemic.

The National Cabinet has proven effective in taking decisions in Australia's interest and the Prime Minister announced on 29 May that it would continue beyond the pandemic. Local Government is not represented in the National Cabinet. The Australian Local Government Association (ALGA) has been given a seat on the National Federation Reform Council, but this body will only meet once a year.

All three tiers of government should be represented on the National Cabinet. Councils have an important role to play because we are the level of government closest to the people. We are also responsible for the delivery of a range of vital community services, programs and infrastructure.

Over coming months, the National Cabinet is likely to face enormous challenges unlike those seen by governments in recent times. This will require the three levels of government to collaborate and support each other to encourage economic growth, implement reforms, create jobs, assist businesses and residents and rebuild consumer confidence.

A seat at the table will ensure Local Government can contribute to the discussion, highlight the impact of federal policies and help shape a stronger future for everyone in Australia. Getting it right on the ground is local government's area of expertise.

The ALGA Board and LGNSW are advocating for the inclusion of councils in the National Cabinet, a position I am sure is supported by all Councils.

Motion:

Moved: Mayor Waller Seconded: Clr Rhodes

That Council:

 Writes to NSW Premier Gladys Berejiklian and local Federal and State Members of Parliament to highlight the critical necessity for Local Government representation on the National Cabinet and seeks their assistance in requesting that the First Ministers review the decision to exclude Local Government;

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

- 2. Seeks a meeting with local Federal and State MPs to discuss in more detail the importance of having Local Government representation on the National Cabinet and the value of partnerships with Councils in achieving the objectives of the National Cabinet and the national reform agenda; and
- Notes that the Australian Local Government Association, LGNSW and other state/territory local government associations will continue to advocate for Local Government representation on the National Cabinet and for local government's interests in all relevant forums.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO:	CEO 01
FILE NO:	205990.2020
SUBJECT:	Local Government NSW Conference 2020

COUNCIL DECISION

Motion: Moved: CIr Hadid	Seconded: Clr Rhodes
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That:

- 1. Any Councillors who wish to attend the 2020 Local Government NSW Annual Conference notify the Councillor Support Officer by 4 September 2020;
- 2. Council determine its voting delegates for the Conference, noting that Liverpool City Council is entitled to 10 voting delegates for voting on motions and also noting that Councillor Hadid is entitled to one vote as he is a Director of the Association; and
- 3. Endorse the motions as outlined in the report to be submitted to the Conference.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

ITEM NO:CEO 02FILE NO:209245.2020SUBJECT:Biannual Progress Report

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 2019-2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

CIr Harle left the virtual meeting at 6:17pm.

CITY ECONOMY AND GROWTH REPORT

ITEM NO:	EGROW 01
FILE NO:	144667.2020
SUBJECT:	Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and
	Local Contributions Plan

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr	Hadid
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That Council:

- 1. Notes the advice of the Liverpool Local Planning Panel;
- 2. Notes that a feasibility study will be completed as recommended by the Liverpool Local Planning Panel;
- 3. Places the draft structure plan, planning proposal and local contributions plan on public exhibition, pursuant to the Liverpool Community Participation Plan 2019 for 28 days;
- 4. Receives a further report, following public exhibition, detailing any submissions received and any amendments proposed to the structure plan, planning proposal and/or local contributions plan; and
- 5. Holds a virtual community meeting with the constituents about the proposal during the time of the exhibition.

On being put to the meeting the motion was declared CARRIED.

Vote for: Mayor Waller, Clr Ayyad, Clr Hadid, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Rhodes.

Vote against: Clr Shelton.

Note: Clr Harle and Clr Hadchiti were not in the virtual meeting when this item was voted on. Clr Balloot was an apology for the meeting.

CIr Harle returned to the virtual meeting at 6:24pm.

CIr Hadchiti arrived at the meeting at 6:27pm.

ITEM NO:	EGROW 02
FILE NO:	184343.2020
SUBJECT:	Report back - Consideration of implementing a Development Assessment Compliance Policy

COUNCIL DECISION

Motion:	Moved: CIr Rhodes	Seconded: Clr Shelton

That Council receive and note the report noting that the Enforcement Policy is under review and will be reported to the December 2020 Council meeting.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

FILE NO: 203447.2020

SUBJECT: Post Exhibition Report - Liverpool Local Environmental Plan 2008 Amendment 71 - Rezoning of certain lands in Prestons for Environmental Conservation

COUNCIL DECISION

Motion: Moved: Clr Hagarty Seconded: Clr Shelton

That Council:

- 1. Notes the judgements of the Land & Environment Court relating to development applications on the subject sites;
- 2. Notes the Gateway determination (and Gateway alterations) for Liverpool Local Environmental Plan 2008 Amendment 71 and the submissions received;
- 3. Proceeds with Amendment 71 and delegates authority to the A/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; and
- 4. Notify the submitters of Council's decision.

On being put to the meeting the motion was declared CARRIED.

- **Vote for:** Mayor Waller, Clr Ayyad, Clr Hadid, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib, Clr Rhodes and Clr Shelton.
- **Vote against:** Clr Hadchiti and Clr Harle.

Note: Clr Balloot was an apology for the meeting.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

ITEM NO:EGROW 04FILE NO:204535.2020SUBJECT:Status update on planning proposal requests in Moorebank

COUNCIL DECISION

Motion: Moved: Clr Shelton Seconded: Clr Rhodes

That Council receives and notes this report.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

ITEM NO:EGROW 05FILE NO:207685.2020SUBJECT:Street Naming Request - Austral

COUNCIL DECISION

Motion:

Moved: Clr Hadid

Seconded: Clr Harle

That Council:

- 1. Supports the re-naming of Kalbian Street to Catanzariti Drive, 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, 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.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

CITY COMMUNITY AND CULTURE REPORT

ITEM NO:	COM 01
FILE NO:	194252.2020
SUBJECT:	Report back to Council - Alcohol-Free Zones Public Exhibition

COUNCIL DECISION

Motion: Moved: CIr Shelton Seconded: CIr Hadid

That Council endorse the re-establishment of Liverpool's Alcohol-Free Zones for a period of four years to 1 September 2024.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

ITEM NO:COM 02FILE NO:201003.2020SUBJECT:Report Back to Council - Mimosa Park, 22 Box Rd, Casula

COUNCIL DECISION

Motion: Moved: CIr Ayyad Seconded: CIr Hadchiti

That:

- 1. The matter be referred to community consultation for 14 days with 2 options being:
 - i. Mimosa Park to be retained as a park; or
 - ii. Rezone and dispose of Mimosa Park.
- 2. A report to be brought back to the October Council meeting on the feedback from the community consultation.

On being put to the meeting the motion was declared CARRIED.

Vote for: Clr Ayyad, Clr Hadchiti, Clr Hadid, Clr Harle and Clr Rhodes.

Vote against: Mayor Waller, Clr Hagarty, Clr Kaliyanda, and Clr Shelton

Note: Clr Balloot was an apology for the meeting.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

ITEM NO:COM 03FILE NO:203891.2020SUBJECT:COVID-19 Impact on Sporting Field Hire Revenue

COUNCIL DECISION

Motion: Moved: CIr Ayyad Seconded: CIr Rhodes

That Council:

- 1. Endorse the application of approved 2019/2020 and 2020/2021 sporting field fees and charges on a pro-rata basis for the 2020 winter and 2020/2021 summer seasons; and
- 2. Endorse the waiving of winter season 2020 fees charged to the Liverpool City Robins Sports Club.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

ITEM NO:COM 04FILE NO:206666.2020SUBJECT:Collingwood Visitation Precinct Masterplan

COUNCIL DECISION

Motion: Moved: CIr Rhodes Seconded: CIr Harle

That Council:

- 1. Receives and notes the report; and
- 2. Endorses funds of \$150,000 200,000 in the 2020/21 financial year to engage a consultant to undertake the Masterplan.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

CITY CORPORATE REPORT

ITEM NO:CORP 01FILE NO:201823.2020SUBJECT:Investment Report July 2020

COUNCIL DECISION

Motion:	Moved: Cir Rhodes	Seconded: Clr Shelton
That Council receives and notes this report.		

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

COMMITTEE REPORTS

ITEM NO:CTTE 01FILE NO:191798.2020SUBJECT:Minutes of the Environment Advisory Committee held on 22 June 2020

COUNCIL DECISION

Motion: Moved: CIr Kaliyanda Seconded: CIr Hadid

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 22 June 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

ITEM NO:CTTE 02FILE NO:207606.2020SUBJECT:Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee
meeting held on 22 July 2020

COUNCIL DECISION

Motion: Moved: Clr Kaliyanda Seconded: Clr Hadid

That Council adopts the following recommendations of the Committee:

Item 1 - Kurrajong Road and Wingham Road roundabout, Carnes Hill – Proposed raised threshold across the eastbound approach.

- Council approves the proposed raised threshold for eastbound traffic on the approach to Kurrajong Road/William Buckley Drive/ Wingham Road roundabout.
- The project is to include tree planting and landscaping in the central island.

Item 2 - Sandringham Drive, Cecil Hills – Reconfiguration to permit additional on-street parking.

• Council approves the proposed signs and line marking associated with localised road widening of the section of Sandringham Drive in front of Cecil Hills Heritage Farm.

Item 3 - Seventeenth Avenue, Austral – Proposed children's crossing and associated signs and line marking Scheme.

• Council approves the proposed children's crossing and associated signs and line marking scheme.

Item 4 - Flynn Avenue, Middleton Grange – Proposed raised threshold.

• Council approves installation of a raised threshold in the form of asphaltic concrete as a temporary facility until such a time that the road section is reconstructed.

Item 5 - Reilly Street and Gill Avenue, Liverpool – Proposed roundabout upgrade.

- Council approves the proposed raised thresholds and associated signs and line marking scheme.
- The project is to investigate the inclusion of landscaping in the central island.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

Item 6 - Soldiers Parade, Edmondson Park – Additional on-street parking.

- Council approves on-street kerbside parking with associated signs and line marking along the western side of Soldiers Parade.
- Council approves installation of a raised median island as part of the kerbside parking works.

Item 7 - Heathcote Road/Bardia Parade/Walder Road intersection upgrade, Holsworthy - Signs and line marking Scheme.

• Council approves the signs and line marking along Bardia Parade and Walder Road as well as a central median island on the Walder Road approach to Heathcote Road.

Item 8 - Kelly Street, Austral – Proposed roundabout and signs and line marking scheme.

- Council approves the proposed traffic facilities including the roundabout and associated signs and line marking scheme.
- The project is to investigate tree planting and landscaping in the central island.

Item 9 - Items approved under delegated authority

• Council notes the traffic facilities approved under delegated authority between 20 May 2020 and 22 July 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
 FILE NO: 190647.2020
 SUBJECT: Question with Notice - Clr Hagarty - Appeal Powers Against Land and Environment Court Decisions

Please address the following:

1. What appeal powers do Council (or the public) have when an applicant's appeal of previously refused DA is upheld by the Land and Environment Court?

Response

What is the applicant's right of appeal against refusal of a DA?

Where the Council is the consent authority for development and decides to refuse consent to a development application ('DA'), the applicant has the right to appeal to the Land and Environment Court ('Court') within 6 months of the decision.

When is the Council a party to an appeal against refusal of a DA?

The Council is the consent authority responsible for determining the DA, and hence a party to the appeal to the Court, where the decision to refuse consent was made by the local planning panel/regional planning panel on the Council's behalf or by an officer of the Council under delegated authority from the Council.

Can members of the public be a party to an appeal against refusal of a DA?

Only the applicant and the Council are parties to the appeal proceedings, unless the Court orders that another person is joined as a party, which is uncommon.

Members of the public have no right of appeal to the Court against a decision by the Council to refuse consent to a DA.

Can an objector appeal against refusal of a DA that is designated development?

No. An objector can only appeal a decision of a consent authority to grant consent to designated development.

If the Court grants consent to designated development, ordinarily, an objector cannot appeal the Court's decision.

In very limited circumstances, an objector can bring judicial review proceedings to review a decision by the Court to grant consent to a designated development.

Chairperson

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

On what basis is an appeal against refusal of a DA dealt with by the Land and Environment Court?

23

An appeal against the refusal of a DA is heard and determined by the Court on the planning merits of the DA.

The appeal does not involve a review of the Council's decision but instead involves the making of an entirely new decision.

The appeal is ordinarily heard and determined by a commissioner of the Court rather than a judge.

Who can appeal the Land and Environment Court's determination of an appeal against the refusal of a DA & on what basis?

Ordinarily, only parties to the appeal have a right to appeal the Court's decision in an appeal against refusal of a DA. Therefore, ordinarily only the applicant and the Council will have appeal rights against the Court's decision.

Where an appeal against the refusal of a DA is heard and determined by a commissioner of the Court, the Council has a right to appeal to a judge of the Court against an order or decision made by the Commissioner but only on a question of law. The appeal must be brought within 28 days. The Council may bring a further appeal to the Supreme Court against the decision of the judge of the Court, but only on a question of law, and the leave of the Supreme Court is required for it to do so. This further appeal process must be commenced within 28 days.

Where the Council is a party to an appeal against the refusal of a DA that is heard and determined by a judge of the Court, the Council may appeal to the Supreme Court against the decision of the judge on a question of law. The appeal process must be commenced within 28 days.

What is a question of law?

In general terms, a question of law is one that must be answered by applying relevant legal principles to interpretation of the law rather than by applying facts and evidence. Thus, in an appeal involving a question of law, the appellate body does not review the merits of the decision the subject of the appeal but rather the legal basis on which the decision was made.

ITEM NO: QWN 02
FILE NO: 190649.2020
SUBJECT: Question with Notice - CIr Kaliyanda - Processing of Organic Waste in the Liverpool LGA

Please address the following:

- 1. How much of waste collected in the Liverpool LGA is organic waste? How much of this is organic food waste?
- 2. How much organic waste in the Liverpool LGA actually ends up in landfill?
- 3. Do we currently have any policies or strategies in place to divert organic food waste from landfill?
- 4. Are there collective procurement contracts or similar arrangements for organic waste in NSW?

Response

1. How much of waste collected in the Liverpool LGA is organic waste? How much of this is organic food waste?

In 2019/2020 there was 16,736.69 tonnes of organic garden waste collected through the Council's kerbside garden waste bin. From a recent audit, 48% of the red bin waste is food material. This means that in 2019/2020 there was 24,860.75 tonnes of food waste in the red general waste bin.

2. How much organic waste in the Liverpool LGA actually ends up in landfill?

All waste in the red general waste bin currently goes to landfill. The waste in the organics garden bin is processed into soil products.



Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

Chairperson

3. Do we currently have any policies or strategies in place to divert organic food waste from landfill?

The NSW government is currently working on a 20 year Waste Strategy which is due to be released in late 2021. Council has undertaken research into a local strategy and is waiting for the release of the state strategy to finalise our strategy. This will give council the ability to align our strategy with the state government targets and goals and respond accordingly.

The Domestic Waste Collections tender which is currently being evaluated will have provisions for future changes in bin configurations and processing locations. This will give council the opportunity to adapt to any future opportunities such as Food Organics Garden Organics (FOGO), energy from waste, or other technologies.

Council has also placed an application for a grant under the Local Government Transition Fund. This grant will commission a feasibility and transition strategy around FOGO. Council will also be supporting the separate WSROC submission around food waste disposal option in multi-unit dwellings.

Council does encourage residents to divert food waste from there general waste bins by offering residents a \$50 rebate off a compost bin or worm farm reciprocal. Council also offers community workshops on worm farming and composting. Our waste primary school and preschool program address worm farming and composting.

4. Are there collective procurement contracts or similar arrangements for organic waste in NSW?

Liverpool is working with Camden, Campbelltown, Liverpool, Wollondilly and Wingecarribee to collectively tender and secure the provision of waste processing and disposal services for:

- General Waste
- Recycling
- Organics
- Bulky Waste

The project aims to ensure Councils have collective bargaining power to attract market investment in technology and infrastructure to service the South West Sydney region. Through this partnership, the Councils will also gain access to a dedicated facility, secure disposal and price certainty for the life of the contract.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

ITEM NO:	QWN 03
FILE NO:	216410.2020
SUBJECT:	Question with Notice - Clr Hagarty - Western Sydney Parklands Trust

Background

In July the Berejiklian government announced it will fold the Centennial Park and Moore Park, Parramatta Park and the Western Sydney Parklands trusts into a new super trust.

This move would appear to run counter to Western Sydney Parklands' ethos of being Western Sydney's backyard and the Greater Sydney Commissions' Metropolis of Three Cities Plan.

While Centennial, Moore & Parramatta Parks are established open space which have existed for well over a century, Western Sydney Parklands is still being developed.

The social, economic and cultural needs of Western Sydney must be determined by the people of Western Sydney.

With this latest move and the impact of COVID-19 on the NSW budget, Liverpool needs reassurance that plans for Western Sydney Parklands are still on track.

Please address the following:

- 1. Are plans for the development of the Liverpool section of Western Sydney Parklands still on track?
- 2. Will these plans change with the Western Sydney Parklands Trust being rolled into a super parklands trust?
- 3. How will the unique needs and priorities of Western Sydney and Western Sydney Parklands be catered for in this new structure?
- 4. What structure will the board of the new trust take?
- 5. How many board members on the new trust will be from Western Sydney?
- 6. Will a board quota be set to ensure sufficient representation from Western Sydney?

A response to these questions will be provided in the 30 September 2020 Council meeting business papers.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

ITEM NO:QWN 04FILE NO:218196.2020SUBJECT:Question with Notice - Clr Rhodes - Georges River Bank Stabilisation

Please address the following:

Can Council provide a report on the recent collapse of the Eastern bank of the Georges River opposite the Council dog park and bordering the Moorebank Intermodal.

- 1. What is being done to stabilise the banks of the Georges River at this particular site and others along the Georges River?
- 2. Who is responsible to stabilise the bank of the Georges River?
- 3. When will stabilisation of the Georges River bank be done?
- 4. Explain the Georges Riverkeeper's involvement vs conditions imposed on development applications to stabilise the Georges River banks?

Recent collapse of the Georges River bank alongside the Moorebank Intermodal site and opposite the Council dog park was disturbing to say the least.

A large chunk of the bank that borders the Moorebank Intermodal Development site recently fell into the River.

When the ground is left bare by human activities including clearing, building (and related activities) and vehicle use such as 4WD's and trail bikes the soil is easily washed away when it rains. Examples of this can be seen between Sandy Point and Alfords Point as sediment from the ridges washes into Mill Creek and then into the Georges River. This erosion removes the fertile topsoil and the soil that is washed into waterways can contain plant nutrients, minerals, organic matter and seeds. It can also contain pesticides and toxic heavy metals.

When soil, sand, dust, cement, paint and building debris reach the waterways, they can:

- increase the risk of flooding;
- block drains;
- spread weeds to bushland;
- result in algal blooms;
- cause health problems for swimmers; and
- smother and suffocate water plants and animals and impact on their ability to reproduce.

A response to these questions will be provided in the September 2020 Council meeting business papers.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

ITEM NO:QWN 05FILE NO:219555.2020SUBJECT:Question with Notice - Clr Kaliyanda - Wattle Grove Lake

Please address the following:

- 1. What measures have been undertaken to improve the water quality at Wattle Grove Lake? What measures have been found to be successful?
- 2. What is the underlying issue with the water quality at Wattle Grove Lake?
- 3. What measures are still being undertaken, or are currently planned, to improve the water quality at Wattle Grove Lake?
- 4. How has Council sought partnerships and worked with other organisations in order to address this issue?

A response to these questions will be provided in the September 2020 Council meeting business papers.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

ITEM NO:CEO 03FILE NO:220014.2020SUBJECT:Nominations for Public Space Legacy Program

COUNCIL DECISION

Motion:

Moved: Clr Hagarty

Seconded: Clr Kaliyanda

That Council:

- 1. Notes the NSW Government's new Public Space Legacy Program and that \$4.75 million of open space funding is available to Liverpool City Council; subject to meeting the eligibility criteria;
- 2. Endorse the selected projects, as set out in the Council report, for submission to the Department of Planning, Industry and Environment under the Public Space Legacy Program; and
- 3. Direct the Acting CEO to lodge an application under the Public Space Legacy Program consistent with the recommendations of this report.

On being put to the meeting the motion (moved by Clr Hagarty) was declared LOST.

That Council:

- 1. Notes the NSW Government's new Public Space Legacy Program and that \$4.75 million of open space funding is available to Liverpool City Council; subject to meeting the eligibility criteria;
- 2. Endorse the selected projects, as set out in Option 2 as shown below, for submission to the Department of Planning, Industry and Environment under the Public Space Legacy Program; and

Project	Cost
Macquarie Street (Central) upgrade	\$2.9m
Wylde Park BMX Track	\$1.2m
Bigge Street Heritage Park	\$0.65m
	\$4.75m

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

Chairperson

3. Direct the Acting CEO to lodge an application under the Public Space Legacy Program consistent with the recommendations of this report.

The Foreshadowed motion (moved by Clr Rhodes) then became the motion and on being put to the meeting was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

ITEM NO:EGROW 06FILE NO:210487.2020SUBJECT:Post Exhibition Report - LEP Review Phase 1 Planning Proposal (Amendment
82) and Draft Land Use Planning Strategies

COUNCIL DECISION

Motion:

Moved: Clr Ayyad

Seconded: Clr Rhodes

That Council:

- 1. Notes the Gateway determination for Liverpool Local Environmental Plan 2008 Amendment 82 and the submissions received on the planning proposal and draft strategies;
- 2. Proceeds with Amendment 82, subject to the amendments proposed in the post exhibition version of the planning proposal included in Attachment 4;
- 3. Delegates authority to the A/CEO to make any other minor typographical or editing amendments to the planning proposal and to forward the amended planning proposal to the Department of Planning, Industry and Environment for finalisation;
- 4. Adopts the amended Local Housing Strategy; Centres and Corridors Strategy and Industrial and Employment Lands Strategy, with the exception of Middleton Grange remaining a town centre rather than a local centre;
- 5. Delegates authority to the A/CEO to make any other minor typographical or editing amendments to the strategies and to forward the amended strategies to the Department of Planning, Industry and Environment for endorsement; and
- 6. Notify submitters of Council's decision.

On being put to the meeting the motion (moved by Clr Ayyad) was declared LOST with the Mayor using her casting vote.

- **Vote for:** Clr Ayyad, Clr Hadchiti, Clr Hadid, Clr Harle and Clr Rhodes.
- Vote against: Mayor Waller, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton.

Foreshadowed motion: Moved: Clr Hagarty Seconded: Clr Karnib

That Council:

- 1. Notes the Gateway determination for Liverpool Local Environmental Plan 2008 Amendment 82 and the submissions received on the planning proposal and draft strategies;
- 2. Proceeds with Amendment 82, subject to the amendments proposed in the post exhibition version of the planning proposal included in Attachment 4;
- 3. Delegates authority to the A/CEO to make any other minor typographical or editing amendments to the planning proposal and to forward the amended planning proposal to the Department of Planning, Industry and Environment for finalisation;
- 4. Adopts the amended Local Housing Strategy; Centres and Corridors Strategy and Industrial and Employment Lands Strategy;
- 5. Delegates authority to the A/CEO to make any other minor typographical or editing amendments to the strategies and to forward the amended strategies to the Department of Planning, Industry and Environment for endorsement; and
- 6. Notify submitters of Council's decision.

The Foreshadowed motion (moved by Clr Hagarty) then became the motion and on being put to the meeting was declared CARRIED with the Mayor using her casting vote.

Vote for: Mayor Waller, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton.

Vote against: Clr Ayyad, Clr Hadchiti, Clr Hadid, Clr Harle and Clr Rhodes.

Note: Clr Balloot was an apology for the meeting.

PRESENTATION BY COUNCILLORS

Nil.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

NOTICES OF MOTION

ITEM NO:NOM 01FILE NO:216306.2020SUBJECT:Parking on Verges and Nature Strips

BACKGROUND

Parking on verges and nature strips can attract fines. Alternatively, parking in some of Liverpool's smaller streets blocks the access of emergency services vehicles and garbage trucks

Previously, Council has passed initiatives to deliver more on street parking and allow second driveways. In April, Council sought to bring some common sense to the issue of parking on verges and nature strips. However, there still appears to be some confusion, with a number of residents still being fined for parking on a verge or nature strip.

It is evident that a clear and easily understood policy needs to be developed for the benefit of residents, compliance staff and Councillors.

NOTICE OF MOTION (Submitted by Clr Hagarty)

That Council:

- 1. Update relevant policies and procedures to give clear and unambiguous guidance setting out when a fine will or won't be issued for parking on a verge or nature strip, including pictures and diagrams;
- 2. Bring back any updated policies to the October meeting of Council; and
- 3. Run an awareness campaign on this clear and unambiguous guidance through the District Forums, social and traditional media and other suitable forums.

COUNCIL DECISION

Motion:

Moved: Clr Hagarty

Seconded: Clr Karnib

That Council:

1. Update relevant policies and procedures to give clear and unambiguous guidance setting out when a fine will or won't be issued for parking on a verge or nature strip, including pictures and diagrams;

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

- 2. Bring back a report to the October Council meeting; and
- 3. Run an awareness campaign on this clear and unambiguous guidance through the District Forums, social and traditional media and other suitable forums.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

ITEM NO:NOM 02FILE NO:218682.2020SUBJECT:Register of Legal Proceedings

BACKGROUND

Carrying out non-permitted uses puts lives and property at risk. It can also have a detrimental impact on the environment.

With the courts not sitting as frequently as they did pre-COVID-19, compliance matters requiring legal action are taking longer to resolve.

Despite numerous orders, some residents and businesses are continuing to undertake these non-permitted uses while Council awaits a legal outcome.

Unfortunately, this is creating the false perception among some that Council is not carrying out its compliance duties efficiently or effectively. This is certainly not the case.

Council needs to explore all means to stop this illegal activity.

NOTICE OF MOTION (Submitted by Clr Hagarty)

That Council:

- 1. Pending legal advice, set up a page on the Council website that lists the current compliance action awaiting a legal outcome; and
- 2. Post a link to this page on social media once a month.

COUNCIL DECISION

Motion: Moved: C

Moved: Clr Hagarty

Seconded: Clr Hadchiti

That Council give consideration to setting up a Council page that identifies all legal proceedings during the Policy review being brought back in December.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:NOM 03FILE NO:219498.2020SUBJECT:Use of Data to Improve Energy Efficiency and Reduce Pollution

BACKGROUND

The ClimateClever app enables users to measure and monitor electricity, gas and water consumption. Developed by Curtin University, it provides users with an action plan on how to be more efficient with their energy use, reducing pollution and utility bills.

ClimateClever works in three simple steps:

- Measure Calculate and track consumption, pollution and costs.
- Audit Understand how the home or school consumes resources, and how this contributes to pollution and utility costs.
- Action Create a custom action plan to systematically reduce resource consumption, pollution and utility bills.

A growing number of local governments across Australia have partnered with ClimateClever to offer residents, local schools and businesses a way to measure their energy consumption, reduce pollution and save on their utility bills.

Some of the benefits for local governments include:

- Enhance tree planting across the LGA to date, more than 85,000 trees have been planted across Perth and regional WA under this scheme.
- Adopt an easy, concrete and measurable way to meet strategic goals apps simplify the collection and analysis of utility and usage data.
- Build genuine community engagement around sustainability the ClimateClever program provides a new and innovative way to up-skill a large and engaged audience of students, teachers and school staff; households; and, soon, local businesses.
- Fostering and developing leadership in sustainability helping to engage, educate and up-skill students around these important issues.
- Help our local schools, households and businesses achieve savings on their utility bills

The ClimateClever initiative already has a number of local government partners, including the Cities of Albany, Canning, Stirling and Mosman Council.

With Liverpool regularly having the worst air quality in the Sydney basin, we should welcome initiatives that encourages schools, households and businesses to plant more trees and reduce pollution.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

A standard partnership costs \$850 + GST.

NOTICE OF MOTION (Submitted by CIr Kaliyanda)

That Council:

- 1. Trial a standard partnership with the ClimateClever initiative for 12 months;
- 2. Run a public awareness campaign to encourage take up of the app among local schools, businesses and households; and
- 3. Report back in 12 months on the efficacy of the app, in particular, its effectiveness in meeting the goals of Council's 10 year Community Strategic Plan.

COUNCIL DECISION

Motion: Moved: Clr Kaliyanda Seconded: Clr Karnib

That Council:

- 1. Trial a standard partnership with the ClimateClever initiative for 12 months;
- 2. Run a public awareness campaign to encourage take up of the app among local schools, businesses and households; and
- 3. Report back in 12 months on the efficacy of the app, in particular, its effectiveness in meeting the goals of Council's 10 year Community Strategic Plan.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

CONFIDENTIAL ITEMS

ITEM NO:	CONF 01
FILE NO:	195722.2020
SUBJECT:	Endorsement of the Liverpool Access Committee membership 2020 - 2022

COUNCIL DECISION

Motion:	Moved: Clr Hagarty	Seconded: Clr Hadid
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That Council endorses the applicants outlined in the table below as members of the Liverpool Access Committee:

Name	Suburb	Representation Category
Ellie Robertson	Holsworthy	Category 1
Peter Fraser	Liverpool	Category 1
Jim Simpson	Liverpool	Category 1
Quang Nguyen	Casula	Category 1
Grace Fava	Liverpool	Category 2
Najla Turk	Kemps Creek	Category 2
Leanne Park	Liverpool	Category 2
Kaye Bruce	Liverpool	Category 2
Christine O'Neill	Casula	Category 3
Mohamed Issak	Liverpool	Category 3
Toby Pitt	Fairfield East	Category 3
Theresa Tran	Liverpool	Category 3

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

ITEM NO:CONF 02FILE NO:207987.2020SUBJECT:ST2954 - Waste, recyclables and Garden Organics Collection Services
(2020/2321)

COUNCIL DECISION

Motion:

Moved: Cir Harle

Seconded: Clr Shelton

That Council:

- Accept the Tender from J.J Richards & Sons Pty Ltd T/A JJ's Waste & Recycling for Tender ST2954 – Waste, Recyclables and Garden Organics Collection for an initial seven (7) years at the GST inclusive price of \$77,074,081 (Option 1), \$82,871,231 (Option 2) contract term with the option of extending three (3) in 1 year increments.
- 2. Makes public its decision regarding tender ST2954 Waste, Recyclables and Garden Organics Collection.
- 3. This report has been brought to Council because the Chief Executive Officer's instrument of delegation, approved by Council in accordance with the current provisions of section 377 of the Local Government Act 1993, only permits the Chief Executive Officer to approve (and not to reject) tenders up to a value of \$2 million.
- 4. Delegates the Acting Chief Executive Officer to finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
- 5. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

Mayor Waller advised that Council would now move into Closed Session to deal with Item CONF 03 Funding for RAID Moorebank Class 1 Merits Appeal pursuant to the provisions of S10A(2)(g) of the Local Government Act because the item contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

On being put to the meeting the motion was declared CARRIED.

RECESS

Mayor Waller called a recess at 8.20pm.

RESUMPTION OF MEETING

The meeting resumed at 8.30pm in Closed Session.

ITEM NO:CONF 03FILE NO:209895.2020SUBJECT:Funding for RAID Moorebank Class 1 Merits Appeal

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Hadchiti

That Council:

- Notes the legal advice by Senior Counsel representing RAID Moorebank Inc. that the Class 1 Appeal in the NSW Land and Environment Court in relation to development consent for Moorebank Precinct West Stage 2 (SSD 7709) has reasonable prospects of success; and
- 2. Approves the provision of up to a total of \$300,000 in legal funding for RAID Moorebank Inc. for the appeal, to be paid subject to the presentation of invoices to Council.

On being put to the meeting the motion was declared CARRIED.

OPEN SESSION

Council moved back into Open Session at 8:36pm, Mayor Waller then read out the above resolution from the Closed Session.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

THE MEETING CLOSED AT 8.37pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 30 September 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 August 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 August 2020 and confirmed on Wednesday, 30 September 2020

LIVERPOOL CITY COUNCIL

MINUTES OF THE ORDINARY MEETING HELD ON 30 SEPTEMBER 2020

PRESENT:

Mayor Wendy Waller Councillor Ayyad Councillor Balloot Councillor Hadchiti **Councillor Hadid Councillor Hagarty Councillor Harle** Councillor Kaliyanda Councillor Karnib Councillor Rhodes **Councillor Shelton** Dr Eddie Jackson, Acting Chief Executive Officer Mr George Hampouris, Acting Director City Corporate Ms Tina Sangiuliano, Acting Director City Community and Culture Mr David Smith, Acting Director City Economy and Growth Mr Peter Patterson, Director City Presentation Mr Raj Autar, Director City Infrastructure and Environment Mr John Milicic, Manager Property Services Ms Nada Mardini, Manager Community Standards Mr Chris Guthrie, Acting Manager City Economy Mr George Georgakis, Manager Council and Executive Services Ms Maree Stewart, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

STATEMENT REGARDING WEBCASTING OF MEETING	The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice, the meeting is being livestreamed.
ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY	The prayer of the Council was read by the Acting Chief Executive Officer, Dr Eddie Jackson.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

APOLOGIES

Nil

CONDOLENCES

Mr Bob Ingham AO (read by Mayor Waller)

Tonight, we pause to remember one of Liverpool's most highly respected and accomplished sons.

Bob Ingham AO, the son of farmer Walter Ingham, was born in Casula in 1931.

On his father's death in 1953, Bob and his older brother Jack took over the family's poultry breeding business, which was founded in 1918.

Bob and Jack were a formidable team. They transformed Inghams Enterprises into the largest producer of chickens and turkeys in Australia.

Bob continued to run the company until after Jack's death in 2003. He sold Inghams Enterprises in 2013.

Bob and Jack had also inherited the broodmare Valiant Rose from their father. They used Valiant Rose to begin building the largest thoroughbred horse racing and breeding operation in Australia at the time.

They raced, among others, champions Octagonal and Lonhro, with their distinctive cerise colours becoming well known on the racing circuit.

In 2004, Bob was inducted into the Australian Racing Hall of Fame.

Bob sold the racehorse breeding operation in 2008.

The respected philanthropist was well-known for his wish to establish an independent health and medical research institute in his hometown of Liverpool. His vision was realised in 2012 when the world-class Ingham Institute for Applied Medical Research was opened.

Today, the Institute is home to more than 350 researchers who are leading advanced medical breakthroughs and clinical discoveries, with a commitment to saving lives and improving outcomes.

Bob's philanthropic gifts to the Institute exceed \$15 million, ranking him among Australia's most generous supporters of health and medical research.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

Bob also received a number of awards for his service to the Liverpool community, including the Centenary Medal in January 2001.

In January 2003, he was appointed an Officer of the Order of Australia for service to the poultry industry, as a pioneer in research and development, and to the community through his support of a range of charities and health care facilities.

Bob died on Tuesday 22 September at his home, aged 88, surrounded by his family.

He is survived by four children, 10 grandchildren and three great grandchildren. Bob's wife Norma died 10 years ago.

In a statement, Bob's family said his hard work, commitment and philosophy of 'Doing the right things and doing things right' underpinned everything he did.

On behalf of Liverpool City Council, I express my deepest condolences and well wishes to Bob's family and friends during this difficult time.

May he rest in peace.

Yousra Ahmad Karnib (by Mayor Waller)

On behalf of all at Liverpool City Council, I humbly express my deepest condolences to Deputy Mayor Karnib on the loss of his sister, Yousra.

Yousra Ahmad Karnib passed away on 16 September 2020 after a brief period of illness.

Our thoughts and prayers are with Yousra's family and friends at this difficult time, in particular her six children.

I am sure that Yousra's spirit will live on in all those whom had the pleasure of knowing her.

May she rest in peace.

Motion: Moved: Mayor Waller Seconded: Clr Hadid

That Council writes to the family of Mr Ingham and Yousra Ahmad Karnib expressing our condolences for their loss.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

CONFIRMATION OF MINUTES

Motion: Moved: CIr Hagarty Seconded: CIr Hadid

That the minutes of the Ordinary Meeting held on 26 August 2020 be confirmed as a true record of that meeting.

On being put to the meeting the motion was declared CARRIED.

DECLARATIONS OF INTEREST

Clr Shelton declared a non-pecuniary, less than significant interest in the following item:

- Item: QWN 01 Question with Notice Clr Rhodes Georges River Bank Stabilisation
- **Reason:** Clr Shelton holds office on the board of an organisation relevant to this item. The position has no remuneration or regulatory powers.

Clr Shelton 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: QWN 05 Question with Notice Clr Hadchiti Western Sydney Aerotropolis State Environmental Planning Policy (SEPP) 2020
- **Reason:** Clr Hagarty lives within the 13km radius of the airport referred to in the report.

Clr Hagarty remained in the meeting for the duration of the item.

Clr Hadchiti declared a non-pecuniary, less than significant interest in the following item:

- Item: QWN 05 Question with Notice Clr Hadchiti Western Sydney Aerotropolis State Environmental Planning Policy (SEPP) 2020
- **Reason:** Clr Hadchiti lives within the 13km radius of the airport referred to in the report.

Clr Hadchiti remained in the meeting for the duration of the item.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

Clr Hadchiti declared a non-pecuniary, less than significant interest in the following item:

- Item: COM 01 Grants, Donations and Corporate Sponsorship
- **Reason:** Clr Hadchiti's children attend karate lessons with an organisation that is involved in the 29th ISKA NSW Open but his children are not competing.

Clr Hadchiti remained in the meeting for the duration of the item.

PUBLIC FORUM

Presentation - items not on agenda

Nil

Representation - items on agenda

1. **Wayne and Lorelai Burns** made a submission on the following item which was circulated to Councillors:

Item EGROW 04 Issues and Options Report - Potential amendment to Liverpool Local Environmental Plan to permit a Recreation Facility (Outdoor) at 25 Dwyer Road, Bringelly

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

MAYORAL MINUTE

ITEM NO: MAYOR 01 SUBJECT: Support to flood relief appeal for Sudan

Since July 2020, widespread and heavy rain has been falling across Sudan, in North-East Africa, causing unprecedented flooding in 17 of its 18 states.

The disaster has claimed at least 100 lives. More than 500,000 people are in urgent need of shelter, water, food, hygiene, healthcare and other basic needs. An estimated 100,000 homes have been carried away by the flood waters. Crops have been destroyed. A lack of clean drinking water is increasing the risk of exposure to water-borne disease.

On 4 September, the Sudanese Government declared a three-month national state of emergency.

The Nile River and some of its tributaries have also reached their highest levels in 100 years.

Sennar, Khartoum and Al Gezira are the most affected states.

Teams of volunteers in Sudan are providing emergency support, shelter and food to people affected by the disaster and helping them move to higher and safer ground.

The number of people of Sudanese ancestry in Liverpool is larger than the Greater Sydney average and many Sudanese-Australians in the Liverpool Local Government area are deeply concerned about the floods and their impact on Sudan. These residents also have concerns for the safety and welfare of their family members and friends who remain in Sudan.

On behalf of Liverpool City Council, I express my sympathy and support to the people of Sudan during this difficult time. Council values the contribution Sudanese Australians have made to the rich fabric of Liverpool.

Motion: Moved: Mayor Waller

That Council:

- 1. Donates \$10,000 to the International Federation of Red Cross and Red Crescent Societies Emergency Appeal for Sudan.
- 2. Writes to the Embassy of the Republic of the Sudan in Australia to express Council's sympathy and support, and to advise of the donation.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

3. Writes to the Liverpool Australian Sudanese Community organisation to express Council's sympathy and support, and to advise of the donation.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO:	CEO 01
FILE NO:	240618.2020
SUBJECT:	Outcome of Public Exhibition of amendments to the Revenue Pricing Policy
	2020-21

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Harle

That the Revenue Pricing Policy (fees and charges) be adopted with the exception of the item regarding Telecomunications Infrastructure Facilities on Council owned / managed land, which is to be brought back to Council for consideration.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:CEO 02FILE NO:242015.2020SUBJECT:Election of Deputy Mayor

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Rhodes

That:

- 1. Council proceeds with the election of the Deputy Mayor to be conducted by the Returning Officer for the 30 September 2020 4 September 2021 period; and
- 2. The method of election for the position of Deputy Mayor of Liverpool City Council for the term 30 September 2020 4 September 2021 be determined by Open Vote.

On being put to the meeting the motion was declared CARRIED.

NOMINATIONS

Nominations were called for the position of Deputy Mayor by the Acting Chief Executive Officer as the Returning Officer.

The Acting Chief Executive Officer advised that 2 nominations had been received, being for Clr Hadid and Clr Hagarty.

VOTING

	CLR HADID	CLR HAGARTY
Clr Ayyad	X	
Clr Balloot	X	
Clr Hadchiti	X	
Clr Hadid	X	
Clr Hagarty		X
Clr Harle	X	
Clr Kaliyanda		X
Clr Karnib		X
Clr Rhodes	X	
Clr Shelton		X
Mayor Waller		X

Motion:

Moved: Clr Hadchiti

Seconded: Clr Hadid

That:

1. Clr Hadid be declared the Deputy Mayor of Liverpool City Council for the term 30 September 2020 to 4 September 2021;

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

- 2. Council's Register of Delegations be amended accordingly; and
- 3. Council thank the outgoing Deputy Mayor, Clr Karnib for his three years of service to the role.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:CEO 03FILE NO:244060.2020SUBJECT:Appointment of Councillors to Committees and Affiliated Bodies

COUNCIL DECISION

Moved: CIr Hadchiti Seconded:CIr Shelton

11

That Council:

Motion:

1. Appoint Councillors as representatives to the following Committees for the period to September 2021:

Aboriginal Consultative Committee		
Representatives	Mayor (or delegate) and one Councillor	
Current Representatives	Mayor Waller and Clr Shelton	
Representatives for 2020-21	Mayor Waller and Clr Shelton	

Audit, Risk and Improvement Committee	
Representatives	Deputy Mayor and one Councillor
Current Representatives	Deputy Mayor Karnib and Clr Shelton
Representatives for 2020-21	Deputy Mayor Hadid and Clr Shelton

Casula Powerhouse Arts Centre Board	
Representatives	Mayor (or delegate), Deputy Mayor, and one Councillor
Current Representatives	Mayor Waller and Clr Kaliyanda.
Representatives for 2020-21	Mayor Waller and Clr Kaliyanda.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

Companion Animal Advisory Committee	
Representatives	Mayor (or delegate), and one Councillor
Current Representatives	A report was submitted to the July 2020 Council meeting to endorse the Terms of Reference. A Councillor representative has not yet been determined.
Representatives for 2020-21	Mayor Waller and Clr Rhodes

12

District Forums	
Representatives	One Councillor to chair.
Current Rural District Chairperson	Clr Harle
Chairperson for 2020-21	Clr Harle
Current New Release/Established District Chairperson	Clr Hagarty
Chairperson for 2020-21	Clr Hadid
Current 2168 District Chairperson	Mayor Waller
Chairperson for 2020-21	Mayor Waller
Current Eastern District	Clr Rhodes
Chairperson	
Chairperson for 2020-21	Clr Rhodes

Environment Advisory Committee	
Representatives	Two Councillors
Current Representatives	Clrs Shelton and Harle
Representatives for 2020-21	Clr Rhodes and Clr Shelton

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

Heritage Advisory Committee	
Representatives	Two Councillors
Current Representatives	Clrs Hadid and Harle
Representatives for 2020-21	Clr Rhodes and Clr Shelton

Intermodal Precinct Committee	
Representatives	Two Councillors (Clrs Hadchiti and Rhodes)
Current Representatives	At its meeting of 26 February 2020 Council adopted the Intermodal Precinct Committee Charter and revoked the Intermodal Committee Charter. At the 27 May 2020 Council meeting, Councillors Hadchiti and Rhodes were appointed as Council's representatives, and as such can continue for the next 12 months. A separate report has been included in this Council Agenda paper relating to nominating a Chair to the Intermodal Precinct Committee. Clr Rhodes to Chair this Committee.

Liverpool Access Committee	
Representatives	Mayor (or delegate) and one Councillor
Current Representatives	Mayor Waller and Clr Harle
Representatives for 2020-21	Mayor Waller and Clr Rhodes

Liverpool Sports Committee	
Representative	Mayor (or delegate)
Current Representative	Clr Kaliyanda
Representative for 2020-21	Clr Kaliyanda

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

Tourism & CBD Committee	
Representatives	Mayor (or delegate) and four Councillors
Current Representatives	Clrs Balloot, Hadid, Hadchiti, Hagarty and Shelton
Representatives for 2020-21	Mayor Waller, Clr Shelton, Clr Rhodes Clrs Balloot, Hadid and Clr Hagarty

Youth Council		
Representatives	Mayor (or delegate) and two Councillors	
Current Representatives	Mayor Waller, Clr Hagarty and Clr Kaliyanda	
Representatives for 2020-21	Mayor Waller, Clr Kaliyanda and Clr Hagarty	

- 2. Notes that all Councillors are members of the following Committees, and as such specific appointments are not required:
 - a. Budget Review Panel
 - b. Strategic Panel
 - c. Civic Advisory Committee
 - d. Community & Safety Prevention Committee
- 3. Appoints Councillors as representatives to the following community committees and affiliated bodies and notifies them of their representatives for the period to September 2021:

Georges River Combined Councils Committee (GRCCC)		
Representatives	Two Councillors	
Current Representatives	Clrs Harle and Shelton	
Representatives for 2020-21	Cir Shelton and Cir Harle	

Liverpool Pedestrian, Active Transport and Traffic Committee	
Representatives	Mayor (or delegate)
Current Representatives	Clr Hagarty
Representatives for 2020-21	Clr Hagarty

Macarthur Bushfire Management Committee	
Representative	One Councillor
Current Representative	Clr Harle
Representative for 2020-21	Clr Harle

NSW Metropolitan Public Libraries Association (NSW MPLA)		
Representatives	tatives Two representatives, one of whom shall be an elected Councillor and the other generally being a Library Manager.	
Current Representatives	Clr Kaliyanda	
Representatives for 2020-21	Clr Kaliyanda	

South West City Planning Panel		
Current Representatives	Mayor Waller and Clr Harle, with Clrs Hagarty, Karnib and Rhodes as alternates	
Representatives for 2020-21	Mayor Waller and Clr Harle, with Clr Hagarty, Clr Karnib and Clr Rhodes as alternatives.	

South West Sydney Academy of Sport (SWSAS)	
Representative	One Councillor
Current Representative	Clr Kaliyanda
Representative for 2020-21	Clr Kaliyanda

Western Sydney Regional Organisation of Councils (WSROC)			
Representatives	epresentatives Mayor and one Councillor		
Current Representatives	Clr Rhodes and Clr Balloot		
Representatives for 2020-21	Clr Rhodes (as the Mayor's delegate) and Clr Balloot, with Clr Harle and Clr Kaliyanda as alternates.		

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:CEO 04FILE NO:246500.2020SUBJECT:Mayoral Direction pursuant to Section 226(d) of the Local Government Act
1993

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That Council note and endorse the Mayoral Direction dated 28 August 2020 attached to the report.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:CEO 05FILE NO:239029.2020SUBJECT:Adoption of new Code of Conduct and Code of Conduct Procedures

COUNCIL DECISION

Moved: Clr Hagarty Seconded: Clr Rhodes

That Council:

Motion:

- 1. Adopt the Code of Conduct and Code of Conduct Procedures attached to this report;
- 2. Retain the maximum \$50 cap on the acceptance of gifts and benefits;
- 3. Retain the position that all gifts and benefits no matter the monetary value are declared;
- 4. Request the Chief Executive Officer to arrange appropriate training for the Mayor and Councillors concerning recent changes to the Code of Conduct and Code of Conduct Procedures; and
- 5. Note that Council's Governance team will provide appropriate training and resources in regard to the Code of Conduct for Council staff, members of Council advisory committees, Council volunteers and Council contractors.
- 6. Note that the maximum cap for State Members of Parliament is \$500 and is discretionary.

On being put to the meeting the motion was declared CARRIED.

CITY ECONOMY AND GROWTH REPORT

ITEM NO: EGROW 01	
of the Liverpoo	sal request to amend development standards and Schedule 1 I Local Environmental Plan 2008 to facilitate a mixed use the B6 zone at 146 Newbridge Road, Moorebank

COUNCIL DECISION

Motion: Moved: Clr Ayyad Seconded: Clr Rhodes

That Council:

- 1. Notes the advice of the Liverpool Local Planning Panel;
- 2. Endorses in principle the planning proposal request;
- Delegates to the Acting Chief Executive Officer authority to prepare the formal planning proposal including any typographical or other editing amendments if required;
- 4. Notes that negotiations will occur with the proponent on a potential voluntary planning agreement for the provision of affordable housing;
- 5. Forwards the planning proposal to the Department of Planning, Industry and Environment pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination with a request that Council be authorised as the local plan making authority and that the Gateway determination be conditioned requiring relevant technical documents be updated, that Section 9.1 Direction 2.6 (Remediation of Contaminated Land) be updated and a site specific DCP be prepared prior to public exhibition;
- 6. Subject to Gateway determination, undertakes public exhibition and community consultation in accordance with the conditions of the Gateway determination and Council's Community Participation Plan; and
- 7. Receives a further report on the outcomes of public exhibition and community consultation.
- 8. Forward the planning proposals for the Flower Power site and Concrete Crushers site to the Local Planning Panel and then receive a further report back to Council by the earliest possible Council meeting in 2020.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

FILE NO: 246006.2020

SUBJECT: Planning proposal request to amend development standards and Schedule 1 of the Liverpool Local Environmental Plan 2008 to facilitate residential development at the proposed George's Cove marina at 146 Newbridge Road, Moorebank

COUNCIL DECISION

Motion:	Moved: Clr Ayyad	Seconded: Clr Rhodes
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That Council:

- 1. Note the advice of the Liverpool Local Planning Panel;
- 2. Endorses in principle the planning proposal request;
- Delegates to the Acting Chief Executive Officer authority to prepare the formal planning proposal including any typographical or other editing amendments if required;
- 4. Forwards the planning proposal to the Department of Planning, Industry and Environment pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination with a request that Council be authorised as the local plan making authority and that the Gateway determination be conditioned requiring a site specific DCP be prepared prior to public exhibition;
- 5. Subject to Gateway determination, undertakes public exhibition and community consultation in accordance with the conditions of the Gateway determination and Council's Community Participation Plan; and
- 6. Receives a further report on the outcomes of public exhibition and community consultation.
- 7. Negotiate a possible VPA with the developer.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:EGROW 03FILE NO:209517.2020SUBJECT:Planning proposal request to rezone land and amend development standards
at 1370 Camden Valley Way, East Leppington

COUNCIL DECISION

Moved: Clr Hadchiti Seconded: Clr Hadid

That Council:

Motion:

- 1. Notes the advice of the Liverpool Local Planning Panel;
- 2. Endorses in principle the planning proposal request, subject to the proponent finalising the required amendments to the Liverpool Growth Centres Precinct DCP;
- 3. Delegates to the Acting Chief Executive Officer authority to prepare the formal planning proposal including any typographical or other editing amendments if required;
- 4. Delegates to the Acting Chief Executive Officer authority to negotiate a Voluntary Planning Agreement with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the VPA prior to exhibition of the planning proposal, consistent with the Council's Planning Agreements Policy;
- 5. Endorses in principle the potential public benefits, to be further negotiated, including:
 - Social Court located within Open Space Area 'C' of approximately 330m² including outdoor seating, basketball and netball hoop and bocce area including tree planting;
 - Concrete walking loop located within Open Space Area 'C" of approximately 180m;
 - Pedestrian crossing (including refuge island) located in the southern portion of the site across the future collector road to the open space area;
 - Boardwalk/bridge across riparian corridor along the south-east portion of the site of approximately 70m;
- 6. Forwards the planning proposal to the Department of Planning, Industry and Environment pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination with a recommendation that amendments to the Liverpool Growth Centres Precinct DCP is included as a Gateway condition to be satisfied prior to public exhibition;

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

7. Subject to Gateway determination, undertake public exhibition and community consultation on the planning proposal in accordance with the conditions of the Gateway determination and Council's Community Participation Plan;

22

8. Receive a further report on the outcomes of public exhibition and community consultation.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:EGROW 04FILE NO:237969.2020SUBJECT:Issues and Options Report - Potential amendment to Liverpool Local
Environmental Plan to permit a Recreation Facility (Outdoor) at 25 Dwyer
Road, Bringelly

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti Seco

Seconded: Clr Hadid

That Council:

- Directs the Acting Chief Executive Officer to prepare a planning proposal to amend Schedule 1 of the Liverpool Local Environmental Plan 2008 to permit, with development consent, a Recreation Facility (Outdoor) at 25 Dwyer Road, Bringelly and delegates authority to the Acting Chief Executive Officer to forward the planning proposal to the Department of Planning, Industry, and Environment seeking a Gateway determination;
- 2. Notes that if a Gateway determination is issued, state agency consultation and public exhibition will be undertaken, and a post-exhibition report will be prepared for Council's consideration; and
- 3. Investigates including Recreation Facility (Outdoor) as a land use permitted with development consent in the R5 Large Lot Residential zone as part of Phase 2 of the LEP Review.
- 4. Direct the Acting Chief Executive Officer to present an issues and options paper for potential amendments to State Environmental Planning Policy growth centres to permit, in a time limited manner, land uses that aren't currently permitted.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

ITEM NO:EGROW 05FILE NO:240735.2020SUBJECT:Park Naming Application - Request to rename Cirillo Reserve, Middleton
Grange

COUNCIL DECISION

Moved: Clr Kaliyanda Seconded: Clr Harle

That Council:

Motion:

- 1. Does not support the renaming of Cirillo Reserve to Segatto Sporting Complex;
- 2. Investigate the naming of a building or sports field within Cirillo Reserve as "Segatto" to recognise the previous part ownership of the reserve.
- 3. Investigate whether this name can be used in new parks within the area of Middleton Grange.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:EGROW 06FILE NO:252492.2020SUBJECT:Business Resilience Grants

COUNCIL DECISION

Moved: Clr Rhodes

Seconded: Clr Balloot

That Council:

Motion:

- 1. Conclude the Business Resilience Grants program and allocate no further funding, noting that:
 - 50 grants have now been issued through the program;
 - due to the competitive nature of the process not all applicants could receive a grant; and
 - the allocated budget has been exhausted.
- 2. Receive a further report in May 2021 on the status of the Liverpool economy 12 months on from the first lockdown period and following the acquittal of the Business Resilience Grants program.
- 3. Assist local small businesses by extending rent relief, if they qualify.

On being put to the meeting the motion was declared CARRIED.

Clr Hadchiti declared a non-pecuniary, less than significant interest in the following item at the beginning of the item, which has been recorded on page 4 of these minutes.

26

CITY COMMUNITY AND CULTURE REPORT

ITEM NO:COM 01FILE NO:217621.2020SUBJECT:Grants, Donations and Corporate Sponsorship

COUNCIL DECISION

Motion: Moved: Clr Shelton Seconded: Clr Kaliyanda

That Council endorses the recommendation of **\$10,000** (GST exclusive) under the **Corporate Sponsorship Program** for the following project:

Applicant	Project	Recommended
International Sports Karate Association (IKSA)	29th ISKA NSW OPEN	\$10,000

On being put to the meeting the motion was declared CARRIED.

ITEM NO:COM 02FILE NO:217919.2020SUBJECT:Acquittal Report for Grants, Donations and Corporate Sponsorship Program
2019/2020 FY

COUNCIL DECISION

Motion:Moved: Clr KaliyandaSeconded: Clr SheltonThat Council receives and notes this report.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:COM 03FILE NO:224048.2020SUBJECT:Child Safe Policy

COUNCIL DECISION

Moved: Clr Kaliyanda

Seconded: Clr Rhodes

That Council:

Motion:

- 1. Receives and notes this report;
- 2. Endorses the draft Child Safe Policy and the Draft Behavioural Standards for Keeping Children Safe for public exhibition for a period of 28 days, with a report to be provided back to Council following the conclusion of the exhibition period; and
- 3. Should no responses be received from the public exhibition period, authorise the Acting Chief Executive Officer to finalise the Child Safe Policy and oversee its implementation.
- 4. Amend the Behavioural Standards for Keeping Children Safe so that the fourth point under the heading "Staff are <u>not</u> to engage in any of the following behaviours, at all times", so that it reads:

"Show favour towards any child and should treat all children equally and fairly."

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

CITY CORPORATE REPORT

ITEM NO:	CORP 01
FILE NO:	230066.2020
SUBJECT:	Bigge Park Cafes - Lot 702 DP 1056246, Bigge Street, Liverpool

COUNCIL DECISION

Motion:	Moved: Clr Kaliyanda	Seconded: Clr Rhodes

That:

- 1. Council receive and note the report;
- 2. A further report be submitted to Council upon completion of the tender process of the Pump House café; and
- 3. A further report be submitted to Council in relation to the Courtside Café in due course.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:CORP 02FILE NO:234632.2020SUBJECT:COVID-19 Response - City Development Fund Rebate Program

COUNCIL DECISION

Moved: CIr Balloot Seconded: CIr Hadchiti

That Council:

Motion:

- 1. Endorse a capped rebate by application for landowners in the Liverpool CBD (excluding Westfield & Liverpool Plaza) that were affected by mandatory restrictions and who can demonstrate a 30% loss in cashflow in line with Option 5 as outlined in the report and specifically applying to the levied property at question;
- 2. Reallocate funds from the "Eat Your Heart Out" program to fund this initiative.

On being put to the meeting the motion was declared CARRIED.

Clr Shelton asked that he be recorded as voting against the above motion.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:CORP 03FILE NO:237915.2020SUBJECT:Investment Report August 2020

COUNCIL DECISION

Motion:

Moved: Cir Shelton

Seconded: Clr Rhodes

That Council receives and notes this report.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO:	INF 01
FILE NO:	219610.2020
SUBJECT:	2019-20 Capital Works Carryover of Projects

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Balloot

That Council approves the works and services listed in Attachment 1 with a remaining budget of \$23,437,875 to be carried over from the 2019-20 Program Year to the 2020-21 Program Year.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

COMMITTEE REPORTS

- ITEM NO: CTTE 01
- FILE NO: 232120.2020
- **SUBJECT:** Meeting Notes of the Liverpool Access Committee meeting held on 13 August 2020

COUNCIL DECISION

Motion: Moved: CIr Hadid Seconded: CIr Hagarty

That Council receives and notes the Meeting Notes of the Liverpool Access Committee Meeting held on 13 August 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:CTTE 02FILE NO:233063.2020SUBJECT:Minutes of the Aboriginal Consultative Committee meeting held on 6 August
2020

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Hagarty

That Council receives and notes the Minutes of the Aboriginal Consultative Committee Meeting held on 6 August 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Hagarty

That Council receives and notes the Minutes of the Audit, Risk and Improvement Committee Meeting held on 7 August 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:CTTE 04FILE NO:240986.2020SUBJECT:Minutes of the Tourism and CBD Committee meeting held on 18 August 2020

COUNCIL DECISION

Motion:	Moved: CIr Hadid	Seconded: Clr Hagarty

That Council:

- 1. Receives and notes the minutes of the Tourism and CBD Committee meeting held on 18 August 2020.
- 2. Endorse the recommendations in the minutes.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:CTTE 05FILE NO:243551.2020SUBJECT:Minutes of the Intermodal Precinct Committee meeting held on 1 September
2020

RECOMMENDATION

That Council:

- 1. Receive and note the minutes of the Intermodal Precinct Committee;
- 2. Endorse the recommendations in the minutes;
- 3. Appoint either Cr Rhodes or Cr Hadchiti as Chairperson of the Intermodal Precinct Committee.

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Hagarty

That this item be deferred to the October 2020 Council meeting.

On being put to the meeting the motion was declared CARRIED.

Note: Clr Rhodes was nominated as the Chairperson for the Intermodal Precinct Committee in Item CEO 03 Appointment of Councillors to Committees and Affiliated Bodies, on page 13 of these minutes.

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Hagarty

That Council receive and note the Minutes of the Strategic Panel Meeting held on 10 August 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

QUESTIONS WITH NOTICE

ITEM NO:QWN 01FILE NO:218251.2020SUBJECT:Question with Notice - Clr Rhodes - Georges River Bank Stabilisation

Please address the following:

Can Council provide a report on the recent collapse of the Eastern bank of the Georges River opposite the Council dog park and bordering the Moorebank Intermodal.

- 1. What is being done to stabilise the banks of the Georges River at this particular site and others along the Georges River?
- 2. Who is responsible to stabilise the bank of the Georges River?
- 3. When will stabilisation of the Georges River bank be done?
- 4. Explain the Georges Riverkeeper's involvement vs conditions imposed on development applications to stabilise the Georges River banks?

Recent collapse of the Georges River bank along side the Moorebank Intermodal site and opposite the Council dog park was disturbing to say the least.

A large chunk of the bank that borders the Moorebank Intermodal Development site recently fell into the River.

When the ground is left bare by human activities including clearing, building (and related activities) and vehicle use such as 4WD's and trail bikes the soil is easily washed away when it rains. Examples of this can be seen between Sandy Point and Alfords Point as sediment from the ridges washes into Mill Creek and then into the Georges River. This erosion removes the fertile topsoil and the soil that is washed into waterways can contain plant nutrients, minerals, organic matter and seeds. It can also contain pesticides and toxic heavy metals.

When soil, sand, dust, cement, paint and building debris reach the waterways, they can:

- increase the risk of flooding;
- block drains;
- spread weeds to bushland;
- result in algal blooms;
- cause health problems for swimmers; and
- smother and suffocate water plants and animals and impact on their ability to reproduce.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

The size of the erosion that fell into the Georges River in the one event is of particular concern and needs to be addressed.

Response

1. What is being done to stabilise the banks of the Georges River at this particular site and others along the Georges River?

Riverbank erosion is generally a natural process which allows rivers to meander and change course and stabilise over time. However, while bank erosion is considered a necessary ecological process, eroding soil and associated nutrients are the most important and widespread causes of reduced water quality impacting overall river system health. Further, if uncontrolled, serious damage can result to community infrastructure including loss of valuable land and riparian vegetation.

Council has therefore adopted a risk-based program of works to stabilise bank erosion along the Georges River. This approach is primarily guided by the need to restore and protect Council assets comprising stormwater infrastructure considered to be in danger of collapse; land and open space that would otherwise suffer significant loss; and to preserve public safety.

The following presents examples of riverbank erosion works that have recently been undertaken along the Georges River:



a) South Park, Chipping Norton - to provide stormwater outlet protection works.

b) Pleasure Point Reserve, Pleasure Point - to restore progressive loss of land through bank erosion.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020



c) Haigh Park, Moorebank - to repair significant asset damage from ongoing bank erosion and to restore public safety.



2. Who is responsible to stabilise the bank of the Georges River?

At its meeting of 26 June 2019, Council considered a report on *Activating the Georges River* (copy attached), which included a detailed discussion regarding the current management responsibilities for the River and its broader catchment. The report outlined that due to its environmental value and recreation potential, around 18 agencies comprising State Government agencies, councils and community groups played different roles in the ongoing management of the Georges River. In this regard, the report concluded that with so many stakeholders and agencies having broad and overlapping responsibilities for the River, the lack of a clear governance structure has resulted in any improvement efforts being fragmented and uncoordinated.

With regards to the banks of the Georges River, based on legal advice received previously, Council's local government area does not extend below the water level (or the low water mark for tidal areas of Georges River). The State has rights to the control, use and flow of all waters in rivers, with the areas below the low water mark generally vested in the Crown. In view of this advice, it's clear that Council's powers over rivers are limited.

In order to provide a coordinated approach to investigate and address management needs across the whole of the Georges River catchment, in May 2012, the NSW Office of

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

Environment and Heritage (OEH) in collaboration with the Georges Riverkeeper member councils developed the Georges River Estuary Management Plan. Known as the Coastal Zone Management Plan (CZMP), it provides strategic direction and guidance on future strategic and environmental planning within the estuary and its catchment. It also provides an action plan for undertaking targeted works and other initiatives aimed at achieving the overall goal of improving estuary and river condition.

Bank erosion along sections of the Georges River was identified as a key issue facing the estuary. The CZMP accordingly identified erosion protection and bank stabilisation works along a four-kilometre reach of the Georges River, generally between Liverpool Weir and Chipping Norton Lakes. It was estimated that the required stabilisation works would cost between \$10 million and \$20 million.

In view of this significant cost, Council's constrained budgets and other competing priorities for infrastructure funding, the identified bank stabilisation works have not been able to be progressed at the scale envisaged in the CZMP.

3. When will stabilisation of the Georges Riverbank be done?

The mass failure and subsequent collapse of the riverbank adjoining Casula Parklands (refer to photos below) was triggered by an extreme flood event of February 2020, where flow velocities and volumes exceeded the structural capacity of the banks. Such an extensive bank erosion would normally require engineered revetment infrastructure works to stabilise the banks and arrest further bank erosion. However, in this instance such a response is not considered necessary in view of the following:

- due to its location along a bend in the River, there could potentially be long term adverse impacts downstream arising from natural river geomorphic processes of erosion and sediment deposition;
- the eroded bank is not a current threat to any built environment and will very likely stabilise over time; and
- costs associated with such significant restoration works would be prohibitive in the short to medium term.



While at this stage there are no plans for a comprehensive bank stabilisation program to be implemented along the Georges River, the following current and future programs provide the opportunity to selectively consider the need for bank stabilisation works:

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

- a) River Connections Council is currently progressing the planning and delivery of a package of high value projects along the Georges River corridor to create public spaces along the river that are inviting and desirable. These include the multi-million dollar planned investments in Light Horse Park and Casula Parklands. These on-ground activation programs will not only transform the parklands into thriving and vibrant public spaces, but will also play a crucial role in providing the required interface infrastructure and amenities to support the many in-river activation activities being planned. As part of planning for the interface infrastructure such as viewing platforms, jetties and ceremonial Ghats, opportunities to selectively restore and protect riverbanks will also be considered. An update on the full scope the River Connections Program is planned to be provided in early 2021.
- b) Riparian vegetation vegetation along riparian corridors play a crucial role in controlling and preventing erosion. Council's Riparian Areas Vegetation Management Strategy (being developed) and Council's bush regeneration activities along the riparian corridors will continue to provide ongoing protection to the riverbanks.
- c) Urban developments and development applications Council has been utilising opportunities and funding mechanisms available through urban intensification to undertake relevant riverbank stabilisation works, such as the planned riverbank stabilisation along the Georges River between Atkinson Street and Mill Park as part of the Shepherd Street Precinct development.

4. Explain the Georges Riverkeeper's involvement vs conditions imposed on development applications to stabilise the Georges Riverbanks?

Georges Riverkeeper, formerly the Georges River Combined Councils' Committee (GRCCC), consists of eight local councils, as well as government agencies and community representatives within the Georges River catchment. The Georges Riverkeeper Program services the GRCCC's eight member councils to identify key rubbish hotspots and areas for primary bush regeneration and weed control activities on the river's foreshores, creeks and tributaries. It coordinates the removal of rubbish and waste from the river catchment and monitors the ecological health of the river.

The Riverkeeper helps to facilitate a coordinated approach to the management of the Georges River. However, the role does not extend to providing input in the development assessment process.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:QWN 02FILE NO:218348.2020SUBJECT:Question with Notice - Clr Hagarty - Western Sydney Parklands Trust

Background

In July the Berejiklian government announced it will fold the Centennial Park and Moore Park, Parramatta Park and the Western Sydney Parklands trusts into a new super trust.

This move would appear to run counter to Western Sydney Parklands' ethos of being Western Sydney's backyard and the Greater Sydney Commissions' Metropolis of Three Cities Plan.

While Centennial, Moore & Parramatta Parks are established open space which have existed for well over a century, Western Sydney Parklands is still being developed.

The social, economic and cultural needs of Western Sydney must be determined by the people of Western Sydney.

With this latest move and the impact of COVID-19 on the NSW budget, Liverpool needs reassurance that plans for Western Sydney Parklands are still on track.

Please address the following:

1. Are plans for the development of the Liverpool section of Western Sydney Parklands still on track?

The Trust's priorities remain activating, managing and maintaining Western Sydney Parklands including the Liverpool section under The Parklands Plan of Management 2030 and the Southern Parklands Framework 2018. Earlier this year, Shale Hills Dog Park opened in West Hoxton featuring 2-hectares of open space with state-of-the-art dog agility and is already a popular community destination

The Trust continues to work closely with Liverpool City Council and Transport for NSW to relocate Wylde MTB trail.

The Trust's priorities for the area also include delivery of the new western ridges Walk, a 12-kilometre trail through the Cecil Hills Precinct. Construction is due to start next year with the walk anticipated to be open for visitors later in 2021.

2. Will these plans change with the Western Sydney Parklands Trust being rolled into a super parklands trust?

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

It is business as usual across all areas of Western Sydney Parklands Trust's awardwinning parks and open spaces including the Parklands areas in the Liverpool Local Government Area.

3. How will the unique needs and priorities of Western Sydney and Western Sydney Parklands be catered for in this new structure?

The Greater Sydney Parklands agency will be well-equipped to manage and safeguard existing parks across the city including Western Sydney Parklands, offering a stronger and better resourced parks agency for Sydney.

Each of the park trust's legislation will remain in place – including Western Sydney Parklands - with all the protections and obligations under those acts.

This will ensure that the new combined agency can work strategically at a city-wide level and still retain a focus on local community interests.

4. What structure will the board of the new trust take?

The Greater Sydney Parklands agency creates a combined board and administration of all three trusts to create a larger agency with increased resources and a greater voice to advocate for parks in Sydney. Eight directors sit on the Greater Sydney Parklands Board headed by Chair, Michael Rose.

The combined board will manage each of the existing parklands under their specific Acts, according to their specific heritage listings and plans of management.

5. How many board members on the new trust will be from Western Sydney?

The board reflects a mix of representation from different localities and backgrounds.

6. Will a board quota be set to ensure sufficient representation from Western Sydney?

A diverse and experienced board has been selected to ensure representation in the best interests of everyone. Board members will be well connected to communities right across the city and will be representing the interests of all areas including Western Sydney.

COUNCIL DECISION

Motion:

Moved: Clr Hagarty

Seconded: Clr Kaliyanda

That Council:

1. Notes a stand-alone board for the Western Sydney Parklands is consistent with the vision of the Greater Sydney Commission's metropolis of the three cities strategy; and.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

2. Writes to the relevant minister in support of a stand-alone board to manage the Western Sydney Parklands.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

Please address the following:

- 1. What measures have been undertaken to improve the water quality at Wattle Grove Lake? What measures have been found to be successful?
- 2. What is the underlying issue with the water quality at Wattle Grove Lake?
- 3. What measures are still being undertaken, or are currently planned, to improve the water quality at Wattle Grove Lake?
- 4. How has Council sought partnerships and worked with other organisations in order to address this issue?

Response

1. What measures have been undertaken to improve the water quality at Wattle Grove Lake? What measures have been found to be successful?

Wattle Grove Lake was constructed as part of land development by the Defence Housing Authority (DHA) in 1993. The Lake was originally constructed as a stormwater detention basin with the primary function of capturing and storing stormwater prior to discharging to Anzac Creek and ultimately the Georges River. However, over the years the function of the Lake has undergone significant change and has now become a crucial part of the local ecosystem providing habitat to native aquatic fauna as well as a number of exotic and native bird species, including ducks, geese and possibly others, from the nearby Georges River environs.

Over the past few decades significant urban developments have occurred within the catchment. Stormwater runoff from roads, residential and commercial premises and other sources appears to have transported significant litter, sediment, heavy metals, grease, oils, bacteria, nutrients and other chemicals into the Lake.

Wattle Grove Lake suffered a major fish kill event in 2012 triggering a comprehensive investigation into the causes of the fish kills. Council engaged consultants and set up partnerships with the Western Sydney University for a rigorous program of water sampling and testing. Following a period of testing and monitoring, it was found that the Lake had abnormally high levels of iron and other nutrients, particularly Nitrogen and Phosphorous. The elevated concentrations of iron and other heavy metals appear to have been the primary cause of the decline in the quality of the water and ecological condition of the Lake. Council immediately developed and implemented a program of improvements to address the poor

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

water quality issues. The improvement works included:

- Extensive bank erosion protection works to eliminate sediment runoff and control turbidity;
- Selected removal of silt and sediment from within the Lake to directly remove contaminants.
- A regular program of carp and eel removal, including partnering with the local fishing club to allow fishing and removal of carp and eels. The presence of large numbers of carp and eels are detrimental to the survival of the native wildlife. Further, due to shallow depths of the Lake, any disturbance to the sediment beds caused by the eels and carp results in an immediate surge in turbidity. As a result, the Lake constantly appears to be murky.
- Installation of fountains and aerators to increase circulation and oxygen levels.
- Improvements to garden beds to reduce sediment runoff into the Lake.
- Introduction of a program of regular audit of the gross pollutant traps (GPT) to analyse its performance. This resulted in modifications to numerous GPTs to improve capture of pollutants before reaching the Lake.



Photos showing sediment removal and bank protection works undertaken.

Council considers that the above measures, together with ongoing monitoring of water quality, have been successful in addressing the extreme conditions that resulted in the fish kills. This is further demonstrated by past water sampling data that shows a gradual decline in the turbidity and iron levels.

The turbidity and appearance issues arise from the shallow depths and the fauna that inhabit the Lake. It is considered that regular and systematic removal of carp and eels will assist in controlling these issues over time. Based on a more recent inspection of the Lake, the water quality appears to have stabilised and is considered satisfactory, as shown in the photos below.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020



Photos of Wattle Grove Lake

2. What is the underlying issue with the water quality at Wattle Grove Lake?

Following extensive sampling, testing and analysis of water in the Lake, Council considers that the following factors have been the primary cause of poor water quality in Wattle Grove Lake:

- Urban development in the area over the past few decades has resulted in significant transport of pollutants into the Lake.
- The original design of the Lake does not appear to consider potential pollutant transport and necessary treatment requirements.
- Existing depth of the lake is not sufficient to allow the sediment particles to settle, causing an ongoing turbidity issue. Shallow depth and movement of carp and eels has also exacerbated the turbidity issue.

3. What measures are still being undertaken, or are currently planned, to improve the water quality at Wattle Grove Lake?

A range of water sampling and testing programs have continued over the years to actively monitor water quality variations to enable Council to predict extreme events such algal blooms and fish kills. These have included:

- Ongoing partnership with Western Sydney University enabling coordinated monitoring of the water quality of the Lake. This monitoring program was recently expanded to include groundwater monitoring around Wattle Grove Lake to assess if groundwater is a potential source of lake water contamination causing the deterioration of the lake water quality. The results concluded that there was no evidence of groundwater contaminating the Wattle Grove Lake.
- More recently, the Department of Defence have undertaken sediment and surface water samples from Wattle Grove Lake as part of PFAS related investigations in and around the Holsworthy Barracks. All results were below the human health and ecological screening criteria and there was no evidence of any external contaminants, other than those identified above.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

To provide longer term solutions to the water quality issues, Council investigated the following two options:

- a) Addressing inherent design flaws it was considered that redesigning the Lake to improve inlet conditions and to increase the Lake depth would improve the water quality. However, it was found that any major engineering works would require draining of the Lake causing serious damage to the lake ecology. This option would also require a significant investment of capital funds.
- b) Construction of floating reed beds research has shown that introducing floating reed beds into the lake would increase the uptake and absorption of the nutrients and improve water quality. The estimated cost for establishment of a floating reed bed was found to be over \$2.0M. Due the high cost of this option and other competing priorities for council funding, this option was not further progressed.

4. How has Council sought partnerships and worked with other organisations in order to address this issue?

As discussed above, Council has worked with numerous consultants and has formed partnership with the Western Sydney University to develop a detailed understanding of the underlying factors that are causing the water quality issues. This has enabled council to develop and implement improvement strategies that appears to have controlled the extreme conditions that have previously affected this lake.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:QWN 04FILE NO:255955.2020SUBJECT:Question with Notice - Clr Hagarty - JobKeeper and JobSeeker

Please address the following:

With JobKeeper and JobSeeker set to be reduced or removed for many come October, do we have approximate numbers on:

- 1. Number of businesses in Liverpool who will lose JobKeeper?
- 2. Number of people they employ?
- 3. Number of people on JobSeeker in Liverpool?

A response to these questions will be provided in the 27 October 2020 Council meeting business papers.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

Please address the following:

1. With the release of the Western Sydney Aerotropolis State Environmental Planning Policy (SEPP) 2020, have any major implications been identified that effect our LGA?

A response to these questions will be provided in the 27 October 2020 Council meeting business papers.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

NOTICES OF MOTION

ITEM NO:	NOM 01
FILE NO:	255803.2020
SUBJECT:	Integrated Pest Management Policy and Strategy

BACKGROUND

Council is frequently contacted by residents regarding the management of introduced and other species regarded as pests, such as Indian myna birds, eels, carp and foxes.

Such species threaten native biodiversity and may potentially pose a threat to humans.

Neighbouring local government areas (LGAs) such as Camden and Campbelltown have either specific plans, such as an Indian Myna Bird Management Plan, or more comprehensive Integrated Pest Management Plans.

The NSW EPA recommends Integrated Pest Management (IPM) as an environmentally sensitive way of managing pests. It uses a combination of practices and control methods with the aim of preventing problems from occurring and reducing the need for pesticide intensive activities. IPM activities include:

- Forward planning
- Regular monitoring
- Timely decision making

A necessary component of an IPM Policy and Strategy should also be a community engagement strategy to ensure residents, local businesses and schools, are also encouraged to be involved and take part in initiatives to protect native biodiversity.

An IPM Policy and Strategy integrates appropriate measures that discourage the development of pest populations while maintaining pesticides and other interventions to levels that are economically justified and reduce or minimise risks to human health and the environment. They should establish local priorities for pest species and areas to be managed and includes an action plan outlining time frames for implementation.

NOTICE OF MOTION (submitted by CIr Kaliyanda)

That Council:

1. Develop an Integrated Pest Management Policy and Strategy for the Liverpool LGA and report back to Council by the first February 2021 meeting, with the strategy to follow subsequently; and

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

2. Include a plan for community awareness and engagement of the policy and strategy within the LGA.

COUNCIL DECISION

Motion:

Moved:Clr Kaliyanda

Seconded: Clr Rhodes

That Council:

- 1. Develop an Integrated Pest Management Policy and Strategy for the Liverpool LGA and report back to Council by the first February 2021 meeting, with the strategy to follow subsequently; and
- 2. Include a plan for community awareness and engagement of the policy and strategy within the LGA.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:NOM 02FILE NO:255851.2020SUBJECT:Liverpool Multicultural Park

BACKGROUND

Liverpool prides itself as a vibrant multicultural community. Our residents come from all corners of the earth and we have a rich and proud indigenous history.

As a peaceful, democratic nation, each of us are afforded the opportunity to proudly celebrate our heritage. In Liverpool will do this openly and inclusively with the entire community, peacefully and in harmony.

It is often said that Australia is the most successful multicultural nation on Earth. While we believe this to be true, it is not enough to simply repeat a cliché for it to continue to be so. It requires continuous hard work and reminders of what it took to build this great achievement.

As the face of multicultural Australia, Liverpool should have a place that celebrates this achievement and the contribution of multiculturalism to Australia and specifically our LGA.

The Serbian Orthodox Youth Association (SOYA) are seeking to celebrate the contribution of the Serbian Community in South West Sydney and in particular Liverpool, which is home to thousands of Serbian Australians, with a park.

In the case of the Serbian community, the park would highlight the long standing alliances between Serbia and Australia shared in both World Wars. It would also honour modern Australians of Serbian descent such as Rale Rasic; Jelena Dokic; Professor Ana Deletic; and Karl and Peter Stefanovic.

Let the passion and drive of SOYA to honour to the contribution of Serbian Australians, serve as the catalyst for Liverpool to recognise the enormous contribution of multiculturalism to our city.

NOTICE OF MOTION (submitted by Clr Hadchiti and Clr Hagarty)

That Council:

- 1. Notes Liverpool is the face of multicultural Australia;
- 2. Notes Australia as the most successful multiculturalism nation on Earth;
- 3. Notes the successful contribution multiculturalism has made to modern Australia;
- 4. Acknowledge the contribution the Serbian Community makes to the Liverpool LGA;

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

- 5. Support the establishment of a Liverpool Multicultural Park;
- 6. Direct the Chief Executive Officer to work closely with SOYA to develop a Serbian section of the Liverpool Multicultural Park;
- 7. Note the support of the local State & Federal members of Parliament;
- 8. Writes to local and surrounding State & Federal MP's noting Councils support and request a monetary contribution for the establishment of such a park.

COUNCIL DECISION

Motion:	Moved: Clr Hadchiti	Seconded: Clr Hagarty
		Seconded. On hagany

That Council:

- 1. Notes Liverpool is the face of multicultural Australia;
- 2. Notes Australia as the most successful multiculturalism nation on Earth;
- 3. Notes the successful contribution multiculturalism has made to modern Australia;
- 4. Acknowledge the contribution the Serbian Community makes to the Liverpool LGA;
- 5. Support the establishment of a Liverpool Multicultural Park;
- 6. Direct the Chief Executive Officer to work closely with SOYA to develop a Serbian section of the Liverpool Multicultural Park;
- 7. Note the support of the local State & Federal members of Parliament;
- 8. Writes to local and surrounding State & Federal Members of Parliament noting Councils support and request a monetary contribution for the establishment of such a park.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:NOM 03FILE NO:255945.2020SUBJECT:Housing targets and our fair share

BACKGROUND

Council has long argued that our population growth has not been matched with the requisite infrastructure to support it.

While we have some of the highest housing targets in the State, this has not been met with adequate physical and social infrastructure such as schools, hospitals, roads, public transport and critical Government services.

Recently, Rob Stokes, the Minister for Planning and Public Spaces, confirmed in a letter to Ku-ring-gai Council that councils, not the Greater Sydney Commission, are responsible for determining their housing supply targets.

The letter confirmed the housing targets set by the Greater Sydney Commission are not a legal requirement upon councils.

NOTICE OF MOTION (submitted by CIr Hagarty)

That Council:

- 1. Notes the letter from Rob Stokes, the Minister for Planning and Public Spaces, that councils, not the Greater Sydney Commission, are responsible for deciding their local housing supply targets;
- 2. Notes the many standing motions of Council regarding a lack of infrastructure in our LGA;
- 3. Notes it will work constructively with the State and Federal Governments to ensure housing targets are matched with the required infrastructure to support them; and
- 4. Acknowledges it may increase or reduce housing targets as it sees fit.

COUNCIL DECISION

Motion: Moved: CIr Hagarty Seconded: CIr Karnib

That Council:

1. Notes the letter from Rob Stokes, the Minister for Planning and Public Spaces, that councils, not the Greater Sydney Commission, are responsible for deciding their local housing supply targets;

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

- 2. Notes the many standing motions of Council regarding a lack of infrastructure in our LGA;
- 3. Notes it will work constructively with the State and Federal Governments to ensure housing targets are matched with the required infrastructure to support them; and
- 4. Acknowledges it may increase or reduce housing targets as it sees fit.
- 5. Acknowledge the continued lobbying by Council for the improvement of infrastructure and that it continue to be a priority.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

PRESENTATIONS

Clr Hagarty made a presentation relating to a book by the federal member for Fenner, The Hon Dr Andrew Leigh and Mr Nick Terrell, titled "Reconnected: A Community Builder's Handbook".

The book looks at some of the most successful community organisations and initiatives in Australia, with regards to community building in the 21st century. It includes conversation groups, community gardens, park runs and pub choir, which has been active in Liverpool

Clr Hagarty provided the authors with information relating to the Ferrington Collective, which worked with the Men's Shed and Council to restore Ferrington Park. A quote from Lisa Wharton, a prominent member of the Ferrington Collective, has been included in this book and refers to Council and the Ferrington Collective in a very positive light and highlights this project as a fantastic example of Community building.

Clr Hagarty commended the Ferrington Collective and all Council staff for their work on this project.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

CONFIDENTIAL ITEMS

Motion: Moved: Mayor Waller Seconded: Clr Rhodes

That items CONF 01, CONF 02, CONF 03 and CONF 07 be moved to the end of this meeting and dealt with in Confidential Session pursuant to provisions s10(A)(2)(ci), s10(A)(2)(d ii), s10(A)(2)(d ii), s10(A)(2)(d iii) 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;
- Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it;
- 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.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:CONF 04FILE NO:237955.2020SUBJECT:Out of Office Hours Compliance Officers

COUNCIL DECISION

Motion:

Moved: Clr Rhodes Seconded: Clr Harle

That this matter be deferred until a further report can be provided informing the Councillors of the options available regarding officers being available 24/7 and the feasibility and costings of the following:

- Four officers working from 7am to 3pm five days a week and two officers working from 4pm to 9pm Monday to Friday and 11am to 2pm Saturday and Sunday; and
- Whether it is possible for all Compliance Officers to be able to address all Compliance issues and the cost of this.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:CONF 05FILE NO:238120.2020SUBJECT:Acquisition of Lot 410 in DP 1233750, 70 Seventeenth Avenue in Austral for
drainage purposes.

COUNCIL DECISION

Moved: Cir Shelton Seconded: Cir Harle

That Council:

Motion:

- 1. Approves the acquisition of Lot 410 in DP 1233750, 70 Seventeenth Avenue Austral, within the terms outlined in this confidential report.
- 2. Authorises the Acting 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.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:CONF 06FILE NO:238441.2020SUBJECT:Three (3) year Extension of Civica Spydus Managed Services Agreement

COUNCIL DECISION

Motion: Moved: CIr Shelton Seconded: CIr Harle

That Council extends the contract with Civica Pty Limited to continue use of the Spydus Library Management system for a period of three (3) years under section 55(3)(i) of the Local Government Act 1993.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:CONF 08FILE NO:245793.2020SUBJECT:Acquisition of part of 13 First Avenue, Hoxton Park

COUNCIL DECISION

Moved: Cir Shelton Seconded: Cir Harle

That Council:

Motion:

- 1. Approves the acquisition of Proposed Lots 612 and 613, being part of Lot 61B in DP389791 and 13 First Avenue, Hoxton Park, on the terms outlined in this confidential report;
- 2. Authorises the Chief Executive Officer or his delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision;
- 3. Classify Proposed Lots 612 and 613 as "operational' land in accordance with section 31(2) of the Local Government Act 1993; and
- 4. Keeps confidential this report pursuant to the provisions of section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

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Chairperson

ITEM NO:CONF 09FILE NO:247547.2020SUBJECT:International Trade Engagement Strategy and New Zealand Trade Mission
update

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Shelton
Motion: Moved: Cir Rhodes Seconded: Cir Sheiton

That Council:

- 1. Receive and note this report;
- 2. Receive a further report back to Council in April 2021 on the COVID-19 situation in relation to international border restrictions, and
- 3. Continue the International Trade Engagement Strategy for a further 12 months followed by a review of the Strategy and report back to Council at the end of that period.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

Mayor Waller called a recess of Council at 8.06pm.

Mayor Waller reopened the meeting at 8.17pm

Council moved into Confidential Session at 8.17pm.

ITEM NO:CONF 01FILE NO:255996.2020SUBJECT:Confidential Question With Notice - Management of the operating system for
the parking meters

Please address the following:

Is there anything that restricts Council from seeking expressions of interest or calling for a tender to supply the management of the operating system for the parking meters throughout our LGA?

A response to these questions will be provided in the 27 October 2020 Council meeting business papers.

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Balloot

That Council undertake a market assessment to understand what technology is in the market with a view to undertaking a competitive selection process.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:CONF 02FILE NO:235470.2020SUBJECT:Acquisition of Lot 1047 DP2475 being 265 Sixth Avenue, Austral

COUNCIL DECISION

Moved: Clr Rhodes Seconded: Clr Harle

That Council:

Motion:

- 1. Does not approve the purchase of Lot 1047 DP2475 being 265 Sixth Avenue, Austral;
- 2. Investigate the allocation of funds to purchase the property initially identified as option 8 for the location for the future Liverpool Animal Shelter;
- 3. Authorises the Acting Chief Executive Officer or his delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision; and
- 4. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

Foreshadowed motion: Moved: CIr Hagarty Seconded: CIr Balloot

That Council:

- 1. Approves the acquisition of Lot 1047 DP2475, being 265 Sixth Avenue Austral, within the terms outlined in this confidential report;
- 2. Authorises the Acting Chief Executive Officer or his delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision;
- 3. Resolves to classify Lot 1047 DP2475 as "operational" land in accordance with the Local Government Act, 1993; and
- 4. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

On being put to the meeting the motion (moved by Clr Rhodes) was declared LOST.

The Foreshadowed motion (moved by Clr Hagarty) then became the motion and on being put to the meeting was declared CARRIED.

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Chairperson

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:CONF 03FILE NO:237384.2020SUBJECT:ST2964 Environment Restoration Plan Bush Regeneration Program of Works
2020-2023

COUNCIL DECISION

Moved: Clr Rhodes Seconded: Clr Harle

That Council:

Motion:

1. Accept the Tender from the following Offerors for Tender ST2964 Environment Restoration Plan Bush Regeneration Program of Works 2020-2023 for three (3) year contract term at the GST inclusive price:

Portion A	Toolijoa Pty Ltd	\$127,429.50
Portion B	National Trust of Australia (NSW)	\$249,448.58
Portion C	Total Earth Care Pty Ltd ATF The Irrawong Trust	\$156,707.10
Portion D	National Trust of Australia (NSW)	\$178,351.80
Portion E	National Trust of Australia (NSW)	\$311,042.60
Portion F	National Trust of Australia (NSW)	\$408,611.50
Portion G	National Trust of Australia (NSW)	\$130,110.20
Total		\$1,561,701.28

- 2. Makes public its decision regarding Tender ST2964 Environment Restoration Plan Bush Regeneration Program of Works 2020-2023.
- 3. This report has been brought to Council because the Chief Executive Officer's instrument of delegation, approved by Council in accordance with the current provisions of section 377 of the Local Government Act 1993, only permits the Chief Executive Officer to approve (and not to reject) tenders up to a value of \$2 million. Therefore, subclause 377 (1)(i) of the Local Government Act 1993 a council may, by resolution, delegate the Chief Executive Officer, the acceptance of tenders to provide services currently provided by members of staff of the council.
- 4. Delegates the Chief Executive Officer to finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

- 5. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
- 6. Receive a future report at a Strategic Panel meeting that investigates the opportunities for Council staff to undertake the future restorations themselves rather than requesting tenders.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

ITEM NO:CONF 07FILE NO:237385.2020SUBJECT:RCL2989 Tree Maintenance Services

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: CIr Harle

That Council:

- 1. Accept the tenders from the following Offerors for Tender RCL2989 Tree Maintenance Services for Portion A Tree Maintenance and Removal for two (2) year, with the option to extend by one (1) x 12 months contract term at the GST inclusive price:
 - Treeserve Pty Ltd
 - Plateau Tree Service Pty Limited
 - Active Tree Services Pty Ltd
- 2. Makes public its decision regarding tender RCL2989 Tree Maintenance Services.
- 3. This report has been brought to Council because the Chief Executive Officer's instrument of delegation, approved by Council in accordance with the current provisions of section 377 of the Local Government Act 1993, only permits the Chief Executive Officer to approve (and not to reject) tenders up to a value of \$2 million. Therefore, subclause 377 (1)(i) of the Local Government Act 1993 a council may, by resolution, delegate the Chief Executive Officer, the acceptance of tenders to provide services currently provided by members of staff of the council.
- 4. Delegates the Acting Chief Executive Officer to finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
- 5. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
- 6. Receive a future report at a Strategic Panel meeting to discuss the funding implications and staffing implications of conducting this type of work in house rather than requesting tenders in future.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

Mayor Waller moved the meeting into Open Session at 9.03pm and read the resolutions for items CONF 01, CONF 02, CONF 03 and CONF 07, found on pages 65, 66, 67 and 69 of these minutes.

70

THE MEETING CLOSED AT 9.07pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 27 October 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 30 September 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

Minutes of the Ordinary Council Meeting held on Wednesday, 30 September 2020 and confirmed on Tuesday, 27 October 2020

LIVERPOOL CITY COUNCIL

MINUTES OF THE ORDINARY MEETING HELD ON 27 OCTOBER 2020

PRESENT (VIA VIDEO CONFERENCING):

Mayor Wendy Waller Councillor Avvad **Councillor Balloot Councillor Hadchiti Councillor Hadid** Councillor Hagarty **Councillor Harle** Councillor Kaliyanda Councillor Karnib **Councillor Rhodes Councillor Shelton** Dr Eddie Jackson, Acting Chief Executive Officer Mr George Hampouris, Acting Director City Corporate Ms Tina Sangiuliano, Acting Director City Community and Culture Mr David Smith, Acting Director City Economy and Growth Mr Peter Patterson, Director City Presentation Mr Raj Autar, Director City Infrastructure and Environment Mr Vishwa Nadan, Chief Financial Officer Mr John Morgan, Director Property and Commercial Development Mr James Ng, Acting General Counsel, Manager Governance Legal and Procurement Mr Shaun Beckley, Manager Infrastructure Planning Mr George Georgakis, Manager Council and Executive Services Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.01pm

STATEMENT REGARDING WEBCASTING OF MEETING

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY

The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice the meeting is being livestreamed.

The prayer of the Council was read by the Acting Chief Executive Officer, Dr Eddie Jackson.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

APOLOGIES

Nil.

CONDOLENCES

Mr Arthur Ernest Willmington (read by Clr Harle)

Arthur Ernest Willmington "Artie" was born in Penrith on 14th October 1929. He was the 8th born of a family of 9.

Artie lived all his life in Luddenham.

His parents, Clara and Sid, had a dairy farm and from a young age, 6 years old, he got up to bring the cows in for milking, go to school, and come home to help on the farm.

Artie loved the outdoor life and after he married, he had a 50 acre farm of his own. He made his farm into a huge success but decided at 70 years of age it was time to retire.

For four years, before selling the farm, he started growing roses to sell to raise funds for cancer research and for the Cancer Council of Australia. This he continued at his new home and for the past 24 years this has been what he wanted to do. He loved the peacefulness of his garden but he was always happy to pass on his knowledge of gardening.

Two weeks before his passing he was diagnosed with bladder cancer but on 1st October he suffered a heart attack.

His funeral was held in Luddenham Uniting Church and laid to rest in the adjoining cemetery.

I would suggest Council sends a letter of condolence to his family.

COUNCIL DECISION

Motion Moved: Mayor Waller Seconded: CIr Harle

That Council writes to the family of Mr Willmington expressing our condolences for their loss.

On being put to the meeting the motion was declared CARRIED.

CONFIRMATION OF MINUTES

That the minutes of the Ordinary Meeting held on 30 September 2020 be confirmed as a true record of that meeting.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

3

On being put to the meeting the motion was declared CARRIED.

DECLARATIONS OF INTEREST

Clr Ayyad declared a non-pecuniary, less than significant interest in the following item:

Item: CONF 01 - Order of Liverpool Awards.

Reason: Clr Ayyad's husband was nominated for one of the awards.

Clr Ayyad remained in the virtual meeting for the duration of this item.

PUBLIC FORUM

Presentation - items not on agenda

Nil.

Representation – items on agenda

Nil.

MOTION OF URGENCY

ITEM NO:MOU 01SUBJECT:122 Atkinson Street, Liverpool

In accordance with Clause 8.3 of Council's Code of Meeting Practice, the Chairperson Mayor Waller, ruled the following motion as urgent, and as such it was dealt with at the meeting and is shown below:

Background

On 11 August 2020, Council was notified by members of the community of the impeding auction of 122 Atkinson Street, Liverpool. The property is a single storey timber weatherboard cottage, advertised as an opportunity for knock down and rebuild.

The cottage, known as Stephenville, was built in 1917 by the Voluntary Workers' Association for Mrs Boyland, wife of Private Harry Boyland with two children. The cottage was built at a cost of £269 and furniture and internal fittings were provided by Henry Bull and Co and the Challenge Woollen Mills.

Private Harry Boyland served with the 11th Australian Infantry Battalion, Australian Imperial Force and died on the battlefields of France on 30 May 1916.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

The building is representative of a 1900s residential dwelling, a rarity within the Liverpool area, but also of the community spirit of wartime Liverpool. The community came together to support a war widow and a family and provide her with a house recognised in the *Cumberland Argus and Fruitgrowers Advocate* as a "strongly built structure of four rooms and the necessary outhouses...the materials costing in the vicinity of 269 pounds."

This building is more than just a simple cottage but embodies the history of Liverpool and its community and Council needs time to properly assess the heritage significance of the building and to determine whether the building should be listed on Council's heritage register.

Liverpool City Council may issue an Interim Heritage Order, which is an order that prevents the building from being demolished for an initial period of 6 months to allow for a full and detailed assessment of the building's heritage significance.

The order can be extended for a further 6 months if Council decides to list the building and agrees to prepare a planning proposal to amend the heritage register in the Liverpool Local Environmental Plan.

While the future of the cottage remains undecided, this is the right time to assess and determine whether we should protect a piece of Liverpool's history.

COUNCIL DECISION:

Motion:

Moved: Clr Rhodes

Seconded: Clr Hagarty

That Council:

- 1. Direct the Acting Chief Executive Officer to issue an Interim Heritage Order on 122 Atkinson Street, Liverpool in accordance with Section 25 of the *Heritage Act* 1977;
- 2. Allocate \$5,000 to engage a heritage consultant to undertake an independent assessment of heritage significance for 122 Atkinson Street, Liverpool; and
- 3. Receive a further report, prior to June 2021, outlining the assessment of significance of the building and recommendations for future action.

On being put to the meeting the motion was declared CARRIED.

Clr Hadchiti asked that he be recorded as having voted against the motion.

MAYORAL REPORT

Nil.

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO:CEO 01FILE NO:270354.2020SUBJECT:COVID-19 - Liverpool City Council Response

COUNCIL DECISION

Motion:	Moved: Clr Harle	Seconded: Clr Rhodes

That Council:

- Note that the waiver for outdoor dining fees ceased on 31 August 2020 and that a waiver of fees totalling approximately \$21,600 was provided to existing outdoor café permit holders;
- 2. Note that the waiver for rental abatements for Council's retail and small tenants ceased on 31 August 2020 with a total rental abatement of approximately \$160,130 having been provided;
- 3. Apply the provisions of the *Retail and other Commercial Leases (COVID-19) Regulation for* Council's tenants (subject to qualification) in relation to extending rent relief for the period 1 November to 31 December 2020;
- 4. Note that 415 free car parking permits and pass cards have been issued by Council to essential workers at a value of \$527,863;
- 5. Note that the provision of free permit based carparking at Northumberland carpark ceased on 30 September 2020;
- 6. Extends the provision of free pass card parking at Warren Serviceway carpark until 31 October 2020;
- 7. Approve the end date associated with Initiative 7 to be 30 November 2020; and
- 8. Recommence enforcement for parking meters now.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

CITY ECONOMY AND GROWTH REPORT

ITEM NO:	EGROW 01
FILE NO:	230146.2020
SUBJECT:	Draft Western Sydney Aerotropolis Joint Contributions Plan 2020

6

COUNCIL DECISION

Motion:	Moved: Clr Harle	Seconded: Clr Hagarty

That Council:

- 1. Exhibits the draft Joint *Aerotropolis Contributions Plan 2020* and background report for a minimum of 28 days in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*.
- 2. Delegates to the Acting Chief Executive Officer authority to finalise the Aerotropolis Contributions Plan if no submissions in opposition are received.
- 3. Exhibits draft Amendment 2 to the *Liverpool Contributions Plan 2009* for a minimum 28 days in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*.
- 4. Delegates to the Acting Chief Executive Officer authority to finalise Amendment 2 to the *Liverpool Contributions Plan 2009*.

On being put to the meeting the motion was declared CARRIED.

Vote for: Mayor Waller, Clr Ayyad, Clr Balloot, Deputy Mayor Hadid, Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Karnib, Clr Rhodes and Clr Shelton.

Vote against: Clr Hadchiti.

ITEM NO:EGROW 02FILE NO:261147.2020SUBJECT:Post Exhibition Report - Liverpool Local Environmental Plan 2008
Amendment 77 - Additional permitted use of 'Car Park' at Collimore Park,
Liverpool.

COUNCIL DECISION

Motion: Moved: Clr Harle Seconded: Clr Shelton

That Council:

- 1. Notes the Gateway determination for Liverpool Local Environmental Plan 2008 Amendment 77 and the submissions received from State agencies and from the public exhibition;
- 2. Proceeds with Amendment 77 and delegates authority to the Acting Chief Executive Officer (or his delegate) to liaise with the NSW Parliamentary Counsel's Office and the Department of Planning, Industry and Environment to finalise the amendment; and
- 3. Notifies the submitters of Council's decision.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for the motion.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

ITEM NO:EGROW 03FILE NO:262628.2020SUBJECT:Liverpool Design Excellence Panel Charter and Procedure

COUNCIL DECISION

Motion:

Moved: Clr Shelton

Seconded: Clr Kaliyanda

That Council:

- 1. Endorse the minor amendments to the Design Excellence Panel Charter and Procedure and subject to the following additional amendments to Clauses 4.1 and 5.1 as shown below:
 - i. To replace the first paragraph of Representations of the DEP, point 4.1 (as shown in the report) as follows, so that it now reads:

4.1 Membership

The DEP shall comprise three (3) high-level and respected professionals who are or have been involved in the design of recent (1-5 years) of major projects. Such members shall have extensive expertise in specific urban design and sustainable and liveable communities that addresses the needs and conditions found in Western Sydney and also possess extensive qualifications in at least one or more of the following professions:

- (a) Urban Design;
- (b) Architecture;
- (c) Landscape Architecture; and
- (d) Urban Planning

A DEP member cannot be employed by Council, including Council officers and elected Councillors, in accordance with the requirements of State Environmental Planning Policy No. 65 (SEPP No. 65).

ii. To replace the first paragraph of DEP Appointment and Selection for DEP Meetings (as shown in the report) in point 5.1 so that it now reads as follows:

5.1 <u>Tender Process</u>

Council will advertise and establish a short list via a tender or an expression of interest process which will be presented to a council meeting for approval. Members will then be appointed from the approved short list by the CEO based on their qualifications and experience, and in the absence of any real or potential pecuniary or non-pecuniary conflict of interest.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

2. Seek quotations from suitably qualified industry representatives to become members of the Liverpool Design Excellence Panel for a two-year period.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

ITEM NO:EGROW 04FILE NO:263708.2020SUBJECT:Amendment 2 to Liverpool Contributions Plan 2008 - Edmondson Park

COUNCIL DECISION

Motion: Moved: CIr Shelton

Iton Seconded: Clr Kaliyanda

That Council:

- Exhibits Amendment 2 to Liverpool Contributions Plan 2008 Edmondson Park for 28 days in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000; and
- 2. Delegates to the Acting Chief Executive Officer authority to finalise Amendment 2 to *Liverpool Contributions Plan 2008 – Edmondson Park.*

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

ITEM NO:EGROW 05FILE NO:266182.2020SUBJECT:Parking on Verges and Nature Strips

COUNCIL DECISION

Motion:

Moved: CIr Hadid

Seconded: Clr Hagarty

That Council:

- 1. Receive and note the report; and
- 2. Makes representations to the State Government to amend the relevant regulations to allow discretion for parking on verges and nature strips.

On being put to the meeting the motion was declared CARRIED.

Clrs Shelton and Hadchiti asked that their names be recorded as having voted against the motion.

ITEM NO:EGROW 06FILE NO:275167.2020SUBJECT:Draft Cumberland Plain Conservation Plan Submission

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Harle

That Council endorses the submission on the Draft Cumberland Plain Conservation Plan.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

CITY COMMUNITY AND CULTURE REPORT

ITEM NO:	COM 01
FILE NO:	162295.2020
SUBJECT:	Draft Miller Social Infrastructure Masterplan

COUNCIL DECISION

Motion:	Moved: CIr Rhodes	Seconded: Clr Harle

That Council:

- 1. Receives and notes the report;
- 2. Adopts the Draft Masterplan for public exhibition for community information and feedback for a period of 28 days;
- 3. Delegates to the A/CEO the finalisation of the draft Masterplan if no submissions are received; or receive a further report outlining details of the submissions received at the conclusion of the exhibition period; and
- 4. Subject to Council's adoption of the Masterplan, develops a staged implementation strategy by June 2021.

On being put to the meeting the motion was declared CARRIED.

CITY CORPORATE REPORTS

ITEM NO:	CORP 01
FILE NO:	265086.2020
SUBJECT:	Tabling of the Annual Pecuniary Interest Returns for Councillors and
	Designated Persons

COUNCIL DECISION

Motion: Moved: Clr Shelton Seconded: Clr Hadchit
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Council notes that:

- The annual pecuniary interest returns of Councillors and designated persons, as at 30 June 2020, are now tabled before the Council in accordance with clause 4.25 of the Model Code of Conduct and available to view during business hours the next business day, 28th October, through Council and Executive Services; and
- 2. A redacted version will be published on the Council website.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:CORP 02FILE NO:267754.2020SUBJECT:Investment Report September 2020

COUNCIL DECISION

Motion: Moved: Clr Shelton Seconded: C	Ir Hadid
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That Council receives and notes this report.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

COMMITTEE REPORTS

ITEM NO:CTTE 01FILE NO:255392.2020SUBJECT:Liverpool Sports Committee Minutes of meeting held 27 August 2020

COUNCIL DECISION

Motion: Moved: Clr Kaliyanda Seconded: Clr Karnib

That Council receives and notes the Minutes of the Liverpool Sports Committee meeting held on 27 August 2020.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:CTTE 02FILE NO:256353.2020SUBJECT:Community Safety and Crime Prevention Advisory Committee Minutes 03-09-
2020

COUNCIL DECISION

Motion: Moved: CIr Kaliyanda Seconded: CIr Karnib

That Council receives and notes the Minutes of the Community Safety and Crime Prevention Advisory Committee Meeting held on 3 September 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

ITEM NO:CTTE 03FILE NO:245052.2020SUBJECT:Minutes of the Civic Advisory Committee meeting held on 2 September 2020

COUNCIL DECISION

Motion: Moved: CIr Kaliyanda Seconded: CIr Karnib

That Council receives and notes the Minutes of the Civic Advisory Committee Meeting held on 2 September 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

ITEM NO:CTTE 04FILE NO:262694.2020SUBJECT:Minutes of the Environment Advisory Committee meeting held on 17 August
2020

COUNCIL DECISION

Motion: Moved: Clr Kaliyanda Seconded: Clr Karnib

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 17 August 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

ITEM NO:CTTE 05FILE NO:271798.2020SUBJECT:Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee
meeting held on 23 September 2020

COUNCIL DECISION

Motion: Moved: CIr Kaliyanda Seconded: CIr Karnib

That Council adopts the following recommendations of the Committee:

Item 1 - Adams Road, Luddenham – Road reconstruction including installation of a roundabout at the Adams Road/Aton Road intersection.

- Council approves the signs and linemarking scheme for the Adams Road and Anton Road reconstruction.
- Supports the proposed roundabout at the Adams Road and Anton Road intersection.
- Detailed design of the roundabout is to consider tree planting in consultation with Western Sydney Airport.
- Detailed design is to be submitted to Council and forwarded to TfNSW for review prior to construction.

Item 2 - Moondarra Drive, West Hoxton - Clancy Catholic College Stage 7 Design Pack Carparking.

• Council approves the design drawings of the parking spaces and associated signs and linemarking scheme.

Item 3 - Junction Road east of Stockton Avenue, Moorebank - request for an additional speed hump.

- Council approves the installation of a threshold across the section between Stockton Avenue and Renton Avenue, close to Wilkes Avenue.
- Community consultation is to be carried out prior to installation.

Item 4 - 227-229 George Street, Liverpool - request for No Stopping restriction.

• Council approves the replacement of the existing loading zone at the rear of 227-229 George Street, Liverpool with a no stopping zone.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

Item 5 - Eleventh Avenue, Austral – reconstruction of the road section in front of St Anthony of Padua Catholic School.

- Council approves the proposed children's crossing and associated signs and linemarking scheme.
- Detailed design is to be submitted to TfNSW for review prior to construction.

Item 6 - Buchan Avenue, Edmondson Park – Road construction including signs and linemarking scheme.

- Council approves the detailed design drawings including signs and linemarking scheme.
- Detailed design drawing is to be submitted to TfNSW for review prior to construction.

Item 7 - Beech Road, Casula - Request for timed on-street parking at 245 Beech Road in front of the Macchiato & Co café.

• Council approves 2 x 30-minute on-street parking spaces east of the "No Stopping" sign close to the Beech Road and Berriwerri Place roundabout intersection.

Item 8 - Reilly Street, Lurnea – Proposed median Island extension to wombat crossing and raised threshold.

• Council approves the median island extension to wombat crossing and raised threshold.

Item 9 - McIver Avenue, Middleton Grange – Road extension including signs and linemarking scheme.

- Council approves the McIver Avenue road extension and associated signs and linemarking scheme.
- The road extension is to include a gate (at the entry to the park) to be closed at night.

Item 10 - Various Streets – Request for Traffic calming devices.

- Council approves the installation of separation and edge linemarkings along the section of Ardennes Avenue from Okinawa Road, Edmondson Park to the southern end of the road.
- Speed classification is to be carried out to assess whether additional traffic calming devices are required.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

- Council to consider road improvement on the eastern side of Shepherd Street between Atkinson Street to Powerhouse Road, Liverpool.
- Council to carry out speed classifications along Webster Road, Ardennes Avenue and Christiansen Boulevard to assess the need for traffic calming devices.

Item 11 - Bigge Street, between Elizabeth Street and Campbell Street, Liverpool – Minor Traffic Management Works.

• Council supports the re-linemarking of double-barrier and edge lines and installation of entry thresholds.

Item 12 - Items Approved Under Delegated Authority.

• Council notes the traffic facilities approved under delegated authority between 22 July 2020 and 23 September 2020.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:CTTE 06FILE NO:272255.2020SUBJECT:Minutes of the Intermodal Precinct Committee meeting held on 1 September
2020

COUNCIL DECISION

Motion: Moved: CIr Kaliyanda Seconded: CIr Karnib

That Council:

- 1. Receives and notes the minutes of the Intermodal Precinct Committee; and
- 2. Endorse the recommendations in the minutes.

On being put to the meeting the motion was declared CARRIED.

Mayor Waller called a recess at 7.38pm.

Mayor Waller resumed the meeting at 7.49pm.

QUESTIONS WITH NOTICE

ITEM NO:QWN 01FILE NO:273287.2020SUBJECT:Question with Notice - Clr Hagarty - JobKeeper and JobSeeker

Please address the following:

With JobKeeper and JobSeeker set to be reduced or removed for many come October, do we have approximate numbers on:

- 1. Number of businesses in Liverpool who will lose JobKeeper?
- 2. Number of people they employ?
- 3. Number of people on JobSeeker in Liverpool?

<u>Response</u>

According to federal government figures there are at least 27,000 people in the Liverpool LGA on income support through JobKeeper, JobSeeker or Youth Allowance. The following information is the most up-to-date data, as at 30 September 2020, released by the Australian Tax Office and Profile ID.

JobKeeper

In June 2020 there were 10,354 applications processed for JobKeeper in the Liverpool LGA. The table below, from data collated from Australian Tax Office, shows the number of organisations that have had their applications processed. Because this is an organisation count, rather than number of employees, it is unclear how many Liverpool residents are receiving JobKeeper.

Postcode	April	Мау	June
2168	963	987	1003
2179	372	397	410
2556	156	163	163
2171	1140	1177	1220
2170	4070	4193	4293
2178	235	251	259
2565	917	971	987
2174	229	238	236
2745	780	835	864
2173	294	300	299
2172	87	94	97
2557	473	513	523
TOTAL	9716	10119	10354

On 21 July 2020 the Government announced it would extend the JobKeeper payment until 28 March 2021, and that it would target businesses and not-for-profits which continue to be significantly impacted by the Corona Virus.

From 28 September 2020, eligibility for JobKeeper will be decreased and paid at two rates.

From 28 September 2020 to 3 January 2021 the payment will be reduced from \$1500 a fortnight to \$1200 a fortnight for eligible employees who were working for 20 hours or more a week. For employees who were working less than 20 hours a week, the payment will be reduced to \$750 a fortnight.

From 4 January 2021 to 28 March 2021 the payment for employees working more than 20 hours a week will be further reduced to \$1000 a fortnight. For employees working less than 20 hours a fortnight the payment will be reduced to \$650.

Council officers have requested projections and modelling about the impact the changes would have on the economy from the federal Treasury via a contact at Ausindustry. Officers received the following response:

"We put your request to Treasury (federal) but unfortunately, they do not have the projections data you specifically require.

"The additional modelling information you are seeking is unlikely to be publicly available and as you understand, any such data would vary significantly across the nation plus the complex economic interactions across many supply chains and demands are constantly changing."

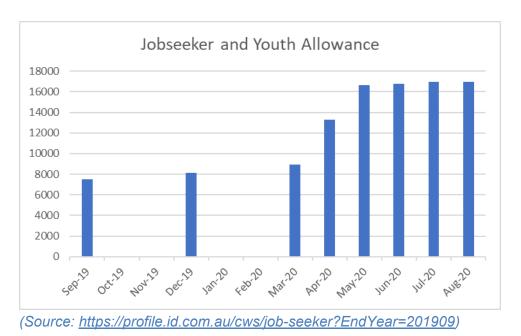
JobKeeper payment schedule

(Source: https://www.ato.gov.au/General/JobKeeper-Payment/Payment-rates/)

Dates	Staff who worked on average less than 20 hours a fortnight	Staff who worked on average more than 20 hours a fortnight
30 March 2020 - 27	\$1500/fortnight	\$1500/fortnight
September 2020		
28 September 2020 -	\$750/fortnight	\$1200/fortnight
3 January 2021		
4 January 2021 – 28	\$650/fortnight	\$1000/fortnight
March 2021		

JobSeeker

In August 2020 (latest information available) there were 16,930 people on JobSeeker or Youth Allowance (11.2 per cent of 15-64-year-olds). During the same period 8.9 per cent of the NSW 15-64-year-olds were on JobSeeker or Youth Allowance.



Figures from Profile ID show JobSeeker and Youth Allowance figures climbing rapidly during April to stabilise from May onwards to more than 16,000.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

ITEM NO:	QWN 02	
FILE NO:	273290.2020	
SUBJECT:	Question with Notice - Clr Hadchiti - Western Sydney Aerotropolis State	
	Environmental Planning Policy (SEPP) 2020	

Please address the following:

1. With the release of the Western Sydney Aerotropolis State Environmental Planning Policy (SEPP) 2020, have any major implications been identified that effect our LGA?

Response:

The SEPP was released by the NSW Government on 13 September 2020, as part of the finalisation of the Western Sydney Aerotropolis Planning Package. The SEPP came into effect on 1 October 2020 and rezoned the initial precincts within the Liverpool LGA (Aerotropolis Core, Agribusiness, Badgerys Creek and Wianamatta-South Creek precincts).

In addition to the SEPP gazettal, the following documents were released as part of the Western Sydney Aerotropolis Planning Package:

- Western Sydney Aerotropolis Plan (WSAP)
- Western Sydney Aerotropolis Development Control Plan (DCP) Phase 1
- Section 9.1 Ministerial Direction: Implementation of the Western Sydney Aerotropolis Plan

The final planning package is available on the NSW Planning Portal:

https://www.planningportal.nsw.gov.au/draftplans/made-and-finalised/western-sydneyaerotropolis-planning-package

The SEPP contains a number of aviation safeguarding clauses, the majority of which extend well beyond the Aerotropolis boundary, and therefore apply to land across the Liverpool LGA, as well as surrounding LGAs. These clauses relate to aircraft noise, building wind shear and turbulence, wildlife hazards, wind turbines, lighting, airspace operations, and public safety areas.

Notably, Clause 19 of the SEPP relating to aircraft noise, has implications for the Liverpool LGA and surrounding LGAs, as the clause takes a precautionary approach to managing aircraft noise by placing further restrictions on developments when compared to clauses in Council's LEPs. Details of the restrictions are as follows.

Development within ANEC 20+ Contours

Clause 19 (Aircraft Noise) of the SEPP prohibits development of new noise sensitive uses (residential accommodation, education establishments, places of public worship etc.) within ANEC 20 and above contours. Despite this clause, if at the time of the SEPP's commencement, a dwelling house was permissible, and there were no dwellings on the land, the SEPP allows its development to be permissible.

Prior to the SEPP being gazetted, the *Liverpool Local Environmental Plan* (LLEP 2008), Clause 7.18 permitted the development of residential accommodation on land subject to ANEF 20 contours (but less than 25). Development was, however, required to meet relevant Australian Standards for indoor design sound levels in relation to aircraft noise intrusion. Under the LLEP 2008, the development of residential accommodation is prohibited on land identified as being subject to ANEF 25 and above.

Development beyond ANEC 20 Contours

Additionally, Clause 19 (Aircraft Noise) of the SEPP requires the development of noise sensitive uses beyond land subject to the ANEC to be built to the Australian Standards. This requirement applies to all new noise sensitive uses within the boundary of the Obstacle Limitation Surface Map. This map extends approximately 13km from the airport site, therefore reaching east to Prestons, and encompassing the growth areas of Austral, Leppington and part of Edmondson Park.

Clause 19(5)(b) of the SEPP has been deferred by the Government and will commence on 26 April 2021.

Other Notable SEPP Clauses which could affect developments

Wildlife Hazards

To manage risk of wildlife strike, the SEPP restricts certain land uses within 3km of the airport, including turf farming, livestock processing and outdoor waste or resource management facilities.

Additionally, certain land uses within 13km of the airport will require additional consideration in relation to wildlife management at the development application stage. This includes applications for plant nurseries, sewerage treatment plants and water storage facilities.

Complying Development

Complying development under *SEPP (Exempt and Complying Development Codes) 2008* is not enabled within the initial precincts under the Aerotropolis SEPP. Instead, complying development is enabled following the approval of a master plan.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

A master plan is to specify which development is to be undertaken as complying development and set development controls for its assessment criteria as complying development. Exempt Development Codes still apply within the Aerotropolis, subject to minor variations to safeguard aviation operations (e.g. reduce wildlife attraction) and meet the Parkland City vision (e.g. limit extent of hardstand space).

The SEPP also contains various provisions regarding flooding, native vegetation, heritage, design excellence and transport corridors.

Aerotropolis Precinct Planning

The Western Sydney Planning Partnership are continuing to develop precinct plans for the initial precincts identified in the WSAP. These are anticipated to go on public exhibition in late 2020, early 2021. The Partnership are also developing a comprehensive Development Control Plan which will replace the Phase 1 DCP. This DCP will also be subject to public exhibition.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

ITEM NO:QWN 03FILE NO:281539.2020SUBJECT:Question with Notice - Clr Balloot - Mental Health Issues

2020 has been an extremely stressful year for many; fire, floods and now COVID. Many in our community continue to suffer with mental health issues. Adolescence and young individuals are particularly vulnerable to external pressures of every life.

Please address the following:

With the added unprecedented pressures:

- 1. What initiatives/programs has Council supported to assist the community and particularly adolescence and young person's when dealing with mental health issues?
- 2. Has Council conducted a review of services available to the local community?
- 3. What initiatives has Council implemented to support the mental health of staff during this unprecedented time?

A response to these questions will be provided in the 25 November 2020 Council meeting business papers.

ITEM NO:QWN 04FILE NO:281543.2020SUBJECT:Question with Notice - Clr Hagarty - Schoeffel Park

Background

Since it recently opened, Schoeffel Park has been a big success. Many families are using the park and enjoying its facilities.

The demand has placed increased pressure on the surrounding road network.

There has been at least one accident and a number of near misses involving both cars and pedestrians.

Questions

Please address the following:

- 1. Do subsequent phases of the development of Schoeffel Park include car parking?
- 2. If so, how many spots and where will they be located?
- 3. What traffic treatments are being considered to the surrounding road network, in particular Strzlecki Drive?
- 4. When are these traffic treatments expected to be delivered?
- 5. What consideration is given to the impact of the surrounding road and path networks when planning and funding work to parks?

A response to these questions will be provided in the 25 November 2020 Council meeting business papers.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

ITEM NO:	QWN 05
FILE NO:	281559.2020
SUBJECT:	Question with Notice - Clr Hadchiti - Board work / bank stabilization in the
	Shepherd Street Precinct

Please address the following:

1. Can an update please be provided on the delivery of the board work/ bank stabilization which formed part of a VPA in the Shepherd Street precinct?

A response to these questions will be provided in the 25 November 2020 Council meeting business papers.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

ITEM NO:QWN 06FILE NO:281575.2020SUBJECT:Question with Notice - Clr Hagarty - Amazon

Background

Amazon has now been operating in Liverpool for several years.

In late 2018, I asked the following questions on notice.

Two years on from those questions, Amazon has been one of the few businesses to benefit from the COVID-19 pandemic.

Hopefully Liverpool, Amazon's employees and its subcontracted employees are also benefiting.

Questions

Please address the following:

What percentage of workers based at the Amazon Moorebank fulfilment centre are:

- from the Liverpool LGA?
- directly employed by Amazon?
- employed by a labour hire company?
- in insecure casual employment?

A response to these questions will be provided in the 25 November 2020 Council meeting business papers.

ITEM NO:COM 02FILE NO:265271.2020SUBJECT:Mimosa Park, 22 Box Road, Casula

COUNCIL DECISION

Motion:	Moved: Cir Harle	Seconded: Clr Rhodes

That Council:

- 1. Receives and notes the outcome of the community consultation;
- 2. Endorse Option 2 in the report to reclassify, rezone and dispose of Mimosa Park; and
- 3. Endorse a condition where funds from the sale can be used to upgrade park facilities in that area.

On being put to the meeting the motion (moved by Clr Harle) was declared LOST.

Division:

- **Vote for:** Clr Balloot, Clr Hadchiti, Deputy Mayor Hadid, Clr Harle and Clr Rhodes.
- Vote against: Mayor Waller, Clr Ayyad, Clr Hagarty, Clr Kaliyanda, Clr Karnib and Clr Shelton.

Motion:	Moved: CIr Hagarty	Seconded: Clr Kaliyanda
	merear en magary	

That Council:

- 1. Receives and notes the outcome of the community consultation; and
- 2. Endorse Option 1 in the report, Mimosa Park to be kept as a local park and embellished and allocate a sum of \$15,000 to undertake a feasibility study, environmental testing and concept development.

On being put to the meeting the motion (moved by Clr Hagarty) was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

PRESENTATIONS BY COUNCILLORS

Nil.

NOTICES OF MOTION

ITEM NO:NOM 01FILE NO:281448.2020SUBJECT:Ban of Fur Sales on Council Land

BACKGROUND

Numerous reports have highlighted the animal cruelty involved in fur production. Animals are being kept in small cages unable to act out their natural behaviours, after which they are killed in harrowing ways such as electrocution, bludgeoning, or being skinned alive.

Increasing awareness of this cruelty has reduced consumer demand for fur products. However, some producers and vendors are now mislabelling fur products sold in Australia.

Late last year, <u>forensic tests on faux fur products</u> sold at the Queen Victoria and South Melbourne markets revealed they were made from racoon and racoon dog fur – animals known to be mistreated in fur harvesting facilities in China. Similarly, the trade in exotic animal skins – such as snakes, alligators, crocodiles and other reptiles – is marked by cruelty and significant environmental impacts, with wild animals removed from their native habitat and harvested for skins.

Over the last few weeks, the international trade in wildlife for fur, exotic animal skins and other products has been subject to <u>renewed calls for bans due to the coronavirus pandemic</u>, and the <u>risk that this trade will lead to other deadly disease outbreaks in future</u>.

Stamping out the trade in fur and exotic animal skins requires action at local, state and federal levels. Therefore, Council can have an important advocacy component to its role. Under the *Local Government Act 1993 (NSW)*, which allows a council to establish policies for the use of its land, Council can also act to prevent the sale of these products on our properties. For example, markets operate under section 68 approvals that permit them to use Council land. It is possible under section 68 approvals to add a condition prohibiting the sale of fur and exotic animal skins in any markets operated on Council-owned land.

Additionally, an amendment to Council's General Conditions of Hire for Community Facilities that prevents the sale of such products in our venues could reduce markets for these cruel industries, particularly if combined with information to help local residents and business report suspect sales of illegal animal products to the relevant authorities.

The resale of second-hand or vintage fur products can also contribute to demand by perpetuating the idea of 'fur as fashion', however, throwing these products out conflicts with

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

our vision of becoming a more sustainable community.

Again, Council can act by helping raise awareness of alternatives such as donating to <u>Snuggle Coats</u>, a not-for-profit organisation that collects furs for animal groups, carers and wildlife parks across Australia, which in turn use the furs to rehabilitate and comfort animals in their care (i.e. as they recently did with bushfire victims).

Given that Liverpool Council has a "no kill" policy, it is entirely reasonable, indeed expected, to keep in line with compassion and respect for animals. Here in NSW, we continue to support this cruel industry by allowing animal fur including that from mink, seals, possums, rabbits and racoons to be imported and sold within our state. This is why Council taking such a stance is so important.

NOTICE OF MOTION (submitted by Clr Kaliyanda)

That Council:

- Reviews its event policies and application forms and guidelines to prohibit the sale of fur products, mislabelled fake fur products, and other exotic animal skins on Council property, including looking at how an exemption for Aboriginal and Torres Strait Islander vendors that may be impacted could be applied;
- 2. Writes to the Minister for Home Affairs to call for the introduction of random forensic testing of imported fake fur products, as well as an investigation into prohibition of fur product imports into Australia;
- 3. Writes to the NSW Minister for Better Regulation and Innovation to request a fur task force be established to assess the size and impact of illegal fur labelling;
- 4. Promotes through its website and other suitable communications channels:
 - a) Information to help local residents and businesses report the sale of suspected illegal animal products to the relevant authorities;
 - b) Ethical and sustainable alternatives to reselling or throwing out old or vintage fur products.

COUNCIL DECISION

Motion:

Moved: Clr Kaliyanda Seconded: Clr Karnib

That Council:

 Reviews its event policies and application forms and guidelines to prohibit the sale of fur products, mislabelled fake fur products, and other exotic animal skins on Council property, including looking at how an exemption for Aboriginal and Torres Strait Islander vendors that may be impacted could be applied;

- 2. Writes to the Minister for Home Affairs to call for the introduction of random forensic testing of imported fake fur products, as well as an investigation into prohibition of fur product imports into Australia;
- 3. Writes to the NSW Minister for Better Regulation and Innovation to request a fur task force be established to assess the size and impact of illegal fur labelling;
- 4. Promotes through its website and other suitable communications channels:
 - a) Information to help local residents and businesses report the sale of suspected illegal animal products to the relevant authorities; and
 - b) Ethical and sustainable alternatives to reselling or throwing out old or vintage fur products.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

ITEM NO:NOM 02FILE NO:281456.2020SUBJECT:Liverpool Civic Place

BACKGROUND

Council's role is to manage ratepayers funds prudently and in a transparent fashion.

Many members of the community are concerned about the significant risk that council is taking in developing its land at 55 Scott St, also known as Civic Place.

This motion calls on Council to outline the clear financial risk to ratepayers and let them know what their liability is.

NOTICE OF MOTION (submitted by CIr Ayyad)

That Council:

- 1. Provide a public report on how much the total debt will be when Civic Place is completed;
- 2. Provide a public report on how much the total repayments will be on an annual basis and for the life of the loan;
- 3. Inform the community of how the debt repayments will be funded if there is no tenant for Civic Place or the other vacant space in 33 Moore Street, including the library;
- 4. Make public the results from the community consultation that was conducted earlier this year; and
- 5. Report all the above back to council at the November Council meeting.

COUNCIL DECISION

Motion:

Moved: Clr Ayyad

Seconded: Clr Hadchiti

That Council:

- 1. Provide a public update on the Council's website on how much the total debt will be when Civic Place is completed;
- 2. Provide a public update on the Council's website on how much the total repayments will be on an annual basis and for the life of the loan;

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

- 3. Inform the community of how the debt repayments will be funded if there is no tenant for Civic Place or the other vacant space in 33 Moore Street, including the library;
- 4. Make public the results from the community consultation that was conducted earlier this year;
- 5. Provide Councillors and the community with sufficient information to be adequately informed in-line with the advice from the Office of the Local Government officially dated 13th October 2020; and
- 6. Provide information about the project on Council's website by December 2020 and links to the progress of the project.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

CONFIDENTIAL ITEMS

ITEM NO:CONF 01FILE NO:244956.2020SUBJECT:Order of Liverpool Awards

This item was dealt with later in the meeting in Closed Session pursuant to the provisions of s10A(2)(a) of the Local Government Act 1993 because it contains personal matters concerning particular individuals (other than councillors).

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

 ITEM NO:
 CONF 02

 FILE NO:
 263224.2020

 SUBJECT:
 Legal Affairs Report - 1 July 2020 to 30 September 2020

COUNCIL DECISION

Motion: Moved: Clr Harle Seconded: Clr Hadid

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:
 269006.2020

 SUBJECT:
 Project 24

COUNCIL DECISION

Motion:

Moved: Cir Harle

Seconded: Clr Hadid

That Council:

- 1. Withdraw from Project 24 effective from the end of the current Industry Consultation process that Project 24 is undertaking by advising Macarthur Strategic Waste Alliance of its decision as soon as it is practical to do so;
- 2. Take the findings from the Industry Consultation and utilise it towards the understanding of the market for the future of waste in Liverpool;
- 3. Commence the development of a new Waste Strategy for Council addressing key opportunities that it can capitalise on based on the changes to the industry;
- 4. Based on the new waste strategy, develop a plan to undertake the procurement of all the waste processing services that expire in June 2024;
- 5. Explore opportunities within the Liverpool City Council Local Government Area to develop a strategy around land acquisition for waste facilities or transfer station under risk share and profit share model; and
- 6. Review the Waste Strategy to take into account the new 20-year Waste Strategy when released by the NSW Government to move the Council's waste management forward and in line with the NSW Government's targets.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

Please address the following:

Is there anything that restricts Council from seeking expressions of interest or calling for a tender to supply the management of the operating system for the parking meters throughout our LGA?

Response:

Council has the following two agreements with Duncan Solutions associated with the parking meters:

- Parking Meter contract- This expired on 10 March 2020 and is currently on carryover. This can be terminated with one month's notice.
- Park and Pay App agreement- Under the agreement Council is required to provide 90 days notice to terminate.

Given the current contractual arrangements, there is nothing preventing Council going to tender and upon the selection of a proponent, ceasing existing arrangements with the above notice periods.

It is noted that Council resolved at the 30 September meeting to "undertake a market assessment to understand what technology is in the market with a view to undertaking a competitive selection process".

On this basis staff are currently undertaking a market assessment which will inform the tender specifications prior to going to tender.

Mayor Waller advised that Council would now move into Closed Session to deal with Items CONF 01 – Order of Liverpool Awards, CONF 05 – Woodward Place Master Plan and CONF 06 – Liverpool Animal Shelter pursuant to the provisions of S10A(2) of the Local Government Act 1993 as outlined below:

- CONF 01 Order of Liverpool Awards 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 05 Woodward Place Master Plan and CONF 06 Liverpool Animal Shelter 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.

Council moved into Closed Session at 8.46pm.

COUNCIL IN CLOSED SESSION

ITEM NO:CONF 01FILE NO:244956.2020SUBJECT:Order of Liverpool Awards

COUNCIL DECISION

Motion:

Moved: Clr Hadchiti

Seconded: Clr Hagarty

That:

- 1. Council endorse the awards recipients as recommended by the Civic Advisory Committee at its meeting of 2 September 2020 subject to the amendment made at its meeting of 6 October 2020; and
- 2. The Civic Advisory Committee Charter be reviewed to ensure the suitability of the nominees and what would exclude them from the Award.

On being put to the meeting the motion was declared CARRIED.

Clrs Shelton, Rhodes and Hadid asked that they be recorded as having voted against the motion.

ITEM NO:CONF 05FILE NO:263698.2020SUBJECT:Woodward Place Master Plan

COUNCIL DECISION

Motion:

Moved: CIr Shelton

Seconded: Clr Kaliyanda

That Council:

- 1. Endorse the Woodward Place Master Plan for further agency and community engagements;
- Approve the commencement of negotiation with CLC, with the intention to acquire or otherwise seek compulsory acquisition of the CLC land, and report back to Council for final approval;
- 3. Provide sufficient funding for further works as highlighted in the report; and
- 4. Provide a separate report to Council for the masterplan adoption.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:CONF 06FILE NO:273423.2020SUBJECT:Liverpool Animal Shelter

COUNCIL DECISION

Motion:

Moved: Cir Rhodes

Seconded: Clr Harle

That Council:

- 1. Endorse Rossmore Grange, Austral (Lot 1016 DP 258344) as the preferred site for the Liverpool Animal Shelter on the basis that it would incur no additional land cost to Council with further detailed studies of the site being required;
- 2. Direct the Acting Chief Executive Officer to proceed with the process required to amend the plan of management and prepare a planning proposal to amend the Liverpool Local Environmental Plan 2008 to permit, with development consent, an "animal boarding or training established" on the site, including an appropriate budget allocation for the necessary studies to support the planning proposal;
- 3. Note that a further report will be submitted to Council regarding the progress of the planning proposal, including the advice of the Liverpool Local Planning Panel and detailed design/costings;
- 4. Approve the costs associated with establishing a new Animal Shelter on the site to be funded by proceeds of sales from surplus land (which will be considered by Council at the November 2020 meeting). In the instance Council does not resolve to sell surplus land, then the Animal Shelter be funded via a T-Corp loan; and
- 5. Approve an extension of the interim arrangements with Rossmore Vet for a further period as outlined in this report.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for the motion.

The meeting reopened at 9.33pm.

Mayor Waller then read out the resolutions for CONF 01 - Order of Liverpool Awards, CONF 05 - Woodward Place Master Plan and CONF 06 - Liverpool Animal Shelter (as shown above) that were passed in Closed Session.

THE MEETING CLOSED AT 9.35pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 25 November 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 27 October 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

Minutes of the Ordinary Council Meeting held on Tuesday, 27 October 2020 and confirmed on Wednesday, 25 November 2020

LIVERPOOL CITY COUNCIL

MINUTES OF THE ORDINARY MEETING HELD ON 25 NOVEMBER 2020

PRESENT:

+

Mayor Wendy Waller Councillor Ayyad Councillor Balloot Councillor Hadchiti Councillor Hadid **Councillor Hagarty Councillor Harle** Councillor Kaliyanda **Councillor Karnib Councillor Rhodes Councillor Shelton** Dr Eddie Jackson, Acting Chief Executive Officer Mr George Hampouris, Acting Director City Corporate Ms Tina Sangiuliano, Acting Director City Community and Culture Mr David Smith, Acting Director City Economy and Growth Mr Peter Patterson, Director City Presentation Mr Raj Autar, Director City Infrastructure and Environment Mr Vishwa Nadan, Chief Financial Officer Mr John Milicic, Manager Property Services Mr George Georgakis, Manager Council and Executive Services Ms Maree Stewart, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

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.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY

The prayer of the Council was read by the Acting Chief Executive Officer, Dr Eddie Jackson.

APOLOGIES

Nil.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

CONDOLENCES

Pastor John Keane (read by Mayor Waller)

Tonight, we pause to remember the Liverpool Baptist Church elder and West Hoxton Community Church Pastor, John Keane.

Born in Glebe in 1943, Pastor Keane devoted his life to helping others in the community.

He started attending Sydney City Mission and the Christian youth organisation, the Boys Brigade while growing up in Glebe.

At age 15, he qualified as an engineer and spent more than 50 years working in the truck building industry.

He continued his community work and his devotion to his faith during these years.

After he and wife Rita married in 1971 and moved to Punchbowl, Pastor Keane became a Sunday school teacher and preacher at Riverwood Methodist Church.

The couple and their five children moved to Liverpool 36 years ago. They joined Liverpool Baptist Church soon after.

He became a preacher at church services, taught Sunday school and captained the Boys Brigade.

Pastor Keane was also passionate about his missionary trips to outback Australia.

He served as the Pastor at West Hoxton Community Church for 17 years, only retiring a few weeks ago due to his health.

Pastor Keane was diagnosed with pancreatic cancer in July 2019.

The grandfather of six died on Monday 9 November at age 77.

At his memorial service on Monday 16 November, daughter Melinda spoke about her father's dedication, integrity and passion for helping others.

She said if he heard someone needed help, he would run to their aid and assist any way he could.

Melinda also spoke of her father's zest for life and his love for his family and his congregation.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

On behalf of Liverpool City Council, I express my deepest condolences to Pastor Keane's family and friends during this difficult time.

May he rest in peace.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

Mrs Jo-Anne Margaret McIntosh (read by Clr Kaliyanda)

Tonight we pause to remember a committed and passionate member of the Liverpool community.

Jo-Anne Margaret McIntosh was born on 3 September 1958 and sadly passed away on 5 November 2020 at 62 years of age. Jo-Anne is the daughter of Ron and Margaret Blayney and has a sister, Jenny and two brothers Garry and Greg who grew up in Cabramatta.

Jo-Anne and her beloved husband Robert, lived in Glenfield when they were first married, then moved to Moorebank, Holsworthy, settling in Wattle Grove in recent years.

The most pride that Jo-Anne had was her family telling many stories of her children Elizabeth and Greg growing up into the wonderful people they are today.

Jo-Anne gave so much of herself to her family, to her friends and community and was respected by everyone who knew her. She led her life to the fullest and cared for those around her.

During her early adult years, Jo-Anne loved travelling and lived all over Europe working for Contiki. Throughout her life she continued to travel experiencing culture, learning and enriching her life by travelling all over the world.

She was involved in lots of community work throughout her life, always selfless and giving.

Over 40 years ago Jo-Anne was a member of the Lions Club of Cabramatta and in 1979 was Cabramatta Lions Club's Miss Personality at the International Fespic Games for the Disabled where she wooed the community to support the Games.

A beauty inside out she was also crowned Miss South West Suburbs in 1981.

Jo-Anne was extremely community minded, it was in her DNA. She joined the Lions Club of Wattle Grove 4 years ago and was always ready to help with every fundraiser and activity, particularly sharing her creative, organisational and baking skills.

Recently, Jo-Anne was involved in fundraising for and raising awareness about the needs of those experiencing domestic and family violence in our community. She contributed to the establishment of a new women and children's refuge in south-west Sydney.

She was a member of the Australian Decorating Network and early this year assisted in organising and baking for the Bunnings Cake Bake bushfire relief sale for Young which raised over \$40,000 for the Young community.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

Over the last 3 years Cake Angels was an organisation she loved to support. Cake Angels donate custom designed celebration cakes to children with seriously ill medical challenges. Jo-Anne made sure that no child ever missed out on their special celebration cake.

Jo-Anne fought her battle with brain and lung cancer for 14 months. She showed everyone how it was done up until the last moments leading by dignified example, never missing out on a good time and sharing her pearls of wisdom.

To her family and friends our Council expresses its sincere condolences.

May she rest in peace.

COUNCIL DECISION

Motion

Moved: Mayor Waller Se

Seconded: Clr Rhodes

That Council write to the family of Pastor John Keane, and Mrs Jo-Anne Margaret McIntosh expressing our condolences for their loss.

On being put to the meeting the motion was declared CARRIED.

Motion: Moved: CIr Shelton Seconded: CIr Hadid

That the minutes of the Ordinary Meeting held on 27 October 2020 be confirmed as a true record of that meeting.

On being put to the meeting the motion was declared CARRIED.

DECLARATIONS OF INTEREST

Mayor Waller declared a non-pecuniary, less than significant interest in the following item:

EGROW 03:Street Naming Request - AustralReason:Mayor Waller personally knows family members of an individual named in
the report.

Mayor Waller remained in the virtual room for the duration on this item.

Clr Hagarty declared a non-pecuniary, less than significant interest in the following item:

EGROW 03: Street Naming Request - Austral

Reason: Clr Hagarty personally knows family members of an individual named in the report.

Clr Hagarty remained in the virtual room for the duration of the item.

Clr Kaliyanda declared a non-pecuniary, less than significant interest in the following

EGROW 03: Street Naming Request - Austral

Reason: CIr Kaliyanda personally knows family members of an individual named in the report.

Clr Kaliyanda remained in the virtual room for the duration of the item.

Clr Shelton declared a non-pecuniary, less than significant interest in the following item:

EGROW 03:Street Naming Request - AustralReason:CIr Shelton personally knows family members of an individual named in the
report.

Clr Shelton left the virtual room for the duration of the item.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

Clr Hadid declared a non-pecuniary, less than significant interest in the following item:

EGROW 03: Street Naming Request - Austral Reason: CIr Shelton personally knows family members of an individual named in the report.

Clr Hadid remained in the virtual room for the duration of the item.

Clr Hadchiti declared a non-pecuniary, less than significant interest in the following item:

CONF 03:2021 Australia Day AwardsReason:Clr Hagarty personally knows a nominee.

Clr Hadchiti left the virtual room for the duration of the item.

Clr Hagarty declared a non-pecuniary, less than significant interest in the following item:

CONF 03:2021 Australia Day AwardsReason:CIr Hagarty personally knows a nominee.

Clr Hagarty left the virtual room for the duration of the item.

Clr Rhodes declared a non-pecuniary, less than significant interest in the following item:

CONF 03:2021 Australia Day AwardsReason:Clr Rhodes personally knows a nominee.

Clr Rhodes remained in the virtual room for the duration of the item.

Clr Hadid declared a non-pecuniary, but significant interest in the following item:

CORP 05:Proposed Funding - Edmondson Park Basin 14Reason:CIr Hadid is President of a non-profit organisation and part of their land is
going through compulsory acquisition.

Clr Hadid left the virtual room for the duration of the item.

PUBLIC FORUM

Presentation – items not on agenda

Nil.

Representation – items on agenda

1. Ms Lawrissa Chan and Mr Greg Parkes made a presentation to Council on the following item:

Item CORP 07 Annual Financial Reports 2019/20

2. **Mr Michael Andjelkovic** made a written submission to Council on the following item:

Item QWN 06 Question with Notice - Clr Rhodes - Delivering a Multicultural Park for Liverpool.

3. **Mr David Borger,** Chairperson or the Liverpool Innovation Precinct, made a written submission to Council on the following item:

Item EGROW 05 Planning proposal request to rezone land and amend development standards in the Liverpool Local Environmental Plan for land at Moore Point Bridges Road, Moorebank.

4. **Mr Aras Labutis,** on behalf of Coronation Developments made a written submission to Council on the following item:

Item EGROW 05 Planning proposal request to rezone land and amend development standards in the Liverpool Local Environmental Plan for land at Moore Point Bridges Road, Moorebank.

5. **Ms Camilla Firman,** on behalf of Mecone made a written submission to Council on the following item:

Item EGROW 05 Planning proposal request to rezone land and amend development standards in the Liverpool Local Environmental Plan for land at Moore Point Bridges Road, Moorebank.

MAYORAL MINUTE

ITEM NO:MAYOR 01FILE NO:321366.2020SUBJECT:Selection of Chief Executive Officer

This matter is to be dealt with at the end of the meeting in Closed Session pursuant to the provisions of S10A(2)(a) of the Local Government Act 1993 because it contains personal matters concerning particular individuals (other than councillors).

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

CITY ECONOMY AND GROWTH REPORT

FILE NO: 292809.2020

SUBJECT: Post Exhibition Report - Liverpool Local Environmental Plan 2008 (Amendment 85) - Rezone land at 146 Newbridge Road, Moorebank from RE2 Private Recreation to R3 Medium Density Residential and amend development standards

COUNCIL DECISION

Motion:	Moved: Clr Rhodes	Seconded: Clr Harle

That Council:

- 1. Notes the Gateway determination for Liverpool Local Environmental Plan 2008 (Amendment 85) and the results of public exhibition and community consultation; and
- 2. Proceeds with Amendment 85 and delegates authority to the A/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.

- Vote for: Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadchiti, Deputy Mayor Hadid, Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Karnib and Clr Rhodes.
- **Vote against:** Clr Shelton.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

FILE NO: 292810.2020

SUBJECT: Post exhibition report - Liverpool Local Environmental Plan 2008 (Amendment 69) and Liverpool Development Control Plan 2008 (Amendment 36) - Signage in the B3 and B4 zones

COUNCIL DECISION

Motion:	Moved: CIr Rhodes	Seconded: Clr Harle

That Council:

- 1. Notes the Gateway determination for Liverpool Local Environmental Plan 2008 (Amendment 69) and the results of the public authority consultation and community consultation;
- 2. Proceeds with Amendment 69 to the LEP and delegates authority to the A/CEO (or his delegate) to liaise with the Department of Planning, Industry, and Environment and the Parliamentary Counsel's Office to finalise the amendment;
- 3. Adopts Liverpool Development Control Plan 2008 (Amendment 36); and
- 4. Notifies submitters of Council's decision.

On being put to the meeting the motion was declared CARRIED.

Vote for: Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadchiti, Deputy Mayor Hadid, Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Karnib and Clr Rhodes.

Vote against: Clr Shelton.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

CIr Shelton temporarily left the meeting at 6.33pm.

ITEM NO:EGROW 03FILE NO:296553.2020SUBJECT:Street Naming Request - Austral

COUNCIL DECISION

Motion:	Moved: Cir Harle	Seconded: Clr Rhodes

That Council:

- 1. Supports the renaming of Gournay Street to Beuk Street, Austral;
- 2. Forwards the name to the Geographical Names Board, seeking formal approval;
- 3. Publicly exhibit the name in accordance with Council's Naming Convention Policy, for a period of 28 days, following formal approval from the GNB; and
- 4. Authorises the Acting 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.

CIr Shelton returned to the meeting at 6.34pm.

ITEM NO:	EGROW 04
FILE NO:	299268.2020
SUBJECT:	Liverpool Health and Innovation Trade Delegation to New Zealand 2021

COUNCIL DECISION

That Council:

- 1. Approves the Trade and Civic delegation to Auckland, New Zealand in March 2021, (or as soon as practicable following the easing of Covid restrictions) and notes the A/CEO will facilitate the necessary arrangements;
- 2. Determine which Councillors will attend as members of the delegation;
- 3. Endorse expenditure for this delegation of up to \$20,000 from the City Economy budget; and
- 4. Receive a future report on the outcomes of the visit.

Clr Ayyad, Clr Hadchiti and Clr Hadid requested that they be recorded as voting against the motion.

	Motion:	Moved: CIr Harle	Seconded: Clr Rhodes
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That the Mayor, Clr Harle, Clr Kaliyanda, Clr Rhodes and any other councillor who is willing to self-fund the trip attend as members of the delegation.

On being put to the meeting the motion was declared CARRIED.

Clr Ayyad requested that she be recorded as voting against the motion.

CITY COMMUNITY AND CULTURE REPORT

ITEM NO:	COM 01
FILE NO:	270327.2020
SUBJECT:	Grants, Donations and Corporate Sponsorship

COUNCIL DECISION

Motion: Moved: Clr Ayyad Seconded: Clr Kaliyanda

That Council endorses the recommendation of **\$15,850** (GST exclusive) under the **Sustainable Environment Grants Program** for the following project:

Applicant	Project	Recommended
Holy Spirit Catholic Primary School Carnes Hill	Holy Spirit Catholic Primary School Carnes Hill Sustainable Garden	\$3,000
Ashcroft Public School	Vege Garden Project	\$5,000
Wattle Grove Public School P&C	School Garden	\$4,700
Liverpool Women's Health Centre	Darug Plants for Darug Land	\$3,150

On being put to the meeting the motion was declared CARRIED.

ITEM NO:COM 02FILE NO:297863.2020SUBJECT:Post Public Exhibition report-Carnes Hill Recreation Precinct Stage II
Masterplan

COUNCIL DECISION

Motion:	Moved: Clr Hadchiti	Seconded: Clr Hadid

That Council:

- 1. Receives and notes the report;
- 2. Adopts the revised Draft Carnes Hill Recreation Precinct Stage Two Masterplan, inclusive of the Public Exhibition feedback; and
- 3. Subject to Council adoption of the Masterplan, commission a detail design process to include a feasibility study and a funding strategy for the delivery of the project through a staging process.

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:	292649.2020
SUBJECT:	Investment Report October 2020

COUNCIL DECISION

That Council receives and notes this report.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:CORP 02FILE NO:294354.2020SUBJECT:Council Meeting Dates - January to December 2021

COUNCIL DECISION

Motion:

Moved: Clr Shelton

Seconded: Clr Ayyad

That Council:

- 1. Confirms the Council meeting time as 6.00pm and Council meeting dates for the 2021 calendar year as follows:
 - 3 February 2021
 - 24 February 2021
 - 31 March 2021
 - 28 April 2021
 - 26 May 2021
 - 30 June 2021
 - 28 July 2021
 - 25 August 2021
 - 20 October 2021
 - 17 November 2021
 - 15 December 2021
- 2. Advertises the Council meeting dates and commencing times of Council meetings for the 2021 calendar year.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:CORP 03FILE NO:295736.2020SUBJECT:Fraud and Corruption Prevention Policy

COUNCIL DECISION

Motion: Moved: CIr Rhodes Seconded: CIr Harle

That Council adopt the Fraud and Corruption Prevention Policy with the following amendments:

- Include another item in section *4.10.2h Investigation Systems* for Whistle Blower Protection; and
- External audit of Council's contracts to be included in Council's strategic audit plan.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

ITEM NO:CORP 04FILE NO:297880.2020SUBJECT:Budget Review - September 2020

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Harle

That Council approves the identified budget variations in accordance with this report.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

CIr Hadid left the virtual room at 7.10pm.

ITEM NO:	CORP 05
FILE NO:	299079.2020
SUBJECT:	Proposed Funding - Edmondson Park Basin 14

COUNCIL DECISION

Motion: Moved: CIr Hagarty Seconded: CIr Kaliyanda

That Council:

- 1. Approves in principle to borrow funds to accelerate the delivery of s7.11 infrastructure;
- Delegates authority to the A/CEO to make an application to NSW TCorp to borrow \$4.7m as a contribution to the Basin 14 Edmondson Park Project;
- 3. Notes that the loan principal and interest repayments will be made from interest earnings on funds held in s7.11 reserve;
- 4. Delegates authority to the A/CEO and Council's nominated Power of Attorney holder to execute any required documentation to give effect to this resolution; and
- 5. Delegates authority to the A/CEO to apply for interest subsidy in the next round of NSW Government's Low Cost Loan Initiative.
- 6. Investigate ways and means of preventing the shortfall in funds to address the shortfall of funding to provide infrastructure in new areas.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

CIr Hadid re-joined the meeting at 7.17pm.

ITEM NO:CORP 06FILE NO:300677.2020SUBJECT:Mayoral Direction pursuant to Section 226(d) of the Local Government Act
1993

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Hagarty

That Council note and endorse the Mayoral Direction dated 5 November 2020 attached to the report.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO:	INF 01
FILE NO:	283016.2020
SUBJECT:	Revision and Update of the Environment Advisory Committee Charter

COUNCIL DECISION

Motion: Moved: CIr Rhodes Seconded: CIr Harle

That Council:

- 1. Endorses the minor amendments to the Environment Advisory Committee Charter; and
- 2. Calls for expressions of interest for the next term of the Environment Advisory Committee membership.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:INF 02FILE NO:292432.2020SUBJECT:Management of Contaminated Lands

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Hagarty

That Council receives and notes this report.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

COMMITTEE REPORTS

- ITEM NO: CTTE 01
- **FILE NO:** 274456.2020
- SUBJECT: Minutes of the Liverpool Heritage Advisory Committee meeting held on 18 August 2020

COUNCIL DECISION

Motion: Moved:Clr Rhodes Seconded: Clr Hadid

That Council receives and notes the minutes of the Liverpool Heritage Advisory Committee meeting held on 18 August 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

ITEM NO:CTTE 02FILE NO:279577.2020SUBJECT:Minutes of the Liverpool Access Committee meeting held 8 October 2020

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Hadid

That Council receives and notes the Minutes of the Liverpool Access Committee Meeting held on 8 October 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

ITEM NO:	CTTE 03
FILE NO:	296847.2020
SUBJECT:	Minutes of Strategic Panel Meeting held on 12 October 2020

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Hadid

That Council receive and note the Minutes of the Strategic Panel Meeting held on 12 October 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

ITEM NO:CTTE 04FILE NO:297514.2020SUBJECT:Minutes of the Audit, Risk and Improvement Committee Meeting held on 23
October 2020

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Hadid

That Council receives and notes the Minutes of the Audit, Risk and Improvement Committee Meeting held on 23 October 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

ITEM NO:CTTE 05FILE NO:298642.2020SUBJECT:Minutes of the Civic Advisory Committee meeting held on Friday 30 October
2020

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Hadid

That Council receive and notes the Minutes of the Civic Advisory Committee Meeting held on 30 October 2020.

On being put to the meeting the motion was declared CARRIED.

ITEM NO:CTTE 06FILE NO:299652.2020SUBJECT:Minutes of the Tourism and CBD Committee meeting held on 20 October
2020

COUNCIL DECISION

Motion:	Moved: Clr Rhodes	Seconded: Clr Hadid

That Council:

- 1. Receives and notes the minutes of the Tourism and CBD Committee meeting held on 20 October 2020; and
- 2. Endorse the recommendations in the minutes.

On being put to the meeting the motion was declared CARRIED.

QUESTIONS WITH NOTICE

ITEM NO:QWN 01FILE NO:287587.2020SUBJECT:Question with Notice - Clr Balloot - Mental Health Issues

2020 has been an extremely stressful year for many; fire, floods and now COVID.

Many in our community continue to suffer with mental health issues.

Adolescence and young individuals are particularly vulnerable to external pressures of every life.

Please address the following:

With the added unprecedented pressures:

- 1. What initiatives/programs has Council supported to assist the community and particularly adolescence and young person's when dealing with mental health issues?
- 2. Has Council conducted a review of services available to the local community?
- 3. What initiatives has Council implemented to support the mental health of staff during this unprecedented time?

Responses

1. What initiatives/programs has council supported to assist the community and particularly adolescence and young person's when dealing with mental health issues?

Primary responsibility for mental health rests with Federal and State agencies. However, Council plays an important role in support of statutory services through advocacy, representation and the provision of preventive and supportive programs and projects, some of which are highlighted below.

Council is committed to supporting community members experiencing mental health concerns. In a broader sense, the work of Council's Community Development team addresses mental health concerns by all community groups through supporting the delivery of programs and initiatives that aim to increase social cohesion, reduce isolation and build community capacity. To support residents to access programs and activities, Council advocates and makes representation on mental health issues with and on behalf of the

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

community to relevant government agencies, including SWSLHD, Headspace, and NSW Refugee Health Services directly or indirectly at forums and networks.

Council's Community and Culture directorate supports a number of community-based initiatives which work to address mental health, raise awareness and reduce the stigma surrounding mental health issues in the community. These include:

Community Development

- Supporting the delivery of the 2018 "Mental Health in CALD Communities" Symposium, which discussed mental health, wellbeing and recovery for CALD communities in partnership with a number of South West/Western Sydney Councils and Local Health Districts;
- Participating in the planning and delivery of "Tackling the Challenge: Talking Men's Health" in partnership with SWSLHD. This project aims to identify the factors and experiences influencing men's mental wellbeing across South West Sydney by interviewing men who have experienced trauma, addiction, homelessness or other life-changing circumstances and exploring how they successfully navigated their issues by seeking support from appropriate services. This project will raise awareness of men's health issues and works to reduce the stigma associated with mental health particularly in young men;
- Council is a leading partner, alongside Fairfield City Council, in convening the Fairfield/Liverpool Homelessness Interagency, which brings together government and non-government organisations who work to support people who are experiencing or are at risk of homelessness, including providing access and connection to mental health services;
- Council is a leading partner, alongside Fairfield, Campbelltown and Canterbury-Bankstown City Councils, Macarthur Disability Services and The Multicultural Network in convening the Sydney South West Aged and Disability Forum, which brings together government and non-government organisations who work with community members living with disability, including mental health issues;
- Supporting Community STaR, an outreach service of the Centre for Health Equity, Training, Research and Evaluation (CHETRE). This program focusses on a range of community issues including men's mental health and gambling in locational disadvantage areas;
- Taking a convening role in the Liverpool Community Kitchen and Hub (LCK&H) Strategic Committee, which provides direction and support to the LCK&H, particularly regarding access to services and supports for community members experiencing or at risk of homelessness, food insecurity and financial disadvantage as a result of mental health issues, substance use or other social concerns;
- Providing information through networks and interagencies on mental health programs and projects throughout the LGA;

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

- Council is supporting the Gambling Treatment and Research Clinic at the University of Sydney establishment of a clinic in SWS to provide counselling services; and
- Providing essential funding through the Grants, Donations and Corporate Sponsorship program to mental health focussed activities. Examples of recent funded programs include:
 - "Junior Top Blokes" by Liverpool Neighbourhood Connections (LNC), funded in March 2019. This project designed and delivered social education and mentoring programs to boys and young men between 10-24 years old. It aimed to improve mental health and social wellbeing for at-risk young men by fostering inclusion and building resilience; and
 - "Youth Clicks" by The Junction Works, funded in July 2020. This project delivers online workshops to young people aged 12 -18 years on topics such as bullying, mental health, drugs and alcohol and leadership. Workshops are focussed on reducing isolation and disengagement by addressing productive ways to manage mental health concerns in young people.

The Liverpool Youth Council recently participated in a session called "Burning Issues for Liverpool" which aimed to identify the key concerns and issues for young people in Liverpool. The Youth Councillors consulted with their families, friends and peers to determine their top three priorities to be the focus of their work during the Youth Council's current term (2020 - 2023). These priorities are:

- Mental Health / Loneliness;
- Youth Unemployment/ Career Pathways; and
- Making Mental Health Support Services Known.

All Youth Council events, activities and projects will have these priorities at the forefront of planning and implementation to support positive mental wellbeing and connectedness for young people in Liverpool.

Library

Participating in the planning and delivery of the Mental Health Month "Living Library" project, a collaborative project delivered in partnership with South Western Sydney Local Health District Mental Health Unit and local service providers including Neami National, STARTTS, SSI and Headspace. The project sought stories from communities members whose lives have been touched by mental health concerns. This resulted in four live events across October of community members telling their stories and answering questions to help others, raise awareness of mental health issues and highlight service providers. The stories included lived experience of Bipolar, caring for a loved one with Schizoaffective Disorder and PTSD, lived

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

experience of mental health recovery and stigma and a clinician's perspective. The Living Library was delivered across the SWS Wellbeing Facebook page and shared to Liverpool City Library Facebook page to increase access to the stories and reach a youth demographic. Past videos are also available through the Library website and have been used in the tertiary education sector to give students real life insight and value to their learning; and

• Liverpool City Library is a registered venue as part of the Welcome Here project https://www.welcomehere.org.au/. Finding acceptance and safe spaces within the community contribute to positive mental health, particularly of adolescents. To support this initiative Library staff also undertook PRIDE awareness eLearning between March and May 2020 to develop a better understanding of diversity in the community. The Welcome Here pinpoint can be seen in the Youth space in the library and acts as a marker to young people that the library is a safe space.

Recreation

• Youth Take Charge – a free 60-day mental health and wellbeing program for people who have been referred by a medical or allied health professional. This program supports people experiencing mental health concerns by providing additional social and wellness support through fitness programs at Council's Leisure Centres. This program includes both youth and adult specific program streams.

Casula Powerhouse Arts Centre

- Creative Spark Access Incursions;
- Forever Young Seniors Street Art Class;
- Creative Connection Art class;
- International People with Disability Day including an online exhibition;
- Bravery Unmasked;
- Creativity Packs for Seniors in Isolation; and
- Creativity Packs for Young Migrants and Refugees.

South Western Sydney Health and Arts Coordinator (partnership project with SWSLHD)

- Domestic Violence Survivors Wellbeing Workshops;
- The Healing Hospital Arts Project Creating Wellbeing Environments. This project aims to reduce social isolation, increased self-esteem, resilience, relaxation and self-expression; and
- Art at the Heart of Healthcare creating better healing environments by providing innovative arts programs that address mental health and wellbeing at Liverpool Hospital.

It has been reported that instances of suicide are predicted to increase in Australia in light of the coronavirus pandemic. Of particular concern is young people aged 12-25, many of whom

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

are facing the additional pressure of end of school exams, increased social isolation and loss of employment and income, particularly for those engaged in part-time and casual work. Council is committed to pursuing further opportunities for implementing mental health recovery and wellbeing initiatives in Liverpool, including supporting local suicide prevention initiatives through various means. This support could include the provision of funding for programs and activities and the sharing of information and resources with various networks. Furthermore, Council will continue to act as an advocate to relevant state and federal government bodies to raise awareness and encourage funding and resources be allocated to the provision of mental health and suicide prevention services in Liverpool and South Western Sydney.

2. Has Council conducted a review of services available to the local community?

Council's convening role in the community services sector includes the ongoing collection of accurate and up to date information on relevant community services and initiatives in the Liverpool area, including mental health services. Council takes a lead role in the facilitation of the following networks and interagenices:

- The Liverpool Youth Workers Network;
- The Liverpool Refugee and Migrant Interagency;
- Fairfield/Liverpool Homelessness Interagency;
- The South West Sydney Ageing and Disability Forum; and
- The Liverpool Community Safety and Crime Prevention Advisory Committee.

These networks, comprised of service providers and community organisations in the relevant sector, provide an opportunity for services and organisations to network and connect, facilitate partnerships for specific projects and initiatives and provide up to date and relevant information regarding programs, training opportunities and partnership projects.

As part of Council's response to the COVID-19 pandemic, the Community Development team undertook a service mapping project whereby information was gathered on the community services sector, including their responses to COVID-19, changes to service provision as result of the pandemic and challenges to service delivery presented by COVID-19. This exercise supported Council's understanding of the provision of services to vulnerable community groups during COVID-19 and presented opportunities for Council to offer assistance through funding or other in-kind support activities. The information gained through this project has also allowed Council to identify gaps in service provision. The Community Development team are reviewing these findings in more detail to pursue opportunities to advocate for adequate services in a particular area.

3. What initiatives has Council implemented to support the mental health of staff during this unprecedented time?

Council's People and Organisational Development (POD), Risk Management and Work Health and Safety departments have been instrumental in ensuring the ongoing mental wellbeing of staff during the COVID-19 pandemic. A number of initiatives were implemented

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

during the pandemic. These include:

- Weekly CEO updates to provides updates to staff on Council's response to the pandemic, working remotely and mental health;
- Inviting a psychologist to participate in one of these weekly conferences to discuss mental health and wellbeing with staff;
- Actively encouraging teams to stay connected and engaged with one another through regular catch ups via Microsoft Teams;
- Reminding staff of their ability to access the services of Council's Employee Assistance Program (EAP) Counselling Service;
- Developing of "Working from Home" resources to assist staff to access the necessary programs and functions remotely. These resources included tips on wellbeing and self-care when working remotely;
- Providing staff with details of "Mental Health Check Ins" and meetings with Council's EAP provider;
- Periodically posting information on Yammer, Council's internal social media tool, including tips and reminders on looking after one's own mental health and wellbeing, reducing social isolation during social distancing restrictions, and sharing experiences of working remotely amongst staff; and
- As part of Mental Health Month (October), Council has been sharing additional information regarding general mental wellbeing and supporting mental health during COVID-19.

ITEM NO:QWN 02FILE NO:287588.2020SUBJECT:Question with Notice - Clr Hagarty - Schoeffel Park

Background

Since it recently opened, Schoeffel Park has been a big success. Many families are using the park and enjoying its facilities.

The demand has placed increased pressure on the surrounding road network.

There has been at least one accident and a number of near misses involving both cars and pedestrians.

Questions

Please address the following:

- 1. Do subsequent phases of the development of Schoeffel Park include car parking?
- 2. If so, how many spots and where will they be located?
- 3. What traffic treatments are being considered to the surrounding road network, in particular Strzlecki Drive?
- 4. When are these traffic treatments expected to be delivered?
- 5. What consideration is given to the impact of the surrounding road and path networks when planning and funding work to parks?

Response

The development of Schoeffel Park into a multi-purpose recreational facility and open space will ultimately cost an estimated \$2.5M. In view of the available annual funding levels, the Project was originally staged over 3 years, with Stage 1 to be completed in 2019/20 (this is now complete), Stage 2 planned for completion in 2020/21 followed by Stage 3 in 2021/22.

In May 2020, the Australian Government announced a \$500M Road and Community Infrastructure Program with \$1.4M allocated to Liverpool. This additional funding enabled Council to call tenders for Stages 2 and 3 as a single package enabling entire works to be brought forward and completed by June 2021.

1. Schoeffel Park - staging and scope of works

Stages 2 and 3 of the Schoeffel Park Project will commence in early 2021 and will include the provision of:

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

- solar lighting along the internal pathways;
- a bike pump track;
- outdoor gym;
- amenities building;
- children's playground; and
- indented parking bays along Strzlecki Drive and Singleton Street providing 50 car spaces.

It is anticipated that these works will be completed by the end of June 2021.

2. Proposed Traffic Treatments and Delivery Timeframe

The road network close to the park includes Strzlecki Drive, Schoeffel Grove, Singleton Street and Rosedale Circuit. These streets are all local residential streets with the default urban residential speed limit of 50km/h. A speed classification carried out along Strzlecki Drive indicated that the 85th percentile speed was 58km/h.

Council recently inspected the road network close to the park and identified the need for pedestrian crossing facilities at the Strzlecki Drive/Schoeffel Grove and Rosedale Circuit/Strzlecki Drive intersections.

Council is also investigating appropriate traffic calming devices to address the identified traffic and pedestrian safety issues. The traffic calming devices would include speed humps whilst the pedestrian facilities would include road narrowing or a pedestrian refuge at Strzlecki Drive /Schoeffel Grove and Strzlecki Drive / Singleton Street intersections.

A design layout of these facilities will be presented to the November 2020 meeting of the Liverpool Pedestrian, Active Transport and Traffic Committee for consideration.

The proposed traffic calming device and pedestrian crossing facilities will be installed during construction of the indented car parking bays.

3. Planning for broader impacts arising from open space development works

Council's infrastructure development activities are driven by the Delivery Program and the long-term Capital Works Program. The scope of identified open space development projects are first determined using Council's relevant strategies, relevant standards and guidelines, which are translated into preliminary concept designs. Relevant areas of Council also provide input into the design to ensure broader connectivity and access issues are properly considered. These designs are then presented to the community as part of a broader community consultation process, which seeks to obtain community feedback and input into the preliminary designs.

With regards to Schoeffel Park, the community consultation process identified the following

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

issues:

- the current traffic speeding issues along Strzlecki Drive and the potential for this issue to be exacerbated following completion of the Park;
- the need for off-street car parking; and
- amenities.

While Council's original plan was to progressively deliver the various elements of the Project over a 3-year program, the program is now being accelerated to enable full completion by June 2021.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

ITEM NO:	QWN 03
FILE NO:	287589.2020
SUBJECT:	Question with Notice - Clr Hadchiti - Board walk / bank stabilisation in the
	Shepherd Street Precinct

Please address the following:

1. Can an update please be provided on the delivery of the board walk / bank stabilisation which formed part of a VPA in the Shepherd Street precinct?

Response

A Voluntary Planning Agreement (VPA) has been executed between Council and the following parties:

- Shepherd Street Developments Pty Ltd
- Coronation (33 Shepherd St) Pty Ltd
- Coronation (28 Shepherd St) Pty Ltd
- Coronation (26 Shepherd St) Pty Ltd
- Shepherd Property Nominee Pty Limited

The purpose of the VPA is to deliver infrastructure and for the payment of financial contributions to support the redevelopment of the Shepherd Street precinct in Liverpool.

Council currently holds a bank guarantee in excess of \$12m for the works identified in the VPA.

Council has been working with Coronation in relation to the delivery of the infrastructure items identified in the VPA. To date, a number of items have been delivered, however the riverbank works (bank stabilisation and shared path) have not been completed.

On 25 February 2020, Coronation submitted design drawings for the riverbank works for Council's review. Following a review of the design drawings, Council identified a number of issues that needed to be addressed in the design, with advice being provided to Coronation to that effect on 17 March 2020.

In September 2020, Council received revised engineering plans for the riverbank works. As of 3 November 2020, Council has accepted the design as complete, subject to an independent peer review (as required by the VPA). Agreement on the design does not represent an approval to undertake the works.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

Now that the design is agreed, Council has commenced assessment of the Review of

Environmental Factors (REF) submitted by Coronation. The REF forms the basis for Council assessment and approval of the works under Part 5 of the Environmental Planning and Assessment Act, 1979. Council has requested Coronation update the REF to reflect the updated design drawings and other matters within 28 days. This will enable council to finalise assessment and issue the approval this year.

Council will continue to work with Coronation to ensure the earliest delivery timeframe for the works identified in the VPA.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

ITEM NO:QWN 04FILE NO:287590.2020SUBJECT:Question with Notice - Clr Hagarty - Amazon

Background

Amazon has now been operating in Liverpool for several years.

In late 2018, I asked the following questions on notice.

Two years on from those questions, Amazon has been one of the few businesses to benefit from the COVID-19 pandemic.

Hopefully Liverpool Amazon's employees and its subcontracted employees are also benefiting.

Questions

Please address the following:

What percentage of workers based at the Amazon Moorebank fulfilment centre are:

- from the Liverpool LGA?
- directly employed by Amazon?
- employed by a labour hire company?
- in insecure casual employment?

Response

No direct response to the above questions were provided by Amazon but the following statement has been issued by the company in response:



43

Councillor Wendy Waller Mayor of Liverpool City Council Locked Bag 7064, Liverpool BC, NSW 1871 5 November 2020

Via email: YoungL@liverpool.nsw.gov.au

Dear Mayor

There's no denying 2020 has been a challenging year for all Australians. At Amazon, we are committed to supporting the community, agencies and local government close to our fulfilment centres and delivery stations, particularly in challenging times. This means finding meaningful ways to help people in the the Liverpool City area. During the COVID-19 pandemic, we have prioritised donations to support the vulnerable groups that have been impacted significantly, requiring assistance with education, housing, food and basic needs.

Lending a hand during COVID-19

We have partnered with agencies such as the Foodbank, Australian Red Cross, the Salvation Army Australia as well as Liverpool City Council directly to support many vulnerable members within the community. We have sought out opportunities to donate funding as well as sourcing and donating products to Liverpool City including hundreds of bottles of hand sanitizer, 1,000 face masks, pantry staples, hygiene staples and household staples.

We donated \$30,000 to support Kids Helpline expand their services during COVID-19 to include young people aged 18 to 25 years old who are facing challenging circumstances and need additional support.

Supporting education and Science, Technology, Engineering & Mathematics ("STEM")

We have worked closely with local schools and families in Sydney's South West to advocate for STEM participation in school aged children. In 2019, Amazon Australia launched Camp Amazon – a two-year STEM program aimed at developing skills for children in coding and robotics. While we couldn't host Camp Amazon in person this year, after our last face-to-face workshop in January, we were pleased to offer Camp Amazon students and primary school children free access to an Amazon-sponsored virtual robotics and coding program called <u>CoderZ</u> so they could continue to build important computer literacy skills from home in the June school holidays.

In the October school holidays 150 students participated in a virtual Camp Amazon program over a series of three sessionsAnother way we have supported primary school children around our Moorebank fufilment centre is by supporting The Smith Family's <u>Learning For Life</u> program, supporting 24 students and their families in the local area. The program supports young children experiencing disadvantage with financial assistance for education essentials, access to targerted learning, mentoring and personal support through their learning journey.



Supporting Australian kids with Cancer

In September, our Moorebank team and Regents Park Delivery Station team took part in our annual global Amazon initiative 'Amazon Goes Gold for Childhood Cancer', wearing their pyjamas to work to raise awareness and funds for children with cancer. As part of this Amazon matched the donations made by the team and donated a further \$15,000 to support cancer programs at the Sydney Children's Hospital Network. We also continued our partnership with the Starlight Children's Foundation, donating toys, books and activities so that up to 2,000 kids received individual packages, bringing smiles to these kids during these difficult times.

Proud local workforce

Amazon's Moorebank fulfillment centre jobs have provided an opportunity to learn skills and develop careers. Amazon is committed to being a great employer in Australia and creating permanent employment opportunities for Associates within our Fulfilment Centres and broader operations business. We are pleased to confirm we have more than 500 Associates in permanent full time roles across Australia. Amazon continues to employ a mixture of permanent and agency staff to enable us to move quickly, access talent and manage variation in customer demand.

Amazon's Career Choice Program

Amazon believes everyone should have the opportunity to learn new skills and build their career. Career Choice is an innovative Amazon program uniquely designed to upskill our employees who are interested in pursuing a future outside of Amazon.

Launched in Australia on 1 June 2020, we are funding education in areas that are in high demand according to local labour market analysis, regardless of whether those skills are relevant to a career at Amazon. By delivering training in high-demand career paths, we are proud to give eligible employees the tools they need to make a move and pursue their career aspirations beyond Amazon. Amazon will pre-pay 95% of tuition, books and fees up to a yearly and lifetime maximum.

Our associates who have been employed as a full-time for one continuous year are eligible to participate in this program. This includes all Fulfilment Centres, Customer Service and Corporate (including AWS).

Keeping safe during COVID-19

At Amazon, safety is our top priority and we work hard to provide a safe work environment for the many hundreds of associates in our facilities across Australia. In light of the COVID-19 pandemic, we have invested more than US\$4 billion dollars globally on COVID-related initiatives, getting products to customers and keeping employees safe. We have implemented more than 150 significant process changes around the world, including Australia, to support our teams. Some of these measures include:

- · Enhanced cleaning protocols and social distancing measures of 2 metres at our sites
- Distribution of personal protective gear, such as masks and hand sanitiser
- Implemented disinfectant spraying and daily temperature screening checks across our operations worldwide



- Taped markings on the floor to provide visual aids to limit congestion
- Installed Plexiglass for added protection at our HR and operational desks
- Stopped stand-up meetings during shifts all business essential information is shared via televisions near main areas
- Staggered shift start times and break times
- Added additional breakrooms and changed breakroom configuration.

These measures have been necessary to ensure that all individuals working at Amazon sites are adhering to the critical safety measures we have adopted as well as those required by state and federal governments.

While there have been no confirmed cases of COVID-19 at any of our Australian facilities, were an employee to be diagnosed with COVID-19, they would receive up to two weeks of paid time off—this is in addition to their other paid and unpaid time off options. We also established The Amazon Relief Fund, with a \$25 million USD contribution, to help support our Amazon Flex delivery partners and agency associates under financial distress as a result of COVID-19. We are offering all of these groups the ability to apply for a grant if diagnosed with COVID-19 or placed into quarantine by the government or Amazon.

If you have further questions contact Ryan Smith, Manager of Public Policy. Ryan can be contacted at ryesmith@amazon.com

Yours faithfully,

by affulle

Craig Fuller Director, Amazon Australia Operations

3

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

ITEM NO:	QWN 05
FILE NO:	293427.2020
SUBJECT:	Question with Notice - Clr Rhodes - Valuation of Property Surrounding
	Western Sydney Airport

With reference to Council report EGROW 01 Draft Western Sydney Aerotropolis Joint Contributions Plan 2020 from the Council meeting of 27 October 2020, please address the following:

The statement below is an extract from the report:

"Penrith and Liverpool Councils have engaged with both DPIE and the WSPP throughout the preparation of the background report and contributions plan. The Councils have liaised with consultants working on behalf of the WSPP on feasibility testing within the Aerotropolis in order to understand land values."

- 1. With reference to the above statement, has Council used an assumed land value in order to determine the value of the land necessary for Council to acquire for community provisions included in the contributions plan?
- 2. The rates for the land affected by the new Airport have increased based on averaged sales in the area. If sales in the area were recorded at approximately \$1m per acre similar to the price paid for the Leppington Triangle being approximately 30 acres and other known sales of similar price and considering the controversy surrounding claiming that price paid for the Leppington Triangle was way above the Governments perceived real value of the land and that the reported revised more realistic value of the triangle was more likely \$3million:
 - a) How was the \$3m re-evaluation figure derived? Was that figure based on recent sales within the area?
 - b) Did the Valuer General's Department average the sales that included properties sold at \$1m per acre in their figures to increase the rates in the area?
 - c) And, if the averaged sales for the area that included the \$1m per acre price tag is now considered by the Federal Government to be unreasonable are our constituents in the affected areas of the Aerotropolis being charged too much in rates?
- 3. What land value per acre will or has Council considered in order to acquire the land it needs to be able to provide community facilities that it includes in the Contributions Plan and has that value taken into consideration the market price of \$1m per acre that more than just the Leppington Triangle have been sold for?

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

Response

1. Land values listed in the draft Aerotropolis Contributions Plan are generic estimates based on anticipated land use. They are not intended to be specific to any site. The schedule of generic land values is prepared from research of superlot development sites in Western Sydney. Generic rates are developed from analysed sale rates of development sites by their proposed use. They are intended to represent developable land that is not flood affected.

47

- 2. a) There are many factors that the NSW Valuer General uses in determining the value of land. It is not clear from the information available what specific factors were used in deriving the value of this property.
 - b) The values that are currently being used to assess Council rates are as at 1 July 2019 and would reflect conditions, zonings and comparable sales data for the years 2016 to 2019. Only the Valuer General could advise how the impact of one sale amongst many would affect the surrounding areas or whether it was viewed as an exception to the overall data used to value the area as a whole.
 - c) Council must use the values as supplied by the Valuer General to determine rates. If landowners believe that the land value of their property is not correct or inflated due to any particular sale or exceptional circumstance, they have the ability to lodge an objection with the Valuer General.
- 3. The Aerotropolis Contributions Plan Background Report (Table 29) identifies acquisition rates for community infrastructure. These values have been factored into the total acquisition cost for land in the Contributions Plan.

Land type	Acquisition	Acquisition rate	Acquisition rate
	rate	(\$/acre)	(\$/hectare)
	(\$/m²)		
Passive open space	\$85	\$343,983	\$850,000
Active open space	\$400	\$1,618,744	\$4,000,000
Social infrastructure	\$400	\$1,618,744	\$4,000,000

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

ITEM NO:	QWN 06
FILE NO:	308851.2020
SUBJECT:	Question with Notice - Clr Rhodes - Delivering a Multicultural Park for
	Liverpool

Can Council please address the concerns of members of the Public that might be outlined in Council's intended methodology to progress the delivery of a Multicultural Park as moved at the September Council meeting including questions below:

- 1. Will the Park will be an equal and inclusive opportunity for all diverse nationalities that make up Liverpool's multicultural community?
- 2. Will all initiatives be in accordance with Council's Multicultural Policies, and Procedures?
- 3. How do all interested nationalities make application for expressions of interest?
- 4. Will there be Community consultation?
- 5. What will be the likely time frame for the expressions of interest and delivery process to follow?
- 6. Will there be open and transparent communication with the Public as the plans for the Park develop on Council Website and through Social Media?

Background

There has been considerable public Interest in the Motion moved at the September Council meeting 2020 that will deliver a Multicultural Park in Liverpool.

Many constituents have expressed their confusion in regards to the motion.

Some community members who may be unaware of Council's Policies, Procedures and Regulations governing Multiculturalism may be taking the opportunity to unnecessarily spread fear and anxiety in the Liverpool LGA.

In the interest of quelling any further unnecessary fear and anxiety in the Community the above questions have been submitted to me for Council to address.

Response

1. Will the Park be an equal and inclusive opportunity for all diverse nationalities that make up Liverpool's multicultural community?

Liverpool is one of Australia's most culturally diverse cities and this diversity is our strength. Residents from 150 nationalities, speaking 140 languages, call Liverpool home. This means over 40% of Liverpool residents are born overseas, and about 60% speak a language other than English.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

The development of the Liverpool Multicultural Park is to celebrate and reflect this significant cultural diversity, and the social cohesion and community harmony enjoyed by our community. The Park will be an inclusive space for all residents to celebrate the many cultures and contributions they make to Liverpool.

2. Will all initiatives be in accordance with Council's Multicultural Policies, and Procedures?

Yes. The development of the Park will be informed and guided by various policies and strategies of Council. They will include, but not limited to:

- Recreation, Open Space and Sports Strategy;
- Community Facilities Strategy;
- Cultural Strategy;
- Reconciliation Action Plan;
- Disability Inclusion Action Plan;
- Economic Development Strategy;
- City Activation Plan;
- Communications Strategy;
- Destination Management Plan; and
- Relevant environmental, planning and control plans.

3. How do all interested nationalities make application for expressions of interest?

Planning for this project will commence soon. Council staff are currently investigating the feasibility of suitable sites. A Project Plan is being developed; and it will be inclusive of a Comprehensive Community Consultation Plan; and methodologies to submit expressions of interests and ideas by community. The process for participation and opportunities for contribution will be promoted widely to all residents of Liverpool, using the many communication channels of Council. The interpretation and incorporation process of ideas will be analysed and further consultation with community will be facilitated.

4. Will there be Community consultation?

Yes, as stated above, the Project Plan will be inclusive of a Comprehensive Community Consultation Plan. The community consultation will commence at the planning stage and will continue throughout the project.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

5. What will be the likely time frame for the expressions of interest and delivery process to follow?

The timeframes for community participation will be built into the Project Plan and they will be promoted through Council's diverse communication channels. The delivery timeframe will be investigated through the planning process. Preliminary discussion with key internal stakeholders has commenced and will inform future public consultation.

6. Will there be open and transparent communication with the Public as the plans for the Park develop on Council Website and through Social Media? The success of the Multicultural Park is dependent on inclusive and active participation of all community groups. To achieve this, a communication strategy will

participation of all community groups. To achieve this, a communication strategy will form part of the Comprehensive Community Consultation Plan, which will detail the process for community participation and to ensure all residents can have a say.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

ITEM NO:QWN 07FILE NO:309644.2020SUBJECT:Question with Notice - Clr Ayyad - Civic Place

How many people were in favour of Civic Place following our last round of community consultation?

How many people were against Civic Place following our last round of community consultation?

What does that equate to in percentages?

New information regarding Liverpool Civic Place has now been placed on Council's website since its last meeting. In the section titled 'Response to Community Consultation', Council makes the following comment on its graph (see graph below):

"A Facebook post with factual errors about Liverpool Civic Place was posted (25 June)."

Please answer the following questions:

- What was said in that Facebook post?
- What are the 'factual errors' contained in that post?
- Who posted it?
- Please provide a copy of that post.

Based on the a of a new Liver Council facilitie	bove do you still support Council's vision pool Civic Place including the above as in Scott St?
NO. OF RESPONSES	A Facebook post with factual errors about Liverpool Civic Place was posted 25 June
200	NO
180	
160	
140	
120	
100	
80	
60	YES
40	
20	
0	
28 May	26 June 2020

A response to these questions will be provided in the 16 December 2020 Council meeting business papers.

ITEM NO:	QWN 08
FILE NO:	310051.2020
SUBJECT:	Question with Notice - Clr Kaliyanda - Liverpool Bike Plan: Implementation Status

Please address the following:

- 1. What is the current status of the Liverpool Bike Plan 2018-2023? What measures or aspects of the Bike Plan have been implemented to date?
- 2. What impact has COVID-19 had on the usage of the existing bike network/infrastructure?
- 3. How have we engaged with the State or Federal Governments to acquire available data in relation to this?
- 4. A core element of the Bike Plan was the development and implementation of wayfinding signage in relation to the bike paths and infrastructure. What is the status of the implementation of this? What discussions have taken place with other organisations, i.e. Western Sydney Parklands, in relation to this?
- 5. How has Council sought partnerships and worked with other organisations in order to address this issue?

A response to these questions will be provided in the 16 December 2020 Council meeting business papers.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

ITEM NO:QWN 09FILE NO:310057.2020SUBJECT:Question with Notice - Clr Kaliyanda - Green Star Rating Scheme Changes

Please address the following:

- 1. Given the significant changes to the benchmarks used to determine Green Star Ratings, how do current and future council buildings perform against the new benchmarks?
- 2. What impact will this have on other significant developments in the Liverpool LGA?
- 3. How will this impact the assessment process of such developments, especially when they are considered by the Design Excellence Panel (DEP)?
- 4. What other impacts will the changes to these benchmarks have in the Liverpool LGA?

A response to these questions will be provided in the 16 December 2020 Council meeting business papers.

ITEM NO:	EGROW 05
FILE NO:	297711.2020
SUBJECT:	Planning proposal request to rezone land and amend development standards in the Liverpool Local Environmental Plan for land at Moore Point Bridges Road, Moorebank

COUNCIL DECISION

Motion:	Moved: CIr Ayyad	Seconded: Clr Balloot
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That Council:

- 1. Notes the advice of the Liverpool Local Planning Panel;
- 2. Endorses in principle the planning proposal request with the following amendments:
 - a) an additional 1.5 hectares of open space marked as 'Open Space Investigation' adjacent to Haigh Park;
 - b) a minimum 40m RE1 Public Recreation zone is provided along Lake Moore;
- 3. Endorses the Urban Design Study and Structure Plan for the George's River North precinct, with the above amendments, to guide the assessment of future planning proposals in this area;
- 4. Notes that further detailed studies, including site contamination, acoustic, flood, flood evacuation and transport impact assessment will be completed post Gateway determination;
- 5. Notes the offer from the proponent to enter into a Voluntary Planning Agreement and/or the preparation of a Local Infrastructure Contributions Plan to ensure there is appropriate funding for local infrastructure to support development in the precinct;
- Delegates to the A/CEO authority to negotiate a planning agreement with the proponent, agree the terms of offer with the proponent and report back to Council the details of any planning agreement, consistent with Council's Planning Agreements Policy;
- 7. Delegates to the A/CEO authority to prepare the formal planning proposal including any typographical or other editing amendments if required;
- 8. Forwards a planning proposal to the Department of Planning, Industry and Environment, pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination with a recommendation that

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

completion of relevant studies be included as a condition of any Gateway determination and that the Department play an active role in the planning process given the strategic significance of this proposal to Liverpool and Greater Sydney; and

9. Receives a further report on the outcomes of public exhibition and community consultation.

On being put to the meeting the motion was declared CARRIED.

Vote for: Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadchiti, Deputy Mayor Hadid, Clr Hagarty, Clr Kaliyanda, Clr Karnib and Clr Shelton.

Vote against: Clr Harle and Clr Rhodes.

ITEM NO:CORP 07FILE NO:313763.2020SUBJECT:Annual Financial Reports 2019/20

COUNCIL DECISION

Motion:

Moved: CIr Hagarty

Seconded: Clr Harle

That Council:

- 1. Receives and endorses the 2019/20 audited financial reports;
- Authorises the Mayor, Deputy Mayor, Acting Chief Executive Officer and the Responsible Accounting Officer (CFO) to sign the prescribed statement that will form part of the financial reports;
- 3. Authorises the Acting Chief Executive Officer to:
 - a. forward a copy of the financial reports together with the auditor's report to the Office of Local Government in accordance with Section 417(5) of the Local Government Act 1993;
 - b. issue a public notice containing a summary of financial results and put the financial statements on exhibition for 7 days to seek public submissions;
- 4. Note that the financial statements and a summary of public submissions received will be presented to Council at its next meeting for consideration and adoption.

On being put to the meeting the motion was declared CARRIED.

PRESENTATIONS BY COUNCILLORS

Clr Hagarty made a presentation regarding the ISKA Karate Australian Open.

Clr Hagarty attended the International Sport Karate Association (ISKA) Australian Open on the weekend of 21 & 22 November 2020. Clr Hagarty highlighted the challenges relating to Covid-19 that were successfully managed during the event and relayed ISKA's appreciation of Council's financial contribution, which allowed ISKA to be Covid safe during the event.

As the ISKA World Championships were not held this year, the World Championship belt and a face mask were given to Councillor Hagarty in thanks for Council's support.

Mayor Waller stated that Council would send a letter to ISKA to thank them for their gift and that the World Championship belt and face mask would be framed and put on display in an appropriate place.

Clr Rhodes made a presentation regarding the WSROC AGM.

Western Sydney Region of Councils held their Annual General Meeting on Thursday 19 November I was pleased that two fellow Councillors, Councillor Peter Harle and Councillor Charishma Kaliyanda also attended and witnessed for themselves the value for Liverpool as a participating Council.

The principal address was by Australian writer and comedian Craig Reucassel who is the renowned presenter of "War on Waste" and "Fight for Planet A" through which he advocates for sustainable solution to Waste, whilst on the program Big Weather he addresses such issues as climate change, energy efficiency, bushfires, flooding and extreme heat.

His address was both entertaining and enlightening as he traversed the current failures and contemplated possible future solutions.

WSROC is well placed to continue to advocate for, and deliver programs that undoubtably will assist all Council Members for the coming year.

The on-going and new WSROC projects are too numerous to include in this report but just a couple of the projects funded for the coming year include:

- The continuation of Western Sydney Energy Program that facilitates a regional approach to energy efficiency;
- WSROC has helped shape the NSW Governments 20 Year Waste Strategy;

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

- Supported alternate waste infrastructure provisioning and service delivery models that could be delivered through Local Councils, such as:
 - Local Planning Review, a collaborative effort to integrate urban heat controls into the NSW Planning System;
 - Cool Suburbs, a voluntary rating tool to support heat mitigation;
 - Behind the Meter Solar, supporting council owned solar sites delivering saving their communities; and
 - Solar PPA's working with participating Councils to procure renewable energy for Council operations via a Power Purchase Agreement.

WSROC continues to support our council members in advocation for transport infrastructure to serve the entire Western City and yes that includes lobbying for the continuation of the Bankstown Metro and the Leppington connection to the New Airport.

It is a great honour and privilege to be able to also announce that at the AGM I was returned for a 2nd term onto the Executive Board of WSROC as Treasurer, Hawksbury Council Mayor Clr Barry Calvert was returned for a 3rd term as President, Blacktown Council Mayor Tony Bleasdale was returned as Senior Vice President, Blue Mountains Councillor Don McGregor returned as Junior Vice President.

It is also my privilege to be able to confirm that WSROC is in a strong financial position to be able to continue its ongoing delivery of their essential benefits to member Councils.

Over this year WSROC secured over \$1.2m in grant funding for projects open to Council members

The Western Sydney energy program has delivered to participating Councils \$15.8m and more than 320,000 tonnes of greenhouse savings to date.

Anti-waste projects supported Councils in delivering 95% litter reduction in targeted parks and public spaces, and WSROC successfully advocated for support for refugees during COVID resulting in \$4m NSW Government funding.

As Council is aware, hosting the WSROC COVID Safe face to face meetings are shared between all WSROC member Councils.

It was announced at the AGM that next year on Thursday 25 February, it will be Liverpool's honour to host WSROC's Board of Directors meeting.

This announcement at the AGM drew comments of great anticipated expectations from all the other Councils present.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

No pressure intended but apparently Liverpool Council has an excellent reputation where we have set the bar very high and to which other councils aspire.

I reassured the members that Liverpool will live up to their expectations and to that end I have already forwarded to the CEO, the very high standard set at the AGM as a guide.

WSROC continues to be a joint organisation of councils that has delivered great value to Liverpool Council and will continue to do so.

Clr Kaliyanda made a presentation regarding the Annual Presentation Days of the Kemps Creek United football club.

Council and Mayor were thanked for funding that allowed a new car park to be built. After Covid-19, the Mayor and Councillors will be invited to a ribbon cutting event.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

NOTICES OF MOTION

ITEM NO:	NOM 01
FILE NO:	309977.2020
SUBJECT:	Council leading in good governance practices

NOTICE OF MOTION (submitted by CIr Ayyad)

That Council create a policy that enables Councillors to access independent professional advice and that policy be reported to the next meeting of council.

Motion: Moved: Clr Ayyad Seconded: Clr Balloot

That Council seek advice from the Office of Local Government to create a policy, including a budget limit, that enables Councillors in good faith to access independent professional advice and that policy be reported to Council.

On being put to the meeting the motion was declared CARRIED.

Mayor Waller, Clr Shelton and Clr Harle requested that they be recorded as voting against the motion.

Mayor Waller called for a recess of Council at 8.06pm.

Mayor Waller reopened the meeting at 8.15pm.

At 8.15pm Mayor Waller moved the meeting into Confidential Session and dealt with items MOU 01, CONF 01, CONF 02, CONF 03, CONF 04, CONF 05, CONF 06 and MAYOR 01 pursuant to provisions of:

- s10(A)(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors); and
- s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

MOTION OF URGENCY

ITEM NO:	MOU 01
SUBJECT:	Council's Safe Work Practices

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That a verbal report be received from the Acting Chief Executive Officer on Council's safe work practices and policies including whether improvements can be made and if this is the case, whether any extra resources are required.

Mayor Waller ruled that the motion was urgent and can be considered at this meeting.

A verbal report was then received from the Acting Chief Executive Officer.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

CONFIDENTIAL ITEMS

ITEM NO:	CONF 01
FILE NO:	281973.2020
SUBJECT:	Report back - Out of Office Hours Compliance Officers

COUNCIL DECISION

Motion:	Moved: Clr Rhodes	Seconded: Clr Harle

That Council:

- 1. Trial an after-hours on-call compliance service utilising an on-call roster 24 hours a day, at an estimated cost of \$115,465 per annum;
- 2. Promote the new service to Liverpool residents including the contact details on Council's website and social media platforms; and
- 3. Monitor and review the service after six months and report back to Council at the end of the trial period.

On being put to the meeting the motion was declared CARRIED.

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Hagarty

That Council:

- Approves a Deed of Settlement and Release associated with dedication of Lots 25 and 26 in DP 1220035, Somme Avenue, Edmondson Park on the terms outlined in this confidential report;
- 2. Authorises the Acting CEO or their delegated officer to execute a Deed of Settlement and Release or 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.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

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.

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Clr Hadchiti and Clr Hagarty left the virtual room at 8.31pm.

ITEM NO:CONF 03FILE NO:298756.2020SUBJECT:2021 Australia Day Awards

COUNCIL DECISION

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

Clr Hadchiti and Clr Hagarty returned to the virtual room at 8.33pm.

ITEM NO:	CONF 04
FILE NO:	302107.2020
SUBJECT:	Review and update on potential Council surplus land

COUNCIL DECISION

Moved: Clr Hadchiti	Seconded: Clr Karnib

That Council:

Motion:

- 1. Endorses the further investigation and sale of the following properties:
 - 75-77 Hill Road, Lurnea (comprising Lot 1 DP 513777, Lot 2 DP 513777, Lot 3 DP 513777 and Lot 4 DP51377)
 - 22 First Avenue, Hoxton Park (comprising Lot 1 DP 1220807, Lot 2 DP 1220807 and Lot 3 DP 1220807)
 - 9 McLean St, Liverpool (Lot 7 DP 238364)
- 2. Receive a further report upon completion of investigations and for a decision on the reserve price prior to sale.

Foreshadowed motion: Moved: Clr Hagarty Seconded: Clr Hadchiti

That Council:

- 1. Endorses the further investigation into the suitable uses of the following properties:
 - 75-77 Hill Road, Lurnea (comprising Lot 1 DP 513777, Lot 2 DP 513777, Lot 3 DP 513777 and Lot 4 DP51377)
 - 22 First Avenue, Hoxton Park (comprising Lot 1 DP 1220807, Lot 2 DP 1220807 and Lot 3 DP 1220807)
 - 9 McLean St, Liverpool (Lot 7 DP 238364)
- 2. Receive a further report upon completion of investigations.

On being put to the meeting the motion (moved by Clr Hadchiti) was declared LOST. The Foreshadowed motion (moved by Clr Hagarty) then became the motion and on being put to the meeting the motion was declared CARRIED.

Vote for (the Foreshadowed motion moved by Clr Hagarty): Mayor Waller, Clr Hadchiti, Clr Hadid, Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Karnib, Clr Rhodes, Clr Shelton.

Chairperson

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

CONF 05
301922.2020
Revenue Pricing Policy (Fees and Charges) - Review of Telecommunications Infrastructure Facilities Fees

COUNCIL DECISION

Motion: Moved: Clr Hagarty Seconded: Clr Rhodes

That Council maintains the current Fees and Charges relating to Telecommunications Infrastructure Facilities on Council owned/managed land per provider for 2020/2021 in line with resolution CEO 03 of the Council meeting on 29 July 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

ITEM NO:CONF 06FILE NO:301399.2020SUBJECT:Liverpool Animal Shelter

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Harle

That Council:

- Approve an exemption from the tender requirements of the Local Government Act 1993, pursuant to Section 55(3)(i) of the Local Government Act 1993 for the extension of the interim arrangements with Rossmore Vet for a further period as outlined in this report;
- 2. Notes that alternatives to house impounded animals within the LGA on an interim basis have previously been investigated and that there are no suitable alternatives, other than Rossmore Vet; and
- 3. Delegates authority to the A/CEO to enter into an agreement with Rossmore Vet for a further period as outlined in this report.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

MAYORAL MINUTE

ITEM NO:MAYOR 01FILE NO:321366.2020SUBJECT:Selection of Chief Executive Officer

On 24 June 2020, Council resolved to appoint Local Government Management Solutions (LGMS) to assist scoping, advertising and assessing applications for the position of Chief Executive Officer.

LGMS advertised the position across various online recruitment websites from Friday, 14 August 2020, and applications closed on Monday, 7 September 2020.

The Recruitment Panel interviewed five candidates on Thursday 15 and Friday 16 October 2020. The LGMS report and a probity report from O'Connor Marsden & Associates Pty Limited (OCM) on the recruitment process have been circulated under separate confidential cover to Councillors.

The Recruitment Panel agreed unanimously to recommend one candidate to Council in closed session at the Ordinary Meeting on 25 November 2020.

It is proposed that Mark Anderson, Manager, Local Government Management Solutions, who sat on the Recruitment Panel, attend the closed session to answer any questions Council may have.

COUNCIL DECISION

Motion:

Moved: Mayor Waller

- 1. That the recommended successful candidate be offered the position of Chief Executive Officer of Liverpool City Council and the Mayor be authorised, with advice from the Recruitment Consultant to finalise negotiations based on the following:
 - a) A five (5) year performance-based Contract, as advertised.
 - b) An annual total remuneration package to be kept confidential.
 - c) The contract of employment being in accordance with the standard contract required by the Office of Local Government.
 - d) Adoption of the Council Policies in Schedule A of the contract relating to entitlements provided to the Chief Executive Officer.
 - e) Commencement of the contract on a date to be negotiated, and in any event, as soon as practicable.
- 2. That no public announcement of the name of the successful candidate be made until the Mayor has obtained a written acceptance of the offer from the preferred candidate.

Minutes of the Ordinary Council Meeting held on Wednesday, 25 November 2020 and confirmed on Wednesday, 16 December 2020

- 3. That the Employment Contract between the appointee and the Council be executed under the Common Seal of the Council.
- 4. That Council nominates the Mayor, Deputy Mayor and three other Councillors as members of the Chief Executive Officer's Performance Review Panel in accordance with the Guidelines for the Appointment and Oversight of General Managers issued by the Office of Local Government.
- 5. That the Chief Executive Officer be invited to nominate a Councillor of their choice as a representative on the Performance Review Panel.
- 6. That the Council delegates to the Performance Review Panel the performance management process including the signing, within three months of commencement of the Chief Executive Officer's Performance Agreement from date of commencement, in accordance with the contract of employment.
- 7. That the Council appoints an independent facilitator for a period of six months for professional services up to the value of \$10,000, to assist in the performance management and review process and to provide advice and support to the Mayor and Chief Executive Officer.
- 8. That the Council seeks two quotations for the subsequent role as an independent facilitator to assist in the performance management and review process and to provide advice and support during the year for the Mayor and Chief Executive Officer, and delegates the appointment of the ongoing independent facilitator to the Performance Review Panel.
- 9. That the Council undertakes a performance review against the agreed criteria following the completion of the first six months in the role and every six months thereafter.

Motion: Moved: CIr Kaliyanda Seconded: CIr Harle

That the Chief Executive Officer's Performance Review Panel referred to in Point 4 of the above Mayoral Minute consist of the Mayor Waller, Deputy Mayor Hadid, Clr Hagarty, Clr Rhodes and Clr Balloot.

On being put to the meeting the motion was declared CARRIED.

Mayor Waller reopened the meeting at 9.26pm and read the resolutions made in Closed Session for items MOU 01, CONF 01, CONF 02, CONF 03, CONF 04, CONF 05, CONF 06 and MAYOR 01.

THE MEETING CLOSED AT 9.34pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 16 December 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 25 November 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

LIVERPOOL CITY COUNCIL

MINUTES OF THE ORDINARY MEETING HELD ON 16 DECEMBER 2020

PRESENT VIA VIDEO CONFERENCING:

Mayor Wendy Waller Councillor Ayyad **Councillor Balloot** Councillor Hadchiti **Councillor Hadid** Councillor Hagarty **Councillor Harle** Councillor Kaliyanda Councillor Karnib **Councillor Rhodes Councillor Shelton** Dr Eddie Jackson, Chief Executive Officer Mr George Hampouris, Acting Director City Corporate Ms Tina Bono, Acting Director City Community and Culture Mr David Smith, Acting Director City Economy and Growth Mr Peter Patterson, Director City Presentation Mr Raj Autar, Director City Infrastructure and Environment Mr John Morgan, Director Property and Commercial and Development Mr Vishwa Nadan, Chief Financial Officer Mr Thomas Wheeler, Heritage Officer Mr George Georgakis, Manager Council and Executive Services Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

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.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

APOLOGIES

Nil.

CONDOLENCES

Nil.

CONFIRMATION OF MINUTES

Motion: Moved: Clr Shelton Seconded: Clr Hagarty

That the minutes of the Ordinary Meeting held on 25 November 2020 be confirmed as a true record of that meeting subject to the following amendment:

Declarations of Interest – Item CONF 03 (as shown on page 13 of the 16 December 2020 Council Agenda) to correct Clr Hagarty to "Clr Hadchiti personally knows one of the nominees."

On being put to the meeting the motion was declared CARRIED.

DECLARATIONS OF INTEREST

Clr Shelton declared a non-pecuniary, less than significant interest in the following item:

- **CONF 02:** Tourism and CBD Committee New Community Representatives.
- **Reason:** Clr Shelton has had business dealings in the past with one of the parties involved and also knows several of the individuals.

Clr Shelton remained in the virtual meeting for the duration of this item.

Clr Rhodes declared a non-pecuniary, less than significant interest in the following item:

- **CONF 02:** Tourism and CBD Committee New Community Representatives.
- **Reason:** Clr Rhodes knows of people in the course of community engagements who have been nominated for that committee.

Clr Rhodes remained in the virtual meeting for the duration of this item.

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Chairperson

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

COM 02: Macarthur FC A-League Sponsorship.

Reason: Clr Hadchiti is a foundation member of the club.

CONF 02: Tourism and CBD Committee – New Community Representatives.

Reason: Clr Hadchiti knows some of the nominees in his capacity as a Councillor.

Clr Hadchiti remained in the virtual meeting for the duration of these items.

Clr Hagarty declared a non-pecuniary, less than significant interest in the following items:

COM 02: Macarthur FC A-League Sponsorship.

Reason: Clr Hagarty is a foundation member of the club.

CONF 02: Tourism and CBD Committee – New Community Representatives.

Reason: Clr Hagarty knows some of the nominees in his capacity as a Councillor.

Clr Hagarty remained in the virtual meeting for the duration of these items.

Clr Kaliyanda declared a non-pecuniary, less than significant interest in the following items:

CONF 02: Tourism and CBD Committee – New Community Representatives.

Reason: Clr Kaliyanda serves on a board with one of the community representatives.

Clr Kaliyanda remained in the virtual meeting for the duration of this item.

Clr Balloot declared a non-pecuniary, less than significant interest in the following item:

CONF 02: Tourism and CBD Committee – New Community Representatives.

Reason: Clr Balloot knows some of the nominees in his capacity as a Councillor.

Clr Balloot remained in the virtual meeting for the duration of this item.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

PUBLIC FORUM

Presentation - items not on agenda

Nil.

Representation – items on agenda

Nil.

MAYORAL MINUTE

Nil.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

CITY ECONOMY AND GROWTH REPORT

ITEM NO:	EGROW 01
FILE NO:	292594.2020
SUBJECT:	Draft Urban Cat Management Plan

COUNCIL DECISION

Motion:	Moved: Clr Rhodes	Seconded: Clr Kaliyanda

That Council:

- 1. Endorse the draft Urban Cat Management Plan and Action Plan, in principle, for further consultation and advice from the Companion Animals Advisory Committee; and
- 2. Receive a further report on the adoption of the Urban Cat Management Plan and Action Plan following consultation with the Companion Animals Advisory Committee incorporating any recommended changes.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

ITEM NO:EGROW 02FILE NO:314965.2020SUBJECT:Enforcement Policy Review

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Harle

That Council receive and note the report and refers the Standard to the Audit, Risk and Improvement Committee (ARIC) to address risk and processes and report back to June Council Meeting to better enable Councillor assessment of the effectiveness of the Enforcement Standard by June 2021.

On being put to the meeting the motion was declared CARRIED.

Clr Shelton asked that his name be recorded as having voted against the motion.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

CITY COMMUNITY AND CULTURE REPORT

ITEM NO:	COM 01
FILE NO:	302449.2020
SUBJECT:	Endorsement of membership to the Community Safety and Crime Prevention
	Advisory Committee 2020 - 2022

COUNCIL DECISION

Motion: Moved: Clr Kaliyanda Seconded: Clr Hadid

That Council endorses the membership applications from agencies listed below as members of the Liverpool Community Safety and Crime Prevention Advisory Committee for the period 2020 – 2022:

- Liverpool City Police Area Command;
- Scott Street Clinic;
- MTC Australia;
- Hume Community Housing Association;
- Department of Communities and Justice;
- PCYC Liverpool;
- Liverpool Fairfield Suicide Prevention Network, Lifeline Macarthur;
- South Western Sydney Local Health District (SWSLHD) Drug Health Services;
- South Western Sydney Local Health District (SWSLHD) Domestic Violence Services;
- South Western Sydney Local Health District (SWSLHD) Trauma Department;
- Liverpool Neighbourhood Connections;
- University of Wollongong; and
- Drug and Alcohol Multicultural Education Centre (DAMEC).

On being put to the meeting the motion was declared CARRIED.

ITEM NO:COM 02FILE NO:316491.2020SUBJECT:Macarthur FC A-League Sponsorship

COUNCIL DECISION

Motion:

Moved: Clr Ayyad

Seconded: Clr Hadchiti

That:

- 1. Council place option 3 package for sponsorship of \$25,000 ex GST to Macarthur Football Club (as shown on pages 105 and 110 of the Agenda) on public exhibition for 28 days; and
- 2. The sponsorship package be finalised subject to a letter of support from Macarthur FC for a stadium (that includes playing games) in the Liverpool LGA.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

CITY CORPORATE REPORT

ITEM NO:CORP 01FILE NO:324061.2020SUBJECT:Conflict of Interest Policy

COUNCIL DECISION

Motion: Moved: Clr Shelton Seconded: Clr Hadid

That Council notes this report and adopts the updated Conflict of Interest Policy.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

ITEM NO:CORP 02FILE NO:328216.2020SUBJECT:Investment Report November 2020

COUNCIL DECISION

Motion:	Moved: CIr Shelton	Seconded: Clr Rhodes

That Council receives and note this report.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO:	INF 01
FILE NO:	314649.2020
SUBJECT:	Local Roads and Community Infrastructure Program

COUNCIL DECISION

Motion:	Moved: CIr Hagarty	Seconded: Clr Kaliyanda

That Council approves the projects listed in Attachment 1 to be included for funding under the Local Roads and Community Infrastructure Program and included in Council's 2020/21 and 2021/22 Capital Works Program.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

ITEM NO:INF 02FILE NO:325778.2020SUBJECT:Clean Air for Liverpool

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Harle

That:

- 1. Council receives and notes this report;
- 2. The report and further statistics be reported to the Workshops to review the DCP LEP and BASIX; and
- 3. Council prepare a report on the costings and possibility of monitoring air quality changes at all major traffic routes through Liverpool in an ongoing air monitoring program.

Foreshadowed motion: Moved: CIr Hagarty Seconded: CIr Balloot

That Council receives and notes this report.

On being put to the meeting the Motion (moved by Clr Rhodes) was declared LOST and the Foreshadowed motion (moved by Clr Hagarty) then became the motion and on being put to the meeting was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

COMMITTEE REPORTS

 ITEM NO:
 CTTE 01

 FILE NO:
 310819.2020

 SUBJECT:
 Minutes of the Environment Advisory Committee Meeting held on 19 October 2020

COUNCIL DECISION

Motion:	Moved: Clr Rhodes	Seconded: Clr Harle

That Council:

- 1. Staff prepare a report on best practice on various methods of Waste to Energy initiatives and present this back to the Strategic Panel;
- 2. Receive a report from Council staff on the issue of the contributions gap funding, after referring it to the Audit, Risk and Improvement Committee (ARIC), Strategic Panel and the Contributions Steering Committee for Councillor advice;
- 3. Defer decisions on supporting the Wild Deer Management Program until it can be confirmed how many deer are in the Liverpool LGA and refer it back to the Environment Advisory Committee (EAC) for further discussion; and
- 4. Receives and notes the Minutes of the Environment Advisory Committee Meeting held 19 October 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Harle

That Council receives and notes the Minutes of the Liverpool Youth Council Meeting held on Tuesday 10 November 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

ITEM NO:CTTE 03FILE NO:320117.2020SUBJECT:Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee
meeting held on 18 November 2020

COUNCIL DECISION

Moved: Clr Hadchiti Seconded: Clr Hadid

That Council:

Motion:

- 1. Adopts the recommendations of the Committee (to items 1-11 as shown below); and
- Direct the CEO, after consulting with the committee, to prepare a plan for a treatment to the round-a-bout located at Brickmakers Drive, Christiansen Boulevarde and Greenview Drive, Georges Fair which ensures a safer crossing route for pedestrians.

Recommendations of the Committee:

Item 1 - Stroud Avenue, Warwick Farm – Request for Parking Restrictions

- Approves the proposed 4P, 7am-6pm MON-FRI, 8am-1pm SAT, Loading Zones and No Stopping restrictions along Stroud Avenue and National Street, Warwick Farm as shown in the revised Attachment in the minutes.
- Advise all stakeholders of Council's decision.

Item 2 - Strzlecki Drive and Schoeffel Grove – Proposed Traffic Facilities

- Approve in principle the proposed pedestrian refuge at the intersection of Strzlecki Drive and Schoeffel Grove as well as minor intersection treatments at Strzlecki Drive and Singleton Street and Strzlecki Drive and Rosedale Circuit intersections.
- Detailed design of these facilities be prepared and submitted for further consideration at the February meeting.

Item 3 - 60-66 Gurner Avenue, Austral – Proposed Signs & Linemarking Scheme

• Approves proposed signs and linemarking scheme as shown in the revised Attachment in the minutes.

Item 4 - 200 Eighth Avenue, Austral - Proposed Traffic Facilities

• Approves the proposed mountable roundabout at the intersection of Road no.4 and Broadacre Street and associated signs and linemarking scheme.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

• Detailed design of the roundabout including swept path analysis, tree planting and associated signs and linemarking to be submitted to TfNSW for endorsement prior to construction.

Item 5 - 30 - 50 Tenth Avenue Austral – Proposed Signs & Linemarking Scheme

• Approves the proposed signs and linemarking scheme.

Item 6 - Passendale Road and Costello Lane, Edmondson Park – Proposed Signs and Linemarking Scheme

• Approves the proposed signs and linemarking scheme for the interim and alternate road layout for the extension of Passendale Road and Costello Lane.

Item 7 - 185 Edmondson Avenue, Austral – Proposed Signs and Linemarking Scheme

• Approves the proposed signs and linemarking scheme for sections of Pear Street (north-south road) off Ninth Avenue and Loop Road off the new north-south road.

Item 8 - Brighton Lakes Development, Moorebank – Linemarking Scheme

• Approves the 'BB" and C3 Yellow Edge-linemarking in Brighton Lakes Subdivision, Moorebank.

Item 9 - Wattle Grove Shopping Centre – Proposed Signs and Linemarking Scheme

• Approves the installation of the directional sign for Wattle Grove Shopping Centre near the Heathcote Road and Bardia Parade intersection.

Item 10 - Items approved under delegated authority

• That Council notes the Delegated Authority applications approved by the NSW Police Force and TfNSW representatives over the two-month period 24 September 2020 and 18 November 2020.

Item 11 - Dates for the 2021 Committee Meetings

• That Council endorse the following scheduled meeting dates for 2021 of the Liverpool Pedestrian, Active Transport and Traffic Committee and included the dates in the corporate calendar for 2021.

Meeting Number	Date
1	Wednesday 3 February
2	Wednesday 17 March
3	Wednesday 19 May
4	Wednesday 21 July
5	Wednesday 15 September
6	Wednesday 17 November

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

ITEM NO:CTTE 04FILE NO:320526.2020SUBJECT:Minutes of Strategic Panel Meeting held on 9 November 2020

COUNCIL DECISION

Motion: Moved: Clr Kaliyanda Seconded: Clr Karnib

That Council receive and note the Minutes of the Strategic Panel Meeting held on 9 November 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

ITEM NO:CTTE 05FILE NO:322508.2020SUBJECT:Minutes of Budget Review Panel 17 November 2020

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Harle

That Council adopts the minutes of the Budget Review Panel meeting held on 17 November 2020.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

QUESTIONS WITH NOTICE

ITEM NO:QWN 01FILE NO:313472.2020SUBJECT:Question with Notice - Clr Ayyad - Civic Place

How many people were in favour of Civic Place following our last round of community consultation?

How many people were against Civic Place following our last round of community consultation?

What does that equate to in percentages?

"A Facebook post with factual errors about Liverpool Civic Place was posted (25 June)."

Please answer the following questions:

- What was said in that Facebook post?
- What are the 'factual errors' contained in that post?
- Who posted it?
- Please provide a copy of that post.

Response

How many people were in favour of Civic Place following our last round of community consultation?

61 survey respondents

How many people were against Civic Place following our last round of community consultation?

188 survey respondents

What does that equate to in percentages?

24.5 per cent in favour 75.5 per cent against

"A Facebook post with factual errors about Liverpool Civic Place was posted (25 June)."

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021



Ned Mannoun 25 June · 🚱

•••

20

This is a very sad post for me to write however I feel obliged to say something about this as it will effect all of us now and our kids into the future.

When our Council building burnt down, we bought our current building using the insurance money (almost an even swap) and then decided we would build a new building and lease it out to a University.

The building was supposed to have a library and desperately needed parking for our community. The cost was \$85m and it was supposed to be finished in 2019.

Today in 2020, the project still doesn't have planning approval and the cost has blown out to \$195 million!!!

The building is 35% larger now so the cost should be \$115m, not \$195m.

There also isn't any significant amount of community parking and what is extremely scary is that no tenant has signed up to be in the building.

It's a project that will be great for Liverpool, but it's not something we can afford at a \$195m.

If council goes ahead with this, it will be a bigger mistake than the Oasis which set us back a decade and where millions of \$\$\$ of ratepayers money disappeared under Labor's watch.

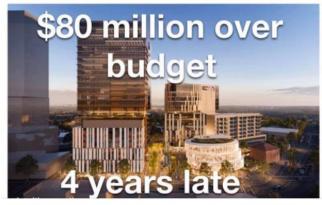
Our roads and parks will suffer because we will be in a sea of debt and we will be forced to sell community land - mark my words.

Council is now doing a survey about this and want to know how you feel. Please take 1 minute out of your day and answer the few questions and let them know how you feel.

Please click on the link and share it and make your voice heard.

https://listens.liverpool.nsw.gov.au/liverpool-civic...

Liverpool Civic Place



147

55 comments 37 shares

What are the 'factual errors' contained in that post?

The post suggested and portrayed a misconception that Council was not managing the

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

project in a prudent manner, resulting in a budget blowout and delay in completion.

Responses to the factual errors are as set out below:

The increase in the cost of project is due to:

 Liverpool Civic Place (LCP) has evolved into a larger project on a larger site since 2016. It will have the biggest library in South West Sydney, which is almost twice the size of that initially proposed. The community Civic Plaza at LCP is almost three times the size of the original public plaza. The new LCP office plans will accommodate Liverpool City Council, as the major tenant, and now will also include state-of-the-art childcare facilities.

Community Parking provision:

 There will be provision for at least 150 public/community car parking spaces at LCP. Potentially an additional 150 public/community car parking spaces could be utilised after hours and on weekends to further invigorate businesses in the southern end of Liverpool's CBD.

The delay in the project was due to:

- NSW Government approval for rezoning Local Environment Plan 2008 Amendment 52. This delayed the project by at least two years;
- The LCP Early Works DA has been approved, with the LCP Master Plan DA determination received in July 2020 and the Council Works DA expected in the first half of 2021.

Roads and Parks impact:

The project will be funded by a combination of NSW Treasury Corporation (a NSW Government agency) and commercial loans. The loan will be repaid in 20 and 25 years, mainly from commercial rent income from Council properties. At the end of the project, ratepayers will have a community asset worth considerably more than the \$195 million capital cost. There will be no impact on core community services.

Who posted it?

Mr. Ned Mannoun

Please provide a copy of that post.

As attached.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

Please address the following:

- 1. What is the current status of the Liverpool Bike Plan 2018-2023? What measures or aspects of the Bike Plan have been implemented to date?
- 2. What impact has COVID-19 had on the usage of the existing bike network/infrastructure?
- 3. How have we engaged with the State or Federal Governments to acquire available data in relation to this?
- 4. A core element of the Bike Plan was the development and implementation of wayfinding signage in relation to the bike paths and infrastructure. What is the status of the implementation of this? What discussions have taken place with other organisations, i.e. Western Sydney Parklands, in relation to this?
- 5. How has Council sought partnerships and worked with other organisations in order to address this issue?

Response

1. What is the current status of the Liverpool Bike Plan 2018-2023? What measures or aspects of the Bike Plan have been implemented to date?

The Liverpool Bike Plan 2018-2023 (the Bike Plan) is a high-level planning document that outlines the provision of bicycle-related infrastructure within the LGA. In this regard, it provides strategic direction and a plan of action for the provision of cycleways, bicycle facilities and the promotion of cycling within Liverpool.

The Bike Plan is an active document that has been informing Council's priority program for the construction and expansion of the cycling network within Liverpool. While the Bike Plan identifies a range of elements, Council's priority has been:

- provision of missing cycleway links along the existing regional and strategic routes;
- provision of new cycleways along the identified strategic routes to continue to expand the regional network and to improve connectivity between the key urban centres; and
- associated signage and pavement markings.

Since the commencement of this Bike Plan, Council has progressively constructed around 5km of new cycleways with a further 2.5km planned for the current program year, as shown below.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

Year	Length	Location
2017-18	1.6 km	1. Wagga Wagga Street, Prestons
		2. Braidwood Drive, Prestons
		3. Jedda Road, Prestons
		4. Newbridge Road, Chipping Norton
2018-19	1.5 km	1. Newbridge Road, Chipping Norton
		2. Hume Highway, Casula
		3. Hume Hwy (around Apex Park), Liverpool
2019-20	1.5 km	1. Newbridge Rd, Chipping Norton
		2. Hume Highway, Casula
		3. Remembrance Avenue, Warwick Farm
		4. Hume Highway, Warwick Farm
2020-21	2.5 km	1. Governor Macquarie Drive, Chipping Norton
(planned		2. Newbridge Road, Moorebank
works)		3. Hume Highway, Lurnea
		4. Hall Circuit, Middleton Grange
		5. M7 Links at Inverell Avenue and Middleton Drive

2. What impact has COVID-19 had on the usage of the existing bike infrastructure?

Transport Findings, an interdisciplinary journal sponsored by several Sydney universities, recently released findings of a research into cycling in Sydney during COVID-19 social distancing and lockdown restrictions. The research, which was conducted by the Faculty of Built Environment of the University of New South Wales, shows a general increase in the uptake of urban cycling during the COVID pandemic. Some of the findings from the survey that supported the research found that:

- more cyclists were observed than usual.
- lower traffic volumes positively influenced cycling due to improved safety.
- more families and children were cycling for recreation and exercise.

Please refer to the full article (attached): Lock, Oliver. 2020. "Cycling Behavior Changes as a Result of COVID-19: A Survey of users in Sydney". *Transport Findings*, June.

3. How have we engaged with the State or Federal Governments to acquire available data in relation to this?

The most current data is available in the attached article referenced above.

4. A core element of the Bike Plan was the development and implementation of wayfinding signage in relation to the bike paths and infrastructure. What is the status of the implementation of this? What discussions have taken place with other organisations, i.e. Western Sydney Parklands, in relation to this?

Council's key priority for implementation has been the provision of cycleways and associated missing links along the strategic routes to improve access and connectivity across the regional network. In this regard, Council has been constructing 1.5km of cycleway annually for the last five years at an average annual cost of \$1M.

Council intends to implement wayfinding signage progressively from the next program year and will be installing wayfinding signage on strategic routes at the focal points identified in the Bike Plan. Key destinations such as the Western Sydney Parklands will also be considered in the wayfinding strategy.

5. How has Council sought partnerships and worked with other organisations in order to address this issue?

Transport for New South Wales (TfNSW) is Council's key partner in the provision and management of active transport infrastructure. TfNSW has continued to provide funding assistance to enable Council to meet the objectives of the Bike Plan. Council was recently successful in securing grant funds of \$1.7M from TfNSW, which will enable the construction of 2.5 km of cycleways this year.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

Please address the following:

- 1. Given the significant changes to the benchmarks used to determine Green Star Ratings, how do current and future council buildings perform against the new benchmarks?
- 2. What impact will this have on other significant developments in the Liverpool LGA?
- 3. How will this impact the assessment process of such developments, especially when they are considered by the Design Excellence Panel (DEP)?
- 4. What other impacts will the changes to these benchmarks have in the Liverpool LGA?

Response

1. Given the significant changes to the benchmarks used to determine Green Star Ratings, how do current and future council buildings perform against the new benchmarks?

The Green Star rating system assesses the sustainability of buildings at various stages of their life cycle. This includes the design stage, post-construction stage and interior fit-outs. The performance rating tool is based on a scale from 1 to 6 Green Stars, with 1 being minimum practice and 6 being world leadership.

The extent of impacts of the benchmark changes depends on the level of Green Star rating being pursued. The highest rating (6 Star World Leadership) requires zero operational carbon emissions. A 5 Star Australian Excellence Green Star building will need to be net zero ready, so that by 2023 they will source their electricity from 100 per cent renewables. A 4 Star Green Star building will need to have 10 per cent less upfront and operational emissions than current NCC requirements.

The Green Building Council of Australia (GBCA) has revised the benchmarks used by the Green Star rating tool to set clearer expectations for buildings, ensuring lower carbon emissions, enhancement of ecological values of the site, reduction of environmental impacts and reduction of operational waste. The key changes made to the benchmarks focus on the reduction of energy and emissions.

Some of Council's existing buildings would not meet the revised Green Star benchmarks. However, there is no requirement to reassess existing buildings against the new benchmarks. It may be a voluntary consideration during future major refurbishments of the buildings.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

The assessment of future Council buildings against the new benchmarks is already underway. The performance of the Liverpool Civic Place has been assessed against the new benchmarks utilising the revised Green Star tool. The Civic Building is designed to achieve a 5 Star certification.

2. What impact will this have on other significant developments in the Liverpool LGA?

Increased measures could be considered by developers if they would like to achieve and maintain Green Star Certification. Given that Green Star is a voluntary rating system, there is no legal or planning requirements to achieve this certification.

Energy requirements under the National Construction Code (NCC) have been mandatory since mid-2020. The upgraded Green Star rating tool considers the NCC energy requirements. These requirements aim to improve the environmental and sustainability performance of buildings and will provide a further avenue for future development to incorporate sustainability mechanisms into the design of their buildings.

It is important to note that the NCC energy requirements primarily relate to Class 3-9 buildings under the NCC, which include but are not limited to buildings such as hotels/motels, schools, office buildings, shopping centres, warehouses, industrial buildings and hospitals.

3. How will this impact the assessment process of such developments, especially when they are considered by the Design Excellence Panel (DEP)?

All significant developments that are required to demonstrate compliance with the NCC energy requirements will be accompanied by a technical report with recommendations to be incorporated into the development. These reports will be reviewed and if deemed satisfactory will form part of conditions of consent.

The SEPP 65 Design Quality Test is the framework used by Council's Design Excellence Panel to assess proposed developments that are being considered by the panel. Sustainability is one of the measures used in the test to assess the quality of the proposed development. Council will continue to encourage the Design Excellence Panel to adopt best practice sustainability measures, including promoting the updated Green Star rating certification for new buildings.

4. What other impacts will the changes to these benchmarks have in the Liverpool LGA?

Voluntary Green Star certification under the new benchmarks enhances the value of a building through increased resilience to climate change and natural disasters, lower emissions, and reduced energy and operational costs. The new benchmarks will also drive design innovation and supply chain transformation.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

ITEM NO: EGROW 03
FILE NO: 321586.2020
SUBJECT: Planning proposal request to rezone land and amend development standards at Lot 6 Newbridge Road, Moorebank

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Hadchiti

That Council:

- 1. Receive and note this report;
- 2. Continue to negotiate with the proponent around issues of density, flood mitigation;
- 3. Note the correspondence from the Department of Planning, Industry and Environment dated 10 December 2020 that Council finalise the Regional Flood Evacuation Study and that the Study informs those planning proposals in the Moorebank East precinct prior to forwarding planning proposals in this precinct to DPIE for a Gateway determination;
- 4. Invite the proponent to work with Council Officers on an amended planning proposal that also investigate opportunities to collaborate with neighbouring developments, Canterbury Bankstown Council and the State Government for the possible inclusion of a bridge crossing the Georges River;
- 5. Defer a decision on whether to forward this planning proposal request to the Department of Planning, Industry and Environment for a Gateway determination until after the Regional Flood Evacuation Study and further report to Council regarding issues in (2) above has been completed in April 2021.
- 6. Consider options for the design and construction of a fully accessible shared path along the Georges River.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

ITEM NO:EGROW 04FILE NO:328465.2020SUBJECT:Planning proposal request to rezone land and amend development standards
at 124 Newbridge Road, Moorebank

COUNCIL DECISION

Moved: Clr Hadchiti Seconded: Clr Harle

That Council:

Motion:

- 1. Receive and note this report;
- Note the correspondence from the Department of Planning, Industry and Environment dated 10 December 2020 that Council finalise the Regional Flood Evacuation Study and that the Study informs those planning proposals in the Moorebank East precinct prior to forwarding planning proposals in this precinct to DPIE for a Gateway determination;
- 3. Delegate authority to the CEO to finalise the preparation of a planning proposal and refer to the Department of Planning, Industry and Environment for a Gateway determination on satisfactory completion of all satisfaction completion of all outstanding issues.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

Chairperson

ITEM NO:CORP 03FILE NO:328856.2020SUBJECT:Annual Financial Reports 2019/20

COUNCIL DECISION

Motion: Moved: CIr Shelton Seconded: CIr Hagarty

That Council receives and adopts this report.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

PRESENTATIONS BY COUNCILLORS

Nil.

NOTICES OF MOTION

ITEM NO:NOM 01FILE NO:332226.2020SUBJECT:Local and Regional Planning Panels

Background

Locals must have a say in the kind of development that occurs in their communities.

Unfortunately this opportunity has been consistently eroded, especially over the last 4 years. The expansion of exempt and complying development and stripping Councillors of their right to determine DAs are two such examples.

The only way for locals to have their say to the actual decision makers is to attend planning panel meetings.

These meetings are all too often held at inconvenient times during the work day.

Local Planning Panel meetings are usually held at 2pm, a time when many residents are either at work or doing the school run.

This only adds to the perception that community voices are being cut out of the planning process.

NOTICE OF MOTION (submitted by CIr Hagarty)

That Council direct the CEO to write to both the Local Planning Panel and Sydney Western City Planning Panel requesting panel meetings be held at more appropriate times to allow community feedback.

COUNCIL DECISION

Motion: Moved: Clr Hagarty Seconded: Clr Hadid

That Council direct the CEO to write to both the Local Planning Panel and Sydney Western City Planning Panel requesting panel meetings be held at more appropriate times to allow community feedback.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

ITEM NO:NOM 02FILE NO:332243.2020SUBJECT:Urban Heat Planning

Background

Urban heat is a significant and growing issue for Western Sydney. The WSROC Urban Heat toolkit (attached) has been developed to help local councils strengthen local planning provisions to reduce the impacts of heat.

WSROC recently released a final draft of the Urban Heat Planning Kit for Council's consideration and input.

Western Sydney is experiencing an increasing number of hot, very hot and extremely hot days and heatwaves, and yet we are building new dwellings and communities that fail to provide adequate mitigation measures that address these rising temperatures.

In the Western City we are failing to provide communities that are in fact as LIVEABLE under the new and emerging climatic conditions. We are still delivering communities that were suitable before the rising temperatures and or are geographically located in areas closer to the central city that benefit through established infrastructure.

The Western City - Liverpool - is more so affected by the rising temperatures than any other areas because we do not have the benefit of sea breezes and have to contend with both hot Westerlies and blustering Southerlies.

State planning instruments do not account for possible variants that are a result of geographical location and or lack of infrastructure which makes a mockery of their one size fits all planning instruments and deprives our citizens of as LIVEABLE communities as should be being provided.

The workshops proposed in this motion would deliver the opportunity for Liverpool Council to consolidate into precise documentation what Council has already implemented or plans to implement in the way of heat and cooling mitigation measures, together with the individual past motions by Councillors that have addressed certain aspects of mitigation, as well as provide the opportunity to examine what other Councils have done and provide the platform for all Councillor's input to address their individual ideas through which heat and cooling mitigation can be included in Council's DCP and LEP planning documents.

Further to the workshops, we as Councillors understand that all Councils are hobbled by what they can achieve individually through their LEP and DCP's. There is the need as proposed in this motion for a joint effort by all Councils in the Western City to call on the DPIE to engage with local government in the Western City and carry out a much needed revision of the State Government BASIX.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

We as a Council have an obligation to our citizens to fight against the one size fits all State Planning regulations. We need to have our geographical location and prevailing weather conditions, lack of transportation infrastructure together with the rising temperatures recognised and considered by the DPIE. There is a need for these specific and current conditions to be addressed in BASIX, SSEP and Controlled Developments planning instruments that will enable the citizens of Liverpool to live in an environment that meets their needs and gives them a quality of life in a city that is truly LIVEABLE.

I ask all Councillors to vote in favour of this motion.

NOTICE OF MOTION (submitted by Clr Rhodes)

That Council:

- 1. Hold Councillor workshops in April 2021 to discuss the WSROC Urban Heat Planning Kit and address:
 - a) The current status of provision of Urban Heat Planning in Liverpool Councils DCP and LEP;
 - b) The further integration of Urban Heat Planning mitigation into Liverpool Council's LEP and DCP and BASIX;
 - c) Other possible ways to introduce new initiatives that will encourage more resilient and sustainable communities in the Liverpool LGA; and
 - d) Examine how other Councils have already addressed the same issues.
- 2. Write to WSROC expressing our support for their initiative for all Councils in the Western City to engage in a joint submission to DPIE calling for the revision of the BASIX; and
- 3. Write to all Western City Council's requesting their support in the joint submission to DPIE.

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Harle

That Council:

- 1. Hold Councillor workshops in April 2021 to discuss the WSROC Urban Heat Planning Kit and address:
 - a) The current status of provision of Urban Heat Planning in Liverpool Councils DCP and LEP;
 - b) The further integration of Urban Heat Planning mitigation into Liverpool Council's LEP and DCP and BASIX;

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

- c) Other possible ways to introduce new initiatives that will encourage more resilient and sustainable communities in the Liverpool LGA; and
- d) Examine how other Councils have already addressed the same issues.
- 2. Write to WSROC expressing our support for their initiative for all Councils in the Western City to engage in a joint submission to DPIE calling for the revision of the BASIX; and
- 3. Write to all Western City Council's requesting their support in the joint submission to DPIE.

On being put to the meeting the motion was declared CARRIED.

RECESS

Mayor Waller called a recess at 7.43pm.

RESUMPTION OF MEETING

Mayor Waller resumed the meeting at 7.53pm in open session.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

CONFIDENTIAL ITEMS

ITEM NO:CONF 01FILE NO:317496.2020SUBJECT:Acquisition of Pt Lot 972 in DP 1247475 being Part of 45 Seventh Avenue,
Austral for open space purposes

COUNCIL DECISION

Motion:	Moved: Cir Shelton	Seconded: Clr Hadid

That Council:

- 1. Approves the acquisition of part of Lot 972 in DP 1247475, being part of 45 Seventh Avenue, Austral for the price and terms outlined in this report;
- Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and
- 3. Authorises the CEO or his 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.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

ITEM NO:CONF 02FILE NO:318504.2020SUBJECT:Tourism and CBD Committee - New Community Representatives

COUNCIL DECISION

Motion:

Moved: Clr Hadid

Seconded: Clr Harle

That Council:

- 1. Change the number of community representatives on the Tourism and CBD Committee Charter up to a maximum of 20 Community representatives and accept all people who applied plus the two existing members; and
- 2. Leave the quorum as it currently stands.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

ITEM NO:CONF 03FILE NO:320996.2020SUBJECT:Acquisition of Lot 700 in DP 1244341 Rainbows Way, Leppington for drainage
purposes

36

COUNCIL DECISION

Motion: Moved: CIr Harle	Seconded: Clr Hadid
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That Council:

- 1. Approves the acquisition of Lot 700 in DP 1244341 Rainbows Ways, Leppington for the price and terms outlined in this report;
- Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and
- 3. Authorises the CEO or his 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.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

Chairperson

ITEM NO:CONF 04FILE NO:308725.2020SUBJECT:Public Sector Working Hubs

COUNCIL DECISION

Motion: Moved: Clr Harle Seconded: Clr Rhodes

That Council receives and notes this report and notes that a further update on this initiative will be provided by the June 2021 Council meeting.

On being put to the meeting the motion was declared CARRIED.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

ITEM NO:CONF 05FILE NO:319849.2020SUBJECT:Liverpool City Centre Parking Meters

COUNCIL DECISION

Motion: Moved: Clr Harle Seconded: Clr Rhodes

That Council exercises section 55 (3) (i) of the Local Government Act 1993 for a period of no more than 6 months and in doing so:

- 1. Approves the extension of the contract with Reino International (ST2106) to now expire on 10 July 2021; and
- 2. Approves the expenditure for parking meter maintenance, call centre service, credit card transaction and consumables in the amount outlined in this report.

On being put to the meeting the motion was declared CARRIED.

Councillors voted unanimously for this motion.

CLOSED SESSION

Mayor Waller advised that Council would now move into Closed Session to deal with items CONF 06 – Liverpool Civic Place – Project Update and Revised Funding Options and CONF 07 – Interim Heritage Order – 122 Atkinson Street, Liverpool.

CONF 06 is confidential pursuant to the provisions of S10(A)(2) of the Local Government Act 1993 because it contains information that would, is disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CONF 07 is confidential pursuant to the provisions of S10(A)(2)(a)(b) of the Local Government Act 1993 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 8.04pm.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

ITEM NO:CONF 06FILE NO:321467.2020SUBJECT:Liverpool Civic Place - Project Update and Revised Funding Options

COUNCIL DECISION

Moved: Clr Hagarty Seconded: Clr Kaliyanda

That Council:

Motion:

- 1. Note that Council's NSW Treasury Corporation loan application is currently under consideration and awaiting approval;
- 2. Delegate authority to the Mayor and CEO to furnish and complete any required documentation to NSW Treasury Corporation that will facilitate final approval;
- 3. Delegate authority to the CEO to invite Expressions Of Interest from commercial financial institutions to lend approximately 40% of the project costs;
- 4. Delegate authority to the Mayor and CEO to complete, submit, and execute any required loan application documentations to secure borrowing from the preferred commercial financial institution;
- 5. Authorise use of Council's "Common Seal" on loan documents, if required;
- 6. Authorise the CEO to engage an appropriately qualified accounting firm to undertake a comprehensive review of the PDA to identify all financial implications;
- 7. Endorses the inclusion of Co-Living accommodation as part of the Developer Works for Liverpool Civic Place;
- 8. Delegate authority to the CEO to negotiate and execute any changes to the Project Development Agreement with Built Holdings Pty Ltd, subject to legal advice, and direct the CEO to report any such amendments to the Strategic Panel, once agreed;
- Keeps confidential the attachment supplied under separate cover pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
- 10. Staff bring back responses to the questions raised in closed session by the end of February 2021.

On being put to the meeting the motion was declared CARRIED.

Clrs Hadchiti and Ayyad asked that he be recorded as voting against the motion.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

ITEM NO:CONF 07FILE NO:321627.2020SUBJECT:Interim Heritage Order - 122 Atkinson Street, Liverpool

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Rhodes

That Council defer a decision on listing this property until a further report is presented on other means to ensure the current landowner does not endure any hardship by Council's decision.

On being put to the meeting the motion was declared CARRIED.

Mayor Waller reopened the meeting at 9.13pm and read the resolutions made in Closed Session for items CONF 06 and CONF 07.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021

THE MEETING CLOSED AT 9.17pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 3 February 2021

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 16 December 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

Minutes of the Ordinary Council Meeting held on Wednesday, 16 December 2020 and confirmed on Wednesday, 3 February 2021