

# MINUTES OF THE ORDINARY MEETING HELD ON 26 MAY 2015

## PRESENT:

Mayor Ned Mannoun

Councillor Balloot

Councillor Hadchiti

Councillor Hadid

Councillor Harle

Councillor Karnib

Councillor Ristevski

Councillor Shelton

Councillor Stanley

Councillor Waller

Mr Carl Wulff Chief Executive Officer

Mr Gary Grantham, Chief Financial Officer

Ms Toni Averay, Director Planning and Growth

Ms Kiersten Fishburn, Director Community and Culture

Mr Michael Cullen, Director Economy and Engagement

Mr Raj Autar, Director Infrastructure and Environment

Ms Carole Todd, Director Business Improvement

Mr John Morgan, Director Property and Commercial Development

The meeting commenced at 6.04pm.

**OPENING** 6.04pm

PRAYER The prayer of the Council was read by Pastor John

Keane from West Hoxton Community Church.

APOLOGIES CIr Mamone

Motion: Moved: Mayor Mannoun Seconded: Clr Waller

CONDOLENCES Nil

Minutes of the Ordinary Council Meeting held on Tuesday, 26 May 2015 and confirmed on Wednesday, 17 June 2015

## **CONFIRMATION OF MINUTES**

Motion: Moved: Clr Harle Seconded: Clr Karnib

That the minutes of the Ordinary Meeting held on 29 April 2015 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 pecuniary interest in the following item:

Item CONF 01: Key Sites Master Planning Steering Committee meeting held on

5 May 2015.

Reason: Clr Hadchiti advised that he has previously declared a pecuniary

interest relating to Lot 1 DP 1201516, 352-362 Macquarie Street Liverpool as he had a business relationship with the owner. He advised that he no longer has a business relationship with the owner, but will continue to declare a pecuniary interest on this

matter until the matter is finalised.

## **PUBLIC FORUM**

(Presentation – items not on agenda)

Nil

(Representation – items on agenda)

Nil

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#### **MAYORAL MINUTE**

**SUBJECT:** Autism Advisory and Support Service

The Autism Advisory and Support Service (AASS) was established in 2007 by a group of parents from South Western Sydney, and are currently operating at 88 Memorial Avenue Liverpool.

The AASS provides a range of services to support, advocate, help, educate and guide families who have a loved one with Autism living in Liverpool as well as the surrounding greater South West community.

AASS are currently operating on donations and grants alone. From the donations and grants, AASS has completed the following projects to full operation:

- an Autism Community House in Liverpool;
- a 24 Hour Autism Hotline;
- has assembled various support groups;
- · created many social groups;
- and established parent workshops.

The AASS are holding their 7<sup>th</sup> annual Foundation of Hope Charity Ball in June 2015 and all funds raised will be used by AASS to continue to provide their invaluable work of assisting children with Autism and their families in our community.

I move that the Council show their support for AASS and their work through purchasing a table for their Foundation of Hope Charity Ball at a cost of \$1,200.

## **RECOMMENDATION:**

That Council donate \$1,200 to the AASS through purchasing a table for their Foundation of Hope Charity Ball in June 2015.

#### **COUNCIL DECISION**

Motion: Moved: Mayor Mannoun

That the recommendation be adopted.

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

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**MAYORAL MINUTE** 

**SUBJECT:** Nepal Earthquake

On the 25<sup>th</sup> of April 2015 Nepal's capital Kathmandu, and surrounding areas, was devastated by a major earthquake which resulted in the loss of thousands of lives and thousands more injured. The earthquake was measured at 7.8-magnitude. The initial earthquake was followed by a large number of aftershocks, including one that measured 7.3 on the 12<sup>th</sup> of May.

Among the worst-hit districts was Sindhupalchok, where more than 2,000 people lost their lives and in Kathmandu, more than 1000 people perished. Thousands more were badly injured by falling debris caused by the quake or the powerful aftershocks.

Since the quakes, people have been living in makeshift camps around Kathmandu, having been made homeless or because it is too risky to stay in their homes because of the risk of structural damage.

Our thoughts and condolences should be extended to all of those who have been affected by the Earthquake tragedy. Liverpool City Council should also make a donation to the World Vision Nepal Earthquake Appeal to the amount of \$2000.

#### **RECOMMENDATION:**

That Council:

- 1. Sends its condolences to all those affected by the earthquake in Nepal.
- 2. Donate \$2000 to the World Vision Nepal Earthquake Appeal.

#### **COUNCIL DECISION**

Motion: Moved: Mayor Mannoun

That the recommendation be adopted.

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

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#### **MAYORAL MINUTE**

**SUBJECT:** UWS Learning Hub in Liverpool

On 25 May 2015, the Premier of NSW visited Liverpool and announced a major expansion by the University of Western Sydney to the Liverpool City Centre.

The UWS will establish a state-of-the-art Higher Education Centre within Liverpool in 2016.

It was stated by UWS Vice Chancellor Professor Barney Glover that the Centre will comprise of technology-rich teaching spaces, regionally targeted post-graduate offerings, the Centre for Western Sydney and a 'Launch Pad' Smart Business Centre. The Centre will sprawl over 1,000sqm and will accommodate over 150 students, staff and corporate partners.

The UWS expansion to Liverpool will provide greater access to the highest quality education opportunities for people within the Liverpool community. The Centre will also play a big role, along with government and industry in contributing to the shaping of Western Sydney, particularly as the home of Sydney's next international airport.

The expansion of UWS to Liverpool aligns with our vision to create innovative education and employment opportunities through strategic partnerships. These partnerships will enable Liverpool to harness jobs and business investment potential from the Airport, benefiting the Liverpool local community.

#### **RECOMMENDATION:**

## That Council:

- 1. Commend UWS for recognising Liverpool as a strategic centre for education and innovation.
- 2. Commend the Committee for Liverpool in their ongoing achievements promoting the Greater South West, and delivering positive outcomes for Liverpool.
- 3. Thank the Premier for his ongoing recognition of Liverpool's strategic importance, and its indisputable place as Sydney's third CBD.

## **COUNCIL DECISION**

Motion: Moved: Mayor Mannoun

## That Council:

1. Commend UWS for recognising Liverpool as a strategic centre for education and innovation.

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- 2. Commend the Committee for Liverpool in their ongoing achievements promoting the Greater South West, and delivering positive outcomes for Liverpool.
- 3. Thank the Premier for his ongoing recognition of Liverpool's strategic importance, and its indisputable place as Sydney's third CBD.
- 4. Congratulate Liverpool City Council staff and the Mayor on their work in having a state of the art Higher Education Centre within Liverpool in 2016.

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

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#### **MAYORAL MINUTE**

**SUBJECT:** Moorebank Waste and Recycling Facility

In 2005 an application was made by Moorebank Recyclers to set up the operations of a recycling plant, known as the Moorebank Waste and Recycling Facility, on the bank of George's River. The application was made under the, now repealed, **Part 3(a)** of the **Environmental Planning and Assessment Act 1979**.

It is with great disappointment that the application has progressed to the Planning and Assessment Commission for a final decision.

The Department of Planning has made some recommendations to the PAC, with the end result being that the facility should be approved.

The recommendation for approval is of grave concern for Liverpool Council and the proposed site on the George's River. The proposal to place a recycling facility that would handle approximately 500,000 tonnes of construction waste per year next to a brand new residential housing estate on the George's river is a highly inappropriate recommendation.

Future developments on the George's River, such as the Marina and other projects will also suffer detriment if the facility is granted approval. The facility will also disrupt surrounding areas – particularly areas where residents of Liverpool have worked hard to build homes and raise families.

The Council has worked hard to develop a positive plan for our community and our beautiful George's River and we therefore strongly and formally oppose the approval of the facility.

On Saturday, 23 May 2015, I attended an organised community meeting in Central Park at George's Fair and addressed the large number of people in attendance on my strong opposition to the approval of the facility. It was also clear from the large numbers of people that the Liverpool community is unanimous in its strong opposition to the facility.

It should be noted that the NSW Planning and Assessment Commission will hold a public hearing at **3pm** on **Monday**, **1 June 2015** at the **Bankstown Golf Club** and Liverpool City Council will formally provide submissions opposing the approval of the facility. Liverpool City Council also urges members of the community to attend the hearing and voice their concerns.

If the outcome of the hearing results in approval of the facility, Liverpool City Council will look at options of taking the matter to the Land and Environment Court of NSW.

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#### **RECOMMENDATION:**

#### That Council:

- 1. Opposes the recommendation of the NSW Planning to approve the Moorebank Waste and Recycling Facility on the bank of the George's River, Moorebank.
- 2. Inform the community of the Planning and Assessment Commission hearing at 3pm on Monday, 1 June 2015 at the Bankstown Golf Club.
- 3. Make formal submissions opposing the approval of the Moorebank Waste and Recycling Facility at the PAC hearing on 1 June 2015.
- 4. Launch legal action in the event that the Planning and Assessment Commission approves Moorebank Waste and Recycling Facility.
- 5. Commend the efforts of the Moorebank Committee in opposing the approval of the Moorebank Waste and Recycling Facility.

## **COUNCIL DECISION**

Motion: Moved: Mayor Mannoun

## That Council:

- 1. Opposes the recommendation of the NSW Planning to approve the Moorebank Waste and Recycling Facility on the bank of the George's River, Moorebank.
- 2. Inform the community of the Planning and Assessment Commission (PAC) hearing at 3pm on Monday, 1 June 2015 at the Bankstown Golf Club.
- 3. Make formal submissions opposing the approval of the Moorebank Waste and Recycling Facility at the Planning and Assessment Commission hearing on 1 June 2015.
- 4. Authorise the CEO to challenge the decision in the Land and Environment Court should it be approved.
- 5. Commend the efforts of the Moorebank Committee in opposing the approval of the Moorebank Waste and Recycling Facility.
- 6. Make representations to the Planning and Assessment Commission for an extra meeting for interested members of the public, to start no earlier than 6pm, in the Liverpool area (to be held at the Casula Powerhouse Arts Centre if available).
- 7. Write to our local Members of Parliament to assist us with making representations.
- 8. Acknowledges that Notice of Motion 03 from this Council Agenda has been dealt with as part of this motion.

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| 9.    | Write to the responsible Minister to ensure that we have an additional air monitoring station in that area so that we can see what the air quality levels are. |
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| On be | ing put to the meeting the motion was declared CARRIED.  |
| Cound | cillors voted unanimously for this motion.   |
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## **MAYORAL MINUTE**

**SUBJECT:** National Sorry Day

Today, 26 May 2015, marks National Sorry Day.

National Sorry Day is an annual event that has been held in Australia on the 26<sup>th</sup> of May, since 1998.

National Sorry Day is an Australia-wide observance and gives people the chance to come together and share the steps towards healing for the Stolen Generations, their families and communities. It also allows the national to reflect on the injustices towards the Stolen Generation back in that period of time in Australian history.

Liverpool City Council observes National Sorry Day and our thoughts are with those who were affected by the policies which resulted in the "Stolen Generation".

#### **RECOMMENDATION:**

## That Council:

- 1. Observes National Sorry Day and acknowledges the importance of this annual observance day.
- 2. Council extends its apologies to all Indigenous Australians still affected by the "Stolen Generation" policies of the past.

Motion: Moved: Mayor Mannoun

#### That Council:

- 1. Observes National Sorry Day and acknowledges the importance of this annual observance day.
- 2. Council extends its apologies to all Indigenous Australians still affected by the "Stolen Generation" policies of the past.
- 3. Thank staff for the installation of the plaque at the Liverpool Regional Museum which recognises National Sorry Day

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

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## **NOTICES OF MOTION**

**ITEM NO:** NOM 01 **FILE NO:** 118519.2015

**SUBJECT:** Commencement time for June Council Meeting

## **NOTICE OF MOTION**

## That Council:

- 1. Alter the commencement time of the Ordinary Meeting scheduled for Tuesday 17 June 2015 to commence at 5.00pm rather the 6.00pm.
- 2. Advertise the change of time of the 17 June 2015 Council meeting in the local papers and on Council's website and social media.

## **COUNCIL DECISION**

Motion: Moved: Clr Ristevski Seconded: Clr Hadchiti

That the recommendation be adopted.

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

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**ITEM NO:** NOM 02 **FILE NO:** 119040.2015

SUBJECT: ALGWA (NSW) Annual Conference

## **NOTICE OF MOTION**

## That Council:

- 1. Congratulate Councillor Waller on her election as Vice President City at the recent ALGWA (NSW) Annual conference.
- 2. Renew Councillors membership of ALGWA ( NSW) at \$250.00 for the current year.
- 3. Provide support to Councillor Waller in her role with ALGWA (NSW).

## **COUNCIL DECISION**

Motion: Moved: Clr Stanley Seconded: Clr Shelton

That the recommendation be adopted.

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

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**ITEM NO:** NOM 03 **FILE NO:** 119815.2015

**SUBJECT:** Recommendation for Approval by the Department of Planning - Moorebank

Recyclers

## **NOTICE OF MOTION**

#### That Council:

1. Opposes the recommendation of the Department of Planning to the PAC for approval with conditions of the proposed Moorebank Recyclers plant.

- 2. Officers prepare a submission to the PAC noting this motion and residents opposition to this development and reasons for concerns regarding this development.
- 3. Writes to all residents of Georges Fair, Moorebank and Chipping Norton advising them of the public meeting to be held 1st June 2015 as per the advice from the Department of Planning.
- 4. Nominates an appropriate Council representative to make representations to the PAC on residents' behalf, noting this motion and overwhelming support from residents.
- 5. Makes representations to all Members of Parliament detailing Council's concern regarding the recommendation of the Department of Planning and seeking their support to Council's opposition.

## **COUNCIL DECISION**

Note: This motion was dealt with in conjunction with the Mayoral Minute on the Moorebank Waste and Recycling Facility on Pages 7-9 of these minutes.

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## **CHIEF FINANCIAL OFFICER**

**ITEM NO:** CFO 01 **FILE NO:** 103129.2015

**SUBJECT:** Investment Report April 2015

## **RECOMMENDATION**

That Council receives and notes this report.

## **COUNCIL DECISION**

Motion: Moved: Clr Hadid Seconded: Clr Ristevski

That the recommendation be adopted.

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

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**ITEM NO:** CFO 02 **FILE NO:** 104240.2015

**SUBJECT:** March Community Performance Report

#### **RECOMMENDATION**

That Council receives and notes the March Community Performance Report which outlines the progress of all principal activities contained in the 4-year Delivery Program and Operational Plan 14/15.

## **COUNCIL DECISION**

Motion: Moved: Cir Shelton Seconded: Cir Balloot

That the recommendation be adopted.

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

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Chairperson

**ITEM NO:** CFO 03 **FILE NO:** 116361.2015

**SUBJECT:** March 2015 Budget Review

#### **RECOMMENDATION**

## That Council:

1. Receives and notes the report;

2. Approves the identified budget variations in accordance with this report.

## **COUNCIL DECISION**

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That the recommendation be adopted.

Foreshadowed motion: Moved: Clr Shelton Seconded: Clr Stanley

## That Council:

1. Receives and notes the report;

- 2. Approves the identified budget variations in accordance with this report with the following amendment:
  - Item 5.1.2 (Develop a project concept, business case, and preliminary designs for a Community Nursery and Education Centre in Liverpool) which appears in the 2014/2015 Operational Plan and Delivery Program be reinstated.

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

Clrs Karnib, Shelton, Stanley and Waller asked that they be recorded as voting against the motion.

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**ITEM NO:** CFO 04 **FILE NO:** 116809.2015

**SUBJECT:** Annual Review of Civic Expenses and Facilities Policy

#### **RECOMMENDATION**

## That Council:

1. Receive and note this report:

- 2. Provide public notice of 28 days for the making of public submissions of Council's intention to amend the Civic Expenses and Facilities Policy ,as attached to this report; and
- 3. Be provided with a further report at its meeting on 29 July 2015, following the receipt and review of any public submissions.

## **COUNCIL DECISION**

Motion: Moved: Clr Hadid Seconded: Clr Ristevski

That the recommendation be adopted.

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

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**ITEM NO:** CFO 05 **FILE NO:** 116938.2015

**SUBJECT:** Review of the Code of Meeting Practice

#### **RECOMMENDATION**

## That Council:

1. Receive and note this report;

- 2. Obtain a further report in six months from the Chief Executive Officer relating to Council's work health and safety obligations in regard to Council meetings which finish late at night.
- 3. Proceed with the proposed amendments to the Code of Meeting Practice, as exhibited.

## **COUNCIL DECISION**

Motion: Moved: CIr Balloot Seconded: CIr Hadid

That the recommendation be adopted.

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

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**ITEM NO:** CFO 06 **FILE NO:** 117374.2015

**SUBJECT:** Amendment to Council's Investment Policy

## **RECOMMENDATION**

That Council receives and approves the recommendation to amend the Investment Policy to Exclude liquid assets from the Term to Maturity limits.

## **COUNCIL DECISION**

Motion: Moved: Clr Hadchiti Seconded: Clr Waller

That the recommendation be adopted.

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

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**ITEM NO:** CFO 01 **FILE NO:** 100184.2015

**SUBJECT:** Endorsement of the Delivery Program 2013-17 and Operational Plan 2015-16

including Revenue Policy

## **RECOMMENDATION**

#### That Council:

1. Adopts the 4-year Delivery Program and 2015-16 Operational Plan and Budget with the changes outlined in this report.

- 2. Makes the rates and charges for the financial year commencing 1 July 2015 as outlined in the Revenue Pricing Policy and exhibited in the draft Delivery Program and Operational Plan.
- 3. Writes to the individuals and groups who provided a submission, thanking them for their submission and provides a response to their feedback and, or comments.

## **COUNCIL DECISION**

Motion: Moved: Clr Hadchiti Seconded: Clr Balloot

That the recommendation be adopted.

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

#### **Division called:**

Vote for: Mayor Mannoun

Clr Balloot Clr Hadchiti Clr Hadid Clr Harle Clr Ristevski

Vote against: Clr Karnib

CIr Shelton CIr Stanley CIr Waller

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## **COMMUNITY AND CULTURE REPORT**

**ITEM NO:** DCC 01 **FILE NO:** 003971.2015

**SUBJECT:** Donations, Grants and Sponsorships

## **RECOMMENDATION**

## That Council:

1. Endorses the Financial Contribution Panel's recommendations for the provision of \$7,100 under the Community Donations Program as summarised in the table below:

| Applicant Name                  | Project Name     | Amount  |
|---------------------------------|------------------|---------|
| Urban Theatre Projects          | FAITH            | \$5,000 |
| Greek Orthodox Community of NSW | Senior Art Class | \$2,100 |

2. Endorses the Financial Contributions Panel's recommendations for the provision of \$12,609 under the Corporate Sponsorship Program as summarised in the table below. If the recommended amount of \$12,609 is endorsed, funds will need to be allocated from the Council Reserve.

| Applicant name                        | Amount  |
|---------------------------------------|---------|
| Share Care Inc.                       | \$5,000 |
| NSW Organ and Tissue Donation Service | \$7,609 |

## **COUNCIL DECISION**

Motion: Moved: Clr Hadchiti Seconded: Clr Balloot

#### That Council:

1. Endorses the Financial Contribution Panel's recommendations for the provision of \$7,100 under the Community Donations Program as summarised in the table below:

| Applicant Name                  | Project Name     | Amount  |
|---------------------------------|------------------|---------|
| Urban Theatre Projects          | FAITH            | \$5,000 |
| Greek Orthodox Community of NSW | Senior Art Class | \$2,100 |

2. Endorses the Financial Contributions Panel's recommendations for the provision of \$12,609 under the Corporate Sponsorship Program as summarised in the table below. If the recommended amount of \$12,609 is endorsed, funds will need to be allocated from the Council Reserve.

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| Applicant name                        | Amount                    |
|---------------------------------------|---------------------------|
| Share Care Inc.                       | \$5,000 (subject to point |
|                                       | 3 of Council's resolution |
|                                       | below)                    |
| NSW Organ and Tissue Donation Service | \$7,609                   |

3. Defer the donation to Share Care referred to in point 2 above, until after discussions with Share Care and delegate to the CEO to make the final decision.

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

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**ITEM NO:** DCC 02 **FILE NO:** 099266.2015

**SUBJECT:** Liverpool City Council Sporting Grants Program 2014/2015

## **RECOMMENDATION**

## That Council:

1. Adopts the following recommendations for the allocation of the \$25,000 sporting grants funding, as determined by the Liverpool Sports Committee grants assessment panel:

| Club  | Project Description   | Recommended<br>Grant Amount |
|---|---|-----------------------------|
| NSW Remote Control Racing Car<br>Club       | Construction of a Covered<br>Training Area  | \$4,500                     |
| Moorebank Rugby League Club                 | Purchase of Sporting Equipment  | \$2,000                     |
| Kemps Creek United Soccer Club              | Safety Fencing Construction   | \$5,000                     |
| Casula Lakers Baseball Club                 | Purchase of Sporting Equipment, Coaching, Umpire and First Aid Training (consisting of 3 separate grants) | \$3,625                     |
| Liverpool Olympic Sports and<br>Social Club | Purchase of Line Marking<br>Equipment and Sporting<br>Equipment   | \$3,200                     |
| Liverpool City Archers                      | Purchase of Sporting Equipment  | \$3,500                     |
| Moorebank Baseball Softball Club            | Purchase of Sporting Equipment  | \$3,175                     |
|   | Total   | \$25,000                    |

2. Adopts the following recommendation for the allocation of \$5,000 due to the lack of applications under the criteria allocated for sports for people with a disability:

| Club                                   | Project Description | Recommended<br>Grant Amount |
|--|---------------------|-----------------------------|
| Liverpool City Robins Football<br>Club | Mower Purchase      | \$5,000                     |

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## **COUNCIL DECISION**

Motion: Moved: Clr Hadchiti Seconded: Clr Balloot

That Council:

1. Adopts the following recommendations for the allocation of the \$25,000 sporting grants funding, as determined by the Liverpool Sports Committee grants assessment panel:

| Club  | Project Description   | Recommended<br>Grant Amount |
|---|---|-----------------------------|
| NSW Remote Control Racing Car<br>Club       | Construction of a Covered<br>Training Area  | \$4,500                     |
| Moorebank Rugby League Club                 | Purchase of Sporting Equipment  | \$2,000                     |
| Kemps Creek United Soccer Club              | Safety Fencing Construction   | \$5,000                     |
| Casula Lakers Baseball Club                 | Purchase of Sporting Equipment, Coaching, Umpire and First Aid Training (consisting of 3 separate grants) | \$3,625                     |
| Liverpool Olympic Sports and<br>Social Club | Purchase of Line Marking<br>Equipment and Sporting<br>Equipment   | \$3,200                     |
| Liverpool City Archers                      | Purchase of Sporting Equipment  | \$3,500                     |
| Moorebank Baseball Softball Club            | Purchase of Sporting Equipment  | \$3,175                     |
|   | Total   | \$25,000                    |

2. Adopts the following recommendation for the allocation of \$5,000 due to the lack of applications under the criteria allocated for sports for people with a disability:

| Club                                   | Project Description | Recommended<br>Grant Amount |
|--|---------------------|-----------------------------|
| Liverpool City Robins Football<br>Club | Mower Purchase      | \$5,000                     |

3. Subject to the receipt of supporting documentation and costs, Council approves funding to All Saints Liverpool JRLFC pending their provision of all additional documents.

Foreshadowed motion: Moved: CIr Shelton Seconded: CIr Stanley

That the recommendation be adopted.

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

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## **Division called:**

Vote for: Mayor Mannoun

Clr Balloot Clr Hadchiti Clr Hadid Clr Ristevski

Vote against: CIr Harle

CIr Karnib CIr Shelton CIr Stanley CIr Waller

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

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**ITEM NO:** DCC 03 **FILE NO:** 102356.2015

**SUBJECT:** Toilet facilities at Wattle Grove Lake

## **RECOMMENDATION**

## That Council:

1. Installs a single fully automated toilet in Lakeside Park;

- 2. Allocates up to \$188,000 in the 2015/16 Capital Works budget to deliver; and
- Considers a further report to Council identifying other district level parks where fully automated toilets could be installed.

## **COUNCIL DECISION**

Motion: Moved: Clr Hadchiti Seconded: Clr Shelton

#### That Council:

- Support the installation of a single fully automated toilet in Lakeside Park following further community consultation to determine the best location and outcome for this unit;
- 2. Allocates up to \$188,000 in the 2015/16 Capital Works budget to deliver;
- Considers a further report to Council identifying other district level parks where fully automated toilets could be installed;
- 4. Organise in conjunction with Wattle Grove Fishing Club and the Lions Club a Family Fun Fishing Day in July at Wattle Grove Lake.
- 5. In discussions with the Wattle Grove Fishing Club, look at strategies to decrease the eels and the carp in the lake and restock with appropriate species.

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

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**ITEM NO:** DCC 04 **FILE NO:** 108567.2015

**SUBJECT:** Combatting Childhood Obesity with Sport

#### **RECOMMENDATION**

## That Council:

1. Receives and notes this report.

2. Allocates \$50,000 in the 2015-16 budget to administer a subsidy program to commence in September 2015 for the summer sports season.

#### **COUNCIL DECISION**

Motion: Moved: CIr Hadchiti Seconded: CIr Waller

That Council defer this report to the next Council meeting for policy implementation to be developed.

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

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Chairperson

## **ECONOMY AND ENGAGEMENT REPORT**

**ITEM NO:** DEE 01 **FILE NO:** 081822.2015

**SUBJECT:** Flag and Banner Program

## **RECOMMENDATION**

That Council note and endorse the Flag and Banner Policy.

#### **COUNCIL DECISION**

Motion: Moved: Clr Shelton Seconded: Clr Harle

That Council note and endorse the Flag and Banner Policy, subject to the following amendments:

- Clause 6.5: Delete the words "however it will be at Council's discretion to allow commercial campaigns."
- Clause 11.2d: Delete the words "however it will be at Council's discretion to allow commercial activities."
- Clause 11.2e: Delete the words "however it will be at Council's discretion to allow commercial activities."

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

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Mayor Mannoun called for a recess of Council at 7.22pm.

Mayor Mannoun reopened the meeting at 7.37pm.

**ITEM NO:** DEE 02 **FILE NO:** 084964.2015

**SUBJECT:** Media Representation Policy

#### **RECOMMENDATION**

That Council note and endorse the attached media representation policy.

## **COUNCIL DECISION**

Motion: Moved: Clr Hadchiti Seconded: Clr Balloot

That Council note and endorse the attached media representation policy subject to the following amendments:

- Clause 4.8 be changed to add the following: "All LGA mass communications, including responses to the media, to be approved by the Mayor."
- Clause 4.14 be changed to read: "Councillors may communicate with the media provided that comments or statements are not purported as representing the official Council position or policy."

Foreshadowed motion: Moved: Clr Stanley Seconded: Clr Shelton

That Council defer the Media Representation Policy for a report to be brought back to Council to incorporate all Media Policies into a single policy.

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

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**ITEM NO:** DEE 03 **FILE NO:** 271932.2014

**SUBJECT:** Corporate Sponsorship (Incoming) Policy

## **RECOMMENDATION**

That Council approves the proposed new Corporate Sponsorship (Incoming) Policy.

## **COUNCIL DECISION**

Motion: Moved: CIr Balloot Seconded: Mayor Mannoun

That Council approve the proposed new Corporate Sponsorship (Incoming) Policy subject to Clause 5.13.3 being changed so that it now reads:

"5.13.3 Any sponsorship with a value of more than \$50,000 (exclusive of GST) must be approved by Council."

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

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**ITEM NO:** DEE 04 **FILE NO:** 116238.2015

**SUBJECT:** Review of Town Improvement Fund Policy

#### **RECOMMENDATION**

## That Council:

- 1. Changes the name of the Town Improvement Fund to the City Development Fund.
- 2. Approves the revised Charter for the Building Our New City Committee and notes the Committee has responsibility for management, all boundaries, expenditure recommendations and strategies and other elements of the City Development Fund.
- 3. Agree that a regular review of the City Development Fund be undertaken every 2 years with respect to its scope, boundaries and rate.
- 4. Notes that current Building Our New City priority improvement projects approved by Council will be funded via the City Development Fund and loan arrangements secured against revenue raised through the City Development Fund.
- 5. Exhibits the draft City Development Fund policy for public comment for 28 days.
- 6. Notes the attached program of works identified in the draft 2015/16 budget to be funded from the City Development Fund.
- 7. Notes that the annual City Development Fund work program will be managed through overall Council budget management process.

#### **COUNCIL DECISION**

Motion: Moved: CIr Hadid Seconded: CIr Hadchiti

That the recommendation be adopted.

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

Clrs Karnib and Waller asked that they be recorded as voting against the motion.

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## PLANNING AND GROWTH REPORT

**ITEM NO:** DPG 01 **FILE NO:** 096578.2015

SUBJECT: Draft LLEP 2008 (Amendment No. 49) - Removal of Flood Prone Land Area

mapping from LLEP 2008 & Draft LDCP 2008 (Amendment No. 20)

#### **RECOMMENDATION**

## That Council:

- 1. Adopt the Draft Liverpool Local Environmental Plan 2008 (Amendment No. 49) and forward the plan to the NSW Department of Planning and Environment requesting notification (gazettal) of the amendment.
- 2. Adopt the Draft Liverpool Development Control Plan 2008 (Amendment No. 20), to come into effect on the publication of the required notice in the local newspaper.

## **COUNCIL DECISION**

Motion: Moved: Clr Stanley Seconded: Clr Hadid

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

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**ITEM NO:** DPG 02 **FILE NO:** 097083.2015

**SUBJECT:** East Leppington Contributions Plan

## **RECOMMENDATION**

That Council adopts the Liverpool Contributions Plan 2015 (East Leppington Precinct)

## **COUNCIL DECISION**

Motion: Moved: Clr Shelton Seconded: Clr Karnib

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

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**ITEM NO:** DPG 03 **FILE NO:** 097096.2015

**SUBJECT:** Austral Leppington North Contributions Plan

## **RECOMMENDATION**

That Council adopts the Liverpool Contributions Plan 2014 (Austral and Leppington North Precincts).

## **COUNCIL DECISION**

Motion: Moved: Clr Shelton Seconded: Clr Balloot

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

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**ITEM NO:** DPG 04 **FILE NO:** 105944.2015

**SUBJECT:** Actions Taken and Progress in Northumberland Serviceway

## **RECOMMENDATION**

That Council note the progress made on clearing the Northumberland Serviceway.

## **COUNCIL DECISION**

Motion: Moved: CIr Hadchiti Seconded: CIr Hadid

## That Council:

1. Note the progress made on clearing the Northumberland Serviceway.

2. Develop a policy to create joint bins as part of Council property.

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

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**ITEM NO:** DPG 05 **FILE NO:** 113873.2015

SUBJECT: Draft Liverpool Local Environmental Plan 2008 (Amendment No. 46) -

Rezoning and Reclassification of Macleod Park, Prestons

## **RECOMMENDATION**

#### That Council:

1. Adopts Draft Liverpool Local Environmental Plan 2008 (Amendment No. 46) and forwards a copy of the attached planning proposal and supporting documentation to the Department of Planning for finalisation.

2. Notifies to those who provided written submissions and attended the public hearing advising of Council's decision.

## **COUNCIL DECISION**

Motion: Moved: Clr Hadid Seconded: Clr Waller

## That Council:

1. Defer this matter for further community consultation.

- 2. Seek feedback with Councillors through a working session on further park upgrades.
- 3. Present park upgrades to the community via a meeting.

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

Councillors voted unanimously for this motion.

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**ITEM NO:** DPG 06 **FILE NO:** 114037.2015

SUBJECT: Liverpool City Centre Traffic Study - Update on Design Investigations and

Implementation of Three Projects

## **RECOMMENDATION**

#### That Council:

1. Notes the information contained in this report.

- 2. Endorses the proposed community consultations planned for June/July 2015 and notes that a further report on the outcome of the community consultation will be provided in August 2015.
- 3. Notes the Northumberland and George Streets two-way conversion, and Dewsbury Serviceway extension into George Street project have been included in the Draft 2015/16 Budget.

#### **COUNCIL DECISION**

Motion: Moved: Mayor Mannoun Seconded: Clr Hadchiti

#### That Council:

- 1. Notes the information contained in this report.
- 2. Endorses the proposed community consultations planned for June/July 2015 and notes that a further report on the outcome of the community consultation will be provided in August 2015.
- 3. Notes the Northumberland and George Streets two-way conversion, and Dewsbury Serviceway extension into George Street project have been included in the Draft 2015/16 Budget.
- 4. Construct a full-sized pedestrian footpath in Dewsbury Serviceway.

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

Clrs Karnib, Stanley and Waller asked that they be recorded as voting against the motion.

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# PROPERTY AND COMMERCIAL DEVELOPMENT REPORT

**ITEM NO:** DPC 01 **FILE NO:** 006384.2015

SUBJECT: Classification of Lot 300 DP1205231, Moondarra Drive, West Hoxton as

'Operational' Land

## **RECOMMENDATION**

That Council classifies Lot 300 DP1205231, Moondarra Drive, West Hoxton, as 'Operational' land in accordance with the *Local Government Act* 1993.

## **COUNCIL DECISION**

Motion: Moved: Clr Shelton Seconded: Clr Waller

That this item be deferred to the next Council meeting for further clarification.

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

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**ITEM NO:** DPC 02 **FILE NO:** 109532.2015

SUBJECT: Proposed road closure of part Speed Street car park, previously known as Lot

82 DP 790072

# **RECOMMENDATION**

## That Council:

1. Agrees to the road closure of part Speed Street car park, containing an approximate area of 31.8 square metres, previously known as Lot 82 DP 790072; and

2. Authorises its delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision.

## **COUNCIL DECISION**

Motion: Moved: CIr Stanley Seconded: CIr Karnib

That the recommendation be adopted.

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

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# **COMMITTEE REPORTS**

**ITEM NO:** CTTE 01 **FILE NO:** 098366.2015

SUBJECT: Minutes of the Warwick Farm Steering Committee held on 3 March 2015

# **RECOMMENDATION**

That Council receives and notes the Minutes of the Warwick Farm Racing Precinct Steering Meeting held on 3 March 2015.

# **COUNCIL DECISION**

Motion: Moved: Clr Waller Seconded: Clr Karnib

That the recommendation be adopted.

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

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**ITEM NO:** CTTE 02 **FILE NO:** 099039.2015

**SUBJECT:** Liverpool Sports Committee minutes of meeting 26 March 2015

## **RECOMMENDATION**

That Council receives and notes the Minutes of the Liverpool Sports Committee Meeting held on 26 March 2015.

# **COUNCIL DECISION**

Motion: Moved: Clr Waller Seconded: Clr Karnib

That the recommendation be adopted.

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

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**ITEM NO:** CTTE 03 **FILE NO:** 099463.2015

SUBJECT: Minutes of the Liverpool Access Committee 9 April 2015

#### **RECOMMENDATION**

## That Council:

- 1. Receives and notes the minutes of the Liverpool Access Committee Meeting held on 9 April 2015; and
- 2. Make representation to the State Government to ensure that the internal design of buses be taken into consideration during the tendering process when allowing for suitable accessibility.

## **COUNCIL DECISION**

Motion: Moved: Clr Waller Seconded: Clr Karnib

That the recommendation be adopted.

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

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**ITEM NO:** CTTE 04 **FILE NO:** 103232.2015

**SUBJECT:** Minutes of the Budget and Finance Committee held on 6 May 2015

# **RECOMMENDATION**

That Council receives and notes the Minutes of the Budget and Finance Committee Meeting held on 6 May 2015.

# **COUNCIL DECISION**

That the recommendation be adopted.

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**ITEM NO:** CTTE 05 **FILE NO:** 109629.2015

SUBJECT: Minutes of Building Our New City Committee meeting held 6 May 2015

#### **RECOMMENDATION**

## That Council:

- 1. Receives and notes the Minutes of the Building our New City Committee Meeting held on 6 May 2015.
- 2. Approves \$100,000 in additional funds from the Town Improvement Fund to be committed to the Shopfront Façade Upgrade Program for 2015/16.

# **COUNCIL DECISION**

Motion: Moved: Clr Waller Seconded: Clr Karnib

That the recommendation be adopted.

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

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**ITEM NO:** CTTE 06 **FILE NO:** 109630.2015

SUBJECT: Minutes of Economic Development and Events Committee meeting held 6

May 2015

# **RECOMMENDATION**

That Council receives and notes the Minutes of the Economic Development and Events Committee Meeting held on 6 May 2015.

# **COUNCIL DECISION**

Motion: Moved: Clr Waller Seconded: Clr Karnib

That the recommendation be adopted.

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

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**ITEM NO:** CTTE 07 **FILE NO:** 109633.2015

SUBJECT: Liverpool Youth Council Meeting Minutes 7 April 2015 and Meeting Notes 5

May 2015

# **RECOMMENDATION**

## That Council:

- 1. Receives and notes the Minutes of the Liverpool Youth Council Meeting held on 7 April 2015.
- 2. Receives and notes the Meeting Notes of the Liverpool Youth Council Meeting held on 5 May 2015.

## **COUNCIL DECISION**

Motion: Moved: Clr Waller Seconded: Clr Karnib

That the recommendation be adopted.

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

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**ITEM NO:** CTTE 08 **FILE NO:** 109634.2015

**SUBJECT:** Minutes of Badgerys Creek Airport Taskforce meeting held 6 May 2015

#### **RECOMMENDATION**

That Council receives and notes the Minutes of the Badgerys Creek Airport Taskforce Meeting held on 6 May 2015.

# **COUNCIL DECISION**

Motion: Moved: Clr Waller Seconded: Clr Karnib

That the recommendation be adopted.

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

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**ITEM NO:** CTTE 09 **FILE NO:** 114930.2015

SUBJECT: Minutes of Aboriginal Consultative Committee Meetings held on the 1 April

2015 and 6 May 2015

# **RECOMMENDATION**

## That Council:

- 1. Receives and notes the Minutes of the Aboriginal Consultative Committee Meetings held on 1 April 2015 and 6 May 2015.
- 2. The Minutes identify a number of actions that require Council staff to undertake, none of which will have any financial impact on Council.

## **COUNCIL DECISION**

Motion: Moved: Clr Waller Seconded: Clr Karnib

That the recommendation be adopted.

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

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#### **QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01 **FILE NO:** 087340.2015

**SUBJECT:** Question with Notice - Clr Stanley

Please address the following:

- 1. I note that Newcastle City Council are supporting an initiative for affordable housing. Can I be advised what strategies Liverpool Council has in place to encourage affordable housing in:
  - a) CBD of Liverpool
  - b) Edmondson Park
  - c) other suburbs

Council's Growing Liverpool 2023 strategic plan incorporates affordable housing. The plan establishes a goal of facilitating "diverse and more affordable housing options" and sets a 10-year target of an "increase in diverse housing options".

In working towards this goal, the provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009 apply to residential development across Liverpool LGA. The Affordable Rental Housing SEPP enables Council to offer developers a range of incentives in exchange for providing affordable housing, such as:

- floor space ratio bonuses;
- reduced minimum open space and solar access requirements;
- reduced minimum car parking provision requirements; and
- reduced minimum dwelling size requirements.

The Affordable Rental Housing SEPP applies to all land in New South Wales, and provides Council with development controls to encourage the provision of new affordable rental housing (in-fill affordable housing, secondary dwellings, boarding houses, group homes and social housing) and the retention of existing affordable rental housing.

2. What plans are in place to address the additional infrastructure needs of residents in suburbs with increasing instances of higher density developments taking the place of single dwellings. Suburbs are already seeing increased competition for on street parking. How will additional traffic and parking be accommodated? Has Council investigated and made projections of requirements for the future?

Council uses a variety of mechanisms to address additional infrastructure needs and to guide development to achieve positive economic, social and environmental outcomes.

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The Liverpool Development Control Plan (LDCP) 2008 sets provisions to ensure that development protects and improves the amenity of Liverpool. For example, LDCP 2008 sets minimum off-street car parking requirements for new development to address the car parking needs of higher density developments and ensure that "car parking does not interfere unreasonably with the amenity of the neighbourhood".

Council's Contributions Plans are used to levy contributions from developers in both established and greenfield areas for public infrastructure required as a consequence of the development. When formulating its contributions plans, Council reviews the capacity of existing facilities to determine when expansion of existing facilities or provision of new facilities are required to meet the demands of increasing population and density. The contributions are then used to fund a number of public services and infrastructure, including:

- Community facilities, such as community centres, libraries and cultural facilities;
- Recreation facilities, such as reserves and indoor and outdoor sporting facilities;
- Transport, such as footpaths, bike paths, public transport and traffic facilities, and
- Drainage, such as pipes, water treatment and detention basins.

The NSW Government is responsible for the provision of public transport and major road infrastructure. Council works with the NSW Government to ensure that the transport network needs of Liverpool residents are recognised and that improvements in Liverpool LGA are prioritised. The opening of Edmondson Park train station earlier this year, ahead of development of the adjacent town centre, is an example of major transport infrastructure provision addressing the additional needs of Liverpool's growing population.

3. Lyn Parade extension was approved last year by Council, can I please be provided with an update and expected completion date for these works? Will they be completed by the 12 months deadline in the original recommendation adopted by Council?

On 30 July 2014, Council resolved to enter into a Deed of Agreement to facilitate the acquisition of part Lot 1 DP 1175057 for drainage purposes and the construction of the Lyn Parade, Prestons extension. As per the Council report, the Deed of Agreement entered into was as follows:

- Maraya Holdings Pty Ltd will complete the construction of Lyn Parade at their cost;
- 2. The timeline for the construction of Lyn Parade is as follows:
  - Maraya Holdings Pty Ltd to lodge a development application with Council for the construction of the Lyn Parade extension within 90 days of signing the Deed of Agreement;
  - Maraya Holdings Pty Ltd to apply for a Construction Certificate within 90 days of receiving Development Consent; and
  - Construction of the Lyn Parade extension to be completed 12 months from the date of Construction Certificate being issued.

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|  |  |                   |



# CIr Hadchiti left the chambers at 8.18pm.

**ITEM NO:** CONF 01 109106.2015

SUBJECT: Key Sites Master Planning Steering Committee Minutes from Meeting held 5

May 2015

## RECOMMENDATION

## That Council:

- 1. Receives and notes the Minutes of the Key Sites Master Planning Steering Committee Meeting held on 5 May 2015;
- 2. Adopts the recommendation put forward in this report; and
- 3. Keeps confidential the minutes supplied in this report containing information pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as it contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

#### **COUNCIL DECISION**

Motion: Moved: Mayor Mannoun Seconded: Clr Hadid

That the recommendation be adopted.

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

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**ITEM NO:** CONF 02 **FILE NO:** 109016.2015

SUBJECT: Proposed disposal of Lot 1 DP 1200837 and Lot 850 DP 803527, Robin

Street, Hinchinbrook

#### **RECOMMENDATION**

#### That Council:

- 1. Agrees to sell Lot 1 DP 1200837 and Lot 850 DP 803527, Robin Street, Hinchinbrook, by placing the property on the open market for sale by way of public auction through a local real estate agent;
- 2. Agrees to set the reserve price for the public auction as outlined in the confidential report;
- 3. Authorizes the Chief Executive Officer or his nominee to negotiate the sale of Lot 1 DP 1200837 and Lot 850 DP 803527, if not sold under the hammer, for a sale price of not less than five percent below the reserve price, on the day of auction, and execute the contract for sale to facilitate the exchange of contracts on the day of the auction:
- 4. Agrees that if the property is not sold at auction it is immediately placed on the open market for sale by private treaty in 'one-line';
- 5. Transfers 73.5% of the net proceeds into the General Property Reserve and transfers 26.5% of the net proceeds back into the relevant Section 94 Contribution Plan;
- 6. Keeps confidential the details supplied in the confidential 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.

#### **COUNCIL DECISION**

Motion: Moved: Mayor Mannoun Seconded: Clr Hadid

That the recommendation be adopted.

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

CIr Hadchiti returned to the Chambers at 8.22pm.

Motion: Moved: CIr Waller Seconded: Mayor Mannoun

That the motion be resubmitted.

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

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Explanatory Note: When this item was first put to the vote, Clr Hadchiti was not in the Chambers as he wasn't asked to return after item CONF 01 had been dealt with (he was out of the Chambers for CONF 01 as he had declared a pecuniary interest on that item.) A motion was therefore moved (and carried) that CONF 02 be recommitted so that he could participate in the debate and vote on that item.

> When CONF 02 was recommitted, the motion to adopt the recommendation was again moved and was carried as shown below.

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That the recommendation be adopted.

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

Clrs Harle, Karnib, Shelton and Waller asked that they be recorded as voting against the motion.

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**ITEM NO:** CONF 03 **FILE NO:** 111984.2015

SUBJECT: RCL2439 Provision of Trade Services - Electrical, Carpentry, Plumbing, Air

Conditioning

#### **RECOMMENDATION**

## That Council:

1. Accept the Tenders from the below listed tenderers for each trade service for RCL2439 Provision of Trade Services, Electrical, Plumbing, Carpentry and Air Conditioning for an initial two (2) year contract term with the option of extending 3 x 12 months.

# **ELECTRICAL SERVICES**

- Integral Electrical Engineering Co Pty Limited
- Randall Electrics & Trade Services Pty Ltd
- Intelec Electrical And Security Installations Pty Ltd

#### **CARPENTRY SERVICES**

- Burgess Building Services Pty. Limited
- Avant Constructions Pty Ltd
- Sampson Constructions
- Metro Resources Group Pty Ltd

## **AIR CONDITIONING SERVICES**

- Integral Electrical Engineering Co Pty Limited
- RCR Haden Pty Ltd
- Katopa Holdings Pty Ltd
- Innovative Air Solutions Pty. Limited

#### **PLUMBING SERIVCES**

- Walsh Plumbing
- Gabor Drainage & Plumbing Pty Limited
- Prs Plumbing And Hot Water Pty Ltd
- 2. Makes public its decision regarding tender RCL2439 Provision of Trade Services, Electrical, Plumbing, Carpentry and Air Conditioning.
- 3. Notes that the Chief Financial 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.

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Chairperson

# **COUNCIL DECISION**

| Motion: | Moved: Clr Stanley | Seconded: Clr Shelton |
|---------|--------------------|-----------------------|
| Motion: | Moved: Clr Stanley | Seconded: Clr Shel    |

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

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**ITEM NO:** CONF 04 **FILE NO:** 113294.2015

**SUBJECT:** Bernera Road Widening - Approval Of Delay Costs With Contractor

#### RECOMMENDATION

#### That Council:

- 1. Receive and note the report of staff in relation to the dispute over the Bernera Road reconstruction and widening project, contract WT 2089.
- 2. Delegate authority to the CEO to negotiate and finalise a settlement with the contractor up to an amount specified in the report by staff and recognise the settlement as an adjustment to the capital project. If required, authorise the CEO to increase the Capital Expenditure up to the amount specific in the report.
- 3. Direct and authorise the CEO to do all things necessary to utilise Council's s.94 Contributions Plan to reflect the increased capital project cost resulting from any settlement reached in this matter. If s.94 funds are insufficient authorise the CEO to fund from general funds.
- 4. Direct the CEO to report any settlement reached under this resolution to Council at the earliest opportunity.

#### **COUNCIL DECISION**

Motion: Moved: Clr Stanley Seconded: Clr Shelton

That this item be dealt with in Closed Session later at the meeting pursuant to the provisions of s10(A)(2)(c) and (g) of the Local Government Act 1993.

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

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**ITEM NO:** CONF 05 **FILE NO:** 102915.2015

**SUBJECT:** Tender for DA-610/2012, DA-740/2012, DA-1055/2013

#### **RECOMMENDATION**

## That Council:

- 1. Accept the Tender WIK proposals by the developers subject to capping the WIK credit to the amounts indicated on the Liverpool Contributions Plan 2009.
- 2. Notes that the Director of Planning Growth will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tenders, giving them contractual effect, in accordance with delegated authority.
- 3. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

## **COUNCIL DECISION**

Motion: Moved: Clr Stanley Seconded: Clr Karnib

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

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**ITEM NO:** CONF 06 **FILE NO:** 111178.2015

**SUBJECT:** Financial Dispute With Former Staff Member

## **RECOMMENDATION**

# That Council:

- 1. Receive and note the report of staff in relation to the financial dispute with a former staff member of Liverpool City Council.
- 2. Delegate authority to the CEO to settle the financial dispute with the former staff member on the terms outlined in the report of staff.

# **COUNCIL DECISION**

Motion: Moved: Clr Stanley Seconded: Clr Karnib

That the recommendation be adopted.

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

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**ITEM NO:** CONF 07 **FILE NO:** 122817.2015

SUBJECT: Tender WT2464 Renewal of Air Conditioning and Ventilation Systems at

Whitlam Leisure Centre

#### **RECOMMENDATION**

#### That Council:

- Accepts the tender from Integral Electrical Engineering Co Pty Ltd WT2464 Renewal of Air Conditioning and Ventilation Systems at Whitlam Leisure Centre for the lump sum fixed price of \$2,975,000 GST inclusive.
- 2. Makes public its decision regarding tender WT2464 Renewal of Air Conditioning System at Whitlam Leisure Centre.
- Notes that the Director Infrastructure and Environment will finalise all details and sign the Letter of Acceptance following publication of draft minutes on Council's website for the tender giving it contractual effect, in accordance with delegated authority.
- 4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would if disclosed, prejudice the commercial position of the person who supplied it.

# **COUNCIL DECISION**

Motion: Moved: Clr Stanley Seconded: Clr Karnib

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

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Motion Moved: Clr Mannoun Seconded: Clr Balloot

- 1. That Council move into Closed Session to consider CONF 04.
- 2. Pursuant to Section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under 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.
  - s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.

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

Council moved into Closed Session at 8.30pm.

The public and the media left the Chambers.

Minutes of the Ordinary Council Meeting held on Tuesday, 26 May 2015 and confirmed on Wednesday, 17 June 2015

**ITEM NO:** CONF 04 **FILE NO:** 113294.2015

SUBJECT: Bernera Road Widening - Approval Of Delay Costs With Contractor

#### RECOMMENDATION

## That Council:

- 1. Receive and note the report of staff in relation to the dispute over the Bernera Road reconstruction and widening project, contract WT 2089.
- 2. Delegate authority to the CEO to negotiate and finalise a settlement with the contractor up to an amount specified in the report by staff and recognise the settlement as an adjustment to the capital project. If required, authorise the CEO to increase the Capital Expenditure up to the amount specific in the report.
- Direct and authorise the CEO to do all things necessary to utilise Council's s.94
  Contributions Plan to reflect the increased capital project cost resulting from any
  settlement reached in this matter. If s.94 funds are insufficient authorise the CEO to
  fund from general funds.
- 4. Direct the CEO to report any settlement reached under this resolution to Council at the earliest opportunity.

#### **COUNCIL DECISION**

Motion: Moved: Clr Stanley Seconded: Clr Waller

## That Council:

- 1. Receive and note the report of staff in relation to the dispute over the Bernera Road reconstruction and widening project, contract WT 2089.
- 2. Delegate authority to the CEO to negotiate and finalise a settlement with the contractor up to an amount specified in the report by staff and recognise the settlement as an adjustment to the capital project. If required, authorise the CEO to increase the Capital Expenditure up to the amount specific in the report.
- Direct and authorise the CEO to do all things necessary to utilise Council's s.94
  Contributions Plan to reflect the increased capital project cost resulting from any
  settlement reached in this matter. If s.94 funds are insufficient authorise the CEO to
  fund from general funds.
- 4. Direct the CEO to report any settlement reached under this resolution to Council at the earliest opportunity.
- 5. Note the CEO's confirmation that there have been process changes.

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

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| Motion: | Moved: Mayor Mannoun | Seconded: Clr Balloot |
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That Council move out of Closed Session and into Open Council.

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

Open Council resumed at 8.41pm.

The resolution relating to CONF 04 (Bernera Road Widening - Approval of delay costs with contractor) was read to the meeting by the Mayor.

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# THE MEETING CLOSED AT 8.44pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 17 June 2015

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 May 2015. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

Chairperson