

MINUTES OF THE ORDINARY MEETING HELD ON 6 FEBRUARY 2019

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 a	Mr Tim Moore, Director City Economy and Growth / Deputy CEO							
Mr Chris White, Director City Corporate	. ,							
Ms Tina Sangiuliano, Acting Director Cit	y Community and Culture							
Dr Eddie Jackson, Director City Deal	,							
Mr Peter Patterson, Director City Preser	ntation							
Mr Raj Autar, Director City Infrastructure								
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The meeting commenced at 6.01pm.								
OPENING	6.01pm							
OPENING	6.0 TpH1							
ACKNOWLEDGMENT OF COUNTRY.	The prayer of the Council was read by Minister							
PRAYER OF COUNCIL AND	Bruce Hammonds from Liverpool Presbyterian							
AFFIRMATION TO BE READ BY	Church							
NATIONAL ANTHEM	The National Anthem, recorded and performed by							
	Rebecca Ferro was played at the meeting.							
APOLOGIES	Nil							
Minutes of the Ordinary Overell Market Phalling	decades C. February 2010 and application Westernian C7. 5.1							
Minutes of the Ordinary Council Meeting held on Wei	dnesday, 6 February 2019 and confirmed on Wednesday, 27 February							

Chairperson

CONDOLENCES

Ms Cath Penning (read by Mayor Waller)

Catherine Margaret Penning, aged 83, passed away on 23 January 2019 after a long illness. Cath was a member of the Liverpool Netball Association (LNA) for 40 years, serving in various secretarial positions in its executive before becoming President from 1998 to 2018. Cath was also LNA's Representative Manageress for the association's junior representative teams from 1983 to 1990.

Her major contributions to LNA include helping the association acquire its building in Collimore Park and campaigning for the grounds at Woodward Park to be allocated to netball.

In 1991, Cath became the first woman to receive the Leo Sullivan Sports Award and she also won the Liverpool City Heritage Award in the same year. In 1998, she received the Ann Clark Service Award and in 2000, she was an Australian Sports Medal Recipient.

LNA remembers Cath as an integral force in its executive committee and will also miss her deeply as a dear friend of more than 40 years.

On behalf of all at Liverpool City Council, I express my deepest condolences to Cath Penning's family and friends at this difficult time. I am sure that Cath's enthusiasm for sport and her tireless community spirit will live on in all those who had the pleasure of knowing her.

May she rest in peace.

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Mr Timothy Proctor (read by Mayor Waller)

Timothy Proctor passed away in Liverpool Hospital on 3 February 2019 after a motor vehicle accident in Lucas Heights on 31 January 2019.

He was 29 years old and worked as a Probationary Constable at the Liverpool Police Area Command. He graduated from the NSW Police Force Academy on 27 April 2018 and his first shift was on 30 April 2018.

Timothy joined the Police Force after volunteering as a fire-fighter. He had a great passion and commitment for all emergency services and the community.

The Liverpool Police Area Command remember Timothy as enthusiastic, diligent, and hardworking.

NSW Police Commissioner Mick Fuller said that Timothy was on his way to a wonderful policing career and was well respected by his colleagues and everyone who knew him.

On behalf of all at Liverpool City Council, I express my deepest condolences to Timothy Proctor's family, in particular his wife Dianne, and friends at this difficult time.

May he rest in peace.

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Mr Thomas Alfred Jones JP (read by Mayor Waller)

Thomas Alfred Jones, aged 88, passed away on the 20 December 2018.

Tom served as President of the John Edmondson VC Memorial Club, Club Liverpool from 2008 until the time of his death. He was also Deputy President from 2006 to 2007 and a Club Director from 2001 to 2005. Tom sat on many of the Club's sub-committees including indoor sports, outdoor bowls, snooker and entertainment.

As President of John Edmondson VC Memorial Club, Club Liverpool, Tom contributed to fundraising for many charitable events and causes over the years.

Tom enjoyed giving back to the community, attending annual ClubGrants events and Scholarship presentations at Hurlstone, John Edmondson and Holsworthy High Schools.

Tom had been a member of the Club since 1967 and was also an active member of the City of Liverpool RSL sub-Branch since 1987, attending meetings, events and memorial services for Anzac and Remembrance Day both in his capacity as Club President and a sub-Branch member.

Tom was described as a private man who was very caring and concerned for the Liverpool Area. He will be dearly missed by the local community.

On behalf of all at Liverpool City Council, I express my deepest condolences to Tom's family and friends.

May he rest in peace.

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Mrs Joy Goddard (read by Mayor Waller)

Joy Goddard passed away in Liverpool Hospital on 23 January 2019 after a long illness.

Joy first joined the Lioness Club of Green Valley on 28 July 1991 after being sponsored by then Lioness Yvonne Ross. The following year, she transferred to the Lions Club of Green Valley with fellow Lionesses.

She served as President of the club from 2000-2001 and remained on the Board until the club's closure in 2006. It was during this time that Joy met her husband Ollie Lassen.

After the Lions Club of Green Valley closed, she joined the Lions Club of Liverpool where she became a Vice President and occupied various positions on its Board. She worked tirelessly for the club and was frequently recognised by its Presidents.

In 2017, Joy became President of the Lions Club of Liverpool and is remembered for never missing a function or meeting. She also sponsored her daughter, Katrina, to join the club, becoming the first mother-daughter duo in the club's 60 year history.

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

May she rest in peace.

Motion: Moved: Clr Shelton Seconded: Clr Kaliyanda

That Council writes to the families of Ms Cath Panning, Mr Timothy Proctor, Mr Thomas Alfred Jones and Mrs Joy Goddard expressing our condolences for their loss.

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

Council then observed one minute silence.

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CONFIRMATION OF MINUTES

Motion: Moved: Clr Shelton Seconded: Clr Rhodes

That the minutes of the Ordinary Meeting held on 12 December 2018 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

Clr Rhodes declared a pecuniary interest in the following item:

CONF 03: Tourism and CBD Committee - Community Representative

Reason: One of the individuals named in the report works for an organisation who

advertises in "Your Liverpool" which is a publication that CIr Rhodes

produces.

CIr Rhodes declared a non-pecuniary but significant interest in the following item:

CONF 04: WSROC Contract- WR03-12/13- Road Rehabilitation and Asphalt Services -

Contract Extension Request

Reason: CIr Rhodes is the Treasurer of WSROC.

Clr Rhodes left the Chambers for the duration of the above two items.

PUBLIC FORUM

Presentation - items not on agenda

Nil

Representation – items on agenda

1. **Dr John Crozier** addressed Council on the following item:

NOM 01 Green Valley Hotel.

Motion: Moved: Clr Hadchiti Seconded: Clr Ayyad

That a three minute extension of time be given to Dr Crozier.

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

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Motion: Moved: Clr Kaliyanda Seconded: Clr Hadid

That a further three minute extension of time be given to Dr Crozier.

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

2. Ms Criss Moore addressed Council on the following item:

NOM 01 Green Valley Hotel.

Motion: Moved: Clr Harle Seconded: Clr Shelton

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

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

Motion: Moved: Clr Harle Seconded: Clr Hagarty

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

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

3. Mr Michael Andjelkovic addressed Council on the following item:

NOM 04 NSW State Government & Federal Government Announcements – Edmondson Park Train Station Car Parking & Lurnea Community Hub.

CIr Hadid left the Chambers at 6.34pm.

CIr Hadid returned to the Chambers at 6.37pm.

Motion: Moved: Clr Shelton Seconded: Clr Harle

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

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

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MOTION TO BRING ITEM FORWARD

Motion: Moved: Clr Hagarty Seconded: Clr Kaliyanda

That item NOM 01 Green Valley Hotel be brought forward and dealt with now.

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

ITEM NO: NOM 01 FILE NO: 016981.2019

SUBJECT: Green Valley Hotel

BACKGROUND

In relation to the DA 1-7077453741 Green Valley Hotel, Miller 2168 - extended trading hours application:

- a) There has been inadequate opportunity for community engagement as the application was posted (19 December 2018) close to the Christmas/New Year holiday period and closed on 18 January 2019 at a time when groups such as local school P&Cs may not have been able to consider the application and other community-based organisations have since reported that they were not given the opportunity to respond because of the timing;
- b) The development is in an area with existing very high levels of social/economic disadvantage, domestic and non-domestic violence. This has not been adequately addressed in the Council approved Social Impact Assessment and Councils decision may not be in the best interest of the safety, health and welfare of the Miller Community;
- c) Miller has almost 3 times the average rate of unemployment compared to the rest of Australia;
- d) Miller has only half the median family income compared to the medium income for the rest of Australia;
- e) Council Website page identified Miller as the most socially disadvantaged area within its LGA;
- f) The DA is in opposition to Councils' Community 2168 Project Strategic Plan 2015-2018; and
- g) Does not meet Councils policy on DA decisions during the December to January holiday period that call for submissions.\

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NOTICE OF MOTION (submitted by CIr Harle)

That Council:

- 1. Write to the Independent Liquor and Gaming Authority (ILGA) requesting an extension of time to reconsider the "Liquor license Application DA 1-7077453741 Green Valley Hotel, MILLER 2168 extended trading hours application" noting the application was posted (19 December 2018) close to the Christmas/New Year holiday period and closed on 18 January 2019. Some community-based organisations surrounding the pub have suggested they were not notified of the application. Other groups such as school P&Cs may not have been able to consider the application;
- Liverpool City Council requests that the application be considered by ILGA in the first instance given the likely high level of negative social impact of the application and the existing very high levels of social/economic disadvantage, domestic and nondomestic violence near this licensed premise;
- 3. Re advertise the DA for Community consultation and consideration;
- Undertake a review of the DA's Social Impact Assessment by an industry recognised independent expert and taking into consideration the safety, health and welfare of the Miller community;
- 5. Reconsider the previous Council DA recommendation based on the Independent review of the Social Impact Assessment;
- 6. Review and amend Councils SIA procedures to prevent future adverse outcomes involving vulnerable communities within our LGA.; and
- 7. Receive a report to reflect outcomes of this Motion to be presented to May 2019 Council Meeting.

Mayor Waller called a recess of Council at 6.45pm.

Mayor Waller reopened Council at 6.52pm.

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COUNCIL DECISION

Motion: Moved: Clr Harle Seconded: Clr Kaliyanda

That Council:

- 1. Write to the Independent Liquor and Gaming Authority (ILGA) requesting an extension of time to reconsider the "Liquor license Application 1-7077453741 Green Valley Hotel, MILLER 2168 extended trading hours application" noting the application was posted (19 December 2018) close to the Christmas/New Year holiday period and closed on 18 January 2019. Some community-based organisations surrounding the pub have suggested they were not notified of the application. Other groups such as school P&Cs may not have been able to consider the application;
- Liverpool City Council requests that the application be considered by ILGA in the first instance given the likely high level of negative social impact of the application and the existing very high levels of social/economic disadvantage, domestic and nondomestic violence near this licensed premise;
- 3. Request that the liquor licence application be readvertised for Community consultation and consideration;
- 4. Review the liquor licence application's Social Impact Assessment by an industry recognised Independent expert and taking into consideration the safety, health and welfare of the Miller community;
- 5. Reconsider the previous Council DA recommendation based on the Independent review of the Social Impact Assessment;
- 6. Review and amend Councils SIA procedures to prevent future adverse outcomes involving vulnerable communities within our LGA;
- 7. Receive a report to reflect outcomes of this motion, presented to May 2019 Council meeting;
- 8. Is informed (through the CEO Update or similar) when an application for a proposal or an amendment to a licence goes to ILGA for liquor or gaming; and
- Direct the CEO to continue to work with ILGA to improve the liquor licence consultation processes.

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

Councillors voted unanimously for this motion.

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CITY ECONOMY AND GROWTH REPORT

ITEM NO: EGROW 01 **FILE NO:** 348778.2018

SUBJECT: Draft Destination Management Plan 2019 - 2023

RECOMMENDATION

That Council:

1. Endorse the Draft Destination Management Plan for public exhibition and;

Receive a report in March 2019 detailing any submissions received and for the adoption of the Destination Management Plan, or if no submissions are received, delegate to the CEO to adopt the plan.

COUNCIL DECISION

Motion: Moved: CIr Rhodes Seconded: CIr Hadchiti

That Council:

- 1. Endorse the Draft Destination Management Plan for public exhibition, with the following amendments:
 - a. On page 20, in the *Current Visitation* section amend the third point so that it reads:
 - 34,982 international visitors per year (new data TBC) indicates a growth up to 200,000 international visitors staying in Liverpool and surrounding area per year.
 - b. On page 21, 3.2 Tourism Assets an additional point be added:
 - International and national tourism destination
 - c. On page 23, 3.3 Liverpool Regions Strengths and Assets, point 7 be amended so that it reads:
 - Liverpool and surrounds have significant supply of hotels and short-term accommodation servicing the current demand of 200,000 international and national visitors (TBC). More accommodation will be required to meet the demand towards the opening of the Western Sydney Airport.

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Chairperson

ITEM NO: EGROW 02 **FILE NO:** 353398.2018

SUBJECT: Adoption of City Innovation Strategy

RECOMMENDATION

That Council adopt the Liverpool City Innovation Strategy.

COUNCIL DECISION

Motion: Moved: Clr Kaliyanda Seconded: Clr Shelton

That the recommendation be adopted.

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

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CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01 **FILE NO:** 013140.2019

SUBJECT: Councillor Induction and Professional Development Program

RECOMMENDATION

That Council:

- 1. Adopt the Councillor Induction and Professional Development Policy attached to the report;
- 2. Direct the CEO to commence the development of an ongoing professional development plan for the Mayor and each Councillor; and
- 3. Amend Council's Civic Expenses and Facilities Policy to allow for the CEO to determine and approve funds for professional development activities.

COUNCIL DECISION

Motion: Moved: Clr Shelton Seconded: Clr Hadid

That Council:

- 1. Adopt the Councillor Induction and Professional Development Policy attached to the report (with the inclusion of point 4 of this resolution);
- 2. Direct the CEO to commence the development of an ongoing professional development plan for the Mayor and each Councillor;
- 3. Amend Council's Civic Expenses and Facilities Policy to allow for the CEO to determine and approve funds for professional development activities; and
- 4. Include a clause in the Policy that it be strongly recommended that any new Councillor do the Local Government Director's Course within 12 months of becoming a Liverpool Councillor.

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

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ITEM NO: CEO 02 **FILE NO:** 323133.2018

SUBJECT: Councillor Access to Information and Interaction with Staff Policy

RECOMMENDATION

That Council endorse the Councillor Access to Information and Interaction with Staff Policy.

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That Council endorse the Councillor Access to Information and Interaction with Staff Policy with restrictions lifted on obtaining legal advice.

Foreshadowed Motion: Moved: Clr Shelton Seconded: Clr Kaliyanda

That the recommendation be adopted.

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

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

CIr Hagarty, CIr Kaliyanda and CIr Shelton asked that they be recorded as voting against the motion moved by Cr Hadchiti.

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ITEM NO: CEO 03 **FILE NO:** 353779.2018

SUBJECT: 2019 Australian Local Government Women's Association NSW Branch

Conference

RECOMMENDATION

That Council nominates councillor delegates to attend the Australian Local Government Women's NSW Conference to be held in Liverpool from 4 to 6 April 2019.

COUNCIL DECISION

Motion: Moved: CIr Shelton Seconded: CIr Hadchiti

That any Councillor who wishes to attend the Australian Local Government Women's NSW Conference to be held in Liverpool from 4 to 6 April 2019 advise the CEO's Office.

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

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ITEM NO: CEO 04 **FILE NO:** 006124.2019

SUBJECT: 2019 National General Assembly of Local Government

RECOMMENDATION

That Council:

- 1. Nominates delegates to attend the 2019 National General Assembly of Local Government to be held in Canberra from Sunday 16 June Wednesday 19 June 2019; and
- 2. Determines whether to submit any motions, concerning the theme of "Future focused", for debate at the National General Assembly.

COUNCIL DECISION

Motion: Moved: Clr Kaliyanda Seconded: Clr Shelton

That any Councillor who wishes to attend the 2019 National General Assembly of Local Government advise the CEO's Office.

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

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ITEM NO: CEO 05 **FILE NO:** 009169.2019

SUBJECT: Adoption of new Code of Conduct and Code of Conduct Procedures

RECOMMENDATION

That Council:

- 1. Adopt the Code of Conduct and Code of Conduct Procedures attached to this report;
- 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
- 3. 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.

COUNCIL DECISION

Motion: Moved: Clr Rhodes Seconded: Clr Hadid

That the recommendation be adopted.

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

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CITY CORPORATE REPORT

ITEM NO: CORP 01 **FILE NO:** 004694.2019

SUBJECT: Investment Report December 2018

RECOMMENDATION

That Council receives and notes this report.

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Balloot

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:** 317620.2018

SUBJECT: Minutes of the Strategic Panel held on 13 November 2018

RECOMMENDATION

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 13 November 2018.

COUNCIL DECISION

Motion: Moved: CIr Hadchiti Seconded: CIr Rhodes

That Council:

- 1. Receives and notes the Minutes of the Strategic Panel Meeting held on 13 November 2018.
- 2. Receive a quarterly report on the status of all planning proposals.

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

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ITEM NO: CTTE 02 **FILE NO:** 347761.2018

SUBJECT: Minutes of the Liverpool Community Safety and Crime Prevention Advisory

Committee Meeting held on 6 December 2018

RECOMMENDATION

That Council receives and notes the Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on 6 December 2018.

COUNCIL DECISION

Motion: Moved: Clr Shelton Seconded: Clr Rhodes

That the recommendation be adopted.

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

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ITEM NO: CTTE 03 **FILE NO:** 351908.2018

SUBJECT: Tourism and CBD Committee Meeting Minutes of 13 December 2018

RECOMMENDATION

That Council:

- 1. Receives and notes the Minutes of the Tourism and CBD Meeting held on 13 December 2018; and
- 2. Endorse the recommendations in the Minutes.

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Balloot

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:** 009453.2019

SUBJECT: Minutes of the Heritage Advisory Committee meeting on 13 November 2018

RECOMMENDATION

That Council:

- 1. Receives and notes the Minutes of the Liverpool Heritage Advisory Committee Meeting held on 13 November 2018; and
- 2. Endorse the following recommendation of the Committee which will have an operational and financial impact:

That Council undertake a feasibility study that:

- Investigate the circumstances with the Commonwealth grant used to build the Liverpool Regional Museum and any ongoing obligations to maintain it as a museum;
- b) Consider the suitability of the Collingwood site to be developed as a historic precinct;
- c) Consider the suitability of the School of Arts for a museum;
- d) Consider the costs associated with the move to the School of Arts; and
- e) Consider the potential enhancements to the existing museum and associated costs to provide accommodation for Council's collection of artefacts.
- 3. Note the following motion:

That the Committee congratulate Council for its initiative with the underground penetration survey and encourage Council to continue with further investigation of the site.

- 4. Endorses the Liverpool Heritage Advisory Committee Charter for a period of two years; and
- 5. Delegate to the Chief Executive Officer the consideration and endorsement of the membership for the Liverpool Heritage Advisory Committee 2019/2021.

COUNCIL DECISION

Motion: Moved: Clr Hadid Seconded: Clr Rhodes

That Council:

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- Receives and notes the Minutes of the Liverpool Heritage Advisory Committee Meeting held on 13 November 2018; and
- Endorse the following recommendation of the Committee which will have an operational and financial impact:

That Council undertake a feasibility study that:

- Investigate the circumstances with the Commonwealth grant used to build the Liverpool Regional Museum and any ongoing obligations to maintain it as a museum;
- b) Consider the suitability of the Collingwood site to be developed as a historic precinct;
- c) Consider the suitability of the School of Arts for a museum;
- d) Consider the costs associated with the move to the School of Arts; and
- e) Consider the potential enhancements to the existing museum and associated costs to provide accommodation for Council's collection of artefacts.
- 3. Note the following motion:

That the Committee congratulate Council for its initiative with the underground penetration survey and encourage Council to continue with further investigation of the site.

- 4. Endorses the Liverpool Heritage Advisory Committee Charter for a period of two years, with the following amendments:
 - The text on page 4 of the Charter, point 7 Membership, be clarified so that it is clear that the Committee shall consist of eight Community members, *in addition* to two Councillors.
 - Clause 7.2 Membership, on page 4 of the Charter be amended to replace the word "persons" with "Community Representatives".
 - Clause 7.4a, on page 5 of the Charter be amended so that it reads:

"Councillors other than those appointed to the Committee may attend and observe and contribute, but not move or second motions or vote on motions."

 Delegate to the Chief Executive Officer the consideration and endorsement of the membership for the Liverpool Heritage Advisory Committee 2019/2021.

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

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ITEM NO: CTTE 05 **FILE NO:** 009663.2019

SUBJECT: Minutes of the Liverpool Youth Council Committee Meeting held on 5

December 2018

RECOMMENDATION

That Council receives and notes the Minutes of the Liverpool Youth Council Committee Meeting held on 5 December 2018.

COUNCIL DECISION

Motion: Moved: CIr Hadchiti Seconded: CIr Rhodes

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:** 010071.2019

SUBJECT: Minutes of the Environment Advisory Committee Meeting held on 20

November 2018

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

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Rhodes

That the recommendation be adopted.

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

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ITEM NO: CTTE 07 **FILE NO:** 012443.2019

SUBJECT: Minutes of the Liverpool Sports Committee Meeting held on 29 November

2018

RECOMMENDATION

That Council receives and notes the Minutes of the Liverpool Sports Committee Meeting held on 29 November 2018.

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Rhodes

That the recommendation be adopted.

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

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QUESTIONS WITH NOTICE

ITEM NO: QWN 01 **FILE NO:** 014243.2019

SUBJECT: Question with Notice - CIr Hadchiti - Alternative Methods of Waste Disposal

Please address the following:

Given the increase in rates of waste being disposed legally & illegally, has Council considered/looked into other alternatives to dispose of waste?

Response

Liverpool City Council has a number of contracts in place to collect and process the waste generated within the LGA. Council is committed to these contacts until they expire in 2024.

The increase in the volume and rates of waste generated is a regional issue. LCC continues to participate in the WSROC Waste Managers Forum, regional waste projects and EPA communications/consultations to ensure alternative waste disposal options are considered.

Council has committed to participate in Project 24 which is a regional waste processing/disposal project across five Councils. LCC will partner with four other Councils (Camden, Campbelltown, Wollondilly and Wingecarribee). The rationale for the project is based on the understanding that no one single council's annual volume of domestic waste is sufficient to create a financial incentive for a waste company to invest in the construction and operation of a new processing facility while maintaining reasonable gate fees.

The Councils have received approval from the Australian Competition and Consumer Commission for authorisation to collaboratively tender and contract for the provision of a joint processing/disposal services, under Section 88 of the Competition and Consumer Act 2010 (Cth).

The planning and project management process has already commenced, in order that the contract may be awarded in 2019 and commence the processing and disposal of waste in 2024.

Project 24 will work within the guidelines supplied by the NSW EPA legislation pertaining to waste. The EPA have recently made some changes to Alternative Waste Treatment regulations. This has impacted industries ability to continue with current approaches to waste management. Planning for Project 24 will include consultation with industry to develop an innovative response to waste management for the region.

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In addition, Council is proactively looking at new technologies to manage waste. This includes waste to energy technologies such as those used in Japan and visited by Mayor and Councillors on the recent Toda Sister City visit. The Mayor has proactively written to the Premier and relevant Ministers expressing interest in exploring these technologies. Council has been referred to the E.P.A. for discussion and the Chief Executive will co-ordinate these meetings.

In addition, in recognition of potential interest in these technologies from other councils, the Chief Executive has been negotiating a possible study tour for Western Sydney Councils on waste to energy technologies. Liverpool City Council would be able to send Councillors and staff on this tour.

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ITEM NO: QWN 02 **FILE NO:** 014250.2019

SUBJECT: Question with Notice - Clr Harle - Council Policy on Public Address Systems

Background

A motion was generated from the floor at its General Council Meeting of the 29 of March 2017 which stated the following:

DPG 02 File; 046276.2017 Review of Council Policies.

"Recommendation:

That Council revokes the following policies:

- The use of Public Address (PA) Systems on Council Owned Properties; and
- Signage on Council land.

Council Decision:

Motion: Moved Clr Harle Seconded: Clr Hadchiti

That the existing Policies be retained, reviewed and strengthened and a report be brought back to Council in June about the status of that action.

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

Councillors voted unanimously for this motion."

Please address the following:

1. In view of the recent complaints by many residents adjoining Black Muscat Park within Chipping Norton, has Council carried out the intent of the Motion raised at its March 29th, 2017 Council Meeting?

Noise management is legislated under a number of State Acts and controlled by various State legislation including the Local Government Act, the Environment Planning and Assessment Act and the Protection of the Environment Operations Act. This allows Council to control the use of Public Address (PA) Systems on Council land including the authority to require a person to obtain prior Council approval. If approved, conditions controlling noise levels and hours of use can be placed on the approval.

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Under these Acts it is an offence for a person to use a PA system without prior Council approval. Council is therefore empowered to take action under the legislation detailed above.

In March 2017, as part of an ongoing process to reduce duplicated and/or redundant Policy, a Council report was submitted for consideration that suggested that as the local Policy was essentially redundant to the State Acts that it be revoked. At the March 2017 Council meeting, Council chose to retain the local Policy and asked for it to be reviewed and strengthened.

2. If so is that report available and what are its recommendations?

The review was undertaken and Councillors were provided a briefing in July 2017 that detailed the result of the review.

In summary, Council's own 'Use of Public Address (PA) Systems on Council Owned Properties' Policy mimics the authority in the Local Government Act, the Environment Planning and Assessment Act and the Protection of the Environment Operations Act. While it codifies these Acts into a local Policy, Council cannot add additional authority to that detailed in State legislation. Council's authority is issued from the Local Government Act and we cannot act outside of that authority.

Instead, council staff continue to look at options for ensuring compliance and managing noise at Black Muscat Park. This has included the re-introduction of a paid security presence and improvements to customer service messaging for customer complaints. Staff are currently reviewing signage and, as part of the broader masterplan for Chipping Norton Lakes, will look at design solutions to manage issues with large groups.

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ITEM NO: QWN 03 **FILE NO:** 014276.2019

SUBJECT: Question with Notice - Clr Hagarty - Issuing of Demerit Points

Introduction

Recent changes to the law now give parking inspectors the ability to issue demerit points in addition to fines.

Please address the following:

1. What offences do these changes relate to?

2. What are the demerit penalties for each?

From the 1 July 2018 the following offences incurred demerit points, as set out below.

Offence	Penalty	Demerit points
Stop within 20 metres of an intersection (traffic lights)	\$337	2
Stop within 10 metres of an intersection (no traffic lights)	\$337	2
Stop on/near children's crossing	\$337	2
Stop on/near pedestrian crossing	\$337	2
Stop on/near marked foot crossing	\$337	2
Stop near bicycle crossing lights	\$337	2
Stop on/near level crossing	\$337	1
Stop in intersection	\$337	2

Prior to the 1 July 2018 changes, demerit points were already applicable to the range of offences in the table below.

Offence	Penalty	Demerit points
Stop in intersection in school zone	\$448	2
Stop within 20 metres of an intersection (traffic lights) – school Zone	\$337	2
Stop on/near children's crossing (in school zone)	\$448	2
Stop on/near pedestrian crossing	\$337	2
Stop on/near pedestrian crossing (in school zone)	\$448	2
Stop in bus zone (in school zone)	\$337	2
Obstruct access to ramp/path/passageway in school zone	\$337	2
Stop on/across driveway etc to/from land (in school zone)	\$337	2

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Stop on traffic island in school zone	\$187	2
Stop on painted island in school zone	\$187	2
Stop on path/strip in built-up area (in school zone)	\$337	2
Public bus driver stop at bus stop when not permitted –	\$337	2
School Zone		
Stop on/near marked foot crossing (in school zone)	\$448	2
Stop near bicycle crossing lights in school zone	\$448	2
Stop in intersection in school zone	\$448	2
Not parallel park in direction of travel in school zone	\$337	2
Parallel park close to dividing line/strip in school zone	\$337	2
Stop within 10 metres of an intersection (no traffic lights) -	\$448	2
school zone		
Stop in disabled parking area without current permit	\$561	1
displayed		

3. Do parking inspectors have discretion in the issuing of the demerit point component of these penalties?

4. Can Council resolve to not issue demerit point penalties?

The current legislation does not give Council or the Parking Officers any discretion in relation to demerit points. Whenever the fines listed above are issued, the relevant demerit point are automatically applied.

Motion: Moved: Clr Hagarty Seconded: Clr Hadchiti

That Council undertake a public awarenesss campaign to inform the public of these changes, including inserting information about this in the regular Council newsletter, Liverpool Life.

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

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Chairperson

ITEM NO: QWN 04 **FILE NO:** 017919.2019

SUBJECT: Question with Notice - Clr Kaliyanda - Single Use Plastics Reduction

Please address the following:

Does Council:

- 1. Include the reduction of single use plastics, such as straws, balloons and plastic bags, within its waste education program?
- 2. How does this program interact with local businesses in the area, particularly those within the hospitality sector?
- 3. Have a policy or focus of reducing use of these plastics during Council run or sponsored events?
- 4. Actively seek funding that could assist in reducing our waste footprint?

A response to these questions will be provided in the 27 February 2019 Council meeting business papers.

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NOTICES OF MOTION

ITEM NO: NOM 02 **FILE NO:** 019147.2019

SUBJECT: Moorebank R4 Zoning

BACKGROUND

In August 2008 the Administrator adopted a new LLEP which had wide ranging changes for zonings in the LGA.

It has been shown that very little, if any, consultation was undertaken with the community prior to LLEP 2008 being adopted and some areas, particularly Moorebank, saw a dramatic increase in density.

Over the years and three Council terms the blame game has been on as to who is responsible for the zoning and which Government authority needs to take action. Some Councillors have tried to wash their hands of the zoning issues and continue to put the blame on other Government bodies.

At the end of the day the LLEP is a responsibility for Councils elected body and it's the elected bodies' role to present any LLEP to State Government for Gateway Determination.

In December 2018 a letter undated and with no reference number was sent to residents in Moorebank (see attached) from Council's CEO in relation to concerns arising from developments occurring in Moorebank.

The letter in part states 'The NSW Government has issued a Ministerial Direction stating that councils must not reduce the permissible density of land'.

Whilst this there is a Ministerial Direction in place, the letter fails to state that there are avenues available for planning proposals to be inconsistent with the Ministerial Direction:

"If the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

- (a) justified by a strategy which:
 - (i) gives consideration to the objective of this direction, and
 - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
 - (iii) is approved by the Director-General of the Department of Planning, or

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2019									

- (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or
- (c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
- (d) of minor significance"

Council were the ones who made this zoning change in the LEP and we should be the ones to sort the problem out with the community.

At the end of the day it is up to the elected body and no one else to put forward a proposal for changes to the zoning in Moorebank and the blame game must stop.

NOTICE OF MOTION (submitted by CIr Hadchiti)

That Council:

- 1. Notes that a proposal to rezone/downzone the current R4 in Moorebank could have been called for by any Councillor since September 2008;
- Immediately write to the residents of Moorebank by way of direct mail correcting the
 original letter sent and making it clear that it is the Councillors responsibility to make
 recommendations for any zoning changes in the Moorebank area;
- 3. Immediately start separate community consultation with the residents of Moorebank with a view of reducing the density in the R4 zone; and
- 4. Present these findings to Council at the March meeting.

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Ayyad

That Council:

- Notes that a proposal to rezone/downzone the current R4 in Moorebank could have been called for by any Councillor since September 2008;
- Immediately write to the residents of Moorebank by way of direct mail correcting the
 original letter sent and making it clear that it is the Councillors responsibility to make
 recommendations for any zoning changes in the Moorebank area;

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- Immediately start separate community consultation with the residents of Moorebank with a view of reducing the density in the R4 zone, including promoting the ideas that came from the Councillors LEP Workshop to the residents to get their feedback; and
- 4. Present these findings to Council at the March meeting.

Foreshadowed Motion: Moved: Clr Hagarty Seconded: Clr Kaliyanda

That Council:

- Notes that while a proposal to rezone/downzone the current R4 in Moorebank could have been called for by any Councillor since September 2008, best practise dictates a holistic review of the LEP across the entire LGA consistent with Council and State Government strategies;
- 2. Notes that it is the Councillors responsibility to make recommendations for any zoning changes in the Moorebank area but that planning is a collaborative process between the State Government and Councils and ultimate responsibility lies with the Planning Minister;
- Notes that Council is well under way in reviewing the LEP and have held a number of sessions with staff and Councillors specifically about density in Moorebank;
- 4. Start as soon as is practical, community consultation with the residents of Moorebank with a view of reducing the density in the R4 zone as part of the LEP review, including promoting the ideas that came from the Councillors LEP Workshop to the residents to get their feedback; and
- 5. Present these findings to Council at a future meeting.

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

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

Clr Kaliyanda asked that she be recorded as voting for the motion moved by Clr Hadchiti.

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Chairperson

ITEM NO: NOM 03 **FILE NO:** 017910.2019

SUBJECT: Personnel Matters – Council In Closed Session

NOTICE OF MOTION (submitted by Clr Hadchiti)

That Council under Section 10A (2)(a) of The Local Government Act 1993 go into closed session at the conclusion of other items to discuss personnel matters concerning particular individuals (other than Councillors).

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Hagarty

That this item be moved to the end of the meeting.

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

Note: This item was then dealt with at the end of the meeting and can be found on page 54 of these minutes.

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ITEM NO: NOM 04 **FILE NO:** 017916.2019

SUBJECT: NSW State Government & Federal Government Announcements -

Edmondson Park Train Station Car Parking & Lurnea Community Hub

BACKGROUND

What a fantastic week for announcements in the Liverpool LGA.

The State & Federal Governments will be contributing nearly \$13,000,000 towards Councils planned development at Phillips Park Lurnea.

Council had previously authorised the CEO to take out borrowings should they be required and now with thanks to both the NSW State Government & the Federal Government very little funds if any need to be borrowed.

The other great piece of news was the \$40,000,000 announced for approximately 700 more car parking spaces at Edmondson Park train station by the Premier Gladys Berejiklian & the Member for Holsworthy Melanie Gibbons.

Council and the community have been calling for more parking spaces and these budgeted funds, not an election promise, will certainly relive the stress on our hard working train commuters.

NOTICE OF MOTION (submitted by Clr Hadchiti)

That Council:

- 1. Write to Prime Minister Morrison thanking him and his Government for the \$6,500,000 grant for the construction of the Lurnea Community Hub;
- 2. Write to Premier Berejiklian thanking her and her Government for the \$6,500,000 grant for the construction of the Lurnea Community Hub;
- 3. Write to Premier Berejiklian & the Member for Holsworthy Melanie Gibbons thanking them for listening to Council and the community and for the budget allocation of \$40,000,000 for car parking at Edmondson Park train station; and
- 5. Acknowledge the efforts of all community members who played a part in calling for the extra car parking spaces.

Mayor Waller called a recess of Council at 8.39pm.

Council reopened at 8.49pm.

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CIr Kaliyanda left the Chambers at 8.50pm.

CIr Kaliyanda returned to the Chambers at 8.51pm.

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Ayyad

That Council:

- 1. Write to Prime Minister Morrison thanking him and his Government for the \$6,500,000 grant for the construction of the Lurnea Community Hub;
- 2. Write to Premier Berejiklian thanking her and her Government for the \$6,500,000 grant for the construction of the Lurnea Community Hub;
- 3. Write to Premier Berejiklian & the Member for Holsworthy Melanie Gibbons thanking them for listening to Council and the community and for the budget allocation of \$40,000,000 for car parking at Edmondson Park train station;
- 4. Acknowledge the efforts of all community members who played a part in calling for the extra car parking spaces;
- 5. Note that the tennis courts at Phillips Park in Lurnea have been there for 80 years and service three schools and 200 people per week and a small business is run from the location:
- 6. Note that the tennis courts at Phillips Park in Lurnea have had the surface upgraded at a significant cost to Council ratepayers, in excess of \$100,000;
- 7. Investigate the age of the courts at Phillips Park in Lurnea; and
- 8. Send further representations to the state government seeking funding for parking at Leppington train station.

Foreshadowed Motion: Moved: CIr Hagarty Seconded: CIr Shelton

That Council:

- 1. Welcomes any commitment of funding for Liverpool from all sides of politics at both a State the Federal level;
- 2. Continue to lobby politicians and parties from all sides of politics at a State and Federal level for further funding commitments in Liverpool; and

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3. As a matter of courtesy write to relevant politicians when a confirmed commitment of funding in Liverpool is made.

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

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

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

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CIr Balloot retired from the meeting at 9.07pm.

ITEM NO: NOM 05 **FILE NO:** 018028.2019

SUBJECT: Street and Public Art in Liverpool

BACKGROUND

Street and public art are important in contributing to a vibrant urban culture. In cities like Melbourne, street art is internationally renowned and has become an attraction for local and overseas visitors experiencing Melbourne's creative ambience.

Whilst research and community consultation show that most people do not like graffiti 'tagging' (a person writing their graffiti name or 'tag' on a wall with marker or paint), many people appreciate 'street art' such as larger, more artistic pieces, or murals placed in appropriate locations with the required permission. Evidence suggests that street art may help to reduce tagging.

Council has a Graffiti Management Strategy that differentiates between:

- the need to remove unwanted graffiti applied without permission; and
- street art placed on walls and infrastructure with the blessing of property owners.

Liverpool takes a strong stance against illegal graffiti and has a number of measures in place to ensure that the city stays clean.

Given the growth of our City, it is important that we consider ways to work with residents and businesses in order to ensure that our city is vibrant and demonstrates the talents of our people.

NOTICE OF MOTION (submitted by Clr Kaliyanda)

That Council:

- Develop a street art strategy to identify appropriate spaces for street art within the Liverpool LGA;
- Incorporate street art within the available youth art education and engagement programs at CPAC;
- 3. Look for appropriate State and Federal grant funding that can help deliver street and public art programs and initiatives; and

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4.	Consider	ways	in wh	nich 1	the	process	for	commissioning	of	street	art	by	business
	owners a	nd resid	dents	can	be r	made eas	sier.						

COUNCIL DECISION

Motion:	Moved: Clr Kaliyanda	Seconded: CIr Hagarty

That the recommendation be adopted.

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

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ITEM NO: NOM 06 **FILE NO:** 018784.2019

SUBJECT: Access to facilities in hot weather

BACKGROUND

Recent heatwaves across NSW resulted in a spike in the number of people hospitalised with heat-related illnesses.

Health officials have encouraged people to limit their exposure to the heat and take precautions to protect themselves. The day following Australia Day (27 January) has historically proven to be a peak time for heat related deaths in Australia. This has been attributed to factors including the combination of hot weather, outdoor activities and alcohol consumption.

In Liverpool, the mercury has been in the high 30s and low 40s consistently over the last month. Residents have sought relief in airconditioned spaces and water play areas, such as Bigge Park and Macquarie Mall. Access to air-conditioned spaces such as CPAC and public libraries were also taken up by the community.

For those that don't have air conditioning, it is important to have access to a cool space, such as a library or shopping centre. Hydration and access to water is also crucial in mitigating the impact of the heat, especially for children. In future, perhaps free water can be provided at our public libraries and CPAC during extreme hot weather.

However, equity of access to such facilities, especially water facilities must be addressed. Currently, there is no mechanism for the CEO to organise free entry to the Whitlam Centre or Michael Wendon Centre without delegation from Council. This is not ideal given that awareness of weather conditions often occurs outside of the Council meeting cycle.

NOTICE OF MOTION (submitted by Clr Kaliyanda)

That Council:

- 1. Subsidise free entry to swimming pools at the Whitlam Centre and Michael Wendon Centre on days when the temperature is above 40C.
- 2. Provide delegation to the CEO to do so.
- Consider other measures that can be undertaken within the LGA to provide relief to the community during extreme hot weather and report back to the February 27 meeting.

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COUNCIL DECISION

Motion: Moved: Clr Kaliyanda Seconded: Clr Rhodes

That Council:

- Consider other measures that can be undertaken within the LGA to provide relief to the community during extreme hot weather and report back to the 27 February Council meeting.
- 2. Work with Belgravia Leisure to look at strategies to support access to leisure centres.
- Look at strategies which could include providing additional water parks in the LGA and consider new locations, including new growth areas, for the water parks. The following matters are to be considered:
 - Pricing;
 - Ample parking;
 - Seating;
 - Shade; and
 - Other options.
- 4. Develop a strategy to inform the community as to where savings can be made on services for families.

Foreshadowed Motion: Moved: Clr Ayyad Seconded: Clr Hadid

That Council:

- 1. Look at strategies which could include providing additional water parks in the LGA and consider new locations, including new growth areas, for the water parks. The following matters are to be considered:
 - Pricing;
 - ample parking;
 - seating:
 - shade; and
 - other options.
- 2. Develop a strategy to inform the community as to where savings can be made on services for families

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

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

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CONFIDENTIAL ITEMS

ITEM NO: CONF 01 **FILE NO:** 010828.2019

SUBJECT: Tender WT2789 - Whitlam Leisure Centre Pool Plant Rooms Refurbishment

RECOMMENDATION

That Council:

- Declines the tender received for WT2789 Whitlam Leisure Centre Pool Plant Rooms Refurbishment and in accordance with Section 178(3)(f) of the Local Government (General) Regulation 2005 carries out the requirements of the proposed contract itself;
- 2. Makes public its decision regarding Tender WT2789 Whitlam Leisure Centre Pool Plant Room, Spa Plant Room and Truck Hardstand Drainage Works;
- 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 reject) tenders up to a value of \$1 million. Therefore, subclause 178(3) of the Local Government (General) Regulation 2005 requires a decision not to accept any of the tenders for a proposed contract to be made by way of a Council resolution; and
- 4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: Moved: CIr Shelton Seconded: CIr Hadchiti

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 02 **FILE NO:** 341737.2018

SUBJECT: Legal Affairs Report

RECOMMENDATION

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

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That the recommendation be adopted.

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

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CIr Rhodes left the Chambers at 9.32pm.

ITEM NO: CONF 03 **FILE NO:** 351565.2018

SUBJECT: Tourism and CBD Committee - Community Representative

RECOMMENDATION

That Council endorses the appointment of Marc Edwards and Ian Bailey as a community representative to the Tourism and CBD Committee.

COUNCIL DECISION

Motion: Moved: Clr Hadchiti 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 04 **FILE NO:** 000140.2019

SUBJECT: WSROC Contract- WR03-12/13- Road Rehabilitation and Asphalt Services -

Contract Extension Request

RECOMMENDATION

That Council:

 Offers an extension to the below listed contractors until new contracts have been established for the Tender WR03-12/13 Road Rehabilitation and Asphalt Services, and places those contractors who accept the extension on a panel of preferred contractors;

Contract Portion	List of Contractors
Asphalt Deliver and Lay	State Asphalt Services Pty Ltd
	Bernipave Pty Ltd
	Borthwick & Pengilly Asphalts Pty Ltd
Asphalt Ex -Bin	State Asphalt Services Pty Ltd
	Fulton Hogan Industries Pty Ltd (Minto/Wallgrove)
Crack Sealing	SuperSealing Pty Ltd
Mill and Fill	State Asphalt Services Pty Ltd
Pavement Restoration	Bernipave Pty Ltd
	J&G Excavations & Asphalting (NSW) Pty Ltd
	Borthwick & Pengilly Asphalts Pty Ltd
Profiling	Stabilised Pavements Of Australia Pty Ltd
	State Asphalt Services Pty Ltd
	Borthwick and Pengilly Pty Ltd
Spray Sealed Bituminous Surfacing	State Asphalt Services Pty Ltd
Stabilisation and/or Unbound Pavement Reconstruction	Stabilised Pavements of Australia Pty Ltd
Surface Preservation,	Downer EDI Works Pty Ltd
Enrichment or	, i
Rejuvenation	
Asphalt Pavement	Borthwick and Pengilly Pty Ltd
Reconstruction	J and G Excavations Pty Ltd
	Stabilised Pavements of Australia Pty Ltd

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- 2. That such an extension be offered pursuant to s.55(3)(i) of the Local Government Act 1993, for the following reasons:
 - The listed contractors, and the rates in question, were subject to detailed market testing as part of a WSROC tender performed in 2013 and accepted by Council at the time;
 - Following a review by staff, it is considered that these rates remain highly competitive, and offer excellent value when compared to prevailing market rates for the same types of supply;
 - c) The listed suppliers have performed to a satisfactory standard during the contract period; and
 - d) The extension being sought is required to allow the calling of fresh tenders for the supply in question.
- 3. Notes that the Director City Infrastructure and Environment will finalise all details and extend the contract following acceptance by the tenderers of Council's offer; and
- 4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it

COUNCIL DECISION

Motion: Moved: Clr Shelton Seconded: Clr Hadid

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

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CIr Rhodes returned to the Chambers 9.34pm.

ITEM NO: CONF 05 **FILE NO:** 005242.2019

SUBJECT: Proposed Acquisition of Lot 45 DP657031, 6 Newbridge Road, Chipping

Norton under the Moorebank Voluntary Acquisition Scheme

RECOMMENDATION

That Council:

- 1. Approves the acquisition of Lot 45 DP657031, 6 Newbridge 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 45 DP657031, 6 Newbridge Road, Chipping Norton as 'Community' land;
- 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.

COUNCIL DECISION

Motion: Moved: Clr Hadchiti 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 06 **FILE NO:** 006777.2019

SUBJECT: Tender VP2760 - Traffic Management Services

RECOMMENDATION

That Council:

- Declines to accept any of the tenders submitted for Tender VP2760 Traffic Management Services, and postpones the proposal for the contract in accordance with Section 178(3) of the Local Government (General) Regulation 2005; and
- Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

COUNCIL DECISION

Motion: Moved: Clr Shelton Seconded: Clr Hadchiti

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

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ITEM NO: CONF 07 **FILE NO:** 008451.2019

SUBJECT: Proposed Disposal of Lot 8 DP 1062062, Lot 8 River Heights Road, Pleasure

Point

RECOMMENDATION

That Council:

- Approves the disposal of Lot 8 DP 1062062 to the adjoining owners of Lot 143 in DP 15226, 16 River Heights Road, Pleasure Point for the price and terms outlined in this report;
- 2. Transfers proceeds to the Property Development Reserve;
- 3. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business;
- 4. 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 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:** 017910.2019

SUBJECT: Personnel Matters – Council In Closed Session

NOTICE OF MOTION (submitted by Clr Hadchiti)

That Council under Section 10A (2)(a) of The Local Government Act 1993 go into closed session at the conclusion of other items to discuss personnel matters concerning particular individuals (other than Councillors).

COUNCIL DECISION

Motion: Moved: Clr Hadchiti Seconded: Clr Hadid

That the item be deferred to the next Council meeting.

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

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THE MEETING CLOSED AT 9.37pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 27 February 2019

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 6 February 2019. I confirm that Council has adopted these Minutes as a true and

accurate record of the meeting.

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