



## MINUTES OF THE ORDINARY MEETING HELD ON 6 FEBRUARY 2019

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**PRESENT:**

Mayor Wendy Waller  
 Councillor Ayyad  
 Councillor Balloot  
 Councillor Hadchiti  
 Councillor Hadid  
 Councillor Hagarty  
 Councillor Harle  
 Councillor Kaliyanda  
 Councillor Karnib  
 Councillor Rhodes  
 Councillor Shelton  
 Ms Kiersten Fishburn, Chief Executive Officer  
 Mr Tim Moore, Director City Economy and Growth / Deputy CEO  
 Mr Chris White, Director City Corporate  
 Ms Tina Sangiuliano, Acting Director City Community and Culture  
 Dr Eddie Jackson, Director City Deal  
 Mr Peter Patterson, Director City Presentation  
 Mr Raj Autar, Director City Infrastructure and Environment

The meeting commenced at 6.01pm.

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<b>OPENING</b>	6.01pm
<b>ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION TO BE READ BY</b>	The prayer of the Council was read by Minister Bruce Hammonds from Liverpool Presbyterian Church
<b>NATIONAL ANTHEM</b>	The National Anthem, recorded and performed by Rebecca Ferro was played at the meeting.
<b>APOLOGIES</b>	Nil

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Minutes of the Ordinary Council Meeting held on Wednesday, 6 February 2019 and confirmed on Wednesday, 27 February 2019

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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.

**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.

**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.

**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: Cllr Shelton**

**Seconded: Cllr 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.



**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.

**Clr Hadid left the Chambers at 6.34pm.**

**Clr 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.

**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.\



**NOTICE OF MOTION (submitted by Cllr 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;
2. 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 non-domestic violence near this licensed premise;
3. Re advertise the DA for Community consultation and consideration;
4. 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.**

**COUNCIL DECISION****Motion:****Moved: Cllr Harle****Seconded: Cllr 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;
2. 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 non-domestic 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
9. 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.



2. 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.

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



**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: Cllr Shelton**                    **Seconded: Cllr 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**.

**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.

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

**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: Cllr Shelton** **Seconded: Cllr 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.



**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.

**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;
2. 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: Cllr Rhodes**                                **Seconded: Cllr Hadid**

That the recommendation be adopted.

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





**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: Cllr Shelton**                         **Seconded: Cllr Rhodes**

That the recommendation be adopted.

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

**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.

**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:*
  - a) *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:

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:*

- a) *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."*
5. 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.



**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: Cllr Hadchiti** **Seconded: Cllr Rhodes**

That the recommendation be adopted.

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





**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01  
**FILE NO:** 014243.2019  
**SUBJECT:** Question with Notice - Cllr 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 contracts 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.

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.



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.

**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





**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.**

## 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*



3. 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:

1. 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;
3. 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.



**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 relieve the stress on our hard working train commuters.

## **NOTICE OF MOTION (submitted by Cllr 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.**





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 Clr 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.

**Clr 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:

1. Develop a street art strategy to identify appropriate spaces for street art within the Liverpool LGA;
2. 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



**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 Cllr 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.
3. 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.











**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	<ul style="list-style-type: none"> <li>State Asphalt Services Pty Ltd</li> <li>Bernipave Pty Ltd</li> <li>Borthwick &amp; Pengilly Asphalts Pty Ltd</li> </ul>
Asphalt Ex -Bin	<ul style="list-style-type: none"> <li>State Asphalt Services Pty Ltd</li> <li>Fulton Hogan Industries Pty Ltd (Minto/Wallgrove)</li> </ul>
Crack Sealing	<ul style="list-style-type: none"> <li>SuperSealing Pty Ltd</li> </ul>
Mill and Fill	<ul style="list-style-type: none"> <li>State Asphalt Services Pty Ltd</li> </ul>
Pavement Restoration	<ul style="list-style-type: none"> <li>Bernipave Pty Ltd</li> <li>J&amp;G Excavations &amp; Asphalting (NSW) Pty Ltd</li> <li>Borthwick &amp; Pengilly Asphalts Pty Ltd</li> </ul>
Profiling	<ul style="list-style-type: none"> <li>Stabilised Pavements Of Australia Pty Ltd</li> <li>State Asphalt Services Pty Ltd</li> <li>Borthwick and Pengilly Pty Ltd</li> </ul>
Spray Sealed Bituminous Surfacing	<ul style="list-style-type: none"> <li>State Asphalt Services Pty Ltd</li> </ul>
Stabilisation and/or Unbound Pavement Reconstruction	<ul style="list-style-type: none"> <li>Stabilised Pavements of Australia Pty Ltd</li> </ul>
Surface Preservation, Enrichment or Rejuvenation	<ul style="list-style-type: none"> <li>Downer EDI Works Pty Ltd</li> </ul>
Asphalt Pavement Reconstruction	<ul style="list-style-type: none"> <li>Borthwick and Pengilly Pty Ltd</li> <li>J and G Excavations Pty Ltd</li> <li>Stabilised Pavements of Australia Pty Ltd</li> </ul>









**ITEM NO:** NOM 03  
**FILE NO:** 017910.2019  
**SUBJECT:** Personnel Matters – Council In Closed Session

**NOTICE OF MOTION (submitted by Cllr 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: Cllr Hadchiti    Seconded: Cllr Hadid**

That the item be deferred to the next Council meeting.

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

**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.