



**MINUTES OF THE ORDINARY MEETING  
HELD ON 28 OCTOBER 2019**

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**PRESENT:**

Mayor Wendy Waller  
Councillor Ayyad  
Councillor Balloot  
Councillor Hadchiti  
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  
Dr Eddie Jackson, Director City Community and Culture  
Mr Peter Patterson, Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Mr Andrew Stevenson, Chief Strategy and Engagement Officer  
Mr Adrian Nesbitt, Manager Communications  
Ms Tina Sangiuliano, Special Projects Officer  
Mr Michael Knight, Acting General Counsel Manager Governance Legal  
Mr David Smith, Manager Planning & Transport Strategy  
Mr Vishwa Nadan, Chief Financial Officer  
Mr David Maguire, Internal Ombudsman  
Mr George Georgakis, Manager Council and Executive Services  
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

**STATEMENT REGARDING WEBCASTING  
OF MEETING**

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

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

The prayer of the Council was read by  
Pastor Samantha Bulmer from Lifegate  
Church.

**NATIONAL ANTHEM**

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

**APOLOGIES**

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

That leave of absence be granted for Clr Hadid for his absence from the meeting.

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

**CONDOLENCES**

Nil.

**CONFIRMATION OF MINUTES**

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

That the minutes of the Ordinary Meeting held on 25 September 2019 be confirmed as a true record of that meeting subject to the following changes:

- Clr Hagarty, Clr Kaliyanda and Clr Karnib were not in the Chambers when COM 01 – Grants, Donations and Corporate Sponsorship was discussed and voted on.
- Clr Harle declared a non-pecuniary, less than significant interest in “EGROW 02 – Phase 1 of LEP Review to establish the Liverpool Local Environmental Plan 2020” rather than “EGROW 04 – Middleton Grange Town Centre”.

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

**DECLARATIONS OF INTEREST**

Nil.

**PUBLIC FORUM**

**Presentation – items not on agenda**

Nil.

## **Representation – items on agenda**

1. **Ms Lawrissa Chan** – Director, Financial Audit Services and **Mr Furqan Yousuf** – Audit Leader from the Audit Office of NSW addressed Council on the following item:

**CORP 04:** Annual Financial Reports 2018/19.

## **BRING ITEM FORWARD**

The Mayor ruled that CORP 04 – Annual Financial Reports 2018/19 be brought forward and dealt with now.

**ITEM NO:** CORP 04  
**FILE NO:** 265470.2019  
**SUBJECT:** Annual Financial Reports 2018/19

## **RECOMMENDATION**

That Council:

1. Receives and endorses the 2018/19 audited financial reports;
2. Authorises the Mayor, Deputy Mayor, Chief Executive Officer and the Responsible Accounting Officer (CFO) to sign the prescribed statement that will form part of the financial reports;
3. Authorises the Chief Executive Officer to:
  - a. forward a copy of the financial reports together with the auditor's report to the Office of Local Government in accordance with Section 417(5) of the Local Government Act 1993;
  - b. issue a public notice containing a summary of financial results and put the financial statements on exhibition for 7 days to seek public submissions;
4. Note that the financial statements and a summary of public submissions received will be presented to Council at its next meeting for consideration and adoption.

## **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.

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

**MAYORAL MINUTE****ITEM NO:** MAYOR 01**FILE NO:** 274297.2019**SUBJECT:** Liverpool Innovation Precinct Land Use and Precinct Strategy Launch

The *Liverpool Innovation Precinct Land Use and Precinct Strategy* sets out a vision for Liverpool's Innovation Precinct – a significant part of our city centre – and is the result of great ambition and collaboration.

The strategy was enthusiastically launched today at the Ingham Institute for Applied Medical Research with the Minister for Planning and Public Spaces The Honourable Rob Stokes MP delivering a keynote speech at the event.

The Minister strongly supported Liverpool's case as a true innovation precinct, highlighting the combination of State Government investment, collaboration from key partners and leadership from Council.

He told an audience of senior health and planning professionals that Liverpool had put together a compelling case to be the city centre of the Western Parklands City.

Over the past two years, members of the Liverpool Innovation Committee have worked tirelessly to put together a vision for the precinct. In that space of time, milestones have also been achieved – one of them being the \$740 million commitment from the NSW Government to transform Liverpool Hospital into a world-leading health and academic precinct.

The Precinct partners are committed to leveraging this large public commitment to create an environment that will attract even more private sector investment to the precinct.

The nine founding partners of the Liverpool Innovation Precinct have embraced the opportunity to collaborate and build Liverpool into a dynamic city that will attract and retain the best and brightest talent both locally and abroad.

It was an honour to speak at the event on behalf of Liverpool City Council and the community.

**RECOMMENDATION:**

That Council receive and note this minute.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**ITEM NO:** MAYOR 02  
**FILE NO:** 274313.2019  
**SUBJECT:** Liverpool Youth Council 20 Year Anniversary

In May 1999, Council endorsed a Youth Strategy that included the aim of establishing the Liverpool Youth Council. The purpose of the Liverpool Youth Council is to provide a link between young people and Council, act as a consultative mechanism, plan and organise cultural, environmental, recreational and social activities citywide for young people and to promote the interests of young people in Liverpool.

Over the past 20 years the Liverpool Youth Council played an invaluable role in the development of local youth interested in improving their local community and allowing their voice to be heard in decisions made by Council.

The Youth Council has strived to achieve its purpose through the hosting of annual Youth Week activities, initiating the CBD Exposed music festival and members volunteering and participating at various Council events and consultative forums. Youth Council members attend monthly Committee Meetings and have been active in community consultation with many local students to make improvements where possible to support the community and Council's activities.

As 2019 is the anniversary of the first Liverpool Youth Council, the current members of the committee are planning a 20<sup>th</sup> anniversary function to invite all previous members to celebrate this great achievement.

#### **RECOMMENDATION:**

That Council:

- Acknowledges the success of the Liverpool Youth Council and the commitment of its members between 1999 – 2019; and
- Contribute an amount of \$2,500 to support the Liverpool Youth Council's 20th anniversary event on Thursday, 21 November 2019.

#### **COUNCIL DECISION**

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

That the recommendation be adopted.

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

**MOTION OF URGENCY****ITEM NO:** MOU 01**SUBJECT:** Hoxton Park Road, Banks Road to Cowpasture Road Upgrade – Additional Submission

*In accordance with Clause 8.3 of Council's Code of Meeting Practice, the chairperson, Mayor Waller ruled the following matter (from Clrs Shelton and Hadchiti) as urgent, and as such it was dealt with at this meeting.*

Council has made a submission on the Community Update released by the Roads and Maritime Services (on behalf of the State Government) for the proposed Hoxton Park Road Upgrade, between Banks Road and Cowpasture Road.

Council supports the proposed upgrade as part of the City Deal commitment to provide a rapid transit connection between Liverpool CBD and the Western Sydney International (Nancy-Bird Walton) Airport in time for the airport's opening.

Council also recognises that the design investigation carried out to date, is part of the NSW Government approach to deliver the City Deal commitment to connect Liverpool to the Airport by high quality transport.

However, the design layout shown in the Community updated for road upgrade with kerb side bus lanes, which is inconsistent with the centre-running of transit lanes in the section of Hoxton Park Road west of Banks Road.

International best-practice for rapid transit corridors recommends centre-running as the preferred configuration. Centre-running is generally found to have improved service frequency and reliability compared to side-running. Centre-running, by being physically separated from general traffic lanes, also can have improved legibility and capacity to be upgraded to other mass transit systems.

Council is concerned about the potential for major intersection layout requirement, and reduced traffic efficiency, if the rapid transit service needs to transition multiple times from centre-running to side-running.

Such arrangement will also affect the design investigation for the section of transit corridor west of Cowpasture Road, along Fifteenth Avenue, which Council is currently investigating. The Fifteenth Avenue strategic design investigation is expected to be completed by mid-2020.

Transport for NSW is also undertaking design investigation and corridor preservation of the section of Fifteenth Avenue, west of Devonshire Avenue.

As such, Council calls on the RMS to revisit the option for centre-running and that the State Government not to make a final decision on centre-running verses side-running, until after further design investigation is completed by Council and Transport for NSW on Fifteenth Avenue.

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

That Council:

1. Makes supplementary submission on the Community Update on the proposed Hoxton Park Road;
  
2. Calls on the RMS to revisit the option for centre-running and that the State Government not make a final decision on centre-running verses side-running, until after further design investigation is completed by Council and Transport for NSW on Fifteenth Avenue;
  
3. Further, that this resolution be forwarded to the RMS forthwith;
  
4. Undertake a communications campaign and to delegate to the CEO that our concerns and dissatisfaction are immediately conveyed to the RMS and the Minister for Transport and all political representatives in the area. The example of the Dorrigo Avenue entrance and exit be included as an example of Council's dissatisfaction and that we oppose any suggestion that it be closed; and
  
5. Advocate to Transport for NSW that Hoxton Park Road to be treated in its entirety rather than separate sections.

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

Councillors voted unanimously for this motion.

Note: Clr Hadid was not at the meeting.

**MOTION OF URGENCY****ITEM NO:** MOU 02**SUBJECT:** M12 on-ramp and off-ramp at Elizabeth Drive

*In accordance with Clause 8.3 of Council's Code of Meeting Practice, the chairperson, Mayor Waller ruled the following motion (from Clr Rhodes) as urgent, and as such it was dealt with at this meeting.*

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

That Council convey our dissatisfaction regarding the M12 at Elizabeth Drive and the lack of an on-ramp and exit off-ramp onto Elizabeth Drive. The issue to be addressed in the same manner as the previous urgency motion (on the previous page) including:

- i) A submission to the RMS in relation to the M12 consultation;
- ii) Undertake a communications campaign to express Council's concerns; and
- iii) To delegate to the CEO that our concerns and dissatisfaction are immediately conveyed to the RMS, Minister for Transport and all political representatives in the area.

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

Councillors voted unanimously for this motion.

Note: Clr Hadid was not at the meeting.

**RECESS OF COUNCIL**

Mayor Waller called a recess of Council at 6.41pm to deal with technical issues.

Mayor Waller reopened the meeting at 6.56pm.





**ITEM NO:** CEO 02  
**FILE NO:** 254705.2019  
**SUBJECT:** Western Parklands Councils' Governance Arrangements

**RECOMMENDATION**

That Council:

1. Receive and note the information contained in the report on long-term governance arrangements for the Western Parkland Councils;
2. Formally enter into an alliance with the Western Parkland Councils in accordance with the draft Deed of Agreement and Section 355 of the Local Government Act 1993;
3. Contribute \$40,000 annually towards resourcing the Western Parkland Councils as outlined in the report; and
4. Nominate one Councillor to be appointed as an alternate representative on the Western Parkland Councils' Mayoral Forum should the Mayor be unavailable.

**COUNCIL DECISION**

**Motion:**                                 **Moved: Clr Kaliyanda**             **Seconded: Clr Karnib**

That Council:

1. Receive and note the information contained in the report on long-term governance arrangements for the Western Parkland Councils;
2. Formally enter into an alliance with the Western Parkland Councils in accordance with the draft Deed of Agreement and Section 355 of the Local Government Act 1993;
3. Contribute \$40,000 annually towards resourcing the Western Parkland Councils as outlined in the report; and
4. Nominate Clr Hagarty to be appointed as an alternate representative on the Western Parkland Councils' Mayoral Forum should the Mayor be unavailable.

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

Clr Rhodes and Clr Balloot asked that their names be recorded as having voted against the motion.

**ITEM NO:** CEO 03  
**FILE NO:** 255117.2019  
**SUBJECT:** Coaching and Development of Staff regarding Resolution NOM 01 28 August 2019 - report back to Council

**RECOMMENDATION**

That Council receive and note this report.

OR

That Council direct the CEO to expand the Council policy allowing for incoming calls to the Customer Call Centre to be recorded to include the whole organisation, subject to the exclusion of those Council staff noted in this report for reasons of protecting confidentiality, legal privilege and disclosures made to them in accordance with the *Public Interest Disclosures Act 1994*.

**COUNCIL DECISION**

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

That:

1. Council defer this item until further discussions are held with the relevant stakeholders;
2. A policy be presented to Council at the second February 2020 meeting for Council's consideration; and
3. Council notes that it is believed that Campbelltown City Council has a policy similar to what Liverpool City Council is trying to achieve.

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

Mayor Waller and Clr Shelton asked that their names be recorded as having voted against the motion.

**ITEM NO:** CEO 04  
**FILE NO:** 263123.2019  
**SUBJECT:** National Growth Areas Alliance (NGAA) - Elections for Strategic Advisory Committee

**RECOMMENDATION**

That Council call for a nomination for the National Growth Areas Alliance (NGAA) Strategic Advisory Committee.

**COUNCIL DECISION**

**Motion:** **Moved: Clr Ballot** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

**Council then called for Nominations:**

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

That Councillor Kaliyanda be nominated for the National Growth Areas Alliance (NGAA) Strategic Advisory Committee.

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

That Councillor Hadid be nominated for the National Growth Areas Alliance (NGAA) Strategic Advisory Committee.

On being put to the meeting the motion (moved by Clr Hagarty) was declared CARRIED on the Mayor's casting vote.

## CITY ECONOMY AND GROWTH REPORT

**ITEM NO:** EGROW 01

**FILE NO:** 090480.2019

**SUBJECT:** Proposed amendments to Part 1 and 4 of Liverpool Development Control Plan 2008 (Amendment 25) following gazettal of Liverpool Local Environmental Plan 2008 (Amendment 52)

### RECOMMENDATION

That Council:

1. Re-exhibits Amendment 25 to the Liverpool Development Control Plan 2008 (Part 1 and 4) for a period of 28 days; and
2. Receives a further report on the outcomes of the public exhibition and community consultation if submissions are received. If no submissions are received, Council delegates to the CEO the finalisation of Amendment 25.

### COUNCIL DECISION

**Motion:**

**Moved: Clr Hadchiti**

**Seconded: Clr Ayyad**

That Council:

1. Re-exhibits Amendment 25 to the Liverpool Development Control Plan 2008 (Part 1 and 4) for a period of 28 days and that a Briefing be arranged for Councillors during the exhibition period; and
2. Receives a further report on the outcomes of the public exhibition and community consultation.

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

Councillors voted unanimously for this motion.

Note: Clr Hadid was not at the meeting.



**ITEM NO:** EGROW 03  
**FILE NO:** 251505.2019  
**SUBJECT:** Planning Proposal - Holsworthy Town Centre

## RECOMMENDATION

That Council:

1. Notes the advice of the *Liverpool Local Planning Panel*;
2. Endorses in principle the planning proposal, subject to a detailed site contamination investigation being prepared;
3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
4. Delegate to the CEO authority to negotiate a planning agreement with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the planning agreement prior to exhibition of the planning proposal, consistent with Council's Planning Agreements Policy;
5. Endorses in principle the proposed public benefit contributions of the planning agreement, to be negotiated further, including:
  - Upgrade of the existing roundabout (Macarthur Drive / The Boulevard / Morningside Parade) to a signalised crossing to facilitate vehicular entry to the site, a safer pedestrian environment and improved traffic conditions;
  - Removal of redundant roadway connecting the existing roundabout and existing rail bridge, including associated earthworks;
  - Embellishment of the Macarthur Drive road reserve including provision of a shared path and landscaping;
  - Landscaping of the road reserve along Heathcote Road adjacent to the site (with RMS concurrence);
  - Provision of publicly accessible open space on the site with a minimum area of 1,000m<sup>2</sup>.
6. Forwards the planning proposal to the Department of Planning, Industry and Environment, pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination with a recommendation that a site specific DCP be included as a Gateway condition to be satisfied prior to public exhibition; and
7. Receive a further report on the outcomes of public exhibition and community consultation.

## COUNCIL DECISION

**Motion:**    **Moved: Cllr Hadchiti**                    **Seconded: Cllr Ayyad**

That Council:

1. Notes the advice of the *Liverpool Local Planning Panel*;
2. Endorses in principle the planning proposal, subject to a detailed site contamination investigation being prepared;
3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
4. Delegate to the CEO authority to negotiate a planning agreement with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the planning agreement prior to exhibition of the planning proposal, consistent with Council's Planning Agreements Policy;
5. Endorses in principle the proposed public benefit contributions of the planning agreement, to be negotiated further, including but not limited to:
  - Upgrade of the existing roundabout (Macarthur Drive / The Boulevard / Morningside Parade) to a signalised crossing to facilitate vehicular entry to the site, a safer pedestrian environment and improved traffic conditions;
  - Removal of redundant roadway connecting the existing roundabout and existing rail bridge, including associated earthworks;
  - Embellishment of the Macarthur Drive road reserve including provision of a shared path and landscaping;
  - Landscaping of the road reserve along Heathcote Road adjacent to the site (with RMS concurrence);
  - Provision of publicly accessible open space on the site with a minimum area of 1,000m<sup>2</sup>.
6. Forwards the planning proposal to the Department of Planning, Industry and Environment, pursuant to Section 3.34 of the *Environmental Planning and Assessment Act 1979*, seeking a Gateway determination with a recommendation that a site specific DCP be included as a Gateway condition to be satisfied prior to public exhibition; and
7. Receive a further report on the outcomes of public exhibition and community consultation.



**Vote for:** Mayor Waller  
Clr Ayyad  
Clr Balloot  
Clr Hadchiti  
Clr Hagarty  
Clr Harle  
Clr Kaliyanda  
Clr Karnib  
Clr Rhodes

**Vote against:** Clr Shelton

Note: Clr Hadid was not at the meeting.

**CITY COMMUNITY AND CULTURE REPORT**

**ITEM NO:** COM 01  
**FILE NO:** 246471.2019  
**SUBJECT:** Grants, Donations and Corporate Sponsorship

**RECOMMENDATION**

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

<b>Applicant</b>	<b>Project</b>	<b>Recommended</b>
Liverpool Domestic Violence Liaison Committee	Stop DV Day	\$10,000

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**ITEM NO:** COM 02  
**FILE NO:** 250371.2019  
**SUBJECT:** Liverpool District Forums - Terms of Reference Review

**RECOMMENDATION**

That Council endorse the revised Liverpool District Forums' Terms of Reference.

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Hagarty** **Seconded: Cllr Karnib**

That Council endorse the revised Liverpool District Forums' Terms of Reference with the following change to be made to the quorum in Clause 7.1:

“The quorum for a Forum will be one Councillor and five other attendees, excluding Council Staff.”

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

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

**ITEM NO:** COM 03  
**FILE NO:** 256962.2019  
**SUBJECT:** Response to NOM 03 from 31 July 2019 - Infrastructure Funding Priorities

**RECOMMENDATION**

That Council:

- 1. Receives and notes the information about external funding opportunities published on the Council website; and
- 2. Receives and notes the draft Managing Development Applications for Grant-funded Infrastructure Projects Standard and delegates authority to the CEO to endorse the draft Standard.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

## CITY CORPORATE REPORT

**ITEM NO:** CORP 01

**FILE NO:** 227203.2019

**SUBJECT:** Reducing Red Tape - Development of Policies, Standards, Charters, Procedures and Strategies

## RECOMMENDATION

That Council:

1. Endorse the *Development of Policies, Standards, Charters, Procedures and Strategies* included as Attachment 1 to this report;
2. Confirm the policies listed in Attachment 2 to this report as Council Policies; and
3. Rescind and remove from the policy register any previously-adopted policies of Council as listed in Attachment 3 to this report.

## COUNCIL DECISION

**Motion:**

**Moved: Cllr Hagarty**

**Seconded: Cllr Hadchiti**

That Council:

1. Endorse the *Development of Policies, Standards, Charters, Procedures and Strategies* included as Attachment 1 to this report (“the Framework”);
2. Retain all existing policies; and
3. Direct the CEO to commence a process of workshopping existing policies with councillors, with a view to assessing each existing policy’s status under the Framework by December 2020.

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

**ITEM NO:** CORP 02  
**FILE NO:** 250654.2019  
**SUBJECT:** Investment Report September 2019

**RECOMMENDATION**

That Council receives and notes this report.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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



**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01  
**FILE NO:** 240075.2019  
**SUBJECT:** Minutes of the Liverpool Sports Committee Meeting held 29 August 2019

**RECOMMENDATION**

That Council receives and notes the Minutes of the Liverpool Sports Committee Meeting held on 29 August 2019.

**COUNCIL DECISION**

**Motion:**                                  **Moved: Cllr Kaliyanda**                  **Seconded: Cllr Rhodes**

That the recommendation be adopted.

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



**ITEM NO:** CTTE 02  
**FILE NO:** 241271.2019  
**SUBJECT:** Minutes of the Liverpool Heritage Advisory Committee Meeting of 17 September 2019.

**RECOMMENDATION**

That Council:

1. Receives and notes the minutes of the Liverpool Heritage Advisory Committee meeting held on 17 September 2019;
2. Notes that recommendation 1 and 2 of the Committee is consistent with actions outlined in the Liverpool Heritage Strategy and any works or funding will be considered during the 2020/2021 and future year's budgets; and
3. Notes the Forest Homestead is heritage listed and no further action is required.

**COUNCIL DECISION**

**Motion:**                                      **Moved: Cllr Kaliyanda**                      **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:** 243146.2019  
**SUBJECT:** Minutes of the Liverpool Community Safety and Crime Prevention Advisory  
Committee Meeting held on 5 September 2019

**RECOMMENDATION**

That Council receives and notes the Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on 5 September 2019.

**COUNCIL DECISION**

**Motion:**    **Moved: Cllr Kaliyanda**                          **Seconded: Cllr Rhodes**

That the recommendation be adopted.

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

**ITEM NO:** CTTE 04  
**FILE NO:** 246309.2019  
**SUBJECT:** Minutes of the Liverpool Youth Council Meeting held on Wednesday 4 September 2019

**RECOMMENDATION**

That Council receives and notes the Minutes of the Liverpool Youth Council Meeting held on 4 September 2019.

**COUNCIL DECISION**

**Motion:**                                **Moved: Cllr Kaliyanda**                **Seconded: Cllr Rhodes**

That the recommendation be adopted.

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

**ITEM NO:** CTTE 05  
**FILE NO:** 247913.2019  
**SUBJECT:** Minutes of Budget Review Panel 19 September 2019

**RECOMMENDATION**

That Council adopts the minutes of the Budget Review Panel meeting held on 19 September 2019.

**COUNCIL DECISION**

**Motion:**                                **Moved: Cllr Kaliyanda**                **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:** 256648.2019  
**SUBJECT:** Question with Notice - Clr Harle - Excessive Noise and Use of Public Address Systems in Recreational Areas

### Background

For over a decade Council has been experiencing consistent negative feedback due to objectionable and excessive noise generated by unauthorised use of Public Address systems at Council owned recreational facilities. Considering the high number of complaints, particularly around the Chipping Norton Lakes area and Black Muscat Park, Council needs to take positive action as it detrimentally affects all users of the park and nearby residential homes.

It is obvious current action by Councils is not having the desired effect both from a park user and nearby residents point of view.

Please address the following:

- 1. Can Council issue substantial fines for using PA systems contrary to signage and if so, what are the maximum penalties that can be applied and how can these be enforced and by whom?**

Fines can be issued for failure to comply with a notice erected by Council. The fine is \$110. However, for a fine to be issued a Council officer must identify the person who is committing the offence. This is difficult to obtain as Council officers have no authority to demand identification be provided. Only the Police have that authority including issuing fines.

- 2. Can Council legally confiscate the offending equipment?**

Under the Local Government Act, Council officers do not have the power to confiscate offending equipment.

- 3. If so, can Council ensure signage includes applicable penalty notices?**

New signs in that area were recently erected following a review by Council's legal team. The signs indicate fines do apply. However, the amount is not stated as this will change with time.

**4. Does Council have practical enforceable suggestions to prevent this continuing problem?**

Council has recently met with the Local Police Superintendent to request commitment from the Police to attend the site when security personnel are unable to achieve cooperation from the offending person/s. Police are responsible and have the authority to deal with noise issues and matters of public disorder.

**ITEM NO:** QWN 02  
**FILE NO:** 256653.2019  
**SUBJECT:** Question with Notice - Clr Hagarty - Edmondson Park Commuter Car Park

## **Background**

Despite allocating just \$212,000 in this year's budget, the New South Wales Government continues to commit to a 'mid 2020' time frame for the completion of a multi-storey car park at Edmondson Park station.

Potential risks to the project's completion date have been given as "weather, Liverpool Council and other land holders".

Please address the following:

**1. Does Council own land within the vicinity of Edmondson Park train station suitable for a multi-storey car park?**

Council does not own any land suitable for the construction of a multi-storey car park close to Edmondson Park railway station.

**2. Has Council been approached by the State Government about the use of Council owned land for a multi-storey car park at Edmondson Park? If so when?**

As indicated above, Council does not own any land in the immediate vicinity of Edmondson Park station and hence Council has not been approached for a carpark to be constructed on Council's land.

However, Transport for NSW (TfNSW) have approached Council to discuss the agencies' environmental planning, preliminary design investigation and arrangement to lease or acquire land for construction of the additional commuter parking spaces close to Edmondson Park station.

Council is advised that negotiations to lease land from adjoining land owners is underway and Council will be notified of the timing once suitable site/s have been identified and design investigations have commenced.

In addition, TfNSW also enquired whether Council would be able to project manage the construction of at-grade car parking once suitable construction site/s been secured. Requested indicative costs have been provided to TfNSW.

**3. What approvals would Liverpool Council need to give for a multi-storey car park at Edmondson Park?**

Construction of a multi-storey car close to the Edmondson Park station can be approved under the following two assessment regimes:

- a) TfNSW can lodge a Development Application with Council for assessment under Part 4 of the *Environmental Planning and Assessment Act*; or
- b) TfNSW can lodge an application for environment assessment under Part 5 of the *Environmental Planning and Assessment Act* to the Minister for Planning, which provides for Infrastructure Development by Public Authorities.

If TfNSW lodges a Development Assessment with Council, depending on the development site, the application would be assessed under State Environmental Planning Policy (State significant Precincts) 2005.

The land parcels directly north and south of the station are zoned B4-Mixed use under State Environmental Planning Policy (State significant Precincts) 2005.

A commuter car park close to the station, would be defined as a “passenger transport facility”. A commuter car park is permitted with consent, within the B4 zone.

The DA would likely need to be determined by the Sydney Western City Planning Panel as it will involve crown development over \$5 million and would be deemed regionally significant.

If the cost exceeds \$30 million, the DA would be deemed State significant and would be assessed by the Department of Planning Industry and Environment.

**4. Are there any other delays or impediments Council could potentially cause to the timely completion of this project?**

No. However if a Development Application is lodged with Council, the application will be assessed and likely reported to the Sydney Western City Planning Panel for determination.



**ITEM NO:** QWN 03  
**FILE NO:** 256673.2019  
**SUBJECT:** Question with Notice - Clr Hadchiti - Basketball

Please address the following:

**1. Has Council undertaken any studies which identify a need for more basketball facilities in the LGA?**

Council's Recreation, Open Space and Sports (ROSS) Strategy (2018), draft Aquatic and Leisure Centres Strategy (2019) and the Liverpool Population and Social Infrastructure Study (2019) have identified the undersupply of indoor and outdoor basketball within the Liverpool Local Government Area (LGA). The ROSS Strategy identifies a gap of 24 basketball courts by 2031. The current population of the Liverpool LGA is 227,312 persons, which warrants for the provision of additional 16 basketball courts.

This figures are based on the benchmark of 1 basketball court:10,000 persons for a projected population of 300,000 people. The benchmarks assist in identifying current and future gaps in provision of basketball courts, and, over time, offers a rationale for the upgrade of existing facilities and planning for new parks, open space and sporting facilities. In comparison with similar LGAs across the metropolitan Sydney, these benchmarks are found to be generous. However, there is a substantial shortfall of basketball courts across the LGA by any existing benchmark, which necessitates the future provision of additional indoor and outdoor basketball courts.

The development of basketball courts will need to align with ROSS Strategy key guidelines, emerging priorities and strategic projects. Council will continue to engage with key stakeholders in the planned provision of such facilities.

**ITEM NO:** QWN 04  
**FILE NO:** 256676.2019  
**SUBJECT:** Question with Notice - Clr Hadchiti - Parking Meters

Please address the following:

- 1. Have there been any issues brought to Councils attention in relation to the roll out of the new parking meters?**

**Response**

Council has received one formal complaint and 23 customer requests in relation to the new meters. The feedback from customers and actions taken are as detailed below:

- 1) Confusion with Motorist directed to "Enter licence number" - This led to confusion with users entering a driver's licence number. The wording has been changed to "Enter vehicle number plate".
- 2) Request for instructions in other languages - Stickers with instructions in Arabic, Vietnamese and Serbian have been added to the parking meters.
- 3) Users who are slow in entering a registration number were experiencing timeout - The time to enter a vehicle plate number has been increased from 5 to 30 seconds.
- 4) Customers requesting receipt - A process is in place for customers to contact Council's Customer Service to request a receipt. However, with the introduction of the App for payment, customers will receive an automated electronic receipt via their nominated email.

Parking officers and Rangers are continuing to assist customers with the use of the meters.

**ITEM NO:** QWN 05  
**FILE NO:** 264579.2019  
**SUBJECT:** Question with Notice - Clr Hadchiti - Civic Place

Please address the following:

1. It was my understanding that Council has an agreement in place with UOW, was this the case given they have called for expressions of interest for accommodation?
2. Prior to Council approving the expenditure for Civic Place it is my understanding that it was reviewed by the Audit Committee. Have they been advised that we are risk of losing the rental?
3. Did Council receive any sign off from any other Government Department and if so were they advised that UOW was only a maybe?

**A response to these questions will be provided in the 20 November 2019 Council meeting business papers.**

**ITEM NO:** QWN 06  
**FILE NO:** 264613.2019  
**SUBJECT:** Question with Notice - Clr Balloot - Local Government Conference

Please address the following:

1. Can I please be advised why my vote at the Local Government Conference was taken away from?
2. Who authorised this?
3. What procedure was followed?

### **Response from the Chief Executive Officer**

Council at its meeting on 31/7/19 considered a report on the Local Government NSW Conference and resolved:

*That Council:*

1. *Endorse its voting delegates for voting on motions (being the Mayor and all Councillors (except Clr Hadid, noting that Clr Hadid already has a vote as he is a Director of the Association) and determine its voting delegates for voting in the Board election (noting that Council is entitled to 9 voting delegates and Clr Hadid is entitled to a vote as he is a Director of the Association); and*
2. *Endorse the key issues to be submitted for consideration at the Local Government NSW Annual Conference.*

Point 1 of the above resolution meant that the Mayor and every Councillor would be a voting delegate for voting on Conference Motions.

As Liverpool City Council was only entitled to 9 voting delegates for voting in the Board election (10 if you include Clr Hadid who has a vote as a Director of the Association), it also meant that one Councillor would miss out.

This information was also presented to Councillors in the report.

*“As Council is entitled to 9 voting delegates in the Board election, Council will need to resolve who those delegates will be. Clr Hadid will be entitled to a vote as a Board member, which means one Councillor will not have a vote in the Board elections.”*

I assumed Councillors, having read the report and considered the resolution, had left any decision about voting delegates, should one need to be made, with me.

On 16/9/19, Clr Kaliyanda advised staff that she would be travelling interstate on the day that voting for the Board would take place.

As such, staff advised the Conference organisers that Clr Kaliyanda would not be a voting delegate for the voting on the Board election.

Prior to travelling on Monday 14 October, Clr Kaliyanda sought to allocate her voting right for the Board election to Clr Hagarty.

As Clr Kaliyanda was not a voting delegate for voting on the Board election, this was not possible.

The only option available to enable Clr Kaliyanda to obtain voting rights, was to authorise a substitute Delegate Form for the Board Election – to change the voting delegate from Clr Balloot to Clr Kaliyanda. I authorised the substitute Delegate Form as CEO.

The decision to change Clr Balloot's voting rights for the Board election was based on advice that he was overseas and not able to attend the Conference until after midday. Council staff secured Clr Kaliyanda's voting rights only minutes before the deadline and made the change under the misapprehension voting on the Board election would close on the morning of Tuesday 15 October. It was later discovered that voting on the Board was occurring throughout the day on 15 October, which meant that Clr Balloot was not able to vote.

I would like to apologise for any unintended outcomes in managing this situation. In future, Council will seek definitive guidance from Councillors to ensure all voting delegates are clearly identified. If Councillors choose not to make a decision in a matter such as this we would propose drawing names from a hat as is the practice in other councils.

**ITEM NO:** EGROW 04  
**FILE NO:** 265519.2019  
**SUBJECT:** Proposed Planning Agreement in conjunction with DA-541/2016 at 53 Clyde Avenue, Moorebank

**RECOMMENDATION**

That Council:

1. Endorse the proposed planning agreement for a monetary contribution of \$154,308.50 towards the upgrade of the Marshall Avenue/Nuwarra Road intersection and directs the CEO to publicly exhibit the proposed planning agreement and accompanying explanatory note for 28 days;
2. Delegate authority to the CEO, subject to consideration of any changes following public exhibition, to execute the planning agreement in the form that is publicly exhibited or with minor alterations; and
3. Note that if changes other than minor changes arise from the public exhibition process these will be reported back to Council.

**COUNCIL DECISION**

**Motion:**                                       **Moved: Clr Hadchiti**                       **Seconded: Clr Rhodes**

That Council:

1. Receive and note the report; and
2. Does not endorse the roundabout being built on the Marshall Avenue/Nuwarra Road, Moorebank intersection.

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

Councillors voted unanimously for this motion.

Note: Clr Hadid was not at the meeting.

**ITEM NO:** CTTE 06  
**FILE NO:** 251071.2019  
**SUBJECT:** Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee Meeting

## RECOMMENDATION

That Council adopts the following recommendations of the Committee:

- i) Item 1: Northumberland Serviceway, Liverpool – Special Community Event and Proposed Temporary Road Closure – Love Livo.
  - Council classifies the event as a Class 3 Special Event with all associated conditions including submission of a Special Event Traffic Management Plan to the RMS and Police for information.
  
- ii) Item 2: Liverpool City Centre – Special Community Event and Proposed Temporary Road Closure – Turban 4 Australia.
  - Council classifies the event as a Class 2 Special Event with all associated conditions including:
  - Submission of a Traffic Management Plan to the Roads and Maritime Services for endorsement.
  - Police approval and management of the required rolling road closures.
  - Advertisement of the event in local newspapers.
  - Seeking Road Occupancy Licence from the Transport Management Centre.
  - Council organises a meeting with the event organisers, Police and local bus companies to discuss and agree on arrangements to minimise impact on bus movements along the affected routes.
  
- iii) Item 3: Nuwarra Road and Marshall Avenue Intersection, Moorebank – Proposed Roundabout.
  - Approves the installation of a roundabout at the Nuwarra Road and Marshall Avenue intersection, Moorebank, as shown in Attachment 3.1 in the minutes.
  
- iv) Item 4: Progress Circuit, Prestons – Proposed Linemarking Scheme.
  - Approves installation of edgelines, double barrier lines ('BB') and C3 yellow 'No Stopping' edgelines marking along sections of Progress Circuit and a section along Lyn Parade, Prestons, as shown in Attachment 4.1 in the minutes.

- v) Item 5: 4-8 Lyn Parade, Prestons – Proposed Intersection Treatment at the Driveway.
- Deferred for detailed design to be revised and resubmitted to a future meeting.
- vi) Item 6: Southern Cross Avenue, Middleton Grange – Signs and Linemarking Scheme for a new Subdivision.
- Approves the proposed raised threshold along with the signs and linemarking scheme in a new subdivision at 75 Southern Cross Avenue as shown in Attachment 6.1a and 6.2a in the minutes.
- vii) Item 7: Edinburgh Circuit, Cecil Hills – Request for Traffic Calming Devices.
- Approves the installation of 'S1' and 'BB' separation lines in Edinburgh Circuit, Cecil Hills, as shown in Attachment 7.1 of the minutes.
- viii) Item 8: Sixteenth Avenue and Hall Circuit Intersection, Middleton Grange – Signs and Linemarking Scheme for a new Intersection.
- Approves the intersection improvement works at the Flynn Avenue/Qantas Boulevard/Hall Circuit intersection, Middleton Grange, along with associated signs and line marking scheme, as shown in Attachment 8.1 in the minutes.
- ix) Item 9: 6 Wilson Road, Hinchinbrook – Signs and Linemarking Scheme at the Access Driveway.
- Approves central median including associated signs and linemarking scheme in front of 6 Wilson Road, Hinchinbrook, as shown in Attachment 9.1 in the minutes.
- x) Item 10: Wilson Road, Green Valley – Signs and Linemarking Scheme for a new pedestrian refuge and upgrade of existing pedestrian crossing.
- Approves upgrade of the existing marked pedestrian crossing and installation of a pedestrian refuge with associated signs and linemarking scheme in Wilson Road, Green Valley, at the frontage of Green Valley Plaza, as shown in Attachment 10.1 in the minutes.
- xi) Item 11: Memorial Avenue, Liverpool - Signs and Linemarking Scheme for Whitlam Centre Commuter Carpark.
- Approves signs and linemarking within the proposed off-street carpark in the Whitlam Centre along Memorial Avenue, Liverpool.



xii) Item 12: Sarah Hollands Drive, Carnes Hill – Request for a Pedestrian Crossing Facility.

- Council notes that the current Pedestrian and Traffic volumes do not meet the warrant for a marked Pedestrian crossing.
- Council constructs foot paving on the eastern side south of Strzlecki Drive in Sarah Hollands Drive, Carnes Hill.
- Council to notify the local community about staged provision of footpath paving and pedestrian crossing facility across Sarah Hollands Drive, Carnes Hill.

xiii) Item 13: Items Approved Under Delegated Authority.

- Notes the traffic facilities approved under Delegated Authority between 13 July 2019 and 6 September 2019.

xiv) Funding allocation for Item 3.

- Council allocates \$154,308.50 towards the construction of the roundabout at Nuwarra Road and Marshall Avenue Intersection in the 2020/21 budget.

## **COUNCIL DECISION**

**Motion**

**Moved: Cllr Hadchiti**

**Seconded: Cllr Rhodes**

That the recommendation be adopted with the exception of Item 3 as Council does not endorse the roundabout on the intersection of Marshall Avenue/Nuwarra Road, Moorebank.

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

**QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 07

**FILE NO:** 266618.2019

**SUBJECT:** Question with Notice - Cllr Hadchiti - Parking Meters

Please address the following:

Since the introduction of parking meters:

1. How much revenue has been collected (just a number)?
2. How many new car parking spaces have been created in that time (just a number)?
3. How much has been issued in fines (just a number)?

In relation to the new parking meters:

1. What was the cost of the introduction?
2. Did the expenditure require a tender process?
3. Who authorised the expenditure?

**A response to these questions will be published in the 20 November 2019 Council meeting Business Papers.**

**PRESENTATIONS BY COUNCILLORS**

- Cllr Balloot made a presentation on his recent visit to Council's Sister City, Rocella Calabria, in Italy. He thanked the Mayor of Rocella, the CEO and all the Councillors for making the delegation feel at home and for the great hospitality received. He was grateful for the Sister City relationship and understood that a delegation from Calabria will be visiting Liverpool in November 2020 and looked forward to welcoming them in the same manner.
- Cllr Hagarty made a presentation on the NSW Local Government Conference hosted at Liverpool in October and commented on its success, professionalism and execution of the event and congratulated Councillor Hadid for securing Liverpool as the host venue and to the staff of Liverpool for the work done.

## NOTICE OF MOTION

**ITEM NO:** NOM 01  
**FILE NO:** 263997.2019  
**SUBJECT:** Fast Charging Station

### Background

Liverpool has long been a traditional resting spot for people travelling from, or through Sydney before a long distance journey south, down the Hume Highway.

Electric vehicles currently have a range of approximately 250km. Fast charging stations allow an 80% charge in about an hour, while a standard charge can take as long as 12 hours. At present, the nearest fast charging station is located at Homebush.

For drivers of electric vehicles a drive south involves a stop at Homebush for a fast charge before driving on to somewhere like Melbourne, Canberra, the south coast or the snow fields.

With electric vehicles growing in popularity Liverpool should seek out a suitable location within the LGA for a fast charging station. This would not only help Liverpool retain its place as that traditional stop off, but also benefit the local tourism and hospitality sectors.

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

That Council:

- Research suitable spots in the LGA for a fast charging station; and
- Lobby for a fast charging station in Liverpool.

### COUNCIL DECISION

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

That Council:

- Research suitable spots in the LGA for a fast charging station; and
- Lobby for a fast charging station in Liverpool at no significant capital cost to Council.

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

**ITEM NO:** NOM 02  
**FILE NO:** 264015.2019  
**SUBJECT:** Wood Encouragement Policy

## **Background**

Wood Encouragement Policies require responsibly sourced wood to be considered, where feasible, as the primary construction material in Government building and fit out projects.

Canada, Japan, France, Finland, Netherlands and the UK, over a dozen Councils across Australia and Tasmania have all adopted a Wood Encouragement Policy.

The use of wood as a building material has many benefits over other building materials, amongst them:

- faster to build, saving time and money
- uses much less energy to produce
- tackles climate change through carbon sequestration
- is naturally renewable and abundant

Recent examples of wooden public buildings include Melbourne City Council's 'Library at the Dock', Bunjil Place in the City of Casey and Bold Park Aquatic Centre in WA.

With a large capital works program, including a number of notable public buildings, planned for Liverpool over the coming years, Council should have a Wood Encouragement Policy in place. This will ensure a cost effective, aesthetically pleasing and environmentally friendly building product is considered for these projects.

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

That Council:

1. Provide Councillors a briefing on:
  - the benefits of a Wood Encouragement Policy; and
  - examples of wooden public buildings that have been developed as a result of a Wood Encouragement Policy.
2. Following the briefing, commence work on a draft Wood Encouragement Policy.

**COUNCIL DECISION**

**Motion**

**Moved: Clr Hagarty**

**Seconded: Clr Karnib**

That Council provide Councillors a briefing on:

- the benefits of a Wood Encouragement Policy; and
- examples of wooden public buildings that have been developed as a result of a Wood Encouragement Policy.

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

**CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 254112.2019  
**SUBJECT:** 2020 Local Government Elections

**COUNCIL DECISION**

**Motion**                              **Moved: Clr Hadchiti**                      **Seconded: Clr Rhodes**

That Council:

1. Pursuant to s.296(2), (3) and (5A) of the Local Government Act 1993 (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council;
2. Pursuant to s.296(2), (3) and (5A) of the Act, as applied and modified by s.18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council that may be required;
3. Pursuant to s.296(2), (3) and (5A) of the Act, as applied and modified by s.18, that a constitutional referenda arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council that may be required; and
4. Notify the Office of Local Government, the NSW Electoral Commissioner and the Australian Election Company of Council's resolution.

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

**ITEM NO:** CONF 02  
**FILE NO:** 256320.2019  
**SUBJECT:** Legal Affairs Report

**COUNCIL DECISION**

**Motion**                                  **Moved: Cllr Rhodes**                          **Seconded: Cllr Harle**

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

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



**THE MEETING CLOSED AT 8.13pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 20 November 2019

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 28 October 2019. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.