



MINUTES OF THE ORDINARY MEETING HELD ON 11 DECEMBER 2019

PRESENT:

Mayor Wendy Waller
 Councillor Ayyad
 Councillor Balloot
 Councillor Hadchiti
 Councillor Hadid
 Councillor Hagarty
 Councillor Harle
 Councillor Kaliyanda (arrived at 6.05pm)
 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
 Ms Tina Sangiuliano, Strategic Organisational Change Manager
 Mr John Milicic, Manager, Property
 Mr David Smith, Manager Planning & Transport Strategy
 Mr George Georgakis, Manager Council and Executive Services
 Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm

STATEMENT REGARDING WEBCASTING OF MEETING

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

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

The prayer of the Council was read by Reverend Paul Mosiejczuk from Liverpool Baptist Church.

NATIONAL ANTHEM

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

APOLOGIES

Nil.

Clr Kaliyanda arrived at the meeting at 6.05pm.

CONDOLENCES

Aunty Mae Robinson (read by Mayor Waller)

Aunty Mae Robinson, a descendant of the Yuin and Kamilaroi people and long-time resident of Mount Pritchard, passed away on 26 November 2019.

As a student, she was an outstanding performer, winning a Commonwealth scholarship. She then became the first Aboriginal person to graduate from the School of Education at Milperra College of Advanced Education (now Western Sydney University).

Aunty Mae continued to pursue education, working as a teacher and educator across western Sydney and she later became a national educational consultant.

Aunty Mae was part of the team that developed the first Aboriginal Studies syllabus in Australia and she is listed as a Life Member of the Aboriginal Education Consultative Group.

She received numerous awards from local and state government bodies, became an Elder on Campus at Western Sydney University and in 2011, was awarded an honorary doctorate by the University. Last year, Aunty Mae was honoured by the University through the naming of the 'Aunty Mae Foyer' in the Ngara Ngura building, the University's Liverpool CBD Campus.

Aunty Mae was also an active and long-serving member of Gandangara Local Aboriginal Land Council. She will be remembered for her passionate activism and determination to rise up in life.

On behalf of Liverpool City Council, I humbly express my deepest condolences to her family and friends during this difficult time.

May she rest in peace.

Moved: **Mayor Waller** **Seconded Clr Hadchiti**

That Council writes to the family of Aunty Mae Robinson expressing our condolences for their loss.

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

CONFIRMATION OF MINUTES

Motion: **Moved: Clr Rhodes** **Seconded: Clr Shelton**

That the minutes of the Ordinary Meeting held on 20 November 2019 be confirmed as a true record of that meeting.

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

BUSINESS ARISING FROM NOVEMBER MINUTES

Information relating to NOM 02 from the November meeting:

- Following a briefing from WSROC and a review of the proposal in question, staff offered an apology to Clr Rhodes in relation to the CEO Comment relating to NOM 02. It is not “legally impossible” to enter into the WSROC agreement, as the WSROC proposal is an investment offer (rather than a power supply arrangement).

DECLARATIONS OF INTEREST

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

Item EGROW 07: Draft Liverpool Contributions Plan 2019 - Austral and Leppington North.

Reason: A family member has deposited on a piece of property in that precinct.

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

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

Item CORP 01: Single Source Software Solution for Council - Proposed Procurement Process.

Reason: Clr Rhodes is a Board member of the Executive of WSROC who is working on a single source software.

Should Clr Rhodes give advice on this item, she declares her interest.

Item CORP 05: Investment Report November 2019.

Reason: Clr Rhodes is a Board member of the Executive of WSROC and will make a presentation on behalf of WSROC.

Should Clr Rhodes give advice on this item, she declares her interest.

Clr Rhodes remained in the Chambers for the duration of the above two items.

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

Item CORP 04: Response to NOM 04 from 31 July 2019 - Opportunities for the Repurposing of Council Owned or Controlled Land for Affordable Housing.

Reason: Clr Ayyad used to live on Box Road, however no longer does.

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

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

Item EGROW 02: Warwick Farm Precinct; and

Item EGROW 09: Planning proposal request to rezone land and amend development standards at 240 Governor Macquarie Drive, Warwick Farm.

Reason: Clr Harle has family members that live in the area.

Clr Harle remained in the Chambers for the duration of the above two items.

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

Item CONF 01: Proposed Granting of an Easement to Drain Water over Council's Public Reserve known as Discovery Park, 40 Atkinson Street, Liverpool - Lot 77 DP 27242.

Reason: Clr Kaliyanda owns property next door to the subject site.

Clr Kaliyanda remained in the Chambers for the duration of the item.

PUBLIC FORUM

Presentation – items not on agenda

1. **Ms Fiona Macnaught** addressed Council on the following item:

Lack of progress for multiple riverfront projects.

2. **Mr Stephen Matheson** addressed Council on the following item:

The Need to Declare a Climate Emergency.

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

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

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

Representation – items on agenda

1. **Mr Erik Rakowski** addressed Council on the following item:

QWN 13 – Questions with Notice – Clr Rhodes – RMS Modelling.

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

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

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

MOTION OF URGENCY**ITEM NO:** MOU 01**SUBJECT:** Rural Fire Service

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

Rural Fire Service is doing an amazing job across the country during this difficult time we are facing. In this time of real need we should be providing assistance where we can.

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

That Council:

1. Donate \$20,000 to the local Rural Fire Service to assist in providing essential services that may be needed;
2. Consider being a drop off point for the community to drop off donations of snack foods for sustenance for front line firefighters which will be distributed to the nearest Rural Fire Service;
3. Encourage other members of the community to donate to the Rural Fire Service; and
4. Send a letter to the Rural Fire Service Commissioner to express our appreciation for their work and also acknowledge some of the community groups such as Turbans for Australia for their work.

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

CITY ECONOMY AND GROWTH REPORT

ITEM NO: EGROW 01

FILE NO: 142025.2019

SUBJECT: Draft Liverpool City Centre Public Domain Master Plan

RECOMMENDATION

That Council:

1. Endorse the Draft Liverpool City Centre Public Domain Master Plan for public exhibition for a minimum period of 60 days; and
2. Delegates to the CEO the finalisation of the Draft Liverpool City Centre Public Domain Master Plan if no submissions are received; or receive a further report outlining details of the submissions received, and outline proposed further action.

COUNCIL DECISION

Motion:

Moved: Cllr Hadchiti

Seconded: Cllr Shelton

That Council:

1. Place the Draft Liverpool City Centre Public Domain Master Plan on public exhibition immediately until the 28th February 2020;
2. Notify relevant stakeholders that the plan is on exhibition;
3. Delegates to the CEO the finalisation of the Draft Liverpool City Centre Public Domain Master Plan if no submissions are received; or receive a further report outlining details of the submissions received, and outline proposed further action; and
4. Congratulate the relevant staff who were involved in the preparation of the comprehensive report.

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

Councillors voted unanimously for this motion.

ITEM NO: EGROW 02
FILE NO: 275196.2019
SUBJECT: Warwick Farm Precinct

RECOMMENDATION

That Council:

1. Notes the Sydney Western City Planning Panel's decision on the planning proposal to rezone 240 Governor Macquarie Drive, Warwick Farm;
2. Notes that the Local Strategic Planning Statement (LSPS) confirms Council's commitment that the Warwick Farm precinct should be investigated for a mix of uses, including residential development in the short term;
3. Notes that Council's vision for the Warwick Farm precinct is inconsistent with the Greater Sydney Commission's (GSC) adopted Liverpool Collaboration Area Place Strategy and that this position has been communicated to the GSC on multiple occasions, including through the LSPS assurance process;
4. Notes that a request has been made to the Department of Planning, Industry and Environment for LEP Review funding to be reallocated for the development of a structure plan for the Warwick Farm precinct to implement actions of the Local Strategic Planning Statement.
5. Notes that if the LEP funding reallocation request is unsuccessful, Council will need to consider appropriate funding in the 2020/21 budget to develop a structure plan for the Warwick Farm precinct;
6. Directs the CEO to prepare a structure plan for the Warwick Farm precinct noting that the structure plan will determine:
 - the appropriate density of development in the precinct, including built form and building typologies including height and floor space ratio development standards;
 - open space, community and recreation facilities to support urban renewal;
 - likely traffic and transport upgrades;
 - amenity issues;
 - flooding considerations; and
 - development contributions.

COUNCIL DECISION**Motion:****Moved: Cllr Rhodes****Seconded: Cllr Hadchiti**

That Council

1. Notes the Sydney Western City Planning Panel's decision on the planning proposal to rezone 240 Governor Macquarie Drive, Warwick Farm;
2. Notes that the Local Strategic Planning Statement (LSPS) confirms Council's commitment that the Warwick Farm precinct should be investigated for a mix of uses, including residential development in the short term;
3. Notes that Council's vision for the Warwick Farm precinct is inconsistent with the Greater Sydney Commission's (GSC) adopted Liverpool Collaboration Area Place Strategy and that this position has been communicated to the GSC on multiple occasions, including through the LSPS assurance process;
4. Notes that a request has been made to the Department of Planning, Industry and Environment for LEP Review funding to be reallocated for the development of a structure plan for the Warwick Farm precinct to implement actions of the Local Strategic Planning Statement.
5. Notes that if the LEP funding reallocation request is unsuccessful, refer to point 6 below to develop a structure plan that address:
 - the appropriate density of development in the precinct, including built form; and
 - building typologies including height and floor space ratio development standards for:
 - i. the open space, community and recreation facilities to support urban renewal;
 - ii. likely traffic and transport upgrades;
 - iii. amenity issues;
 - iv. flooding considerations; and
 - v. development contributions.
6. Directs the CEO to allocate funding from the general funds and to prepare a structure plan for the Warwick Farm Racing precinct and a planning proposal to support a rezoning of the Warwick Farm Precinct from Scrivener Street to Hume Highway to Governor Macquarie Drive relevant to B4 with mixed business noting that zoning is consistent with the State Governments planning advice to maximise densities close to rail stations and this precinct is immediate to the Warwick Farm Railway station and.
 - a) notes the AEC Report June 2017 specifically 27.3
 "27.3 should the horse training stabling functions of Munday Street Precinct be

viably relocated to the racecourse, opportunities arise for Munday Street Precinct and Lot 1 to collectively deliver a masterplanned outcome that incorporates a range of housing types, required urban and retail amenity as well as meet social/community infrastructure need". and

- b) noting that there is a local Warwick Farm School and 5 other Schools already within the Liverpool CBD that are all within walking distance of this precinct and
 - c) that the precinct has the most expensive recreational park in the LGA that could be made open to the public and that this Precinct is also within walking distance to the open space surrounding the Georges River, and
 - d) that existing jobs in this precinct will be supported by B4 zoning as training facilities will be relocated on track, and work force will still live in the area close to their employment through the B4 zoning, and
 - e) that the area below Shrivener Street to Georges river is already zoned Industrial and is best situated to be renewed as a Hi-tec education hospital and technology park, which will also provide job opportunities to support the increase in density in the B4 zoning and
 - f) that there is already employment opportunities in the hospital universities race track and the Inglis hotel and function precinct. and in the industrial site, and also at a shopping centre less than 100 metres from the Warwick Farm Racing Precinct
 - g) that Moore Point and Hargrave Park will be also be identified on the structure Plan as the River Precinct separate from the Warwick Farm Racing Precinct, and
 - h) as the River Precinct plans for Moore Point and Hargrave Park already exist there is no need to allocate funding for new plans.
7. Advise the Greater Sydney Commission of Council's decision.
 8. That Council grant an exemption to the tender process under Section 55(3) of the Local Government Act to permit the direct appointment of a planning consultant from Council's planning consultant panel, on account of the urgency of this matter.
 9. The report to be submitted to the May Council meeting.

RECESS

Mayor Waller called a 5 minute recess at 7.02pm.

The meeting resumed at 7.07pm with all Councillors present.

Clr Balloot left the Chambers at 7:21pm.

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

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

Vote against: Clr Shelton

Note: Clr Balloot was not in the Council Chambers when this item was voted on.

Clr Balloot returned to the Chambers at 7:27pm.

ITEM NO: EGROW 03
FILE NO: 280199.2019
SUBJECT: Liverpool City Centre Car Parking Strategy

RECOMMENDATION

That Council adopts the Liverpool City Centre Car Parking Strategy 2019-2029.

COUNCIL DECISION

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

That Council

1. Defer the matter to the 26 February 2020 Council meeting and the following matters be addressed in the report:
 - a. Note that the preferred option in line with council plans for over 20 years now is the extension of Bathurst Street and the closure of Pirie Street, which would be suitable but not limited to a carpark.
 - b. Should there be constraints on Pirie Street, identify a location within 100m of Liverpool train station, which Council owns or can acquire for a carpark.
 - c. RMS traffic material as provided to date, be provided to Councillors.
2. As soon as practicable increase the 15 minute free parking to 30 minutes.

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

Following a motion (from Clr Hadchiti and Clr Hadid) the motion was formally recalled, to record the votes and the voting was as shown below:

Councillors voted unanimously for this motion.

ITEM NO: EGROW 04
FILE NO: 292542.2019
SUBJECT: Liverpool Local Strategic Planning Statement

RECOMMENDATION

That Council:

1. Endorses the Liverpool Local Strategy Planning Statement (LSPS) and forwards it to the Greater Sydney Commission for formal assurance review with the following typographical errors corrected:
 - a. Change the icon wording from “retail centre” to “retail” on page 14
 - b. Change the icon wording from “bulky goods retail” to “bulky goods and retail” on page 14.
 - c. Change the wording from “bulky goods retail” to “bulky goods and retail” on page 22;
2. Delegates to the CEO to make any other minor typographical or editing amendments to the LSPS if required;
3. Subject to receiving a formal letter of support from the Greater Sydney Commission (GSC), delegates to the CEO to adopt the LSPS, in accordance with Section 3.9(3A) of the Environmental Planning & Assessment Act 1979; and
4. Notes that if changes, other than minor changes arise from the GSC assurance process, the LSPS will be reported back to Council.

Clr Hagarty left the Chambers at 7:48pm.

Clr Hagarty returned to the Chambers at 7:51pm.

Clr Hagarty left the Chambers at 7:54pm.

Clr Hagarty returned to the Chambers at 7:56pm.

COUNCIL DECISION**Motion:****Moved: Cllr Hadchiti****Seconded: Cllr Hadid**

That Council:

1. Endorses the Liverpool Local Strategy Planning Statement (LSPS) and forwards it to the Greater Sydney Commission for formal assurance review with the following typographical errors corrected:
 - a. Change the icon wording from “retail centre” to “retail” on page 14
 - b. Change the icon wording from “bulky goods retail” to “bulky goods and retail” on page 14; and
 - c. Change the wording from “bulky goods retail” to “bulky goods and retail” on page 22.
2. The following additional changes also be made:
 - a. Action 7.2 on page 430 of the Council Agenda papers be amended to read:
“Consider an Affordable Housing Contributions Scheme in line with Greater Sydney Commission’s requirement for 5-10% affordable housing, and amend LEP to give effect”.
 - b. Action 10.2 on page 438 of the Council Agenda papers be amended to reflect the Council resolution relating to EGROW 02 Warwick Farm from this meeting and
 - c. Action 16.2 on page 453 of the Council Agenda be amended to read:
“Investigate placemaking opportunities in Wallacia and Luddenham, including addressing transition of development controls from Liverpool LGA to Penrith and Camden LGAs”.
3. Delegates to the CEO to make any other minor typographical or editing amendments to the LSPS if required;
4. Report back to Council when and if a formal letter of support is received from the Greater Sydney Commission (GSC); and
5. Notes that if changes, other than minor changes arise from the GSC assurance process, the LSPS will be reported back to Council.

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

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

Vote against: Clr Shelton

That Council endorses the recommended changes to parking restrictions identified in this report for further consideration and advice of the Liverpool Pedestrian, Active Transport and Traffic Committee.

Motion: Moved: Clr Hagarty **Seconded:** Clr Hadchiti

1. Endorses the recommended changes to parking restrictions identified in this report for further consideration and advice of the Liverpool Pedestrian, Active Transport and Traffic Committee; and
2. Implement the changes with the same process as the parking meter changes with an education campaign for 30 days.

Chairperson

ITEM NO: EGROW 06
FILE NO: 296878.2019
SUBJECT: Guidelines for the assessment of on-street parking along narrow streets

RECOMMENDATION

That Council:

1. Adopts the *Guidelines for the Assessment and Prioritisation of Parking along Narrow Streets*; and
2. Notes that funding allocation for the provision of on-street parking along narrow streets can be considered in the 2020/21 and future years budgets.

COUNCIL DECISION

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

That Council:

1. Adopts the *Guidelines for the Assessment and Prioritisation of Parking along Narrow Streets*;
2. Notes that funding allocation for the provision of on-street parking along narrow streets can be considered in the 2020/21 and future years budgets; and
3. Provides an education plan until the end of February 2020 to residents parking on verges.

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

Clr Hadchiti returned to the Chambers at 8:11pm.

Clr Balloot left the Chambers at 8:13pm.

ITEM NO: EGROW 08

FILE NO: 302127.2019

SUBJECT: Proposed planning proposal - amendment to dwelling density map in the Liverpool Local Environmental Plan 2008 for certain lands in Pleasure Point

RECOMMENDATION

That Council:

1. Directs the CEO to prepare a planning proposal to amend the dwelling density map in the Liverpool Local Environmental Plan (LLEP) 2008 that increases the permitted number of lots on certain sites along Pleasure Point Road, Pleasure Point from four lots to five lots; and
2. Notes that, once drafted, the planning proposal will be reported to the Liverpool Local Planning Panel for advice and to a future Council meeting for a decision on whether to seek a Gateway determination from the Department of Planning, Industry and Environment.

COUNCIL DECISION

Motion:

Moved: Clr Hadid

Seconded: Clr Harle

That the recommendation be adopted.

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

Councillors voted unanimously for this motion.

Note: Clr Balloot was absent from the Council Chambers when this item was voted on.

Clr Balloot returned to the Chambers at 8:15pm.

CITY COMMUNITY AND CULTURE REPORT

ITEM NO: COM 01

FILE NO: 271830.2019

SUBJECT: Request for Exemption for Bellbird Bar and Dining Catering Supplies

RECOMMENDATION

That Council exempt the purchase of meat, seafood, fruit and vegetables, dry goods, dairy products and bakery goods from the tender and formal quotation process, and delegate authority to the CEO or her delegate to negotiate directly with the below suppliers to continue their engagement with Council to provide supplies to Bellbird Bar and Dining for up to five years (to January 2025) pursuant to 55(3)(i) of the *Local Government Act 1993*, for the following reasons:

- a) These suppliers have a proven record of providing highest quality fresh and dry good supplies at competitive prices; and

Category	Suppliers
Meat Products	<ul style="list-style-type: none"> • City Meats • Andrews Meat Industries • Vic Meats • Campisi Continental Butchery • Haverick Meats Pty Ltd • Pendle Hill Meat Market
Seafood Products	<ul style="list-style-type: none"> • Foodlink Australia Pty Ltd • Fishboyz Pty Ltd • Bidbest Australia • De Costi • M & G Seafoods • Poulos Bros Seafoods
Fruit and Vegetables	<ul style="list-style-type: none"> • Sydney Direct Fresh Produce • Tom & Franks Wholesale Fruit & Vegetables • Simon George & Sons • Premier Fruit & Vegetables • Harvest Fresh Australia • Samson's Fruit and Vegetables

Category	Suppliers
Dry Goods	<ul style="list-style-type: none"> • Foodlink Australia Pty Ltd • Fishboyz Pty Ltd • Bidbest Australia • PFD Food Services • Plateau Food Distribution
Dairy Products	<ul style="list-style-type: none"> • Xu Family Group • Simotas Food Distributors • Parmalat • Food & Dairy Co • Nicks Food • Dairy Solutions
Bakery Goods	<ul style="list-style-type: none"> • Sabroso Bread n More • VSE International

CITY CORPORATE REPORT

ITEM NO: CORP 01

FILE NO: 287415.2019

SUBJECT: Single Source Software Solution for Council - Proposed Procurement Process

RECOMMENDATION

That Council:

- 1) Endorse the strategic direction proposed by the report of staff, and progress the process to engage with a provider of an enterprise-level software solution from a single provider with established products and experience in the NSW local government sector ("Single Source Software Solution");
- 2) Exempt the proposed purchase of a Single Source Software Solution for Council from the Expression-Of-Interest component of the selective tender process, pursuant to s.55(3)(i) of the *Local Government Act 1993*, on the following basis, and for the following reasons:
 - a) Council are seeking to engage with a current, established provider of comprehensive, local-government-focused software systems that offer broad functionality across the most critical areas of local government operations;
 - b) Following a careful review by staff, there are only three known providers with systems that may potentially meet Council's needs, namely:
 - i) Technology One Ltd (and its associated entities);
 - ii) Infor Global Solutions Pty Ltd (and its associated entities); and
 - iii) Civica Pty Ltd (and its associated entities);
 - c) Staff will undertake a comprehensive selective tender in relation to the product offerings of the above entities, under the guidance of both Local Government Procurement, and external probity advisors; and
 - d) Staff will report the outcomes of this market testing process to Council for a final decision on the provider to be selected for the Single Source Software Solution.

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

That Council:

1. Endorse the strategic direction proposed by the report of staff, and progress the process to engage with a provider of an enterprise-level software solution from a single provider with established products and experience in the NSW local government sector ("Single Source Software Solution");
2. Exempt the proposed purchase of a Single Source Software Solution for Council from the Expression-Of-Interest component of the selective tender process, pursuant to s.55(3)(i) of the *Local Government Act 1993*, on the following basis, and for the following reasons:
 - a) Council are seeking to engage with a current, established provider of comprehensive, local-government-focused software systems that offer broad functionality across the most critical areas of local government operations;
 - b) Following a careful review by staff, there are only three known providers with systems that may potentially meet Council's needs, namely:
 - i) Technology One Ltd (and its associated entities);
 - ii) Infor Global Solutions Pty Ltd (and its associated entities); and
 - iii) Civica Pty Ltd (and its associated entities);
 - c) Staff will undertake a comprehensive selective tender in relation to the product offerings of the above entities, under the guidance of both Local Government Procurement, and external probity advisors; and
 - d) Staff will report the outcomes of this market testing process to Council for a final decision on the provider to be selected for the Single Source Software Solution.
3. Advocate with Local Government NSW and relevant bodies and the software providers to develop a single data standard.

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

1. Rescind the following policies:
 - a) Development Engineering Bonds Policy;
 - b) Hoardings Policy; and
 - c) Erosion and Sediment Control Policy.
2. Note that the following proposed Standards are intended for adoption by the CEO under the Development of Policies Standards Charters Procedures and Strategies framework:
 - a) Development Engineering Bonds Standard (included as **Attachment 1** to the report of staff); and
 - b) Hoardings Standard (included as **Attachment 2** to the report of staff).

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

1. Approves the endorsed Woodward Place blueprint to be the ‘public facing document’ to inform the community engagement process;
2. Direct the Chief Executive Officer to commence community, on-site stakeholders, and agency consultation to inform and support the development of the draft final masterplan; and
3. Note that the design schemes will remain confidential until a draft masterplan is finalised and briefed to Council.

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

That Council receives and notes this report.

Motion: **Moved: Clr Ayyad** **Seconded: Clr Kaliyanda**

1. Note that in the previous term of Council, it was resolved to keep the vacant block of land on 22 Box Road Casula, in order for it to be turned into a park;
2. Prepare a report outlining options for community use of the land including consultation of local residents. The report also consider only unused and underutilised land;
3. Be provided with funding options to implement above or alternate options;
4. Note that 22 Box Road, Casula (this block is approximately 550 sqm) is currently zoned RE1 public recreation and is surrounded by R2 low density residential;
5. Receives and notes the report and has a further briefing in March 2020 and makes available all reports regarding land usage that is underutilised. Councillors be provided with any other relevant reports given to the previous term of Council.

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

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 12 November 2019.

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

ITEM NO: CTTE 05
FILE NO: 301545.2019
SUBJECT: Minutes of Budget Review Panel 14 November 2019

RECOMMENDATION

That Council adopts the minutes of the Budget Review Panel meeting held on 14 November 2019

COUNCIL DECISION

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Rhodes**

That the recommendation be adopted.

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

Clr Kaliyanda left the Chambers at 8:46pm.

ITEM NO: CTTE 03

FILE NO: 296105.2019

SUBJECT: Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 13 November 2019

RECOMMENDATION

That Council adopts the following recommendations of the Committee:

- i) Item 1: Pacific Palm Circuit, Hoxton Park - Proposed combined crossing
 - Approves the proposed pedestrian crossing facility and associated signs and linemarking scheme in front of the Malek Fahd Islamic School at 210 Pacific Palms Circuit, Hoxton Park.
- ii) Item 2: Huckstepp Serviceway – Request for additional loading zone
 - Approves the proposed loading zone.
- iii) Item 3: 85 Sixteenth Avenue, Austral - Signage and Linemarking Scheme
 - Approves the proposed signs and linemarking scheme.
- iv) Item 4: Reilly Street, Liverpool – Request for a raised Pedestrian Crossing
 - Approves the existing marked pedestrian crossing to a raised pedestrian crossing across the section of Reilly Street between Rowe and Macdonald Avenues, Liverpool.
- v) Item 5: North Liverpool Road and Montgomery Road intersection, Green Valley – Proposed Roundabout Upgrade
 - Approves the intersection upgrade with the associated signs and linemarking scheme.
- vi) Item 6: Cartwright Avenue, Miller – Proposed raised threshold
 - Approves the proposed raised threshold and associated signs and linemarking scheme.

vii) Item 7: Nuwarra Road, Moorebank – Decommissioning of bus stops

- Approves decommissioning redundant bus stops with the exception of the two bus stops for school services.

viii) Item 8: Parking arrangement for GoGet Vehicles

- Approves the signposting with RMS sign number R5-447 “No Parking Authorised Car Share Vehicles Excepted” at the 10 locations with GoGet to negotiate with shopping centres for additional parking locations.

ix) Item 9: Junction road, Moorebank – Proposed roundabout

- Approves installation of a roundabout.

x) Item 10: Items Approved Under Delegated Authority.

- Notes the traffic facilities approved under Delegated Authority between 19 September 2019 and 10 November 2019.

xi) Item 11: Proposed PATT committee meeting dates for 2020

- Council approves the following meeting dates and for inclusion in the corporate calendar:

Meeting Number	Date
1	Wednesday 29 January 2020
2	Wednesday 18 March 2020
3	Wednesday 20 May 2020
4	Wednesday 22 July 2020
5	Wednesday 23 September 2020
6	Wednesday 18 November 2020

COUNCIL DECISION

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

That the recommendation be adopted.

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

RECESS

Mayor Waller called a recess at 8.48pm.

The meeting resumed at 8.52pm with the following Councillors present:

Mayor Waller and Cllrs Rhodes, Shelton, Ayyad, Karnib, Balloot and Harle.

Cllrs Hadchiti, Hadid and Hagarty returned to the meeting at 8.53pm.

Clr Kaliyanda returned to the meeting at 8.55pm.

QUESTIONS WITH NOTICE

ITEM NO: QWN 12

FILE NO: 309728.2019

SUBJECT: Question with Notice - Clr Rhodes - External Reports Commissioned by Council

Please address the following:

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

COUNCIL DECISION:

Motion:

Moved: Clr Rhodes

Seconded: Clr Harle

That Council:

1. Identifies and lists all the external reports identified as a Council expense in the annual budget since 2015;
2. Maintain the list on an ongoing basis as external reports are received by Council; and
3. Upload all reports that have been paid for under the consultant's budget line and are not confidential to the Intranet or reports that relate to matters that are to be determined by Council.

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

ITEM NO: QWN 01
FILE NO: 301899.2019
SUBJECT: Question with Notice - Cllr Hagarty - Granny Flats

Background

Granny flats, as the name suggests, are often used as housing for our older residents. Many older residents have limited financial means and downsize to a granny flat in order to live within those means.

Council recently introduced a contributions plan for the construction of granny flats. At present, there is no mechanism to enable payment of these contributions via instalments.

Please address the following:

- 1. What legal or other impediments are there to allowing the payment of contributions in instalments for those who can exhibit limited financial means?**

Response

A granny flat, or secondary dwelling as it is now called, is a self-contained dwelling located on the same lot as a principal dwelling and located either within, attached to or detached from the principal dwelling.

Secondary dwellings are a traditional form of residential accommodation and an increasingly common form of housing. They are often developed as accommodation for family members and people on a low income and therefore make an important contribution to housing choice and affordability.

However, many secondary dwellings also represent a commercial decision by property owners. The population that occupy a growing number of secondary dwellings add to the demand for local infrastructure and services. Council should therefore have a consistent approach to payment of local infrastructure contributions for all new housing, including secondary dwellings.

Payment of local infrastructure contributions for secondary dwellings is required under:

- *Liverpool Contributions Plan 2018 - Established Areas* (see Figure 1); and
- *Liverpool Contributions Plan 2008 – Austral and Leppington North* (see Figure 2).

The above contribution plans require payment of the relevant contribution prior to the issue of a Construction Certificate or, in the case of a Complying Development Certificate (CDC), prior to commencement of work. These payments are prescribed by a condition of consent applied to development consents or CDCs. The majority of secondary dwellings are developed with a CDC.

At present, neither of the above contribution plans provide a mechanism for payment of contributions in instalments. The *Environmental Planning and Assessment Act, 1979* and associated regulations do not address how payments are to be made. It is therefore up to the relevant contribution plan to determine these administrative arrangements. Any change to the timing of payments or to enable payment by instalment would require an amendment to the relevant contribution plans.

While there are no legislative impediments to Council enabling payments by instalment, Council are strongly advised against this course of action for the following reasons:

- Extending a form of credit for secondary dwelling developments could set a precedent for a similar approach with other development types;
- Following occupation of a secondary dwelling, Council would have limited means to ensure full recovery of payment instalments;
- Recovery of outstanding payment instalments would require Council to initiate often lengthy and expensive debt recovery processes; and
- Unrecovered debts would leave Council to cover the cost of infrastructure otherwise funded by contributions.

Council could consider amending the relevant contribution plan to allow the payment of contributions for secondary dwellings (approved with a development application) until a later point in the development/construction cycle, i.e. prior to the Occupation Certificate. Such a change would risk a loss of some contributions, in situations where a secondary dwelling development does not proceed to obtain an Occupation Certificate. The precedence of such an approach may also add pressure for this delayed payment to apply to other types of developments, with impact on the timely delivery of local infrastructure from delayed cash flows.

It is recommended the Council do not make any changes to the existing arrangements for payment of local infrastructure contributions for secondary dwellings.





Figure 2: Area within red boundary subject to contributions for secondary dwellings

COUNCIL DECISION**Motion:****Moved: Cllr Hagarty****Seconded: Cllr Hadchiti**

That Council develops a policy that allows 7.11 payments on secondary dwellings to be paid in instalments with instalment 1, 50% on the issue of a Construction Certificate and instalment 2 being 50% prior to any Occupation Certificate (OC) being issued (interim and final).

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

Vote for: Mayor Waller
 Cllr Ayyad
 Cllr Hadchiti
 Cllr Hadid
 Cllr Hagarty
 Cllr Kaliyanda
 Cllr Karnib

Vote against: Cllr Balloot
 Cllr Harle
 Cllr Rhodes
 Cllr Shelton

ITEM NO: QWN 02
FILE NO: 301912.2019
SUBJECT: Question with Notice - Cllr Hagarty - Edmondson Park Commuter Car Park

Please address the following:

1. Has a Development Application for the construction of a multi-storey car park at Edmondson Park been lodged with Council by the State Government?

The State government have not lodged a development application for a multi-storey car park with Council. The capital cost of such a multi storey carpark would likely exceed \$30 million and therefore would be classified as State Significant Development. The Department of Planning Infrastructure and Environment would be the assessment authority for any such proposal.

Alternatively if the capital cost is less than this threshold, the State government, as a public authority, could and would likely prepare a Review of Environmental Factors (REF) to assess and determine the proposal under Part 5 of the *Environmental Planning and Assessment Act 1979*.

A search of DPIE's website confirms that there is not a multi storey car park development at Edmondson Park currently under assessment.

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

No, for the reasons mentioned above. Any referrals to Council in relation to the above approval processes would be responded to quickly.

ITEM NO: QWN 03
FILE NO: 301915.2019
SUBJECT: Question with Notice - Cllr Hagarty - Feral Cats

Background

A vast majority of cat owners are responsible, caring and compassionate. They ensure their pets are easily identified through a collar or micro-chipping, are desexed and do not impose a danger to other animals. Council also does its part by offering free micro-chipping days and discounts for desexing.

Feral cats on the other hand kill native wildlife, damage property, rummage through residents bins and infect and attack domestic animals. They are a major problem no level of government appears willing or able to solve.

According to Council staff, feral cats fall under the responsibility of the Federal Department of the Environment and Energy. According to correspondence from the Federal Department of the Environment and Energy, the Australian Government is not responsible for the management of feral animals. The State Government advises Local Council enforces the relevant legislation, the Companion Animals Act 1998.

The Companion Animals Act 1998 states "any person may lawfully seize a cat if that action is reasonable and necessary for the protection of any person or animal (other than vermin) from injury or death". The Act is not entirely clear what can then be done with the caged feral cat once it is captured.

Please address the following:

1. Who is responsible for feral cats?

The Federal Department of the Environment and Energy is responsible for the implementation of the threat abatement plan which includes feral cats (refer to email from Julie Quinn – Assistant Director, Environmental Biosecurity Section). It would seem from her email that the Federal Government does not have a dedicated program for implementation.

State and Federal Governments have agreed to coordinate and expand national efforts to curb feral cats. On 8 November 2019 following a meeting of Environment Ministers it was agreed to form a working group aimed at extending control methods and developing new techniques to control feral cats.

Control methods used to capture feral cats include trapping and shooting. It is not an area that Council is experienced or resourced in.

2. What is Council's current policy for dealing with feral cats?

There is no policy for dealing with feral cats.

3. What legislative impediments currently exist that restrict residents and Council in dealing with feral cats?

Methods used for the management of wild animals in order to reduce adverse impacts on the environment must be humane, target specific and effective.

Codes of practice and standard operating procedures for the humane control of pest animals in Australia have been developed by the NSW Department of Primary Industries. These provide general information on best practice management for different animal species, including feral cats.

There are also standard operating procedures that describe specific control techniques and their application.

While there is no legislative impediments it is not recommended that residents deal with feral cats as their management is complex.

4. What penalties exist for residents who feed and otherwise allow feral cats to prosper?

There are no penalties.

5. What potential changes to the law could be made to allow residents and Council to better deal with feral cats?

Dogs can be declared "dangerous" or "menacing", would treating feral cats in a similar manner be useful?

Management of feral cats should be left with the State and Federal governments to deal with as specific management strategies need to be followed and applied.

Advice received from NSW Department of Primary Industries and in particular from the Invasive Species Officer, recommends that the Greater Sydney Local Land Services should be contacted regarding specific colonies of feral cats.

COUNCIL DECISION

Motion:

Moved: Clr Hagarty

Seconded: Clr Rhodes

That a briefing be arranged with the RSPCA or Cats Society on effective means to deal with feral cats.

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

ITEM NO: QWN 04
FILE NO: 301934.2019
SUBJECT: Question with Notice - Clr Kaliyanda - CBD Shopfront Activation Project

Please address the following:

1. What is the current timeline of the project?

The program is ongoing and has an annual budget of \$80,000.

2. Which impacts has the project had – both quantitative and qualitative?

Below are figures outlining expenditure of the SFUP since it began:

2017/18	
Shop 1	\$8,000
Shop 2	\$32,000
Shop 3	\$16,000
Shop 4	\$8,000
<i>Total</i>	<i>\$64,000</i>
2018/19	
Shop 1	\$16,000
Shop 2	\$8,000
Shop 3	\$7,837.50
<i>Total</i>	<i>\$31,837.50</i>
2019/20 (to date)	
Shop 1	\$8,000
Shop 2	\$16,000
<i>Total</i>	<i>\$24,000</i>

Surveys were sent to the five businesses who participated in the SFUP in 2018/19 and 2019/20. Three businesses responded, with results below:

- (i) Would you go through the process again?
Yes – 3
- (ii) Would you recommend it to others?
Yes – 3
- (iii) Do you have any suggestions on what could be done differently?
 - No – happy with how it was done and the process
 - No – quick and easy
 - No – simple and straight forward

- (iv) Have you noticed any improvements to your business as a result of the upgrade?
 - Yes – perception is good, now modern and clean, plus more traffic
 - Too soon to tell, but feels more secure and easier for clients to see in
 - This is a completely new business.
- (v) Do you have any processes in place to measure the results of the upgrade?
Yes – 3
- (vi) If no, would you like some assistance from an external business advisor?
Yes – 2
No – 1

3. Is there capacity to continue the project following the commencement of the Civic Place Project?

Yes – funds will continue to be available for the SFUP.

4. If not, what options are available to ensure that community benefits are not lost?

Funds will continue to be available for the SFUP.

Pop-Up Program

1. What is the current timeline of the project?

The PUP in Northumberland Arcade will be wound up on Friday 13 December 2019. Council's property team will be taking over the premises to procure commercial leases. Whilst the property team will seek commercial rents to assist with the operational costs of the arcade and the carpark, offers from local and innovative operators who will help to activate the arcade, paying less than the commercial rent, will also be considered.

2. Which impacts has the project had – both quantitative and qualitative?

The PUP was instigated in 2017 in order to assist artisans and emerging retail business operators to test their concepts and conduct local, low-level research in a low-risk and low rent space. It also gave them the opportunity to test their own management skills required to run a business. Tenants were chosen through an expression of interest process.

During this period, a total of five tenants have leased the spaces for a period of between 6-12 months. Two of the businesses that used the space had the opportunity to test their ideas and conclude that it was not viable in a commercial setting. Feedback from these businesses indicates that the program was valuable in

enabling them to test their business idea in a low-risk setting that did not have huge financial impact on them. Before being advised of the program's cessation, a few applicants were placed on a waiting list for the next round of EOIs.

Due to the program being wound up and Council being unable to go out for EOI, one of the spaces has been occupied by the Centre for Civic Innovation (CCI) since October and will continue until 12 December. The CCI is an Australian-first in Liverpool. It is a proof-of-concept trial, fulfilling actions in the Liverpool Innovation Strategy to:

- facilitate opportunities for community members to engage in innovation projects; and
- investigate and embrace opportunities for community-led innovation.

The CCI began opening on Fridays only, but has expanded to four days a week with the help of volunteers from Settlement Services International. The CCI now gets 3-4 people per day coming in to discuss their ideas.

Anecdotally, there has been a strong appetite for the CCI concept. It has provided a place where community members can go if they have an idea that will make a difference in their community. The advice they receive at the CCI provides a pathway to turn their ideas into an initiative, a not-for-profit, or a business.

3. Is there capacity to continue the project following the commencement of the Civic Place Project?

There may be an opportunity for this program to re-commence in the new Civic Place development, if retail space can be made available at an appropriate lease rate.

4. If not, what options are available to ensure that community benefits are not lost?

Relocation of the Liverpool city library to Civic Place may provide an option for the program to operate within the current library site, if retail space can be made available at an appropriate lease rate.

The library and Civic Place options can be further investigated by Council staff.

ITEM NO: QWN 05
FILE NO: 307565.2019
SUBJECT: Question with Notice - Clr Hadchiti - Warwick Farm

I thank the CEO for her response provided to Councillors under confidential cover to my question last month.

Please address the following:

Can the CEO provide any further updates?

Response

This question concerns a staff matter subject to investigation under the Code of Conduct. As such, Council cannot comment further on the matter.

ITEM NO: QWN 06
FILE NO: 307566.2019
SUBJECT: Question with Notice - Clr Hadchiti - Civic Place

Please address the following:

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

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

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 07
FILE NO: 307567.2019
SUBJECT: Question with Notice - Clr Hadchiti - Contamination Reports

Please address the following:

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

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 08
FILE NO: 307568.2019
SUBJECT: Question with Notice - Cllr Hadchiti - Middleton Grange

Please address the following:

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

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 09
FILE NO: 307569.2019
SUBJECT: Question with Notice - Cllr Hadchiti - DA's and Planning Proposals

Please address the following:

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

A response to this question will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 10
FILE NO: 307570.2019
SUBJECT: Question with Notice - Clr Hadchiti - Flooding

Please address the following:

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

A response to this question will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 11
FILE NO: 307571.2019
SUBJECT: Question with Notice - Cllr Hadchiti - Professional Development

Please address the following:

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

Response

The CEO confirmed that this would be worthwhile and would be carried out.

The session to also include innovative initiatives that Councils (such as Waverley Council) are doing in the area for affordable housing.

Clr Hadchiti left the Chambers at 9:28pm.
Clr Hadchiti returned to the Chambers at 9.30pm.

ITEM NO: QWN 13
FILE NO: 309741.2019
SUBJECT: Question with Notice - Clr Rhodes - RMS Traffic Modelling

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

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

Please address the following:

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

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

That Council:

1. Provides the entire RMS Traffic Modelling for the Liverpool LGA on the Council Intranet, if available;

2. Provides the RMS Traffic Modelling to the members of the Intermodal Committee;
3. Delegate to the CEO to urgently allocate all funds necessary, and operational steps required, to have the RMS Modelling Independently Peer Reviewed on an expedited time frame;
4. Lodge a Merits and or Judicial appeal against the current determinations for the Moorebank Intermodal, prior to the relevant cut off dates;
5. Promote and educate residents through a media campaign alerting residents on the opportunity for people to make submissions on Council website and through Liverpool Listens; and
6. Notes that the cost of implementing the above may be over \$1 million.

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

ITEM NO: QWN 14
FILE NO: 309813.2019
SUBJECT: Question with Notice - Cllr Harle - Access to GIPA Information Referred to in the Confidential Section at Council Meeting 20 November 2019

Please address the following:

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

A response to this question will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 15
FILE NO: 309855.2019
SUBJECT: Question with Notice - Cllr Harle - Leasing of 33 Moore Street, Liverpool

Please address the following:

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

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 16
FILE NO: 309860.2019
SUBJECT: Question with Notice - Cllr Harle - Refurbishment Costs of Council Buildings at Hoxton Park Road Complex

Please address the following:

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

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 17
FILE NO: 309877.2019
SUBJECT: Question with Notice - Cllr Harle - Parkbridge Estate

Please address the following:

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

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 18
FILE NO: 309888.2019
SUBJECT: Question with Notice - Cllr Hadid - Briefing Session on the City Deal

Please address the following:

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

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

A response to this question will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 19
FILE NO: 309901.2019
SUBJECT: Question with Notice - Cllr Ayyad - Civic Place

Please address the following:

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

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 20
FILE NO: 309922.2019
SUBJECT: Question with Notice - Clr Balloot - Warwick Farm Precinct Economic Study

Please address the following:

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

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

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 21
FILE NO: 309930.2019
SUBJECT: Question with Notice - Cllr Hadchiti - 35 Scott Street, Liverpool

Please address the following:

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

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

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: QWN 22
FILE NO: 309938.2019
SUBJECT: Question with Notice - Cllr Hagarty - Edmondson Park Commuter Car Parking

Background

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

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

Please address the following:

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

A response to these questions will be provided in the 5 February 2020 Council meeting business papers.

ITEM NO: EGROW 09
FILE NO: 315222.2019
SUBJECT: Planning proposal request to rezone land and amend development standards at 240 Governor Macquarie Drive, Warwick Farm

RECOMMENDATION

That Council:

1. Note the advice provided by the *Liverpool Local Planning Panel*;
2. Endorses in principle the planning proposal request for 240 Governor Macquarie Drive, Warwick Farm, subject to the applicant submitting a modified request with a maximum floor space ratio (FSR) of 2:1 equating to approximately 58,600m² GFA or 500 dwellings with access to the bonus FSR provisions contained within Clause 4.4 (2B) of the Liverpool Local Environmental Plan (LEP) (up to 3:1), a maximum height of buildings of 45m and the preparation of a site specific Development Control Plan;
3. Delegate to the CEO authority to negotiate a revised VPA offer with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the VPA prior to exhibition of the planning proposal, consistent with Council's Planning Agreements Policy;
4. Endorses in principle the potential public benefit contributions of the VPA, to be further negotiated, including:
 - Monetary contributions towards the cost of local road improvements;
 - Funding appropriate road works including a 2.5m wide shared path, public domain improvements including street trees and landscaping along Governor Macquarie Drive between Hume Highway and Munday Street in accordance with Council's design plan for the Hume Highway/Governor Macquarie Drive intersection upgrade and Warwick Street between the Hume Highway and Manning Street;
 - Improved pedestrian and bicycle access to and from the site and Warwick Farm railway station and north and south of the Hume Highway;
 - Provision of 5% of the dwelling yield as affordable housing (to be dedicated to Council) to be managed as affordable rental housing by a community housing provider; and
 - Providing a retail/commercial space in the development for a period of 5 years at a reduced commercial rent for a community organisation/s to be agreed between the proponent and Council; and

5. Delegate authority to the CEO to finalise the above amendments to the planning proposal request and submit a planning proposal to the Department of Planning, Industry and Environment for a Gateway determination with a recommendation that detailed traffic modelling, an economic impact assessment, a noise mitigation strategy and a site specific DCP be included as Gateway conditions to be satisfied prior to public exhibition.

COUNCIL DECISION

Motion:

Moved: Cllr Ayyad

Seconded: Cllr Hadchiti

That Council:

1. Note the advice provided by the *Liverpool Local Planning Panel*;
2. Endorses in principle the planning proposal request for 240 Governor Macquarie Drive, Warwick Farm, subject to the applicant submitting a modified request with a maximum floor space ratio (FSR) of 2:1 equating to approximately 58,600m² GFA or 500 dwellings with access to the bonus FSR provisions contained within Clause 4.4 (2B) of the Liverpool Local Environmental Plan (LEP) (up to 3:1), a maximum height of buildings of 50m and the preparation of a site specific Development Control Plan;
3. Delegate to the CEO authority to negotiate a revised VPA offer with the proponent, agree the terms of the offer with the proponent and report back to Council the details of the VPA prior to exhibition of the planning proposal, consistent with Council's Planning Agreements Policy;
4. Endorses in principle the potential public benefit contributions of the VPA, to be further negotiated, including:
 - Monetary contributions towards the cost of local road improvements to include the bypass road which is a priority of Council;
 - Funding appropriate road works including a 2.5m wide shared path, public domain improvements including street trees and landscaping along Governor Macquarie Drive between Hume Highway and Munday Street in accordance with Council's design plan for the Hume Highway/Governor Macquarie Drive intersection upgrade and Warwick Street between the Hume Highway and Manning Street;
 - Improved pedestrian and bicycle access to and from the site and Warwick Farm railway station and north and south of the Hume Highway;

- Provision of 5% of the dwelling yield as affordable housing to be managed as affordable rental housing by a community housing provider; and
 - Providing a retail/commercial space in the development for a period of 5 years at a reduced commercial rent for a community organisation/s to be agreed between the proponent and Council; and
5. Delegate authority to the CEO to finalise the above amendments to the planning proposal request and submit a planning proposal to the Department of Planning, Industry and Environment for a Gateway determination with a recommendation that detailed traffic modelling, an economic impact assessment, a noise mitigation strategy and a site specific DCP be included as Gateway conditions to be satisfied prior to public exhibition.
 6. Note the legal advice provided to Councillors

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

Vote for Mayor Waller
 Clr Ayyad
 Clr Balloot
 Clr Hadchiti
 Clr Hadid
 Clr Hagarty
 Clr Harle
 Clr Karnib
 Clr Rhodes

Vote against: Clr Kaliyanda
 Clr Shelton

PRESENTATIONS BY COUNCILLORS

Nil.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01

FILE NO: 287016.2019

SUBJECT: Proposed Granting of an Easement to Drain Water over Council's Public Reserve known as Discovery Park, 40 Atkinson Street, Liverpool - Lot 77 DP 27242

RECOMMENDATION

That Council:

1. Approves the grant of an easement to drain water into an existing stormwater pit located within Lot 77 in DP 27242, located at 40 Atkinson Street, Liverpool on the terms outlined in this report;
2. Keeps this report confidential pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act 1993* as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business;
3. Approves the transfer of the compensation amount into the General Property Reserve; and
4. Authorises its Delegated Officer to execute any document, under Power of Attorney, necessary to give effect to this decision.

COUNCIL DECISION

Motion:

Moved: Cllr Harle

Seconded: Cllr Ayyad

That the recommendation be adopted.

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

That Council:

- ## COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Shelton**

That the recommendation be adopted.

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

That Council:

1. Provide guidance on whether to proceed with upgrade of the old SES premises; and
2. If supported, direct the question of required funding for the proposed upgrades to a future budget review process; and
3. If supported, direct and delegate authority to the CEO to negotiate a suitable Licence agreement with the Liverpool District Men's Shed.

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

That Council:

1. Proceed with the upgrade of the old SES premises;
2. Direct the CEO to provide funding from the general funds for the upgrade;
3. Direct the CEO to offer the Liverpool District Men's Shed (LDMS) a 5 year licence agreement at a nominal fee of \$1,000 per annum, with a demolition clause after 3 years; and
4. Offer the LDMS the opportunity to do any works that they are capable of doing and are qualified to do as part of the upgrade in order to reduce the cost to Council.

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

ITEM NO: CONF 04
FILE NO: 296924.2019
SUBJECT: Update on Bathurst Street extension project and plans for a multi-level car park at 362 Macquarie Street, Liverpool

RECOMMENDATION

That Council receives and notes this report.

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.

Division called (for the motion moved by Cllr Shelton):

Vote for: Mayor Waller
Cllr Balloot
Cllr Hagarty
Cllr Kaliyanda
Cllr Karnib
Cllr Shelton

Vote against: Cllr Ayyad
Cllr Hadchiti
Cllr Hadid
Cllr Harle
Cllr Rhodes

THE MEETING CLOSED AT 10.50pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 5 February 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 11 December 2019. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.