



**MINUTES OF THE ORDINARY MEETING  
HELD ON 26 FEBRUARY 2020**

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**PRESENT:**

Deputy Mayor Ali Karnib  
Councillor Ayyad  
Councillor Balloot  
Councillor Hadchiti  
Councillor Hadid  
Councillor Hagarty  
Councillor Harle  
Councillor Kaliyanda  
Councillor Rhodes  
Councillor Shelton  
Dr Eddie Jackson, Acting Chief Executive Officer  
Mr Tim Moore, Director City Economy and Growth / Deputy CEO  
Mr James Ng, Acting Director City Corporate  
Mr Peter Patterson, Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Ms Tina Sangiuliano, Acting Director City, Community and Culture  
Mr Andrew Stevenson, Chief Strategy and Engagement Officer  
Mr Charles Wiafe, Service Manager Traffic and Transport  
Ms Elizabeth Espinosa, General Counsel Manager Governance Legal  
Mr Michael Knight, Deputy General Counsel, Governance Legal & Procurement  
Mr David Smith, Manager Planning & Transport Strategy  
Mr David Maguire, Internal Ombudsman  
Mr George Georgakis, Manager Council and Executive Services  
Ms Maree Stewart, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.02pm.

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**STATEMENT REGARDING WEBCASTING OF MEETING**

The Chairperson 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 Stephen Reddish from New Life Christian Ministries.

**NATIONAL ANTHEM**

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

**APOLOGIES**

**Motion:**

**Moved: Clr Karnib**

**Seconded: Clr Kaliyanda**

That Mayor Waller be recorded as an apology for the meeting.

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

**CONDOLENCES**

**Mr Mark Amos (read by Clr Ayyad)**

Mark Amos was born on 24 November 1956. He came from a large family and had five sisters, and was the 3rd child. Mark and his sisters were raised by their single father.

Mark grew up in Punchbowl with his family, until he was around 8 years old when he had to move into a specialised care home for his safety. When he was a very young child he was always running away and walking the streets, he was never to be held in one spot, and this continued till the day he passed.

He attended a special school when he was young, for a time, however school was not for him.

Mark moved to Liverpool around 25 years ago. He quickly learnt the area, from the hospitals, police stations, food courts and volunteer kitchens. He used to get on a train, and loved catching trains everywhere. He would often get a train to Bankstown or Punchbowl as that is where he grew up.

He loved to be out and about and was often out till early hours of the morning talking, walking and eating.

He is a well-known member of the community in Liverpool. Everybody knew Mark. Some good stories, some not so good, but all very well known.

A memorial was held for Mark at the Hilda Davis Hall on 22 February 2020.  
May he rest in peace.

**Ms Wendy Tesoriero (read by Deputy Mayor Karnib)**

Wendy Tesoriero passed away on 25 February 2020.

Wendy was a Branch Librarian doing an outstanding job at Carnes Hill, following her passion to make libraries inviting spaces for the community, particularly for young people.

Wendy was working with youth and schools to support their involvement in the library, as well as working with the Carnes Hill precinct team.

Wendy had worked in local government libraries for nearly 20 years and loved her job. She really wanted to make a difference in Carnes Hill and the library was running extremely well under her guidance.

The news of Wendy’s passing is shocking and distressing to staff at Liverpool City Council.

Wendy will be remembered for her community spirit and enthusiasm.

On behalf of Liverpool City Council, I humbly express my deepest condolences to Wendy’s husband David, her daughter Alison, and all of her family and friends during this difficult time.

May she rest in peace.

**Motion:**                                      **Moved: Clr Karnib**                                      **Seconded: Clr Ayyad**

That Council writes to the families of Mr Mark Amos and Ms Wendy Tesoriero expressing our condolences for their loss.

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

**CONFIRMATION OF MINUTES**

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

That the minutes of the Ordinary Meeting held on 5 February 2020 be confirmed as a true record of that meeting.

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

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Minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020 and confirmed on Wednesday, 25 March 2020

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Chairperson

**DECLARATIONS OF INTEREST**

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

- Item:** CONF 01 Mayor and Councillors Charity Ball 2020
- Reason:** Clr Hagarty is the Chairperson of one of the organisations who submitted an Expression of Interest.

Clr Hagarty left the Chambers for the duration of the item.

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

- Item:** COM 01 Grants, Donations and Corporate Sponsorship
- Reason:** Clr Rhodes is a financial member of one of the organisations who submitted a grant application.

Clr Rhodes left the Chambers for the duration of the item.

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

- Item:** NOM 04 Flooding & Drainage Management Austral Precinct
- Reason:** Clr Hadchiti lives in close proximity to the area.

Clr Hadchiti remained in the Chambers for the duration of this item.

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

- Item:** CTTE 04 Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee Meeting held on 29 January 2020 (Leacocks lane, Casula – bus zone item).
- Reason:** Clr Ayyad has relatives that live in Leacocks Lane, Casula.

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

## STATEMENT FROM THE ACTING CEO REGARDING CORONAVIRUS AND SUPPORT FOR CHINESE COMMUNITY

The Acting CEO made the following statement:

*“The Deputy Mayor and Councillors have asked me to read this Notice of Motion on coronavirus and it states:*

*We as leaders of the Liverpool City Council are exceptionally proud of the diversity and vibrancy of our city. Proud to be known for our welcoming and implicit nature and proud of our community spirit.*

*Liverpool’s Chinese community, residents and students are an integral part of our community. We know that this is a worrying time for us all, when many are concerned for the health of family, friends and loved ones back home in China. Our support is more important than ever before, many businesses here in Australia have been affected, we as Councillors of Liverpool City Council stand together in solidarity with our Chinese community and the need for all of us to support our local restaurants.*

*Madam Mayor through the Deputy Mayor, I seek your support and all the Councillors to send a letter to the Chinese Ambassador and Consul-General expressing our condolences for all the lives that have been lost and our full support at these extremely difficult times for the Republic of China and its people.*

*Thank you.”*

## PUBLIC FORUM

### Presentation – items not on agenda

1. **Ms Suzanne Denslow** addressed Council on the following matter:

Liverpool Animal Shelter

2. **Ms Cynthia Meta** addressed Council on the following matter:

Liverpool Animal Shelter

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

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

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

3. **Ms Judith Ann Carter** addressed Council on the following matter:

Liverpool Animal Shelter

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

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

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

4. **Mr David Milovanovic** addressed Council on the following matter:

Dirt mounds at the Serbian Cultural Club, St Sava

**Representation – items on agenda**

5. **Ms Vicki Andrews** addressed Council on the following item:

**CORP 02:** Reducing Red Tape - Development of Policies, Standards, Charters, Procedures and Strategies

6. **Ms Helen Anderson** addressed Council on the following item:

**EGROW 07:** Endorsement of submission on Draft Western Sydney Aerotropolis Plan and Aerotropolis Planning Package.

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

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

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

**Motion:**                    **Moved: Cllr Karnib**                    **Seconded: Cllr Hadchiti**

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

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

7. **Ms Leanne Sales** addressed Council on the following item:

**EGROW 07:** Endorsement of submission on Draft Western Sydney Aerotropolis Plan and Aerotropolis Planning Package.

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

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

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

8. **Ms Narelle Sales** addressed Council on the following item:

**EGROW 07:** Endorsement of submission on Draft Western Sydney Aerotropolis Plan and Aerotropolis Planning Package.

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

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

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

**MOTION OF URGENCY**

**ITEM NO:** MOU 01  
**SUBJECT:** Liverpool Animal Shelter

In accordance with Clause 8.3 of Council's Code of Meeting Practice, the Chairperson, Deputy Mayor Karnib, ruled the following motion as urgent, and as such it was dealt with at this meeting.

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

That Council:

1. Direct the CEO to immediately enter into negotiations with the land owner/purchaser of the current site which houses the Liverpool Animal Shelter with the aim of:
  - a) Reaching an agreement to extend the current lease on the shelter in the short term; and
  - b) Discussing the possibility of providing an animal shelter for the long term on the current site.
2. Direct the CEO to write to Blacktown City Council advising them that Liverpool City Council will not take up their proposed offer to utilise the new to be built Animal Shelter;
3. Simultaneously with point 1b) investigate and report back to Council at the April 2020 meeting concept plans for a new facility within our LGA on land currently owned by Council;
4. Direct the CEO to report back to Council on medium term options within our LGA should that be required;
5. Further investigate if the Western Sydney Parklands will not encourage a wildlife sanctuary into the Liverpool LGA section of the parklands a possible plan to include a wildlife sanctuary in an animal precinct close to the animal shelter;
6. Form a Community Companion Animal Advisory Committee;
7. Hire a suitably qualified Companion Animal Public Liaison Officer;
8. Report quarterly to Councillors and annually via the Annual Report on the number of dogs and cats:
  - a. Seized
  - b. Returned to owner
  - c. Surrendered by owner



- d. Impounded
  - i. At Blacktown
  - ii. Elsewhere
- e. Of those impounded
  - i. Rehomed
  - ii. Unsuitable animals euthanased
  - iii. Sent to rescue organisations
  - iv. Sold

9. Request WSROC adopt a No Kill policy and encourage all member Councils to do the same; and

10. Write to Local Government NSW to request the Companion Animal Act to better respond to cats.

**Division:**

**Vote for:** Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Harle, Deputy Mayor Karnib, Clr Rhodes, Clr Kaliyanda and Clr Hagarty.

**Vote against:** Clr Shelton.

**MOTION OF URGENCY**

In accordance with Clause 8.3 of Council's Code of Meeting Practice, the Chairperson, Deputy Mayor Karnib, ruled the following motion (proposed by Clr Kaliyanda) was not urgent, and as such, it was not dealt with at this meeting.

It is however shown below for the record:

That Council:

Supports legislation introduced into NSW Parliament this week disqualifying real estate agents and property developers from holding the office of Councillor or Mayor.

**CHIEF EXECUTIVE OFFICER REPORT**

**ITEM NO:** CEO 01  
**FILE NO:** 029349.2020  
**SUBJECT:** Biannual Progress Report - July-December 2019

**COUNCIL DECISION**

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

That Council notes and receives the Biannual Progress Report which outlines the progress of the actions detailed in the Delivery Program and Operational Plan 2019-20.

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

**MOTION TO BRING ITEM FORWARD**

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

That item EGROW 07 Endorsement of submission on Draft Western Sydney Aerotropolis Plan and Aerotropolis Planning Package be brought forward and dealt with now.

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

**ITEM NO:** EGROW 07  
**FILE NO:** 039303.2020  
**SUBJECT:** Endorsement of submission on Draft Western Sydney Aerotropolis Plan and Aerotropolis Planning Package

### **COUNCIL DECISION**

**Motion:** **Moved: Clr Hadchiti** **Seconded: Clr Hadid**

That Council endorse the submission on the Aerotropolis Planning Package and forward the submission to the Western Sydney Planning Partnership for consideration with the following amendments:

- Dwyer Road Precinct should be included in the developments to be done before the airport opens;
- The Luddenham village remain R2 and not be rezoned to the new agribusiness zone;
- Remove Recommendation 9;
- Delete recommendation 21 regarding zero carbon neutrality target;
- Recommendation 22 – retain low rather than zero carbon;
- Recommendation 23 – do not strike out the words “beyond compliance”;
- Delete Recommendation 33 regarding wind turbines being a permitted use in the area;
- Amend Recommendation 34 to provide a timeframe;
- Amend Recommendation 36 to provide a timeframe for when the permissible uses transition to the new zoning; and
- Amend Recommendation 37 to include protecting the heritage buildings in Luddenham Village.

**Foreshadowed motion:** **Moved: Clr Kaliyanda** **Seconded: Clr Hagarty**

That Council endorse the submission on the Aerotropolis Planning Package and forward the submission to the Western Sydney Planning Partnership for consideration with the following amendments:

- Dwyer Road Precinct should be included in the developments to be done before the airport opens;
- The Luddenham village remain R2 and not be rezoned to the new agribusiness zone;
- Recommendation 23 – do not strike out the words “beyond compliance”;
- Delete Recommendation 33 regarding wind turbines being a permitted use in the area;

- Amend Recommendation 34 to provide a timeframe;
- Amend Recommendation 36 to provide a timeframe for when the permissible uses transition to the new zoning; and
- Amend Recommendation 37 to include protecting the heritage buildings in Luddenham Village.

On being put to the meeting the motion (moved by Cllr Hadchiti) was declared CARRIED and the Foreshadowed Motion (moved by Cllr Kaliyanda) lapsed.

The Chairperson, Deputy Mayor Cllr Karnib called a recess of Council at 7.53pm.

The Chairperson, Deputy Mayor Cllr Karnib reopened the meeting at 8.03pm.

Cllr Kaliyanda returned to the meeting at 8.06pm.

#### CITY ECONOMY AND GROWTH REPORT

**ITEM NO:** EGROW 01

**FILE NO:** 324661.2019

**SUBJECT:** Developer Contributions - instalment payments for secondary dwellings

#### COUNCIL DECISION

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

That this item be deferred to the March Council meeting until questions relating to the increases in section 7/11s, new fees and charges and the Compliance Levy can be answered.

**Foreshadowed motion:** **Moved:** Cllr Hagarty **Seconded:** Cllr Kaliyanda

That Council:

1. Resolve to exhibit draft *Liverpool Contributions Plan 2018 – Established Areas (Amendment 1)* on public exhibition in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and regulations; and
2. Delegate to the CEO authority to finalise *Liverpool Contributions Plan 2018 – Established Areas (Amendment 1)* if no submissions opposing the changes are received.

On being put to the meeting the motion (moved by Cllr Ayyad) was declared CARRIED and the Foreshadowed motion (moved by Cllr Hagarty) lapsed.

**ITEM NO:** EGROW 02  
**FILE NO:** 003604.2020  
**SUBJECT:** Post Exhibition Report - Draft Liverpool Development Control Plan 2008  
(Amendment 25)

**COUNCIL DECISION**

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

That Council defer this item and a Councillor workshop be held on the matter.

Councillors voted unanimously for this motion.

**ITEM NO:** EGROW 03  
**FILE NO:** 004624.2020  
**SUBJECT:** Report on Implementation Strategy for Smoke-Free Areas

**COUNCIL DECISION**

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

That Council:

1. Receives and notes the report; and
  
2. Continue to engage in opportunities to participate in organisations such as WSROC to continue to encourage and educate people about the outdoor smoke and smoking zone laws.

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

**ITEM NO:** EGROW 04  
**FILE NO:** 028362.2020  
**SUBJECT:** Post Exhibition Report - Draft Liverpool Local Environmental Plan 2008 (Amendment 78) and Draft Liverpool Development Control Plan (Amendment 35) - land subject to Basin 14 and Bernera Road, Edmondson Park

**COUNCIL DECISION**

**Motion:** **Moved: Cllr Shelton** **Seconded: Cllr Kaliyanda**

That Council:

1. Notes the Gateway determination for draft Liverpool Local Environmental Plan 2008 (Amendment 78) and the results of public exhibition and community consultation;
2. Approves Amendment 78 to the Liverpool Local Environmental Plan 2008 and delegates authority to the CEO to liaise with the Parliamentary Counsel's Office and the Department of Planning, Industry and Environment to finalise Amendment 78;
3. Adopts Amendment 35 to Liverpool Development Control Plan 2008, to come into effect upon the publication of the required notice in the local newspaper following gazettal of Amendment 78 to the LLEP; and
4. Advises those who made a submission of Council's decision.

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

Councillors voted unanimously for this motion.



Clr Hagarty and Clr Hadid left the Chambers at 8.29pm.

Clr Hagarty returned to the Chambers at 8.30pm.

**ITEM NO:** EGROW 05  
**FILE NO:** 029355.2020  
**SUBJECT:** Draft Intermodal Precinct Committee Charter

**COUNCIL DECISION**

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

That Council endorse the Intermodal Precinct Committee Charter (and revoke the Intermodal Committee Charter) with the following amendments:

1. Clause 4.1 FUNCTIONS be amended and renumbered to read:
  - a) *To ensure, through collaboration with the Intermodal Company, so that the negative impacts are minimised and financial mitigation offers are considered and utilised to improve the health and safety of residents in Liverpool.*
  - b) *To provide advice to assist in any Council submissions on development or modification applications relating to the Intermodal development, with emphasis on minimising adverse impacts on the health of the community.*
  - c) *To develop partnerships with relevant stakeholders, environmental groups and key organisations;*
  - d) *To make recommendations to Council regarding achievement of positive and negative outcomes for the residents of Liverpool.*

2. Clause 7.1 Councillor Representation be changed from “One Councillor” to “Two Councillors”.

3. Clause 7.3 Community Representation be changed to read:

*Appoint a Selection Committee to appoint up to 5 voting community members.*

4. Clause 8.1 be changed to read:

*The quorum to enable business to be transacted at meetings will be half the membership plus one and must include one Councillor and any other Councillor present although not a member of the committee may substitute the missing Councillor to make up the quorum.*

5. Clause 8.3 be changed to read:

*Recommendations of the committee will be made on the basis of a majority consensus. At the discretion of the Chairperson a vote may be called to decide a matter. This may occur when a consensus cannot be reached or in a relation to a matter that is more significant in nature. In such cases, the matter will be resolved by a simple majority of those at the meeting, provided there is a quorum present. In the event of a tied vote, the Chairperson will exercise the deciding vote.*

6. An additional clause be added as below:

*“The Chairperson must be called to resolve a matter.”*

**Foreshadowed motion:      Moved: Clr Balloot      Seconded: Clr Kaliyanda**

That the recommendation be adopted.

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

Clr Shelton and Clr Balloot asked that they be recorded as voting against the motion.

**Clr Hadid returned to the Chambers at 8.36pm.**

**ITEM NO:** EGROW 06

**FILE NO:** 032711.2020

**SUBJECT:** Liverpool City Centre Car Parking Strategy

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Ayyad**

**Seconded: Clr Kaliyanda**

That Council

1. Adopts the Liverpool City Centre Car Parking Strategy 2020-2030.
2. Identify locations within 100m of Liverpool train station, which Council owns or can acquire for a carpark, and for this to be reported to the April 2020 Council meeting.

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

Clr Rhodes left the Chambers at 8.36 pm.

Clr Ayyad left the Chambers at 8.36 pm.

### CITY COMMUNITY AND CULTURE REPORT

**ITEM NO:** COM 01

**FILE NO:** 330035.2019

**SUBJECT:** Grants, Donations and Corporate Sponsorship

### COUNCIL DECISION

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

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

Applicant	Project	Recommended
Liverpool-Fairfield Community Radio	Transmission Upgrade	\$10,000

That Council endorses the recommendation of **\$18,000** (GST exclusive) under the **Matching Grants Program** for the following projects:

Applicant	Project	Recommended
Holsworthy High P&C Association	Holsworthy Community Garden Greening Dreaming	\$9,000
CuriousWorks Incorporated	GENerate 2168	\$9,000

That Council endorses the recommendation of **\$5,000** (GST exclusive) under the **Sustainable Environment Grants Program** for the following project:

Applicant	Project	Recommended
Middleton Grange Public School	Lakeside Outdoor Learning Project	\$5,000

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

**Clr Rhodes returned to the Chambers at 8.37 pm.**

**CITY CORPORATE REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 026342.2020  
**SUBJECT:** Investment Report January 2020

**COUNCIL DECISION**

**Motion:** **Moved: Clr Hagarty** **Seconded: Clr Shelton**

That Council receives and notes this report.

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

**Clr Balloot left the Chambers at 8.39pm.**

**Clr Ayyad returned to the Chambers at 8.39pm.**

**Clr Balloot returned to the Chambers at 8.41pm.**

**ITEM NO:** CORP 02

**FILE NO:** 028056.2020

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

### **COUNCIL DECISION**

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

That Council:

1. Rescind the following policies:
  - 1.2. Liverpool City Library Collection Development and Information Access Policy;
  - 1.4. On- Site Stormwater Detention Policy;
  - 1.5. Development Construction Specifications (superseded); and
  - 1.6. Development Design Specification (superseded).
2. Convert the following documents to CEO-approved standards under the Development of Policies, Standards, Charters, Procedures and Strategies Framework:
  - 2.2. Liverpool City Library Collection Development and Information Access Standard and Procedures;
  - 2.4. On-Site Stormwater Detention Standard.
3. The following policies remain as policies for the time being and be further reviewed at a later date:
  - i. Liverpool Regional Museum Collecting and Care of Collections; and
  - ii. Footpath/Nature Strip Mowing

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



**ITEM NO:** CORP 04  
**FILE NO:** 033098.2020  
**SUBJECT:** Draft Policy - Customer Engagement and Quality Assurance

**COUNCIL DECISION**

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

That Council:

1. Not adopt the draft Customer Engagement and Quality Assurance Policy; and
  
2. Direct the CEO to brief Councillors in April 2020 and give feedback to Councillors on any dashboards that are available to keep Councillors informed on the Customer Service tracking system.

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

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



**ITEM NO:** CORP 05  
**FILE NO:** 034100.2020  
**SUBJECT:** Provision of Mail Services for Council

**COUNCIL DECISION**

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

That Council delegate authority to the CEO to negotiate directly with Australia Post to extend their engagement with Council to provide postal services for up to five (5) years (to February 2025) pursuant to 55(3)(i) of the Local Government Act 1993, for the following reasons:

- a. The security of core notice delivery to residents and ratepayers is a business-critical function; and
- b. Australia Post is broadly considered to be the most reliable and cost-effective provider of general mailout services to residents and ratepayers of the Liverpool Local Government Area.

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

**Clr Hagarty left the Chambers at 9.11pm.**

**Clr Hagarty returned to the Chambers at 9.14pm.**

**ITEM NO:** CORP 06  
**FILE NO:** 036832.2020  
**SUBJECT:** Moorebank Intermodal

**COUNCIL DECISION**

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

That Council continue the exhibition period (due to expire on 10 March 2020) and at the completion of the period delegate authority to the CEO to progress funding in the event of no negative submissions being received.

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

Clr Shelton and Clr Balloot asked that they be recorded as voting against the motion.

**COMMITTEE REPORTS**

**ITEM NO:** CTTE 01

**FILE NO:** 016614.2020

**SUBJECT:** Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on 5 December 2019

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Hadchiti**

**Seconded: Cllr Rhodes**

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

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

**ITEM NO:** CTTE 02  
**FILE NO:** 014461.2020  
**SUBJECT:** Liverpool Sports Committee Minutes of meeting held 28 November 2019

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Liverpool Sports Committee Meeting held on 28 November 2019.

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



**ITEM NO:** CTTE 04  
**FILE NO:** 030126.2020  
**SUBJECT:** Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee Meeting held on 29 January 2020

## **COUNCIL DECISION**

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

That Council adopts the following recommendations of the Committee:

- i) Kurrajong Road and Cowpasture Road intersection, West Hoxton – Signs and line marking scheme for approved intersection upgrade
  - o Council approves the signs and line marking scheme along the Kurrajong Road approach to its signalised intersection with Cowpasture Road
- ii) Cartwright Avenue and Maxwell Avenue, Miller – Proposed intersection upgrade
  - o Council approves the proposed roundabout upgrade along with the associated signs and line marking scheme.
- iii) Moore Street and College Street, Liverpool – Proposed pedestrian refuge and reconfiguration of on-street parking arrangement
  - o Council approves proposed kerb returns and footpath works as well as signposting of the proposed carpark off Moore Street as 2P parking 7am-6pm Monday to Friday and 7am-1pm Saturday.
  - o Council reviews the design of the proposed pedestrian refuge and, if required, re-submit the design to the Committee at a future meeting
- iv) Hume Highway, Casula –Proposed shared path
  - o Council approves the proposed signs and line marking scheme associated with the proposed shared user path along the section of Hume Highway between De Meyrick Avenue and Grove Street, Casula.
- v) Liverpool City Centre - Festival of Chariot Community Event – Classification of event and conditions for rolling road closure
  - o Council classifies the event as a Class 2 Special Event requiring:
    - Submission of a Traffic Management Plan to TfNSW for endorsement
    - Advertisement of the event in local newspapers

- Obtaining a Road Occupancy License from the Transport Management Centre.
  - Council liaises with the event organisers, Police and local bus companies to minimise traffic impacts of the event.
- vi) Weir Crescent, Lurnea – Proposed Signs and Line Marking Scheme
  - Council approves installation of 'BB' lines at BB' line marking at the 90° bend road section.
- vii) Mallow Avenue and Carmichael Drive Roundabout – Proposed Reconfiguration
  - Council approves re-line marking with rumble bars at the existing Mallow Avenue and Carmichael Drive roundabout, West Hoxton
- viii) Soldiers Parade and Greenway Drive Intersection, Edmondson Park - Proposed Roundabout
  - Council approves the installation of a roundabout at the Soldiers Parade and Greenway Road intersection, Edmondson Park.
- ix) Northumberland Serviceway, Liverpool – Proposed Special Community Event and Temporary Road Closure
  - Council classifies the 'Love Livo Nights' event as **Class 3** Special Events requiring submission of Special Event Transport Management Plan to TfNSW and Police for information.
- x) Middleton Drive, Middleton Grange – Signs and Line Marking Scheme for a New Subdivision
  - Council approves the proposed traffic facilities and associated signs and line marking scheme in the sections of Southern Cross Drive, Middleton Drive and Monoplane Avenue, Middleton Grange.
- xi) Whitford Road, Partridge Avenue and Dotterel Street Intersection, Hinchinbrook – Intersection Upgrade
  - Council approves the proposed raised thresholds and associated signs and line marking on all the approaches to the existing roundabout at Whitford Road, Partridge Avenue and Dotterel Street intersection, Hinchinbrook, incorporating landscaping changes to discourage pedestrian movements
- xii) Various Streets, Liverpool LGA - Community Requests for Minor Traffic Facilities

**Kingsford Smith Avenue and Flynn Avenue roundabout, Middleton Grange – Road Safety Concern**

- The findings of a road safety audit to be presented to the Committee at a future meeting.

**170 Leacocks Lane, Casula – Bus Zone**

- Council approves installation of 'Bus Zone' signs along with pavement markings.

**Cecil Hills – Speed Review**

- Council note that speed classifications will be carried out and the results with recommendations on traffic management will be presented to a future committee meeting.

**Tucker Road/Cleary Place, Casula – Parking at Intersection**

- Council approves 'No Stopping' yellow edge line at the Tucker Road/Cleary Place intersection, Casula.

**Dampier Place, Prestons – Truck Parking**

- Council approves after hours truck parking in Dampier Place, Prestons.

**Hill Road, Lurnea – Parking restrictions in the off-street car park**

- Council notes that stakeholder consultation will be carried out and the outcomes of the consultation will be presented to the Committee at a future meeting if required.

xiii) Liverpool City Centre – Review of Parking Restrictions

- Council approves the proposed adjustments to the existing signs

xiv): Items Approved Under Delegated Authority.

- Council approves the works endorsed through delegated authority approvals during the period between 11 November 2019 and 8 January 2020.

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



**BRING ITEMS FORWARD**

**Motion**

**Moved: Clr Ayyad**

**Seconded: Clr Balloot**

That Council deal with the Notice of Motion items now and then move into Closed session immediately after dealing with those motions.

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

**NOTICES OF MOTION**

**ITEM NO:** NOM 01  
**FILE NO:** 033822.2020  
**SUBJECT:** Out of Office Hours Compliance Officers

**BACKGROUND**

It is not acceptable for Liverpool Council to only provide Compliance Officers to address the needs of the community between the hours of 9am to 4pm.

There are numerous reports from constituents directly to Councillors that the public are aware that it is publicly known that the Council’s Compliance Officers do not start before 9am and finish at 4pm Monday to Friday and that violations are on the increase outside those timeframes.

Council has to recognise that violations do not tab on and off in between 9am and 4pm and in fact the constituents knowledge of the compliance officers working hours has directed them to violate more outside those hours when they know the Compliance Officers are not clocked on.

Reporting of any violation to police outside the compliance officers working hours is not working.

Compliance complaints such as parking, and noise need to be addressed at the time of the violation and this is not currently being done.

At the recent Traffic Committee Meeting it was noted that it only takes one car to park illegally outside the Compliance Officer’s clock in time to park in the Liverpool City’s through traffic flow streets to cause considerable traffic congestion and disruption to Liverpool Constituents getting to and from work.

Traffic congestion in the Liverpool CBD is not conducive to encouraging further business and job opportunities as we embark on selling Liverpool as the third city of Sydney. It is as equally damaging to our future prospects as the lack of provision of adequate parking to support business and jobs within the CBD.

In our suburbs Councillors are receiving more and more direct contact complaints by constituents who say they have lost confidence in reporting complaints through the Council complaints system or that they are frustrated by their issues falling outside the Compliance Officer’s clock in and out times.

It has been reported to Councillors of air quality violations that operate outside the Compliance Officer’s clock in or out times.

It has been reported to Councillors that noise complaints often occur on weekends when Council has no Compliance Officers on the ground and able to investigate the complaint at the time of the violation.

Violations are increasing in hours of operation outside the hours that Liverpool Council Compliance officers work and a solution has to be found.

**NOTICE OF MOTION (submitted by Cllr Rhodes)**

That Council:

1. Provide a costing report to the March Council Meeting for providing on the ground services by compliance officers during, and between 7am – 9am and 4pm – 10pm seven days a week each year.
2. Consider:
  - a. Cost to employ directly such officers under stipulated agreement to the hours needed by Council and not subject to overtime rates; and / or
  - b. Cost in overtime to utilise existing compliance officers on a rotation basis to service the out of hours requirements of Council; and / or
  - c. Contractual agreement through a local business with payment on invoice to Council for services supplied in responding to incidences within the outlined times.

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Rhodes**

**Seconded: Cllr Harle**

That the recommendation be adopted.

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

**ITEM NO:** NOM 02  
**FILE NO:** 033842.2020  
**SUBJECT:** Wildlife Protection Special Levy

## **BACKGROUND**

The recent devastation of Australian wildlife through drought, fire and floods has made it vitally important that everything possible is being done to protect and promote their survival in an environment that is becoming increasingly hostile to them.

Australia's international identity and tourism that contributes \$57.3 billion to the Australian economy has to be retained at all costs.

We can no longer, not consider the harm that the urban sprawl is doing to the habitats of our wildlife and all levels of government including local government must have a unified understanding of the issues and a unified approach to the solutions needed.

Liverpool Council has to do its part. It is no longer a question of identifying established wildlife corridors, it is now a necessity for Liverpool Council to create safe corridors. To plant koala feeder trees within these corridors and most important to connect all corridors with neighbouring LGA's and with safe road crossings where they are necessary in linking the corridors.

It is important more than ever that Liverpool Council continues discussions with the Department of Defence to make available corridors through their land to protect and nurture Australian wildlife.

It is important the wildlife corridors are created, locally, throughout the State of NSW and Nationally in order to provide Australian wildlife with access to routes without fences to escape any future fire threats.

It is not acceptable that 800 million of Australia's wildlife was impacted by the recent fires.

It is not acceptable, that although Liverpool was not impacted in the recent fires, it is not acceptable that Liverpool does not respond to the warning and make sure we have done all that is possible to protect wildlife for not if it happens but when it happens in Liverpool.

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

That Council

1. Recognises the importance of wildlife protection and the economic benefits that Australian wildlife continues to contribute through tourism to the local and national economies;

2. Nominate a percentage proportion of the Environment Levy to be used to support wildlife protection through the Liverpool LGA.
3. Provides all reports and communications in relation to all the above work already carried out and/or implemented by Council to Councillors.

**COUNCIL DECISION**

**Motion:**

**Moved: Cllr Hadchiti**

**Seconded: Cllr Rhodes**

That this item be deferred to a future council meeting.

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



- That Option 2 be implemented, not in 2024 when the Metro opens, but as soon as the existing Bankstown line is closed; and
  - That the route be named 'City via Regents Park' line.
2. Continues to advocate for:
    - Genuine express services from Liverpool to the City Circle; and
    - Better public transport service in Liverpool.
  3. Immediately make a submission to Transport NSW to:
    - Lobby for an express service from Liverpool to Bankstown.
    - For this express service to be put in place before 2024 (opening of the South West Metro)
  4. Commission a study to assist the express service from Liverpool to Bankstown, identifying what infrastructure is required.
  5. Congratulate the NSW Government on the construction of the South West Metro and its commitment to bring it to Liverpool in the long term master plan.
  6. Continue to lobby for the South West Metro to be extended to Liverpool and to Western Sydney Airport.
  7. Make a submission to the relevant bodies advising them of Council's position

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

**ITEM NO:** NOM 04  
**FILE NO:** 040359.2020  
**SUBJECT:** Flooding & Drainage Management Austral Precinct

## **BACKGROUND**

All will be aware of the storm events that occurred over the weekend of the 8<sup>th</sup> & 9<sup>th</sup> of February 2020 with parts of the LGA impacted with flooding.

In the past the Director of City Presentation has actioned my requests for drainage management along, for example, Fourth Ave Austral.

Whilst I am no engineer or flood expert being on the ground in the Austral area on Sunday my eyes told me that the flooding would not have been so bad if water was able to freely run through the drainage channels and into Kemps Creek.

The Creek had capacity, but the water was struggling to get there for a variety of reasons, overgrowth in channels, channels along roads not interconnecting, small pipes under driveways at entry points to properties, etc.

I can expand on the above during the meeting and can provide photos if required.

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

That Council:

1. Direct the CEO to immediately put a plan in place to:
  - a. Clear out the water channels along the road verges that collect water at Austral;
  - b. Connect these channels to each other;
  - c. Replace any driveway crossover pipes that restrict the flow of water; and
  - d. Remove any trees in close proximity to the water channels which are deemed unsafe due to root exposure etc and plant replacement trees elsewhere in lieu of.
2. Direct the CEO to urgently make contact with the Minister responsible for roads so that discussions can take place around the detrimental effects of the water detention basin they built on the Corner of Bringelly Road and Fourth Ave; and
3. Allocate funds from the unrestricted reserve to ensure these works are funded immediately.



**COUNCIL DECISION**

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

That the recommendation be adopted.

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

**ITEM NO:** NOM 05  
**FILE NO:** 040517.2020  
**SUBJECT:** Auditory Processing Disorder

## **BACKGROUND**

Auditory Processing Disorder (APD) is a problem with recognizing and interpreting the meaning of sounds. People with APD have normal hearing but have trouble listening, learning and concentrating in noisy environments, such as classrooms. Experts estimate that APD affects between 3 and 10% of school-aged children.

APD can often look like or be confused with language problems, learning difficulties, Autism Spectrum Disorder (ASD), or attention deficit hyperactivity disorder (ADHD). Because of this, it can often be hard to diagnose. Diagnosis can also be hampered by the length and complexity of the testing process (it requires testing by 3 different specialized health professionals and can take over 4 hours), as well as the associated costs of testing.

Awareness of APD, both in the education system and in the broader community, is also very low. Liverpool has a large migrant and refugee community, many of who may not have ever come across APD previously.

Public libraries have many necessary functions. Not only are they an important meeting point for many within our community, they are also a reference point for information and resources. This is particularly true for marginalized members of our community, such as those from a refugee or migrant background, those with limited financial resources and those with disabilities.

Early diagnosis and intervention is crucial to closing the achievement gap for those with APD. Awareness and education about the existence of APD and its impact on people is an important step in facilitating early diagnosis.

Having resources and information available in public spaces can help those in our community with APD to feel like they are visible and acknowledged members of our community, and can hopefully help those who are not aware of APD to learn more and enable better outcomes for those in their family or social network.

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

That Council:

1. Use Auditory Processing Disorder Awareness Day (4 April), as an opportunity to educate and raise awareness about APD in the Liverpool community;
2. Work with Australian Hearing (the peak body for hearing and auditory processing related problems) to have educational resources available at our public libraries;

3. Develop a public display at Liverpool City Library about APD for the community;
4. Purchase phonics resources and educational materials for the regular collection of the Liverpool library network; and
5. Source educational resources about APD suitable for multicultural communities.

**COUNCIL DECISION**

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

That the recommendation be adopted.

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

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Chairperson

**ITEM NO:** NOM 06  
**FILE NO:** 040547.2020  
**SUBJECT:** Media in election period

**BACKGROUND**

With the Council election set for September this year it is important that Council focus on delivering services to the community and that no perception exist that Council resources are used for campaigning.

**NOTICE OF MOTION (submitted by Clr Ayyad)**

In the 6 months prior to any voting (including pre-poll), that Council no longer use any social media channel to display any picture or name of a Councillor or any other form of Council advertisement (including newsletters etc).

**COUNCIL DECISION**

**Motion:** **Moved: Clr Ayyad** **Seconded: Clr Ballot**

Subject to the provisions of the Local Government Act 1993, in the 6 months prior to any voting (including pre-poll), that Council no longer use any social media channel or any other form of Council advertisement (including newsletters etc.) to display any picture or name of a Councillor.

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

**ITEM NO:** NOM 07  
**FILE NO:** 040536.2020  
**SUBJECT:** Personnel Matter

**NOTICE OF MOTION (submitted by Clr Ayyad)**

That Council move into closed session to discuss a personnel matter, in accordance with the provisions of section 10A(2)(a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors).

**COUNCIL DECISION**

**Motion:**                                 **Moved: Clr Ayyad**                         **Seconded: Clr Hadid**

That the recommendation be adopted.

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

**Note:** *The Question with Notice items (QWN 1 - QWN 11) as published in the Council Agenda are shown below. The response to QWN 01 is shown below. Responses to QWN 02 – QWN 11 will be included in the March Council Agenda).*

## QUESTIONS WITH NOTICE

**ITEM NO:** QWN 01

**FILE NO:** 025437.2020

**SUBJECT:** Question with Notice - Clr Hagarty - Community Sport Infrastructure Grants

### Please address the following:

1. Did Council make any applications for the Federal Government's Community Sport Infrastructure Grants?
2. If so, what for and how much was requested?

### Response

Liverpool City Council did not submit any applications to the Community Sport Infrastructure grant program which closed in September 2018.

Two community sporting organisations in the Liverpool LGA were successful in gaining funding of \$50,000 under this program.

- Kemps Creek Soccer Club (\$50,000 – Floodlighting improvements)
- Moorebank Soccer Club (\$50,000 – Floodlighting improvements)

Council subsequently provided support to both the Kemps Creek Soccer Club and Moorebank Soccer Club to complete their floodlighting projects.

**ITEM NO:** QWN 02  
**FILE NO:** 033779.2020  
**SUBJECT:** Question with Notice - Cllr Rhodes - Public Art for New Civic Centre

At a recent Art exhibition by local artists held at CPAC, there were a number of paintings based on the theme "The history of Liverpool". It would be an opportunity for Council to support both local artists and provide appropriate art in the new Civic Centre.

**Question**

Could paintings be nominated by the public for possible purchase by Council to be hung in the new Civic Centre once it is built?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**

**ITEM NO:** QWN 03  
**FILE NO:** 033792.2020  
**SUBJECT:** Question with Notice - Cllr Rhodes - Seniors Community Consultation

Council recently identified the concerns seniors identified having a healthy, mind, body and feeling safe as what matters most to them and that Council will be considering policies and strategic directions towards creating an age-friendly City.

**Questions**

1. When will Council be presenting policies to deliver an Age Friendly City?
2. Will there be a specific Council workshop through which Councillors and Community are invited to participate?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**



**ITEM NO:** QWN 04  
**FILE NO:** 033799.2020  
**SUBJECT:** Question with Notice - Clr Rhodes - Monitoring of Air Quality in Child Care Centres

Children's services is working closely with NSW Health and the Rural Fire Services to ensure that risks are minimised for Children and their Families, protecting their health, while in Council's Early Education Centres.

**Questions**

1. What is Council doing to educate and protect the health of Children who do not attend Early Education Centres, or an Education Centre that does not belong to Liverpool Council?
2. How can Liverpool Council ensure the protection of all Liverpool residents during periods of poor air quality?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**

**ITEM NO:** QWN 05  
**FILE NO:** 033804.2020  
**SUBJECT:** Question with Notice - Clr Rhodes - Liverpool Community Hub

Recently Liverpool Council partnered with Community Hubs Australia to support the National Community Hubs Program in Liverpool.

The purpose of the Hubs are to:

Connect Families with each other, their school and existing services and local organisations, that can supply health, settlement support and socialising for Migrant mothers.

**Questions**

1. What does the new National Community Hubs do that was not already being supplied through the Migrant Resource Centre other than a closer connection to the school children may attend?
2. What is the manner in which Council has partnered with the new National Community Hubs, what does Council actually contribute?
3. Does it cost Council money and if so how much?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**

**ITEM NO:** QWN 06  
**FILE NO:** 033809.2020  
**SUBJECT:** Question with Notice - Cllr Harle - Membership on Planning Panels

Council currently operates two Planning Panels that assess Development Applications.

One is the Local Planning Panel and the other is the Sydney Western City Planning Panel. Both Panels have Councillor appointed members.

Can Council ensure that whenever possible the required number of panel members are present at each of the meetings?

Over the past 18 months there has been a notable absence of the required number of panel members assessing development applications for the Liverpool LGA. This is despite having several alternative members listed on the eligibility list.

Is it possible to extend that list and ensure adequate community representation takes place at each and every Panel Meeting?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**

**ITEM NO:** QWN 07  
**FILE NO:** 040253.2020  
**SUBJECT:** Question with Notice - Clr Ayyad - Memorial School of Arts

**Please address the following:**

1. How much was spent on the upgrade of the surrounds of the school of arts?
2. Who prepared the landscaping plan?
3. How much was spent on the design of the landscaping plan?
4. How much did it cost to deliver the landscaping plan?
5. Can you please provide photos of the completed landscaping plan and any media releases related to it?
6. When was the school of arts leased out?
7. When was agreement reached?
8. How much income has been received so far from the lease?
9. When does the lease finish.

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**

**ITEM NO:** QWN 08  
**FILE NO:** 040289.2020  
**SUBJECT:** Question with Notice - Clr Hadchiti - Section 7.11's

**Please address the following:**

1. Is Council aware if the NSW Audit is undertaking a performance audit on Section 7.11 Contribution Towards Provision or Improvement of Amenities or Services, (of the Environmental Planning and Assessment Act 1979)?
2. Has Council undertaken any audits internally/externally on s7.11's during this term of Council and if so, can we be provided with these reports?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**

**ITEM NO:** QWN 09  
**FILE NO:** 040302.2020  
**SUBJECT:** Question with Notice - Clr Hadchiti - Contamination Reports

I thank staff for their response regarding contamination reports in the last business paper.

**Please address the following:**

1. Has Council ever undertaken a survey from companies that have provided contamination reports as part of DA's to seek feedback on Council processes?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**

**ITEM NO:** QWN 10  
**FILE NO:** 040317.2020  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Moorebank Recyclers

**Please address the following:**

1. Has any progress been made on ensuring we don't see a recycling facility in Georges Fair?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**

**ITEM NO:** QWN 11  
**FILE NO:** 040329.2020  
**SUBJECT:** Question with Notice - Clr Hadchiti - Civic Place

**Please address the following:**

1. By submitting an early works DA for Civic Place, can it be interpreted by the public that Council has already determined the final outcome of the building DA before a building DA has even been submitted?

**A response to these questions will be provided in the 25 March 2020 Council meeting business papers.**



**Deputy Mayor Karnib called a recess of Council at 9.36pm.**

**Deputy Mayor Karnib reopened the meeting at 9.44pm - Cllr Balloot and Cllr Hadid were not in the Chambers when the meeting reopened.**

**The public were asked to leave the Chambers.**

## **CLOSED SESSION**

Deputy Mayor Karnib advised that Council would now move into Closed Session to deal with the confidential items on the Council Agenda in accordance with the Local Government Act 1993 as outlined below:

- CONF 01      Mayor and Councillors Charity Ball 2020  
*Item CONF 01 is confidential pursuant to the provisions of s10(A)(2)(a)(g) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors); and, advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege*
- CONF 02      Minutes of the Civic Advisory Committee Meeting held 31 January 2020  
*Item CONF 02 is confidential pursuant to the provisions of s10(A)(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors).*
- CONF 03      RCL2828– Provision of Asbestos Removal, Site Remediation and Demolition Services  
*Item CONF 03 is confidential pursuant to the provisions of s10(A)(2)(d i) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*
- CONF 04      Proposed Acquisition of Lot C DP 19162, 78 Rickard Road, Chipping Norton under the Moorebank Voluntary Acquisition Scheme  
*Item CONF 04 is confidential pursuant to the provisions of s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

CONF 05 Personnel Matter

*Item CONF 05 is confidential pursuant to the provisions of s10(A)(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors).*

**Council moved into Closed Session at 9.44pm.**

**Clr Hagarty left the Chambers at 9.44pm.**

**Clr Hadid and Clr Balloot returned to the Chambers at 9.47pm.**

### **CONFIDENTIAL ITEMS**

**ITEM NO:** CONF 01  
**FILE NO:** 040489.2020  
**SUBJECT:** Mayor and Councillors Charity Ball 2020

### **BACKGROUND**

Councillors received a memo from the Mayor on the 14<sup>th</sup> February 2020 outlining a Mayoral Direction.

The purpose of this motion is to set aside the Mayoral Direction and for Council to follow the process as adopted by Council in order to determine the beneficiary of the Ball.

### **NOTICE OF MOTION**

That Council:

1. Set aside the Mayoral direction dated 14 February 2020; and
2. Continue with its adopted policy as a means of determining the beneficiary of the Mayor & Councillors Ball proceeds.

### **COUNCIL DECISION**

**Motion:** **Moved:** Clr Hadchiti **Seconded:** Clr Hadid

That Council:

1. Set aside the Mayoral direction dated 14 February 2020;

2. Continue with its adopted policy as a means of determining the beneficiary of the Mayor & Councillors Ball proceeds; and
3. The proceeds of the Charity Ball be shared evenly between CNA Italian Australian Services & Welfare Centre (NSW) Inc, and the Salvation Army.

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

Clr Kaliyanda asked that she be record as voting against the motion.

**Clr Hagarty returned to the Chambers at 9.59pm.**

**ITEM NO:** CONF 02  
**FILE NO:** 032893.2020  
**SUBJECT:** Minutes of the Civic Advisory Committee Meeting held 31 January 2020

**COUNCIL DECISION**

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

That Council receives and notes the Minutes of the Civic Advisory Committee Meeting held on 31 January 2020.

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

**ITEM NO:** CONF 03  
**FILE NO:** 018516.2020  
**SUBJECT:** RCL2828– Provision of Asbestos Removal, Site Remediation and Demolition Services

**COUNCIL DECISION**

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

That Council:

1. Accepts the tenders from the following six contractors for RCL2828, to be issued with contracts for all Portions (A, B, C) for an initial three-year contract term, with the option of extending for two 12 month extensions:
  - Ford Civil Contracting Pty Ltd;
  - Beasy Pty Ltd;
  - RMA Contracting Pty Ltd;
  - CPA Contracting Pty Ltd;
  - Insite Remediation Services Unit Trust T/A Insite Remediation Services Pty Ltd; and
  - Liberty Industrial Pty Ltd.
  
2. Makes public its decision regarding Tender RCL2828– Provision of Asbestos Removal, Site Remediation and Demolition Services.
  
3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority.
  
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

Councillors voted unanimously for this motion.

**ITEM NO:** CONF 04  
**FILE NO:** 029732.2020  
**SUBJECT:** Proposed Acquisition of Lot C DP 19162, 78 Rickard Road, Chipping Norton under the Moorebank Voluntary Acquisition Scheme

## **RECOMMENDATION**

That Council:

1. Approves the acquisition of Lot C DP 19162, 78 Rickard Road, Chipping Norton under the provisions of the Moorebank Voluntary Acquisition Scheme for the price and terms outlined in this report;
2. Delegate authority to the CEO or her delegate to negotiate any reduction in price if required as outlined in this report;
3. Upon settlement of the acquisition, classifies Lot C DP 19162, 78 Rickard Road, Chipping Norton as 'Community' land;
4. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993 as this information would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
5. Authorises its delegated officer to execute any documents, under Power of Attorney necessary to give effect to this decision.

## **COUNCIL DECISION**

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

That the recommendation be adopted.

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

The Chairperson, Deputy Mayor Karnib asked that all staff leave the Chambers so that Councillors can deal with CONF 05.

**ITEM NO:** CONF 05  
**FILE NO:** 042261.2020  
**SUBJECT:** Personnel Matter

**COUNCIL DECISION**

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

That Council:

1. Acknowledges the contributions and capabilities of the CEO over the course of the term.
2. Expresses confidence in the leadership of the CEO.
3. Indicates its belief that the newly elected Council should be afforded the opportunity to determine the CEO.
4. Note that the current CEO's contract will expire on 18 December 2020.
5. For the avoidance of doubt, Council determines not to renew the contract of the CEO for the reason stated above (3).
6. As per clause 5.2 of the contract, direct the Mayor to notify the CEO in writing of the decision within 48 hours from the conclusion of this meeting.

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

**MOVE BACK INTO TO OPEN COUNCIL**

**Motion:** **Moved: Clr Hadchiti** **Seconded: Clr Ballot**

That Council move back into Open Session.

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

Deputy Mayor Karnib reopened the meeting at 11.57pm and read out the resolution for CONF 05 (as shown in points 1 – 6 above) which was passed in Closed Session.

**THE MEETING CLOSED AT 12.00am.**

<Signature>

Name:

Title:

Date: 25 March 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 February 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

.....