LIVERPOOL CITY COUNCIL

MINUTES OF THE ORDINARY MEETING HELD ON 29 APRIL 2020

PRESENT VIA VIDEO CONFERENCING:
Mayor Wendy Waller
Councillor Ayyad (arrived at 6.15pm)
Councillor Balloot (arrived at 6.26pm)
Councillor Hadchiti
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda
Councillor Karnib (arrived at 6.19pm)
Councillor Rhodes
Councillor Shelton
Ms Kiersten Fishburn, Chief Executive Officer
Mr Tim Moore, Director City Economy and Growth / Deputy CEO
Mr George Hampouris, Acting 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 David Maguire, Internal Ombudsman
Ms Elizabeth Espinosa, General Counsel, Manager Governance, Legal and Procurement
Mr John F Morgan, Director Property & Commercial Development
Mr Vishwa Nadan, Chief Financial Officer
Ms Nada Mardini, Manager Community Standards
Mr David Smith, Manager Planning and 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 the Chief Executive Officer, Ms Kiersten Fishburn.

APOLOGIES

NIL.

CONDOLENCES

NIL.

CONFIRMATION OF MINUTES

Motion: **Moved: Clr Shelton** **Seconded: Clr Harle**

That the minutes of the Ordinary Meeting held on 25 March 2020 and Extraordinary Meeting held on 16 April 2020 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

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

Item: CORP 02 - Response to NOM 05 - A Prominent Permanent Home for the City of Liverpool and District Historical Societys and property developers from civic office

Reason: Clr Shelton is an ordinary member of the Historical Society. He holds no offices and will not participate in the discussions as he's done in previous occasions.

Clr Shelton left the meeting for the duration of this item.

Item: CONF 01 - Independent Members of the Audit, Risk and Improvement Committee Term of Office Extension.

Reason: Clr Shelton is an ordinary member of the Audit Committee. He knows some of the individuals involved only through their involvement in the Audit Committee.

Clr Shelton remained in the meeting for the duration of this item.

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

Item: CORP 02 - Response to NOM 05 - A Prominent Permanent Home for the City of Liverpool and District Historical Societys and property developers from civic office

Reason: Clr Kaliyanda is an ordinary member of the City of Liverpool and District Historical Society.

Clr Kaliyanda left the meeting for the duration of this item.

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

Item: CORP 02 - Response to NOM 05 - A Prominent Permanent Home for the City of Liverpool and District Historical Societys and property developers from civic office

Reason: Clr Hagarty is an ordinary member the City of Liverpool and District Historical Society. .

Clr Hagarty left the meeting for the duration of this item.

PUBLIC FORUM

Nil.

MAYORAL REPORT

Nil.

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 075692.2020
SUBJECT: Draft Privacy Policy - recommendations for amendment by Information and Privacy Commission

COUNCIL DECISION

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

That Council adopt the Draft Privacy Policy attached to this report.

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

ITEM NO: CEO 02
FILE NO: 058398.2020
SUBJECT: Response to QWN 15 Edmondson Park Commuter Car Parking from 5 February 2020 council meeting

COUNCIL DECISION

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

That Council receive and note the report and perform the necessary road repairs and construct a safe thoroughfare along Croatia Avenue (along the stretch of road where a pedestrian was hit on 22 April 2020 and passed away) and calls on the NSW Government to immediately fast track construction of the commuter carpark and have alternate parking arrangements in place during construction.

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

ITEM NO: CEO 03
FILE NO: 071117.2020
SUBJECT: Mayoral Direction pursuant to Section 226(d) of the Local Government Act 1993

COUNCIL DECISION

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

That Council note and endorse the Mayoral Direction dated 17 March 2020 attached to the report.

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

Clr Ayyad arrived at 6.15pm
Clr Karnib arrived at 6.19pm

CITY ECONOMY AND GROWTH REPORT

ITEM NO: EGROW 01
FILE NO: 052059.2020
SUBJECT: LEP Review: Public Exhibition of draft Local Housing Strategy, draft Centres and Corridors Strategy & draft Industrial and Employment Lands Strategy

COUNCIL DECISION:

Motion: **Moved: Clr Shelton** **Seconded: Clr Kaliyanda**

That Council:

1. Place the Draft Local Housing Strategy; Draft Centres and Corridors Strategy and Draft Industrial and Employment Lands Strategy on public exhibition for 42 days; and

2. Receive a further report following the public exhibition period detailing submissions received and any amendments proposed.

Foreshadowed motion **Moved: Clr Hadchiti** **Seconded: Clr Hadid**

That Council:

1. Place the Draft Local Housing Strategy; Draft Centres and Corridors Strategy and Draft Industrial and Employment Lands Strategy on public exhibition for 42 days, subject to the following changes;

    i. Remove the key action in the draft Strategy (as shown on page 87 of the Council Agenda) and copied below:

    "Develop an Affordable Housing Contributions Scheme in line with Greater Sydney Commission's requirement for 5-10% affordable housing on up-zoned land"; and

    ii. To classify Middleton Grange as a town centre.

2. Receive a further report following the public exhibition period detailing submissions received and any amendments proposed.

One being put to the meeting the Motion (moved by Clr Shelton) was declared LOST with the Mayor not using her casting vote.

Vote for: Mayor Waller, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton.

Vote against: Clr Ayyad, Clr Hadchiti, Clr Hadid, Clr Harle and Clr Rhodes.

The Foreshadowed motion (moved by Clr Hadchiti) then became the motion and on being put to the meeting was declared CARRIED, with the Mayor using her casting vote to vote for the motion.

Vote for: Clr Ayyad, Clr Hadchiti, Clr Hadid, Clr Harle and Clr Rhodes.

Vote against: Mayor Waller, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton.

Clr Balloot arrived at the meeting at 6.26pm.

ITEM NO: EGROW 02
FILE NO: 034212.2020
SUBJECT: Report back - NOM 01 Feral Cats and Trap-Neuter-Return (TNR) Program from 5 February 2020 Council meeting

COUNCIL DECISION

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

That Council receives and notes this report.

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

ITEM NO: EGROW 03
FILE NO: 049640.2020
SUBJECT: Draft Amendment to Liverpool Development Control Plan 2008 - Part 1 General Controls (Chapter 26 Outdoor Advertising and Signage)

COUNCIL DECISION

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

That Council:

1. Place the draft amendment to the Liverpool Development Control Plan 2008 – Part 1 General Controls (Outdoor Advertising and Signage) on public exhibition for a minimum period of 28 days in accordance with Clause 18 of the *Environmental Planning and Assessment Regulation 2000.*

2. Delegates to the CEO the finalisation of the DCP amendment should no submissions in opposition be received; or receive a further report outlining details of the submissions in opposition received at the conclusion of the exhibition period.

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, Deputy Mayor Karnib and Clr Rhodes.

Vote against: Clr Shelton.

ITEM NO: EGROW 04
FILE NO: 050882.2020
SUBJECT: Draft Amendments to Liverpool Contributions Plan 2009 and Liverpool Contributions Plan 2018 – Liverpool City Centre to ensure clarity around the payment of development contributions for complying development certificates

COUNCIL DECISION

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

That Council:

1. Exhibits draft *Liverpool Contributions Plan 2009 (April 2020 Amendment) and* draft *Liverpool Contributions Plan 2018 – Liverpool City Centre (April 2020 Amendment)* in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and regulations; and

2. Delegates to the A/CEO authority to finalise *Liverpool Contributions Plan 2009 (April 2020 Amendment) and Liverpool Contributions Plan 2018 – Liverpool City Centre (April 2020 Amendment)* if no submissions opposing the changes are received.

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

Councillors voted unanimously for this motion.

ITEM NO: EGROW 05
FILE NO: 056459.2020
SUBJECT: Draft Amendment 1 to Liverpool Contributions Plan 2018 – Existing Areas - Instalment Payments for Secondary Dwellings

COUNCIL DECISION

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

That Council:

1. Exhibits draft *Liverpool Contributions Plan 2018 – Established Areas (Amendment 1)* in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and Regulations; and

2. Delegates 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 was declared CARRIED.

Councillors voted unanimously for this motion.

ITEM NO: EGROW 06
FILE NO: 052134.2020
SUBJECT: Post Exhibition Report - Draft Liverpool Local Environmental Plan 2008 (Amendment 76) - Schedule 1 Amendment to permit vehicle sales or hire premises at 36-36A Kookaburra Rd, North Prestons

COUNCIL DECISION

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

That Council:

1. Notes the Gateway determination for draft Liverpool Local Environmental Plan 2008 (Amendment 76) and the results of public exhibition and community consultation; and

2. Approves Amendment 76 and delegates authority to the CEO to liaise with the NSW Parliamentary Counsel's Office to finalise the amendment.

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

Councillors voted unanimously for this motion.

ITEM NO: EGROW 07
FILE NO: 054341.2020
SUBJECT: Street Naming Request - Edmondson Park

COUNCIL DECISION

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

That Council:

1. Supports the naming of Macdonald Road;

2. Forwards the name to the Geographical Names Board (GNB), seeking formal approval;

3. Publicly exhibit the name in accordance with Council's Naming Convention Policy, for a period of 28 days, following formal approval from the GNB; and

4. Authorises the Chief Executive Officer (CEO) to undertake the process of gazettal, if there are no submissions received during public exhibition.

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

Councillors voted unanimously for this motion.

ITEM NO: EGROW 08
FILE NO: 056601.2020
SUBJECT: Post Exhibition Report - Draft Liverpool Development Control Plan 2008 (Amendment 25)

COUNCIL DECISION

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

That Council:

1. Adopts draft Amendment 25 to the Liverpool Development Control Plan (Part 1 and Part 4) (Attachment 1 and 2) and authorises the CEO to finalise Amendment 25 including the correction of any minor typographical errors to come into effect upon the publication online; and

2. Notifies those who lodged a submission of Council's decision.

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

Councillors voted unanimously for this motion.

ITEM NO: EGROW 09
FILE NO: 057507.2020
SUBJECT: Out of Office Hours Compliance Officers

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Hadid**

That Council,

1. Trial an after-hours service (7am to 9am and 4pm to 10pm) at the expense of no more than $192,500 for 3 months commencing after the Covid lockdown ceases.

2. Monitor the number of out of hour issues responded to and report back to Council.

3. The out of hours shift to have the 2 officers work together.

4. Council to promote the employment of out of hour Ranger and environmental Health Officers surveillance in the Liverpool LGA on Council Website and Social Media including the service contact access telephone number that is answered by the out of hours officers.

5. Council receives a detailed briefing on compliance operations.

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

Clr Shelton asked that he be noted as having voted against the motion.

CITY COMMUNITY AND CULTURE REPORT

ITEM NO: COM 01
FILE NO: 070863.2020
SUBJECT: Alcohol Free-Zones in the Liverpool Local Government Area

COUNCIL DECISION

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

That Council:

1. Endorses the recommended sites for re-establishment of Liverpool Alcohol-Free Zones (AFZ);

2. Places the recommended AFZs on public exhibition for a period of 30 days as required by the Ministerial Guidelines on Alcohol-Free Zones; and

3. Delegates to the CEO the finalisation of the recommended AFZs if no submissions are received; or receive a further report outlining details of the submissions received at the conclusion of the exhibition period.

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

ITEM NO: COM 02
FILE NO: 082328.2020
SUBJECT: Community Development and Planning Committee Charters

COUNCIL DECISION

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

That Council:

1. Receives and endorses the following updated charters:

    - Liverpool Access Committee;
    - Liverpool Community Safety and Crime Prevention Advisory Committee;
    - Aboriginal Consultative Committee; and
    - Liverpool Youth Council.

2. Amends the Tourism Events and CBD Committee Charter so that:

    - Committee members who cannot attend a meeting may delegate a representative to attend the meeting on their behalf by notifying Council officers prior to the meeting. This representative would then be included in the quorum;

    - Change of the quorum requirements to a number of Committee members (4), rather than half-plus-one;

3. Amends the Liverpool Access Committee Charter in 9.4.2 to add the words "Non Councillor" to Committee members so that it reads:

    9.4.2 - Non Councillor Committee members who cannot attend a meeting may delegate a representative to attend the meeting on their behalf by notifying Council officers prior to the meeting. This representative would then be included in the quorum.

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

ITEM NO: COM 03
FILE NO: 042967.2020
SUBJECT: Response to NOM 2 - Ferrington Park

COUNCIL DECISION

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

That Council:

1. Notes the alignment of revitalisation of pocket parks with Council's Recreation, Open Space and Sports Strategy; and

2. Notes the development of an Assessment and Planning Framework when working with the community on open space revitalisation projects.

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

Councillors voted unanimously for this motion.

CITY CORPORATE REPORT

ITEM NO: CORP 01
FILE NO: 095230.2020
SUBJECT: Car parking options within 100 metres of Liverpool train station

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Ayyad**

That Council receive and note this report and that Council notes that most of the land is owned by the State and Council continues to lobby the State Government for a multi-storey carparking within a 600 metres radius of Liverpool train station and include the whole of Scott Street and Railway Street.

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

Clr Shelton and Clr Harle voted against the motion.

Clrs Shelton, Hagarty and Kaliyanda left the meeting for the duration of ITEM CORP 02

ITEM NO: CORP 02
FILE NO: 300783.2019
SUBJECT: Response to NOM 05 - A Prominent Permanent Home for the City of Liverpool and District Historical Society

COUNCIL DECISION

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

That Council:

1. Prepare a master plan for a Visitation Precinct that includes:

   Collingwood House;
   Liverpool Museum;
   New Liverpool Historical Society building;
   An Aboriginal Arts, Culture and Learning facility;
   Café; and
   Car and Bus Parking

   For the land bounded by the Hume Highway, Congressional Drive and Birkdale Crescent Liverpool.

2. Prepare the Visitation Concept Precinct Master Plan design and possible cost and Report back to July Council Meeting 2020 in order to further place on Exhibition for Community Consultation.

3. Lobby State and Federal Governments for funding and include the Visitation Precinct Master Plan in the 10 year plan of Council.

4. Consider the Government initiative for TCorp loans for Community projects could be applicable for this project at the next Budget Review Meeting.

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

ITEM NO: CORP 03
FILE NO: 055849.2020
SUBJECT: Investment Report February 2020

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Shelton**

That Council receives and notes this report.

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

ITEM NO: CORP 04
FILE NO: 060049.2020
SUBJECT: Amendment to Councils Investment Policy

COUNCIL DECISION

Motion: **Moved: Clr Hadid** **Seconded: Clr Rhodes**

That Council considers and adopts the amended Investment Policy.

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

ITEM NO: CORP 05
FILE NO: 084313.2020
SUBJECT: Investment Report March 2020

COUNCIL DECISION

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

That Council receives and notes this report.

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

CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO: INF 01
FILE NO: 051729.2020
SUBJECT: Upgrades to Whitlam Leisure Centre

COUNCIL DECISION

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

That Council:

1. Receives and notes this report with amendment to include the feasibility of solar panels on exhibition hall roof with the necessary power to run the Air Conditioning System.

2. Notes that identified works will be included in next year's capital works program (if feasible) following completion of all required investigations and design be included in Council's 2019/20 works program.

3. Seek appropriate grants for the project.

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

ITEM NO: INF 02
FILE NO: 052678.2020
SUBJECT: Roads in Middleton Grange and Western Sydney Parklands

COUNCIL DECISION

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

That Council:

1. Receives and notes this report; and

2. Notes that a program of improvement works covering the identified rural roads will be included in Council's 2019/20 works program.

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

Councillors voted unanimously for this motion.

ITEM NO: INF 03
FILE NO: 058439.2020
SUBJECT: Conservation of Koala Habitat Corridors

COUNCIL DECISION

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

That Council:

1. Receives and notes this report;

2. Investigate virtual fencing to mitigate road kill of Koalas at kill hotspots in Liverpool;

3. Meet with Featherdale Wildlife Park in time to contribute the response to issues raised in:

   a) INF 04 Animal Holding Facility; and
   b) NOM 02 Animal Shelter.

4. Notes that a further report will be provided following completion of investigations into the outcomes of the feasibility of provision of a koala hospital and sanctuary within the LGA by the May/June/July Council meeting 2020; and

5. Negotiates with other councils bordering Liverpool.

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

ITEM NO: INF 04
FILE NO: 083909.2020
SUBJECT: Animal Holding Facility

COUNCIL DECISION

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

That Council:

1. Receives and notes this report.

2. Identifies land that can accommodate a permanent animal shelter and possible Koala sanctuary in the Liverpool LGA (if the Koala Sanctuary is not provided for in the Western Sydney Parklands) and includes a possible animal training and exercise facility.

3. Prepare a report on costs to:

   a) build a temporary animal holding facility on the current site if a long term lease could be arranged with the current owner for a period necessary for Council to build its new permanent facility.

   b) build a temporary holding facility on the Rossmore Grange site land while the permanent facilities are being built.

   c) time it would take to build temporary and permanent facilities.

   d) inclusive of concept designs, costing and funding strategy for the building of the proposed animal holding facilities both temporary and permanent that is comparative to the current facility.

   e) an option to include a possible Koala Sanctuary with a third party if interested in a joint venture and agrees to its management of the sanctuary operation.

   f) The report to be presented back to the May Council Meeting 2020.

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

Councillors voted unanimously for this motion**.**

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 081065.2020
SUBJECT: Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee meeting held on 5 March 2020

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Hadid**

That Council receives and notes the Minutes of the Liverpool Community Safety and Crime Prevention Advisory Committee Meeting held on 5 March 2020.

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

ITEM NO: CTTE 02
FILE NO: 081615.2020
SUBJECT: Liverpool Sports Committee Minutes of meeting held 5 March 2020

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Hadid**

That Council receives and notes the Minutes of the Liverpool Sports Committee Meeting held on 5 March 2020.

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

ITEM NO: CTTE 03
FILE NO: 081925.2020
SUBJECT: Meeting Notes of the Liverpool Youth Council meeting held on 12 February 2020 and Minutes of the Liverpool Youth Council meeting held on 4 March 2020

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Hadid**

That Council:

1. Receives and notes the Meeting Notes of the Liverpool Youth Council meeting held on 12 February 2020; and

2. Receives and notes the Minutes of the Liverpool Youth Council meeting held on 4 March 2020.

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

ITEM NO: CTTE 04
FILE NO: 082104.2020
SUBJECT: Minutes of the Aboriginal Consultative Committee meeting held on 19 February 2020

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Hadid**

That Council receives and notes the Minutes of the Aboriginal Consultative Committee Meeting held on 19 February 2020.

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

ITEM NO: CTTE 05
FILE NO: 047601.2020
SUBJECT: Minutes of the Audit, Risk and Improvement Committee Meeting held on 7 February 2020

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Hadid**

That Council receives and notes the Minutes of the Audit, Risk and Improvement Committee Meeting held on 7 February 2020.

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

ITEM NO: CTTE 06
FILE NO: 057499.2020
SUBJECT: Minutes of the Tourism and CBD Committee meeting held on 11 February 2020

COUNCIL DECISION

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

That Council:

1. Receive and note the Minutes of the Tourism and CBD Committee meeting held on 11 February 2020, noting that the first motion shown on page 337 of the Council Agenda (and shown below) has lapsed in the circumstances.

   *MOTION**:** Report from City Economy team if there are any ongoing impacts of the corona virus on Liverpool's economy.*

2. Endorse the other recommendations and actions in the Minutes

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

ITEM NO: CTTE 07
FILE NO: 089335.2020
SUBJECT: Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 18 March 2020

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Hadid**

That Council adopts the following recommendations of the Committee:

Item 1 - Jedda Road, Prestons - Proposed Line marking Scheme

- Council approves separation 'BB' and 'S1' line marking, as well as 'E1' edge line marking on both sides of the Jedda Road section east of Joadja Road to provide a single traffic and parking lane in both directions.

Item 2 - George Street and Lachlan Street intersection, Liverpool – Proposed Roundabout

- Council approves the construction of a single lane roundabout at the George Street and Lachlan Street intersection, Liverpool.

Item 3 - 365-405 Denham Court Road, Leppington – Proposed Roundabout and Signs and line marking Scheme for the subdivision

- Council approves installation of a single lane roundabout and raised thresholds at three intersections and regulatory signs and line marking scheme in the new subdivision.
- Detailed designs of the roundabout, raised thresholds and signs and line marking scheme addressing the Committee's comments are to be submitted to TfNSW for endorsement prior to installation.

Item 4 - 68 Speed Street, Liverpool – Proposed Car Park

- Council approves signs and line marking within the proposed carpark at the intersection of Speed Street, Mill Road and Shepherd Street, Liverpool.
- Detailed design addressing the following comments are be submitted to the Committee Technical Members for endorsement prior to installation:
    - Raised threshold across the northern Speed Street approach to the Speed Street/Mill Road roundabout.
    - The proposed driveway design off Speed Street restricted to entry only.
    - The informal opening in the median island (in the Speed Street northern approach) being closed to form part of the splitter island.

- Additional pedestrian access from the south west corner to Shepherd Street.

Item 5 - Stroud Avenue, Warwick Farm – Proposed Parking Restriction

- Council approves in-principle 4P, 7am-6pm MON-FRI, 8am-1pm SAT restrictions, along a section of Stroud Avenue (opposite Rosedale Oval), subject to TfNSW's endorsement.

Item 6 - Marsden Road, Liverpool - Proposed Raised Pedestrian Crossing

- Council approves upgrade of the existing combined pedestrian crossing facility in front of Marsden Road Public School to a raised marked combined crossing and removal of the adjacent speed hump.

Item 7 - Cecil Hills Various Streets – Request for Traffic Calming Devices

- Council undertakes community consultation with Lancaster Avenue, Spencer Road and Edinburgh Circuit residents, and if supported prepare and present detailed designs of speed humps to a future Committee meeting.

Item 9 - Ganeshotsava Special Event – Street Parade, Liverpool on 30 August 2020.

- Council classify the 'Ganeshostsava Procession' through the Liverpool city centre on 30 August 2020, as a Class 2 Special Event with all associated conditions including:
  - Submission of a Traffic Management Plan to TfNSW for endorsement
  - Police approval for the management of the associated rolling road closures
  - Advertisement of the event in local newspapers
  - Road Occupancy License to be obtained from Transport Management Centre.

Item 10 - Various Streets - Community Requests for Minor Traffic Facilities

- Council approves Installation of a 'Bus Zone' along the southern side of Cabramatta Avenue, Miller, in front of Michael Wenden Aquatic Leisure Centre.
- Council approves installation of separation (S1) and edge (E1) line markings in sections of Talana Hill Drive, between Bergendal Drive and Jardine Drive, Edmondson Park, as shown the report.

Item 11 - Bernera Road and Greenway Drive, Edmondson Park – Proposed traffic facilities including signs and line marking

- Council approves signs and line marking scheme along sections of Bernera Road and Greenway Drive, and installation of a roundabout at Bernera Road and Henderson Road intersection.

Item 12 - 220 McIver Avenue and 195 Southern Cross Avenue, Middleton Grange - Signs and line marking

- Council approves signs and line marking scheme along sections of Flight Circuit and McIver Avenue and associated intersections.

Item 13 - Items Approved Under Delegated Authority

- Notes the traffic facilities approved under Delegated Authority between 9 January 2020 and 8 March 2020.

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

ITEM NO: CTTE 08
FILE NO: 089598.2020
SUBJECT: Minutes of the Strategic Panel Meetings held on 3 March and 9 March 2020

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Hadid**

That Council receives and notes the Minutes of the Strategic Panel Meetings held on 3 March and 9 March 2020.

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

ITEM NO: CTTE 09
FILE NO: 089732.2020
SUBJECT: Minutes of Budget Review Panel 20 March 2020

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Hadid**

That Council adopts the minutes of the Budget Review Panel meeting held on 20 March 2020.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 065430.2020
SUBJECT: Question with Notice - Clr Balloot - Cyber Security and Operating Expenditure

Please address the following:

1. Does Liverpool council have its cyber security policies up to date to meet the current cyber security threats?

2. Does Liverpool council have its IT policy for security and disaster recovery in place to meet the challenges in 2020 and beyond?

3. Please advise if Liverpool council operating expenditure exceeds their operating revenue for 2020?

Response

1. **Does Liverpool council have its cyber security policies up to date to meet the current cyber security threats?**

Liverpool City Council's Cyber Security Standard was developed and implemented in December 2019. This is an important component in Council's overall approach to manage cyber security threats across the organisation. The standard is designed to ensure Council is resilient, current and emerging risks are appropriately managed, mitigated and monitored and a level of expectation is established. Council has an extensive project list geared around cyber security which is led by the IT Business Unit such as;

- complying with the ASD 8 which has been developed by the ACSC Australian Cyber Security Centre https://www.cyber.gov.au/publications/essential-eight-maturity-model
- Upgrading of councils Firewalls which is currently being implemented with all the latest features
- Adoption of Multifactor Authentication
- Security patching of all councils' systems
- Annual Testing (which is currently being conducted)
  - Vulnerability Scanning of internal network
  - External Penetration testing
  - Internal penetration testing
- Ensuring correct user permissions and delegations by auditing user access of corporate systems on a regular basis.
- Running phishing campaigns across council
- User awareness training programs
- Keeping logs of cyber security threats

- Upgrading councils Email security
- Council system backups (Daily backups)
- We are also register with the Cyber Security advisory board.

Attached in the Agenda is an extract from the "Report on Local Government 2019" by the NSW Audit Office which was published in March 2020 (Pages 41 to 46). As shown in this extract, Council is well positioned and has a mature cyber security framework when compared to its peers in the Local Government Sector. Council's program of works ensures that it keeps up to date with best practice and to protect the integrity of Council's data and information.

2. **Does Liverpool council have its IT policy for security and disaster recovery in place to meet the challenges in 2020 and beyond**?

Council has a Disaster Recovery Plan (DRP) which aligns with Council's BCP (Business Continuity Plan). The DRP was revised in October 2019. As part of this revision, the DRP was submitted to ARIC and subsequently endorsed prior to being finalised.

At a high level, the scope of the DRP is based on 2 possible scenarios for System Recovery:

1) A catastrophic failure and/or unavailability of the entire production Virtual Datacentre infrastructure. This includes loss of power and access to the datacentre and its main buildings for a prolonged period of time.

2) A system specific failure that would result in data loss if restored from a previous backup and the impact caused by the recovery time if data needs to be restored from backup Disks or Tapes.

This DRP details disaster recovery plans for various systems and infrastructure. For instance, there is a DRP for each core application. The DRP does not replace the need for having a backup solution, but instead complements it by providing the ability to quickly recovery systems in the scenario of a data backup failure.

Council is committed to peer reviewing this towards the end of the calendar year to ensure it is up to date and all risks and best practices are considered.

Council IT, as part of Audit Office requirements and internal best practice assessments, conduct on a cyclical basis, auditing of user permissions and access to core application and IT Systems. This is to ensure appropriate permissions and access along with maintaining data integrity.

3. **Please advise if Liverpool council operating expenditure exceeds their operating revenue for 2020?**

The OLG Code of Accounting Practice and Financial Reporting requires Councils to include in its audited annual statements performance matrices, including "operating performance

ratio" which measures the extent to which Council has succeeded in containing operating expenditure within operating revenue. The benchmark is greater than 0%.

Table below provided historical and projected results for 2019/20:

Actual 2015/16	Actual 2016/17	Actual 2017/18	Actual 2018/19	Original Budget 2019/20	Revised Budget 2019/20	Forecast Post-Covid19 2019/20
-2.63%	2.40%	5.43%	6.39%	-4.07%	-4.01%	-4.92%

The negative result in 2015/16 is due to significant expenditure on asbestos waste remediation.

ITEM NO: QWN 02
FILE NO: 065448.2020
SUBJECT: Question with Notice - Clr Balloot - Forum - National Redress Scheme of survivors of institutional child sexual abuse

Please address the following:

On Thursday 5th of March I attended the special briefing by New South Wales Attorney General the Honorable Mark Speakman regarding the National redress scheme is part of the federal government response to the royal commission into institutional responses to child sexual abuse.

Council, and Mayors specifically, have new obligations under these reforms, which the state government has committed to.

While historically cases of child abuse in councils and council-run institutions are expected to be rare, councils were signed up to the national redress scheme by the New South Wales government, which will underwrite any financial liability.

Does Liverpool council have a policy on child sexual abuse?

Response

The Children's Guardian Act was passed on 21 November 2019 to implement the recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse.

Under this Act, there are legal statutory requirements for all councils including:

- Implementing the Royal Commission's 10 Child Safe Standards;
- The development of a Child Protection Policy that covers all Council departments;
- A working group to consider and embed child safe practices across Council; and
- A designated Child Safety Officer position/s from existing staff profiles to carry out the functions requiring regulatory compliance.

The Community Development and Planning team are leading Council's implementation of the Children's Guardian Act requirements, including the drafting of a Child Protection Policy.

In accordance with the statutory requirements of the Act, Council has established a Child Safe Working Group. This working group includes representatives from each directorate and is leading the development of a Child Protection Policy. Although not all Council staff work directly with children, the child safe practices include measures for upholding children's rights. These include: children's participation in decisions that affect them; and ensuring anyone working with children in any capacity understands the child's rights, child protection, safety and wellbeing. Some of the practical implications for Council include Council events, activities, surveys, workshops, community engagement, school engagement, recruitment of

staff, ethical procurement (not using companies implemented in child exploitation) and competitions.

Council will be provided with regular updates of the implementation of the Children's Guardian Act requirements.

ITEM NO: QWN 03
FILE NO: 065466.2020
SUBJECT: Question with Notice - Clr Balloot - Coronavirus (COVID-19)

Please address the following:

We have over 100 Coronavirus cases confirmed in Australia, including three deaths up-to-date (11 March 2020).

We have 54 Confirmed cases in NSW up to date (11 March 2020).

What measures is Council taking to ensure the safety of our staff and residents from the spread of Coronavirus?

What measures is Council taking to ensure to the support of small business in our LGA?

Response

Council has undertaken extensive work to ensure the safety of our staff and residents from the spread of coronavirus. All staff who are able to are working from home; teams have been split to ensure business continuity; and additional safety precautions implemented on continuing worksites, including City Presentation. Regular and continuing updates on Council's response, as well as Federal and NSW Government safety advice, have been communicated with residents. Councillors were provided with an extensive briefing by Council staff on Thursday 2 April and Wednesday 8 April. A comprehensive package of 19 initiatives was then endorsed by Councillors at an Extraordinary Council meeting on 16 April.

ITEM NO: QWN 04
FILE NO: 067198.2020
SUBJECT: Question with Notice - Clr Hagarty - Brontos

Please address the following:

Previously the nearest Brontos were located at St Andrews and Parramatta. Is this still the case?

Response

Fire & Rescue NSW have informed Council that St Andrews does not have a Bronto but Parramatta does. They have also advised that if there is a fire at Liverpool it would be serviced by the Bronto at Parramatta.

Attached in the Agenda is a letter from the Minister for Police and Emergency Services to the Mayor dated 3 August from 2018 concerning the location of the Bronto.

ITEM NO: QWN 05
FILE NO: 069301.2020
SUBJECT: Question with Notice - Clr Shelton - Event Cancellations

Please provide:

i. A list of all Council events cancelled or postponed over the last twelve months due to extreme weather events;

ii. A list of all Council events cancelled or postponed over the preceding twelve months due to extreme weather events; and

iii. iii. An estimate as to the costs arising from item (i).

Response

A list of all Council events cancelled or postponed over the *last* twelve months due to extreme weather events	An estimate as to the costs arising from item (i).	A list of all Council events cancelled or postponed over the *preceding* twelve months due to extreme weather events
Major Events		
No major events have been cancelled due to extreme weather events in the last twelve months (March 2019 - March 2020). • The NYE pyrotechnics display was cancelled, but the event proceeded.	Cost to Council was the $15,000 forfeited deposit, and a credit was issued for the pyrotechnic product to use at a future event.	In the preceding 12 months (March 2018 - March 2019) no Major Events were cancelled due to extreme weather events, and all events were executed in full.
City Economy		
• Movies in the Mall 4 October – Wind	$123.60	None
• Movies in the Mall 4 December – Smoke	No cost	
• Love Livo Nights 5 March – Heavy rain	Still in cancellation process current costs $1343.32	
• Love Livo Nights 5	Cancellation cost was $3146.75	

December – Postponed to January due to smoke		
Library & Museum Services		
• Outdoor Cinema 2001: A Space Odyssey (One Small Step Moon Landing exhibition) High wind weather forecast	Cost to Council was $2,032.00. Hired furniture, heaters, barriers, toilets had been delivered onsite from Pillingers Hiring Service.	None
• Outdoor Cinema The Dish (One Small Step Moon Landing exhibition) Decided not to proceed due to potential weather risk	Cost to Council was the $312.75 for security	
Community Development and Planning		
• Stop DV Day (6 December 2019). Postponed due to smoke	Council provided a $10,000 Corporate Sponsorship Grant for this project. The group has been granted an extension of the funding to deliver the event at a later stage.	None
• Christmas in Carnes Hill (19 December 2019) smoke hazard and excessive temperature (over 40 degrees)	Cost to Council was $10,780.41, $3,256.00 of which was issued as credit to use at a future event	
• Outdoor Cinema in Carnes Hill (6 March 2020) – Heavy rain	Cost to Council was $4,125.20, $2,550.00 of which was issued as credit to use at a future event.	In the preceding 12 months, there were two events at Carnes Hill that were cancelled due to extreme weather: - Movie under the stars (October 2018) Heavy rain - Summer holiday movie (January 2019) Thunderstorms
• Memories in the Mall	$1485 paid to performer. Artist	

(13 February 2020) Cancelled due to rain.	is holding this amount as a deposit for a later event.	
Civic and Citizenship		
• John Dwyer Bridge relaunch (19 November 2019) Cancelled due to extreme hot weather.	$2500 for infrastructure delivered on the day.	No citizenships or civic events cancelled from March 2018 to March 2019. All events were executed in full.
	TOTAL: $49,364.03 CREDITS: **$19,831.20** NET COST: $29,532.83	

ITEM NO: QWN 06
FILE NO: 069345.2020
SUBJECT: Question with Notice - Clr Balloot - Civic Place

Please address the following:

1. Has council done an internal audit report in recent times?

2. Did any of the Councillors view the signed contract between Liverpool Council and Buildcorp Australia for the construction of Civic Place?

3. Can you advise why the cost for the Civic Place has risen from an estimated $75 million in 2016 to $195 million currently?

Response

1. **Has council done an internal audit report in recent times?**

   LCP has been subjected to probity and scrutiny by a number of independent probity advisors and the Council's Audit, Risk and Improvement Committee. No Internal audits have been performed on the Liverpool Civic Place project until now.

   The Head of Audit, Risk and Improvement has now prioritised an audit of LCP, after the QWN raised by Councillor Hadchiti. The audit scope for the proposed audit was presented at the 19 March 2020 Councillor briefing with no additional concerns noted at the time. An external audit firm has subsequently been appointed on 6 April 2020 to conduct this review.

2. **Did any of the Councillors view the signed contract between Liverpool Council and Buildcorp Australia for the construction of Civic Place?**

   No, Councillors have not yet viewed the signed contract. Council resolved on 29 October 2019, in relation to LCP, to amongst other things, "Delegate authority to the CEO to negotiate and execute any changes to the Project Development Agreement with Built Holdings Pty Ltd.....". Councillors have been provided with access to the executed agreement.

3. **Can you advise why the cost for the Civic Place has risen from an estimated $75 million in 2016 to $195 million currently?**

   Liverpool Civic Place (LCP) was approved by Council in June 2016 with a Total Project Cost estimated at $87m. Since then, LCP has gone through many changes since the initial concept plan in 2016.

The key change has been an increase in the Council Works scope, from the initial 7,000 sqm of Council offices, 6,000 sqm Commercial /UoW office space and 3,000 sqm Library, for a total of 16,000 sqm to a now current total of 22,500 sqm.

This new Council Works scope represents a 41% increase in area and now includes 8,500 sqm Commercial/UoW space, 8,000 sqm Council offices, Council Chambers and Childcare and 5,000 sqm of City Library.

In addition to the above scope increase and associated additional building costs, it should be noted the cost escalation, increase in construction costs per annum, had been running at 4-5% pa and were forecast to continue at these rates for the term of the project i.e. 2-3 years.

It should also be noted, that the current LCP Total Project Cost at $195m now includes provision for this forecast escalation($4m), in addition to further design and project contingencies($16m) on advice of our consultants.

All of the above information, including the increase to the Council Works scope, has been presented in detail to Councillors and reported numerous times to Council, including the latest report and endorsement in October 2018.

ITEM NO: QWN 07
FILE NO: 098282.2020
SUBJECT: Question with Notice - Clr Hadchiti - Trees

Please address the following:

1. What progress has been made with the grant to plant trees across the City Centre?

2. Some trees on Council owned land create issues for resident's sewer and stormwater pipe systems. Besides leaving a hole in the ground when this occurs and waiting for Council to inspect pipes and confirm the roots are creating a problem, is there another solution for confirmation?

A response to these questions will be provided in the 27 May 2020 Council meeting business papers.

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

That Council move into Closed Session at the end of this meeting to deal with this item pursuant to the provisions of s10A(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors*).*

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

Note: this item was dealt with later in the meeting in Closed Section as shown on page number 67 of these minutes.

PRESENTATIONS BY COUNCILLORS

Nil.

ITEM NO: EGROW 10
FILE NO: 098127.2020
SUBJECT: Timing of Section 7.11 & 7.12 Payments

COUNCIL DECISION

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

That Council:

1. Exhibit concurrently the amendments included in this report to:

   1.1 *Liverpool Contributions Plan 2009,*
   1.2 *Liverpool Contributions Plan 2008 - Edmondson Park,*
   1.3 *Liverpool Contributions Plan 2014 - East Leppington 2014,*
   1.4 *Liverpool Contributions Plan 2014 - Austral and Leppington North,*
   1.5 *Liverpool Contributions Plan 2018 - Liverpool City Centre* and
   1.6 *Liverpool Contributions Plan 2018 - Established Areas*

   in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and regulations;

2. Delegates to the CEO authority to adopt the amendments to the Contributions Plans; and

3. Endorse the interim approach to conditioning development approvals prior to formalising the amendment to the Contributions Plans.

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

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 094925.2020
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 billon 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 Clr 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; and

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: Clr Rhodes** **Seconded: Clr Harle**

That Council provides a percentage of the Environment Protection Levy for the protection of Wildlife in the Liverpool LGA providing the Environment Protection Levy accepts the protection of habitat for wildlife as being one of its responsibilities.

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

ITEM NO: NOM 02
FILE NO: 097686.2020
SUBJECT: Animal Shelter

NOTICE OF MOTION (submitted by Clr Ayyad)

That Council:

1. Direct the CEO to prepare a planning proposal amending Schedule 1 (Additional Permitted Uses) of Appendix 8 – Liverpool Growth Centres Precinct Plan contained within State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to permit with development consent an animal shelter, also known as an "animal boarding or training establishment" under the Standard Instrument LEP on the land bordered by Fourth Ave, Fifth Ave, Edmonson Ave, and Bringelly Rd. This includes WV Scott Memorial Park; and

2. Notes that the advice of the Liverpool Local Planning Panel is required before Council considers whether or not to forward the planning proposal to Minister for a Gateway determination.

COUNCIL DECISION

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

That Council defer this item to the next council meeting to be discussed as part of the Animal Shelter Location report.

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

ITEM NO: NOM 03
FILE NO: 098221.2020
SUBJECT: Economic Development Committee Meetings

BACKGROUND

Liverpool Council has experienced an unprecedented situation as a cause of the Coronavirus.

It can be observed now that there are emerging demands and priorities for Council to be able to achieve the best outcomes both economically and socially for Liverpool's recovery.

Experience can now show that there are State and Federal initiatives and changes made both National and in NSW on a daily to weekly basis that have enormous considerations on Councils decisions. The decisions made daily have impacts on the decisions of Council and the directions that Council has to take in order to deliver the most effective and expedient directions for Council and our constituents.

At the extraordinary meeting on the 16 April, it became more obvious than ever that business as usual by Council in holding meetings, even on a weekly basis, can and has put the decisions of Council one week behind the latest directives and initiatives by both the State and Federal Governments.

The issues considered at the Extraordinary meeting were issues raised by Council the previous week and by the time of the meeting a week later, the Federal Council was already announcing its intention to possibly move to a recovery stage in less than three weeks' time.

The Recovery stage implementation was not the focus of the extraordinary meeting as Council was still focused on implementing measures to soften the economic hardships in the belief, as expressed one week before by the Federal Government and before the Council Extraordinary meeting, that we were in this for the long haul and that the lockdown measures may even be a part of the new normality.

Just one week later after the announcements we were in this for the long haul and actually on the night of the Extraordinary meeting the Federal Government announced a new direction that initiated plans for the recovery to begin in just three weeks.

The matters addressed at the Extraordinary meeting of Council discussed measures to enable Liverpool to be able to survive the possible ongoing pandemic for at least 3 months and possibly 18 months, this of course as we now know was not the directive from the Federal Government on the night of the Extraordinary meeting and it was announced that it was likely lockdown restrictions would begin being lifted in just three weeks' time.

This has highlighted the need for Council to be more flexible than the business as usual approach in lead times for meetings. It has shown the need for the opportunity for the frequent changes to be discussed in open forums on a regular basis, in order for Council to be in step with the timing of and decisions made in this very volatile time.

The most significant department of Council to lead Liverpool in the recovery process is Economic and Development section of Council, they need councillor engagement as the representatives of the community to be a part of the very important flow of information from the community into that decision making.

The decisions have to be flexible and decisive to meet what might be a very fast moving bumpy ride as both the Federal and State Governments will no doubt be making their state and national directives on a daily basis.

Council and Councillors needs to do more to meet the demands of the situation in order to deliver the most effectual decisions and directions for the recovery of the Liverpool social order and economy.

I as a Councillor as I am sure all other Councillors want to do whatever is needed in their duty of care for the constituents who elected us to represent them.

Together we can lead the direction for Liverpool's social and economic recovery by all working together with the department who is in charge of that recovery.

I ask for the opportunity as a councillor be able to contribute to the ideas, the constituent feedback and the discussion and reporting on measuring of the initiatives success through weekly meetings of the Economic and Development team of Council.

NOTICE OF MOTION (submitted by Clr Rhodes)

That Council hold weekly economic development committee meetings open to Councillors to address the changing needs in the recovery process for Liverpool as a result of Covid 19.

COUNCIL DECISION

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

That Council:

1. Include in the monthly Briefing meeting agenda, a report addressing the:

    a) Actions taken by Council to address the economic challenges as a result of the Covid Pandemic.

b) The results of the actions taken by Council to address the economic challenges as a result of the Covid Pandemic.

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

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 072820.2020
SUBJECT: Independent Members of the Audit, Risk and Improvement Committee Term of Office Extension

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Harle**

That Council:

1. Approve an extension of the current term of office for the Audit, Risk and Improvement Committee Chair and independent members for an additional 1-year term to September 2021; and

2. Approve an optional 1-year option should the new OLG pre-qualification for ARIC members not be operational by August 2021.

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

ITEM NO: CONF 02
FILE NO: 277900.2019
SUBJECT: Acquisition - Clermont Park, Lot 4601 in DP 1248502 - Edmondson Park, for open space purposes

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Kaliyanda**

That Council:

1. Approves the acquisition of Clermont Park, being Lot 4601 in DP 1248502, land bounded by Guillemont Road, Bezentin Ridge Road, Buchan Avenue and Faulkner Way, Edmondson Park, for the price and terms outlined in this report;

2. Upon settlement of the acquisition, classifies Lot 4601 in DP 1248502 as 'Community' land;

3. Keeps confidential this report pursuant to the provisions of Section 10A(2)(c) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and

4. Authorises its delegated officer to execute any document under Power of Attorney necessary to give effect to this decision.

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

ITEM NO: CONF 03
FILE NO: 070566.2020
SUBJECT: Hammondville Park Leisure Precinct

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Hagarty**

That Council deal with this item in Closed Session later in the meeting pursuant to the provisions of s10A(2)(c) (d i) 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; AND 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.

Note: this item was dealt with later in the meeting in Closed Section as shown on page number 68 of these minutes.

ITEM NO: CONF 04
FILE NO: 088908.2020
SUBJECT: Acquisition of Lot 1046 DP2475 and being 255 Sixth Avenue, Austral

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Karnib**

That Council:

1. Approves the acquisition of Lot 1046 DP2475, being 255 Sixth Avenue, Austral on the terms outlined in this confidential report;

2. Authorises the CEO or her delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision;

3. Resolves to classify Lot 1046 DP2475 as “operational” land in accordance with the Local Government Act, 1993; and

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.

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

ITEM NO: CONF 05
FILE NO: 090824.2020
SUBJECT: Legal Affairs Report - 1 January 2020 to 31 March 2020

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Hagarty**

That Council move into Closed Session later in the meeting to deal with this item pursuant to the provisions of s10A(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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

Note: this item was dealt with later in the meeting in Closed Section as shown on page number 69 of these minutes.

ITEM NO: CONF 06
FILE NO: 093323.2020
SUBJECT: Tender WT2892 - Phillips Park Redevelopment

COUNCIL DECISION

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

That Council:

1. Accepts the tender from HPAC Pty Ltd for Tender WT2892 - Phillips Park Redevelopment for a 52 week contract term at the corrected GST inclusive price of $13,634,393.30.

2. Makes public its decision regarding Tender WT2892 - Phillips Park Redevelopment.

3. Delegates the Chief Executive Officer to 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. This report has been brought to Council because the Chief Executive Officer's instrument of delegation, approved by Council in accordance with the current provisions of section 377 of the Local Government Act 1993, only permits the Chief Executive Officer to accept tenders up to a value of $2 million.

5. 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.

Vote for: Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton.

Vote against: Clr Harle and Clr Rhodes.

ITEM NO: CONF 07
FILE NO: 057574.2020
SUBJECT: Lurnea Council property - proposed sale

COUNCIL DECISION

Motion: **Motion: Moved: Clr Harle Seconded: Clr Hagarty**

That Council move this item into Closed Session to be dealt with later in the meeting pursuant to the provisions of s10A(2)(c) (d ii) 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; AND commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.'

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

Note: this item was dealt with later in the meeting in Closed Section as shown on page number 70 of these minutes.

CLOSED SESSION

Motion: **Moved: Clr Harle** **Seconded: Clr Hagarty**

That Council move into Closed Session to consider QWN 07, CONF 03, CONF 05 and CONF 07 pursuant to the provisions of the Local Government Act 1993 shown below:

Item QWN 07 Question with Notice - Clr Hadchiti - Trees is confidential pursuant to the provisions of s10A(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors).

Item CONF 03 - Hammondville Park Leisure Precinct is confidential pursuant to the provisions of s10A(2)(c) (d i) 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; AND commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Item CONF 05 Legal Affairs Report - 1 January 2020 to 31 March 2020 is confidential pursuant to the provisions of s10A(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Item CONF 07 Lurnea Council property - proposed sale is confidential pursuant to the provisions of s10A(2)(c) (d ii) 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; AND commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.

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

Recess

Mayor Waller called a 5 minute recess at 8.23pm.

Council moved into **Closed Session** at 8.28pm.

ITEM NO: QWN 07
FILE NO: 098282.2020
SUBJECT: Question with Notice - Clr Hadchiti - Trees

Please address the following:

1. What progress has been made with the grant to plant trees across the City Centre?

2. Some trees on Council owned land create issues for resident's sewer and stormwater pipe systems. Besides leaving a hole in the ground when this occurs and waiting for Council to inspect pipes and confirm the roots are creating a problem, is there another solution for confirmation?

A response to these questions will be provided in the 27 May 2020 Council meeting business papers.

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Balloot**

That Council

1. Remove the small tree located on Council land in front of 10 Whelan Ave Chipping Norton (right hand side).

2. Trim the larger tree located on Council land in front of 10 Whelan Ave Chipping Norton (left hand side) so that no branches overhang the side/back yard.

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

Mayor Waller, Clr Hagarty and Clr Shelton voted against the motion.

ITEM NO: CONF 03
FILE NO: 070566.2020
SUBJECT: Hammondville Park Leisure Precinct

COUNCIL DECISION

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

That Council:

1. Reject the current offer provided by the Moorebank Sports Club;

2. Approve the development of a masterplan for Hammondville Park to enable the creation of a leisure precinct;

3. Direct the CEO to provide sufficient funds for the proposed masterplan works in the 2020/2021 financial year budget;

4. Seek State Government funding support for the creation of a commuter carpark at Hammondville Park to support the demand at Holsworthy Station;

5. Seek State Government support for the creation of more frequent bus services to Holsworthy Train Station via Hammondville Park;

6. Notes that Moorebank Sports Club is a major stakeholder in this process.

7. Works constructively with Moorebank Sports Club on the development of a masterplan for Hammondville Park.

8. Undertake community consultation.

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 Kaliyanda, Deputy Mayor Karnib and Clr Shelton.

Vote against: Clr Harle, Clr Rhodes.

ITEM NO: CONF 05
FILE NO: 090824.2020
SUBJECT: Legal Affairs Report - 1 January 2020 to 31 March 2020

COUNCIL DECISION

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

That Council receives and notes the report concerning the legal affairs of Liverpool City Council and note that the date of the DA lodged for item 13 attached to the Confidential report be corrected to 23 October 2019.

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

ITEM NO: CONF 07
FILE NO: 057574.2020
SUBJECT: Lurnea Council property - proposed sale

COUNCIL DECISION

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

In light of Federal and State Government funding opportunities as a result of Covid-19, Council explore options to retain the site for public benefit.

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

Councillors voted unanimously for this motion.

OPEN SESSION

Council moved back into Open Session at 9.06pm.

Mayor Waller then read out the resolutions from the Closed Session (as shown on pages 67-70 of these minutes).

THE MEETING CLOSED AT 9.09pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 27 May 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 29 April 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

……

Chairperson