



MINUTES OF THE ORDINARY MEETING HELD ON 27 MAY 2020

PRESENT VIA VIDEO CONFERENCING:

Mayor Wendy Waller
Councillor Ayyad
Councillor Balloot (arrived at 6.08pm)
Councillor Hadchiti
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda
Councillor Karnib
Councillor Rhodes
Councillor Shelton
Ms Kiersten Fishburn, Chief Executive Officer
Mr Tim Moore, Director City Economy and Growth / Deputy CEO
Mr 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
Ms Nada Mardini, Manager Community Standards
Mr David Petrie, Manager City Design Public Domain
Ms Julie Scott, Manager City Economy
Mr John Milicic, Manager, Property
Mr David Smith, Manager Planning & Transport Strategy
Mr James Ng, Acting General Counsel, Manager Governance, Legal and Procurement
Mr Vishwa Nadan, Chief Financial Officer
Mr John Morgan, Director Property and Commercial Development
Mr George Georgakis, Manager Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.02pm

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: Cllr Shelton Seconded: Cllr Hadid

That the minutes of the Ordinary Meeting held on 29 April 2020 be confirmed as a true record of that meeting subject to the following change:

Item EGROW 01, change the words under point 1. ii "To leave Middleton Centre as it is, as a Town Centre" to be corrected to read:

- 1. ii. To classify Middleton Grange as a town centre.

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

DECLARATIONS OF INTEREST

Cllr Shelton declared a non-pecuniary, less than significant interest in the following item:

Item CONF 01: RCL2860 – Provision of External Legal Services.

Reason: Over the years, Cllr Shelton has had dealings with a number of parties referred to in the report.

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

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

Item CONF 01: RCL2860 – Provision of External Legal Services.

Reason: Clr Ayyad has a relative that works for one of the law firms mentioned in the report.

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

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

Item EGROW 01: Update on development of the Warwick Farm Precinct Structure Plan, Planning Proposal and Developer Contributions Plan

Reason: He has family members that live in the area.

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

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

Item NOM 04: Extending Support to People Seeking Asylum and Refugees.

Reason: Clr Rhodes is the Treasurer of WSROC and was asked to table a letter on WSROC's behalf on this issue.

Clr Rhodes left the meeting for the duration of this item and did not vote but did present a letter in the Councillors Presentation which relates to this matter.

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

Item NOM 04: Extending Support to People Seeking Asylum and Refugees.

Reason: Clr Hagarty is the chair of the organisation that has quite a bit to do with asylum seekers.

Clr Hagarty will remain in the Chambers for the duration of this item.

PUBLIC FORUM

Nil.

MAYORAL REPORT

Nil.

Clr Balloot arrived at the meeting at 6.08pm.

CITY ECONOMY AND GROWTH REPORT

ITEM NO: EGROW 01

FILE NO: 051181.2020

SUBJECT: Update on development of the Warwick Farm Precinct Structure Plan, Planning Proposal and Developer Contributions Plan

COUNCIL DECISION

Motion:

Moved: Clr Hadid

Seconded: Clr Kaliyanda

That Council:

1. Receives and notes this report; and
2. Receives a further report on the draft structure plan, draft planning proposal and draft contributions plan for the Warwick Farm precinct at the 26 August 2020 Council meeting.

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

Councillors voted unanimously for this motion.

ITEM NO: EGROW 02
FILE NO: 036256.2020
SUBJECT: Destination Management Plan - First year review

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Hagarty**

That Council:

1. Receive and note the report and notes that there is currently a master plan underway for the Visitation Precinct; and
2. Receive a review of the DMP in March 2022.

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

ITEM NO: EGROW 03
FILE NO: 114007.2020
SUBJECT: Rebuilding Liverpool's Economy update

COUNCIL DECISION

Motion: **Moved: Clr Ayyad** **Seconded: Clr Balloot**

That Council:

1. Receive and note the report; and
2. All applications for grant funding to be presented to Council.

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

Division called:

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

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

ITEM NO: EGROW 04
FILE NO: 121670.2020
SUBJECT: Appointment of Councillors to the Intermodal Precinct Committee

COUNCIL DECISION

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

That Council nominates Clr Hadchiti and Clr Rhodes to the Intermodal Committee:

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

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

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

ITEM NO: EGROW 05
FILE NO: 114812.2020
SUBJECT: Rail Services West of Bankstown

COUNCIL DECISION

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

That Council:

1. Receives and notes this report; and
2. Not proceed with the commissioning of a study to assist the express service from Liverpool to Bankstown noting that this project is being undertaken by Transport for NSW.

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

ITEM NO: EGROW 06
FILE NO: 126770.2020
SUBJECT: Public Arts Policy

COUNCIL DECISION

Motion: **Move Cllr Kaliyanda** **Seconded: Cllr Shelton**

That Council:

1. Place the draft Public Arts Policy on exhibition for a period of 28 days;
2. Delegate to the CEO the finalisation of the Public Art Policy if no submissions are received; or receive a further report outlining details of the submissions received at the conclusion of the exhibition period; and
3. Thanks the staff involved for their work.

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

CITY COMMUNITY AND CULTURE REPORT

ITEM NO: COM 01

FILE NO: 067079.2020

SUBJECT: Post Public Exhibition Report - Social Impact Assessment Policy and Guidelines

COUNCIL DECISION

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

That Council endorses the Social Impact Assessment Policy and Guidelines.

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

ITEM NO: COM 02
FILE NO: 092663.2020
SUBJECT: BMX Track Construction Funding

COUNCIL DECISION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Hadid**

That:

1. Council resolves to provide 2019/2020 financial year funding up to \$56,000 ex GST to complete the detailed design work for the BMX track, then relies on external funding, including but not limited to, COVID19 stimulus and joint funding from Western Sydney Parklands; and
2. If we fail to get any grant from the State or Federal government, Council considers funding this infrastructure from its budget or that Council investigate a parkland suitable in the 2168 area for a BMX track and provide costs on that in a report back to Council.

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

Councillors voted unanimously for this motion.

ITEM NO: COM 03
FILE NO: 100453.2020
SUBJECT: Liverpool City Council Sporting Grants Program 2019/2020

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Karnib**

That Council:

1. Adopts the following recommendations for the allocation of sporting grants funding, as recommended by the Liverpool Sports Committee grants assessment panel:

Club	Project Description	Grant Amount Recommended
FC Bossy Liverpool Youth Inc	Purchase of playing equipment (Balls, goals flags, nets)	\$2,940.03
Australian North Cyprus Friendship Association (Green Island FC)	Purchase of playing equipment (first aid kits, field markers, balls)	\$3,716.89
Casula Lakers Baseball Club	Purchase of playing equipment (Balls, bases, safety signs, ball buckets)	\$2,000.00
Liverpool City Robins Soccer Club	Purchase of playing equipment (Balls and kit bags)	\$2,100.00
Werriwa All Breeds Dog Training Club	Purchase of equipment (fridge, office desk, heavy duty shelving)	\$1,800.00
Moorebank Baseball Softball Club	Purchase of L frames and training equipment	\$4,689.93
Southern Districts Softball Association Inc	Purchase of playing equipment (kit bags, balls, safety bases, first aid kits)	\$4,873.15
Fairfield Liverpool Cricket Association	Purchase of playing equipment (stumps, balls and pads)	\$4,880.00
Liverpool City Little Athletics Centre	Purchase of ride on mower	\$3,000.00

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

ITEM NO: COM 04
FILE NO: 115402.2020
SUBJECT: Grants, Donations and Corporate Sponsorship

COUNCIL DECISION

Motion: **Moved: Cllr Shelton** **Seconded: Cllr Karnib**

That Council endorses the recommendation of **\$16,500** (GST exclusive) from the funds available in the Grants, Donations and Corporate Sponsorship Program budget to the following project:

Applicant	Project	Recommended
St Vincent de Paul (Vinnies)	Liverpool Night Patrol van	\$16,500

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

RECESS

Mayor Waller called a recess at 7.48pm.

Mayor Waller resumed the meeting at 8.05pm with all Councillors present.

CITY CORPORATE REPORT

ITEM NO: CORP 01
FILE NO: 108659.2020
SUBJECT: Investment Report April 2020

COUNCIL DECISION

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

That Council receives and notes this report.

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

ITEM NO: CORP 02
FILE NO: 114401.2020
SUBJECT: Reducing Red Tape

There was no Mover or Secunder so this item lapsed.

CITY INFRASTRUCTURE AND ENVIRONMENT REPORT

ITEM NO: INF 01
FILE NO: 116553.2020
SUBJECT: Clean Air for Liverpool

COUNCIL DECISION

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

That Council:

1. Provides a further report for the July 2020 Council meeting:
 - i. On options of incorporating conditions of consent for air quality monitoring devices for those industries considered capable of causing detrimental effects on surrounding air quality.
 - ii. Investigate the possibility of applying similar conditions on existing industries retrospectively.
 - iii. If the above are not possible, investigate alternative means of addressing negative air quality conditions within the Liverpool LGA.
2. If there is a legal barrier to any parts of this resolution that Council investigate the possibility of a policy which could apply to encapsulate the sentiment of i, ii and iii.

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

ITEM NO: INF 03
FILE NO: 121186.2020
SUBJECT: Managing Stray Cats

COUNCIL DECISION

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

That:

1. Council lobbies the State Government for funds for all Councils within Sydney to address the stray cat problem;
2. Council work towards an urban stray cat management plan;
3. The Reference Group Charter come to the June 2020 Council meeting for endorsement; and
4. Council also write to the Local Government NSW, and its umbrella organisations to lobby on behalf of its members to address the stray cat problem.

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

COMMITTEE REPORTS

ITEM NO: CTTE 01

FILE NO: 081932.2020

SUBJECT: Notes of the Liverpool Access Committee meeting held on 20 February 2020

COUNCIL DECISION

Motion:

Moved: Cllr Hadchiti

Seconded: Cllr Rhodes

That Council receives and notes the Meeting Notes of the Liverpool Access Committee Meeting held on 20 February 2020.

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

ITEM NO: CTTE 02
FILE NO: 113780.2020
SUBJECT: Minutes of Strategic Panel Meeting held on 17 April 2020

COUNCIL DECISION

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

That Council receives and notes the Minutes of the Strategic Panel meeting held on 7 April 2020.

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

ITEM NO: CTTE 03
FILE NO: 114686.2020
SUBJECT: Minutes of the Extraordinary Meeting of the Heritage Advisory Committee on
17 March 2020

COUNCIL DECISION

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

That Council:

1. Receive and note the Minutes of the Extraordinary Meeting of the Heritage Advisory Committee Meeting held on 17 March 2020; and
2. Endorse the recommendations of this report.

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

ITEM NO: CTTE 04
FILE NO: 119495.2020
SUBJECT: Minutes of the Audit, Risk and Improvement Committee Meeting held on 1
May 2020

COUNCIL DECISION

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

That Council receives and notes the Minutes of the Audit, Risk and Improvement Committee Meeting held on 1 May 2020.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 111472.2020
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?

Response

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

The Urban Forest Strategy project is a 50% grant funded initiative through the NSW State Government and proposes to plant 245 advanced trees (up to 4m tall) across the Liverpool city centre. The project has progressed from concept design, through detail design and is now completing the construction and tender documentation phase. The project will soon go to tender 'For construction'. An update will be provided to Councillors outlining the construction sequencing for the tree plantings once the construction program is finalised with the preferred contractor.

Unfortunately there has been some short delays to the project. The delays from the original program have been due to a number of reasons including:

1. Additional survey requirements and 'pot-holing' has been required to ensure proposed trees do not impact underground services during planting or during the life span of the trees.
2. Some locations identified for tree planting at concept stage cannot accommodate trees due the size and extent of the (now confirmed) underground services. This has required additional locations to be found. This process has required a variation to the grant administrator (NSW Government) and the process takes time for approval.
3. Some of the tree planting locations have required heritage approvals from the DPIE. These approvals required the final design locations of the proposed trees to be completed.

4. Unforeseen consultant delays attributed to COVID-19.

Despite the delays tree planting will still occur in 2020.

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?

With proper coordination a convenient time can be arranged between Council, the resident and their plumber to ensure all stakeholders are onsite when the excavation takes place. Residents are encouraged to do this by contacting the Customer Experience team and providing details for a mutually convenient time for excavation and inspection thereby eliminating the issue of any hole being left open. Should that occur it is up to the plumber to cover or barricade any excavation to ensure it remains safe.

It is necessary for Council to inspect and photograph damaged pipes as the feeder roots on any type of flora is the only actively “moving” root and is common for very small fibrous roots to grow into pipes through unsealed or leaking joints and then multiply within the pipe ultimately causing a blockage.

A pipe can leak a number of ways but most commonly with terracotta pipes it is the rubber fittings deteriorating over time or pipes moving due to varying soil moisture levels. PVC pipes are now used and it has been evidenced that if the pipes are not glued correctly or fitted together properly they will easily move and leak with soil movement and can crack at joints. Once a root finds a source of moisture it will take advantage and increase in size quickly leading to the belief that the root has broken the pipe.

A CCTV inspection can quickly and easily confirm if there are roots in the pipes, however permanent repair will nearly always require excavation to determine an entry point and enable repair to be undertaken.

On completion of the investigation, all photos, assessments and any additional information is provided to Councils Operational Risk and Insurance Coordinator to make an informed decision on liability of any claim. In 99% of claims root entry is via unsealed joints or other pipe damage that has not been caused by trees or tree roots.

Council will only accept liability where a tree or tree root has caused physical damage to a pipe allowing tree root entry.

Council acknowledges the process may create issues for the resident however it is the only reliable way to determine how tree roots have entered pipes. City Presentation together with Risk Management is currently reviewing the Blockages in Pipes Advisory Note that is provided to residents.

ITEM NO: QWN 02
FILE NO: 121716.2020
SUBJECT: Question with Notice - Clr Hagarty - Speed Camera Warning Signs

Please address the following:

1. Have any speed camera or red light camera warning signs been removed in the Liverpool LGA since 'NOM 01 - Speed Camera Warning Signs' was passed in November 2019?

A response to this question will be provided in the 24 June 2020 Council meeting business papers.

ITEM NO: QWN 03
FILE NO: 124879.2020
SUBJECT: Question with Notice - Clr Harle - Compliance, Private Certifiers and Private Certifying Authorities

Background:

Since Compliant Development has been introduced by State Governments some two decade ago, there have been numerous issues where noncompliant development has occurred. The main concern is where the health and safety of the community is compromised. When this occurs, the obligations to address such issues passes onto the Private Certifier (PC) or Private Certifying Authority (PCA) responsible for the lodgement of the initial Development Application (DA). A copy of the DA must be lodged with Council to ensure it is aware of the development and its conditions. If the PC or PCA fails to address the issue it can be reported to the relevant authority for further action. Unfortunately further action rarely occurs as the complainant may not have the necessary resources required to do so, hence the matter remains unresolved.

Where noncompliance involves the health and safety of the community Local Councils need to act quickly, irrespective of the costs involved. The latter is based on its "Duty of Care" obligations to the community.

Currently, if residents suspect noncompliance issues within a development, they are informed to contact the PC or PCA responsible for the DA. Unfortunately, most residents don't have the resources to take the matter further which often results in nothing being done to address the issues.

For those issues that manage to get addressed, any forthcoming action may take several weeks, months or sometimes years, however, for those involving illegal or contaminated fill it is usually too late to mitigate any negative effects for the foreseeable future.

Unfortunately, the Environment Protection Authority (EPA) also follows the State Governments' recommendation of informing the PC or PCA to address any issues of non-compliance. It is only when the Health and Safety of the Community is at risk that the EPA may investigate, however, noncompliance such as the amount of fill is not their responsibility and falls back on the PC or PCA and we are back where we started.

Please address the following:

1. Does Council have a procedure or action in place to ensure a Development Applications (DA) made by a Private Certifier (PC) or a Private Certifying Authority (PCA) complies with their conditions of consent?
 - a. If noncompliance is suggested by concerned residents, how is that action triggered?

- b. What is Councils procedure if non-compliance continues despite Council action?
 - c. How can Council ensure that compliance does occur, especially those impacting on community health and safety?
 - d. Is Council legally responsible for any subsequent health and safety risks to the community due to noncompliance it was made aware of?
2. Will changes to the “Building and Development Certifier Act 2018”, due to take effect as of 1st July 2020, impact on the points raised in 1, a to d?

A response to this question will be provided in the 24 June 2020 Council meeting business papers.

ITEM NO: CEO 01
FILE NO: 121211.2020
SUBJECT: Draft Delivery Program 2017-21, Operational Plan 2020-21 and Budget
(including Statement of Revenue Policy)

COUNCIL DECISION

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

That Council

1. Defer this item to the June 2020 Council meeting; and
2. Direct the CEO to provide a further briefing on the budget, broken down by business unit.

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

PRESENTATIONS BY COUNCILLORS

As Treasurer of WSROC, WSROC asked Cllr Rhodes to table a letter at this meeting advising that they are in support of councils settling a higher proportion of humanitarian migrant and asylum seekers. WSROC included a letter to the Prime Minister, Mr Scott Morrison to be signed by the relevant Mayors as referred to in NOM 04 of this Agenda.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 111056.2020
SUBJECT: Animal Shelter

NOTICE OF MOTION (submitted by Cllr 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.

This item was dealt with later in the meeting in Closed Session in conjunction with CONF 03 Animal Shelter and Koala Hospital Site Options.

ITEM NO: NOM 02
FILE NO: 125829.2020
SUBJECT: Hoxton Park Road Upgrade

Background

Transport for NSW (TfNSW) recently released their Community Consultation Report for the upgrade Hoxton Park Road.

The report was written in response to submissions made during the community consultation period late last year. The community, local MPs and Council all raised serious concerns with TfNSW's preferred option for kerbside transit lanes and the impact on businesses at Hoxton Park Shopping Centre and surrounding residents.

Disappointingly, the report has dismissed these concerns and TfNSW will be making no changes to their current plans.

Western Sydney Airport and the aerotropolis are once in a century projects. Safe and effective public transport links between Liverpool and the airport, including the Hoxton Park Road and the Fifteenth Avenue Smart Transit, are critical to our region's future success.

Sydney is plagued with short sighted transport projects, let's not create another one.

NOTICE OF MOTION (submitted by Cllr Hagarty)

That Council:

- Reaffirms its strong commitment to the Fifteenth Avenue Smart Transit (FAST) project;
- Notes plans for the FAST project are well advanced;
- Notes rapid bus services from Liverpool to Western Sydney Airport (WSA) are a key deliverable of the Western Sydney City Deal;
- Notes the route for rapid bus services from Liverpool to WSA will likely involve the FAST corridor;
- Notes its preference for centre running transit lanes along the entirety of the FAST corridor;
- Notes the upgrade of Hoxton Park Road will have a major impact on Hoxton Park Shopping Centre and surrounding residents; and
- Continue to make representations to Transport for New South Wales in regards to the upgrade of Hoxton Park Road.

COUNCIL DECISION

Motion:

Moved: Cllr Hagarty

Seconded: Cllr Rhodes

That Council:

- Reaffirms its strong commitment to the Fifteenth Avenue Smart Transit (FAST) project;
- Notes plans for the FAST project are well advanced;
- Notes rapid bus services from Liverpool to Western Sydney Airport (WSA) are a key deliverable of the Western Sydney City Deal;
- Notes the route for rapid bus services from Liverpool to WSA will likely involve the FAST corridor;
- Notes its preference for centre running transit lanes along the entirety of the FAST corridor;
- Notes the upgrade of Hoxton Park Road will have a major impact on Hoxton Park Shopping Centre and surrounding residents;
- Continue to make representations to Transport for New South Wales in regards to the upgrade of Hoxton Park Road; and
- That Council undertake a public campaign including a petition or other matters.

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

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ITEM NO: NOM 03
FILE NO: 125887.2020
SUBJECT: COVID-19 and Major Planning Projects

Background

Due to Coronavirus, it is more difficult for the community to be informed and to make submissions about major developments.

People are travelling less, local newspapers are no longer publishing and Australia Post are experiencing delays with the delivery of mail.

A modification was recently lodged with the Department of Planning, Industry and Environment (DPIE) to decrease the number of parking spaces at Frasers Ed Square development.

This proposal comes just over 12 months to the day a similar application was made which was opposed by Council and subsequently refused by the Independent Planning Commission.

The public submission period for this current modification was initially for a two week period with submissions only being able to be made via email and mail.

This is despite the previous application accepting website submissions.

There is also scant information regarding the notification process for this application on the Department's website.

Rather than making a greater effort to inform community and making it easier to provide submissions on major developments during the COVID-19 pandemic, the Department appear to be doing the opposite.

NOTICE OF MOTION (submitted by Cllr Hagarty)

That Council write to the Minister for Planning and Public Spaces requesting, in light of COVID-19, that the Department of Planning, Industry and Environment (DPIE) take greater steps to inform the community about major developments and make submissions via website an option for all major development.

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Clr Hagarty and Clr Rhodes returned to the meeting at 9:23pm.**ITEM NO:** NOM 05**FILE NO:** 125997.2020**SUBJECT:** Response to COVID-19 restrictions – Update from South West Sydney Academy of Sport (SWSAS)**Background**

Recognising the strong role Liverpool City Council has in support of the South West Sydney Academy of Sport, please accept this update outlining the commitment and the manner in which it has been going about its business, since the 1st April 2020.

The Academy's job has not changed, it is still providing as strong a level of support to our region's athletes and coaches now, as it has sought to provide prior to the NSW Covid-19 lockdown.

Naturally, the restrictions that have been imposed have led to a necessity to change the delivery of Academy services, however in some ways it has required it to implement some activities sooner than anticipated and certainly differently than anticipated. And, in a number of cases in a new and highly innovative way. These include:

- Physical Conditioning: All athletes now have a home-based body weight series of Strength and Conditioning exercises. Athletes also have a direct link to an exercise video with voice-over, emphasising appropriate age-related exercise criteria, relevant to their sport.
- Small Group online engagement: Each athlete group regularly provides information to the Academy on how it may actively better assist them in their endeavours. Some great ideas have already been implemented directly from this format.
- Regular athlete Zoom meetings with their coach. This allows the coach to monitor the continued development for each of the groups, along with the wellbeing of its athletes.
- The implementation of a series of webinars for all Academy athletes across a whole range of pertinent sport and community good-citizenship development, related subjects.
- The expansion of a series of sports education topics for all athletes, with a schedule for delivery that will continue to August (Financial Fitness; Mental Health and Well-being, plus Cyberbullying and owning your Social Media; etc).
- Implementation of a series of online challenges through Academy social medial platforms to encourage continued interaction between athletes. And also

demonstrate to the broader community the commitment of athletes, coaches, and the Academy, to ongoing health, fitness, and personal improvement.

- The continuation of a personalised professional development program designed specifically for each volunteer coach and support staff member, within the Academy.
- The engagement of sport skills specialists to support the development of identified coaches, within the Academy.

Integrity, citizenship, self-determination, and motivation are some of the real values attached to sport, and those espoused by the Academy. And as it is widely recognised the premier sports development organisation in the South West Sydney region, the Academy needed to, and appropriately demonstrated leadership in these difficult times.

The Academy will not stop in its pursuit to provide the highest quality service available to athletes and coaches, in our region. It will just approach it in a different way and in a manner that will place its - your local athletes in a prime position to be strong in character, mind, spirit, and physical prowess once we, as a community, defeat COVID-19.

The Academy hopes that these are values that will shine through to the rest of our local community and will allow Council to continue to be proud of its association with its regional sports academy.

With many of the sporting entities around us ceasing operations or dramatically reducing capacity and operational capability, the Academy is one of the few organisations that is continuing to provide a service of this calibre to young athletes. A testament to the forward-thinking of its Board of Management.

The Academy is adapting to the remote delivery and online environment that is currently imposed upon it and is providing leadership to its local and broader NSW sporting community. It is envisaged that this could place the Academy in a unique positive position, as we look to recover from the current restrictions.

The Academy is not stopping - in fact, it is are now busier than ever. It is important that you are aware that the support provided by Council is a critical factor in enabling this to occur.

And, on behalf of all associated with the Academy we say, 'Thank You', for Liverpool Council's ongoing support.

NOTICE OF MOTION (submitted by Cllr Kaliyanda)

That Council receive and note this update.

Mayor Waller called a recess at 9.27pm.

Mayor Waller resumed the meeting at 9.38pm in Closed Session.

Clr Shelton left the meeting at 9:39pm.

COUNCIL IN CLOSED SESSION

ITEM NO: CONF 01

FILE NO: 074432.2020

SUBJECT: RCL2860 – Provision of External Legal Services

COUNCIL DECISION

Motion:

Moved: Clr Hagarty

Seconded: Clr Karnib

That Council:

1. Approves the recommended Legal Services Panel for RCL2860 Provision of External Legal Services for an initial 3 year term with 2 options to renew for a period of 1 year each;
2. Makes public its decision regarding tender RCL2860 Provision of External Legal Services;
3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance and Legal Services Agreement for the Tender, giving it contractual effect, in accordance with delegated authority; and
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.

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: Nil.

Note: Clr Shelton was not in the meeting when this item was voted on.

Clr Shelton returned to the meeting at 9:48pm.

ITEM NO: CONF 02
FILE NO: 105628.2020
SUBJECT: Tender ST2952 Receival and Processing of Bulky Waste

COUNCIL DECISION

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

That Council:

1. Accepts the Tender from Bingo Waste Services Pty Ltd for Tender ST2952 – Receivable and Processing of Bulky Waste for an initial four (4) years contract term at the GST inclusive price of \$5,034,960.00 (based on Schedule of Rates) with the option of extending a further three (3) x (1) year as precautionary in case that Project 24 is delayed;
2. Makes public its decision regarding tender ST2952 – Receivable and Processing of Bulky Waste;
3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance following the publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority; and
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.

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

Vote against: Clr Kaliyanda.

10. 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.

Councillors voted unanimously for this motion.

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ITEM NO: NOM 01
FILE NO: 111056.2020
SUBJECT: Animal Shelter

NOTICE OF MOTION (submitted by Cllr 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.

This item lapsed as it was covered in CONF 03 (shown above on the previous item) which related to the issue of the animal shelter.

OPEN SESSION

Council moved back into Open Session at 10.28pm

Mayor Waller then read out the resolutions for CONF 01, CONF 02 and CONF 03 which were passed in Closed Session.

Note: NOM 01 lapsed as it was dealt with as part of CONF 03.

THE MEETING CLOSED AT 10.33pm

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 24 June 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 27 May 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

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Chairperson