



**MINUTES OF THE ORDINARY MEETING
HELD ON 24 JUNE 2020**

PRESENT VIA VIDEO CONFERENCING:

- Mayor Wendy Waller
- Councillor Ayyad
- Councillor Ballot
- Councillor Hadchiti
- Councillor Hadid
- Councillor Hagarty
- Councillor Harle
- Councillor Kaliyanda
- Councillor Karnib
- Councillor Rhodes
- Councillor Shelton
- Mr Tim Moore, Acting Chief Executive Officer
- 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 David Smith, Acting Director City Economy and Growth
- Mr David Maguire, Internal Ombudsman
- Mr Vishwa Nadan, Chief Financial Officer
- Mr Andrew Stevenson, Chief Strategy and Engagement Officer
- Ms Tina Sangiuliano, Strategic Organisational Change Manager
- Mr James Ng, Acting General Counsel, Manager Governance, Legal and Procurement
- 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 Acting Chief Executive Officer, Mr Tim Moore.

APOLOGIES

CONDOLENCES

NIL.

CONFIRMATION OF MINUTES

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

That the minutes of the Ordinary Meeting held on 27 May 2020 and Extraordinary Meeting held on 9 June 2020 be confirmed as a true record of those meetings.

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

DECLARATIONS OF INTEREST

Clr Shelton declared a pecuniary interest in the following item:

Item: NOM 03 – Sustainable Energy.

Reason: Clr Shelton has shares in a company referred to there.

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

Clr Kaliyanda declared a nonpecuniary but significant interest in the following item:

Item: CONF 01 - Liverpool Youth Council - Membership Nominations for term 2020 – 2022.

Reason: One of the nominated members has done some work with Clr Kaliyanda's Youth Reference Group at Headspace Campbelltown and is known to her.

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

Clr Hadchiti declared a nonpecuniary but significant interest in the following item:

Item: CONF 01 - Liverpool Youth Council - Membership Nominations for term 2020-2022.

Reason: Clr Hadchiti knows one of the nominees.

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

PUBLIC FORUM

Presentation – items not on agenda

Nil.

Representation – items on agenda

Written submissions for items on agenda

1. **Mr Robert Pinoso** made a written submission to Council on the following item:

EGOW 05 - Street Naming Requests - Austral, Edmondson Park and Prestons

This submission has been circulated to Councillors.

2. **Mr John Wynne** from Urbis made a written submission to Council on the following item:

EGROW 04 – Planning Proposal Request to rezone land and amend development standards at 1400 – 1480 Elizabeth Dr, Cecil Park.

This submission has been circulated to Councillors.

3. **Mr James Stanton-Cooke** from Lock the Gate Alliance made a written submission to Council on the following item:

EGROW 03 - Sustainable Energy

This submission has been circulated to Councillors.

MAYORAL MINUTE

ITEM NO: MAYOR 01
FILE NO: 160043.2020
SUBJECT: Greater Sydney Women's Safety Charter

Liverpool is one of the fastest growing Local Government Areas in Australia and a place where women and girls should feel safe, included and able to reach their full potential.

Women of all ages, abilities, identities and social and cultural backgrounds should be able to fully and freely participate and enjoy our city's social, economic and cultural life. This benefits everyone in our city.

The Greater Sydney Women's Safety Charter was launched on International Women's Day this year. It is made up of government agencies, businesses, peak groups and not-for-profit organisations who work together to improve the safety of women and girls in Greater Sydney.

In December last year, the Greater Sydney Commission and Transport for NSW co-hosted the Symposium, A City for People – Women and Safety in the City. The charter was an outcome of this event. More than 70 organisations came together to make this Charter possible.

Groups that join the charter improve the safety of women and girls through policies and practices, service planning and delivery, and communication with stakeholders and the community. They help to promote equality and create cities that are welcoming, open and accessible to everyone.

The Charter has three foundation principles:

1. A commitment to a culture of gender equality.
2. A commitment to listen, share and reflect; and
3. A commitment to collective action and continuous improvement.

Motion: **Moved: Mayor Waller**

That Council endorse becoming a signatory to the Greater Sydney Women's Safety Charter.

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

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 011212.2020
SUBJECT: Meeting date for September and change of date for October and November 2020 Council meetings

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Shelton**

That Council make the following changes to its meeting schedule for 2020:

- A meeting be scheduled for Wednesday 30 September;
- The October meeting originally scheduled for Wednesday 21 October, be changed to Tuesday 27 October; and
- The November meeting originally scheduled for Wednesday 18 November, be changed to Wednesday 25 November.

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

ITEM NO: CEO 02
FILE NO: 146991.2020
SUBJECT: For Public Exhibition - Draft Delivery Program 2017-22 and Operational Plan 2020-21 including Budget and Statement of Revenue Policy

COUNCIL DECISION

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

That Council:

1. Places the draft 2017-22 Delivery Program and Operational Plan and Budget (including Statement of Revenue Policy) on Public Exhibition for 28 days, subject to the following change to be made:

Amends S.2.02 Development and implement improvement strategies, policies and programs for the management of stormwater, in the first point (as shown on page 241 of the Attachment Book), physical locations be included and to add after Georges River, "Wattle Grove Lake and ANZAC Creek", so that point 1 reads:

"Undertake water quality monitoring along the Georges River, Wattle Grove Lake and ANZAC Creek, Kemps Creek, Bonds Creek and the tributaries of Kemps Creek to ensure the required level of water quality within the waterways are maintained".

2. Receives a further report at the July 2020 Council meeting after a review of public submissions; and
3. Extends the 2019-20 budget and fees and charges until 31 July 2020.

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

CITY ECONOMY AND GROWTH REPORT

ITEM NO: EGROW 01
FILE NO: 134715.2020
SUBJECT: Proposed Planning Agreement in conjunction with DA-527/2017 at 14 Yarrunga Street, Prestons

RECOMMENDATION

That Council:

1. Endorse the planning agreement for a monetary contribution of \$85,000 towards the upgrade of the Bernera Road / Yarrunga Street / Yato Road intersection and directs the CEO to publicly exhibit the planning agreement and accompanying explanatory note for 28 days;
2. Delegate authority to the CEO subject to consideration of any changes following public exhibition, to execute the planning agreement in the form that is publicly exhibited or with minor alterations;
3. Note that if changes, other than minor changes, arise from the public exhibition process these will be reported back to Council;
4. Note that any planning agreement will be subject to approval of modification application DA-527/2017/A which proposes deletion of Conditions 107, 108 and 109 (relating to design and construction of a portion of Bernera Road / Yarrunga Street / Yato Road intersection upgrade) and the addition of a condition requiring execution of the planning agreement and payment of the monetary contribution prior to the release of any occupation certificate for the site.

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **Seconded: Cllr Rhodes**

That this item be dealt with in Closed Session pursuant to the provisions of s10A(2)(e) of the *Local Government Act 1993* because it contains information that would, if disclosed, prejudice the maintenance of law.

On being put to the meeting the motion was CARRIED.

Note: This item was dealt with later in the meeting in Closed Session.

ITEM NO: EGROW 02
FILE NO: 136033.2020
SUBJECT: Liverpool City Centre Public Domain Master Plan

COUNCIL DECISION

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

That Council:

1. Receive and note the report;
2. Adopt the Liverpool City Centre Public Domain Master Plan (ATTACHMENT 1);
3. Note that all residents and stakeholders who made submissions during the public exhibition period be notified of Councils determination; and
4. Note that the master plan be used to guide future capital public domain upgrades in the city centre.

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

ITEM NO: EGROW 06
FILE NO: 142657.2020
SUBJECT: Response to Question with Notice - Cllr Harle - Membership on Planning Panels

COUNCIL DECISION

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

That Council:

1. Receive and note the report; and
2. Nominates Cllr Rhodes as an additional alternate member for the SWCPP and direct the CEO to notify the SWCPP Secretariat within 14 days of the resolution.

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

CITY COMMUNITY AND CULTURE REPORT

ITEM NO: COM 01
FILE NO: 114570.2020
SUBJECT: Grants, Donations and Corporate Sponsorship

COUNCIL DECISION

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

That Council:

1. Postpone all future community funding grants and redirect all funds to the General Reserve to cover the \$50million anticipated COVID-19 costs.
2. Defer considerations of current grant applications until such time as COVID-19 no longer has a financial cost impact on the budget of Council.

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

Vote for: Clr Harle and Clr Rhodes.

Vote against: Mayor Waller, Clr Ayyad, Clr Balloot, Clr Hadid, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Shelton. Clr Hadchiti did not vote on this item and in accordance with Council's Code of Meeting Practice is therefore recorded as voting against).

The following motion was then moved:

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

That this motion be considered later at the meeting for a question asked to be looked into and responded to.

On being put to the meeting the motion (moved by Clr Hagarty) was declared CARRIED.

Note: this item was dealt with later in the meeting.

ITEM NO: COM 02
FILE NO: 130415.2020
SUBJECT: Response to Question With Notice - Seniors Community Consultation

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Shelton**

That Council receives and notes this report.

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

CITY CORPORATE REPORT

ITEM NO: CORP 01
FILE NO: 137524.2020
SUBJECT: Investment Report May 2020

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Karnib**

That Council receives and notes this report.

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

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 129946.2020
SUBJECT: Minutes of the Liverpool Youth Council meeting held on 6 May 2020.

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Hadid**

That Council receives and notes the Minutes of the Liverpool Youth Council meeting held on 6 May 2020.

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

ITEM NO: CTTE 03
FILE NO: 140577.2020
SUBJECT: Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 20 May 2020

COUNCIL DECISION

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

That Council adopts the following recommendations of the Committee:

Item 1 - Range Road - Proposed New Intersections

- Council approves the new intersections and associated signs and linemarking.

Item 3 - Kurrajong Road, Prestons – Proposed combined crossing in front of Amity College

- Council approves the upgrade of the existing pedestrian crossing and associated signs and linemarking scheme.
- The combined pedestrian crossing is to be flood lit in accordance with AS1158 at no cost to Council.

Item 4 - Moore Street - Proposed Pedestrian Refuge

- Council approves kerb adjustments on both sides of Moore Street to provide a safe pedestrian crossing location.
- A detailed design is to be submitted to TfNSW and the Police for review prior to installation.

Item 5 - Main Street, Edmondson Park – Signs and Linemarking scheme

- Council approves 2P timed parking with an amendment including removal of the marked pedestrian crossing and C3 linemarking to supplement “No Stopping” signs.
- Installation of the 2P parking to be delayed until the construction of the additional 1000 commuter parking spaces at Edmondson Park Train Station.

Item 6 - Kingsford Smith Avenue/Southern Cross Avenue – Revised Roundabout

- Council approves the revised roundabout.
- The design is to be modified to include a pedestrian crossing facility on the northern side of the roundabout and extend the “no stopping” zone along Southern Cross Avenue.

Item 7 - Bird Walton Drive – Proposed road rehabilitation

- Council approves the proposed signs and linemarking scheme.

Item 8 - Greendale Road – Proposed road rehabilitation

- Council approves the road rehabilitation and associated signs and linemarking scheme, including the arrangement to maintain the existing sign posted speed limit and advisory speed on the curved road section.

Item 9 - Feodore Drive, Cecil Hills – Minor Traffic Facilities

- Council approves the proposed raised threshold, median island and signs and linemarking with installation of a pedestrian fence at the southern side of the raised threshold.

Item 10 - Wonga Road and Hill Road – Proposed Traffic Management

- Council approves the raised thresholds and associated signs and linemarking.

Item 11 - Items Approved Under Delegated Authority

- Notes the traffic facilities approved under Delegated Authority between 8 March 2020 and 12 May 2020.

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

ITEM NO: CTTE 05
FILE NO: 144158.2020
SUBJECT: Minutes of Budget Review Panel 21 May 2020

COUNCIL DECISION

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

That Council:

1. Adopts the minutes of the Budget Review Panel meeting held on 21 May 2020; and
2. Considers applying to the Federal and State Government from the \$50million Council Community Projects recently announced for possible funding for the concept plans for the Visitation Precinct if appropriate.

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, Clr Rhodes and Clr Shelton.

Vote against: Mayor Waller and Deputy Mayor Karnib.

ITEM NO: CTTE 06
FILE NO: 146402.2020
SUBJECT: Minutes of the Civic Advisory Committee meeting held on 3 June 2020

COUNCIL DECISION

Motion: **Moved: Cllr Kaliyanda** **Seconded: Cllr Hadid**

That Council:

1. Receives and notes the Minutes of the Civic Advisory Committee Meeting held on 3 June 2020;
2. Reject the recommendation to supply and install the City of Liverpool flag and the 60th birthday (as a City) flag which has cost implications; and
3. Endorse all other recommendations in the Minutes.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 139288.2020
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?

Response

Following Council's resolution from November 2019, Council received correspondence (see Attachment 1 in the Council Agenda) from the Parliamentary Secretary for Transport and Roads confirming that the NSW Government's position on speed camera warning signage has not changed. Council has also discussed this matter with TfNSW staff who have advised that no speed camera or red-light camera warning signs in the Liverpool Local Government Area have been removed.

TfNSW has advised Council they are aware of a 'missing' sign at the Newbridge Road / Milperra Road / Henry Lawson Drive intersection, due to limited space in the location identified (see Attachment 2 in the Council Agenda) and are considering what options are available for the sign to be installed.

ITEM NO: QWN 02
FILE NO: 139293.2020
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 Council's 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?

Response

A private certifier can determine applications for complying development certificates, construction certificates and occupation certificates. They can also be nominated as the Principal Certifier whose role is to carry out inspections of building work to determine compliance with legislative requirements and conditions of consent. In addition the Principal Certifier can take action to address non-compliant work and, if needed report, it to Council if any non-compliances are ongoing.

Certifiers do not determine development applications. Council has no legal responsibility to check certificates issued by certifiers. Private certification has been in place since 1998 and accredited private certifiers are public officials who are required to act with integrity and impartiality . They are accredited under the Building Professionals Act 2005 and regulated by NSW Fair Trading.

Generally if a resident contacts Council regarding non-compliance with building work on a privately certified site the resident is asked to contact the certifier in the first instance. The certifier's responsibility is to investigate the complaint and if non compliance is detected the certifier under the Environment Planning and Assessment Act is required to issue a Written Direction. If the direction is not complied with the certifier will notify Council and Council officers will then issue notice/order.

Generally issues relating to hours of construction, occupation of footpath/road contrary to development consent and sediment control are all dealt with by council officers without referral to the certifier even if the site is privately certified as these issues impact resident's amenity and the environment.

In some instances where the certifier does not take adequate action Council does intervene and take enforcement action. Anyone can report a certifier, if they have grounds to do so, to the Building Professionals Board.

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?

As mentioned above residents are directed to the certifier in the first instance.

b. What is Councils procedure if non-compliance continues despite Council action?

If Council is involved a notice is issued followed by an order and if non compliance continues legal action is taken.

c. How can Council ensure that compliance does occur, especially those impacting on community health and safety?

Under the legislation it is not Council's role to check on certifiers to ensure compliance, however as mentioned above if Council intervenes then a notice/order can be issued and ultimately legal action pursued.

d. Is Council legally responsible for any subsequent health and safety risks to the community due to noncompliance it was made aware of?

It is the Principal Certifier who is responsible for the work on site and if Council is not the nominated Principal Certifier then Council is not responsible.

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?

The new legislative framework regulates the conduct of certifiers by providing for new conflict of interest provisions and establishes a code of conduct. The Building Professionals Board will be abolished and the certifiers will be fully regulated by NSW Fair Trading. It is expected that Certifiers who do not comply with the new legislative framework will not be able to continue to be registered.

COUNCIL DECISION

Motion:

Moved: Cllr Harle

Seconded: Cllr Rhodes

That Council:

1. Investigate implementing a development assessment compliance policy dealing with compliance issues raised by residents irrespective of whether it is a Private Certifier, Private Certifying Authority or Environmental Protection Authority issue; and

2. A report to be brought to the August 2020 Council meeting addressing issues related to implementing such a policy including budgetary implications.

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

PRESENTATIONS BY COUNCILLORS

Nil

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 137811.2020
SUBJECT: End of the Corona Virus Pandemic Definition

BACKGROUND

An oversight has come to my attention for the need to clarify by definition the end of the Corona Virus Pandemic as referred to as a date for Council to initiate actions as resolved in Motions previously passed by Council.

As it is very unclear as to what could be considered the end of the Corona Virus Pandemic as being when Business is resumed in NSW or when a possible vaccine is found, it is necessary that Council resolve a definition to give Council clarity of intention in resolutions previously passed by Council, where such motions have referred for Council action "after COVID 19" or other similar expressions in motions.

The need for a definition for the end of the Corona Virus is to enable Council a date that Council Staff recognise as the defined date and to make it clear that the end of COVID 19 is not defined by but not excluded by the possible vaccine that may or may not ever be found.

NOTICE OF MOTION (submitted by Cllr Rhodes)

That Council defines the end of COVID 19 as referred to in resolutions previously passed by Council from which Council has been resolved to act "after the COVID Pandemic" or words similar as being defined as the date declared by the NSW State Government that all businesses are to return to work although maintaining social distancing guidelines.

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Balloot**

That Council adopt the following definitions to clarify any times or time periods in Council resolutions relating to COVID-19 pandemic:

1. Where a date is specified in the resolution – then that date will continue to apply.
2. Where no date is specified in the resolution and the resolution is subject to the lifting of a restriction – then, for the purpose of implementing the resolution, the date will be 1 July 2020. It would be anticipated that at that point minimal restrictions would

remain in place affecting only some businesses. For example, on 16 April 2020 Council resolved to waive all out-door dining fees from the date of restriction coming into place until 2 months after these restrictions are lifted. The proposed amendment would mean that out-door dining fees would be waived until 2 months after 1 July 2020.

3. Where a resolution is not subject to the lifting of a restriction and the resolution requires Council to provide assistance for an unspecified period – then, for the purpose of implementing the resolution, the resolution will apply for the duration of the 2020/21 financial year, unless otherwise resolved by Council.

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

ITEM NO: NOM 02
FILE NO: 152349.2020
SUBJECT: Public Sector Hub

BACKGROUND

For the past 3 months, the nation has effectively been run from home. The COVID-19 lock-down has proven the ability of the workforce, in particular the public sector, to work outside of the traditional office environment.

Over the last decade, the Liverpool CBD has lost a host of public sector jobs.

As the world contemplates what work in the post COVID-19 world looks like, some have raised the idea of local satellite offices for workers. The satellite 'hubs' would provide public sector workers with the option of travelling a short distance to their local CBD rather than the Sydney or Parramatta CBDs where most public sector agencies are based.

A local public sector hub has numerous benefits:

- reduces traffic congestion
- reduces overcrowding on public transport
- improves work life balance
- stimulates the local economy

With Liverpool positioning itself as the third CBD, it is the perfect location for a public sector hub.

NOTICE OF MOTION (submitted by Cllr Hagarty)

That Council:

1. Lobby the State and Federal Governments for public sector hot desking hubs to be located in the Liverpool CBD;
2. Work with developers and landlords to find suitable locations in the Liverpool CBD for public sector hot desking hubs; and
3. Report back on progress in 6 months.

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **Seconded: Cllr Hadid**

That Council:

1. Lobby the State and Federal Governments for public sector working hubs to be located in the Liverpool CBD;

2. Work with developers and landlords to find suitable locations in the Liverpool CBD for public sector working hubs; and
3. Report back on progress in 6 months.

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

Clr Shelton left the meeting at 7:13pm.

ITEM NO: NOM 03
FILE NO: 152495.2020
SUBJECT: Sustainable Energy

BACKGROUND

In November 2019, Council indicated its support for a Renewable Solar Power Purchase Agreement negotiated by WSROC. Liverpool Council is also one of 18 local councils that are part of a Local Government Power Purchase Agreement, where Origin Energy supplements the energy needs of our community. Furthermore, in October 2017, Council joined the Cities Power Partnership, an initiative of the Climate Council of Australia seeking to accelerate the benefits of emissions reduction and clean energy for Australian towns and cities.

The use of hydraulic fracturing (fracking) to extract gas presents significant environmental risks. The use of chemicals in the process presents a potential contamination hazard to water resource. Significantly, fracking results in increase greenhouse gas emissions through the use of the fuel itself as well as through the escape of gases, such as methane, during the extraction process. Banning the use of fracking right across the country presents the most effective strategy to eliminate these environmental hazards.

Furthermore, the recent destruction of a 46,000 year-old Aboriginal cultural site in WA as part of a mining operation by Rio Tinto shows the impact that such processes could have on local environments and cultural heritage.

On a local level Council is investing in a wide range of initiatives designed to increase the use of sustainable energy and reduce the urban heat island effect. Some of these initiatives include purchasing sustainable energy, installing solar systems on Council properties and encouraging schools, residents and businesses to install solar panels on their buildings, transitioning to the use of electric fleet vehicles and installing heat pumps at pools and leisure centres. Rejecting the use of damaging processes, such as fracking, and simultaneously increasing the use of renewable energy are both vital if we hope to limit the worst impacts of climate change.

NOTICE OF MOTION (submitted by Clr Kaliyanda)

1. Write to Origin Energy:
 - Noting Council's Power Purchase Agreement with Origin Energy, through SSROC, 20% of which is currently sourced from the Moree Solar Farm;
 - Expressing our support for the traditional owners and communities in the Northern Territory who have expressed their strong opposition to fracking due its threats to the climate and to their lands, waters and rights; and

- Requesting that Origin Energy cease all plans to conduct fracking in the Northern Territory and elsewhere due to its impact on the climate, communities, environment and water, and commit to further investment in environmentally and socially sustainable renewable energy projects.
2. Forward a copy of the letter referred to above to all NSW Regional Organisation of Councils and Joint Organisations.
 3. Writes to all state and territory Energy and Environment ministers urging them to implement, strengthen or retain permanent bans on the use of hydraulic fracturing (fracking) to extract gas within their jurisdictions.
 4. Continues to increase the use of sustainable energy for its operations.

COUNCIL DECISION

Motion:

Moved: Cllr Kaliyanda

Seconded: Cllr Hagarty

1. Write to Origin Energy:
 - Noting Council's Power Purchase Agreement with Origin Energy, through SSROC, 20% of which is currently sourced from the Moree Solar Farm;
 - Expressing our support for the traditional owners and communities in the Northern Territory who have expressed their strong opposition to fracking due its threats to the climate and to their lands, waters and rights; and
 - Requesting that Origin Energy cease all plans to conduct fracking in the Northern Territory and elsewhere due to its impact on the climate, communities, environment and water, and commit to further investment in environmentally and socially sustainable renewable energy projects.
2. Forward a copy of the letter referred to above to all NSW Regional Organisation of Councils and Joint Organisations.
3. Writes to all state and territory Energy and Environment ministers urging them to implement, strengthen or retain permanent bans on the use of hydraulic fracturing (fracking) to extract gas within their jurisdictions.
4. Continues to increase the use of sustainable energy for its operations.
5. That Council provide a briefing meeting before September Council meeting inviting WSROC to present to Councillors and the financial management team of Council, information relating to the opportunity for Council to participate in a Power Purchase Agreement through WSROC Limited through a 10 year Power Purchase Agreement on offer from renewable energy developer GENX Power.

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

Councillors voted unanimously for this motion.

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

Clr Shelton returned to the meeting at 7.19pm

ITEM NO: NOM 04
FILE NO: 152513.2020
SUBJECT: Support for Australian Aviation

BACKGROUND

Earlier this year we saw perhaps the most significant corporate victim of COVID-19 when Virgin Australia elected to enter into voluntary administration. This was a deeply concerning development, not only for the stress, anxiety and uncertainty on the thousands of employees, but for the potential impact this will have on our society and economy.

This is clearly a Federal issue and it will be up to the Federal Government to address this. But it is important that we all speak up, particularly for Liverpool as an aviation city and the home of Sydney's second international airport, to raise two important points: we need a healthy and competitive domestic airline industry, and that industry needs to be serviced by Australian-based companies.

If any airline attains a monopoly over the domestic airline market, we know from the collapse of Ansett in 2002, that there will be a significant increase in the cost of air travel. I am aware of some analysts predicting the rise in cost of air travel in a monopoly environment could exceed 20%.

For Australia, with our vast expanses and remote communities, affordable air travel is vital to our ongoing prosperity. If there are to be rises in the cost of domestic air travel, it will be our vulnerable populations that suffer along with the regions. And it is the regions upon which Australia relies.

But it is not simply enough to have a competitive domestic airline market; it is critical that the companies servicing those routes are Australian-based. Encouraging a strong Australian aviation sector would have significant short and long-term benefits for Liverpool.

There has been discussion of international airlines, Etihad or Singapore Airlines for example, servicing our domestic routes. Should this eventuate, we will see the irreversible flow of profits, money from Australians, offshore. This cannot be allowed to happen.

Furthermore, it is fanciful to entertain the idea that these international airlines will service anything but the most profitable, high-volume routes of the east coast. This would likely leave our regional and remote communities to languish and die. We cannot let this happen.

In the coming weeks and months, it will be critical for the Federal Government to protect Australia's future through whatever mechanism they deem appropriate, and ensure that on the other side of this, Australia continues to be serviced by a competitive, Australian-based domestic airline industry.

ITEM NO: COM 01
FILE NO: 114570.2020
SUBJECT: Grants, Donations and Corporate Sponsorship

COUNCIL DECISION

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

That Council endorses the recommendation of **\$9,500** (GST exclusive) under the **Matching Grants Program** for the following project:

Applicant	Project	Recommended
The Bill Crews Charitable Trust	2168 Community Household Survey	\$9,500

That Council endorses the recommendation of **\$20,000** (GST exclusive) under the **Sustainable Environment Grants Program** for the following projects:

Applicant	Project	Recommended
Heckenberg Public School	Community Connections Garden	\$5,000
Hoxton Park Public School	Community Kitchen Garden	\$5,000
Malek Fahd Islamic School Limited	Reducing Single Use Plastic Water Bottles	\$5,000
Marsden Road Public School	Community Native Garden	\$5,000

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

Cllr Rhodes asked that she be recorded as having voted against the motion.

Cirs Kaliyanda and Hadchiti left the meeting at 7.55pm.

ITEM NO: CONF 01

FILE NO: 130196.2020

SUBJECT: Liverpool Youth Council - Membership Nominations for term 2020-2022

COUNCIL DECISION

Motion:

Moved: Clr Harle

Seconded: Clr Hadid

That Council:

1. Adopts the new members nominated by the Selection Panel to be appointed to the Liverpool Youth Council for the 2020-2023 term.

The names of the nominated members are listed below:

- Ella-Jay Nuttal
- Jorja Suga
- Alyssia Dower
- Vishal Senthilkumar
- Sonia Sharma
- Mikaela Jenkins
- Mustafa Sawalhi
- Emily D'Silva
- Simbarashe Zimbudzana
- Phillip Gigliotti
- Elise Vadala
- Adrian Lal

2. The Liverpool Youth Council Charter section 9 - Term of Office be amended to increase the membership term from two years to three years as follows:

9. TERM OF OFFICE

9.1 Youth Council members serve a three-year term, with a maximum of two consecutive terms served by any one member (i.e. members can serve a maximum of six years).

9.2 A young person appointed to the Youth Council will continue as a member until the Youth Council is disbanded at the end of the three-year term.

3. At the end of the Youth Councillors' service a letter be sent from the Mayor (on behalf of the Councillors) to congratulate and thank them for their years of commitment.

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

Clr Hadchiti and Clr Kaliyanda returned to the meeting at 8.00pm.

ITEM NO: CONF 03
FILE NO: 328535.2019
SUBJECT: ST2755 Building and Amenities Cleaning Services

COUNCIL DECISION

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

That Council:

1. In accordance with Section 178(1) (b) of the Local Government (General) Regulation 2005, declines to accept all tenders received for ST2755 – Building and Amenities Cleaning Services.
2. In accordance with Section 178 (3) (e) of the Local Government (General) Regulation 2005, enter into negotiations with Advanced National Services Pty Ltd (T/A Advanced Cleaning), Solo Services Group Australia Pty Ltd and Service Master Solutions Cleaning Pty Ltd with a view of entering into a contract covering the subject matter of the tender.
3. In accordance with Section 178 (4) of the Local Government (General) Regulation 2005, notes that the reasons for entering into negotiations and not calling fresh tenders are:
 - a. Significant variation in the price, quantity of service and charge out rates of the submissions received.
 - b. Clearer scope, service expectation and KPI's can be established;
 - c. Rates and fixed services prices can be negotiated resulting in better value for Council and quantifiable savings;
 - d. No benefit will be achieved by inviting fresh tenders in view of the time and cost involved in such a process.
4. Delegate to the Chief Executive Officer all necessary authority to finalise and execute a contract with a party or parties ultimately determined to present the best value for the provision of the specified services.
5. 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 approve (and not to reject) tenders up to a value of \$2 million. Therefore, subclauses 178(3) and 178(4) of the Local Government (General) Regulation 2005 require a decision not to accept any of the tenders for a proposed contract to be made by way of a Council resolution.

6. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

Councillors voted unanimously for this motion.

interviewed candidates, and makes a recommendation for appointment by the Council.

7. Appoint the Mayor or her Councillor delegate, Cllr Balloot or their Councillor delegate and Cllr Harle or their Councillor delegate to the working group noting that any Councillor may attend any meetings as an observer and have access to any documents throughout the process.
8. Notes that the final decision to appoint a Chief Executive Officer will be made by the Council, as required by s.344 of the Local Government Act 1993.
9. Appoints Dr Eddie Jackson as Acting Chief Executive Officer, with all delegated authority currently assigned to the position of Chief Executive Officer, for up to 12 months from Monday 29 June 2020 (inclusive) or until such time as a new permanent Chief Executive Officer is appointed, and commences the position, whichever is the lesser period.
10. Delegate authority to the Mayor to negotiate, on behalf of Council, suitable terms with Dr Eddie Jackson for their appointment to the role of Acting Chief Executive Officer.
11. Note that once a permanent Chief Executive Officer is appointed a separate Committee will need to be established to set and monitor key performance indicators for the Chief Executive Officer.

On being put to the meeting the motion was CARRIED.

Mayor Waller asked that she be recorded as having voted against the motion.

OPEN SESSION

Council moved back into Open Session at 8.43pm.

Mayor Waller then read out the resolutions for EGROW 01, COM 01, CONF 01, CONF 02, and CONF 03 which were passed in Closed Session (Note, Mayor Waller asked that her name be recorded against the motion for CONF 02).

THE MEETING CLOSED AT 8.47pm

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 29 July 2020

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 24 June 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

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