



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

PRESENT VIA VIDEO CONFERENCING:

Mayor Wendy Waller
Councillor Ayyad
Councillor Hadchiti (arrived at the meeting at 6.27pm)
Councillor Hadid
Councillor Hagarty
Councillor Harle
Councillor Kaliyanda
Councillor Karnib
Councillor Rhodes
Councillor Shelton
Dr Eddie Jackson, Acting Chief Executive Officer
Mr George Hampouris, Acting Director City Corporate
Ms Tina Sangiuliano, Acting 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
Ms Ellen Whittingstall, Acting Internal Ombudsman
Mr James Ng, General Counsel Manager Governance Legal and Procurement
Ms Lina Kakish, Manager Development Assessment
Mr Tim Pasley, Manager Waste and Cleansing
Mr Andrew Stevenson, Chief Strategy and Engagement Officer
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 George Georgakis, Manager Council and Executive Services.

APOLOGIES

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

That a leave of absence be granted to Clr Balloot for his absence from the Council meeting.

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

CONDOLENCES

ITEM NO: MAYOR 01
FILE NO: 218625.2020

Victims of the Beirut Explosion (to be read by Mayor Waller)

On 4 August 2020, a massive explosion tore through the port area in Beirut, in Lebanon, killing at least 163 people, including one Australian, and injuring more than 5000. The death toll is expected to rise as emergency workers continue to search through devastated areas of the city. About 300,000 people have been left homeless.

The force of the explosion destroyed the port and resulted in the near total destruction of downtown Beirut within at least a 5km radius. The explosion was felt in parts of Europe and heard in Cyprus, an estimated 240km away.

Liverpool is home to a large number of people of Lebanese ancestry, and Council values the contribution Lebanese Australians have made to the rich fabric of Liverpool. Many people in the Liverpool Local Government Area remain deeply distressed about the explosion and its impact on Beirut. Others continue to have concerns for the safety and welfare of their family members and friends who remain in Lebanon.

On behalf of Liverpool City Council, I express my deepest condolences to the families and friends of the victims, and my thoughts and prayers are with the people who were injured in the explosion. To the people of Lebanon and all Lebanese Australians, I offer my solidarity and support on behalf of all Councillors during this devastating time.

Motion: **Moved: Mayor Waller**

That Council:

1. Write to the Lebanese Consulate expressing our condolences and solidarity; and
2. Donate \$20,000 to AusRelief to support the victims of the Beirut explosion.

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

Councillors voted unanimously for this motion.

CONFIRMATION OF MINUTES

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

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

Item: NOM 04 Toll Mania

Remove the word “suggest” in point 2 so that point 2 should now read:

- 2. Write to the State Government requesting:
 - a toll-free period on the M8; and
 - the removal of the toll, or a cash back scheme, or other measures to alleviate the financial burden on residents on the old M5 East.

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

DECLARATIONS OF INTEREST

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

Item: EGROW 06 LEP Review: Public Exhibition outcomes – Phase 1 Planning Proposal and Local Contributions Plan.

Reason: Clr Ayyad owns a property in the affected area.

Clr Ayyad will remain in the virtual meeting for the duration of this item.

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

Item: EGROW 01 – Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan.

Reason: He has family members that live in Warwick Farm.

Clr Harle will leave the virtual meeting and will not be participating in the debate.

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

Item: QWN 04 – Question with Notice – Clr Rhodes – Georges River Bank Stabilisation.

Reason: Cllr Shelton holds office in an organisation, which has no regulatory powers, but is otherwise involved in the issues raised.
Cllr Shelton will remain in the virtual meeting for the duration of this item.

PUBLIC FORUM

Presentation – items not on agenda

Nil.

Representation – items on agenda

1. **Mr Tom Goode** on behalf of Ethos Urban made a written submission on the following item:

EGROW 01 - Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan.

2. **Mr Marc Conners** made a written submission on the following item:

EGROW 01 - Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan.

3. **Ms Danica Canoza** on behalf of AE Design Studio made a written submission on the following item:

EGROW 01 – Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan.

4. **Mr Martin Musgrave** on behalf of PPM Consulting made a written submission on the following item:

EGROW 06 - Post Exhibition Report - LEP Review Phase 1 Planning Proposal (Amendment 82) and Draft Land Use Planning Strategies.

MAYORAL MINUTE**ITEM NO:** MAYOR 02**FILE NO:** 218668.2020**SUBJECT:** Local Government Representation on the National Cabinet

The Prime Minister, Premiers and Chief Ministers met in Sydney on 13 March this year and agreed to establish a National Cabinet to coordinate Australia's response to the coronavirus pandemic.

The National Cabinet has proven effective in taking decisions in Australia's interest and the Prime Minister announced on 29 May that it would continue beyond the pandemic. Local Government is not represented in the National Cabinet. The Australian Local Government Association (ALGA) has been given a seat on the National Federation Reform Council, but this body will only meet once a year.

All three tiers of government should be represented on the National Cabinet. Councils have an important role to play because we are the level of government closest to the people. We are also responsible for the delivery of a range of vital community services, programs and infrastructure.

Over coming months, the National Cabinet is likely to face enormous challenges unlike those seen by governments in recent times. This will require the three levels of government to collaborate and support each other to encourage economic growth, implement reforms, create jobs, assist businesses and residents and rebuild consumer confidence.

A seat at the table will ensure Local Government can contribute to the discussion, highlight the impact of federal policies and help shape a stronger future for everyone in Australia. Getting it right on the ground is local government's area of expertise.

The ALGA Board and LGNSW are advocating for the inclusion of councils in the National Cabinet, a position I am sure is supported by all Councils.

Motion: **Moved: Mayor Waller** **Seconded: Cllr Rhodes**

That Council:

1. Writes to NSW Premier Gladys Berejiklian and local Federal and State Members of Parliament to highlight the critical necessity for Local Government representation on the National Cabinet and seeks their assistance in requesting that the First Ministers review the decision to exclude Local Government;

2. Seeks a meeting with local Federal and State MPs to discuss in more detail the importance of having Local Government representation on the National Cabinet and the value of partnerships with Councils in achieving the objectives of the National Cabinet and the national reform agenda; and
3. Notes that the Australian Local Government Association, LGNSW and other state/territory local government associations will continue to advocate for Local Government representation on the National Cabinet and for local government's interests in all relevant forums.

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

CHIEF EXECUTIVE OFFICER REPORT

ITEM NO: CEO 01
FILE NO: 205990.2020
SUBJECT: Local Government NSW Conference 2020

COUNCIL DECISION

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

That:

1. Any Councillors who wish to attend the 2020 Local Government NSW Annual Conference notify the Councillor Support Officer by 4 September 2020;
2. Council determine its voting delegates for the Conference, noting that Liverpool City Council is entitled to 10 voting delegates for voting on motions and also noting that Councillor Hadid is entitled to one vote as he is a Director of the Association; and
3. Endorse the motions as outlined in the report to be submitted to the Conference.

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

ITEM NO: CEO 02
FILE NO: 209245.2020
SUBJECT: Biannual Progress Report

COUNCIL DECISION

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

That Council notes and receives the Biannual Progress Report which outlines the progress of Principal Activities detailed in the Delivery Program 2017-2022 and Operational Plan 2019-2020.

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

Clr Harle left the virtual meeting at 6:17pm.

CITY ECONOMY AND GROWTH REPORT

ITEM NO: EGROW 01

FILE NO: 144667.2020

SUBJECT: Draft Warwick Farm Racing Precinct Structure Plan, Planning Proposal and Local Contributions Plan

COUNCIL DECISION

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

That Council:

1. Notes the advice of the Liverpool Local Planning Panel;
2. Notes that a feasibility study will be completed as recommended by the Liverpool Local Planning Panel;
3. Places the draft structure plan, planning proposal and local contributions plan on public exhibition, pursuant to the Liverpool Community Participation Plan 2019 for 28 days;
4. Receives a further report, following public exhibition, detailing any submissions received and any amendments proposed to the structure plan, planning proposal and/or local contributions plan; and
5. Holds a virtual community meeting with the constituents about the proposal during the time of the exhibition.

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

Vote for: Mayor Waller, Clr Ayyad, Clr Hadid, Clr Hagarty, Clr Kaliyanda, Deputy Mayor Karnib and Clr Rhodes.

Vote against: Clr Shelton.

Note: Clr Harle and Clr Hadchiti were not in the virtual meeting when this item was voted on. Clr Balloot was an apology for the meeting.

Clr Harle returned to the virtual meeting at 6:24pm.

Clr Hadchiti arrived at the meeting at 6:27pm.

ITEM NO: EGROW 02

FILE NO: 184343.2020

SUBJECT: Report back - Consideration of implementing a Development Assessment Compliance Policy

COUNCIL DECISION

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

That Council receive and note the report noting that the Enforcement Policy is under review and will be reported to the December 2020 Council meeting.

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

ITEM NO: EGROW 03
FILE NO: 203447.2020
SUBJECT: Post Exhibition Report - Liverpool Local Environmental Plan 2008
Amendment 71 - Rezoning of certain lands in Prestons for Environmental
Conservation

COUNCIL DECISION

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

That Council:

1. Notes the judgements of the Land & Environment Court relating to development applications on the subject sites;
2. Notes the Gateway determination (and Gateway alterations) for Liverpool Local Environmental Plan 2008 Amendment 71 and the submissions received;
3. Proceeds with Amendment 71 and delegates authority to the A/CEO (or his delegate) to liaise with the NSW Parliamentary Counsel's Office and the Department of Planning, Industry and Environment to finalise the amendment; and
4. Notify the submitters of Council's decision.

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

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

Vote against: Clr Hadchiti and Clr Harle.

Note: Clr Balloot was an apology for the meeting.

ITEM NO: EGROW 04
FILE NO: 204535.2020
SUBJECT: Status update on planning proposal requests in Moorebank

COUNCIL DECISION

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

That Council receives and notes this report.

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

ITEM NO: EGROW 05
FILE NO: 207685.2020
SUBJECT: Street Naming Request - Austral

COUNCIL DECISION

Motion: **Moved: Cllr Hadid** **Seconded: Cllr Harle**

That Council:

- 1. Supports the re-naming of Kalbian Street to Catanzariti Drive, Austral;
- 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.

CITY COMMUNITY AND CULTURE REPORT

ITEM NO: COM 01

FILE NO: 194252.2020

SUBJECT: Report back to Council - Alcohol-Free Zones Public Exhibition

COUNCIL DECISION

Motion:

Moved: Cllr Shelton

Seconded: Cllr Hadid

That Council endorse the re-establishment of Liverpool's Alcohol-Free Zones for a period of four years to 1 September 2024.

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

ITEM NO: COM 02
FILE NO: 201003.2020
SUBJECT: Report Back to Council - Mimosa Park, 22 Box Rd, Casula

COUNCIL DECISION

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

That:

1. The matter be referred to community consultation for 14 days with 2 options being:
 - i. Mimosa Park to be retained as a park; or
 - ii. Rezone and dispose of Mimosa Park.

2. A report to be brought back to the October Council meeting on the feedback from the community consultation.

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

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

Vote against: Mayor Waller, Clr Hagarty, Clr Kaliyanda, and Clr Shelton

Note: Clr Balloot was an apology for the meeting.

ITEM NO: COM 03
FILE NO: 203891.2020
SUBJECT: COVID-19 Impact on Sporting Field Hire Revenue

COUNCIL DECISION

Motion: **Moved: Cllr Ayyad** **Seconded: Cllr Rhodes**

That Council:

1. Endorse the application of approved 2019/2020 and 2020/2021 sporting field fees and charges on a pro-rata basis for the 2020 winter and 2020/2021 summer seasons; and
2. Endorse the waiving of winter season 2020 fees charged to the Liverpool City Robins Sports Club.

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

ITEM NO: COM 04
FILE NO: 206666.2020
SUBJECT: Collingwood Visitation Precinct Masterplan

COUNCIL DECISION

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

That Council:

1. Receives and notes the report; and
2. Endorses funds of \$150,000 – 200,000 in the 2020/21 financial year to engage a consultant to undertake the Masterplan.

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

CITY CORPORATE REPORT

ITEM NO: CORP 01
FILE NO: 201823.2020
SUBJECT: Investment Report July 2020

COUNCIL DECISION

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

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: 191798.2020
SUBJECT: Minutes of the Environment Advisory Committee held on 22 June 2020

COUNCIL DECISION

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

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 22 June 2020.

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

ITEM NO: CTTE 02
FILE NO: 207606.2020
SUBJECT: Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 22 July 2020

COUNCIL DECISION

Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Hadid**

That Council adopts the following recommendations of the Committee:

Item 1 - Kurrajong Road and Wingham Road roundabout, Carnes Hill – Proposed raised threshold across the eastbound approach.

- Council approves the proposed raised threshold for eastbound traffic on the approach to Kurrajong Road/William Buckley Drive/ Wingham Road roundabout.
- The project is to include tree planting and landscaping in the central island.

Item 2 - Sandringham Drive, Cecil Hills – Reconfiguration to permit additional on-street parking.

- Council approves the proposed signs and line marking associated with localised road widening of the section of Sandringham Drive in front of Cecil Hills Heritage Farm.

Item 3 - Seventeenth Avenue, Austral – Proposed children’s crossing and associated signs and line marking Scheme.

- Council approves the proposed children’s crossing and associated signs and line marking scheme.

Item 4 - Flynn Avenue, Middleton Grange – Proposed raised threshold.

- Council approves installation of a raised threshold in the form of asphaltic concrete as a temporary facility until such a time that the road section is reconstructed.

Item 5 - Reilly Street and Gill Avenue, Liverpool – Proposed roundabout upgrade.

- Council approves the proposed raised thresholds and associated signs and line marking scheme.
- The project is to investigate the inclusion of landscaping in the central island.

Item 6 - Soldiers Parade, Edmondson Park – Additional on-street parking.

- Council approves on-street kerbside parking with associated signs and line marking along the western side of Soldiers Parade.
- Council approves installation of a raised median island as part of the kerbside parking works.

Item 7 - Heathcote Road/Bardia Parade/Walder Road intersection upgrade, Holsworthy - Signs and line marking Scheme.

- Council approves the signs and line marking along Bardia Parade and Walder Road as well as a central median island on the Walder Road approach to Heathcote Road.

Item 8 - Kelly Street, Austral – Proposed roundabout and signs and line marking scheme.

- Council approves the proposed traffic facilities including the roundabout and associated signs and line marking scheme.
- The project is to investigate tree planting and landscaping in the central island.

Item 9 - Items approved under delegated authority

- Council notes the traffic facilities approved under delegated authority between 20 May 2020 and 22 July 2020.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01

FILE NO: 190647.2020

SUBJECT: Question with Notice - Clr Hagarty - Appeal Powers Against Land and Environment Court Decisions

Please address the following:

1. What appeal powers do Council (or the public) have when an applicant's appeal of previously refused DA is upheld by the Land and Environment Court?

Response

What is the applicant's right of appeal against refusal of a DA?

Where the Council is the consent authority for development and decides to refuse consent to a development application ('DA'), the applicant has the right to appeal to the Land and Environment Court ('Court') within 6 months of the decision.

When is the Council a party to an appeal against refusal of a DA?

The Council is the consent authority responsible for determining the DA, and hence a party to the appeal to the Court, where the decision to refuse consent was made by the local planning panel/regional planning panel on the Council's behalf or by an officer of the Council under delegated authority from the Council.

Can members of the public be a party to an appeal against refusal of a DA?

Only the applicant and the Council are parties to the appeal proceedings, unless the Court orders that another person is joined as a party, which is uncommon.

Members of the public have no right of appeal to the Court against a decision by the Council to refuse consent to a DA.

Can an objector appeal against refusal of a DA that is designated development?

No. An objector can only appeal a decision of a consent authority to grant consent to designated development.

If the Court grants consent to designated development, ordinarily, an objector cannot appeal the Court's decision.

In very limited circumstances, an objector can bring judicial review proceedings to review a decision by the Court to grant consent to a designated development.

On what basis is an appeal against refusal of a DA dealt with by the Land and Environment Court?

An appeal against the refusal of a DA is heard and determined by the Court on the planning merits of the DA.

The appeal does not involve a review of the Council's decision but instead involves the making of an entirely new decision.

The appeal is ordinarily heard and determined by a commissioner of the Court rather than a judge.

Who can appeal the Land and Environment Court's determination of an appeal against the refusal of a DA & on what basis?

Ordinarily, only parties to the appeal have a right to appeal the Court's decision in an appeal against refusal of a DA. Therefore, ordinarily only the applicant and the Council will have appeal rights against the Court's decision.

Where an appeal against the refusal of a DA is heard and determined by a commissioner of the Court, the Council has a right to appeal to a judge of the Court against an order or decision made by the Commissioner but only on a question of law. The appeal must be brought within 28 days. The Council may bring a further appeal to the Supreme Court against the decision of the judge of the Court, but only on a question of law, and the leave of the Supreme Court is required for it to do so. This further appeal process must be commenced within 28 days.

Where the Council is a party to an appeal against the refusal of a DA that is heard and determined by a judge of the Court, the Council may appeal to the Supreme Court against the decision of the judge on a question of law. The appeal process must be commenced within 28 days.

What is a question of law?

In general terms, a question of law is one that must be answered by applying relevant legal principles to interpretation of the law rather than by applying facts and evidence. Thus, in an appeal involving a question of law, the appellate body does not review the merits of the decision the subject of the appeal but rather the legal basis on which the decision was made.

ITEM NO: QWN 02
FILE NO: 190649.2020
SUBJECT: Question with Notice - Clr Kaliyanda - Processing of Organic Waste in the Liverpool LGA

Please address the following:

1. How much of waste collected in the Liverpool LGA is organic waste? How much of this is organic food waste?
2. How much organic waste in the Liverpool LGA actually ends up in landfill?
3. Do we currently have any policies or strategies in place to divert organic food waste from landfill?
4. Are there collective procurement contracts or similar arrangements for organic waste in NSW?

Response

1. How much of waste collected in the Liverpool LGA is organic waste? How much of this is organic food waste?

In 2019/2020 there was 16,736.69 tonnes of organic garden waste collected through the Council’s kerbside garden waste bin. From a recent audit, 48% of the red bin waste is food material. This means that in 2019/2020 there was 24,860.75 tonnes of food waste in the red general waste bin.

2. How much organic waste in the Liverpool LGA actually ends up in landfill?

All waste in the red general waste bin currently goes to landfill. The waste in the organics garden bin is processed into soil products.



3. Do we currently have any policies or strategies in place to divert organic food waste from landfill?

The NSW government is currently working on a 20 year Waste Strategy which is due to be released in late 2021. Council has undertaken research into a local strategy and is waiting for the release of the state strategy to finalise our strategy. This will give council the ability to align our strategy with the state government targets and goals and respond accordingly.

The Domestic Waste Collections tender which is currently being evaluated will have provisions for future changes in bin configurations and processing locations. This will give council the opportunity to adapt to any future opportunities such as Food Organics Garden Organics (FOGO), energy from waste, or other technologies.

Council has also placed an application for a grant under the Local Government Transition Fund. This grant will commission a feasibility and transition strategy around FOGO. Council will also be supporting the separate WSROC submission around food waste disposal option in multi-unit dwellings.

Council does encourage residents to divert food waste from their general waste bins by offering residents a \$50 rebate off a compost bin or worm farm reciprocal. Council also offers community workshops on worm farming and composting. Our waste primary school and preschool program address worm farming and composting.

4. Are there collective procurement contracts or similar arrangements for organic waste in NSW?

Liverpool is working with Camden, Campbelltown, Liverpool, Wollondilly and Wingecarribee to collectively tender and secure the provision of waste processing and disposal services for:

- General Waste
- Recycling
- Organics
- Bulky Waste

The project aims to ensure Councils have collective bargaining power to attract market investment in technology and infrastructure to service the South West Sydney region. Through this partnership, the Councils will also gain access to a dedicated facility, secure disposal and price certainty for the life of the contract.

ITEM NO: QWN 03
FILE NO: 216410.2020
SUBJECT: Question with Notice - Clr Hagarty - Western Sydney Parklands Trust

Background

In July the Berejiklian government announced it will fold the Centennial Park and Moore Park, Parramatta Park and the Western Sydney Parklands trusts into a new super trust.

This move would appear to run counter to Western Sydney Parklands' ethos of being Western Sydney's backyard and the Greater Sydney Commissions' Metropolis of Three Cities Plan.

While Centennial, Moore & Parramatta Parks are established open space which have existed for well over a century, Western Sydney Parklands is still being developed.

The social, economic and cultural needs of Western Sydney must be determined by the people of Western Sydney.

With this latest move and the impact of COVID-19 on the NSW budget, Liverpool needs reassurance that plans for Western Sydney Parklands are still on track.

Please address the following:

1. Are plans for the development of the Liverpool section of Western Sydney Parklands still on track?
2. Will these plans change with the Western Sydney Parklands Trust being rolled into a super parklands trust?
3. How will the unique needs and priorities of Western Sydney and Western Sydney Parklands be catered for in this new structure?
4. What structure will the board of the new trust take?
5. How many board members on the new trust will be from Western Sydney?
6. Will a board quota be set to ensure sufficient representation from Western Sydney?

A response to these questions will be provided in the 30 September 2020 Council meeting business papers.

ITEM NO: QWN 04
FILE NO: 218196.2020
SUBJECT: Question with Notice - Clr Rhodes - Georges River Bank Stabilisation

Please address the following:

Can Council provide a report on the recent collapse of the Eastern bank of the Georges River opposite the Council dog park and bordering the Moorebank Intermodal.

1. What is being done to stabilise the banks of the Georges River at this particular site and others along the Georges River?
2. Who is responsible to stabilise the bank of the Georges River?
3. When will stabilisation of the Georges River bank be done?
4. Explain the Georges Riverkeeper's involvement vs conditions imposed on development applications to stabilise the Georges River banks?

Recent collapse of the Georges River bank alongside the Moorebank Intermodal site and opposite the Council dog park was disturbing to say the least.

A large chunk of the bank that borders the Moorebank Intermodal Development site recently fell into the River.

When the ground is left bare by human activities including clearing, building (and related activities) and vehicle use such as 4WD's and trail bikes the soil is easily washed away when it rains. Examples of this can be seen between Sandy Point and Alford's Point as sediment from the ridges washes into Mill Creek and then into the Georges River. This erosion removes the fertile topsoil and the soil that is washed into waterways can contain plant nutrients, minerals, organic matter and seeds. It can also contain pesticides and toxic heavy metals.

When soil, sand, dust, cement, paint and building debris reach the waterways, they can:

- increase the risk of flooding;
- block drains;
- spread weeds to bushland;
- result in algal blooms;
- cause health problems for swimmers; and
- smother and suffocate water plants and animals and impact on their ability to reproduce.

The size of the erosion that fell into the Georges River in the one event is of particular concern and needs to be addressed.

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

ITEM NO: QWN 05
FILE NO: 219555.2020
SUBJECT: Question with Notice - Cllr Kaliyanda - Wattle Grove Lake

Please address the following:

1. What measures have been undertaken to improve the water quality at Wattle Grove Lake? What measures have been found to be successful?
2. What is the underlying issue with the water quality at Wattle Grove Lake?
3. What measures are still being undertaken, or are currently planned, to improve the water quality at Wattle Grove Lake?
4. How has Council sought partnerships and worked with other organisations in order to address this issue?

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

3. Direct the Acting CEO to lodge an application under the Public Space Legacy Program consistent with the recommendations of this report.

The Foreshadowed motion (moved by Cllr Rhodes) then became the motion and on being put to the meeting was declared CARRIED.

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Foreshadowed motion: Moved: Clr Hagarty Seconded: Clr Karnib

That Council:

1. Notes the Gateway determination for Liverpool Local Environmental Plan 2008 Amendment 82 and the submissions received on the planning proposal and draft strategies;
2. Proceeds with Amendment 82, subject to the amendments proposed in the post exhibition version of the planning proposal included in Attachment 4;
3. Delegates authority to the A/CEO to make any other minor typographical or editing amendments to the planning proposal and to forward the amended planning proposal to the Department of Planning, Industry and Environment for finalisation;
4. Adopts the amended Local Housing Strategy; Centres and Corridors Strategy and Industrial and Employment Lands Strategy;
5. Delegates authority to the A/CEO to make any other minor typographical or editing amendments to the strategies and to forward the amended strategies to the Department of Planning, Industry and Environment for endorsement; and
6. Notify submitters of Council's decision.

The Foreshadowed motion (moved by Clr Hagarty) then became the motion and on being put to the meeting was declared CARRIED with the Mayor 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.

Note: Clr Balloot was an apology for the meeting.

PRESENTATION BY COUNCILLORS

Nil.

2. Bring back a report to the October Council meeting; and
3. Run an awareness campaign on this clear and unambiguous guidance through the District Forums, social and traditional media and other suitable forums.

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

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Chairperson

ITEM NO: NOM 03
FILE NO: 219498.2020
SUBJECT: Use of Data to Improve Energy Efficiency and Reduce Pollution

BACKGROUND

The ClimateClever app enables users to measure and monitor electricity, gas and water consumption. Developed by Curtin University, it provides users with an action plan on how to be more efficient with their energy use, reducing pollution and utility bills.

ClimateClever works in three simple steps:

- Measure – Calculate and track consumption, pollution and costs.
- Audit – Understand how the home or school consumes resources, and how this contributes to pollution and utility costs.
- Action – Create a custom action plan to systematically reduce resource consumption, pollution and utility bills.

A growing number of local governments across Australia have partnered with ClimateClever to offer residents, local schools and businesses a way to measure their energy consumption, reduce pollution and save on their utility bills.

Some of the benefits for local governments include:

- Enhance tree planting across the LGA – to date, more than 85,000 trees have been planted across Perth and regional WA under this scheme.
- Adopt an easy, concrete and measurable way to meet strategic goals – apps simplify the collection and analysis of utility and usage data.
- Build genuine community engagement around sustainability – the ClimateClever program provides a new and innovative way to up-skill a large and engaged audience of students, teachers and school staff; households; and, soon, local businesses.
- Fostering and developing leadership in sustainability – helping to engage, educate and up-skill students around these important issues.
- Help our local schools, households and businesses achieve savings on their utility bills

The ClimateClever initiative already has a number of local government partners, including the Cities of Albany, Canning, Stirling and Mosman Council.

With Liverpool regularly having the worst air quality in the Sydney basin, we should welcome initiatives that encourages schools, households and businesses to plant more trees and reduce pollution.

CONFIDENTIAL ITEMS**ITEM NO:** CONF 01**FILE NO:** 195722.2020**SUBJECT:** Endorsement of the Liverpool Access Committee membership 2020 - 2022**COUNCIL DECISION****Motion:** **Moved: Cllr Hagarty** **Seconded: Cllr Hadid**

That Council endorses the applicants outlined in the table below as members of the Liverpool Access Committee:

Name	Suburb	Representation Category
Ellie Robertson	Holsworthy	Category 1
Peter Fraser	Liverpool	Category 1
Jim Simpson	Liverpool	Category 1
Quang Nguyen	Casula	Category 1
Grace Fava	Liverpool	Category 2
Najla Turk	Kemps Creek	Category 2
Leanne Park	Liverpool	Category 2
Kaye Bruce	Liverpool	Category 2
Christine O'Neill	Casula	Category 3
Mohamed Issak	Liverpool	Category 3
Toby Pitt	Fairfield East	Category 3
Theresa Tran	Liverpool	Category 3

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

ITEM NO: CONF 02
FILE NO: 207987.2020
SUBJECT: ST2954 - Waste, recyclables and Garden Organics Collection Services (2020/2321)

COUNCIL DECISION

Motion: **Moved: Cllr Harle** **Seconded: Cllr Shelton**

That Council:

- 1. Accept the Tender from J.J Richards & Sons Pty Ltd T/A JJ's Waste & Recycling for Tender ST2954 – Waste, Recyclables and Garden Organics Collection for an initial seven (7) years at the GST inclusive price of \$77,074,081 (Option 1), \$82,871,231 (Option 2) contract term with the option of extending three (3) in 1 year increments.
- 2. Makes public its decision regarding tender ST2954 – Waste, Recyclables and Garden Organics Collection.
- 3. 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.
- 4. Delegates the Acting 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.
- 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**.

Councillors voted unanimously for this motion.

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

Mayor Waller advised that Council would now move into Closed Session to deal with Item CONF 03 Funding for RAID Moorebank Class 1 Merits Appeal pursuant to the provisions of S10A(2)(g) of the Local Government Act because the item 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.

RECESS

Mayor Waller called a recess at 8.20pm.

RESUMPTION OF MEETING

The meeting resumed at 8.30pm in Closed Session.

ITEM NO: CONF 03

FILE NO: 209895.2020

SUBJECT: Funding for RAID Moorebank Class 1 Merits Appeal

COUNCIL DECISION

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

That Council:

1. Notes the legal advice by Senior Counsel representing RAID Moorebank Inc. that the Class 1 Appeal in the NSW Land and Environment Court in relation to development consent for Moorebank Precinct West Stage 2 (SSD 7709) has reasonable prospects of success; and
2. Approves the provision of up to a total of \$300,000 in legal funding for RAID Moorebank Inc. for the appeal, to be paid subject to the presentation of invoices to Council.

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

OPEN SESSION

Council moved back into Open Session at 8:36pm, Mayor Waller then read out the above resolution from the Closed Session.

THE MEETING CLOSED AT 8.37pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 30 September 2020

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