



**MINUTES OF THE ORDINARY MEETING  
HELD ON 28 APRIL 2021**

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**PRESENT:**

Mayor Wendy Waller  
Councillor Ayyad  
Councillor Balloot  
Councillor Hadchiti  
Councillor Hadid  
Councillor Hagarty  
Councillor Harle  
Councillor Kaliyanda  
Councillor Karnib  
Councillor Rhodes  
Councillor Shelton  
Dr Eddie Jackson, Chief Executive Officer  
Mr George Hampouris, Acting Director City Corporate  
Ms Tina Bono, Acting Director City Community and Culture  
Mr David Smith, Acting Director City Economy and Growth  
Mr Peter Diplas, Acting Director City Presentation  
Mr Raj Autar, Director City Infrastructure and Environment  
Mr John Morgan, Director Commercial and Property Development  
Mr Vishwa Nadan, Chief Financial Officer  
Ms Ellen Whittingstall, Acting Internal Ombudsman  
Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement  
Mr Michal Szczepanski, Senior Property Officer Property Assets  
Mr Scott Sidhom, Acting Manager, City Design and Public Domain  
Mr Daniel Lavorato, Digital Services and Design Coordinator  
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 Reverend Bruce Hammonds from Liverpool Presbyterian Church.

**NATIONAL ANTHEM**

The National Anthem was played at the meeting.

**APOLOGIES**

Nil.

**CONDOLENCES**

**ITEM NO:** COND01  
**FILE NO:** 106345.2021  
**SUBJECT:** CONDOLENCE MOTION – Iris May Wallis (read by Mayor Waller)

Tonight, we pause to remember Iris May Wallis, former president of The City of Liverpool and District Historical Society.

Mrs Wallis was born on 10 August 1927. She was married to Keith (deceased) for 52 years.

She was a beloved Mum and mother-in-law to Julie and Joseph, Nan to Allison, John and Pauline, and Timothy, and Nanny Iris (great-grandmother) to Cohen & Isla, and Alicia & Sienna.

Mrs Wallis was a stalwart of The City of Liverpool and District Historical Society during the 1980s and 90s and held many positions on the committee including president.

Due to the hard work of volunteers like her, The City of Liverpool and District Historical Society was awarded an Order of the City of Liverpool in 2008.

Mrs Wallis was also a founding member of the Liverpool Volunteer Resource Centre.

She was also known as “Nanna Iris” to a generation of students at Casula Public School as a volunteer through the “Grandfriends” program that ran in the early 2000s.

Her family members have remembered her as a special Aunty to all her nieces and nephews, a loyal friend and exceptional colleague to many, and a fighter to the end.

Mrs Wallis was truly a prolific and energetic volunteer who gave so much of her time to help those in the Liverpool community.

She passed away on 7 April 2021, aged 93.

A Requiem Mass for the Eternal Repose of Iris Wallis' Soul was held at the Lady of Mount Carmel Catholic Church at Varroville on Friday 16 April. Following the service Mrs Wallis was laid to rest at The Forest Lawn Memorial Park at Leppington.

On behalf of Liverpool City Council, I express my deepest condolences to Iris Wallis' family and friends during this difficult time.

May she rest in peace.

## **COUNCIL DECISION**

**Motion:**    **Moved: Mayor Waller**    **Seconded: Clr Hadchiti**

That Council writes to the family of Iris Wallis to express our condolences for their loss.

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

One minute silence was then observed for Iris May Wallis.

## **CONFIRMATION OF MINUTES**

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

That the minutes of the Ordinary Meeting held on 31 March 2021 be confirmed as a true record of that meeting.

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

## **DECLARATIONS OF INTEREST**

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

**Item EGROW 06**                                  Planning Proposal request to amend provisions contained within Clauses 21 and 24 of Schedule 1 of the Liverpool Local Environmental Plan 2008 to facilitate the expansion of The Grove, Warwick Farm.

**Reason:**    Persons recommended in the report are known to Clr Hadchiti through the normal course of business.

**Item CONF 3**    Bigge Park Cafes - Lot 702 DP 1056246, Bigge Street, Liverpool.

**Reason:**    Persons mentioned in the report are known to Clr Hadchiti.

Clr Hadchiti remained in the Chambers for the duration of these items.

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

**EGROW 04** Update on the draft Warwick Farm Racing Precinct Structure Plan, draft Planning Proposal and draft Contributions Plan.

**EGROW 06** Planning Proposal request to amend provisions contained within Clauses 21 and 24 of Schedule 1 of the Liverpool Local Environmental Plan 2008 to facilitate the expansion of The Grove, Warwick Farm.

**Reasons:** Clr Harle has family members that live in the area.

Clr Harle remained in the Chambers for the duration of these items.

## **PUBLIC FORUM**

### **Presentation – items not on agenda**

1. **Mr Erik Rakowski** addressed Council on the following matter:

MOU 01 Revised parameters of the Intermodal Appeal from the Council meeting of 31 March 2021.

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

That a three minute extension of time be given to Mr Rakowski.

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

Clr Hadchiti asked that he be recorded as having voted against the motion granting the extension of time to address the meeting.

### **Representation – items on agenda**

1. **Mr John Anderson** addressed Council on the following item:

**Item: EGROW 07** - Proposed Moorebank Avenue Realignment – Submission on Environmental Impact Statement.

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

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

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

**MAYORAL MINUTE**

**SUBJECT: 30 Years of Wattle Grove**  
**FILE REF: 125161.2021**  
**ITEM: MAYOR 01**

This year marks 30 years since the opening of Wattle Grove, a much-loved suburb in the City of Liverpool.

Wattle Grove was officially opened on 12 April 1991, by the then prime minister of Australia, The Honourable R J L (Bob) Hawke. At the ceremony Mr Hawke presented commemorative keys to the first four service families who had relocated from the adjacent Holsworthy village, to occupy their new homes in the Wattle Grove development.

The suburb was originally designed for 8000 people, with a village atmosphere. Two thousand lots of various housing types were progressively released in the early 1990s. One-third was dedicated to housing service families and the rest were sold for private housing.

Wattle Grove was considered by the Defence Housing Authority to be its “flagship” development and the Authority asserted that “Wattle Grove has been recognised as setting the standard for planned communities in Sydney.” The development at Wattle Grove was awarded the 1991 Special Award for Excellence by Liverpool City Council.

An artificial lake known as “Wattle Grove Lake” was opened in March 1993. Surrounded by parklands, Wattle Grove Lake was the centrepiece of the new suburb. The lake is still well used by the residents of Wattle Grove and the surrounding area today.

Wattle Grove Shopping Centre and the Council-run Wattle Grove Community Centre were subsequently built. They are great facilities contributing to the continued liveability of Wattle Grove.

The Wattle Grove development created a close-knit, caring community which is a very positive part of Liverpool.

I would also like to thank The City of Liverpool and District Historical Society for bringing to my attention this significant occasion for the City of Liverpool.

**COUNCIL DECISION**

**Motion: Moved: Mayor Waller**

That Council acknowledges the 30th anniversary of the suburb of Wattle Grove.

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

**MOTION OF URGENCY****ITEM NO:** MOU 01**SUBJECT:** Rescission Motion for MOU 01 – Revised Parameters of the Intermodal Appeal Case No.: 2020/0004407 from the 31 March 2021 Council Meeting. –

In accordance with Clause 8.3 of Council's Code of Meeting Practice, the Chairperson Mayor Waller, ruled the above matter as urgent, and would be dealt with later in the meeting as it is confidential under Section 10A(2)(d)(i) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**CHIEF EXECUTIVE OFFICER REPORT****ITEM NO:** CEO 01**FILE NO:** 098074.2021**SUBJECT:** Council's Website Hosting and Content Management System License**COUNCIL DECISION****Motion:****Moved: Cllr Harle****Seconded: Cllr Hadid**

That Council:

1. Approves by resolution pursuant to section 55 (3) (i) of the Local Government Act 1993 not to tender for existing services on the grounds that (i) because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution that a satisfactory result would not be achieved by inviting tenders in so far as:
  - 1.1 The existing system is a market leader having significant participation in local and state government;
  - 1.2 The likelihood of the tender process achieving an equivalent or superior system is remote given the supplier saturation of the market;
  - 1.3 The existing systems are integral software packages allowing Council to meet customer service objectives across all service delivery areas;
  - 1.4 Operations are familiar with the platform having successfully used the systems for many years;
  - 1.5 Migrating to alternative systems at this time would be both cost-prohibitive and difficult to achieve.
2. Delegate authority to the CEO to enter into direct negotiations with the incumbent suppliers pursuant to 55(3)(i) of the Local Government Act 1993.
  - Squiz Digital Services

3. Delegate authority to the CEO to enter into a formally binding, licensed contract with the existing service providers for a period of three (3) years with the option to extend for up to two (2) more years.

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

**CITY ECONOMY AND GROWTH REPORT**

**ITEM NO:** EGROW 01  
**FILE NO:** 293762.2020  
**SUBJECT:** Proposed realignment of Liverpool Hospital's Helicopter Flight Path

**COUNCIL DECISION**

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

That Council:

1. Direct the CEO to prepare a planning proposal to update the relevant Key Site Maps in the Liverpool Local Environmental Plan relating to hospital helicopter airspace in accordance with the updated helicopter flight paths.
2. Forwards the planning proposal to the Liverpool Local Planning Panel for advice in accordance with Local Planning Panel Direction – Planning Proposals dated 23 February 2018.
3. Receives a further report, following the advice of the Liverpool Local Planning Panel on whether the planning proposal should be referred to the Department of Planning, Industry and Environment for a Gateway determination.

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





**ITEM NO:** EGROW 03  
**FILE NO:** 080038.2021  
**SUBJECT:** Proposed Planning Agreement in conjunction with DA-904/2019 at 28 Yarrunga Street, Prestons

**COUNCIL DECISION**

**Motion:**                                      **Moved:** Clr Harle                                      **Seconded:** Clr Ayyad

That Council:

1. Endorse the draft planning agreement for a monetary contribution of \$207,300 towards the upgrade of the Bernera Road / Yarrunga Street / Yato Road intersection and direct 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 modifications.
3. Notes that if changes, other than minor changes, arise from the public exhibition process these will be reported back to Council for endorsement.
4. Notes that any planning agreement will be subject to approval of modification application DA-904/2019/B which proposes deletion of Conditions 130 and 131 (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.

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

Councillors voted unanimously for this motion.

**Clr Balloot left the Chambers at 6:55pm.**

**ITEM NO:** EGROW 04

**FILE NO:** 102193.2021

**SUBJECT:** Update on the draft Warwick Farm Racing Precinct Structure Plan, draft Planning Proposal and draft Contributions Plan

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Rhodes**

**Seconded: Clr Ayyad**

That Council:

1. Receives and notes this report;
2. Notes that appropriate funds will need to be allocated and delegates the necessary funds in the current financial year to refine the draft structure plan, draft planning proposal and draft contributions plan for the Warwick Farm Racing precinct, to:
  - a. Respond to feedback received during public exhibition of the draft plans;
  - b. Incorporate the outcomes of regional transport, flood, and open space studies;
  - c. Respond to the outcomes of feasibility testing;
  - d. Incorporate the 240 Governor Macquarie Drive site into the draft planning proposal and structure plan, considering DPIE's Gateway refusal and feedback received from public exhibition; and
  - e. Conduct a detailed flood impact assessment to better understand land needed for flood mitigation and potential flood mitigation options.
3. Receives a further report on the draft structure plan, draft planning proposal and draft contributions plan for the Warwick Farm racing precinct following the refinement of the plans.
4. Notes the importance of this piece of work including the existing safety issues being experienced by horse trainers in the precinct.

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

Councillors voted unanimously for this motion.

Note: Clr Balloot was not in the Chambers when this item was voted on.

**ITEM NO:** EGROW 05  
**FILE NO:** 102338.2021  
**SUBJECT:** Proposed Planning Agreement in support of Draft Amendment 79 to Liverpool Local Environmental Plan - 4-8 Hoxton Park Road, Liverpool

**COUNCIL DECISION**

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

That Council:

1. Endorse the draft planning agreement and direct 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 modifications.
3. Notes that if changes, other than minor changes, arise from the public exhibition process these will be reported back to Council for endorsement.

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

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

**Vote against:** Cllr Shelton.

Note: Cllr Balloot was not in the Chambers when this item was considered and voted on.

**ITEM NO:** EGROW 06  
**FILE NO:** 102681.2021  
**SUBJECT:** Planning Proposal request to amend provisions contained within Clauses 21 and 24 of Schedule 1 of the Liverpool Local Environmental Plan 2008 to facilitate the expansion of The Grove, Warwick Farm

**COUNCIL DECISION**

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

That Council:

1. Notes the advice of the Liverpool Local Planning Panel;
2. Endorses in principle the amended planning proposal request as follows:
  - Include *business premises* as an additional permitted use under Schedule 1, Clause 24 as it applies to the ‘Homemaker Centre’ site at 10 Orange Grove Road, Warwick Farm (Lot 101 DP 1043160).
  - Increase the current cap on *retail premises* under Schedule 1, Clause 21 from 19,000sqm to 21,000sqm and change the legal description so that the subject clause would apply to the ‘Fashion Spree’ site at 5 Viscount Place, Warwick Farm (Lot 23 DP 1190437).
3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
4. Endorses in principle the public benefit offer dated 13 April 2021;
5. Forwards the planning proposal to the Department of Planning, Industry and Environment pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979, seeking a Gateway determination;
6. Subject to Gateway determination, undertakes public exhibition and community consultation in accordance with the conditions of the Gateway determination; and
7. Receives a further report on the outcomes of public exhibition and community consultation.

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

Councillors voted unanimously for this motion.

Note: Clr Balloot was not in Chambers when this item was considered and voted on.

**ITEM NO:** EGROW 07  
**FILE NO:** 103300.2021  
**SUBJECT:** Proposed Moorebank Avenue Realignment – Submission on Environmental Impact Statement

**COUNCIL DECISION**

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

That Council:

- 1. Notes that a submission will be made to DPIE on the proposed Moorebank Avenue Realignment Environmental Impact Statement; and
- 2. Endorse the key issues identified in this report to be included in the submission.

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

Councillors voted unanimously for this motion.

Note: Clr Balloom was not in the Chambers when this item was considered and voted on.

**RECESS**

Mayor Waller called a recess at 7.01pm.

**RESUMPTION OF MEETING**

Mayor Waller resumed the meeting at 7.13pm with all councillors present except for Clrs Hagarty and Ayyad.

**CITY COMMUNITY AND CULTURE REPORT****ITEM NO:** COM 01**FILE NO:** 094378.2021**SUBJECT:** Grants, Donations and Corporate Sponsorship**COUNCIL DECISION****Motion:****Moved: Cllr Shelton****Seconded: Cllr Hadchiti**

That Council endorses the recommendation of **\$9,870** (GST exclusive) under **Corporate Sponsorship** for the following project:

<b>Applicant</b>	<b>Project</b>	<b>Recommended</b>
The Business Concierge LTD	Survivor Life Skills	\$9,870

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

**CITY CORPORATE REPORT**

**ITEM NO:** CORP 01  
**FILE NO:** 077589.2021  
**SUBJECT:** Investment Report March 2021

**COUNCIL DECISION**

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

That Council receives and notes this report.

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

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



**Clr Hagarty returned to the Chambers at 7.14pm.**

**Clr Kaliyanda retired from the meeting at 7.14pm.**

**ITEM NO:** CORP 02

**FILE NO:** 100327.2021

**SUBJECT:** Submission on Consultation Paper regarding Remote Attendance by Councillors at Council Meetings

### **COUNCIL DECISION**

**Motion:**

**Moved: Clr Harle**

**Seconded: Clr Rhodes**

That Council:

1. Makes a submission to the Office of Local Government supporting the proposed amendments outlined in the "*Remote attendance by Councillors at Council Meetings Consultation Paper*".
2. Adopt the Procedures attached to the OLG Circular, with the timeframe for requests by Councillors to attend meetings remotely by audio-visual link to be made in writing to the CEO at least 48 hours before a meeting. This would form an Appendix to the Code of Meeting Practice whilst it is in effect.

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

Clr Hadchiti asked that he be recorded as having voted against the motion.

**Clr Ayyad returned to the Chambers at 7.15pm.**

**CITY PRESENTATION REPORT**

**ITEM NO:** PRES 01  
**FILE NO:** 092596.2021  
**SUBJECT:** Nature Strip / Verge Mowing Policy

**COUNCIL DECISION**

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

That Council defer this matter for further consideration.

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



**ITEM NO:** CTTE 02  
**FILE NO:** 101733.2021  
**SUBJECT:** Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 17 March 2021

**COUNCIL DECISION**

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

That Council adopts the following recommendations of the Committee:

Item 1 - Badgerys Creek Road, Badgerys Creek – Access to the metro station proposed roundabout.

- Approves the submitted concept design of the proposed roundabout.
- Consideration is to be given for tree planting in the central island or around the roundabout.
- Detailed design to be submitted to the Committee for further assessment prior to construction.

Item 2 - Governor Macquarie Drive, Chipping Norton – Signs and Linemarking Scheme.

- Approves signs and linemarking scheme for the road upgrade of Governor Macquarie Drive between Newbridge Road and Alfred Road, Chipping Norton to a four-lane divided road.

Item 3 - Adams Road, Luddenham – Revised access to existing quarry - request to lift load limit.

- Approves lifting the load limit on the northern section of Adams Road approximately 300m from Elizabeth Drive, to permit heavy vehicle movements.
- Community consultation is to be carried out prior to removing the load limit.

Item 4 - Braidwood Drive and Michelago Circuit – proposed signs and linemarking scheme.

- Approves Installation of a raised threshold across the northern approach to the existing roundabout at Braidwood Drive, Michelago Circuit and Ulladulla Drive intersection, Prestons.
- Modification to the existing splitter islands on all approaches to the existing roundabout to include a pedestrian refuge and to narrow the traffic lanes around the roundabout.

Item 5 - Regentville Drive, Elizabeth Hills – proposed traffic management changes.

- Approves Installation of the proposed speed thresholds on Regentville Drive, Elizabeth Hills at the following locations, subject to community consultation:
  - In front of House Nos. 23
  - In front of House Nos. 53
- All stakeholders be advised accordingly of Council's decision.

Item 6 - Special Event – Street Parade, Liverpool by Australian Air League on 18 July 2021.

- Approves the event as a Class 2 Special Event with all associated conditions including:
  - Submission of a Special Event Transport Management Plan for TfNSW endorsement.
  - Police approval for the management of the associated rolling road closures.
  - Advertisement of the event in local newspapers.
  - Road Occupancy License to be obtained from Transport Management Centre.
  - The organisers must obtain relevant approval from NSW Health for this street parade.
- The Committee support in principle the Australian Air League march through the Liverpool City Centre on 18 July 2021.
- Council liaise and if required, organise a meeting with the event organisers, Police and local bus companies to adopt a revised route that would minimise traffic impacts of the event.
- The organisers to obtain relevant approval from NSW Health for this street parade.

Item 7 - Liverpool City Centre - Special Community Event, Festival of Chariots on 17 July 2021.

- Approves the event as a Class 2 Special Event with all associated conditions including:
  - Submission of a Special Event Transport Management Plan for TfNSW endorsement.
  - Police approval for the management of the associated rolling road closures.
  - Advertisement of the event in local newspapers.
  - Road Occupancy License to be obtained from Transport Management Centre.
  - The organisers must obtain relevant approval from NSW Health for this street parade.
- Support in principle the route and classify the event as Class 2.
- Council liaises and if required organise a separate meeting with the event organisers, Police and local bus companies to ensure that traffic impacts of the event is minimised.

Item 8 - Powerhouse Road and Woodbrook Road – proposed new carpark signs and linemarking.

- Approves in principle the reopening of Woodbrook Road, associated shared path and pedestrian refuge to connect to Powerhouse Road.
- Consultation be carried out with the local residents and for the results to be presented to a future committee meeting.
- Detailed design of the car park in front of CPAC is to include paved footpath connection to the path along the river and signs and linemarking scheme including 4P (8am-12pm) parking for the new carpark.

Item 9 - Subdivision and development – signs and linemarking – Seventh Avenue and Fifteenth Avenue.

- Approves signs and linemarking scheme for the four subdivisions as indicated in the agenda item.

Item 10 - Items Approved Under Delegated Authority.

- Approves the Delegated Authority applications approved by the NSW Police Force and TfNSW representatives over the period between 3 February 2021 and 17 March 2021.

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

**QUESTIONS WITH NOTICE****ITEM NO:** QWN 01**FILE NO:** 105834.2021**SUBJECT:** Question with Notice - Cllr Rhodes - Mobile Office Services**Please address the following:****Mobile Office Services**

1. People in the Community who are not computer literate, have no internet service, and consequently are not on facebook or other social media platforms have asked when is Council intending to start Council Mobile Office services again?
2. What else can Council do to bridge the communication gap with constituents who are not Computer or smart phone savvy?

**Response to point 1 (as provided for the Council meeting of 31 March 2021)**

The last Council Mobile Office was held on 12 February 2020 and then ceased due to Covid-19.

Staff propose to recommence Mobile Offices in May and hold another one in July for the current term of Council.

It's intended that Mobile Offices then continue to be held bi-monthly in the new term of Council.

**Response to point 2**

Council are aware that community members have varied experiences when accessing Council information and services. COVID-19 restrictions impacted most of the traditional and direct communication methods with community. Prior to COVID-19 Council utilised a variety of methods to communicate with residents including door to door consultations, info stalls at events, community BBQ, district forums and presenting at various networks and community functions.

Council acknowledges the use of online methods as a primary communication method disadvantages residents who are not computer literate, have no access to internet, or are not using social media platforms. Residents and community groups mostly impacted include new arrivals, older people, people with a disability or residents who experience financial difficulties.

Council is currently in the process of developing a Community Engagement Strategy. The Strategy is intended to review current methods of engaging with residents; and to develop

new and innovative ways to inform and consult residents. The limitations imposed by COVID-19 and lessons learnt will be key considerations during the review; and will assist Council with developing a holist approach to communicating with residents. Key internal and external stakeholder, including Councillors, will be consulted on the draft Community Engagement Strategy in the coming months, prior to presenting it to Council for consideration.

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**ITEM NO:** QWN 02  
**FILE NO:** 094288.2021  
**SUBJECT:** Question with Notice - Cllr Kaliyanda - Food Insecurity

**Please address the following:**

**1. What is the status of food insecurity in the Liverpool LGA?**

The significance of food insecurity across Liverpool is largely undetermined, however anecdotally, demand for free food and low-cost groceries in Liverpool continues to grow as reported by charity and religious groups.

The demand for Council's Christmas food and gift hampers program was unprecedented, with 19 service providers engaged to distribute 270 hampers to their clients across Liverpool. The verbal feedback received from participating service providers was that many families and individuals were in dire financial situations impacting their access to food and other necessities. It should be noted that the Council hampers were in addition to other hampers distributed directly from non-participating charity and religious groups.

More recently, general feedback from some local free food service providers that engage with Council suggests there is inadequate supply and distribution of free food and low-cost groceries in Liverpool to meet the demand. Further, they predict the end of Jobkeeper will put more pressure on charities to increase their supplies.

Information received from one charity indicated they are seeing increased demand for services from different facets of the community that would not normally access their programs as a direct result of job losses.

One service reported that in the last six months a sharp increase in demand for their free hot meal program has seen an average of 60 meals per day increase to an average of 100 meals per day. Similarly, their low-cost grocery program went from 15-20 shoppers per week to over 40 per week.

Another charity group has reported that while requests for their low-cost groceries has increased slightly, the demand for free food has skyrocketed due to increased financial hardship amongst their client base. This has put considerable pressure on the service to keep up with added operational costs, as well as the increased need for volunteers and in-kind supports.

**2. As COVID-19 related restrictions have eased, what impact has this had on people accessing food relief?**

Feedback from Liverpool's food service providers indicates that the easing of COVID-19 restrictions has not had much impact on the community accessing free food services. Council's Community Development and Planning team worked closely with charity and

religious groups to ensure vital free food services were supported throughout the pandemic to meet community need. Since the easing of restrictions, the free food and low-cost grocery programs continue to provide their services albeit, with increased community demand.

### **3. How are gaps in government support being met in the Liverpool LGA?**

Gaps in government support are largely being filled by a dedicated group of volunteers representing not-for-profit charity, religious and government funded agencies in meeting community demand for access to free food services and low-cost groceries.

Council engages with known charities and religious groups where possible to help coordinate a balanced delivery of free food services to the Liverpool community.

At the height of the pandemic the free food services were encouraged to support one another by way of sharing space and resources, thus opening opportunities for creating new partnerships and networks. For example, a major free food service (Liverpool Community Kitchen and Hub) forced to close at the height of the pandemic was able to continue delivering free hot meals to the community outside the Uniting Church premises via a partnership arrangement with the Bill Crew's Exodus Foundation.

Council continues to receive enquiries from charities and religious groups wanting to set up free food services in Liverpool. In recent months, two new free food programs have been established at Pioneers Memorial Park.

Council provides a schedule of known Free Food Services to community members, which is available on Council's website and is updated and shared regularly with Council's community partners for distribution to their client cohort.

**ITEM NO:** QWN 03  
**FILE NO:** 094294.2021  
**SUBJECT:** Question with Notice - Cllr Kaliyanda - Gender Pay Gap

**Please address the following:**

1. Has Council ever conducted a gender pay gap analysis for the organisation?
2. If so, how does our Council compare to benchmarks?

**Response**

1. Council participates in the *Australian Local Government Performance Excellence Program*, an annual survey of participating Councils comparing and benchmarking against a range of metrics, including gender diversity.

During recruitment, a mixed gender panel is required as part of Council's Recruitment and Appointment Policy. In addition, as per this Policy, all people involved in the recruitment and appointment process are responsible for ensuring all decisions are made on merit and free from bias and discrimination which includes, amongst other things, gender.

Council through its endorsed Plan, is committed to eliminate and ensure the absence of discrimination in employment, and places particular emphasis on the promotion of equal opportunity for woman.

Council is currently developing a formal *Diversity and Inclusion Strategy* aimed at aligning the diversity of Council's workforce to reflect the diversity of the population that Council serves. A range of initiatives targeting gender equity will form part of the strategy.

2. As at 30 June 2020, the proportion of women across all participating Councils was 44% of the workforce. For Liverpool, women represented 46% of the workforce.

**ITEM NO:** QWN 04  
**FILE NO:** 094306.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - Infrastructure and Services in Growth Areas

## Background

There is still a lack of infrastructure and services in our growth areas. Suburbs like Middleton Grange, Edmondson Park and Austral are poorly served with choked roads and a lack of bus services. This issue is set to become worse if it is not addressed quickly.

While Council is delivering on State Government housing targets, other levels of Government must provide their fair share such as main roads, bus services and regional infrastructure like hospitals, schools, police stations and top tier venue spaces.

### Please address the following:

1. What additional bus services are planned for our growth suburbs?
2. When are these new bus services set to arrive?
3. How are major upgrades to roads like Fifteenth Avenue funded?
4. Are there plans for additional public services and infrastructure like hospitals, schools, police stations, ambulance stations in our growth suburbs?
5. When are these expected to be delivered?

## Response

### 1. What additional bus services are planned for our growth suburbs?

As with other areas in the Liverpool LGA, bus services are provided by three local bus companies on contract with Transport for NSW (TfNSW).

TfNSW has advised that as the new suburbs develop, and the required road network is constructed, bus services will be provided, subject to funding allocation in the NSW State Budget.

The agency is planning improvements to existing bus services to provide local connections to train stations and activity centres including shopping centres, places of employment and entertainment.

On 2 March 2019, the NSW Government announced that it was planning to introduce an additional 14,000 weekly services across the greater metropolitan area over the next four years. As part of these additional services, there will be the following new or additional services within Liverpool LGA:

<b>Route</b>	<b>Planned improvements</b>
859 Carnes Hill – Edmondson Park	Increase peak service frequency. Extend span of hours later in the evening; and introduce new weekend services.
869 Liverpool – Ingleburn via Edmondson Park	Increase weekend service frequency. Extend span of hours
New route Austral to Carnes Hill via Edmondson Park	Introduce new route between Austral and Carnes Hill
901, 902 Liverpool to Holsworthy via Wattle Grove/Moorebank	Increase weekday AM & PM frequency to 15 minutes. Extend weekday and weekend service hours

## **2. When are these new bus services set to arrive?**

As indicated above, the extra or new bus services will be rolled out over the next four years and funded under TfNSW's Growth Services Program.

In the last twelve months the following additional bus services have been added to services in the Liverpool LGA.

- More than 120 extra weekly services on route 869 from Ingleburn to Liverpool via Edmondson Park.
- A new N31 night ride service between Liverpool and Leppington, seven days a week, with stops at Liverpool, Casula, Edmondson Park and Leppington.
- New electric bus service along route 859 (Carnes Hill to Edmondson Park) since early 2021.

Council has previously made representations for bus services to Middleton Grange but has been advised by TfNSW that funding is not yet available. Council will continue to make representations to TfNSW for the provision of new bus services.

### **3. How are major upgrades to roads like Fifteenth Avenue funded?**

As part of the Austral Leppington North release area, The Department of Planning, Industry and Environment (DPIE), in consultation with TfNSW, carried out regional transport studies which identified that Fifteenth Avenue along with Edmondson Avenue needed to be upgraded to accommodate the expected additional travel demand.

The NSW Government established a Special Infrastructure Contribution (SIC) Program for the South-West and North-West Sydney Growth Centres to assist in funding infrastructure improvements, including transport infrastructure in the growth centres.

The South West Growth Centre includes the Austral / Leppington North and East Leppington release areas. The SIC program contains a funding allocation for the upgrading of Fifteenth Avenue.

The program requires land developers to make a SIC contribution to fund the required infrastructure improvements. DPIE collects and distributes contributions to the relevant delivery agencies, including TfNSW and Councils.

To date, Council has received funding for the design of Fifteenth Avenue upgrade for the section between Cowpasture Road and Devonshire Road. Once the design is completed, Council will be submitting funding applications under the SIC to DPIE to enable the required road upgrade to be carried out.

### **4. Are there plans for additional public services and infrastructure like hospitals, schools, police stations, ambulance stations in our growth suburbs?**

Plans for the provision of public services and infrastructure like hospitals, schools, police stations, ambulance stations in the growth suburbs (within the south-west growth centre) are outlined in the South Western Sydney State Infrastructure Contribution Scheme (the SIC) and the relevant precinct plans for the release areas.

In addition, the draft Western Sydney Place Infrastructure Compact (the PIC) is another infrastructure planning document which outlines infrastructure needs in the broader area. The PIC covers the Western Sydney Aerotropolis Growth Area and the Austral to Glenfield Corridor.

#### The South Western Sydney State Infrastructure Contribution Scheme

The SIC scheme requires land developers (within the Growth Centre) to make contributions towards state/regional roads, public transport infrastructure, health, education, emergency, and open space/conservation facilities within its catchment.

In the Liverpool Local Government area, the SIC applies to rezoned precincts such as Edmondson Park, Austral, and Leppington (but not Middleton Grange).

The SIC also includes a table of works which will be funded by monies collected. Key items of the SIC for the Edmondson Park, Austral, Leppington North and East Leppington precincts include:

- Fifteenth Avenue, Cowpasture Road to Western Road
- Edmondson Avenue, Bringelly Road to Fifteenth Avenue
- 1x bus depot in Austral
- 1x bus interchange at Leppington and
- Leppington Integrated Health Care Centre (noting that 0% of construction cost is attributed to the SIC, only a land component)

Other key items identified for the South West Priority Growth Areas include:

- 37 primary schools
- 6 secondary schools
- 1 special school
- 1 TAFE site (identified near Leppington Station)
- Land for 6 ambulance services
- Land for 5 fire services, and
- Land for 3 police services.

#### The Western Sydney Place Infrastructure Compact

The draft Western Sydney Place Infrastructure Compact (the PIC) is another infrastructure planning document which outlines infrastructure needs in the area. The PIC covers the Western Sydney Aerotropolis Growth Area and the Austral to Glenfield Corridor.

The PIC sits above the SIC and identifies all state infrastructure demands, with components to be funded by the SIC and other revenue sources. Combined, these two documents provide a broad outline of state/regional infrastructure to be delivered in growth areas. The PIC includes estimated timeframes for when infrastructure is predicted to be required.

The 'Thriving Aerotropolis Scenario' (preferred scenario of the PIC) is the scenario most likely to inform the provision of state/regional infrastructure in the area. Council recently made a submission on the PIC, raising concerns that the population and infrastructure commitments do not appear to reflect the anticipated population growth. Council has met with the Greater Sydney Commission to further explain Council's concerns.

Infrastructure highlights relevant to Middleton Grange, Austral, Leppington North, East Leppington, and Edmondson Park includes:

<b>Suburb</b>	<b>Planned Infrastructure</b>
Austral within 20 years	New primary school Primary school upgrade
Leppington within 20 years	1 Ambulance station 1 school for specific purposes Primary school upgrade
Edmondson Park within 20 years	1 new primary school 1 new high school
Outside of the 20-year period key items identified for the Austral to Glenfield corridor	1 secondary school "South-west Sydney courthouse expansion/upgrade"

### Precinct plans

Middleton Grange, Edmondson Park, East Leppington, and the Austral & Leppington North precincts were all rezoned on the basis that new populations would be supported by new and/or upgraded state and local infrastructure. In most instances, new state social infrastructure land was zoned to enable acquisition of that land by a relevant authority.

Social infrastructure assessments were prepared for these release areas. Details of the plans and the proposed infrastructure are as follows.

### Austral and Leppington North

<b>Precinct</b>	<b>Planned Infrastructure</b>
<p>Austral/Leppington North</p> <p>The precinct was forecast to yield 17,350 dwellings with a population of approximately 54,000.</p> <p>It is likely that the population forecast will be exceeded and could be approximately 70,000.</p>	<p>An existing primary school (Austral Primary School)</p> <p>4 x new primary schools at:</p> <ul style="list-style-type: none"> <li>• Gurner Avenue east of Fourth Avenue (site of Amity College SSD proposal),</li> <li>• Thirteenth Avenue on the corner with Fourth Avenue,</li> <li>• Kelly Street near the corner of Tenth Avenue,</li> <li>• Sixth Avenue west of Fourth Avenue</li> </ul> <p>A new high school between Eighth and Ninth Avenues west of Fourth Avenue</p> <p>A new TAFE (in the Camden LGA on the Corner of Bringelly and Rickard Roads)</p>



	<p>A new health facility (in the Camden LGA on Rickard Road)</p> <p>A new district community facility (in the Camden LGA on Rickard Road),</p> <p>A new district indoor sports facility (in the location of Scott Memorial Park)</p>
	<p>A police station and a courthouse</p> <p>These two facilities were identified as being required in the Leppington Town Centre, but land has not been zoned.</p>
<p><b>East Leppington</b></p> <p>The precinct covers areas in Campbelltown, Camden, and Liverpool LGAs.</p> <p>The combined dwelling forecast was 4,386 dwellings (1,153 in Liverpool), with a population of 14,493 persons. This population forecast is likely to be exceeded.</p>	<p>1 primary school (which is currently under construction), though it was acknowledged that a single school wouldn't be sufficient to cater for 4,386 dwellings.</p> <p>No high schools. The study acknowledged that surrounding schools were at capacity, but the precinct isn't large enough to cater for a new school. Like with the additional primary school, a site would need to be identified in a future precinct.</p> <p>No health facilities, acknowledging that GPs and the like can locate in commercial centres, and that higher order facilities will be provided at the Leppington Major Centre.</p>
<p><b>Edmondson Park</b></p> <p>The benchmarks for state infrastructure would be considered outdated, but indicative of the kinds of infrastructure needed.</p> <p>The assessment predicted that the zoning and development standards would provide for 7,566 dwellings and 20,835 persons. Recent forecasts estimate 8,642 dwellings and about 27,500-29,000 persons.</p>	<p>3 new primary schools (note: Bardia Public School was assumed to close).</p> <p>1 new high school.</p> <p>1 Primary Health Care Service (though it was noted in the assessment that these spaces would operate satellite services and would likely be rented floorspace in a community or privately operated medical facility).</p> <p>The report identified that a new police station would be needed in the south-west growth</p>

	<p>sector, but would be more suited to a major centre, rather than Edmondson Park (Leppington would most likely have satisfied this criteria had it have been identified as a strategic centre in 2003).</p> <p>A fire station was identified as being likely required, but not confirmed as the ILP road layout had not been developed at the time and the authority could not assess the longest potential response time.</p>
<p><b>Middleton Grange</b></p> <p>Like Edmondson Park, the benchmarks for state infrastructure will be outdated, but relevant in identifying the kind of infrastructure that the precinct will demand.</p> <p>The projected population of Middleton Grange is and was lower than that of other release areas (being less than 10,000 residents), and benefits from proximity to assets in adjoining areas (such as West Hoxton, Hoxton Park and Hinchinbrook).</p>	<p>A new primary school (Middleton Grange Public School).</p>

### 5. When are these expected to be delivered?

None of the above-mentioned infrastructure provision plans commits to specific delivery timeframes (particularly social infrastructure, such as schools and healthcare).

Timing for regional road upgrades such as Fifteenth Avenue and Edmondson Avenue is dependent on Council being allocated funding by DPIE (on funding submissions every two/three years).

Many utility agencies and state government agencies rely on state government budget allocations, population projections, or their own forecasting methodologies to predict and provide for state infrastructure (and the PIC aims to better co-ordinate this process).

Often such state agencies will consult with Council and communities prior to infrastructure being delivered (e.g. Bringelly Road), although it is noted that this is still usually at an advanced planning stage. State government budget estimates will often indicate when a project will receive funding for planning and investigation.



**ITEM NO:** QWN 05  
**FILE NO:** 094310.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Civic Place Documentation

**Please address the following:**

Can all the documents relating to Civic Place, ie QS reports etc, be made public?

**Response**

Liverpool Civic Place documentation is Commercial and in Confidence and cannot be made public.

With regards to Liverpool Civic Place delivery, the Council web site is updated regularly to ensure the community is aware of the project's status.

**ITEM NO:** QWN 06  
**FILE NO:** 094313.2021  
**SUBJECT:** Question with Notice - Clr Hadchiti - Aerotropolis

**Please address the following:**

Currently landowners in the Aerotropolis are stuck in no man's land based on the new zonings. Although a range of developments are permissible under the new zoning, applications are not able to be submitted or determined due to the lack of an infrastructure plan or infrastructure to service the land.

1. What options are available to landowners for temporary use DAs?
2. What discretions can Council apply if it chooses to allow structures to remain that are currently in place?

**Response**

**Background**

State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 (Aerotropolis SEPP) came into effect on 1 October 2020 and rezoned the initial precincts within the Aerotropolis, being the Northern Gateway, Aerotropolis Core, Agribusiness, Badgerys Creek and Wianamatta-South Creek precincts to non-standard land use zones of Enterprise, Mixed Use, Agribusiness and Environment & Recreation.

Certain provisions within the Aerotropolis SEPP also apply to the non-initial precincts within the Liverpool LGA (Dwyer Road, Rossmore, and Kemps Creek), however these precincts retain their existing zoning under the Liverpool Local Environmental Plan 2008 (LLEP 2008).

A Draft Precinct Plan was placed on public exhibition in 2020 by the Department of Planning, Industry and Environment and submissions have now closed. The Draft Precinct Plan builds upon the Western Sydney Aerotropolis Plan and Aerotropolis SEPP and further establishes the strategic vision and objectives of the initial precincts, by setting out the location of land uses and specifying criteria for land development. This includes the staging of infrastructure delivery, water cycle management, open space framework, centre hierarchy, and built form requirements.

**Development prior to precinct plan**

Clause 42 of the Aerotropolis SEPP applies to development on land in the Western Sydney Aerotropolis where there is no precinct plan in force, except for development that has a capital investment value of less than \$1 million and which relates to an existing or permitted use. Currently, there is no finalised precinct plan in force in the Aerotropolis

This Clause states that development consent must not be granted to development unless the consent authority has considered whether the development:

- is consistent with the aims of this Policy, and
- will result in further fragmentation of land holdings, and
- will hinder the orderly and co-ordinated provision of infrastructure that is planned for the land to which this Policy applies, and
- is incompatible with, or will adversely affect, the long-term operations and development of the Airport, and
- appropriately takes into account the development and infrastructure in areas adjacent to the development, and
- will be adequately serviced by public utility infrastructure.

#### Restrictions on issuing DAs due to infrastructure requirements

Clauses 49-51 of the Aerotropolis SEPP specifies infrastructure matters that a consent authority must take into consideration when assessing a development application in the Aerotropolis. This applies to new residential, commercial, and industrial developments (except for development that has a capital investment value of less than \$1 million and relates to an existing or permitted use).

Clause 50 of the Aerotropolis SEPP states that development consent must not be granted unless the consent authority has obtained the concurrence of the Planning Secretary, who, before granting concurrence, must consider:

- the impacts of the development on existing designated State public infrastructure;
- the need for additional designated State public infrastructure;
- the cumulative impact of the development with other development that has, or is likely to be, carried out in surrounding areas on existing designated State public infrastructure, and the need for additional designated State public infrastructure;
- the steps taken to address those impacts, including whether a planning agreement has been, or will be, entered into contributing to designated State public infrastructure.

This Clause only applies until such a time that a Special Infrastructure Contribution Plan is in force pursuant to Section 7.23 of the Act.

Clause 51 of the Aerotropolis SEPP further restricts development consent from being granted, unless the consent authority is satisfied that:

- The development will be adequately serviced by public utility infrastructure (water, sewerage, and electricity) when required.

This requirement ensures that new residential, commercial and industrial developments will have adequate access to utilities (or is able to manage sewer, drinking water, and/or electricity supply to the satisfaction of the utility agency and Council).

### Exempt Development

As in other areas of the Liverpool LGA, certain developments may be characterised as exempt, or complying development. The Aerotropolis SEPP also contains provision for exempt and complying developments, however such development is narrower than in other areas of the Liverpool LGA.

Clause 36 of the Aerotropolis SEPP specifies that the Codes SEPP does not apply to the Aerotropolis, however, Clauses 37-39 of the Aerotropolis SEPP then enable some of these codes, albeit for minor developments and often with different specifications.

### Complying Development

Under Clause 36 of the Aerotropolis SEPP, none of the complying development codes apply to the Aerotropolis precincts; however, under Clauses 43-45 of the Aerotropolis SEPP, if a masterplan is prepared for a particular site, the masterplan may provide provisions relating to complying development.

### Response to Questions

1. What options are available to landowners for temporary use Development Applications (DAs)?

Similar to Clause 2.8 of the Liverpool LEP and the Growth Centres SEPP, Clause 18 of the Aerotropolis SEPP provides for the ability to apply to Council, via a development application, for the temporary use of land (for no more than 52 days within a 12-month period).

As with other areas in the LGA, there are matters that the consent authority must consider when considering the application, including how the use will impact surrounding land-uses, whether the temporary use will prejudice the long-term use of the land, and how the land will be restored back to its previous state. The Aerotropolis SEPP also has specific considerations relating to minimising impacts on the airport.

The Aerotropolis SEPP also has a savings and transitional clause (Clause 53). This Clause allows a development application that was lodged prior to the SEPP coming into force, but not determined by then, to continue to be assessed under the zoning and development controls in the Liverpool LEP.

This Clause also allows for development in Luddenham Village, that was previously permissible under the Liverpool LEP, to remain permissible until such a time as a Precinct Plan is in force for the land.

Other than those provisions above, the Aerotropolis SEPP does not have any other provisions to permit land uses (whether permanent or temporary) that were previously permitted under the LEP in the new zones under the Aerotropolis SEPP.

2. What discretion can Council apply if it chooses to allow structures to remain that are currently in place?

Existing, lawfully established buildings are not impacted by the changes to the planning framework. This is known as existing use rights. These buildings would most likely have either been exempt from needing development consent under an Environmental Planning Instrument applying at the time or were constructed under a complying development certificate or a development application.

Under the Enforcement Policy, if a complaint is received by Council concerning alleged development without consent in the Aerotropolis, as is the case for any allegations throughout the LGA, Council will investigate the matter to determine whether the building was built without obtaining the required approvals and whether grounds exist to issue an Order.

Some buildings unlawfully constructed may be able to be regularised by applying for a development consent or building information certificate. However, given the changes in the planning framework, Council can only consider that pathway if the use is permitted with consent in the zone.

As outlined above, Clause 42(2) of the Aerotropolis SEPP allows for development that has a capital investment value of less than \$1 million, and relates to an existing or permitted use, to not need to satisfy the provisions of Clause 42 of the SEPP (relating to development prior to a precinct plan) or Division 4 (relating to Infrastructure provision).



**ITEM NO:** QWN 07  
**FILE NO:** 094317.2021  
**SUBJECT:** Question with Notice - Cllr Hadchiti - Drainage Channels

**Please address the following:**

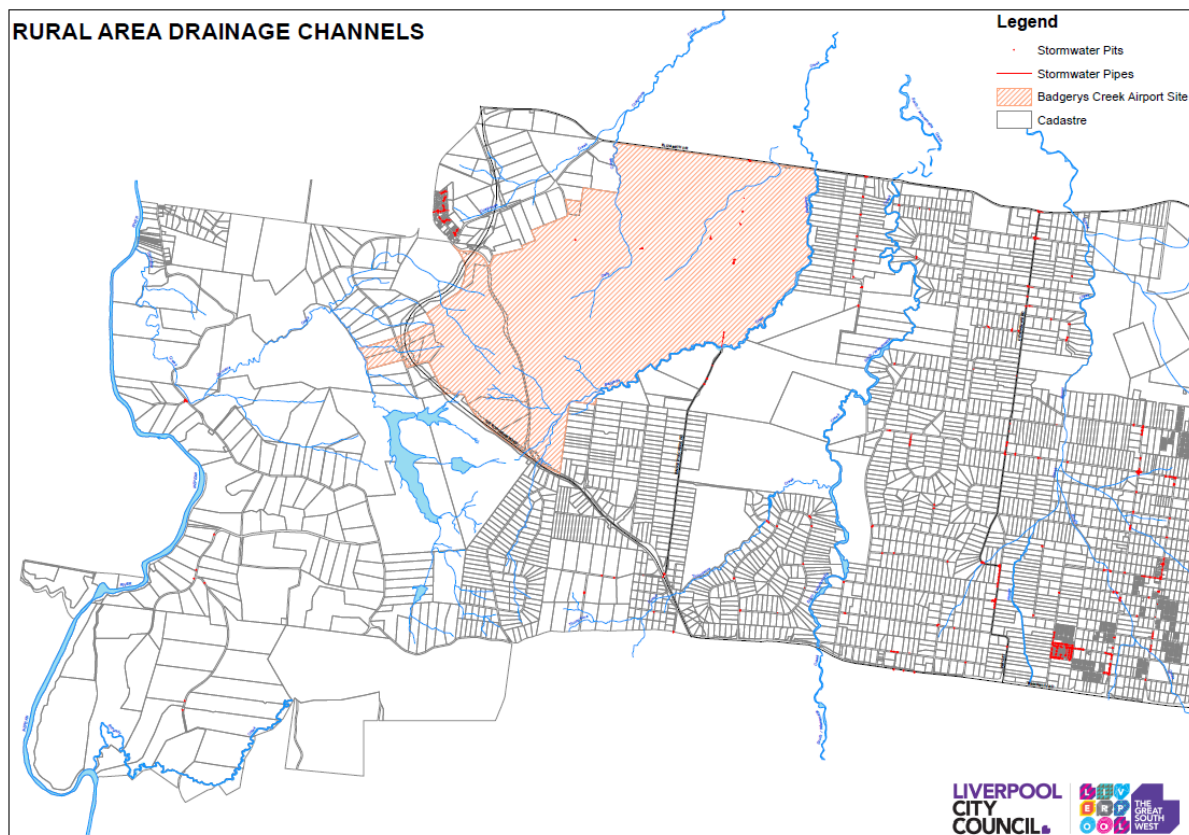
Can the CEO please provide a map of the drainage channels that Council is responsible for in the rural/growth areas and a timeline for when they will all be cleared?

**Response**

Below is a copy of the current Rural Area Drainage Channels taken from Council's Geocortex system.

Currently, the cleaning of the channels is undertaken as a reactive response to the requests received. If Council were to adopt a proactive approach to the maintenance of drainage channels within growth areas, additional resources, including labour and equipment, would be required.

City Presentation is planning to review its drainage maintenance operations and develop a combined proactive and reactive operation that will manage a sustainable service for current and future growth of the LGA.



**ITEM NO:** QWN 08  
**FILE NO:** 112343.2021  
**SUBJECT:** Question with Notice - Cllr Rhodes - The Moorebank Intermodal Special Rates Provision

Please address the following:

1. What date was the special rate provision with the Moorebank Intermodal Company Inc. negotiated and what, if any, were any conditions that formed part of the negotiated Agreement?
2. What amount of funds have been received so far?
3. What Council account are the funds being held?
4. What is the current account balance of funds received as part of the Agreement?
5. How have any funds been spent so far?
6. Is there any current need for any of the funds collected from the Intermodal Company Inc. as a part of the negotiated special rates agreement to be returned to Intermodal Company Inc.?
7. If so, what is the amount that needs to be returned and why do they have to be returned?
8. If so, has there been any recent negotiation by Council before the May Council Meeting 2021 to negate the need for Council to return any funds if owing to the Intermodal Company Inc.?
9. If so, were there any conditions expressed or implied and placed on Council that may have formed part of any possible negotiations for any possible agreement to negate the need for Council to return any funds to the Intermodal Company Inc. if owed to them by Liverpool Council?
10. If so, what were the conditions expressed or implied upon Council in order to negate the return of any funds if owing to the Moorebank Intermodal Company Inc.?

**Responses to the above questions were sent to Councillors via a separate confidential memo in accordance with S10(A)(2)(d)(i) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.**



**ITEM NO:** QWN 09  
**FILE NO:** 112508.2021  
**SUBJECT:** Question with Notice - Clr Rhodes – Semi-detached housing engineering specifications in New Release Areas

**Please address the following:**

Does Liverpool Council have necessary engineering specifications for semi-detached housing opportunities permitted in the new development areas, that details when one side of the property is bought and built and that has to attach to a second dwelling as a part of the development conditions, but the second attached dwelling has yet to be built by a new and separated Development Application. Are engineering specifications submitted in the first development application done to acceptable specifications that is subject to the engineering needs that permits a second dwelling to be attached to the first dwelling built?

Or, are all the necessary engineering specifications only addressed and imposed on the second dwelling to attach to the first dwelling in order to comply with the condition of development for semi-detached developments when the adjoining Development Application is submitted?

**A response to these questions will be provided in the May 2021 Council meeting business papers.**

**ITEM NO:** QWN 10  
**FILE NO:** 113145.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - Mice

**Background**

After drought, bushfires, COVID and floods, rural Australia is now being severely impacted by a mouse plague. There have also been recent reports of mice in Liverpool's own rural and new release areas.

Please address the following:

1. Has Council received any recent complaints about mouse infestations?
2. Does Council have any jurisdiction in controlling mouse populations? If not, who does?

**A response to these questions will be provided in the May 2021 Council meeting business papers.**

**ITEM NO:** QWN 11  
**FILE NO:** 113157.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - Towards Zero

**Background**

Each year over a thousand people die on Australian roads. Thankfully, these figures have decreased significantly over recent decades.

The NSW Government's "Toward Zero" initiative urges all of us to do everything in our power to push the number of deaths on NSW roads towards zero.

We absolutely must try new approaches to ensure road deaths continue to trend down. Any number higher than zero is unacceptable.

However, if an approach is poorly implemented or not working, it must be reassessed and potentially stopped.

Please address the following:

1. When does the Transport for NSW's 30kmh trial in the Liverpool CBD finish?
2. Who decides whether to continue or finish the trial?
3. What input does Council have into the future of the trial?
4. What input do local residents and businesses have into the future of the trial?
5. How much revenue has the State Government raised from the speed camera on Bigge Street since the trial commenced?

**A response to these questions will be provided in the May 2021 Council meeting business papers.**

**ITEM NO:** QWN 12  
**FILE NO:** 113176.2021  
**SUBJECT:** Question with Notice - Clr Ayyad - Civic Place

Please address the following:

1. Can the CEO guarantee the community and Councillors, that when Civic Place is completed, Council will have the building fully leased?

**A response to these questions will be provided in the May 2021 Council meeting business papers.**





**ITEM NO:** CONF 02  
**FILE NO:** 103487.2021  
**SUBJECT:** Legal Affairs Report - 1 January 2021 - 31 March 2021

**COUNCIL DECISION**

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

That Council receive and note the report concerning the legal affairs of Liverpool City Council.

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

**ITEM NO:** CONF 03  
**FILE NO:** 095612.2021  
**SUBJECT:** Bigge Park Cafes - Lot 702 DP 1056246, Bigge Street, Liverpool

This matter was dealt with later in the meeting in Closed Session in accordance with *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.





**COUNCIL IN CLOSED SESSION**

**Clr Hagarty left the Chambers at 8:02pm.**

**ITEM NO:** CONF 03  
**FILE NO:** 095612.2021  
**SUBJECT:** Bigge Park Cafes - Lot 702 DP 1056246, Bigge Street, Liverpool

**COUNCIL DECISION**

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

That Council defer this item and instruct the CEO to undertake reference checks and for financials to be checked for the top two tenderers named in the Confidential Book and the matter to be brought back to the next Council meeting.

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

**Vote for:** Clr Ayyad, Clr Hadchiti, Deputy Mayor Hadid and Clr Rhodes.

**Vote against:** Mayor Waller, Clr Balloot, Clr Harle, Clr Karnib and Clr Shelton.

Note: Clr Hagarty was not in the Chambers when this motion was considered and voted on and Clr Kaliyanda had retired earlier from the meeting.

The following Foreshadowed motion then became the motion:

**Motion:** **Moved: Clr Balloot** **Seconded: Clr Shelton**

That Council:

1. Accepts the Tender from Stazi Group Pty Ltd for Tender ST2904 - Licensing of Pump House Café Bigge Park Liverpool for a term of five years as per the commercial terms outlined in the body of this report.
2. Makes public its decision regarding tender ST2904 - Licensing of Pump House Café Bigge Park Liverpool.
3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance and delegate for the License to be executed under the Power of Attorney following the publication of the draft Minutes on Council's website for the tender, giving it contractual effect, in accordance with delegated authority.
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of *Section 10A(2)(d)(i) of the Local*

*Government Act 1993* as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

**Clr Hagarty returned to the Chambers at 8.10pm.**

## **NOTICE OF MOTION OF RESCISSION**

**ITEM NO:** NOMR 01

**SUBJECT:** Rescission of MOU 01 - Revised Parameters of the Intermodal Appeal Case No.: 2020/0004407 from the Council Meeting of 31 March 2021 (from Clrs Rhodes, Hadchiti and Harle).

## **COUNCIL DECISION**

**Motion to rescind negated motion: Moved: Clr Rhodes Seconded Clr Hadchiti**

That the negated motion for item MOU 01 – Revised Parameters of the Intermodal Appeal Case No.: 2020/0004407 from the Ordinary Council Meeting on 31 March 2021 (as shown below) be rescinded.

*That Council:*

1. *Approves the provision of up to a further \$400,000, capped at \$400,000 in legal funding for RAID Moorebank Inc. for the current appeal, to be paid subject to the outcome of the public notification process;*
2. *Delegate the CEO and LCC Staff to commence the public notification process; and*
3. *Allocate the funds from Council's General Fund for payment to RAID upon the presentation of invoices to Council.*

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

## **Division**

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

**Vote against:** Mayor Waller, Clr Balloot, Clr Hagarty, Clr Karnib and Clr Shelton.

The Rescission Motion was lost on the Mayor's casting vote.

Note: Clr Kaliyanda had retired from the meeting earlier.

**OPEN SESSION**

Council moved back into Open Session at 8.14pm.

**Mayor Waller then read the resolution for CONF 03 - Bigge Park Cafes - Lot 702 DP 1056246, Bigge Street, Liverpool that was carried and advised that the Rescission Motion for item MOU 01 - Revised Parameters of the Intermodal Appeal Case No.: 2020/0004407 from the Council Meeting of 31 March 2021 was lost in Closed Session.**

.....



**THE MEETING CLOSED AT 8.15pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 26 May 2021

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 28 April 2021. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.