

## MINUTES OF THE ORDINARY MEETING HELD ON 26 MAY 2021

#### 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 Raj Autar, Director City Infrastructure and Environment

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

Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement

Mr Vishwa Nadan, Chief Financial Officer

Mr George Georgakis, Manager Council and Executive Services

Ms Maree Stewart, 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 Father Anthony Morgan from St George and Prince Tadros Coptic Orthodox Church.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 May 2021 and confirmed on Wednesday, 30 June 2021

Chairperson

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The National Anthem was played at the meeting.

## **APOLOGIES**

Nil

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#### **CONDOLENCES**

ITEM NO: COND 01

**SUBJECT:** Ms Estelle Lawler (read by Mayor Waller)

Tonight, we pause to honour the memory of the Secretary of the Liverpool City Netball Association, Estelle Lawler.

Estelle Lawler was born in 1941 and lived at Lurnea. She was a mother, grandmother, and friend to many. Affectionately known by many names - Mrs Lawler, Estelle, Aunty Ess or Mumma Ess - she was involved with the Liverpool City Netball Association for 47 years, including 20 years as Secretary.

Mrs Lawler joined the Liverpool City Netball Association after enrolling her seven-year-old daughter and watching her play. She subsequently took up umpiring and coaching before eventually playing netball herself. Mrs Lawler also worked closely with Liverpool City Council staff for several years to help with the continuing growth of the sport in our local government area.

In their tribute, Liverpool City Netball Association praised Mrs Lawler and said "her contribution and tenacity to ensure the success of Liverpool City Netball can be seen every Saturday around the courts when we are all participating in the sport she loved so dearly."

She was further remembered by the association as a "strong, widely outspoken, funny woman who was compassionate and fiercely protective of all the people who she called a friend."

During netball games on May 21 players paused to pay their respects to Mrs Lawler and on May 22 players and spectators participated in a loud cheer to celebrate her lifetime of service to netball.

In 2018 Estelle Lawler was recognised with a nomination for the Service to Sport Award as part of NewsLocal's Liverpool Leader Local Sports Star competition.

A funeral service to celebrate the life of Estelle Lawler will be held on Friday 28 May at 11:30am at the Forest Lawn Memorial Park's South Chapel at Leppington. Due to COVID-19 restrictions seating inside the chapel will be restricted to immediate family. However, there will also be TV screens and speakers on the lawn outside the chapel and the service will be livestreamed.

On behalf of Liverpool City Council, I express my deepest condolences to Mrs Lawler's children, grandchildren and extended family members and friends during this difficult time.

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Estelle Lawler's contribution to netball and the wider Liverpool community was immense and she will be greatly missed.

May she rest in peace.

## **COUNCIL DECISION**

Motion: Moved: Mayor Waller Seconded: Clr Balloot

That Council observe a minutes silence in respect to Estelle Lawler and write to the family to express our condolences for their loss.

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

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#### **CONFIRMATION OF MINUTES**

Motion: Moved: Clr Hadid Seconded: Clr Shelton

That the minutes of the Ordinary Meeting held on 28 April 2021 be confirmed as a true record of that meeting.

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

#### **DECLARATIONS OF INTEREST**

Nil.

#### **PUBLIC FORUM**

Presentation – items not on agenda

Nil.

## Representation – items on agenda

1. **Ms Toni Walter** on behalf of Urbis addressed Council on the following item:

**EGROW 06** Planning Proposal Request - 193 Macquarie Street and 77 Moore Street, Liverpool

2. **Ms Vicki Andrews** addressed Council on the following item:

NOM 04 - Harris Creek Bridge

Motion: Moved: CIr Shelton Seconded: CIr Hagarty

That a three minute extension of time be given to Mrs Andrews.

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

3. Mr Michael Byrne on behalf of the East Liverpool Progress Association addressed Council on the following item:

**CONF 04** Council 2021-05-26 - Confidential Report - CONF 04 - Moorebank Intermodal Development possible negative impact on Liverpool residents

Motion: Moved: Clr Rhodes Seconded: Clr Hadid

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

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

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Chairperson

## **CITY ECONOMY AND GROWTH REPORT**

**ITEM NO:** EGROW 01 **FILE NO:** 078627.2021

**SUBJECT:** Business Resilience Grants - Final Report

## **COUNCIL DECISION**

Motion: Moved: CIr Kaliyanda Seconded: CIr Rhodes

That Council receive and note this report.

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

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**ITEM NO:** EGROW 02 **FILE NO:** 097229.2021

SUBJECT: Construction of enclosure for the Liverpool Animal Shelter at Rossmore Vet

#### **COUNCIL DECISION**

Motion: Moved: Clr Ayyad Seconded: Clr Harle

#### That Council:

1. Resolve, pursuant to Section 67(2)(b) of the Local Government Act 1993, to construct an enclosure at Rossmore Vet and it be completed at no cost to Rossmore Vet.

2. Note the estimated cost to Council of constructing the enclosure is up to \$10,000 and can be catered for in the current 2020/21 budget and through Council's standard procurement processes.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 May 2021 and confirmed on Wednesday, 30 June 2021

**ITEM NO:** EGROW 03 **FILE NO:** 337300.2020

SUBJECT: Reducing Red Tape - Revocation of Development and Subdivision of Land

Policy

## **COUNCIL DECISION**

Motion: Moved: Clr Hagarty Seconded: Clr Harle

That Council:

1. Update the Development and Subdivision of Land Policy; and

2. Bring an updated policy to the next Council meeting.

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

Minutes of the Ordinary Council Meeting held on Wednesday, 26 May 2021 and confirmed on Wednesday, 30 June 2021

**ITEM NO:** EGROW 04 **FILE NO:** 143691.2021

SUBJECT: Proposed Planning Agreement in support of draft Amendment 88 to the

Liverpool Local Environmental Plan at 1370 Camden Valley Way, Leppington

#### **COUNCIL DECISION**

Motion: Moved: Clr Ayyad Seconded: Clr Kaliyanda

#### 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; and
- 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.

The Councillors voted unanimously for this item.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 May 2021 and confirmed on Wednesday, 30 June 2021

**ITEM NO:** EGROW 05 **FILE NO:** 126847.2021

SUBJECT: Planning Proposal to amend Part 7 of Liverpool Local Environmental Plan

2008 to prohibit Cemetries and Crematoria in Wallacia

#### **COUNCIL DECISION**

Motion: Moved: CIr Hagarty Seconded: CIr Hadid

#### That Council:

1. Notes the advice of the Liverpool Local Planning Panel;

- 2. Supports in principle the planning proposal to amend Part 7 (Division 2) of the *Liverpool Local Environmental Plan 2008* to prohibit cemeteries and crematoria in Wallacia;
- 3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
- 4. 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;
- 5. Subject to Gateway determination, undertake public exhibition and community consultation on the planning proposal in accordance with the conditions of the Gateway determination and Council's Community Participation Plan;
- 6. Receive a further report on the outcomes of public exhibition and community consultation; and
- 7. Collaborates with Penrith City and Wollondilly Shire Councils and the State Government to ensure that cemeteries and crematoria are only developed in appropriate locations.

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

The Councillors voted unanimously for this item.

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**ITEM NO:** EGROW 06 **FILE NO:** 126878.2021

SUBJECT: Planning Proposal Request - 193 Macquarie Street and 77 Moore Street,

Liverpool

#### **COUNCIL DECISION**

Motion: Moved: Clr Hadid Seconded: Clr Ayyad

#### That Council:

1. Notes the advice of the Liverpool Local Planning Panel;

- 2. Endorses in principle the planning proposal request;
- 3. Delegates to the CEO the preparation of the formal planning proposal including any typographical or other editing amendments if required;
- 4. 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;
- 5. Subject to Gateway determination, undertake public exhibition and community consultation on the planning proposal in accordance with the conditions of the Gateway determination and Council's Community Participation Plan; and
- 6. Receive a further report on the outcomes of public exhibition and community consultation.

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

The Councillors voted unanimously for this item.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 May 2021 and confirmed on Wednesday, 30 June 2021

**ITEM NO:** EGROW 07 **FILE NO:** 127968.2021

SUBJECT: Proposed amendment to Schedule 1 Liverpool Local Environmental Plan

2008 - additional permitted use for 'animal boarding or training establishment'

at 40 Ramsay Road, Rossmore

#### **COUNCIL DECISION**

Motion: Moved: CIr Rhodes Seconded: CIr Ayyad

#### That Council:

1. Notes the advice of the Liverpool Local Planning Panel;

- 2. Supports the planning proposal to amend Schedule 1 of the *Liverpool Local Environmental Plan 2008* to permit 'animal boarding or training establishment' as a land use permitted with consent at 40 Ramsay Road, Rossmore;
- 3. Delegates to the CEO to make any typographical or other editing amendments to the planning proposal if required;
- 4. 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;
- 5. Subject to Gateway determination, complete further studies and undertake public exhibition and community consultation in accordance with the conditions of the Gateway determination; and
- 6. Receive a further report on the outcomes of public exhibition and community consultation.

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

The Councillors voted unanimously for this item.

Minutes of the Ordinary Council Meeting held on Wednesday, 26 May 2021 and confirmed on Wednesday, 30 June 2021

**ITEM NO:** EGROW 08 **FILE NO:** 132610.2021

**SUBJECT:** Removal of Boarding Houses as a Permissible Use within the R2 Low Density

Residential Zone

#### **COUNCIL DECISION**

Motion: Moved: Clr Ayyad Seconded: Clr Rhodes

## That Council:

- 1. Supports the removal of 'boarding houses' as a permissible land use in the R2 Low Density Residential Zone within the Liverpool Local Environmental Plan 2008;
- 2. Writes to the Department of Planning, Industry and Environment advising of Council's decision; and
- Direct the CEO to provide a further report to Council on the opportunity of including dual occupancy with development consent in R2 and R3 zones, including the pros and cons, and that the report be brought back in July 2021.

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

The Councillors voted unanimously for this item.

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**ITEM NO:** EGROW 09 **FILE NO:** 134079.2021

**SUBJECT:** Street Naming Requests - Luddenham and Bringelly

#### **COUNCIL DECISION**

Motion: Moved: Clr Ayyad Seconded: Clr Rhodes

#### That Council:

- 1. Supports the renaming of original sections of The Northern Road:
  - through Luddenham as Willmington Road;
  - between Bringelly Road and Thames Road as Wentworth Road.
- 2. Forwards the names to the Geographical Names Board (GNB), seeking formal approval;
- 3. Publicly exhibit the names 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.

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**ITEM NO:** EGROW 10 **FILE NO:** 134216.2021

**SUBJECT:** Adoption of Urban Cat Management Plan 2021

## **COUNCIL DECISION**

Motion: Moved: Clr Rhodes Seconded: Clr Ayyad

That Council adopt the Urban Cat Management Plan and Action Plan 2021

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

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## **CITY COMMUNITY AND CULTURE REPORT**

**ITEM NO:** COM 01 **FILE NO:** 090021.2021

**SUBJECT:** Grants, Donations and Corporate Sponsorship

## **COUNCIL DECISION**

Motion: Moved: Clr Shelton Seconded: Clr Ayyad

That Council endorses the recommendation of **\$20,000** (GST exclusive) under the **Corporate Sponsorship Program** for the following project:

Applicant	Project	Recommended*
Western Sydney Community Forum	2021 ZEST Community Awards	\$10,000
Miracle Babies Foundation	NICU Survival Packs for families of babies born premature or sick	\$10,000

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

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**ITEM NO:** COM 02 **FILE NO:** 107950.2021

**SUBJECT:** Liverpool City Council Sporting Grants Program 2020/2021

#### **COUNCIL DECISION**

Motion: Moved: CIr Hadid Seconded: CIr Rhodes

That Council:

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

Club	Project Description	Grant Amount Recommende d
Austral City Bears Incorporated	Purchase of playing equipment (Tackle bags, pads and cones)	\$5,000.00
Fiji Football Australia Pty Ltd	Purchase of equipment (kits, marquees)	\$5,000.00
Hinchinbrook Hornets JRLFC	Purchase of playing equipment (Tackle bags, tackle rings, speed sleds, speed chute)	\$2,570.00
Kemps Creek United Soccer Club	Costs associated with the start-up of a Walking Football Program	\$5,000.00
Southern Districts Soccer Football Association Inc	Purchase and installation of VEO Sports Cameras to aid coaching and high-performance feedback	\$ 2,430.00
Liverpool District Touch Association	Purchase of playing equipment and volunteer training (balls, kits, training courses)	\$5,000.00
Moorebank Liverpool District Hockey Club	Purchase of playing equipment (cones, training singlets, coach white boards, helmets)	\$5,000.00

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

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## **CITY CORPORATE REPORT**

**ITEM NO:** CORP 01 **FILE NO:** 133621.2021

**SUBJECT:** Budget Review - March 2021

## **COUNCIL DECISION**

Motion: Moved: CIr Hagarty Seconded: CIr Kaliyanda

That Council approves the identified budget variations in accordance with the report.

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

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**ITEM NO:** CORP 02 **FILE NO:** 137239.2021

SUBJECT: Investment Report April 2021

## **COUNCIL DECISION**

Motion: Moved: Clr Shelton Seconded: Clr Hadid

That Council receives and notes the report.

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

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#### **COMMITTEE REPORTS**

**ITEM NO:** CTTE 01 **FILE NO:** 103198.2021

**SUBJECT:** Minutes of the Companion Animals Advisory Committee meeting held on 30

March 2021

## **COUNCIL DECISION**

Motion: Moved: Clr Kaliyanda Seconded: Clr Balloot

That Council receives and notes the minutes of the Companion Animals Advisory Committee meeting held on 30 March 2021.

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

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**ITEM NO:** CTTE 02 **FILE NO:** 124312.2021

SUBJECT: Minutes of the Liverpool Youth Council Meeting held Tuesday 13 April 2021

#### **COUNCIL DECISION**

Motion: Moved: Clr Kaliyanda Seconded: Clr Balloot

That Council receives and notes the Minutes of the Liverpool Youth Council Meeting held on Tuesday 13 April 2021.

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

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**ITEM NO:** CTTE 03 **FILE NO:** 134301.2021

SUBJECT: Minutes of the Tourism and CBD Committee meeting held on 27 April 2021

#### **COUNCIL DECISION**

Motion: Moved: Clr Kaliyanda Seconded: Clr Balloot

#### That Council:

- 1. Receives and notes the minutes of the Tourism and CBD Committee meeting held on 27 April 2021; and
- 2. Endorse the recommendations in the minutes.

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

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**ITEM NO:** CTTE 04 **FILE NO:** 135511.2021

SUBJECT: Minutes of Strategic Panel Meeting held on 12 April 2021

## **COUNCIL DECISION**

Motion: Moved: Clr Kaliyanda Seconded: Clr Balloot

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 12 April 2021.

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

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#### **QUESTIONS WITH NOTICE**

**ITEM NO:** QWN 01 **FILE NO:** 120405.2021

**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?

Council has not received any complaints about mouse infestations within the LGA. Council receives the occasional complaint regarding reports of rodents associated with overgrown properties. In these cases, Council may undertake enforcement action, where justifiable.

# 2. Does Council have any jurisdiction in controlling mouse populations? If not, who does?

Council does not have jurisdiction in controlling mouse populations. While there are no obligations for landholders to control mice, Local Land Services, a State Government Agency, can provide advice to landholders to assist them in managing mice numbers on their property.

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**ITEM NO:** QWN 02 **FILE NO:** 120410.2021

**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?

Transport for NSW (TfNSW) has advised that the 30km/h zone in the Liverpool CBD precinct is a 'pilot' change to the speed limit rather than a trial with an end date. The 30km/h zone was implemented on 17 July 2020, with Transport for NSW (TfNSW) planning to complete an evaluation after twelve months, being in July this year.

TfNSW has advised that the intention of the evaluation is to inform future improvements to the Liverpool CBD 30km/h area, and other 30km/h areas, rather than deciding whether the 30km/h area will stay in place or be removed.

#### 2. Who decides whether to continue or finish the trial?

Transport for NSW is responsible for speed management on NSW roads. As advised above, TfNSW will complete the evaluation after twelve months, being in July this year. TfNSW has advised that the intention of the evaluation is to inform future improvements to the Liverpool CBD 30km/h area and other 30km/h areas rather than deciding whether the 30km/h area will stay in place or be removed.

#### 3. What input does Council have into the future of the trial?

TfNSW has advised that it is happy to work with Council on the 30km/h zone in Liverpool, including the provision of any changes to traffic calming within the area to reinforce the lower speed limits and intends to engage with Council as part of the evaluation.

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## 4. What input do local residents and businesses have into the future of the trial?

Residents and businesses can continue to contact Transport for NSW through the online feedback form to submit an enquiry. The online feedback form can be found through the following link: <a href="https://roads-waterways.transport.nsw.gov.au/contact-us/feedback-form.html">https://roads-waterways.transport.nsw.gov.au/contact-us/feedback-form.html</a>.

# 5. How much revenue has the State Government raised from the speed camera on Bigge Street since the trial commenced?

TfNSW advised that the fixed speed camera on Bigge Street between Campbell Street and Elizabeth Street has been in warning mode since the lower speed zones of 30km/h were introduced on 17 July 2020. Warning letters have been sent to speeding motorists to encourage them to change their driving behaviour. However. motorists who exceeded the 30km/h speed limit by more than 30km/h were subject to penalties.

TfNSW has advised that the amount of revenue raised would need to be requested from Revenue NSW. Council has requested this information, and if received, will be included in a future CEO update.

#### **COUNCIL DECISION**

Motion: Moved: Clr Hagarty Seconded: Clr Kaliyanda

That Council promote the TfNSW online feedback form through social media channels encouraging feedback on the 30km/hr speed zone in the Liverpool CBD.

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

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**ITEM NO:** QWN 03 **FILE NO:** 137466.2021

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?

## Response

Council does not have engineering specifications for the construction of semi-detached housing development. However, the construction of buildings, including dwellings, is required to comply with the Building Code of Australia (BCA). The BCA specifies construction requirements for separating walls which include structural, fire rating and weather proofing. Each dwelling is required to comply with the BCA when it is built and attaching a dwelling to an existing dwelling will be for aesthetic purposes only, and will not affect the structural integrity of the existing dwelling or the subsequent dwelling to be attached to it.

While there have been instances where a dwelling needs to be attached to an existing dwelling in recent times, this will no longer occur. Development approvals will now include additional conditions which prevent semi-detached dwellings from being constructed at different times. They must be built at the same time.

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**ITEM NO:** QWN 04 **FILE NO:** 147940.2021

**SUBJECT:** Question with Notice - Clr Hagarty - Macquarie Mall and Bigge Park

## **Background**

Council has previously borrowed money to improve the public domain in the CBD. In 2015 Council borrowed money for the upgrade on Macquarie Mall and Bigge Park in 2015.

## Please address the following:

# 1. How much was borrowed to fund the upgrade of Macquarie Mall and Bigge Park?

Council borrowed \$10m, on a 10-year fixed interest rate of 3.73%.

An interest subsidy of 3% was approved for this project under the NSW Governments Local Infrastructure Renewal Scheme (LIRS)

## 2. What are the annual loan repayments?

Principal and interest repayment for this loan is \$1.2m per year. Payments are made quarterly.

## 3. How are those repayments funded?

Repayments for this loan are fully funded from the City Development Fund.

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**ITEM NO:** QWN 05 **FILE NO:** 147924.2021

**SUBJECT:** Question with Notice - Clr Kaliyanda - Well-being at Liverpool Council

The mental health and well-being impacts of COVID-19 and other natural disasters in the last 18 months have been highlighted in the media and other places. The NSW Government is due to release an updated version of its Mentally Healthy Workplaces Strategy this month.

## Please address the following:

- 1. What measures has Council undertaken to track the mental health and well-being on staff over this period?
- 2. How does Council plan to implement the updated Strategy?
- 3. Has well-being had an effect on staff retention or turnover in the last 18mths?
- 4. What strategies are in place to manage workload to ensure sustainability?

A response to these questions with notice will be published in the 30 June 2021 Council Meeting Business Papers.

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**ITEM NO:** QWN 06 **FILE NO:** 147952.2021

**SUBJECT:** Question with Notice - Clr Kaliyanda - Study Tours

## Please address the following:

- 1. What study tours have been undertaken in this term of Council?
- 2. What outcomes/benefits have they delivered to Council and ratepayers?
- 3. What has been the financial cost of these?
- 4. How does this compare to the number, cost and outcomes/benefits to ratepayers undertaken in previous terms of Council?

A response to these questions with notice will be published in the 30 June 2021 Council Meeting Business Papers.

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Chairperson

**ITEM NO:** QWN 07 **FILE NO:** 147963.2021

**SUBJECT:** Question with Notice - Clr Hagarty - City Presentation

## Please address the following:

1. How many vacancies are there in City Presentation?

2. When are these expected to be filled?

A response to these questions with notice will be published in the 30 June 2021 Council Meeting Business Papers.

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**ITEM NO:** QWN 08 **FILE NO:** 148015.2021

**SUBJECT:** Question with Notice - Clr Hagarty - Compliance Discretion

## Please address the following:

- 1. Are compliance officers legally allowed to apply discretion?
- 2. Is it Council policy to apply discretion?
- 3. Does Council keep track of when discretion is applied?
- 4. What training is given on the application of discretion?
- 5. What checks and balances are in place for when discretion is applied?

A response to these questions with notice will be published in the 30 June 2021 Council Meeting Business Papers.

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Chairperson

**ITEM NO:** QWN 09 **FILE NO:** 148067.2021

**SUBJECT:** Question with Notice - Clr Ayyad - Childcare in Civic Place

#### Please address the following:

- 1. What is the cost of the childcare component proposed in Civic Place?
- 2. How many children is it going to cater for?
- 3. Who is going to run it?
- 4. Did the original concept for Civic Place, as resolved in 2016, have a childcare centre?
- 5. If no, why did this change?
- 6. Who initiated this change?
- 7. Who completed the business case to justify this change?
- 8. How was the organisation that completed the business case chosen?
- 9. What date was the business case completed?
- 10. Who has seen the business case?
- 11. Does the business case contain a feasibility study?
- 12. Was any elected official consulted about a childcare in Civic Place before it was resolved by Council?
- 13. How much extra is it going to cost to build this childcare centre? This figure is to include fit out and any parking requirements that need to be built for this childcare.

A response to these questions with notice will be published in the 30 June 2021 Council Meeting Business Papers.

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**ITEM NO:** QWN 10 **FILE NO:** 148095.2021

**SUBJECT:** Question with Notice - Clr Ayyad - 33 Moore Street, Liverpool

## Please address the following:

1. In this term of Council, how much has been spent on 33 Moore Street?

2. Can you please provide a breakdown of the costs? That is to include which levels the monies were spent on and for what purpose (as a minimum).

A response to these questions with notice will be published in the 30 June 2021 Council Meeting Business Papers.

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**ITEM NO:** QWN 11 **FILE NO:** 148108.2021

**SUBJECT:** Question with Notice - Clr Ayyad - Staff Payouts

## Please address the following:

1. In this term of Council, how much has been spent to pay out staff through terminating their contracts (please provide as a total number)?

A response to these questions with notice will be published in the 30 June 2021 Council Meeting Business Papers.

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**ITEM NO:** QWN 12 **FILE NO:** 148126.2021

**SUBJECT:** Question with Notice - Clr Ayyad - Travel

## Please address the following:

- 1. In this term of Council, how many flights has Council booked (both interstate and international)?
- 2. How many hotel room nights have been booked in this term of Council?

A response to these questions with notice will be published in the 30 June 2021 Council Meeting Business Papers.

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# PRESENTATIONS BY COUNCILLORS

Nil.

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#### **ADDENDUM**

**ITEM NO:** CORP 03 **FILE NO:** 147032.2021

**SUBJECT:** For Public Exhibition – Draft Delivery Program 2017-2022 and Operational

Plan and Budget 2021-2022, including Revenue Pricing Policy, Fees and

Charges

#### **COUNCIL DECISION**

Motion: Moved: Clr Harle Seconded: Clr Rhodes

## That Council:

- 1. Place the draft Delivery Program 2017-2022 and Operational Plan and Budget 2021-2022, including Revenue Pricing Policy, Fees and Charges on Public Exhibition for 28 days;
- 2. Include a table that indicates each Councillor's attendance at all Council meetings, committee meetings, and briefing sessions for this term of Council, under the Your Council section of the Delivery Program 2017-2022 and Operational Plan and Budget 2021-2022.
- 3. Receives a further report at the June 2021 Council meeting after a review of public submissions; and
- 4. Notes the amendments to the Principal Activities in the 2021-2022 Operational Plan as tabled.

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

Clr Ayyad and Clr Hadchiti requested that they be recorded as voting against the motion.

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### CIr Ayyad left the Chambers at 7.01pm.

#### **NOTICES OF MOTION**

**ITEM NO:** NOM 01 **FILE NO:** 146019.2021

**SUBJECT:** Payment Plans for Liverpool Council Animal Shelter Fees

#### **BACKGROUND**

Liverpool LGA is a great animal loving community.

It is well documented that mental health outcomes are often improved through pet ownership.

During times of uncertainty and social threats such as the COVID pandemic, many people have turned more to the companionship that pets such as dogs provide to help cope with isolation and loneliness.

However, this is often done without considering all the ongoing responsibilities that come with pet ownership nor the different requirements that different breeds of animals might require.

Many of our citizens live either close to the poverty line and or below it, but they are pet owners as well and are people particularly prone to embarking on pet ownership for comfort and companionship and as such may need financial assistance should their new animal companion escape and be impounded in the Liverpool City Animal Shelter presenting them with an expense they never may have considered.

Constituents have told me that some people whose animals are impounded are reluctant to claim their dog when registered or unregistered for fear of the financial burden of paying the accumulated fees for the period of time their animal has been in the pound. This results in increased costs to the Liverpool Animal Shelter operations and in some cases great stress to dogs because their owner cannot afford the fees to reclaim their dog.

Greater education and information can assist not only Liverpool Constituents to be better informed as to what sort of dog might be best suited for them, but also make them more aware of the cost and responsibility of pet ownership. Such education and information could result in less cost to operations at the Council Animal Shelter and less dogs having to be impounded or at the very least being reclaimed sooner and by their original owner who may be currently unaware that payment options are available to them.

The promotion of Liverpool Council's payment plan options could lead to more animals being reclaimed from the pound also reducing the cost to operations of the Liverpool Council Animal Shelter.

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## **NOTICE OF MOTION (Submitted by CIr Rhodes)**

#### That Council:

- Provide a costing and report to June Council meeting for options to provide education
  material on the responsibilities of dog ownership that includes information on the
  different needs that different types of dogs may require, in regards to space,
  enclosures, exercise and approximate cost to feed; and
- 2. Promote on the Liverpool Council's Animal Shelter fees and Council's payment plan options by placing information prominently on the Liverpool Council Website and on social media platforms.

### **COUNCIL DECISION**

Motion: Moved: Clr Rhodes Seconded: Clr Harle

That the recommendation be adopted.

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

CIr Balloot and CIr Hadchiti requested that they be recorded as voting against the motion.

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CIr Ayyad returned to the Chambers at 7.05pm.

**ITEM NO:** NOM 02 **FILE NO:** 146026.2021

**SUBJECT:** Housing Diversity SEPP

#### **BACKGROUND**

The new Housing Diversity SEPP is intended to replace SEPPs currently in place which Council has submitted endorsement in principal including new definitions that include build to rent housing, student housing and co-living developments.

New definitions included in the new SEPP are Student Housing, Co-Living where Council has made recommendations to support standards to ensure quality of livability issues, but has made no comment regarding the continued threat that shared co-living type of housing poses to the spread of COVID-19 and or the professional opinion that there will be the continued threat of new or similar pandemics that will be the new reality into the foreseeable future.

Liverpool has a very culturally diverse population that brings more people from every corner of the world into our LGA and by doing so makes Liverpool more prone perhaps than other parts of Sydney to possible future outbreaks.

It is significant that the pandemic spreads predominantly in Australia through quarantine and share co-living situations, that are similar build to the new proposed Housing Diversity SEPP.

Before the Housing Diversity SEPP is endorsed there is a need for a full comprehensive reassessment of the current and proposed development controls that will ensure that all future housing development meets COVID safe legislation built into the Housing Diversity SEPPs.

## **NOTICE OF MOTION (submitted by Clr Rhodes)**

That Council submit to DPIE Housing Diversity SEPP currently under consideration concerns about all shared living developments and the need for new legislation that addresses the needs to deliver COVID safe housing developments into the future, by calling for a review of all planning regulations specifically to address any form of share living COVID safe housing development.

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## **COUNCIL DECISION**

Motion: Moved: Clr Rhodes Seconded: Clr Harle

That the recommendation be adopted.

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

## **Division:**

Vote for: Clr Ayyad and Clr Rhodes

Vote against: Mayor Waller, Clr Balloot, Clr Hadchiti, Clr Hadid, Clr Hagarty, Clr Harle, Clr Kaliyanda, Clr Karnib, Clr Shelton

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Cir Balloot left the Chambers at 7.06pm.

**ITEM NO:** NOM 03 **FILE NO:** 147976.2021

**SUBJECT:** Warwick Farm DA-790/2020

#### **BACKGROUND**

Council has spent considerable time and effort consulting with residents, landowners and other stakeholders as part of the LEP review process. One outcome of this process was the concept of a comprehensive masterplan for Warwick Farm.

The Liverpool Place Strategy's Priority 4, Action 10 states:

Investigate the potential for master planned precincts (such as NSW Land and Housing Corporation properties in Warwick Farm and rezoned land) to improve and increase social and affordable housing above the targets set out in A Metropolis of Three Cities.

The Liverpool Local Strategic Planning Statement Action 7.3 states:

Partner with State Government to investigate the potential for master planned precincts (such as NSW Land and Housing Corporation properties in Warwick Farm and Green Valley) to improve and increase social and affordable housing (medium term)

Despite the above, DA-790/2020 for a has been lodged by NSW Land and Housing Corporation to consolidate 5 lots into 2, and construct a 6-storey building with 43 apartments in Warwick Farm.

## **NOTICE OF MOTION (Submitted by Clr Hagarty)**

That Council write to the relevant State Minister asking why the State Government has ignored the principles set out in its own Council mandated strategic planning documents.

#### **COUNCIL DECISION**

Motion: Moved: Clr Hagarty Seconded: Clr Kaliyanda

That the recommendation be adopted.

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

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CIr Balloot returned to the Chambers at 7.14pm.

**ITEM NO:** NOM 04 **FILE NO:** 147997.2021

**SUBJECT:** Harris Creek Bridge

**BACKGROUND** 

The Heritage Council of NSW has given notice of its intention to consider listing the Harris Creek Rail Bridge on the State Heritage Register.

The Harris Creek Rail Bridge is likely to be of state heritage significance for its historical association with the German Concentration Camp in Holsworthy.

The rail bridge has a strong connection to local military history, in particular, the movement of troops and equipment in support of the military operations in the Liverpool area from WWI.

## **NOTICE OF MOTION (Submitted by CIr Hagarty)**

That Council:

- 1. Make a written submission in support of listing the Harris Creek Rail Bridge on the State Heritage Register; and
- 2. Notes submissions close 26 May 2021.

#### **COUNCIL DECISION**

Motion: Moved: Clr Hagarty Seconded: Clr Rhodes

That Council:

- 1. Make a written submission in support of listing the Harris Creek Rail Bridge on the State Heritage Register;
- 2. Bring a report to the Heritage Advisory Committee to consider including the ANZAC Creek Bridge on the State Heritage Register; and
- 3. Notes submissions close 26 May 2021.

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

Councillors voted unanimously for this item.

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Mayor Waller called a recess of Council at 7.17pm

Mayor Waller reopened the Council meeting at 7.24pm.

#### **COUNCIL IN CLOSED SESSION**

Council moved into closed session at 7.24pm pursuant to the provisions of:

- s10(A)(2)(d i) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; and
- s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

**ITEM NO:** CONF 01 128057.2021

SUBJECT: Rescission of CONF 03 - Bigge Park Cafes - Lot 702 DP 1056246, Bigge

Street, Liverpool from 28 April 2021 Council meeting.

#### NOTICE OF MOTION OF RESCISSION

That Council rescinds the resolution relating to CONF 03 – Bigge Park Cafes – Lot 702 DP 1056246, Bigge Street, Liverpool from the 28 April 2021 Council Meeting.

#### 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.

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#### **COUNCIL DECISION**

The Rescission Motion which was lodged by Clrs Ayyad, Hadchiti and Rhodes was moved and voted on.

On being put to the meeting the Rescission Motion was declared LOST.

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

Vote against: Mayor Waller, Clr Balloot, Clr Hagarty, Clr Kaliyanda, Clr Karnib, Clr Shelton

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**ITEM NO:** CONF 02 **FILE NO:** 120423.2021

**SUBJECT:** Question with Notice - Clr Ayyad - Civic Place

Responses to the Questions with Notice were provided to Councillors.

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**ITEM NO:** CONF 03 **FILE NO:** 146091.2021

SUBJECT: Question with Notice - Clr Rhodes - Moorebank Intermodal Development

Special Levy

Responses to the Questions with Notice will be provided to Councillors at the June Council meeting.

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**ITEM NO:** CONF 04 **FILE NO:** 146069.2021

SUBJECT: NOM from Clr Rhodes - Moorebank Intermodal Development possible

negative impact on Liverpool residents

#### **COUNCIL DECISION**

Motion: Moved: Clr Rhodes Seconded: Clr Harle

### That Council:

- 1. Seek the waiver advice from the RAID solicitors for the appeal Class 1 Appeal Court Case 2020/0004407 so that the documents can be released, and Councillors can be further advised to the merit or otherwise for Council to consider a class 1 and class 4 appeal for the stage 3 and MPW Stage 2 of the Moorebank Intermodal Development. Including those documents that were paid for by ratepayers. Notwithstanding small portions of the traffic report have been redacted to confidentiality for Transport NSW;
- 2. Receive a report back as soon as possible following receipt of the waiver advice; and
- 3. Provide this information to the Moorebank Intermodal Committee members on the provision of the waiver being received.

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

Mayor Waller and Clr Shelton requested that they be recorded as voting against the motion.

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Mayor Waller reopened the meeting at 7.47pm and read the resolution that was made in Closed Session, on the previous page of these minutes.

## THE MEETING CLOSED AT 7.49pm.

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 30 June 2021

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 May 2021. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

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