



## MINUTES OF THE ORDINARY MEETING HELD ON 27 OCTOBER 2021

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### PRESENT VIA VIDEO CONFERENCING:

Mayor Wendy Waller  
 Councillor Ayyad (arrived at 6.08pm)  
 Councillor Balloot (arrived at 6.11pm)  
 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 Corporate Services  
 Ms Tina Bono, Acting Director Community and Culture  
 Mr David Smith, Acting Director Compliance and Planning  
 Mr Peter Diplas, Acting Director City Presentation  
 Mr Raj Autar, Director Infrastructure and Environment  
 Mr John Morgan, Director, Commercial Development and Economy  
 Ms Jennifer Chenhall, General Counsel, Manager Governance, Legal and Procurement  
 Ms Ellen Whittingstall, Internal Ombudsman  
 Mr Vishwa Nadan, Chief Financial Officer  
 Mr John Milicic, Manager, Property Service  
 Mr David Sharman, Manager, Library and Museum Services  
 Mr George Georgakis, Manager Council and Executive Services  
 Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 6.00pm.

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### STATEMENT REGARDING WEBCASTING OF MEETING

The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice 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 Dr Eddie Jackson, Chief Executive Officer.

## APOLOGIES

Nil.

## CONDOLENCES

Nil.

## CONFIRMATION OF MINUTES

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

That the minutes of the Ordinary Meeting held on 29 September 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 Shelton** declared a pecuniary interest in the following item:

**Item:** CONF 03 – Proposed Road Closure and Sale/Land Swap of part of Hanwell Serviceway and part of Elizabeth Street, Liverpool.

**Reason:** Cllr Shelton has had business dealings in the past with some of the individuals and organisations referred to in the report.

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

**Clr Hadchiti** declared a pecuniary interest in the following item:

**Item:** PLAN 02 – Quarterly Report – Clause 4.6 Variations to Development Standards.

**Reason:** Clr Hadchiti owns a property that is noted in this report.

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

## **PUBLIC FORUM**

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

Nil.

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

The Mayor advised that 60 submissions were received in relation to items NOM 03, CONF 01 and CONF 02 which all deal with 1 Sirius Road, Voyager Point.

It was noted that the submissions were forwarded to Councillors before the meeting.

## **MAYORAL MINUTE**

Nil.

## PLANNING & COMPLIANCE REPORT

**ITEM NO:** PLAN 01

**FILE NO:** 307054.2021

**SUBJECT:** Post Exhibition Report - Renaming of The Northern Road to Willmington Road, Luddenham

## COUNCIL DECISION

**Motion:**

**Moved: Cllr Harle**

**Seconded: Cllr Kaliyanda**

That Council:

1. Note the submissions received on the renaming proposal;
2. Supports the renaming of the original section of The Northern Road through Luddenham as Willmington Road; and
3. Delegates authority to the Chief Executive Officer to proceed with the process of gazettal.

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

**Clr Hadchiti left the virtual meeting at 6:07pm.**

**ITEM NO:** PLAN 02

**FILE NO:** 319652.2021

**SUBJECT:** Quarterly Report - Clause 4.6 Variations to Development Standards

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Harle**

**Seconded: Clr Rhodes**

That Council receives and notes this report.

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

**Clr Hadchiti returned to the virtual meeting at 6:08pm.**

**Clr Ayyad arrived to the virtual meeting at 6.08pm.**

## CORPORATE SERVICES REPORT

**ITEM NO:** CORP 01  
**FILE NO:** 286674.2021  
**SUBJECT:** Investment Report September 2021

## COUNCIL DECISION

**Motion:** **Moved:** Clr Hadid **Seconded:** Clr Harle

That Council receives and notes this report.

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

**ITEM NO:** CORP 02  
**FILE NO:** 303317.2021  
**SUBJECT:** Tabling Annual Pecuniary Interest Returns for Councillors and Designated Persons

## COUNCIL DECISION

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

That:

1. The annual pecuniary interest returns of Councillors and designated persons, as at 30 June 2021, are now tabled before the Council in accordance with clause 4.25 of the Model Code of Conduct and available to view by making an appointment with the General Counsel;
2. Governance will only make redacted copies available to the public, if requested; and
3. Governance will publish a register on the Council website that will have a list of all the completed returns and trim numbers for redacted version only.

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

**ITEM NO:** CORP 03  
**FILE NO:** 313956.2021  
**SUBJECT:** NSW Grants Commission - Financial Assistance Grants Policy

## COUNCIL DECISION

**Motion:** **Moved: Cllr Hadid** **Seconded: Cllr Shelton**

That Council receives and notes this report.

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



**Clr Balloot arrived to the virtual meeting at 6.11pm.**

**ITEM NO:** CORP 04

**FILE NO:** 321941.2021

**SUBJECT:** Council Meeting Dates - January to December 2022 and Proposed Councillor Induction Session Dates

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Rhodes**

**Seconded: Clr Shelton**

That Council:

1. Confirms the Council meeting time as 6.00pm and Council meeting dates for the 2022 calendar year as follows:
  - 2 February 2022
  - 23 February 2022
  - 30 March 2022
  - 27 April 2022
  - 25 May 2022
  - 29 June 2022
  - 27 July 2022
  - 31 August 2022
  - 28 September 2022
  - 26 October 2022
  - 16 November 2022
  - 14 December 2022
2. Advertises the Council meeting dates and commencing times of Council meetings for the 2022 calendar year.
3. Notes the proposed program for Councillor Induction Sessions and notes that this is subject to change depending on the date of declaration of the election results.

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

**Motion:**                      **Moved: Clr Rhodes**                      **Seconded: Clr Ayyad**

- Climate Action Plan Motion to be amended to also include 2030 and 2050. The change is highlighted in bold below:

That LGNSW advocate for state and federal governments to adopt **2030 and 2050** climate targets and actions including net zero emission targets that are, at least, consistent with international standards.

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

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





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

1. Resolve that it has no objection to the compulsory acquisition of the relevant Parts of Lot A and Lot B DP 380884 Bridge Road, Liverpool by Sydney Water, on the basis that in addition to any other interests, that Council's interest as Crown Land Manager, is addressed in the compensation determination and
2. Authorises its delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision.

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Chairperson

## COMMITTEE REPORTS

**ITEM NO:** CTTE 01

**FILE NO:** 292434.2021

**SUBJECT:** Liverpool Sports Committee Minutes of meeting held 26 August 2021

## COUNCIL DECISION

**Motion:**

**Moved: Cllr Hadid**

**Seconded: Cllr Rhodes**

That Council receives and notes the Minutes of the Liverpool Sports Committee meeting held on 26 August 2021.

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

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

1. Receives and notes the Minutes of the Community Safety and Crime Prevention Advisory Committee Meeting held on 2 September 2021; and
2. Endorse the actions in the Minutes.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 October 2021 and confirmed on Wednesday, 24 November 2021

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Chairperson

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

1. Receives the minutes of the Intermodal Precinct Committee meeting held on 6 September 2021;
2. Notes the following recommendation of the Committee that has been actioned:
  - Council writes to the CEO of the NSW EPA requesting attendance at a future meeting of the Intermodal Committee;
3. Write to QUBE to thank them for their efforts in establishing a vaccination hub on their site, and that Council promotes the vaccination hub to the community; and
4. Writes to the Secretary of the Department of Planning, Industry and Environment and the relevant Federal Infrastructure Minister responsible for the Moorebank Intermodal requesting QUBE approve Council access to the bike path located between Casula Parklands and Leacock Park.

*NOTE: As outlined in the report (on pages 157-158), Council adopted the officer recommendation not to adopt some of the Committee recommendations.*



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

1. Receives and notes the Minutes of the Liverpool Youth Council Meeting held on 14 September 2021; and
2. Endorse the recommendations in the Minutes.

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Chairperson



**ITEM NO:** CTTE 06  
**FILE NO:** 309995.2021  
**SUBJECT:** Minutes of the Companion Animals Advisory Committee meeting held on 31 August 2021

## COUNCIL DECISION

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

That Council receives and notes the minutes of the Companion Animals Advisory Committee meeting held on 31 August 2021.

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

**ITEM NO:** CTTE 07  
**FILE NO:** 323474.2021  
**SUBJECT:** Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 15 September 2021

## **COUNCIL DECISION**

**Motion:** **Moved: Cllr Hadid** **Seconded: Cllr Rhodes**

That Council adopts the following recommendations of the Committee:

### **Item 1 Australis Avenue, Wattle Grove – Proposed Raised Pedestrian Crossing**

- Approves the upgrade of the existing marked crossing across Australis Avenue, Wattle Grove
- Submits a Traffic Management Plan (TMP) to TfNSW for endorsement, for the required no right turn from Yarran Court, Wattle Grove into Australis Avenue.
- Undertakes community consultation prior to construction.

### **Item 2 Fourth Avenue, Austral – Proposed Roundabouts and interim treatments at its intersections with Eleventh Avenue and Tenth Avenue**

- Approves the proposed roundabouts and associated signs and linemarking scheme.
- Approves Stop signs interim intersection treatment at the Eleventh Avenue/Fourth Avenue intersection and re-installation of the signs and line marking at the Fourth Avenue/Tenth Avenue intersection.
- Notes that detailed design drawings of the roundabouts and the interim intersection treatments are to be submitted to TfNSW for review prior to installation.

### **Item 3 Moorebank Avenue and Bapaume Road, Moorebank – Proposed Temporary Right Turn for Construction Access**

- Approves the temporary modification (for 12 months) to the Moorebank Avenue and Bapaume Road intersection, Moorebank, and associated signs and linemarking scheme.
- Approves the internal roundabout and associated signs and line making scheme.
- Notes that detailed design drawings and additional information including swept analysis on the temporary intersection treatment and the internal roundabout are to be submitted to TfNSW for review prior to installation.

Item 4 Liverpool City Centre High Pedestrian Activity Area, Liverpool – Proposed Treatments

- Approves four entry and one midblock treatment and associated regulatory signs and linemarking scheme.
- Notes that detailed design drawings are to be forwarded to TfNSW and Police for review prior to installation.

Item 5 Wilson Road and Hinchinbrook Road Intersection, Hinchinbrook – Proposed Roundabout modification

- Approves the modification to the existing splitter islands and installation of raised thresholds across the Hinchinbrook Drive and Partridge Avenue approaches at the intersection.
- Notes that detailed design be forwarded to TfNSW and Police for review prior to installation.

Item 6 Middleton Drive, Middleton Grange – Proposed Pedestrian Refuge

- Approves installation of a pedestrian refuge in Middleton Drive, Middleton Grange, north of Bird Walton Avenue.

Item 7 Wonga Road, Lurnea - Proposed Raised Pedestrian Crossing

- Approves upgrade of the existing marked crossing to a raised threshold along with associated signs and linemarking scheme.

Item 8 Fifteenth Avenue and Fourth Avenue intersection, Austral – Proposed roundabout modification

- Approves installation of raised thresholds across the four approach lanes at the Fifteenth Avenue and Fourth Avenue roundabout.
- Notes that prior to installation of the raised threshold across the Fifteenth Avenue (western leg) and Fourth Avenue (southern leg) approaches, vehicle classification is to be carried out and results discussed with TfNSW.

Item 9 Fifteenth Avenue and Craik Avenue intersection, Austral – Traffic Management Plan for Proposed Right Turn Restrictions

- Submits the required Transport Management Plan to TfNSW for endorsement, to restrict right turn movement at the Fifteenth Avenue and Craik Avenue intersection, Austral.

Item 10 Sergeant Street, Edmondson Park – Proposed Temporary Road Closure for Outdoor Dining

- Approves temporary road closure of Sergeant Street to through traffic from November 2021 to March 2022.
- Notes the required Transport Management Plan is to be submitted to TfNSW for endorsement.
- Notes that delegated approval will be sought for required changes to the existing signposting.

Item 11 Items Approved Under Delegated Authority.

- Approves the works approved under the delegated approval process.

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

## QUESTIONS WITH NOTICE

**ITEM NO:** QWN 01  
**FILE NO:** 320547.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - Community Sport

### Background

Many of our local community sporting clubs have been heavily impacted for two seasons due to the COVID-19 pandemic and shutdown of community sport.

Clubs have lost players who haven't returned and they've also lost significant canteen and fundraising receipts.

Community sport is also a proven way to boost ones physical and mental well-being. If it can be done in a COVID safe way, it should be allowed.

### Questions

Please address the following:

1. Is there any indication as to when community sport will return?
2. What engagement and advocacy has Council undertaken with sporting bodies and the State Government for a return to community sport?

### Response

1. The NSW State Governments Roadmap to Freedom outlines an in-principle plan for the return to community sport that is broadly based around the achievement of state-based vaccination milestones. In summary:
  - i. At 70% vaccination rates outdoor gatherings are permissible in groups of less than twenty (20) persons. NSW Office of Sport have advised that this ruling allows sporting groups to commence some activities where all persons including coaches and administrators are fully vaccinated. At this stage full club training and competition is not able to commence.
  - ii. At 80% vaccination rates community sport can recommence training for fully vaccinated persons with some restrictions. This allows sports clubs to commence training and competitive activity for fully vaccinated person, those holding medical exemptions and children under the age of 16. Council expects that NSW will reach the 80% vaccination rate on 15 October 2021.

- iii. On December 1, 2021 the road map proposes that all Community Sport can recommence for all persons irrespective of vaccination rates.

While the roadmap outlines the milestones for the re-emergence of sporting activity, Council continues to work with sporting organisations and associations to determine how clubs can apply this ruling for registrations, how to administer strategies for spectators and non-playing persons. Under the NSW Health Guidelines, all Sporting Clubs are required to apply their own COVID safe plan that is relevant for both the sporting code and venue.

- 2. Council has maintained close contact with major state sporting organisations, NSW Office of Sport and other peak industry bodies to both provide local representation and to ensure that up to date information can be provided to clubs accordingly.



**ITEM NO:** QWN 02  
**FILE NO:** 320550.2021  
**SUBJECT:** Question with Notice - Cllr Harle - Pearce Park

### **Background**

Pearce Park, an overgrown unused area located at the rear of Councils' Rose Street Depot, has been used to store a range of waste materials including road base, concrete rubble, building waste and similar materials originating from several Liverpool CBD sites. Included in the waste are several large diameter concrete stormwater pipes scattered throughout the overgrown area. These pipes appear to be used as a "rough sleeper area" and a gathering place by groups of people that may be homeless. This activity, especially under current Covid restrictions, may pose a significant health risk to themselves and anyone that may enter the area especially unaccompanied children.

### **Questions:**

#### **Please address the following:**

1. Is Council aware of the use of these pipes as "rough sleeping areas" or homeless people?
2. What plans does Council have for any future use and rehabilitation of the overall area?
3. What are the estimated costs of carrying out remediation works?

### **Response**

- 1. Is Council aware of the use of these pipes as "rough sleeping areas" or homeless people?**

As co-convenor of the Fairfield/Liverpool Homelessness Interagency (a shared responsibility with Fairfield City Council), Council works closely with a number of key sector services and government agencies to coordinate responses to reports of rough sleepers in Liverpool. Part of this approach includes providing weekly updates to the Department of Communities and Justice (DCJ) to support their Assertive Outreach Patrols. Representatives from DCJ conduct twice-weekly Assertive Outreach patrols to known rough sleeper locations to offer support and assistance.

At the time of this question Pearce Park was not identified as a known rough sleeper location in Liverpool. However, this location was reported to the Department of Communities and Justice (DCJ) on 24 September 2021 for inclusion in their Assertive Outreach Patrols. On 1 October 2021 this report was followed up with DCJ with a request to provide feedback to Council on the result of the patrol once it has occurred, including whether any individuals

were sighted and if so, were engaged and support offered. The DCJ have confirmed that due to isolation of the site, this request was referred to their local access team to investigate, hence the delay in the process.

The DCJ patrol on 12 and 14 October 2021 advise that no rough sleepers were sighted at Pearce Park. The patrol officers advise the concrete pipes are believed to be too small for someone to sleep in. They advised of signs of drinking activity but not believed to be street sleeping. Council will be requesting the DCJ continue to monitor Pearce Park for the next few weeks to confirm whether any rough sleepers are at this location so they can be assisted. This information will be shared with Councillors once received.

Council's Asbestos Assessment Officer inspected the site to identify possible remediation works required at this location and collected a sample of the stormwater pipe material to determine if it contained asbestos. Whilst some bedding and clothing was noticed, there were no individuals present at the site at the time of inspection.

The result from the sample analysis (received on 7 October 2021), confirmed the presence of asbestos containing material. Given the positive asbestos result, Council is awaiting new advice from DCJ to inform and relocate any rough sleepers that may be living at the site as soon as practicable. Following the relocation of any rough sleepers from this area, Council will remove the asbestos stormwater pipe and any other building waste material.

## **2. What plans does Council have for any future use and rehabilitation of the overall area?**

In the short term, the City Presentation Team will continue to spray for noxious weeds in the turf area and address safety issues as part of the Parks Team regular program of works.

In the mid to long term, City Presentation operations and facilities are being reviewed with a strategy to upgrade to a state-of-the-art depot in line with the growth of the LGA. Council is reviewing options for the Rose Street Depot, Western Depot and possibly a Western Western Depot closer to the new airport. A further report will be submitted to Council for consideration when further details are available.

## **3. What are the estimated costs of carrying out remediation works?**

Soil contamination investigations will be undertaken at the park in early 2022 to understand the sub surface soil conditions and start planning for any required remediation work. The costs for the remediation work will be determined following the completion of soil investigations.

**ITEM NO:** QWN 03  
**FILE NO:** 320555.2021  
**SUBJECT:** Question with Notice - Cllr Rhodes - Impacts of NSW Health Work orders on homeowners issued with Council Works Orders and their ability to comply

**Please address the following:**

1. What are the impacts of COVID NSW Health work restrictions on Council Order timeframes on individual homes that possibly affect homeowners' ability to comply?
2. How many illegal works orders have been issued on Liverpool homeowners whilst Liverpool is, or has been under NSW Health Work restrictions?
3. How many fines have been issued to homeowners because they have been unable to comply with Council Works Orders issued against their homes, during the time Liverpool has been under NSW Health Work restrictions?
4. Has Council changed its procedure in order to consider the NSW Health Order restrictions on homeowners' ability to be able to comply with Council Works Orders time frames when issuing Council Work Orders on private homes and if so, how?

**Response**

- 1. What are the impacts of COVID NSW Health work restrictions on Council Order time frames on individual homes that possibly affect homeowner's ability to comply?**

Council ceased issuing notices/orders on 16 July 2021 including the issuing of warning letters on outstanding orders. Council's Compliance & Regulatory staff recommenced inspections and compliance action from 1 September 2021, in line with the easing of restrictions on construction work.

- 2. How many illegal works orders have been issued on Liverpool homeowners whilst Liverpool is, or has been under NSW Health Work restrictions?**

As outlined above, Council ceased issuing notices/orders on 16 July 2021 including the issuing of warning letters on outstanding orders. Since inspections and compliance action recommenced on 1 September 2021, 4 notices/orders have been issued at the time of writing this response.

3. How many fines have been issued to homeowners because they have been unable to comply with Council Works Orders issued against their homes, during the time Liverpool has been under NSW Health Work restrictions?

Nil.

4. Has Council changed its procedure in order to consider the NSW Health Order restrictions on homeowners' ability to be able to comply with Council Works Orders time frames when issuing Council Work Orders on private homes and if so how?

Council ceased issuing notices/orders on 16 July 2021 including the issuing of warning letters on outstanding orders. Anyone issued with a Notice can make representations to Council and extensions of time are considered on a case-by-case basis.

**Motion**

**Moved: Cllr Rhodes**

**Seconded: Cllr Harle**

That a report be brought to Council on possible COVID Policy and procedure for Council orders, fines and/or other legal matters that addresses situations where Public Health Orders and/or State or Federal restrictions make it impossible for constituents to carry out the orders, or within timeframes addressed in the Council orders as a result of a pandemic placed restrictions.

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

**ITEM NO:** QWN 04  
**FILE NO:** 320559.2021  
**SUBJECT:** Question with Notice - Clr Kaliyanda - Growth of African Olives and Other Invasive Weed Species

**Please address the following:**

- 1. What approach does Council currently have toward the management of the African Olive, and other invasive weed species in Leacock Regional Park, and other parks and green spaces in Liverpool?**

### **Response**

Leacock Regional Park is the tenure of National Parks and Wildlife Services.

Council's management of invasive weed species varies depending on the category of land. Informed by the *Biosecurity Act 2015* and regional plans of management, Council takes a risk management approach to the control of pest species, which balances management objectives with cost effectiveness.

Much of Council's approach to weed management can be classified as asset protection, containing existing threats and prioritising those that impact the function of a given asset. High priority weeds, particularly those emerging in the region, have been identified for eradication (e.g., Frogbit).

With regards to natural assets, such as bushland and waterways, Council has a number of operational programs targeting weeds. Council's Aquatic Weed Program targets a suite of species that impede recreational use and impact ecosystem functions in Council waterways. The Environment Restoration Plan (ERP) program works to restore and maintain areas of high conservation value. Weed management forms a significant part of these activities; however, it is limited to established ERP sites.

Weed treatments on Council's remaining natural assets take a reactive management approach in response to Councillor and Customer Requests. Whenever possible, Council officers leverage grant funding opportunities to target an area of concern or add value to existing approaches.

Where Council actively manages weeds, such as African Olive, priority is given to areas of high conservation value. These areas have remnant native vegetation and greatest capacity to regenerate following removal of weeds. Areas with significant infestations require a greater input of resources to effectively restore than more resilient areas. Where large infestations are treated, best practice requires a staged 'mosaic' approach to the removal of weeds, ensuring there is adequate habitat for fauna and that soil stability is maintained. This also ensures that no area is over

cleared.

Council is currently developing an Integrated Pest Management (IPM) policy and strategy which will provide priorities and guidance on the management of weeds and other pests. The draft IPM policy was presented to the June 2021 Council meeting. A draft IPM strategy is due to be presented to the February 2022 Council meeting.

**2. What resources are currently allocated to manage the problem and prevent these invasive weed species from impacting the natural biodiversity of the area, especially in the ever-reducing Cumberland Plain Woodland?**

**Response**

The on-ground management of Council's environmental assets falls under the jurisdiction of the Environmental Operations Unit of City Presentation.

Council's Biosecurity Officer is primarily responsible for the execution of relevant biosecurity duties, which include priority weed control and investigation of high-risk pathways. The biosecurity portfolio also delivers the Aquatic Weeds Program, with an annual operating budget of \$40,000. Council leverages Weed Action Plan grant funding for the delivery of the Kei Apple Eradication Program.

The ERP program is a package of projects and programs, funded by Council's Environment Levy permanent special rates variation, for the improvement of Liverpool's natural environment for the long-term benefit of the community. The ERP program manages approximately 200ha of bushland. Projects are managed by a dedicated project officer. The on-ground works component consists of a series of ecological restoration projects and their subsequent management by Council's ERP Bush Regeneration team. The ERP program engages two bush regeneration teams totalling 8 staff for the ongoing management of ERP sites. Projects featuring the targeted removal of African Olive in the Casula locality have been included in the last two rounds of ERP projects.

Council does not have a dedicated officer for the management of natural assets. Reactive management of these areas is programmed by Coordinator Environment Operations. Reactive works cost \$270,000 in the 2020-2021 financial year. This has included short term treatments for African Olive and exotic vines in waterways and all other natural areas and environmental operational issues.

**3. Is the current level of allocated resources sufficient to adequately address the issue?**

**Response**

It is important to note that weed management is an ongoing process. Ecological restoration can take upwards of 20 years to remediate degraded bushland when actively managed. Adequate resourcing depends on the management outcomes sought for a particular area or weed species, and the extent and severity of weed infestations.

The responsibilities of Council as a land manager are identified in the *Local Government Act 1993* and described core business. Other legislation, such as the *Biodiversity Conservation Act 2016* and *Biosecurity Act 2015*, identifies additional statutory requirements of land managers for the conservation of biodiversity and the management of invasive species.

The *Local Government Act 1993* (the Act) requires Council to prepare Plans of Management (PoM) for land under its care and control, determining the use and management objectives for a given location, and set service standards for those areas. This defines the performance targets and operating budget.

Natural Area is one category of community land identified under the Act and pertains to areas of conservation value. This includes bushland, watercourses, and wetlands. With a few exceptions, the majority of Council's environmental assets fall under a Generic Plan of Management for Parks. As such, the management objectives for Natural Areas identified under the Act are not applicable, and service standards are inadequate. Those sites that are exceptions have a site-specific PoM, where Natural Areas are identified on a portion of the site. However, these plans are generally out of date and operational management programs have not been developed to achieve the stated objectives.

The reliance on reactive management is a product of incorrect categorisation and lack of governance for these assets. Reactive management does not satisfy core business objectives for the management on these assets, as defined by the Act, and does not produce long-term biodiversity gains.

The ERP Bushland Project Officer manages the delivery of the ERP ecological restoration projects using contractors due to the intensity, frequency, and seasonal nature of the works. Projects are identified and budgeted for within the operating budget afforded by the Environment Levy. Two of the eight bush regenerator positions are temporarily vacant. With the ERP program limited to established ERP sites, it has been possible to scale up resourcing over time as new sites are added. It is noted that the ERP program constitutes a prescribed set of outputs that sit outside Council's core business. While the objectives align, the ERP program and the

Environment Levy were not established to satisfy core business delivery. The Environment Levy provides adequate resourcing for the ERP program.

Resourcing is considered adequate for the current service standard, though this is below stakeholder expectations and statutory requirements. Without dedicated officers and operational funding, it is not possible to address the issue in a way that would be deemed satisfactory. Without Plans of Management and an operational management program it is not possible to systematically and effectively reduce the presence of a broad spectrum of weeds and improve the conservation outcomes of Council's environmental assets.

Operational management of natural areas includes weed treatment as an activity. However, this is undertaken holistically and typically without regards to priority weed concerns. Priority pest programs are another layer of management that target a particular species for management. The aquatic weed program in the biosecurity portfolio is an example of this.

The Biosecurity Officer role is a dedicated position, though it covers all public and private land within the LGA. The position has a limited operating budget and relies on external funding opportunities to build capacity. Programs are restricted to a limited number of priority species. The current capacity satisfies statutory requirements but does not represent best practice or align with community expectation.

The IPM policy and strategy that is currently being developed will consider a range of weed and pest animal species that may be suitable for a priority pest management program.

City Presentation is in the process of reviewing operational expectations and resourcing requirements of the Parks and Open Spaces business unit. The review and recommendations are expected to be completed in six months.

**4. How does Council interact with other levels of government, agencies and volunteer groups in relation to this issue?**

**Response**

Council officers work with relevant stakeholders and agencies, and with all levels of government.

Council works with Local Land Services and Department of Primary Industry on biosecurity matters, particularly managing new incursions. Council works with Department of Planning Infrastructure and Environment on matters pertaining to biodiversity conservation.

Council is actively involved in the regional Weed Committee.



Council and its officers are active members of the Georges Riverkeeper Combined Councils Catchment Management Group. Council receives support in return for its participation, including weed control and litter collection.

The ERP program facilitates the Environment Volunteer Program, consisting of 10 groups of volunteers that meet monthly to undertake weed control on their local bushland areas. Weed management techniques are limited in scope due to lack of vocational qualification and restrictions on the use of power tools and pesticides.

Council applies to external agencies for grant funding opportunities when they arise.

**ITEM NO:** QWN 05  
**FILE NO:** 320567.2021  
**SUBJECT:** Question with Notice - Clr Kaliyanda - Disaster Preparation Tool

## **Background**

A new geospatial tool has been released, designed to help councils prepare for severe weather events while supporting recovery and expediting insurance claims. Developed by analytics provider Nearmap, the tool looks to map every major natural disaster that impacts property, infrastructure and communities in the country. More than 6,200 square kilometres of disaster-affected land, including Cyclone Seroja, the Perth Hills fires and the NSW floods have already been captured. The tool has been developed in collaboration with government agencies and disaster relief organisations.

## **Please address the following:**

### **1. Is Council aware of this tool?**

#### **Response**

Council is aware of Nearmap's Impact Response geospatial tool feature. The tool is a "Post-Catastrophe" program to capture imagery in the aftermath of natural disasters.

The images are captured by services flown by Nearmap however in accordance with Nearmap terms they will not fly in certain adverse conditions such as bad weather and thick smoke. The geospatial tool does not provide assurances of the timing of images, when the image will be captured (post-disaster) or even if an event will be covered. Capturing the images will depend on the scale of the impact on the community, infrastructure and property, as well as the official declaration of a "disaster" or "emergency" by the state or federal government.

Council is currently a Nearmap subscriber. The cost for this add on feature (Post-Catastrophe program) is \$5,300.00 (excl GST) per year, which would provide Council with the imagery (if available) 30 days before it is released to all Nearmap subscribers.

In relation to disaster preparedness and mitigating the impacts there would be very few advantages gained with the Post-Catastrophe program as it is not an early warning system. The system could provide some benefit by comparing imagery of a site or location pre-event to post-event for desktop impact assessment. However, this imagery would be available post 30 days as an existing Nearmap subscriber. A review of the geospatial tool offered by Nearmap and the additional annual cost, it is not recommended as the best option for the Council as a tool for disaster preparation and mitigating the impacts of severe weather events.

The Local Emergency Management Officer (LEMO) is working with NSW Government Spatial Services and the Emergency Information Coordination Unit (EICU) who are also involved in the whole of government imagery capture. This service includes imagery flown by Spatial Services, imagery available from tasked satellites, and imagery captured by Nearmap. As an Emergency Management Agency and through the LEMO, the EICU will provide Council with access to this imagery.

**2. If so, how will this be integrated with Council's existing policies and measures in relation to disaster preparation and mitigating the impacts of severe weather events.**

**Response**

In the last 2 years, Council has experienced severe weather events including, bushfires, major flooding and most recently, the COVID-19 pandemic. All the events have resulted in an increased focus on councils being "resilient ready." Council is looking at several critical and strategic initiatives to enhance and evolve Council's disaster preparedness, risk mitigation, resilience planning and emergency response operations. The initiatives include:

Creation and appointing of an FTE Local Emergency Management Officer (LEMO)

The LEMO role has transformed in recent years, with an increased workload and additional responsibilities, including being on-call on a 24/7 basis. In relation to governance, the LEMO function is bound by the requirements of the state and regional Emergency Management Plans (EMPLANS) and other supporting plans. Currently, the LEMO function is an auxiliary role to the Director of City Presentation. This makes it extremely demanding on both business-as-usual workloads and emergency management functions, particularly time-critical events. To provide greater capability and capacity in emergency management operations and disaster preparedness initiatives to support the community, a full-time LEMO position reporting to the Director City Presentation is required. The 2021/2022 budget made financial provisions for the appointment of a full time LEMO however, due to the ongoing pandemic situation, to date no appointment has been made.

Multi-Agency cooperation and alignment

Critical to the success of the Council's local emergency management planning (disaster preparedness and subsequent emergency response operation) is a collaborative synchronizing multi-agency practice managed through the Local Emergency Management Committee (LEMC).

As chairperson, the LEMO coordinates and leads the LEMC working with the Regional Emergency Management Officer, NSW Police, Transport for NSW, NSW Health, Fire and Rescue, SES, and the Rural Fire Service. On occasions with state-wide declared disasters, the State Emergency Operation Command is stood up and leads the support at a state level. There are also other stakeholders that can contribute an understanding of local resources, vulnerabilities, and networks, such as local council representatives in community and environmental services.

The flood response in March 2021 and the recent experience the COVID lockdown provision placed on Liverpool and the surrounding LGA's, reinforced the need and benefit to maintain these relationships on an ongoing basis outside of the critical response setting.

For example, from lessons learnt reviews in the aftermath of the flood disaster experience, this event highlighted new initiatives required such, as a dedicated Council Liaison Officer being embedded within SES operations during emergency response operations.

The LEMC multi-agency alliance is critical for supporting Council's early warning systems as well as emergency management operations and is an essential function of the LEMO to build and maintain these relationships constantly.

#### Build Internal Capacity and Capability

The Council must continue to develop the capability and capacity for emergency management by increasing the awareness across the organisation with internal local emergency management teams. The Critical Incident Response Team (CIRT) currently plays an important role in raising awareness and making decisions during emergency events.

However, as an emergency response support agency, Council will need to undertake an audit of its emergency management operations to ensure it has the resources and trained staff to undertake emergency management operations and effectively support the LEMC. Training and Development of staff in emergency management principles and operations will benefit the organisation. Additional resources for surge capacity will also assist in integrating Council's existing policies and measures in disaster preparation and mitigating the impacts of severe weather events and emergency operations.

**ITEM NO:** QWN 06  
**FILE NO:** 332408.2021  
**SUBJECT:** Question with Notice - Clr Hagarty - Private Investigators

**Please address the following:**

1. Does Council use private investigators?
2. If so, in what capacity?

**A response to these questions will be provided in the business papers for the Council meeting of 24 November 2021.**

## PRESENTATIONS BY COUNCILLORS

Nil.

## NOTICES OF MOTION

**ITEM NO:** NOM 01  
**FILE NO:** 331569.2021  
**SUBJECT:** Recycle waste without having to separate waste at point of collection

### Background

The significant difference claimed in recycling of waste proposed in the SSD development in Shoalhaven LGA is that there is no need for separation Collection which benefits in a simplification of the waste collection process that relieves the individual decision making and guess work by individual constituents on how to go about throwing away all the different types of waste such as plastic bottles with a metal cap, paper stuck to its side and some ketchup still inside which necessitates education of the masses and delivers questionable results.

Benefits claimed are:



Waste collection operators can decrease the amount of bins and trucks in circulation for collection because of the one Simple collection of municipal solid waste which appears to offer a cost saving with:

- Less money spent on the number of bins required;
- Less money spent on truck movements reducing traffic congestion and traffic pollution;
- Less money spent educating the masses on what has to go into what bin; and
- Less contamination issues that is a result of people not doing the right thing.

The Shoalhaven State Significant Development proposes:

- That 96% is saved from landfill;
- Recycling: glass, plastics, metals, minerals, fuels (rdf/srf) and biomass to be used as fertilizer or fuel with a remaining 4% destined to landfill;
- The process is odourless, and it does not include any incineration processes; and
- Biomass is widely used: as an agricultural fertilizer, a base for the fermentation process or as a fuel (SRF). Laboratory tests have also confirmed its potential as a substrate for the production of hydrogen or for the production of building materials.

#### **The current progress of the SSD in Shoalhaven LGA Bioelektra development.**

The commencement of Stage 1 works is awaiting construction certificate (CC). We have been advised by the DPIE that CC will be issued by the end of this week. This will allow us to commence the demolition and clearing of the site as per Stage 1 approval.

The Stage 2 Development Application is a State Significant Development (SSD) and is currently under assessment by the Department of Planning.

The public exhibition period of the Environmental Impact Statement (EIS) and accompanying documents closed on Monday 12<sup>th</sup> of July 2021. As a result, 11 submissions were received from the public, organisations and public authorities.

(<https://www.planningportal.nsw.gov.au/major-projects/project/10271>).

WaterNSW, the Biodiversity and Conservation Division of DPIE, Roads and Maritime Service, Transport for NSW, Crown Lands, Heritage NSW, and the public submission support the development as drafted.

Fire and Rescue NSW, Shoalhaven City Council, Environmental Protection Authority and Endeavour Energy either asked for additional information or provided recommendations on specific conditions to incorporate in the final approval.

Bioelektra have prepared a Response to Submissions which will be provided to DPIE in October 2021. The response will also be provided to stakeholders to confirm that their concerns have been addressed, prior to issuing any approvals and finalising the approval conditions.







3. To communicate details of this initiative across Liverpool Council's social media and website.

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

Councillors voted unanimously for this motion.

**ITEM NO:** NOM 03  
**FILE NO:** 332584.2021  
**SUBJECT:** 1 Sirius Road, Voyager Point

### **Background**

1 Sirius Road, Voyager Point is currently for sale.

This and neighbouring Lots 68 and 75 have significant environmental value and are unique examples of an intact wetland ecosystem in Liverpool. The entire site includes almost 10 hectares of prime koala habitat.

There is already approval for one house and there are significant concerns in the community about the potential for further development to take place at the site.

The site is currently zoned E3 Environmental Management and is also mapped as 'Environmentally Significant Land' in the LEP.

The area is also identified in the draft Cumberland Plain Conservation Plan as a Strategic Conservation Area.

### **NOTICE OF MOTION (submitted by Cllr Hagarty)**

That Council:

1. Notes that 1, Lot 68 and Lot 75 Sirius Road, Voyager Point:
  - have significant environmental value;
  - are prime koala habitat; and
  - are unique examples of an intact wetland ecosystem in Liverpool.
2. Reaffirms its commitment to the protection of the site through E3 Environmental Management zoning and its designation as Environmentally Significant Land in the LEP.
3. Writes to the State Government in support of the site's designation as a Strategic Conservation Area.

**This item was moved to be dealt with in Closed Session in conjunction with CONF 01 and CONF 02 which also related to 1 Sirius Road, Voyager Point.**

**This item is confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.**

- The Independent Commission Against Corruption (ICAC) was established by the New South Wales Government in 1988 in response to growing community concerns about the integrity of public administration in the state; and
- Its strong support for an independent organisation to protect the public interest, prevent breaches of public trust and guide the conduct of MPs, Councillors and public officials in the NSW public sector.

**ITEM NO:** NOM 05  
**FILE NO:** 333706.2021  
**SUBJECT:** Greater Sydney Parklands Trust Bill

## **Background**

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

The government have now released a Draft Exposure Bill on the Greater Sydney Parklands Trust. The Bill is on public exhibition until October 29. If it goes ahead, the Bill will grant the Greater Sydney Parklands Agency sweeping powers to further over-commercialise Sydney's open spaces.

Western Sydney Parklands were a sanctuary for many during lockdown and they must be protected.

## **NOTICE OF MOTION (submitted by Cllr Hagarty)**

That Council write to the State Government requesting:

- a four week extension to the consultation period for the Draft Exposure Bill on the Greater Sydney Parklands Trust; and
- a briefing for Councillors on the Draft Bill and its impact on the Western Sydney Parklands.

## **UPDATED NOTICE OF MOTION (submitted by Cllr Hagarty)**

That Council:

- Makes a submission on the Greater Sydney Parklands Trust Bill that includes:
  - Consideration be given to establishing a specific Community Trustee Board for Western Sydney Parklands (rather than a group that covers a number of different parklands) and that a Council representative be appointed to that Board.
  - Use Council's social media platforms and Council's website to advise the community about the proposed changes of the management of Western Sydney Parklands under the proposed Greater Sydney Parklands Bill and encourage public submissions on the "Bill".
- Request:
  - A four week extension to the consultation period for the Draft Exposure Bill on the Greater Sydney Parklands Trust; and

- A briefing for Councillors on the Draft Bill and its impact on the Western Sydney Parklands.

## **COUNCIL DECISION**

**Motion:**

**Moved: Cllr Hagarty**

**Seconded: Cllr Rhodes**

That Council:

- Makes a submission on the Greater Sydney Parklands Trust Bill that includes:
  - Consideration be given to establishing a specific Community Trustee Board for Western Sydney Parklands (rather than a group that covers a number of different parklands) and that a Council representative be appointed to that Board.
  - Use Council's social media platforms and Council's website to advise the community about the proposed changes of the management of Western Sydney Parklands under the proposed Greater Sydney Parklands Bill and encourage public submissions on the "Bill".
  - Safeguards that any income generated from Western Sydney Parklands is spent on Western Sydney Parklands.
- Request:
  - A four week extension to the consultation period for the Draft Exposure Bill on the Greater Sydney Parklands Trust; and
  - A briefing for Councillors on the Draft Bill and its impact on the Western Sydney Parklands.

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

## RECESS

Mayor Waller advised that Council would now move into Closed Session to deal with Items CONF 01, CONF 02, CONF 03, CONF 04, CONF 05, CONF 06, CONF 07 and NOM 03 pursuant to the provisions of S10A(2) of the Local Government Act 1993 because:

- **CONF 01** – Question with Notice – Clr Harle – 1 Sirius Road, Voyager Point is confidential pursuant to the provisions of s10A(2)(c) (g) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- **CONF 02** - Sirius Road, Voyager Point, **CONF 03** - Proposed Road Closure and Sale/Land Swap of part of Hanwell Serviceway and part of Elizabeth Street, Liverpool, **CONF 06** – Maintenance of Council's On and Off Street Parking Machines and **NOM 03** – 1 Sirius Road, Voyager Point are confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act 1993 because they contain information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
- **CONF 04** - Legal Affairs Report – 1 July 2021 to 30 September 2021 is confidential pursuant to the provisions of s10A(2)(g) of the Local Government Act 1993 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.
- **CONF 05** – Update on Interim Heritage Order at 10 Hoxton Park Road, Liverpool is confidential pursuant to the provisions of s10A(2)(b) of the Local Government Act 1993 because it contains matters concerning the personal hardship of any resident or ratepayer.
- **CONF 07** – RCL3070 – Supply of Library Materials is confidential pursuant to the provisions of s10A(2)(d i), (dii), and (diii) 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; AND commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council; AND commercial information of a confidential nature that would, if disclosed reveal a trade secret.

Before moving into Closed Session, Mayor Waller called a short recess at 6:54pm.

## RESUMPTION OF MEETING

Mayor Waller resumed the meeting in Closed Session at 6.58pm with all Councillors present.

**CONFIDENTIAL ITEMS****ITEM NO:** CONF 01**FILE NO:** 332384.2021**SUBJECT:** Question with Notice - Cllr Harle - 1 Sirius Road Voyager Point

Questions and responses with regards to 1 Sirius Road, Voyager Point were provided to Councillors in a Confidential Book.

Questions and responses were confidential in accordance with s10A(2)(c) (g) of the Local Government Act 1993 because they contain information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

**CONF 01 and CONF 02 were discussed concurrently. The resolution is shown under CONF 02 on the next page.**



**Motion:** **Moved: Clr Harle** **Seconded: Clr Hadid**

1. Investigates funding sources, including through State and Federal Government programs, for the purchase of all land north of Sirius Road, Voyager Point currently zoned E3 Environment Management;
2. Approves the necessary funding to obtain an independent valuation of the three parcels of land zoned E3 Environmental Management;
3. Notes that a further report will be brought back to Council upon completion of the valuations and funding investigations to confirm if funding is available to proceed with offers for purchase;
4. Investigates rezoning 1 Sirius Road and Lots 68 and 75 Sirius Road, Voyager Point from E3 Environmental Management to E2 Environmental Conservation if it's purchased by a public authority;
5. Subject to point 4, directs the CEO to prepare a planning proposal to rezone 1 Sirius Road and Lots 68 and 75 Sirius Road, Voyager Point to E2 Environmental Conservation;
6. Notes that any planning proposal is required to be considered by the Liverpool Local Planning Panel before a decision by Council on whether to endorse the planning proposal for a Gateway determination by the Department of Planning, Industry and Environment;
7. Writes to the State Government in support of the site's designation as a Strategic Conservation Area;
8. Write to the NSW Minister for the Environment requesting consideration to be given to the NSW Government purchasing the properties identified in this report for inclusion in the NSW National Park estate or as a nature reserve; and
9. Send the petition along with other representations to the State Government.

Councillors voted unanimously for this motion.

**ITEM NO:** NOM 03  
**FILE NO:** 332584.2021  
**SUBJECT:** 1 Sirius Road, Voyager Point

## **Background**

1 Sirius Road, Voyager Point is currently for sale.

This and neighbouring Lots 68 and 75 have significant environmental value and are unique examples of an intact wetland ecosystem in Liverpool. The entire site includes almost 10 hectares of prime koala habitat.

There is already approval for one house and there are significant concerns in the community about the potential for further development to take place at the site.

The site is currently zoned E3 Environmental Management and is also mapped as 'Environmentally Significant Land' in the LEP.

The area is also identified in the draft Cumberland Plain Conservation Plan as a Strategic Conservation Area.

## **NOTICE OF MOTION (submitted by Cllr Hagarty)**

That Council:

1. Notes that 1, Lot 68 and Lot 75 Sirius Road, Voyager Point:
  - have significant environmental value;
  - are prime koala habitat; and
  - are unique examples of an intact wetland ecosystem in Liverpool.
2. Reaffirms its commitment to the protection of the site through E3 Environmental Management zoning and its designation as Environmentally Significant Land in the LEP.
3. Writes to the State Government in support of the site's designation as a Strategic Conservation Area.

**This motion was withdrawn as it was dealt with in conjunction with CONF 02 (see resolution on previous page).**

**Clr Shelton left the virtual meeting at 7:24pm.**

**ITEM NO:** CONF 03

**FILE NO:** 313473.2021

**SUBJECT:** Proposed Road Closure and Sale/Land Swap of part of Hanwell Serviceway and part of Elizabeth Street, Liverpool

## **COUNCIL DECISION**

**Motion:**

**Moved: Clr Harle**

**Seconded: Clr Rhodes**

That Council:

1. Approves the commencement of a road closure process of part of Hanwell Serviceway and part of Macquarie Street/Elizabeth Street, Liverpool as outlined in the confidential report;
2. Notes, that a public notification process which also involves the notification of relevant service authorities and NSW Crown lands will be undertaken;
3. Approves to classify the land compromising any area of closed road area as "Operational" land pursuant to s.43 of the *Roads Act* 1993;
4. Authorises the CEO or his delegated officer to execute any documents, under Power of Attorney, necessary to give effect to this decision;
5. Resolves that a further report be made to Council upon completion of the road closure consultation process, prior to any proposed sale or land/swap progressing; and
6. Keeps this report confidential pursuant to the provisions of Section 10A(2)(c ) of the *Local Government Act* 1993 as this information would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

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

**Clr Shelton returned to the virtual meeting at 7:25pm.**

**ITEM NO:** CONF 04

**FILE NO:** 323517.2021

**SUBJECT:** Legal Affairs Report - 1 July 2021 to 30 September 2021

**COUNCIL DECISION**

**Motion:**

**Moved: Clr Harle**

**Seconded: Clr Rhodes**

That Council receives and notes the report concerning the legal affairs of Liverpool City Council.

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

**ITEM NO:** CONF 05  
**FILE NO:** 315813.2021  
**SUBJECT:** Update on Interim Heritage Order for 10 Hoxton Park Road, Liverpool

## COUNCIL DECISION

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

That Council:

1. Receive and note the assessment of heritage significance prepared by FORM Architects for 10 Hoxton Park Road, Liverpool;
2. Not proceed with a planning proposal to list 10 Hoxton Park Road, Liverpool as an item of local heritage significance in Schedule 5 of the Liverpool Local Environmental Plan 2008;
3. Revoke the Interim Heritage Order issued on 10 Hoxton Park Road, Liverpool effective from the next available NSW Government Gazette; and
4. Notify the landowner of Council's decision.

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

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

1. Deferring the public contesting of the provision of maintenance of Off-Street and On-Street Parking Machines for a period of six (6) months, ending 31 May 2022; and
2. Reino International Pty Ltd to continue delivering the current maintenance of Off-Street and On-Street Parking Machines until the new tender is awarded or 31 May 2022.

Chairperson

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

1. Accept the tenders from the recommended tenderers for Tender RCL3070 - Supply of Library Materials for an initial three (3) years contract term with the option of extending 2 x 12 months at the Schedule of Rates GST inclusive as contained in the submissions;
2. Makes public its decision regarding tender RCL3070 - Supply of Library Materials;
3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance following publication of draft Minutes on Council website for the tender, giving it contractual effect, in accordance with delegated authority; and
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Councillors voted unanimously for this motion.

**Council moved back into open session at 7:43pm and Mayor Waller read the resolutions relating to CONF 02, CONF 03, CONF 04, CONF 05, CONF 06 and CONF 07 that were passed in Closed Session and are found on previous pages.**

**THE MEETING CLOSED AT 7:49pm.**

<Signature>

Name: Wendy Waller

Title: Mayor

Date: 24 November 2021

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 27 October 2021. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.