



MINUTES OF THE ORDINARY MEETING HELD ON 24 NOVEMBER 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 George Hampouris, Acting Director Corporate Services
 Ms Tina Bono, Director Community and Culture
 Mr David Smith, Director Planning and Compliance
 Mr Peter Diplas, 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
 Mr Vishwa Nadan, Chief Financial Officer
 Mr George Georgakis, Manager Council & 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, the meeting is being livestreamed.

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION

The prayer of the Council was read by the Chief Executive Officer, Dr Eddie Jackson.

Clr Hadchiti declared a pecuniary interest in the following item:

Item: CONF 03 Acquisition of lands in Eighteenth Avenue, Cortina Avenue and Tokyo Road, Austral for drainage purposes

Reason: Clr Hadchiti has family in the area.

Clr Hadchiti left the virtual room for the duration of the item.

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

Item: CORP 02 Annual Financial Reports 2020-21

Reason: Clr Kaliyanda knows Surbhi Katyal (from the Audit Office of NSW) who was one of the presenters on the item.

Clr Kaliyanda remained in the virtual room for the duration of the item.

During the item, subsequent to point 4 being added to the motion, Clr Hadchiti declared an interest in the following item:

Item: PLAN 03 Submission on Aerotropolis Planning Package

Reason:

Clr Hadchiti left the virtual room for the remainder of the item and did not vote on the item.

6.06pm Clr Ayyad arrived at the meeting.

PUBLIC FORUM

Presentation – items not on agenda

Nil.

Representation – items on agenda

1. **Lawrissa Chan** and **Surbhi Katyal** on behalf of the **Audit Office of New South Wales** made a presentation to Council on the following item:

CORP 02 Annual Financial Reports 2020-21

MAYORAL MINUTE

ITEM: MAYOR 01
FILE REF: 381434.2021
SUBJECT: Chief Executive Officer Performance Review

The CEO's 2020-21 annual performance review was conducted by Council's CEO Review Panel on 19 November 2021.

The Review Panel consisted of the Mayor, Cllr Hagarty, Cllr Harle and Cllr Rhodes. Apologies were received from Cllr Hadid and Cllr Balloot.

The performance review was facilitated by Mark Anderson from LGNSW Management Solutions.

The Review Panel assessed the CEO's performance as More than Satisfactory with an average rating over the three sections of the performance agreement of 8.30 / 10.

In terms of feedback to the CEO, the Review Panel was generally very positive and expressed to the CEO that he is working very well, and the organisation appears to be responding positively under his leadership.

The facilitator provided the Review Panel with benchmarking data of GM's/CEO's remuneration of large metropolitan councils which showed the current remuneration is well below the rate of other councils.

Using this information and meeting the criteria for awarding an increase (clause 8.3 of the standard GM/CEO contract), the Review Panel all agreed and recommend a performance-based increase to the CEO's Total Remuneration Package (TRP) of 2%.

The next performance review will be conducted in May 2022.

RECOMMENDATION

That Council receive and note the report.

COUNCIL DECISION

Motion: Moved: Mayor Waller

That the recommendation be adopted.

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

MAYORAL MINUTE

ITEM: MAYOR 02
FILE REF: 380313.2021
SUBJECT: Goodbye Liverpool

Tonight will be my last Council meeting in over two decades.

I have personally experienced the ups and downs of local government since the 1993 Act came into being. It was to strengthen local government and to make modern structural changes.

I'm not sure whether these aspirations totally bore fruit but here we are. It is a very different environment I find myself in now to when I was first elected.

I've seen cost shifting take a formal hold on local government, planning powers for most part be removed from the council floor, and of course rate pegging. The debate about this could go on forever but the main issue is the general public mostly don't understand the restrictions and challenges placed on local government and councillors today.

We remain the level of government closest to the people, and yet we are expected to respond to needs of our growing communities with our hands tied behind our backs in many instances.

We are expected to respond to performance measures imposed on us by State Government authorities with little room to move, treating us as a business but we are not a business - we are the core of our community. We've had to value assets which businesses don't. Business doesn't have our situation. It has been argued as artificial in the sense of our financial existence. Depreciation being a very good example.

The issues we have faced in the last 18 months have been a testament to our resilience; floods, fire, and a continuing pandemic; all having a large resource impact on us never seen before by our sector. All we need now is a plague of locusts. I am very aware we have had mice in the rural areas.

Councillors are like Board Members of a company. Their job is to create the overarching policy which will assist the whole of the community, but within constraints. We are expected to bring leadership to the fore and to create stability for staff and to oversee the progress of the organisation through working with senior staff and the CEO.

This is a serious role and it comes with some liability. We have little protection.

The danger of just appeasing one part of our community without the thought of the global good could come at a cost and isn't in line with the expectations of the Act and nor does it showcase professionalism. We are always under the microscope.

It is imperative that councillors work together for the betterment of our community, across political barriers but understanding our limitations.

We could be seen as the barometers of our community.

Candidates for local government need to do their homework before they put their hands up, because of the restrictions placed on us all, the expectations and the unique nature of our roles.

We need to pass the pub test in character and ethics but also, we need to know what we are doing.

Liverpool is the third CBD.

In my lifetime I've seen Liverpool move from a township, to a city, to a regional centre and now in my view a third CBD but a great deal of continued work and vision must be maintained for this mantle to be assigned proper.

If we miss the boat, we are damming generations to come to limited work choices, negative influences on family lives and long-lasting damage to our local economy.

Our innovation precinct was a gamble, but we felt it was necessary and it has paid off especially through the dedication of our staff and our stakeholders. This is a real achievement and I thank our talented staff for this. And of course there's the airport. The connectivity between our CBD and the aerotropolis must continue be a priority. Transport and logistics will play its part, but it must be done well to include real investment in our CBD.

Globally, local government needs to be elevated and respected by other tiers of Government and until this happens, I believe our fate is uncertain.

I have been fortunate to represent Liverpool in so many ways and to see our local government area evolve into what it is today. I am so proud and humbled to have had a role in this growth and to have met so many interesting and committed people along the way.

I would like to thank my husband Paul for his support over such a long time. We've been together over 40 years and over half of this time I've been involved in local government in some way. It's been a partnership for this whole time. I would like to thank my children for their support because Mum was usually at a council functions, in fact my younger daughter accompanied me to many functions because we didn't have childcare. Many things were missed at a family level because of council obligations. I would also like to thank my two granddaughters who through no fault of their own also have had to fit into this lifestyle. And they have done it well, especially being quiet when I'm on Teams.

I would like to thank all those in the community who have supported me over these years and showed kindness and support when needed, and there were times when that support was very much needed.

I would like to call out my colleagues and thank you for your work this term. I would especially like to thank Councillor Karnib for his friendship and support over so many years. Councillor Karnib has been on the same journey as myself, although he has more children, and I wish him the best in the up and coming election. He will now hold the record!

I would also take this opportunity to wish Chris and Bernadette Hayes well in their retirement. Chris has been the Federal Member for Fowler, and together they have worked very hard for their community – they will be missed.

I've worked with over 10 CEOs and GMs and numerous acting GMs since being elected in 1995, the 5th woman ever to be elected to council. Then becoming the first female Mayor elected by the people in 2008.

I'm extremely proud to be the daughter of bread carter, one of 16 children from an impoverished Irish family, who delivered bread all over Liverpool in the 50s and 60s and who died at the young age of 39.

I believe he would be proud that his daughter became Mayor of Liverpool and did it twice. Especially given he ran for council as in independent but was not successful.

The Mayoral position has been an extremely stressful role at times, but it came also with rewards, and it has been a genuine honour to serve our residents and work with such talented staff.

I'd like to thank the current CEO for his commitment to the organisation, I wish him well. I would also like to thank the directors and staff especially the councillor support staff including my EA Lauren Myers who has been professional throughout. There's a great deal of work behind the scenes that councillors don't see which makes council what it is.

I wish all the councillors running again the best in the upcoming elections - for those who aren't running I wish you well in a life after council. There is one. For those who get re-elected, don't sweat the small stuff.

It is my hope the new councillors can be mentored by returning councillors so that we can continue to move this city forward as it has been master planned across political lines to ensure a solid future for our city, our region and our residents.

Thank you all – Goodbye and good luck in your futures.

RECOMMENDATION

That Council receive and note this minute.

COUNCIL DECISION

Motion: **Moved: Mayor Waller**

That the recommendation be adopted.

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

PLANNING & COMPLIANCE REPORT

ITEM NO: PLAN 01

FILE NO: 343216.2021

SUBJECT: Place Naming Requests: Car Parks in Liverpool and Stairway in Casula

COUNCIL DECISION

Motion:

Moved: Cllr Shelton

Seconded: Cllr Rhodes

That Council:

1. Supports the naming of Gasworks Car Park (Liverpool), Telowra Car Park (Liverpool) and Sophienburg Stairway (Casula).
2. Forwards the names to the Geographical Names Board 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 to undertake the process of gazettal if there are no submissions received during public exhibition.
5. Install a plaque at Sophienburg Stairway to outline the significance and history of the site.

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

Clr Hadchiti left the virtual room at 6.42pm.

ITEM NO: PLAN 03

FILE NO: 360358.2021

SUBJECT: Submission on Aerotropolis Planning Package

COUNCIL DECISION

Motion:

Moved: Clr Hagarty

Seconded: Clr Rhodes

That Council:

1. Endorse the submission on the Aerotropolis planning package (with the amendment noted in point 3) and forwards a copy to the NSW Department of Planning, Industry and Environment;
2. Notes that detailed technical comments in relation to the draft Phase 2 DCP will be provided to DPIE separately;
3. Request DPIE give further consideration to an appropriate mechanism to facilitate FSR transfer from Environment and Recreation zoned land to developable land zoned Enterprise or Mixed Use to better incentivise development of land which is part zoned E&R and Enterprise/Mixed Use; and
4. Consider a similar mechanism as part of the LEP review.

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

Clr Hadchiti returned to the virtual room at 6.43pm.

ITEM NO: PLAN 04

FILE NO: 365429.2021

SUBJECT: Report back - QWN 03 from 27 October 2021 Council meeting COVID-19 and Council Orders

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Hagarty

That Council present the Enforcement Standard at a Councillor workshop in 2022 with the purpose of enabling open discussion with Councillors with views to improve the Enforcement Standard at the CEO's discretion.

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

COMMUNITY & CULTURE REPORT**ITEM NO:** COM 01**FILE NO:** 331127.2021**SUBJECT:** Grants, Donations & Community Sponsorship Report**COUNCIL DECISION****Motion:****Moved: Cllr Shelton****Seconded: Cllr Rhodes**

That Council endorses the recommendation of **\$5,000** (GST exclusive) under the **Community Grants Program** for the following projects:

Applicant	Project	Recommended
Sweltering Cities	Language accessibility for community survey on heat and health	\$5,000

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

ITEM NO: COM 02
FILE NO: 354717.2021
SUBJECT: Report back to Council: Harris Creek Reserve Fairy Glen

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Kaliyanda**

That Council receives and notes this report.

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

CORPORATE SERVICES REPORT

ITEM NO: CORP 01
FILE NO: 322223.2021
SUBJECT: Investment Report October 2021

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Karnib**

That Council receives and notes this report.

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

Motion: **Moved: Clr Shelton** **Seconded: Clr Karnib**

1. Receives and endorses the 2020-21 audited financial reports;
2. Authorises the Mayor, Deputy Mayor, Chief Executive Officer and the Responsible Accounting Officer (Chief Financial Officer) to sign the prescribed statement that will form part of the financial reports;
3. Authorises the Chief Executive Officer to:
 - a) forward a copy of the financial reports together with the auditor's report to the Office of Local Government in accordance with Section 417(5) of the Local Government Act 1993;
 - b) issue a public notice containing a summary of financial results and put the financial statements on exhibition for 7 days to seek public submissions; and
 - c) Note that the financial statements and a summary of public submissions received will be presented to Council at its next meeting for consideration and adoption.

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

ITEM NO: CORP 03
FILE NO: 352631.2021
SUBJECT: 2017-2022 Community Strategic Plan End of Term Report

COUNCIL DECISION

Motion: **Moved: Clr Shelton** **Seconded: Clr Karnib**

That Council notes and receives the End of Term Report which outlines the progress in implementing the Community Strategic Plan – Our Home Liverpool 2027.

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

ITEM NO: CORP 04
FILE NO: 357718.2021
SUBJECT: Budget Review - September 2021

COUNCIL DECISION

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

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

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

ITEM NO: ECD 02
FILE NO: 353372.2021
SUBJECT: TfNSW proposed Construction Lease over Council land being part Lot 5000
DP 855173 off Albemarle Place, Cecil Hills

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Shelton**

That Council:

1. Resolves that it has no objection to TfNSW compulsorily acquiring a construction Lease, for a period of 4 years, over Part Lot 5000 DP 855173, situated off Albemarle Place, Cecil Hills, subject to agreement being made on the amount of compensation payable to Council, as outlined in this report.
2. Resolves, that if agreement is not reached on the compensation amount, payable to Council, that it has no objection to the acquisition of the construction lease by TfNSW by compulsory process, including the reduction of the period of the Proposed Acquisition Notice (PAN) to 14 days.
3. Resolves, that if agreement is not made to the amount of compensation payable and the compensation is determined by the Valuer General that a further report be provided to Council to determine if The Valuer General's determination will be acceptable to Council.
4. Delegates authority to, and directs the CEO and his delegates to, enter into negotiations with TfNSW for compensation at no less than the occupancy fee rate identified in Council's Fees and Charges and
5. Authorises its delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision.
6. Notes the attached response provided by TfNSW to the questions taken on notice regarding this matter from Council's meeting of 27 October 2021.

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

ITEM NO: CTTE 03
FILE NO: 352922.2021
SUBJECT: Minutes of Strategic Panel meeting held on 11 October 2021

COUNCIL DECISION

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Kaliyanda**

That Council receives and notes the Minutes of the Strategic Panel Meeting held on 11 October 2021.

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

Motion: **Moved: Clr Hadchiti** **Seconded: Clr Kaliyanda**

1. Receives and notes the Minutes of the Audit, Risk and Improvement Committee Meeting held on 15 October 2021; and
2. Note the outcomes of the External Quality Assurance Review of the Internal Audit function and ARIC.

Chairperson

ITEM NO: CTTE 06
FILE NO: 354566.2021
SUBJECT: Minutes of the Liverpool Pedestrian, Active Transport and Traffic Committee meeting held on 1 November 2021

COUNCIL DECISION

Motion: **Moved: Cllr Hadchiti** **Seconded: Cllr Kaliyanda**

That Council adopts the following Committee recommendations:

Item 1 - Woodbrook Road, Casula – Proposed reopening to traffic

- Approves Woodbrook Road reopening and associated traffic management works.
- Undertakes community consultation prior to construction.

Item 2 - Liverpool City Centre – Raised Threshold

- Approves the proposed treatments, subject to changes outlined in the minutes, and associated regulatory sign and line marking scheme.
- Detailed design drawings to be submitted to TfNSW for review prior to installation.

Item 3 - Walder Road, Hammondville – Proposed access arrangement to a Medical Centre

- Approves No Parking/No Stopping signs and linemarking scheme for the access driveway off Walder Road.

Item 4 - 106 Ninth Avenue, Austral - Proposed signs and line marking scheme

- Approves the sign and line marking scheme within the subdivision roads at 106 Ninth Avenue, Austral.

Item 5 - 15 Sixteenth Avenue, Austral - Proposed signs and line marking scheme

- Approves the sign and line marking scheme within the new subdivision roads at 15 Sixteenth Avenue, Austral.

Item 6 - Skyline Crescent, Horningsea Park - Proposed Bunnings Warehouse Development

- Approves in-principle the proposed access arrangement.
- Detailed drawings showing the required fourth leg approach including a pedestrian refuge and signs and line marking scheme is to be submitted to TfNSW for review prior to installation.

Item 7 - Twenty Seventh Avenue, Austral – Proposed Load Limit

- Approves implementation of a 5-tonne load limit along Twenty Seventh Avenue (north), Austral.
- Council discusses alternative bus route with Interline bus company.
- Council submits the required Traffic Management Plan to TfNSW for endorsement prior to implementation.

Item 8 - Items Approved Under Delegated Authority.

- Approves the work approved under the delegated approval process.

Item 9 - Committee Meeting dates for 2022

- Approves the following Liverpool Pedestrian, Active Transport and Traffic Committee 2022 meeting dates to be included in Council's corporate calendar as shown below:

Meeting Number	Date
1	Thursday 3 February 2022
2	Wednesday 16 March 2022
3	Wednesday 18 May 2022
4	Wednesday 20 July 2022
5	Wednesday 21 September 2022
6	Wednesday 9 November 2022

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01

FILE NO: 343809.2021

SUBJECT: Question with Notice - Cllr Hagarty - Private Investigators

Please address the following:

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

Response

Council periodically uses private investigators as a legitimate source of augmenting the investigation of complaints by Councils authorised officers. They have proved useful in obtaining positive outcomes for Council in court proceedings or addressing complainant issues.

Private investigators are mainly used for:

- Activity Surveillance - to ascertain the extent of an activity being carried out or conducted on a property (mainly after-hours), and whether there is sufficient evidence to substantiate a complaint from the community or form a reasonable belief that the activity is prohibited such that enforcement action is warranted;
- Service of court documents; and
- Skip tracing to locate owners of properties for the purposes of service of court documents (in circumstances where usual searches and service of documents have been unsuccessful).

The use of private investigators for surveillance is infrequent and in response to community complaints. On average private investigators have been engaged around twice a year over the last 6 years.

COUNCIL DECISION

Motion:

Moved: Cllr Hagarty

Seconded: Cllr Rhodes

That this item be moved into Closed Session pursuant to the provisions of s10(A)(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than Councillors).

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

ITEM NO: QWN 02
FILE NO: 368742.2021
SUBJECT: Question with Notice - Cllr Kaliyanda - Staff Picnic Day

Please address the following:

Each year Council allows non-unionised staff to take the union picnic day off. What is the cost in wages and salaries to Council for non-unionised staff to take this day off?

Response

Council's Leave Management Policy (which is an operational policy of Council) provides information and guidance on the management of a range of leave entitlements in accordance with applicable Awards, agreements, legislation and related policies.

Clause 4.22 of the Leave Management Policy provides for a Picnic Day that is available to all employees of Council. This Clause of the Policy recognises that a Union Picnic Day is provided to financial members of any of the industry unions in accordance with the relevant provisions of the Local Government (State) Award.

This Clause also states that a Picnic Day is provided for all employees (subject to operational requirements and sufficient staff coverage) to coincide with the Union Picnic Day.

In accordance with the relevant provisions of the Award and Leave Management Policy, a distinction applies to the applicable rates of pay where, due to operational requirements, a union member or a non-financial member of a union is required to work on Picnic Day.

Employees who are not financial members of a union and who are required to work on Picnic Day will be paid normal rates of pay and will be granted time in lieu equivalent to the time they have worked, at single time. Unlike financial members of any of the unions they do not receive penalty / overtime payments or time in lieu of overtime.

These particular Picnic Day arrangements have been in place at Liverpool City Council since at least 2008.

ADDENDUM ITEM

ITEM NO: PLAN 05
FILE NO: 360071.2021
SUBJECT: Warwick Farm Racing Precinct draft Structure Plan, draft Planning Proposal and draft Contributions Plan

COUNCIL DECISION

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

That Council defer this matter until Council is provided with information that allows Council to make fully informed and fully educated decisions on this matter, including the finalised Regional Flood Evacuation Study.

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

Councillors voted unanimously for this motion.

PRESENTATIONS

LGNSW Service Awards

Mayor Waller presented Cllr Hadchiti, Cllr Hadid, Cllr Harle and Cllr Karnib with certificates from LGNSW to commend them for their contributions over three or more consecutive terms on Liverpool City Council.

The Chief Executive Officer, Dr Eddie Jackson presented Mayor Waller with a certificate and a medal from LGNSW to commend her for her contributions over 22 years on Liverpool City Council.

Copies of the certificates and medal are included on the next 6 pages of these minutes.

Councillors made statements to thank fellow Councillors and Council staff for the achievements during their term on Council.



MERIT AWARD

PRESENTED TO

Cr Anthony Hadchiti

in appreciation of commitment and dedication to the pursuit of achievement for the community of a local government in NSW as a member of

Liverpool City Council

YEARS SERVED

2008 to 2021

Deputy Mayor

2009 – 2010, 2015 - 2016

Cr Hadchiti served on numerous Council Committees during his time on Council covering all facets of the Council as listed below:

Ethics and Audit (more recently known as the Audit, Risk & Improvement Committee), Street Naming Committee, Floodplain Management, Strategic & Financial Planning (more recently changed to Strategic Panel and Budget Review Panel), Aboriginal Consultative, Bedgerys Creek Task Force, Building our New City, Civic Advisory Committee, Intermodal Committee, Warwick Farm Racing Precinct Steering Committee, Master Plan Steering Committee, Multicultural Advisory Committee, Youth Council, Planning and Development, Sports Committee, Tourism & CBD Committee, Community Safety & Crime Prevention Committee, Heritage Advisory Committee.

Linda Scott

CR LINDA SCOTT
PRESIDENT
LOCAL GOVERNMENT NSW





MERIT AWARD

PRESENTED TO

Cr Mazhar Hadid

in appreciation of commitment and dedication to the pursuit of achievement for the community of a local government in NSW as a member of

Liverpool City Council

YEARS SERVED

2008 to 2021

Deputy Mayor

2012 – 2014 & 2020 – 2021

LGNSW Board 2015 - 2021

Cr Hadid served on numerous Council Committees during his time on Council covering all facets of the Council as listed below:

Tourism & CBD Committee, Sports, Order of Liverpool (more recently changed/ known as the Civic Advisory Committee), Community & Recreation Panel, Strategic & Financial Planning (more recently changed to Strategic Panel and Budget Review Panel), Ethics & Audit Committee (more recently known as the Audit, Risk & Improvement Committee), Badgerys Creek Task Force, Building our New City, Casula Powerhouse Arts Centre Board, Economic Development & Events Committee, Heritage Advisory Committee, Master Plan Steering Committee, Sports Committee, Community Safety & Crime Prevention Committee, Planning and Development and the Environment Advisory Committee.

Linda Scott

CR LINDA SCOTT
PRESIDENT
LOCAL GOVERNMENT NSW





MERIT AWARD

PRESENTED TO

Cr Peter Harle

in appreciation of commitment and dedication to the pursuit of achievement for the community of a local government in NSW as a member of

Liverpool City Council

YEARS SERVED

2008 to 2021

Deputy Mayor

2008 – 2009

Cr Harle served on numerous Council Committees during his time on Council covering all facets of the Council as listed below:

CBD, Environment Advisory, Floodplain Management, Aboriginal Consultative, Ethics and Audit (more recently known as the Audit, Risk & Improvement Committee), Order of Liverpool (more recently changed to the Civic Advisory Committee), Youth Council, Budget & Finance (more recently changed to the Budget Review Panel), Strategic Panel, Badgerys Creek Task Force, Economic Development Committee, Intermodal Committee, Tourism & Events, Warwick Farm Racing Precinct Steering Committee, Building our New City, Master Plan Steering Committee, Planning and Development, Street Naming Committee, Heritage Advisory, Access and the Community Safety & Crime Prevention Committee.

Linda Scott

CR LINDA SCOTT
PRESIDENT
LOCAL GOVERNMENT NSW





MERIT AWARD

PRESENTED TO

Cr Ali Karnib

in appreciation of commitment and dedication to the pursuit of achievement for the community of a local government in NSW as a member of

Liverpool City Council

YEARS SERVED

1999 to 2021

Deputy Mayor

2016 – 2017, 2018 – 2019 & 2019 - 2020

Cr Karnib was elected on Liverpool City Council in 1999 after working in the community as President of the Lebanese Community Council.

Cr Karnib served on numerous Council Committees during his time on Council covering all facets of the Council as listed below:

Order of Liverpool (more recently changed/ known as the Civic Advisory Committee), Strategic & Financial Planning (more recently changed to Strategic Panel and Budget Review Panel), Ethics & Audit Committee (more recently known as the Audit, Risk & Improvement Committee), Badgerys Creek Task Force, Economic Development & Events Committee, Community Safety & Crime Prevention Committee, Planning and Development and the Youth Council.

Linda Scott

CR LINDA SCOTT
PRESIDENT
LOCAL GOVERNMENT NSW





OUTSTANDING SERVICE AWARD

PRESENTED TO

Cr Wendy Waller

In appreciation of services to the people
through Local Government in NSW covering
a period of 22 years as a member of

Liverpool City Council

YEARS OF SERVICE

1995 to 2021

Mayor 2008 to 2012, 2016 to 2021

Deputy Mayor 1997 to 1998, 1999 to 2000,
2001 to 2003

Linda Scott

CR LINDA SCOTT
PRESIDENT
LOCAL GOVERNMENT NSW





ITEM NO: NOM 02
FILE NO: 366424.2021
SUBJECT: Montella Place Prestons

NOTICE OF MOTION (submitted by Clr Ayyad)

That a pedestrian footpath be built along the whole length of Montella Place Prestons as soon as possible.

COUNCIL DECISION

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

That the recommendation be adopted.

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

Clr Shelton asked that he be recorded as voting against the motion.

1. Reaffirm its support for a stadium in Liverpool; and
2. Include a stadium in Liverpool as part of lobbying efforts with the State and Federal Governments for further infrastructure investment in our LGA.

Motion: **Moved: Clr Hagarty** **Seconded: Clr Hadchiti**

1. Reaffirm its support for a stadium in Liverpool;
3. Include a stadium in Liverpool as part of lobbying efforts; and
4. Notes media reports that the NRL are considering funding a stadium in the South West.

Clr Harle requested that he be recorded as voting against the motion.

CLOSED SESSION

Mayor Waller advised Council would now move into Closed Session to deal with items QWN 01, CONF 01, CONF 02 and CONF 03 pursuant to provisions of S10A(2) of the Local Government Act 1993 because:

- QWN 01 Question with Notice - Clr Hagarty - Private Investigators is confidential pursuant to the provisions of s10(A)(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors).
- CONF 01 2022 Australia Day Awards is confidential pursuant to the provisions of s10(A)(2)(a) of the Local Government Act because it contains personal matters concerning particular individuals (other than councillors).
- CONF 02 Report back- Energy and Environmental Risk Solution (PEERS 3) Tender outcome for Large and Small Scale Energy is confidential pursuant to the provisions of s10(A)(2)(d i) (d ii) 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 commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.
- CONF 03 Acquisition of lands in Eighteenth Avenue, Cortina Avenue and Tokyo Road, Austral for drainage purposes is confidential pursuant to the provisions of s10(A)(2)(c) of the Local Government Act 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.

Council moved into Closed Session at 8.30pm.

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

Council periodically uses private investigators as a legitimate source of augmenting the investigation of complaints by Councils authorised officers. They have proved useful in obtaining positive outcomes for Council in court proceedings or addressing complainant issues.

- Activity Surveillance - to ascertain the extent of an activity being carried out or conducted on a property (mainly after-hours), and whether there is sufficient evidence to substantiate a complaint from the community or form a reasonable belief that the activity is prohibited such that enforcement action is warranted;
- Service of court documents; and
- Skip tracing to locate owners of properties for the purposes of service of court documents (in circumstances where usual searches and service of documents have been unsuccessful).

COUNCIL DECISION

1. Council incorporates the use of private investigators, including appropriate delegations into the Enforcement Standard; and
2. This matter be brought to the workshop on the Enforcement Standard scheduled for 2022.

Clr Hadchiti and Clr Shelton asked that they be recorded as voting against the motion.

Clr Rhodes left the virtual room at 8.38pm.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 356415.2021
SUBJECT: 2022 Australia Day Awards

COUNCIL DECISION

Motion: **Moved:** Clr Shelton **Seconded:** Clr Karnib

That Council:

1. Endorse the recommended award recipients as proposed in the report; and
2. Keep the report and nominations containing the recommended award recipients confidential, pursuant to the provision of Section 10A(2)(a) of the *Local Government Act 1993*.

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

Clr Rhodes returned to the virtual room at 8.39pm.

Clr Ayyad left the virtual room at 8.42pm.

ITEM NO: CONF 02

FILE NO: 361069.2021

SUBJECT: Report back- Energy and Environmental Risk Solution (PEERS 3) Tender outcome for Large and Small Scale Energy

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Karnib

That Council:

1. Notes that the contract for small, large electricity markets including public lighting, renewable energy and LGCs was awarded to ZEN Energy Retail Pty Ltd (ABN 54 615 751 052). This tenderer was determined to be the best value offeror for a period of 5 years, with an optional extension of the contract for a further 4 years subject to SSROC and its participating councils' approval.
2. 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.
3. Be provided with a report on the financial cost if Council pursued grid or non-renewable energy in implementing this contract.

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

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

Clr Hadchiti left the virtual room at 8.45pm.

ITEM NO: CONF 03

FILE NO: 366371.2021

SUBJECT: Acquisition of lands in Eighteenth Avenue, Cortina Avenue and Tokyo Road, Austral for drainage purposes

COUNCIL DECISION

Motion:

Moved: Clr Shelton

Seconded: Clr Karnib

That Council:

1. That Council approves the acquisition of Lot 182 DP 1237400, identified as Lot 182 Eighteenth Avenue, and part Cortina Avenue in DP 1237400, and part Tokyo Road in DP 1237400 and part Tokyo Road in DP 1238766 and Part Tokyo Road in DP 1238762, in Austral, within the terms outlined in this confidential report;
- .
2. Authorises the Chief Executive Officer or their delegated officer, to execute any document under Power of Attorney, necessary to give effect to this decision, and
3. Keeps confidential this report 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 Hadchiti returned to the virtual room at 8.47pm.

Mayor Waller moved the meeting into Open Session at 8.47pm and read the resolutions made in Closed Session.

THE MEETING CLOSED AT 8.54pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 2 February 2022

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 24 November 2021. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.