



**MINUTES OF THE ORDINARY MEETING
HELD ON 26 APRIL 2023**

PRESENT:

Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman
Councillor Green
Councillor Hadid
Councillor Hagarty (online)
Councillor Harle
Councillor Kaliyanda
Councillor Karnib
Councillor Macnaught
Councillor Rhodes
Hon John Ajaka, Chief Executive Officer
Mr Farooq Portelli, Acting Director Corporate Support
Ms Tina Bono, Director Community & Lifestyle
Ms Lina Kakish, Acting Director Planning & Compliance
Ms Anna Rizos, Acting Director Customer & Business Performance
Ms Julie Scott, Acting Director City Futures
Mr Jason Breton, Acting Director Operations
Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement
Mr Vishwa Nadan, Chief Financial Officer
Mr Charles Wiafe, Manager Transport Management
Ms Michaela Sisk, Acting Manager Strategic Projects Construction
Mr Eric Benedicic, Acting Chief Information Officer
Mr George Georgakis, Manager Council and Executive Services
Ms Susan Ranieri, Coordinator Council and Executive Services (minutes)

The meeting commenced at 2.04pm.

**STATEMENT REGARDING WEBCASTING
OF MEETING**

The Mayor reminded everyone that in accordance with Council's Code of Meeting Practice (other than the Public Forum Section), the meeting is being livestreamed.

ITEM NO: COND 01

SUBJECT: Condolence - Ms Dorothy Nell Brain B.E.M (read by Mayor Mannoun)

Today, we pause to honour the memory of Dorothy Nell Brain, who passed away on 13 April 2023. She was a prolific contributor to the Liverpool community and was passionate about the preservation and promotion of Liverpool's history and heritage.

Dorothy and her late husband Gordon were the lifeblood of the City of Liverpool and District Historical Society during the 1970s and 80s, and Dorothy was awarded life membership by the Society in 2017.

Volunteering was a significant part of Dorothy's life and she worked tirelessly for the community, from working on the local P&C to Scripture teaching at the Holy Trinity Anglican Church in Lurnea, to visiting aged care centres and organising craft groups.

Dorothy was recognised for her service in 1981 by being awarded the British Empire Medal and awarded a Member of the Order of Liverpool in 2009.

Dorothy is survived by her children Vicki, Dianne, Arthur and families. She was a cherished Grandmother and Great-Grandmother. On behalf of Liverpool City Council, I humbly express my deepest condolences to her family and friends. Our thoughts and prayers are with Dorothy's loved ones during this difficult time.

May she rest in peace.

ITEM NO: COND 02
SUBJECT: Condolence - Mr John Fern (Read by Mayor Mannoun)

Today, we pause to honour the memory of John Fern, who passed away on 19 April 2023. As a past President of The City of Liverpool and District Historical Society, John together with his wife Barbara kept the Society going through tough times in the mid-1990s and this allowed it to maintain its purpose and continue with their work.

One of John's legacies to the Society was the donation of a cot that he slept in as a child which had been in his family since the 1850s. The pristine condition of the item is a testament to John's passion for history and heritage.

John was an interesting man that never failed to sustain the interest of anyone he was talking with. He will be missed by many.

On behalf of Liverpool City Council, I humbly express my deepest condolences to his family and friends. Our thoughts and prayers are with John's loved ones during this difficult time.

May he rest in peace.

One Minute Silence

One minute silence was then observed for Ms Brain and Mr Fern.

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun Seconded: Clr Green**

That Council writes to the family of Ms Brain and Mr Fern expressing our condolences for their loss.

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

CONFIRMATION OF MINUTES

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

That the minutes of the Ordinary Meeting held on 29 March 2023 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

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

Item: CONF 08 - Legal Affairs Report
Reason: Clr Hadid is a President of an organisation listed in the report.

Clr Hadid left the Chambers for the duration of the item.

Clr Ammoun declared a non-pecuniary, less than significant interest in the following

Item: CONF 08 - Legal Affairs Report
Reason: Clr Ammoun is the Public Officer of an organisation listed in the report.

Clr Ammoun left the Chambers for the duration of the item.

PUBLIC FORUM

Presentation – items not on agenda

Nil.

Representation – items on agenda

- 1. **Mr Mario Prodromou** of Co Lab Law & Mediation addressed Council on the following item:

PLAN 03 – Issues and Options Report: Sirius Road, Voyager Point.

Motion: **Moved: Mayor Mannoun**

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

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

2. **Ms Zoe Condoleon-Arcuri** addressed Council on the following item:

PLAN 03 – Issues and Options Report: Sirius Road, Voyager Point.

Motion: **Moved: Mayor Mannoun**

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

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

3. **Ms Astra Staines** addressed Council on the following item:

PLAN 03 – Issues and Options Report: Sirius Road, Voyager Point.

4. **Ms Astra Staines** addressed Council on the following item:

PLAN 04 – Post Exhibition Report – Liverpool Local Environmental Plan 2008 Amendment 80 at 2 MacArthur Drive, Holsworthy.

5. **Mr Stephen Pettit** addressed Council online on the following item:

PLAN 04 – Post Exhibition Report – Liverpool Local Environmental Plan 2008 Amendment 80 at 2 MacArthur Drive, Holsworthy.

6. **Mr Tim Moore** of Architectus addressed Council online on the following item:

PLAN 06 – Liverpool Local Environmental Plan Review – Post Early Engagement Report.

7. **Mr Goutham (Tom) Bangalore** addressed Council online on the following item:

PLAN 06 – Liverpool Local Environmental Plan Review – Post Early Engagement Report.

MAYORAL MINUTE

Nil.

PLANNING & COMPLIANCE REPORTS

ITEM NO: PLAN 01
FILE NO: 075253.2023
SUBJECT: Department of Planning Conflict of Interest Policy

COUNCIL DECISION

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

That Council:

1. Receive and note the contents of this report;
2. Endorse the adoption of the draft Conflict of Interest – Council-related Development Policy;
3. Endorse the drafting of a Community Participation Plan (CPP), in accordance with Division 2.6, Part 2 of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979), to require that Council-related development applications be exhibited for a period of at least 28 days;
4. Exhibits changes to the CPP for a period of 28 days, in accordance with Division 1, Part 1 of Schedule 1 of the EP&A Act 1979; and
5. Receives a further report regarding the outcome of public exhibition of changes to the CPP, or delegates authority to the CEO to finalise changes to the CPP should no submissions be received.

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

ITEM NO: PLAN 03
FILE NO: 084905.2023
SUBJECT: Issues and Options Report: Sirius Road, Voyager Point

COUNCIL DECISION

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

That Council defer this item to the next meeting until all information is received including whether there is an active DA on the land.

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

Councillors voted unanimously for this motion.

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Clr Ammoun left the Chambers at 3:07pm.
Clr Ammoun returned to the Chambers at 3:08pm.
Clr Ammoun left the Chambers at 3:12pm.
Clr Ammoun returned to the Chambers at 3:12pm.

ITEM NO: PLAN 04
FILE NO: 101670.2023
SUBJECT: Post Exhibition Report - Liverpool Local Environmental Plan 2008
Amendment 80 at 2 MacArthur Drive, Holsworthy

RECOMMENDATION

That Council:

1. Notes the Gateway determination dated 8 June 2022, for *Liverpool Local Environmental Plan 2008 (Amendment 80)*, the submissions received from State Agencies, the Department of Defence, the proponent and members of the public;
2. Proceeds with Amendment 80 to increase the permissible Height of Building to 45m and Floor Space Ratio to 2.15:1, and include a site specific clause to limit 'retail premises' to a Gross Floor Area (GFA) of 9000sqm;
3. Delegates authority to the Chief Executive Officer (or his delegate) to forward the planning proposal to the Department of Planning and Environment as the plan making authority for this planning proposal;
4. Finalise the draft Part 2.6 (Holsworthy Station Area) DCP, to come into effect on the date of Gazettal of the LEP amendment; and
5. Notifies the submitters of Council's decision.

COUNCIL DECISION

Amendment: **Moved: Clr Rhodes** **Seconded: Clr Macnaught**

That point 2 (as shown below) be added to the motion.

2. Requests that Department of Planning and Environment refer the Planning Proposal to TfNSW for further consideration.

Vote for: Mayor Mannoun, Clr Green, Clr Kaliyanda, Clr Karnib, Clr Macnaught and Clr Rhodes.

Vote against: Clr Ammoun, Clr Goodman, Clr Hagarty, Clr Harle and Clr Hadid.

On being put to the meeting the amendment was declared CARRIED and formed part of the motion.

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

That Council:

1. Notes the Gateway determination dated 8 June 2022, for *Liverpool Local Environmental Plan 2008* (Amendment 80), the submissions received from State Agencies, the Department of Defence, the proponent and members of the public;
2. Requests that Department of Planning and Environment refer the Planning Proposal to TfNSW for further consideration.
3. Proceeds with Amendment 80 to increase the permissible Height of Building to 45m and Floor Space Ratio to 2.15:1, and include a site specific clause to limit 'retail premises' to a Gross Floor Area (GFA) of 9000sqm;
4. Delegates authority to the Chief Executive Officer (or his delegate) to forward the planning proposal to the Department of Planning and Environment as the plan making authority for this planning proposal;
5. Finalise the draft Part 2.6 (Holsworthy Station Area) DCP, to come into effect on the date of Gazettal of the LEP amendment; and
6. Notifies the submitters of Council's decision.

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

Vote for: Clr Ammoun, Clr Goodman, Clr Green, Clr Hadid, Clr Harle, Clr Macnaught, and Clr Rhodes.

Vote against: Mayor Mannoun, Clr Hagarty, Clr Kaliyanda and Clr Karnib.

ITEM NO: PLAN 05
FILE NO: 106031.2023
SUBJECT: Quarterly Report - Clause 4.6 Variations to Development Standards

COUNCIL DECISION

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

That Council receives and notes this report.

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

ITEM NO: PLAN 06
FILE NO: 110180.2023
SUBJECT: Liverpool Local Environmental Plan Review - Post Early Engagement Report

COUNCIL DECISION

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

That Council:

1. Notes the results of public authority and community consultation from the Early Engagement period;
2. Proceed with reduced Height of Building development standards as per the Scoping Report, as exhibited;
3. Proceed with the zoning and development standards for the 2168 area as per the Scoping Report, as exhibited;
4. Delegates to the CEO to prepare a Principal Planning Proposal for the creation of a new Liverpool Local Environmental Plan, and present the planning proposal to the Local Planning Panel and Council for endorsement;
5. Begin a review of the Liverpool Centres and Corridors Strategy to align with Council's 100 day plan to reduce the heights of centres to 12m in certain suburbs. This review should create a strategy to focus high density development in centres with high amenity that are serviced by rail / transport infrastructure and / or high amenity and supporting services; and
6. Notify submitters of Council's decision.

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

Councillors voted unanimously for this motion.

RECESS

The Mayor called a recess at 3.35pm.

RESUMPTION OF MEETING

The meeting resumed at 3.59pm with all Councillors present.

COMMUNITY & LIFESTYLE REPORTS

ITEM NO: COM 01
FILE NO: 072210.2023
SUBJECT: Framework for Community Owned and Led Community Gardens

COUNCIL DECISION

Motion: **Moved: Cllr Macnaught** **Seconded: Cllr Kaliyanda**

That:

1. Council notes and receives this report;
2. Council adopt the *Establishing a Community Owned and Led Garden on Council Land or Council Managed Land Application Form* as the framework to enable residents to construct and operate community gardens on community land; and
3. A report is brought back to Council after 12 months which details all applications that were successful, unsuccessful and why they were unsuccessful, if they were.
4. The report also include information on the nature of the applications, for example, were they in apartments were they in specific areas, so that Council can look at trends and what is encouraging some of our community groups to put these ideas forward.
5. Council thank staff on all the work that was done on this.

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

ITEM NO: COM 02
FILE NO: 079886.2023
SUBJECT: Grants Donations and Community Sponsorship Report

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Macnaught**

That Council:

1. Endorses the funding recommendation of \$3000 (GST exclusive) under the **Community Grant Program** for the following project.

Applicant	Project	Recommended
Association For Community Development Incorporated	Ramadan Shopping Festival	\$3000

2. Endorses the funding recommendation of **\$5000** (GST exclusive) under the **Sustainable Environment Grant Program** for the following project.

Applicant	Project	Recommended
City of Liverpool Meals on Wheels Inc.	Compostable Food Containers	\$5,000

3. Endorses the funding recommendation of **\$20,000** (GST exclusive) under the **Community Sponsorship Program** for the following projects.

Applicant	Project	Recommended
Western Sydney Wanderers Football Club	Western Sydney Wanderers Football Clinic	\$10,000
Vedic Festival Inc.	Festival of Chariots 2023	\$10,000

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

CORPORATE SUPPORT REPORTS

ITEM NO: CORP 01
FILE NO: 110020.2023
SUBJECT: Investment Report March 2023

COUNCIL DECISION

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

That Council receive and note this report.

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

CITY FUTURES REPORTS

ITEM NO: CFD 01

FILE NO: 068783.2023

SUBJECT: Advocacy Proposal - Renaming Liverpool City Council to City of Liverpool

COUNCIL DECISION

Motion:

Moved: Cllr Rhodes

Seconded: Cllr Goodman

That Council:

1. Provide in-principle support to change the name of Liverpool City Council to City of Liverpool;
2. Investigate the methods and processes to be followed to achieve the name change;
and
3. All financial considerations to be considered as a part of next year's budget.

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

Cllr Hagarty asked that his name be recorded as having voted against the motion.

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 050742.2023
SUBJECT: Minutes of the Moorebank Intermodal Precinct Committee meeting held on 6 February 2023

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Ammoun**

That Council:

1. Receives and notes the Minutes of the Moorebank Intermodal Precinct Committee Meeting held on 6 February 2023; and
2. Endorse the recommendations in the Minutes.

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

COUNCILLOR REPRESENTATIVE ON THE SOUTH WEST SYDNEY ACADEMY OF SPORT (SWSAS)

Councillor Kaliyanda requested Council consider a replacement for her on the South West Sydney Academy of Sport (SWSAS) as she is unable to now represent Liverpool Council.

Clr Rhodes agreed to replace Clr Kaliyanda on the South West Sydney Academy of Sport (SWSAS) for the current term.

ITEM NO: CTTE 02
FILE NO: 057195.2023
SUBJECT: Minutes of the Tourism and CBD Committee meeting held 14 February 2023

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Ammoun**

That Council:

1. Receives and notes the Minutes of the Tourism and CBD Committee Meeting held on 14 February 2023.

2. Endorse the recommendations in the Minutes except for the following due to logistics and Council calendar constraints:

 Visitor Economy Officer to contact all community representatives regarding their ability to attend and consideration be taken by Council staff for dates that are suitable.

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

ITEM NO: CTTE 03
FILE NO: 097639.2023
SUBJECT: Minutes of Community Safety & Crime Prevention Advisory Committee -
March 2023

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Ammoun**

That Council:

- 1. Receives and notes the Minutes of the Community Safety & Crime Prevention Advisory Committee Meeting held on 2 March 2023; and

- 2. Endorse the recommendations in the Minutes.

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

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Chairperson

ITEM NO: CTTE 04
FILE NO: 098177.2023
SUBJECT: Minutes of the Liverpool Youth Council Meeting held on Tuesday 14 February 2023

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Ammoun**

That Council receives and notes the Minutes of the Liverpool Youth Council Meeting held on 14 February 2023.

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

ITEM NO: CTTE 05
FILE NO: 099180.2023
SUBJECT: Minutes of the Liverpool Local Traffic Committee meeting held on 15 March 2023

This matter was dealt with later in the meeting in Closed Session pursuant to the provisions of Section 10A(2)(a) of the Local Government Act 1993 because it contains personal matters concerning particular individuals (other than councillors).

ITEM NO: CTTE 06
FILE NO: 100796.2023
SUBJECT: Minutes of the Aboriginal Consultative Committee meeting held on 2 March 2023

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Ammoun**

That Council receives and notes the Minutes of the Aboriginal Consultative Committee meeting held on 2 March 2023.

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

ITEM NO: CTTE 07
FILE NO: 127258.2023
SUBJECT: Minutes of the Governance Committee Meetings held on 18 April 2023

COUNCIL DECISION

This item was dealt with later in Closed Session 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.

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PRESENTATIONS BY COUNCILLORS

ITEM NO: PRES 01

1. Clr Kaliyanda made a presentation on the incredible Dawn Service and ANZAC Display organised by Kelli Hill and Stephan Cheers of Wattle Grove that she attended with Clr Green

This display came about as a result of Stephan's research and passion for military history and they have organised it for over the last four years. The display features about 60 to 70 Australian military uniforms and other field gear starting from about 1915 right through to the current period and also includes things like peacekeeping missions, nurses uniforms and a range of other artefacts that have either been painstakingly collected by the residents or donated from people far and wide. It was also really heart-warming to see the community support and enthusiasm for the display itself. Over the last four years, their neighbours have participated in both the dawn service that they organised and about 250 residents from all around the area attended this year and their neighbours are happy to close down their street to facilitate this broader community participation.

Clr Kaliyanda and Clr Green were touched at the event and felt that it was just a really heart-warming display of community togetherness and wanted to ensure, in this forum, that it was noted what our residents have done.

ITEM NO: PRES 02

2. Clr Ammoun made a presentation on the Blessed Nights Event

Clr Ammoun wanted to thank Liverpool Council on behalf of the Liverpool community as a whole and surrounding areas on the Blessed Nights event that Council hosted and that concluded last Sunday. He has received a lot of positive feedback. The hard work Council staff, Director Community and Lifestyle and the team and everyone that worked on that festival is much appreciated. Everyone was amazed from the local community and even people from outside the community came to Liverpool and noted that around in excess of 300,000 people attended the festival. So on behalf of the people that Clr Ammoun had spoken to, they wanted to request that Clr Ammoun thank Liverpool City Council on their behalf.

Mayor Mannoun requested that a report be brought to Council at the June 2023 Council meeting on the economic benefit to this City of the Blessed Nights, and include some data to inform Council's decision making to see how else we can apply this to when we do things and evaluate to see what worked and didn't work.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01

FILE NO: 078269.2023

SUBJECT: Minutes of the Heritage Advisory Committee of 5 December 2022

COUNCIL DECISION

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

That:

1. Council receives and notes the Minutes of the Liverpool Heritage Advisory Committee meeting held on 5 December 2022;
2. Council endorse the recommendations of this report; and
3. A tour be organised with regards to the building mentioned in the confidential report on page 691 (point 4).

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

ITEM NO: CONF 02
FILE NO: 068146.2023
SUBJECT: Exemption from Tender - Litmos Learning Management System with LearningSeat Pty Ltd

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Ammoun**

That Council:

1. Agrees, pursuant to section 55(3)(i) of the Local Government Act 1993, that a satisfactory result would not be achieved by inviting tenders to replace the contract with Learning Seat Pty Ltd for the following reasons:
 - a. Litmos is used by all employees and embedded across Council operations with unique configuration and core enterprise system integration to suit Council’s operating requirements.
 - b. Council has deferred implementation of the Digital Transformation Strategy and adopted an approach of not replacing core enterprise systems, including Litmos LMS.
 - c. Council is undergoing an organisational transformation and Litmos LMS is a key system enabler.
 - d. It would require significant time and resources to purchase and transition to a new system and the costs outweigh the perceived benefits at this time.

2. Agrees that the existing contract with Learning Seat Pty Ltd for the use of Litmos LMS should be extended until 30 June 2025.

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

ITEM NO: CONF 03
FILE NO: 088889.2023
SUBJECT: Exemption from Tender - Content Manager Transition to Cloud

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

ITEM NO: CONF 04
FILE NO: 097446.2023
SUBJECT: Exemption of John Holland from Tendering Process

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Macnaught**

That Council:

1. Exempt the engagement of John Holland for direct negotiation to provide final detailed design and construction for the extension of Middleton Drive and the related shared path project from the tendering requirements pursuant to s.55(3)(i) of the *Local Government Act 1993*, for the following reasons:
 - a. TfNSW and M7 Authority engaged John Holland for the design and construction of the proposed widening M7 widening works;
 - b. Delivery risk of the delivery of the Middleton Drive extensions due to the complexity of the project set by its location and existing infrastructure and working around revenue producing M7 toll;
 - c. The delay anticipated if the project will not be delivered by John Holland;
 - d. Expected construction cost increases if project will experience further delays;
 - e. Current federal election funding support of the project and their delivery expectations;
 - f. The urgent need to deliver the project to relief current traffic congestion on the existing Sixteenth Avenue East the main road into and out of Middleton Grange and providing additional emergency access, bus route and waste collection access to Middleton Grange.

2. Provide a variation to the contract with ATL increasing the scope of works to provide project management services to support the delivery of the design and construction works to be provided by John Holland and provide legal authority representation for Council.

3. Express the urgency of delivering this project.

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

Clr Ammoun left the Chambers at 4:51pm.
Clr Ammoun returned to the Chambers at 4:51pm.

ITEM NO: CONF 05
FILE NO: 098268.2023
SUBJECT: Exemption from Tender - Pathway Commitment and Transition to Cloud

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

ITEM NO: CONF 06
FILE NO: 067845.2023
SUBJECT: Alternate Sydney Western City Planning Panel (SWCPP) Council Members

COUNCIL DECISION

Motion: **Moved: Clr Macnaught** **Seconded: Clr Rhodes**

That Council:

- 1. Endorse the use of the Liverpool LPP Community Representatives as alternate SWCPP Council Members, as required by the Department.
- 2. Endorse the draft *Alternate Sydney Western City Planning Panel (SWCPP) Council Members (non-Councillors)* policy.
- 3. Amend the payment and expenses policy for Councillors that Council Members of the SWCPP are paid \$1,100.00 (including GST) per meeting and that alternate council members are paid \$275 (including GST) per meeting to attend as ‘understudies’.
- 4. The proposed changes to the policy to be put on public exhibition for 28 days and if no submissions received to be delegated to the CEO to finalise.

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

Clrs Hagarty and Kaliyanda requested that they be recorded as having voted against the motion.

ITEM NO: CONF 07
FILE NO: 089005.2023
SUBJECT: Purchase of Lot 141 DP 1265897, 95-105 Seventh Avenue, Austral for SP2
 Local Drainage

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Macnaught**

That Council:

1. Purchase Lot 141 in DP 1265897, 95-105 Seventh Avenue, Austral for the price and terms as outlined in this report.
2. Upon settlement classifies Lot 141 in DP 1265897 as "Operational Land".
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; and
4. Authorises the CEO or delegate to execute any documents necessary to give effect to this decision.

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

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 Chairperson

ITEM NO: CONF 09
FILE NO: 116378.2023
SUBJECT: Question with Notice - Cllr Rhodes - Liverpool Animal Shelter

Questions and responses were provided to Councillors in a Confidential Book pursuant to the provisions of s10A(2)(d i) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

MOTION TO MOVE INTO CLOSED SESSION

Motion **Moved: Mayor Mannoun** **Seconded: Cllr Macnaught**

That Council move into Closed Session to deal with the following items:

CTTE 05 - Minutes of the Liverpool Local Traffic Committee meeting held on 15 March 2023 is confidential pursuant to the provisions of s10A(2)(a) of the Local Government Act 1993 because it contains personal matters concerning particular individuals (other than councillors);

CONF 03 - Exemption from Tender - Content Manager Transition to Cloud, CONF 05 - Exemption from Tender - Pathway Commitment and Transition to Cloud and CTTE 07 - Minutes of the Governance Committee Meetings held on 18 April 2023 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 08 - Legal Affairs Report is confidential pursuant to the provisions of s10A(2)(a) (c) (d i) (g) of the Local Government Act 1993 because it contains personal matters concerning particular individuals (other than councillors); AND information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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

Item 5 - Kurrajong Road, Lyn Parade and Beech Road Intersection Upgrade to Signalised Intersection, Prestons

- Approves the Kurrajong Road, Lyn Parade and Beech Road intersection upgrade and associated signs and line marking scheme as shown in Attachments 5.1 to 5.5.
- Council to submit the required traffic signal phasing design of the intersection to TfNSW for approval prior to installation.

Item 6 - Bernera Road Upgrade, Yarrowa Street to Yato Road (Approximately 300m), Prestons

- Approves road upgrade of approximately 300m of Bernera Road, between Yarrowa Street and Yarrunga Street/Yato Road intersection and associated signs and line marking scheme as shown in Attachment 6.

Item 7 – Carnes Hill and Edmondson Park - High Pedestrian Activity Areas Traffic Study

- Approves in-principle the proposed traffic facilities to establish high pedestrian activity zones in Carnes Hill and Edmondson Park town centres.
- Prepare detailed designs and resubmit to the committee for its support prior to installations.

Item 8 – Leacocks Lane, Casula - Proposed Traffic Facilities

- Approves installation of four speed humps across sections of Leacock Lane in front of House Nos. 113/115 and 24, as well as Glen Regent Reserve and edge line marking as shown in Attachments 8.1 and 8.2.

Item 9 - Fourth Avenue, Tenth and Eleventh Avenue Intersections, Austral – Proposed Interim Roundabouts

- Approves installation of single lane temporary roundabouts at the intersections of Fourth Avenue/Tenth Avenue and Fourth Avenue//Eleventh Avenue intersections, Austral as shown in Attachments 10.1 and 10.2.
- Detailed designs are to be submitted to TfNSW and the Police for their review, prior to construction.

Item 10 – Cecil Hills High School – Proposed Traffic Management Changes

- Deferred for the applicant to carry out additional assessments addressing concerns about traffic impact of the proposed second pedestrian crossing and a need for construction of off-street parking in the vacant lane within the school boundary.

Item 11 - Approved Items Under Delegated Authority

- Notes the approved items under delegated authority.

That **Item GB5** (as shown below and page 224 of the Council Agenda) be resubmitted to the Traffic Committee for further discussion.

GB5 – 50 Hill Road, Lurnea – Bus Stop Relocation

The Committee noted that the bus stop has been relocated to the previous location in front of House No. 48 Hill Road.

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

ITEM NO: CONF 03
FILE NO: 088889.2023
SUBJECT: Exemption from Tender - Content Manager Transition to Cloud

COUNCIL DECISION

Motion: **Moved: Cllr Hagarty** **Seconded: Cllr Kaliyanda**

That Council:

1. Agrees that a satisfactory result would not be achieved by inviting tenders for the transition of Content Manager to a SaaS platform and ongoing provision of the supported service (the proposed contract), for the following reasons:
 - Competition between resellers is deemed minimal as licencing and the product roadmap is governed by the proprietary owner MicroFocus. Council has a long-term business partnership with the reseller Kapish Services who have provided a professional and cost-effective service.
 - There is high levels of customisation.
 - The cost benefit analysis does not favour replacement of the Council’s core enterprise system at this time and planning an alternative approach will require a period of years. In the meantime, the existing system must be maintained to avoid business disruption.
 - Council will not gain the intended regulatory and cost benefits if Content Manager remains on the current on-premise model.
2. Authorises the Chief Executive Officer or delegate to negotiate and enter into the proposed contract with Kapish Services Pty Ltd, noting the proposed contract term and indicative pricing.
3. Authorises the Chief Executive Officer or delegate to agree and execute all documents necessary to give effect to these resolutions by Friday 28 April 2023 to avoid any price increases.

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

Councillors voted unanimously for this motion.

Clr Hadid left the Chambers at 5:14pm.

Clr Ammoun left the Chambers at 5:14pm.

Acting Director Corporate Support declared a non-pecuniary, less than significant interest in Item No: CONF 08 – Legal Affairs Report as he was an ex board member of one of the organisations listed in the report.

ITEM NO: CONF 08
FILE NO: 114208.2023
SUBJECT: Legal Affairs Report

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun** **Seconded: Clr Goodman**

That Council direct the CEO to prepare a confidential brief for Councillors within 14 days.

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

Councillors voted unanimously for this motion.

ITEM NO: CTTE 07
FILE NO: 127258.2023
SUBJECT: Minutes of the Governance Committee Meetings held on 18 April 2023

COUNCIL DECISION

Motion: **Moved: Mayor Mannoun** **Seconded: Clr Macnaught**

That Council:

1. Receives and notes the Minutes of the Governance Committee meetings held on 18 April 2023; and
2. Endorse the recommendations in the Minutes.

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

Clr Rhodes asked that the above motion be rescinded.

Clrs Green and Macnaught supported Clr Rhodes. Therefore the above motion was rescinded and the following motion was moved.

Motion: **Moved: Clr Rhodes** **Seconded: Mayor Mannoun**

That Council rescind the resolution relating to CTTE 07 - Governance Committee meeting minutes and that these minutes be discussed at the next Governance Committee meeting.

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

Clrs Hadid and Ammoun returned to the Chambers at 5.49pm.

OPEN SESSION

Mayor Mannoun moved the meeting into Open Session at 5.49pm and read the resolutions made in Closed Session as shown above.

THE MEETING CLOSED AT 5.54pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 31 May 2023

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 April 2023. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

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