



MINUTES OF THE ORDINARY MEETING HELD ON 27 SEPTEMBER 2023

PRESENT:

Mayor Ned Mannoun

Councillor Ammoun

Councillor Goodman

Councillor Green

Councillor Hadid

Councillor Hagarty (Online)

Councillor Harle

Councillor Kaliyanda

Councillor Karnib (Online)

Councillor Macnaught

Councillor Rhodes

Hon John Ajaka, Chief Executive Officer

Mr Farooq Portelli, Director Corporate Support

Ms Tina Bono, Director Community & Lifestyle

Ms Lina Kakish, Director Planning & Compliance

Ms Julie Scott, Acting Director City Futures

Mr Jason Breton, Director Operations

Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement

Mr Vishwa Nadan, Chief Financial Officer

Mr John Lac, Manager Project Delivery

Ms Jessica Saliba, Acting Manager Council and Executive Services

Ms Susan Ranieri, Council and Executive Services Coordinator

Ms Melissa Wray, Council and Executive Services Officer (minutes)

The meeting commenced at 2.01pm.

STATEMENT REGARDING WEBCASTING OF MEETING

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

ACKNOWLEDGMENT OF COUNTRY, PRAYER OF COUNCIL AND AFFIRMATION

The prayer of the Council was read by Pastor Steve Riethmuller from Cartwright Gospel Chapel.

NATIONAL ANTHEM

The National Anthem was played at the meeting.

COUNCILLORS ATTENDING REMOTELY

Clr Karnib and Clr Hagarty requested permission to attend the meeting via MS Teams.

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

That Clr Karnib and Clr Hagarty be granted permission to attend the meeting via MS Teams.

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

APOLOGIES

NIL.

CONDOLENCES

NIL.

CONFIRMATION OF MINUTES

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

That the minutes of the Ordinary Meeting held on 30 August 2023 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

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

Item: COM 02 – Grants Donations and Community Sponsorship Report
Reason: Councillor Kaliyanda has an association with one of the organisations,

Councillor Kaliyanda remained in the chamber.

Councillor Macnaught declared a non-pecuniary interest, but less than significant in the following item:

Item: CONF 02 – Order of Liverpool Awards 2023
Reason: Councillor Macnaught has an association with members listed in the report.

Councillor Macnaught remained in the chamber.

Councillor Hagarty declared a non-pecuniary interest, but less than significant in the following items:

Item: COM 02 – Grants Donations and Community Sponsorship Report
Reason: Councillor Hagarty has an association with one of the organisations.
Item: CONF 02 – Order of Liverpool Awards 2023
Reason: Councillor Hagarty has an association with members listed in the report.

Councillor Hagarty remained online.

Councillor Rhodes declared a non-pecuniary interest, but less than significant in the following item:

Item: MOU 01 – Logistical support for the ‘Battle of Beersheba Memorial Service’

Councillor Rhodes left the chamber during this item.

ITEM NO: CORP 01
FILE NO: 299607.2023
SUBJECT: Election of Deputy Mayor

MOTION TO BRING ITEM FORWARD

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

That Council bring the item CORP 01 forward.

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

COUNCIL DECISION

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

That Council:

1. Determines the method of open voting to be used for the election of Deputy Mayor;
and
2. Once determined, the returning officer to conduct the election of the Deputy Mayor for the period of 27 September 2023 – September 2024.

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

Nominations

Nominations were called for the position of Deputy Mayor by the Chief Executive Officer as the Returning Officer.

The Returning Officer advised that two nominations had been received, being for Clr Macnaught and Clr Green.

The following votes were recorded:

Councillor	Clr Macnaught	Clr Green
Mayor Mannoun	*	
Clr Ammoun	*	
Clr Goodman	*	
Clr Green		*
Clr Hadid	*	
Clr Hagarty		*

Clr Harle		*
Clr Kaliyanda		*
Clr Karnib		*
Clr Macnaught	*	
Clr Rhodes	*	

Clr Macnaught was declared the Deputy Mayor for the term 28 September 2023 – September 2024.

All ballot papers be collected and destroyed by the returning officer.

Mayor Mannoun thanked the outgoing Deputy Mayor, Clr Hadid for his service to the role.

MAYORAL MINUTES

ITEM NO: MAYOR 01
SUBJECT: Congratulating Skinny Hussein on his induction into the Australia Boxing Hall of Fame
REPORT: Mayor Ned Mannoun
DATE: 27 September 2023

I am excited to congratulate Liverpool's very own Nedal "Skinny" Hussein on his recent induction into the Australia Boxing Hall of Fame. Skinny's illustrious career was filled with unforgettable moments in the ring.

His versatility and skill saw him secure numerous Australian, Asia Pacific and World titles in multiple weight divisions. Famously, Skinny was cheated of a victory over the legendary Manny Pacquiao, with the referee of that controversial bout recently coming out and admitting to his corrupt behaviour.

Nedal "Skinny" Hussein's journey in boxing serves as an inspiration to all aspiring athletes in our nation. Since retiring as a fighter, Skinny has given back to the sport and back to the community by running his gym - the 'Body Punch Boxing Gym' in Prestons.

His dedication to the sport, exceptional skill, and sportsmanship have earned him a well-deserved place in the Australia Boxing Hall of Fame.

On behalf of Liverpool City Council, I extend our heartfelt congratulations to Nedal "Skinny" Hussein for this prestigious accolade. May his legacy continue to inspire future generations of boxers, and may he enjoy continued success in all his endeavours.

RECOMMENDATION:

That Council:

1. Congratulates Nedal "Skinny" Hussein on his recent induction into the Australia Boxing Hall of Fame.
2. Recognises his enduring contribution to the community of Liverpool as a respected role model and boxing coach through his work at 'Body Punch Boxing Gym' in Prestons

COUNCIL DECISION

Motion:

Moved: Mayor Mannoun

That Council:

- 1. Congratulates Nedal "Skinny" Hussein on his recent induction into the Australia Boxing Hall of Fame.
- 2. Recognises his enduring contribution to the community of Liverpool as a respected role model and boxing coach through his work at 'Body Punch Boxing Gym' in Prestons
- 3. Forward Nedal "Skinny" Hussein as an nomination for the sporting category candidate for the Australia Day Awards.

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

ITEM NO: MAYOR 02
SUBJECT: Congratulating Moemoana Safa'ato'a Schwenke and Recognising Matavai Liverpool's Pacific Cultural Arts Centre
REPORT: Mayor Ned Mannoun
DATE: 27 September 2023

Congratulations Moemoana Safa'ato'a Schwenke, on being crowned Miss Samoa 2023 – 2024. Moemoana's Miss Samoa title comes some 26 years after her mother, the brilliant Maryjane, won the same crown.

Many of us know Maryjane through her work at Matavai - Liverpool's Pacific Cultural Arts Centre. Matavai Liverpool's Pacific Cultural Arts Centre at Lurnea Community Hall has been instrumental in nurturing and promoting the cultural heritage of our Samoan community.

The centre has become the beating heart of Samoan culture in Australia, a legacy that we fought tirelessly to establish in Liverpool.

I wish to extend my heartfelt gratitude to everyone involved in providing a home for Matavai Liverpool's Pacific Cultural Arts Centre. Your support has enabled the Samoan community to thrive and strengthen our identity as Australia's multicultural capital.

Finally, on behalf of Liverpool City Council, I would like to wish Moemoana all the very best as she goes on to participate in the 'Miss Pacific Island' Pageant.

RECOMMENDATION:

That Council:

1. Congratulates Moemoana Safa'ato'a Schwenke on being crowned Miss Samoa 2023 – 2024
2. Recognises and thanks Matavai for their contribution to Liverpool through their work at Lurnea Community Hall

COUNCIL DECISION

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

That Council:

1. Congratulates Moemoana Safa'ato'a Schwenke on being crowned Miss Samoa 2023 – 2024
2. Recognises and thanks Matavai for their contribution to Liverpool through their work at Lurnea Community Hall

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

ITEM NO: MAYOR 04
SUBJECT: Congratulating Uncle Troy Davis on his election to Chair of the Gandangara Land Council
REPORT: Mayor Ned Mannoun
DATE: 27 September 2023

I am delighted to take this moment to extend my warmest congratulations to Uncle Troy Davis on his appointment as Chair of the Gandangara Land Council. This significant milestone is not only a testament to Uncle Troy's dedication and leadership but also a moment of pride for our community.

Uncle Tony Scholes has served our community with dedication and passion during his tenure as Chair of the Gandangara Land Council. His commitment to the preservation of our indigenous heritage has been truly remarkable, and his leadership will be fondly remembered.

As we welcome Uncle Troy Davis to this pivotal role, I would also like to express our heartfelt appreciation to Uncle Tony Scholes for his outstanding contributions. His leadership has paved the way for progress, and his dedication has left an indelible mark on our community.

I look forward to working closely with Uncle Troy and the Gandangara Land Council as we embark on a shared journey to co-create a better Liverpool for all residents. It is through collaboration and understanding that we can make meaningful progress towards a more inclusive, sustainable, and harmonious future.

I wish Uncle Troy Davis all the best in his new position as Chair of the Gandangara Land Council and extend our sincere thanks to Uncle Tony Scholes for his unwavering commitment and leadership.

RECOMMENDATION:

That Council:

1. Congratulates Uncle Troy on his new position as Chair of the Gandangara Land Council and extends our sincere thanks to Uncle Tony Scholes for his unwavering commitment to the Indigenous community and leadership.

COUNCIL DECISION

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

That Council congratulates Uncle Troy on his new position as Chair of the Gandangara Land Council and extends our sincere thanks to Uncle Tony Scholes for his unwavering commitment to the Indigenous community and leadership.

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

Councillors voted unanimously for this motion.

PLANNING & COMPLIANCE REPORTS

ITEM NO: PLAN 01
FILE NO: 173198.2023
SUBJECT: Post Exhibition Report - Liverpool Local Environmental Plan Amendment 97 - 61-71 Goulburn Street (Liverpool Private Hospital)

COUNCIL DECISION

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

That Council:

1. Notes this report, the Gateway determination dated 5 December 2022 for *Liverpool Local Environmental Plan 2008 (Amendment 97)*, the submissions received from the State Agencies, and members of the public;
2. Proceeds with Amendment 97 to increase the permissible Height of Building to 79m and Floor Space Ratio to 6.9:1 for the purpose of a Health Services Facility;
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; and
4. Notes that a private hospital can be developed onsite as is regardless of any flooding concerns.
5. Notifies the submitters of Councils decision.

Councillors voted unanimously for this motion.

ITEM NO: PLAN 02
FILE NO: 247515.2023
SUBJECT: Amendments to Liverpool Development Control Plan - Family Friendly Apartments and Apartment Design Guide Update

COUNCIL DECISION

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

That Council:

1. Receive and note this report;
2. Supports in principle the proposed amendment to Part 3.7 Residential Flat Buildings (Outside Liverpool City Centre) and Part 4 (Development in Liverpool City Centre) of the Liverpool Development Control Plan 2008;
3. Delegates authority to the CEO (or delegate) to make minor or topographical changes to the DCP prior to public exhibition;
4. Undertake Public Exhibition of the draft DCP Amendment, for 28 days in accordance with the Liverpool Community Participation Plan;
5. As part of the community consultation period, present the draft Liverpool Part 3.7 amended Development Control Plan to the Design Excellence Panel (DEP), in accordance with clause 15 of *Environmental Planning and Assessment Regulations 2021*.
6. Receives a further report detailing the outcomes of the Design Excellence Panel and outcome of the public exhibition period including any submissions received.

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

Councillors voted unanimously for this motion.

ITEM NO: PLAN 03
FILE NO: 238513.2023
SUBJECT: Local Heritage Management Policy

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Green**

That Council:

1. Receives and notes this report.
2. Places the Draft Policy on public exhibition for a period of 28 days.
3. Notes that a report be prepared for Council after the exhibition period outlining any submissions received and the relevant responses.

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

Councillors voted unanimously for this motion

ITEM NO: PLAN 04
FILE NO: 281057.2023
SUBJECT: Liverpool LEP 2008 - Draft Conservation Zones Study

COUNCIL DECISION

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

That Council:

1. Endorse in principle the Draft Conservation Zones Study;
2. Prepare a draft Planning Proposal to amend the *Liverpool Local Environmental Plan 2008* in accordance with the zoning recommendations in the draft Conservation Zones Study;
3. Undertake an initial public exhibition of the Planning Proposal, in accordance with the Liverpool Community Participation Plan;
4. Present the draft Planning Proposal and supporting draft Conservation Zones Study to the Liverpool Local Planning Panel for advice;
5. Receive a further report on the draft Planning Proposal and the draft Conservation Zones Study, including the outcomes of the early public exhibition period and the Liverpool Local Planning Panel.

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

ITEM NO: PLAN 05
FILE NO: 290453.2023
SUBJECT: Edmondson Park Landcom Street Naming

COUNCIL DECISION

Motion: **Moved: Clr Green** **Seconded: Clr Harle**

That Council:

1. Supports the military theme names including Amiens Road, Caesar Boulevard, Compass Concourse, Horrie Road, Jericho Road, Jezzine Lane, Juno Drive, Justin Road, Lone Pine Lane, Milo Avenue, Nassau Lane, Nell Street, Opossum Street, Pedro Crescent, Pilckem Path, Polygon Lane, Prince Loop, Rafa Walk, Rank Road, Roosevelt Crescent, Saidor Street, Samakh Street, Sandy Way, Sarbi Circuit, Semut Street, Shaggy Ridge, Sharon Walk, Tex Crescent, and Tulkarm Street
2. Forwards the names to the Geographical Names Board, seeking formal approval;
3. Publicly exhibits 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 objections received during public exhibition.

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

ITEM NO: PLAN 06
FILE NO: 303967.2023
SUBJECT: Street Naming - Middleton Grange

COUNCIL DECISION

Motion: **Moved: Clr Green** **Seconded: Clr Harle**

That Council:

1. Notes the assessment of the endorsed street names being Ansett, Rex, Bonza, Jetstar, Bird- Walton, Pilot and Wirraway Street
2. Supports the alternate list of six additional street names being Jetstream Avenue, Nacelle Street, Pilot Street, Radome Street, Skyport Street and Wirraway Street to be used in the forthcoming future town centre and subdivisions nearing completion that have varied the current ILP of the suburb.
3. Forwards the names to the Geographical Names Board, seeking formal approval;
4. Publicly exhibits the names in accordance with Council’s Naming Convention Policy, for a period of 28 days, following formal approval from the GNB; and
5. Authorises the Chief Executive Officer to undertake the process of gazettal, if there are no objections received during public exhibition.

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

ITEM NO: PLAN 07
FILE NO: 304160.2023
SUBJECT: Provisions for Electric Vehicle Infrastructure in Development Control Plans - Financial Implications Report

COUNCIL DECISION

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

That Council:

1. Receives and notes the financial implications including installation and operational cost associated with EV infrastructure in new dwellings;
2. Endorses the draft amendments of the Liverpool Development Control Plan 2008, Liverpool Growth Centre Precinct Development Control Plan, and Edmondson Park South Development Control Plan 2012 to include controls for EV charging stations as detailed in (**Attachment 1**);
3. Place the draft amendments to the Liverpool Development Control Plan 2008, Liverpool Growth Centre Precinct Development Control Plan and Edmondson Park South Development Control Plan 2012 on public exhibition for a minimum period of 28 days; and
4. Delegates to the CEO the finalisation of the draft Development Control Plans should no objections be received; or receive a report summarising the details of the submissions upon conclusion of the exhibition period.

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

COMMUNITY & LIFESTYLE REPORTS

ITEM NO: COM 01
FILE NO: 288913.2023
SUBJECT: Report on Most Blessed Nights 2023

COUNCIL DECISION

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

That Council:

1. Receives and notes the report.
2. Adopts for Most Blessed Nights 2024 to expand onto Macquarie Street.
3. Approves \$100,000 towards the expansion of the event in the next quarterly review.
4. Congratulates the events team on the successful event.

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

ITEM NO: COM 02
FILE NO: 297917.2023
SUBJECT: Grants Donations and Community Sponsorship Report

COUNCIL DECISION

Motion: **Moved: Clr Green** **Seconded: Clr Rhodes**

That Council:

1. Endorses the funding recommendation of **\$10,000** (GST exclusive) under the **Community Grants Program** for the following project:

Applicant	Project	Recommended
Western Sydney Migrant Resource Centre	Liverpool Education and Employment Expo	\$5000
Global Women	Breast Cancer Awareness Program	\$4000

2. Endorses the funding recommendation of **\$16,000** (GST exclusive) under the **Community Sponsorship Program** for the following projects:

Applicant	Project	Recommended
Multicultural Association of Asia & Pacific Incorporated	Fiji Day Australia Festival	\$10,000
Delta TV	Music Festival	\$6000

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

CORPORATE SUPPORT REPORTS

ITEM NO: CORP 02

FILE NO: 299731.2023

SUBJECT: TfNSW proposed Construction Lease over Council land being part of Lot 5000 DP 855173 off Albemarle Place, Cecil Hills

COUNCIL DECISION

Motion:

Moved: Clr Kaliyanda

Seconded: Clr Rhodes

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 and having an area of 820 square metres, for compensation payable to Council as outlined in this report.
2. Authorises its delegated officer to execute any document, under Power of Attorney, necessary to give effect to this decision.
3. Requests that every one tree taken out will be replaced with two trees in the same location and that TfNSW will comply with tree management regulations and climate action plan of council.

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

ITEM NO: CORP 03
FILE NO: 303281.2023
SUBJECT: Investment Report August 2023

COUNCIL DECISION

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

That Council receive and note this report.

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

ITEM NO: CORP 04
FILE NO: 305061.2023
SUBJECT: NSW Grants Commission - Financial Assistance Grants Policy

COUNCIL DECISION

Motion: **Moved: Clr Harle** **Seconded: Clr Ammoun**

That Council receives and notes this report.

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

OPERATIONS REPORTS

ITEM NO: OPER 01
FILE NO: 301942.2023
SUBJECT: Managing Drainage Channels and Waterways

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

That Item OPER 01 to be dealt later in the meeting.

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

ITEM NO: OPER 02
FILE NO: 306650.2023
SUBJECT: 29 March 2023 OPER 01 City Presentation Parks Review - September update

COUNCIL DECISION

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

That Council acknowledge the provided updates from April 2023 Council Meeting.

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

ITEM NO: OPER 03
FILE NO: 312427.2023
SUBJECT: McGirr Park Playground

COUNCIL DECISION

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

That Council resolves to immediately allocate \$600k in S7.11 Developer Contribution funding to the McGirr Park Playground Project to serve as Council’s Co-contribution for the DPE Green Space Program and proceed with project delivery. In addition, seek approval through the Club Grants Program for the reallocation of \$300k grant funding, originally slated for Ron Darcy Oval, to the McGirr Park Playground project.

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

COMMITTEE REPORTS

ITEM NO: CTTE 01

FILE NO: 302405.2023

SUBJECT: Minutes of the Tourism and CBD Committee 29 August 2023

COUNCIL DECISION

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

That Council:

1. Receives and notes the Minutes of the Tourism and CBD Committee Meeting held on 29 August 2023.
2. Endorse the recommendations in the Minutes.

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

ITEM NO: CTTE 02
FILE NO: 302440.2023
SUBJECT: Minutes of the Intermodal Committee meeting 7 August 2023

RECOMMENDATION

That Council:

- 1. Receives and notes the Minutes of the Intermodal Committee Meeting held on 7 August 2023.
- 2. Endorse the recommendations in the Minutes.

COUNCIL DECISION

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

That Council:

- 1. Receives and notes the Minutes of the Intermodal Committee Meeting held on 7 August 2023 subject to the following amendments:

To amend the Committee Members as follows:

- Ellie Roberson
- Erik Rakowski
- Dianne Wills
- Carlo Di Giulio

- 2. Endorse the recommendations in the Minutes.

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

ITEM NO: CTTE 03
FILE NO: 312784.2023
SUBJECT: Minutes of the Civic Advisory Committee meeting held on 17 August 2023

COUNCIL DECISION

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

That Council move CTTE 03 into closed session.

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

This item was dealt with at the end of the meeting.

ITEM NO: CTTE 04
FILE NO: 313379.2023
SUBJECT: Minutes of the Environment Advisory Committee Meeting held on 19 June 2023

COUNCIL DECISION

Motion: **Moved: Clr Rhodes** **Seconded: Clr Green**

That Council:

1. receives and notes the Minutes of the Environment Advisory Committee Meeting held on 19 June 2023.

2. amend the Charter to extend the duration of the meetings from two (2) hours to three (3) hours.

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

ITEM NO: CTTE 05
FILE NO: 301679.2023
SUBJECT: Minutes of the Liverpool Heritage Advisory Committee

COUNCIL DECISION

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

That Council defer this item to the Governance Committee Meeting.

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

ITEM NO: CTTE 06
FILE NO: 314578.2023
SUBJECT: Minutes of Community Safety & Crime Prevention Advisory Committee held on 7 September 2023

COUNCIL DECISION

Motion: **Moved: Clr Macnaught** **Seconded: Clr Ammoun**

That Council:

1. Receives and notes the Minutes of the Community Safety and Crime Prevention Advisory Committee Meeting Thursday 7 September 2023.
2. Endorse the recommendations in the Minutes.

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

RECESS

Mayor Mannoun called a recess at 3.05pm.

RESUMPTION OF MEETING

Mayor Mannoun resumed the meeting at 3.20pm with all councillors present.

QUESTIONS WITH NOTICE

Due to technical issues QWN 02 was dealt with now.

ITEM NO: QWN 02

FILE NO: 313930.2023

SUBJECT: Question with Notice - Clr Kaliyanda - Lot 633 DP 1245754 Edmondson Park

QUESTION WITH NOTICE

Lot 633 DP 1245754 in Edmondson Park has been set aside as recreational open park space by the developer and will be soon handed over to Council.

The primary issue is resident access to the open space in particular pedestrian access with a walkway required which has not been formalised and, according to prior correspondence from Liverpool Council, requires a DA for construction of it.

The primary concern for residents living in close proximity and walking distance from the park is if the walkway is not included to facilitate pedestrian access the only access will be by car which will require a round trip.

Please address the following:

1. the status of the proposed open space Lot 633 DP 1245754 and
2. if a DA is required for the construction of the needed walkway
3. the time frame expected the parkland to be handed over to Council for public use.

Response

It is advised that Lot 633 DP 1245754 was previously rezoned to R1 residential, on the basis that Council had acquired additional land on the south western portion of the Basin 14 (Edmondson Park) site, to provide for additional open space to accommodate a playground and leash free dog area.

Lot 633 DP 1245754 is currently being utilised by the developer Okinawa Pty Ltd as a temporary detention basin, until Basin 14 is constructed, which will allow the developer to connect to the drainage to Basin 14 and allow residential development of the land. There is provision in the DCP for a walkway to be provided through Lot 633 DP 1245754 to connect

to the Basin 14 and associated open space area. This walkway is unlikely to be delivered until Basin 14 has been completed by Council to allow Okinawa Pty Ltd to decommission the temporary basin and lodge a DA for the site.

Discussion has previously been held with Allam Property Group regarding Lot 633 DP 1245754 (pedestrian access walkway to Basin 14). It was advised that any action associated with Lot 633 was contingent upon Basin 14 being completed by Council, as access could not be provided until the requirement for the temporary basin was removed and the area filled for development (subject to DA consent).

It was identified that as the site of the proposed DCP (walkway) is within the temporary basin site, it was not considered practical to excise this area out, as additional consent and works would be required for any amendment to the current temporary basin site use and that Allam Property Group would seek payment of these costs by Council. At the time Allam Property Group identified that it would be seeking to prioritise progressing the preparation of a DA for the residential development of Lot 633 DP 1245754 which would include addressing the DCP requirement for the walkway as part of the DA.

This may be another 12 to 18 months, as it is also subject to a DA and decommissioning of the temporary basin and the associated civil works required by Allam Property Group to level the site for residential development and provision of the DCP walkway.

ITEM NO: QWN 01
FILE NO: 311644.2023
SUBJECT: Question with Notice - Cllr Hagarty - Parks in Austral

QUESTION WITH NOTICE

Please address the following:

1. Please specify all parcels of land which have been acquired by Council in the last 5 years in the suburbs of Austral and Leppington for the purpose of establishing local parks and open space
2. Please specify any and all local parks which are planned to be delivered and open for public use in the suburbs of Austral and Leppington in budget year 23/24
3. Please specify any and all local parks which are planned to be delivered and open for public use in the suburbs of Austral and Leppington in budget year 24/25

Response

In relation to Points 1 and 3 a report addressing the above recommendations will be presented at a future meeting.

Council is in the process of planning for specific priority recreation and open space in Austral and Leppington. Within this, Council has an active acquisition program to purchase land for key local parks for the area and begin concept designing to deliver on the new planned open space.

Council is currently prioritising planning and delivery on the following 5 sites:

- Scott Memorial Park – 160 Fifth Avenue, 1.2 hectares has been recently acquired and will be amalgamated into the existing park – A To stage masterplan (short and long term) is currently underway with a focus on site remediation and delivering an initial \$500K renewed play space by mid-2024.
- Craik Park (Crown land) – no further acquisition required – masterplan is currently underway with a focus on delivering a stage one- \$500K renewed play space by mid-2024.
- Local Park 2 – recently acquired – site will undergo remediation and removal of structures. Open Space Construction and City Works will then assess the delivery of improvements and potential for early opening.

- Local Park 22- recently acquired – site will undergo remediation and removal of structures. The site is located adjacent to Austral Public School and further discussions with School Infrastructure NSW will be scheduled in the planning of this open space given the current school development plans.
- Local Park (51&52) – site is heavily constrained for early access by drainage and vegetation, further design work on the drainage and basin layouts will be conducted.

We are in the process of active acquisition negotiations with landowners on several basins and future open space priorities.

NOTICES OF MOTION

ITEM NO: NOM 01
FILE NO: 312621.2023
SUBJECT: Narrow Road Widths

BACKGROUND

Liverpool Constituents are suffering because our residential streets are being built too narrow to adequately serve the needs of our constituents.

With our ever-increasing population, Liverpool’s reliance on private car ownership is unlike inner city areas of Sydney where greater public transport infrastructure has been provided.

Council therefore needs to advocate that State Planning regulations is not a one size fits all Liverpool Constituents need private transport to be able to perform the bare necessities such as going to work, shopping and taking the kids to school.

Liverpool is not like the inner city where there is public transport infrastructure and therefore does not rely on private vehicles.

Liverpool has been neglected by State and Federal Government by their lack of public transportation infrastructure despite our population increases.

The State Government needs to fully recognise and consider Liverpool’s needs are different from other Sydney areas in relation to dependency of privately owned vehicles.

The State Government’s dream of the 15 minute walkable cities does not pass the reality test for our people who live in Liverpool.

Our constituents are more concerned about where are they going to park their car and will they be able to safely manoeuvre their car out of their very narrow streets despite the ever increasing number of vehicles that is a result of ever increase housing and population densities, that inevitably mean increased number of vehicles all being crammed into the same little narrow streets in Liverpool.

Streets that are too narrow for emergency vehicles to be able to access if there are cars parked on both sides of the street, should not be acceptable.

Streets that are too narrow for cars to park without parking on the verge, should not be acceptable.

The cost of housing has meant that children are staying home longer also increasing the number of vehicles in any given street.

These are all matters of concern that Liverpool Council must address with the State and Federal Governments on behalf of our constituents.

We understand that the State Government has encouraged us to all believe that private cars will not exist in their imagined future of 15 minute walkable cities, but today's reality is that privately owned vehicles are a necessary means of transport in Liverpool.

We understand the concern about being able to afford the build and maintenance costs of residential streets, but what is the difference in building and maintaining a street that enables traffic in either direction and cars parked on both sides of the street when compared to the width of very narrow, not fit for purpose residential streets that we are currently delivering?

We understand that the Governments has led us to believe narrow streets are all about safety.

However equally safe and perhaps even more safe are wider residential streets built to meet the practical needs of today's residents that address safety through other commonly used traffic calming devices rather than making the streets so narrow they no longer enable access for emergency vehicles.

Council needs to address the Constituents concerns about their issues surrounding narrow, not fit for purpose streets.

Councillors need to be fully informed about the challenges to Council in order to consider the Constituents concerns.

COUNCIL DECISION

Motion: **Moved: Cllr Rhodes** **Seconded: Cllr Green**

That Council:

Bring a report back to a November Workshop that identifies the challenges, opportunities and cost implications for the following:

1. The build and maintenance of current residential narrow street widths when compared to a new minimum width, increased in width to address the practical needs of our residents and that includes traffic calming devices that ensures the same safety concerns as was proposed by making the streets so narrow.
2. Any increase in the cost of Housing as a result of increased Residential Street widths in new developments if implemented.

3. Councils advice on challenges and appetite to object to the SEPPs that might override Councils vision to increase the minimum residential street widths, if implemented.
4. The current cost to provide in-bay-parking in existing and new narrow streets.

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

Clr Rhode left the chambers during this item at 3.26pm.

ITEM NO: MOU 01

SUBJECT: Logistical support for the 'Battle of Beersheba Memorial Service'

Clr Macnaught requested Mayor Mannoun accept a Motion of Urgency in relation to logistical support for the 'Battle of Beersheba Memorial Service' that will be held on 29th October 2023. She stated it was urgent due to the event taking place in the next month and that it could not wait until the 25 October 2023 Council meeting.

In accordance with Clause 9.3 of Council's Code of Meeting Practice, Mayor Mannoun, ruled the above matter as urgent and as such it was dealt with at this meeting as shown below:

COUNCIL DECISION

Motion: **Moved: Clr Macnaught** **Seconded: Clr Ammoun**

That Council provides logistical support for the 'Battle of Beersheba Memorial Service' that is held annually in Liverpool, to be held this year on the 29th of October.

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

Clr Rhodes returned to the chambers at 3.28pm.

ITEM NO: OPER 01

FILE NO: 301942.2023

SUBJECT: Managing Drainage Channels and Waterways

COUNCIL DECISION

Motion:

Moved: Clr Harle

Seconded: Clr Green

That Council defers the implementation and for the report to come back to the 25 October 2023 Council Meeting and direct the CEO to organise a visit of relevant sites.

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

Clr Hagarty asked that he be recording as having voted against the motion.

Clr Macnaught returned at 4.09pm

MOTION TO MOVE INTO CLOSED SESSION

Motion: **Moved: Clr Hagarty** **Seconded: Clr Green**

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

- Items **CONF 01** – Liverpool Local Planning Panel (LLPP) – Replacement Community Representative, **CONF 02** – Order of Liverpool Awards 2023 and **CTTE 03** Minutes of the Civic Advisory Committee are confidential pursuant to Section 10A(2)(a) of the Local Government Act 1993 because it contains *personal matters concerning particular individuals (other than councillors)*.
- Item **CONF 03** - Report on Surge Pricing is confidential 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.*
- Item **CONF 04** - Fire and Rescue Referrals is confidential pursuant to *the provisions of s10A(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*
- Items **CONF 05** - Purchase of Lot 25 DP 1249950, Winterhead Street, Austral for local drainage, item **CONF 09** – Purchase of Lot 1 DP 1257931, 62 Kelly Street, Austral for RE1 Public Recreation and Item **CONF 10** - Exemption from Tender - Australian Election Company are confidential pursuant to the provisions of s10A(2)(c) of the Local Government Act 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.
- Item **CONF 06** - Proposed Waste Precinct are confidential pursuant to the provisions of s10A(2)(d i) (d ii) (d iii) 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; AND commercial information of a confidential nature that would, if disclosed reveal a trade secret.
- Item **CONF 07** - Circular Economy Project (CEP) 1 is confidential pursuant to the provisions of s10A(2)(d i) (d ii) (d iii) 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; AND commercial information of a confidential nature that would, if disclosed reveal a trade secret.

- **CONF 08** - WT3265 - Hammondville Park - Synthetic Turf Soccer Oval Tender is confidential pursuant to the provisions of s10A(2)(d ii) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.

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

Clr Macnaught returned to the Chambers at 4.09pm.

RECESS:

Mayor Mannoun called a recess of Council at 4.09pm to allow members of the gallery to leave the Chambers.

CLOSED SESSION:

The meeting resumed at 4.12pm in Closed Session with all Councillors present.

CONFIDENTIAL ITEMS

ITEM NO: CONF 01
FILE NO: 271963.2023
SUBJECT: Liverpool Local Planning Panel (LLPP) - Replacement Community Representative

Mayor Mannoun and Clrs Rhodes, Ammoun, Goodman, Hadid and Macnaught left the Chambers at 4.19pm.

As there was no quorum, the item was then deferred by the CEO so that Councillors can return to the Chambers.

The CEO stated that he will then submit to Council that his view is that Council now needs to make a decision as to whether the CEO proceeds to appointing the community members or if Council are going to consider appointing the members and it will come back to the next council meeting with recommendations.

Mayor Mannoun and Clrs Rhodes, Ammoun, Goodman, Hadid and Macnaught returned to the Chambers at 4.21pm.

The CEO then advised the Councillors that there was no quorum. He stated that as CEO he had no choice but to defer to the next council meeting. It is now a matter for Council to determine whether they wish to move another motion or simply allow this item to be deferred to the next council meeting.

Council then resubmitted the motion and the item was then dealt with as shown below:

COUNCIL DECISION

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

That Council:

- 1. Object to Councillors being involved in the appointment of independent community members of the Liverpool Local Planning Panel; and
- 2. Delegate to the CEO the appointment of independent community members of the Liverpool Local Planning Panel.

Foreshadowed Motion: **Moved: Clr Kaliyanda** **Seconded: Clr Green**

That Council defer this item to the next meeting.

On being put to the meeting the motion (moved by Clr Hadid) was declared CARRIED and the Foreshadowed motion (moved by Clr Kaliyanda) therefore lapsed.

Division: (for the motion moved by Clr Hadid)

Vote for: Mayor Mannoun, Clr Ammoun, Clr Goodman, Clr Hadid, Clr Macnaught and Clr Rhodes.

Vote against: Clr Green, Clr Hagarty, Clr Harle, Clr Kaliyanda and Clr Karnib*.

*Note: Clr Karnib’s camera was not on and therefore in accordance with Clause 11.4 of Council’s Code of Meeting Practice (as shown below), Clr Karnib is recorded as voting against the motion:

Clause 11.4 – “A councillor who is present at the meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.”

ITEM NO: CONF 02
FILE NO: 285053.2023
SUBJECT: Order of Liverpool Awards 2023

COUNCIL DECISION

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

That Council:

1. Endorse the award recipients as recommended by the Civic Advisory Committee at its meeting on 17 August 2023;
2. Amend the Policy and the Charter to allow people who work, volunteer or serve the City of Liverpool to qualify for this;
3. Undertake proper checks on people nominated;
4. Review the process to ensure that it's a more appropriate one;
5. That the nominees (that have been excluded) be reconsidered based on the above at a future date;
6. If a member of the committee nominates someone for an award they should not be scoring or voting on that award but that the Policy is amended to allow Councillors to nominate people but still participate;
7. When nominations are made, that it is stipulated what award they are being nominated for;
8. Notes that two of the candidates being recommended for the Member of Order of Liverpool award are honorary as they do not reside in Liverpool; and
9. A report to come back to Council with an updated Policy and Charter.

Clr Hadid retired from the meeting at 4.58pm.

Clr Ammoun left the chambers at 4.58pm

Clr Ammoun returned to the Chambers at 5.01pm.

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

ITEM NO: CONF 04
FILE NO: 287315.2023
SUBJECT: Fire and Rescue Referrals

COUNCIL DECISION

Motion: **Moved: Clr Green** **Seconded: Clr Rhodes**

That Council:

1. Note the inspection report by Fire and Rescue NSW, as shown in Attachment 1.
2. Not exercise its powers to issue a Fire Safety Order at this time to address the identified fire safety deficiencies at 4-6 Browne Parade Warwick Farm.

The deficiencies are instead to be addressed by sending a corrective action letter to the owners. These include rectifying minor defects to the fire hydrant system, final exit gate, lightweight construction and overdue AFSS.

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

ITEM NO: CONF 05
FILE NO: 294384.2023
SUBJECT: Purchase of Lot 25 DP 1249950, Winterhead Street, Austral for local drainage

COUNCIL DECISION

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

That Council:

1. Purchases Lot 25 DP 1249950, Winterhead Street, Austral for the price and terms as outlined in this report.
2. Upon settlement classifies Lot 25 DP 1249950 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**.

ITEM NO: CONF 06
FILE NO: 299826.2023
SUBJECT: Proposed Waste Precinct

COUNCIL DECISION

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

That Council

1. Receive and note this report;
2. Investigate an extra yellow bin pick up for the Christmas season and report to the next council meeting;
3. Investigate the frequency of pick-ups in the Liverpool CBD and report back to the next Council meeting with regards to the specific issues regarding Ibis birds.

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

ITEM NO: CONF 07
FILE NO: 303058.2023
SUBJECT: Circular Economy Project (CEP) 1

COUNCIL DECISION

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

That Council:

1. That Council acknowledge this Report
2. That Council delegate the CEO (or delegate) to enter into negotiations around a service agreement with interested Councils
3. Note that the agreed service charge will be included as part of the Fees and Charges setting process 2024/2025; and
4. That Council delegate the CEO (or delegate) to investigate proposed options around the financing and funding arrangements for the Project and report back to Council.
5. Direct the CEO to bring a report back to Council.

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

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Chairperson

ITEM NO: CONF 08
FILE NO: 309748.2023
SUBJECT: WT3265 - Hammondville Park - Synthetic Turf Soccer Oval Tender

COUNCIL DECISION

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

That Council:

1. Accept the Tender from Limonta Sports Australia Pty Ltd for Tender WT3265 Hammondville Park - Synthetic Turf Soccer Oval, for Portions 1, 3, 4, 5 and 9, for an initial term of 42 weeks (16 weeks construction program and 26 weeks defects liability period) at the GST inclusive price of \$2,621,191.
2. Makes public its decision regarding tender WT3265 Hammondville Park - Synthetic Turf Soccer Oval.
3. Notes that the Chief Executive Officer will finalise all details and sign the Letter of Acceptance for the tender, giving it contractual effect, in accordance with delegated authority.
4. Keeps confidential the details supplied in this report containing information on the submissions received, pursuant to the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

On being put to the meeting is being CARRIED.

ITEM NO: CONF 09
FILE NO: 310936.2023
SUBJECT: Purchase of Lot 1 DP 1257931, 62 Kelly Street, Austral for RE1 Public Recreation

COUNCIL DECISION

Motion: **Moved: Clr Macnaught** **Seconded: Clr Green**

That Council:

1. Purchase Lot 1 DP 1257931, 62 Kelly Street, Austral for the price and terms as outlined in this report.
2. Upon settlement classifies Lot 1 DP 1257931 as "Community 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**.

ITEM NO: CONF 10
FILE NO: 312181.2023
SUBJECT: Exemption from Tender - Australian Election Company

COUNCIL DECISION

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

That:

1. Council agree to contract with the Australian Election Company to administer the elections of the Council.
2. Council agree pursuant to section 55(3)(i) of the Local Government Act 1993 not to tender the contract to administer the elections of the Council as, due to the following circumstances, a satisfactory result would not be achieved by inviting tenders:
 - Council resolved on 1 March 2023 to engage a private provider;
 - There is only one private provider that can deliver the service.
3. Council authorise the Chief Executive Officer or delegate to take all steps necessary to implement these resolutions.
4. Staff work with the Australian Election Company to negotiate any possible further savings.

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

ITEM NO: CTTE 03
FILE NO: 312784.2023
SUBJECT: Minutes of the Civic Advisory Committee meeting held on 17 August 2023

COUNCIL DECISION

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

That Council:

1. Receives and notes the Minutes of the Civic Advisory Committee meeting held on 17 August 2023;
2. Endorse the actions in the Minutes; and
3. Endorse the updated Civic Awards Policy.

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

OPEN SESSION

Mayor Mannoun moved the meeting into Open Session at 5.28pm. Mayor Mannoun read the resolutions for CONF 01, CONF 02, CONF 03, CONF 04, CONF 05, CONF 06, CONF 07, CONF 08, CONF 09, CONF 10 and CTTE 03 that were resolved in Closed Session.

THE MEETING CLOSED AT 5.30pm.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 25 October 2023

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 27 September 2023. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

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Chairperson