



MINUTES OF THE ORDINARY MEETING HELD ON 24 JULY 2024

PRESENT:

Mayor Ned Mannoun
Councillor Ammoun
Councillor Goodman
Councillor Dr Green
Councillor Hadid OAM
Councillor Harle
Councillor Kaliyanda (online), retired at 3.00pm
Councillor Macnaught
Councillor Rhodes
Mr Jason Breton, Acting Chief Executive Officer
Mr Farooq Portelli, Director Corporate Support
Ms Tina Bono, Director Community & Lifestyle
Mr Mark Hannan, Acting Director Planning & Compliance
Mr Luke Oste, Coordinator Strategic Planning
Ms Michelle Mcilvenny, Director Customer Experience & Business Performance
Mr Shayne Mallard, Director City Futures
Mr Peter Scicluna, Acting Director Operations
Mr David Galpin, General Counsel, Manager Governance, Legal and Procurement
Mr Vishwa Nadan, Chief Financial Officer
Mr Sumeet Joseph, Communications Officer Digital Products
Ms M'Leigh Brunetta, Manager Civic and Executive Services
Ms Melissa Wray, Councillor Executive and Support Officer
Ms Susan Ranieri, Coordinator Council and Executive Services

The meeting commenced at 2.07pm

**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 Reverend Bruce Hammonds from Liverpool Presbyterian Church.

NATIONAL ANTHEM

The National Anthem was played at the meeting.

COUNCILLORS ATTENDING REMOTELY

Clr Kaliyanda has requested permission to attend this meeting via MS Teams.

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

That Clr Kaliyanda be granted permission to attend the meeting via MS Teams.

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

Mayor Mannoun requests Council note thanks and appreciation to Reverend Bruce Hammonds from Liverpool Presbyterian Church for his ongoing support, and prayers for everyone at Liverpool Council and our local community.

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

APOLOGIES Clr Karnib.

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

ITEM NO: COND 01
SUBJECT: Condolence Motion - Uncle Harry (ready by Mayor Mannoun)

It is with deep sadness that I impart to you of the loss of our friend, Uncle Harry Callaghan, who passed away on 1 July 2024. Uncle Harry Callahan was first and foremost a proud Dunghutti man from Kempsey who generously gave of himself while serving as the Community Manager at Gandangara Local Aboriginal Land Council.

Uncle Harry found his true place and home within the hearts and companionship of his extended Gandangara family who will miss him dearly. He warmed them with his daily friendly Yamma's, encouraged them with his reassuring message sticks, gave them dignity and understanding with his cultural mentoring, and strengthened them with his dedication to community engagement and devout support of their programs.

This is sorry business for us, his family, and the community. This way of expressing our grief goes to the very heart of what it means to be part of community.

Thank you, Uncle Harry, and farewell.

COUNCIL DECISION

Moved: Mayor Mannoun

That the condolence motion be received and acknowledge Uncle Harry with a one minute silence.

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

A one minute silence was observed for Uncle Harry.

CONFIRMATION OF MINUTES

Motion: Moved: Clr Macnaught Seconded: Clr Ammoun

That the minutes of the Ordinary Meeting held on 24 June 2024 be confirmed as a true record of that meeting.

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

That the minutes of the Extraordinary Meeting held on 22 July 2024 be confirmed as a true record of that meeting.

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

DECLARATIONS OF INTEREST

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

Item: PLAN 03 - Warwick Farm Precinct - Issues and Options Paper.

Reason: Clr Harle stated he has family members that live in the area.

Clr Harle remained in the Chamber for the duration of this item.

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

Item: CONF 11 - Appointment of the Audit, Risk and Improvement Committee Chair.

Reason: Clr Rhodes stated she is a Councillor representative on that Committee.

Clr Rhodes stated that she will leave the Chamber for the duration of this item. Note 24 July 2024 Council meeting was adjourned and this item was dealt with on 25 July 2024 Council meeting.

Mayor Mannoun declared a non-pecuniary, less than significant interest in the following item:

Item: CONF 12 RCL3320 - Supply contract for Austral Black Granite pavers and Bluestone kerb and gutter for various streetscape works in Liverpool's CBD

Reason: Mayor Mannoun stated he knows of one of the companies that have tendered.

Mayor Mannoun stated he will leave the Chamber for the duration of this item. Note 24 July 2024 Council meeting was adjourned and this item was dealt with on 25 July 2024 Council meeting.

Mayor Mannoun declared a non-pecuniary, less than significant interest in the following item:

Item: PLAN 05 - Street Naming - Horningsea Park

Reason: Mayor Mannoun stated that his son's name is Solomon and the report proposes a street name of 'Solomon Crescent'.

Mayor Mannoun left the Chamber at 4.25pm and did not participate in the discussion or voting.

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

Item: MOU 02 – Meals on Wheels Liverpool

Reason: Clr Macnaught's association with Meals and Wheels. Clr Macnaught stated she has a family member that does some occasional work with someone involved in Meals and Wheels.

Clr Macnaught left the Chamber during this item and did not participate in the discussion or voting.

Mr Shayne Mallard, Director City Futures, declared a pecuniary and significant interest in the following item:

Item: MOU 05 – Covering legal costs for staff that have been mentioned publicly in the Interim Investigation Report.

Reason: Mr Mallard is a person named in the report.

Mr Shayne Mallard left the Chamber for the duration of the item while it was being discussed at the 24 July 2024 Council meeting.

Ms Tina Bono, Director Community & Lifestyle declared a pecuniary and significant interest in the following item:

Item: MOU 05 – Covering legal costs for staff that have been mentioned publicly in the Interim Investigation Report.

Reason: Ms Bono is a person named in the report.

Ms Bono left the Chamber for the duration of the item while it was being discussed at the 24 July 2024 Council meeting.

Mr Farooq Portelli, Director Corporate Support, declared a pecuniary and significant interest in the following item:

Item: MOU 05 – Covering legal costs for staff that have been mentioned publicly in the Interim Investigation Report.

Reason: Mr Portelli is a person named in the report.

Mr Portelli left the Chamber for the duration of the item while it was being discussed at the 24 July 2024 Council meeting.

Mr Jason Breton, Acting CEO, declared a pecuniary and significant interest in the following item:

Item: MOU 05 – Covering legal costs for staff that have been mentioned publicly in the Interim Investigation Report.

Reason: Mr Breton is a person named in the report.

Mr Breton left the Chamber for the duration of the item while it was being discussed at the 24 July 2024 Council meeting.

Ms Betty Boustani, Senior Policy Advisor, declared a pecuniary and significant interest in the following item:

Item: MOU 05 – Covering legal costs for staff that have been mentioned publicly in the Interim Investigation Report.

Reason: Ms Boustani is a person named in the report.

Ms Boustani left the Chamber for the duration of the item while it was being discussed at the 24 July 2024 Council meeting.

PUBLIC FORUM

Presentation – items not on agenda

NIL.

Representation – items on agenda

NIL.

MOTION OF URGENCY

Subject: MOU 01 - Advice regarding written advice received by Councillors

Clr Rhodes requested a motion of urgency to seek confirmation from General Counsel that Councillors are able to address the matters in the Council Agenda without fear of being unlawful.

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:

The below motion was then moved:

Motion: Moved Clr Rhodes Seconded: Clr Green

Council receives and notes the advice provided to Councillors from General Counsel during the meeting and written advice regarding to Council’s ability, as a governing body to make decisions in light of the recent threat from the Minister of Local Government regarding suspension.

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

MAYORAL MINUTE

ITEM: MAYOR 01
REPORT OF: Mayor Ned Mannoun
SUBJECT: Ellen Russell

I am pleased to bring to your attention the exceptional commitment and dedication of Ellen Russell to our community and to Liverpool City Council. Ellen's longstanding connection with our area, coupled with her unwavering attendance and participation in Council meetings, exemplify her deep-rooted interest and support for our city.

Ellen Russell grew up in Miller laying the foundation for her enduring affinity with our local community. Despite currently residing in Wollongong, Ellen travels consistently to attend Council meetings in Liverpool, a testament to her ongoing dedication and commitment.

Remarkably, Ellen has never missed a Council meeting, underscoring her profound interest and personal investment in the decisions and developments that shape our city. Her consistent presence serves as an inspiration to all who witness her steadfast involvement.

In recognition of Ellen Russell's exceptional commitment and to honour her significant contributions to Liverpool City Council, **I propose that a special chair be dedicated in our Council Chambers in her name.** This chair will serve as a lasting tribute to Ellen's unwavering dedication and as a symbol of appreciation for her support of our community.

I kindly request the Council's endorsement of this proposal, acknowledging Ellen Russell's remarkable contributions and ensuring her legacy is recognised and celebrated within our Council chambers.

COUNCIL DECISION:

Motion: Moved: Mayor Mannoun

That the recommendation for a chair to be dedicated in our Council Chamber in Ellen Russell's name be adopted.

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

Councillors voted unanimously for this motion.

Note: Cllr Karnib was an apology for this meeting.

MOTION OF URGENCY

Subject: MOU 02 - Meals on Wheels Liverpool

Clr Goodman requested a motion of urgency relating to Meals on Wheels Liverpool, stating urgency due to their inability to continue essential services without required equipment.

Deputy Mayor Macnaught declared a non-pecuniary, less than significant interest in the following item due to stating a family member does occasional work with Meals and Wheels.

Deputy Mayor Macnaught left the Chamber for the duration of this item at 2.40pm and did not participate in the discussion or voting of the item.

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:

Background

Meals on Wheels Liverpool has serviced our community for 60 years, providing meals and comfort to those in need. The staff and volunteers also prepare, package and deliver to other areas of Sydney for distribution, thus their service is essential to so many.

Meals on Wheels Liverpool is in desperate need of a new combi oven to be able to continue to provide for their clients and so I move:

Motion: **Moved: Clr Goodman** **Seconded: Clr Ammoun**

That Council provide up to \$32,000 (from General Funds) to City of Liverpool Meals on Wheels Inc (upon receipt of a detailed quote) for the purchase and installation of a combi oven and the associated ancillary equipment.

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

Councillors voted unanimously for this motion.

Note: Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired from the meeting when this item was voted on.

Note: Clr Rhodes requested an amendment to the above motion with an additional point 3 as follows:

1. *Council advise or provide a report for such important organisations as this to apply for grant funding in future.*

In accordance with Clause 9.3 of Council's Code of Meeting Practice, Mayor Mannoun, ruled Clr Rhodes' amendment as not urgent and stated it could be dealt with at a Governance meeting or item COM 01 – Grants Donations and Community Sponsorship Report.

Clr Macnaught returned to the Chamber at 2.55pm.
Clr Hadid left the Chamber at 2:58pm.
Clr Hadid returned to the Chamber at 3:00pm.
Clr Kaliyanda retired from the meeting at 3.00pm

PLANNING & COMPLIANCE REPORTS

ITEM NO: PLAN 01
FILE NO: 189312.2024
SUBJECT: Draft Compliance and Enforcement Policy

COUNCIL DECISION

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

That Council:

1. Note the Post Exhibition Report; and
2. Endorse the draft 'Compliance & Enforcement Policy' (Attachment 1).

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

Councillors voted unanimously for this motion.

Note: Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired from the meeting when this item was voted on.

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ITEM NO: PLAN 02
FILE NO: 193916.2024
SUBJECT: Street Naming - Casula

COUNCIL DECISION

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

That Council:

1. Endorses the list of future street names – namely Cactus, Calendula, Guava, Peony, Periwinkle, Saffron and Snapdragon – to be used to inform development of new subdivisions proposed for Casula;
2. Publicly exhibits the names in accordance with Council's Naming Convention Policy for a period of 28 days;
3. Following public exhibition, forwards the proposed street names to the NSW Geographical Names Board seeking formal approval; 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.

Councillors voted unanimously for this motion.

Note: Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired from the meeting when this item was voted on.

ITEM NO: PLAN 03
FILE NO: 185306.2024
SUBJECT: Warwick Farm Precinct - Issues and Options Paper

COUNCIL DECISION

Motion: **Moved: Clr Goodman** **Seconded: Clr Ammoun**

That Council:

1. Receives and notes this Report;
2. Endorses further investigation into how best to deliver an Industrial / Innovation Precinct for Warwick Farm (Option 2), this could contain zones such as industrial, employment or special used zones; and
3. Receives a report at a future Ordinary Meeting of Council detailing how to deliver an Industrial / Innovation Precinct for Warwick Farm (Option 2) including associated budgetary needs and indicative timeframes.

Vote for: Mayor Mannoun
 Clr Ammoun
 Clr Goodman
 Clr Macnaught

Vote against: Clr Green
 Clr Harle* (wanted to abstain)
 Clr Rhodes

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

***Note:** Clr Harle did not vote for or against the motion. Therefore in accordance with Clause 11.4 of Council’s Code of meeting Practice (as shown below), he is recorded as voting against the motion:

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

Note: Clr Hadid was not in the Chamber when this item was voted on, Clr Karnib was an apology for this meeting and Clr Kaliyanda had already retired from this meeting earlier.

Foreshadowed motion: **Moved: Clr Rhodes** **Seconded: Clr Green**

That Council defer this matter pending a more detailed report being presented to Council that includes information about:

Minutes of the Ordinary Council Meeting held on Wednesday, 24 July 2024 and confirmed on Wednesday, 28 August 2024

.....
Chairperson

1. Change in methodology to determine the number of properties already built above the flood level.
2. Explanation to the discrepancy in the Flood evacuation report that explains how Scrivener Street has emergency access to the railway bridge that other parts of this same precinct claim they do not.
3. Presentation of the full reports from the independent investigation into the allegations made by the proponent of the development at 1 Governor Macquarie Drive against the Council and former CEO at that time.
4. A full detailed report of the funds collected and or other arrangements made for the payment of the bypass in this precinct that has never been delivered.
5. An explanation and minutes of meetings where the decision making on what areas of Liverpool were to be the collaborative areas of Liverpool and who were the stakeholders included in that meeting.
6. Were there any of the landowners from this racing precinct present at the meetings where and when the collaboration areas were for this section of Liverpool were defined.
7. Correct the name of this item to the 'Warwick Farm Racing Precinct' and on all future reports and references.

Foreshadowed motion: Moved: Clr Hadid Seconded: Clr Harle

That Council proceed with Option 1 - Proceed with the existing Precinct Plan (November 2021).

Clr Macnaught left the Chamber at 3:30pm.

Clr Macnaught returned to the Chamber at 3:33pm.

Clr Hadid left the Chamber at 3:55pm.

RECESS

Mayor Mannoun called a recess of meeting at 3.59pm.

RESUMPTION OF MEETING

Mayor Mannoun resumed the meeting in open session at 4.21pm with all Councillors present. Note Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired earlier in the meeting.

ITEM NO: PLAN 04
FILE NO: 209936.2024
SUBJECT: Development Assessment Policy

COUNCIL DECISION

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

That Council:

1. Endorse the draft 'Development Assessment Policy' for public exhibition for a period of not less than 28 days.
2. Delegate to Council's Chief Executive Officer, or delegate, to finalise the Draft Development Assessment Policy, if no submissions are received during public exhibition, and allow administrative amendments to be made.
3. Note that any submissions on the proposed policy will be reported to a subsequent meeting of Council.

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

Clr Green requested that item PLAN 06 – Quarterly Report – Clause 4.6 Variations to Development Standards move into Confidential Session due to an address mentioned in the report.

Mayor Mannoun ruled against Confidential Session as the report is only a receive and note, the determination with regards to the property has already been made, and this report is only for Councillor’s information. Therefore this item was dealt with in Open Session with points 2 and 3 added in the motion below.

ITEM NO: PLAN 06
FILE NO: 214500.2024
SUBJECT: Quarterly Report - Clause 4.6 Variations to Development Standards

COUNCIL DECISION

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

That Council:

1. Receives and notes this report;
2. Receive the confidential letter as provided by Clr Dr Green to the Acting CEO; and
3. That the Acting CEO write to the author of the letter informing them of Council’s determination of the development application with respect to that property.

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

MOTION OF URGENCY

ITEM: MOU 03
SUBJECT: Governance and oversight

Clr Macnaught requested Mayor Mannoun accept a Motion of Urgency.

Clr Macnaught stated that the opportunity for continuous improvement should be embraced every time it presents itself and this is one of them.

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: Mayor Mannoun

That:

1. Council directs the CEO to create a policy that reports on the following oversight measures each quarter:
 - a. Payouts of amounts to employees and on what basis those payments were made.
 - b. Understanding of how payments were calculated.
 - c. A procedure for how Mayor and Councillors are consulted with regards to the appointment and dismissal of senior staff in accordance with s337 of the Local Government Act 1993.
 - d. A report on how positions and proposed salaries are to be market tested.
 - e. Appointment of an independent third party to provide a quarterly audit and report to the Audit, Risk and Improvement Committee (ARIC) as well as to the Governing body on the above matters.
 - f. A Procedure for the appointment and performance review of the CEO, with alignment to the Office of Local Government (OLG) Guidebook oversight of General Managers/CEOs.
2. Council seek advice from the OLG whether a policy for oversight as stated is appropriate for the Governing Body to consider on a quarterly basis and if it is not, then to not proceed.
3. The intent is that this should function comparatively to the Clause 4.6 Variation Quarterly Report.

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

Councillors voted unanimously for this motion.

Note: Cllr Karnib was an apology for this meeting and Cllr Kaliyanda had retired from the meeting when this item was voted on.

ITEM NO: PLAN 07
FILE NO: 212223.2024
SUBJECT: Proposed Heritage Listing for Lot 17 Leacocks Lane, Casula

COUNCIL DECISION

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

That Council:

1. Receives and notes this Report.
2. Prepares a Planning Proposal to amend Schedule 5 of the *Liverpool Local Environmental Plan 2008* to include Lot 17 Leacocks Lane, Casula (“Mt Omei”) as an item of local heritage significance.
3. Writes to the NSW National Parks and Wildlife Service to inform the Agency that Council will prepare a Planning Proposal to amend Schedule 5 of the *Liverpool Local Environmental Plan 2008* to include Lot 17 Leacocks Lane, Casula (“Mt Omei”) as an item of local heritage significance.

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

ITEM NO: COM 01
FILE NO: 221289.2024
SUBJECT: Grants Donations and Community Sponsorship Report

COUNCIL DECISION

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

That Council:

1. Endorses the funding recommendation of **\$29,670** (GST exclusive) under the **Community Grant Program** for the following projects:

Applicant	Project	Recommended
NSW Service for the Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS)	Mama Africa Sewing Project	\$7,670
National Zakat Foundation Incorporated	Respectful Relationships Education Program for Liverpool Muslim Students	\$10,000
Taste Cultural Food Tours Inc	Liverpool School Tours	\$4,500
Diversity Arts Australia	Echo 8 Trilogy: Screen Action Series and Workshops	\$7,500

2. Endorses the funding recommendation of **\$29,807** (GST exclusive) under the **Matching Grants Program** for the following project:

Applicant	Project	Recommended
Autism Advisory and Support Service	Somewhere Nice - Opportunity Shop and Café; Inclusive Training Program	\$15,000
Paint the Town Read	First Nations Book Launch at Ashcroft School	\$14,807

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

Applicant	Project	Recommended
Friends of India	Ganeshotsava	\$10,000

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

Councillors voted unanimously for this motion.

Note: Cllr Karnib was an apology for this meeting and Cllr Kaliyanda had retired from the meeting when this item was voted on.

CORPORATE SUPPORT REPORTS

ITEM NO: CORP 01
FILE NO: 214059.2024
SUBJECT: Investment Report June 2024

COUNCIL DECISION

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

That the Council receives and notes this report.

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

Councillors voted unanimously for this motion.

Note: Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired from the meeting when this item was voted on.

ITEM NO: CORP 02
FILE NO: 216324.2024
SUBJECT: Ethical Conduct Policies

COUNCIL DECISION

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

That Council:

1. Endorse the Draft Gifts and Benefits Policy, Conflicts of Interest Policy, Secondary Employment Policy, and Fraud and Corruption Prevention Policy for public exhibition for a period of not less than 28 days.
2. Agree that Council’s Chief Executive Officer or delegate may finalise the Draft Gifts and Benefits Policy, Conflicts of Interest Policy, Secondary Employment Policy, and Fraud and Corruption Prevention Policy if no representations are received during public exhibition and to make non-significant amendments to the policies.
3. Require a further report to Council in relation to any representations received during public exhibition of the Gifts and Benefits Policy, Conflicts of Interest Policy, Secondary Employment Policy, and Fraud and Corruption Prevention Policy.

Note: Clr Macnaught requested that the definition of ‘associated with me’ (e.g. as stated on page 580 of the Council Agenda of 24 July 2024, first point of the table) be provided before the expiration of the 28 day public exhibition period.

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

Councillors voted unanimously for this motion.

Note: Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired from the meeting when this item was voted on.

CITY FUTURES REPORTS

ITEM NO: CFD 01
FILE NO: 174820.2024
SUBJECT: Public Art Program for Bigge Park, Liverpool

COUNCIL DECISION

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

That Council:

1. Notes and receives this report.
2. To support delivery of the Public Art Program for Bigge Park, approves dedicated funding (from general funds) for the next six consecutive financial years (2024/25 to 2029/30) with additional funding towards project implementation and delivery costs.
3. Notes that a further Report will be brought back to Council providing an update on the location and typology of public art being delivered as part of the Program.

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

Division called:

Vote for: Clr Green
Clr Harle
Clr Rhodes

Vote against: Mayor Mannoun
Clr Ammoun
Clr Goodman
Clr Hadid
Clr Macnaught

ITEM NO: CFD 02
FILE NO: 218532.2024
SUBJECT: The Parks Governance Review

COUNCIL DECISION

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

That Council:

1. Receive and note the report on the governance model for The Parks', the strategic alliance of the eight Councils of the Western Parkland City led by the Mayors, and the need to update the governance model to increase effectiveness.
2. Note that this updated governance model retains the autonomy of all member Councils and brings with it no additional financial costs on members.
3. Receives a further report outlining the application to the Minister, including proposed governance and service level arrangements between Council and the new entity.
4. Endorses:
 - i) that the existing governance model for The Parks' be updated to a Section 358 entity under the *Local Government Act 1993* constituted as an incorporated association under the *Associations Incorporation Act 2020* with primary responsibility for conducting research and gathering evidence to advocate effectively for the residents, businesses and visitors of the Western Parkland City and implement programs and initiatives that bring regional benefits.
 - ii) the attached Constitution as the Constitution for this organisation, to be known as the 'The Parks' Councils Organisation.
5. Subject to Ministerial consent, authorises the Mayor and General Manager to work with the other Councils' Mayors and General Managers to establish the entity as per Section 358 of the *Local Government Act 1993* and the OLG's Guidelines for the Formation of Corporations and Entities (s358).

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

Councillors voted unanimously for this motion.

Note: Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired from the meeting when this item was voted on.

OPERATIONS REPORTS

ITEM NO: OPER 01

FILE NO: 219257.2024

SUBJECT: Electric Vehicle (EV) Charging Stations on Public Land Policy

COUNCIL DECISION

Motion:

Moved: Clr Rhodes

Seconded: Clr Harle

That Council:

1. Endorses the draft *Electric Vehicle (EV) Charging Stations on Public Land Policy* to be placed on public exhibition for 28 days;
2. Receives a further report seeking endorsement of the *Electric Vehicle (EV) Charging Stations on Public Land Policy* following consideration of comments received during the public exhibition; and
3. Works in collaboration with surrounding LGAs and other organisations to maintain consistent decisions in service provision throughout South-West Sydney.

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

Councillors voted unanimously for this motion.

Note: Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired from the meeting when this item was voted on.

The Committees were moved as a whole with a correction to be made to be made to item CTTE 07 - Minutes of the Governance Committee meeting held on 9 July 2024.

COMMITTEE REPORTS

ITEM NO: CTTE 01
FILE NO: 203739.2024
SUBJECT: Minutes of the Community Safety & Crime Prevention Advisory Committee Meeting 6 June 2024

COUNCIL DECISION

Motion: **Moved: Clr Goodman** **Seconded: Clr Macnaught**

That Council receives and notes the Minutes of the Community Safety & Crime Prevention Advisory Committee Meeting Minutes held on 6 June 2024.

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

Councillors voted unanimously for this motion.

Note: Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired from the meeting when this item was voted on.

ITEM NO: CTTE 02
FILE NO: 207496.2024
SUBJECT: Minutes of the Companion Animals Advisory Committee Meeting held on 4 June 2024

COUNCIL DECISION

Motion: **Moved: Clr Goodman** **Seconded: Clr Macnaught**

That Council receives and notes the Minutes of the Companion Animals Advisory Committee Meeting held on 4 June 2024.

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

Councillors voted unanimously for this motion.

Note: Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired from the meeting when this item was voted on.

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ITEM NO: CTTE 03
FILE NO: 216801.2024
SUBJECT: Minutes of the Intermodal Precinct Committee Meeting 03 June 2024

COUNCIL DECISION

Motion: **Moved: Clr Goodman** **Seconded: Clr Macnaught**

That Council receives and notes the Minutes of the Intermodal Precinct Committee Meeting held on 03 June 2024.

It is worth noting that the motion to hold an Extraordinary Intermodal Precinct Committee Meeting in July 2024 cannot be achieved due to the timing of the July Council meeting.

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

Councillors voted unanimously for this motion.

Note: Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired from the meeting when this item was voted on.

ITEM NO: CTTE 04
FILE NO: 217572.2024
SUBJECT: Minutes of the Tourism and CBD Committee Meeting 18 June 2024

COUNCIL DECISION

Motion: **Moved: Clr Goodman** **Seconded: Clr Macnaught**

That Council:

1. Receives and notes the Minutes of the Tourism and CBD Committee Meeting held on 18 June 2024.

2. Endorse the recommendations in the Minutes.

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

Councillors voted unanimously for this motion.

Note: Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired from the meeting when this item was voted on.

ITEM NO: CTTE 05
FILE NO: 218327.2024
SUBJECT: Minutes of the Environment Advisory Committee Meeting held on 15 April 2024

COUNCIL DECISION

Motion: **Moved: Cllr Goodman** **Seconded: Cllr Macnaught**

That Council receives and notes the Minutes of the Environment Advisory Committee Meeting held on 15 April 2024.

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

Councillors voted unanimously for this motion.

Note: Cllr Karnib was an apology for this meeting and Cllr Kaliyanda had retired from the meeting when this item was voted on.

ITEM NO: CTTE 06
FILE NO: 219245.2024
SUBJECT: Minutes of the Liverpool Youth Council Meeting held on Tuesday 11 June 2024

COUNCIL DECISION

Motion: **Moved: Clr Goodman** **Seconded: Clr Macnaught**

That Council:

1. Receives and notes the Minutes of the Liverpool Youth Council Meeting held on 11 June 2024.
2. Endorse the recommendations in the Minutes.

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

Councillors voted unanimously for this motion.

Note: Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired from the meeting when this item was voted on.

ITEM NO: CTTE 07
FILE NO: 226207.2024
SUBJECT: Minutes of the Governance Committee meeting held on 9 July 2024

COUNCIL DECISION

Motion: **Moved: Cllr Goodman** **Seconded: Cllr Macnaught**

That Council:

1. Receives and notes the Minutes of the Governance Committee meeting held on 9 July 2024, subject to the following amendment being made to the minutes:
 - a. For item 06 – Draft Complaints and Compliments Management Policy (as shown on page 208 of the Council Agenda of the 24 July 2024) there is no Mover or Seconder. The Mover and Seconded is required to be updated.
2. Endorse the recommendations in the Minutes.

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

QUESTIONS WITH NOTICE

ITEM NO: QWN 01
FILE NO: 225886.2024
SUBJECT: Question with Notice - Cllr Rhodes - Harry Hunt OAM Memorial Plaque

Background

For 60 years Harry Hunt was known in Liverpool and Macarthur for his iconic hotel opposite the Cross Roads Hotel on the old Hume Highway.

The dedication of the Lurnea Community Hub is a true reflection of the man who did so much for Liverpool, having served for many years as the President of the Liverpool Chamber of Commerce, and founding the South West Sydney Tourism Taskforce. Harry gave so much to the Liverpool Community, that he became known as Mr Liverpool.

On November 30, 2023, Council unveiled a plaque at the Lurnea Sports Precinct in dedication of the memory of the Late Harry Hunt OAM.

However the official plaque is still to be placed at the Lurnea Sports Hub in dedication of the late Harry Hunt OAM.

Please address the following:

1. Can Council please explain why there has been such a delay in setting the plaque in place?
2. When will the plaque be set in place?

Response (Provided by Community & Lifestyle)

Council apologises for the delay in the official plaque being installed, noting the plaque at the event was only a temporary plaque. A permanent plaque has been ordered and is currently being manufactured (4-6 week casting) and will be installed immediately once available.

COUNCIL DECISION

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

That Council:

1. Send a formal letter to Sybra Hunt, wife of the late Harry Hunt, apologising for the delay in the provision of the plaque; and
2. Formally advising her of the date the plaque is actually in place so that family members can make a special trip to Liverpool to view the plaque without further disappointment.

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

ITEM NO: QWN 02
FILE NO: 225891.2024
SUBJECT: Question with Notice - Cllr Rhodes - Animal Shelter Update

The long-awaited Liverpool Animal Shelter is yet to be delivered by Council. Pending a late report to be included in the 24 July 2024 Council meeting agenda which will address the below question, should that late report not be included in the agenda, could Council please address the following:

1. Can Council give an update on the progress of the Shelter?

Response (Provided by City Futures)

A report will be placed on the Agenda for the Council Meeting on 26 July 2024 to provide a progress update on the establishment of a Liverpool Animal Shelter.

Cllr Rhodes withdrew this question as a report was tabled in the 24 July 2024 Council Agenda. It was dealt with later in the meeting at item CFD 03 - Liverpool Animal Shelter Rossmore Grange.

ITEM NO: QWN 03
FILE NO: 229670.2024
SUBJECT: Question with Notice - Clr Macnaught - Council's Civic Expenses and Facilities Policy

At the March 27th, 2024 meeting Council passed a resolution in accordance with Council's Civic Expenses and Facilities Policy to reimburse the Mayor's legal expenses up to a value of \$50,000.

Please address the following:

- 1. Has the Mayor lodged any claims for reimbursement of legal fees?
- 2. If yes, please indicate the amount.
- 3. If yes, when was the reimbursement lodged?

Response (Provided by Corporate Support)

There have been no claims lodged or issued for from the Mayor, or on behalf of the Mayor for this matter to date.

Further, there have been no transactions/reimbursements made in the AP ledger on this matter.

There were no claims and/ or payments made to the Mayor or on behalf of the Mayor for this matter to-date.

COUNCIL DECISION

Motion: Moved: Clr Macnaught Seconded: Clr Ammoun

That Council:

- 1. Direct the CEO, due to the intense interest in this matter, that Council post on their social media accounts information to reflect the answer to these questions.

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

Councillors voted unanimously for this motion.

Note: Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired from the meeting when this item was voted on.

RECESS

Mayor Mannoun called a recess of meeting at 5.37pm.

RESUMPTION OF MEETING

The meeting resumed in Open Session at 5.43pm with all Councillors present.

Noting Clr Karnib who was an apology for this meeting and Clr Kaliyanda who had retired from the meeting.

ITEM NO: PLAN 08
FILE NO: 149080.2024
SUBJECT: Adoption of Section 7.12 Aerotropolis Contributions Plan 2024

COUNCIL DECISION

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

That Council:

1. Adopts the *City of Liverpool Section 7.12 Aerotropolis Contributions Plan 2024* as provided in **Attachment 3**.
2. Notes the adoption of the *City of Liverpool Section 7.12 Aerotropolis Contributions Plan 2024* is in accordance with the *Environmental Planning and Assessment Regulation 2024*.
3. Provides public notification of the decision to adopt the *City of Liverpool Section 7.12 Aerotropolis Contributions Plan 2024* on Council's website for a period of 14 days.
4. Publishes the *City of Liverpool Section 7.12 Aerotropolis Contributions Plan 2024* on Council's website following completion of the 14-day public notification period for the Plan to take effect.

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

Councillors voted unanimously for this motion.

Note: Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired from the meeting when this item was voted on.

ITEM NO: PLAN 09
FILE NO: 222071.2024
SUBJECT: Response to Council Resolution of 27 March 2024 re. changes to contributions collection

COUNCIL DECISION

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

That this item be deferred to the end of the meeting.

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

This item was deferred to the end of the meeting, however as the meeting was adjourned at 6.56pm, the item was dealt with on the 25 July 2024 Council meeting. The resolution is shown in those minutes.

MOTION OF URGENCY

Item: MOU 04

Subject: Change to parking permissions in Atkinson Street, Liverpool

Clr Goodman raised a motion of urgency in relation to parking permissions in Atkinson Street, Liverpool due to public safety and accidents that may happen.

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:

Background

The small section of Atkinson Street is populated by businesses involved in frequent loading and unloading of goods. The current parking restrictions render this activity unsafe for staff, customers and the general public in the area by not having a dedicated area to load and unload.

Motion: Moved: Clr Goodman Seconded: Clr Ammoun

That Council

1. Support a parking restriction change on Atkinson St, between Shepherd St and the railway line, that replaces the current 15-minute parking with Loading Zone between the hours of 5am and 5pm, and 15 minute parking at other times of the day.
2. Delegates the immediate implementation to the CEO, subject to any other approvals required.
3. Liaise with TfNSW and the local NSW Police, on this matter and how it can be implemented.

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

Councillors voted unanimously for this motion.

Note: Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired from the meeting when this item was voted on.

COMMUNITY & LIFESTYLE REPORTS

ITEM NO: CFD 03
FILE NO: 232466.2024
SUBJECT: Liverpool Animal Shelter Rossmore Grange

COUNCIL DECISION

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

That Council:

1. Notes the progress report on establishing a Liverpool Council animal shelter at Rossmore Grange.
2. Report back to Council with a fully budgeted detailed, shovel ready to be submitted DA, to the October Council Meeting 2024.
3. Report back to Council a potential funding source/s and impact on the long-term financial plan.

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

Councillors voted unanimously for this motion.

Note: Clr Karnib was an apology for this meeting and Clr Kaliyanda had retired from the meeting when this item was voted on.

MOTION OF URGENCY

ITEM: MOU 05

SUBJECT: Covering legal costs for staff that have been mentioned publicly in the Interim Investigation Report

Clr Macnaught requested a motion of urgency to covering legal costs for staff that have been detailed in the Interim Investigation Report to ensure procedural fairness and ensure staff named are supported.

In accordance with Clause 9.3 of Council’s Code of Meeting Practice, Mayor Mannoun, ruled the above matter as urgent.

Mr Mallard, Director City Futures, declared a pecuniary and significant interest in this item as it relates to legal reimbursement and he is a person mentioned in the report.

Mr Mallard left the Chamber.

Ms Tina Bono, Director Community & Lifestyle declared a pecuniary and significant interest in this item as she is a person mentioned in the report.

Ms Bono left the Chamber.

Mr Farooq Portelli, Director Corporate Support, declared a pecuniary and significant interest in this item as he is a person mentioned in the report.

Mr Portelli left the Chamber.

Mr Jason Breton, Acting CEO, declared a pecuniary and significant interest in this item as he is a person mentioned in the report.

Mr Breton left the Chamber. Ms Michelle Mcilvenny, Director Customer Experience and Business Performance took the Chief Executive Officer’s chair.

Ms Betty Boustani, Senior Policy Advisor, declared a pecuniary and significant interest in this item as she is a person mentioned in the report.

Ms Boustani left the Chamber.

This item was discussed and then deferred until the end of the meeting. As the 24 July 2024 Council meeting was adjourned at 6.56pm to be reconvened on 25 July 2024, this item was dealt with at that meeting and is shown in those minutes.

MOTION TO MOVE INTO CLOSED SESSION**Motion:** **Moved: Clr Macnaught Seconded Clr Goodman**

That Council move into Closed Session pursuant to Section s10A(2)(c) of the Local Government Act 1993 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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

Clr Rhodes and Clr Harle voted against going into Closed Session.

CLOSED SESSION:

The meeting went into Closed Session at 6.46pm.

This item was deferred, and adjourned to the 25 July 2024 Council meeting.

Motion to move into Open Session**Motion:** **Moved: Clr Macnaught Seconded: Clr Hadid**

That Council move into Open Session.

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

OPEN SESSION:

The meeting resumed in Open Session 6.54pm.

PRESENTATIONS BY COUNCILLORS**2024 Premier’s Award**

Liverpool City Council was recently presented a medal for winning the category of Business Excellence for Local Government Medal from the NSW Government.

This medal was on display at this Council meeting.

The medal was presented by the Treasurer on 13 March 2024. A Mayoral Minute was tabled at the 27 March 2024 Council meeting, item MAYOR 01.

Mayor Mannoun acknowledged the award winning service delivery from Liverpool City Council staff, CEO, the Director of Community and Lifestyle, Manager and amazing team to deliver excellence in local government and drive visitation of more than one million people.

BRING ITEM FORWARD

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

That item CONF 16 – Heads of Agreement be brought forward and dealt with now.

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

Mayor Mannoun then ruled that this item will require more time to be dealt with. In accordance with Clause 18.2(b) of Council’s Code of Meeting Practice (as shown below) Mayor Mannoun then ruled that this meeting be adjourned to Thursday 25 July 2024 at 5.00pm in the Liverpool Civic Tower Council Chamber as the time was now 6.56pm.

This item was then deferred.

Clause 18.2 If the business of the meeting is unfinished after five hours since its commencement, the chairperson must either:

- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or*
- (b) adjourn the meeting to a time, date and place fixed by the chairperson prior to the meeting being declared closed.*

THE MEETING WAS ADJOURNED AT 6.56PM TO BE RECONVENED 25 JULY 2025 AT 5.00PM AT LIVERPOOL CIVIC TOWER COUNCIL CHAMBER.

<Signature>

Name: Ned Mannoun

Title: Mayor

Date: 28 August 2024

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 24 July 2024. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

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Chairperson