

CONFIRMED MINUTES
OF THE ORDINARY MEETING OF PENRITH CITY COUNCIL HELD IN THE
COUNCIL CHAMBERS

ON MONDAY 12 DECEMBER 2005 AT 7:05PM

NATIONAL ANTHEM AND PRAYER

The meeting opened with the National Anthem and Prayer read by Executive Officer, Glenn McCarthy.

STATEMENT OF RECOGNITION

His Worship the Mayor, Councillor John Thain read a statement of recognition of Penrith City's Aboriginal and Torres Strait Islander Cultural Heritage.

PRESENT

His Worship the Mayor Councillor John Thain, Councillors Jim Aitken OAM, Kaylene Allison, David Bradbury, Lexie Cettolin, Kevin Crameri OAM, Greg Davies, Mark Davies, Ross Fowler, Jackie Greenow, Karen McKeown, Garry Rumble, and Steve Simat.

APOLOGIES

602 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Ross Fowler that apologies be accepted from Councillor Pat Sheehy.

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Page for the period 30 November 2005 to 21 December 2005 inclusive.

CONFIRMATION OF MINUTES - Ordinary Meeting - 5 December 2005

603 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Kevin Crameri that the minutes of the Ordinary Meeting of 5 December 2005 be confirmed.

DECLARATIONS OF INTEREST

There were no declarations of interest.

SUSPENSION OF STANDING ORDERS

604 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kevin Crameri that Standing Orders be suspended to allow members of the public to address the meeting, the time being 7:08pm.

ADDRESSING THE MEETING

The following people requested permission to address the meeting on the issues outlined below:

Mr Martin Vella, St Clair

Item 1 – General Business Item 3 of the Report and Recommendation of the Local Traffic Committee 5 December 2005

Speaking for the Recommendation

Mr Vella spoke as an affected relative and a representative of public safety in the Llandilo area. Mr Vella spoke about his personal experience with the intersection of Terrybrook Road and Seventh Avenue Llandilo.

Mr Vella stated that he wrote to Council in June 2005 after his brother and sister-in-law were involved in a serious accident when a vehicle failed to stop at the stop sign on Terrybrook Road. Mr Vella stated that there was a lack of advanced warning of the stop sign and that the sign was very hard to see at night.

In October 2005, Mr Vella's cousin was killed at the intersection when a vehicle travelling along Terrybrook Road failed to stop at the stop sign. A resident that lives at the intersection advised Mr Vella that there had been seven severe accidents at the intersection so far in 2005.

605 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Jim Aitken that an extension of time be given to Mr Vella, the time being 7:14pm.

Mr Vella read a statement from the Parish Priest of Corpus Cristi who stated that the inconsistent signage in the area confuses drivers and the levels of signage are dangerously low. The accidents in the area have a great effect on his Parish.

Mr Vella outlined some solutions to the problems, which included installing roundabouts, placing stop signs on traffic islands so they can be easily seen, and barricading the power poles at the intersections to assist in minimising the impact of accidents.

Mrs Rita Vella, Llandilo

Item 1 – General Business Item 3 of the Report and Recommendation of the Local Traffic Committee 5 December 2005

Speaking for the Recommendation

Mrs Vella spoke as an affected relative on the matter. Her son was killed in an accident at the intersection of Terrybrook Road and Seventh Avenue Llandilo on 25 October 2005.

Mrs Vella stated that she believes that Council has neglected the intersections in the area. Her nephew had written to Council previously about a serious accident at the same location, and requested that improvements be made. Mrs Vella stated that the family had collected over 2000 signatures to have the roads in the area fixed to make the intersections safer for drivers.

Mrs Vella requested that the intersections be fixed with bigger signs, and clearer wider approaches to the intersections to make them more clearly visible.

Mrs Mary Vella - affected relative

Item 1 – General Business Item 3 of the Report and Recommendation of the Local Traffic Committee 5 December 2005

Speaking for the Recommendation

Mrs Vella spoke as an affect relative, and on behalf of the Community of Llandilo as the President of Keep Our Property Private (KOPP).

Mrs Vella stated that the intersection of Terrybrook Road and Seventh Avenue, Llandilo is a

community issue, not just an issue affecting one family. Mrs Vella tabled a petition carrying over 1300 signatures lobbying to have the safety of the intersections in Llandilo and Berkshire Park areas improved.

Mrs Vella stated that the Llandilo area was a major cut-through area for people travelling from the Penrith area to access the Riverstone and surrounding industrial areas. The inconsistent intersections along Terrybrook Road in comparison to the roads running parallel and perpendicular to it, cause confusion for most drivers, especially at night.

Mrs Vella stated that there was a clear lack of infrastructure in the area and asked Council where the ratepayers' money is being spent. She stated that the residents would prefer that their money be spent on safety in the area.

Mrs Vella requested that the Councillors conduct a site inspection of the area and talk to the neighbours of the intersections about the accidents that occur. Mrs Vella stated that the recommendations of the Local Traffic Committee are a start to fixing the problem, but they do not go far enough to ensure the safety of the local road users.

606 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Kevin Crameri that an extension of time be given to Mrs Vella, the time being 7:29pm.

Mrs Vella stated that roundabouts or speed humps are required at all intersections as a solution to the problems, and that the local residents feel as though Council has neglected them on this issue.

David Haskew, on behalf of Cavasinni Constructions Pty Ltd

*Item 7 - Development Application 03/3292 for a part six and part seven storey mixed retail, commercial and residential building over basement parking at Lot 1 DP 779550, Lot 2 DP 154388, Lot 1 DP 576961 and Lot B DP 152524 (No. 538 - 556) High Street, Penrith.
Applicant: Cavassini Constructions Pty Ltd. Owner: Cavassini Constructions Pty Ltd.*

Speaking Against the Recommendation

Mr Haskew spoke as a representative of the Applicant and Owner of the subject property.

Mr Haskew stated that this Development Application had been before Council on a number of occasions in the past, and that the proposed development would be a key development in the Penrith CBD to assist with the renewal of the area.

Mr Haskew stated that there was a high calibre of expert opinion in favour of this development. He also stated that the Penrith City Council DCP for the area embraces development growth and change, however is inflexible in allowing larger developments to take place. Mr Haskew stated that the DCP is in conflict with the State Environmental Planning Policy 65 (SEPP65). The DCP was written in 1997, and planning controls then may not be best practice in 2005.

Mr Haskew warned that Penrith would be full of fragmented undersized lots if amalgamation of lots into large developments is not encouraged.

607 RESOLVED on the MOTION of Councillor Steve Simat seconded Councillor Mark Davies that an extension of time be given to Mr Haskew, the time being 7:40pm.

Mr Haskew stated that whilst the development does exceed the building envelope allowed by the DCP, another application on a neighbouring property also exceeded the building envelope, but was approved based on a technicality.

Mr Haskew stated that the provisions of the SEPP65 allow for a better building than the DCP, and that the floor space issue between the SEPP65 and DCP is irreconcilable, or only with a dramatic reduction in floor space that would render the development unviable.

RESUMPTION OF STANDING ORDERS

608 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Greg Davies that Standing Orders be resumed, the time being 7:59pm.

REPORTS OF COMMITTEES

1 Report and Recommendation of the Local Traffic Committee 5 December 2005

LTC

609 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Steve Simat that the Report and Recommendations of the Local Traffic Committee Meeting of 5 December 2005 be adopted with the following amendment to recommendation LTC12:

GB 3 Fatal Incident Response Strategy Team (FIRST) Report (Raised Penrith Police)

That:

1. Speed classification survey be carried out on Seventh Avenue on both approaches to Terrybrook Road, and on Terrybrook Road on both approaches to Seventh Avenue, 10m from the intersection and mid-block
2. The existing "Stop" signs, advance warning "Stop" signs, and "Intersection Ahead" signs be replaced with larger Roads and Traffic Authority B Class size signs
3. 30m of BB linemarking be provided, along with RPMs, on all approaches to the intersection.
4. A further report be presented to Council on all of the intersections of Terrybrook Road to determine if they could benefit from the larger signage and additional linemarking as outlined above.
5. A site inspection for all Councillors be arranged along with a meeting with local residents to discuss the problems with intersections and traffic in the area.

His Worship the Mayor, Councillor John Thain advised that filming (with no audio recording) of a promotional DVD would be taking place in the Council Chambers during the meeting and sought Council's approval of the filming.

610 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Ross

Fowler that permission be granted to Infinity Media and Communications to video record the proceedings of the 12 December 2005 Ordinary Meeting of Council.

MASTER PROGRAM REPORTS

THE CITY IN ITS BROADER CONTEXT

2 Penrith Valley Cultural Precinct 2981/13

611 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Jim Aitken

That:

1. The information contained in the report on Penrith Valley Cultural Precinct be received
2. Council endorse the program of activities outlined in the report

3 City Centres' Vitality and Viability Review 4200/6

612 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Jim Aitken

That:

1. The information contained in the report on City Centres' Vitality and Viability Review be received.
2. The draft Penrith City Centre Strategy and the draft St Marys Town Centre Strategy be exhibited for community and stakeholder comment.
3. Landowners within the City Centres' Review study area and the Centre Associations be invited to comment on the draft Strategies.
4. A further report be presented to Council following the consultations.

19 Metropolitan Strategy for Sydney 4100/23

613 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Jim Aitken

That:

1. The information contained in the report on Metropolitan Strategy for Sydney be received
2. Council write to the Department of Planning thanking it for engaging Council in the process and development phase of the Metropolitan Strategy and seeking clarification of the process for advancing the Western Sydney Employment Hub and the Erskine Park Employment Area to M7 Link Road
3. a further report on the implications of the Metropolitan Strategy for Penrith be brought back to Council in the new year.

1 Commonwealth Games 2006 - Queens Baton Relay 1980/14

614 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Ross

Fowler

That:

1. The information contained in the report on Commonwealth Games 2006 - Queens Baton Relay be received
2. An amount of \$2000 from each Ward Voted Works (total \$6000) to go toward the promotion of the event.

THE CITY AS A SOCIAL PLACE

4 Penrith Swimming Centre Upgrade

2981/13

615 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Garry Rumble

That:

1. The information contained in the report on Penrith Swimming Centre Upgrade be received
2. Council endorse the program of activities outlined in the report

6 Draft Local Environmental Plan for Penrith Lakes Environs

(Waterside), corner of Cranebrook and Andrews Roads, Cranebrook

4107/28

616 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Garry Rumble

That:

1. The information contained in the report on Draft Local Environmental Plan for Penrith Lakes Environs (Waterside), corner of Cranebrook and Andrews Roads, Cranebrook be received.
2. In accordance with the Environmental Planning and Assessment Act, 1979 (as amended), Council submit the draft Local Environmental Plan 1998 (Lakes Environs) - Amendment No. 1 to the Minister for gazettal, as amended by Parliamentary Counsel.
3. All those who made submissions to the exhibition of the draft LEP be informed of Council's decision

5 Development of a City Wide Graffiti Minimisation Strategy

1027/23

A MOTION was MOVED by Councillor Greg Davies seconded Councillor David Bradbury

That:

1. The information contained in the report on Development of a City Wide Graffiti Minimisation Strategy be received.
2. An urgent memo be provided to all Councillors on the costs involved in having graffiti removed from all of the gateways to the city, including from private properties that is accessible from public space.

Councillor Jim Aitken left the meeting, the time being 8:26pm

Councillor Kevin Cramer left the meeting, the time being 8:26pm

Councillor Lexie Cettolin left the meeting, the time being 8:26pm

His Worship the Mayor, Councillor John Thain, adjourned the meeting for a period of five minutes, the time being 8:26pm

Councillor Lexie Cettolin returned to the meeting, the time being 8:34pm

Councillor Jim Aitken returned to the meeting, the time being 8:34pm

The meeting resumed the time being 8:34pm

Councillor Kevin Cramer returned to the meeting, the time being 8:36pm

617 An AMENDMENT was MOVED by Councillor Jim Aitken seconded Councillor Steve Simat

That:

1. The information contained in the report on Development of a City Wide Graffiti Minimisation Strategy be received.
2. The Penrith Valley Community Safety Partnership be requested to report on the methods available to lobby the State Government to strengthen the enforcement of penalties associated with graffiti.
3. An urgent memo be provided to all Councillors on the costs involved in having the graffiti removed from all of the gateways to the city, including from private property that are accessible from public space.

On being PUT to the meeting the AMENDMENT was CARRIED and on becoming the SUBSTANTIVE MOTION was also CARRIED.

7 Development Application 03/3292 for a part six and part seven storey mixed retail, commercial and residential building over basement parking at Lot 1 DP 779550, Lot 2 DP 154388, Lot 1 DP 576961 and Lot B DP 152524 (No. 538 - 556) High Street, Penrith. Applicant: Cavassini Constructions Pty Ltd; Owner: Cavassini Constructions Pty Ltd DA03/3292

A MOTION was MOVED by Councillor Steve Simat seconded Councillor Mark Davies

That:

1. The information contained in the report on Development Application 03/3292 for a part six and part seven storey mixed retail, commercial and residential building over basement parking at Lot 1 DP 779550, Lot 2 DP 154388, Lot 1 DP 576961 and Lot B DP 152524 (No. 538 - 556) High Street, Penrith be received
2. The matter be deferred until a further report can be presented to Council

outlining grounds for approval of the development application.

618 An AMENDMENT was MOVED by Councillor David Bradbury seconded Karen McKeown

That:

1. The information contained in the report on Development Application 03/3292 for a part six and part seven storey mixed retail, commercial and residential building over basement parking at Lot 1 DP 779550, Lot 2 DP 154388, Lot 1 DP 576961 and Lot B DP 152524 (No. 538 - 556) High Street, Penrith be received
2. The report on Development Application 03/3292 for a part 6 and part 7 storey mixed retail, commercial and residential building over basement parking at Lot 1 DP 779550, Lot 2 DP 154388, Lot 1 DP 576961 and Lot B DP 152524 (No. 538 - 556) High Street, Penrith, be refused for the following reasons:
 - 2.1 The application does not satisfy Clause 50 (1A) of the Environmental Planning and Assessment Regulation 2000 because the required design verification statement did not accompany the application
 - 2.2. The application does not satisfy Schedule 1, Part 1, 2(5)(d) and (g) of the Environmental Planning and Assessment Regulation 2000 because the application:
 - (a) Was not accompanied by a landscape plan or a sample board of external materials, colours and finishes; and
 - (b) The Penrith City Centre DCP building envelopes were not shown on the architectural plans
 - 2.3 The application is not satisfactory for the purpose of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act in that insufficient information was provided to enable Council to be satisfied with regard to the provisions of clause 7 of State Environmental Planning Policy 55 – Remediation of Land
 - 2.4 The application is not satisfactory for the purpose of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act in that the proposal is not satisfactory when evaluated against the design quality principles in State Environmental Planning Policy 65 – Design Quality of Residential Flat Development
 - 2.5. The application is not satisfactory for the purpose of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act in that the proposal does not satisfy zone objective (a)(ii) for 3(a) Business General Zone in clause 9 of Penrith Local Environmental Plan 1997 (Penrith City Centre) nor does the proposal satisfy clause 2(2)(a) and 2(3) of Penrith Local Environmental Plan 1997. Consequently the development is contrary to Clause 9(3) of the Local Environmental Plan
 - 2.6 The application is not satisfactory for the purpose of Section

- 79C(1)(a)(iii) of the Environmental Planning and Assessment Act in that the application does not satisfy clauses 8.2 and 8.3 of Development Control Plan Floor Space Ratio Controls (Penrith City Centre)
- 2.7 The application is not satisfactory for the purpose of Section 79C(1)(b) of the Environmental Planning and Assessment Act in that the application either fails, or fails to provide sufficient information, with regard to:
- (a) Access, transport and traffic
 - (b) Public domain
 - (c) Heritage
 - (d) Water
 - (e) Soils (contaminated land and geotechnical issues)
 - (f) Waste
 - (g) Noise and vibration
 - (h) Site design and internal design
 - (i) Construction Management
- 2.8 The application is not satisfactory for the purpose of Section 79C(1)(c) of the Environmental Planning and Assessment Act because the inappropriate form of the development is such that this site is not suitable for this development
- 2.9 The application is not satisfactory for the purpose of Section 79C(1)(e) of the Environmental Planning and Assessment Act in that the proposal is not in the public interest because it is contrary to the resolution of Council from its meetings of the 8 December 2003 and 22 November 2004 in relation to interim development and the City Centres Review.

On being PUT to the meeting the AMENDMENT was CARRIED and on becoming the SUBSTANTIVE MOTION was also CARRIED.

THE CITY IN ITS ENVIRONMENT

20 Application to rezone Lot 1 DP542395 and Lot 740 DP810111 Elizabeth Drive, Luddenham, to allow an Advanced Waste Treatment Facility in conjunction with the existing quarry and landfill operation. Applicant: Mullane Planning Consultants Pty Limited; Owner: SITA Australia Pty Limited

RZ04/0035

619 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kevin Crameri

That:

1. The information contained in the report on Application to rezone Lot 1 DP542395 and Lot 740 DP810111 Elizabeth Drive, Luddenham, to allow an Advanced Waste Treatment Facility in conjunction with the existing quarry and landfill operation be received
2. Pursuant to the provisions of the Environmental Planning and Assessment Act, 1979 and the Regulation 2003, Council resolve to publicly exhibit the Draft Local Environmental Plan to rezone Lot 1 DP542395 and Lot 740 DP810111 Elizabeth Drive, Luddenham to make an Advanced Waste Treatment Facility a permissible use on the site
3. The notification period be extended to 42 days to account for the Christmas and New Year period
4. A further report be presented to Council in February 2006
5. The Draft LEP be forwarded to the Parliamentary Counsel for an Opinion pending the results of the notification process
6. The Council rescind its resolution of 5 December 2005 in relation to Item 17 of the Business Paper entitled Application to rezone Lot 1 DP542395 and Lot 740 DP810111 Elizabeth Drive, Luddenham, to allow an Advanced Waste Treatment Facility in conjunction with the existing quarry and landfill operation

Councillor Jim Aitken left the meeting, the time being 9:20pm

Councillor Greg Davies left the meeting, the time being 9:22pm

Councillor Garry Rumble left the meeting, the time being 9:22pm

THE CITY AS AN ECONOMY

Councillor Garry Rumble returned to the meeting, the time being 9:25pm

Councillor Mark Davies left the meeting, the time being 9:28pm

8 Interim Redevelopment of Visitor Information Centre

1000-84

620 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Karen McKeown

That:

1. The information contained in the report on the Interim Redevelopment of Visitor Information Centre be received
2. The request for payment of \$9,600 to the Penrith Valley Economic Development Corporation to complete the construction of the new visitor information centre building be met from the City Beautification budget
3. The licence agreement with Panthers be signed under seal.

9 Sustainable Economic Growth for Regional Australia Conference

621 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Kaylene Allison

That:

1. The information contained in the report on Sustainable Economic Growth for Regional Australia Conference be received
2. Council endorse the submission of a bid to host the 2007 Sustainable Economic Growth for Regional Australia Conference.

THE CITY SUPPORTED BY INFRASTRUCTURE

10 Local Government Road Safety Auditing/Accident Investigation and Prevention (AIP) Program - 2005/2006 (9019/14)

622 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Lexie Cettolin

That:

1. The information contained in the report on Local Government Road Safety Auditing/Accident Investigation and Prevention (AIP) Program - 2005/2006 be received
2. Council's Asset Manager submit the following projects to the Roads and Traffic Authority for funding consideration to undertake Road Safety Audits Existing Road (Stage5) under the Authority's Local Government Road Safety Auditing and Accident Investigation and Prevention (AIP) Program 2005/2006.
 - a. Ninth Avenue, Llandilo
 - b. Eighth Avenue, Llandilo
 - c. Seventh Avenue, Llandilo
 - d. Sixth Avenue, Llandilo
 - e. Fifth Avenue, Llandilo
 - f. Fourth Avenue, Llandilo
 - g. Third Avenue, Llandilo
 - h. Terrybrook Avenue, Llandilo
 - i. Second Avenue / Llandilo Road, Llandilo

Councillor Karen McKeown left the meeting, the time being 9:30pm

Councillor Steve Simat left the meeting, the time being 9:31pm

11 Provision of Motor Vehicles 38/138

623 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Kaylene Allison

That:

1. The information concerning the cost/ benefit analysis of using gas powered

vehicles in Council's light vehicle fleet be received

2. The Council motor vehicle fleet include a range of 4 cylinder vehicles, 6 cylinder petrol and LPG vehicles and 4x4 dual cab diesel utilities where a work related use exists
3. The leaseback fees be set at the rates detailed in the report
4. A further report be brought back to Council on the involvement of the University of Western Sydney in a further study on the use of 4 cylinder, 6 cylinder and alternative powered vehicles.

Councillor Karen McKeown returned to the meeting, the time being 9:34pm

LEADERSHIP AND ORGANISATION

12 Summary of Investments & Banking for the period 26 October 2005 to 29 November 2005. 6031/4

624 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Summary of Investments & Banking for the period 26 October 2005 to 29 November 2005. be received
2. The Certificate of the Responsible Accounting Officer, Statement of General Fund Bank Balances as at 29 November 2005 and the Summary of Investments for the period 26 October 2005 to 29 November 2005 be noted and accepted
3. The graphical investment analysis as at 29 November 2005 be noted

13 Decision Making Arrangements During the Council Recess 21/5

625 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Jackie Greenow

That the information contained in the report on Decision Making Arrangements During the Council Recess be received.

14 Preparations for the 2006-2007 Management Plan 36/53

626 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Preparations for the 2006-2007 Management Plan be received
2. Preparation of the Management Plan and the proposed arrangements continue in the terms discussed in the report and further reports be provided to Council at each appropriate stage of the Management Plan preparations.

17 A.R. Bluett Memorial Award Submission

1128/1 Pt 3

627 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Jackie Greenow

That the information contained in the report on A.R. Bluett Memorial Award Submission be received.

18 Submission to the Independent Inquiry into the Financial Sustainability of Local Government.

628 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Submission to the Independent Inquiry into the Financial Sustainability of Local Government. be received
2. That a submission to the Local Government and Shires Association Financial Sustainability of Local Government Inquiry be made covering the issues included in this report.

Councillor Greg Davies returned to the meeting, the time being 9:37pm

Councillor Steve Simat returned to the meeting, the time being 9:37pm

Councillor Jim Aitken returned to the meeting, the time being 9:37pm

Councillor Mark Davies returned to the meeting, the time being 9:37pm

Councillor Ross Fowler left the meeting, the time being 9:38pm

15 Council Property - Electricity Easement for Padmount Substation on Open Space, Lot 10, D.P. 1432, John Street, St Marys

3149/1 Pt.2

629 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Lexie Cettolin

That:

1. The information contained in the report on Council Property - Electricity Easement for Padmount Substation on Open Space, Lot 10, D.P. 1432, John Street, St Marys be received
2. Council grant Integral Energy an easement for padmount substation 5.5 x 2.75 metres and an easement 1 metre wide for connecting cables over Lot 10, D.P. 1432 at John Street, St Marys.
3. Integral Energy to bear all reasonable costs associated with the granting of the easements.
4. Compensation in the amount of \$2,500 is accepted from Integral Energy.
5. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

16 Outdoor Eating and Trading - Salvation Army Youthlink

476915 LE2

630 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Garry

Rumble

That:

1. The information contained in the report on Outdoor Eating and Trading - Salvation Army Youthlink be received.
2. Council grant Salvation Army Youthlink the annual subsidy of \$1,000 to operate an Outdoor Eating and Trading Licence within the footpath area at Shop 1A, 40 Phillip Street, St Marys as outlined in the report.
3. A further report be presented to Council outlining the number of other not-for-profit organisations in the area that may wish to operate under an Outdoor Eating and Trading Licence and request a subsidy of the Licence fee.

QUESTIONS WITHOUT NOTICE

Councillor Jim Aitken left the meeting, the time being 9:47pm

QWN 1 Donation to Barnardos Supported Accommodation Program 1117/33

Councillor Lexie Cettolin requested that \$900 from each of North, South and East Ward voted works (Total \$2,700) be donated to the Barnardos Supported Accommodation Program to enable them to curtain two of their refurbished units.

631 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kevin Crameri that the matter be brought forward as a matter of urgency.

His Worship the Mayor, Councillor John Thain ruled that the matter was urgent and should be dealt with at the meeting.

Councillor Jim Aitken returned to the meeting, the time being 9:48pm

Councillor Ross Fowler returned to the meeting, the time being 9:48pm

632 RESOLVED on the MOTION of Councillor Lexie Cettolin seconded Councillor Kevin Crameri that \$900 from each of North, South and East Ward voted works (Total \$2,700) be donated to the Barnardos Supported Accommodation Program to enable them to curtain two of their refurbished units.

QWN 2 South Penrith Girl Guides 143151 Pt 3

Councillor John Thain requested a memo response as to what can be done to fix the plumbing at South Penrith Girl Guides, as it has been damaged by the tree located within the childcare centre next door. The approximate cost of repairs is \$2000.

QWN 3 Western Storm Soccer Club fundraising for Starlight Foundation 1367/10

Councillor Greg Davies requested that the cost of the hire of the Erskine Park Hall for an event to be held by Western Storm Soccer Club in support of the Starlight Foundation, be donated equally from each Ward Voted Works.

633 RESOLVED on the Motion of Councillor Jackie Greenow seconded Councillor Ross Fowler that the matter be brought forward as a matter of urgency.

His Worship the Mayor, Councillor John Thain ruled that the matter was urgent and should be dealt with at the meeting.

634 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow that the cost of the hire of the Erskine Park Hall for an event to be held by Western Storm Soccer Club in support of the Starlight Foundation, be donated equally from each Ward Voted Works.

NOTICE OF MOTION

Councillors Steve Simat, Jim Aitken, Lexie Cettolin, Greg Davies, Mark Davies, Ross Fowler and Garry Rumble gave notice of an intention to move a MOTION TO RESCIND the motion carried at the Ordinary Meeting held on 12 December 2005 in relation to Item 7 - Development Application 03/3292 for a part six and part seven storey mixed retail, commercial and residential building over basement parking at Lot 1 DP 779550, Lot 2 DP 154388, Lot 1 DP 576961 and Lot B DP 152524 (No. 538 - 556) High Street, Penrith. Applicant: Cavassini Constructions Pty Ltd; Owner: Cavassini Constructions Pty Ltd.

Subject to the above Rescission Motion being carried –

Councillors Steve Simat, Jim Aitken, Lexie Cettolin, Greg Davies, Mark Davies, Ross Fowler and Garry Rumble also gave notice of an intention to move:

“That:

1. The information contained in the report to the Ordinary Meeting of Council held on 12 December 2005 in relation to Development Application 03/3292 for a part six and part seven storey mixed retail, commercial and residential building over basement parking at Lot 1 DP 779550, Lot 2 DP 154388, Lot 1 DP 576961 and Lot B DP 152524 (No. 538 - 556) High Street, Penrith be received
2. A further report be brought back to Council in 2006 to allow time for consideration, negotiation and clarification on planning conflicts.”

There being no further business the Chairperson declared the meeting closed the time being 9:52pm.

I certify that these 16 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 12 December 2005.

Chairperson

Date