

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

**ON MONDAY 6 MARCH 2006 AT 7:03PM**

**NATIONAL ANTHEM AND PRAYER**

The meeting opened with the National Anthem and Prayer read by Legal Officer, Stephen Britten.

**PRESENT**

His Worship the Mayor Councillor John Thain, Councillors Jim Aitken OAM, Kaylene Allison, David Bradbury (arrived 7:07pm), Kevin Cramer OAM, Greg Davies, Mark Davies, Ross Fowler, Jackie Greenow, Karen McKeown, Garry Rumble, Pat Sheehy AM, and Steve Simat.

**APOLOGIES**

703 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Steve Simat that apologies be accepted from Councillors Lexie Cettolin, Susan Page and David Bradbury.

**CONFIRMATION OF MINUTES - Ordinary Meeting - 20 February 2006**

704 RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Ross Fowler that the minutes of the Ordinary Meeting of 20 February 2006 be confirmed.

**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.

**REPORTS OF COMMITTEES**

**1 Report and Recommendations of the Policy Review Committee – 27 February 2006**

705 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Ross Fowler that the recommendations contained in the Report and Recommendations for the Policy Review Committee Meeting of Monday 27 February 2006 be adopted.

**DECLARATIONS OF INTEREST**

Councillor Ross Fowler declared a non-pecuniary interest in Item 1 as he has a business relationship with the Coffey Group of Companies and he reserved the right to speak and vote.

**MASTER PROGRAM REPORTS**

**THE CITY IN ITS BROADER CONTEXT**

**1 Naming of Bridge Across Boundary Creek, Great River Walk (5000/2 Pt 3)**

706 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Pat Sheehy

That:

1. The information contained in the report on Naming of Bridge Across Boundary Creek, Great River Walk be received
2. That Council endorse the naming of the bridge across Boundary Creek, Great River Walk as "Coffeys Crossing".

**2 Exhibition of Draft SEPP for NW and SW Growth Centres 4140/1; 4123/1**

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

That:

1. The information contained in the report on Exhibition of Draft SEPP for NW and SW Growth Centres be received
2. Council make a formal submission to the Department of Planning in response to the exhibition of the North West and South West Growth Centres SEPP in terms of the issues identified in this report
3. Council make a further request to the Minister for Planning in relation to being afforded an opportunity to participate in the North West and Growth Centre Executive Committees
4. Council raise their concern through the local members on the issues raised in the report.

**THE CITY AS A SOCIAL PLACE**

**3 Development Application 04/2003 for a multi-unit housing development on Lot 1A DP 413271, Lot 1B DP 413271 and Lot 66 DP 35566 (No. 2) Gidley Street and (No. 34 - 36) Phillip Street, St Mary's. Applicant: Pretech Pty Ltd; Owner: E, B & G Attieh, O Vlangos, J O'Keefe & Azcorp Holdings**

**DA04/2003**

708 RESOLVED on the MOTION of Councillor Steve Simat seconded Councillor Ross Fowler

That:

1. The information contained in the report on Development Application 04/2003 for a multi-unit housing development on Lot 1A DP 413271, Lot 1B DP 413271 and Lot 66 DP 35566 (No. 2) Gidley Street and (No. 34 - 36) Phillip Street, St Mary's be received
2. That the matter be deferred to allow a further Urgent Report to Council at the next Ordinary Meeting. The further report is to address the following issues:
  - 2.1 Information showing how the proposal complies with the following aims and objectives of the Penrith Local Environmental Plan 1998 (LEP) (Urban Land):

- (e) Residential Character
    - (i) to promote the community's desired character by ensuring that future development in all residential localities reflects features or qualities of traditional detached houses that are surrounded by private gardens, and
    - (ii) to enhance the essential character and identity of established residential areas
  - (f) Residential Amenity
    - (i) to promote development which safeguards the residential amenity of the area.
- 2.2 Further information to be provided in relation to the operation of the stacked parking, and the effect this will have on local traffic and noise issues, and therefore residential amenity.
- 2.3 Further information be provided and an alternative assessment made regarding relocating the entry / exits to the basement parking.
- 2.4 A photomontage of the proposed development is to be provided.

#### 4 Status of New Release Areas in Penrith

4105/3

709 A MOTION was moved Councillor David Bradbury seconded Councillor Greg Davies that:

1. The information contained in the report on Status of New Release Areas in Penrith be received
2. Council note the comments made by The Federal Member for Lindsay, Jackie Kelly, recently in the Penrith Press on Friday 24 February 2006 and The Western Weekender on Friday 3 March 2006.
3. Council reject the suggestion that Council provided assurances to the purchasers of three parcels of the land (AIPT Management) as to its future zoning.
4. Council write to The Member for Lindsay, Jackie Kelly, and request her to withdraw her comments and apologise to Council.

An AMENDMENT was MOVED by Councillor Jim Aitken seconded Councillor Ross Fowler that the information contained in the report on Status of New Release Areas in Penrith be received.

On being PUT to the meeting the AMENDMENT was LOST.

Councillor Jim Aitken called for a DIVISION.

**For**

Councillor Jim Aitken  
Councillor Kevin Crameri  
Councillor Mark Davies  
Councillor Ross Fowler  
Councillor Garry Rumble  
Councillor Steve Simat

**Against**

Councillor Kaylene Allison  
Councillor David Bradbury  
Councillor Pat Sheehy  
Councillor Greg Davies  
Councillor Jackie Greenow  
Councillor Karen McKeown  
Councillor John Thain

Councillor John Thain

On being PUT to the Meeting the MOTION was CARRIED.

Councillor Ross Fowler called for a DIVISION.

**For**

Councillor Kaylene Allison  
Councillor David Bradbury  
Councillor Greg Davies  
Councillor Jackie Greenow  
Councillor Karen McKeown  
Councillor Pat Sheehy  
Councillor John Thain

**Against**

Councillor Jim Aitken  
Councillor Steve Simat  
Councillor Kevin Cramer  
Councillor Mark Davies  
Councillor Ross Fowler  
Councillor Garry Rumble

**THE CITY AS AN ECONOMY**

**6 Council Property - Demolition of No 11 Collins Street St Marys 207387 LE1**

710 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Council Property - Demolition of No 11 Collins Street St Marys be received
2. Council agree to the demolition of the existing cottage located at No 11 Collins Street St Marys.

**12 Council Sponsorship of Western Sydney Business Connection/Macquarie Bank Golf Day at Twin Creeks**

711 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Council Sponsorship of Western Sydney Business Connection/Macquarie Bank golf day at Twin Creeks be received
2. That Council endorse the sponsorship proposal for the Western Sydney Business Connection/Macquarie Bank golf tournament at Twin Creeks.

**5 Proposal for Sunday Markets - Council's Carparks within the Penrith and St Marys CBD**

**9201/5**

712 RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Greg Davies

That:

1. The information contained in the report on Proposal for Sunday Markets -

Council's Carparks within the Penrith and St Marys CBD be received.

2. Council agree in the principle to the use of Council's carparks for Sunday Markets.
3. Council engage the services of an independent Planning Consultant to submit a Development Application for Council's consideration for the operations of Sunday Markets in Council carparks.
4. A further report be submitted to Council relating to the outcome of the Development Application that may lead to an "Expression of Interest" over the subject sites.

## **THE CITY SUPPORTED BY INFRASTRUCTURE**

### **7 Tender 10-05/06 Supply and Delivery of Street Sweeper 38/149 Pt1**

713 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Karen McKeown

That:

1. The information contained in the report on Tender 10-05/06 Supply and Delivery of Street Sweeper be received
2. The tender from MacDonald Johnston Engineering Company Pty Ltd for the supply and delivery of one MacDonald Johnston RT570 mounted on a Hino Pro 7 cab/chassis, with the options as detailed in the report, in the amount of \$224,423 be accepted.

## **LEADERSHIP AND ORGANISATION**

### **9 Application for grant funding to undertake bush fire prone vegetation mapping. 80/8**

714 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Greg Davies that Council endorse the grant application under the Working Together To Manage Emergencies Local Grants Scheme 2006-07 to map bush fire prone vegetation categories in the Penrith Local Government Area.

### **10 Cranebrook Village Shopping Centre - Assignment of Lease from Composite Buyers Pty Ltd to Ritchies Stores Pty Ltd 634905 LE1**

715 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Greg Davies

That:

1. The information contained in the report on deed of Assignment of Lease to Ritchies Stores Pty Limited be received
2. Council grant the Deed of Assignment of the existing Lease relating to the supermarket at Cranebrook Village Shopping Centre from Composite Buyers Limited to Ritchies Stores Pty Limited.
3. Council to provide the appropriate additional clause or clauses in the Deed of

Assignment relating to the possible expansion of the supermarket area.

4. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

Councillor Mark Davies left the meeting, the time being 8:06pm.

Councillor Mark Davies returned to the meeting, the time being 08:09pm.

**8 Independent Commission Against Corruption Discussion Paper -  
Corruption Risks in NSW development approval processes 20/24 Pt7**

716 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Pat Sheehy

That:

1. The information contained in the report on Independent Commission Against Corruption Discussion Paper - Corruption Risks in NSW development approval processes be received
2. The comments within the report be forwarded to the Independent Commission Against Corruption as Council's response to the issues raised in the discussion paper "Corruption Risks in NSW Development Approval Process".

Councillor Steve Simat left the meeting, the time being 8:10pm.

**11 Cranebrook Village Shopping Centre - Proposed Extensions 950/78 Pt 2**

717 RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Jackie Greenow

That:

1. The information contained in the report on the proposed extensions to the Cranebrook Village Shopping Centre be received
2. A further report be presented to Council on the cost analysis and feasibility of the proposed extensions to the Cranebrook Village Shopping Centre.

**QUESTIONS WITHOUT NOTICE**

**QWN 1 Dunheved Industrial Estate 4130/26 Part 3**

Councillor Greg Davies requested a Report to Council on the Dunheved Industrial Estate. The report is to cover the current status of the Estate, and include the Link Road, the State Regional Plan for existing Industrial Estates, and any other matters regarding the Estate.

Councillor Steve Simat returned to the meeting, the time being 8:12pm.

**QWN 2 Richmond Greyhound Club 6016/39**

Councillor Greg Davies requested that a donation of \$600 from North Ward Voted Works be made to the Richmond Greyhound Club as a contribution towards flagpoles at the club, and that Council supply a Council flag for display at the club.

718 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Pat Sheehy that the matter be brought forward and dealt with 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.

719 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Pat Sheehy that a donation of \$600 from North Ward Voted Works be made to the Richmond Greyhound Club as a contribution towards flagpoles at the club, and that Council supply a Council flag for display at the club.

**QWN 3 Solander Fields 3163/1**

Councillor Greg Davies requested an Urgent Memo (to be provided within 1 working day) to all East Ward Councillors on parking at Solander Fields. Councillor Davies has received advice that after years of using part of the area for car parking, advice has now been given that this cannot occur. This will cause safety issues for children 7-8 years old who will now have to cross Banks Drive to get to the field. This is also a danger to traffic using this area normally due to the increased street car parking.

**QWN 4 Erskine Park Soccer Club 6016/39**

Councillor Greg Davies presented a plaque of Appreciation from the Western Storm (Erskine Park Soccer Club) for Council's assistance with their charity fundraising activities.

**QWN 5 Council Rubbish Collection 7004/11 Part 9**

Councillor David Bradbury requested a memo reply to all Councillors on the addressing of letters to residents that have requested a Council rubbish pick up. Currently the letters are addressed "To the Occupant #123456". Councillor Bradbury has requested that this practice be amended to at least remove the ID number reference.

**QWN 6 Impacts of WELL Planning Proposals on Caddens Road, Orchard Hills 4105/89 Part 17**

Councillor David Bradbury requested a memo reply to all East Ward Councillors regarding the impact of the WELL planning proposals upon certain properties along Caddens Road, Orchard Hills.

**QWN 7 Dunheved Industrial Estate 4130/26 Part 3**

Further to the request made by Councillor Greg Davies, Councillor Ross Fowler requested a Report to Council on the Dunheved Industrial Area and proposed connection to Christie Street with Dunheved Circuit.

**QWN 8 Rescission Motion 4105/3 Part 6**

Councillors Jim Aitken, Ross Fowler and Steve Simat gave notice of an intention to move a MOTION TO RESCIND the motion carried at the Ordinary Meeting held on 6 March 2006 in relation to Item 4 – Status of New Release Areas in Penrith, at the next Ordinary Meeting to be held on 3 April 2006.

**QWN 9 Regional Infrastructure Levies 4114/68**

Councillor Steve Simat requested an Urgent Report to Council on implementation of regional infrastructure levies which will see developer contributions made available for delivery of infrastructure in new urban release areas. The report is to focus on how these infrastructure contributions could be used to fund new much needed infrastructure, like Werrington Arterial, and other much needed infrastructure.

**QWN 10 Salvation Army Clothing Bins in East Lane Car Park 9200/8 Part 2**

Councillor Steve Simat requested a memo reply on methods to keep the Salvation Army Clothing Bins tidier. The two bins located at East Lane car park constantly have rubbish strewn around them.

**QWN 11 Leave of Absence Request 3/2 Part 2**

Councillor Mark Davies requested Leave of Absence for the period 12 April 2006 to 9 May 2006 inclusive.

720 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Garry Rumble that the matter be brought forward and dealt with 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.

721 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Garry Rumble that leave of absence be granted to Councillor Mark Davies for the period 12 April 2006 to 9 May 2006 inclusive.

**QWN 12 Leave of Absence Request 3/2 Part 2**

Councillor Garry Rumble requested Leave of Absence for the period 13 March 2006 to 29 March 2006 inclusive.

722 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Karen McKeown that the matter be brought forward and dealt with 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.

723 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Karen McKeown that leave of absence be granted to Councillor Garry Rumble for the period 13 March 2006 to 29 March 2006 inclusive.

**QWN 13 Red Cow Inn Restoration 541854 Part 3**

Councillor Kevin Cramer requested a memo reply to all Councillors on the restoration of the Red Cow Inn. Councillor Cramer notes that Besser Blocks are being used in the restoration and requests information on the compliance with Heritage requirements. The memo is also to address whether Council is overseeing the project in any way.



**QWN 14 Draft Metropolitan Strategy North West Growth Centre 4100/23 Part 3**

Councillor Kevin Crameri requested a memo reply to concerns raised by residents of Berkshire Park over the proposed Draft Metropolitan Strategy North West Growth Centre. In particular, the concerns to be addressed are:

- The current proposal shows that Richmond Road is only being upgraded to South Creek Bridge. It is requested that Richmond Road be upgraded to at least George Street, South Windsor.
- The new North West Growth Centre proposes a connection of a 4-lane road called New Shanes Park Road to Stoney Creek Road at Shanes Park. Shanes Park is also included for residential housing. The Ropes Crossing also has a major connection to Stoney Creek Road. With all this development there is no mention of upgrading Stoney Creek Road and St Marys Road and the upgrade of the unsafe causeway crossing over South Creek.
- With the increase in traffic by the above development, traffic lights are needed to be installed at the intersection of St Marys Road / Richmond Road and Llandilo Road / Richmond Road. It is now impossible to turn right during peak morning and afternoon traffic times especially since the new M7 Motorway opened in December 2005.

Councillor Crameri requested that Council consider these issues in its reply to the Department of Planning regarding the exhibition.

Councillor Steve Simat left the meeting, the time being 8:28pm.

**QWN 15 Local Rate for Brookfield Avenue Werrington Downs 6503/4 Part 14**

Councillor Kevin Crameri requested a Report to Council on the possibility of a local rate for Werrington Downs in relation to the Brookfield Avenue Landcom Land and the options for resolution of this issue.

**QWN 16 Illegal Advertising on Great Western Highway, Kingswood 4129/5 Part 5**

Councillor Greg Davies requested a memo reply to all Councillors on correspondence received alleging “illegal advertising” on the Great Western Highway, Emu Plains.

Councillor Steve Simat returned to the meeting, the time being 8:31pm.

**QWN 17 Drainage Issues at Great Western Highway and George Street, Kingswood GE/02**

Councillor David Bradbury requested an Urgent Report to Council on the progress of investigations into the drainage issues affecting residents on the Northern side of the Great Western Highway, Kingswood, in the vicinity of George Street.

**COMMITTEE OF THE WHOLE**

724 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kevin Crameri the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 8:32pm.

- 1 Presence of the Public

CW1 RESOLVED on the motion of Councillor Jackie Greenow seconded Councillor Kevin Crameri that the press and public be excluded from Committee of the Whole to deal with the following matters:

*City as an Economy*

- 2 Former Council Chambers Precinct - Belmore & Station Streets Penrith 950/62**

*This item has been referred to Committee of the Whole as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in open meeting would be, on balance, contrary to the public interest.*

*Leadership and Organisation*

- 3 Cranebrook Village Shopping Centre - Security Arrangements 959/9**

*This item has been referred to Committee of the Whole as the report refers to commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret and discussion of the matter in open meeting would be, on balance, contrary to the public interest.*

- 4 Senior Staff Matters 909/91 Pt9**

*This item has been referred to Committee of the Whole as the report refers to personnel matters concerning particular individuals and discussion of the matter in open meeting would be, on balance, contrary to the public interest.*

The meeting resumed at 8:51pm and the Legal Officer reported that the Committee of the Whole met at 8:32pm on Monday 6 March 2006, the following being present

His Worship the Mayor Councillor John Thain, Councillors Jim Aitken OAM, Kaylene Allison, David Bradbury, Kevin Crameri OAM, Greg Davies, Mark Davies, Ross Fowler, Jackie Greenow, Karen McKeown, Garry Rumble, Pat Sheehy AM, and Steve Simat, and the Committee of the Whole excluded the press and public from the meeting for the reasons set out in CW1 and that the Committee of the Whole submitted the following recommendations to Council.

**CONFIDENTIAL BUSINESS**

- 2 Former Council Chambers Precinct - Belmore & Station Streets Penrith 950/62**

RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Ross Fowler  
 CW2 That:

1. The information contained in the report on Former Council Chambers

Precinct - Belmore & Station Streets Penrith be received

2. Council agree to offer for sale to the Minister for Commerce, proposed Lot 1121 having an area of 2,500 m<sup>2</sup> on the corner of Station and Belmore Streets in accordance with terms and conditions 1-21 as outlined in the report.
3. A further report be presented to Council outlining the Department of Commerce's response to these conditions.

**3 Cranebrook Village Shopping Centre - Security Arrangements 959/9**

RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Ross Fowler

CW3 That the information contained in the report on Cranebrook Village Shopping Centre - Security Arrangements be received.

**4 Senior Staff Matters 909/91 Pt9**

RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Pat Sheehy

CW4 That the recommendations of the Senior Staff Recruitment / Review Committee be adopted.

**ADOPTION OF COMMITTEE OF THE WHOLE**

725 RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Ross Fowler the recommendation contained in the Committee of the Whole and shown as CW1 to CW4 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 8:53pm.

I certify that these 11 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on Monday 6 March 2006.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date