

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

**ON MONDAY 15 MAY 2006 AT 7:03PM**

**NATIONAL ANTHEM AND PRAYER**

The meeting opened with the National Anthem and Prayer read by Reverend Neil Checkley.

**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, Lexie Cettolin, Kevin Crameri OAM, Greg Davies, Mark Davies, Ross Fowler, Jackie Greenow, Karen McKeown, Susan Page, Pat Sheehy AM, and Steve Simat.

**APOLOGIES**

796 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Pat Sheehy that apologies be accepted from Councillors David Bradbury and Garry Rumble.

**CONFIRMATION OF MINUTES - Ordinary Meeting - 1 May 2006**

797 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Steve Simat that the minutes of the Ordinary Meeting of 1 May 2006 be confirmed.

**DECLARATIONS OF INTEREST**

Councillor Ross Fowler declared a Pecuniary Interest in Item 24 – Revitalisation of Dunheved Business Park, as he is the Auditor, Director or Accountant for many adjoining or affected property owners in the area, and took no part in the debate or voting on the matter.

**SUSPENSION OF STANDING ORDERS**

798 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Steve Simat that Standing Orders be suspended to allow members of the public to address the meeting, the time being 7:05pm.

**Mr Phil Carbins**

*Item 15 Proposed Revised Final Landform, Enviroguard Erskine Park Landfill at Lot 4, 5 (Parts 2 and 3) and 6 DP 1094504 Quarry Road, Erskine Park. Applicant: Enviroguard Pty Limited; Owner: Enviroguard Pty Limited & CSR Limited*

*Speaking FOR the Recommendation*

Mr Carbins was speaking as a representative of the Owner and Applicant, Enviroguard Pty Ltd.

Mr Carbins provided a summary of the key points of the Development Application and the Environmental Impact Statement, which included:

- Final Profile
- Visual Impact
- Operational Timeframe
- Environmental Management
- Traffic Volumes
- Rehabilitation
- Post Closure Responsibility

RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Jim Aitken that an extension of time be granted, the time being 7:10pm.

Mr Carbins concluded by outlining the financial assurances against the site.

**Mr Angelo De Angelis**

*Item 34 Variation of the restriction to use the land at to Lot 41 DP 270417 (No. 13) Portrush Crescent, Luddenham. Applicant: Residential Logistics Pty Limited; Owner: Mr & Mrs De Angelis.*

***Speaking AGAINST the Recommendation***

Mr De Angelis stated that he is speaking as the owner of the property.

Mr De Angelis started by expressing his appreciation that His Worship the Mayor, Councillor John Thain and Councillors Jim Aitken, Pat Sheehy and Greg Davies made a site inspection of the property to assist in the determination of this matter.

Mr De Angelis stated that the Twin Creeks developer has supported the point encroachment as only 5% of the dwelling will be located in front of the required setback, and that the encroachment is due to a recessed grass easement.

Mr De Angelis stated that even though all 12 development applications that have been submitted for the area have been compliant with the setbacks, this should not have an effect on his situation as his block is of an irregular shape compared to the others, being much wider than it is deep.

Mr De Angelis stated that he does not agree with Council's assertion that the minor encroachment is not in the public interest. He continued, stating that no objections were received during the notification periods and has the support of the developer of Twin Creeks.

In closing, Mr De Angelis requested that Council approve the minor encroachment as:

- The Twin Creeks Developer has approved the 5% encroachment due to the shape of the Lot;
- The DA was advertised and no public objections were received;
- The request by Council to submit a variation to the Section 88B restriction has been complied with;
- The adjoining properties (Lot 46 and 40) have setbacks inconsistent with the aesthetics of the area;
- And that Council is not taking each case on its merit and is clearly "planning by numbers".

Mr De Angelis requested that Council approve the application based on merit.

Mr De Angelis concluded by once again thanking the Councillors for attending a site meeting at his property in an attempt to resolve the request for the variation.

## **RESUMPTION OF STANDING ORDERS**

799 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Karen McKeown that Standing Orders be resumed, the time being 7:18pm.

## **REPORTS OF COMMITTEES**

### **1 Report and Recommendations of Local Traffic Committee 1 May 2006**

800 RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Karen McKeown that the recommendations contained in the Report and Recommendations of the Local Traffic Committee Meeting Held on 1 May 2006 be adopted.

## **MASTER PROGRAM REPORTS**

### **THE CITY IN ITS BROADER CONTEXT**

#### **1 Outcomes from the Local Government & Shires Association Tourism Conference held in Penrith 29-31 March 2006**

801 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Ross Fowler

That:

1. The information contained in the report on Outcomes from the Local Government & Shires Association Tourism Conference held in Penrith 29-31 March 2006 be received.
2. Lesley Edwards, Operations Manager of Muru Mittigar Aboriginal Cultural Centre, be congratulated on winning the Rod Murdoch award for the best individual contribution to local tourism.

#### **2 Penrith Valley Cultural Precinct - Expressions of Interest for Memorial Hall**

802 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Ross Fowler

That:

1. The information contained in the report on Penrith Valley Cultural Precinct - Expressions of Interest for Memorial Hall be received
2. Fee proposals be invited from
  - Tonkin Zulaikha Greer Architects
  - Suters Architects
  - Collard Architects
  - Caldis Cook Group

- Integrated Design Associates
- Baker Kavanagh Architects
- Lahznimmo Architects

3. A further report be submitted to Council on recommending a preferred architect/specialist.

#### **4 City Centres' Vitality and Viability Review - Landcom Involvement**

803 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Ross Fowler

That:

1. The information contained in the report on City Centres' Vitality and Viability Review - Landcom Involvement be received.
2. Landcom be thanked for their interest in working with Council to progress Council's strategic directions for the City Centres.
3. Council engage Landcom as its agent for the Riverlink project and endorse Council and Council officer participation with Landcom and Panthers in the structure planning process.
4. Landcom's involvement in the Penrith City Centre Commercial project is welcomed and subject to arrangements with the Department of Planning Regional City Taskforce.
5. Landcom's involvement in the St Marys Renewal project is welcomed and subject to discussions with the Department of Housing.
6. Further reports be brought to Council on each of these projects.

#### **3 Regional Infrastructure Levies**

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

That:

1. The information contained in the report on Regional Infrastructure Levies be received
2. A further report be brought back to Council once the final details of the Government's Infrastructure Levies are released.

#### **THE CITY AS A SOCIAL PLACE**

##### **5 Assistance Towards Amateur Sportspersons and Representatives in the fields of Art, Music, Culture - Overseas and Interstate Travel**

805 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Pat Sheehy

That the information contained in the report on Assistance Towards Amateur Sportspersons and Representatives in the fields of Art, Music, Culture - Overseas and Interstate Travel be received.

**6 Naming of a Park in Cambridge Park**

806 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Pat Sheehy

That:

1. The information contained in the report on Naming of a Park in Cambridge Park be received
2. Council approve the naming of the park "Cambridge Park Lions Club Reserve".

**7 Naming of Jim Anderson Room in Nth St Marys Neighbourhood Centre**

807 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Pat Sheehy

That:

1. The information contained in the report on the Naming of the Jim Anderson Room in North St Marys Neighbourhood Centre be received
2. Council endorse the naming of the large meeting room in the North St Marys Neighbourhood Centre the "Jim Anderson Room".

**8 Successful Grant Applications under the Castlereagh Community Fund**

808 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Pat Sheehy

That the information contained in the report on Successful Grant Applications under the Castlereagh Community Fund be received.

**10 Development of Sporting fields at St Clair High School**

809 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Pat Sheehy

That:

1. The information contained in the report on Development of Sporting fields at St Clair High School be received
2. Council contribute \$33,000 into the project allocated from the Grant Funded Project's Reserve.

**11 PLANS for Pathways In Identified District Parks**

810 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Pat Sheehy

That:

1. The information contained in the report on PLANS for Pathways In Identified District Parks be received
2. Council endorse the following works to pathways in the City's district parks:
  - 2.1 South Creek Park, St Marys - replace the existing brick pavement from the Gross Pollutant Trap with a two and a half metre path adjacent to the car park, through to the Great Western Highway

- 2.2 Tench Reserve, Jamisontown - dedicated off road 2 metre cycle lane linkage from the M4 cycle way ramp along the eastern side of Tench Avenue together with a crossing to link up with the existing shared pathway just south of the property south of the Nepean Shores development (approximately 740m).

## **12 Margaret Farm**

811 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Pat Sheehy

That:

1. The information contained in the report on Margaret Farm be received
2. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

## **13 Tamara Children's Centre Extensions - Update on Design and Costs**

812 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Pat Sheehy

That:

1. The information contained in the report on Tamara Children's Centre Extensions - Update on Design and Costs be received
2. That Option Two be advanced to tender stage and a further report be submitted to Council regarding project funding.

## **15 Proposed Revised Final Landform, Enviroguard Erskine Park Landfill at Lot 4, 5 (Parts 2 and 3) and 6 DP 1094504 Quarry Road, Erskine Park. Applicant: Enviroguard Pty Limited; Owner: Enviroguard Pty Limited & CSR Limited**

**DA05/1740**

813 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Pat Sheehy

That:

1. The information contained in the report on Proposed Revised Final Landform, Enviroguard Erskine Park Landfill at Lot 4, 5 (Parts 2 and 3) and 6 DP 1094504 Quarry Road, Erskine Park be received
2. The development application 05/1740 for the Proposed Revised Final Landform, Enviroguard Erskine Park Landfill at Lot 4, 5 (Parts 2 and 3) and 6 DP 1094504 Quarry Road, Erskine Park, be approved subject to the following conditions:

### **Standard Conditions**

- 2.1 A001 (with reference to the EIS and additional letters provided to the EPA. See EPA GTA's – "Administrative Conditions, Section 1 Information supplied to the EPA"), A005 (EPA & DNR), D001 (replace "erosion and sediment control plan" with "soil and water management plan"), D005, D06A (include EPA accredited auditor section), L007, L008

### **Special Conditions**

- 2.2 The development shall comply with those conditions set down by the Department of Environment and Conservation and the Department of Natural Resources
- 2.3 A Landscape Plan, drawn by an appropriately qualified person and strictly in accordance with Council's *Landscape Development Control Plan* and the *Biodiversity Restoration Plan For Erskine Park Release Area*, prepared by Greening Australia, shall be submitted to Council for written approval of the Manager Development Assessment, within 12 months from the date of this consent

At the time of approval of the Landscape Plan, a monetary bond shall be lodged with Penrith City Council for an amount equivalent to the cost of implementing the approved Landscape Plan and maintenance for a period of 12 months after planting.

- 2.4 A copy of the Site Closure and Post Closure plans required by the EPA licence are to be submitted to Council within 12 months from the date of this consent. Copies of future revised and approved plans are to be provided to Penrith City Council
- 2.5 Those areas used, or previously used, for the storage of concrete and bitumen shall be remediated strictly in accordance with State Environmental Planning Policy No.55 – Remediation of Land
- 2.6 An amended Site Rehabilitation and Environmental Management Plan (the Plan) is to be submitted to Penrith City Council and prepared to Council's satisfaction prior to the commencement of the development. The Plan is to be consistent with the EPA/DEC approved Landfill Environmental Management Plan, is to address the environmental aspects of the development and is to include details on the environmental management practices and controls to be implemented on site. The Plan must be prepared by a suitably qualified person/s, in consultation with the relevant authorities and agencies (e.g. Department of Environment and Conservation and the Department of Natural Resources) and is to address but is not limited to the following:
- Water quality
  - Wastewater management
  - Stormwater management and drainage
  - Noise control
  - Waste management including solid and liquid waste
  - Vehicle movements
  - Chemical storage, transport, spill contingency and response
  - Erosion and sediment control
  - Air quality including odour and dust control
  - Environmental monitoring

- Site rehabilitation

All activities on the site are to be implemented and managed in accordance with the Plan. The Plan is to incorporate a review process that involves the consultation of Penrith City Council and other relevant authorities to ensure that it reflects current environmental best practice, standards and legislation. Penrith City Council must be satisfied with any changes prior to the amendment of the Plan. The Plan shall be submitted every 12 months.

- 2.7 An annual environmental performance report is to be prepared and a copy submitted to Penrith City Council for consideration at the end of June each year (the first report is due at the end of June 2007). The report shall address the environmental issues, implemented pollution control strategies and monitoring programmes as outlined in the Site Rehabilitation and Environmental Management Plan. The report is also to address compliance with the conditions of this consent
- 2.8 A copy of the Vegetation Management Plan (VMP) and Soil and Water Management Plan (SWMP) approved by the Department of Natural Resources (DNR) is to be provided to Council prior to the commencement of the development. The VMP and SWMP are to be implemented to the satisfaction of DNR and Council
- 2.9 A copy of the Landfill Environmental Management Plan (LEMP) approved by the Environment Protection Authority (part of the Department of Environment and Conservation) is to be provided to Council prior to the commencement of the development. Copies of future revised and approved LEMP's are to be provided to Penrith City Council
- 2.10 All conditions of consent from DA 163/92 shall be complied with throughout the lifetime of the operations and until such time as a Statement of Completion is issued for the site by the Department of Environment and Conservation.

**16 Variation to the restriction on the use of land at Lot 26 DP1051616 (No. 4) Cedar Court, Glenmore Park. Applicant: W Pankanin & R**

**Pankanin; Owner: W Pankanin & R Pankanin**

**DA06/0182**

814 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Pat Sheehy

That:

1. The information contained in the report on Variation to the restriction on the use of land at Lot 26 DP1051616 (No. 4) Cedar Court, Glenmore Park be received
2. The restriction on the use of the land at Lot 26 DP1051616 No. 4 Cedar Court, Glenmore Park be varied to allow construction of the retaining walls in the location shown on plans lodged with development application DA06/0182 and the Common Seal of Penrith City Council be affixed to all necessary documentation.



**17 Variation to restriction on the use of land applying to Lot 2 DP 843354  
(No. 33) Woodi Close, Glenmore Park 333785**

815 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Pat Sheehy

That:

1. The information contained in the report on Variation to restriction on the use of land applying to Lot 2 DP 843354 (No. 33) Woodi Close, Glenmore Park be received
2. The terms of restriction on the use of the land, secondly referred to in the Section 88B Instrument of the Conveyancing Act 1919, applying to each of the allotments with DP 843354, and in particular Lot 2 DP 843354 (No. 33) Woodi Close, Glenmore Park, be removed upon receipt of an application to extinguish the restriction
3. The Common Seal of Penrith City Council be affixed to all necessary documentation to vary the covenant.

**18 Music Scholarships**

816 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Pat Sheehy

That:

1. The information contained in the report on Music Scholarships be received
2. Council advise the Nordoff-Robbins Music Therapy Australia Ltd that it is prepared to support two (2) annual Scholarships of \$1,000 each to be awarded to students from the Penrith LGA attending the Golden Stave Music Therapy Centre at UWS following selection on the basis of financial grounds
3. Council advise the Department of Housing that it supports a partnership with the Department to fund one (1) annual music scholarship (instrument or voice) at the Penrith Conservatorium of Music to the value of \$1320, as outlined in the report.
4. These Music Scholarships be funded from the surplus identified and be included in the Draft 2006/07 Management Plan and subsequent Plans on a recurrent basis.

**9 Integration of the City's Principal Cultural Facilities**

817 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Steve Simat

That:

1. The information in the report title Integration of the City's Principal Cultural Facilities be received
2. Council endorse the merging of the two Boards in accordance with this report
3. Council approve of the Amendment to the Constitution of the Joan Sutherland Performing Arts Centre Board (Penrith Bicentennial Performing Arts Centre Limited) as attached to this report (subject to approval of the present Joan

Sutherland Board), and that there be four (4) Councillor Directors.

4. Directors of the Joan Sutherland Performing Arts Centre and the Penrith Regional Gallery Boards be provided with a copy of this report and the decision of the Council
5. Process for the selection of the new Penrith Performing and Visual Arts Limited Board (the proposed new management structure) be commenced in accordance with this report and that the existing Board members be informed that they can apply for a position to the new Board
6. Council nominate Councillors Jackie Greenow, Karen McKeown, Pat Sheehy and Ross Fowler to assist the process of recommending to Council the appointment of Directors to the Penrith Performing and Visual Arts Limited.
7. That part of the Draft composition of the proposed company be changed to read "Ten (10) other appointed members, who shall not be Councillors of the Council, but one of which may be the Director General of the Ministry for the Arts, Sport and Recreation or nominee".

**14 Tender Process for the Proposed Glenmore Park Child & Family Precinct**

818 RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Karen McKeown that the information contained in the report on Tender Process for the Proposed Glenmore Park Child & Family Precinct not be received.

**34 Variation of the restriction to use the land at Lot 41 DP 270417 (No. 13)**

**Portrush Crescent, Luddenham. Applicant: Residential Logistics;**

**Owner: Mr & Mrs De Angelis**

**DA05/1855**

819 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Steve Simat

That:

1. The information contained in the report on Variation of the restriction to use the land at Lot 41 DP 270417 (No. 13) Portrush Crescent, Luddenham be received
2. That the request to vary the front setback as required by the restriction on the use of land fourteenthly referred to in the Section 88B Instrument attended to Lot 41 DP 270417 (No. 13) Portrush Crescent, Luddenham not be supported as:
  - 2.1 It would be likely to have a significant impact on the unique character of the estate
  - 2.2 There is opportunity to propose a building design that satisfies these restrictions
  - 2.3 To approve the request would create an unreasonable precedent likely to undermine the designed landscape and visual character of the estate

- 2.4 The development is inconsistent with Council's Local Environmental Plan 201 Rural Land and the Luddenham Equestrian Estate Development Control Plan
- 2.5 The proposed variation is not in the public interest
3. The restriction on the use of the land relating to the rear setback at Lot 41 DP 270417 (No. 13) Portrush Crescent, Luddenham be varied to allow construction of an inground swimming pool in the location shown on plans lodged with the request for variation and the Common Seal of Penrith City Council be affixed to all necessary documentation.
4. That any future requests for a setback variation be given Council's Common Seal under the following circumstances:
  - 4.1 The site is not located on the residential/golf course interface
  - 4.2 The proposed pool maintains a minimum setback of 5m from the rear boundary
  - 4.3 The applicant can adequately demonstrate that the pool can be integrated into the landscaping in an acceptable manner
  - 4.4 The application is notified to the adjoining property owners
5. A meeting be convened between Council Officers and the Applicant to discuss a resolution to the request for variation.

## **THE CITY IN ITS ENVIRONMENT**

### **19 Grant Received from Australian Government Community Water Grant towards the rehabilitation of Jamison Creek**

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

That:

1. The information contained in the report on Grant Received from Australian Government Community Water Grant towards the rehabilitation of Jamison Creek be received.
2. Council accept the Government Community Water Grant from the Minister for the Environment and Heritage and from the Minister for Fisheries, Forestry and Conservation
3. Letters of appreciation be forwarded to the relevant Ministers.

### **20 Draft Plan of Management for Weir Reserve - Penrith**

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

That:

1. The information contained in the report on Draft Plan of Management for Weir Reserve - Penrith be received.

2. The Draft Plan of Management of Weir Reserve be prepared and exhibited in accordance with the provisions of the Local Government Act 1993.
3. A final report be submitted to Council after the exhibition period seeking approval of the Plan of Management.

## **21 Completion of the Gipps Street Landfill Rehabilitation**

822 RESOLVED on the MOTION of Councillor Steve Simat seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Completion of the Gipps Street Landfill Rehabilitation be received
2. A budget, funded from the Waste Reserve, be established within the 06/07 Major Project Model in accordance with the levels suggested in this report for the ongoing maintenance of the site, the development of a master plan and completion of the final topsoil layer
3. The budget for the current year be varied to account for the additional costs to finalise the current contract for the rehabilitation works.

## **22 Update of activities by the Western Sydney Alliance**

823 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kevin Crameri

That:

1. The information contained in the report on Update of activities by the Western Sydney Alliance be received
2. Council continue its participation in the Western Sydney Alliance in 2006/2007
3. A budget of \$12,000 be provided for Council's contribution to the Alliance in 2006/2007.

## **THE CITY AS AN ECONOMY**

Having previously declared a Pecuniary Interest in Item 24, Councillor Ross Fowler left the meeting the time being 7:47pm.

## **24 Revitalisation of Dunheved Business Park**

824 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Steve Simat

That:

1. The information contained in the report on Revitalisation of Dunheved Business Park be received
2. Council continue to work in partnership with the Dunheved Business Park Committee, Lend Lease and the RTA to explore the range of issues identified

in the report.

3. A letter of thanks be forwarded to David Trist for the work he has undertaken with this matter.

Councillor Ross Fowler returned to the meeting the time being 7:48pm.

**25 Funding for developing a Business Plan for the City's business incubation program**

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

That:

1. The information contained in the report on Funding for developing a Business Plan for the City's business incubation program be received
2. Council approve \$25,000 from matching grants reserve to fund the study.

**23 Council bid to host the 2007 Sustainable Economic Growth for Regional Australia [SEGRA] conference**

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

That:

1. The information contained in the report on Council bid to host the 2007 Sustainable Economic Growth for Regional Australia [SEGRA] conference be received
2. Council authorise that a submission be made to host the 2007 SEGRA conference in Penrith on the proviso that Council may need to underwrite Conference costs to the value of \$27,500 in the 2007-08 budget
3. Council authorise that the 2007 Sir Ian Turbott lecture be built into the Conference and funding of \$15,000 for the lecture form part of the sponsorship package
4. Councillors John Thain, Karen McKeown, Susan Page, Jackie Greenow, Mark Davies, Lexie Cettolin and Jim Aitken to attend the 2006 Sustainable Economic Growth for Regional Australia [SEGRA] Conference to be held in Launceston from 28-30 August 2006.
5. Councillors John Thain, Karen McKeown, Susan Page, Jackie Greenow, Mark Davies, Lexie Cettolin and Jim Aitken be granted Leave of Absence for the period of the conference, being 28-30 August 2006.

**LEADERSHIP AND ORGANISATION**

**26 Summary of Investments & Banking for the period 29 March 2006 to 25 April 2006.**

827 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Mark

Davies

That:

1. The information contained in the report on Summary of Investments & Banking for the period 29 March 2006 to 25 April 2006. be received
2. The Certificate of the Responsible Accounting Officer and Summary of Investments and Performance for the period 29 March 2006 to 25 April 2006 be noted and accepted.
3. The graphical investment analysis as at 25 April 2006 be noted.

**27 City Operations Directorate Report to end April 2006**

828 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Mark Davies

That the information contained in the report on City Operations Directorate Report to end April 2006, be received.

**29 Annual Insurance Renewals - Liability and Industrial Special Risk**

829 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Mark Davies

That:

1. The information contained in the report on Annual Insurance Renewals - Liability and Industrial Special Risk be received
2. Council retain its \$100,000 claims excess for Public Liability and agree to pay a contribution of \$866,000 to Westpool for liability cover
3. Council adopt a \$20,000 claims excess for Industrial Special Risk and General Property cover and agree to pay a contribution of \$295,000 to United Independent Pools.

**30 2005-06 Borrowing Program**

830 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Mark Davies

That the information contained in the report on 2005-06 Borrowing Program be received.

**31 Review of American Express Cards as a payment method for Council Services**

831 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Mark Davies

That:

1. The information contained in the report on Review of American Express Cards as a payment method for Council Services. be received
2. Council cease accepting American Express cards for payment of Council services from the 1 July 2006.

**32 Strategic Alliances Conference**

832 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Mark Davies that the information contained in the report on the Strategic Alliances Conference be received.

**35 2006 GST Compliance Certificate**

833 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Mark Davies

That:

1. The information contained in the report on 2006 GST Compliance Certificate be received
2. The Mayor, Deputy Mayor, General Manager and Chief Financial Officer be granted delegate authority to sign the 2006 GST Compliance Certificate pending the outcome of the PricewaterhouseCoopers review
3. The finding of the PricewaterhouseCoopers review be reported to Council.

**28 2006 Local Government Association Conference**

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

That:

1. The information contained in the report on 2006 Local Government Association Conference be received
2. Councillors Kaylene Allison, Susan Page, Karen McKeown, Kevin Crameri, Greg Davies, Jackie Greenow, and Mark Davies be Council's delegates to the 2006 LGA Conference to be held in Leura from 29 October – 1 November 2006
3. Councillors Ross Fowler, Lexie Cettolin, Jim Aitken, Steve Simat and Pat Sheehy be observers at the LGA Conference
4. Council sponsor up to three (3) Aboriginal observers, nominated by the Deerubbin Local Aboriginal Land Council, to attend the LGA Conference.
5. Councillors Kaylene Allison, Susan Page, Karen McKeown, Kevin Crameri, Greg Davies, Jackie Greenow, Mark Davies, Ross Fowler, Lexie Cettolin, Jim Aitken, Steve Simat and Pat Sheehy be granted Leave of Absence for the period of the conference, being 29 October – 1 November 2006.

**33 2005-2006 Management Plan - March Quarter Review**

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

That:

1. The information contained in the report on the 2005-2006 Management Plan - March Quarter Review be received
2. The 2005-2006 Management Plan Review as at 31 March 2006, including the revised estimates identified in the recommended budget, be adopted
3. The proposed budget reallocations and amendments to tasks detailed in the report be adopted.

#### **QUESTIONS WITHOUT NOTICE**

##### **QWN 1 Penrith Valley Attractions**

Councillor Greg Davies requested that the Life Education Centre at St Marys be added to any promotional materials produced by Council for Tourist Attractions in Penrith Valley as it has the largest known work of art by the late Pro Hart on permanent display.

##### **QWN 2 Penrith RAMS AFL Club**

Councillor Pat Sheehy requested that \$2000 from each Ward Voted Works (Total \$6000) be provided to the Penrith RAMS AFL Club for the provisions of 3 dugout shelters at Greygums Oval.

836 RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Lexie Cettolin 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.

837 RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Lexie Cettolin that \$2000 from each Ward Voted Works (Total \$6000) be provided to the Penrith RAMS AFL Club for the provisions of 3 dugout shelters at Greygums Oval.

##### **QWN 3 Park in Bedford Street and Walkers Cres, Emu Plains**

Councillor Jim Aitken requested that \$10000 from South Ward Voted Works be allocated to provide play equipment in the park in Bedford Street and Walkers Crescent, Emu Plains.

838 RESOLVED on the MOTION of Councillor Jim Aitken 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.

839 RESOLVED on the MOTION of Councillor Jim Aitken seconded Councillor Karen McKeown that \$10000 from South Ward Voted Works be allocated to provide play equipment in the park in Bedford Street and Walkers Crescent, Emu Plains.

##### **QWN 4 Footbridge - Schoolhouse Creek**

Councillor Jim Aitken requested a report to Council on the replacement of the footbridge over School House Creek. The report is to detail when and how the footbridge will be replaced.

##### **QWN 5 Leave of Absence**

Councillor Jim Aitken requested leave of absence for the period 27 May 2006 to 20 June 2006



inclusive.

840 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Ross Fowler 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.

841 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Ross Fowler that leave of absence be granted to Councillor Jim Aitken for the period 27 May 2006 to 20 June 2006 inclusive.

**QWN 6 Belar Place Carpark, St Marys**

Councillor Steve Simat requested that increased patrols by the Rangers be carried out around Belar Place Carpark, St Marys as there has been a large amount of illegal dumping in the area.

**QWN 7 Belar Carpark Street Lighting**

Councillor Steve Simat requested a memo reply on the light pole located in Belar Place Carpark (opposite Merinda Street), St Marys. The light pole has been non-operational for some time. The memo is to outline when the light pole will be fixed.

**QWN 8 Vietnam Veterans Women's Support Group - CAP Grants**

Councillor Kevin Crameri requested a memo reply to all Councillors on whether funding is available to the Vietnam Veterans Women's Support Group from the CAP Grants.

**QWN 9 Sale of Snowy Hydro Scheme**

Councillor Kevin Crameri requested an urgent report to Council on the Sale of the Snowy Hydro Scheme and if this matter should be presented as a motion to the LGA conference.

842 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Lexie Cettolin 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.

843 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Lexie Cettolin that an urgent report be presented to Council on the Sale of the Snowy Hydro Scheme and if this matter should be presented as a motion to the LGA conference.

**QWN 10 Grass near and about Post Office Road and Castlereagh Primary School**

Councillor Lexie Cettolin requested that the grass on the roadsides near and about Post Office Road and Castlereagh Primary School be mowed as it is overgrown, and that this area be added to a regular mowing cycle as it is dangerous for traffic and pedestrians.

**QWN 11 Footpath Forrester Road to South Creek**

Councillor Kevin Crameri requested a report to Council on the provision of a footpath from

the St Marys Leagues Club on Forrester Road, St Marys to South Creek. This area is the missing link in the footpath and is a danger to pedestrians and traffic, especially at night.

**QWN 12 Western Sydney Academy of Sport**

Councillor Pat Sheehy tabled a progress report from the Western Sydney Academy of Sport.

**QWN 13 M4 fence near the Lake, Glenmore Park**

Councillor Jim Aitken requested that Council notify the RTA of a large hole in the chain link fence located on the M4 near the lake in Glenmore Park, and request that it be urgently repaired. Pedestrians are using the hole in the fence to access or cross the M4, which is extremely dangerous for both pedestrians and traffic.

Councillor Greg Davies left the meeting the time being 8:05pm, and did not return.

**COMMITTEE OF THE WHOLE**

RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Ross Fowler that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 8:05pm.

1 Presence of the Public

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

*City Supported by Infrastructure*

2 **Unauthorised Landfill at Lots 32-40 Strathdon Road, Emu Heights**

*This item has been referred to Committee of the Whole as the report refers to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in open meeting would be, on balance, contrary to the public interest.*

*City as an Economy*

3 **Former Council Chambers Precinct - Belmore & Station Streets Penrith**

*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.*

The meeting resumed at 8:27pm and the General Manager reported that the Committee of the Whole met at 8:05pm on Monday 15 May 2006, the following being present

His Worship the Mayor Councillor John Thain, Councillors Jim Aitken OAM, Kaylene

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Allison, Lexi Cettolin, Kevin Crameri OAM, Mark Davies, Ross Fowler, Jackie Greenow, Karen McKeown, Susan Page, 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 Unauthorised Landfill at Lots 32-40 Strathdon Road, Emu Heights**

**RECOMMENDATION**

CW2 That the information contained in the report on Unauthorised Landfill at Lots 32-40 Strathdon Road, Emu Heights be received.

**3 Former Council Chambers Precinct - Belmore & Station Streets Penrith**

**RECOMMENDATION**

CW3 That:

1. The information contained in the report on Former Council Chambers Precinct - Belmore & Station Streets Penrith be received
2. Council approve the sale of the site in accordance with the terms and conditions 1-13 as shown in italics as outlined within the report.
3. Council to be informed as to the progress concerning the development of the site.

**ADOPTION OF COMMITTEE OF THE WHOLE**

844 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Steve Simat that the recommendation contained in the Committee of the Whole and shown as CW1 to CW3 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 8:29pm.

I certify that these 19 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 15 May 2006.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date