

CONFIRMED MINUTES

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

ON MONDAY 4 SEPTEMBER 2006 AT 7:04PM

NATIONAL ANTHEM

The meeting opened with the National Anthem.

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.

PRAYER

The Council Prayer was read by the Rev Neil Checkley.

PRESENT

His Worship the Mayor Councillor John Thain, Councillors Jim Aitken OAM, David Bradbury (arrived at 7:16 pm), Lexie Cettolin, Kevin Crameri OAM, Greg Davies, Mark Davies, Jackie Greenow, Karen McKeown, Susan Page, Garry Rumble, Pat Sheehy AM, and Steve Simat (arrived at 7:33 pm).

APOLOGIES

1035 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Pat Sheehy that apologies be accepted for Councillors Kaylene Allison, David Bradbury and Steve Simat.

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Ross Fowler for the period 3 September 2006 to 25 September 2006 inclusive.

CONFIRMATION OF MINUTES - Ordinary Meeting - 21 August 2006

1036 RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Kevin Crameri that the minutes of the Ordinary Meeting of 21 August 2006 be confirmed.

DECLARATIONS OF INTEREST

Councillor Pat Sheehy declared a non-pecuniary interest in *Item 5 - Penrith Whitewater Stadium*, as he is a Director on the Board of the Penrith Whitewater Stadium.

Councillor Karen McKeown declared a non-pecuniary interest in *Item 5 - Penrith Whitewater Stadium*, as she is a Director on the Board of the Penrith Whitewater Stadium.

His Worship the Mayor, Councillor John Thain, declared a pecuniary interest in *Item 9 - Longwall Mining at locations within the Nepean River Catchment*, as he is employed by a company that deals with BHP Billiton, and announced that he would not take part in debate on this matter and would vacate the Chair.

SUSPENSION OF STANDING ORDERS

1037 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Pat Sheehy that Standing Orders be suspended to allow members of the public to address the meeting, the time being 7:08 pm.

Mr Kenneth Barratt

*Item 6 Draft Amendment to Penrith Development Control Plan 2006 Section 6.3
Claremont Meadows Stage 2*

Speaking AGAINST the Recommendation

Mr Barratt was speaking as an affected resident.

Mr Barratt expressed his disagreement with the subdivision and resumption of land for this purpose.

Mr Barratt addressed the matter of the buffer zone to Cumberland Woodland, enquiring as to the need for such an extensive buffer.

Mr Barratt stated his concern that the area where his present home is located is considered to be a 'flood zone', and that this would effectively prevent him from demolishing the house and rebuilding in the same location.

Mr Donald William Lawless

Item 3 of Committee of the Whole Business Paper

Property Matter - Lease of Part of the Former Council Chambers Building to North St Marys Neighbourhood Centre on behalf of Nepean Interyouth Services

*Speaking on behalf of North St Marys Neighbourhood Centre
and Nepean Interyouth Services*

Mr Lawless was speaking as a representative (Chairman) of the North St Marys Neighbourhood Centre.

Mr Lawless referred to the Centre's letter to Council, dated 13 April 2006, seeking a reduction in rent for their use of the premises at the corner of Henry and Station Streets, Penrith, from which they provide the Nepean Interyouth Services program.

Mr Lawless provided a brief history of the organisation's relationship with Council, and the services that have been provided at this location by the North St Marys Neighbourhood Centre. He reminded Council of the almost 50% reduction in funding from the Department of Family and Community Services, for the two projects that the Centre provided from the

Penrith address, adding that the Jobs Placement Employment and Training (JPET) had originated from the North St Marys Social Plan and was ongoing.

Mr Lawless concluded by seeking Council's reduction of the rental by 50%, to enable the organisation to continue operating this service for the disadvantaged young people of Penrith.

Councillor David Bradbury arrived at the meeting, the time being 7:16 pm.

RESUMPTION OF STANDING ORDERS

1038 RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Karen McKeown that Standing Orders be resumed, the time being 7:19 pm.

MAYORAL MINUTES

1 Recognition of Aisha Poole, Waste Education Officer

1039 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Jackie Greenow that the Mayoral Minute on Recognition of Aisha Poole, Waste Education Officer be received.

2 2006 Penrith Rotary Mayoral Charity Ball

1040 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Jackie Greenow that the Mayoral Minute on 2006 Penrith Rotary Mayoral Charity Ball be received.

3 Signing of Friendship Agreement between Penrith City and Lachlan Shire

1041 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Jackie Greenow that the Mayoral Minute on Signing of Friendship Agreement between Penrith City and Lachlan Shire be received.

Councillor Steve Simat arrived at the meeting, the time being 7:33 pm.

4 Congratulations to St Marys Band Club on 50 years of promoting music in Penrith City

1042 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Jackie Greenow that the Mayor Minute on Congratulations to St Marys Band Club on 50 years of promoting music in Penrith City be received.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Disability Access Committee Meeting held on 2 August 2006

1043 RESOLVED on the MOTION of Councillor Lexie Cettolin seconded Councillor Jackie Greenow that the recommendations contained in the Report and Recommendations of the Disability Access Committee meeting held on 2 August, 2006 be adopted.

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MASTER PROGRAM REPORTS

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LEADERSHIP AND ORGANISATION

Council's Auditor, Mr Dennis Banicevic, a Director of PriceWaterhouse Coopers, addressed the meeting and gave a short presentation on Council's Annual Financial Statements. He said the Statements show Penrith Council to be in a sound financial position and that they demonstrate a high standard of financial reporting.

1 2005-06 Annual Statements

1044 RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Steve Simat

That:

1. The information contained in the report on 2005-06 Annual Statements be received.
2. Pursuant to S415 it is the Council's opinion that:
 - a. The financial statements and schedules have been drawn up in accordance with the Local Government Act 1993 and Regulations, the Local Government Code of Accounting Practice and Financial Reporting, the Local Government Asset Accounting Manual, and Australian Accounting Standards. The Code requires a phasing in of the new accounting requirements
 - b. Apart from the non-recognition of land under roads as required by the phasing process, the statements comply with Australian Statements of Accounting Concepts
 - c. The financial statements present fairly the Council's financial position as at 30 June 2006 and the operating result for the year then ended
 - d. The statements are in accord with Council's accounting and other records.
3. Pursuant to clause 21 of the Local Government Financial Management Regulation it is the Council's opinion that:
 - a. The accompanying Special Purpose Financial report has been drawn up in accordance with the Local Government Act 1993 and Regulations, the Local Government Code of Accounting Practice and Financial Reporting, and the requirements of National Competition Policy. The Code requires the inclusion of various charges and subsidies which are not actually paid or payable
 - b. The report is a special purpose report and is not required to comply with Australian Accounting Standards. The above legislative requirements differ from Australian Accounting Standards and hence the report does not comply with Australian Accounting Standards.
 - c. The financial statements present a modelled scenario for comparative purposes. They do not report an actual result.
4. Council confirms its endorsement of the budget in the knowledge that some of its business activities are not making commercial returns. The existence of notional subsidies represents Council's commitment to its community service obligations.
5. The Statements be forwarded to Council's Auditors.
6. Abandonments for 2006 as detailed be written off.
7. The balance of stores and materials be adjusted in the stores and materials registers in accordance with the various write-offs.

8. The allocation of the budget surplus is considered as part of the September quarterly review.

THE CITY IN ITS BROADER CONTEXT

2 State Plan

1045 RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Kevin Cramer

That:

1. The information contained in the report on State Plan be received.
2. Council make a formal submission to the exhibition of the draft State Plan based on the commentary and recommendations outlined in the report.

THE CITY AS A SOCIAL PLACE

5 Penrith Whitewater Stadium

1046 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Garry Rumble

That:

1. The information contained in the report on Penrith Whitewater Stadium be received.
2. Council advance \$60,188 from internal reserves to Penrith Whitewater stadium in expectation of the loan repayments due from Australian Canoeing.
3. Council make an agreement with Penrith Whitewater Stadium that the repayments for the loan with Australian Canoeing are forwarded to Council as they are received.
4. Council advance \$65,000 to Penrith Whitewater Stadium to be added to the current loan agreement.
5. A new loan repayment schedule is provided to Penrith Whitewater Stadium.

6 Draft Amendment to Penrith Development Control Plan 2006 Section 6.3 Claremont Meadows Stage 2

1047 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Garry Rumble

That:

1. The information contained in the report on Draft Amendment to Penrith Development Control Plan 2006 Section 6.3 Claremont Meadows Stage 2 be received.
2. In accordance with the Environmental Planning and Assessment Act 1979 and the Regulations 2000, a draft amendment to Penrith DCP 2006 Chapter 6 Section 6.3 Claremont Meadows Stage 2 Development Control Plan be publicly exhibited.
3. A further report be presented to Council, following exhibition of the draft amendment to Penrith Development Control Plan 2006 Chapter 6 Section 6.3 Claremont Meadows Stage 2, advising of the outcomes of the exhibition, and consideration of formal adoption of the amendments.

**7 Variation of Restrictive Covenant applying to Lot 100 DP 1058901
(No.81) Regentville Road, Jamisontown. Applicant: David Roberts
Architects Pty Ltd; Owner: Penrith Automotive Pty Ltd**

DA04/2605

1048 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Garry Rumble

That:

1. The information contained in the report on Variation of Restrictive Covenant applying to Lot 100 DP 1058901 (No.81) Regentville Road, Jamisontown be received.
2. The terms of the restriction on the use of the land referred to in the Section 88B Instrument of the Conveyancing Act 1919 applying to Lot 100 DP 1058901, be varied in part as detailed in the application to extinguish the restriction.
3. The Common Seal of Penrith City Council be affixed to all necessary documentation to vary the covenant.

**8 Variation of Restrictive Covenant applying to Lot 2002 DP 1022422
(No. 18) Cassar Crescent, Cranebrook. Applicant: Joanna Hull;
Owner: Joanna Hull**

DA06/0284

1049 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Garry Rumble

That:

1. The information contained in the report on Variation of Restrictive Covenant applying to Lot 2002 DP 1022422 (No. 18) Cassar Crescent, Cranebrook be received.
2. The terms of the restriction on the use of land secondly referred to in the Section 88B Instrument of the Conveyancing Act 1919 applying to Lot 2002 DP 1022422 (No. 18) Cassar Crescent, Cranebrook be varied as detailed in the report.
3. The Common Seal of Penrith City Council be affixed to all necessary documentation to vary the covenant.

3 Establishment of Additional Off Leash Areas for Dogs and Closure of Boronia Park Off Leash Area

1050 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Kevin Cramer

That:

1. The information contained in the report on Establishment of Additional Off Leash Areas for Dogs and Closure of Boronia Park Off Leash Area be received.
2. Suitable advertisements be placed in the local papers advertising that it is proposed to establish an additional off leash area in Boundary Road, Cranebrook, Jamison Park, South Penrith and the closure of the off leash area at Boronia Park, St Marys and to establish an off leash area at Poplar Park, St Marys.
3. A further report be provided to Council after advertising and public comments are received.
4. The further report include comments from the Waste and Community Protection Manager on the possible impact of the Jamison Park Off Leash Area on the existing users of the park, particularly adjacent Racecourse Road.

4 Removal of Play Equipment

1051 RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Kevin Cramer

That:

1. The information contained in the report on Removal of Play Equipment in the park adjacent to Illawong Avenue, Kingswood Park be received.
2. The play equipment be removed from the park adjoining Illawong Avenue, Kingswood Park.
3. A further report be provided, detailing existing play equipment in Kingswood Park and providing a specific timeframe for the replacement of the play equipment to be removed.

THE CITY IN ITS ENVIRONMENT

Having previously declared a pecuniary interest in Item 9, His Worship the Mayor, Councillor John Thain, left the meeting, and the Deputy Mayor, Councillor Jackie Greenow, took the Chair, the time being 7:55 pm.

9 Longwall Mining at locations within the Nepean River Catchment

1052 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Karen McKeown

That:

1. The information contained in the report on Longwall Mining at locations within the Nepean River Catchment be received.
2. Council write to the NSW Premier, Minister for Planning and Minister for Natural Resources, Primary Industries and Mineral Resources expressing its strong opposition to any consideration of approval for any mining activity that places the Nepean River at risk.

The Mayor returned to the meeting, the time being 8:00 pm, and took the Chair.

10 Adoption of Plan of Management for Weir Reserve

1053 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Kevin Cramer

That:

1. The information contained in the report on Adoption of Plan of Management for Weir Reserve be received.
2. Council adopt the Plan of Management for Weir Reserve in accordance with the provisions of the Local Government Act.
3. Public notice be given of Council's decision to adopt the Plan of Management for Weir Reserve.
4. A further report be presented to Council detailing the risk management measures taken in relation to the construction of the bridge/boardwalk at the confluence of Peachtree Creek and the Nepean River.

THE CITY AS AN ECONOMY

- 17 Development Application 05/1929 for proposed commercial development and basement car parking at Lot 110 DP 707681 (No. 331) High Street, Penrith. Applicant: Fiuggi Holdings Pty Limited; Owner: Fiuggi Holdings Pty Limited DA05/1929**

1054 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jim Aitken

That:

1. The information contained in the report on Development Application 05/1929 for proposed commercial development and basement car parking at Lot 110 DP 707681 (No. 331) High Street, Penrith be received.
2. Development Application 05/1929 be granted Consent subject to the standard and non-standard conditions listed below:

Standard Conditions

- 2.1 A001 (Approved Plans), A011 (Engineering Works DCP), A017 (DA for use), A019 (Occupation Certificate), A026 (Advertising Sign), A038 (Lighting locations), A039 (Graffiti), B001 (Demolition of existing structures), B002 (AS for demolition and disposal to approved landfill site), B003 (Asbestos), B004 (Dust), B005 (Mud/soil), B006 (Hours of work for demolition), D001 (Implement approved sediment and erosion control measures), D007 (Filling of land), D009 (Covering of waste storage area), D010 (Appropriate disposal of excavated or other waste), D025 (Stormwater disposal), E01A (BCA Compliance for Class 2-9), E002 (BCA compliance), E006 (Disabled access and facilities), E008 (Fire safety list with Construction Certificate), E009 (Annual Fire Safety-Essential Fire Safety Class 2-9 buildings), G002 (Section 73 Certificate), G004 (Integral Energy), H001 (Stamped plans & erection site notice 2 (class 2-9), H002 (All forms of construction), H011 (Engineering plans & specifications), H022 (Survey), H025 (Construction of garbage rooms), H041 (Hours of work for construction), I003 (Roads Act approval 1), K001 (Engineering Works DCP), K003 (Drainage Design), K004 (Easement creation), K016 (Stormwater), K019 (Connection to Council's system), K026 (Stabilised access), K037 (Maintenance Bond), P002 (Fees associated with Council land), Q001 (Notice of Commencement & Appointment of PCA1), Q003 (Compliance Certificates Engineering), Q006 (Occupation Certificate for Class 2-9)

Non Standard Conditions

- 2.2 A detailed Construction Management Plan shall be submitted for written approval to Council's Traffic Engineer prior to the issue of a Construction Certificate
- 2.3 A Waste Management Plan shall be submitted for approval by Council prior to the issue of the Construction Certificate. The Waste Management Plan shall amend, if necessary, the area of the garbage room to ensure that it satisfactorily caters for the garbage needs of the development. The garbage room shall have dimensions, layout and provide capacity that is consistent with Council's Waste Management Development Control Plan. The

Waste Management Plan is to also detail the method and process of collection

- 2.4 The front façade of the building shall be amended to include a horizontal granite element at the bottom of the 'pop-out' section. Details and amended plans to be submitted to Council prior to the issue of a Construction Certificate
- 2.5 Proposed and future proposed roof plant is to be screened at all times so that it is obscured from viewed from outside the site
- 2.6 Access to the roof shall be limited for maintenance purposes only
- 2.7 No advertising or logos are to be installed above the ground level awning in any elevation throughout the life of the development without Council approval
- 2.8 A maximum of 40% coverage of windows on the ground floor is to be used for display of signage
- 2.9 Prior to occupation, lighting for the development is to be provided in the following manner:
- a) Street awnings attached to the development shall be fitted with under awning lighting
 - b) Entrances and exits to the building and the basement car park shall be well lit
 - c) Lighting shall be vandal resistant
 - d) Lighting shall not be positioned in a manner that causes glare to approaching pedestrians

Written approval is to be obtained from Council prior to the issue of a Construction Certificate for the proposed measures.

- 2.10 Prior to occupation, treatment to the basement car parking area is to be provided in the following manner:
- a) All surfaces are to be painted in light coloured paint
 - b) All potential entrapment points are to be eliminated Adequate lighting and mirrors shall be used where possible
 - c) An intercom security system shall be installed in both levels of the car park

Written approval is to be obtained from Council prior to the issue of a Construction Certificate for the proposed measures

- 2.11 The building shall achieve a 4.5 star energy efficiency performance Australian Building Greenhouse Rating (ABGR). Certification is to be provided to Council prior to the issue of a

Construction Certificate

2.12 The car park and ramp are to be designed according to the requirements of the current Australian Standard AS2890. Plans are to show the following information:

- i vehicular swept paths and dimensions of clear manoeuvring areas
- ii a longitudinal section through the centre line of the ramp, showing ramp grades and suitable transition at changes of grades
- iii drainage pits and pipes
- iv a pavement design prepared by a suitably qualified Engineer

A Compliance Certificate shall be submitted to Council prior to the issue of an Occupation Certificate. A work as executed plan and written verification stating that all driveway pavements as built will perform to the criteria set down by the designing Engineer and the work has been constructed in accordance with the Construction Certificate shall also be submitted prior to the issue of an Occupation Certificate

2.13 Access to the lower car park level is to be restricted to tenant employee parking only. Provision is to be made to ensure that vehicles do not access the ramp from opposite ends at the same time (this may be mechanical or electronic). Controlled access shall also be provided on the upper car parking level to ensure that 33 spaces are accessible to the general public

2.14 The provision of plumbing and maintenance of a rainwater tank/s of minimum 15,000L capacity is to be provided on site and in accordance with the requirements of the National Plumbing and Drainage Code AS/NZS 3500. The rainwater tank must be located in such a position as to maximise rainwater collection and shall include, but not be limited to, the retention of water on-site incorporating first flow diversion devices fixed to all inflows, provided with a functioning pressure pump, and plumbed to service all toilets. The tank must be controlled such that supplemental flows from domestic mains do not take place until the tank is at least 80% empty. The overflow from the tank/s is to be gravity drained to Council's street gutter drainage system

Details are to be submitted to Council for written approval prior to the issue of a Construction Certificate

2.15 Roof water must be diverted to the rainwater storage tank prior to its disposal to Council's street gutter drainage system

- 2.16 The applicant must supply Council with a dilapidation report for the adjoining properties, which documents and photographs the condition of buildings and improvements. The report must be submitted to Council prior to issue of the Construction Certificate and will be made available by Council in any private dispute between the neighbours regarding damage arising from site and construction works
- 2.17 The applicant must supply Council with a dilapidation report for Council's infrastructure, which documents and photographs the condition of any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs or any other Council assets in the vicinity of the development
- 2.18 Prior to the issue of the Occupation Certificate, suitable street trees are to be planted along the High Street frontage of the building. Council's Landscape Architect must be consulted to determine the details of the proposed species, size, number and placement of the trees. Paving around the trees shall be in accordance with Council's Paving Specification for Asphalt "Pavement Texturing"
- 2.19 Prior to the issue of the Occupation Certificate, high quality unit pavers are to be provided along the High Street frontage, and any other paved sections of the proposal. Council's Landscape Architect must be consulted to determine the details of the paving specifications.
- 2.20 This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for the Penrith City Centre Car Parking. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$65,465.00 is to be paid prior to a Construction Certificate being issued for this development (the rates are subject to a quarterly review). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.
- The attached schedule should accompany the contribution payment.
- The Section 94 Contributions Plan for Penrith City Centre Car Parking may be inspected at Council's Civic Centre, 601 High Street, Penrith.
- 2.21 This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for the Penrith City Centre Traffic Management. Based on the current rates detailed

in the accompanying schedule attached to this Notice, \$158,907.00 is to be paid prior to a Construction Certificate being issued for this development (the rates are subject to a quarterly review). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

The attached schedule should accompany the contribution payment.

The Section 94 Contributions Plan for Penrith City Centre Traffic Management may be inspected at Council's Civic Centre, 601 High Street, Penrith.

3. Those persons who made a written submission during the assessment period be advised of Council's decision.
4. That \$75,000 be allocated to the construction of additional parking in Belmore Street from the Parking Reserve.
5. A report be urgently provided on proposals for parking generated by various contributions.

THE CITY SUPPORTED BY INFRASTRUCTURE

11 Footpath Improvement Program

1055 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor David Bradbury

That:

1. The information contained in the report on Footpath Improvement Program be received.
2. An updated list and map of the path paving program be provided to all Councillors.
3. No adjustment of the list be made without the approval of Council.

12 Richmond/Blacktown Road Upgrade

1056 RESOLVED on the MOTION of Councillor Kevin Crameri seconded Councillor Pat Sheehy

That:

1. The information contained in the report on Richmond/Blacktown Road Upgrade be received.
2. The local State Members of Parliament be requested to lobby the Minister for Roads to urgently undertake the upgrade the intersections of St Marys Road and Blacktown Road, and Llandilo Road and Richmond Road.
3. A letter be written to Hawkesbury City Council, advising of Penrith City Council's decision in this matter.

LEADERSHIP AND ORGANISATION

13 Financial Assistance Grant

1057 RESOLVED on the MOTION of Councillor Susan Page seconded Councillor Kevin Crameri that the information contained in the report on Financial Assistance Grant be received and Council's budget be adjusted accordingly.

14 National Risk Management Conference

1058 RESOLVED on the MOTION of Councillor Susan Page seconded Councillor Kevin Crameri that the information contained in the report on the RMIA National Risk Management Conference be received.

15 2006 National General Assembly of Local Government

1059 RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Jackie Greenow

That:

1. The information contained in the report on 2006 National General Assembly of Local Government be received.
2. Councillor Susan Page be Council's voting delegate for the 2006 National General Assembly of Local Government.
3. Councillor Jim Aitken also attend as an observer at the 2006 National General Assembly of Local Government.
4. The 3 motions detailed in the report be submitted for inclusion in the 2006 Australian Local Government Association National General Assembly Business Paper.

16 Grassroots Sustainability Conference and 2006 Japan Local Government Centre (CLAIR) Forum

1060 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Pat Sheehy

That:

1. The information contained in the report on the Grassroots Sustainability Conference and 2006 Japan Local Government Centre (CLAIR) Forum be received.
2. Councillor Kevin Crameri attend the Grassroots Sustainability Conference as Council's representative.
3. A letter of congratulations be sent to CLAIR on the success of the programs they have conducted in partnership with Council.

QUESTIONS WITHOUT NOTICE

QWN 1 Cleaning of High Street, Penrith

Councillor Jim Aitken requested that the footpaths in High Street, in the area between Higgins Street west to the Henry and High Streets intersection, be cleaned of chewing gum and other stains.

QWN 2 Leave of Absence

Councillor Garry Rumble requested Leave of Absence from 6 September 2006 to 28 September 2006 inclusive.

1061 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Jim Aitken 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.

1062 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Jim Aitken that Leave of Absence be granted to Councillor Garry Rumble from 6 September 2006 to 28 September 2006 inclusive.

QWN 3 St Marys Spring Festival

Councillor Jackie Greenow requested that a letter of thanks be sent to the Public Domain staff who worked at the St Marys Spring Festival, and a letter of congratulations be sent to the Organising Committee.

COMMITTEE OF THE WHOLE

1063 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Pat Sheehy that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 8:33 pm.

1 Presence of the Public

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

City as an Economy

2 Property Matter

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.

Leadership and Organisation

3 Property Matter - Lease of Part of the Former Council Chambers Building to North St Marys Neighbourhood Centre on behalf of Nepean Interyouth Services

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 8:45 pm and the General Manager reported that the Committee of the Whole met at 8:33 pm on Monday 4 September 2006, the following being present

His Worship the Mayor Councillor John Thain (**not present for consideration of Item 3**), Councillors Jim Aitken OAM, David Bradbury, Lexie Cettolin, Kevin Crameri OAM, Greg Davies, Mark Davies, Jackie Greenow, Karen McKeown, Susan Page, 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

His Worship the Mayor, Councillor John Thain, declared a non-pecuniary interest in Item 3, as he is a member of the North St Marys Neighbourhood Centre Management Committee, and left the meeting. The Deputy Mayor, Councillor Jackie Greenow took the Chair, the time being 8:34 pm.

3 Property Matter - Lease of Part of the Former Council Chambers Building to North St Marys Neighbourhood Centre on behalf of Nepean Interyouth Services

1064 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jim Aitken

CW3 That:

1. The information contained in the report on Property Matter - Lease of Part of the Former Council Chambers Building to North St Marys Neighbourhood Centre on behalf of Nepean Interyouth Services be received.
2. Council approve the new rental figure to Nepean Interyouth Services as outlined in the summary of the report.
3. Council write to the Federal Minister for Employment and Workforce Relations, expressing concern at the reduction in JPET's funding to the Nepean Interyouth Services.

The Mayor returned to meeting, the time being 8:37 pm, and took the Chair.

2 Property Matter

1065 RESOLVED on the MOTION of Councillor Steve Simat seconded Councillor Garry Rumble

CW2 That:

1. The information contained in the report on Property Matter be received.
2. The recommendation as proposed in the annexure to the Property Development Manager's report be adopted.

ADOPTION OF COMMITTEE OF THE WHOLE

RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Jim Aitken that the recommendations contained in the Committee of the Whole and shown as CW2 and CW3 be adopted.

There being no further business the Chairperson declared the meeting closed, the time being 8:46 pm.

I certify that these 17 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 4 September 2006.

Chairperson	Date
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