

9 November 2006

Dear Councillor,

In pursuance of the provisions of the Local Government Act, 1993 and the Regulations thereunder, notice is hereby given that an **EXTRAORDINARY MEETING** of Penrith City Council is to be held in the Council Chambers, Civic Centre, 601 High Street, Penrith on Monday 13 November 2006, following the Policy Review Committee Meeting.

Attention is directed to the statement accompanying this notice of the business proposed to be transacted at the meeting.

Yours Faithfully

**Alan Travers**  
General Manager

### ***BUSINESS***

- 1. APOLOGIES**
- 2. LEAVE OF ABSENCE**  
**Leave of absence has been granted to:**  
*Councillor Ross Fowler - 10 November 2006 to 17 November 2006 inclusive.*
- 3. CONFIRMATION OF MINUTES**  
*Minutes of the Ordinary Meeting of Monday 6 November 2006 will be confirmed at the next Ordinary Meeting on Monday 20 November 2006.*
- 4. DECLARATIONS OF INTEREST**  
*Pecuniary Interest (The Act requires Councillors who declare a pecuniary interest in an item to leave the meeting during discussion of that item)*  
*Non-Pecuniary Interest*
- 5. ADDRESSING THE MEETING**
- 6. MAYORAL MINUTES**
- 7. NOTICES OF MOTION**
- 8. ADOPTION OF REPORTS AND RECOMMENDATION OF COMMITTEES**
- 9. MASTER PROGRAM REPORTS**
- 10. URGENT REPORTS (to be dealt with in the master program to which the item relates)**
- 11. QUESTIONS WITHOUT NOTICE**
- 12. COMMITTEE OF THE WHOLE**  
*Commerical Matter – Expressions of Interest*



**EXTRAORDINARY COUNCIL MEETING**

**MONDAY 13 NOVEMBER 2006**

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**DECLARATIONS OF INTEREST**

**COMMITTEE OF THE WHOLE**



# **Statement of Recognition of Penrith City's Aboriginal and Torres Strait Islander Cultural Heritage**

Council values the unique status of Aboriginal people as the original owners and custodians of lands and waters, including the land and waters of Penrith City.

Council values the unique status of Torres Strait Islander people as the original owners and custodians of the Torres Strait Islands and surrounding waters.

We work together for a united Australia and City that respects this land of ours, that values the diversity of Aboriginal and Torres Strait Islander cultural heritage, and provides justice and equity for all.





## MEETING CALENDAR

February 2006 - December 2006

	TIME	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
		Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon
<b>Ordinary Meetings</b>	<b>7.00 pm</b>	6	6	3	1❖	5	3	7	4✓	9	6	4
		20 #+			15 #	19*	17	21#+	18 25^	23	20 #	11
<b>Policy Review Committee</b>	<b>7.00 pm</b>	27	20@		22	26	24	14	11@	16	13	

# Meetings at which the Management Plan quarterly reviews are presented.

#+ General Manager's presentation – half year and end of year review

@ Strategic Program progress reports (only business)

❖ Meeting at which the Draft Management Plan is adopted for exhibition

\* Meeting at which the Management Plan for 2006/2007 is adopted

✓ Meeting at which the 2005/2006 Annual Statements are presented

^ Election of Mayor/Deputy Mayor (only business)

- Council has two Ordinary Meetings per month where practicable.
- Extraordinary Meetings are held as required.
- Policy Review Meetings are held monthly where practicable.
- Members of the public are invited to observe meetings (Ordinary & Policy Review) of the Council.

Should you wish to address Council, please contact the Public Officer, Glenn McCarthy on 47327649.



# **PENRITH CITY COUNCIL**

## **Procedure for Addressing Meetings**

Anyone can request permission to address a meeting, providing that the number of speakers is limited to three in support of any proposal and three against.

Any request about an issue or matter on the Agenda for the meeting can be lodged with the General Manager or Public Officer up until 12 noon on the day of the meeting.

Prior to the meeting the person who has requested permission to address the meeting will need to provide the Public Officer with a written statement of the points to be covered during the address in sufficient detail so as to inform the Councillors of the substance of the address and a written copy of any questions to be asked of the Council in order that responses to those questions can be provided in due course.

In addition, prior to addressing the meeting a person addressing Council or Committee will be informed that they do not enjoy any privilege and that permission to speak may be withdrawn should they make inappropriate comments.

It should be noted that speakers at meetings of the Council or Committee do not have absolute privilege (parliamentary privilege). A speaker who makes any potentially offensive or defamatory remarks about any other person may render themselves open to legal action.

Prior to addressing the meeting the person will be required to sign the following statement:

“I (name) understand that the meeting I intend to address on (date) is a public meeting. I also understand that should I say or present any material that is inappropriate, I may be subject to legal action. I also acknowledge that I have been informed to obtain my own legal advice about the appropriateness of the material that I intend to present at the above mentioned meeting”.

Should a person fail to sign the above statement then permission to address either the Council or Committee will not be granted.

The Public Officer or Minute Clerk will speak to those people who have requested permission to address the meeting, prior to the meeting at 6.45pm.

It is up to the Council or Committee to decide if the request to address the meeting will be granted.

Where permission is to be granted the Council or Committee, at the appropriate time, will suspend only so much of the Standing Orders to allow the address to occur.

The Chairperson will then call the person up to the lectern or speaking area.

The person addressing the meeting needs to clearly indicate:

- Their name;
- Organisation or group they are representing (if applicable);
- Details of the issue to be addressed and the item number of the report in the Business Paper;
- Whether they are opposing or supporting the issue or matter (if applicable) and the action they would like the meeting to take;
- The interest of the speaker (e.g. affected person, neighbour, applicant, applicants spokesperson, interested citizen etc).

Each person then has five minutes to make their address. Those addressing Council will be required to speak to the written statement they have submitted. Permission to address Council is not to be taken as an opportunity to refute or otherwise the points made by previous speakers on the same issue.

The Council or Committee can extend this time if they consider it appropriate, however, everyone needs to work on the basis that the address will be for five minutes only.

Councillors may have questions about the address so people are asked to remain at the lectern or in the speaking area until the Chairperson has thanked them.

When this occurs, they should then return to their seat.

Glenn McCarthy  
**Public Officer**  
02 4732 7649

October 2006

**COMMITTEE OF THE WHOLE  
MASTER PROGRAM REPORTS**

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**Pecuniary Interests**

**Other Interests**

**Monday November 13 2006**

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## **1 Presence of the Public**

Everyone is entitled to attend a meeting of the Council and those of its Committees of which all members are Councillors, except as provided by Section 10 of the Local Government Act, 1993.

A Council, or a Committee of the Council of which all the members are Councillors, may close to the public so much of its meeting as comprises:

- (a) the discussion of any of the matters listed below; or
- (b) the receipt or discussion of any of the information so listed.

The matters and information are the following:

- (a) personnel matters concerning particular individuals;
- (b) the personal hardship of any resident or ratepayers;
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business;
- (d) commercial information of a confidential nature that would, if disclosed:
  - prejudice the commercial position of the person who supplied it; or
  - confer a commercial advantage on a competitor of the Council; or
  - reveal a trade secret.
- (e) information that would, if disclosed, prejudice the maintenance of the law;
- (f) matters affecting the security of the Council, Councillors, Council staff or Council property;
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.

The grounds must specify the following:

- (a) the relevant provision of section 10A(2);
- (b) the matter that is to be discussed during the closed part of the meeting;
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a

trade secret) an explanation of the way in which discussion of the matter in open meeting would be, on balance, contrary to the public interest.

Members of the public may make representations at a Council or Committee Meeting as to whether a part of a meeting should be closed to the public

The process which should be followed is:

- a motion, based on the recommendation below, is moved and seconded
- the Chairperson then asks if any member/s of the public would like to make representations as to whether a part of the meeting is closed to the public
- if a member/s of the public wish to make representations, the Chairperson invites them to speak before the Committee makes its decision on whether to close the part of the meeting or not to the public.
- if no member/s of the public wish to make representations the Chairperson can then put the motion to close the meeting to the public.

The first action is for a motion to be moved and seconded based on the recommendation below.

## **RECOMMENDATION**

That:

### ***City in its Broader Context***

#### **2 Commercial Matter - Expressions of Interest**

*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.*

