

CONFIRMED MINUTES

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

ON MONDAY 20 NOVEMBER 2006 AT 7:06 PM

NATIONAL ANTHEM

The meeting opened with the National Anthem.

STATEMENT OF RECOGNITION

His Worship the Mayor, Councillor Pat Sheehy AM 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 Pat Sheehy AM, Councillors Jim Aitken OAM, Kaylene Allison, David Bradbury (arrived at 7:35 pm), Lexie Cettolin, Kevin Crameri OAM, Greg Davies, Mark Davies, Ross Fowler, Jackie Greenow, Karen McKeown, Susan Page, Garry Rumble and John Thain.

APOLOGIES

1166 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Karen McKeown that apologies be accepted for Councillors David Bradbury and Steve Simat.

CONFIRMATION OF MINUTES - Ordinary Meeting - 6 November 2006

1167 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Ross Fowler that the minutes of the Ordinary Meeting of 6 November 2006 be confirmed.

CONFIRMATION OF MINUTES - Extraordinary Council Meeting - 13 November 2006

1168 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Greg Davies that the minutes of the Extraordinary Council Meeting of 13 November 2006 be confirmed.

DECLARATIONS OF INTEREST

Councillor Greg Davies declared a non-pecuniary interest in *Item 11 - 2007 Western Sydney Industry Awards*, as he is an employee of the Member for Mulgoa, who is also the Minister for Western Sydney. He announced that he would not vacate the Chamber and would reserve the right to take part in the debate and voting.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Local Traffic Committee Meeting held on 6 November 2006

1169 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Jackie Greenow that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 6 November, 2006 be adopted.

2 Report and Recommendations of the Policy Review Committee Meeting of 13 November 2006

1170 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Kaylene Allison that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 13 November, 2006 be adopted.

MASTER PROGRAM REPORTS

LEADERSHIP AND ORGANISATION

1 2006-2007 Management Plan - September Quarter Review

1171 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Jackie Greenow

That:

1. The information contained in the report on the 2006-2007 Management Plan - September Quarter Review be received.
2. The 2006-2007 Management Plan Review as at 30 September 2006, including the revised estimates identified in the recommended budget, be adopted.
3. The recommended reallocations to projects and amendments to tasks detailed in the report be adopted.
4. Additional funding of \$22,500 be made available to the Penrith Valley Economic Development Corporation for the 2006-07 financial year, as part of the September Quarter Review.

THE CITY AS A SOCIAL PLACE

3 City Operations Directorate Report to end October 2006

1172 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Ross Fowler that the information contained in the report on City Operations Directorate Report to end October 2006, be received.

4 Draft Penrith Valley Community Safety Plan 2007-2010

1173 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Ross Fowler

That:

1. The information contained in the report on the development of the Draft Penrith Valley Community Safety Plan 2007-2010 be received.
2. Council support the exhibition of the Draft Penrith Valley Community Safety Plan during the period 24th November 2006 to 21st December 2006.
3. A further report be submitted to Council, advising of the public comment received during the exhibition period, and seeking approval to submit the Penrith Valley Community Safety Plan 2007-2010 to the NSW Attorney General for endorsement as a Community Safety Compact.

5 Grant Application - 2006/2007 WSAAS Funding Round

1174 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Ross Fowler

That:

1. The information contained in the report on Grant Application - 2006/2007 WSAAS Funding Round be received.
2. Council endorse the grant application for the 2006/07 WSAAS funding round.

6 NSW Pre-School Investment and Reform Plan - Viability Funding

1175 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Ross Fowler

That:

1. The information contained in the report on NSW Pre-School Investment and Reform Plan - Viability Funding be received.
2. Council endorse the submission of the Pre-school Investment and Reform Plan - Viability Funding for the following services:

Gumbirra Pre-School	Total	\$340,771
Koolyangarra Pre-School	Total	\$436,197
Mountains to Meadows	Total	\$298,811
Cooinda Pre-School	Total	\$383,670
Grays Lane Pre-School	Total	\$283,717
Tandara Pre-School	Total	\$335,106
St Marys Pre-School	Total	\$387,825
Rainbow Cottage Pre-School	Total	\$699,893
Grand Total		\$3,165,990

7 Extensions & Alterations to Tamara Children's Centre, Hosking Street, Cranebrook - Tender 13-06/07

1176 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Ross Fowler

That:

1. The information contained in the report on Extensions & Alterations to Tamara Children's Centre, Hosking Street, Cranebrook - Tender 13-06/07 be received.
2. Council accept the tender of Onyx Building & Maintenance Services in the amount of \$571,541 for extensions and alterations to Tamara Children's Centre, Cranebrook.
3. The Building Services Manager be authorised to execute any necessary documentation.

2 Naming of a park in Werrington Downs

1177 RESOLVED on the MOTION of Councillor Lexie Cettolin seconded Councillor John Thain

That:

1. The information contained in the report on Naming of a park in Werrington Downs be received.
2. Council endorse the naming of the park bounded by Brookfield Avenue, Greenbank Drive, Parkside Avenue and Bungalow Parade, Werrington Downs to 'Jim Anderson Park' and make application to the Geographical Names Board for the official gazetting.
3. Following gazettal, an official naming ceremony be held at the park.

Councillor Mark Davies left the meeting, the time being 7:29 pm.

Councillor Mark Davies returned to the meeting, the time being 7:30 pm.

8 Feasibility of a Botanic Garden in the City of Penrith

A MOTION was MOVED by Councillor Garry Rumble seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on the Feasibility of a Botanic Garden in the City of Penrith be received.
2. In light of the recognition of Penrith being a Regional City, the following task be added to the 2006/2007 Management Plan:

A detailed analysis be undertaken of the feasibility of establishing a botanic garden in Penrith City.

1178 An AMENDMENT was MOVED by Councillor Greg Davies seconded Councillor Ross Fowler:

That:

1. The information contained in the report on the Feasibility of a Botanic Garden in the City of Penrith be received.
2. A further report be presented to Council detailing the process and estimated costs of undertaking a feasibility study into the possible establishment of a Botanic Garden in the City of Penrith.

Upon being PUT to the meeting, the AMENDMENT was CARRIED and on becoming the MOTION was also CARRIED.

THE CITY IN ITS ENVIRONMENT

9 Greenhouse Purchasing Action Plan and Sustainable Purchasing

Supply Policy

1179 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Kevin Cramer OAM

That:

1. The information contained in the report on Greenhouse Purchasing Action Plan and Sustainable Purchasing Supply Policy be received.
2. Council adopt the Sustainable Purchasing Supply Policy.
3. Council adopt the Greenhouse Purchasing Action Plan.

Councillor David Bradbury arrived at the meeting, the time being 7:35 pm.

10 Pesticide Notification Plan

1180 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Kevin Cramer OAM

That:

1. The information contained in the report on Pesticide Notification Plan be received.
2. The Draft Notification Plan be exhibited for the prescribed time period of 28 days.
3. A final report be submitted to Council after the exhibition period seeking final approval of the Plan.

THE CITY AS AN ECONOMY

11 2007 Western Sydney Industry Awards

1181 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Garry Rumble

That:

1. The information contained in the report on 2007 Western Sydney Industry Awards be received.
2. Council approve gold sponsorship of the Awards to the value of \$22,000.
3. The additional funding to be allocated from the Local Economic Development Program budget (\$2,000) and the balance (\$12,000) from the budget surplus as part of the September financial review.

THE CITY SUPPORTED BY INFRASTRUCTURE

12 Rural Fire Service Vehicles and Equipment

1182 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Garry Rumble

That:

1. The information contained in the report on Rural Fire Service Vehicles and Equipment be received.
2. A submission be made to the Local Government and Shires Associations informing them that Council is in general agreement with the transfer of ownership of such assets to the NSW Rural Fire Service.

13 Parking Options in Penrith CBD

1183 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Garry Rumble

That:

1. The information contained in the report on Parking Options in Penrith CBD be received.
2. Council approve the construction of additional temporary carparks in Woodriff Street, and at the corner of Station Street and Derby Street, with funding in the amount of \$80,000 provided from the Carparking/Traffic Facilities Reserve.
3. Council contribute \$12,000 from the Carparking/Traffic Facilities Reserve to the Penrith City Centre Association for the operation of the second free shuttle bus, to operate between 27 November and 23 December 2006.
4. Investigations be carried out on the costs and management options for the provision of decked carparking in Union Road and Soper Place carparks and the extension options for Judges Place deck carpark as detailed in the report, including the provision of paid parking controls.
5. A further report be submitted to Council on the outcome of the PCCA shuttle bus trial.
6. 174 2-hour car parking spaces in Union Road carpark and 123 2-hour carparking spaces in Soper Place carpark be converted to 3-hour carparking spaces as detailed in the report.
7. A further report be presented to Council addressing the future need for adequate parking in the Penrith CBD, particularly in shopping areas.

LEADERSHIP AND ORGANISATION

14 Standard & Poors Credit Rating

1184 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Jim Aitken OAM that the information contained in the report on Standard & Poors Credit Rating be received.

15 Summary of Investments & Banking for the period 1 October 2006 to 30 October 2006

1185 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Summary of Investments & Banking for the period 1 October 2006 to 30 October 2006 be received
2. The Certificate of the Responsible Accounting Officer and Summaries of Investments and Performance for the period 1 October 2006 to 30 October 2006 be noted and accepted
3. The graphical investment analysis as at 30 October 2006 be noted

16 Service Specifications Program

1186 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Service Specifications Program be received.
2. The Specification for the Council and Executive Support Service be adopted.

17 2005-2006 Annual Report

1187 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on 2005-2006 Annual Report be received.
2. The draft Corporate Annual Report be endorsed and forwarded to the Minister for Local Government via the Department of Local Government.

19 Eco Procura Conference 2006

1188 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Jim Aitken OAM that the information contained in the report on Eco Procura Conference 2006 be received.

18 2006 Local Government Association Conference

1189 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Greg Davies

That:

1. The information contained in the report on 2006 Local Government Association Conference be received.
2. Council write to the Local Government Association, regarding the structure of the conference program, and requesting more time to vote on motions.

QUESTIONS WITHOUT NOTICE

QWN 1 Victoria Bridge

Councillor Garry Rumble requested a memo reply concerning the lack of removal of graffiti from the Victoria Bridge, by the RTA, at the western end in particular.

QWN 2 Traffic Calming - Glenmore Park

Councillor Garry Rumble requested a memo reply concerning status on the provision of traffic calming devices in the vicinity of all child care centres around Glenmore Park.

QWN 3 Land in Caddens Road - Riding for the Disabled

Councillor Garry Rumble requested an update on a report to Council, which was to investigate the possibility of (*Department of Planning*) land in Caddens Road being used by Riding for the Disabled and Nepean Pony Club.

QWN 4 Lewers Gallery

Councillor Garry Rumble requested a memo reply concerning the apparent proposed operation of a new café at the Lewers Gallery, and if the existing kitchen was being operated in conjunction with the café.

QWN 5 Expressions of Interest - Arthur Neave Tennis Complex

Councillor Garry Rumble requested a report to Council on the outcome of expressions of interest for the management of the Arthur Neave Tennis Complex.

QWN 6 South Penrith Library

Councillor Garry Rumble requested a memo reply on the progress of upgrading of the South Penrith Library and also the outcome of Southlands management's findings, regarding their proposals for redevelopment of the site.

QWN 7 Smith Family Clothing Collection Bins

Councillor Garry Rumble requested a memo reply on the outcome of the request by the Smith Family to place clothing collection bins on Council owned land.

QWN 8 Plaques indicating Historic Landmarks

Councillor Garry Rumble requested a report to Council outlining the possibility of providing plaques either on the footpath, or on appropriate walls, indicating historic landmarks or old buildings.

QWN 9 Floating Weir at Nepean River

Councillor Garry Rumble requested that urgent action be taken to repair the floating weir at the Nepean River and noting that the weir is broken in a number of places, with some sections having broken off and moved below the weir.

QWN 10 Regentville Community Hall

Councillor Mark Davies requested a memo reply and a response to a resident's concerns regarding antisocial behaviour occurring at the Regentville Community Hall.

QWN 11 Memory Park

Councillor Jim Aitken OAM congratulated Parks staff on the appearance of Memory Park.

QWN 12 Walking Bridge over Schoolhouse Creek

Councillor Jim Aitken OAM requested an update on the matter of the walking bridge over Schoolhouse Creek, which was the subject of a recent petition by residents.

Councillor Mark Davies left the meeting, the time being 8:19 pm.

Councillor Mark Davies returned to the meeting, the time being 8:20 pm.

QWN 13 Play equipment - Downes Park, Wallacia

Councillor Karen McKeown requested a memo reply on the progress of installing new play equipment at Downes Park, Wallacia, following Council's allocation of funds to this project in July 2006.

QWN 14 Rainwater Tanks

Councillor Kaylene Allison requested a report to Council on the possibility of operating a scheme, such as that recently adopted by Parramatta Council, whereby ratepayers can purchase water tanks from Council and repay the purchase price through their rates.

QWN 15 Glenrowan Way, St Clair

Councillor David Bradbury requested a memo reply detailing the cost of providing a footpath on Glenrowan Way, St Clair.

QWN 16 Claremont Meadows Public School

Councillor David Bradbury requested a memo reply in relation to a request received from the Claremont Meadows Public School P&C regarding parking arrangements around the school.

QWN 17 Naming of Park

Councillor David Bradbury requested a memo reply to all Councillors, providing a status report on his previous request to name a park in Colyton after Edward Little.

QWN 18 Banks Road - Playground equipment

Councillor David Bradbury requested a memo reply outlining details of the response, by way of a Mayoral letter dated 25 October 2006, to a resident, in relation to the Banks Road playground equipment.

QWN 19 Affordability of Child Care

Councillor David Bradbury requested a report to Council outlining the factors contributing to the affordability of child care, and requesting that the report address additional compliance issues and costs recently imposed by the Federal Government.

QWN 20 Use of Sporting Fields

Councillor Greg Davies requested a memo reply regarding the use of sporting fields on Sunday mornings, and in particular the use of loudspeakers at early morning sporting events.

QWN 21 WELL Precinct Plans

Councillor David Bradbury requested a memo reply outlining the notice that was given to residents concerning the exhibition of the WELL Precinct Plans.

COMMITTEE OF THE WHOLE

1190 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Karen McKeown the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 8:27 pm.

1 Presence of the Public

CW1 RESOLVED on the motion of Councillor John Thain seconded Councillor Ross Fowler that the press and public be excluded from Committee of the Whole to deal with the following matters:

Leadership and Organisation

2 Commercial Matter - Council Property - Lease of Shop 3, Cranebrook Village Shopping Centre

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.

City In Its Environment

3 Legal Matter - 8 Donohoes Avenue, Mulgoa

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.

Leadership and Organisation

4 Personnel Matter - Senior Staff

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 9:25 pm and the General Manager reported that the Committee of the Whole met at 8:27 pm on Monday 20 November 2006, the following being present

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

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 Commercial Matter - Council Property - Lease of Shop 3, Cranebrook Village Shopping Centre

RECOMMENDED on the MOTION of Councillor John Thain seconded Councillor Jim Aitken OAM

CW2 That:

1. The information contained in the report on Commercial Matter - Council Property - Lease of Shop 3, Cranebrook Village Shopping Centre be received.
2. Council grant a new 5-year Lease with a 5-year option to Lease to existing tenant of Shop 3 in accordance with the terms and conditions as outlined in the report.
3. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

3 Legal Matter - 8 Donohoes Avenue, Mulgoa

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

CW3 That:

1. The recommendation made in the report be adopted, subject to amendments discussed during Committee of the Whole.
2. A memo be forwarded to all Councillors outlining the amendments.

4 Personnel Matter - Senior Staff

RECOMMENDED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Ross Fowler

CW4 That:

1. The information contained in the report on Personnel Matter - Senior Staff be received.
2. The recommendations of the Senior Staff Recruitment Review Committee be endorsed.

ADOPTION OF COMMITTEE OF THE WHOLE

1191 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Jim Aitken OAM that the recommendations contained in the Committee of the Whole and shown as CW1, CW2, CW3 and CW4 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 9:26 pm.

I certify that these 13 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 20 November 2006.

Chairperson

Date