

## **CONFIRMED MINUTES**

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

**ON MONDAY 7 MAY 2007 AT 7:34 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 Kaylene Allison, David Bradbury, Lexie Cettolin, Kevin Crameri OAM, Greg Davies, Mark Davies, Ross Fowler, Jackie Greenow, Karen McKeown, Garry Rumble, and Steve Simat.

#### **APOLOGIES**

141 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Karen McKeown that the apologies from Councillors Jim Aitken OAM, Susan Page and John Thain be accepted.

#### **CONFIRMATION OF MINUTES - Ordinary Meeting - 23 April 2007**

142 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Greg Davies that the minutes of the Ordinary Meeting of 23 April 2007 be confirmed.

#### **DECLARATIONS OF INTEREST**

Councillor Kevin Crameri OAM declared a non-pecuniary interest in *Item 6 - Development Application 06/1848 for the construction of a dwelling at Lot 244 DP 2147 (No. 244) Seventh Avenue, Llandilo. Applicant: Innovation Planning Australia; Owner: Mr Phillip Adams* as he lives and owns land in the vicinity, and in view of his long association with the applicant's family for many years. Councillor Crameri stated that he would not vote on this matter.

#### **SUSPENSION OF STANDING ORDERS**

143 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Garry Rumble that Standing Orders be suspended to allow members of the public to address the meeting, the time being 7:36 pm.

**Mr Colin Langford**

*Item 4 - Subdivision Application 07/0121 at University of Western Sydney Lot 1721 DP 864087 (No. 56) Second Avenue, Kingswood. Applicant: Whelans Planning; Owner: University of Western Sydney*

***Speaking AGAINST the Recommendation***

Mr Langford was speaking as an affected neighbour, as his property directly adjoins the subject property. He stated that he opposes the subdivision on several grounds, in particular concerning matters such as loss of visual amenity and property values in the area, traffic concerns including lack of vehicular access to the rear of properties in the immediate area, as well as lack of motorway access to and from the site. Mr Langford also stated that it was his understanding the land was to be used for education purposes only and not for low to medium density housing, which he is concerned will occur once the site has been subdivided.

**Mr Tim Vollmer**

*Item 4 - Subdivision Application 07/0121 at University of Western Sydney Lot 1721 DP 864087 (No. 56) Second Avenue, Kingswood. Applicant: Whelans Planning; Owner: University of Western Sydney*

***Speaking AGAINST the Recommendation***

Mr Vollmer was speaking as an affected neighbour of this site and stated that he is opposed to the subdivision on several grounds, in particular as the subdivision could lead to inappropriate development in what is considered to be a semi-rural area. He stated concerns such as a possible lack of compatibility with the WELL precinct plan, traffic issues, incompatibility with existing use/zoning, loss of access to existing properties, loss of visual amenity, and the potential sale of land that was set aside for education purposes to developers.

Councillor Mark Davies left the meeting, the time being 7:50 pm.

Councillor Mark Davies returned to the meeting, the time being 7:56 pm.

**Ms Ursula Good**

*Item 4 - Subdivision Application 07/0121 at University of Western Sydney Lot 1721 DP 864087 (No. 56) Second Avenue, Kingswood. Applicant: Whelans Planning; Owner: University of Western Sydney*

***Speaking AGAINST the Recommendation***

Ms Good was representing the Kingswood Action Group and spoke against the recommendation. Ms Good expressed the concern of residents that no information has been supplied by the applicant as to any proposed land use that may take place if the subdivision was to be approved, and sought advice as to what benefit, if any, this subdivision would bring to the local community. Ms Good also stated that her property adjoins the remnant Cumberland Plains Woodland on the above property and that this would potentially be destroyed if development was to occur on this land.

**Mr Philip Drew**

*Development Application 06/1008 for proposed alterations and additions for St Clair Shopping Centre at Lot 1 DP 1018519 (No. 4) Endeavour Avenue, St Clair. Applicant: Planning Logic Pty Ltd; Owner: Cambooya Properties Pty Limited*

Mr Drew was representing Planning Logic Pty Ltd, and spoke in support of the development application for the shopping centre. Mr Drew provided background information on the existing shopping centre, and cited the following improvements and benefits that would arise from the development: improved facilities for shoppers, upgrade of design of exterior of the centre, provision of disabled accessible facilities and parenting room, maintenance and enhancement of car parking available to shoppers, upgrading of interior of centre, and replanning of tenancies to enhance retail viability and encourage clothing and food outlets.

Councillor Garry Rumble left the meeting, the time being 8:05 pm.

**RESUMPTION OF STANDING ORDERS**

144 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Ross Fowler that Standing Orders be resumed, the time being 8:06 pm.

Councillor Garry Rumble returned to the meeting, the time being 8:07 pm.

**MAYORAL MINUTE**

**1 Cr Susan Page Re-elected Unopposed as ALGWA State President**

145 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Jackie Greenow that the Mayoral Minute on Cr Susan Page Re-elected Unopposed as ALGWA State President be received.

**REPORTS OF COMMITTEES**

**1 Report and Recommendations of the Penrith Valley Community Safety Partnership Meeting held on 28 March 2007**

146 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Kaylene Allison that the recommendations contained in the Report and Recommendations of the Penrith Valley Community Safety Partnership meeting held on 28 March, 2007 be adopted.

**2 Report and Recommendations of the Policy Review Committee Meeting held on 30 April 2007**

147 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Steve Simat that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 30 April, 2007 be adopted.

## MASTER PROGRAM REPORTS

148 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Ross Fowler that Council consider *Item 9 – Draft 2007-2008 Management Plan* before any other Master Program Reports.

## LEADERSHIP AND ORGANISATION

### 9 Draft 2007-2008 Management Plan

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

That:

1. The information contained in the report on the Draft 2007-2008 Management Plan be received.
2. The proposed amendments to the Strategic Program as detailed in the Attachment to the report be adopted from 1 July 2007.
3. Council adopt the Draft 2007-2008 Management Plan, including any amendments made at tonight's meeting, for exhibition.
4. The Draft 2007-2008 Management Plan be placed on Public Exhibition for 30 days, commencing on Monday 14 May 2007 and closing on Tuesday 12 June 2007.
5. Submissions from the public on the Draft Management Plan be invited and the public consultation arrangements as detailed in this report be implemented, including a public meeting and forum to be held on Wednesday 30 May 2007 in the Civic Centre.
6. The Fees and Charges document be amended, in regard to lost library cards for Penrith residents, to encompass free replacement to those holding concession cards as currently defined under the Concession Entitlement descriptions used by CityRail.
7. Council thank the officers responsible for the preparation of the Draft 2007-2008 Management Plan.

## THE CITY AS A SOCIAL PLACE

### 1 Responsible Companion Animal Ownership

150 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Garry Rumble that the information contained in the report on Responsible Companion Animal Ownership be received.

**2 8th International Cities, Town Centres and Communities Society Conference 2007**

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

That:

1. The information contained in the report on 8th International Cities, Town Centres and Communities Society Conference 2007 be received.
2. Council endorse the attendance of the Director City Planning and the Local Planning Manager at the conference, including making a presentation on 'The Making of a Regional River City'.

**3 Development Control Plan Provisions for Bushfire Hazard Reduction in Conservation Zones**

152 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Garry Rumble that the information contained in the report on Development Control Plan Provisions for Bushfire Hazard Reduction in Conservation Zones be received.

**6 Development Application 06/1848 for the construction of a dwelling at Lot 244 DP 2147 (No. 244) Seventh Avenue, Llandilo. Applicant: Innovation Planning Australia; Owner: Mr Phillip Adams**

**DA06/1848**

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

That:

1. The information contained in the report on Development Application 06/1848 for the construction of a dwelling at Lot 244 DP 2147 (No. 244) Seventh Avenue, Llandilo be received
2. The SEPP 1 Objection not be supported.
3. Development Application No 06/1848, for the construction of a dwelling at Lot 244, DP 2147, No. 244 Seventh Avenue, Llandilo, be refused for the following reasons:
  - 3.1 The application is not satisfactory for the purpose of Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979 in that it does not meet the objectives of Sydney Regional Environmental Plan No 20- Hawkesbury Nepean River, Council's Local Environmental Plan 201 – Rural Lands, and Part 4.9 of Council's Development Control Plan 2006 – Rural Development
  - 3.2 The application is not satisfactory for the purpose of Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979 in that it does not meet the development standard specified in clause 12 of Council's Local Environmental Plan No 201 – Rural Lands as the land does not have a minimum area of 2 hectares
  - 3.3 The Objection lodged under State Environmental Planning Policy No1 is not supported as it does not demonstrate that the standard would, in the particular case, be unreasonable or unnecessary or tend to hinder the attainment of the objectives stated in Sections 5(a)(i) and (ii) of the Environmental Planning and Assessment Act, relating to the proper management of resources to promote the welfare of the community and environment, and, to promote the orderly and economic use of the development of the land
  - 3.4 The application is not satisfactory for the purpose of Section 79C (1)(b) of the Environmental Planning and Assessment Act 1979, as the development is likely to have an adverse impact on the locality in terms of the landscape, local amenity, viability of the land for agriculture, demand for services, land use conflicts and cumulative effects of similar developments
  - 3.5 The application is not satisfactory for the purpose of Section 79C (1)(e) of the Environmental Planning and Assessment Act 1979 in that the proposal is not in the public interest as: it is not in keeping with regional and local planning policies (SREP 20, LEP 201), Council's Rural Lands Study and Strategy and proposed planning policies, and the intent and prescriptive requirements of Draft SEPP (Application of Development Standards) 2004.

Councillor Jackie Greenow left the meeting, the time being 8:36 pm.

Councillor Jackie Greenow returned to the meeting, the time being 8:36 pm.

- 4 Subdivision Application 07/0121 at University of Western Sydney Lot 1721 DP 864087 (No. 56) Second Avenue, Kingswood. Applicant: Whelans Planning; Owner: University of Western Sydney DA07/0121**

154 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Kevin Cramer OAM

That:

1. This matter be deferred and Council write to the University of Western Sydney, requesting them to provide a representative to address Council regarding their future plans for the property the subject of this subdivision application.
2. A further report be provided to Council concerning any progress made on the Werrington Arterial.

- 5 Development Application 06/1008 for proposed alterations and additions for St Clair Shopping Centre at Lot 1 DP 1018519 (No. 4) Endeavour Avenue, St Clair. Applicant: Planning Logic Pty Ltd; Owner: Cambooya Properties Pty Limited DA06/1008**

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155 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Development Application 06/1008 for proposed alterations and additions for St Clair Shopping Centre at Lot 1 DP 1018519 (No. 4) Endeavour Avenue, St Clair be received.
2. DA 06/1008 for alterations and additions to St Clair Shopping Centre at Lot 1 DP 1018519 (No. 4) Endeavour Avenue, St Clair be granted consent, subject to the following standard and special conditions:

**Standard Conditions**

- 2.1 A001, A011, A012, A019, A021, A039, D001, D002, D009, D010, D014, E01A, E002 (An alternative fire solution in accordance with the recommendations of the Fire Safety Statement of Intent by Rawfire dated 6 November 2006 shall be provided by an accredited Fire Engineer prior to the issue of a Construction Certificate; and Approval in writing from the NSW Fire Brigades shall be obtained for the alternative solution in respect to perimeter vehicular access prior to the issue of a Construction Certificate), H001, H041, I003 (h), K001, K025, L001, L002, L008, P001, P002, Q001, Q006

**Special Conditions**

- 2.2 A Community Safety Management Plan is to be submitted to Council for written approval prior to the issue of a Construction Certificate. The Management Plan is to address the following issues:
  - 2.2.1 Design of the Food Court is to ensure separation of vehicles and diners
  - 2.2.2 Security of the car parking spaces to the rear of the building in Botany Lane (CCTV would not be effective unless monitored live by security staff or random controls being carried out during the night)
  - 2.2.3 Lighting of all car parking areas should be provided to category P11
  - 2.2.4 Luminaries used are to provide white light
  - 2.2.5 Lighting should be consistent in order to reduce contrasts between shadows and illuminated areas, should be vandal resistant, and should be contained within the property boundary with no light being projected upwards
  - 2.2.6 Vegetation proposed shall be revised and agreed to
  - 2.2.7 The public toilets should be re-designed consistent with contemporary CPTED principles
  - 2.2.8 Details on a commitment to the development and implementation of a shopping centre Protocol
- 2.3 An access report is to be prepared by a suitably qualified Access



- Consultant and submitted to Penrith Council prior to the issue of an Occupation Certificate. The report is to detail compliance of the shopping centre with the relevant Australian Standard
- 2.4 An accessible toilet is to be provided in the Parenting Room. Details are to be provided to Council prior to the issue of the Construction Certificate.
  - 2.5 Detailed design plans of the proposed parking control system shall be submitted to Council's Senior Traffic Engineer for approval prior to the issue of a Construction Certificate. The approved parking control system shall be implemented and operational prior to the issue of an Occupation Certificate
  - 2.6 Two (2) bays for emergency vehicles shall be provided in close proximity to the entrance area of the centre (i.e. adjacent to entry area 'A') and shall be signposted and/or line marked accordingly. Details to be provided to and approved by Council's Senior Traffic Engineer prior to the issue of the Construction Certificate
  - 2.7 All loading and unloading to the site shall be undertaken at the proposed dock areas with no delivery vehicles accessing the shop fronts
  - 2.8 All car parking and manoeuvring must be in accordance with AS2890 and Council's requirements. Full details are to be submitted to Council's Senior Development Engineer for approval prior to the issue of a Construction Certificate
  - 2.9 Separate Development Applications are to be submitted to Council for the fit-outs of individual food court tenancies.
  - 2.10 The applicant is to provide a car parking management plan for staff parking onsite. This management plan shall be approved by Council prior to the issue of a construction certificate.
3. Prior to the issue of development consent, Council officers confirm that consultation between the applicant and the Uniting Church has occurred to address the Church's concerns regarding the use of their land for staff parking.

## **THE CITY IN ITS ENVIRONMENT**

### **7 Drainage Sub-Catchment Prioritisation**

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

That:

1. The information contained in the report on Drainage Sub-Catchment Prioritisation be received.
2. The State Assisted Floodplain Management Grant offer of \$100,000 from the Department of Environment and Climate Change (former DNR) be accepted.
3. Council's matching contribution fund of \$50,000 be allocated from the 2006-07 surplus.

**8 Rehabilitation of the former Jam Factory Site at Lots 1 - 3 DP 342275 Roper Road, Colyton**

157 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Rehabilitation of the former Jam Factory Site at Lots 1 - 3 DP 342275 Roper Road, Colyton be received.
2. A Strategic Task be added to the draft Management Plan for 2007/2008 to prepare detailed plans and commence the rehabilitation of Lots 1 to 3 and Lot 92 Roper Road, Colyton.
3. A further report be prepared for Council, detailing potential funding options for the implementation of this project, this report to be presented to Council prior to 30 June 2007.
4. \$30,000 be immediately provided for the detail design costs funded from the Environmental Protection Reserve, with detail design costs being provided to Council prior to 30 June 2007.
5. Council thank the officers responsible for providing the report on Rehabilitation of the former Jam Factory site.

**LEADERSHIP AND ORGANISATION**

**12 CPA National Public Sector Convention**

158 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Karen McKeown that the information contained in the report on CPA National Public Sector Convention be received.

**13 Grants Officer - Activities 1 October 2006 - 31 March 2007**

159 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Karen McKeown that the information contained in the report on Grants Officer - Activities 1 October 2006 - 31 March 2007 be received.

#### **14 GST Compliance Certificate**

160 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Karen McKeown

That:

1. The information contained in the report on GST Compliance Certificate be received.
2. The Mayor, Deputy Mayor, General Manager and Chief Financial Officer sign the 2007 GST Compliance Certificate.

#### **10 Occupational Health and Safety Certificate of Achievement Award**

161 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kevin Crameri OAM

That:

1. The information contained in the report on Occupational Health and Safety Certificate of Achievement Award be received.
2. Council congratulate Mr Noel Fuller and other staff responsible for the receipt of this Award.

#### **11 2007 Local Government Association Conference**

162 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow

That:

1. The information contained in the report on 2007 Local Government Association Conference be received.
2. Council nominate Councillors Jackie Greenow, Kevin Crameri OAM, Susan Page, Karen McKeown, Greg Davies, Pat Sheehy AM and Jim Aitken OAM as its delegates to the 2007 LGA Conference to be held in Coffs Harbour from 20 – 24 October 2007.
3. Councillors Steve Simat and Kaylene Allison 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.

**QUESTIONS WITHOUT NOTICE**

**QWN 1 Lot Sizes - Llandilo**

Councillor Jackie Greenow requested a report to Council detailing the history of lot sizes in Llandilo, and in particular a decision made on this matter some 50 years ago.

**QWN 2 Relay for Life Event**

Councillor Garry Rumble asked that thanks be conveyed to all Council staff who assisted in the preparation and liaison with the organisers of the Relay for Life event, held at Howell Oval last weekend. He noted that the efforts made by Council staff were very much appreciated.

**QWN 3 Award to Darani Lewers**

Councillor Garry Rumble requested that a letter of congratulations be sent to Darani Lewers in recognition of her recently being awarded an Honorary Doctorate of Visual Arts by the University of Sydney.

**QWN 4 Visual Arts Committee Membership**

Councillor Garry Rumble requested a memo reply updating the appointees to the Visual Arts Committee responsible for the Penrith Regional Gallery and Lewers Bequest.

**QWN 5 Lewers Gallery - Maintenance Issue**

Councillor Garry Rumble requested that repairs be carried out to the loose corrugated iron roofing on the eastern verandah of the Lewers Gallery.

**QWN 6 Repairs to Cricket Wickets at Darcy Smith Oval and Shaw Park**

Councillor Karen McKeown requested an urgent report to the next meeting of Council, concerning the condition of cricket wickets at Darcy Smith Oval and Shaw Park, detailing any repairs needed to these facilities.

**QWN 7 Repairs to Howell Oval and Rance Oval**

Councillor Karen McKeown requested a report to the July meeting of Council, concerning the condition of Howell and Rance Ovals, detailing any repairs needed to these facilities.

**QWN 8 Leave of Absence**

Councillor Karen McKeown requested Leave of Absence from 25 May 2007 to 26 June 2007 inclusive.

163 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kevin Crameri OAM that the matter be brought forward and dealt with as a matter of urgency.

His Worship the Mayor, Councillor Pat Sheehy AM, ruled that the matter was urgent and should be dealt with at the meeting.

164 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kevin Crameri OAM that Leave of Absence be granted to Councillor Karen McKeown from 25 May 2007 to 26 June 2007 inclusive.

#### **QWN 9 Leave of Absence**

Councillor Kaylene Allison requested Leave of Absence from 26 May 2007 to 1 July 2007 inclusive.

165 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kevin Crameri OAM that the matter be brought forward and dealt with as a matter of urgency.

His Worship the Mayor, Councillor Pat Sheehy AM, ruled that the matter was urgent and should be dealt with at the meeting.

166 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kevin Crameri OAM that Leave of Absence be granted to Councillor Kaylene Allison from 26 May 2007 to 1 July 2007 inclusive.

#### **COMMITTEE OF THE WHOLE**

167 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kevin Crameri OAM that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 9:12 pm.

##### **1 Presence of the Public**

CW1 RESOLVED on the motion of Councillor Jackie Greenow seconded Councillor Kevin Crameri OAM 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 7 Allen Arcade, 140-142 Henry Street, 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.*

##### **3 Commercial Matter - Council Property - Lease of Shop 4 at Cranebrook Village Shopping Centre**

*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.*

### **City as an Economy**

#### **4 Commercial Matter - Henry Street, 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 9:34 pm and the General Manager reported that the Committee of the Whole met at 9:12 pm on 7 May 2007, the following being present

His Worship the Mayor Councillor Pat Sheehy AM, Kaylene Allison, David Bradbury, Lexie Cettolin, Kevin Crameri OAM, Greg Davies, Mark Davies, Ross Fowler, Jackie Greenow, Karen McKeown, Garry Rumble, 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 Commercial Matter - Council Property - Lease of Shop 7 Allen Arcade, 140-142 Henry Street, Penrith**

'RECOMMENDED on the MOTION of Councillor Jackie Greenow seconded Councillor Kevin Crameri OAM

CW2 That:

1. The information contained in the report on Commercial Matter - Council Property - Lease of Shop 7 Allen Arcade, 140-142 Henry Street, Penrith be received.
2. Council grant Australian Hearing Services a 3 year lease with an additional two terms of 3 years options over Shop 7 at Allen Arcade, 140-142 Henry Street, Penrith 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 Commercial Matter - Council Property - Lease of Shop 4 at Cranebrook Village Shopping Centre**

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RECOMMENDED on the MOTION of Councillor Ross Fowler seconded Councillor Kevin Cramer OAM

CW3 That:

1. The information contained in the report on Commercial Matter - Council Property - Lease of Shop 4 at Cranebrook Village Shopping Centre be received.
2. Council grant Lux Invest Pty Ltd a 5 year lease with a 5 year option over Shop 4 at Cranebrook Village Shopping Centre, in accordance with the terms and conditions contained within the report.
3. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

#### **4 Commercial Matter - Henry Street, Penrith**

RECOMMENDED on the MOTION of Councillor Kevin Cramer OAM seconded Councillor Ross Fowler

CW4 That:

1. The information contained in the report on Commercial Matter - Henry Street, Penrith be received.
2. The recommendation as proposed in the annexure to the Acting Property Development Manager's report be adopted.

#### **ADOPTION OF COMMITTEE OF THE WHOLE**

168 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Karen McKeown 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 9:36 pm.

I certify that these 14 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 7 May 2007.

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Chairperson

\_\_\_\_\_  
Date

