

CONFIRMED MINUTES

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

ON MONDAY 25 JUNE 2007 AT 7:33 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 David Bradbury, Lexie Cettolin, Kevin Crameri OAM, Ross Fowler, Jackie Greenow, Susan Page, Garry Rumble, Steve Simat and John Thain.

APOLOGIES

'200 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Garry Rumble that the apologies from Councillors Greg Davies and Mark Davies be accepted.

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Jim Aitken OAM for the period 7 June 2007 to 29 June 2007 inclusive.

Leave of Absence was previously granted to Councillor Karen McKeown for the period 25 May 2007 to 26 June 2007 inclusive.

Leave of Absence was previously granted to Councillor Kaylene Allison for the period 26 May 2007 to 1 July 2007 inclusive.

CONFIRMATION OF MINUTES - Ordinary Meeting - 28 May 2007

'201 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Susan Page that the minutes of the Ordinary Meeting of 28 May 2007 be confirmed.

DECLARATIONS OF INTEREST

Councillor Steve Simat declared a pecuniary interest in *Item 10 – St Marys Release Area - Public Exhibition of draft Plan of Management for Wianamatta Regional Park*, as his employer provides consultancy services to Delfin Lend Lease. He stated that he would leave

the Chamber during consideration of this matter.

Councillor Kevin Crameri OAM declared a non-pecuniary interest in *Item 10 - St Marys Release Area - Public Exhibition of draft Plan of Management for Wianamatta Regional Park*, as he lives in a neighbouring area.

Councillor John Thain declared a non-pecuniary interest in *Item 9 – City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd – Subsidy*, as he is a Director on the Board of the City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd.

Councillor Ross Fowler declared a non-pecuniary interest in *Item 9 – City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd – Subsidy*, as he is a Director on the Board of the City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd.

MAYORAL MINUTES

1 Locals receive 2007 Queen’s Birthday Honours

202 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Jackie Greenow that the Mayoral Minute on Locals receive 2007 Queen’s Birthday Honours be received.

2 Council recognised for innovative use of compost

203 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Jackie Greenow that the Mayoral Minute on Council recognised for innovative use of compost be received.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Local Traffic Committee Meeting held on 4 June 2007

204 RESOLVED on the MOTION of Councillor Steve Simat seconded Councillor Jackie Greenow that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 4 June, 2007 be adopted.

2 Report and Recommendations of the Policy Review Committee Meeting held on Monday 4 June 2007

205 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Kevin Crameri OAM that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 4 June, 2007 be adopted.

MASTER PROGRAM REPORTS

LEADERSHIP AND ORGANISATION

1 2007-2008 Management Plan

206 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Susan Page

That:

1. The information contained in the report on 2007-2008 Management Plan be received.
2. The recommended actions, including changes to the draft budget, staff establishment, and tasks as detailed in the report be adopted, and those which relate to variations to the exhibited draft plan, be incorporated into the Management Plan.
3. The 2007-2008 Management Plan, as amended, be formally adopted.
4. Council approve for expenditure the budget as detailed in the 2007-2008 Management Plan, and on that basis formally vote these funds for the 2007-2008 financial year.
5. Those individuals and organisations who made submissions on Council's Management Plan be thanked for their input and advised of Council's decision.
6. Those projects in the 2006-2007 Management Plan, which were approved by Council in the March Quarter Review 2007 to be carried forward, be added to the adopted Management Plan and Budget for 2007-2008.
7. A further report be presented to Council providing a detailed response to the issues raised by Mr Bruce Oliver in his submission dated 1 June 2007.

2 Making of Rates and Charges for 1 July 2007 to 30 June 2008

207 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Susan Page

That:

1. The information contained in the report on Making of Rates and Charges for 1 July 2007 to 30 June 2008 be received.

2. Ordinary Rate

In accordance with Section 535 of the Local Government Act 1993, an ordinary rate named Residential ordinary in accordance with Section 543(1) of point four zero two three (.4023) cents in the dollar being ad valorem amount on the land value of all rateable land in the City categorised as residential under Section 493 and that an ordinary rate named Farmland ordinary of point two zero one one five (.20115) cents in the dollar on the land value of all rateable land in the City categorised as Farmland and that an ordinary rate named Business ordinary of point seven two six zero three (.72603) cents in the dollar on all rateable land in the City categorised as business and that an ordinary rate being a subcategory of Business rate named Penrith CBD Rate of point eight three three eight (.8338) cents in the dollar and that an ordinary rate being a subcategory of Business rate named St Marys Town Centre Rate of one point two one seven (1.1217) cents in the dollar be now made for the period 1 July 2007 to 30 June 2008 subject to a minimum rate under Section 548(5) of six hundred and forty nine dollars (\$649.00) in respect of each separate parcel of land categorised as Residential and Farmland and that each separate parcel of land categorised as Business or as a subcategory of Business be subject to a minimum rate under Section 548(5) of the Local Government Act, 1993 of eight hundred and thirty dollars and forty cents (\$830.40).

3. Service of Rate Notices

The rate or charge for the 2007-08 rate year be levied on the land specified in a rates and charges notice by the service of that notice, and the General Manger be and is hereby authorised, to prepare and serve such notice for and on behalf of Council.

4. Charges

The charges attached to the report to the Ordinary meeting on 25 June 2007, titled Making of Rates and Charges for 1 July 2007 to 30 June 2008, be made (see attachment).

5. Interest

For the purpose of calculating the interest on overdue rates and charges in accordance with Section 566(3) of the Local Government Act, 1993, Council make the interest charge for 2007-08 ten (10.0) percent per annum.

6. Pension Rebate

All eligible pensioners under Section 575 of the Local Government Act, 1993 be granted a rebate of 50% of the ordinary rate and domestic waste management service up to a maximum of \$250.00 under Section 575(3) of

the Local Government Act, 1993.

Councillor Kevin Crameri OAM requested that his name be recorded as having voted AGAINST the MOTION.

THE CITY IN ITS BROADER CONTEXT

3 Penrith Valley Cultural Precinct - grant applications

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

That:

1. The information contained in the report on Penrith Valley Cultural Precinct - grant applications be received.
2. An application to the Federal Department of Transport and Regional Services for a \$860,000 grant under the Regional Partnerships Program be made.
3. An application to the NSW Department of Utilities, Energy and Sustainability for a \$60,000 grant under the Public Facilities Program be made.

THE CITY AS A SOCIAL PLACE

4 Youth Week 2007

209 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Steve Simat that the information contained in the report on Youth Week 2007 be received.

5 Community Assistance Program 2006/07 Rolling Component

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

That:

1. The information contained in the report on Community Assistance Program 2006/07 Rolling Component be received.
2. Council approve a grant allocation of \$1,000 each, to the Mamre Plains Ltd, the Werrington Community Project Inc and Nepean Migrant Access Inc, under the Rolling Component of the 2006/07 Community Assistance Program, for the identified projects.

6 Tender 17-06/07 - Grave Digging Services

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

That:

1. The information contained in the report on Tender 17-06/07 - Grave Digging Services be received.
2. L J Follington Constructions Pty Ltd be awarded a contract for grave digging services for a period of 2 years, with an option to extend the agreement for a further 2 x 1 year periods, subject to satisfactory performance, with provision for rise and fall.
3. G A and A P Lane be thanked for their grave digging service to Council and the community.

7 Roadside Trading on Public Land

212 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Steve Simat that the information contained in the report on Roadside Trading on Public Land be received.

8 Penrith Football Stadium Redevelopment

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

That:

1. The information contained in the report on Penrith Football Stadium Redevelopment be received.
2. The NSW State Government be thanked for their \$5 million contribution to the Penrith Football Stadium Redevelopment.
3. The Penrith Football Stadium Redevelopment Working Party be re-convened for the Stage 2 works, comprising Councillors Lexie Cettolin, Greg Davies and Mark Davies, Mr Alan Travers, Penrith City Council General Manager (or his representative), Karyn Paluzzano MP, Member for Penrith, four (4) representatives of Panthers and one (1) representative of the Penrith Valley Sports Foundation.
4. The Terms of Reference for the Penrith Football Stadium Redevelopment Working Party be:

“To develop and report back to Council on a recommended scope of works for Stage 2 of the Penrith Football Stadium Redevelopment.”

9 City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd - Subsidy

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

That:

1. The information contained in the report on City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd - Subsidy be received.
2. An additional subsidy of \$98,500 be provided to the City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd for the 2006-07 financial year.

11 Variation of Subdivision Control currently applying to Lot 20 DP 20420

(No. 11) Hornseywood Avenue, South Penrith. Applicant: Mrs Mary

Gibbons; Owner: M & T Gibbons

DA07/0396

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

That:

1. The information contained in the report on Variation of Subdivision Control currently applying to Lot 20 DP 20420 (No. 11) Hornseywood Avenue, South Penrith be received
2. The Common Seal of Penrith City Council be affixed to all necessary documentation to vary the covenant
3. The development application DA07/0396 for dwelling additions on Lot 20, DP 20420, 11 Hornseywood Avenue, Penrith be approved, subject to the following conditions:

Standard Conditions

- 4.1 A001 – Approved plans
- A008 – Works to BCA requirements
- A009 – Residential Works DCP
- A020 – Use of building
- A043 – Air conditioner
- B001-B006 – Demolition
- D001 - Erosion and sediment control measures
- D007 – Filling of land
- D009 – Covering of waste storage areas
- D010 – Waste disposal
- E001 – BCA compliance
- E005 – Smoke detector
- F006 – Rainwater tank and nuisance
- G005 – Rainwater tank plumbing
- H01F – Stamped plans and erection of site notice
- H013 – Further details of building components
- H014 – Slabs/footings
- H015 – Termite Control
- H022 – Survey
- H030 – Roof finishes
- H036-H039 – Rainwater tank
- H041 – Hours of work
- I003 – Road Act condition
- K016 – Stormwater
- Q01F – Notice of commencement and appointment of PCA

Q05F – Occupation certificate

Special conditions

- 4.2 Prior to the issue of a Construction Certificate for the development, the variation of the registration on the use of land referred to as (c); in the Section 88b instrument attached to the Deposited Plan 20420 shall be registered with the Department of Lands

The variation of the covenant shall be in terms approved by Penrith City Council in the documentation submitted in support of the development application.

Councillor Steve Simat left the meeting, the time being 8:07 pm.

10 St Marys Release Area - Public Exhibition of draft Plan of Management for Wianamatta Regional Park

'216 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Susan Page

That:

1. The information contained in the report on St Marys Release Area - Public Exhibition of draft Plan of Management for Wianamatta Regional Park be received.
2. Council endorse a submission to the Department of Environment and Climate Change on the draft Plan of Management for Wianamatta Regional Park as outlined in the recommendations contained in the report.
3. Council seek the support of the Department of Environment and Climate Change for the detailed Masterplan for Wianamatta Regional Park facilities and infrastructure being prepared and publicly exhibited as a priority and that Council be consulted in this process.
4. Council write to the Commonwealth Government, requesting confirmation that funds of \$1.1M will be provided for the erection of feral-proof fencing around the proposed Regional Park.
5. A field inspection of the area be carried out, and maps be provided detailing detention basins, parks and any potential problems.

THE CITY IN ITS ENVIRONMENT

Councillor Steve Simat returned to the meeting, the time being 8:13 pm.

12 Clean Up of Illegal Dumping on Deerubbin Local Aboriginal Land Council Lands Grant

217 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Clean Up of Illegal Dumping on Deerubbin Local Aboriginal Land Council Lands Grant be received.
2. Council auspice \$50,000 in grant funding to the Deerubbin Local Aboriginal Land Council for the clean up and deterrence of illegal dumping.
3. The Principal of St Paul's Grammar School be advised of the action to be taken to clean up the site, and be provided with a copy of the report, if required.

13 Energy Savings Action Plan

218 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor John Thain

That:

1. The information contained in the report on the Energy Savings Action Plan be received
2. Council adopt the Energy Savings Action Plan
3. The adopted Plan be submitted to the Minister for Environment and Climate Change for approval.
4. Council write to the Penrith Whitewater Stadium, seeking information as to the feasibility of fitting turbines to the watercourses in order to utilise water to generate electricity.

THE CITY SUPPORTED BY INFRASTRUCTURE

14 2007/2008 Auslink National Black Spot Program

'219 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kevin Cramer OAM

That:

1. The information contained in the report on 2007/2008 Auslink National Black Spot Program be received.
2. Council accept the grants offered under the 2007/2008 Auslink National Black Spot Program, as detailed in the report.
3. Council make representations to both State and Federal Governments, regarding the intersection on Mamre Road, at Lonsdale and Wilson Streets, and also the Sherringham Road intersection at Cranebrook, proposing that these two areas be included in the National Black Spot Program.
4. A further report be provided to Council detailing how the process of obtaining Black Spot funding works and how State Government indicates its support of applications for the inclusion of various roads in the Program.

15 Proposed Closure of Driver Lane, Wallacia

'220 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Susan Page

That:

1. The information contained in the report on Proposed Closure of Driver Lane, Wallacia be received.
2. Council endorse the proposed closure of Driver Lane, Wallacia.
3. The Property Development Manager submit an application to the Department of Lands to finalise the closure.
4. The Property Development Manager present a further report to Council after the valuation of the land and pending acceptance by the adjoining owner.
5. The owners of adjoining properties be advised of Council's intentions in this matter and be provided with a copy of this report.

16 Funding for the Local State Emergency Service to Provide Improved Volunteer Amenities

'221 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Funding for the Local State Emergency Service to Provide Improved Volunteer Amenities be received.
2. Council receive an additional \$30,000 in funding for the construction of an amenities building for the Local State Emergency Service.

LEADERSHIP AND ORGANISATION

17 Pecuniary Interest Returns

222 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Ross Fowler that the information contained in the report on Pecuniary Interest Returns be received.

19 Council Property - Dedication as Road - Lot 184 DP 575962, Forbes Street, Emu Plains. Owner: Penrith City Council - Applicant: Penrith City Council

223 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Ross Fowler

That:

1. The information contained in the report on Council Property - Dedication as Road - Lot 184 DP 575962, Forbes Street, Emu Plains. Owner: Penrith City Council - Applicant: Penrith City Council be received.
2. Lot 184 DP 575962 be dedicated as road.
3. The Common Seal of the Council of the City of Penrith be affixed to all necessary documentation including the Plan of Subdivision.

21 Audit Tender 2007

224 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Ross Fowler

That:

1. The information contained in the report on Audit Tender 2007 be received.
2. The tender from PricewaterhouseCoopers be accepted in accordance with the specifications defined in the tender documentation, and Council appoint the firm of PricewaterhouseCoopers for the period 1 July 2007 to 30 June 2013.
3. The Common Seal of the Council of the City of Penrith be affixed to any necessary documentation.
4. Council officers contact Council's Controlled Entities to advise them of the tender responses for their consideration.

22 Council Property - Sale of Land in Belmore Street, Penrith

'225 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Ross Fowler

That:

1. The information contained in the report on Council Property - Sale of Land in Belmore Street, Penrith be received
2. Council agree to the reimbursement to the Property Development Reserve, from the Penrith Town Centre Section 94 Fund, for the sale of land that has been dedicated for road widening purposes in Belmore Street, Penrith as indicated in the report.

23 Summary of Investments and Banking for the period 1 May to 28 May 2007

'226 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Ross Fowler

That:

1. The information contained in the report on Summary of Investments and Banking for the period 1 May to 28 May 2007 be received.
2. The Certificate of the Responsible Accounting Officer and Summaries of Investments and Performance for the period 1 May 2007 to 28 May 2007 be noted and accepted.
3. The graphical investment analysis as at 28 May 2007 be noted.

18 City Operations Directorate Report to end of May 2007

'227 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Kevin Crameri OAM that the information contained in the report on City Operations Directorate Report to end of May 2007 be received.

20 Audit Committee

228 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Audit Committee be received.
2. In addition to the Mayor of the day, or his Councillor nominee, Council appoint Councillors Karen McKeown, Ross Fowler and Garry Rumble to the Audit Committee.
3. The number of independent members be increased to a maximum of three.
4. The section of the Charter of the Audit Committee headed "Audit Committee Membership and Meetings" be replaced with the revised section attached to this report.
5. Council endorse Robert Coombes, Frank Gelonesi and Jayant Gulwadi as members of the Audit Committee.

QUESTIONS WITHOUT NOTICE

QWN 1 Contents Insurance - Bush Fire Brigade Sheds

Councillor Kevin Crameri OAM requested a report to Council on the issue of obtaining contents insurance for donated and purchased equipment stored in Bush Fire Brigade sheds.

QWN 2 Quarries - Rates and Land Valuations

Councillor Kevin Crameri OAM requested a report to Council detailing the reasoning behind the Valuer General's low valuation of quarry lands in the Penrith LGA, per hectare, and taking into consideration the possibility that this land may be zoned for high density housing in the future.

QWN 3 Road Connecting Erskine Park Employment Area to the M7 Motorway

Councillor Steve Simat requested a report to Council on the status of the planning and funding for the provision of a road to connect the Erskine Park Employment Area to the M7 motorway.

QWN 4 Footpath Paving - Wallacia

Councillor Ross Fowler requested that an amount of \$18,000 from South Ward voted works be allocated to footpath paving from the corner of Mulgoa and Silverdale Roads, Wallacia, on the northern side of Silverdale Road, then along Alwyn Avenue, connecting the Caravan Park to existing paving.

'229 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Garry Rumble 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.

230 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Garry Rumble that an amount of \$18,000 from South Ward voted works be allocated to footpath paving from the corner of Mulgoa and Silverdale Roads, Wallacia, on the northern side of Silverdale Road, then along Alwyn Avenue, connecting the Caravan Park to existing paving.

QWN 5 Traffic Conditions at Kurrambee School

' Councillor John Thain requested that the matter of new traffic conditions at Kurrambee School, regarding parking in Water Street, be referred to the Local Traffic Committee for investigation.

QWN 6 Building Design Awards

' Councillor John Thain requested that his thanks be passed on to staff involved in the recent Building Design Awards.

QWN 7 IPART Inquiry into Rail Fares

Councillor David Bradbury requested that Council prepare a submission to the Independent Pricing and Regulatory Tribunal (IPART) in relation to IPART's current inquiry into rail fares, the submission objecting to any increase in fares on the bases that: (1) no increase in fares should be approved until trains travelling to the outer suburbs of Western Sydney are adequately equipped with heating for the winter and air conditioning for the summer; and (2) patronage levels have been rising in recent years and excessive fare increases will discourage further increases in patronage.

'231 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Kevin Cramer 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.

232 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Kevin Cramer OAM that Council prepare a submission to the Independent Pricing and Regulatory Tribunal (IPART) in relation to IPART's current inquiry into rail fares, the submission objecting to any increase in fares on the bases that: (1) no increase in fares should be approved until trains travelling to the outer suburbs of Western Sydney are adequately equipped with heating for the winter and air conditioning for the summer; and (2) patronage levels have been rising in recent years and excessive fare increases will discourage further increases in patronage.

QWN 8 Review of National Framework for Women in Local Government

Councillor Susan Page requested a report to Council on the process of implementation of recommendations for this Council, from the recent Review of National Framework for Women in Local Government.

QWN 9 Water Run-off - Parker Street, Penrith

Councillor Susan Page requested a memo reply regarding a resident's concerns about rainwater running under their house in Parker Street, Penrith, from a nearby service road.

QWN 10 Speeding Vehicles - Station and Lethbridge Streets, Penrith

Councillor Susan Page requested a memo reply concerning complaints received from residents about speeding vehicles, particularly between 5.30 and 7.30 pm, on Station and Lethbridge Streets, Penrith, and outlining any appropriate speed reduction measures that may be taken in this area.

QWN 11 Availability of Nursing Home Places within Western Sydney for Young People with Disabilities

Councillor David Bradbury requested a report to Council on the availability of nursing home places within Western Sydney for young people suffering from severe and permanent disability, with the report to consider the availability of funding arising out of the recent intergovernmental agreement between the States and the Commonwealth.

COMMITTEE OF THE WHOLE

233 RESOLVED on the MOTION of Councillor Susan Page seconded Councillor Ross Fowler that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 8:53 pm.

1 Presence of the Public

CW1 RESOLVED on the motion of Councillor Susan Page 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 - Acquisition of Land in Lawson 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.

Leadership and Organisation

3 Commercial Matter - Council Property - Lease of Shop 10, 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.

4 Commercial Matter - Council Property - Lease of Shop 8 at 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.

The meeting resumed at 9:03 pm and the General Manager reported that the Committee of the Whole met at 8:53 pm on 25 June 2007, the following being present

His Worship the Mayor Councillor Pat Sheehy AM, Councillors David Bradbury, Lexie Cettolin, Kevin Crameri OAM, Ross Fowler, Jackie Greenow, Susan Page, Garry Rumble, Steve Simat, 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 - Acquisition of Land in Lawson Street, Penrith

RECOMMENDED on the MOTION of Councillor Ross Fowler seconded Councillor Susan Page

CW2 That:

1. The information contained in the report on Commercial Matter - Council Property – Land in Lawson Street, Penrith be received.
2. The matter be reported to an Ordinary Meeting of Council.

3 Commercial Matter - Council Property - Lease of Shop 10, Allen Arcade, 140-142 Henry Street, Penrith

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

CW3 That:

1. The information contained in the report on Commercial Matter - Council Property - Lease of Shop 10, Allen Arcade, 140-142 Henry Street, Penrith be received.
2. Council grant Benchmark Resources Pty Ltd a 3 year lease with a 3 year option over Shop 10 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.

4 Commercial Matter - Council Property - Lease of Shop 8 at Allen Arcade, 140-142 Henry Street, Penrith

RECOMMENDED on the MOTION of Councillor Ross Fowler seconded Councillor Garry Rumble

CW4 That:

1. The information contained in the report on Commercial Matter - Council Property - Lease of Shop 8 at Allen Arcade, 140-142 Henry Street, Penrith be received.
2. Council grant Benchmark Resources Pty Ltd a new 3 year lease with a 3 year option over Shop 8 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 City of Penrith be placed on all necessary documentation.

ADOPTION OF COMMITTEE OF THE WHOLE

234 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Steve Simat 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 9:04 pm.

I certify that these 16 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 25 June 2007.

Chairperson

Date