

CONFIRMED MINUTES

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

ON MONDAY 13 AUGUST 2007 AT 7:32PM

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, Lexie Cettolin, Kevin Crameri OAM, Greg Davies, Mark Davies, Ross Fowler, Jackie Greenow, Karen McKeown, Susan Page, Garry Rumble, Steve Simat and John Thain.

APOLOGIES

There were no apologies.

CONFIRMATION OF MINUTES - Ordinary Meeting - 23 July 2007

'286 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Garry Rumble that the minutes of the Ordinary Meeting of 23 July 2007 be confirmed.

DECLARATIONS OF INTEREST

Nil.

MAYORAL MINUTE

Councillor Kevin Crameri OAM left the meeting, the time being 7:36 pm.

Councillor Kevin Crameri OAM returned to the meeting, the time being 7:37 pm.

1 25 Years Business Recognition Awards

287 RESOLVED on the MOTION of Councillor Pat Sheehy AM and Councillor Jim Aitken OAM

That:

1. The Mayoral Minute on 25 Years Business Recognition Awards be received.
2. Letters of congratulations be sent to the award recipients and the Penrith Valley Economic Development Corporation.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Penrith Valley Community Safety Partnership Meeting held on 27 June 2007

288 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Ross Fowler that the recommendations contained in the Report and Recommendations of the Penrith Valley Community Safety Partnership meeting held on 27 June, 2007 be adopted.

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

289 RESOLVED on the MOTION of Councillor Susan Page seconded Councillor John Thain that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 30 July, 2007 be adopted.

3 Report and Recommendations of the Local Traffic Committee Meeting held on 6 August 2007

290 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Jackie Greenow that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 6 August, 2007 be adopted.

MASTER PROGRAM REPORTS

THE CITY IN ITS BROADER CONTEXT

1 Request for sponsorship assistance for High Octane and Airbrush Expo on Sunday 9 September 2007

'291 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kevin Crameri OAM

That:

1. The information contained in the report on Request for sponsorship assistance for High Octane and Airbrush Expo on Sunday 9 September 2007 be received.
2. Sponsorship of the event to the value of \$6,000 from the City Marketing budget be approved.

THE CITY AS A SOCIAL PLACE

3 North St Marys Neighbourhood Centre

'292 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Greg Davies that the information contained in the report on North St Marys Neighbourhood Centre be received.

2 Council Property - Expressions of Interest for Community Sunday Markets at Penrith and St Marys

'293 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Jim Aitken OAM that the information contained in the report on Council Property - Expressions of Interest for Community Sunday Markets at Penrith and St Marys be received.

4 Young People with a Disability in Nursing Homes

'294 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor John Thain that the information contained in the report on Young People with a Disability in Nursing Homes be received.

5 Request for increased Subsidy - Nepean District Cricket Association (NDCA)

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

That:

1. The information contained in the report on Request for increased Subsidy – Nepean District Cricket Association (NDCA) be received.
2. An urgent report be submitted to the next Council Meeting addressing funding options available to increase the subsidy to the Nepean District Cricket Association to \$47,100 per annum, commencing in 2007/08.

THE CITY IN ITS ENVIRONMENT

7 Claremont Meadows Works in Kind Agreement for Embellishment of Eastern Precinct Park: Developer - UPL (No. 9) Pty Ltd

296 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Claremont Meadows Works in Kind Agreement for Embellishment of Eastern Precinct Park: Developer - UPL (No. 9) Pty Ltd be received.
2. Council enter into a Works in Kind Agreement with UPL (No. 9) for the embellishment of the Eastern Precinct Park as outlined in this report.

6 Domestic and Non-Domestic Waste Contracts

297 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Susan Page

That:

1. The information contained in the report on Domestic and Non-Domestic Waste Contracts be received.
2. Council approve Visy's proposal to change the Scania trucks nominated in its tender to Volvo trucks of Euro 5 compliance, with delivery anticipated in March 2008. In the interim Visy will provide and maintain suitable used trucks to perform the recycling collection service as from 7 October 2007.
3. A further report be presented to Council detailing the outcome of SITA's negotiations with Remondis employees.

8 Request for Additional Motion - 2007 Local Government Association Conference

298 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Lexie Cettolin

That:

1. The information contained in the report regarding the Request for Additional Motion - 2007 Local Government Association Conference concerning Fireweed be received.
2. A motion be submitted to the 2007 Local Government Association Conference, as follows:
"That the Local Government Association request the State Government to assist in the control and eradication of Fireweed."

THE CITY SUPPORTED BY INFRASTRUCTURE

9 Federal Government Auslink Black Spot Program

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

That:

1. The information contained in the report on Federal Government Auslink Black Spot Program be received.
2. Council make further representations to both State and Federal Governments, regarding the high accident history on Mamre Road, particularly at the intersection of Lonsdale and Wilson Streets, and the Sherringham Road / Northern Road intersection at Cranebrook, requesting that funding for improvements at these sites be sought under alternate programs other than the National Black Spot Program.
3. Investigations be undertaken into the possibility of banning the right turning movement during peak times out of Sherringham Road into the Northern Road, Cranebrook, and Wilson Street into Mamre Road, St Marys, with a report being presented to the Local Traffic Committee as required.

10 Federal Government 2008/2009 "Auslink Black Spot Program" submissions

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

That:

1. The information contained in the report on Federal Government 2008/2009 "Auslink Black Spot Program" submissions be received.
2. Council endorse the 7 projects listed under 'Table A' of the present report for submission to the Roads and Traffic Authority for funding under the Federal Government 2008/2009 "Auslink Black Spot Program".
3. The Roads and Traffic Authority be requested to investigate traffic safety on roads under its jurisdiction at locations indicated in 'Table B' of this report.

LEADERSHIP AND ORGANISATION

11 Amendment to the 2007 Meeting Calendar

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

That:

1. The information contained in the report on Amendment to the 2007 Meeting Calendar be received.
2. The 2007 Council Meeting Calendar be amended so that:
 - the Ordinary Council Meetings scheduled for 29 October 2007 and 19 November 2007 be held on 15 October 2007 and 5 November 2007 respectively;
 - the Policy Review Committee Meeting scheduled for 5 November 2007 be held on 19 November 2007;
 - an additional Policy Review Committee meeting be held on 29 October 2007;
 - the Ordinary Meeting scheduled for 10 December 2007 be held on 3 December 2007;

 - the Policy Review Committee meeting scheduled for 3 December 2007 be held on 10 December 2007; and
 - an additional Ordinary Meeting be held on 17 December 2007.

12 Communities in Control Conference 2007 - From Advocacy to Policy - Communities Driving Change

302 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Ross Fowler that the information contained in the report on Communities in Control Conference 2007 - From Advocacy to Policy - Communities Driving Change be received.

13 The UK Economic Development Conference

303 A MOTION was MOVED by Councillor John Thain seconded Greg Davies

That:

1. The information contained in the report on The UK Economic Development Conference be received.
2. A memo be provided to the Mayor detailing opportunities for funding attendance at the conference and an official visit to Penrith, UK.
3. The Mayor or Mayor's representative attend the conference and visit Penrith, UK.

An AMENDMENT was MOVED by Councillor Ross Fowler seconded Councillor Mark Davies

That:

1. The information contained in the report on The UK Economic Development Conference be received.
2. A memo be provided to the Mayor detailing opportunities for funding attendance at the conference and an official visit to Penrith, UK.
3. The Mayor attend the conference and visit Penrith, UK.

On being PUT to the meeting, the AMENDMENT was LOST.

On being PUT to the meeting, the MOTION was CARRIED.

14 Draft 2007-08 Management Plan Submission

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

That:

1. The information contained in the report on Draft 2007-08 Management Plan Submission be received.
2. Mr Oliver be advised of the outcome of his submission in terms of this report.

15 Summary of Investments & Banking for the period 1 July 2007 to 31 July 2007

305 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Mark Davies

That:

1. The information contained in the report on Summary of Investments & Banking for the period 1 July 2007 to 31 July 2007 be received.
2. The Certificate of the Responsible Accounting Officer and Summaries of Investments and Performance for the period 1 July 2007 to 31 July 2007 be noted and accepted.
3. The graphical investment analysis as at 31 July 2007 be noted.
4. An urgent briefing be arranged on Council's investment strategy.

QUESTIONS WITHOUT NOTICE

QWN 1 Berkshire Park Rural Fire Brigade

Councillor Lexie Cettolin requested that \$465 from North Ward voted works be allocated to the Berkshire Park Rural Fire Brigade for the hire of the community hall for the Berkshire Park Rural Living and Ute Show.

306 RESOLVED on the MOTION of Councillor Lexie Cettolin 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.

307 RESOLVED on the MOTION of Councillor Lexie Cettolin seconded Councillor Kevin Crameri OAM that \$465 from North Ward voted works be allocated to the Berkshire Park Rural Fire Brigade for the hire of the community hall for the Berkshire Park Rural Living and Ute Show.

QWN 2 International Friendships

Councillor Jackie Greenow congratulated Council officers, in particular Jo Ryan, for their efforts in hosting the recent visit by the Fujieda Student Exchange and also the Dance Exchange with Sister City Fujieda.

QWN 3 Drainage Issues - Showground Creek, Penrith

Councillor Garry Rumble requested a memo reply to South Ward Councillors, including copies of correspondence to the affected resident of Mulgoa Road, regarding the ongoing nuisance caused by runoff from Showground Creek, and also the resident's request to redirect their main water supply.

QWN 4 Weir Reserve

Councillor Garry Rumble requested that, as a result of recent representations from visitors to the Great River Walk and the garden at Weir Reserve, plaques be provided identifying the types of trees planted in the garden.

QWN 5 Removal of Olive Trees - Soling Crescent, Cranebrook

Councillor Garry Rumble requested a report to Council regarding the removal of the olive trees in Soling Crescent, Cranebrook, with the report to make reference to the proposed future propagation of cuttings from these trees.

QWN 6 Electronic Signs on Mulgoa Road

Councillor Mark Davies requested a memo reply on the current status regarding permissibility of the use of large electronic signs along Mulgoa Road and also on the median strip entry to Glenmore Park, off Mulgoa Road.

QWN 7 Peppermint Reserve - Dumping of Green Waste

Councillor Mark Davies requested a memo reply addressing the dumping of green waste in Peppermint Reserve, Kingswood.

Councillor Mark Davies left the meeting, the time being 8:30 pm.

QWN 8 Garbage Services

Councillor Jim Aitken OAM requested a report to Council regarding the possible privatisation of garbage services, the report to detail costs to Council and ratepayers, and the possibility of excessive rubbish being stored on residential sites or dumped in public places.

QWN 9 Visit to China

Councillor Ross Fowler requested that, as he is now unable to attend the visit to Kunshan, China, in October 2007, Councillor Jim Aitken OAM replace him as Council's representative on this visit.

308 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Greg Davies 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.

309 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Greg Davies that Councillor Jim Aitken OAM replace Councillor Ross Fowler as Council's representative on the visit to Kunshan, China in October 2007.

QWN 10 Policy on Political Advertising

Councillor Ross Fowler requested a report to Council on the formulation of a policy covering political, and other, advertising on Council premises.

QWN 11 Brookfield Oval

Councillor John Thain requested a memo reply providing an update on when Council will be presented with a report regarding the use of Brookfield Oval as a training ground for the Brothers Juniors Football Club.

QWN 12 Parklawn Place, St Marys - Provision of 'No Skateboarding' signs

Councillor John Thain requested a memo reply concerning the replacement of 'No Skateboarding' signs at Parklawn Place, St Marys.

Councillor Mark Davies returned to the meeting, the time being 8:34 pm.

QWN 13 Intersection of Mamre and Erskine Park Roads

Councillor John Thain requested a memo reply regarding the possibility of installing lights at the intersection of Mamre and Erskine Park Roads, and requested that the matter be referred to the Local Traffic Committee, with a report to be submitted to Council, after consideration of the matter.

QWN 14 Biodiversity Corridors

Councillor David Bradbury requested a report to Council detailing the following:

- history of Council's investigations into the preservation of biodiversity corridors across our City;
- opportunities for enhancing such conservation efforts through the adoption of the new consolidated LEP; and
- opportunities for funding to enhance such conservation, including consideration of the Growth Centres Commission fund.

QWN 15 Establishment of Communal Noticeboard Facilities

Councillor David Bradbury requested a report to Council considering the merits of the establishment of communal noticeboard facilities.

QWN 16 Numbering of Properties in Victoria Street, Werrington, Kingswood and Cambridge Park

Councillor David Bradbury requested a report to Council outlining the current situation regarding 'double numbering' on Victoria Street in Werrington, Kingswood and Cambridge Park.

QWN 17 Allen Place Toilets - Penrith

Councillor David Bradbury requested a report to Council detailing the status of the Allen Place toilets, including the frequency of their cleaning.

QWN 18 Victoria Street - Telecommunications Works

Councillor John Thain requested a memo reply concerning telecommunications works that have been carried out to various sections of Victoria Street and asking that the relevant service provider be requested to repair the pavement in these areas.

COMMITTEE OF THE WHOLE

310 RESOLVED on the MOTION of Councillor Susan Page seconded Councillor John Thain that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 8:41 pm.

1 Presence of the Public

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

City as an Economy

2 Council Property - Station and Belmore Streets, Penrith

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 as a Social Place

3 Samuel Marsden Road Riding Facility Committee

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.

4 Review and Appeal of Determination of a Development Application for erection of a single storey dwelling at Lot 25 DP 2417 (No. 24) Fourth Avenue, Llandilo. Applicant: C Buchanan; Owner: C Buchanan DA05/1750

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.

The meeting resumed at 9:09 pm and the General Manager reported that the Committee of the Whole met at 8:41 pm on 13 August 2007, 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, 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 Council Property - Station and Belmore Streets, Penrith

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

CW2 That:

1. The information contained in the report on Council Property - Station and Belmore Streets, Penrith be received.
2. The four tenders for the sewerage connection to the State Government's land and Council's land as submitted be rejected.
3. Council enter into negotiations for a construction agreement with CLM Excavations Pty Ltd for the sewerage reticulation connection for Lot 1121 and Lot 1122, corner of Station and Belmore Streets, Penrith for Line 1 and Line 2 as outlined in the report and in accordance with Section 178 3(e) of the Local Government (General) Regulations 2005.
4. The reason for not calling fresh tenders is the urgency with regard to connection of the sewer to the State Government's land and Council's land at the corner of Station and Belmore Streets, Penrith.
5. A further report be submitted to Council at the next available meeting setting out the terms of the tender process and the outcome of negotiations.
6. The Property Development Manager and Chief Financial Officer be authorised to reach and execute agreements with CLM Excavations Pty Ltd in accordance with this report.

3 Samuel Marsden Road Riding Facility Committee

RECOMMENDED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Susan Page

CW3 That:

1. The information contained in the report on Samuel Marsden Road Riding Facility Committee be received.
2. The proposed actions outlined in the report be endorsed by Council.
3. A further report be submitted to Council in three months' time regarding the progress of the deliberations of the newly formed committee.

4 Review and Appeal of Determination of a Development Application for erection of a single storey dwelling at Lot 25 DP 2417 (No. 24) Fourth Avenue, Llandilo. Applicant: C Buchanan; Owner: C Buchanan DA05/1750

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

CW4 That:

1. The information contained in the report on Review and Appeal of Determination of a Development Application for erection of a single storey dwelling at Lot 25 DP 2417 (No. 24) Fourth Avenue, Llandilo be received.
2. That the Section 82A Review of Determination of Development Application for erection of a single storey dwelling at Lot 25 DP 2417 (No. 24) Fourth Avenue, Llandilo be determined by the Manager of Development Services.
3. The matter of unlawful building works be referred to Council's Compliance Unit for appropriate action.
4. Council reconsider the relevance of the Clause 12 Development Standard in the preparation of the Rural Lands component of the new LEP and whether the property is identified as a "land locked" parcel.

ADOPTION OF COMMITTEE OF THE WHOLE

311 RESOLVED on the MOTION of Councillor Steve Simat seconded Councillor John Thain 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 9:12 pm.

I certify that these 12 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 13 August 2007.

<hr/> Chairperson	<hr/> Date
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