

CONFIRMED MINUTES

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

ON MONDAY 3 SEPTEMBER 2007 AT 7:36PM

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 Acting Executive Officer.

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, Garry Rumble, Steve Simat and John Thain.

APOLOGIES

312 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Karen McKeown that the apology from Councillor Susan Page be accepted.

CONFIRMATION OF MINUTES - Ordinary Meeting - 13 August 2007

313 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Greg Davies that the minutes of the Ordinary Meeting of 13 August 2007 be confirmed.

DECLARATIONS OF INTEREST

Councillor John Thain declared a pecuniary interest in *Item 13 - Castlereagh Road, Cranebrook - Proposed acoustic barrier wall south of Church Lane*, as two potential suppliers of road building materials are clients of the firm at which he is employed. Councillor Thain declared his intention to vacate the meeting during debate and voting on this matter.

Councillor Karen McKeown declared a non-pecuniary interest in *Item 1 - Penrith Performing and Visual Arts Board - Advisory Committees*, as she is a Board member of the Penrith Performing and Visual Arts Board.

Councillor Jackie Greenow declared a non-pecuniary interest in *Item 1 - Penrith Performing and Visual Arts Board - Advisory Committees*, as she is a Board member of the Penrith

Performing and Visual Arts Board.

Councillor Ross Fowler declared a non-pecuniary interest in *Item 1 – Penrith Performing and Visual Arts Board - Advisory Committees*, as he is a Board member of the Penrith Performing and Visual Arts Board.

Councillor Ross Fowler declared a pecuniary interest in *Item 10 - Proposed variation of a restriction on the use of Lot 12 DP1087962, Nos. 9-12 Lambridge Place, Penrith*, as he is a Director of the owner company, the subject of the report.

Councillor Pat Sheehy AM declared a non-pecuniary interest in *Item 1 – Penrith Performing and Visual Arts Board - Advisory Committees*, as he is a Board member of the Penrith Performing and Visual Arts Board.

Councillor Lexie Cettolin declared a non-pecuniary interest in *Item 10 - Proposed variation of a restriction on the use of Lot 12 DP1087962, Nos. 9-12 Lambridge Place, Penrith*, as she is the Director of a company that owns property in the area the subject of the report.

SUSPENSION OF STANDING ORDERS

314 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 7:41 pm.

Mr Rick Anderson

Item 5 - Development Application 07/0530 proposal for Boarding Kennels and Cattery at Lot 1 DP 29321 (No.388-396) The Driftway, Londonderry

Speaking FOR the Recommendation

Mr Anderson, the applicant, spoke in support of this application. He stated that the noise impact on neighbouring properties would be minimal and that the proposed use blends well with other land uses in the area, as well as providing an important service for local residents.

Mr Bob Dennis

Item 13 - Castlereagh Road, Cranebrook - Proposed acoustic barrier wall south of Church Lane

Speaking AGAINST the Recommendation

Mr Dennis addressed matters of concern to residents of Church Lane, who are in favour of the proposed acoustic barrier wall in this area, drawing Council's attention to a petition from residents of Church Lane. He emphasised the urgency of finding a solution to the excessive noise emanating from Castlereagh Road, in the vicinity of Church Lane, and provided the meeting with a general overview of background acoustics, amenity, aesthetics and historical considerations.

Mr Mark Mulock

Item 13 - Castlereagh Road, Cranebrook - Proposed acoustic barrier wall south of Church Lane

Speaking AGAINST the Recommendation

Mr Mulock provided a general overview of the history of this matter and detailed consultations and negotiations that have taken place between residents and the PLDC over recent years. He stated that concerns were not limited to road noise, but also to traffic flow, height and position of the new Castlereagh Road construction, as well as increased pollution. Mr Mulock concluded by recommending the preferred design for an acoustic barrier wall which is favoured by the residents of this area.

RESUMPTION OF STANDING ORDERS

315 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Steve Simat that Standing Orders be resumed, the time being 8:02 pm.

MAYORAL MINUTE

1 2007 Mayoral Charity Ball

316 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor John Thain that the Mayoral Minute on the 2007 Mayoral Charity Ball be received.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Policy Review Committee Meeting held on 20 August 2007

A MOTION was moved by Councillor Karen McKeown seconded Councillor Jackie Greenow that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 20 August, 2007 be adopted.

317 An AMENDMENT was MOVED by Councillor Kevin Crameri OAM seconded Councillor Ross Fowler:

That the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 20 August, 2007 be adopted, with the exception of *Item 2 – St Marys Release Area – Public Exhibition of draft Ropes Creek Precinct Plan and Development Control Strategy*, and that a further report come back to Council reporting on culvert flooding issues this year in the area of Palmyra Road and Stony Creek Road in Shanes Park.

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

Note: A further resolution on this matter is included at Minute No. 346 of these Minutes, when the matter was recommitted for consideration of Council.

MASTER PROGRAM REPORTS

LEADERSHIP AND ORGANISATION

Council's Auditor, Mr Dennis Banicevic, a Director of PriceWaterhouse Coopers, addressed the meeting and gave a short presentation on Council's 2006-2007 Annual Financial Statements. He said the Statements show Penrith Council to be in a sound financial position and that they demonstrate a high standard of financial reporting.

21 2006-2007 Annual Financial Statements

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

That:

1. The information contained in the report on 2006-2007 Annual Financial Statements be received.
2. Pursuant to s413(2)(c) it is the Council's opinion that:
 - a. The financial statements and schedules have been drawn up in accordance with the Local Government Act 1993 and Regulations, the Local Government Code of Accounting Practice and Financial Reporting, the Local Government Asset Accounting Manual, and Australian Accounting Standards. The Code requires a phasing in of the new accounting requirements
 - b. Apart from the non-recognition of land under roads as required by the phasing process, the statements comply with Australian Statements of Accounting Concepts
 - c. The financial statements present fairly the Council's financial position as at 30 June 2007 and the operating result for the year then ended
 - d. The statements are in accord with Council's accounting and other records.
3. Pursuant to clause 215 of the Local Government Financial Management Regulation it is the Council's opinion that:
 - a. The accompanying Special Purpose Financial report has been drawn up in accordance with the Local Government Act 1993 and Regulations, the Local Government Code of Accounting Practice and Financial Reporting, and the requirements of National Competition Policy. The Code requires the inclusion of various charges and subsidies which are not actually paid or payable.
 - b. The report is a special purpose report and is not required to comply with Australian Accounting Standards. The above legislative requirements differ from Australian Accounting Standards and hence the report does not comply with Australian Accounting Standards.
 - c. The financial statements present a modelled scenario for comparative purposes. They do not report an actual result.
4. Council confirms its endorsement of the budget in the knowledge that some of its business activities are not making commercial returns. The existence of notional subsidies represents Council's commitment to its community service obligations.
5. The Statements be forwarded to Council's Auditors.
6. Abandonments for 2007 as detailed be written off.
7. The balance of stores and materials be adjusted in the stores and materials registers in accordance with the various write-offs.

15 Pecuniary Interest Returns

'319 RESOLVED on the MOTION of Councillor Kaylene Allison seconded Councillor John Thain that the information contained in the report on Pecuniary Interest Returns be received.

16 Review of Ward Boundaries

'320 RESOLVED on the MOTION of Councillor Kaylene Allison seconded Councillor John Thain

That:

1. The information contained in the report on Review of Ward Boundaries be received.
2. Council take no action at present to alter current ward boundaries, having regard to the fact that the number of electors in each ward does not differ by more than 10 per cent from the number of electors in the other two wards in its area.
3. The NSW Electoral Commissioner and the Director General of the Department of Local Government be informed that Penrith City Council does not propose to apply for any alteration to its current ward boundaries prior to the 2008 Election.

17 Constitutional Referendum - Election of Mayor

'321 RESOLVED on the MOTION of Councillor Kaylene Allison seconded Councillor John Thain

That:

1. The information contained in the report on Constitutional Referendum - Election of Mayor be received.
2. Council take no action to conduct a constitutional referendum in conjunction with the 2008 ordinary Council election, in relation to changing the way in which the Mayor is elected from Councillor-elected to popular election by the electors.

18 House Numbering - Victoria Street, Cambridge Park, Kingswood and Werrington

'322 RESOLVED on the MOTION of Councillor Kaylene Allison seconded Councillor John Thain that the information contained in the report on House Numbering - Victoria Street, Cambridge Park, Kingswood and Werrington be received.

19 Penrith Performing and Visual Arts Limited and Railway Street Theatre Company

323 RESOLVED on the MOTION of Councillor Kaylene Allison seconded Councillor John Thain that the information contained in the report on Penrith Performing and Visual Arts Limited and Railway Street Theatre Company be received.

20 2007-08 Financial Assistance Grant

324 RESOLVED on the MOTION of Councillor Kaylene Allison seconded Councillor John Thain that the information contained in the report on 2007-08 Financial Assistance Grant be received.

THE CITY AS A SOCIAL PLACE

**5 Development Application 07/0530 proposal for Boarding Kennels and Cattery at Lot 1 DP 29321 (No.388-396) The Driftway, Londonderry.
Applicant: Rick Anderson; Owner: Lorna J Anderson**

DA07/0530

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

That:

1. The information contained in the report on Development Application 07/0530 proposal for Boarding Kennels and Cattery at Lot 1 DP 29321 (No.388-396) The Driftway, Londonderry be received.
2. Development Application 07/0530 proposal for Boarding Kennels and Cattery at Lot 1 DP 29321 (No.388-396) The Driftway, Londonderry be approved, subject to the attached conditions:

Standard conditions

- 2.1 A001 (Plans)
 - A019 (Occupation Certificate)
 - A021 (Business registration)
 - A030 (No retail sales)
 - B001 (Demolition of lights and lure rail)
 - B002 (AS for demolition)
 - B003 (Asbestos)
 - B004 (Dust)
 - B005 (Mud/Soil)
 - B006 (Hours of work)
 - D001 (Sediment and erosion control measures)
 - D002 (Spray grass)
 - D005 (No fill)
 - D010 (Waste disposal)
 - K027 (Car parking – 8 spaces in total)
 - L008 (Tree preservation order)
 - L012 (Retain existing)
 - Q006 (Occupation Certificate)

Special conditions

- 2.2 The use of the right-of-carriageway over the property leading to Richmond Racecourse land is to cease as of 9 March 2012 and it is to be extinguished within six (6) months of this date. Written evidence that the extinguishment of right-of-carriageway has been lodged with Land and Property Information division of the Department of Lands is to be submitted by 9 March 2012.
- 2.3 The sign is to be fixed, not flashing. The sign is not to be illuminated
- 2.4 The gate restricting access to the rear of the site is not to be removed.
- 2.5 The trialling, training and breeding of animals is not permitted and is

not to occur on the site.

- 2.6 No more than 60 dogs and 20 cats (regardless of age) are to be kept on the premises at any time.

No other animals are permitted to be boarded on the site.

- 2.7 Dog and cat feeding is to be restricted to the hours between 9am to 9.30am and 4pm to 4.30pm. Dogs and cats are to be fed within the kennels and cattery respectively.
- 2.8 Distressed or injured dogs and cats are to be housed in an isolated sound proofed kennel/room while in recovery in accordance with the Statement of Environmental Effects.
- 2.9 The noise barrier located along the western boundary is not to be removed and is to be maintained and any damage to the noise barrier is to be repaired immediately.
- 2.10 One owner and one dog are to use the pool at any one time.
- 2.11 One dog at any one time is to be exercised in the straight exercise area.
- 2.12 The use of any lure being mechanical, motorised or otherwise is not permitted on the site.
- 2.13 An Operational Management Plan is to be provided to Council prior to the issue of an Occupation Certificate that includes, but is not limited to:
- Contact details of the operators of the kennels and cattery;
 - A contingency plan aimed at addressing any concerns raised by Council or nearby residents including action to be taken against troublesome boarders;
 - Supervision of the cattery and kennels;
 - Monitoring the health of dogs and cats and an emergency response plan in the event of an injury, illness or outbreak;
 - Storage location of cleaning products in a weatherproof and lockable room;
 - Dog calming techniques that are employed continuously on site and in the event that a dog or cat becomes aggressive;
 - Procedures and instances where dogs and cats may board with another;
 - Lock-up procedures; and
 - Vehicle movement on the site.
- 2.14 Noise levels from the premises shall not exceed the relevant noise criteria detailed in report number ARH72D11 (inclusive of amendments submitted 3 May 2007), prepared by Camets Acoustics Pty Ltd, dated 3 May 2007.

The recommendations provided in the above mentioned acoustic report shall be implemented and incorporated into the design and construction of the development, and shall be shown on plans

accompanying the Occupation Certificate application. A certificate is to be obtained from a qualified acoustic consultant certifying that the building has been constructed to meet the noise criteria in accordance with the approved acoustic report. This certificate is to be submitted to Council prior to the issue of an Occupation Certificate and three (3) months and twelve (12) months after the Occupation Certificate is issued.

The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

- 2.15 The operating hours are from 7am to 6pm Monday to Sunday. Delivery and service vehicles generated by the use are also limited to between these hours.
- 2.16 The dog exercise areas including the pool and straight track shall not be used between the hours of 6pm and 8am.
- 2.17 Prior to the issue of an Occupation Certificate, development consent number 183/85 for the training, trialling and breeding of greyhounds is to be surrendered to Penrith City Council in accordance with the provisions of the Environmental Planning and Assessment Act 1979.
- 2.18 Solid waste is to be disposed of at a lawful waste facility, or, if suitable recycled. Solid waste is to be stored in a designated area prior to removal for disposal or recycling. Where possible, the waste storage area is to be located so that it is not visible to adjoining land owner/occupiers. The waste storage area is to be provided with a weatherproof cover when it is unattended or not in use.
- 2.19 Hosing out kennels with water is not permitted. Kennels are to be cleaned using predominantly dry methods that limit the use of water. Acceptable methods would include sweeping, mopping and manual collection and disposal of dog waste.
- 2.20 Grass cover is to be established and maintained in outdoor kennel runs and dog exercise yards.
- 2.21 The sale of animals is not permitted on the site.
- 2.22 The light posts and lure rail located along the straight track on the western boundary are to be removed prior to the issue of an Occupation Certificate.
- 2.23 The besser block driving tower (BA 2645/85) is to be used for storage purposes only.
- 2.24 Dog kennels are to be sound-proofed and maintained accordingly.
- 2.25 Dogs and cats shall be confined to their kennels at all times, except during permitted exercise times.
- 2.26 The gates at 'The Driftway' entrance of the site are to be closed outside the approved hours of operation.
- 2.27 Waste is to be managed and the premises cleaned and maintained to

prevent the generation of offensive odours.

2.28 Development consent number 211/91 for a Greyhound Trial Track is to be surrendered on 9 March 2012 to Penrith City Council in accordance with the provisions of the Environmental Planning and Assessment Act 1979.

2.29 A register of complaints and the response taken is to be kept by the operator. Upon request, this is to be supplied to Council. In the event of noise complaint, the applicant is to provide an acoustic report addressing the performance criteria achieved by the approved development. This report is to be prepared by a suitably qualified consultant and is to recommend additional mitigation measures that are to be employed.

2.30 Dogs and cats are to be boarded separately.

3. Those making submissions be notified of the decision.

6 Community Assistance Program

326 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Kevin Crameri OAM

That:

1. The information contained in the report on Community Assistance Program be received.
2. Council approve a grant of \$800 to the Warehouse Youth Health Centre, under the Rolling Component of the 2007-08 Community Assistance Program, to organise a Young Men's Health Education Forum.

1 Penrith Performing and Visual Arts Board - Advisory Committees

327 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Jim Aitken OAM that the information contained in the report on Penrith Performing and Visual Arts Board - Advisory Committees be received.

Councillor Kevin Crameri OAM, Councillor Mark Davies, and Councillor Lexie Cettolin requested that their names be recorded as having voted AGAINST the MOTION.

2 Kingswood Park Community Centre - Request for Change of Name

328 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Kevin Crameri OAM

That:

1. The information contained in the report on Kingswood Park Community Centre - Request for Change of Name be received.
2. The name Kingswood Park Community Centre be changed to North Penrith Community Centre.
3. The Management Committee of the Kingswood Park Community Centre be thanked for their efforts in identifying a suitable name for the re-launch of the Community Centre.

3 Increased Subsidy - Nepean District Cricket Association (NDCA)

329 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Garry Rumble

That:

1. The information contained in the report on Increased Subsidy - Nepean District Cricket Association (NDCA) be received.
2. Funds be made available from the 2007/08 Parks operational budget to increase the subsidy to the NDCA to \$47,100.

4 Update of activities undertaken by the Development Services Department - Final Quarter 2006/2007

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

That:

1. The information contained in the report on Update of activities undertaken by the Development Services Department - Final Quarter 2006/2007 be received.
2. Future reports on Update of activities undertaken by the Development Services Department include a legal section.

THE CITY IN ITS ENVIRONMENT

Having previously declared a pecuniary interest in Item 10, Councillor Ross Fowler left the meeting, the time being 8:36 pm.

10 Proposed variation of a restriction on the use of Lot 12 DP1087962, Nos. 9-12 Lambridge Place, Penrith

331 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Kaylene Allison

That:

1. The information contained in the report on Proposed variation of a restriction on the use of Lot 12 DP1087962, Nos. 9-12 Lambridge Place, Penrith be received.
2. The terms of the restrictions as to user numbered 2 on the plans pursuant to Section 88b of the Conveyancing Act, 1919 for Lot 12 DP1087962 are not to be enforced in respect of the works as outlined in this report.

Councillor Ross Fowler returned to the meeting, the time being 8:37 pm.

7 Processing and Disposal of Garbage and Residual Waste

332 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Jackie Greenow that the information contained in the report on Processing and Disposal of Garbage and Residual Waste be received.

8 Purchase of a spreader for Recycled Organics Topdressing

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

That:

1. The information contained in the report on Purchase of a spreader for Recycled Organics Topdressing be received.
2. Further consideration of this matter be deferred until a report has come back to Council detailing all costs of Recycled Organics Topdressing and the savings to be achieved.

Councillor Mark Davies left the meeting, the time being 8:43 pm.

Councillor Mark Davies returned to the meeting, the time being 8:45 pm.

9 Update on the Campaign of the Western Sydney Alliance

334 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Update on the Campaign of the Western Sydney Alliance be received.
2. Council write a letter to the Leader of the Federal Labor Opposition, seeking an alternative use for the Badgerys Creek site.

11 Draft Plan of Management for River Road Reserve, Emu Plains

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

That:

1. The information contained in the report on Draft Plan of Management for River Road Reserve, Emu Plains be received.
2. The Draft Plan of Management for River Road Reserve be exhibited in accordance with the provisions of the Local Government Act 1993.
3. A final report be submitted to Council after the exhibition period seeking approval of the Plan of Management.

THE CITY SUPPORTED BY INFRASTRUCTURE

12 Tender 23-06/07 Construction of Skate Parks for Glenmore Park and St Clair

336 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Karen McKeown

That:

1. The information contained in the report on Tender 23-06/07 Construction of Skate Parks for Glenmore Park and St Clair be received.
2. Council accept the tender from Zalem Pty Ltd for the construction of Glenmore Park Skate Park works for a lump sum cost of \$403,729 including landscaping and additional skate park works.
3. Council accept the tender from Zalem Pty Ltd for the construction of St Clair Skate Park works for a lump sum cost of \$387,994 including landscaping works.
4. An amount of \$122,300 from the Recreation Reserve be made available to the project.

Having previously declared a pecuniary interest in Item 13, Councillor John Thain left the meeting, the time being 9:00 pm.

13 Castlereagh Road, Cranebrook - Proposed acoustic barrier wall south of Church Lane

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

That:

1. The information contained in the report on Castlereagh Road, Cranebrook - Proposed acoustic barrier wall south of Church Lane be received.
2. This item be deferred until Council has engaged in direct communication consultation, this consultation to include Church Lane residents and PLDC.

Councillor John Thain returned to the meeting, the time being 9:10 pm.

14 Luddenham Road, Luddenham pavement rehabilitation and road shoulder sealing

338 RESOLVED on the MOTION of Councillor Steve Simat seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Luddenham Road, Luddenham pavement rehabilitation and road shoulder sealing be received.
2. A further report be presented to Council on funding options for the rehabilitation of Luddenham Road, Luddenham, in the 2008/09 financial year.

QUESTIONS WITHOUT NOTICE

QWN 1 St Marys Spring Festival

Councillor Jackie Greenow thanked the people of St Marys, the committee that organises the Spring Festival, as well as Council staff who assisted in ensuring that the Festival, held on Saturday, 1 September 2007, was a success.

QWN 2 Basketball Court - Brookfield Avenue, Werrington Downs

Councillor Lexie Cettolin requested that \$5,150 from North Ward voted works be allocated to the replacement of the half basketball court at Brookfield Avenue, Werrington Downs.

339 RESOLVED on the MOTION of Councillor Lexie Cettolin seconded Councillor Ross Fowler 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.

340 RESOLVED on the MOTION of Councillor Lexie Cettolin seconded Councillor Ross Fowler that \$5,150 from North Ward voted works be allocated to the replacement of the half basketball court at Brookfield Avenue, Werrington Downs.

QWN 3 Committee of the Whole

Councillor Kevin Crameri OAM advised that he had a matter of a confidential nature to be considered, and requested that it be considered in Committee of the Whole.

QWN 4 Land Use - Kings Hill Road, Mulgoa

Councillor Garry Rumble requested acknowledgement of a letter from residents concerning a possible inappropriate land use at No. 1 Kings Hill Road, Mulgoa, and also requesting a copy of this response to be forwarded to all South Ward Councillors.

QWN 5 Emu Plains Railway Station - Lighting of Pedestrian Underpass

Councillor Garry Rumble requested a memo reply concerning a solution to the lack of lighting in the pedestrian underpass at Emu Plains Railway Station.

QWN 6 Requirement of Council Entities to observe Council's adopted EEO Guidelines

Councillor Garry Rumble requested a memo reply to all Councillors regarding Council's policy on the requirements of Council entities to observe Council's adopted EEO guidelines.

QWN 7 Proposed Extension of Links Road, Dunheved Industrial Area

Councillor Steve Simat requested a report to Council on the progress of the extension of Links Road in the Dunheved Industrial Area.

QWN 8 Pilot Program – Use of Bio Fuel in Wood Heaters

Councillor John Thain requested a report to Council on the pilot program for the use of bio fuel in wood heaters, utilising Lachlan Shire Mallee Bio Fuel, and investigating environmental grants from the State and Federal government to pilot programs that reduce emissions from urban wood heaters.

QWN 9 Mulgoa Road - Litter

Councillor Karen McKeown requested that several residents' letters concerning littering and illegal dumping of rubbish along Mulgoa Road, be responded to and that this matter be investigated.

QWN 10 Improvements to Blair Oval, St Marys

Councillor David Bradbury requested that \$3,000 from East Ward voted works be allocated to improvements to Blair Oval, St Marys, to include long jump run and sand pit and the barrier fencing of the pedestrian cross walk near the amenities building.

341 RESOLVED on the MOTION of Councillor David Bradbury 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.

342 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Greg Davies that \$3,000 from East Ward voted works be allocated to improvements to Blair Oval, St Marys, to include long jump run and sand pit and the barrier fencing of the pedestrian cross walk near the amenities building.

QWN 11 Erskine Park Neighbourhood Development Team

Councillor David Bradbury requested that \$2,500 from East Ward voted works be provided to the Erskine Park Neighbourhood Development Team for the Evergreens to assist with the transport costs of a proposed recreational bus trip for seniors.

343 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Steve Simat 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.

344 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Steve Simat that \$2,500 from East Ward voted works be provided to the Erskine Park Neighbourhood Development Team for the Evergreens to assist with the transport costs of a proposed recreational bus trip for seniors.

Recommittal of Report and Recommendations of the Policy Review Committee Meeting held on 20 August 2007

345 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor David Bradbury that consideration of the Report and Recommendations of the Policy Review Committee held on 20 August 2007 be recommitted for consideration of Council.

346 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor David Bradbury

That:

1. The recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 20 August, 2007 be adopted.
2. Regarding *Item 2 – St Marys Release Area – Public Exhibition of draft Ropes Creek Precinct Plan and Development Control Strategy*, the matter of culvert flooding in the area of Palmyra Avenue and Stony Creek Road, Shanes Park be incorporated in Council's submission to Blacktown City Council.

COMMITTEE OF THE WHOLE

347 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 9:32 pm.

1 Presence of the Public

CW1 RESOLVED on the motion of Councillor Greg Davies seconded Councillor Jackie Greenow that the press and public be excluded from Committee of the Whole to deal with the following matters:

Leadership and Organisation

2 Commercial Matter - Lease of Part of the Former Council Chambers Building to North St Marys Neighbourhood Centre on behalf of Nepean Interyouth Services

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 Question Without Notice - Personnel Matter

This matter has been referred to Committee of the Whole as it refers to a personnel matter concerning particular individuals.

The meeting resumed at 9:42 pm and the Acting General Manager reported that the Committee of the Whole met at 9:32 pm on 3 September 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, 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 - Lease of Part of the Former Council Chambers Building to North St Marys Neighbourhood Centre on behalf of Nepean Interyouth Services

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

CW2 That:

1. The information contained in the report on Commercial Matter - Lease of Part of the Former Council Chambers Building to North St Marys Neighbourhood Centre on behalf of Nepean Interyouth Services be received.
2. Council agree to leasing to Nepean Interyouth Services part of the former Council Chambers building for a 12 month period from 1 September 2007 to 31 August 2008 in accordance with the comments outlined in the summary of the report.

3 Question Without Notice - Personnel Matter

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

CW3 That the information concerning a personnel matter be received.

ADOPTION OF COMMITTEE OF THE WHOLE

348 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Steve Simat that the recommendations contained in the Committee of the Whole and shown as CW1, CW2 and CW3 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 9:43 pm.

I certify that these 17 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 3 September 2007.

Chairperson

Date