

## CONFIRMED MINUTES

### OF THE POLICY REVIEW COMMITTEE MEETING OF PENRITH CITY COUNCIL HELD IN THE PASSADENA ROOM, PENRITH ON MONDAY 8 OCTOBER 2007 AT 7:39PM

#### PRESENT

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

#### APOLOGIES

PRC 93 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Pat Sheehy AM that the apology from Councillor Steve Simat be accepted.

#### LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Susan Page for the period 8 October 2007 to 19 October 2007 inclusive.

Leave of Absence was previously granted to Councillor Garry Rumble for the period 8 October 2007 to 31 October 2007 inclusive.

#### DECLARATIONS OF INTEREST

Councillor Kevin Crameri OAM declared a pecuniary interest in *Item 5 – Draft Penrith Local Environmental Plan 2008 Stage 1 (Northern Rural Lands)*, as he owns property covered by the plan. Councillor Crameri declared his intention to leave the meeting during debate and voting on this matter.

Councillor Jackie Greenow declared a pecuniary interest in *Item 6 – Draft Penrith Local Environmental Plan 2008 Stage 1 (Heritage Items)*, as she owns property covered by the plan. Councillor Greenow declared her intention to leave the meeting during debate and voting on this matter.

Councillor Ross Fowler declared a pecuniary interest in *Item 1 – Penrith City Centre Plan; Item 2 – Draft Penrith Local Environmental Plan 2008 – Stage 1 and Penrith Development Control Plan 2008; Item 4 - Draft Penrith Local Environmental Plan 2008 Stage 1 (Southern Rural Lands); Item 5 - Draft Penrith Local Environmental Plan 2008 Stage 1 (Northern Rural Lands); and Item 6 - Draft Penrith Local Environmental Plan 2008 Stage 1 (Heritage Items)*, as he owns property covered by the plans. Councillor Fowler also declared a pecuniary interest in *Item 3 - Draft Penrith Local Environmental Plan 2008 Stage 1 (Industrial Lands)* as he acts for property owners covered by the plan. Councillor Fowler declared his intention to leave the meeting during debate and voting on these matters.

Councillor Jim Aitken OAM declared a pecuniary interest in *Item 1 – Penrith City Centre Plan; Item 2 – Draft Penrith Local Environmental Plan 2008 – Stage 1 and Penrith Development Control Plan 2008; Item 3 – Draft Penrith Local Environmental Plan 2008 – Stage 1 (Industrial Lands); Item 4 - Draft Penrith Local Environmental Plan 2008 Stage 1 (Southern Rural Lands); Item 5 - Draft Penrith Local Environmental Plan 2008 Stage 1 (Northern Rural Lands); Item 6 - Draft Penrith Local Environmental Plan 2008 Stage 1*

*(Heritage Items); and Item 9 – South Werrington Urban Village – Draft Local Environmental Plan and Draft Amendment to Penrith Development Control Plan 2006*, as he owns property covered by the plans. Councillor Aitken declared his intention to leave the meeting during debate and voting on these matters.

Councillor Lexie Cettolin declared a pecuniary interest in *Item 3 – Draft Penrith Local Environmental Plan 2008 – Stage 1 (Industrial Lands) and Item 5 – Draft Penrith Local Environmental Plan 2008 – Stage 1 (Northern Rural Lands)*, as she owns property covered by the plan. Councillor Cettolin declared her intention to leave the meeting during debate and voting on these matters.

### **CONFIRMATION OF MINUTES - Policy Review Committee Meeting - 10 September 2007**

PRC 94 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Lexie Cettolin that the minutes of the Policy Review Committee Meeting of 10 September 2007 be confirmed.

### **MASTER PROGRAM REPORTS**

#### **THE CITY IN ITS ENVIRONMENT**

Councillor Mark Davies left the meeting, the time being 8:12pm.

Councillor Mark Davies returned to the meeting, the time being 8:13pm.

Councillor Kevin Crameri OAM left the meeting, the time being 8:27pm.

Councillor Kevin Crameri OAM returned to the meeting, the time being 8:33pm.

#### **12 South Creek Corridor Precinct Plan and the Gipps St site Master Plan**

Mr Crosbie Lorrimer from Clouston Associates gave a presentation on the key findings and recommendations contained within the South Creek Precinct Plan and Gipps St Master Plan.

PRC 95 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Pat Sheehy AM

That:

1. The information contained in the report on the draft South Creek Corridor Precinct Plan and the Gipps St site Master Plan be received.
2. Council endorse the draft South Creek Corridor Precinct Plan and the Gipps St site Master Plan enabling the public exhibition phase to commence.
3. A report be submitted to Council at the conclusion of the public exhibition that details the feedback received and any necessary amendments to the South Creek Corridor Precinct Plan and the Gipps Street Master Plan before their final adoption.

**THE CITY IN ITS BROADER CONTEXT**

Having previously declared an interest in Items 1 - 6, Councillor Jim Aitken left the meeting, the time being 8:41pm.

Having previously declared an interest in Items 1 - 6, Councillor Ross Fowler left the meeting, the time being 8:41pm.

**1 Penrith City Centre Plan**

PRC 96 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Pat Sheehy AM

That:

1. The information contained in the report on Penrith City Centre Plan be received.
2. Council adopt the revised draft Vision for Penrith City Centre and revised draft Penrith City Centre Development Control Plan 2007.
3. Council support the revised draft Penrith City Centre Local Environmental Plan 2007, as attached, and with Item 4 of the R4 High Density Residential zone amended to prohibit retail premises (except neighbourhood shops where the maximum gross floor area does not exceed 100 square metres); Any other development not otherwise specified in item 2 or 3.
4. Council support the revised draft Penrith City Centre Civic Improvements Plan.
5. If the Minister for Planning directs the Council to make the revised draft Penrith City Centre Local Environmental Plan 2007 (LEP) and Penrith City Centre Civic Improvements Plan (CIP), Council write to the Minister consenting to the Minister making the LEP and CIP.
6. If the Minister for Planning refuses to make the LEP, Council write to the Department of Planning in accordance with Section 68 of the Environmental Planning and Assessment Act 1979 requesting gazettal of the LEP.
7. If the Minister refuses to make the CIP and directs Council to make the CIP, a further report on the CIP be forwarded to Council.
8. Penrith City Centre Development Control Plan 2007 take effect upon gazettal of Penrith City Centre Local Environmental Plan 2007.
9. Those persons who made submissions during the exhibition period, including the public authorities and statutory bodies, be advised of Council's resolution.

Having previously declared an interest in Item 3, Councillor Cettolin left the meeting, the time being 8:54pm.

**2 Draft Penrith Local Environmental Plan 2008 - Stage 1 and Penrith Development Control Plan 2008**

PRC 97 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Kaylene Allison that the information contained in the report on Draft Penrith Local Environmental Plan 2008 - Stage 1 and Penrith Development Control Plan 2008 be received.

**3 Draft Penrith Local Environmental Plan 2008 - Stage 1 (Industrial Lands)**

PRC 98 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Karen McKeown

That:

1. The information contained in the report on Draft Penrith Local Environmental Plan 2008 - Stage 1 (Industrial Lands) be received.
2. Council submit the provisions relating to the City's industrial lands as part of the draft Penrith Local Environmental Plan 2008 – Stage 1 to the Department of Planning with a request that the Department issue a certificate under Section 65 of the Environmental Planning and Assessment Act, 1979.
3. When the Section 65 certificate is received, Council exhibit the provisions for the City's industrial lands as part of draft Penrith Local Environmental Plan 2008 – Stage 1, with any minor amendments as directed by the Department of Planning in issuing the certificate.
4. A further report be presented to Council, regarding the matters raised in submissions to the draft Penrith Local Environmental Plan 2008 – Stage 1, after the conclusion of the public exhibition.

Councillor Cettolin returned to the meeting, the time being 9:01pm.

**4 Draft Penrith Local Environmental Plan 2008 - Stage 1 (Southern Rural Lands)**

PRC 99 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Pat Sheehy AM

That:

1. The information contained in the report on Draft Penrith Local Environmental Plan 2008 - Stage 1 (Southern Rural Lands) be received.
2. Council submit the provisions relating to the City's southern rural lands as part of draft Penrith Local Environmental Plan 2008 – Stage 1 to the Department of Planning, with a request that the Department issue a certificate under Section 65 of the Environmental Planning and Assessment Act, 1979.
3. When the Section 65 certificate is received, Council exhibit the provisions for the City's southern rural lands as part of draft Penrith Local Environmental Plan 2008 – Stage 1, with any minor amendments as directed by the Department of Planning in issuing the certificate.
4. A further report be presented to Council, regarding the matters raised in submissions to the draft Penrith Local Environmental Plan 2008 – Stage 1, after the conclusion of the public exhibition.
5. The report to Council after the conclusion of the public exhibition is to include information on the proposed planning controls for Schools and Churches in the city's rural lands, and in particular Orchard Hills.

Having previously declared an interest in Item 5, Councillor Kevin Crameri OAM left the meeting, the time being 9:22pm.

Having previously declared an interest in Item 5, Councillor Cettolin left the meeting, the time being 9:22pm.

#### **5 Draft Penrith Local Environmental Plan 2008 - Stage 1 (Northern Rural Lands)**

PRC 100 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Karen McKeown

That:

1. The information contained in the report on Draft Penrith Local Environmental Plan 2008 - Stage 1 (Northern Rural Lands) be received.
2. Council submit the provisions relating to the City's northern rural lands as part of draft Penrith Local Environmental Plan 2008 – Stage 1 to the Department of Planning, with a request that the Department issue a certificate under Section 65 of the Environmental Planning and Assessment Act, 1979.
3. When the Section 65 certificate is received, Council exhibit the provisions for the City's northern rural lands as part of draft Penrith Local Environmental Plan 2008 – Stage 1, with any minor amendments as directed by the Department of Planning in issuing the certificate.
4. A further report be presented to Council, regarding the matters raised in submissions to the draft Penrith Local Environmental Plan 2008 – Stage 1, after the conclusion of the public exhibition.

Councillor Cettolin returned to the meeting, the time being 9:23pm.

Having previously declared an interest in Item 6, Councillor Jackie Greenow left the meeting, the time being 9:23pm.

**6 Draft Penrith Local Environmental Plan 2008 - Stage 1 (Heritage Items)**

PRC 101 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Kaylene Allison

That:

1. The information contained in the report on Draft Penrith Local Environmental Plan 2008 - Stage 1 (Heritage Items) be received.
2. Council submit the provisions relating to the City's heritage as part of the draft Penrith Local Environmental Plan 2008 – Stage 1 to the Department of Planning with a request that the Department issue a certificate under Section 65 of the Environmental Planning and Assessment Act, 1979.
3. When the Section 65 certificate is received, Council exhibit the provisions for the City's heritage, including the full list of proposed items, as part of draft Penrith Local Environmental Plan 2008 – Stage 1, with any minor amendments as directed by the Department of Planning in issuing the certificate.
4. A further report be presented to Council, regarding the matters raised in submissions to the draft Penrith Local Environmental Plan 2008 – Stage 1, after the conclusion of the public exhibition.

Councillors Fowler, Aitken, Greenow, and Cramer returned to the meeting, the time being 9:25pm.

Councillor Jackie Greenow left the meeting, the time being 9:25pm.

Councillor Jackie Greenow returned to the meeting, the time being 9:26pm.

**7 Draft Penrith Local Environmental Plan 2008 - Stage 1 (St Marys Town Centre)**

PRC 102 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Draft Penrith Local Environmental Plan 2008 - Stage 1 (St Marys Town Centre) be received.
2. Council submit the provisions relating to St Marys Town Centre as part of the draft Penrith Local Environmental Plan 2008 – Stage 1 to the Department of Planning with a request that the Department issue a certificate under Section 65 of the Environmental Planning and Assessment Act, 1979.
3. When the Section 65 certificate is received, Council exhibit the provisions for the St Marys Town Centre as part of draft Penrith Local Environmental Plan 2008 – Stage 1, with any minor amendments as directed by the Department of Planning in issuing the certificate.
4. A further report be presented to Council, regarding the matters raised in submissions to the draft Penrith Local Environmental Plan 2008 – Stage 1, after the conclusion of the public exhibition.

**8 Draft Penrith Local Environmental Plan 2008 - Stage 1 (Proposed Reclassification of Public Land)**

PRC 103 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Kaylene Allison

That:

1. The information contained in the report on Draft Penrith Local Environmental Plan 2008 - Stage 1 (Proposed Reclassification of Public Land) be received.
2. Council classify the land described in Schedule 4 of draft Penrith Local Environmental Plan 2008 – Stage 1 in accordance with the provisions of the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979.
3. Council reclassify the land described in Schedule 4 of draft Penrith Local Environmental Plan 2008 – Stage 1 (being Lot 205 DP 31908, Lot 210 DP 31908, Lot 212 DP 31909, Lot 213 DP 31909, Lot 2141 DP 772116, Lot 2151 DP 740147, Lot 177 DP 26908, Lot 179 DP 26908, Lot 180 DP 26908, Lot 181 DP 26908, and Lot 185 DP 26908) from ‘community land’ to ‘operational land’ in accordance with the provisions of the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979.
4. Council submit the list of public lands in Schedule 4 as part of draft Penrith Local Environmental Plan 2008 – Stage 1 to the Department of Planning with a request that the Department issue a certificate under Section 65 of the Environmental Planning and Assessment Act, 1979.
5. Council exhibit the list of public lands in Schedule 4 as part of draft Penrith Local Environmental Plan 2008 – Stage 1, once the certificate has been received, in accordance with any minor amendments requested by the Department as part of issuing the certificate.
6. Council arrange a public hearing under section 68 of the Environmental Planning and Assessment Act 1979, as part of the public exhibition of Penrith Local Environmental Plan 2008 – Stage 1 in respect of the land proposed to be reclassified from ‘community land’ to ‘operational land’.
7. A further report be presented to Council at the conclusion of the exhibition, which includes information on mechanisms that can be used to maintain the informal pedestrian pathways that link the northern and southern parts of the Dunheved Business Park, and connect to the former Dunheved Railway Station.

## **THE CITY AS A SOCIAL PLACE**

### **10 Glenmore Park Stage 2 - Public Exhibition of Draft Local Environmental Plan and Penrith Development Control Plan Amendment**



PRC 104 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Ross Fowler

That:

1. The information contained in the report on Glenmore Park Stage 2 - Public Exhibition of Draft Local Environmental Plan and Penrith Development Control Plan Amendment be received.
2. Council indicate in principle support for Draft Penrith Local Environmental Plan 2007 – Glenmore Park attached to this report.
3. In accordance with the Environmental Planning and Assessment Act 1979 and Regulations 2000, Council adopt Penrith Development Control Plan 2006 Amendment – Glenmore Park Stage 2 attached to this report.
4. The Penrith Development Control Plan 2006 Amendment – Glenmore Park Stage 2 take effect upon gazettal of Penrith Local Environmental Plan 2007 – Glenmore Park.
5. A further report be provided to Council seeking adoption of Penrith Local Environmental Plan 2007 – Glenmore Park and the related Section 94 Development Contributions Plan and consideration of the Planning Agreement between Penrith City Council and Glenmore Park Stage 2 Landowners.

#### **11 Draft Penrith City District Open Space Facilities Development Contributions Plan**

PRC 105 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Karen McKeown

That:

1. The information contained in the report on Draft Penrith City District Open Space Facilities Development Contributions Plan be received.
2. Council endorse the draft Penrith City District Open Space Facilities Development Contributions Plan to enable the public exhibition phase to proceed.
3. A further report be presented to Council on issues raised by the Penrith Sports Stadium Management and detailing any progress that has been made in response to their submissions.

Having previously declared an interest in Item 9, Councillor Aitken OAM left the meeting, the time being 9:33pm

#### **9 South Werrington Urban Village - Draft Local Environmental Plan and Draft Amendment to Penrith Development Control Plan 2006**

PRC 106 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Mark Davies

That:

1. The information contained in the report on South Werrington Urban Village - Draft Local Environmental Plan and Draft Amendment to Penrith Development Control Plan 2006 be received.
2. In accordance with the Environmental Planning and Assessment Act 1979 and the Regulations 2000, Council submit the draft Penrith Local Environmental Plan – South Werrington Urban Village, as attached to this report, to the Director-General of the Department of Planning, seeking the issue of a Section 65 Certificate to enable the draft Plan to be publicly exhibited.
3. In accordance with the Environmental Planning and Assessment Act 1979 and the Regulations 2000, the draft amendment to Penrith Development Control Plan 2006 Chapter 6 to incorporate planning controls relating to South Werrington Urban Village as attached to this report, be publicly exhibited.
4. A further report be presented to Council following public exhibition of the draft Local Environmental Plan and draft Development Control Plan 2006 amendment, advising of the outcomes of exhibition and making further recommendations relating to the adoption of the final plans and affordable housing delivery for South Werrington Urban Village.
5. The land owners of South Werrington Urban Village be advised of Council's decision and that a Section 94 plan and affordable housing delivery will need to be resolved and endorsed by Council prior to Council being in a position to adopt the draft Local Environmental Plan for referral to the Department of Planning and the Minister for approval and gazettal.

Councillor Aitken OAM returned to the meeting, the time being 9:34pm.

## **LEADERSHIP AND ORGANISATION**

### **13 Policy on the Payment of Expenses and Provision of Facilities to Mayor, Deputy Mayor and Councillors**

PRC 107 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Pat Sheehy AM

That:

1. The information contained in the report on Policy on the Payment of Expenses and Provision of Facilities to Mayor, Deputy Mayor and Councillors be received
2. The Policy on the Payment of Expenses and Provision of Facilities to Mayor, Deputy Mayor and Councillors be adopted and submitted to the Department of Local Government with the following amendments, which in the opinion of the Council, are not considered to be substantial amendments:
  - Deletion of the words “including consumables” in the last line of clause 11.2.2; and
  - Deletion of the last sentence in clause 11.2.3 (reading “The Technology Consumables shall also be deducted from the allowance allowed for stationery supplies.”)

There being no further business the Chairperson declared the meeting closed the time being 9:38pm.

I certify that these 9 pages are the Confirmed Minutes of the Policy Review Committee Meeting of Penrith City Council held on 8 October 2007.

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Chairperson

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Date