

CONFIRMED MINUTES

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

ON MONDAY 25 FEBRUARY 2008 AT 7:30PM

NATIONAL ANTHEM

The meeting opened with the National Anthem.

STATEMENT OF RECOGNITION

His Worship the Mayor, Councillor Greg Davies read a statement of recognition of Penrith City's Aboriginal and Torres Strait Islander Cultural Heritage.

PRAYER

The Council Prayer was read by the Executive Officer.

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 OAM, Jackie Greenow, Karen McKeown, Susan Page, Garry Rumble, Pat Sheehy AM and John Thain.

APOLOGIES

'25 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Jim Aitken OAM that the apology from Councillor Steve Simat be accepted.

CONFIRMATION OF MINUTES - Ordinary Meeting - 4 February 2008

'26 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Karen McKeown that the minutes of the Ordinary Meeting of 4 February 2008 be confirmed.

DECLARATIONS OF INTEREST

Councillor Kevin Crameri OAM declared a non-pecuniary interest in *Item 4 – Development Application 07/0494 Land Fill and Torrens Title Subdivision of Lot 1 into 5 lots and Construction of associated civil works. Lot 3, DP 1104194 (No 1070-1274) The Northern Road, Llandilo (ADI Site Penrith). Applicant: Lend Lease Development Pty Ltd; Owner: St Marys Land Ltd* as he lives in the vicinity of this proposed development.

Councillor John Thain declared a pecuniary interest in *Item 9 – WSROC Joint Asphalt Tender Tender Ref: WR01-07/08* as the tenderers 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.

WELCOME TO GUESTS

At this stage, His Worship the Mayor, Councillor Greg Davies extended a welcome to Dr Alexis Leones, President of the Philippine Language and Cultural Association of Australia (PLCAA) and Ms Divina Ibarra, member of the PLCAA Board who were in attendance to observe the meeting.

SUSPENSION OF STANDING ORDERS

27 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Pat Sheehy AM that Standing Orders be suspended to allow a member of the public to address the meeting, the time being 7:42pm.

Ms Samantha McWhinney

Item 2 - Namatjira Out of School Hours Service (OOSH)

Speaking FOR the Recommendation

Ms McWhinney, an affected parent and representing the parents of the Namatjira Out of School Hours Service, sought the assistance of Council in locating alternative out of school hours care for her son due to the pending closure of the Service. She indicated that there was nowhere to provide immediate care for her son, as other services had long waiting lists. Ms McWhinney spoke very highly of the assistance given by the staff at Namatjira, as they had done so much to help her son. Ms McWhinney said that it means so much to her and the other parents to keep this facility open, as there is no other place for the children to go.

RESUMPTION OF STANDING ORDERS

28 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Ross Fowler OAM that Standing Orders be resumed, the time being 7:45pm.

MAYORAL MINUTES

1 The late Maurice Thomas Reddan OAM

29 RESOLVED on the MOTION of His Worship the Mayor, Councillor Greg Davies seconded Councillor Ross Fowler OAM that the Mayoral Minute on The late Maurice Thomas Reddan OAM be received.

His Worship the Mayor, Councillor Greg Davies, requested that a minutes silence be observed for the passing of Maurice Thomas Reddan OAM.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Local Traffic Committee Meeting held on 4 February 2008

30 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Pat Sheehy AM that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 4 February, 2008 be adopted subject to the following amendment being made to the recommendation at *Item 6 – O’Connell Street, Claremont Meadows – Assessment of Existing Traffic Facilities*:

LTC 6 That:

1. The information contained in the report on O’Connell Street, Claremont Meadows – Assessment of Existing Traffic Facilities, together with the supplementary information, be received.
2. The existing traffic facilities in the vicinity of the chicane device in O’Connell Street, Claremont Meadows remain unchanged and the existing roll kerb not be replaced with vertical barrier kerb.
3. The Police be requested to carry out enforcement of the 60km/h speed restriction in O’Connell Street west of the Claremont Meadows estate.
4. The General Manager write to the affected residents informing them of the decision made by Council and providing advice as to why the previous course of action as contained in Council’s original resolution was not taken, with a copy of the letter being forwarded to all Councillors.

2 Report and Recommendations of the Policy Review Committee Meeting held on 18 February 2008.

31 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Jim Aitken OAM that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 18 February, 2008 be adopted.

MASTER PROGRAM REPORTS

THE CITY AS A SOCIAL PLACE

1 Community Assistance Program 2007-08 Rolling Component - Projects Approved Under Delegation September - December 2007

32 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Lexie Cettolin that the information contained in the report on Community Assistance Program 2007-08 Rolling Component - Projects Approved Under Delegation September - December 2007 be received.

3 Glenmore Park Child and Family Precinct Project

33 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Lexie

Cettolin

That:

1. The information contained in the report on Glenmore Park Child and Family Precinct Project be received
2. Formal tenders be invited from:
 - D.G. Sundin & Co Pty Ltd
 - Denham Constructions Pty Ltd
 - Hooker Cockram
 - Brisland Pty Ltd
 - Taylor Projects Group Pty Ltd
 - Gledhill Constructions Pty Ltd
3. A further report be submitted to Council following the receipt of the tenders recommending a preferred tenderer.

2 Namatjira Out of School Hours Service (OOSH)

Councillor Kevin Crameri OAM left the meeting, the time being 8:00pm.

Councillor Kevin Crameri OAM returned to the meeting, the time being 8:01pm.

34 RESOLVED on the MOTION of Councillor John Thain seconded Councillor David Bradbury

That:

1. The information contained in the report on Namatjira Out of School Hours Service (OOSH) be received.
2. The Children's Services Department continue to liaise with all parties involved in the investigation of an alternative auspice for the Namatjira OOSH service.
3. The Children's Services Department, in collaboration with families and relevant stakeholders, continue to develop short and longer term transitional strategies to meet the needs of families currently utilising Namatjira OOSH.
4. An amount of up to \$3,500 from North Ward voted works be allocated for the provision of a bus and driver until the end of Term 1.
5. Council's congratulations be conveyed to Janet Keegan, Children's Services Manager - Operations, for her assistance in finding a solution to this matter.

Councillor John Thain left the meeting, the time being 8:04pm.

Councillor John Thain returned to the meeting, the time being 8:07pm.

4 Development Application 07/0494 Land Fill and Torrens Title Subdivision of Lot 1 into 5 lots and Construction of associated civil

**works. Lot 3, DP 1104194 (No 1070-1274) The Northern Road, Llandilo
(ADI Site Penrith). Applicant: Lend Lease Development Pty Ltd;
Owner: St Marys Land Ltd**

DA07/0494

35 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor David Bradbury

That:

1. The information contained in the report on Development Application 07/0494 Land Fill and Torrens Title Subdivision of Lot 1 into 5 lots and Construction of associated civil works. Lot 3, DP 1104194 (No 1070-1274) The Northern Road, Llandilo (ADI Site Penrith) be received
2. DA 07/0494 for Proposed Land Fill and Torrens Title Subdivision of Lot 1 into 5 lots and Construction of associated Civil Works. Part Lot 3, DP 1104194 (No 1070-1274) The Northern Road, Llandilo (ADI Site Penrith) approved, subject to the following conditions and the General Terms of Approval from Integrated Approval Bodies (Attachment 3):

Standard Conditions

- 2.1 A001 - Approved Plans & Documentation
- 2.2 A005 - Integrated Approval Bodies Consent
- 2.3 A011 - DCP Construction
- 2.4 B002 - AS for Demolition
- 2.5 B003 - Asbestos
- 2.6 B004 - Dust
- 2.7 B005 - Mud & Soil
- 2.8 C003 - Uncovered relics
- 2.9 D001 - Erosion and sediment
- 2.10 D002 - Spray grass
- 2.12 D006 - Fill Material Approval PCC + DECC
- 2.13 D010 - Disposal of Excavated Waste
- 2.14 D131 - Approved Noise Levels – SKM report
- 2.15 G001 - Installation of Services
- 2.16 H001 - Stamped Plans and Site Notice
- 2.17 H003 - Traffic management
- 2.18 H041 - Hours of Work
- 2.19 I003 - Roads Act Approvals
- 2.20 I004 - Roads Act engineering
- 2.21 K001 - Engineering Works DCP – Road design
- 2.22 K002 - WAE
- 2.23 K004 - Easement Creation
- 2.24 K007 - CDL's & Easements
- 2.25 K019 - Connection to Council's system (add P002)

- 2.26 K021 - 8m splay corners intersection of Links Road and proposed Road 1
- 2.27 K035 - Street Signs
- 2.28 K036 - Maintenance Bond
- 2.29 K037 - Performance Bond
- 2.30 K038 - Fill on Industrial Sites
- 2.31 K039 - Road Safety Audit
- 2.32 K040 - Linemarking & Signposting
- 2.33 L001 - Landscape Plan reqd by Spec. Cond. No.3
- 2.34 L002 - Landscape Construction (Cat.3)
- 2.35 L003 - All Landscape Reports & Final Site Arborist Report
- 2.36 L005 - Planting of Plant Material
- 2.37 L010 - Tree Management Plan
- 2.38 M001 - Prior to Subdivision Work
- 2.39 M008 - Linen Plan
- 2.40 M009 - Linen Plan 88b Restriction
- 2.41 Stormwater On Site Detention
- 2.42 Water Quality devices
- 2.43 M014 - Surveyors Certificate
- 2.44 P001 - Works at applicants cost
- 2.45 P002 - Council Fees includes Road Opening & Infrastructure Restoration fees
- 2.46 Q008 – Subdivision Certificate

Special Conditions

- 2.47 Prior to the issue of an Construction Certificate a Maintenance Manual for the proposed Basin 4 shall be submitted to, and the details approved by Penrith City Council
- 2.48 All verge areas are to be turfed for the full width from back of kerb to property boundary
- 2.49 A revised landscape plan for the site is to be submitted to Council for approval prior to works commencing on the landscaping. The landscape plan is not to include any native grasses within the median or verges. Tree species are to be local provenance. Council's Parks and Reserves Dept is to be contacted regarding appropriate tree species for the trees within the road reserve and Drainage Reserve
- 2.50 The culvert within the proposed Drainage Reserve as shown on the plans by Parsons Brinkerhoff is not supported and an alternative open channel is to be provided
- 2.51 Prior to the issue of a Construction Certificate the proposed Gross

- Pollutant Trap (GPT) type and model to be owned by Council is to be approved by Penrith City Council. The type of GPT is to be a dry vault system. A Maintenance Manual for the proposed GPT is to be provided with the submission for approval of the GPT
- 2.52 The proposed batter slopes within the Drainage Reserve and Basin 4 are to be a maximum of 1:5 (vertical to horizontal)
- 2.53 An access ramp is to be provided for maintenance to Basin 4 and the proposed Drainage Reserve. The ramp is to be gated at the road level with the ramp being trafficable by a Heavy Rigid Truck in accordance with AS 2890.2
- 2.54 The proposed entry statement adjacent to Basin 4 at the intersection of Links Road and proposed Road 1 is not approved
- 2.55 Concept design for stormwater quality and detention facilities for each proposed lot are to be submitted to Council prior to the issue of the Construction Certificate. The design of the facilities is to ensure that the stormwater is able to be discharged to Council's stormwater system and that adequate areas are set aside on the lot for the stormwater facilities
- 2.56 A minimum of 3 native trees/shrubs are to be replanted on site for every healthy native tree/shrub removed for the development. These trees are to be indigenous to the local area and be consistent with the native vegetation located on the site. Details of the proposed plantings and their maintenance are to be prepared to the satisfaction of Council
- 2.57 The water monitoring requirements outlined in the Soil and Groundwater Investigation report prepared by Environmental Investigation Services is to be undertaken by a suitably qualified and experienced environmental consultant. Reports outlining the water monitoring including scientific information such as results, discussion and recommendations are to be supplied to Council within 90 days from the completion of each monitoring period
- 2.58 Prior to embankment removal commencing, an accurate record including good quality photos of the size, shape and configuration of the embankment including a reasonable level of survey are to be undertaken and submitted to Council
- 2.59 Following removal of the embankment the stability of the remaining material and its suitability for revegetation using Cumberland Plain flora species is to be confirmed. If investigations indicate that either the stability or suitability of the soil is questionable, then the applicant is required to take steps to rectify the situation. This may include, but not be limited to, the provision of a suitable soil cap to provide stability and support for future re-vegetation. If capping is required, it should be able to withstand the effects of flows associated with floods, erosion and weathering and there may be a need to plant short term stabilising vegetation, prior to longer term decisions on future revegetation.
- 2.60 The proposed type Channelised Right Turn Treatment (Ausroads

2005) at the link road/ main feeder road intersection must be designed to accommodate full B- Double swept paths for all movements. A detailed design plan must be submitted to Council with overlaid B- Double swept paths prior to construction of the treatment.

- 2.61 The proposed bus stop on the north eastern main feeder road within the site is to be upgraded to a bus shelter to facilitate passengers waiting for the route services. A monetary contribution would be deemed acceptable and Council would install the Bus Shelter to its specifications.

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

THE CITY IN ITS ENVIRONMENT

5 Support for Earth Hour 2008

'36 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Karen McKeown

That:

1. The information contained in the report on Support for Earth Hour 2008 be received.
2. Council participate in and promote Earth Hour 2008 in the terms indicated in the report.

6 Community Consultation for Rural Lands on Overland Flow Flooding & Formation of Penrith Floodplain Advisory Committee

'37 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on Community Consultation for Rural Lands on Overland Flow Flooding & Formation of Penrith Floodplain Advisory Committee be received.
2. Council proceed with the formation of a Flood Advisory Consultative Committee with community representatives, together with other stakeholders as outlined in this report, to make recommendations to Council on any necessary changes to Council's current Flood Policy.
4. Local residents Rick Pisaturo of Erskine Park and Mary Vella of Castlereagh be also included on the Flood Advisory Consultative Committee.

THE CITY AS AN ECONOMY

7 Request for sponsorship of the National Rowing Championships

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

That:

1. The information contained in the report on Request for sponsorship of the National Rowing Championships be received.
2. The request for sponsorship of \$3,000 be approved.

THE CITY SUPPORTED BY INFRASTRUCTURE

Having previously declared a pecuniary interest in Item 9, Councillor John Thain left the meeting, the time being 8:43pm.

9 WSROC Joint Asphalt Tender Tender Ref: WR01-07/08

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

That:

1. The information contained in the report on WSROC Joint Asphalt Tender Tender Ref: WR01-07/08 be received.
2. Existing agreements be terminated in accordance with the contract terms and a new 3 year contract be awarded to the following companies for the specified categories with provision for rise and fall as specified in the WSROC Joint Asphalt Tender:
 - a. Sprayed Bituminous Surfacing be awarded to Sami Road Services Pty Ltd as the primary contractor & Pioneer Road Services Pty Ltd. as the secondary contractor.
 - b. Bituminous & Cementitious Stabilisation be awarded to Stabilised Pavements of Australia Pty Ltd as the primary contractor & Downer EDI Works Pty Ltd as the secondary contractor.
 - c. Ex-bin supply of Asphalt Products be awarded to Pioneer Road Services Pty Ltd as the primary contractor & State Asphalt Services Pty Ltd as the secondary contractor.
 - d. Supply & delivery of Asphalt Products be awarded to State Asphalt Services Pty Ltd as the primary contractor & Pioneer Road Services Pty Ltd as the secondary contractor.
 - e. Asphalt Works including Mill & Fill works be awarded to State Asphalt Services Pty Ltd as the primary contractor & Pioneer Road Services Pty Ltd as the secondary contractor.

- f. Road Restoration Works be awarded to Bernipave Pty Ltd as the primary contractor & Asphalt Consulting and Testing (t/a Tropic Asphalts) as the secondary contractor.
- g. Provision of Profiling services only be awarded to Downer EDI Works Pty Ltd as the primary contractor & Stabilised Pavements of Australia Pty Ltd as the secondary contractor.

Councillor John Thain returned to the meeting, the time being 8:43pm.

10 Parking Agreements with Westfield Penrith and Centro Nepean

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

That:

- 1. The information contained in the report on Parking Agreements with Westfield Penrith and Centro Nepean be received.
- 2. Approval be given to the Waste & Community Protection Manager to enter into an agreement to carry out parking enforcement of disabled parking spaces, and 'No Parking' areas within the private car parks of Westfield Penrith and Centro Nepean.
- 3. Westfield Penrith and Centro Nepean Management be advised.

8 Penrith Integrated Transport and Land Use Strategy

41 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Jim Aitken OAM

That:

- 1. The information contained in the report on Penrith Integrated Transport and Land Use Strategy be received.
- 2. The Draft Penrith Integrated Transport and Land Use Strategy be placed on public exhibition between 3 March and 4 April 2008 at Council's Civic Centre, Penrith Library and Queen Street Centre, St Marys.
- 3. The Draft Penrith Integrated Transport and Land Use Strategy be made available on Council's website and advertised in local newspapers (Mayoral column).
- 4. A further report be submitted to allow Council to give formal consideration to supporting the Western Fast Rail proposal.

11 Jamison Park Netball Floor Covering Replacement

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

That:

1. The information contained in the report on Jamison Park Netball Floor Covering Replacement be received.
2. An amount of \$6,000 be allocated from voted works (\$2,000 from each Ward) to fund the shortfall for this work.

LEADERSHIP AND ORGANISATION

13 Sustainability Revolving Fund

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

That:

1. The information contained in the report on the Sustainability Revolving Fund be received
2. The recommended allocations to the Civic Centre Air Conditioning project as detailed in the report be approved
3. A further internal loan of \$200,000 to the Sustainability Revolving Fund for the purposes detailed in the report be authorised
4. The Corporate Development Manager be delegated authority to allocate funding of up to \$20,000 (excluding GST) from the Sustainability Revolving Fund for approved minor projects within the policy guidelines set for the program.

14 Audit Committee

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

That:

1. The information contained in the report on Audit Committee be received.
2. Changes be made to the Audit Committee Charter as detailed in the report.

15 Extensions to Civic Centre

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

That:

1. The information contained in the report on Extensions to Civic Centre be received.
2. Kane Constructions (NSW) Pty Ltd be awarded the tender for the extension to the Civic Centre in the value of \$1,583,887.
3. The Common Seal of the Council of the City of Penrith be affixed to all relevant documentation.

16 Summary of Investments & Banking for the period 1 January to 31 January 2008

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

That:

1. The information contained in the report on Summary of Investments & Banking for the period 1 January to 31 January 2008 be received
2. The Certificate of the Responsible Accounting Officer and Summaries of Investments and Performance for the period 1 January 2008 to 31 January 2008 be noted and accepted
3. The graphical investment analysis as at 31 January 2008 be noted.

12 City Operations Directorate Report to end of January 2008

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

That the information contained in the report on City Operations Directorate Report to end of January 2008 be received.

QUESTIONS WITHOUT NOTICE

QWN 1 Great Western Highway, Kingswood outside shops

Councillor Susan Page requested that representations be made to the Roads and Traffic Authority in respect to the surface deterioration of the Great Western Highway outside the Kingswood shops.

QWN 2 Mamre Road, St Marys between M4 and Great Western Highway

Councillor Susan Page requested that representations be made to the Roads and Traffic Authority in respect to the surface deterioration of Mamre Road between the M4 and the Great Western Highway.

QWN 3 Great Western Highway, Penrith

Councillor Susan Page requested that representations be made to the Roads and Traffic Authority in respect to the complete surface deterioration of the road at:

1. the intersection of Henry Street and the Great Western Highway; and
2. the section of the Great Western Highway from Henry Street to Parker Street as it is particularly unsafe for cyclists and motorcyclists.

QWN 4 Howell Oval, Penrith

Councillor Karen McKeown requested that Council provide funds of \$1,000 from each of the three wards (\$3,000 in total) for the installation of two flagpoles at Howell Oval, Penrith.

48 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Jim Aitken OAM that the matter be brought forward and dealt with as a matter of urgency.

His Worship the Mayor, Councillor Greg Davies, ruled that the matter was urgent and should be dealt with at the meeting.

49 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Jim Aitken OAM that a total amount of \$3,000 be allocated from voted works (\$1,000 from each Ward) for the installation of two flagpoles at Howell Oval, Penrith.

QWN 5 Walking Track - Werrington Downs to Cambridge Park

Councillor John Thain requested that a report be submitted to Council on the possibility of providing a marked walking track to link parks in Werrington County, Werrington Downs, Cambridge Park, Cambridge Gardens and Kingswood Park, the report to include possible routes.

QWN 6 Development Proposal, Bents Basin Road, Wallacia

Councillor Ross Fowler OAM submitted for Council's information correspondence he has received from Hopewood Health Retreat, Wallacia regarding a development in the Wollondilly Shire nearby to residences in Wallacia.

QWN 7 York Road, Jamisontown

Councillor Ross Fowler OAM requested a report on whether footpaths are planned to be provided on either side of York Road, Jamisontown from Batt Street heading south, and if so, the report to include details of the programme for construction, timeframe and costing.

QWN 8 Referral of Personnel Matters to Committee of the Whole

Councillor Kevin Crameri OAM requested that two personnel matters concerning particular individuals be considered in Committee of the Whole.

QWN 9 Intersection of Greygums Road and Andrews Road, Cranebrook

Councillor Kevin Crameri OAM requested that the Local Traffic Committee give consideration to the provision of either traffic lights or a roundabout at the intersection of Greygums Road and Andrews Road, Cranebrook.

QWN 10 Star Court, Cambridge Gardens

Councillor Kevin Crameri OAM requested that the Local Traffic Committee give consideration to the provision of either traffic lights or a roundabout at the intersection of Star Court and The Northern Road in view of the difficult situation of exiting from Star Court.

QWN 11 Footpath in front of Penrith Railway Station

His Worship the Mayor, Councillor Greg Davies, asked that attention be given to the overhanging trees on the footpath at Penrith Railway Station, as they are forcing pedestrians to walk on the roadway.

QWN 12 Tench Reserve, Jamisontown

Councillor Jim Aitken OAM requested that a report be provided to the next ordinary Council meeting on the funding situation and the cost of the upgrade to the electricity supply at Tench Reserve for the 2007 Carols by Candlelight, as he is of the understanding that this work was carried out with a loan from other projects and is to be repaid from voted works.

QWN 13 Littlefields Road, Mulgoa

Councillor Jim Aitken OAM asked that an investigation be made into the dumped building waste (concrete and asbestos) at Littlefields Road, Mulgoa in front of Gow Park, in an endeavour to identify the dumper, and if not able to find evidence of the dumper, he asks that Council remove the rubbish.

QWN 14 Homestead Road and Wentworth Road, Orchard Hills

Councillor Jim Aitken OAM requested that urgent attention be given to the two wash aways on the road shoulders in front of 300 Homestead Road, Orchard Hills and in front of the home in Wentworth Road, Orchard Hills west of Carolyn Chase on the southern side.

COMMITTEE OF THE WHOLE

50 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Kaylene Allison that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 9:17pm.

1 Presence of the Public

CW1 RESOLVED on the motion of Councillor Karen McKeown seconded Councillor Kaylene Allison that the press and public be excluded from Committee of the Whole to deal with the following matters:

Leadership and Organisation

2 Senior Staff Matters

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.

City In Its Environment

3 Golfam Pty Limited - Status of Legal Action

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.

Leadership and Organisation

4 Question Without Notice 8 - Referral of Personnel Matters to Committee of the Whole

Two matters raised by Councillor Kevin Crameri were referred to Committee of the Whole as they refer to personnel matters concerning particular individuals and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

The meeting resumed at 10:15 pm and the Executive Officer reported that the Committee of the Whole met at 9:17 pm on Monday 25 February 2008, the following being 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 OAM, Jackie Greenow, Karen McKeown, Susan Page, Garry Rumble, Pat Sheehy AM 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

3 Golfam Pty Limited - Status of Legal Action

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

CW3 That the information contained in the report on Golfam Pty Limited – Status of Legal Action be received.

4 Question Without Notice 8 - Referral of Personnel Matters to Committee of the Whole

It was agreed that Councillors would be provided with a memo reply on the matters raised.

2 Senior Staff Matters

RECOMMENDED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Mark Davies

CW2 That:

1. The information contained in the report on Senior Staff Matters be received
2. The recommendations of the Senior Staff Recruitment / Review Committee be adopted.

ADOPTION OF COMMITTEE OF THE WHOLE

51 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor David Bradbury that the recommendations contained in the Committee of the Whole and shown as CW2 and CW3 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 10:18pm.

I certify that these 16 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith

This is Page No 17 of the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held in the Council Chambers on Monday 25 February 2008

City Council held on 25 February 2008.

Chairperson

Date