

## **CONFIRMED MINUTES**

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

**ON MONDAY 7 APRIL 2008 AT 7:40PM**

#### **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 Rev Neil Checkley.

#### **PRESENT**

His Worship the Mayor Councillor Greg Davies, Councillors 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, Steve Simat and John Thain.

#### **APOLOGIES**

There were no apologies.

#### **LEAVE OF ABSENCE**

A request for leave of absence was received from Councillor Jim Aitken OAM for the period 7 April 2008 to 21 April 2008 inclusive.

84 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jackie Greenow that leave of absence be granted to Councillor Jim Aitken OAM for the period 7 April 2008 to 21 April 2008 inclusive.

#### **CONFIRMATION OF MINUTES - Ordinary Meeting - 10 March 2008**

85 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Garry Rumble that the minutes of the Ordinary Meeting of 10 March 2008 be confirmed.

#### **CONFIRMATION OF MINUTES - Extraordinary Council Meeting - 13 March 2008**

86 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Mark Davies that the minutes of the Extraordinary Council Meeting of 13 March 2008 be confirmed.

## **DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **MAYORAL MINUTES**

### **1 Cr Karen McKeown Elected as ALGWA Secretary**

87 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow that the Mayoral Minute on Cr Karen McKeown Elected as ALGWA Secretary be received.

### **2 Announcement of the Winner of the Name the Water Dragon Competition**

88 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Karen McKeown that the Mayoral Minute on Announcement of the Winner of the Name the Water Dragon Competition be received.

## **REPORTS OF COMMITTEES**

### **1 Report and Recommendations of the Policy Review Committee Meeting held on 31 March 2008**

89 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Garry Rumble that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 31 March, 2008 be adopted.

## **MASTER PROGRAM REPORTS**

### **THE CITY IN ITS BROADER CONTEXT**

#### **1 2009 Ulysses Motor Cycle Club Annual General Meeting**

'90 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Susan Page

That:

1. The information contained in the report on 2009 Ulysses Motor Cycle Club Annual General Meeting be received.
2. Council approve the attendance of the Mayor at the Ulysses AGM in Townsville 30 May to 1 June 2008 to promote the 2009 event in Penrith Valley.
3. On adoption of the 2008-9 budget, a payment of \$35,000 from funds allocated to supporting events be made to the organisers of the Ulysses 2009 AGM, be approved.
4. A risk management plan be prepared to address any inclement weather issues that may affect the holding of this event.

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

### **2 Southern Sudanese Settlement in the Penrith LGA**

'91 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Jackie Greenow

That

1. The information contained in the report on Southern Sudanese Settlement in the Penrith LGA be received.
2. The report be made available in all Council Libraries.
3. The report be made available to schools where Southern Sudanese children attend and that a copy of the report be provided to all organisations included in the Refugee Coalition.

### **3 Community and Cultural Development Department - Projects and Key Achievements - 1 July to 30 December 2007**

'92 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Ross Fowler OAM that the information contained in the report on Community and Cultural Development Department - Projects and Key Achievements - 1 July to 30 December 2007 be received.

### **4 Establishment of the Penrith Community Filipino School**

'93 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Kevin Cramer OAM

That:

1. The information contained in the report on Establishment of the Penrith Community Filipino School be received.
2. The amount of \$1,766, funded equally from North, South and East Ward voted works be allocated to the establishment of the Penrith Community Filipino School for a twelve month period.

## **5 The Healthy Penrith Program**

'94 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Jackie Greenow that the information contained in the report on The Healthy Penrith Program be received.

## **6 Status of Victoria Park Landscaping**

'95 RESOLVED on the MOTION of Councillor Kaylene Allison seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Status of Victoria Park Landscaping be received.
2. The Masterplan approved by Council in 2004 be implemented utilising funds identified in the Section 94 Local Open Space Developer Contributions Plan and that the remaining work be nominated for consideration through subsequent Project Evaluation processes.
3. A further urgent report be presented to Council on the Schedule of Works and the timeframe for this, as well as providing information on any renovations for the memorial bandstand or rotunda that may have been planned.

## **7 Erskine Business Park (Section 94) Development Contributions Plan**

'96 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on Erskine Business Park (Section 94) Development Contributions Plan be received.
2. Council adopt the Erskine Business Park Development Contributions Plan 2008 as attached to this report.
3. Those persons who made submissions on the draft Plan be advised of Council's decision.

## **8 The Australian Chapter of the Alliance for Healthy Cities - National Forum and**

**Meeting 7 - 9 May 2008**

'97 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Lexie Cettolin

That:

1. The information contained in the report on The Australian Chapter of the Alliance for Healthy Cities - National Forum and Meeting 7 - 9 May 2008 be received.
2. Councillor Garry Rumble, along with any other interested Councillors, be given the opportunity to attend the National Forum and Meeting of the Australian Chapter of the Alliance for Healthy Cities, to be held on 7-9 May 2008.

**THE CITY IN ITS ENVIRONMENT**

**9 Tender 10-07/08 Ropes & South Creek Rehabilitation Works**

'98 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Tender 10-07/08 Ropes & South Creek Rehabilitation Works be received.
2. A Contract be awarded to Greening Australia NSW for Ropes & South Creek Rehabilitation works, incorporating community education and awareness, as detailed in the report.
3. The Common Seal of the Council of the City of Penrith be affixed to all relevant documentation, if required.

**THE CITY AS AN ECONOMY**

**10 Young Achievement Australia Business Skills Program**

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

That:

1. The information contained in the report on Young Achievement Australia Business Skills Program be received.
2. A further urgent report be presented to Council addressing matters raised by Councillor Pat Sheehy AM, including further information on independent evaluation of the program.

## **11 CLAIR Forum 2008**

100 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor David Bradbury

That:

1. The information contained in the report on CLAIR Forum 2008 be received.
2. Councillor Jackie Greenow represent Council at the 2008 CLAIR Forum to be held on Friday 11 April 2008 in Rotorua, New Zealand.

## **LEADERSHIP AND ORGANISATION**

### **12 Best Practice Grants Management Conference**

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

That:

1. The information contained in the report on Best Practice Grants Management Conference be received.
2. Acknowledgement and congratulations be extended to Ray Richardson on his election, in November 2007, as Chair of the NSW Grants Network.

### **13 Personnel Matter**

**909/91 Pt9**

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

That:

1. The information contained in the report on Personnel Matter be received.
2. Council congratulate the Director – City Strategy on his appointment to the position of General Manager, to become effective on 2 July 2008.

## **QUESTIONS WITHOUT NOTICE**

### **QWN 1 Food Safety Program - Inspection Fees**

Councillor Susan Page requested a memo reply detailing the breakdown of the administration cost component which appears on the inspection fee invoices for the Food Safety Program.

**QWN 2 Hire of Harold Corr Hall by Nepalese Community of Western Sydney**

Councillor Pat Sheehy AM requested that the amount of \$400, for the hire of the Harold Corr Hall by the Nepalese Community of Western Sydney, for its annual event on 12 April 2008, be funded equally from North, South and East Ward voted works.

103 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Garry Rumble 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.

104 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Garry Rumble that the amount of \$400, for the hire of the Harold Corr Hall by the Nepalese Community of Western Sydney, for its annual event on 12 April 2008, be funded equally from North, South and East Ward voted works.

**QWN 3 Werrington Creek**

Councillor Pat Sheehy AM requested that an amount of \$14,650 from North Ward voted works be allocated to providing a link from the new bridge and pathway to Victoria Street and the old path that runs along the creek to Burton Street, in the Werrington Creek area.

105 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Kevin Crameri 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.

106 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Kevin Crameri OAM that an amount of \$14,650 from North Ward voted works be allocated to providing a link from the new bridge and pathway to Victoria Street and the old path that runs along the creek to Burton Street, in the Werrington Creek area.

**QWN 4 Availability of HSC Texts at Penrith City Library**

Councillor David Bradbury requested a report to Council regarding the establishment of a closed reserve section of the Library for HSC texts.

**QWN 5 Car Park behind St Marys Hotel, Queen Street, St Marys**

Councillor David Bradbury requested a memo reply outlining the status of the car park behind the St Marys Hotel in Queen Street, St Marys.

**QWN 6 Property Maintenance - Werrington County Children's Centre**

Councillor David Bradbury requested a memo reply in response to a resident's concerns regarding community safety in the vicinity of the Werrington County Children's Centre, in particular broken glass which has been scattered around the ramp and steps to the Centre.

**QWN 7 Arms of Australia Inn**

Councillor David Bradbury requested a report to Council on the future of the Arms of Australia Inn, the report to advise Councillors of any proposals brought forward by the Nepean District Historical Society.

**QWN 8 Access Issues - Jamison Park Netball Courts**

Councillor David Bradbury requested a memo reply concerning safety issues raised by a resident with regard to access to Jamison Park Netball Courts.

**QWN 9 Cobbity Avenue, Werrington Downs**

Councillor David Bradbury requested a memo reply regarding issues raised by a resident of Cobbity Avenue, Werrington Downs, concerning rubbish and long grass at No. 15 Cobbity Avenue, and also concerning overgrown trees and holes in the road in Cobbity Avenue.

**QWN 10 Playing Fields at Brookfield Avenue, Cambridge Gardens**

Councillor John Thain requested a report to Council on the feasibility of the playing fields located on Brookfield Avenue, Cambridge Gardens being reserved for use by the local Henry Lawson / Cambridge Park Junior Rugby League Football Club and also by the Henry Lawson Cricket Club and the Henry Lawson Football (Soccer) Club, noting that the Rugby League Club intends to apply for a Capital Grant to develop the area.



**QWN 11 Castlereagh Area - Maintenance of Road Verges**

Councillor John Thain requested a memo reply addressing the slashing of grass verges in the Castlereagh area, as the grass is now too long to walk through, necessitating pedestrians using the road.

**QWN 12 Victoria Bridge - Nepean River**

Councillor John Thain requested a report to Council on options for celebrating the 150 year anniversary of the spanning of the Nepean River with the Victoria Bridge, possibly by way of a festival.

**QWN 13 Play Equipment - Lincoln Drive, Cambridge Park**

Councillor John Thain requested an urgent memo reply seeking advice as to when the play equipment at the park in Lincoln Drive, Cambridge Park will be upgraded.

**QWN 14 Penrith Station Bus Interchange**

Councillor Ross Fowler OAM requested a memo reply to all Councillors concerning the problem of insufficient layover areas for buses at the Penrith Station interchange.

**QWN 15 Local History Matter**

Councillor Ross Fowler OAM requested that local historical information received by him from Mr John Byrnes be forwarded to Council's Information Librarian for further reference and enquiry of issues raised.

**QWN 16 Victoria Bridge - Safety Issues**

Councillor Ross Fowler OAM requested a memo reply concerning safety issues relating to Victoria Bridge, in particular the narrowness of the roadway and footpath.

**QWN 17 Telstra Service Pit - Derby Street, Penrith**

Councillor Garry Rumble requested a memo reply concerning the need for urgent repair to a collapsed Telstra service pit on the footpath outside 187 Derby Street, Penrith.

**QWN 18 Tourism Conference - Lismore 2008**

Councillor Garry Rumble requested a report to Council by the officer that attended the Tourism Conference held in Lismore this year, outlining the outcomes of Council's involvement in this function.

**QWN 19 Castlereagh Public School Centenary**

Councillor Kevin Crameri OAM requested that an amount of \$400 from North Ward voted works be allocated to the cost of hall hire for the Castlereagh Public School Centenary celebrations.

107 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Pat Sheehy AM 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.

108 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Pat Sheehy AM that an amount of \$400 from North Ward voted works be allocated to the cost of hall hire for the Castlereagh Public School Centenary celebrations.

#### **QWN 20 Section 94 Contributions**

Councillor Kevin Crameri OAM requested a report to the next Council meeting providing details of the Section 94 contributions for parks, and addressing the notification of costs to applicants.

#### **QWN 21 'Sailability' Activities at Penrith Lakes**

Councillor Jackie Greenow requested a memo reply detailing the cost of providing a four-man boat to be used for the Sailability program, and also the feasibility and cost of providing a concrete ramp/path to the water from the boat shed.

#### **QWN 22 Carsons Lane - Construction Zone**

Councillor Greg Davies requested an urgent report to the next Council meeting concerning the Carsons Lane (DoCs) construction zone and access to the car park.

Councillor Steve Simat left the meeting at 8:54 pm and did not return.

#### **COMMITTEE OF THE WHOLE**

109 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Susan Page that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 8:55 pm.

##### **1 Presence of the Public**

CW1 RESOLVED on the motion of Councillor Pat Sheehy AM seconded Councillor Susan Page that the press and public be excluded from Committee of the Whole to deal with the following matters:

*Leadership and Organisation*

**2 Commercial Matter - Council Property - Cranebrook Village Shopping Centre**

*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.*

*Leadership and Organisation*

**3 Commercial Matter - Council Property - Lease of Shop 7, Fast Food Takeaway at Cranebrook Village Shopping Centre**

*This item has been referred to Committee of the Whole as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in open meeting would be, on balance, contrary to the public interest.*

The meeting resumed at 9:02 pm and the General Manager reported that the Committee of the Whole met at 8:55 pm on 7 April 2008, the following being present

His Worship the Mayor Councillor Greg Davies, Councillors Kaylene Allison, David Bradbury, Lexie Cettolin, Kevin Cramer 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**

**2 Commercial Matter - Council Property - Cranebrook Village Shopping Centre**

RECOMMENDED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Kaylene Allison

CW2 That:

1. The information contained in the report on Commercial Matter - Council Property - Cranebrook Village Shopping Centre be received.
2. Council call Expressions of Interest (EOI) for the redevelopment of Cranebrook Village Shopping Centre with a view to its sale.
3. The EOI documentation incorporate economic, social, planning and environmental objectives for the Centre and the surrounding precinct, bounded by Borrowdale Way, Laycock and Hosking Streets.
4. Consultants be engaged to assist with development of EOI documentation, the redevelopment and sale process, consultation with relevant stakeholders, assessment of potential developers and feasibility analysis of the offers received.
5. Council's intentions in regard to the redevelopment and potential sale of the Centre be made known to the Centre's tenants, the Cranebrook Neighbourhood Advisory Board, owners and occupants of other land in the precinct and other relevant stakeholders.
6. Council's Community Participation Policy be used to guide consultation with the local community.

### **3 Commercial Matter - Council Property - Lease of Shop 7, Fast Food Takeaway at Cranebrook Village Shopping Centre**

RECOMMENDED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Susan Page

CW3 That:

1. The information contained in the report on Commercial Matter - Council Property - Lease of Shop 7, Fast Food Takeaway at Cranebrook Village Shopping Centre be received.
2. Council grant Ivupheng & Ly Chrun an initial rent reduction as outlined in the report.

### **ADOPTION OF COMMITTEE OF THE WHOLE**

110 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Lexie Cettolin that the recommendations contained in the Committee of the Whole and shown as CW1, CW2 and CW3 be adopted.

### **Sir Ian Turbott Honorary Citizen Reception**

111 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Pat

Sheehy AM that letters of congratulations from the Mayor be forwarded to all staff involved in the organisation of the Sir Ian Turbott Honorary Citizen Reception held on Saturday night, 5 April 2008.

There being no further business the Chairperson declared the meeting closed the time being 9:09 pm.

I certify that these 11 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 7 April 2008.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date