

## **CONFIRMED MINUTES**

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

**ON MONDAY 21 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, Garry Rumble, Pat Sheehy AM, Steve Simat (arrived at 8:11 pm) and John Thain.

#### **APOLOGIES**

112 RESOLVED on the MOTION of Councillor Jackie Greenow 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 Jim Aitken OAM for the period 7 April 2008 to 21 April 2008 inclusive.

A request for three weeks leave of absence was received from Councillor Susan Page for the period 21 April 2008 to 12 May 2008 inclusive.

113 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Garry Rumble that leave of absence be granted to Councillor Susan Page for the period 21 April 2008 to 12 May 2008 inclusive.

#### **CONFIRMATION OF MINUTES - Ordinary Meeting - 7 April 2008**

114 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Lexie Cettolin that the minutes of the Ordinary Meeting of 7 April 2008 be confirmed.

## **DECLARATIONS OF INTEREST**

Councillor Kaylene Allison declared a pecuniary interest in *Item 7 - Development Application DA07/0742 for the use of an existing school hall as a Place of Worship at Lot 912 DP 836641 (No. 86 - 90) Andromeda Drive, Cranebrook* as she is employed by the Trustees of the Roman Catholic Church.

## **SUSPENSION OF STANDING ORDERS**

115 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Jackie Greenow that Standing Orders be suspended to allow members of the public to address the meeting, the time being 7:43 pm.

### **Rita Schembri**

*Item 6 – Section 94 Contributions for Dual Occupancies*

#### ***Speaking AGAINST the Recommendation***

Ms Schembri, representing an affected person, spoke against the fees charged for Section 94 contributions, and suggested that these costs, along with other development costs, were prohibitive to residents wishing to carry out a dual occupancy development on their property. Also, noting the additional cost of an Aboriginal Cultural Assessment, which is required to be undertaken over some properties in the Penrith Local Government Area.

Councillor Kaylene Allison left the meeting, the time being 7:50 pm.

### **Father David Maguire**

*Item 7 – Development Application DA07/0742 for the use of an existing school hall as a Place of Worship at Lot 912 DP 836641 (No. 86 – 90) Andromeda Drive, Cranebrook*

#### ***Speaking FOR the Recommendation***

Father Maguire, spokesperson the applicant, spoke in favour of the application, but requested amendment of a number of conditions of consent which referred to the maximum size of any congregation, ventilation of the hall and noise attenuation during use of the PA system and when the band is playing, and the matter of overflow parking in Andromeda Drive. Father Maguire indicated that, if these conditions are amended, the Parish would be able to comply with all of the conditions of consent and reasonably satisfy Council and neighbours concerning the scope of its activities.

### **Don Barnes**

*Item 7 – Development Application DA07/0742 for the use of an existing school hall as a Place of Worship at Lot 912 DP 836641 (No. 86 – 90) Andromeda Drive, Cranebrook*

#### ***Speaking AGAINST the Recommendation***

Mr Barnes, an affected neighbour, spoke against the recommendation for approval of this development, citing a number of matters of concern, such as hours of operation; noise emanating from the hall; parking issues; number of people attending using the facility; absence of a landscaping buffer and car park lighting; and wedding receptions being held in the area outside the hall.

116 RESOLVED on the MOTION of Councillor Lexie Cettolin seconded Councillor Kevin Crameri OAM that an extension of time be granted to Mr Don Barnes, the time being 8:04 pm.

Mr Barnes concluded by requesting that a decision on this development be deferred to enable other local residents, who were not aware that this matter was to be presented to Council this evening, to comment on the proposal.

### **RESUMPTION OF STANDING ORDERS**

117 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Pat Sheehy AM that Standing Orders be resumed, the time being 8:06 pm.

Councillor Kaylene Allison returned to the meeting, the time being 8:07 pm.

### **MAYORAL MINUTES**

Councillor Steve Simat arrived at the meeting, the time being 8:11 pm.

Councillor Lexie Cettolin left the meeting at 8:12 pm and did not return.

### **1 Federal Cabinet makes history in Penrith**

118 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow

That:

1. The Mayoral Minute on Federal Cabinet makes history in Penrith be received.
2. Council thank the Prime Minister and Cabinet for choosing Penrith as the venue for the first Community Cabinet meeting in New South Wales and the Civic Centre as the venue for the first Cabinet meeting held outside of a Federal Government building.
3. Council thank the local member, David Bradbury, for his assistance with both the Community Cabinet and Cabinet meetings being held in Penrith.
4. Council thank Jamison High School staff, students, band and singer, Nicholas Gentile, for contributing to the success of the Community Cabinet meeting.

### **Launch of Camp Victory**

Councillor Jackie Greenow presented the Mayor with a certificate of appreciation and a photo of participants from the Camp Victory project that was recently conducted in the St Marys area, for the benefit of young offenders or those at risk of offending. Councillor Greenow noted that this project was a joint effort which involved local Police, Army, and Rotary Club as well as Council staff and financial support.

### **REPORTS OF COMMITTEES**

#### **1 Report and Recommendations of the Local Traffic Committee Meeting held on 7 April 2008**

119 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Karen McKeown that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 7 April, 2008 be adopted.

### **MASTER PROGRAM REPORTS**

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

##### **1 Status on the Planning Reforms and the Release of the Exposure Draft Bills**

120 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Kaylene Allison

That:

1. The information contained in the report on Status on the Planning Reforms and the Release of the Exposure Draft Bills be received.
2. Council endorse a submission to the Department of Planning, based on the matters outlined in this report, in response to the Planning Reforms Exposure Draft Bills.
3. The implications of the planning reform legislation, when it is introduced, be reported to Council's Development Regulation Working Party and Council.

**Recommitment of Item 1 - Status on the Planning Reforms and the Release of the Exposure Draft Bills**

121 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Ross Fowler OAM that consideration of Item 1 - Status on the Planning Reforms and the Release of the Exposure Draft Bills be recommitted for consideration of Council.

A MOTION was MOVED by Councillor Mark Davies seconded Ross Fowler OAM

That:

1. The information contained in the report on Status on the Planning Reforms and the Release of the Exposure Draft Bills be received.
2. Council endorse a submission to the Department of Planning, based on the matters outlined in this report, in response to the Planning Reforms Exposure Draft Bills.
3. The implications of the planning reform legislation, when it is introduced, be reported to Council's Development Regulation Working Party and Council.
4. The Mayor write to the Premier, the Hon Morris Iemma MP, seeking the resignation of the Minister for Planning, the Hon Frank Sartor MP, in relation to the perceived lack of transparency, accountability and reduced public consultation. Furthermore, to the reduction of councils' traditional autonomy to approve local development and responsibility for decisions on behalf of the local community.

An AMENDMENT was MOVED by Councillor David Bradbury seconded Councillor Pat Sheehy AM

That:

1. The information contained in the report on Status on the Planning Reforms and the Release of the Exposure Draft Bills be received.
2. Council endorse a submission to the Department of Planning, based on the matters outlined in this report, in response to the Planning Reforms Exposure Draft Bills.
3. The implications of the planning reform legislation, when it is introduced, be reported to Council's Development Regulation Working Party and Council.

Upon being PUT to the Meeting, the AMENDMENT was CARRIED.

Councillor David Bradbury called for a DIVISION.

**For**

Councillor Pat Sheehy AM  
Councillor David Bradbury  
Councillor Kaylene Allison  
Councillor Karen McKeown  
Councillor John Thain  
Councillor Jackie Greenow  
Councillor Greg Davies

**Against**

Councillor Ross Fowler OAM  
Councillor Steve Simat  
Councillor Mark Davies  
Councillor Garry Rumble  
Councillor Kevin Cramer OAM

122 The AMENDMENT became the MOTION and was CARRIED.

**THE CITY AS A SOCIAL PLACE**

**2 Glenmore Park Community Equipment Pool**

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

That:

1. The information contained in the report on Glenmore Park Community Equipment Pool be received.
2. The Section 377 Committee for the Glenmore Park Community Equipment Pool project be dissolved and the project be discontinued.
3. Any remaining equipment in the Glenmore Park Community Equipment Pool be donated to local community groups in Glenmore Park.
4. The balance of remaining funds of \$1,000 in the account of the Glenmore Park Community Equipment Pool be returned to the Glenmore Park S94 reserve.

**3 Assistance Towards Amateur Sportspeople and Representatives in the fields of Art, Music, Culture - Overseas and Interstate Travel including results gained by recipients**

124 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Karen McKeown that the information contained in the report on Assistance Towards Amateur Sportspersons and Representatives in the fields of Art, Music, Culture - Overseas and Interstate Travel including results gained by recipients be received.

**5 Variation to 88B Instrument for Lot 804 DP 1068323 (No. 16 - 21) Belleview Avenue, Mt Vernon. Applicant: Renata Bacic; Owner: Renata Bacic DA07/1288**

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

That:

1. The information contained in the report on Variation to 88B Instrument for Lot 804 DP 1068323 (No. 16 - 21) Belleview Avenue, Mt Vernon be received
2. The terms of clause (b) of Restrictive Covenant fourthly referred to in the 88B Instrument attached to Lot 804, DP 1068323, be varied as follows as it applies to Lot 804 only:
  - (b) All development erected on the subject lot will be in accordance with the proposed building platform indicated on the Site Plan Prepared by Charleston Homes Pty Ltd, Drawing for Job Number BAC34307
3. The Common Seal of Penrith City Council be affixed to the necessary documentation
4. Development Application No 07/1288 for the construction of a dwelling, in-ground swimming pool, pavilion, shed and entry gates, and the installation of an on site sewerage management system, be approved subject to the proposed conditions of Development Consent as follows:

**Standard Conditions**

- 4.1 A008 – Works to BCA requirements
- A009 – Residential Works DCP
- A019 – Occupation Certificate
- A046 – Issue of Construction Certificate
- D001 – Sedimentation and Erosion Controls
- D009 – Covering Waste Storage area
- E001 – BCA compliance
- E005 – Smoke Alarms
- F010 – Septic distance from house
- H001 – Stamped plans and erection of site notice
- H011 – Engineering plans and specifications
- H013 – Further details of building components
- H014 – Slab design
- H015 – Termite protection
- H036 – Rainwater tank
- H037 – Safe supply from catchment
- H038 – Connection of rainwater tank supply
- H039 – Rainwater tank pumps
- H041 – Hours of work

H034 – Bushfire roof sarking

I003 – Roads Act approval

K017 – Stormwater and sewerage plan

L001 – General landscaping

L008 – Tree preservation order

Q001 – Notice of commencement and appointment of PCA

### Special Conditions

4.2 The development must be implemented substantially in accordance with the plans numbered for Job No BAC54507, drawn by Charleston Homes and dated 4th July 200y, the application form, the BASIX Certificate, and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions

4.3 All boundary fences are to be low profile, open style and rural in character. The front fence is not to exceed 1.5m in height. The brick dwarf wall is not to exceed 300mm above natural ground level at any point.

4.4 The future swimming pool is to be the subject of a separate development application to Council.

4.5 Prior to the issue of a Construction Certificate for the development, the variation of the Restriction on the Use of land numbered 4(b) in DP 1068323, shall be registered with the Land and Property Information division of the Department of Lands

The variation to the covenant shall be in the terms approved by resolution of Penrith City Council

4.6 Cut and fill operations on the property are only permitted in conjunction with the building works and shall be strictly limited in depth and extent to that detailed on the approved plans and specifications

**Before any fill material is imported to site, a validation certificate issued by an appropriately qualified person is to be provided to the Principal Certifying Authority.** The validation certificate must demonstrate that the fill material is free from contaminants and weeds, that it is suitable for its intended purpose and land use, and that it will not pose an unacceptable risk to human health or the environment

If Penrith City Council is not the Principal Certifying Authority, a copy of the validation certificate is to be submitted to Council for their reference

{Note: Penrith Contaminated Land Development Control Plan defines

an appropriately qualified person as “a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soil science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance.”}

- 4.7 All house sewer and plumbing work shall be carried out in accordance with Sydney Water's requirements or the Local Government (Water, Sewerage and Drainage) Regulation 1993
- a) Penrith City Council is both the consent authority and certifying authority for the installation of the On Site Sewage Management System (OSSM), otherwise known as a septic tank system. It is your responsibility to contact Council's Building Approvals and Environment Protection Department to organise all inspections required for the installation of the system. In this regard, the following will require inspection:
- All internal and external drainage lines and septic tanks before they are backfilled/covered
  - On completion of the system's installation and prior to its commissioning, ensuring compliance with those conditions specific to the installation of the system

A copy of the satisfactory inspection reports carried out by Council shall be submitted to the Principal Certifying Authority if Council is not the Principal Certifying Authority

- i. The septic tank, drainage lines and effluent disposal area shall not be altered without the prior approval of Council. In addition, the septic tank shall not be buried or covered
- ii. There shall be no effluent runoff from the subject property to adjoining premises, public places or reserves
- iii. There shall be available all year round, adequate water supply that is available to the property
- 4.8 The Eco Max Cells shall have a minimum area of 140m<sup>2</sup> and shall be prepared in accordance with the “Environmental and Health Protection Guidelines On Site Sewage Management for Single Households” and AS1547:2000

**Prior to the issue of the Occupation Certificate and the issue of an operational licence for the OSSM system by Penrith City Council,** the effluent disposal area shall be:

- Prepared/ landscaped in accordance with the stamped - approved plans

All stormwater and seepage shall be diverted away from the disposal area by using an agricultural drain or earthen bund and dish drain

- 4.9 **Prior to the commencement of construction works:**
- (a) Toilet facilities at or in the vicinity of the work site shall be

provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- A standard flushing toilet connected to a public sewer, or
- If that is not practicable, an accredited sewage management facility approved by the council, or
- Alternatively, any other sewage management facility approved by council

- 4.10 The recommended construction details to reduce aircraft noise intrusion to meet indoor design sound levels, as detailed in the report prepared by Acoustic Logic Consultancy and dated 12th May 2006 are to be undertaken during construction. As the recommended construction details are carried out and on completion of the development, a qualified acoustic consultant shall certify that the development has been constructed to meet the indoor design sound levels in accordance with the approved acoustic report
- 4.11 Roof and surface water shall be disposed of in accordance with the approved drainage design. Overflow from the existing in-ground rainwater tank is to be disposed of into the street gutter
- 4.12 The existing trees to the perimeter of the property, other than those nominated on the site plan to be relocated, shall be retained and duly protected during the construction of the development. Tree protection measures shall be installed before any works can commence on site including the clearing of site vegetation
- 4.13 An Occupation Certificate is to be obtained from the Principal Certifying Authority on completion of all works and prior to the occupation of the dwelling. The commitments listed in the BASIX Certificate are to be completed prior to the issue of the Occupation Certificate

The Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding. This includes submitting the following documentation to the Principal Certifying Authority:

- (a) Written documentation or Compliance Certificate from Penrith City Council certifying to the satisfactory completion of works approved under the Roads Act 1993
- (b) Written documentation or certification attesting to the satisfactory installation of, and the Licence to Operate the on site sewage management system issued by Penrith City Council
- (c) Certification from a qualified acoustic consultant certifying that the development has been constructed in accordance with the approved acoustic report/to meet the indoor design sound levels in accordance with the approved acoustic report

- 4.14 A copy of the Occupation Certificate and all necessary documentation

supporting the issue of the Certificate is to be submitted to Penrith City Council, if Council is not the Principal Certifying Authority. In the event that a Compliance Certificate was issued by the Principal Certifying Authority certifying compliance that all conditions of the development consent required to be met has in fact been met as well as any documentation stated above, shall be submitted to Penrith City Council if Council is not the Principal Certifying Authority.

Councillor Garry Rumble left the meeting, the time being 8:55 pm.

**4 Western Sydney Employment Hub - Public Exhibition of draft SEPP (Western Sydney Employment Hub) 2008 and draft Erskine Park Link Road Network Plan**

Councillor Garry Rumble returned to the meeting, the time being 8:58 pm.

126 RESOLVED on the MOTION of Councillor Steve Simat seconded Councillor Pat Sheehy AM

That:

1. The information contained in the report on Western Sydney Employment Hub - Public Exhibition of draft SEPP (Western Sydney Employment Hub) 2008 and draft Erskine Park Link Road Network Plan be received
2. Council endorse a submission to the Department of Planning on the Western Sydney Employment Hub Draft SEPP and Draft Erskine Park Link Road Network plan based on the issues identified in the report.
3. Council endorse a deputation to meet with the Premier seeking his support for the RTA to move as a matter of urgency to undertake the necessary acquisition and construction of the Link Road network between Erskine Business Park and the M7.

**6 Section 94 Contributions for Dual Occupancies**

127 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Kevin Cramer OAM

That:

1. The information contained in the report on Section 94 Contributions for Dual Occupancies be received.
2. An urgent report be presented to the next Ordinary Meeting of Council concerning Section 94 fees and charges, in particular contributions for District Open Space and Local Open Space, as well as fees applicable to 'granny flats'.

Having previously declared a pecuniary interest in Item 7, Councillor Kaylene Allison left the meeting, the time being 9:16 pm.

**7 Development Application DA07/0742 for the use of an existing school hall as a Place of Worship at Lot 912 DP 836641 (No. 86 - 90) Andromeda Drive, Cranebrook. Applicant: Corpus Christi Parish; Owner: Trustees of the Roman Catholic Church DA07/0742**

128 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Kevin Cramer OAM that consideration of this matter be deferred and a further report come back to Council which considers the matters raised by speakers to this Item, particularly with regard to special conditions 2.22, 2.33 and 2.34.

Councillor Kaylene Allison returned to the meeting, the time being 9:30 pm.

**THE CITY AS AN ECONOMY**

**8 Young Achievement Australia Business Skills Program**

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

That:

1. The information contained in the report on Young Achievement Australia Business Skills Program be received.
2. Council write to Young Achievement Australia requesting an evaluation of its program so that Council may consider any future requests for sponsorship from the Program, if required.

**THE CITY SUPPORTED BY INFRASTRUCTURE**

**9 Tender 16-07/08 Relocation of Water Mains at Caddens Road, Claremont Meadows**

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

That:

1. The information contained in the report on Tender 16-07/08 Relocation of Water Mains at Caddens Road, Claremont Meadows be received.
2. Firedam Civil Engineering Pty Ltd be engaged to undertake the Relocation of the Water Mains at Caddens Road, Claremont Meadows.

## **LEADERSHIP AND ORGANISATION**

### **10 Pecuniary Interest Returns**

131 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Garry Rumble that the information contained in the report on Pecuniary Interest Returns be received.

### **11 Update on Local Government Elections - 13 September 2008**

132 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Garry Rumble that the information contained in the report on Update on Local Government Elections - 13 September 2008, be received.

### **12 Amendments to the 2008 Meeting Calendar**

133 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Garry Rumble

That:

1. The information contained in the report on Amendments to the 2008 Meeting Calendar be received.
2. The 2008 Meeting Calendar be altered as follows:
  - the Monday night meetings from 12 May 2008 through to 2 June 2008 inclusive be rescheduled to provide for an Ordinary Council meeting on 19 May 2008, a Policy Review Committee on 12 May 2008 and Councillor Briefings on 26 May 2008 and on 2 June 2008 (Management Plan Public Forum);
  - the Monday night meetings from 1 September 2008 through to 29 September 2008 inclusive be rescheduled to provide for Ordinary Council meetings on 8 September 2008 and on 29 September 2008 (Mayoral Election) and a Policy Review Committee meeting on 1 September 2008;
3. Council note the intention to submit a report to a meeting of the Policy Review Committee, prior to the end of the term of the current Council, on the balance of the 2008 Meeting Calendar and on the 2009 Meeting Calendar.

**16 Summary of Investments & Banking for the period 1 March to 31 March 2008 and an Agency Collection Method**

134 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Garry Rumble

That:

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

**13 Council Property - Leasing of parts of "Community" land under Council's Plan of Management to Scouts Australia over three Open Space parcels of land**

135 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Jackie Greenow that consideration of this matter be deferred until Councillors have been provided with information as to the contents of Agreements with Scouts Australia, regarding the maintenance of buildings and grounds that are used by the organisation, as well as other similar agreements that may exist with Girl Guides and like organisations.

**14 Memorandum of Understanding between Blue Mountains City Council and Penrith City Council**

136 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Kaylene Allison

That:

1. The information contained in the report on Memorandum of Understanding between Blue Mountains City Council and Penrith City Council be received.
2. Council endorse the General Manager signing a Memorandum of Understanding between Blue Mountains City Council and Penrith City Council.
3. Council send a letter to the Hon Kerry Hickey, former Minister for Local Government, the Hon Paul Lynch MP, Minister for Local Government, and the Hon Anthony Albanese, Federal Minister for Infrastructure, Transport, Regional Development and Local Government, advising that Council is actively working with other Councils, with a copy of the report to be provided to the Hon Kerry Hickey.
4. A memo be provided to Councillors regarding the status of Council's Memorandums of Understanding with other adjoining councils.

#### **15 City Operations Directorate Report to end of March 2008**

137 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jackie Greenow that the information contained in the report on City Operations Directorate Report to end of March 2008 be received.

#### **QUESTIONS WITHOUT NOTICE**

##### **QWN 1 Parking Issue - Debrincat Avenue, St Marys**

Councillor John Thain requested a memo reply concerning a truck which has been parked on the verge of Debrincat Avenue, St Marys and is blocking the footpath.

##### **QWN 2 Provision of Footpath - Trent Street, South Penrith**

Councillor Mark Davies requested that an amount of \$16,800 from South Ward voted works be allocated to the provision of a footpath along Trent Street, South Penrith for a length of 280 m.

138 RESOLVED on the MOTION of Councillor Mark Davies 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.

139 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Garry Rumble that an amount of \$16,800 from South Ward voted works be allocated to the provision of a footpath along Trent Street, South Penrith for a length of 280 m.

##### **QWN 3 Trimming of Trees - High Street, Penrith**

Councillor Mark Davies requested a memo reply regarding the trimming of overgrown trees along both the south and north sides of High Street, Penrith, in particular in the Cottage Lane area, to prevent them from hanging over shop awnings and causing problems with drainage in these awnings.

**QWN 4 Referral of Personnel Matters to Committee of the Whole**

Councillor Kevin Crameri OAM advised that he had two matters to be considered at the end of the meeting, in Committee of the Whole.

**QWN 5 CEOs Land Supply Committee**

Councillor Kevin Crameri OAM requested a memo reply to all Councillors providing information as to whether land at Glenmore Park was dealt with by this Committee, at the same time as land at Cranebrook was considered.

Councillor Mark Davies left the meeting, the time being 9:46 pm.

**QWN 6 Parking at YWCA, Penrith**

Councillor Kevin Crameri OAM requested a memo reply concerning lack of adequate, well-lit parking at the YWCA in Penrith, and also concerning the strong odour of paint thinners or a similar substance in the area.

Councillor Mark Davies returned to the meeting, the time being 9:49 pm.

**QWN 7 Provision of Industrial Mower for use of RDA and Pony Club**

Councillor Kevin Crameri OAM requested that the amount of \$500 from each Ward's voted words (\$1,500 in total) be allocated to the purchase from Council of an industrial type mower for use by the Riding for the Disabled (RDA) and Pony Club.

140 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.

141 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Pat Sheehy AM that the amount of \$500 from each Ward's voted words (\$1,500 in total) be allocated to the purchase from Council of an industrial type mower for use by the Riding for the Disabled (RDA) and Pony Club.

**QWN 8 Berkshire Park Rural Fire Brigade - Ute Show**

Councillor Kevin Crameri OAM (on behalf of Councillor Lexie Cettolin), requested that the amount of \$600 from North Ward voted works be allocated to the hire of the Berkshire Park Community Hall for the 4<sup>th</sup> Annual Rural Living and Ute Show, to commence on 19 July 2008.

' 142 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.

143 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Pat Sheehy AM that the amount of \$600 from North Ward voted works be allocated to the hire of the Berkshire Park Community Hall for the 4<sup>th</sup> Annual Rural Living and Ute Show, to commence on 19 July 2008.

**QWN 9 Footpaving - Saddington Street, St Marys**

Councillor Jackie Greenow requested that the amount of \$12,000 from East Ward voted works be allocated to the provision of a footpath for Saddington Street, St Marys, on the southern side between Monfarville Street and Collins Street.

' 144 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Steve Simat 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.

145 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Steve Simat that the amount of \$12,000 from East Ward voted works be allocated to the provision of a footpath for Saddington Street, St Marys, on the southern side between Monfarville Street and Collins Street.

**QWN 10 100 Year anniversary of Penrith Weir**

' Councillor Jackie Greenow requested a report to Council on the feasibility of conducting a 'river festival' to mark the 100 year anniversary of Penrith Weir in 2009.

**QWN 11 Grass cutting carried out at Lighthorse Interchange on the M4 Motorway**

' Councillor Jackie Greenow requested that a letter be sent to the RTA, thanking the Authority for the recent mowing of the grassed area in the vicinity of the Lighthorse Interchange on the M4 Motorway, and suggesting that this area be regularly maintained to this high standard.

**QWN 12 Condition of Property in Saddington Street, St Marys**

' Councillor Jackie Greenow requested a memo reply to all Councillors concerning a heritage property in Saddington Street, St Marys which has not been repaired, and requesting information as to when these repairs will be complete.

**QWN 13 Tree Maintenance - Queens Street, St Marys**

Councillor Greg Davies requested an urgent memo reply to all Councillors on the status of tree trimming in Queen Street, St Marys.

**QWN 14 St Clair Netball Courts**

Councillor Greg Davies requested that an inspection of St Clair Netball courts be carried out regarding maintenance issues including a broken brick wall; water spilling over the wall at the Endeavour Road end of the courts and mud making the court unusable; and addressing the feasibility of providing a car park as there is an issue with night time parking as cars currently block the road, with a memo reply to be provided to all Councillors.

**QWN 15 Finlay Street Carpark, St Marys**

Councillor Greg Davies requested an inspection of the Finlay Street Carpark, St Marys, with a memo reply to be provided to all Councillors.

**COMMITTEE OF THE WHOLE**

146 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Ross Fowler OAM that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 9:58 pm.

**1 Presence of the Public**

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

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

*Two matters raised by Councillor Kevin Crameri OAM 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 10:10 pm and the Acting General Manager reported that the Committee of the Whole met at 9:58 pm on Monday 21 April 2008, the following being present

His Worship the Mayor Councillor Greg Davies, Councillors Kaylene Allison, David Bradbury, 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.

**CONFIDENTIAL BUSINESS**

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

After Councillor Crameri was given an opportunity to outline the issue, the Mayor indicated to the Committee that the Question Without Notice concerning two properties in Cranebrook was not a matter for discussion in Confidential Business and that the meeting should be reopened to the public.

**ADOPTION OF COMMITTEE OF THE WHOLE**

147 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Jackie Greenow that a memo reply to all Councillors be provided in response to the matters raised by Councillor Crameri being an overgrown and unsightly property in Harry Lawler Road, Cranebrook and the subdivision of a property in Linden Crescent, Cranebrook.

There being no further business the Chairperson declared the meeting closed the time being 10:12 pm.

I certify that these 18 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 21 April 2008.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date