

## **CONFIRMED MINUTES**

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

**ON MONDAY 2 FEBRUARY 2009 AT 7:36PM**

#### **NATIONAL ANTHEM**

The meeting opened with the National Anthem.

#### **STATEMENT OF RECOGNITION**

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

#### **PRAYER**

The Council Prayer was read by Rev Neil Checkley.

#### **PRESENT**

His Worship the Mayor Councillor Jim Aitken OAM, Councillors Kaylene Allison, Robert Ardill, Kevin Crameri OAM, Greg Davies, Mark Davies, Tanya Davies, Ross Fowler OAM, Ben Goldfinch, Jackie Greenow, Prue Guillaume, Marko Malkoc, Karen McKeown, Kath Presdee and John Thain.

#### **APOLOGIES**

There were no apologies.

#### **CONFIRMATION OF MINUTES - Ordinary Meeting - 15 December 2008**

1 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Ross Fowler OAM that the minutes of the Ordinary Meeting of 15 December 2008 be confirmed.

#### **DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **MAYORAL MINUTES**

##### **1 2009 Australia Day Celebrations**

2 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor John Thain that the Mayoral Minute on 2009 Australia Day Celebrations be received.

##### **2 Locals recognised in 2009 Australia Day Honours**

3 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Ross Fowler OAM that the Mayoral Minute on Locals recognised in 2009 Australia Day Honours

be received.

**3 Congratulations to Nepean Volunteer Services on turning 21**

4 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Ben Goldfinch that the Mayoral Minute on Congratulations to Nepean Volunteer Services on turning 21 be received.

**4 Council recognised for achievement in sustainability by the international Council for Local Environmental Initiative (ICLEI)**

5 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Tanya Davies that the Mayoral Minute on Council recognised for achievement in sustainability by the International Council for Local Environmental Initiatives (ICLEI) be received.

**5 Londonderry Bushfires**

6 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Ross Fowler OAM that the Mayoral Minute on Londonderry Bushfires be received.

**MASTER PROGRAM REPORTS**

**THE CITY IN ITS BROADER CONTEXT**

**1 Great River Walk - Stage 6 Grant Offer**

7 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on Great River Walk – Stage 6 Grant Offer be received.
2. Council endorse the acceptance of funding for the Great River Walk, Penrith Stage 6 (West Bank Construction) offered under the Metropolitan Greenspace Program 2008.
3. Council send letters of thanks to the State Minister for Planning and the State Local Member for Penrith , to the Great River Walk Inc, and Hawkesbury City Council for their support.
4. Council funds are allocated to the Great River Walk Stage 6 in 2009-10 from the Penrith District Open Space s94 plan.

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

### **2 Youth Week 2009**

8 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Prue Guillaume

That:

1. The information contained in the report on Youth Week 2009 be received.
2. Council approve the following amounts as proposed in this report:
  - a. Richmond Fellowship NSW \$1,140.00
  - b. Spyns Inc \$1,000.00
  - c. Neighbourhood Development team Erskine Park \$1,040.00
  - d. St Clair Youth and Neighbourhood Services \$2,018.00
  - e. WOW FM \$740.00

### **4 Initial Development of Stage One of the Gipps Street Recreational Area**

9 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Prue Guillaume

That:

1. The information contained in the report on Initial Development of Stage One of the Gipps Street Recreational Area be received.
2. A budget allocation of \$400,000 be made to facilitate the filling and preliminary development of Stage One of the Gipps Street recreational area from the Penrith District Open Space s94 plan.

### **3 Mobile Playvan**

10 RESOLVED on the MOTION of Councillor Tanya Davies seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on the Mobile Playvan be received.
2. The staff involved with the operation of the Mobile Playvan be congratulated on the success of the service.

### **5 Request for a Councillor nomination for the Community Relations Commission of NSW Nepean Blacktown Regional Advisory Council**

11 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor John Thain

That:

1. The information contained in the report on Request for a Councillor nomination for the Community Relations Commission of NSW Nepean Blacktown Regional Advisory Council be received.
2. Council nominate Councillor Karen McKeown to be Council's representative to the Nepean Blacktown Regional Advisory Council for a term expiring in June 2010.

## **THE CITY IN ITS ENVIRONMENT**

### **6 Floodplain Management Program 2008/2009 - Grant Offer**

12 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Mark Davies that the information contained in the report on Floodplain Management Program 2008/2009 - Grant Offer be received.

## **THE CITY SUPPORTED BY INFRASTRUCTURE**

### **7 Tender Number 07-08/09 Construction of Skate Park Facilities at Cranebrook NSW**

13 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow that this item be deferred for consideration after Committee of the Whole.

## **LEADERSHIP AND ORGANISATION**

### **8 Pecuniary Interest Returns**

14 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kath Presdee that the information contained in the report on Pecuniary Interest Returns be received.

### **9 2009 Local Government Remuneration Tribunal Review**

'15 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kath Presdee

That:

1. The information contained in the report on 2009 Local Government Remuneration Tribunal Review be received.
2. A submission be made to the Local Government Remuneration Tribunal supporting the setting of Mayor and Councillor fees based on an appropriate percentage of MP's remuneration, supporting the current categorisation of councils and seeking re-categorisation of Penrith City Council from 1A to S2 on the basis of the categorisation criteria contained in section 240 of the *Local Government Act 1993*.

#### **11 Development Applications Determined during the Council's Christmas/New Year Recess**

'16 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kath Presdee that the information contained in the report on Development Applications Determined during the Council's Christmas/New Year Recess be received.

#### **14 Summary of Investments & Banking for the period 1 December 2008 to 31 December 2008**

'17 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kath Presdee

That:

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

#### **10 Department of Local Government Councillor Information Seminars**

'18 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Robert Ardill

That:

1. The information contained in the report on Department of Local Government Councillor Information Seminars be received.
2. A letter be sent to the Member for Penrith asking whether State Members of Parliament have been provided with similar training.

## **12 Standard & Poor's**

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

That:

1. The information contained in the report on Standard & Poors be received.
2. A memo reply be provided to all Councillors detailing how the Standard and Poors rating system has contributed to Council's competitive advantage and/or assisted in gaining significant commercial partnerships.

## **13 Urban Development Institute of Australia National Congress 2009**

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

That:

1. The information contained in the report on Urban Development Institute of Australia National Congress 2009 be received.
2. Councillor Jim Aitken OAM and any other available Councillors attend the National Congress of the Urban Development Institute of Australia in Brisbane, from 30 March – 2 April 2009 and grant leave of absence as appropriate.

## **QUESTIONS WITHOUT NOTICE**

### **QWN 1 Impact of current global economic crisis upon Council's budgets.**

'Councillor Tanya Davies requested a report to Council detailing the impact of the current global economic crisis upon Council's budgets and the likely implications over the next 5 years, detailing Council's proposed responses to the issues.

### **QWN 2 Legal Matter - 8 Donohoes Road, Mulgoa - to be considered in Committee of the Whole**

Councillor Ross Fowler OAM requested a matter be referred for consideration in Committee of the Whole as the matter 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.

**QWN 3 Hawkesbury River County Council - Weed Harvester**

Councillor Ross Fowler OAM requested a report to Council concerning the immediate use and availability of the Weed Harvester to help in preparing the river for upcoming rowing events.

**QWN 4 Singing of the second verse of the National Anthem at Ordinary Meetings.**

Councillor Jackie Greenow requested that Council investigate the possibility of singing the second verse of the Australian National Anthem at Ordinary Meetings, with printed copies of the words being provided for all verses

**QWN 5 Pedestrian Crossing - Corner of Desborough Road and Monfarville Street, St Marys.**

Councillor Jackie Greenow requested that resident Jodie Gilbert be contacted in relation to the pedestrian crossing on the corner of Desborough Road and Monfarville Street, St Marys which is causing problems due to its low site.

**QWN 6 Signage Installation - Spinks Road, Llandilo.**

Councillor Kevin Crameri OAM requested a report to Council investigating the possibility of installing speed and animal warning signage at Spinks Road, Llandilo.

**QWN 7 Request extension to Councillor project nominations.**

Councillor John Thain requested a 14 day extension to Councillor project nominations.

**QWN 8 Nepean Hockey Field**

Councillor Greg Davies requested a meeting be organised for as soon as possible between Hockey Representatives, Council Finance and Recreation Officers and the responsible Director to discuss available options for playing fields.

**QWN 9 St Marys Scouts, Charles Hackett Drive - Fencing and Signage**

Councillor Greg Davies requested Council officers liaise with representatives from St Marys Scouts and obtain quotes for the requested works with a report to Council.

**QWN 10 Erskine Park Business Park – Noise complaints**

Councillor Greg Davies requested a meeting with residents be arranged regarding noise generated by the Erskine Park Business Park, with a report to Council concerning the outstanding development conditions and compliance with these.

**QWN 11 Anglican Retirement Village**

Councillor Greg Davies requested a meeting be organised with the residents regarding the amended applications.

**QWN 12 Commercial Matter - Tender Number 07-08/09 Construction of Skate Park Facilities at Cranebrook NSW - to be considered in Committee of the Whole**

Councillor Greg Davies requested a matter be referred for consideration in Committee of the Whole as the item refers to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in open meeting would be, on balance, contrary to public interest.

**COMMITTEE OF THE WHOLE**

21 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Karen McKeown the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 8:49pm.

**1 Presence of the Public**

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

*Leadership and Organisation*

**2 Legal Matter - 8 Donohoes Road, Mulgoa**

*This item has been referred to Committee of the Whole as the matter 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.*

*The City Supported By Infrastructure*

**3 Commercial Matter - Tender Number 07-08/09 Construction of Skate Park Facilities at Cranebrook NSW**



*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 prejudice the Commercial position of the person who supplied it and discussion of the matter in open Meeting would be, on balance, contrary to the public interest.*

The meeting resumed at 9:08pm and the General Manager reported that the Committee of the Whole met at 8:49pm on 2 February 2009, the following being present

His Worship the Mayor Councillor Jim Aitken OAM, Councillors Kaylene Allison, Robert Ardill, Kevin Crameri OAM, Greg Davies, Mark Davies, Tanya Davies, Ross Fowler OAM, Ben Goldfinch, Jackie Greenow, Prue Guillaume, Marko Malkoc, Karen McKeown, Kath Presdee 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 Legal Matter - 8 Donohoes Road, Mulgoa (Question without Notice Item 2)**

RECOMMENDED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Tanya Davies

CW2 That the verbal information provided by Council officers be received.

#### **3 Commercial Matter - Tender Number 07-08/09 Construction of Skate Park Facilities at Cranebrook NSW (Question without Notice Item 12)**

RECOMMENDED on the MOTION of Councillor Greg Davies seconded Councillor Ross Fowler OAM

CW3 That a further report on the matters raised be presented to a Policy Review Committee meeting.

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

22 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kath Presdee that the recommendation contained in the Committee of the Whole and shown as CW2 and CW3 be adopted.

### **MASTER PROGRAM REPORTS**

#### **THE CITY SUPPORTED BY INFRASTRUCTURE**

#### **7 Tender Number 07-08/09 Construction of Skate Park Facilities at Cranebrook NSW**

23 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Ross

Fowler OAM that this item be deferred for consideration at the next Ordinary Council meeting.

There being no further business the Chairperson declared the meeting closed the time being 9:13pm.

I certify that these 9 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 2 February 2009.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date