

CONFIRMED MINUTES

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

ON MONDAY 23 FEBRUARY 2009 AT 7:38PM

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 the Executive Officer.

PRESENT

His Worship the Mayor Councillor Jim Aitken OAM, Councillors Kaylene Allison, Kevin Cramer 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

24 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Jackie Greenow that the apology from Councillor Robert Ardill be accepted.

CONFIRMATION OF MINUTES - Ordinary Meeting - 2 February 2009

25 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Mark Davies that the minutes of the Ordinary Meeting of 2 February 2009 be confirmed.

DECLARATIONS OF INTEREST

His Worship the Mayor, Councillor Jim Aitken OAM and Councillor Ross Fowler OAM declared a Non-Pecuniary Conflict of Interest – Significant in *Item 2 - Report and Recommendations of the Policy Review Committee Meeting held on 16 February 2009 (Item 3 - Advertising Working Party)* as they are Directors of a Company that owns a newspaper publication circulating within the City. His Worship the Mayor, Councillor Jim Aitken OAM and Councillor Ross Fowler OAM stated that they would leave the meeting and take no part during discussion of the item.

Councillor Greg Davies declared a Non-Pecuniary Conflict of Interest – Significant in *Committee of the Whole Item 2 - Legal Matter - 8 Donohoes Road, Mulgoa* as he has

previously received a threat of legal action in relation to the matter, and stated that he would leave the meeting and take no part during discussion of the item.

Councillor Kevin Crameri OAM declared a Non-Pecuniary Conflict of Interest – Less than Significant in an item to be raised in Confidential Business as the matter indirectly concerns an individual who voluntarily handed out election material for Councillor Kevin Crameri OAM.

MAYORAL MINUTES

1 Muru Mittigar celebrates 10 years

26 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Ross Fowler OAM that the Mayoral Minute on Muru Mittigar celebrates 10 years be received.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Local Traffic Committee Meeting held on 2 February 2009

27 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Jackie Greenow that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 2 February, 2009 be adopted.

Having previously declared a Non-Pecuniary Conflict of Interest – Significant in *Item 2 - Report and Recommendations of the Policy Review Committee Meeting held on 16 February 2009* His Worship the Mayor, Councillor Jim Aitken OAM, and Councillor Ross Fowler OAM left the meeting, the time being 7:44 pm.

Councillor John Thain then took the Chair for consideration of Item 2, the time being 7:44 pm.

2 Report and Recommendations of the Policy Review Committee Meeting held on 16 February 2009

28 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Greg Davies that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 16 February, 2009 be adopted.

His Worship the Mayor, Councillor Jim Aitken OAM and Councillor Ross Fowler OAM returned to the meeting, and the Mayor resumed the Chair, the time being 7:45 pm.

MASTER PROGRAM REPORTS

THE CITY AS A SOCIAL PLACE

**1 Community Assistance Program 2008-09 Rolling Component- Projects
Approved Under Delegation July-December 2008**

29 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Tanya Davies that the information contained in the report on Community Assistance Program 2008-09 Rolling Component- Projects Approved Under Delegation July-December 2008 be received.

**2 Variation to Restrictive Covenant applying to Lot 19 DP 20420 (No. 9)
Hornseywood Avenue, South Penrith. Applicant: S & T Tuft; Owner:
S & T Tuft**

DA08/1011

30 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Kath Presdee

That:

1. The information contained in the report on Variation to Restrictive Covenant applying to Lot 19 DP 20420 (No. 9) Hornseywood Avenue, South Penrith be received
2. The application to vary item “c” of restrictive covenant to DP20420 be approved with item “c” being amended to read “ *That no roof of any such building shall be of material other than tiles or pre colour coated metal*”
3. The Common Seal of Penrith City Council be affixed to all necessary documentation to vary the covenant
4. The development application DA 08/1011 for the deck and awning on Lot 19, DP 20420, 9 Hornseywood Avenue, Penrith be approved, subject to the following conditions:

Standard Conditions

A001 – Approved Plans

- A008 – Works to BCA requirements
- A009 – Residential Works DCP
- A019 – Occupation certificate
- A046 – Construction Certificate
- D001 – Erosion and sediment control measures
- D009 – Covering of waste storage areas
- D010 – Waste disposal
- E001 – BCA compliance
- H01F – Stamped plans and erection of site notice
- H013 – Further details of building components
- H030 – Roof finishes
- H041 – Hours of work
- K016 – Stormwater
- Q01F – Notice of commencement and appointment of PCA
- Q05F – Occupation certificate

Special Conditions

- 4.2 Prior to the issue of a Construction Certificate for the development, the variation of the registration on the use of the land referred to as (c); in the Section 88B instrument attached to the Deposited Plan 20420 shall be registered with the Department of Lands.
- 4.3 The variation of the covenant shall be in terms approved by Penrith City Council as follows; (c) That no roof of any such building shall be of materials other than tiles or pre colour coated metal.

In accordance with Section 375A of the Local Government Act 1993, a DIVISION was then called with the following result:

For	Against
Councillor Jim Aitken OAM	
Councillor Kaylene Allison	
Councillor Kevin Crameri OAM	
Councillor Greg Davies	
Councillor Mark Davies	
Councillor Tanya Davies	
Councillor Ross Fowler OAM	
Councillor Ben Goldfinch	
Councillor Jackie Greenow	
Councillor Prue Guillaume	
Councillor Marko Malkoc	
Councillor Karen McKeown	
Councillor Kath Presdee	
Councillor John Thain	

- 13 Development Application DA08/1223 - Proposed Erection of Seven (7) Campus Accommodation Buildings with an associated Common Room facility - Lot 2 DP 1130750 (No. 56) Second Avenue, Kingswood. Applicant: Hassell Ltd; Owner: University of Western Sydney**

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

That:

1. The information contained in the report on Development Application DA08/1223 - Proposed Erection of Seven (7) Campus Accommodation Buildings with an associated Common Room facility - Lot 2 DP 1130750 (No. 56) Second Avenue, Kingswood be received.
2. The subject Development Application be approved, subject to the imposition of the following conditions:

Standard Conditions

- 2.1 A001 (Approved plans that are architecturally drawn)
- 2.2 A011 (Engineering Works DCP)
- 2.3 A019 (Occupation Certificate)
- 2.4 A038 (Lighting locations)
- 2.5 A039 (Graffiti)
- 2.6 B004 (Dust)
- 2.7 B005 (Mud/Soil)
- 2.8 D001 (Implement approved sediment & erosion control measures)
- 2.9 D002 (Spraygrass)
- 2.10 D005 (No filling without prior approval)
- 2.11 D009 (Waste storage area)
- 2.12 D010 (Appropriate disposal of excavated or other waste)
- 2.13 D025 (Stormwater disposal)
- 2.14 E002 (BCA issues)
- 2.15 E006 (Disabled access and facilities)
- 2.16 E009 (Annual fire safety-essential fire safety)
- 2.17 E01A(BCA compliance for Class 2-9)
- 2.18 G002 (Section 73)
- 2.19 G004 (Integral Energy)
- 2.20 H001 (Stamped plans & erection of site notice)
- 2.21 H002 (All forms of construction)
- 2.22 H041 (Hours of work)
- 2.23 L001 (General landscaping)
- 2.24 L002 (Landscape construction)
- 2.25 L003 (Report requirement)
- 2.26 L005 (Planting of plant material)
- 2.27 L006 (AS requirements)
- 2.28 L008 (Tree Preservation Order)

Special Conditions

- 2.29 A Detailed Investigation as described in the Penrith City Council Contaminated Land Development Control Plan 1999 is to be prepared for the site to determine the nature and extent of the contamination. If these investigations reveal that the site requires remediation, then separate approval must be obtained for remediation works and the remediation works must be completed

The investigations referred to in this condition must be prepared in accordance with the Penrith City Council Contaminated Land Development Control Plan 1999 by an appropriately qualified person and to the satisfaction of Council. All investigation reports are to be submitted to Council for consideration. The Detailed Investigation Report is to be submitted to Penrith City Council

(Note: Penrith City Council 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, ecotoxicology, 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

2.30 The applicant is to ensure that their obligations under the Commonwealth Disability Discrimination Act 1992 have been satisfied prior to the occupation of the proposed buildings

2.31 A certificate is to be obtained from a qualified acoustic consultant certifying that the development has been constructed to meet the following criteria:

(a) That any plant and equipment associated with the development (including but not limited to all air conditioning units and the like) does not cause intrusive noise as defined in the Department of Environment and Climate Change's 'Industrial Noise Policy'

(b) That any plant and equipment associated with the development (including but not limited to all air conditioning units and the like) does not generate noise that would cause sleep disturbance for adjoining properties and within any habitable rooms within the development. The Department of Environment and Climate Change 'Industrial Noise Policy' and 'Noise Guide for Local Government' should be used as a guide in addition to the WHO 'Guidelines for Community Noise'

This certificate is to be submitted prior to the issue of an Occupation Certificate

2.32 Garbage trucks are only permitted to collect waste from the development between the hours of 8:00am and 6:00pm Monday to Friday

2.33 A drainage design plan, detailing the proposed method of stormwater drainage disposal by gravity is to be made. The revised plan is to comply with AS3500 and is to detail pipe sizes, grades, pit invert levels and finished surface levels. The revised plan is to also assess the existing on-site-detention system and its capacity to cater for increased flows from the

development

- 2.34 Engineering design drawings are to be prepared strictly in accordance with Penrith Development Control Plan 2006 Part 2.3 Engineering Works and the Guidelines for Engineering Works for Subdivisions and Developments Part 1 – Design
- 2.35 All car parking and manoeuvring areas associated with the subject shall be in accordance with AS 2890.1- 2004 and Council’s requirements
- 2.36 The development shall remain under the care and control of the University of Western Sydney for the purposes of ‘public benefit’ as directed by Circular D6 -‘Crown Development Applications and Conditions of Consent’ issued by the Department of Urban Affairs and Planning, September 1995. Should the management and operation of the development be used for commercial purposes, then a modification of consent would be required

This condition is imposed in accordance with Penrith City Council’s Section 94 Contributions Plan(s) for Drainage and Roadworks. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$149,888 is to be paid to Council prior to an Occupation Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council’s Fees and Charges Schedule

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The Section 94 invoice accompanying this consent should accompany the contribution payment

The Section 94 Contributions Plan for the Werrington Enterprise Living and Learning (WELL) may be inspected at Council’s Civic Centre, 601 High Street, Penrith

3. Council’s General Manager exercise his delegated authority to resolve whether condition 2.36 is imposed on the consent in accordance with Section 94 of the Environmental Planning and Assessment Act 1979 and any relevant contributions plan in force on any request by the applicant for a review of the proposed consent.

In accordance with Section 375A of the Local Government Act 1993, a DIVISION was then called with the following result:

For
Councillor Jim Aitken OAM
Councillor Kaylene Allison
Councillor Kevin Crameri OAM
Councillor Greg Davies
Councillor Mark Davies

Against

Councillor Tanya Davies
Councillor Ross Fowler OAM
Councillor Ben Goldfinch
Councillor Jackie Greenow
Councillor Prue Guillaume
Councillor Marko Malkoc
Councillor Karen McKeown
Councillor Kath Presdee
Councillor John Thain

14 The Australian Chapter of the Alliance for Healthy Cities - National Conference 25 - 27 March 2009 - Surfers Paradise

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

That:

1. The information contained in the report on The Australian Chapter of the Alliance for Healthy Cities - National Conference 25 - 27 March 2009 - Surfers Paradise be received.
2. Council nominate Councillor Marko Malkoc to attend the Australian Chapter of the Alliance for Healthy Cities – National Conference 25-27 March 2009, and grant leave of absence as appropriate.

THE CITY IN ITS ENVIRONMENT

3 Support for Earth Hour 2009

'33 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Tanya Davies

That:

1. The information contained in the report on Support for Earth Hour 2009 be received
2. Council participate in and promote Earth Hour 2009 in the terms indicated in the report.

THE CITY SUPPORTED BY INFRASTRUCTURE

4 Tender Number 07-08/09 Construction of Skate Park Facilities at Cranebrook

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

That:

1. The information contained in the report on Tender Number 07-08/09 Construction of Skate Park Facilities at Cranebrook be received.
2. Council accept the tender from Convic Skate Parks Pty Ltd for the construction of the Cranebrook Skate Park works for a lump sum cost of \$302,000 (excluding GST).
3. A further report be presented to a future Policy Review Committee meeting, on the development of a policy on tender processes in circumstances similar to this tender.

LEADERSHIP AND ORGANISATION

5 Audit Committee

35 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Greg Davies that the information contained in the report on Audit Committee be received.

6 Constitutional Summit and the Regional Cooperation and Development Forum

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

That:

1. The information contained in the report on Constitutional Summit and the Regional Cooperation and Development Forum be received.
2. Council endorse the position taken by the Summit on Constitutional recognition.
3. Council provide appropriate support for the Australian Local Government Association efforts in seeking Constitutional recognition of local government.

9 Council Property - Electricity Easements over Three Public Reserves within Cranebrook

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

That:

1. The information contained in the report on Council Property - Electricity Easements over Three Public Reserves within Cranebrook be received
2. Council grant Integral Energy an easement for underground cables 1 metre wide over Lot 1190 DP 801781, Mozart Place, Cranebrook. Council accept compensation in the amount of \$5,500 plus GST.
3. Council grant Integral Energy an easement for padmount substation 2.75 x 5.5 metres over Lot 996 DP 803591, Andromeda Drive, Cranebrook. Council accept compensation in the amount of \$5,500 plus GST.
4. Council grant Integral Energy an easement for padmount substation 2.75 x 8 metres over Lot 245 DP 816745 Goldmark Crescent, Cranebrook. Council accept compensation in the amount of \$5,500 plus GST.
5. Integral Energy to bear all reasonable costs associated with the granting of the easements.
6. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

10 WSROC Group Tender Reference WR01-08/09 for the provision of Pavement Marking Services

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

That:

1. The information contained in the report on WSROC Group Tender Reference WR01-08/09 for the provision of Pavement Marking Services be received
2. Gumbay Holdings Pty Ltd trading as Avante Linemarking be appointed as the Preferred Contractor for all Pavement Marking Services on an as required basis for an initial period of 2 years with an option to extend the agreement for a further 2 x 1 year periods(subject to satisfactory performance) with provision for rise & fall.
3. Combined Traffic Management and Menai Linemarking Services (A Division of Workforce International) be appointed as the second and third back up contractors respectively.

11 WSROC Group Tender Reference WR03-08/09 for the Supply & Delivery of Road Traffic Signs and associated hardware

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

That:

1. The information contained in the report on WSROC Group Tender Reference WR03-08/09 for the Supply & Delivery of Road Traffic Signs and associated hardware. be received.
2. Road Signs and Marking Supplies Pty Ltd trading as Road Management Solutions be appointed as the preferred Supplier of Road Traffic Signs and associated hardware for a period of 3 years with an option to extend the arrangements for a further 2x 1 year periods subject to satisfactory performance with provision for rise & fall.

12 Summary of Investments & Banking for the period 1 January 2009 to 31 January 2009

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

That:

1. The information contained in the report on Summary of Investments & Banking for the period 1 January 2009 to 31 January 2009. be received
2. The Certificate of the Responsible Accounting Officer and Summaries of Investments and Performance for the period 1 January 2009 to 31 January 2009 be noted and accepted
3. The graphical investment analysis as at 31 January 2009 be noted.

7 Model Code of Conduct ~ Update on the requirement to appoint a Conduct Review Committee

'41 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Ben Goldfinch

That:

1. The information contained in the report on Model Code of Conduct ~ Update on the requirement to appoint a Conduct Review Committee be received.
2. The Council accepts that in the event there is a need to appoint a Sole Reviewer / Conduct Review Committee the General Manager selects the relevant person(s) from the Panel of persons recommended by WSROC.

8 Australian Local Government Women's Association 2009 NSW State Annual Conference and 2009 Biennial National Conference

42 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Ben Goldfinch

That:

1. The information contained in the report on Australian Local Government Women's Association 2009 NSW State Annual Conference and 2009 Biennial National Conference be received.
2. Councillors Prue Guillaume, Karen McKeown, Kath Presdee, Kaylene Allison, Tanya Davies and Jackie Greenow be Council's delegates at the ALGWA's 56th Annual NSW State Conference, to be held in Queanbeyan from 19 to 22 March 2009, and leave of absence be granted as appropriate.
3. Councillors Karen McKeown, Jackie Greenow and Tanya Davies be Council's delegates at the 2009 ALGWA National Biennial Conference, to be held in Adelaide from 15 to 17 April 2009, and leave of absence be granted as appropriate.
4. An urgent report be presented to the next Policy Review Committee meeting regarding Council's policy on the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors.

QUESTIONS WITHOUT NOTICE

QWN 1 Glenmore Park Stage 2 Project - Recreational Facilities

Councillor Prue Guillaume requested a report to Council on plans to include recreational fields/facilities as part of the Glenmore Park Stage 2 Project.

QWN 2 Council-owned building - 3 Castlereagh Street, Penrith - Wheelchair Ramp

Councillor Prue Guillaume requested a memo reply concerning the ramp leading into the building at 3 Castlereagh Street, Penrith, which is too steep for residents in wheelchairs to use.

QWN 3 New Green Bin Service - Community Education Program

Councillor Prue Guillaume requested a memo reply to all Councillors concerning simplifying the language to be used to describe Council's new Green Bin service, as part of the community education program to be implemented around the introduction of the service.

QWN 4 2009 Australian Open Canoe Slalom Championships

Councillor Kath Presdee requested that a letter of congratulations be sent to the Australian Canoe Federation on the results of the Australian Open Championships which were held at the Penrith Whitewater Stadium on 21-22 February 2009.

QWN 5 Path Paving Program

Councillor Kath Presdee requested a memo reply to all Councillors providing details of the savings on the path paving program, of approximately \$150,000, and detailing the reasoning behind the savings being used to repay loans rather than being used for additional path paving projects.

QWN 6 Lighting in Kingswood Carpark

Councillor John Thain requested a memo reply concerning the provision of more efficient lighting in the Kingswood Carpark, on the Copeland Street side.

QWN 7 Debrincat Avenue and Glossop Street, North St Marys

Councillor John Thain requested that the Local Traffic Committee investigate the incidence of traffic accidents on the corner of Debrincat Avenue and Glossop Street.

QWN 8 Antisocial Behaviour - Cambridge Park/Cambridge Gardens Area

Councillor John Thain requested a memo reply to all Councillors regarding the incidence of antisocial behaviour, mainly graffiti and noise, occurring in evenings primarily in drains in the Cambridge Park/Cambridge Gardens area.

QWN 9 99 Victoria Street, Werrington and 99 Victoria Street, Cambridge Park

Councillor John Thain requested a memo reply concerning a possible solution to the problem of 99 Victoria Street, Werrington and 99 Victoria Street, Cambridge Park being confused regarding mail, deliveries and ambulance call outs, with these often being directed to the wrong address.

QWN 10 Glenmore Park Child Precinct

Councillor Mark Davies requested a report to Council regarding the funding of the proposed Glenmore Park Child Precinct being provided by way of Section 94 funding, given the uncertainty surrounding projected Section 94 funding.

QWN 11 Request for Report concerning potential Tenderers offering Cadetships and Apprenticeships

Councillor Mark Davies requested a follow up to his request for a report to Council concerning potential tenderers being requested to provide details of any cadetships, apprenticeships or training they have taken on.

QWN 12 Dumping of Rubbish - Angophora Avenue, Kingswood

Councillor Mark Davies requested a memo reply detailing urgent action taken to remove rubbish dumped on vacant land in Angophora Avenue, Kingswood.

COMMITTEE OF THE WHOLE

43 RESOLVED on the MOTION of Councillor Marko Malkoc seconded Councillor Tanya Davies that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 8:05 pm.

1 Presence of the Public

CW1 RESOLVED on the motion of Councillor Kevin Crameri OAM seconded Councillor Mark Davies 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 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.

Having previously declared a Non-Pecuniary Conflict of Interest – Significant in *Committee of the Whole Item 2 - Legal Matter - 8 Donohoes Road, Mulgoa* Councillor Greg Davies left the meeting, the time being 8:06 pm, and did not return.

The meeting resumed at 8:27 pm and the General Manager reported that the Committee of the Whole met at 8:06 pm on 23 February 2009, the following being present

His Worship the Mayor Councillor Jim Aitken OAM, Councillors Kaylene Allison, Kevin Crameri OAM, 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.

Councillor Kevin Crameri OAM declared a Non-Pecuniary Conflict of Interest - Less than Significant in an item to be raised in Confidential Business as the matter indirectly concerns an individual who voluntarily handed out election material for Councillor Kevin Crameri OAM.

CONFIDENTIAL BUSINESS

2 Legal Matter - 8 Donohoes Road, Mulgoa

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

CW2 That:

1. The information contained in the report on Legal Matter - 8 Donohoes Road, Mulgoa be received.
2. The recommendations made in the report on Legal Matter - 8 Donohoes Road, Mulgoa be adopted.

Councillors Jackie Greenow and John Thain requested that their names be recorded as having voted against the Motion.

ADOPTION OF COMMITTEE OF THE WHOLE

44 RESOLVED on the MOTION of Councillor Marko Malkoc seconded Councillor Tanya Davies that the recommendation contained in the Committee of the Whole and shown as CW2 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 8:28 pm.

I certify that these 14 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 23 February 2009.

Chairperson

Date