

CONFIRMED MINUTES

OF THE POLICY REVIEW COMMITTEE MEETING OF PENRITH CITY COUNCIL HELD IN THE PASSADENA ROOM, PENRITH ON MONDAY 9 MARCH 2009 AT 7:32PM

PRESENT

His Worship the Mayor Councillor Jim Aitken OAM, Councillors Kaylene Allison, Robert Ardill, 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

There were no apologies.

CONFIRMATION OF MINUTES - Policy Review Committee Meeting - 16 February 2009

PRC 8 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Marko Malkoc that the minutes of the Policy Review Committee Meeting of 16 February 2009 be confirmed.

DECLARATIONS OF INTEREST

His Worship the Mayor, Councillor Jim Aitken OAM declared a Pecuniary Interest in *Item 2 - Caddens draft Local Environmental Plan and draft Development Control Plan* as he owns property in the area. His Worship the Mayor, Councillor Jim Aitken OAM stated he would leave the meeting and take no part during discussion on the item.

Councillor Tanya Davies declared a Non Pecuniary Conflict of Interest – Less than Significant in *Item 3 - Penrith City Children's Services Co-operative Ltd* as she is a Director on the Board of the Children's Services Co-operative, Ltd.

Councillor Kath Presdee declared a Non Pecuniary Conflict of Interest – Less than Significant in *Item 1 - St Marys Release Area - Public Exhibition of draft Western and Central Precinct Plans* as she owns property in a suburb which is adjacent to the subject area.

Councillor Kath Presdee declared a Non Pecuniary Conflict of Interest – Less than Significant in *Item 3 - Penrith City Children's Services Co-operative Ltd* as she is a member of the Parent Advisory Committee of Werrianda Children's Centre.

Councillor Kaylene Allison declared a Non Pecuniary Conflict of Interest – Less than Significant in *Item 3 - Penrith City Children's Services Co-operative Ltd* as she is a Director on the Board of the Children's Services Co-operative, Ltd.

Councillor Kevin Cramer OAM declared a Non Pecuniary Conflict of Interest – Less than Significant in *Item 1 - St Marys Release Area - Public Exhibition of draft Western and Central Precinct Plan* as his home is located nearby to the subject area.

ADDRESSING THE MEETING

Mr Arthur Ilias

Item 1 - St Marys Release Area - Public Exhibition of draft Western and Central Precinct Plans

Mr Arthur Ilias, representing Delfin Lend Lease, spoke in support of the recommendation and stated that the Western and Central Precinct Plans demonstrate a strong commitment to sustainability, delivering a balance of environmentally sound, socially responsible and economically viable outcomes. Mr Ilias also stated that Delfin Lend Lease has executed a Planning Agreement with Penrith City Council which becomes effective upon adoption of the Precinct Plans by Council and that this provides delivery certainty and milestones for a range of facilities and services.

Mr Ilias concluded by stating that as a Regional City under the NSW Government's Metropolitan Strategy, Penrith Council needs to ensure it has appropriate strategies that can help achieve its target housing choice, jobs and economic growth to meet forecast population growth, and the Western and Central Precinct Plans assists meeting these targets.

Mr Geoff Brown

Item 1 - St Marys Release Area - Public Exhibition of draft Western and Central Precinct Plans

Mr Geoff Brown, representing ADI Residents Action Group (ADI RAG) spoke in opposition to the recommendation. Mr Brown asked Council to defer the decision on the St Marys Release Area. Mr Brown raised his concerns about the access points to the subject area, and its proposed central village, stating that they were insufficient and inconvenient.

PRC 9 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Ross Fowler OAM that an extension of time be granted to Mr Geoff Brown, the time being 7:51pm.

Mr Brown was also concerned about the height of the buildings in the proposed area, stating that four to six storey buildings would be out of character for the area. Mr Brown continued, suggesting that the proposed Asset Protection Zone be reviewed and increased as a precautionary measure to lessen the risks of bush fire and the threat to life and property.

PRC 10 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Ross Fowler OAM that an extension of time be granted to Mr Geoff Brown, the time being 7:56pm.

Mr Brown concluded by raising issues to do with the removal of 20,000 trees, regional park usage and the creation of traffic and noise relating to the proposed development.

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MASTER PROGRAM REPORTS

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THE CITY AS A SOCIAL PLACE

1 St Marys Release Area - Public Exhibition of draft Western and Central Precinct Plans

Councillor Kevin Crameri OAM raised a number of issues concerning the proposed development and requested a formal written response in the form of a memorandum be issued to all Councillors.

Councillor Mark Davies left the meeting, the time being 8:13pm.

Councillor Prue Guillaume left the meeting, the time being 8:16pm.

Councillor Mark Davies returned to the meeting, the time being 8:17pm.

Councillor Prue Guillaume returned to the meeting, the time being 8:18pm.

PRC 11 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Greg Davies

That:

1. The information contained in the report on St Marys Release Area - Public Exhibition of draft Western and Central Precinct Plans be received.
2. In accordance with the provisions of Sydney Regional Environmental Plan No 30 – St Marys, Council adopt the Western Precinct Plan and Central Precinct Plan with the amendments agreed to by the proponent, as outlined in the report.
3. Council write to all public authorities, Blacktown City Council and other persons who made submissions to the public exhibition for the draft Western and Central Precinct Plans advising them of Council's decision.
4. Delfin Lend Lease be advised of Council's decision.
5. Council congratulate current and past staff who have worked on this project.

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 Robert Ardill
Councillor Greg Davies
Councillor Mark Davies
Councillor Tanya Davies
Councillor Ross Fowler OAM
Councillor Ben Goldfinch
Councillor Jackie Greenow
Councillor Marko Malkoc
Councillor Kath Presdee
Councillor John Thain

Against
Councillor Kevin Crameri OAM
Councillor Prue Guillaume (Abstained)
Councillor Karen McKeown (Abstained)

Note: In accordance with cl. 251 of the Local Government (General) Regulation 2005, a Councillor who fails to vote on a motion put to the meeting is taken to have voted against the motion.

Having previously declared a Pecuniary Interest in *Item 2 –Caddens draft Local Environmental Plan and draft Development Control Plan*, His Worship the Mayor, Councillor Jim Aitken OAM left the meeting, the time being 9:05pm.

The Deputy Mayor Councillor Ross Fowler OAM then took the Chair for consideration of Item 2, the time being 9:05pm.

2 Caddens draft Local Environmental Plan and draft Development Control Plan

PRC 12 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Marko Malkoc

That:

1. The information contained in the report on Caddens draft Local Environmental Plan and draft Development Control Plan be received.
2. The amended versions of the Caddens draft Local Environmental Plan and draft Development Control Plan, as tabled at the meeting, be adopted by Council in accordance with the Environmental Planning & Assessment Act (as amended) and Regulation.
3. In accordance with s68 (4) of the Environmental Planning & Assessment Act 1979 (as amended), the Caddens draft Local Environmental Plan be forwarded to the Department of Planning and the Minister for Planning be requested to make the plan.
4. In the event minor amendments to the Caddens draft Local Environmental Plan are required to be made by the Department of Planning's review of the instrument, Council authorises such amendments.
5. The Caddens draft Development Control Plan take effect upon gazettal of the Caddens draft Local Environmental Plan.
6. Council seek variation from the operation of NSW Housing Code for lots within Caddens which front Caddens Road in order to achieve an appropriate transition between the new urban areas of Caddens and the established non urban area of Orchard Hills.
7. All those who made written submissions regarding the draft plans be thanked for their representations and advised of Council's resolution.

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

For

Councillor Kaylene Allison
Councillor Robert Ardill
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

Against

His Worship the Mayor, Councillor Jim Aitken OAM, returned to the meeting the time being 9:08pm.

Councillor Kevin Crameri OAM left the meeting, the time being 9:08pm.

Councillor Ben Goldfinch left the meeting, the time being 9:09pm.

Councillor Ben Goldfinch returned to the meeting, the time being 9:10pm.

Councillor Greg Davies left the meeting, the time being 9:11pm.

Councillor Kevin Crameri OAM returned to the meeting the time being 9:14pm.

3 Penrith City Children's Services Co-operative Ltd

Mr Max Friend Chairperson of the Penrith City Children's Services Co-operative Ltd gave a presentation on the performance of the Co-operative over the last financial year.

PRC 13 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Ben Goldfinch

That:

1. The information contained in the report on Penrith City Children's Services Co-operative Ltd be received.
2. Council agree to underwrite the operation of Penrith City Children's Services Co-operative Ltd until the presentation to Council of the Penrith City Children's Services Co-operative Ltd Annual Report for 2008/09.

Councillor Marko Malkoc left the meeting, the time being 9:21pm.

Councillor Marko Malkoc returned to the meeting, the time being 9:22pm.

Councillor Greg Davies returned to the meeting, the time being 9:27pm.

5 Penrith Performing and Visual Arts Ltd - Annual Report and Board of Directors

Messrs Peter Anderson AM, John Reed and John Kirkman made a presentation on the performance of the Penrith Performing and Visual Arts Board over the last financial year.

PRC 14 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Karen McKeown

That:

1. The information contained in the report on Penrith Performing and Visual Arts Ltd - Annual Report and Board of Directors be received
2. Council agree to underwrite the operation of the Penrith Performing and Visual Arts Ltd until the presentation to Council of the Penrith Performing & Visual Arts Ltd Annual Report for 2008/09.
3. Council note the re-appointment of Peter Anderson AM, Tony Lackey and Barbara Magee that occurred at the third Annual General Meeting of the Penrith Performing and Visual Arts Ltd.
4. A further report providing more detail on the Penrith Performing and Visual Arts Ltd be forwarded to all Councillors from Mr John Kirkman CEO of the PPVA.
5. Council congratulate the Board, management and staff for their success and services to arts in Western Sydney.

LEADERSHIP AND ORGANISATION

4 Policy on the Payment of Expenses and Provision of Facilities to Mayor, Deputy Mayor and Councillors

PRC 15 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Policy on the Payment of Expenses and Provision of Facilities to Mayor, Deputy Mayor and Councillors be received
2. A reference group of available Councillors be formed to consider the draft Policy on the Payment of Expenses and Provision of Facilities to Mayor, Deputy Mayor and Councillors.

There being no further business the Chairperson declared the meeting closed the time being 10:14pm.

I certify that these 6 pages are the Confirmed Minutes of the Policy Review Committee Meeting of Penrith City Council held on 9 March 2009.

Chairperson

Date