

CONFIRMED MINUTES

OF THE POLICY REVIEW COMMITTEE MEETING OF PENRITH CITY COUNCIL HELD IN THE PASSADENA ROOM, PENRITH ON MONDAY 9 AUGUST 2010 AT 7:35PM

PRESENT

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

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Robert Ardill for the period 26 July 2010 to 20 August 2010 inclusive.

APOLOGIES

PRC 40 RESOLVED on the MOTION of Councillor Marko Malkoc seconded Councillor Ben Goldfinch that an apology be received for Councillor Jackie Greenow.

CONFIRMATION OF MINUTES - Policy Review Committee Meeting - 12 July 2010

PRC 41 RESOLVED on the MOTION of Councillor Ben Goldfinch seconded Councillor Marko Malkoc that the minutes of the Policy Review Committee Meeting of 12 July 2010 be confirmed.

DECLARATIONS OF INTEREST

Councillor Kevin Crameri OAM declared a Non-Pecuniary Less than Significant Interest in *Item 1 - Opportunity for Biodiversity Conservation Corridor - Wianamatta Regional Park to Former Air Services Australia Site* as the land referred to within the report is within close proximity to his property.

Councillor Kath Presdee declared a Non-Pecuniary Less than Significant Interest in *Item 1 - Opportunity for Biodiversity Conservation Corridor - Wianamatta Regional Park to Former Air Services Australia Site* as the suburb of her family home borders the land subject of the report.

SUSPENSION OF STANDING ORDERS

PRC 42 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Greg Davies RESOLVED that Standing Orders be suspended to allow members of the public to address the meeting, the time being 7:38 pm.

Mr Geoff Brown

Item 1 - Opportunity for Biodiversity Conservation Corridor - Wianamatta Regional Park to Former Air Services Australia Site

Mr Geoff Brown an affected citizen, spoke against the recommendation, as he believes the report has a lack of vision in that hundreds of hectares of Cumberland Plain Woodland are at

risk of clearing, and that the corridor should be made much larger. Mr Brown noted that this is the last opportunity to protect the Greenbelt and asked that Council write to the Director General of DECCW stating that the additional area of Cumberland Plain Woodland needed for the corridor within the ADI Site can be protected with a Critical Habitat listing providing an immediate resolution to the need for acquisition or compensation

Procedural Motion

PRC 43 RESOLVED on the MOTION of Councillor Ben Goldfinch seconded Councillor Marko Malkoc that Mr Brown be granted an extension of time to complete his address, the time being 7:44pm.

Mr Brown requested that Council shift its position on the development of the ADI Site to one of protecting a minimum of a further 100 hectares of the sites critically endangered Cumberland Plain Woodland (CPW). Mr Brown asked Council to amend its draft LEP to correct mistakes in its zonings of the numerous Deerubbin claimed lands and a small number of some other private lands.

A number of Councillors took the opportunity to raise questions with Mr Brown regarding his address to Council.

RESUMPTION OF STANDING ORDERS

PRC 44 RESOLVED on the MOTION of Councillor Ben Goldfinch seconded Councillor Kath Presdee that Standing Orders be resumed, the time being 7:47pm.

DELIVERY PROGRAM REPORTS

A LEADING CITY

- 1 Opportunity for Biodiversity Conservation Corridor - Wianamatta Regional Park to Former Air Services Australia Site**

PRC 45 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Mark Davies

That:

1. The information contained in the report on Opportunity for Biodiversity Conservation Corridor - Wianamatta Regional Park to Former Air Services Australia Site be received.
2. Council support the creation of a more extensive network of appropriately managed biodiversity corridors in Western Sydney and write to the Minister for the Environment, the Hon Frank Sartor, requesting that discussions with relevant landowners be undertaken to support the creation of a biodiversity conservation corridor linking the Wianamatta Regional Park and the former Air Services Australia site at Cranebrook.
3. Council write to the Minister for Planning and the NSW Member for Londonderry, Allan Shearan, seeking their support to expedite negotiations to facilitate the creation of a biodiversity conservation corridor linking the Wianamatta Regional Park and the former Air Services Australia site at Cranebrook.
4. A further report be brought to Council outlining the required processes and the consequences of reviewing the zoning of the land within the potential biodiversity conservation corridor linking the Wianamatta Regional Park and the former Air Services Australia site at Cranebrook.

2 Working Party Meetings

Councillor Tanya Davies left the meeting, the time being 8:16pm.

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

PRC 46 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Kath Presdee

That the information contained in the report on Working Party Meetings be received.

3 2010 Local Government Association of NSW Annual Conference

Councillor Karen McKeown left the meeting, the time being 8:33pm.

Councillor Karen McKeown returned to the meeting, the time being 8:35pm.

PRC 47 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Ben Goldfinch

That:

1. The information contained in the report on 2010 Local Government Association of NSW Annual Conference be received.
2. The ten motions detailed in the report be submitted for inclusion in the 2010 Local Government Association NSW Conference Business Paper.
3. A further report be brought to Council regarding the possible lodgement of a late motion dealing with the privatisation of electricity providers.
4. A memo be provided to all Councillors on tendering with respect to elected local government organisations.
5. The following additional motion be submitted for inclusion in the 2010 Local Government Association NSW Conference Business Paper.

MOTION 11

From:

Penrith City Council

Issue:

Swimming Pool Safety

Theme:

Modern Approaches to Community Wellbeing

Motion Text:

That the Local Government Association call on the State Government to institute legislation amendments aimed at implementing mandatory swimming pool fencing inspections and related cost recovery based inspection fees for Councils.

Note from Council:

The State Government in November 2009 enacted a number of amendments to the Swimming Pool Act (including a set of Australian Standards for pool fencing AS 1926.1 (2007)). Whilst these changes went some way to improving swimming pool safety generally, a regime for mandatory pool fencing inspections was not included. It is understood that the State Government considers a mandatory pool registration and inspection program was not warranted due to the cost that this would impose on pool owners.

It is difficult to contemplate circumstances where a non-complying pool safety barrier would not constitute a risk to the safety of a person. Sadly, backyard drownings continue to occur.

Whilst educating pool owners still plays a vital role in pool safety, there remains the risk that not all pool owners are aware of their responsibilities and safety issues when they emerge. A mandatory pool fencing regime would ensure this circumstance is overcome.

It would be important for any mandatory swimming pool safety inspection process to be underpinned by a cost recovery based inspection fee for Councils. Further investigation should also be pursued in relation to the opportunity for pool fencing inspections to be undertaken by other accredited certifiers.

In any legislation amendment drafted, there should be a clear reference to legal protection from liability for a Council where it acts in good faith in respect of pool fencing inspections. This would be similar to the “good faith” protections currently afforded to Councils for flooding and contaminated land responses.

4 One Association for Local Government in NSW

Councillor John Thain left the meeting, the time being 8:55pm.

Councillor John Thain returned to the meeting, the time being 8:56pm.

Councillor Mark Davies left the meeting, the time being 8:57pm.

Councillor Tanya Davies left the meeting, the time being 8:58pm.

Councillor Mark Davies returned to the meeting, the time being 8:59pm.

Councillor Tanya Davies returned to the meeting, the time being 8:59pm.

PRC 48 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kath Presdee

That:

1. The information contained in the report on One Association for Local Government in NSW be received.
2. Council endorse the Position Paper and suggested responses with the exception that Council object to Taskforce Recommendation 38 and it seek:
 - amendment of the words “ordinary member councils” to read “ordinary members” (to cover NSW Aboriginal Land Council representation); and
 - scaled voting rights for the election of the Board of Directors according to the population of LG areas in the same way as now applies for voting for motions at the Conference, rather than equal voting rights as proposed.

There being no further business the Chairperson declared the meeting closed the time being 9:12pm.

I certify that these 5pages are the Confirmed Minutes of the Policy Review Committee Meeting of Penrith City Council held on (9 August 2010).

_____ Chairperson	_____ Date
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