

**CONFIRMED MINUTES**  
**OF THE ORDINARY MEETING OF PENRITH CITY COUNCIL HELD IN THE**  
**COUNCIL CHAMBERS**

**ON MONDAY 11 APRIL 2011 AT 7:35PM**

**NATIONAL ANTHEM**

The meeting opened with the National Anthem.

**STATEMENT OF RECOGNITION**

The Deputy 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 Rev. Neil Checkley

**PRESENT**

Deputy Mayor Councillor Jim Aitken OAM, Councillors Kevin Crameri OAM, Kaylene Allison, Robert Ardill, 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 - 21 March 2011**

74 RESOLVED on the MOTION of Councillor Marko Malkoc seconded Councillor Ben Goldfinch that the minutes of the Ordinary Meeting of 21 March 2011 be confirmed.

**DECLARATIONS OF INTEREST**

Councillor Ross Fowler OAM declared a Pecuniary Interest in Item 9 - *Development Application DA10/0275 - Proposed 2 Lot Torrens title Subdivision at Lot 200 DP 811535 (No. 28 - 30) Grays Lane, Cranebrook. Applicant: Freeburn Surveying; Owner: Lexie & Giovanni Cettolin* as the applicants are a client of his accounting firm. Councillor Fowler OAM indicated he would leave the room for discussion of this item.

Councillor Ben Goldfinch declared a Pecuniary Interest in Item 9 - *Development Application DA10/0275 - Proposed 2 Lot Torrens title Subdivision at Lot 200 DP 811535 (No. 28 - 30) Grays Lane, Cranebrook. Applicant: Freeburn Surveying; Owner: Lexie & Giovanni Cettolin* as he exchanged preferences with one of the owners at the last local government election. Councillor Goldfinch indicated he would leave the room for discussion of this item.

Councillor Kevin Crameri OAM declared a Non-Pecuniary Conflict of Interest – Significant in Item 9 - *Development Application DA10/0275 - Proposed 2 Lot Torrens title Subdivision at Lot 200 DP 811535 (No. 28 - 30) Grays Lane, Cranebrook. Applicant: Freeburn*

*Surveying; Owner: Lexie & Giovanni Cettolin* as he exchanged preferences with one of the owners at the last local government election. Councillor Cramer OAM indicated he would leave the room for discussion of this item.

Councillor Tanya Davies declared a Non-Pecuniary Conflict of Interest – Less than Significant in Item 9 - *Development Application DA10/0275 - Proposed 2 Lot Torrens title Subdivision at Lot 200 DP 811535 (No. 28 - 30) Grays Lane, Cranebrook. Applicant: Freeburn Surveying; Owner: Lexie & Giovanni* as one of the owners assisted her in her recent State Government election campaign.

Councillor Mark Davies declared a Non-Pecuniary Conflict of Interest – Less than Significant in Item 9 - *Development Application DA10/0275 - Proposed 2 Lot Torrens title Subdivision at Lot 200 DP 811535 (No. 28 - 30) Grays Lane, Cranebrook. Applicant: Freeburn Surveying; Owner: Lexie & Giovanni Cettolin* as one of the owners assisted his wife in her recent State Government election campaign.

Councillor John Thain declared a Non-Pecuniary Conflict of Interest – Less than Significant in Item 9 - *Development Application DA10/0275 - Proposed 2 Lot Torrens title Subdivision at Lot 200 DP 811535 (No. 28 - 30) Grays Lane, Cranebrook. Applicant: Freeburn Surveying; Owner: Lexie & Giovanni* as one of the owners handed out election material for him at the recent State Government Elections.

Councillor Marko Malkoc declared a Non-Pecuniary Conflict of Interest – Less than Significant in Item 4 of the *Personal Trainer and Commercial Fitness Group Draft Policy* in the Policy Review Committee meeting minutes of 4 April 2011 as he has worked in the Personal Training industry.

## **REPORTS OF COMMITTEES**

### **1 Report and Recommendations of the Local Traffic Committee Meeting held on 4 April 2011**

75 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Greg Davies that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 4 April, 2011 be adopted.

### **2 Report and Recommendations of the Policy Review Committee meeting, held on 4 April, 2011**

76 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Ross Fowler OAM that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 4 April, 2011 be adopted.

## **DELIVERY PROGRAM REPORTS**

### **A LEADING CITY**

#### **7 Summary of Investments and Banking and an Agency Collection Methods for the period of 1 March to 31 March 2011**

77 RESOLVED on the MOTION of Councillor Marko Malkoc seconded Councillor Kaylene Allison

That:

1. The information contained in the report on Summary of Investments and Banking and an Agency Collection Methods for the period of 1 March to 31 March 2011 be received.
2. The Certificate of the Responsible Accounting Officer and Summaries of Investments and Performance for the period 1 March 2011 to 31 March 2011 be noted and accepted.
3. The graphical investment analysis as at 31 March 2011 be noted.
4. An Agency Collection Method as at 31 March be noted.

#### **1 Public Exhibition of the draft Operational Plan 2011-2012**

78 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain

That:

1. The information contained in the report on Public Exhibition of the draft Operational Plan 2011-2012 be received.
2. In accordance with the Local Government Act 1993 and Local Government (General) Regulation 2005, Council endorse the draft Operational Plan 2011-12 including any amendments made at tonight's meeting, for public exhibition.
3. In accordance with the Local Government Act 1993 and Local Government (General) Regulation 2005, the draft Operational Plan 2011-12 be placed on public exhibition for 30 days, commencing on Friday 15 April 2011 and closing on Monday 16 May 2011.
4. Submissions from the public on the draft Operational Plan 2011-2012 be invited and the public consultation arrangements as detailed in this report be implemented, including a public meeting and forum to be held on Wednesday 4 May 2011 in the Civic Centre.

#### **2 Councillor Karen McKeown honoured with a Minister's Award for Women in Local Government**

79 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Marko

Malkoc that the information contained in the report on Councillor Karen McKeown honoured with a Minister's Award for Women in Local Government be received.

**3 Passing of Steve Hyland**

80 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Prue Guillaume that the information contained in the report on Passing of Steve Hyland be received.

**4 Awarding of the Louise Petchell Learning for Sustainability Scholarship**

81 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Tanya Davies that the information contained in the report on Awarding of the Louise Petchell Learning for Sustainability Scholarship be received.

**5 Audit Committee**

82 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Kath Presdee that the information contained in the report on Audit Committee be received.

**6 Australian Local Government Women's Association 2011 NSW State Annual Conference**

83 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on Australian Local Government Women's Association 2011 NSW State Annual Conference be received
2. Council nominate Councillors Kaylene Allison, Prue Guillaume, Karen McKeown, Kath Presdee and Jackie Greenow to attend ALGWA's 58<sup>th</sup> Annual NSW State Conference, to be held in Rooty Hill from Thursday 26 to Saturday 28 May 2011.

**A CITY OF OPPORTUNITIES**

**8 Results of the exhibition of the revised Resource Strategy and Community Engagement Strategy**

84 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Marko Malkoc

That:

1. The information contained in the report on Results of the exhibition of the

revised Resource Strategy and Community Engagement Strategy be received.

2. Council adopt the revised Resource Strategy 2011-2021 and Community Engagement Strategy 2011.

The Deputy Mayor, Councillor Jim Aitken OAM spoke in support of the National Growth Area Alliance and commended it for its achievements so far.

## **10 National Growth Areas Alliance - March to December 2010 Update**

85 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Marko Malkoc

That:

1. The information contained in the report on National Growth Areas Alliance - March to December 2010 Update be received.
2. Council endorse and forward the report to all local Federal and State Members of Parliament, with the offer of a briefing about the outcomes the NGAA is seeking for Australia's growth areas like Penrith.

Having previously declared their interests Councillors Ross Fowler OAM, Kevin Cramer OAM and Ben Goldfinch left the meeting, the time being 8:44pm.

## **9 Development Application DA10/0275 - Proposed 2 Lot Torrens title Subdivision at Lot 200 DP 811535 (No. 28 - 30) Grays Lane, Cranebrook. Applicant: Freeburn Surveying; Owner: Lexie & Giovanni Cettolin**

### **RECOMMENDATION**

That:

1. The information contained in the report on Development Application DA10/0275 - Proposed 2 Lot Torrens title Subdivision at Lot 200 DP 811535 (No. 28 - 30) Grays Lane, Cranebrook be received.
2. That DA10/0275 for 2 Lot Torrens title Subdivision at Lot 200 DP 811535 (No. 28 - 30) Grays Lane, Cranebrook, be approved subject to the attached conditions:

#### **Standard Conditions**

- 2.1 A001 – Approved Plans
  - G001 - Services
  - G002 – Section 73
  - G004 – Integral Energy
  - L008 – Tree Preservation
  - L012 – Existing Landscaping

M003 – Statutory Boundary Clearances

M008 – Linen Plan

M014 – Surveyors Certificate

Q008 – Subdivision Certificate

**Special Conditions**

- 2.2 This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for Cultural Facilities. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$336.00 is to be paid to Council prior to a Construction 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 S94 invoice accompanying this consent should accompany the contribution payment

The Section 94 Contributions Plan for Cultural Facilities may be inspected at Council's Civic Centre, 601 High Street, Penrith

- 2.3 This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for District Open Space. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$5,131.00 is to be paid to Council prior to a Construction 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 S94 invoice accompanying this consent should accompany the contribution payment

The Section 94 Contributions Plan for District Open Space may be inspected at Council's Civic Centre, 601 High Street, Penrith

- 2.4 Prior to the issue of a Subdivision Certificate a copy of the geotechnical report indicating the soil classification for all lots shall be submitted to Penrith City Council
- 2.5 Prior to the issue of a Subdivision Certificate or Occupation Certificate a checklist and supporting documentation shall be submitted to the Principal Certifying Authority demonstrating that each condition of the development consent has been satisfactorily addressed
- 2.6 The Subdivision Certificate shall not be issued until all conditions of

consent except those relating to ongoing operational matters, have been completed.

3. The Department of Planning be given a copy of the "Notice of Determination".

Councillors Ross Fowler OAM, Kevin Crameri OAM and Ben Goldfinch returned to the meeting, the time being 8:45pm.

Councillor Prue Guillaume left the meeting, the time being 8:46pm.

## **A LIVEABLE CITY**

### **11 Outcome of the Review of the State Emergency and Rescue Management Act 1989**

86 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor John Thain

That:

1. The information contained in the report on Outcome of the Review of the State Emergency and Rescue Management Act 1989 be received.
2. The General Manager (or the General Manager's nominee) be appointed to the Penrith Local Emergency Management Committee.

Councillor Prue Guillaume returned to the meeting, the time being 8:48pm.

## **REQUESTS FOR REPORTS AND MEMORANDUMS**

### **RR 1 Phillip Street, St Marys - Pedestrian Crossing**

Councillor Marko Malkoc requested a report to the Local Traffic Committee concerning a potential Pedestrian Crossing on Phillip St, St Marys out the front of the Coles Shopping Centre.

### **RR 2 Ninth Avenue - Clean Up**

Councillor Kevin Crameri OAM requested a memo reply regarding a clean up on Ninth Avenue, Llandilo to remove bushes, cement, foam boxes, bricks and a pile of dirt.

### **RR 3 Request for Flood Maps**

Councillor Kevin Crameri OAM requested a memo reply regarding obtaining a copy of flood maps for the eastern side of Londonderry.

### **RR 4 Slip Lane - Northern Road**

Councillor Kevin Crameri OAM requested a memo reply concerning the slip lane on the Northern Road and the Roundabout with Cranebrook Road. Councillor Crameri OAM asked that a give way sign coming back onto the Northern Road be considered.

**RR 5      Footpath - Barber Avenue**

Councillor Kevin Crameri OAM requested a memo reply requesting that Barber Avenue be added to the footpath program.

**RR 6      7th Avenue - Footpath**

Councillor Kevin Crameri OAM requested a memo reply requesting that 7<sup>th</sup> Avenue be added to the footpath program.

**RR 7      Trucks using Derby Street**

Councillor John Thain requested a memo reply concerning the number of trucks using Derby Street at all hours of the day.

**RR 8      Roundabout - Lemongrove Bridge**

Councillor John Thain requested a report to the Local Traffic Committee concerning the roundabout at Lemongrove bridge, particularly for buses.

**RR 9      Coachmans Park, West Lane and Carinya Avenue Improvements**

Councillor Greg Davies requested that his previously requested report on the section of land at West Lane and Carinya Avenue be included when investigating improvements to Coachmans Park

There being no further business the Chairperson declared the meeting closed the time being 8:59pm.

I certify that these 8 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 11 April 2011.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date