

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

**ON MONDAY 25 JUNE 2012 AT 7:35PM**

**NATIONAL ANTHEM**

The meeting opened with the National Anthem.

**STATEMENT OF RECOGNITION**

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

**PRAYER**

The Council Prayer was read by Council's Senior Governance Officer, Glenn Schuil.

**PRESENT**

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

**LEAVE OF ABSENCE**

May 2012 to 8 July 2012 inclusive.

**APOLOGIES**

122 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Jim Aitken OAM that apologies be received for Councillors Prue Car and Tanya Davies.

**CONFIRMATION OF MINUTES - Ordinary Meeting - 21 May 2012**

123 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Marko Malkoc that the minutes of the Ordinary Meeting of 21 May 2012 be confirmed.

**DECLARATIONS OF INTEREST**

Councillor Kevin Crameri OAM declared a Non Pecuniary Conflict of Interest – Less Than Significant in Item 10 - *Clean Up of Illegal Dumping on Deerubbin Local Aboriginal Land Council Lands* as the area subject to the report is close to his residence and he is also a member of the Rural Fire Service which regularly enters the land.

Councillor Ross Fowler OAM declared a Pecuniary Interest in Item 2 of Committee of the Whole - *Commercial Matter - Council Property - Leasing of Suite 2/54 Henry Street, Penrith to Australian Foundation for Disability (AFFORD)* as he is a Director of the Company subject to the report. Councillor Ross Fowler OAM declared he would leave the room for discussion of the item.

Councillor Ross Fowler OAM declared a Pecuniary Interest in Item 3 of Committee of the Whole - *Commercial Matter - Council Property - Leasing of Suite GO2 at 114-116 Henry Street Penrith to Wentworth Community Housing Limited*) as he is the Auditor of the Company subject to the report. Councillor Ross Fowler OAM declared he would leave the room for discussion of the item.

## MAYORAL MINUTES

### 1 [2012 Queen's Birthday Honours](#)

124 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow that the Mayoral Minute on 2012 Queen's Birthday Honours be received.

Councillors Jackie Greenow, Jim Aitken OAM, John Thain and Ross Fowler OAM spoke in support of the Mayoral Minute.

### 2 [Passing of Arthur Bennett](#)

125 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jim Aitken OAM that the Mayoral Minute on Passing of Arthur Bennett be received.

Councillors Jim Aitken OAM and Kevin Crameri OAM spoke in support of the Mayoral Minute.

### 3 [Penrith Swimming Centre achieves excellent safety rating](#)

126 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Karen McKeown that the Mayoral Minute on Penrith Swimming Centre achieves excellent safety rating be received.

Councillors Karen McKeown and Robert Ardill spoke in support of the Mayoral Minute.

### 5 [New brand for Penrith officially launched](#)

127 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow that the Mayoral Minute on New brand for Penrith officially launched be received.

Councillors Jackie Greenow and Ross Fowler OAM spoke in support of the Mayoral Minute.

### 4 [Norma Thorburn recognised in 2012 NSW Women of the Year Awards](#)

128 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow that the Mayoral Minute on Norma Thorburn recognised in 2012 NSW Women of the Year Awards be received.

Councillors Jackie Greenow, Mark Davies, Jim Aitken OAM, Ross Fowler OAM, Kevin

Crameri OAM and John Thain spoke in support of the Mayoral Minute.

The Council then expressed its acclamation to Norma Thorburn.

## REPORTS OF COMMITTEES

### 1 [Report and Recommendations of the Local Traffic Committee Meeting held on 4 June 2012](#)

129 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Karen McKeown that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 4 June, 2012 be adopted.

### 2 [Report and Recommendations of the Policy Review Committee held on 4 June 2012](#)

Councillor Robert Ardill left the meeting, the time being 8:16pm.

130 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Marko Malkoc that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 4 June, 2012 be adopted.

Councillor Robert Ardill returned to the meeting, the time being 8:17pm.

## DELIVERY PROGRAM REPORTS

### A LEADING CITY

#### 3 [Audit Committee](#)

131 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Marko Malkoc that the information contained in the report on Audit Committee be received.

#### 5 [Remuneration Tribunal Determination for Mayor and Councillors for 2012/2013](#)

132 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Marko Malkoc

That:

1. The information contained in the report on Remuneration Tribunal Determination for Mayor and Councillors for 2012/2013 be received.
2. The fees payable to the Mayor and Councillors for 2012/2013 be set at the maximum level permitted.

**7 [Council Property - Extinguishment of Obsolete Easement for Pipeline and Right of Way that benefits Council land at Lot 422 DP706223, No. 27 Park Road, Wallacia](#)**

133 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Marko Malkoc

That:

1. The information contained in the report on Council Property - Extinguishment of Obsolete Easement for Pipeline and Right of Way that benefits Council land at Lot 422 DP706223, No. 27 Park Road, Wallacia be received.
2. Council agree to the extinguishment of the obsolete Easement for Pipeline and Right of Way appurtenant to Lot 422 DP706223, No. 27 Park Road, Wallacia.
3. The applicant be responsible for all costs associated with the extinguishment of the easements.
4. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

**9 [Summary of Investments and Banking for the period 1 May to 31 May 2012](#)**

134 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Marko Malkoc

That:

1. The information contained in the report on Summary of Investments and Banking for the period 1 May to 31 May 2012 be received.
2. The Certificate of the Responsible Accounting Officer and Summaries of Investments and Performance for the period 1 May 2012 to 31 May 2012 be noted and accepted.
3. The graphical investment analysis as at 31 May 2012 be noted.

**1 [Adoption of Council's 2012-13 Operational Plan](#)**

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

That:

1. The information contained in the report on Adoption of Council's 2012-13 Operational Plan be received.
2. Those projects in the 2011-12 Operational Plan, which were approved by Council in the March Quarter Review 2012 to be carried forward, be added to the adopted Operational Plan for 2012-13.
3. Council approve for expenditure the budget as detailed in the 2012-13 Operational Plan, and on that basis formally vote these funds for the 2012-13

financial year.

## 2 Making of the Rate

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

That:

1. The information contained in the report on Making of the Rate be received
2. **Ordinary Rate**

In accordance with Section 535 of the Local Government Act 1993, an ordinary rate named Residential ordinary in accordance with Section 543(1) of point four zero nine zero two (.40902) cents in the dollar being ad valorem amount on the land value of all rateable land in the City categorised as residential under Section 493 and that an ordinary rate named Farmland ordinary of point two zero four five one (.20451) cents in the dollar on the land value of all rateable land in the City categorised as farmland and that an ordinary rate named Business ordinary of point seven one one four eight (.71148) cents in the dollar on all rateable land in the City categorised as business and that an ordinary rate being a subcategory of Business rate named Penrith CBD Rate of point eight one four two two (.81422) cents in the dollar and that an ordinary rate being a subcategory of Business rate named St Marys Town Centre Rate of one point zero nine eight zero eight (1.09808) cents in the dollar be now made for the period 1 July 2012 to 30 June 2013 subject to a minimum rate under Section 548(5) of seven hundred and seventy two dollars and fifteen cents (\$772.15) in respect of each separate parcel of land categorised as Residential and Farmland and that each separate parcel of land categorised as Business or as a subcategory of Business be subject to a minimum rate under Section 548(5) of the Local Government Act, 1993 of nine hundred and eighty eight dollars (\$988.00).

### 3. **Service of Rate Notices**

The rate or charge for the 2012-13 rate year be levied on the land specified in a rates and charges notice by the service of that notice, and the General Manager be and is hereby authorised, to prepare and serve such notice for and on behalf of Council.

### 4. **Charges**

The charges attached to the report to the Ordinary meeting on 25 June 2012, titled Making of Rates and Charges for 1 July 2012 to 30 June 2013, be made (see attachment).

### 5. **Interest**

For the purpose of calculating the interest on overdue rates and charges in accordance with Section 566(3) of the Local Government Act, 1993, Council make the interest charge for 2012-13 ten percent (10%) per annum.

**6. Pension Rebate**

All eligible pensioners under Section 575 of the Local Government Act, 1993 be granted a rebate of 50% of the ordinary rate and domestic waste management service up to a maximum of \$250.00 under Section 575(3) of the Local Government Act, 1993.

Councillor Mark Davies left the meeting, the time being 8:24pm.

**4 Additional Member for United Independent Pools**

137 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Additional Member for United Independent Pools be received.
2. The General Manager execute all necessary legal documents associated with the inclusion of Kiama Municipal Council into United Independent Pools.

**6 Procedural Matters - Panthers Planning Proposal**

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

That:

1. The information contained in the report on Procedural Matters - Panthers Planning Proposal be received.
2. The Common Seal of the Council of the City of Penrith be affixed to the Voluntary Planning Agreement for the delivery of road works and the Voluntary Planning Agreement for the ongoing management of the Outlet Centre, once they are publicly notified in accordance with the Environmental Planning and Assessment Act 1979 and the Regulations 2000.
3. In accordance with the Environmental Planning and Assessment Act 1979 and the Regulations 2000, a draft amendment to Penrith Development Control Plan 2010, to incorporate the controls relating to the Panthers Penrith site, be prepared.

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

**For**

**Against**

Councillor Kath Presdee  
Councillor Karen McKeown  
Councillor John Thain  
Councillor Jackie Greenow  
Councillor Marko Malkoc  
Councillor Kevin Crameri OAM  
Councillor Jim Aitken OAM  
Councillor Ross Fowler OAM

Councillor Robert Ardill  
Councillor Mark Davies  
Councillor Ben Goldfinch  
Councillor Greg Davies

Councillor Mark Davies returned to the meeting, the time being 8:27pm.

**8 Sponsorship of Jessica Fox to promote Penrith and Penrith Whitewater Stadium**

139 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Kath Presdee

That:

1. The information contained in the report on Sponsorship of Jessica Fox to promote Penrith and Penrith Whitewater Stadium be received.
2. An amount of \$5,000 be allocated equally from each Ward's Voted Works to retain Jessica Fox as an Ambassador to promote Penrith Whitewater and Penrith City Council in Europe, the United States and any other event Jessica competes in over the next twelve months.

**A GREEN CITY**

**10 Clean Up of Illegal Dumping on Deerubbin Local Aboriginal Land Council Lands**

140 RESOLVED on the MOTION of Councillor Marko Malkoc seconded Councillor Karen McKeown

That:

1. The information contained in the report on Clean Up of Illegal Dumping on Deerubbin Local Aboriginal Land Council Lands be received.
2. Council endorse the auspicing of the \$49,865 grant funding to the Deerubbin Local Aboriginal Land Council for the prevention and deterrence of illegal dumping on Deerubbin Local Aboriginal Lands.

**A LIVEABLE CITY**

**11 Penrith Football Stadium Master Plan and Working Party**

141 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Marko Malkoc

That:

1. The information contained in the report on Penrith Football Stadium Master Plan and Working Party be received.
2. The name of the Working Party be the Penrith Stadium Sports and Recreation Precinct Working Party.

3. The membership of the Working Party be: 3 Councillors; Penrith City Council's General Manager or his representative; 4 representatives of Penrith Panthers; the Federal Member for Lindsay or a nominated representative; the State Member for Penrith or a nominated representative; a representative of the Penrith Valley Sports Foundation; a representative of Penrith District Grade Cricket Club; a representative of Penrith Showground.
4. The Terms of Reference for the Working Party be established as:  
*'To advise Penrith City Council on the finalisation of the master plan for the stadium, and oversee its implementation including advocating for funds.*  
*To advise Penrith City Council on the use of Penrith Stadium in accordance with the terms and conditions of the lease agreement.*  
*To advise Penrith City Council on the potential opportunities for the Penrith Sports and Recreation Precinct including Penrith Stadium, Penrith Showground, Howell Oval and Penrith Swimming Centre.'*
5. Professional fees associated with the development of the master plan be accounted for through utilisation of available resources within the Penrith Stadium Reserve.

### **13 Draft Penrith Accessible Trails Hierarchy Strategy (PATHS)**

142 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Marko Malkoc

That:

1. The information contained in the report on Draft Penrith Accessible Trails Hierarchy Strategy (PATHS) be received.
2. The Penrith Accessible Trails Hierarchy Strategy be adopted.
3. Funding continue to be made available through Council's Shared Pathways Program for implementation of the shared pathway network throughout the City.

### **12 Great River Walk successful grants**

143 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Karen McKeown

That:

1. The information contained in the report on Great River Walk successful grants be received.
2. Council endorse the acceptance of funding for Great River Walk Stage 7a – West Bank Construction Phase 3 offered under the Metropolitan Greenspace Program 2011.
3. Council send letters of thanks to the Minister for Planning, the Local State Members, the Great River Walk Inc and Hawkesbury City Council for their support.



4. Council endorse the acceptance of funding for the Great River Walk offered by the Federal Department of Infrastructure and Transport under the Liveable Cities Program.
5. Council send a letter to the Local Federal Member thanking them for the funding.

**14 Federal Nation Building Black Spot Program and Road Toll Response Package 2012/13 - Funding Offer**

144 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor John Thain

That:

1. The information contained in the report on Federal Nation Building Black Spot Program and Road Toll Response Package 2012/13 - Funding Offer be received.
2. Council accept grant funding of \$200,000 offered for the successful Black Spot Project shown in Table 1, under the 100% Federally Funded Nation Building Black Spot Program for the 2012/2013 financial year.
3. Council accept grant funding of \$340,000 offered for the successful project nomination for St Marys Road and Stoney Creek Road, Berkshire Park, under the 100% State Funded Road Toll Response Package for 2012/2013.
4. Council send a letter to the Local State and Federal Members thanking them for the funding.

**15 Local Government Road Safety Program – Roads & Maritime Services Grant Funding 2012-2013**

145 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Marko Malkoc

That:

1. The information contained in the report on Local Government Road Safety Program – Roads & Maritime Services Grant Funding 2012-2013 be received.
2. Council accept the three grants offered by Roads and Maritime Services Local Government Road Safety Program, totalling \$9,500, as outlined in the report.
3. Council accept the grant offered by the Roads and Maritime Services NSW Centre for Road Safety for Graduated Licensing Scheme Workshops, totalling \$1,500, as outlined in the report.
4. Council write to the Minister for Roads, Local State Members and the Roads and Maritime Services thanking them for their continued support for road safety initiatives within the Penrith Local Government Area.

## A VIBRANT CITY

### 16 Penrith and St Marys Centres Management Review Implementation - Governance Changes

146 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Penrith and St Marys Centres Management Review Implementation - Governance Changes be received.
2. A Councillor representative be nominated as an interim member to the Boards of the new Penrith City Centre Corporation and St Marys Town Centre Corporation, and that the Councillor representatives of the Boards be selected at the first meeting of the Council after the Council election held on 8 September 2012.
3. The City Centres Working Party be utilised for the regular performance assessment of the Penrith and St Marys Centres Corporations.
4. The City Centres Working Party's Terms of Reference be amended in the terms outlined in this report.

## REQUESTS FOR REPORTS AND MEMORANDUMS

### RR 1 Footpath costing Factory Road, Regentville

Councillor Jim Aitken OAM requested a report to the Local Traffic Committee concerning investigating the provision of making a pathway the full length of Factory Road, to alleviate safety concerns for residents who are using this road to access the bridge to bridge walk and encountering dangerous speeding vehicles.

### RR 2 Nepean Hospital - No Smoking

Councillor Jim Aitken OAM requested that Council write to Nepean Hospital concerning taking stronger methods to keep our hospital and grounds safer for sick people and visitors from persons smoking outside the front entrance. Councillor Aitken stated the area has ample signing however the problem is not currently addressed by management. Councillor Aitken OAM requested a memo provided on options available to the Council to resolve this matter.

### RR 3 Corner Seventh Avenue and Northern Road, Llandilo

Councillor Ross Fowler OAM requested a memo reply providing the accident history of this site.

**RR 4 Ninth Avenue - Road Base**

Councillor Kevin Crameri OAM requested that some road base be provided on the curb of Ninth Avenue, Llandilo on the West side of the roundabout where the cars park near Xavier College.

**RR 5 Compulsory Desexing of Dogs and Cats**

Councillor Kevin Crameri OAM requested a report on the compulsory desexing of cats and dogs released or rehomed from the pound or animal shelter.

**RR 6 Metal Dust - Llandilo Fire Shed**

Councillor Kevin Crameri OAM requested that some metal dust be provided on the East side of the Llandilo fire shed.

**RR 7 Berkshire Park - Response to Oil Spill**

Councillor Kevin Crameri OAM requested a memo reply outlining the response time to an oil spill incident which occurred on the morning of 25 June 2012. Councillor Kevin Crameri OAM would like to know why it took so long for Council to be notified of the incident.

**RR 8 Right Turn Arrow - Saddington Street**

Councillor Marko Malkoc requested a report to the Local Traffic Committee investigating a 'Right Turn Arrow' on both sides of Saddington Street, at the intersection of Mamre Road, St Marys and turn signals at the corner of Great Western Highway and Charles Hackett Drive, St Marys.

**RR 9 Letter of Support - James Vainikolo**

Councillor Marko Malkoc requested a letter of support to James Vainikolo who has been representing the area of Penrith in Mixed Martial Arts and has now made the final 10 for a reality TV Show, the Ultimate Fighter.

**RR 10 Fire Brigade Ball**

Councillor Jackie Greenow requested that Council check whether any Councillors are interested in attending the Ball and if so consider purchasing tickets and/or a table at the Ball.

**RR 11 Penrith Community Fund Winter Appeal 2012**

Councillor Jackie Greenow requested that Council purchase a table at the Fundraiser for \$800 funded equally between all three Wards for the Penrith Community Fund Winter Appeal.

147 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Karen

McKeown that the matter be brought forward and dealt with as an urgent matter.

His Worship the Mayor, Councillor Greg Davies, ruled that the matter was urgent and should be dealt with at the meeting.

148 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Karen McKeown that Council purchase a table for \$800 funded equally between all three Wards for the Penrith Community Fund Winter Appeal.

**RR 12 Penrith District Netball Assoc.**

Councillor Jackie Greenow tabled a letter received from the Penrith District Netball Assoc thanking Council for attendance and assistance at the State Championships on the June long weekend. In addition Councillor Jackie Greenow requested a report to Council concerning the provision of an additional two Netball courts that would allow for two divisions of State Age Championships to be held in Penrith.

**RR 13 Footpath - Fusion, St Marys**

Councillor Jackie Greenow requested that \$9,400 be taken from East Ward Voted Works to construct a footpath from the main entry at Fusion to an existing concrete path from Carsons Lane that leads to St Marys Primary School.

149 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Marko Malkoc that the matter be brought forward and dealt with as an urgent matter.

His Worship the Mayor, Councillor Greg Davies, ruled that the matter was urgent and should be dealt with at the meeting.

150 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Marko Malkoc that \$9400 be taken from East Ward Voted Works to construct a footpath from the main entry at Fusion to an existing concrete path from Carsons Lane that leads to St Marys Primary School.

**RR 14 Office of Hawkesbury Nepean**

Councillor John Thain requested a report to Council concerning the proposed closure of the Office of Hawkesbury Nepean, detailing its status, viability and other agencies which may be taking responsibility of its functions. Councillor Thain stated that Council should write to the Local State Member of Parliament advocating that the community needs a single organisation to look after the Hawkesbury Nepean River.

**RR 15 Cranebrook Oval**

Councillor John Thain requested an urgent report to Council on Cranebrook Oval expediting land for the car park and Section 94 funding, also detailing other issues regarding parking, traffic and toilets.

**RR 16 Panthers on the Prowl**

Councillor Greg Davies requested that \$2200 be divided equally between all three Wards for sponsorship and purchase of a table at the fundraising night – Panthers on the Prowl.

151 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Ross Fowler OAM that the matter be brought forward and dealt with as an urgent matter.

His Worship the Mayor, Councillor Greg Davies, ruled that the matter was urgent and should be dealt with at the meeting.

152 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Ross Fowler OAM that \$2200 be divided equally between all three Wards for sponsorship and purchase of a table at the fundraising night – Panthers on the Prowl.

**RR 17 Issues with Proposed Development Application - Warburton Crescent**

Councillor John Thain advised that he had received representations concerning a proposed development application for a child care centre at Warburton Crescent, Werrington County, and requested staff to look at this matter.

**URGENT BUSINESS**

**UB 1 Request for Leave of Absence**

Councillor Kevin Crameri OAM requested leave of absence from 7 July to 15 July 2012 inclusive.

153 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Jackie Greenow that Kevin Crameri OAM be granted Leave of Absence from 7 July 2012 to 15 July 2012 inclusive.

**COMMITTEE OF THE WHOLE**

**1 Presence of the Public**

CW1 RESOLVED on the motion of Councillor Marko Malkoc seconded Councillor Ben Goldfinch that the meeting be closed to the press and the public to discuss Confidential Business as recommended in Item 1 of the report to Committee of the Whole, the time being 9:00pm.

*A Leading City*

**2 [Commercial Matter - Council Property - Leasing of Suite 2/54 Henry Street, Penrith to Australian Foundation for Disability \(AFFORD\)](#)**

*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 (i) prejudice*

*the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret and discussion of the matter in open meeting would be, on balance, contrary to the public interest.*

**3 [Commercial Matter - Council Property - Leasing of Suite GO2 at 114-116 Henry Street Penrith to Wentworth Community Housing Limited](#)**

*This item has been referred to Committee of the Whole as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in open meeting would be, on balance, contrary to the public interest.*

**A Liveable City**

**4 [Personnel Matter - Aquatics Facility Joint Governance Management Model](#)**

*This item has been referred to Committee of the Whole as the report refers to personnel matters concerning particular individuals and discussion of the matter in open meeting would be, on balance, contrary to the public interest.*

The meeting resumed at 9:11pm and the General Manager reported that the Committee of the Whole met at 9:00pm on 25 June 2012, the following being present

His Worship the Mayor, Councillor Greg Davies, Deputy Mayor Councillor Jackie Greenow, Councillors Jim Aitken OAM, Robert Ardill, Kevin Crameri OAM, Mark Davies, Ross Fowler OAM, Ben Goldfinch, 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**

Having previously declared a Pecuniary Interest in Items 2 & 3 of Committee of the Whole, Councillor Ross Fowler OAM left the meeting, the time being 9:02pm.

**2 [Commercial Matter - Council Property - Leasing of Suite 2/54 Henry Street, Penrith to Australian Foundation for Disability \(AFFORD\)](#)**

RECOMMENDED on the MOTION of Councillor Marko Malkoc seconded Councillor Jackie Greenow

CW2 That:

1. The information contained in the report on Commercial Matter - Council Property - Leasing of Suite 2/54 Henry Street, Penrith to Australian Foundation for Disability (AFFORD) be received

2. Council grant AFFORD a 5 year lease with a 5 year option over Suite 2/54 Henry Street Penrith in accordance with the terms and conditions outlined in the report.
3. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

**3 Commercial Matter - Council Property - Leasing of Suite GO2 at 114-116 Henry Street Penrith to Wentworth Community Housing Limited**

RECOMMENDED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jackie Greenow

CW3 That:

1. The information contained in the report on Commercial Matter - Council Property - Leasing of Suite GO2 at 114-116 Henry Street Penrith to Wentworth Community Housing Limited be received
2. Council grant Wentworth Community Housing Limited a 3 year Lease with a 3 year option in accordance with the terms and conditions as outlined in the report.
3. The Common Seal of the City of Penrith be placed on all necessary documentation.

Councillor Ross Fowler OAM returned to the meeting, the time being 9:03pm.

**4 Personnel Matter - Aquatics Facility Joint Governance Management Model**

RECOMMENDED on the MOTION of Councillor Jackie Greenow seconded Councillor Marko Malkoc

CW4 That:

1. The information contained in the report on Personnel Matter - Aquatics Facility Joint Governance Management Model be received.
2. The proposed process, as outlined in the report, be endorsed.

**ADOPTION OF COMMITTEE OF THE WHOLE**

154 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Ben Goldfinch

That the recommendations contained in the Committee of the Whole and shown as CW1, CW2, CW3 and CW4 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 9:15pm.

I certify that these 15 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 25 June 2012.

<hr/> <p>Chairperson</p>	<hr/> <p>Date</p>
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