

**CONFIRMED MINUTES
OF THE POLICY REVIEW COMMITTEE MEETING OF PENRITH CITY
COUNCIL HELD IN THE PASSADENA ROOM, PENRITH
ON MONDAY 2 JULY 2012 AT 7:07PM**

PRESENT

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

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Kaylene Allison for the period 28 May 2012 to 8 July 2012 inclusive.

APOLOGIES

PRC 33 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Marko Malkoc that apologies be received for the Deputy Mayor, Councillor Jackie Greenow and Councillor Robert Ardill.

CONFIRMATION OF MINUTES - Policy Review Committee Meeting - 4 June 2012

PRC 34 RESOLVED on the MOTION of Councillor Marko Malkoc seconded Councillor Ben Goldfinch that the minutes of the Policy Review Committee Meeting of 4 June 2012 be confirmed.

DECLARATIONS OF INTEREST

Councillor Kevin Crameri OAM declared a Non-Pecuniary Conflict of Interest – Less Than Significant in *Item 1 – Stage 2 of the Penrith Citywide Local Environmental Plan – Unresolved Matters (Site 2 – Childcare Centres in Rural Areas, particularly Llandilo)*, as he lives in Llandilo. Councillor Kevin Crameri OAM stated that he would remain in the meeting during consideration of the matter.

Councillor Ross Fowler OAM declared a Pecuniary Interest in *Item 1 – Stage 2 of the Penrith Citywide Local Environmental Plan – Unresolved Matters (Site 1 - Cherrywood Village, Llandilo)*, as he is a Director of the company that owns the property. Councillor Ross Fowler OAM stated that he would leave the meeting during consideration of this matter.

ADDRESSING THE MEETING

Mr Ben Artup/Mr Greg Allchin

Item 1 – Stage 2 of the Penrith Citywide Local Environmental Plan – Unresolved Matters (Penrith Health and Education Precinct)

Mr Ben Artup, representing Penrith Business Alliance, addressed Council, expressing support for the report and in particular the Penrith Health and Education Precinct. Mr Artup stated that specific support for the zoning around the Nepean Hospital precinct would provide employment in the local area and support current investments around the hospital.

Mr Artup then introduced Mr Greg Allchin, also representing Penrith Business Alliance, who also spoke in support of the recommendation. Mr Allchin expressed general support for Council progressing the implementation of the Penrith Health and Education Precinct (PHEP) structure plan. Mr Allchin noted that the development of this precinct would encourage potential economic growth and create employment in Penrith for local people. Mr Allchin also stated that the expansion of mixed use zoning around the hospital would attract visiting medical officers to the Penrith area.

PRC 35 RESOLVED on the MOTION of Councillor Marko Malkoc seconded Councillor Jim Aitken OAM that Mr Allchin be granted an extension of time to complete his address, the time being 7:17 pm.

Mr Allchin concluded by stating that the implementation of the PHEP would provide the Penrith area with world class facilities in health, research and employment.

Mr William Cammack

Item 1 – Stage 2 of the Penrith Citywide Local Environmental Plan – Unresolved Matters (12 Vista Street, Penrith)

Mr Cammack, representing an affected owner, spoke in opposition to the recommendation regarding this property. Mr Cammack objected to the Heritage listing, citing a lack of heritage value of the house itself, and the removal of any outbuildings which could have been considered to be of heritage value. Mr Cammack detailed various reasons why the property should not be heritage listed and stated that there was insufficient evidence to justify a heritage listing.

PRC 36 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Marko Malkoc that Mr Cammack be granted an extension of time to complete his address, the time being 7:25 pm.

Mr Cammack also stated that his view was that the property was like any other land development in the Penrith area and was not particularly significant.

Mr Cammack concluded by suggesting that an alternative way of acknowledging any heritage significance of the property could be by way of a photographic record.

Mr Stephen Griffiths

Item 1 – Stage 2 of the Penrith Citywide Local Environmental Plan – Unresolved Matters (12 Vista Street, Penrith)

Mr Griffiths, Solicitor representing the owner, spoke in opposition to the recommendation regarding this property, stating that there was sufficient evidence before Council to reject the heritage listing of the property. Mr Griffiths went on to detail the extensive alterations that has been carried out to the house, rendering it not worth heritage listing, as most of the existing building was constructed from 1950 onwards.

PRC 37 RESOLVED on the MOTION of Councillor Marko Malkoc seconded Councillor

John Thain that Mr Griffiths be granted an extension of time to complete his address, the time being 7:34 pm.

Councillor Tanya Davies left the meeting, the time being 7:34 pm.

Mr Griffiths stated that economic issues need to be considered when listing properties as having heritage significance.

Councillor Tanya Davies returned to the meeting, the time being 7:36 pm.

Mr Griffiths concluded by stating that multiple housing would be the best use for the land and that a heritage listing would depreciate the building value of the property.

Mr Reg Cammack

Item 1 – Stage 2 of the Penrith Citywide Local Environmental Plan – Unresolved Matters (40 River Road, Emu Plains)

Mr Cammack, an affected owner, spoke in opposition to the recommendation regarding this property. Mr Cammack stated that heritage listing should not apply to privately owned properties as this would result in devaluation of the property. Mr Cammack cited various historical inaccuracies in the report, most notably referring to when the house was built. Mr Cammack also stated that the previous report by a Heritage Consultant advised that the property should not be listed.

PRC 38 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Marko Malkoc that Mr Cammack be granted an extension of time to complete his address, the time being 7:43 pm.

Mr Cammack concluded by reiterating that the property should not be heritage listed because of an inaccurate identification of the property, the gardens already having been rejected for heritage listing, and that the vast majority of the premises consists of recent additions and alterations. Mr Cammack also stated that heritage listing would result in significant financial loss as the property would be unable to be subdivided.

DELIVERY PROGRAM REPORTS

A LEADING CITY

1 [Stage 2 of the Penrith Citywide Local Environmental Plan - Unresolved Matters](#)

PRC 39 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Stage 2 of the Penrith Citywide Local Environmental Plan - Unresolved Matters be received.
2. The planning approaches recommended in Attachments 2-4 (Child Care Centres in Rural Areas, particularly Llandilo; Coreen Avenue, Penrith; and the Riverlink Precinct, Penrith) be applied in the Planning Proposal for the Stage 2 LEP for the purpose of public exhibition.
3. The revised zoning shown in Figure 2 of Attachment 5 be endorsed as the basis for further community consultation with the landowners in the deferred area of Castlereagh and Cranebrook, at a time closer to the exhibition of the Planning Proposal for the Stage 2 LEP.
4. Council not proceed with the planning approaches outlined in Attachments 6-8 (34-36 Preston Street, Jamisontown, 40 River Road, Emu Plains; 12 Vista Street Penrith) and that these items be placed on exhibition in Stage 2 with their current zoning, as translated into the State Government's templated zones.
5. The planning approaches recommended in Attachments 9 and 10 (Penrith Health and Education Precinct, Kingswood and the North Penrith Residual Sites) be applied in the Planning Proposal for the Stage 2 LEP for the purpose of public exhibition.
6. A report be presented to Council that:
 - a. Provides advice on the consequences of heritage listing of privately owned properties particularly in relation to impacts on the reasonable economic use of properties and financial consequences to land owners, and
 - b. Presents the items listed in the previous heritage Local Environmental Plan where owners objected to heritage listing.

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

For

Against

Councillor Pru Car
Councillor Kath Presdee
Councillor Karen McKeown
Councillor John Thain
Councillor Marko Malkoc
Councillor Kevin Crameri OAM
Councillor Jim Aitken OAM
Councillor Ross Fowler OAM
Councillor Mark Davies
Councillor Ben Goldfinch
Councillor Tanya Davies
Councillor Greg Davies

Having previously declared a Pecuniary Interest in *Item 1 – Stage 2 of the Penrith Citywide Local Environmental Plan – Unresolved Matters (Site 1 - Cherrywood Village, Llandilo)*, Councillor Ross Fowler OAM left the meeting during consideration of this matter, the time being 8:19 pm.

1 Stage 2 of the Penrith Citywide Local Environmental Plan – Unresolved Matters - Site 1 – Cherrywood Village Llandilo

PRC 40 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Stage 2 of the Penrith Citywide Local Environmental Plan - Unresolved Matters be received.
2. The planning approach recommended in Attachment 1 (Cherrywood Village, Llandilo) be applied in the Planning Proposal for the Stage 2 LEP for the purpose of public exhibition.

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

For

Against

Councillor Pru Car
Councillor Kath Presdee
Councillor Karen McKeown
Councillor John Thain
Councillor Marko Malkoc
Councillor Kevin Crameri OAM
Councillor Jim Aitken OAM
Councillor Mark Davies
Councillor Ben Goldfinch

Councillor Tanya Davies
Councillor Greg Davies

Councillor Ross Fowler OAM returned to the meeting, the time being 8:24 pm.

Recommittal of Item 1 - Stage 2 of the Penrith Citywide Local Environmental Plan – Unresolved Matters

PRC 41 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on Stage 2 of the Penrith Citywide Local Environmental Plan - Unresolved Matters be received.
2. The planning approaches recommended in Attachments 2-4 (Child Care Centres in Rural Areas, particularly Llandilo; Coreen Avenue, Penrith; and the Riverlink Precinct, Penrith) be applied in the Planning Proposal for the Stage 2 LEP for the purpose of public exhibition.
3. The revised zoning shown in Figure 2 of Attachment 5 be endorsed as the basis for further community consultation with the landowners in the deferred area of Castlereagh and Cranebrook, at a time closer to the exhibition of the Planning Proposal for the Stage 2 LEP.
4. Council not proceed with the planning approaches outlined in Attachments 6-8 (34-36 Preston Street, Jamisontown, 40 River Road, Emu Plains; 12 Vista Street Penrith) and that these items be placed on exhibition in Stage 2 with their current zoning, as translated into the State Government's templated zones, given the concerns that the Council has with the inconsistencies of the technical information contained within the heritage reports.
5. The planning approaches recommended in Attachments 9 and 10 (Penrith Health and Education Precinct, Kingswood and the North Penrith Residual Sites) be deferred for further consideration at Council's Ordinary Meeting of 23 July 2012.
6. A report be presented to Council that:
 - a. Provides advice on the consequences of heritage listing of privately owned properties particularly in relation to impacts on the reasonable economic use of properties and financial consequences to land owners, and
 - b. Presents the items listed in the previous heritage Local Environmental Plan where owners objected to heritage listing.

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

For

Against

Councillor Pru Car
Councillor Kath Presdee
Councillor Karen McKeown

Councillor John Thain
Councillor Marko Malkoc
Councillor Kevin Crameri OAM
Councillor Jim Aitken OAM
Councillor Ross Fowler OAM
Councillor Mark Davies
Councillor Ben Goldfinch
Councillor Tanya Davies
Councillor Greg Davies

A CITY OF OPPORTUNITIES

2 [Developer Contributions relating to secondary dwellings under the Affordable Rental Housing SEPP 2009](#)

PRC 42 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Kevin Crameri OAM

That:

1. The information contained in the report on Developer Contributions relating to secondary dwellings under the Affordable Rental Housing SEPP 2009 be received.
2. Council adopt an interim policy position to levy Section 94 Contributions on secondary dwelling developments at the seniors housing rate of 1.5 persons per dwelling.
3. A further report be submitted to Council on the Affordable Rental Housing SEPP.

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

For

Against

Councillor Pru Car
Councillor Kath Presdee
Councillor Karen McKeown
Councillor John Thain
Councillor Marko Malkoc
Councillor Kevin Crameri OAM
Councillor Jim Aitken OAM
Councillor Ross Fowler OAM
Councillor Mark Davies
Councillor Ben Goldfinch
Councillor Tanya Davies
Councillor Greg Davies

REQUESTS FOR REPORTS AND MEMORANDUMS

Councillor Tanya Davies left the meeting, the time being 8:37 pm.

RR 1 Sponsorship of Jess Gardiner

Councillor Kevin Crameri OAM requested consideration of sponsorship of Londonderry resident, Jess Gardiner, who is competing overseas in the World Enduro Championship event.

RR 2 Condition of Major Roads in Penrith Local Government Area

Councillor Kevin Crameri OAM requested a report to Council detailing all major road failures in the Penrith Local Government Area, the general condition of the road network, funding and resourcing of local road infrastructure, as well as outlining Council's strategic plan for road maintenance.

Councillor Tanya Davies returned to the meeting, the time being 8:42 pm.

There being no further business the Chairperson declared the meeting closed the time being 8:43 pm.

I certify that these 8 pages are the Confirmed Minutes of the Policy Review Committee Meeting of Penrith City Council held on 2 July 2012.

Chairperson

Date