

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

ON MONDAY 6 AUGUST 2012 AT 7:08PM

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 the Senior Governance Officer, Glenn Schuil.

PRESENT

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

APOLOGIES

206 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Tanya Davies that an apology be received for Councillor Mark Davies.

CONFIRMATION OF MINUTES - Ordinary Meeting - 23 July 2012

207 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Kevin Crameri OAM that the minutes of the Ordinary Meeting of 23 July 2012 be confirmed.

DECLARATIONS OF INTEREST

Councillor Jackie Greenow declared a Pecuniary Interest in *Item 1 of the Report and Recommendations of the Policy Review Committee Meeting held on 30 July 2012* as she owns properties which are subject to the report. Councillor Greenow stated that she would leave the room for discussion of the item.

Councillor Robert Ardill declared a Non Pecuniary Conflict of Interest - Less than Significant in *Item 1 of the Report and Recommendations of the Policy Review Committee Meeting held on 30 July 2012* as a previous client of his in a previous position that he held owned a property subject of the report.

Councillor Kath Presdee declared a Non Pecuniary - Conflict of Interest Less than Significant in *Item 1 of the Report and Recommendations of the Policy Review Committee Meeting held on 30 July 2012* as members of her family attend a medical centre at a property which is subject of the report.

Councillor Ben Goldfinch declared a Non Pecuniary - Conflict of Interest Less than Significant in *Item 1 of the Report and Recommendations of the Policy Review Committee Meeting held on 30 July 2012* as members of her family attend a medical centre at a property which is subject of the report.

Councillor Greg Davies declared a Non Pecuniary Conflict of Interest - Less than Significant in *Item 1 of the Report and Recommendations of the Policy Review Committee Meeting held on 30 July 2012* as he had exchanged voting preferences with one of the owners of a property which is subject of the report at the last Penrith City Council local government election.

Councillor Kaylene Allison declared a Non Pecuniary Conflict of Interest - Less than Significant in *Item 1 of the Report and Recommendations of the Policy Review Committee Meeting held on 30 July 2012* as she had exchanged voting preferences with one of the owners of a property which is subject of the report at the last Penrith City Council local government election.

SUSPENSION OF STANDING ORDERS

208 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Ben Goldfinch that Standing Orders be suspended to allow members of the public to address the meeting, the time being 7:18pm.

Ms Franca Cantarella

Item 1 - Report and Recommendations of the Policy Review Committee Meeting held on 30 July 2012

Ms Cantarella spoke in opposition to the recommendation and requested that her property in Higgins Street, Penrith be removed from the Heritage Conservation Area. Ms Cantarella stated that the poor condition of her property ensures that it is not cost effective to repair and into the future she will be unable to maintain the property. Ms Cantarella expressed concern over the notification process and reiterated that she believed she should have the right to rebuild her home as she had planned when she purchased the property.

Mr Vernon Horne

Item 1 - Report and Recommendations of the Policy Review Committee Meeting held on 30 July 2012

Mr Horne spoke in opposition to the recommendation and believed that the listing in the Heritage Conservation Area took away the rights of his family and other neighbours to do what they wanted with their properties. Mr Horne outlined that the building condition, age and materials of the house were all factors which contributed to the property not being valuable for conservation. Mr Horne again highlighted his wishes to rebuild a brick veneer house which would enhance the street scape.

RESUMPTION OF STANDING ORDERS

209 RESOLVED on the MOTION of Councillor Ben Goldfinch seconded Councillor Karen McKeown that Standing Orders be resumed, the time being 7:34pm.

MAYORAL MINUTES

1 [Penrith wins sustainability award](#)

210 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Karen McKeown that the Mayoral Minute on Penrith wins sustainability award be received.

Councillor Karen McKeown spoke in support of the Mayoral Minute and congratulated the Council's staff.

REPORTS OF COMMITTEES

Having previously declared a pecuniary interest Councillor Jackie Greenow left the meeting the time being 7:40pm.

His Worship the Mayor, Councillor Greg Davies suggested that Item 1 & 2, 12 & 16 Higgins Street, Penrith in the Heritage Conservation Area be dealt with separately from the Report and Recommendations of the Policy Review Committee Meeting held on 30 July 2012.

Procedural Motion

211 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Marko Malkoc that Item 1 & 2, 12 & 16 Higgins Street, Penrith in the Heritage Conservation Area be dealt with separately from the Report and Recommendations of the Policy Review Committee Meeting held on 30 July 2012.

1 [Report and Recommendations of the Policy Review Committee Meeting held on 30 July 2012](#)

212 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Ross Fowler OAM that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 30 July, 2012 be adopted with the exception of Item 1 concerning 12 & 16 Higgins Street, Penrith in the Heritage Conservation Area.

Councillor Jackie Greenow returned to the meeting, the time being 7:41pm.

Item 1, 12 & 16 Higgins Street, Penrith in the Heritage Conservation Area

A MOTION was MOVED by Councillor Robert Ardill seconded Councillor Greg Davies that 12 & 16 Higgins Street, Penrith remain as part of the relevant Heritage Conservation Area under the Draft Heritage Local Environmental Plan.

Councillor Jim Aitken OAM FORESHADOWED a further MOTION that Higgins Street, Penrith be removed from the Heritage Conservation Area under the Draft Heritage Local Environmental Plan.

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

For

Councillor Rob Ardill
Councillor Greg Davies

Against

Councillor Jackie Greenow
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 Prue Car
Councillor Ben Goldfinch
Councillor Kaylene Allison
Councillor Tanya Davies

An AMENDMENT to the FORESHADOWED MOTION was moved by Councillor Kevin Crameri OAM that the matter be deferred and a further report be prepared providing detailed information on all the houses in the Higgins Street Conservation Area.

The AMENDMENT was PUT.

The AMENDMENT was LOST.

213 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Ross Fowler OAM that Higgins Street, Penrith be removed from the Heritage Conservation Area under the Draft Heritage Local Environmental Plan.

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

For

Councillor Jackie Greenow
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 Prue Car
Councillor Ben Goldfinch
Councillor Kaylene Allison
Councillor Tanya Davies

Against

Councillor Rob Ardill
Councillor Greg Davies

DELIVERY PROGRAM REPORTS

A LEADING CITY

1 [Digital Local Government Program application](#)

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

That:

1. The information contained in the report on Digital Local Government Program application be received.
2. Council endorse the submission of the Digital Local Government Program application to the Department of Broadband, Communications and the Digital Economy for \$374,191.
3. Council's contribution be provided as detailed in the report.

4 [Amendment to 2012 Meeting Calendar](#)

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

That:

1. The information contained in the report on Amendment to 2012 Meeting Calendar be received.
2. The 2012 Meeting Calendar be amended to provide for an Ordinary Council Meeting to be held on 27 August 2012, and the deletion of the Ordinary Council Meeting scheduled for 20 August 2012.

A CITY OF OPPORTUNITIES

2 [Electronic Housing Code](#)

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

That:

1. The information contained in the report on Electronic Housing Code be received.
2. Council endorse participation in the Electronic Housing Code Pilot Project and acceptance of the \$30,000 funding offer.
3. The General Manager or his nominated representative be authorised to execute documentation relating to Council's participation and the funding offer.

A LIVEABLE CITY

3 [Federal Government 2013/14 'Nation Building Blackspot Program' Nominations](#)

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

That:

1. The information contained in the report on Federal Government 2013/14 'Nation Building Blackspot Program' Nominations be received.
2. Council endorse the five projects listed under Table 1 of this report for submission to the Roads and Maritime Services for funding under the Federal Government's 2013/2014 "Nation Building Black Spot Program".
3. The Roads and Maritime Services be requested to investigate traffic safety on roads under its jurisdiction at locations indicated in Table 2 of this report.

REQUESTS FOR REPORTS AND MEMORANDUMS

RR 1 Dance Oolites Inc.

Councillor Tanya Davies requested a report to Council detailing the background of this organisation and the opportunity for Council to contribute financially from all Wards towards the hire of the Joan Sutherland Centre for two dates in August and September 2012.

RR 2 Rotary Clock

Councillor Jackie Greenow wished to thank Council's staff who have arranged for repair works and funding for the Rotary Clock at Coachman's Park, St Marys.

RR 3 Mimosa House - Tree Removal

Councillor Jackie Greenow requested an urgent report on the options for removing two trees on this property.

RR 4 Affordable Housing including Secondary Dwellings

Councillor John Thain requested a report to Council concerning Affordable Housing including Secondary Dwellings.

RR 5 Litter Control

Councillor Ross Fowler OAM requested a further report to Council providing information on the current litter patrols, including information such as time spent, how often and when, in particular the main roads in the Local Government Area.

RR 6 Domestic Violence Policy

Councillor Karen McKeown requested that the General Manager consider developing a Domestic Violence policy for Council's staff.

URGENT BUSINESS

UB 1 St Marys Spring Festival - Hire of Hall

Councillor Jackie Greenow requested that \$300 be allocated equally from each Ward to assist the St Marys Spring Festival with the hiring of St Marys Memorial Hall.

218 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kevin Crameri OAM that the matter be brought forward and dealt with as a matter of urgency.

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

219 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kevin Crameri OAM \$300 be allocated equally from each Ward to assist the St Marys Spring Festival with the hiring of St Marys Memorial Hall.

There being no further business the Chairperson declared the meeting closed the time being 8:26pm.

I certify that these 7 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 6 August 2012.

Chairperson

Date