

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

ON MONDAY 4 FEBRUARY 2013 AT 7:35PM

NATIONAL ANTHEM

The meeting opened with the National Anthem.

STATEMENT OF RECOGNITION

His Worship the Mayor, Councillor Mark 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 Rev. Neil Checkley.

PRESENT

His Worship the Mayor, Councillor Mark Davies, Deputy Mayor, Councillor Ross Fowler OAM and Councillors Jim Aitken OAM, Bernard Bratusa, Prue Car, Kevin Crameri OAM, Marcus Cornish, Maurice Giroto, Ben Goldfinch, Jackie Greenow, Tricia Hitchen, Karen McKeown, John Thain and Michelle Tormey.

APOLOGIES

1 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Kevin Crameri OAM that an apology be received for Councillor Greg Davies.

CONFIRMATION OF MINUTES - Ordinary Meeting - 10 December 2012

2 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Michelle Tormey that the minutes of the Ordinary Meeting of 10 December 2012 be confirmed.

DECLARATIONS OF INTEREST

There were no declarations of interest.

SUSPENSION OF STANDING ORDERS

3 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Ross Fowler OAM that Standing Orders be suspended to allow members of the public to address the meeting, the time being 7:40pm.

Mr Geoff Brown

Item 1 – Funding of the Environmental Defenders Office

Mr Brown, affected person representing the Western Sydney Conservation Alliance Inc. spoke to the report outlining the important role that EDO NSW plays in protecting the public

interest and the cost effective legal representation and education they provide to the community. Mr Brown provided examples of how the EDO has assisted the Western Sydney Conservation Alliance in the past in providing professional advice on complex matters. Mr Brown also outlined that there is a perception that the funding for this organisation comes entirely from the public purse and stated that this is not the case.

4 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Kevin Cramer OAM that an extension of time be granted to enable the speaker to complete his address, the time being 7:46pm.

Mr Brown concluded by requesting that Council take a position on the matter and write to the NSW Premier expressing Council's support of the EDO and not being in support of any proposed funding cuts to the EDO's Office.

Mr Paul Jones

Item 3 – Macrofauna Management - Jordan Springs and Wianamatta Regional Park

Mr Jones, affected resident and owner of a local golf course spoke to the report, offering his assistance and support in forming any partnerships with Council or other agencies which may assist with the issues currently presented concerning Emus and Kangaroos in the area. Mr Jones indicated that many Kangaroos both tagged and otherwise, in addition to Emus find their way on to his property and that his staff spend some time, clearing Emus from the surrounding roads as they become hazardous to themselves and motorists.

Mr Geoff Brown

Item 3 – Macrofauna Management - Jordan Springs and Wianamatta Regional Park

Mr Brown, affected person representing the Western Sydney Conservation Alliance Inc. spoke to the report and highlighted that the situation now faced with the Macrofauna around this area was one of the biggest concerns when the ADI site proposal was first discussed. Mr Brown discussed the Macrofauna Management Plan in place which stipulates that Lend Lease is responsible for any escaped wildlife from the site. Mr Brown concluded by questioning who is monitoring Lend Lease in their responsibilities in relation to their management plans and feral animal programs, while also requesting that Council write to the Premier and the Minister for the Environment to seek further information relating to the delay in transferring ownership of the Regional Park to the NSW State Government.

Mr Adam McBurney

Item 12 - DA12/0308 for a Dwelling at Lot 1 DP237071 (No. 265) Seventh Avenue, Llandilo

Mr McBurney, owner of the property spoke in opposition to the recommendation and requested that Council make a decision on the application so he can access further legal action if required. Mr McBurney outlined the background to this application and the interactions he has had with Council concerning the flood situation, and expressed concern that his family can live in his parent's house only 3 blocks from the property subject to this report but were not being permitted to build themselves.

RESUMPTION OF STANDING ORDERS

5 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Karen McKeown that Standing Orders be resumed, the time being 8:12pm.

MAYORAL MINUTES

1 [Australia Day honours](#)

Councillors Ross Fowler OAM, Jim Aitken OAM and Ben Goldfinch spoke in support of the Mayoral Minute.

6 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Ross Fowler OAM that the Mayoral Minute on Australia Day honours be received.

REPORTS OF COMMITTEES

1 [Report and Recommendations of the Access Committee Meeting held on 12 December 2012](#)

7 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Jim Aitken OAM **that** the recommendations contained in the Report and Recommendations of the Access Committee meeting held on 12 December, 2012 be adopted.

DELIVERY PROGRAM REPORTS

A LEADING CITY

1 [Funding of the Environmental Defenders Office](#)

8 RESOLVED on the MOTION of Councillor Michelle Tormey seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on Funding of the Environmental Defenders Office be received.
2. Council write to the NSW Premier and the Attorney General expressing its support for the role of the EDO in protecting the public interest and that funding levels be maintained as at 2012 levels.

2 [A Digital Economy Strategy for the City of Penrith](#)

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

That:

1. The information contained in the report on A Digital Economy Strategy for the City of Penrith be received.

2. A Digital Economy Working Party be established and invitations be extended to the organisations that have expressed an interest to be on the Working Party, including PBA, the Mayor, Councillor Mark Davies, Councillors Ben Goldfinch and Greg Davies and any other interested Councillors.
3. The Digital Economy Strategy for the City of Penrith and its recommendations be adopted.

3 Macrofauna Management - Jordan Springs and Wianamatta Regional Park

10 RESOLVED on the MOTION of Councillor Michelle Tormey seconded Councillor Kevin Cramer OAM

That:

1. The information contained in the report on Macrofauna Management - Jordan Springs and Wianamatta Regional Park be received.
2. Council write to Lend Lease, National Parks and Wildlife Service (NPWS) and the Minister for Environment requesting that clarification be provided on when the land in the Regional Park will be transferred to the NSW Government, including the management of all Macrofauna such as Kangaroos and Emus, and management of feral animal programs.
3. Memos be provided to all Councillors on the following matters:
 - Information concerning the areas of the park which are currently fenced, and those areas that require fencing including a timetable of when this might occur. Additionally, the memo to outline whether the funding for this fencing will come from the Federal Government or Lend Lease; and
 - An update be provided on a previous Councillor request concerning the progress of having houses face the National Park where possible to provide passive surveillance, and if possible provide maps.

4 Summary of Investments and Banking for the period 1 December 2012 to 31 December 2012

11 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Ben Goldfinch

That:

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

A CITY OF OPPORTUNITIES

- 5** [Development Application DA12/0931 demolition of existing dwelling & construction of medical centre Lot 57 DP 215146 \(No.32\) Somerset Street, Kingswood](#) Applicant: **Stimson Consultant Services Pty Ltd;**
Owner: **Angelo Peter Preketes**

12 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Ben Goldfinch

That:

1. The information contained in the report on Development Application DA12/0931 demolition of existing dwelling & construction of medical centre Lot 57 DP 215146 (No.32) Somerset Street, Kingswood be received.
2. The objection pursuant to State Environmental Planning Policy No. 1 - Development Standards to the rear boundary setback development standard under Clause 12(4) of Penrith Local Environmental Plan 1998 (Urban Land) be supported.
3. DA12/0931 for Demolition of Existing Dwelling & Construction of Medical Centre at Lot 57 DP 215146, (No. 32) Somerset Street, KINGSWOOD, be approved subject to the following conditions:

Standard Conditions

- 3.1 A001 Approved Plans
 - A019 Occupation Certificate
 - A026 Advertising sign (not for residential)
 - A029 Hours of Operation
 - A032 Goods in buildings
 - A038 Lighting Locations
 - A039 Graffiti
 - A046 Obtain Construction Certificate before commencement of works
- B001 Demolition of existing structures
- B002 Australian Standards for demolition and disposal to approved landfill sites
- B003 Asbestos
- B004 Dust
- B005 Mud/Soil
- B006 Hours of demolition work
- D001 Implement approved sediment and erosion control measures
- D009 Covering of waste storage area
- D010 Appropriate disposal of excavated or other waste

D014 Plant and equipment noise
E006 Disabled access and facilities
E008 Fire safety list with construction certificate
E009 Annual fire safety-essential fire safety (Class 2-9 buildings)
E01 ABCA compliance for Class 2-9
G002 Section 73
G004 Integral Energy
H001 Stamped plans and erection of site notice (Class 2-9)
H002 All forms of construction
H011 Engineering plans and specifications
H041 Hours of work (other devt)
K041 Infrastructure Restoration Bond
K202 Roads Act Approval (minor works)
K209 Stormwater concept plan
K222 Access car parking and manoeuvring
K501 Roads authority clearance
K509 Directional Signage
L001 General Landscaping
L005 Planting of plant material
L006 Australian Standard requirements
L007 Tree protection measures - no Tree Management Plan
P001 Costs
P002 Fees associated with council land
Q01F Notice of commencement and appointment of Principal
Certifying Authority

Special Conditions

- 3.2 Customer visits to the site shall be arranged on an appointment only basis so that there are no more than 6 customers and 3 staff members including the consulting doctor on-site at any one time.
- 3.3 Public waiting areas and toilets in the premises shall be maintained in a clean and hygienic condition free from a build up of waste at all times.
- 3.4 Suitably constructed waste disposal containers with securely fitting lids must be kept on the property for the storage of any clinical, contaminated or related waste prior to final disposal of the material at a facility approved by the NSW Environment Protection Authority. An appropriately licensed waste contractor must be engaged to collect and dispose of all waste generated on site.

- Receipts of service must be kept on site specifying the volume collected and the dates of service.
- 3.5 If using ionising radiation equipment this must be registered with the NSW EPA prior to its use. Note: Guidance may be obtained from the NSW EPA guidelines “Radiation Guideline 6 - Registration requirements and industry best practice for ionising radiation apparatus used in diagnostic imaging”. Any X-ray device must incorporate all necessary safety features to prevent exposure to radiation in excess of that permitted by the Radiation Control Act 1990 and Regulations and any other relevant legislation, code or standard.
- 3.6 The use of the premises must not give rise to the emission of gases, vapours, dusts or other impurities which are a nuisance, injurious or prejudicial to health or the environment. The operation of the premises must be in accordance with the Protection of the Environment Operations Act 1997 and associated regulations.
- 3.7 The proposed garage shall be utilised for parking by staff only. Directional signage indicating the location of customer and staff car parking is to be provided **prior to the issue of an Occupation Certificate**.
- 3.8 An additional canopy tree shall be provided between the car parking spaces and the eastern boundary and to the south-east corner of the site to visually soften the built form. Details shall be provided on the landscape plan **prior to the issue of a Construction Certificate**.
- 3.9 To protect the privacy of adjoining properties, the proposed palisade fencing shall be provided as timber paling or similar and shall not be of see-through construction. The fencing shall not extend past the front building line to Somerset Street and Hargrave Street. Details of compliance shall be provided **prior to the issue of a Construction Certificate**.
- 3.10 The proposed sliding gate to the car parking area shall be relocated to run along the inner face of the southern facade. Details of compliance shall be provided **prior to the issue of a Construction Certificate**.
- 3.11 Details of materials, finishes and colours for the proposed retaining walls shall be provided **prior to the issue of a Construction Certificate**. In this regard, retaining walls shall not be of timber construction.
- 3.12 Vegetation that borders the car park area must be high-canopied or low in height to ensure sightlines are maintained between the buildings and car park areas, and that concealment/entrapment opportunities are minimised.

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

For	Against
Councillor Prue Car	Councillor Michelle Tormey
Councillor John Thain	Councillor Jackie Greenow
Councillor Maurice Giroto	Councillor Kevin Crameri OAM
Councillor Jim Aitken OAM	Councillor Karen McKeown
Councillor Ross Fowler OAM	
Councillor Ben Goldfinch	
Councillor Tricia Hitchen	
Councillor Bernard Bratusa	
Councillor Marcus Cornish	
Councillor Mark Davies	

A GREEN CITY

6 [Hawkesbury Nepean Catchment Management Authority funding for two natural areas](#)

13 RESOLVED on the MOTION of Councillor Ben Goldfinch seconded Councillor Jim Aitken OAM that the information contained in the report on Hawkesbury Nepean Catchment Management Authority funding for two natural areas be received.

7 [Funding Arrangements for installation of Solar Thermal at Ripples Leisure Centre](#)

14 RESOLVED on the MOTION of Councillor Ben Goldfinch seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Funding Arrangements for installation of Solar Thermal at Ripples Leisure Centre be received.
2. Subject to the Board of Ripples supporting the CEEP application, Council endorse an interest free loan of \$130,000 to Ripples Leisure Centre, with repayments to be deducted bi-annually from the Council subsidy to Ripples, to be used as co-contribution for this project.

A LIVEABLE CITY

9 [Tender Reference 12/13-11 - Refurbishment of Coachmans Park](#)

15 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Tender Reference 12/13-11 - Refurbishment of Coachmans Park be received.
2. The Tender for the refurbishment of Coachmans Park from Design

Landscapes Pty Ltd for the amount of \$834,002.60 (ex GST) be accepted.

3. The Common Seal of the Council of the City of Penrith be placed on all documentation, if necessary.

10 Tender Reference 12/13-10 - Construction Works to Three Toilet Amenities

16 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Tender Reference 12/13-10 - Construction Works to Three Toilet Amenities be received.
2. The tender for the construction works to three toilet amenities for the amount of \$503,015.00 (ex GST) from Westco Building Consultants Pty Ltd be accepted.
3. The Common Seal of the Council of the City of Penrith be placed on all documentation if necessary.

11 Tender Reference 12/13-04 - Suction Eductor - Stormwater Drainage Pit Cleaner Truck

17 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Tender Reference 12/13-04 - Suction Eductor - Stormwater Drainage Pit Cleaner Truck be received.
2. The tender from MacDonald Johnston Pty Ltd for the purchase price of \$257,174.50 and that the existing unit to be replaced be used as a trade-in at the agreed value tendered of \$9,090.90 (excluding GST) be accepted.
3. The Common Seal of the Council of the City of Penrith be placed on all documentation, if required.

8 Werrington Arterial Road: Stage 1 - Review of Environmental Factors

A MOTION was MOVED by Councillor Prue Car seconded Councillor John Thain

That:

1. The information contained in the report on Werrington Arterial Road: Stage 1 - Review of Environmental Factors be received.
2. Council officers finalise a submission on the Werrington Arterial Road: Stage 1 – REF and submit it to the Roads and Maritime Services by 15 February 2013.
3. Council continue to lobby the NSW State Government to fund the construction of the Werrington Arterial Road Stage 1.

18 An AMENDMENT was MOVED by Councillor Ross Fowler OAM seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Werrington Arterial Road: Stage 1 - Review of Environmental Factors be received.
2. Council officers finalise a submission on the Werrington Arterial Road: Stage 1 – REF and submit it to the Roads and Maritime Services by 15 February 2013.
3. Council compliment the NSW State Government so far in their endeavours towards road funding, including this particular project.
4. Council write to the NSW State Government and Federal Government thanking them for their forward thinking and support in building these projects and requesting continued funding for this and similar projects into the future.

The AMENDMENT was PUT

The AMENDMENT was CARRIED and on becoming the SUBSTANTIVE MOTION was also CARRIED.

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

For	Against
Councillor Kevin Crameri OAM	Councillor Jackie Greenow
Councillor Maurice Giroto	Councillor John Thain
Councillor Jim Aitken OAM	Councillor Karen McKeown
Councillor Ross Fowler OAM	Councillor Prue Car
Councillor Ben Goldfinch	Councillor Michelle Tormey
Councillor Tricia Hitchen	
Councillor Bernard Bratusa	
Councillor Marcus Cornish	
Councillor Mark Davies	

A VIBRANT CITY

- 12 [DA12/0308 for a Dwelling at Lot 1 DP237071 \(No. 265\) Seventh Avenue, Llandilo](#) Applicant: Sharon Jones Architectural Design; Owner: Adam John McBurney & Tennille Gay McBurney

Councillor Ben Goldfinch left the meeting the time being 9:26pm.

Councillor Ben Goldfinch returned to the meeting, the time being 9:27pm.

19 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Marcus Cornish that the matter be deferred to a Councillor Briefing.

Councillor Michelle Tormey left the meeting, the time being 9:31pm.

REQUESTS FOR REPORTS AND MEMORANDUMS

RR 1 Crane Enfield

Councillor Marcus Cornish requested that if Crane Enfield has not already provided Council with a fire safety plan for the grassland surrounding their factory that such a plan be provided to ensure no further fires in the area.

RR 2 Illegal Dumping - St Marys

Councillor Marcus Cornish requested Council monitor and take action on rubbish that is continually being dumped behind the St George Bank on Queen Street, St Marys.

Councillor Michelle Tormey returned to the meeting, the time being 9:34pm.

RR 3 Traffic Concern - Cranebrook and Boundary Roads

Councillor John Thain requested that the Local Traffic Committee investigate several incidents which have occurred at this location concerning cars losing control and damaging residents' properties.

RR 4 Water Connection - Llandilo

Councillor John Thain requested that Council make representations to the State Member for Londonderry, the Hon. Bart Bassett MP and Minister for Water on behalf of 5 local residents of Llandilo advocating for these properties to be connected to Sydney Water mains.

RR 5 Russell Street Off Ramp - Leonay

Councillor John Thain requested a report to Council addressing the danger and risk to vehicles and residents of the off ramp at this location. Councillor Thain requested the report address the immediate widening of the ramp and the risk to the proposed development at Leonay Parade.

RR 6 Illegal Dumping

Councillor Prue Car requested a report to Council detailing how illegal dumping is dealt with throughout the City, in particular at busy times like the Christmas/New Year period.

RR 7 Waterside Development Wall - Andrews Road

Councillor Karen McKeown requested a memo be prepared for all Councillors concerning the concrete wall at this location; in particular what the Development Application had stipulated about surrounding screening in this area.

URGENT BUSINESS

UB 1 Leave of Absence Request

Councillor Tricia Hitchen requested a leave of absence from 12 February to 25 February 2013 inclusive.

20 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Ben Goldfinch that the matter be brought forward and dealt with as a matter of urgency.

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

21 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Ben Goldfinch that leave of absence be granted from 12 February to 25 February 2013 inclusive.

UB 2 Red Cross Appeal

Councillor Mark Davies requested a total of \$3000 be allocated equally from each Ward Voted Works to make a donation to the Red Cross.

22 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Karen McKeown that the matter be brought forward and dealt with as a matter of urgency.

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

23 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Karen McKeown that a total of \$3000 be allocated equally from each Ward Voted Works to make a donation to the Red Cross.

Councillor Karen McKeown left the meeting, the time being 9:41pm

COMMITTEE OF THE WHOLE

24 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Ross Fowler OAM that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 9:41pm.

Councillor Karen McKeown returned to the meeting, the time being 9:42pm.

1 Presence of the Public

CW1 RESOLVED on the motion of Councillor Jackie Greenow seconded Councillor Ross Fowler OAM that the press and public be excluded from Committee of the Whole to deal with the following matters:

A Leading City

2 [Commercial Matter - Council Property - Leasing of space housing an Automatic Teller Machine within 209 Queen Street St Marys to CUSCAL Limited](#)

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 118 Henry Street Penrith to Rivers \(Australia\) Pty Limited](#)

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.

4 [Commercial Matter - Council Property - Leasing of Suite 2 at Community Connections 114-116 Henry Street Penrith to A-Live Performing Arts Centre](#)

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.

5 [Personnel Matter - Senior Staff Matters](#)

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 10:02.pm and the General Manager reported that the Committee of the Whole met at 9:41 pm on Monday 4 February 2013 the following being present

His Worship the Mayor, Councillor Mark Davies, Deputy Mayor, Councillor Ross Fowler OAM and Councillors Jim Aitken OAM, Bernard Bratusa, Prue Car, Kevin Crameri OAM, Marcus Cornish, Maurice Giroto, Ben Goldfinch, Jackie Greenow, Tricia Hitchen, Karen McKeown, John Thain and Michelle Tormey.

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

2 [Commercial Matter - Council Property - Leasing of space housing an Automatic Teller Machine within 209 Queen Street St Marys to CUSCAL Limited](#)

RECOMMENDED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Jim Aitken OAM

CW2 That:

1. The information contained in the report on Commercial Matter - Council Property - Leasing of space housing an Automatic Teller Machine within 209 Queen Street St Marys to CUSCAL Limited be received.
2. Council grant a new 3 year Licence Agreement with a 3 year option period to Credit Union Services (Aust) Pty Ltd as outlined in the report.
3. The Common Seal of the City of Penrith be placed on all necessary documentation.

3 [Commercial Matter - Council Property - Leasing of 118 Henry Street Penrith to Rivers \(Australia\) Pty Limited](#)

RECOMMENDED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Ross Fowler OAM

CW3 That:

1. The information contained in the report on Commercial Matter - Council Property - Leasing of 118 Henry Street Penrith to Rivers (Australia) Pty Limited be received.
2. Council approve termination of existing option Deed agreed with Rivers (Australia) Pty Limited.
3. Council grant a new 5 year lease with a 5 year option to Rivers (Australia) Pty Limited in accordance with the terms and conditions set out in the report.
4. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

4 Commercial Matter - Council Property - Leasing of Suite 2 at Community Connections 114-116 Henry Street Penrith to A-Live Performing Arts Centre

RECOMMENDED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Marcus Cornish

CW4 That:

1. The information contained in the report on Commercial Matter - Council Property - Leasing of Suite 2 at Community Connections 114-116 Henry Street Penrith to A-Live Performing Arts Centre be received.
2. Council grant a Three (3) year Lease with a three (3) year option to A-Live Performing Arts Centre in accordance with the terms and conditions as outlined in the report.
3. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

5 Personnel Matter - Senior Staff Matters

RECOMMENDED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Marcus Cornish

CW5 That:

1. The information contained in the report on Personnel Matter - Senior Staff Matters be received
2. The recommendations of the Senior Staff Recruitment Review Committee be adopted.

ADOPTION OF COMMITTEE OF THE WHOLE

25 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Ben Goldfinch that the recommendation contained in the Committee of the Whole and shown as CW1, CW2, CW3, CW4 and CW5 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 10:08pm.

I certify that these 15 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 4 February 2013.

Chairperson

Date