

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

**ON MONDAY 24 JUNE 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.

Councillor Greg Davies arrived at 7:39 pm.

**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, Greg Davies (arrived at 7:39 pm), Maurice Girotto, Ben Goldfinch, Jackie Greenow OAM, Tricia Hitchen, Karen McKeown, John Thain and Michelle Tormey.

**APOLOGIES**

There were no apologies.

**CONFIRMATION OF MINUTES - Ordinary Meeting - 27 May 2013**

154 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Jim Aitken OAM that the minutes of the Ordinary Meeting of 27 May 2013 be confirmed.

**DECLARATIONS OF INTEREST**

Councillor John Thain declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 4 – Penrith Valley Regional Sports Stadium* as he is Chairman of the Penrith Valley Regional Sports Stadium Committee.

Councillor Ross Fowler OAM declared a Pecuniary Interest in *Item 4 – Penrith Valley Regional Sports Stadium* as he is the auditor of the Penrith Valley Regional Sports Stadium Committee. Councillor Fowler OAM stated that he would leave the meeting during discussion of this item.

His Worship the Mayor, Councillor Mark Davies declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 8 – The Penrith Progression* as he is on the Board of the Penrith Business Alliance.

Councillor Kevin Crameri OAM declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 10 – Hawkesbury-Nepean Catchment Management Authority Incentive Funding for Werrington Creek Improvements* as he is the Chair of the Hawkesbury River County Council.

Councillor Marcus Cornish declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 10 – Hawkesbury-Nepean Catchment Management Authority Incentive Funding for Werrington Creek Improvements* as he is a Board member of the Hawkesbury River County Council.

## **MAYORAL MINUTES**

### **1 Bicentenary of the First European Crossing of the Blue Mountains**

Councillors Ross Fowler OAM, John Thain, Kevin Crameri OAM and His Worship the Mayor, Councillor Mark Davies spoke in support of the Mayoral Minute and put on record their congratulations to all the staff who were involved in organising the successful series of events to mark the Bicentenary.

155 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Ross Fowler OAM that the Mayoral Minute on Bicentenary of the First European Crossing of the Blue Mountains be received.

### **2 Queen's Birthday Honours**

Councillors Ross Fowler OAM, Karen McKeown, John Thain, Jim Aitken OAM, Tricia Hitchen, Prue Car, Bernard Bratusa and Greg Davies spoke in support of the Mayoral Minute.

Councillor Jackie Greenow OAM was then congratulated by affirmation of the Council.

Councillor Jackie Greenow OAM then responded by thanking the person responsible for nominating her as well as the people she has worked with representing those in the community with disabilities. His Worship the Mayor, Councillor Mark Davies, then thanked Councillor Greenow OAM on behalf of the Council and Penrith City.

156 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Ross Fowler OAM that the Mayoral Minute on Queen's Birthday Honours be received.

His Worship the Mayor, Councillor Mark Davies, advised that Australia's 40<sup>th</sup> soldier, Corporal Cameron Steward Baird, was killed in the Afghanistan war last Saturday afternoon.

The meeting then observed a minute's silence, at 8:06 pm, in memory of Corporal Baird.

## REPORTS OF COMMITTEES

### 1 [Report and Recommendations of the Local Traffic Committee Meeting held on 3 June 2013](#)

157 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Jackie Greenow OAM that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 3 June, 2013 be adopted.

### 2 [Report and Recommendations of the Penrith Community Safety Partnership Meeting held on 5 June 2013](#)

158 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Michelle Tormey that the recommendations contained in the Report and Recommendations of the Penrith Community Safety Partnership meeting held on 5 June, 2013 be adopted.

### 3 [Report and Recommendations of the Policy Review Committee Meeting held on 17 June 2013](#)

159 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow OAM that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 17 June, 2013 be adopted.

## DELIVERY PROGRAM REPORTS

### A LEADING CITY

### 6 [Summary of Investments and Banking for the period 1 May to 31 May 2013](#)

160 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Karen McKeown

That:

1. The information contained in the report on Summary of Investments and Banking for the period 1 May to 31 May 2013 be received.
2. The Certificate of the Responsible Accounting Officer and Summaries of Investments and Performance for the period 1 May 2013 to 31 May 2013 be noted and accepted.
3. The graphical investment analysis as at 31 May 2013 be noted.

## 1 Outcomes of public exhibition of draft Corporate Planning Documents

Councillors Ross Fowler OAM, Kevin Crameri OAM, John Thain, Jim Aitken OAM, Greg Davies, and His Worship the Mayor, Councillor Mark Davies, thanked the staff involved for their efforts in preparing the Corporate Planning Documents.

161 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Kevin Crameri OAM

That:

1. The information contained in the report on Outcomes of public exhibition of draft Corporate Planning Documents be received
2. In accordance with the Local Government Act 1993 and Local Government (General) Regulation 2005, Council adopt the draft *Community Plan*, draft *Delivery Program 2013-17* (incorporating the *Operational Plan* for 2013-14 and draft *Fees and Charges 2013-14*), including amendments outlined in this report and any made at tonight's meeting.
3. In accordance with the Section 402(7) of the Local Government Act 1993 and Local Government (General) Regulation 2005, Council post a copy of the *Community Plan* and associated documents on Council's website and advise the Director-General.
4. Council adopt the *Community Engagement Strategy* and the *Resourcing Strategy* and the *City Strategy* as presented at tonight's meeting.
5. Council endorse that the strategies and studies that have been incorporated into the integrated *City Strategy* will have the status of 'background' information material.
6. Those who made submissions to the exhibition of the corporate planning documents, together with all participants of the community engagement processes during 2012, be thanked and advised of Council's decision.
7. Those projects in the *Operational Plan 2012-13*, which were approved by Council in the March Quarter Review 2013 to be carried forward, be added to the adopted *Operational Plan* for 2013-14.
8. Council approve for expenditure the budget as detailed in the *Operational Plan* for 2013-14, and on that basis formally vote these funds for the 2013-14 financial year.

## 2 Audit Committee

162 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Greg Davies

That:

1. The information contained in the report on Audit Committee be received.
2. Frank Gelonesi, Jayant Gulwadi and Darren Greentree be appointed to Council's Audit Committee for a further term of two years.

3. A letter be forwarded to Frank Gelonesi, Jayant Gulwadi and Darren Greentree thanking them for their contribution to Council's Audit Committee.

### **3 Making of the Rate**

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

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 two six two (.4262) cents in the dollar being ad valorem amount on the land value of all rateable land in the City categorised as Residential, and that an ordinary rate named Farmland ordinary of point two one three one (.2131) 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 four one three six (.74136) cents in the dollar on all rateable land in the City categorised as Business but not within a sub-category of Business, and that an ordinary rate being a subcategory of Business named Penrith CBD Rate of point eight four eight four two (.84842) cents in the dollar on all rateable land in the City categorised as Business – Penrith CBD Rate, and that an ordinary rate being a subcategory of Business named St Marys Town Centre Rate of one point one four four two (1.1442) cents in the dollar on all rateable land in the City categorised as Business – St Marys Town Centre Rate be now made for the period 1 July 2013 to 30 June 2014 subject to a minimum rate under Section 548(5) of eight hundred and nine dollars and ninety five cents (\$809.95) 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 one thousand and thirty six dollars and forty cents (\$1036.40).

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

The rate or charge for the 2013-14 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. Stormwater Charges**

A Stormwater Management Services charge will be applied on all urban residential and urban business land as outlined below and in accordance with Council's Policy outlined in the Delivery Program 2013-17 (incorporating the Operational Plan 2013-14) except land which is exempt from the Stormwater Management Services charge as outlined in Section 496 of the Local Government Act 1993. For the 2013-14 year, the charge for residential non-strata properties will be \$25 per annum, the charge for residential strata properties will be \$12.50

per annum, and the charge for urban business properties will be \$22.80 plus an additional \$22.80 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres.

**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 2013-14 nine percent (9%) 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. In addition, Council will provide a voluntary rebate under Section 582 of the Local Government Act, 1993 equivalent to the annual stormwater charge applicable to the property. Pro-rata calculations will be applied to rebates that start or cease within the financial year according to Sections 575 and 584 of the Local Government Act, 1993.

Having previously declared a Pecuniary Interest in Item 4, Councillor Ross Fowler OAM left the meeting, the time being 8:30 pm.

**4 [Penrith Valley Regional Sports Stadium](#)**

164 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Bernard Bratusa

That:

1. The information contained in the report on Penrith Valley Regional Sports Stadium be received.
2. Penrith City Council provide a letter of guarantor for a new loan of up to \$450,000 repayable over 7 years on behalf of Penrith Valley Regional Sports Stadium.
3. The Common Seal of the Council of the City of Penrith be affixed to those documents that are necessary to finalise Council being Guarantor for the Penrith Valley Regional Sports Stadium borrowings as outlined in this report.
4. Should Round 3 of the Local Infrastructure Renewal Scheme be confirmed, Council officers investigate the eligibility and opportunity of accessing that Scheme in relation to these borrowings and other borrowings identified by the Penrith Valley Regional Sports Stadium Committee for consideration by Council.

Councillor Ross Fowler OAM returned the meeting, the time being 8:35 pm.

**5 Local Government NSW Annual Conference 2013**

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

That:

1. The information contained in the report on Local Government NSW Annual Conference 2013 be received.
2. Council nominate Councillors Prue Car, Greg Davies, Karen McKeown, Jackie Greenow OAM, Marcus Cornish, Jim Aitken OAM, Bernard Bratusa, Kevin Crameri OAM, Ross Fowler OAM and Tricia Hitchen as its ten (10) voting delegates to attend the 2013 Local Government NSW Conference to be held at Sydney Town Hall from 1 - 3 October 2013, and if any of these Councillors can not attend, Councillors Mark Davies, Ben Goldfinch and Michelle Tormey attend as substitutes.
3. Any interested and available Councillors attend the 2013 Local Government NSW Conference as observers.
4. Council sponsor up to three (3) Aboriginal observers, nominated by the Deerubbin Local Aboriginal Land Council, to attend the 2013 Local Government NSW Conference.

**A CITY OF OPPORTUNITIES**

**9 Tender Reference 12/13-07 Provision of Childcare Consumables**

166 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Kevin Crameri OAM

That:

1. The information contained in the report on Tender Reference 12/13-07 Provision of Childcare Consumables be received.
2. A contract for the provision of childcare consumables for a period of three (3) years, with an option to extend for a further two (2) by one (1) year periods, subject to satisfactory performance, be awarded to Klenall Industrial Suppliers Pty Ltd for the annual cost of \$123,762.10.

**7 Draft Metropolitan Strategy for Sydney to 2031 - Draft Submission**

167 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Draft Metropolitan Strategy for Sydney to 2031 - Draft Submission be received.
2. Council endorse the attached submission on the draft Metropolitan Strategy, together with any additional critical issues identified by Councillors, as the basis of a final submission to be forwarded to the Department of Planning



and Infrastructure.

3. A copy of the final submission be forwarded to all Councillors.

Councillor Marcus Cornish left the meeting, the time being 8:38 pm.

Councillor Marcus Cornish returned to the meeting, the time being 8:40 pm.

## **8 The Penrith Progression**

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

That:

1. The information contained in the report on The Penrith Progression be received.
2. A budget is established for Stages 1 to 4 of The Penrith Progression with an upper limit of \$2,193,350.
3. A loan is secured against the *Glenmore Park Stage 2 Voluntary Planning Agreement (the VPA)* with these funds used exclusively to fund the Penrith Progression up to the end of Stage 3.
4. The scope and timeframe for Stage 3 be approved for funding and Stage 4 approved in principle, subject to a further report on the funding arrangements for the entire project.
5. The EOWP be able to authorise the progression from one phase to the next if the process is on track to achieve its objectives within the Council approved scope, budget and program.
6. Council write to the PBA Board informing them of Council's approval.

## **A GREEN CITY**

### **10 Hawkesbury-Nepean Catchment Management Authority Incentive Funding for Werrington Creek Improvements**

169 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Marcus Cornish

That:

1. The information contained in the report on Hawkesbury-Nepean Catchment Management Authority Incentive Funding for Werrington Creek Improvements be received.
2. Council endorse acceptance of the funding offer of \$50,000 from the Hawkesbury Nepean Catchment Management Authority and sign the funding agreement allowing the project outlined in this report to be completed.
3. Council send a letter of thanks to the Minister for Primary Industries, the Hon Katrina Hodgkinson, for her support.



## A LIVEABLE CITY

### 11 [The Northern Road, Jordan Springs - Road Upgrade](#)

170 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Marcus Cornish

That:

1. The information contained in the report on The Northern Road, Jordan Springs - Road Upgrade be received.
2. A memo be provided to all Councillors addressing Councillor Kevin Crameri OAM concerns regarding the provision of left hand slip lanes out of Jordan Springs and into Borrowdale Road, and the phasing of signals.

### 12 [Woodriff Street, Penrith - Safety Concerns with Pedestrian Refuge](#)

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

That:

1. The information contained in the report on Woodriff Street, Penrith - Safety Concerns with Pedestrian Refuge be received.
2. Council note the information.

### 13 [Penrith City Centre Public Domain Masterplan](#)

172 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Karen McKeown

That:

1. The information contained in the report on Penrith City Centre Public Domain Masterplan be received
2. The Final Masterplan be endorsed for the staged implementation of works.
3. A further report be provided to Council regarding the evaluation of the trial of the Triangle Park.

### 14 [2013/14 Nation Building Blackspot Program - Acceptance of Funding](#)

Councillor John Thain left the meeting, the time being 9:13 pm.

Councillor John Thain returned to the meeting, the time being 9:15 pm.

173 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Kevin Crameri OAM

That:

1. The information contained in the report on 2013/14 Nation Building Blackspot Program - Acceptance of Funding be received.
2. Council accept grant funding of \$220,000 offered for the two successful

Black Spot Projects shown in Table 1, under the 100% Federally Funded Nation Building Black Spot Program for the 2013/14 financial year.

3. Council write to the Federal Member for Lindsay, Mr David Bradbury MP, thanking him for the level of funding and continued support of road safety improvements.

#### **15 The Community Energy Efficiency Program**

174 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Karen McKeown

That:

1. The information contained in the report on The Community Energy Efficiency Program be received.
2. WSROC be provided with the statement “Western Sydney Regional Organisation of Councils Ltd has the legal authority to deal with the Department of Energy, Resources and Tourism on behalf of Penrith City Council in relation to all aspects of the funding agreement”.
3. Council has final determination on the successful tenderer for the installation of lights and the ongoing maintenance of lights in the Penrith City Council area.
4. Further reports be submitted to Council on the outcome of the tender processes for the supply of lights, installation of lights and the ongoing maintenance of the lights.

#### **16 Funding for Playgrounds in South Penrith and Jamisontown**

175 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Karen McKeown

That:

1. The information contained in the report on Funding for Playgrounds in South Penrith and Jamisontown be received.
2. The provision of a new playground at the corner of Glenbrook Street and Warragamba Crescent be funded from South Ward voted works.

### **REQUESTS FOR REPORTS AND MEMORANDUMS**

#### **RR 1 Request for Stop Sign - Ulm & Castle Roads, Orchard Hills**

Councillor Marcus Cornish requested that the provision of a stop sign at the corner of Ulm and Castle Roads, Orchard Hills be referred to the Local Traffic Committee for consideration.

Councillor Michelle Tormey left the meeting, the time being 9:30 pm.

#### **RR 2 Bin collection over Christmas Holidays**

Councillor Marcus Cornish requested a report to Council considering the pick up of all three

bins for eight consecutive weeks over the Christmas holiday break, commencing the week beginning 9 December 2013 to the week ending 1 February 2014.

Councillor Michelle Tormey returned to the meeting, the time being 9:32 pm.

**URGENT BUSINESS**

**UB 1 Request for Leave of Absence**

Councillor Karen McKeown requested a Leave of Absence from 19 July 2013 to 11 August 2013 inclusive.

176 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor John Thain that Councillor Karen McKeown be granted Leave of Absence from 19 July 2013 to 11 August 2013 inclusive.

**REQUESTS FOR REPORTS AND MEMORANDUMS**

**RR 3 Provision of Playground Equipment in Nash Street, Penrith**

Councillor Karen McKeown requested a report to the Ordinary meeting of 26 August 2013 concerning the provision of playground equipment in Nash Street, Penrith.

**RR 4 Flooding of Werrington Creek**

Councillor John Thain requested a memo reply to all Councillors regarding the status of the study into flood mitigation in the vicinity of Werrington Creek.

**RR 5 Encapsulation of Waste at 7-9 & 11 Nelson Parade, Hunters Hill**

Councillor Prue Car requested a report to Council in response to the community's call for the State Government to conduct a feasibility study into onsite encapsulation of the waste at 7-9 and 11 Nelson Parade, Hunters Hill.

There being no further business the Chairperson declared the meeting closed the time being 9:34 pm.

I certify that these 11 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 24 June 2013.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date