

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

ON MONDAY 3 FEBRUARY 2014 AT 7:35PM

NATIONAL ANTHEM

The meeting opened with the National Anthem.

STATEMENT OF RECOGNITION

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

PRAYER

The Council Prayer was read by Rev Neil Checkley.

PRESENT

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

APOLOGIES

There were no apologies.

CONFIRMATION OF MINUTES - Ordinary Meeting - 16 December 2013

1 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kevin Crameri OAM that the minutes of the Ordinary Meeting of 16 December 2013 be confirmed.

DECLARATIONS OF INTEREST

Councillor Ben Goldfinch declared a Pecuniary Interest in *Item 1 - Development Application No. 13/1097 Proposed First Floor Addition at Lot 49 DP 236855 (No. 5) Deloraine Drive, Leonay* as the Applicants are customers of a Company he is a Director of. Councillor Goldfinch indicated he would leave the Chambers for discussion of this matter.

SUSPENSION OF STANDING ORDERS

2 RESOLVED on the MOTION of Councillor Jackie Greenow OAM seconded Councillor Tricia Hitchen that Standing Orders be suspended to allow members of the public to address the meeting, the time being 7:38pm.

Geoff Brown

Item 3 - Wianamatta Regional Park - Proposed Emu Relocation and Timing of Transfer of Regional Park to State Government

Mr Brown, an interested citizen, spoke in support of the recommendation and requested that Council support the recommendation and asked what options exist to fast track the transfer of this land to National Parks and Wildlife Service. Mr Brown spoke of a public meeting which has previously been held which was attended by 150 people which demonstrated the community concern with the development.

3 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Maurice Giroto that an extension of time be granted to enable the speaker to complete his address, the time being 7:45 pm.

At this point Mr Brown declined his opportunity to continue his address.

Alistair MacDonald

Item 6 - Regional Tennis Facility - Proposed Site

Mr MacDonald, an interested citizen, spoke in support of the recommendation and requested that Council support the recommendation. Mr MacDonald confirmed that the position of Tennis NSW is that they endorse Panthers as the preferred site for the planned Regional Tennis Facility for further investigation.

Geoff Brown

Item 3 - Wianamatta Regional Park - Proposed Emu Relocation and Timing of Transfer of Regional Park to State Government

Mr Geoff Brown, continued his address the time being 7:49pm and stated his disappointment in the reduced size of the conservation area.

Item 4 - Wianamatta Regional Park - Management of Feral Animal Programs

Mr Brown, an interested citizen, spoke in support of the recommendation and requested that Council support the recommendation. Mr Brown questioned what other feral animals Lend Lease are managing and that they should be showing evidence of this, in addition to this Mr Brown suggested that all strategies and plans for the development area should be made public.

4 RESOLVED on the MOTION of Councillor Michelle Tormey seconded Councillor Kevin Cramer OAM that an extension of time be granted to enable the speaker to complete his address, the time being 7:57 pm.

Mr Brown concluded by stating that it is concerning that it is not known who is responsible for ensuring that the strategies and plans relevant to the site are complied with.

RESUMPTION OF STANDING ORDERS

5 RESOLVED on the MOTION of Councillor Jackie Greenow OAM seconded Councillor Karen McKeown that Standing Orders be resumed, the time being 8:01pm.

MAYORAL MINUTES

Councillor Michelle Tormey left the meeting, the time being 8:02pm.

Councillor Michelle Tormey returned to the meeting, the time being 8:04pm.

1 [Locals recognised in Australia Day Honours](#)

6 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Jim Aitken OAM that the Mayoral Minute on Locals recognised in Australia Day Honours be received.

2 [Australia Day Celebrations a Success](#)

Councillors Jim Aitken OAM, Michelle Tormey, Greg Davies and Kevin Cramer OAM spoke in support of the Mayoral Minute.

7 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Jim Aitken OAM that the Mayoral Minute on Australia Day Celebrations a Success be received.

REPORTS OF COMMITTEES

1 [Report and Recommendations of the Access Committee meeting held on 11 December 2013](#)

8 RESOLVED on the MOTION of Councillor Jackie Greenow OAM seconded Councillor Michelle Tormey that the recommendations contained in the Report and Recommendations of the Access Committee meeting held on 11 December, 2013 be adopted.

DELIVERY PROGRAM REPORTS

OUTCOME 2 - WE PLAN FOR OUR FUTURE GROWTH

Having previously declared a Pecuniary Interest, Councillor Ben Goldfinch left the meeting for discussion of the item, the time being 8:16pm.

1 [Development Application No. 13/1097 Proposed First Floor Addition at Lot 49 DP 236855 \(No. 5\) Deloraine Drive, Leonay](#)

9 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Greg Davies

That:

1. The information contained in the report on Development Application No. 13/1097 Proposed First Floor Addition at Lot 49 DP 236855 (No. 5) Deloraine Drive, Leonay be received.
2. The SEPP 1 objection be supported to vary the minimum rear setback

requirement.

3. The application be approved subject to the following conditions.

- 3.1 A001 Approved plans that are architecturally drawn
A008 Works to BCA requirements
A019 Occupation Certificate
A046 Obtain a Construction Certificate
D001 Implement approved sediment & erosion control measures
D009 Covering of waste storage area
D010 Appropriate disposal of excavated or other waste
E001 BCA compliance
ESPECIAL Smoke detector
H001 Stamped plans
H009 Cut/fill details
H017 Loads on existing buildings
H030 Roof finishes
H041 Hours of Work
J004 Pool fencing
K016 Stormwater
K041 Bond
L008 Tree Preservation Order
P002 Fees associated with Council land
Q01F Notice of Commencement of Appointment of PCA
Q05F Occupation/Compliance Certificate

Special Conditions

3.2 To limit viewing into adjoining properties at the rear, the dining room window on the rear elevation shall have a minimum sill height of 1.5m above floor level or fitted with fixed obscure glazing to a height of 1.5m above floor level. A 1.8m high privacy screen is to be fitted to the rear elevation of the deck. Details to be provided prior to the issue of a Construction Certificate.

4. Those who made submissions be advised of Council's decision.

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 Greg Davies
Councillor John Thain

Councillor Karen McKeown
Councillor Michelle Tormey
Councillor Jackie Greenow OAM
Councillor Maurice Giroto
Councillor Kevin Crameri OAM
Councillor Jim Aitken OAM
Councillor Mark Davies
Councillor Tricia Hitchen
Councillor Bernard Bratusa
Councillor Marcus Cornish
Councillor Ross Fowler OAM

Councillor Ben Goldfinch returned to the meeting, the time being 8:17pm.

2 [Sydney Science Park Planning Proposal](#)

10 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Marcus Cornish

That:

1. The information contained in the report on Sydney Science Park Planning Proposal be received.
2. Council endorse the enclosed Planning Proposal for Sydney Science Park to be forwarded to the Department of Planning and Infrastructure seeking a Gateway Determination under s56 of the Environmental Planning and Assessment Act 1979.
3. The General Manager be granted delegation to update and finalise the Planning Proposal, written instrument and associated maps before submitting it to the Department of Planning & Infrastructure seeking the Gateway Determination.
4. Council seek approval from the Gateway to publicly exhibit the Planning Proposal for the Sydney Science Park LEP in accordance with the community consultation requirements under s57 of the EP&A Act, and in a form consistent with any revisions of the Planning Proposal directed by the Department of Planning & Infrastructure as part of the s56 Gateway Determination.

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 Greg Davies
Councillor John Thain
Councillor Karen McKeown
Councillor Michelle Tormey
Councillor Jackie Greenow OAM
Councillor Maurice Giroto
Councillor Kevin Crameri OAM

Councillor Jim Aitken OAM
Councillor Mark Davies
Councillor Ben Goldfinch
Councillor Tricia Hitchen
Councillor Bernard Bratusa
Councillor Marcus Cornish
Councillor Ross Fowler OAM

Councillor Marcus Cornish left the meeting, the time being 8:33pm.

Councillor Marcus Cornish returned to the meeting, the time being 8:35pm.

3 Wianamatta Regional Park - Proposed Emu Relocation and Timing of Transfer of Regional Park to State Government

11 RESOLVED on the MOTION of Councillor Prue Car seconded Councillor Michelle Tormey

That:

1. The information contained in the report on Wianamatta Regional Park - Proposed Emu Relocation and Timing of Transfer of Regional Park to State Government be received.
2. Council write to the Minister for the Environment reiterating Council's long-held position that a sustainable population of both emus and kangaroos be retained within the Wianamatta Regional Park on a permanent basis.
3. Council write to the Minister for Planning and Infrastructure and the Minister for the Environment seeking the transfer of the remaining lands within the Wianamatta Regional Park to the NSW State Government as a priority.
4. Council invite senior management from the Office of Environment and Heritage to a future Policy Review Committee Meeting to discuss matters pertaining to the management of the Wianamatta Regional Park and transfer of the remaining lands to the State Government.

An AMENDMENT was MOVED by Councillor Bernard Bratusa seconded Councillor Marcus Cornish

That:

1. The information contained in the report on Wianamatta Regional Park - Proposed Emu Relocation and Timing of Transfer of Regional Park to State Government be received.
2. Council write to the Minister for the Environment reiterating Council's long-held position that a sustainable population of both emus and kangaroos be retained within the Wianamatta Regional Park on a permanent basis.
3. Council write to the Minister for Planning and Infrastructure and the Minister for the Environment seeking the transfer of the remaining lands within the Wianamatta Regional Park to the NSW State Government as a priority.
4. Council invite senior management from the Office of Environment and Heritage to provide a briefing to Councillors on matters pertaining to the management of the Wianamatta Regional Park and transfer of the remaining

lands to the State Government.

The AMENDMENT was PUT.

The AMENDMENT was LOST.

The MOTION was PUT.

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

4 Wianamatta Regional Park - Management of Feral Animal Programs

Councillor Kevin Crameri OAM left the meeting, the time being 8:53pm.

Councillor Kevin Crameri OAM returned to the meeting, the time being 8:56pm.

12 RESOLVED on the MOTION of Councillor Michelle Tormey seconded Councillor Prue Car

That:

1. The information contained in the report on Wianamatta Regional Park - Management of Feral Animal Programs be received.
2. A further report be brought back to the next Council meeting responding to questions raised by Councillor Michelle Tormey relative to the management of feral animals and the various strategies which have justified development approvals on the site.

OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES

5 Urban Development Institute of Australia National Congress 2014

13 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Urban Development Institute of Australia National Congress 2014 be received.
2. Council nominate Councillors Jim Aitken OAM, Councillor Greg Davies and Councillor Mark Davies as it's delegates to attend the Urban Development Institute of Australia National Congress 2014 to be held in Brisbane from 26 - 28 March 2014 and grant leave of absence as appropriate.

OUTCOME 6 - WE'RE HEALTHY AND SHARE STRONG COMMUNITY SPIRIT

6 Regional Tennis Facility - Proposed Site

14 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Marcus Cornish

That:

1. The information contained in the report on Regional Tennis Facility - Proposed Site be received.
2. Council endorse Penrith Panthers as its preferred site for the future development of a Regional Tennis Facility subject to the resolution of any site constraints.

7 Roads and Maritime Services, Better Boating Program Grant

15 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Greg Davies

That:

1. The information contained in the report on Roads and Maritime Services, Better Boating Program Grant be received.
2. Council note the acceptance of the grant of \$82,000, offered under the Roads and Maritime Services 2013-14 Better Boating Program and confirm the allocation of matching funding as detailed in the report.
3. A letter of thanks be sent to the State Member for Penrith.

OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

8 Australian Local Government Women's Association 2014 NSW State Annual Conference

16 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Greg Davies

That:

1. The information contained in the report on Australian Local Government Women's Association 2014 NSW State Annual Conference be received.
2. Council nominate Councillors Tricia Hitchen, Karen McKeown, Michelle Tormey, Prue Car and Jackie Greenow OAM as its delegates to attend ALGWA's Annual NSW State Conference, to be held in Broken Hill from Thursday 20 to Saturday 22 March 2014.

9 Summary of Investments and Banking for the period 1 December 2013 to 31 December 2013

17 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Ben Goldfinch

That:

1. The information contained in the report on Summary of Investments and Banking for the period 1 December 2013 to 31 December 2013 be received.
2. The Certificate of the Responsible Accounting Officer and Summaries of Investments and Performance for the period 1 December 2013 to 31

December 2013 be noted and accepted.

3. The graphical investment analysis as at 31 December 2013 be noted.
4. The Agency Collection Methods as at 31 December 2013 be noted.

REQUESTS FOR REPORTS AND MEMORANDUMS

RR 1 Shopping Trolleys

Councillor Bernard Bratusa requested a memo reply to all Councillors concerning Council's position on shopping trolleys that 'litter' the streets of the City.

RR 2 Pedestrian Refuge - Woodriff Street

Councillor Tricia Hitchen requested that the pedestrian refuge at Woodriff Street at the Village Shopping Centre be painted or the surface changed to assist people with vision impairments as they are unable to detect this area.

RR 3 Right Hand Turn - Mulgoa Road

Councillor Mark Davies requested an update on the progress of installing an island on Mulgoa Road stopping traffic turning right into the petrol station near the entry to Glenmore Park.

RR 4 City Signs

Councillor Kevin Cramer OAM requested that signs be installed on Parker Street, showing where Cambridge Park is and also look at signs in general such as Werrington, North Penrith etc.

RR 5 Tree Removal

Councillor Kevin Cramer OAM requested a report on tree removal and the requirements for developers and single households.

RR 6 Henry Street Centre - Trees

Councillor Kevin Cramer OAM requested a memo reply concerning who owns Henry Street Centre and whether or not they had permission to remove trees.

RR 7 Traffic - Xavier School

Councillor Kevin Cramer OAM requested a report on the congestion of traffic at Xavier School and why the traffic can't go in the Eastern Gate which allows more area to pick up and drop off for buses and cars.

RR 8 Central Precinct

Councillor Michelle Tormey requested a report to a Policy Review Committee Meeting on the future development of the Central Precinct. The report to include plans of the proposed regional park uses.

RR 9 Amenities Block - Erskine Park Netball Courts

Councillor Greg Davies requested a memo to all Councillors concerning undertaking an investigation into the provision of an amenities block at Erskine Park Netball Courts.

RR 10 Sealing of Road - Kurrumbee School, Werrington

Councillor Prue Car requested a report back to Council on expediting the surfacing of the dirt road next to Kurrumbee School, Water Street, Werrington and details of the potential costs involved.

URGENT BUSINESS

UB 1 Leave of Absence

Councillor Jackie Greenow OAM requested Leave of Absence for the period 24 February 2014 to 6 March 2014 inclusive.

18 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Marcus Cornish that the matter be brought forward and dealt with as a matter of urgency.

His Worship the Mayor, Councillor Ross Fowler OAM, ruled that the matter was urgent and should be dealt with at the meeting.

19 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Marcus Cornish that Leave of Absence be granted to Councillor Jackie Greenow OAM for the period 24 February 2014 to 6 March 2014 inclusive.

UB 2 Opposition to Parkview Approval

Councillor John Thain requested Council urgently write to the Minister for Western Sydney (The Premier) and Member for Penrith asking them to intercede on our behalf opposing the Parkview Approval by the Department of Planning and Infrastructure for the Masters Development.

20 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Karen McKeown that the matter be brought forward and dealt with as a matter of urgency.

His Worship the Mayor, Councillor Ross Fowler OAM, ruled that the matter was urgent and should be dealt with at the meeting.

21 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Karen McKeown that Council urgently write to the Minister for Western Sydney (The Premier) and Member for Penrith asking them to intercede on our behalf opposing the Parkview Approval by the Department of Planning and Infrastructure for the Masters Development.

UB 3 Berkshire Park Community Group - Basketball Court

Councillor Kevin Crameri OAM requested that \$6,000 be allocated from North Ward Voted Works to be contributed to the Berkshire Park Community Group to assist with the construction of a basketball court.

22 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor John Thain that the matter be brought forward and dealt with as a matter of urgency.

His Worship the Mayor, Councillor Ross Fowler OAM, ruled that the matter was urgent and should be dealt with at the meeting.

23 RESOLVED on the MOTION of Councillor Kevin Cramer OAM seconded Councillor John Thain that \$6,000 be allocated from North Ward Voted Works to be contributed to the Berkshire Park Community Group to assist with the construction of a basketball court.

COMMITTEE OF THE WHOLE

24 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Kevin Crameri OAM that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 9:28pm.

1 Presence of the Public

CW1 RESOLVED on the motion of Councillor Mark Davies seconded Councillor Kevin Crameri OAM that the press and public be excluded from Committee of the Whole to deal with the following matters:

Outcome 7

2 [Commercial Matter - Council Property - Leasing of Shop 1/140 - 142 Henry Street \(Allen Arcade\), Penrith to Rejuvenate Skin Clinic Penrith Pty Ltd](#)

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 Shops 8 and 10/140-142 Henry Street Penrith to Academies Australasia Pty Ltd](#)

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 Shop 2/144 Henry Street Penrith to Academies Australasia Pty Ltd](#)

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 [Commercial Matter - Council Property - Lease Assignment Request from Rivers \(Australia\) Pty Ltd to Specialty Fashion Group Limited over 118 Henry Street Penrith](#)

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.

6 Commercial Matter - Council Property - Easement for Underground Gas Main for Jemena Gas Networks (NSW) Ltd over part of Ched Towns Reserve, William Howell Drive Glenmore Park

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.

Outcome 4

7 Commercial Matter - Licence Agreement for St Anthony's Family Care

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.

8 Commercial Matter - Licence Agreement for Nepean Community and Neighbourhood Services

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.

Outcome 7

9 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 9:38pm and the Senior Governance Officer reported that the Committee of the Whole met at 9:28pm on 3 February 2014, the following being present

His Worship the Mayor, Councillor Ross Fowler OAM, Deputy Mayor, Councillor Jim Aitken OAM and Councillors Bernard Bratusa, Prue Car, Kevin Crameri OAM, Marcus Cornish, Greg Davies, Mark Davies, Maurice Giroto, Ben Goldfinch, Jackie Greenow OAM, 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 Shop 1/140 - 142 Henry Street \(Allen Arcade\), Penrith to Rejuvenate Skin Clinic Penrith Pty Ltd](#)

RECOMMENDED on the MOTION of Councillor Greg Davies and seconded Councillor Karen McKeown

CW2 That:

1. The information contained in the report on Commercial Matter - Council Property - Leasing of Shop 1/140 - 142 Henry Street (Allen Arcade), Penrith to Rejuvenate Skin Clinic Penrith Pty Ltd be received.
2. Council grant a three (3) year lease with a three (3) year option to Rejuvenate Skin Clinic Penrith Pty Ltd 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.

3 [Commercial Matter - Council Property - Leasing of Shops 8 and 10/140-142 Henry Street Penrith to Academies Australasia Pty Ltd](#)

RECOMMENDED on the MOTION of Councillor Greg Davies and seconded Councillor Karen McKeown

CW3 That:

1. The information contained in the report on Commercial Matter - Council Property - Leasing of Shops 8 and 10/140-142 Henry Street Penrith to Academies Australasia Pty Ltd be received.
2. Council grant a three (3) year lease with a three (3) year option to Academies Australasia Pty Ltd for each premises 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.

4 [Commercial Matter - Council Property - Leasing of Shop 2/144 Henry Street Penrith to Academies Australasia Pty Ltd](#)

RECOMMENDED on the MOTION of Councillor Greg Davies and seconded Councillor Karen McKeown

CW4 That:

1. The information contained in the report on Commercial Matter - Council Property - Leasing of Shop 2/144 Henry Street Penrith to Academies Australasia Pty Ltd be received.
2. Council grant a three (3) year Lease with a three (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

documentations.

5 Commercial Matter - Council Property - Lease Assignment Request from Rivers (Australia) Pty Ltd to Specialty Fashion Group Limited over 118 Henry Street Penrith

RECOMMENDED on the MOTION of Councillor Greg Davies and seconded Councillor Karen McKeown

CW5 That:

1. The information contained in the report on Commercial Matter - Council Property - Lease Assignment Request from Rivers (Australia) Pty Ltd to Specialty Fashion Group Limited over 118 Henry Street Penrith be received.
2. Council approve an assignment of lease in accordance with the terms and conditions set out in the report.
3. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

6 Commercial Matter - Council Property - Easement for Underground Gas Main for Jemena Gas Networks (NSW) Ltd over part of Ched Towns Reserve, William Howell Drive Glenmore Park

RECOMMENDED on the MOTION of Councillor Greg Davies and seconded Councillor Karen McKeown

CW6 That:

1. The information contained in the report on Commercial Matter - Council Property - Easement for Underground Gas Main for Jemena Gas Networks (NSW) Ltd over part of Ched Towns Reserve, William Howell Drive Glenmore Park be received.
2. Council grant Jemena Gas Networks (NSW) Ltd an Easement for Underground Gas Main 3 Wide over Lot 1 DP 833308 and Lot 1410 DP 965950 William Howell Drive, Glenmore Park. Council accept compensation as outlined in the summary of the report.
3. Jemena Gas Networks (NSW) Ltd bear all reasonable costs associated with the granting of the easements.
4. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

7 Commercial Matter - Licence Agreement for St Anthony's Family Care

RECOMMENDED on the MOTION of Councillor Greg Davies and seconded Councillor Karen McKeown

CW7 That:

1. The information contained in the report on Commercial Matter - Licence Agreement for St Anthony's Family Care be received.
2. St Anthony's Family Care be offered a five (5) year licence agreement based

on the terms outlined in this report.

8 Commercial Matter - Licence Agreement for Nepean Community and Neighbourhood Services

RECOMMENDED on the MOTION of Councillor Greg Davies and seconded Councillor Karen McKeown

CW8 That:

1. The information contained in the report on Commercial Matter - Licence Agreement for Nepean Community and Neighbourhood Services be received.
2. Nepean Community and Neighbourhood Services be offered a five (5) year licence agreement based on the terms outlined in this report.

10 City Park

RECOMMENDED on the MOTION of Councillor Bernard Bratusa and seconded Councillor Marcus Cornish

CW10 That a further report come back to Committee of the Whole on the development of the City Park.

9 Senior Staff Matters

RECOMMENDED on the MOTION of Councillor Greg Davies and seconded Councillor Mark Davies

CW9 That:

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

ADOPTION OF COMMITTEE OF THE WHOLE

25 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jim Aitken OAM that the recommendation contained in the Committee of the Whole and shown as CW1, CW2, CW3, CW4, CW5, CW6, CW7, CW8, CW9 and CW10 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 9:45pm.

I certify that these 16 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 3 February 2014.

Chairperson

Date