

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

ON MONDAY 25 AUGUST 2014 AT 7:33PM

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 the Rev Neil Checkley.

PRESENT

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

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillors Greg Davies and Jim Aitken OAM for 25 August 2014.

APOLOGIES

There were no apologies.

CONFIRMATION OF MINUTES - Ordinary Meeting - 28 July 2014

219 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor John Thain that the minutes of the Ordinary Meeting of 28 July 2014 be confirmed.

DECLARATIONS OF INTEREST

Councillor Karen McKeown declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 2 – Development Application DA13/1432 Construction of a front fence, entry feature and filling works at Lot 122 DP 709303 (Nos. 41-47) Jolly Street, Castlereagh, Item – 3 Development Application DA14/0622 Retrospective approval for earthworks, construction of a shed and parking of 2 x truck vehicles (rigid truck and semi trailer) at Lot 122 DP 709303 (No.s 41-47) Jolly Street, Castlereagh and Item CW2 – Compliance action in relation to 41-47 Jolly Street, Castlereagh and associated truck related development activity*, as her son was employed by a company owned by the applicants for the development. Councillor McKeown stated that she would not participate in any debate of these matters and she would leave the meeting during consideration of these items.

Councillor Kevin Crameri OAM declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 8 – NSW Castlereagh Community (Quarantine) Fund approval for the Berkshire Park, Castlereagh, Llandilo and Londonderry Rural Fire Brigades*, as he is the

Deputy Captain of the Llandilo Rural Fire Brigade.

Councillor Mark Davies declared a Non-Pecuniary Conflict of Interest – Significant in *Item 4 – Development Application DA14/0704 Fernhill Picnic Races to be held on 18 October 2014 and one (1) day per calendar year from 2015 to 2018 including erection of associated temporary structures at (No 1041) Mulgoa Road, Mulgoa and Item 5 – Fernhill Races Special Event - Traffic Management Plan Endorsement*, as his wife is the Member for Mulgoa and the Development Application involves State Agencies. Councillor Mark Davies added that he had undertaken Mayoral duties when he was a Mayor on these matters and that to the interest of Council, he stated that he would not participate in any debate of these matters and he would leave the meeting during consideration of these items.

Councillor Ben Goldfinch declared a Non-Pecuniary Conflict of Interest - Less than Significant in *Item 4 – Development Application DA14/0704 Fernhill Picnic Races to be held on 18 October 2014 and one (1) day per calendar year from 2015 to 2018 including erection of associated temporary structures at (No 1041) Mulgoa Road, Mulgoa and Item 5 – Fernhill Races Special Event - Traffic Management Plan Endorsement*, as he is a resident of Mulgoa.

SUSPENSION OF STANDING ORDERS

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

Mr Greg Hall

Item 2 – Development Application DA13/1432 Construction of a front fence, entry feature and filling works at Lot 122 DP 709303 (Nos. 41-47) Jolly Street, Castlereagh

Mr Hall, the applicant's planning consultant, spoke in support of the recommendation and provided a background to the development application. He indicated that amendments have been undertaken to the development proposed to address drainage issues and issues raised by respondents. He requested that Council support the development application and make a determination on this matter.

Item – 3 Development Application DA14/0622 Retrospective approval for earthworks, construction of a shed and parking of 2 x truck vehicles (rigid truck and semi trailer) at Lot 122 DP 709303 (No.s 41-47) Jolly Street, Castlereagh

Mr Hall, the applicant's planning consultant, spoke in support of the recommendation and provided a background to the development application. He indicated that amendments to the development application have been made to address Council issues and those issues raised by respondents. Mr Hall stated that the visual impact issues have been addressed. He indicated that Council has had an opportunity to carry out a site inspection. He requested that Council support the development application and make a determination on this matter.

Ms Brenda Tripp

Item 4 – Development Application DA14/0704 Fernhill Picnic Races to be held on 18 October 2014 and one (1) day per calendar year from 2015 to 2018 including erection of associated temporary structures at (No 1041) Mulgoa Road, Mulgoa

Ms Tripp, the applicant, spoke in support of the recommendation and provided a background

to the Fernhill Picnic Races event last year. Ms Tripp indicated the success of various events held at the property. She expressed her thanks to Council for the opportunity to undertake events at Fernhill. She indicated that signature events at Fernhill such as the Fernhill Picnic Races promotes "The New West" Campaign and supports the local economy and the Council's tourism strategy and that the event has been nominated for a NSW Tourism Event.

Mr Thomas Lawson

Item 4 – Development Application DA14/0704 Fernhill Picnic Races to be held on 18 October 2014 and one (1) day per calendar year from 2015 to 2018 including erection of associated temporary structures at (No 1041) Mulgoa Road, Mulgoa

Mr Lawson, the applicant's spokesperson, spoke in support of the recommendation and provided a background to the event's success in the previous year. He addressed the issues regarding cigarette butts, accessibility issues and shade for patrons. He indicated that the Fernhill Picnic Races would be a signature event. Mr Lawson supported the annual review of the event. He indicated that the event will support Council's "Open for Business" campaign. He also indicated that the event promotes the Daily Telegraph's "Fair Go for the West" campaign.

221 RESOLVED on the MOTION of Councillor Ben Goldfinch seconded Councillor Maurice Giroto that an extension of time be granted to enable the speaker to complete his address, the time being 8:00pm.

He indicated that the event meets all criteria to support the above campaigns and the relevant conditions of consent. Mr Lawson believed that the Fernhill Picnic Races would develop into a Western Sydney tradition.

Mr Peter Harvey

Item 4 – Development Application DA14/0704 Fernhill Picnic Races to be held on 18 October 2014 and one (1) day per calendar year from 2015 to 2018 including erection of associated temporary structures at (No 1041) Mulgoa Road, Mulgoa

Mr Harvey, spokesperson for the Mulgoa Progress Association, spoke in support of the recommendation and indicated his support for the Fernhill Picnic Races and the Country Style Event. He indicated that the event was a legitimate use of the property and would support with the upkeep of the property. Mr Harvey indicated that he was satisfied with the response to issues regarding the white running rails and the bushfire concern. He also raised concerns regarding putting in place proper contingency plans for wet weather/flooding and parking. He also raised the issue concerning the removal of trees. Mr Harvey concluded by stating that the Mulgoa Progress Association supports this worthy event.

Mrs Dallas Bennett

Item 12 – Emu Plains Library

Mrs Bennett, an interested citizen, spoke against the recommendation and indicated that this matter was a personal matter for her family and children. She requested that the Council consider different mechanisms to address cost and patronage issues. Mrs Bennett also raised concerns that the closure of the library will have a negative impact on the literacy of people in the community and will reduce learning opportunities. Mrs Bennett concluded by requesting that Council not close the Emu Plains Library.

RESUMPTION OF STANDING ORDERS

222 RESOLVED on the MOTION of Councillor Jackie Greenow OAM seconded Councillor Kevin Crameri OAM that Standing Orders be resumed, the time being 8:14pm.

Councillor Marcus Cornish left the meeting, the time being 8:14pm.

NOTICES OF MOTION

1 [Proposed Amendment to the City of Sydney Amendment \(Elections\) Bill 2014 and Consequential Provisions](#)

Councillor Marcus Cornish returned to the meeting, the time being 8:15pm.

223 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Prue Car that Penrith City Council submits a Motion to Local Government New South Wales (LGNSW) calling on LGNSW to support consultation with the community regarding the introduction into the NSW Parliament by The Hon Robert Borsak MLC of the NSW Shooters and Fishers Party of the City of Sydney Amendment (Elections) Bill 2014, and the potential extension of that Bill to other local government areas, prior to further consideration of the Bill.

REPORTS OF COMMITTEES

1 [Report and Recommendations of the Local Traffic Committee Meeting held on 4 August 2014](#)

224 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 4 August, 2014 be adopted.

2 [Report and Recommendations of the Policy Review Committee Meeting held on 11 August 2014](#)

225 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Maurice Giroto that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 11 August, 2014 be adopted.

DELIVERY PROGRAM REPORTS

OUTCOME 1 - WE CAN WORK CLOSE TO HOME

1 [Property Matter - 21 - 25 Woodriff Street, Penrith](#)

226 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Mark Davies

That:

1. The information contained in the report on Property Matter - 21 - 25 Woodriff Street, Penrith be received.
2. Astina Apartments be shortlisted and issued a Request for Proposal.
3. Wentworth Community Housing be not shortlisted but be approached by Council about exploring other sites, partnerships, development solutions and

delivery models for delivering community and affordable housing.

4. A further report be presented to Council at the conclusion of the RFP stage.

OUTCOME 2 - WE PLAN FOR OUR FUTURE GROWTH

Having previously declared a Non-Pecuniary Conflict of Interest – Less than Significant in Items 2 and 3, Councillor Karen McKeown left the meeting, the time being 8:30pm.

- 2 [Development Application DA13/1432 Construction of a front fence, entry feature and filling works at Lot 122 DP 709303 \(Nos. 41-47\) Jolly Street, Castlereagh](#) Applicant: Mr & Mrs Gosling; Owner: ~Mr & Mrs Gosling

227 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Maurice Girotto

That:

1. The information contained in the report on Development Application DA13/1432 Construction of a front fence, entry feature and filling works at Lot 122 DP 709303 (Nos. 41-47) Jolly Street, Castlereagh be received.
2. Development Application No DA13/1432 be approved subject to the following proposed conditions:

Standard Conditions

- A001 – Approved plans that are architecturally drawn
- A019 – Occupation Certificate
- A046 – Issue of Construction Certificate
- B005 - Mud/Soil
- D001 – Sedimentation and Erosion Controls
- D002 - Spraygrass
- D005 – No filling without prior approval
- D009 – Covering Waste Storage area
- D010 - Appropriate disposal of excavated or other waste
- E001 - BCA compliance
- H001 - Stamped plans & erection of site notice 1 (Class 2-9)
- H002 - All forms of construction
- H011 – Engineering plans & specifications
- H041 – Hours of work
- K208 - Stormwater Discharge – Minor Development
- K502 – Works as Executed - General
- L007 - Tree protection measures
- L008 – Tree preservation order

Q001F – Notice of Commencement & Appointment of PCA

Special Conditions

- 2.1 The construction of entry opening feature for the second (eastern) driveway in the front fence is not approved as part of this consent. The front fence is to be constructed for the entire length of the front boundary without the second driveway opening unless separately approved by Council.
- 2.2 Open-style (pool type) fencing between masonry pillars shall be installed along the front property boundary. The base of the front fence must be of open style construction as amended in red on the approved plans so that it will not impede flow of water. Continuous solid construction of the base of the fence is not permitted.

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 John Thain	
Councillor Michelle Tormey	
Councillor Jackie Greenow OAM	
Councillor Maurice Giroto	
Councillor Kevin Crameri OAM	
Councillor Mark Davies	
Councillor Ben Goldfinch	
Councillor Tricia Hitchen	
Councillor Bernard Bratusa	
Councillor Marcus Cornish	
Councillor Ross Fowler OAM	

3 [Development Application DA14/0622 Retrospective approval for earthworks, construction of a shed and parking of 2 x truck vehicles \(rigid truck and semi trailer\) at Lot 122 DP 709303 \(No.s 41-47\) Jolly Street, Castlereagh](#) Applicant: Mr & Mrs Gosling; Owner: ~Mr & Mrs Gosling

228 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Marcus Cornish that consideration of this item be deferred to the next Ordinary meeting of Council with a further report to be presented on the appropriate position of the shed.

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 John Thain	
Councillor Michelle Tormey	
Councillor Jackie Greenow OAM	
Councillor Maurice Giroto	
Councillor Kevin Crameri OAM	
Councillor Mark Davies	
Councillor Ben Goldfinch	

Councillor Tricia Hitchen
Councillor Bernard Bratusa
Councillor Marcus Cornish
Councillor Ross Fowler OAM

Councillor Karen McKeown returned to the meeting, the time being 8:47pm.

Procedural Motion

229 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jackie Greenow OAM that Item 5 be considered before Item 4.

Having previously declared a Non-Pecuniary Conflict of Interest – Significant in Items 4 and 5, Councillor Mark Davies left the meeting, the time being 8:47pm.

OUTCOME 3 - WE CAN GET AROUND THE CITY

5 [Fernhill Races Special Event - Traffic Management Plan Endorsement](#)

230 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Tricia Hitchen

That:

1. The information contained in the report on Fernhill Races Special Event - Traffic Management Plan Endorsement be received.
2. The event applicant be advised that this is a Class 1 Event under the “*Guide to Traffic and Transport Management for Special Events*”, and that all conditions and requirements specified in the Guide must be complied with prior to the event.
3. The Traffic Management Plan submitted by the event applicant detailing the proposed traffic diversions for the event to be held on 18 October 2014 be endorsed. The subsequent Traffic Control Plans incorporating all traffic devices be implemented in accordance with the Traffic Management Plan.
4. A Transport Management Plan, including a Risk Management Plan, be lodged by the event applicant with the Roads and Maritime Services and the Transport for NSW Traffic Management Centre for concurrence, prior to the event. A copy of the Roads and Maritime Services and the Transport for NSW Traffic Management Centre’s approval must be submitted to Council prior to the event.
5. The event applicant obtain separate approval from the NSW Police and submit a Schedule 1 Form under the Summary Offences Act to the NSW Police prior to the event. A copy of the NSW Police approval must be submitted to Council prior to the event.
6. The applicant must submit to Council a copy of Public Liability Insurance (usually a Certificate of Currency) of minimum \$10 million, prior to the event. In addition, the applicant is to indemnify Council in writing against all claims for damage and injury which may result from the proposed event.
7. A detailed series of Traffic Control Plans shall be prepared by a qualified and certified professional and submitted to Council, the Roads and Maritime Services and NSW Police prior to the event.
8. The event applicant arrange to place barricades and traffic cones and provide Roads and Maritime Services accredited Traffic Controllers where

required by the endorsed Traffic Management Plan. Where the Traffic Management and Traffic Control Plans indicate Traffic Controllers are to be used, all Traffic Controllers must have current Roads and Maritime Services certification.

9. The event applicant must provide advice to Council prior to the event that the event complies with the NSW Work Health & Safety Act 2012 and the NSW Work Health & Safety Regulations 2012.
10. The event applicant advertise the proposed traffic diversions in local newspapers and other media as described in the Traffic Management Plan, a minimum of two weeks prior to the event.
11. The event applicant notify ambulance and fire brigades (Fire & Rescue NSW and the NSW Rural Fire Service) and the NSW State Emergency Service of the proposed event, and submit a copy of the notification to Council prior to the event.
12. The event applicant notify private bus companies and coach organisations and taxi companies of the proposed event and submit a copy of the notification to Council prior to the event.
13. The event applicant shall ensure that noise control measures are in place as required by the Protection of the Environment Operations (Noise Control) Regulation 2000.
14. All works as part of this approval are conducted at no cost to Council.
15. The event applicant to ensure that foliage is cleared near both access driveways to Fernhill Estate in order to improve sight distances for exiting vehicles.
16. The event applicant to ensure that railings within the existing fence be removed near the northern, secondary access driveway to Fernhill Estate in order to increase the access width for vehicles entering and exiting the site.
17. The event applicant to ensure that access driveway aprons are sealed with asphaltic concrete (AC) or similar in order to minimise rubble spilling onto Mulgoa Road.
18. The event applicant to ensure that a traffic controller is provided on Mulgoa Road, Mulgoa, in the vicinity of the southbound approach back of queue to provide feedback to traffic controllers and to warn approaching drivers of the queue.
19. The event applicant to ensure that a traffic controller is provided at the intersection of St Thomas Road and Farm Road, Mulgoa to offer direction to motorists attending the event.
20. The event applicant to ensure that a traffic controller is provided in Farm Road, Mulgoa to monitor and control driver and parking behaviour in the vicinity.
21. The applicant be advised of Council's resolution.

OUTCOME 2 - WE PLAN FOR OUR FUTURE GROWTH

- 4 [Development Application DA14/0704 Fernhill Picnic Races to be held on 18 October 2014 and one \(1\) day per calendar year from 2015 to 2018 including erection of associated temporary structures at \(No 1041\) Mulgoa Road, Mulgoa](#) Applicant: Ae Design Partnership;
Owner: ~Owston Nominees No 2 Pty Ltd

231 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Bernard Bratusa

That:

1. The information contained in the report on Development Application DA14/0704 Fernhill Picnic Races to be held on 18 October 2014 and one (1) day per calendar year from 2015 to 2018 including erection of associated temporary structures at (No 1041) Mulgoa Road, Mulgoa be received.
2. Development Application 14/0704 seeking consent to Conduct a Picnic Horse Racing Event to be held on 18 October 2014 and one(1) day per calendar yard from 2015 to 2018 including the erection of temporary structures at 1041 – 1187 Mulgoa Road, Mulgoa be approved subject to the following conditions:
 - 2.01 The development must be implemented substantially in accordance with the stamped-approved plans issued by Penrith City Council, the application form and any supporting information received with the application and the documentation received by Council as required by condition No 3, except as may be amended in red on the attached plans and by the following conditions.
 - 2.02 This consent permits the running of the “Fernhill Picnic Horse Racing Event” on 18 October 2014 and one day per calendar year from 2015 to 2018. Any future events on the site would require a separate application for development approval, demonstrating compliance with all conditions of this consent, must be lodged, and approval obtained, prior to operation.
 - 2.03 The maximum number of tickets available for spectators involved in the “Fernhill Picnic Horse Racing” Event is limited to 10,000 people. Children under 14 are not included with the maximum spectator numbers. Evidence of compliance is to be provided to Penrith City Council **within four (4) weeks of each Picnic Racing event concluding.**
 - 2.04 The date of the Fernhill Picnic Races to be held from 2015 – 2018 is to be provided to Penrith Council a **minimum of four (4) months** prior to the event being held.

Residents that were notified of this Development Application will be provided with notification letter by Penrith Council advising of the intended date of the Picnic Races Event to be held in 2015 – 2018. Fees for the notification are to be paid, as detailed in Penrith City Council's Fees and Charges, and will be invoiced accordingly.
 - 2.05 The “Bump In” period is limited to four (4) days prior to each event with the “Bump Out” period limited to two (2) days after each event.
 - 2.06 The “Draft Fernhill Picnic Race Day Event Management & Operational

Plan”, dated July 2014 is to be finalised to address all outstanding matters. The report is to be submitted to Council for consideration a **minimum of four (4) weeks before each event.**

The Event Management and Operation Plan, is to include, but is not limited to the following:

- Event Emergency Management Plan including First Aid and Medical Plan
- Emergency Access and Evacuation Plan
- Communications Plan detailing signage to be installed within the site
- Alcohol Management Plan
- Security Management Plan
- Adjoining Residents Action Plan
- Food and Beverage Management Plan
- Accessibility Compliance Plan
- Amenities
- Water Supply Management Plan
- Power Supply and Lighting Plan
- Horse Management Plan
- Access Report/ Statement
- Food and Beverage Management Plan
- Bushfire Management Strategy
- Environmental Management Plan.

The Environmental Management Plan is to be include, but not limited to the following:

- Soil and Water Management
- Dust Suppression
- Litter Control / Rubbish removal
- Noise Control
- Waste Management
- Management of toilet and water facilities to ensure cleanliness
- Environmental impacts of the construction, use and dismantling of temporary structures
- Wet weather considerations
- Emergency response and spill contingency.

- 2.07 Prior to the Picnic Racing Events to be held from 2015 – 2018, a revised Access Report is to be submitted to Council for consideration by the Penrith Council’s Access Committee. The revised Access Report is to be submitted a minimum of four (4) months before each annual event and is considered any matter that have arisen from the

previous Picnic Racing events and solutions to be implemented to address these accessibility concerns.

- 2.08 All entertainment and trading including the operation of a Public Address and speaker system is to cease at 9.00pm on the day of each event.
- 2.09 The development shall comply with the provisions of the Building Code of Australia at all times, with respect to smoke and flame index of materials, emergency lighting, exit signs and fire fighting facilities.
- 2.10 The event shall comply with all the requirements and undertakings given to and approved by the NSW Police.
- 2.11 All emergency services and key agencies involved in providing services for this event should also be provided with a copy of the completed "Fernhill Picnic Race Day Event Management & Operational Plan" at least two weeks prior to the event. This includes local Police, Fire, Ambulance, Hospital and transport providers.
- 2.12 Event organisers will be available at a mutually convenient time, at the invitation of Penrith City Council and/or Penrith Police, to discuss and action agreed Community Safety or Security issues in conjunction with other local Penrith stakeholders should the need arise.
- 2.13 Access to car parking area, spectator areas and sanitary facilities for persons with disabilities is to be provided and maintained in accordance with the requirements of the Building Code of Australia and AS 1428 "Design for Access and Mobility".

A temporary accessible toilet is to be provided to each bank of portable toilet facilities

A minimum of 5 accessible portable toilets and 4 ambulant portable toilets are to be provided and distributed evenly amongst the banks of toilets.

Should ambulant facilities be unavailable, full accessible facilities are to be provided.
- 2.14 The temporary tent structures, stages and grandstands, when erected, are to fully comply with Part B1 and NSW Part H102 of Volume One of the Building Code of Australia. A Structural Engineer's Certificate is to be submitted to Council prior to the event, certifying the structural adequacy of the structures.

The maximum number of patrons permitted within any part of the structures is to be clearly displayed in a prominent position on each structure.
- 2.15 The event structures are to be inspected by Penrith City Council at least 24 hours before each event operates for the public. Fees for the inspection are to be paid, as detailed in Penrith City Council's Fees and Charges, and will be invoiced accordingly.
- 2.16 The event shall be managed in accordance with the requirements of Schedule 3A - Places of Public Entertainment of the Environmental Planning and Assessment Regulation 2000.
- 2.17 Portable fire extinguishers shall be provided in all areas in accordance with Australian Standard AS 2444-2001 and BCA Part E1.6, with certification submitted to Council prior to the event.

- 2.18 Two NSW Rural Fire Service Category 1 fire truck shall be provided on the site for the race day.
- 2.19 Access to the site for the NSW Fire Brigades/ Rural Fire Service/ NSW Ambulance Service is to be made available at all times during the operation of the event.
- 2.20 Helicopters are not to be used as a method of transporting people to and from the Fernhill Estate, except when responding to any medical emergencies.
- 2.21 In the event that a helicopter needs to attend the site for a medical emergency, instructions are to be provided that overhead power lines are within the site and due care is to be taken when responding to the emergency.
- 2.22 Bins are to be provided at Penrith Station, Penrith Paceway and Mulgoa Public School and removed at the conclusion of each event. The area utilized by the event at Penrith Station, Penrith Paceway and Mulgoa Public School is to be satisfactorily cleaned to that of pre-event conditions.
- 2.23 Appropriate place barriers are to be used to direct the pedestrians towards the bus entry point at Penrith Station.

TRANSPORT MANAGEMENT PLAN

- 2.24 The recommendations from the Local Traffic Committee Meeting are to be implemented in relation to the 2014 Picnic Races Event (Refer to Appendix 2 to the Notice of Determination).
- 2.25 Prior to the Picnic Racing Events to be held from 2015 – 2018, a revised Transport Management Plan is to be submitted to Council for consideration by the Local Traffic Committee. The revised Transport Management Plan is to be submitted a minimum of four (4) months before each annual event and is considered any matter that have arisen from the previous Picnic Racing events and recommended solutions to these matters.

Should a Traffic Management Plan not be approved prior to the staging of any subsequent Picnic Racing event that event **cannot** be undertaken.

POTABLE WATER SUPPLY

- 2.26 Potable Water Supply Management Plan and Quality Assurance Program is to be provided to Council at least 28 days before each event demonstrating how potable water will be supplied to all required fixtures including food stalls, bars, showers, hand wash basins and stations, and anywhere else where a potable supply is required.

The plan shall demonstrate how residual chlorine will be measured and recorded at the supply, delivery of water to storage tanks, and at the end use.

The plan should also include information on storage tanks, pumps and the distribution system, tank cleaning, location of storage tanks, and the security of tanks and the water supply.

The management plan and program must address the elements of the Framework for the Management of Drinking Water Quality, set out in the *Australian Drinking Water Guidelines 2011*.

The potable water supply shall be maintained in accordance with the *Australian Drinking Water Guidelines* 2011 and the NSW Health *Private Water Supply Guidelines* 2008. A residual of 0.2 to 0.5 mg/L free chlorine must be maintained in the water supply at all times.

- 2.27 Any water carter providing potable water for each race day must have in place a Quality Assurance Program that has been approved by NSW Health as required under the Public Health Act 2010.

Water carters must make available to Council, for inspection, before the event their water carts, cleaning records and logs, and chlorine testing equipment. The supply of water shall be completed in accordance with the *NSW Guidelines for Water Carters* (NSW Health & NSW Food Authority 2012) and the carter must have approval, or a license, from Sydney Water or other approved Water Authority to take water from their supply.

Residual chlorine must be measured and recorded at the supply, delivery of water to storage tanks, and at the end use. Additional chlorine must be added if residuals cannot be maintained in accordance with NSW Health guidelines. Stored water shall be tested and results recorded a minimum of every 2 hours. Records must be available for Council's Environmental Health Officers to inspect at all times.

FOOD SAFETY

- 2.28 A detailed Food Management Plan is to be provided to Council at least 21 days before each annual event outlining all aspects of the food supply, storage, and delivery. The food management plan should cover all food supplied to staff and the public for this event. The plan, as a minimum, should include the following:

- Food suppliers
- Transport of the food to the event;
- Food storage
- Temperature control (cool rooms etc)
- Hand washing facilities and cleaning facilities
- Water, electricity and gas supplies
- Wastewater disposal
- Garbage bins and disposal
- Food display and fixtures
- Construction of stalls

The Food Management Plan must also list all proposed food vendors.

- 2.29 Penrith City Council requires all food businesses attending this event to apply to Council for an approval to sell food. This application must be submitted to Council a minimum of two weeks before the event to allow Council sufficient time to assess the applications. Late applications will not be considered or approved. Council will provide the event organiser with a list of approved food businesses prior to the event.

Application to sell food forms are available on Council's website:

www.penrithcity.nsw.gov.au

Note: A person selling food or operating stalls or mobile vans used for selling food for human consumption, including produce, fruit and vegetables, drinks, or pre-packaged food, is deemed to be a 'food business' under the Food Act 2003. This includes not-for-profit organisations.

2.30 Prior to the operation of the food business at this event all food businesses must notify the NSW Food Authority of their details including:

- Contact details for the food business, including the name and address of the business and the proprietor of the business.
- The nature of the food business.
- The location of any other food premises associated with the food business, within the jurisdiction of NSW Food Authority.

Notification can be completed free of charge on the NSW Food Authority's Food Notify website at www.foodnotify.nsw.gov.au.

2.31 A Food Safety Supervisor, with a current Food Safety Supervisor Certificate recognised by the NSW Food Authority, must be appointed by each individual food business prior to each event. The certificate must be available at the day of the event for inspection by Council's Environmental Health Officers.

2.32 The proprietor of the food business shall ensure that the requirements of the following legislation, codes, and guidelines are met at all times:

- NSW Food Act 2003
- NSW Food Regulation 2010
- The Australian and New Zealand Food Standards Code
- Guidelines for Temporary Events (NSW Food Authority 2012), and
- Mobile food vending vehicles: *Operation, construction and food handling guidelines* (NSW Food Authority 2009).

2.33 Coolrooms must be supplied by the event organisers for all food vendors and power must be maintained to these coolrooms. The event coordinator is to liaise with food businesses as to their coolroom and storage needs. Cool room temperatures must be routinely monitored and temperatures recorded. An alarm system must be provided to ensure correct temperatures are maintained at all times.

2.34 Toilets must be provided for all food handlers and maintained in a hygienic condition. These toilets must be separate to other event toilets and not available to the general public, employees or officials. The toilets must be located in the immediate vicinity of the food stalls and there should be sufficient toilets to cover the needs of all food handlers. Toilets shall be supplied with a hand washing facilities that provide warm water through a single outlet and be provided with soap and paper towels.

PETTING ZOO

2.35 Hand sanitiser must be readily available for people handling and coming into contact with animals. Signage must be provided directing people to the hand sanitiser and warning people of the risks associated

with handling animals.

WASTE AND WASTEWATER

- 2.36 Temporary sanitary facilities shall be provided for each event in accordance with Table F2.3 of the Building Code of Australia.
- 2.37 The provisions of toilets for the event are to comply with Clause 34 of Chapter 5 in the Emergency Management Practice Manual, prepared by the Attorney General's Department.
- 2.38 All toilet and wastewater facilities are to be operated and located in a suitable location so not to cause water pollution either through direct flow into the dams, tributaries or through stormwater drainage system.
- In the event wastewater enters the dams, tributaries or stormwater system, immediate action is to be taken to minimise any environmental or public health impacts. In addition Council is to be notified of the incident within 24 hours.
- Any wastewater discharge or spill is to be cleaned up immediately with the waste being disposed of by a licensed waste contractor.
- 2.39 All toilets and wastewater facilities are to be maintained in a clean manner for the duration of the event. The facilities are to be pumped out at a frequency deemed necessary to maintain cleanliness.
- 2.40 A wastewater discharge point is to be provided for food businesses by the event manager for all sullage, greywater and wastewater. No wastewater is to be discharged to the environment. All wastewater is to be transported and disposed of at a lawful and licensed facility by a NSW EPA licensed contractor. Copies of receipts are to be provided to Council.
- 2.41 Adequate waste and recycling facilities are to be located around the spectator area to cater for waste disposal. Separate waste and recycling facilities are to be provided for the food and refreshment business. Bins are to be located so as not to cause pollution and are to be frequently emptied.
- 2.42 Any general waste located within the local road network affected by the local traffic diversions (St Thomas Road, Farm Road & Littlefields Road) is to be removed from these locations within one (1) week of each event being held.
- 2.43 Existing non-potable water taps that are accessible to the public or employees at the event must have warning signs that are clearly visible and readable stating:
- "The drinking water here is not monitored or treated. Water quality may not meet Health Guidelines."

NOISE

- 2.44 The monitoring proposed in the "Fernhill Estate Picnic Races Noise Management Plan" are to be implemented during the event. These locations cannot be changed without the prior consent of Council.
- The services of a suitably qualified consultant are to be engaged to conduct noise testing during the event and provide an Event Acoustic Report to be submitted to Penrith City Council within twenty eight (28) days of the event.

The Event Acoustic Report is to comply with Australian Standard AS1055 Acoustics - Description of measurement of environmental noise and New South Wales Environment Protection Authority Industrial Noise Source Policy 2000.

- 2.45 Noise generated by the activity after 10pm is not to exceed the Sleep Disturbance Criteria provided in the Environmental Protection Authorities Industrial Noise Policy. In the event that the continuous noise monitoring detects any exceedance, the noise levels are to be reduced immediately.
- 2.46 A community contact hotline (landline and mobile) by the event organiser is to be made available to the surrounding area in case noise nuisance occurs. Any complaints are to be reported to the event manager and where necessary action is to be taken to resolve the noise nuisance. The event manager if so required by an authorised officer, the acoustic consultant or the NSW Police Force must have the authority to order the reduction of noise level produced.

Fourteen (14) days prior to each event being held, details of the noise complaint hotline (including landline and mobile phone) are to be distributed to residents within 500m of the property boundaries of the site.

A copy of the notification and details of the properties notified is to be provided to Penrith City Council for our records.

ENVIRONMENTAL MANAGEMENT

- 2.47 Erosion and sediment control measures shall be installed prior to the commencement of works on site. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

(Note: To obtain a copy of the publication, you should contact Landcom on (02) 98418600).

The approved sediment and erosion control measures are to be installed prior to and maintained throughout the construction phase of the development until the land, that was subject to the works, have been stabilised and grass cover established. These measures shall ensure that mud and soil from vehicular movements to and from the site does not occur during the construction of the development.

- 2.48 No activities are to result in the pollution of waterways. All waterways located near the event sites (including the race track), whether ephemeral or otherwise, are to be appropriately protected with the use of sedimentation controls. No riparian or aquatic vegetation is to be removed as part of the event. The erosion and sedimentation controls are to be maintained until such time as any disturbed areas have been stabilised.
- 2.49 The "Draft Environmental Management Plan' as amended by Condition 6, is to be implemented and adhered to during the construction and operational phases of the event. The checklists included in Appendix B and Appendix C is to be completed as required by the Environmental Management Plan and submitted to Council **within twenty eight (28) days of the event.**

- 2.50 All waste generated by the horses associated with the event are to be disposed of in accordance with the existing Fernhill Estate waste management program, as outlined in the 'Fernhill Picnic Race Day Event Management and Operational Plan'.
- 2.51 The hosing out of the temporary horse stables/structures with water for cleaning purposes is not permitted. Stables are to be cleaned using predominantly dry methods that limit the use of water. Acceptable methods would include sweeping, mopping and manual collection and disposal of horse manure.
- 2.52 All wastewater generated by the use of the horse washbays is not to enter waterways. This wastewater is to be captured and disposed of to an appropriately licensed waste management facility.
- 2.53 No trees or other vegetation (including native understorey and grass species) are to be removed, ringbarked, cut, topped, lopped or wilfully destroyed without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order Policy. Tree protection measures may be required where vehicles or structures will be near trees.
- 2.54 No fill, machinery or materials are to be placed or stored within the drip-line of any tree, unless appropriate tree protection measures are in place.
- 2.55 No fill material is to be imported to the site without the prior approval of Penrith City Council in accordance with Sydney Regional Environmental Plan No.20 (Hawkesbury- Nepean River) (No.2-1997). No recycling of material for use as fill material shall be carried out on the site without the prior approval of Council.
- 2.56 Dust suppression and minimisation strategies must be employed to manage potential dust nuisances within the site. This is to apply to parking areas, access roads and within the event site.
- 2.57 Mud and soil from vehicular movements to and from the site must not be deposited on the road.
- 2.58 All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.
- 2.59 All disturbed areas that have experienced loss of ground cover or other vegetation as a result of the event is to be rehabilitated using native seed (including when seed spraying) or plants suitable to the local community and is to be of local provenance (western Sydney) only. No exotic plants or grasses are to be used. A list of suitable species is to be sought from a suitably qualified ecologist.
- 2.60 All areas impacted by the discharge of oil associated with the parking of vehicles on the site are to be appropriately remediated.

SECURITY AND SAFETY

- 2.61 The applicant must provide a combination of security personnel and paid Policing for the duration of the event to response to any social behaviour and litter management within the Fernhill Estate and Farm

Road. This includes the number of security guards on the site and Farm Road determined in conjunction with Penrith Police and agreed to by Penrith City Council **2 weeks prior to the event.**

DRUG AND ALCOHOL MANAGEMENT

- 2.62 The guidelines contained in the Security and Alcohol Plan must be adhered to by security and event staff to promote responsible consumption of alcohol and minimise opportunities for alcohol-related antisocial behaviour to occur.
- 2.63 Security personnel must be provided within the on-site car park and at each bar area for crowd control and to monitor intoxicated persons and minimise alcohol-related antisocial behaviour.
- 2.64 Glass containers must not be permitted, with plastic containers or cans to be used instead. All cans must be opened at the bar.
- 2.65 Bags shall be searched upon entry in accordance with the Security and Alcohol Plan.
- 2.66 Alcohol must not be brought in to the event, but must only be purchased on site from the licensed vendors. The consumption of alcohol within the car park on the site is not permitted.
- 2.67 Bar areas must comply with all RSA and legislative requirements concerning the sale and service of alcohol.
- 2.68 Free water at an appropriate temperature must be provided at all bar areas and bottle refilling stations.

CROWD MANAGEMENT

- 2.69 The Crowd Control procedures provided in the “Fernhill Estate Race Day Security Planning Document” must be adhered to by security and event staff throughout each event.
- 2.70 Event organisers must be able to communicate with the crowd both for public announcements and in emergencies.

MAJOR AND MEDICAL INCIDENTS

- 2.71 The ‘First Aid Plan’ provided by the applicant must be followed by all event staff. Training should be provided to staff to ensure they are familiar with the plans and steps that should be followed in the event of an incident or emergency.
- 2.72 Records should be kept of all incidents at the event, and should include details such as the date, location and time of incident, description of incident, contact details of person involved, and action taken.

EMERGENCY RESPONSE PLAN

- 2.72 The ‘Emergency Response Plan’ provided by the applicant must be followed by all event staff and as indicated, circulated to key emergency services for comment. In addition to the plan, a scenario planning workshop has been scheduled and should be conducted annually prior to the event. It will provide an opportunity to consider logistics and the interplay of various operational teams – security, medical, event management, traffic and the police.

LIGHTING AND POWER

- 2.73 Adequate lighting is provided so as to enable Police, Security and Medical staff to monitor activities and respond where required during the event.
- 2.74 Lighting is to be provided within the car park at Penrith Station, Penrith Paceway and Mulgoa Public School for the duration of the event.
- 2.75 Lighting should be provided to clearly illuminate entry and exit points, food stalls, toilets, first aid areas and stage area.
- 2.76 Access to the main lighting or house lights is essential in case of an emergency. The location of the controls for these lights, and the operation of the controls, must be known to those on-site responsible for emergencies.

SIGNAGE

- 2.77 Clear signage should be displayed throughout the event to clearly indicate entry/exit points, public transport locations, emergency help points, toilets, first aid, stage locations, telephones, vendors and licensed/non-licensed areas.
- 2.78 All signage associated with the event shall be removed upon completion of each event.
- 2.79 Additional signage be displayed throughout the event to clearly mark Designated Smoking Areas and the need to properly dispose of cigarette butts into the correct bins in order to protect the heritage of the premises.

CERTIFICATION

- 2.80 An Occupation Certificate is to be obtained from Penrith City Council upon completion of all relevant bump-in installation and prior to the opening of the event to its patrons.

The certificate shall not be issued if any condition of this consent, but not the conditions relating to the operation of the development are outstanding.
 - 2.81 The rehabilitation works are to be inspected by Penrith City Council within one (1) weeks of the rehabilitation works being completed. Fees for the inspection are to be paid, as detailed in Penrith City Council's Fees and Charges, and will be invoiced accordingly.
3. An annual information report at the conclusion of the event every year be brought to a Councillor Briefing prior to the report being presented to a Policy Review Committee meeting.

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 Karen McKeown
Councillor John Thain	Councillor Marcus Cornish
Councillor Michelle Tormey	
Councillor Jackie Greenow OAM	
Councillor Maurice Girotto	
Councillor Kevin Crameri OAM	

Councillor Ben Goldfinch
Councillor Tricia Hitchen
Councillor Bernard Bratusa
Councillor Ross Fowler OAM

Councillor Mark Davies returned to the meeting, the time being 9:04pm.

OUTCOME 3 - WE CAN GET AROUND THE CITY

6 Roads and Maritime Services (RMS) 2014/15 Road Funding Grants

232 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Maurice Giroto

That:

1. The information contained in the report on Roads and Maritime Services (RMS) 2014/15 Road Funding Grants be received.
2. The RMS 2014/15 Program Funding Block Grant of \$1,089,000 be accepted.
3. Council accept the grant of \$300,000, offered under the 2014/15 Roads and Maritime Services REPAIR Program, for the reconstruction of Russell Street, Emu Plains from Old Bathurst Road to Kite Street.
4. The Supplementary Road component be allocated to the resurfacing of Castlereagh Road, Castlereagh (Post Office Road to 300m north).
5. The Common Seal of the Council of the City of Penrith be affixed to the "Agreement for Block Grant Assistance to Council for Regional Roads 2014/15".

17 2014/15 Traffic and Safety Management Programs - Offer of Funding for Shared-Use Paths, Emu Plains and St Marys

Councillor Marcus Cornish left the meeting, the time being 9:11pm.

233 RESOLVED on the MOTION of Councillor Jackie Greenow OAM seconded Councillor Karen McKeown

That:

1. The information contained in the report on 2014/15 Traffic and Safety Management Programs - Offer of Funding for Shared-Use Paths, Emu Plains and St Marys be received.
2. Council accept the funding offer of \$2,500,000 from the Roads and Maritime Services for the 2014/15 Traffic Management Programs, subject to the following conditions:
 - a) Council's acceptance of funding is for 2014/15 and any future funding associated agreements are separate and discrete from 2014/15 funding;
 - b) Council's acceptance of 2014/15 project does not bind Council to acceptance of future funding/program agreements.

3. Council write to the Minister for Roads, Roads and Maritime Services and the Local Members expressing appreciation of the funding offer and of their continued support.

OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES

7 [Federal Government Grant Funding for Public Spaces CCTV Project](#)

Councillor Marcus Cornish returned to the meeting, the time being 9:13pm.

234 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Mark Davies

That:

1. The information contained in the report on Federal Government Grant Funding for Public Spaces CCTV Project be received.
2. Council endorse the acceptance of \$300,000 grant funding for installation of CCTV cameras at each of the identified locations.
3. A letter of thanks be forwarded to the Federal Minister for Justice, The Hon Michael Keenan MP.
4. A letter of thanks be forwarded to the Federal Member for Lindsay, Ms Fiona Scott MP.

18 [Tender Reference 14/15-03 Provision of All Age Health and Fitness Zone at Jamison Park](#)

235 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Marcus Cornish

That:

1. The information contained in the report on Tender Reference 14/15-03 Provision of All Age Health and Fitness Zone at Jamison Park be received.
2. Council not accept any tender and that new tenders are invited based on amended tender documentation.
3. All tenderers be advised of the decision and invited to participate in the new tender process.

OUTCOME 5 - WE CARE ABOUT OUR ENVIRONMENT

8 [NSW Castlereagh Community \(Quarantine\) Fund approval for the Berkshire Park, Castlereagh, Llandilo and Londonderry Rural Fire Brigades](#)

236 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Jackie Greenow OAM

That:

1. The information contained in the report on NSW Castlereagh Community (Quarantine) Fund approval for the Berkshire Park, Castlereagh, Llandilo

and Londonderry Rural Fire Brigades be received.

2. Council endorse the auspicing of the \$198,595 ex GST grant funding to the Berkshire Park, Castlereagh, Llandilo and Londonderry Rural Fire Brigades for the purchase of fire fighting equipment and carrying out brigade station improvements.

9 [Invitation to nominate representatives for the Greater Sydney Local Land Services Local Government Advisory Group](#)

237 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Mark Davies

That:

1. The information contained in the report on Invitation to nominate representatives for the Greater Sydney Local Land Services Local Government Advisory Group be received.
2. Councillor Kevin Crameri OAM represent Council on the Greater Sydney Local Land Services Local Government Advisory Group with Councillor Marcus Cornish as the Alternate and the Environmental Health Coordinator as an alternative Council Staff representative if needed.

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

10 [Grant funding for rehabilitation and revegetation at Castlereagh Reserve, Cranebrook](#)

238 RESOLVED on the MOTION of Councillor Michelle Tormey seconded Councillor Bernard Bratusa

That:

1. The information contained in the report on Grant funding for rehabilitation and revegetation at Castlereagh Reserve, Cranebrook be received.
2. Council accept the grant of \$10,000 and the relevant staff sign on behalf of Council.
3. Council write a letter of thanks to The Minister for Natural Resources, Lands and Water and Minister for Western NSW, The Hon Kevin Humphries MP.

11 [Kingswood Park Rehabilitation Project, North Penrith](#)

Councillor John Thain returned to the meeting, the time being 9:17pm.

239 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Michelle Tormey

That:

1. The information contained in the report on Kingswood Park Rehabilitation Project, North Penrith be received.
2. Council accept the grant of \$80,000 over three years.
3. Council agree to provide financial support of \$60,000 over three years (\$20,000 per year for the 2014-15, 2015-16, 2016-17 financial years) to

contribute to the rehabilitation project.

4. Council write a letter of thanks to the Minister for the Environment, the Hon Rob Stokes MP.

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

12 [Emu Plains Library](#)

Councillor Michelle Tormey left the meeting, the time being 9:28pm.

240 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Tricia Hitchen

That:

1. The information contained in the report on Emu Plains Library be received.
2. The necessary steps be taken to close the Emu Plains branch library, as outlined in the report.
3. The patrons of the Emu Plains Library be provided with information on the different options for accessing library services, including the home library service, and the broad range of electronic resources.

13 [Legal Rights and Obligations of Residents Hoarding on their Property](#)

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

241 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Marcus Cornish

That:

1. The information contained in the report on Legal Rights and Obligations of Residents Hoarding on their Property be received.
2. Penrith City Council submits a Motion to Local Government New South Wales (LGNSW) for inclusion in the 2014 Local Government Conference Business Paper to further consider the legal rights and obligations of residents hoarding on their property.

OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

14 [Organisational Performance Report - June 2014](#)

Council's General Manager, Alan Stoneham briefly introduced the report and advised that he would make a presentation on this item at Council's next Policy Review Committee meeting.

242 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Karen McKeown

That:

1. The information contained in the report on Organisational Performance Report – June 2014 be received.
2. The *Organisational Performance Report – June 2014* as at 30 June 2014,

including the revised estimates outlined in this report, and detailed in *the attached Organisational Performance Report*, be adopted.

3. Council revoke the works as detailed in the Recommended Revoted Works Lists, detailed in *the attached Organisational Performance Report June 2014* for inclusion in the 2014-15 Operational Plan.

15 [Audit Committee](#)

243 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor John Thain that the information contained in the report on Audit Committee be received.

16 [Summary of Investments & Banking for the period 1 July to 31 July 2014](#)

244 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor John Thain

That:

1. The information contained in the report on Summary of Investments & Banking for the period 1 July to 31 July 2014 be received.
2. The Certificate of the Responsible Accounting Officer and Summaries of Investments and Performance for the period 1 July 2014 to 31 July 2014 be noted and accepted.
3. The graphical investment analysis as at 31 July 2014 be noted.

REQUESTS FOR REPORTS AND MEMORANDUMS

RR 1 Policy on Smoking in and on Council Property

Councillor Marcus Cornish requested a report to Council providing information as to whether Council has a policy on Smoking on Council Property including Council operated workplaces. Should such a policy exist, the report to Council should then detail the operations of the policy and provide information as to how often the policy is reviewed.

RR 2 Speeding Vehicles on Monfarville Street, St Marys

Councillor Bernard Bratusa requested that the matter of speeding vehicles on Monfarville Street, St Marys be referred to the Local Traffic Committee, with a view to investigating possible traffic calming measures in this area.

RR 3 Proposed Upgrade of Stony Creek Road

Councillor Bernard Bratusa requested a report to Council detailing the economics surrounding the proposed upgrading of Stony Creek Road. The report should detail the funding sources available and identify any potential impact on future major road initiatives as outlined by the respective State and Federal Governments.

RR 4 Lighting for Park in Denver Road, St Clair

Councillor Tricia Hitchen requested a memorandum regarding the possibility and costs of installing lights (including solar timed lighting) for the new Park in Denver Road, St Clair in

light of graffiti and other damage, including the finding of needles.

RR 5 Increased traffic on Kingswood Road, Orchard Hills

Councillor Tricia Hitchen requested that the matter regarding the increased traffic at Kingswood Road, Orchard Hills, which has resulted in traffic safety issues at Kingswood Road and Homestead Road intersection and at Kingswood Road and Wentworth Road intersection, be referred to the Local Traffic Committee for review.

RR 6 Environmental Impact Statement for the Badgerys Creek Airport

Councillor Kevin Crameri OAM requested a memorandum to All Councillors concerning the status of the Environmental Impact Statement for the Badgerys Creek Airport.

RR 7 Litter Campaign for Cambridge Park and Across the Penrith LGA

Councillor Kevin Crameri OAM requested a memorandum concerning how Council can try and decrease littering in Cambridge Park. The memorandum should also include information relating to the possibility of having a Council wide Litter Campaign to address and curtail littering in the Penrith Local Government Area.

RR 8 Traffic and Flood Information for Stony Creek Causeway

Councillor Maurice Giroto requested a memorandum detailing the traffic count and flood event details for Stony Creek Causeway for the last five years.

RR 9 Footpath on Southern Side of Armstein Crescent, Werrington

Councillor Maurice Giroto requested a memorandum concerning the funding and priority for the provision of a footpath on the southern side of Armstein Crescent, Werrington especially along the length of street adjacent to the school.

RR 10 Fernhill Picnic Races Contingency Plans

Councillor Michelle Tormey requested a memorandum to all Councillors attaching a copy of the Fernhill Picnic Races contingency plan for wet and adverse weather, the memorandum should also include Council Officer commentary on these contingency plans.

RR 11 Waste Collection Service for Un-reported Rubbish

Councillor Michelle Tormey requested a memorandum to all Councillors concerning waste collection service for un-reported rubbish (not illegal dumping) in urban areas. The memorandum should detail the operations of the system and utilisation statistics by area.

RR 12 Impact of funding cuts to TAFE

Councillor Prue Car requested a report to Council addressing any impact that recent cuts to TAFE and increase in TAFE fees may have on Council's ability to attract and retain people for internships, traineeships and apprenticeships.

RR 13 Fire Station Closures

Councillor Prue Car requested a report to Council about the impact of the recent NSW Government practice of closing fire stations, in light of the fire at Kingswood on 1 August 2014. This report should also address the impact on response times. This is particularly relevant given that Local Government funds around 11% of the Fire and Rescue NSW Budget.

URGENT BUSINESS

UB 1 Staging of the Nepean Disability Expo

Councillor Bernard Bratusa requested that \$6,000 be allocated equally from each Ward's voted works to assist in the staging of the Nepean Disability Expo.

245 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Marcus Cornish that the matter be brought forward 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.

246 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Marcus Cornish that \$6,000 be allocated equally from each Ward's voted works to assist in the staging of the Nepean Disability Expo.

COMMITTEE OF THE WHOLE

Councillors Jackie Greenow OAM and Michelle Tormey left the meeting, the time being 9:56pm.

Councillor Michelle Tormey returned to the meeting, the time being 9:57pm.
Councillor Jackie Greenow OAM returned to the meeting, the time being 9:58pm.

247 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Tricia Hitchen that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 9:58pm.

1 Presence of the Public

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

Outcome 5

2 [Compliance action in relation to 41-47 Jolly Street, Castlereagh and associated truck related development activity](#)

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

3 [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 10:41pm and the General Manager reported that the Committee of the Whole met at 9:58pm on 25 August 2014, the following being present

His Worship the Mayor, Councillor Ross Fowler OAM and Councillors Bernard Bratusa, Prue Car, Kevin Crameri OAM, Marcus Cornish, Greg 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

Having previously declared a Non-Pecuniary Conflict of Interest – Less than Significant in Item CW2, Councillor Karen McKeown left the meeting, the time being 9:58pm.

2 [Compliance action in relation to 41-47 Jolly Street, Castlereagh and associated truck related development activity](#)

RECOMMENDED on the MOTION of Councillor John Thain seconded Councillor Tricia Hitchen

CW2 That:

1. The information contained in the report on Compliance action in relation to 41-47 Jolly Street, Castlereagh and associated truck related development activity be received.
2. The actions proposed within the report be endorsed.

Councillor Karen McKeown returned to the meeting, the time being 10:41pm.

3 Senior Staff Matters

RECOMMENDED on the MOTION of Councillor Mark Davies seconded Councillor John Thain

CW3 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

248 RESOLVED on the MOTION of Councillor Kevin Cramer OAM seconded Councillor Marcus Cornish that the recommendations contained in the Committee of the Whole and shown as CW1, CW2 and CW3 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 10:43pm.

I certify that these 28 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 25 August 2014.

Chairperson

Date