

CONFIRMED MINUTES
OF THE EXTRAORDINARY COUNCIL MEETING OF PENRITH CITY COUNCIL HELD IN
THE
COUNCIL CHAMBERS
ON MONDAY 10 NOVEMBER 2014 AT 7:15PM

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 and Councillors Jim Aitken OAM, Bernard Bratusa, Prue Car, Kevin Crameri OAM, Marcus Cornish, Maurice Giroto, Ben Goldfinch, Jackie Greenow OAM, Tricia Hitchen and Karen McKeown.

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Greg Davies for the period 30 October 2014 to 23 November 2014 inclusive.

Leave of Absence was previously granted to Councillor Mark Davies for the period 10 October 2014 to 10 November 2014 inclusive.

Leave of Absence was previously granted to Councillor Michelle Tormey for 10 November 2014.

Leave of Absence was requested by Councillor Jim Aitken OAM for the period 11 November 2014 to 15 December 2014 inclusive.

336 RESOLVED on the MOTION of Councillor Ben Goldfinch seconded Councillor Jackie Greenow OAM that Councillor Jim Aitken OAM be granted leave of absence for the period 11 November 2014 to 15 December 2014 inclusive.

Leave of Absence was requested by Councillor John Thain for 10 November 2014.

337 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Maurice Giroto that Councillor John Thain be granted leave of absence for 10 November 2014.

APOLOGIES

There were no apologies.

DECLARATIONS OF INTEREST

There were no declarations of interest.

SUSPENSION OF STANDING ORDERS

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

Ms Anne Brady

Item 1 – Notice of Motion to Rescind a Resolution - Development Application DA 13/1467 for Conversion of Shed and Additions for a Prayer Hall at Lot 18 DP 30265 (No. 1247-1253) Mamre Road, Kemps Creek.

Ms Brady, an interested citizen spoke in support of the Notice of Motion to Rescind a Resolution and indicated that she believed the Mosque has been operating prior to this Development Application and that she believes that there are other places of Islamic worship within Council's Local Government Area. Ms Brady raised concerns for potential traffic issues that may result if the development was approved. Ms Brady concluded by questioning the accuracy of the statistics relating to where the worshippers who may use this prayer hall reside and asked that Council take steps to safeguard the Penrith community.

Mr Ian Sutton

Item 1 – Notice of Motion to Rescind a Resolution - Development Application DA 13/1467 for Conversion of Shed and Additions for a Prayer Hall at Lot 18 DP 30265 (No. 1247-1253) Mamre Road, Kemps Creek.

Mr Sutton, a concerned citizen spoke in support of the Notice of Motion to Rescind a Resolution and raised issues concerning the need for another place of Islamic worship within Council's Local Government Area, given the population of Muslims in relation to the number of already existing places of worship. Mr Sutton concluded that he would like to see Penrith remain the same as it is today and not deteriorate due to crime and parking issues.

Mr Rick Putra

Item 1 – Notice of Motion to Rescind a Resolution - Development Application DA 13/1467 for Conversion of Shed and Additions for a Prayer Hall at Lot 18 DP 30265 (No. 1247-1253) Mamre Road, Kemps Creek.

Mr Putra, a concerned resident spoke in support of the Notice of Motion to Rescind a Resolution and questioned whether the development was a mosque as opposed to a prayer hall, given the application has indicated that the use of a prayer hall would be on a daily basis. Mr Putra raised concerns as to why the prayer hall required a number of lecture rooms and believed that the development would create traffic and noise issues. Mr Putra concluded that the development should have been assessed as a mosque and not a prayer hall.

Mr Richard Smyth

Item 1 – Notice of Motion to Rescind a Resolution - Development Application DA 13/1467 for Conversion of Shed and Additions for a Prayer Hall at Lot 18 DP 30265 (No. 1247-1253) Mamre Road, Kemps Creek.

Mr Smyth, the Applicant's Planning Consultant spoke in opposition to the Notice of Motion to Rescind a Resolution and complimented Council on the way the application was decided at the last meeting, indicating he believed it was decided on the merits of the application. Mr

Smyth stated that his Client estimated that approximately 40% of their congregation would come from St Marys and adjacent suburbs.

339 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Kevin Crameri OAM that an extension of time be granted to enable the speaker to complete his address, the time being 7:39pm.

Mr Smyth concluded by stating that the development has been designed as a prayer hall and hoped that the application would be approved on its merit.

Mr Kingsley Liu

Item 1 – Notice of Motion to Rescind a Resolution - Development Application DA 13/1467 for Conversion of Shed and Additions for a Prayer Hall at Lot 18 DP 30265 (No. 1247-1253) Mamre Road, Kemps Creek.

Mr Liu, an interested citizen spoke in opposition to the Notice of Motion to Rescind a Resolution and the need to strengthen the growing multiculturalism in Western Sydney. Mr Liu cited recent statements by the Prime Minister that he wanted an all inclusive Australia. Mr Liu concluded by stating that he was representing all Australians.

Mr Shane Gorman

Item 1 – Notice of Motion to Rescind a Resolution - Development Application DA 13/1467 for Conversion of Shed and Additions for a Prayer Hall at Lot 18 DP 30265 (No. 1247-1253) Mamre Road, Kemps Creek

Mr Gorman, an interested resident spoke in opposition to the Notice of Motion to Rescind a Resolution stated that he works within the local community and that he believes Australia is having growing pains and that the application is being challenged on unrelated merits. Mr Gorman continued claiming that this divisive message damages and weakens the community and causes resentment and dissent.

340 RESOLVED on the MOTION of Councillor Maurice Giroto seconded Councillor Tricia Hitchen that an extension of time be granted to enable the speaker to complete his address, the time being 7:56pm.

Mr Gorman concluded by stating that all Penrith residents deserve equal respect and regard for their lifestyle.

RESUMPTION OF STANDING ORDERS

341 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jackie Greenow OAM that Standing Orders be resumed, the time being 7:58pm.

NOTICE OF MOTION TO RESCIND A RESOLUTION

- 1 [Development Application DA 13/1467 for Conversion of Shed and Additions for a Prayer Hall at Lot 18 DP 30265 \(No. 1247-1253\) Mamre Road, Kemps Creek](#)

Submitted by Councillors Marcus Cornish, Kevin Crameri OAM and Maurice Giroto.

A MOTION was moved by Councillor Marcus Cornish seconded Councillor Maurice Giroto that the Notice of Motion to Rescind a Resolution in relation to *Item 3 - Development Application DA 13/1467 for Conversion of Shed and Additions for a Prayer Hall at Lot 18 DP 30265 (No. 1247-1253) Mamre Road, Kemps Creek* considered at the Council's Ordinary Meeting held on 27 October 2014 be received.

Councillors Marcus Cornish, Maurice Giroto and Kevin Cramer OAM spoke for the MOTION.

Councillor Tricia Hitchen spoke against the MOTION.

342 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Maurice Giroto that Councillor Kevin Cramer OAM be granted an extension of time to speak to the MOTION, the time being 8:19pm.

Councillor Karen McKeown moved that the MOTION be PUT, the time being 8:22pm.

The Mayor, Councillor Ross Fowler OAM granted Councillor Marcus Cornish a right of reply, the time being 8:23pm.

The Mayor, Councillor Ross Fowler OAM, then PUT the MOTION.

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

For	Against
Councillor Jim Aitken OAM	Councillor Prue Car
Councillor Marcus Cornish	Councillor Karen McKeown
Councillor Kevin Cramer OAM	Councillor Jackie Greenow OAM
Councillor Maurice Giroto	Councillor Ben Goldfinch
	Councillor Tricia Hitchen
	Councillor Bernard Bratusa
	Councillor Ross Fowler OAM

On being put to the meeting the MOTION was LOST.

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

I certify that these 4 pages are the Confirmed Minutes of the Extraordinary Meeting of Penrith City Council held on 10 November 2014.

Chairperson

Date