

CONFIRMED MINUTES

OF THE EXTRAORDINARY COUNCIL MEETING OF PENRITH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS ON 8 DECEMBER 2014 AT 7:03 PM

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, Deputy Mayor, Councillor Greg Davies 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

November 2014 to 15 December 2014 inclusive.

APOLOGIES

There were no apologies.

DECLARATIONS OF INTEREST

Nil.

SUSPENSION OF STANDING ORDERS

391 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 7:07 pm.

Mr Ian Sutton

Item 1 – Development Application DA13/1271 Proposed Place of Public Worship at Lot 2 DP 812284 (No. 81-83) Clifton Avenue, Kemps Creek

Mr Sutton, a concerned citizen, spoke in support of the Notice of Motion to Rescind a Resolution stating that the suburb's future needed to be protected. Mr Sutton claimed that Muslims make up only 2½% of the population but demand more resources and facilities than other religions.

392 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 7.12 pm.

Mr Sutton concluded that he would like to see Penrith remain the same as it is today.

Ms Jennifer Scholfield

Item 1 – Development Application DA13/1271 Proposed Place of Public Worship at Lot 2 DP 812284 (No. 81-83) Clifton Avenue, Kemps Creek

Ms Scholfield, a concerned citizen, spoke in support of the Notice of Motion to Rescind a Resolution referring to the way she has brought up her sons to respect women. Ms Scholfield stated that arranged marriages like those conducted overseas were starting to take place in Australia. Ms Scholfield concluded by stating that Australian Defence Force personnel should not have to cover their uniforms for fear of being targeted by extremists in their own country.

Mr William Mamou

Item 1 – Development Application DA13/1271 Proposed Place of Public Worship at Lot 2 DP 812284 (No. 81-83) Clifton Avenue, Kemps Creek

Mr Mamou, an affected resident, spoke in support of the Notice of Motion to Rescind a Resolution stating that he was not against Muslims but he was opposed to any mosque, church or pub in his street. He claimed that traffic, noise and dust would increase if the development went ahead.

393 RESOLVED on the MOTION OF Councillor Marcus Cornish seconded Councillor Maurice Giroto that an extension of time be granted to enable the speaker to complete his address, the time being 7.28 pm.

Mr Mamou also stated that he was concerned that evacuation in the event of a bushfire would be made more difficult for emergency services.

Father David Smith

Item 1 – Development Application DA13/1271 Proposed Place of Public Worship at Lot 2 DP 812284 (No. 81-83) Clifton Avenue, Kemps Creek

Father David, a friend and associate of the Muhammadi Welfare Association (MWA), spoke in opposition to the Notice of Motion to Rescind a Resolution and referred to the close working relationship he has with the applicant in his capacity as Parish Priest at Holy Trinity Anglican Church, Dulwich Hill. Father David spoke of building interfaith dialogue rather than reflexively associating Muslims with terrorism.

Mr Ian Rufus

Item 1 – Development Application DA13/1271 Proposed Place of Public Worship at Lot 2 DP 812284 (No. 81-83) Clifton Avenue, Kemps Creek

Mr Rufus, the applicant's planning consultant, spoke in opposition to the Notice of Motion to Rescind a Resolution and referred to the various planning considerations addressed in the Statement of Environmental Effects.

394 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Karen McKeown that an extension of time be granted to enable the speaker to complete his address, the time being 7.51 pm.

Mr Rufus concluded by stating the application has provided all the information requested by Council and requested the application be dealt with at tonight's meeting.

Mr Abbas Alvi

Item 1 – Development Application DA13/1271 Proposed Place of Public Worship at Lot 2 DP 812284 (No. 81-83) Clifton Avenue, Kemps Creek

Mr Alvi, Secretary of Muhammadi Welfare Association Inc, spoke in opposition to the Notice of Motion to Rescind a Resolution and stated that the proposal was not for a mosque but instead for a community centre in order to hold group discussions, seminars, educational lectures, celebrations and other activities.

395 RESOLVED on the MOTION of Councillor Michelle Tormey seconded Councillor Kevin Crameri OAM that an extension of time be granted to enable the speaker to complete his address, the time being 7.52 pm.

Mr Alvi concluded by stating that the proposed community centre would be the first for the Indian Shia community.

RESUMPTION OF STANDING ORDERS

396 RESOLVED on the MOTION of Councillor Jackie Greenow OAM seconded Councillor Ben Goldfinch that Standing Orders be resumed, the time being 8:10 pm.

NOTICE OF MOTION TO RESCIND A RESOLUTION

1 [Development Application DA13/1271 Proposed Place of Public Worship at Lot 2 DP 812284 \(No. 81-83\) Clifton Avenue, Kemps Creek](#)

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

A MOTION was moved by Councillor Mark Davies seconded Councillor Kevin Crameri OAM that Council rescind the decision made in relation to Development Application DA13/1271 Proposed Place of Public Worship at Lot 2 DP 812284 (No.81-83) Clifton Avenue, Kemps Creek originally considered at its Ordinary Meeting of 24 November 2014.

Councillor Mark Davies spoke FOR the MOTION.

397 RESOLVED on the MOTION of Councillor Maurice Giroto seconded Councillor Kevin Crameri OAM that Councillor Mark Davies be granted an extension of time to complete his address, the time being 8:16 pm.

Councillor Kevin Crameri OAM spoke FOR the MOTION.

398 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Mark Davies that Councillor Kevin Crameri OAM be granted an extension of time to complete his address, the time being 8:23 pm.

There being no speakers against the MOTION , Councillor John Thain MOVED that the MOTION be PUT.

399 RESOLVED on the MOTION of Councillor John Thain that the MOTION be PUT.

Upon being PUT to the Meeting, the MOTION was LOST.

For

Councillor Marcus Cornish
Councillor Kevin Crameri OAM
Councillor Maurice Giroto
Councillor Mark Davies

Against

Councillor Prue Car
Councillor Greg Davies
Councillor John Thain
Councillor Karen McKeown
Councillor Michelle Tormey
Councillor Jackie Greenow OAM
Councillor Ben Goldfinch
Councillor Tricia Hitchen
Councillor Bernard Bratusa
Councillor Ross Fowler OAM

At 8:29 pm, His Worship the Mayor, Councillor Ross Fowler OAM adjourned the meeting for 15 minutes.

The meeting resumed at 8:42 pm.

REQUESTS FOR REPORTS AND MEMORANDUMS and URGENT BUSINESS

RR 1 Audit Truck Movements on Clifton Road, Kemps Creek

Councillor John Thain requested a report to Council providing an audit of the number of truck movements along Clifton Road, Kemps Creek, including those going to the recycling plant, in order to reduce dust issues and enforcement of the existing conditions.

RR 2 Drainage Issues - Llandilo Golf Driving Range

Councillor Kevin Crameri OAM requested a memo reply to all Councillors concerning the drain entry at the Llandilo Golf Driving Range, on the south side of Ninth Avenue, Llandilo, which needs to be repaired.

RR 3 Flooding at McDonalds, Forrester Road, St Marys

Councillor Kevin Crameri OAM requested a memo reply to all Councillors after investigation as to the cause of flooding which is occurring at McDonalds on Forrester Road, St Marys.

RR 4 Terminology of Land Use

Councillor Kevin Crameri OAM requested a memo reply to all Councillors on the matter of requesting the State Government to review the terminology used to describe a Place of Public Worship, in rural areas, and requesting that large developments need sewer to be approved.

UB 1 Apology requested by Liverpool City Council

Councillor Greg Davies referred to a letter received from Liverpool City Council on behalf of the residents of Liverpool seeking clarification of the attitude of Penrith Council regarding their neighbour Councils and asking for an apology and retraction from Penrith Councillor Marcus Cornish for his comments about their city.

Councillor Greg Davies stated that the recent comments attributed to Councillor Cornish in the media in no way reflect the attitude or position of Penrith City Council in regard to the residents of Liverpool or Liverpool Council.

Councillor Greg Davies advised of his intention to move a motion requesting that Cllr Cornish issue a retraction of statements made and he apologise to the residents of Liverpool and the Council for any hurt or angst that this may have caused.

Councillor Marcus Cornish indicated that he would not be prepared to comply with the request.

Councillor Greg Davies stated that as Councillor Cornish has indicated he would be unwilling to comply with the request, that the Mayor, Councillor Ross Fowler OAM write to Liverpool City Council expressing:

“Penrith Council’s concerns over the statements made by Councillor Marcus Cornish and advise Liverpool and its residents that the comments in no way reflect Penrith Council’s view of the City of Liverpool.

Further, that the attitude of Penrith Council towards Liverpool and other surrounding Council areas is one of solidarity and cohesion.

Penrith Council represents 190,000 residents. We have worked hard to create strategic alliances with a number of bordering local governments. We do this to acknowledge the advantage of working together to promote our region and to advocate for outcomes for our collective benefit.

We value this collaborative approach, which will grow and strengthen as western Sydney continues to grow. We look forward to working closely with Liverpool City Council and our neighbouring council areas now and into the future and that Penrith Council’s attitude to our neighbour councils is one of respect, support and co-operation.”

400 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor John 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.

401 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor John Thain that Mayor, Councillor Ross Fowler OAM, write to Liverpool City Council expressing the following:

“Penrith Council’s concerns over the statements made by Councillor Marcus Cornish and advise Liverpool and its residents that the comments in no way reflect Penrith Council’s view of the City of Liverpool.

Further, that the attitude of Penrith Council towards Liverpool and other surrounding Council areas is one of solidarity and cohesion.

Penrith Council represents 190,000 residents. We have worked hard to create strategic alliances with a number of bordering local governments. We do this to acknowledge the advantage of working together to promote our region and to advocate for outcomes for our collective benefit.

We value this collaborative approach, which will grow and strengthen as western Sydney continues to grow. We look forward to working closely with Liverpool City Council and our neighbouring council areas now and into the future and that Penrith Council’s attitude to our neighbour councils is one of respect, support and co-operation.”

Councillor Marcus Cornish called for a DIVISION.

For

Councillor John Thain
Councillor Ben Goldfinch
Councillor Bernard Bratusa
Councillor Prue Car
Councillor Jackie Greenow OAM
Councillor Karen McKeown
Councillor Greg Davies
Councillor Mark Davies
Councillor Ross Fowler OAM
Councillor Tricia Hitchen
Councillor Michelle Tormey

Against

Councillor Maurice Giroto
Councillor Kevin Crameri OAM
Councillor Marcus Cornish

There being no further business the Chairperson declared the meeting closed the time being 8:53 pm.

I certify that these 6 pages are the Confirmed Minutes of the Extraordinary Meeting of Penrith City Council held on 8 December 2014.

Chairperson

Date