

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

**ON MONDAY 2 FEBRUARY 2015 AT 7:32PM**

**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 Council's Senior Governance Officer, Glenn Schuil.

**PRESENT**

His Worship the Mayor, Councillor Ross Fowler OAM, Deputy Mayor, Councillor Greg Davies and Councillors Jim Aitken OAM, 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.

**APOLOGIES**

There were no apologies.

**CONFIRMATION OF MINUTES - Ordinary Meeting - 15 December 2014**

1 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Mark Davies that the minutes of the Ordinary Meeting of 15 December 2014 be confirmed.

**DECLARATIONS OF INTEREST**

There were no declarations of interest.

**MAYORAL MINUTES**

**1 Locals recognised in Australia Day Awards**

Councillors Greg Davies, John Thain, Jim Aitken OAM and Prue Car spoke in support of the Mayoral Minute.

2 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Greg Davies that the Mayoral Minute on Locals recognised in Australia Day Awards be received.

**REPORTS OF COMMITTEES**

**1 Report and Recommendations of the Penrith Community Safety Partnership Meeting held on 3 December 2014**

3 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Jackie Greenow OAM that the recommendations contained in the Report and Recommendations of the Penrith Community Safety Partnership meeting held on 3 December, 2014 be adopted.

**2 Report and Recommendations of the Access Committee Meeting held on 10 December 2014**

4 RESOLVED on the MOTION of Councillor Jackie Greenow OAM seconded Councillor Tricia Hitchen that the recommendations contained in the Report and Recommendations of the Access Committee meeting held on 10 December, 2014 be adopted.

**DELIVERY PROGRAM REPORTS**

**OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES**

**2 Proposed Permanent Closure of Part Station Lane, Penrith at Nos. 101-107 Station Street, Penrith**

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

That:

1. The information contained in the report on Proposed Permanent Closure of Part Station Lane, Penrith at Nos. 101-107 Station Street, Penrith be received.
2. Council resolve to affix the Common Seal of Penrith City Council to the survey plan identifying the land prior to lodgement with the Office of Land and Property Information and issue of a Certificate of Title.
3. Upon issue of a Certificate of Title to the land, the land be classified "operational".

**1 Denver Road Reserve, St Clair - Proposed naming as "Bill & Eva Martin Reserve"**

Councillor Mark Davies left the meeting, the time being 7:56pm.

6 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow OAM

That:

1. The information contained in the report on Denver Road Reserve, St Clair - Proposed naming as "Bill & Eva Martin Reserve" be received.
2. Council endorse the naming of the reserve between Denver Road and Colorado Drive, St Clair as the 'Bill & Eva Martin Reserve' and make application to the Geographical Names Board for their consideration.

**OUTCOME 5 - WE CARE ABOUT OUR ENVIRONMENT**

**4 Tender Reference RFT 14/15-13 Kingswood Park Rehabilitation Project, North Penrith**

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

That:

1. The information contained in the report on Tender Reference RFT 14/15-13 Kingswood Park Rehabilitation Project, North Penrith be received.
2. The tender from Total Earth Care Pty Ltd for the sum of \$91,318 (excluding GST) be accepted for the Kingswood Park Rehabilitation project.
3. The Common Seal of the Council of the City of Penrith be placed on all documentation if necessary.

**3 Council successful in receiving Building Resilience to Climate Change grant funding**

Councillor Mark Davies returned to the meeting, the time being 7:58pm.

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

That:

1. The information contained in the report on Council successful in receiving Building Resilience to Climate Change grant funding be received.
2. Council endorse the acceptance of \$67,000 in grant funding.

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

**5 Licence Agreement - Penrith Rugby Union Club's Use of Lot 91 D.P. 601050, Andrews Road**

9 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Greg Davies

That:

1. The information contained in the report on Licence Agreement - Penrith Rugby Union Club's Use of Lot 91 D.P. 601050, Andrews Road, be received.
2. The licence agreement be signed and authority to execute the licence agreement be granted to Council's Recreation Manager.

**6 Donations to Amateur Sportspersons and Representatives in the fields of Art, Music, Culture - Interstate and Overseas Travel**

10 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Greg Davies that the information contained in the report on Donations to Amateur Sportspersons and Representatives in the fields of Art, Music, Culture - Interstate and Overseas Travel be received.

**7 Jessica Fox Sponsorship Request and Penrith City Ambassador Program**

11 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Greg Davies

That:

1. The information contained in the report on Jessica Fox Sponsorship Request and Penrith City Ambassador Program be received.
2. Council endorse the sponsorship proposal as detailed in this report.

**8 'Live' Sites**

12 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Jackie Greenow OAM that the information contained in the report on 'Live' Sites be received.

**OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL**

**9 2015 Australian Local Government Women's Association NSW Annual State Conference**

13 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Karen McKeown

That:

1. The information contained in the report on 2015 Australian Local Government Women's Association NSW Annual State Conference be received.
2. Council's delegates to attend ALGWA's NSW Annual State Conference, to be held in Wollongong from Thursday 30 April to Saturday 2 May 2015, be Councillors Prue Car, Jackie Greenow OAM, Tricia Hitchen, Karen McKeown, Michelle Tormey and any other interested and available Councillors.

**10 Code of Meeting Practice**

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

That:

1. The information contained in the report on Code of Meeting Practice be received.
2. The draft Code of Meeting Practice be adopted.

**11 Tender Reference 14/15-11, Provision of Power and Data Cabling in the Civic Centre**

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

That:

1. The information contained in the report on Tender Reference 14/15-11, Provision of Power and Data Cabling in the Civic Centre be received.
2. The tender for the Provision of Power and Data Cabling in the Civic Centre (Tender Reference 14/15-11) be awarded to Hix Group Pty Ltd for the sum of \$504,743.40 ex GST.
3. The Common Seal of the Council of the City of Penrith be affixed to any necessary documentation.

**13 Summary of Investments & Banking for the period 1 December 2014 to 31 December 2014**

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

That:

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

**12 Council Polls**

17 RESOLVED on the MOTION of Councillor Maurice Giroto seconded Councillor Kevin Crameri OAM

That:

1. The information contained in the report on Council Polls be received.

2. A paper be presented to a Councillor Briefing to discuss the issue of notification and the processes therefor and the responsibilities of Council and Councillors.

**REQUESTS FOR REPORTS AND MEMORANDUMS  
and  
URGENT BUSINESS**

**RR 1      Carpark - Union Road, Penrith**

Councillor Jackie Greenow OAM requested a memo reply to all Councillors regarding access issues in the Union Road carpark, in particular the feasibility of moving the accessible parking to be closer to the corner of Worth Street and Union Road, or to be closer to Union Lane, as the move of Medicare to the Centrelink building has created the need for more accessible parking spaces.

**RR 2      Traffic Flow Issues - Cnr Worth Street and Union Lane, Penrith**

Councillor Jackie Greenow OAM requested a memo reply to all Councillors concerning traffic flow issues at the corner of Worth Street and Union Lane, Penrith.

**UB 1      Request for Leave of Absence**

Councillor Maurice Giroto requested Leave of Absence for the period 17 February 2015 to 3 March 2015 inclusive.

18 RESOLVED on the MOTION of Councillor Jackie Greenow OAM seconded Councillor Kevin Crameri OAM 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.

19 RESOLVED on the MOTION of Councillor Jackie Greenow OAM seconded Councillor Kevin Crameri OAM that Councillor Maurice Giroto be granted Leave of Absence for the period 17 February 2015 to 3 March 2015 inclusive.

**RR 3      Badgerys Creek Airport**

Councillor Kevin Crameri OAM requested a report to Council addressing previous issues raised by Council in 1997 regarding the proposed Badgerys Creek Airport, as well as current issues concerning the effects of the proposed airport on properties in St Clair, St Marys and Claremont Meadows which may be under the flight path. The report is also to address the ambient background noise between 11:00pm and 6:00am at both Sydney Airport and Badgerys Creek.

Councillor John Thain left the meeting, the time being 8:40pm.

**RR 4 Parking Issues - Evan Street, Penrith**

Councillor Kevin Crameri OAM requested a memo reply to all Councillors concerning the lack of parking available for people accessing the Eye Centre in Evan Street, Penrith.

Councillor John Thain returned to the meeting, the time being 8:41pm.

**RR 5 Opposition to Power Sell Off**

Councillor Kevin Crameri OAM requested an urgent report to Council detailing the history of the acquisition by the State Government of the Prospect County Council (that was owned by the people) in the 1990's (including the dividend payments paid by the Corporation to the State Government), and the current proposal by the State Government of a long term lease of 49% of the State's electricity network businesses (poles and wires).

**RR 6 Planning Issues regarding Group Homes and Places of Public Worship**

Councillor Greg Davies left the meeting, the time being 8:46pm.

Councillor Kevin Crameri OAM requested a memo reply to all Councillors detailing the progress made by the State Government addressing issues that may potentially arise from the establishment of Group Homes and Places of Public Worship in areas with no connection to the sewer.

Councillor Greg Davies returned to the meeting, the time being 8:47pm.

**RR 7 Request for Councillor Briefing - Dunheved Industrial Park - Fire**

Councillor Bernard Bratusa requested a Councillor Briefing, to be followed by a report to Council on the fire at Dunheved Industrial Park on 17 January 2015, with issues of safety, entry/exit issues, evacuation strategy, and signage to be addressed.

**UB 2 Poppy Park - Provision of Power Supply**

Councillor Bernard Bratusa requested that an amount of \$2,000 be allocated from each Ward's voted works (totalling \$6,000) to assist in providing a power supply to the Poppy Park, located between Judges Car Park and Penrith Bowling Club.

20 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Michelle Tormey 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.

21 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor John Thain that an amount of \$2,000 be allocated from each Ward's voted works (totalling \$6,000) to assist in providing a power supply to the Poppy Park, located between Judges Car Park and Penrith Bowling Club.

**RR 8 Park opposite Lennox Centre, Penrith**

Councillor Marcus Cornish requested a memo reply to all Councillors and the clearing of tree growth in the park diagonally opposite the Lennox Centre in Penrith, to allow for passive surveillance of the shared pathway which is being installed in this area.

**COMMITTEE OF THE WHOLE**

Councillor Marcus Cornish left the meeting, the time being 8:54pm.

Councillor Michelle Tormey left the meeting, the time being 8:54pm.

Councillor Ben Goldfinch left the meeting at 8:55pm and did not return.

22 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Jackie Greenow OAM that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 8:55pm.

**1 Presence of the Public**

CW1 RESOLVED on the motion of Councillor Bernard Bratusa seconded Councillor Jackie Greenow OAM that the press and public be excluded from Committee of the Whole to deal with the following matters:

**Outcome 7**

**2 Commercial Matter - Proposed sale of a Council property**

*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 1**

**3 Property Matter 21 - 25 Woodriff 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.*

The meeting resumed at 9.12pm and the General Manager reported that the Committee of the Whole met at 8:55pm on 2 February 2015, the following being present



His Worship the Mayor, Councillor Ross Fowler OAM, Deputy Mayor, Councillor Greg Davies and Councillors Jim Aitken OAM, Bernard Bratusa, Prue Car, Kevin Crameri OAM, Marcus Cornish, Mark Davies, Maurice Giroto, 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 - Proposed sale of a Council property**

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

CW2 That:

1. The information contained in the report on Commercial Matter - Proposed sale of a Council property be received.
2. The matter be deferred to allow consideration of the matters discussed in the meeting.

Councillor Marcus Cornish returned to the meeting, the time being 8:58pm.

### **3 Property Matter 21 - 25 Woodriff Street, Penrith**

RECOMMENDED on the MOTION of Councillor Greg Davies seconded Councillor Tricia Hitchen

CW3 That:

1. The information contained in the report on Property Matter 21 - 25 Woodriff Street, Penrith be received.
2. Council endorse the proposed base land value and continuing negotiations in accordance with this report.

Councillor Michelle Tormey returned to the meeting, the time being 9:11pm.

### **4 Staff Matter**

RECOMMENDED on the MOTION of Councillor John Thain seconded Councillor Kevin Crameri OAM that the information provided by the General Manager regarding a staff matter be received and noted.

**ADOPTION OF COMMITTEE OF THE WHOLE**

23 RESOLVED on the MOTION of Councillor Jackie Greenow OAM seconded Councillor Michelle Tormey that the recommendation contained in the Committee of the Whole and shown as CW1, CW2, CW3 and CW4 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 9:14pm.

I certify that these 10 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 2 February 2015.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date