

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

ON MONDAY 14 DECEMBER 2015 AT 7:03PM

NATIONAL ANTHEM

The meeting opened with the National Anthem.

STATEMENT OF RECOGNITION

Her Worship the Mayor, Councillor Karen McKeown 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

Her Worship the Mayor, Councillor Karen McKeown, Deputy Mayor, Councillor Ross Fowler OAM and Councillors Jim Aitken OAM, Bernard Bratusa, Prue Car MP, Marcus Cornish, Kevin Cramer OAM, Greg Davies, Mark Davies, Ben Goldfinch, Jackie Greenow OAM, Tricia Hitchen and John Thain.

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Michelle Tormey for the period 30 October 2015 to 3 January 2016 inclusive.

APOLOGIES

391 RESOLVED on the MOTION of Councillor Jackie Greenow OAM seconded Councillor Kevin Cramer OAM that an apology be received from Councillor Maurice Giroto.

CONFIRMATION OF MINUTES - Ordinary Meeting - 7 December 2015

392 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kevin Cramer OAM that the minutes of the Ordinary Meeting of 7 December 2015 be confirmed.

DECLARATIONS OF INTEREST

Nil.

MAYORAL MINUTES

1 Paul Lemm resignation

All Councillors present spoke in support of the Mayoral Minute.

393 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Ross Fowler OAM that the Mayoral Minute on Paul Lemm resignation be received.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Local Traffic Committee Meeting held on 7 December 2015

394 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Jim Aitken OAM that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 7 December, 2015 be adopted.

DELIVERY PROGRAM REPORTS

OUTCOME 1 - WE CAN WORK CLOSE TO HOME

1 Attracting Events to Penrith - The Australian Ballet

395 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on Attracting Events to Penrith - The Australian Ballet be received.
2. Council endorse the action to secure The Australian Ballet – ‘Under the Stars’ for Penrith for November 2016.
3. Council write to Mr Leigh Hartog (JK Williams), thanking him for his contribution to the sponsorship of this event.

OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES

2 Tender Reference RFT 15/16-09 Construction of Amenities, Store and Associated Works for Glenmore Park Sportsfield Stage 2

396 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Greg Davies

That:

1. The information contained in the report on Tender Reference RFT 15/16-09 Construction of Amenities, Store and Associated Works for Glenmore Park Sportsfield Stage 2 be received.
2. Alpall Builders Pty Ltd be awarded the contract for the Construction of Amenities, Store and Associated Works for Glenmore Park Sportsfield Stage 2, for an amount of \$1,341,650.00 excluding GST.
3. The Common Seal of the Council of the City of Penrith be placed on all documentation if necessary.
4. A further \$100,000 be allocated to the project, funded from the TAF Reserve.

3 Tender Reference RFT15/16-08 - Seating for Penrith Civic Arts Precinct, Penrith

397 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Greg Davies

That:

1. The information contained in the report on Tender Reference RFT15/16-08 - Seating for Penrith Civic Arts Precinct, Penrith be received
2. Street Furniture Australia Pty Ltd be awarded the contract for the Tender Reference RFT15/16-08 - Seating for Penrith Civic Arts Precinct, Penrith, for the contract sum of \$253,190 exclusive of GST.
3. The Common Seal of the Council of the City of Penrith be placed on all documentation if necessary.

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

4 Penrith Swimming Centre Waterplay Facility

398 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Marcus Cornish

That:

1. The information contained in the report on Penrith Swimming Centre Waterplay Facility be received.
2. A loan of \$600,000 over a period of 10 years be provided to Penrith Aquatic and Leisure Limited.
3. An amount of \$250,000 be allocated from the Asset Reserve to PAL for the purpose of installing a water play facility at Ripples Penrith.
4. An amount of \$150,000 be allocated from the Building Asset Renewal Program for the purpose of providing a contingency sum with any unexpended funds to be returned to Council.

OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

5 Preparations and Settings for the 2016-17 Operational Plan

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

That:

1. The information contained in the report on Preparations and Settings for the 2016-17 Operational Plan be received.
2. Council make initial identification of particular matters to be considered in the preparation of the Draft 2016-17 Operational Plan.
3. Preparation of the Draft 2016-17 Operational Plan continue in the terms discussed in this report and outlined in the *Annual Budget Guidelines* (attached).

6 Decision Making Arrangements for the Christmas/New Year Council Recess

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

That:

1. The information contained in the report on Decision Making Arrangements for the Christmas/New Year Council Recess be received.
2. Development Applications which would normally warrant reporting to Council between 15 December 2015 and 7 February 2016 inclusive be determined under the General Manager's delegation by the General Manager, after consultation with the Mayor, or in her absence the Deputy Mayor.
3. A report be presented to the Ordinary Council Meeting (if required) to be held on 8 February 2016 relating to the operations of the organisation during this period should any determinations be made.

7 Summary of Investment & Banking for the period 1 November 2015 to 30 November 2015

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

That:

1. The information contained in the report on Summary of Investment & Banking for the period 1 November 2015 to 30 November 2015 be received
2. The Certificate of the Responsible Accounting Officer and Summaries of Investments and Performance for the period 1 November 2015 to 30 November 2015 be noted and accepted.
3. The graphical investment analysis as at 30 November 2015 be noted.

REQUESTS FOR REPORTS AND MEMORANDUMS

RR 1 National Stronger Regions Fund

Councillor John Thain requested a memo to all Councillors in regard to the National Stronger Regions Fund concerning the current status of Dunheved Road, with an emphasis on implementing the arterial as a matter of urgency.

RR 2 Nepean Belle

Councillor Kevin Crameri OAM requested a report to a Councillor Briefing for early 2016 on his previous request concerning the Nepean Belle.

RR 3 Condition of roads in Llandilo and Berkshire Park

Councillor Kevin Crameri OAM requested that an audit be carried out on the condition of roads in Llandilo and Berkshire Park and that information be supplied by way of a memo to all Councillors stating the condition of the roads and when they will be restored.

RR 4 Londonderry Bush Fire Brigade - Damage to Vehicles

Councillor Tricia Hitchen requested an urgent report to Council outlining any assistance Council could offer to Londonderry Bush Fire Brigade with regard to members' private vehicles being broken into and/or graffitied whilst the members have been off Brigade premises fighting fires.

COMMITTEE OF THE WHOLE

402 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jackie Greenow OAM that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 7:52pm.

1 Presence of the Public

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

Outcome 7

2 Commercial Matter - Sale of Council owned land at 229 Victoria Street, Werrington

This item has been referred to Committee of the Whole as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

Outcome 1

3 Property Matter - 21-25 Woodriff Street, Penrith

This item has been referred to Committee of the Whole as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND 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 8:20pm and the General Manager reported that the Committee of the Whole met at 7:53pm on 14 December 2015, the following being present

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

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 - Sale of Council owned land at 229 Victoria Street, Werrington

RECOMMENDED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Marcus Cornish

CW2 That:

1. The information contained in the report on Commercial Matter - Sale of Council owned land at 229 Victoria Street, Werrington be received.
2. Council enter into a sales contract with the recommended purchaser.
3. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

3 Property Matter - 21-25 Woodriff Street, Penrith

RECOMMENDED on the MOTION of Councillor Greg Davies seconded Councillor Ross Fowler OAM

CW3 That:

1. The information contained in the report on Property Matter - 21-25 Woodriff Street, Penrith be received.
2. Council re-endorse its original resolution regarding the contract, specifically applying to the Buy Back clause.
3. Council set a date of 14 February 2016 for exchange of contracts.

ADOPTION OF COMMITTEE OF THE WHOLE

403 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Ben Goldfinch 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 8:21pm.

I certify that these 6 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 14 December 2015.

Chairperson

Date