

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

ON MONDAY 6 FEBRUARY 2017 AT 7:30PM

NATIONAL ANTHEM

The meeting opened with the National Anthem.

STATEMENT OF RECOGNITION

His Worship the Mayor, Councillor John Thain 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 John Thain, Deputy Mayor, Councillor Tricia Hitchen, and Councillors Bernard Bratusa, Todd Carney, Marcus Cornish, Kevin Crameri OAM, Mark Davies, Aaron Duke, Ross Fowler OAM, Joshua Hoole, Karen McKeown, Kath Presdee and Ben Price.

APOLOGIES

1 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Aaron Duke that apologies be accepted from Councillors Greg Davies and Jim Aitken OAM.

CONFIRMATION OF MINUTES - Ordinary Meeting - 19 December 2016

2 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Kath Presdee that the minutes of the Ordinary Meeting of 19 December 2016 be confirmed.

DECLARATIONS OF INTEREST

There were no declarations of interest.

MAYORAL MINUTES

1 Passing of Jennifer Piggott

Councillor Ross Fowler OAM spoke in support of the Mayoral Minute.

3 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Ross Fowler OAM that the Mayoral Minute on Passing of Jennifer Piggott be received.

2 Locals recognised in 2017 Australia Day Awards

Councillors Tricia Hitchen, Marcus Cornish, Mark Davies and Ross Fowler OAM spoke in support of the Mayoral Minute.

4 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Tricia Hitchen

That:

1. The Mayoral Minute on Locals recognised in 2017 Australia Day Awards be received.
2. Council note that Associate Professor Carol Liston received an AO for distinguished service to the preservation and documentation of Australian history and heritage, to professional societies, and to education as a teacher and mentor, and recognise her contribution to documenting the history of Penrith.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Penrith Community Safety Partnership Meeting held on 7 December 2016

5 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Todd Carney that the recommendations contained in the Report and Recommendations of the Penrith Community Safety Partnership meeting held on 7 December, 2016 be adopted.

2 Report and Recommendations of the Access Committee Meeting held on 14 December 2016

6 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Marcus Cornish that the recommendations contained in the Report and Recommendations of the Access Committee meeting held on 14 December, 2016 be adopted.

DELIVERY PROGRAM REPORTS

OUTCOME 2 - WE PLAN FOR OUR FUTURE GROWTH

1 Development Application No. DA16/0936 for Physiotherapy Health Consulting Rooms at Lot 4043 DP 260183, (No. 173) Bennett Road, St Clair Applicant: Amanda Blackburn C/- Paul Lemm Planning; Owner: ~David & Amanda Blackburn

7 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Tricia Hitchen that in the absence of Councillor Greg Davies, who requested this matter be brought to Council, consideration of this item be deferred.

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

For

Against

Councillor Kath Presdee
Councillor Ben Price
Councillor Todd Carney
Councillor Aaron Duke
Councillor Karen McKeown
Councillor Kevin Crameri OAM
Councillor Ross Fowler OAM
Councillor Mark Davies
Councillor Joshua Hoole
Councillor Tricia Hitchen
Councillor Bernard Bratusa
Councillor Marcus Cornish
Councillor John Thain

OUTCOME 3 - WE CAN GET AROUND THE CITY

2 Acceptance of Grant Funding - Pedestrian Infrastructure Safety Around Schools Program

8 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Kath Presdee

That:

1. The information contained in the report on Acceptance of Grant Funding - Pedestrian Infrastructure Safety Around Schools Program be received.
2. Council accept the grants offered by Roads and Maritime Services' Pedestrian Infrastructure Safety Around Schools Program, totalling \$250,000, as outlined in the report.
3. Council write to Roads and Maritime Services and Local State Members thanking them for their continued support for school and pedestrian safety initiatives within the Penrith Local Government Area.

OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

3 2016 Local Government NSW Annual Conference

9 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Bernard Bratusa that the information contained in the report on 2016 Local Government NSW Annual Conference be received.

4 Pecuniary Interest Returns

10 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Bernard Bratusa that the information contained in the report on Pecuniary Interest Returns be received.

5 Development Applications Determined during the Council's Christmas/New Year Recess

11 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Bernard Bratusa that the information contained in the report on Development Applications Determined during the Council's Christmas/New Year Recess be received.

7 Audit Committee

12 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Bernard Bratusa that the information contained in the report on Audit Committee be received.

8 Summary of Investments & Banking and Agency Collection Methods for the period 1 December to 31 December 2016

13 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Bernard Bratusa

That:

1. The information contained in the report on Summary of Investments & Banking and Agency Collection Methods for the period 1 December to 31 December 2016 be received.
2. The certificate of the Responsible Accounting Officer and Summaries of Investments and Performance for the period 1 December 2016 to 31 December 2016 be noted.
3. The graphical investment analysis as at 31 December be noted.
4. The Agency Collection Methods as at 31 December be noted.

6 UDIA National Congress 2017

14 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Ben Price

That:

1. The information contained in the report on UDIA National Congress 2017 be received
2. Councillors Mark Davies, Greg Davies, Tricia Hitchen and Aaron Duke, as well as any other available Councillors, be Council's delegates to attend the Urban Development Institute of Australia National Congress 2017 to be held 4-6 April in Perth and leave of absence be granted as appropriate.

REQUESTS FOR REPORTS AND MEMORANDUMS and URGENT BUSINESS

RR 1 Australia Day Celebrations

Councillor Ben Price congratulated Council staff for organising the 2017 Australia Day Celebrations at Jamison Park and requested that Council investigate the feasibility of alternating our future Australia Day Celebrations between Jamison Park and a venue in the eastern section of the Local Government Area commencing with a 2018 Australia Day Celebration at either St Clair or St Marys.

RR 2 Condition of Littlefields Road, Mulgoa

Councillor Marcus Cornish requested an urgent report to Council regarding the increased traffic on Littlefields Road, Mulgoa due to the demolishing and rebuilding of the Northern Road Bridge over the M4 Motorway, including investigating whether the road needs resurfacing, as well as a study of what other surrounding roads have been affected in the short term.

RR 3 Anti-Terrorism Barriers for use at Events

Councillor Marcus Cornish requested a memo reply to all Councillors regarding Council purchasing temporary concrete barriers, or other effective barriers, for anti-terrorism at events such as ANZAC Day marches and Australia Day celebrations, and investigating whether these can be State funded.

RR 4 Naming of Western Sydney Airport

Councillor Ross Fowler OAM requested a report to Council regarding the naming of Western Sydney Airport in honour of aviator William (Billy) Hart who had a connection with Western Sydney and particularly Penrith, and who was the holder of the first Australian Pilot's Licence.

RR 5 Linemarking - Ninth Avenue, Llandilo

Councillor Kevin Crameri OAM requested that centre linemarking be provided to the crest and curve of Ninth Avenue, Llandilo, just east of Third Avenue, due to increased traffic in the area.

RR 6 McGarrity's Hill Sign

Councillor Kevin Crameri OAM requested that the missing 'McGarrity's Hill' sign be reinstalled at its original location on the corner of Ninth Avenue and Northern Road, Llandilo.

RR 7 Residential Parking in Jordan Springs

Councillor Kevin Crameri OAM requested that the issue of cars parking too close to the centre line in narrow residential streets of Jordan Springs be referred to the Local Traffic Committee with a view to finding a solution to the problem.

RR 8 Damage to Toilet Block and Children's Playground - Park in Jordan Springs

Councillor Kevin Crameri OAM requested that Lendlease be contacted to advise when they will repair the damage incurred to the toilet block in the new park and to the children's playground in Jordan Springs, including a missing gate.

RR 9 Fire Fighting Access to New Homes in Ninth Avenue, Llandilo

Councillor Kevin Crameri OAM requested a memo reply to all Councillors advising how the Bush Fire Brigade may obtain access to the new homes in Ninth Avenue, Llandilo for fire fighting purposes as side access does not appear to have been provided.

UB 1 M4 Motorway Toll

Councillor Aaron Duke requested that Council write to WSROC to consult with other member councils regarding investigating the economic impact of a toll for the M4 Motorway on residents of the Penrith Local Government Area and exploring other options to fund the M4 Motorway extensions.

15 RESOLVED on the MOTION of Councillor Aaron Duke seconded Councillor Marcus Cornish that the matter be brought forward and dealt with as an urgent matter.

His Worship the Mayor, Councillor John Thain, ruled that the matter was urgent and should be dealt with at the meeting.

16 RESOLVED on the MOTION of Councillor Aaron Duke seconded Councillor Marcus Cornish that Council write to WSROC to consult with other member councils regarding investigating the economic impact of a toll for the M4 Motorway on residents of the Penrith Local Government Area and exploring other options to fund the M4 Motorway extensions.

RR 10 Emergency Services Property Levy

Councillor Karen McKeown requested a Councillor Briefing item on the Emergency Services Property Levy (ESPL) regarding how this new State levy will impact on Council in terms of ongoing maintenance, costs to residents and how the 11.7% levy will be treated.

RR 11 Container Deposit Scheme

Councillor Karen McKeown requested a Councillor Briefing item on the Container Deposit Scheme and how it will operate and impact on the Penrith community, in particular how Council can share in the recyclables that are collected kerbside using the EPA protocol.

UB 2 Queen Elizabeth - Sapphire Jubilee

Councillor Mark Davies requested that Council write a letter of congratulations to Her Royal Highness Queen Elizabeth, offering congratulations on her 65 years on the throne and as Head of the Commonwealth and expressing appreciation of her leadership and reign for the past 65 years.

17 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Marcus Cornish that the matter be brought forward and dealt with as an urgent matter.

His Worship the Mayor, Councillor John Thain, ruled that the matter was urgent and should be dealt with at the meeting.

18 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Marcus Cornish Councillor Mark Davies requested that Council write a letter of congratulations to Her Royal Highness Queen Elizabeth, offering congratulations on her 65 years on the throne and as Head of the Commonwealth and expressing appreciation of her leadership and reign for the past 65 years.

Councillor Ross Fowler OAM and Jim Aitken OAM called for a DIVISION.

For

Councillor Bernard Bratusa
Councillor Kevin Cramer OAM
Councillor John Thain
Councillor Mark Davies
Councillor Ross Fowler OAM
Councillor Tricia Hitchen
Councillor Marcus Cornish
Councillor Joshua Hoole
Councillor Ben Price

Against

Councillor Karen McKeown
Councillor Aaron Duke
Councillor Todd Carney
Councillor Kath Presdee

On being PUT to the meeting the MOTION was CARRIED.

RR 12 Australia Day 2017 Celebrations in Penrith

Councillor Bernard Bratusa requested a memo reply clarifying why the Australian Flag was not placed on Council's official material for Penrith's Australia Day 2017 celebrations.

COMMITTEE OF THE WHOLE

19 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Karen McKeown that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 8:34pm.

1 Presence of the Public

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

Outcome 7

2 Licence of part Belmore Street Carpark to Transport for NSW for Temporary Bus Interchange

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.

The meeting resumed at 8:37pm and the General Manager reported that the Committee of the Whole met at 8:34pm on 6 February 2017, the following being present

His Worship the Mayor, Councillor John Thain, Deputy Mayor, Councillor Tricia Hitchen, and Councillors Bernard Bratusa, Todd Carney, Marcus Cornish, Kevin Cramer OAM, Mark Davies, Aaron Duke, Ross Fowler OAM, Joshua Hoole, Karen McKeown, Kath Presdee and Ben Price

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 Licence of part Belmore Street Carpark to Transport for NSW for Temporary Bus Interchange

RECOMMENDED on the MOTION on Councillor Kevin Crameri OAM seconded Councillor Mark Davies

CW2 That:

1. The information contained in the report on the Licence of part Belmore Street Carpark to Transport for NSW for Temporary Bus Interchange be received.
2. Council resolve to enter into a Licence agreement with Transport for NSW over the identified land in accordance with the terms and conditions as detailed in this report.
3. Council resolve to affix the Common Seal of Penrith City Council to any necessary documentation.

ADOPTION OF COMMITTEE OF THE WHOLE

20 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Aaron Duke that the recommendations contained in the Committee of the Whole and shown as CW1 and CW2 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 8:39pm.

I certify that these 8 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 6 February 2017.

Chairperson

Date