

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

**ON MONDAY 25 JUNE 2018 AT 7:00PM**

**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 and Councillors Jim Aitken OAM, Bernard Bratusa, Todd Carney, Brian Cartwright, Robin Cook, Marcus Cornish, Kevin Crameri OAM, Greg Davies, Mark Davies, Aaron Duke, Ross Fowler OAM, Karen McKeown OAM and Kath Presdee.

**LEAVE OF ABSENCE**

Leave of Absence was previously granted to Councillor Tricia Hitchen.

**APOLOGIES**

There were no apologies.

**CONFIRMATION OF MINUTES - Ordinary Meeting - 28 May 2018**

129 RESOLVED on the MOTION of Councillor Aaron Duke seconded Councillor Karen McKeown OAM that the minutes of the Ordinary Meeting of 28 May 2018 be confirmed.

**DECLARATIONS OF INTEREST**

Councillor Kath Presdee declared a Non-Pecuniary Conflict of Interest – Less Than Significant in *Item 7 - Tender reference 17/18-30 Construction of Grey Gums Oval Amenities* as she is a member of the committee of one of the sporting clubs which utilise Grey Gums Oval. Councillor Presdee stated that she would leave the meeting during consideration of Item 7.

Councillor Robin Cook declared a Non-Pecuniary Conflict of Interest – Less Than Significant in *Item 2 - Australian Government Blackspot Program and NSW Safer Roads Program 2019/20 Nominations* as she lives in one of the streets that would potentially benefit from funding through this Program.

**SUSPENSION OF STANDING ORDERS**

130 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Aaron Duke that Standing Orders be suspended to allow members of the public to address the meeting, the time being 7:06pm.

**Elisa Todesco**

*Item 11 – Adoption of Revised Community Plan, Delivery Program 2017-21 and 2018-19 Operational Plan*

Ms Todesco, an affected resident, spoke in opposition to the recommendation. Ms Todesco highlighted the cost of rates in the Mt Vernon area and stated that she considered they were too high in comparison to other areas of the Penrith Local Government area, making ownership of rural property in the area unsustainable. Ms Todesco stated that there was a lack of services in the area, and in particular that there was no kerbing and guttering, no public transport or other similar amenities and that the roads were in poor condition.

**Procedural Motion**

131 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Kath Presdee that an extension of time be granted to allow the speaker to complete her address, the time being 7:12pm.

Ms Todesco concluded by requesting Councillors to reconsider the cost of rates in the Mt Vernon area.

**Lou Dulisse**

*Item 11 – Adoption of Revised Community Plan, Delivery Program 2017-21 and 2018-19 Operational Plan*

Mr Dulisse, an affected resident, spoke in opposition to the recommendation. Mr Dulisse questioned why Penrith City Council rural rates were approximately four times higher than other surrounding council rural rates, in particular Liverpool and Fairfield, and highlighted a lack of services available in the area. Mr Dulisse questioned why Mt Vernon residents do not receive the same amenities and benefits as other areas of the Penrith Local Government area. Mr Dulisse concluded by requesting Council to consider reducing the cost of rates in the Mt Vernon area.

**RESUMPTION OF STANDING ORDERS**

132 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kevin Crameri OAM that Standing Orders be resumed, the time being 7:23pm.

## MAYORAL MINUTES

### 1 Locals recognised in Queen's Birthday Honours

Councillors Greg Davies, Kath Presdee and Ross Fowler OAM spoke in support of the Mayoral Minute.

133 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Greg Davies that the Mayoral Minute on Locals recognised in Queen's Birthday Honours be received.

### 2 Retirement of General Manager, Alan Stoneham

Councillors Ross Fowler OAM, Greg Davies, Jim Aitken OAM and Mark Davies spoke in support of the Mayoral Minute.

134 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Ross Fowler OAM that the Mayoral Minute on Retirement of General Manager, Alan Stoneham be received.

### 3 Penrith Health Action Plan wins award

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

135 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Ross Fowler OAM that the Mayoral Minute on Penrith Health Action Plan wins award be received.

### 4 Passing of Freda Whitlam, AM

Councillors Karen McKeown OAM and Greg Davies spoke in support of the Mayoral Minute.

136 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Karen McKeown OAM that the Mayoral Minute on the Passing of Freda Whitlam, AM be received.

## REPORTS OF COMMITTEES

### 1 Report and Recommendations of the Policy Review Committee Meeting held on 4 June 2018

137 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Greg Davies that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 4 June, 2018 be adopted, with the exception of Items 1, 2 and 3.

**1 Report and Recommendations of the Policy Review Committee Meeting held on 4 June 2018 - Item 1 - Annual Update Planning Proposal**

138 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Greg Davies

That:

1. The information contained in the report on Annual Update Planning Proposal be received.
2. Council endorses the Planning Proposal provided at Attachment 2.
3. The General Manager be granted delegation to update and finalise the Planning Proposal referred to in resolution 2 prior to Council's submission of the Planning Proposal to the Minister for Planning.
4. Council officers forward the Planning Proposal to the Minister for Planning with a request to issue a Gateway Determination. The submission will include a request to issue Council with Delegation for plan making authority.
5. The General Manager be granted delegation to make any necessary changes to the Planning Proposal in the lead up to the Gateway Determination.
6. The General Manager be granted delegation to make any necessary changes to the Planning Proposal prior to public exhibition in response to the conditions of the Gateway Determination or negotiations with public authorities and other stakeholders.
7. Council publicly exhibits the Planning Proposal for a period to be specified in the Gateway Determination, and in accordance with the community consultation requirements of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.
8. A further report be presented to Council following the public exhibition.

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

<b>For</b>	<b>Against</b>
Councillor Kath Presdee	Councillor Marcus Cornish
Councillor Robin Cook	
Councillor Greg Davies	
Councillor Todd Carney	
Councillor Aaron Duke	
Councillor Karen McKeown OAM	
Councillor Kevin Crameri OAM	
Councillor Ross Fowler OAM	
Councillor Jim Aitken OAM	
Councillor Mark Davies	
Councillor Brian Cartwright	
Councillor Bernard Bratusa	
Councillor John Thain	

**1 Report and Recommendations of the Policy Review Committee Meeting held on 4 June 2018 - Item 2 - Orchard Hills North Planning Proposal (Accelerated Housing Delivery Program site)**

139 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Greg Davies

That:

1. The information contained in the report on Orchard Hills North Planning Proposal (Accelerated Housing Delivery Program site) be received.
2. Council endorses the Planning Proposal (provided under separate cover and tabled tonight), which is subject to further changes as referred to in resolution 5.
3. Council officers forward the Planning Proposal to the Minister for Planning with a request to issue a Gateway Determination. The submission will include a request to issue Council with Delegation for plan making authority.
4. A report be presented to Council following receipt of the Gateway Determination seeking resolution to publicly exhibit a Development Control Plan and Contributions Plan with the Planning Proposal.
5. The General Manager be granted delegation to make any necessary changes to the Planning Proposal referred to in resolution 2:
  - a. prior to Council's submission of the Planning Proposal to the Minister for Planning, which will include the resolution of the proposed playing field configuration and provision, and the preparation of proposed LEP 2010 map tiles.
  - b. as a result of negotiated changes sought by DPE in the lead up to the Gateway Determination.
  - c. prior to public exhibition in response to the conditions of the Gateway Determination or negotiations public authorities and other stakeholders.

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 Robin Cook  
Councillor Greg Davies  
Councillor Todd Carney  
Councillor Aaron Duke  
Councillor Karen McKeown OAM  
Councillor Kevin Crameri OAM  
Councillor Ross Fowler OAM  
Councillor Jim Aitken OAM  
Councillor Mark Davies  
Councillor Brian Cartwright  
Councillor Bernard Bratusa  
Councillor John Thain

Councillor Marcus Cornish

**1 Report and Recommendations of the Policy Review Committee Meeting held on 4 June 2018 - Item 3 - Reclassification of Council owned land at 11-13 Chesham Street, St Marys**

140 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Greg Davies

That:

1. The information contained in the report on Reclassification of Council owned land at 11-13 Chesham Street, St Marys be received
2. A Planning Proposal reclassifying public land at 11-13 Chesham Street, St Marys from Community land to Operational land be submitted to the Department of Planning and Environment seeking a Gateway Determination.
3. Consultation with the community and public agencies be undertaken in accordance with any Gateway Determination issued by the Department of Planning and Environment.
4. An independently chaired public hearing be held at least 21 days after the close of the public exhibition period.
5. A planning consultant be engaged to independently chair the public hearing.
6. A report be presented to Council on the submissions received during the public exhibition and the results of the public hearing.

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 Robin Cook  
Councillor Greg Davies  
Councillor Todd Carney  
Councillor Aaron Duke  
Councillor Karen McKeown OAM  
Councillor Kevin Crameri OAM  
Councillor Ross Fowler OAM  
Councillor Jim Aitken OAM  
Councillor Mark Davies  
Councillor Brian Cartwright  
Councillor Bernard Bratusa  
Councillor Marcus Cornish  
Councillor John Thain

## DELIVERY PROGRAM REPORTS

### OUTCOME 3 - WE CAN GET AROUND THE CITY

#### **1 Australian Government Black Spot and Safer Roads Program - Funding Acceptance 2018-19 and 2019-20**

141 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Kath Presdee

That:

1. The information contained in the report on Australian Government Black Spot and Safer Roads Program - Funding Acceptance 2018-19 and 2019-20 be received.
2. Council acknowledge acceptance of grant funding of \$735,000 offered for the five successful Black Spot and Safer Roads Projects shown in Tables 1 and 2 for the 2018/19 and 2019-20 financial year.
3. Council write to relevant State and Federal Members thanking them for their continued support of road safety improvements.

#### **2 Australian Government Blackspot Program and NSW Safer Roads Program 2019/20 Nominations**

142 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Kath Presdee

That:

1. The information contained in the report on Australian Government Blackspot Program and NSW Safer Roads Program 2019/20 Nominations be received.
2. Council endorse the five projects listed in Table 1 of this report for funding application to the Roads and Maritime Services under the Australian Government Blackspot Program and NSW Safer Roads Program 2019/20.
3. The Roads and Maritime Services be requested to investigate traffic safety on roads under its jurisdiction at locations indicated in Table 2 of this report.

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

#### **3 North Penrith Community Centre Management Committee**

143 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Aaron Duke

That:

1. The information contained in the report on North Penrith Community Centre Management Committee be received
2. The S355 North Penrith Community Centre Management Committee be formally dissolved.

**6 Expression of Interest (EOI) Tender Reference 17/18-01 - Design and Construction of Soper Place Car Park, Penrith**

144 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Aaron Duke

That:

1. The information contained in the report on Expression of Interest (EOI) Tender Reference 17/18-01 - Design and Construction of Soper Place Car Park, Penrith be received
2. Selective tenders be invited from the following companies for the Design & Construction of Soper Place Car Park:
  - ADCO Construction
  - Hindmarsh Construction
  - Richard Crookes Construction
  - St Hilliers Construction
  - Taylor Construction Group
3. The Common Seal of the Council of the City of Penrith be placed on all documentation if necessary.

Having previously declared a Non-Pecuniary Conflict of Interest – Less Than Significant in Item 7, Councillor Kath Presdee left the meeting, the time being 8:15pm.

**7 Tender reference 17/18-30 Construction of Grey Gums Oval Amenities**

145 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Aaron Duke

That:

1. The information contained in the report on Tender reference 17/18-30 Construction of Grey Gums Oval Amenities be received
2. Coverit Building Group Pty Ltd be awarded the Contract subject to the execution of a formal agreement for the Construction of Grey Gums Oval Amenities for an amount of \$992,600.00 excluding GST.
3. The Common Seal of the Council of the City of Penrith be placed on all documentation as necessary.

Councillor Kath Presdee returned to the meeting, the time being 8:17pm.

**4 Weed Education and Non-Compliance Penalties**

146 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Marcus Cornish

That:

1. The information contained in the report on Weed Education and Non-Compliance Penalties be received.



2. The Chairman and General Manager of the Hawkesbury River County Council be invited to brief Council on the implications of the Biosecurity Act of 2015 and the management of weeds across the City.
3. A copy of the weed information brochure be provided to all Council staff, in particular outdoor staff who are trained in weed eradication, so that they may readily recognise noxious weeds.
4. A copy of the weed information brochure be sent to Roads and Maritime Services (RMS), pointing out that the islands in Jordan Springs are infested with Apple of Sodom, and requesting RMS to instigate measures for controlling the growth of this noxious weed.
5. A copy of the weed information brochure be forwarded to the National Parks and Wildlife Service, and also to Local Members of Parliament so that they may pass the information on to their departments.

## 5 Triangle Park and High St Projects - Update

147 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Karen McKeown OAM that the information contained in the report on Triangle Park and High St Projects - Update be received.

### Procedural Motion

148 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Marcus Cornish that *Item 11 – Adoption of Revised Community Plan, Delivery Program 2017-21 and 2018-19 Operational Plan* be brought forward for consideration before the remainder of items on the agenda.

## OUTCOME 7 – WE HAVE CONFIDENCE IN OUR COUNCIL

### 11 Adoption of Revised Community Plan, Delivery Program 2017-21 and 2018-19 Operational Plan

149 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on Adoption of Revised Community Plan, Delivery Program 2017-21 and 2018-19 Operational Plan be received.
2. In accordance with the Local Government Act 1993 under section 405, Council adopt Council's Community Plan; Delivery Program 2017-21 and 2018-19 Operational Plan, including proposed changes outlined in this report, any amendments made at tonight's meeting; and any additional minor corrections.
3. Council adopt the following to make the Rates and Charges for 2018-19:
  - a. **Ordinary Rate:** Council make its Residential, Business and Farmland rates for 2018-19 in accordance with Section 535 of the Local Government Act 1993 such rate to be as follows:

Category	Minimum Amount	Ad Valorem (cents in the dollar)
Residential	\$1,059.35	0.362022
Farmland	\$1,059.35	0.181011
Business	\$1,277.25	0.644534
Business subcategory – Penrith CBD	\$1,277.25	0.731541
Business subcategory – St Marys Town Centre	\$1,277.25	0.990964

- b. **Stormwater Charges:** Council make its Stormwater Management Service charge to be applied on all urban residential and urban business land as outlined in the report.
  - c. **Domestic Waste Charges:** Council make its Domestic Waste Service charge in accordance with Section 496 of the Local Government Act 1993 and the 2018-19 Operational Plan and 2018-19 Fees & Charges.
  - d. **Effluent Charges:** Council make its annual charge for effluent removal services as outlined in the report and the 2018-19 Operational Plan and 2018-19 Fees & Charges.
  - e. **Interest:** Council make the interest charge of 7.5% per annum for 2018-19 as allowable under Section 566(3) of the Local Government Act 1993.
  - f. **Pension Rebate:** Council provide a voluntary rebate under Section 582 of the Local Government Act 1993 in addition to the mandatory pensioner rebate. The voluntary rebate will be equivalent to the annual stormwater charge applicable to the property, and include pro-rata calculations according to Sections 575 and 584 of the Local Government Act 1993.
4. **Service of Rate Notices:** The General Manager be and is hereby authorised, to prepare and serve Rates and Charges Notices for and on behalf of Council.

Councillors Marcus Cornish and Kevin Crameri OAM called for a DIVISION.

**For**

Councillor Kath Presdee  
 Councillor Robin Cook  
 Councillor Greg Davies  
 Councillor Todd Carney  
 Councillor Aaron Duke  
 Councillor Karen McKeown OAM  
 Councillor Ross Fowler OAM  
 Councillor Jim Aitken OAM  
 Councillor Mark Davies  
 Councillor John Thain

**Against**

Councillor Bernard Bratusa  
 Councillor Marcus Cornish  
 Councillor Kevin Crameri OAM  
 Councillor Brian Cartwright

## OUTCOME 5 - WE CARE ABOUT OUR ENVIRONMENT

### 8 Works on private land and drainage works at 2 Mills Road, Londonderry

150 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Aaron Duke

That:

1. The information contained in the report on Works on private land and drainage works at 2 Mills Road, Londonderry be received
2. Council agree to the sediment removal works being undertaken on private property at 2 Mills Road, Londonderry at no cost to the property owner.
3. The property owners be advised of Council's resolution.

### 9 RFT17/18-07 (Waste and Resource Collection Services) and RFT 17/18-08 (Waste and Resource Processing/Disposal Services) Recommendation Report

Councillor Kevin Crameri OAM left the meeting, the time being 8:47pm.

Councillor Kevin Crameri OAM returned to the meeting, the time being 8:49pm.

151 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Karen McKeown OAM

That:

1. The information contained in the report on RFT17/18-07 (Waste and Resource Collection Services) and RFT 17/18-08 (Waste and Resource Processing/Disposal Services) Recommendation Report be received.
2. Council accepts the combined non-conforming tender from SUEZ Recycling and Recovery Pty Ltd (ABN 70 002 902 650) for a ten (10) year term, subject to Contract finalisation to the satisfaction of the Chief Governance Officer and the General Manager and consistent with the comments of the Financial Services Manager within the report, for:

Non-conforming 1 and 2 in RFT17/18-07 Waste Collection Services (refer to Table 16 of the report and Non-conforming 1 in RFT17/18-08 Waste and Resource Processing/Disposal Services (refer to Table 16 of the report) with the following inclusions:

#### *RFT17/18-07 Waste Collection Services*

- include the supply and distribution of new bins as determined by the Waste & Resource Recovery Manager at the commencement of the contract on the payment schedule set out in the Tender - whereby the bins are paid for by Council over the contract term;
- with adjusted contract terms substantially in accordance with non-conforming 2 but as settled with Council's solicitors;
- include the Civic, Council and other identified collection rates that include disposal rate;
- include the option for the collection of Bulky Clean Up Waste that includes the processing of this material.

#### *RFT17/18-08 Waste and Resource Processing/Disposal Services*

- with adjusted contract terms substantially in accordance with non-

- conforming 1 but as settled with Council solicitors;
- exclude the offer from SUEZ Recycling & Recovery Pty Ltd for organics processing services in Part C

3. Council declines to accept any tender for Part B of RFT17/18-08 Waste and Resource Processing/Disposal Services - Recycling Recovery Services.

Council in accordance with s.178 of the Local Government (General) Regulations 2005 not call fresh tender for the following reasons:

- Non-conformity
- Uncertainty in the marketplace
- Prices offered are beyond what Council would expect to pay over a long term

Negotiate with Visy Paper Pty Ltd, Polytrade Pty Ltd and SUEZ Recycling and Recovery Pty Ltd to achieve an acceptable commercial agreement for the recycling processing services (Part B). Such negotiation to be carried out in accordance with a Negotiation Agreement and a Negotiation Strategy. Those negotiations be over the subject matter of the tender. The result of such negotiations be reported to Council prior to acceptance. In the event that a satisfactory contract cannot be negotiated, the services be re-tendered for a shorter term.

4. Council accepts the tender from Australian Native Landscapes Pty Ltd (ABN 42 001 749 980) for Part C of RFT17/18-08 Waste and Resource Processing/Disposal Services for a ten (10) year term.
5. Council excludes the Effluent Collection Services from tender RFT17/18-07 Waste and Resource Recovery Collection.

Council in accordance with s.178 of the Local Government (General) Regulations 2005 not call fresh tender for the following reasons:

- Opportunities exist under the Regional Strategic Alliance and Hawkesbury City Council
- Negotiation with other tenderers is preferred to re-tendering, as a suitable contract is likely
- The ability to talk to other suppliers in the industry

Negotiate with Remondis Australia Pty Ltd, Hawkesbury City Council and smaller service providers determined by Waste & Resource Recovery Manager to achieve an acceptable commercial agreement for the Effluent Collection Services. Such negotiation to be carried out in accordance with a Negotiation Agreement and a Negotiation Strategy. Those negotiations be over the subject matter of the tender. The result of such negotiations be reported to Council prior to acceptance. In the event that a satisfactory contract cannot be negotiated, the services be re-tendered.

6. The General Manager be delegated authority to finalise the details of the resulting contracts with SUEZ Recycling and Recovery Pty Ltd, Australian Native Landscapes Pty Ltd and the contractor for the negotiated recycling processing services and/or the effluent collection services.
7. The Common Seal of the Council of the City of Penrith be placed on all documentation as necessary.
8. Council notifies unsuccessful tenderers.

Councillor Marcus Cornish called for a DIVISION.

**For**

**Against**

Councillor Kath Presdee  
Councillor Robin Cook  
Councillor Greg Davies  
Councillor Todd Carney  
Councillor Aaron Duke  
Councillor Karen McKeown OAM  
Councillor Kevin Crameri OAM  
Councillor Ross Fowler OAM  
Councillor Jim Aitken OAM  
Councillor Mark Davies  
Councillor Brian Cartwright  
Councillor Bernard Bratusa  
Councillor John Thain

Councillor Marcus Cornish

Councillor Marcus Cornish left the meeting, the time being 9:07pm.

**OUTCOME 6 - WE ARE HEALTHY AND SHARE STRONG COMMUNITY SPIRIT**

**10 RFT17/18-26 for the supply, installation, testing and commissioning of sports field lighting at The Kingsway Rugby League Fields, St Marys**

152 RESOLVED on the MOTION of Councillor Aaron Duke seconded Councillor Kevin Crameri OAM

That:

1. The information contained in the report on RFT17/18-26 for the supply, installation, testing and commissioning of sports field lighting at The Kingsway Rugby League Fields, St Marys be received
2. The proposal and lump sum price from Hix Group Pty Ltd T/A Hix Electrical & Data Services \$99,380.13 be accepted for the supply, installation, testing and commissioning of Sportsfield Lighting at The Kingsway Rugby League Fields Stage 1, St Marys
3. The Common Seal of the Council of the City of Penrith be placed on all documentation as necessary.
4. Council thank St Marys Rugby League Football Club for its contribution through a Community Building Partnership Grant.

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

### **12 Councillor Representation on Working Parties and Committees**

Councillor Marcus Cornish returned to the meeting, the time being 9:09pm.

153 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kath Presdee

That:

1. The information contained in the report on Councillor Representation on Working Parties and Committees be received
2. Council nominate Councillor Robin Cook to represent Council on the Access Committee for the remainder of this council term.
3. Council nominate Councillor Brian Cartwright to represent Council on the Heritage Advisory Committee for the remainder of this council term.
4. Council nominate Councillor Robin Cook to represent Council on the Multicultural Working Party for the remainder of this council term.

### **13 Easements to Epsilon Distribution Ministerial Holding Corporation (T/A Endeavour Energy) for Padmount Substations at 229 Caddens Road, Caddens known as Lot 754 DP1180111**

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

That:

1. The information contained in the report on Easements to Epsilon Distribution Ministerial Holding Corporation (T/A Endeavour Energy) for Padmount Substations at 229 Caddens Road, Caddens known as Lot 754 DP1180111 be received.
2. Council grant the easements over 229 Caddens Road Caddens (Lot 754 DP1180111) to benefit Epsilon Distribution Ministerial Holding Corporation in accordance with the terms and conditions listed in this report.
3. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

### **14 2018-19 Borrowing Program**

155 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kath Presdee

That:

1. The information contained in the report on 2018-19 Borrowing Program be received
2. Council borrow the \$1,400,000 to fund infrastructure assets.
3. The General Manager be granted delegated authority to negotiate the loans in accordance with this resolution.
4. The Common Seal of the Council of the City of Penrith be affixed to those documents that are necessary to finalise these borrowings.

5. The final terms and conditions of the borrowings be reported to the Council upon completion of the loan contracts.

**15 Summary of Investments & Banking for the period 1 May 2018 to 31 May 2018**

156 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kath Presdee

That:

1. The information contained in the report on Summary of Investments & Banking for the period 1 May 2018 to 31 May 2018 be received
2. The certificate of the Responsible Accounting Officer and Summary of Investments and Performance for the period 1 May 2018 to 31 May 2018 be noted and accepted.
3. The graphical investment analysis as at 31 May 2018 be noted.

**REQUESTS FOR REPORTS AND MEMORANDUMS**

Councillor Greg Davies left the meeting, the time being 9:10pm.

**RR 1 Library Funding**

Councillor Karen McKeown OAM requested a memo reply to all Councillors regarding the likely impact on Penrith City Council Libraries of the 10 per cent reduction to funding for libraries reported in the recent State Budget.

**RR 2 Provision of Housing in Western Sydney**

Councillor Kevin Crameri OAM requested a report to Council detailing how many houses Penrith City is expected to provide, and in which suburbs, as part of the Western Sydney housing quota.

**RR 3 Village Cafe Project**

Councillor Robin Cook requested a report to Council providing information on extending the program funding for the Village Café project beyond 2019 as this provides a valuable resource to the community.

**RR 4 Erskine Park Road Upgrades**

Councillor Todd Carney requested a memo reply to all Councillors providing an update on the progress of the upgrades to Erskine Park Road, including when the starting date is likely to be.

Councillor Greg Davies returned to the meeting, the time being 9:15pm.

**RR 5 Mamre Road Upgrade**

Councillor Todd Carney requested a memo reply to all Councillors providing an update on the Mamre Road upgrade, to include information as to why a left-hand turn only out of McIntyre Avenue has been provided and not a right-hand turn as well.

**RR 6 Housing in Noise Contour areas surrounding the future Western Sydney Airport**

Councillor Todd Carney requested a memo reply to all Councillors providing information as to what housing will be permissible within the noise contour area around the Western Sydney Airport site, and that Council officers write to the Minister for Planning seeking clarification of any changes as to what housing will be permissible and the impact this is likely to have on future housing in affected suburbs within the Penrith Local Government area.

**RR 7 General Manager Extension**

His Worship the Mayor, Councillor John Thain requested that a matter be referred to Committee of the Whole as the matter refers to personnel matters concerning particular individuals and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

**COMMITTEE OF THE WHOLE**

157 RESOLVED on the MOTION of Councillor Brian Cartwright seconded Councillor Marcus Cornish that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 9:18pm.

**1 Presence of the Public**

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

**Outcome 1****2 Primary Application - Part Lot 10 Union Road Penrith (Union Road Carpark)**

*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.*

**3 General Manager Extension**

*His Worship the Mayor, Councillor John Thain requested that a matter be referred to Committee of the Whole as the matter refers to personnel matters concerning particular individuals and discussion of the matter in open meeting would be, on balance, contrary to the public interest.*

The meeting resumed at 9:23pm and the General Manager reported that the Committee of the Whole met at 9:19pm on 25 June 2018, the following being present



His Worship the Mayor, Councillor John Thain and Councillors Jim Aitken OAM, Bernard Bratusa, Todd Carney, Brian Cartwright, Robin Cook, Marcus Cornish, Kevin Crameri OAM, Greg Davies, Mark Davies, Aaron Duke, Ross Fowler OAM, Karen McKeown OAM and Kath Presdee.

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 Primary Application - Part Lot 10 Union Road Penrith (Union Road Carpark)**

RECOMMENDED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Robin Cook

CW2 That:

1. The information contained in the report on Primary Application - Part Lot 10 Union Road Penrith (Union Road Carpark) be received.
2. The subject land be classified as Operational under S 31 Local Government Act 1993 upon transfer to Council.
3. The Common Seal of the City of Penrith be placed on all necessary documentation.

#### **3 General Manager Extension**

RECOMMENDED on the MOTION of Councillor Greg Davies seconded Councillor Marcus Cornish

CW3 That:

1. The information contained in the report on General Manager Extension be received.
2. Mr Alan Stoneham be offered a contract for the period of 2 July 2018 to 26 August 2018 under section 351 of the Local Government Act 1993 to fill the vacancy in the Office of the General Manager during that period.
3. Mr Alan Stoneham be offered a further two-week appointment to assist with the new General Manager's orientation.
4. The Council note that Mr Warwick Winn will commence as General Manager on Monday 27 August 2018.

### **ADOPTION OF COMMITTEE OF THE WHOLE**

158 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Marcus Cornish 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 9:26pm.

I certify that these 18 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 25 June 2018.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date