

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

ON MONDAY 24 SEPTEMBER 2018 AT 7:01PM

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, Brian Cartwright, Robin Cook, Marcus Cornish, Kevin Crameri OAM, Mark Davies, Aaron Duke, Ross Fowler OAM, Karen McKeown OAM and Kath Presdee.

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Greg Davies for the period 11 September 2018 to 4 October 2018 inclusive.

APOLOGIES

222 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Kevin Crameri OAM that an apology be accepted for Councillor Jim Aitken OAM.

CONFIRMATION OF MINUTES - Ordinary Meeting - 27 August 2018

223 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Karen McKeown OAM that the minutes of the Ordinary Meeting of 27 August 2018 be confirmed.

DECLARATIONS OF INTEREST

There were no declarations of interest.

SUSPENSION OF STANDING ORDERS

224 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Aaron Duke that Standing Orders be suspended to allow members of the public to address the meeting, the time being 7:09pm.

Karen Taylor

Item 5 – 2017-2018 - Draft Financial Statements

Karen Taylor, Director, Financial Audit Services at the Audit Office of New South Wales addressed Council on the Draft 2017-2018 Financial Statements and advised that she would be issuing an unqualified audit report, noting that there were no material misstatements and that the Statements present fairly.

RESUMPTION OF STANDING ORDERS

225 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Ross Fowler OAM that Standing Orders be resumed, the time being 7:13pm.

Councillor Aaron Duke left the meeting, the time being 7:14pm.

Councillor Aaron Duke returned to the meeting, the time being 7:14pm.

Procedural Motion

226 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Kath Presdee that *Item 5 – 2017-2018 Draft Financial Statements* be considered before all other items of business.

MAYORAL MINUTES

1 Year in Review

227 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Karen McKeown OAM that the Mayoral Minute on the Year in Review be received.

Councillors Tricia Hitchen, Karen McKeown OAM, Ross Fowler OAM, Mark Davies, Todd Carney, Marcus Cornish, Bernard Bratusa and Aaron Duke all spoke in support of the Mayoral Minute and thanked the Mayor and Deputy Mayor for their service.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Access Committee Meeting held on 8 August, 2018

228 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Tricia Hitchen that the recommendations contained in the Report and Recommendations of the Access Committee meeting held on 8 August, 2018 be adopted.

2 Report and Recommendations of the Local Traffic Committee Meeting held on 3 September 2018

229 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Karen McKeown OAM that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 3 September, 2018 be adopted.

3 Report and Recommendations of the Policy Review Committee Meeting held on 3 September, 2018

230 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Brian Cartwright that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 3 September, 2018 be adopted.

DELIVERY PROGRAM REPORTS

OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

5 2017-18 Draft Financial Statements

231 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Kath Presdee

That:

1. The information contained in the report on 2017-18 Draft Financial Statements be received.
2. Pursuant to s413(2)(c) it is the Council's opinion that:
 - a. The Financial Statements and schedules have been drawn up in accordance with the Local Government Act 1993 and Regulations, the Local Government Code of Accounting Practice and Financial Reporting, the Local Government Australian Infrastructure Management Guidelines, and Australian Accounting Standards. The Statements comply with Australian Statements of Accounting Concepts.
 - b. The Financial Statements present fairly the Council's financial position as at 30 June 2018 and the operating result for the year then ended.
 - c. The statements are in accord with Council's accounting and other records.
3. Pursuant to the Local Government Code of Accounting Practice and Financial Reporting and Section 215 of the Local Government (General) Regulation 2005 it is the Council's opinion that:
 - a. The accompanying Special Purpose Financial Report has been drawn up in accordance with the Local Government Act 1993 and Regulations, the Local Government Code of Accounting Practice and Financial Reporting and the requirements of National Competition Policy. The Code requires the inclusion of various charges and subsidies which are not actually paid or payable.
 - b. The Special Purpose Financial Report is a special purpose report and is not required to comply with Australian Accounting Standards. The above legislative requirements differ from Australian Accounting Standards and hence the report does not comply with Australian Accounting Standards.
 - c. The Special Purpose Financial Statements present a modelled scenario for comparative purposes. They do not report an actual result.

4. The Statements be forwarded to Council's Auditors.

1 Election of Mayor

232 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor Todd Carney

That:

1. The information contained in the report on Election of Mayor be received
2. In the event of more than one Councillor being nominated, Council determine the method of election for the Office of Mayor be open voting, by way of show of hands.

His Worship the Mayor, Councillor John Thain handed over to the Returning Officer, General Manager Warwick Winn, to conduct the election of the Mayor.

The Returning Officer indicated that he had received two (2) nominations for the position of Mayor and asked whether there were any other nominations. No other nominations were forthcoming.

The Returning Officer stated that the following nominations were in order:

Councillor Marcus Cornish
Councillor Ross Fowler OAM

The Returning Officer then asked for voting by way of a show of hands, with the following result:

Councillor Marcus Cornish – 2 votes
Councillor Ross Fowler OAM – 11 votes

The Returning Officer declared Councillor Ross Fowler OAM duly elected as Mayor for the 2018/2020 term.

Former Mayor, Councillor John Thain, placed the Mayoral Chains on Councillor Ross Fowler OAM, and Councillor Fowler took the chair, the time being 7.20pm.

Councillors John Thain, Todd Carney, Mark Davies, Aaron Duke, Karen McKeown OAM, and Bernard Bratusa congratulated the Mayor on his election.

2 Election of Deputy Mayor

233 RESOLVED on the MOTION of Councillor Aaron Duke seconded Councillor Brian Cartwright

That:

1. The information contained in the report on Election of Deputy Mayor be received
2. Council consider the Election of a Deputy Mayor for the term 2018/19.
3. In the event of more than one Councillor being nominated, Council determine the method of election for the Office of Deputy Mayor be open voting, by way of show of hands.
4. In accordance with Section 231 (2) of the Local Government Act 1993, the term of Office of the Deputy Mayor be determined to be for one year.

His Worship the Mayor, Councillor Ross Fowler OAM handed over to the Returning Officer General Manager, Warwick Winn, to conduct the election of the Deputy Mayor.

The Returning Officer indicated that he had received two (2) nominations for the position of Deputy Mayor and asked whether there were any other nominations. No other nominations were forthcoming.

That Returning Officer stated that the following nominations were in order:

Councillor Kevin Crameri OAM – 2 votes
Councillor Greg Davies – 11 votes

The Returning Officer declared Councillor Greg Davies duly elected as Deputy Mayor for the 2018/19 Term.

3 2018-19 Financial Assistance Grant

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

That:

1. The information contained in the report on 2018-19 Financial Assistance Grant be received.
2. The Budget be adjusted to reflect the revised Financial Assistance Grant as part of the September 2018 Quarterly Review.

4 Summary of Investments & Banking for the Period 1 August 2018 to 31 August 2018

235 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Kath Presdee

That:

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

6 Borrowing Program 2018-19

236 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Todd Carney

That:

1. The information contained in the report on Borrowing Program 2018-19 be received
2. Council be advised that ANZ was the successful lender for the renewal loan that comprised the 2018-19 Borrowing Program.

REQUESTS FOR REPORTS AND MEMORANDUMS and URGENT BUSINESS

UB 1 Request for Leave of Absence

Councillor Mark Davies requested Leave of Absence from 5 October to 19 October 2018 inclusive.

237 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Brian Cartwright 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.

238 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Brian Cartwright that Councillor Mark Davies be granted Leave of Absence from 5 October to 19 October 2018 inclusive.

UB 2 Fiver for a Farmer

Councillor John Thain congratulated Penrith City Council staff on raising \$4,200 to assist struggling farmers. Councillor Thain requested that Penrith City Council match the staff contribution, in the amount of \$4,200 to be allocated equally from each Ward's voted works to Fiver for a Farmer.

239 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Tricia Hitchen 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.

240 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Tricia Hitchen that that Penrith City Council match the staff contribution, in the amount of \$4,200 to be allocated equally from each Ward's voted works to Fiver for a Farmer.

RR 1 Illegality of Filling without Permission

Councillor Kevin Crameri OAM requested that Council investigate the possibility of promoting or advertising that it is illegal to fill land without permission, on Council envelopes or other suitable methods..

RR 2 Llandilo - Kangaroo Hazard

Councillor Kevin Crameri OAM requested that Council write to Lend Lease to request that they repair the fence behind the last block on the eastern end of the panhandle to stop the release of kangaroos from the area.

RR 3 Loaded Material

Councillor Marcus Cornish requested that Council seek assurances from the RMS as to the nature of loaded material, that is being used in the Orchard Hills area.

There being no further business the Chairperson declared the meeting closed the time being 8:06pm.

I certify that these 7 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 24 September 2018.

Chairperson

Date