

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

**ON MONDAY 29 OCTOBER 2018 AT 7:03PM**

**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 the Governance Co-ordinator, Adam Beggs.

**PRESENT**

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

**APOLOGIES**

There were no apologies.

**CONFIRMATION OF MINUTES - Ordinary Meeting - 24 September 2018**

241 RESOLVED on the MOTION of Councillor Brian Cartwright seconded Councillor Todd Carney that the minutes of the Ordinary Meeting of 24 September 2018 be confirmed.

**DECLARATIONS OF INTEREST**

Councillor John Thain declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 10 - Magnetic Places Grants Program 2018-19* as his son attends one of the organisations that are listed to receive a grant under this program.

His Worship the Mayor, Councillor Ross Fowler OAM declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 10 - Magnetic Places Grants Program 2018-19* as he is a Director on the board of a recipient of funding under this grants program, and stated that he will leave the Chamber during consideration of this item and that the Deputy Mayor will take the Chair during his absence.

Councillor Tricia Hitchen declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 10 - Magnetic Places Grants Program 2018-19* as her son attends an organisation that is a recipient of a grant under this program.

Councillor Bernard Bratusa declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 4 - Sydney Science Park Voluntary Planning Agreement Amendment* as the proponent is a partner of his employer.

**SUSPENSION OF STANDING ORDERS**

242 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Robin Cook that Standing Orders be suspended to allow members of the public to address the meeting, the time being 7:07pm.

**Lisa Harrold**

*Item 6 - Review of Environmental Factors for Mulgoa Road Upgrade between Jeanette Street, Regentville and Blaikie Road, Jamisontown*

Ms Harrold, spokesperson for Mulgoa Valley Landcare Group, spoke in support of Council's proposal for better design to maximise the number of trees to be retained and requested that community representatives be invited to join discussions on this aspect. Ms Harrold outlined concerns about the protection of old growth trees which provide an important habitat for wildlife.

243 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Jim Aitken OAM that an extension of time be granted to permit the speaker to conclude her address, the time being 7:12pm.

Ms Harrold concluded by suggesting that Council request Roads and Maritime Services to replace any trees which are removed with 20 other trees for each tree removed, to provide a guaranteed conservation future.

**Eli Bendall**

*Item 6 - Review of Environmental Factors for Mulgoa Road Upgrade between Jeanette Street, Regentville and Blaikie Road, Jamisontown*

Mr Bendall, an interested citizen, stated his in-principle support for Council's submission to Roads and Maritime Services. Mr Bendall went on to note the continuing loss of natural heritage in the Penrith LGA and Western Sydney region, mainly due to population growth. Mr Bendall expressed his view that Penrith City Council has the opportunity to set a regional benchmark, by retaining and integrating remaining natural heritage, whilst improving infrastructure, and then outlined ideas for subtle improvements to the 'grey gums' area to encourage visitation, appreciation and provide educational and recreational opportunities for the community.

**David Bowen**

*Item 6 - Review of Environmental Factors for Mulgoa Road Upgrade between Jeanette Street, Regentville and Blaikie Road, Jamisontown*

Mr Bowen, a concerned resident and local horticulturalist, spoke in opposition to the destruction of remnant old growth trees at this location. Mr Bowen stated that these trees not only provide shade but also maintain the integrity of the underlying water table as well as providing habitat for a variety of wildlife. Mr Bowen reiterated the importance of maintaining the trees rather than destroying them along with the 20 metres of land it is proposed to be cleared. Mr Bowen concluded by requesting Council to lobby the NSW Government to change its plans for the land clearing in this location.

## **RESUMPTION OF STANDING ORDERS**

244 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Kevin Crameri OAM that Standing Orders be resumed, the time being 7:25pm.

## **MAYORAL MINUTES**

### **1 Mountain View Reserve, Cranebrook Wins Awards**

Councillors Greg Davies and John Thain spoke in support of the Mayoral Minute.

245 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Greg Davies that the Mayoral Minute on Mountain View Reserve, Cranebrook Wins Awards be received.

### **2 Penrith Health Action Plan Wins Another Award**

Councillor Greg Davies spoke in support of the Mayoral Minute.

246 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Greg Davies that the Mayoral Minute on Penrith Health Action Plan Wins Another Award be received.

## **REPORTS OF COMMITTEES**

### **1 Report and Recommendations of the Local Traffic Committee Meeting held on 8 October 2018**

247 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor Marcus Cornish that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 8 October, 2018 be adopted.

### **2 Report and Recommendations of the Policy Review Committee Meeting held on 8 October 2018**

248 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Aaron Duke that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 8 October, 2018 be adopted.

## DELIVERY PROGRAM REPORTS

### OUTCOME 1 - WE CAN WORK CLOSE TO HOME

#### 1 Event Sponsorship proposal from Paddle Australia – 2019 Canoe Slalom Oceania Championships

249 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Marcus Cornish

That:

1. The information contained in the report on Event Sponsorship proposal from Paddle Australia – 2019 Canoe Slalom Oceania Championships be received
2. Council support funding this event from existing resources.
3. A report be presented to a future Councillor Briefing reviewing sustainability of funding future National and International Events in the Penrith Local Government Area.

### OUTCOME 2 - WE PLAN FOR OUR FUTURE GROWTH

#### 5 Release of Existing Easement over Lot 100 DP1225053 at No. 38 Doonmore Street Penrith - Development Application No. 15/1234.02 Applicant: Coplex Pty Ltd; Owner: ~3co Penrith Pty Ltd

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

That:

1. The information contained in the report on Release of Existing Easement over Lot 100 DP1225053 at No. 38 Doonmore Street Penrith - Development Application No. 15/1234.02 be received.
2. Council resolve to affix the common seal to all necessary paperwork relating to the application for transfer releasing easement.

#### 2 Amending Precinct Plan for the Central Precinct of St Marys Release Area

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

That:

1. The information contained in the report on Amending Precinct Plan for the Central Precinct of St Marys Release Area be received.
2. The draft Chapter containing the Development Control Strategy be placed on public exhibition for a minimum of 28 days and that consultation be undertaken with relevant government agencies in accordance with the requirements of Sydney Regional Environmental Plan No.30 – St Marys, the relevant provisions of the *Environmental Planning and Assessment Act, 1979* and associated Regulations.

3. A further report be presented to Council presenting the results following the public exhibition and agency consultation.

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

### **3 Submission on Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan - Stage 1**

252 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Mark Davies

That:

1. The information contained in the report on Submission on Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan - Stage 1 be received
2. Council endorse the submission provided in Appendix 1 on the Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan and forward to the Department of Planning and Environment by 2 November 2018
3. Council officers make further representations to ensure that Council, through the Planning Partnership, is centrally involved in the co-design of all phases of the LUIP.

Councillor Kevin Crameri OAM called for a DIVISION.

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

Councillor Mark Davies  
Councillor Brian Cartwright  
Councillor Tricia Hitchen  
Councillor Bernard Bratusa  
Councillor Ross Fowler OAM

#### **4 Sydney Science Park Voluntary Planning Agreement Amendment**

253 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor John Thain

That:

1. The information contained in the report on Sydney Science Park Voluntary Planning Agreement Amendment be received
2. Council adopt the Amended Sydney Science Park VPA shown at Attachment 2 and note that this will be refined and amended in accordance with the final agreement between the lawyers representing both parties;
3. The draft Sydney Science Park VPA be publicly notified in accordance with the requirements of the Environmental Planning and Assessment Act, 1979;
4. Council authorise the General Manager to sign the Amended VPA upon conclusion of the public notification of the Agreement and to make any minor amendments necessary to ensure its legality (e.g. typographic errors, dates, etc.); and
5. The Department of Planning be notified of the signing of the VPA and Council's register of VPAs and website be updated to record the Agreement.

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

#### **8 RFT18/19-01 Supply, Installation and Repair of Various Types of Fencing**

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

That:

1. The information contained in the report on RFT18/19-01 Supply, Installation and Repair of Various Types of Fencing be received.
2. A new 3 year contract with the option to extend for a further two (2) x one (1) year periods (subject to satisfactory performance) be awarded to the following companies for the specified services in accordance with the terms and conditions of the Tender:
  - a. Supply & Installation of Chain Wire Boundary Fencing be awarded to Metal Fencing Specialists Pty Ltd.
  - b. Supply & Installation of Tubular Steel Security Fencing be awarded to Metal Fencing Specialists Pty Ltd as the primary contractor and Northern Fencing Specialists Pty Ltd as the secondary contractor.

- c. Supply & Installation of Pipe Handrail Fencing be awarded to Metal Fencing Specialists Pty Ltd as the primary contractor.
  - d. Supply & Installation of Guard Rail be awarded to Metal Fencing Specialists Pty Ltd as the primary contractor.
  - e. Supply & Installation of Wire Rope Type Fence be awarded to Metal Fencing Specialists Pty Ltd as the primary contractor.
  - f. Supply & Installation of RMS Type Pedestrian Fence be awarded to Metal Fencing Specialists Pty Ltd as the primary contractor. First Choice Fencing and Northern Fencing Specialists Pty Ltd are the secondary and tertiary contractors respectively.
  - g. Supply & Installation of Steel Bollards be awarded to Metal Fencing Specialists Pty Ltd as the primary contractor.
  - h. General Fencing Repairs be awarded to Metal Fencing Specialists Pty Ltd as the primary contractor.
3. The Common Seal of the Council of the City of Penrith be placed on all documentation if necessary.

**6 Review of Environmental Factors for Mulgoa Road Upgrade between Jeanette Street, Regentville and Blaikie Road, Jamisontown**

255 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor Bernard Bratusa

That:

1. The information contained in the report on Review of Environmental Factors for Mulgoa Road Upgrade between Jeanette Street, Regentville and Blaikie Road, Jamisontown be received.
2. Council's Engineering Services Manager be authorised to finalise a submission, based on this report, to the Roads and Maritime Services by 6 November 2018.
3. Council write to the Local and Federal Members seeking support for the Mulgoa Road Upgrade between Jeanette Street, Regentville and Blaikie Road, Jamisontown and highlighting the important elements of Council's submission.

**7 Tender Reference 17/18-20 Integrated Parking Management System (IPMS) for Penrith City Centre**

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

That:

1. The information contained in the report on Tender Reference 17/18-20 Integrated Parking Management System (IPMS) for Penrith City Centre be received.
2. Reino International Pty Ltd T/A Duncan Solutions be awarded the 5-year contract subject to the execution of a formal agreement for the Integrated Parking Management System (IPMS) for the supplier and licensor of the products and provide installation and maintenance services, for an amount of \$1,543,937 (excluding GST).
3. The Common Seal of the Council of the City of Penrith be placed on all documentation if necessary.

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

**9 Tender Reference RFT18/19-03, Penrith Library Refurbishment Works**

257 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Brian Cartwright

That:

1. The information contained in the report on Tender Reference RFT18/19-03, Penrith Library Refurbishment Works be received
2. Trinity Quality Interiors Pty Ltd be awarded the Contract subject to the execution of a formal agreement for the Penrith Library Refurbishment Works for an amount of \$841,888.00 excluding GST.
3. The Common Seal of the Council of the City of Penrith be placed on all documentation as necessary.

Having previously declared a Non-Pecuniary Conflict of Interest – Less than Significant in Item 10, His Worship the Mayor, Councillor Ross Fowler OAM then vacated the Chair and left the meeting, the time being 8:32pm.

The Deputy Mayor, Councillor Greg Davies, then took the Chair for consideration of Item 10.

**10 Magnetic Places Grants Program 2018-19**

258 RESOLVED on the MOTION of Councillor Aaron Duke seconded Councillor Karen McKeown OAM

That:

1. The information contained in the report on Magnetic Places Grants Program 2018-19 be received



2. The 5 projects listed in Table 1 are funded as part of the Magnetic Places Grants Program 2019.

The Deputy Mayor, Councillor Greg Davies, then vacated the Chair and His Worship the Mayor, Councillor Ross Fowler OAM returned to the Chair, the time being 8:33pm.

Councillor John Thain left the meeting, the time being 8:34pm.

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

### **12 Community Assistance Program Planned Component 2018-19**

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

That:

1. The information contained in the report on the Community Assistance Program Planned Component 2018-19 be received
2. Council approve funding the highly ranked applications as outlined in Table 2 of this report to an amount totalling \$30,350 with \$30,000 allocated from the Planned Component and \$350 allocated from the Rolling Component of the 2018/2019 Community Assistance Program.

### **13 Funding for Council's Mobile Playvan service**

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

That:

1. The information contained in the report on Funding for Council's Mobile Playvan service be received
2. Council endorse the acceptance of the offer of funding by State Government in the amount of \$80,000 per annum for two years
3. Council's General Revenue continue to fund the service in the amount of \$45,000.per annum.

### **11 Renew Our Libraries Funding Campaign**

Councillor Greg Davies left the meeting, the time being 8:36pm.

Councillor John Thain returned to the meeting, the time being 8:36pm.

Councillor Greg Davies returned to the meeting, the time being 8:41pm.

261 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Bernard Bratusa

That:

1. The information contained in the report on Renew Our Libraries Funding Campaign be received

2. The ongoing Renew Our Libraries initiative will work with the State Government to develop a sustainable future funding model that guarantees an appropriate level of ongoing and indexed state funding.
3. Council acknowledge the announcement by the NSW Government on 24 August 2018 of its intention to provide a \$60m funding package for NSW public libraries for the quadrennial period 2019-20 to 2022-23. While this is a welcome announcement, Council supports Renew Our Libraries to work with the Government to develop a sustainable future funding model with a view guaranteeing an appropriate level of ongoing and indexed state funding.
4. Council resolve to take a leading role in activating the campaign locally by:
  - a. writing to the Hon. Don Harwin, Minister for the Arts and the Hon Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for the provision of ongoing and indexed increases in state funding for NSW public libraries, supported by a sustainable future funding model;
  - b. writing to our local State Members in relation to the need for ongoing additional funding from the NSW State Government for the provision of public library services
  - c. distributing NSW Public Libraries Associate and Local Government NSW library funding advocacy initiative information in Council libraries and through Council social media, as well as participating in any actions arising from the initiative.
5. Council formally advise the NSW Public Libraries Association and Local Government NSW that Council has endorsed the library funding advocacy initiative.

An AMENDMENT was MOVED by Councillor Mark Davies seconded Councillor Tricia Hitchen that consideration of this report be deferred for resubmission with more accurate information.

The AMENDMENT was PUT.

Councillor Kevin Crameri OAM called for a DIVISION.

**For**

Councillor Kevin Crameri OAM  
Councillor Bernard Bratusa  
Councillor Mark Davies  
Councillor Brian Cartwright  
Councillor Tricia Hitchen  
Councillor Ross Fowler OAM

**Against**

Councillor Kath Presdee  
Councillor Robin Cook  
Councillor Greg Davies  
Councillor Todd Carney  
Councillor Aaron Duke  
Councillor Karen McKeown OAM  
Councillor John Thain  
Councillor Marcus Cornish  
Councillor Jim Aitken OAM

The AMENDMENT was LOST.

The MOTION was PUT.

Councillor Bernard Bratusa called for a DIVISON.

**For**

Councillor Marcus Cornish  
Councillor John Thain  
Councillor Karen McKeown OAM  
Councillor Aaron Duke  
Councillor Todd Carney  
Councillor Greg Davies  
Councillor Robin Cook  
Councillor Kath Presdee

**Against**

Councillor Bernard Bratusa  
Councillor Brian Cartwright  
Councillor Tricia Hitchen  
Councillor Kevin Crameri OAM  
Councillor Jim Aitken OAM  
Councillor Mark Davies  
Councillor Ross Fowler OAM

On becoming the SUBTANTIVE MOTION the MOTION was CARRIED.

**14 Naming of Park in South Penrith - Edna Dunn Reserve**

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

Councillor Marcus Cornish returned to the meeting, the time being 8:56pm.

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

That:

1. The information contained in the report on Naming of Park in South Penrith - Edna Dunn Reserve be received
2. Council endorse the naming of the reserve bounded by Mazepa Avenue and Hilliger Road, South Penrith, as Edna Dunn Reserve and make application to the Geographical Names Board for the official gazetting
3. Following gazettal, an official naming ceremony be held at the reserve.

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

**15 Licence Agreement with The Scouts Association of Australia NSW Branch over Scout Hall at 97 Oxford Street Cambridge Park, Corner of Eton Road and College Street**

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

That:

1. The information contained in the report on Licence Agreement with The Scouts Association of Australia NSW Branch over Scout Hall at 97 Oxford Street Cambridge Park, Corner of Eton Road and College Street be received
2. Council approve a new licence agreement in accordance with the terms and conditions listed in the report.

3. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

#### **16 Pecuniary Interest Returns**

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

That:

1. The information contained in the report on Pecuniary Interest Returns be received
2. Council officers write to the Office of Local Government notifying that four designated employees did not lodge their pecuniary interest returns by the due date.

#### **17 Audit, Risk and Improvement Committee**

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

That the information contained in the report on Audit, Risk and Improvement Committee be received.

#### **18 2017-18 Financial Statements**

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

That:

1. The information contained in the report on 2017-18 Financial Statements be received
2. Council note the completion of the public exhibition process for Council's 2017-18 Financial Statements and that Council has submitted its Financial Statements for the year ended 30 June 2018 to the Office of Local Government

#### **20 Summary of Investments & Banking for the Period 1 September 2018 to 30 September 2018**

267 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 September 2018 to 30 September 2018 be received.
2. The graphical investment analysis as at 30 September 2018 be noted.
3. The certificate of the Responsible Accounting Officer and Summary of Investments and Performance for the period 1 September 2018 to 30 September 2018 be noted and accepted.

**19 Conduct Review Panel**

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

That:

1. The information contained in the report on Conduct Review Panel be received
2. Council establish a panel of Conduct Reviewers, as per the Procedures for the Administration of the Code of Conduct.
3. The following companies be placed on Penrith Council's Conduct Review Panel for a period up to 4 years:
  - Warfield & Associates
  - Pinnacle Integrity
  - O'Connell Workplace Relations
  - Plan Plus
  - Explore Solutions
  - Nemesis Consultancy
  - Winton Consulting
  - Procure Group
  - Way Forward Pty Ltd
  - Weir Consulting
  - Wise Workplace

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

Councillor Kath Presdee left the meeting, the time being 9:00pm.

**RR 1 Traffic Issue - Werrington Road, Werrington**

Councillor Marcus Cornish requested that the dangerous situation with regard to traffic turning onto Werrington Road from Gipps Street, Werrington be referred to the Local Traffic Committee for investigation of a solution to this issue.

**RR 2 Closure of Footpath on Victoria Bridge**

Councillor Marcus Cornish requested that the provision of a temporary locked gate on the footpath to Victoria Bridge, whilst the road is being widened, be considered by the Local Traffic Committee for referral to Roads and Maritime Services.

Councillor Kath Presdee returned to the meeting, the time being 9:02pm.

**RR 3 Health concerns regarding Massage Parlour in High Street, Penrith**

Councillor Marcus Cornish requested that Council officers investigate compliance issues in relation to Pillow Top Massage Parlour in High Street, Penrith, including the premises being used as a residence and security issues regarding the back gate being left unlocked. Councillor Marcus Cornish also requested to be advised as to whether the business operating from these premises was registered.

**UB 1 Freedom of the City - 5th Engineer Regiment**

Councillor Brian Cartwright requested that the Common Seal of the Council of the City of Penrith be applied to all necessary documentation when bestowing Freedom of the City on the 5<sup>th</sup> Engineer Regiment during the Remembrance Day event to be held in Penrith on Sunday 11 November 2018.

269 RESOLVED on the MOTION of Councillor Brian Cartwright seconded Councillor Todd Carney 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.

270 RESOLVED on the MOTION of Councillor Brian Cartwright seconded Councillor Todd Carney requested that the Common Seal of the Council of the City of Penrith be applied to all necessary documentation when bestowing Freedom of the City on the 5<sup>th</sup> Engineer Regiment during the Remembrance Day event to be held in Penrith on Sunday 11 November 2018.

**UB 2 White Ribbon Day Initiatives**

Councillor Bernard Bratusa requested that an amount of \$3,500 be allocated in equal amounts from each Ward's voted works to support seven local schools in their STEPS initiative for White Ribbon Day, the schools being: Banks Public School, Blackwell Public School, Clairgate Public School, James Erskine Public School, St Clair Public School, Erskine Park High School and St Clair High School.

271 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Greg Davies 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.

272 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Greg Davies that an amount of \$3,500 be allocated in equal amounts from each Ward's voted works to support seven local schools in their STEPS initiative for White Ribbon Day, the schools being: Banks Public School, Blackwell Public School, Clairgate Public School, James Erskine Public School, St Clair Public School, Erskine Park High School and St Clair High School.

**UB 3 Penrith District Netball Association - Funding for Feasibility Study**

Councillor Bernard Bratusa requested that an amount of \$15,000 be allocated in equal amounts from each Ward's voted works to Penrith District Netball Association to fund half of the cost of conducting a feasibility study for an indoor sports centre at Jamison Park.

Councillor John Thain declared a Non Pecuniary Conflict of Interest – Less than Significant in this urgent business item as he is a member of a group who would potentially use an indoor sports centre at this location.

273 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Todd Carney 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.

274 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Todd Carney that an amount of \$15,000 be allocated in equal amounts from each Ward's voted works to Penrith District Netball Association to fund half of the cost of conducting a feasibility study for an indoor sports centre at Jamison Park.

**RR 4      Ambassadors for Penrith City**

Councillor Bernard Bratusa requested a report to Council assessing the value of Penrith City Council investing in two ambassadors, providing a link between iconic individuals and the Penrith Local Government Area to benefit the local community.

**RR 5      Raising of Warragamba Dam Wall**

Councillor Tricia Hitchen requested a Councillor Briefing outlining Council's position on the raising of the Warragamba Dam Wall and detailing the impact this will have on the Penrith Local Government Area.

**RR 6      Establishment of Botanical Gardens in Penrith**

Councillor Kevin Crameri OAM requested a report outlining how the establishment of botanical gardens in the Penrith area can be incorporated into Council's four year plan.

**RR 7      Save our Recycling Campaign**

Councillor Karen McKeown OAM requested a report to Council on the initiative that Local Government NSW released at the recent LGNSW Conference, held in Albury, regarding the Save our Recycling campaign and detailing how Penrith City Council can support this initiative.

**RR 8      'Keep Clear' Signage - Erskine Park Rural Fire Station**

Councillor Todd Carney requested that the provision of 'Keep Clear' signage to the street frontage of Erskine Park Rural Fire Station be referred to the Local Traffic Committee for consideration.p

**RR 9      Provision of Sound Barriers - M4 Off Ramp at Erskine Park Road**

Councillor Todd Carney requested that the provision of sound barriers to the M4 off ramp at Erskine Park Road, to help reduce noise impacts on residents in the new section of Erskine Park Road, be referred to the Local Traffic Committee for consideration.

**RR 10     Road Crossings along Queen Street, St Marys**

Councillor Robin Cook requested that the provision of pedestrian crossings and/or signage at road crossings along Queen Street, St Marys, at Crana, King and Chapel Streets be referred to the Local Traffic Committee for consideration.

**RR 11     Private Certification of Development**

Councillor Greg Davies requested that a report be presented to the Councillor Briefing of 3 December 2018 providing information on private certificate of development, in particular referring to the motion regarding this recently passed at the LGNSW Conference held in Albury.

**RR 12 'Pink Up Penrith'**

Councillor Greg Davies thanked all individuals and groups involved in the recent Pink Up Penrith campaign for breast cancer awareness, particularly congratulating the Penrith CBD Corporation and St Marys Town Centre Management, as well as Penrith City Council staff.

**COMMITTEE OF THE WHOLE**

275 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Kevin Crameri OAM that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 9:28pm.

**1 Presence of the Public**

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

**Outcome 7**

**2 Lease of Shop 7/140-142 Henry Street Penrith (Allen Arcade) to Australian Hearing**

*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 9:30pm and the General Manager reported that the Committee of the Whole met at 9.28pm on 29 October 2018, the following being present

His Worship the Mayor, Councillor Ross Fowler OAM, Deputy Mayor, Councillor Greg Davies, and Councillors Jim Aitken OAM, Bernard Bratusa, Todd Carney, Brian Cartwright, Robin Cook, Marcus Cornish, Kevin Crameri OAM, Mark Davies, Aaron Duke, Tricia Hitchen, Karen McKeown OAM, Kath Presdee 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 Lease of Shop 7/140-142 Henry Street Penrith (Allen Arcade) to Australian Hearing**

RECOMMENDED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Kevin Crameri OAM

CW2 That:

1. The information contained in the report on Lease of Shop 7/140-142 Henry Street Penrith (Allen Arcade) to Australian Hearing be received.



2. Council approve the proposed new licence agreement under the terms and conditions listed within the report.
3. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

**ADOPTION OF COMMITTEE OF THE WHOLE**

276 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Kevin Crameri OAM 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 9:30pm.

I certify that these 17 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 29 October 2018.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date