

CONFIRMED MINUTES
OF THE ORDINARY MEETING OF PENRITH CITY COUNCIL HELD IN THE
COUNCIL CHAMBERS
ON MONDAY 27 MAY 2019 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 Coordinator, Mr 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 Crameri 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 - 29 April 2019

77 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Marcus Cornish that the minutes of the Ordinary Meeting of 29 April 2019 be confirmed.

DECLARATIONS OF INTEREST

There were no declarations of interest.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Penrith Community Safety Partnership Meeting held on 3 April 2019

78 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Tricia Hitchen that the recommendations contained in the Report and Recommendations of the Penrith Community Safety Partnership meeting held on 3 April, 2019 be adopted.

2 Report and Recommendations of the Access Committee Meeting held on 10 April 2019

79 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Greg Davies that the recommendations contained in the Report and Recommendations of the Access Committee meeting held on 10 April, 2019 be adopted.

3 Report and Recommendations of the Local Traffic Committee Meeting held on 6 May 2019

80 RESOLVED on the MOTION of Councillor Robin Cook seconded Councillor Karen McKeown OAM that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 6 May, 2019 be adopted.

Procedural Motion

81 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor Bernard Bratusa that Item 1 – Penrith Local Planning Panel and Sydney Western City Planning Panel be considered at the conclusion of the Committee of the Whole.

Personal Matter

82 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor Bernard Bratusa that a Personal Matter be referred Committee of the Whole as the matter refers to the personal hardship of a resident or ratepayer and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

DELIVERY PROGRAM REPORTS

OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES

3 Tender Reference 18/19-08, Public Toilet Cleaning Services

83 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor Kath Presdee

That:

1. The information contained in the report on Tender Reference 18/19-08, Public Toilet Cleaning Services be received
2. The contract for the provision of Public Toilet Cleaning Services be awarded to TST Property Services Pty Ltd for an initial period of three (3) years, with an option to extend for a further two (2) x one (1) year periods, with provision for rise and fall subject to satisfactory performance.
3. The Common Seal of the Council of Penrith be affixed to any necessary documentation.

2 Neighbourhood Renewal Program - Progress and Future Delivery

84 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Neighbourhood Renewal Program - Progress and Future Delivery be received
2. Council endorse the proposed approach as outlined for delivery in Kingswood Park, Llandilo, Cranebrook and St Marys.

4 RFT18/19-25 Refurbishment of Council Heritage Buildings, Castlereagh Hall and Emu Plains Old School Building

85 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Kevin Cramer OAM

That:

1. The information contained in the report on RFT18/19-25 Refurbishment of Council Heritage Buildings, Castlereagh Hall and Emu Plains Old School Building be received
2. Phillip McNamara T/A Cranebrook Constructions be awarded the Contract subject to the execution of a formal agreement for the refurbishment works to Castlereagh Hall and Emu plains Old School Buildings for the amount of \$845,563.00 excluding GST.
3. The Common Seal of the Council of the City of Penrith be placed on all documentation as necessary.

OUTCOME 6 - WE ARE HEALTHY AND SHARE STRONG COMMUNITY SPIRIT

5 Responding to the Changing Needs of Older People in the City

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

That

1. The information in the report on Responding to the Changing Needs of Older People in the City be received.
2. A further report be presented to Council outlining what efforts will be made to meet the needs of an ageing community through planning and development control policies.

OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

6 Organisational Performance and Financial Review March 2019

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

That:

1. The information contained in the report on Organisational Performance and Financial Review March 2019 be received
2. The Organisational Performance and Financial Review March 2019 as at 31 March 2019, including the revised estimates outlined in this report and detailed in the *Organisational Report – March 2019* be adopted.

7 Proposed Amendments to 2019-20 Draft Fees and Charges

88 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Brian Cartwright

That:

1. The information contained in the report on Proposed Amendments to 2019-20 Draft Fees and Charges be received.
2. The proposed fees and charges be endorsed for public exhibition.
3. A further report be presented to Council after the public exhibition period, presenting any public submissions received prior to the adoption of the proposed fees and charges.

8 Local Government Remuneration Tribunal Determination for Mayor and Councillors for 2019-2020

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

That:

1. The information contained in the report on Local Government Remuneration Tribunal Determination for Mayor and Councillors for 2019-2020 be received
2. The fees payable to the Mayor and Councillors for 2019-20 be set at the maximum level permitted.

9 Summary of Investments & Banking for the Period 1 April 2019 to 30 April 2019

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

That:

1. The information contained in the report on Summary of Investments & Banking for the Period 1 April 2019 to 30 April 2019 be received.
2. The certificate of the Responsible Accounting Officer and Summary of Investments and Performance for the period 1 April 2019 to 30 April 2019 be noted and accepted.
3. The graphical investment analysis as at 30 April 2019 be noted.

REQUESTS FOR REPORTS AND MEMORANDUMS AND URGENT BUSINESS

RR 1 Tree Planting

Councillor Robin Cook requested a memo reply providing details on holding a tree planting day, similar to the event previously held at St Clair for Mother's Day, for Father's Day, and additionally if future events of this nature could be held in other areas of the Penrith Local Government Area.

UB 1 Leave of Absence

Councillor Greg Davies requested Leave of Absence for 24 June 2019.

91 RESOLVED on the MOTION of Councillor Greg Davies 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.

92 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Todd Carney that Leave of Absence be granted to Councillor Greg Davies for 24 June 2019.

RR 2 Reports concerning works subject to Tender

Councillor Greg Davies requested that, at the completion of all works subject to tender, a report be submitted to a Councillor Briefing on the success of the works and any issues that may have arisen from the contract.

RR 3 Concrete pouring at Eighth and Second Avenues, Llandilo

Councillor Kevin Crameri OAM requested that Council not pour concrete at the corner of Eight and Second Avenues, Llandilo until issues with turning trucks at this location are resolved, and that a Councillor Briefing be held to discuss a solution to this issue.

RR 4 Racecourse Road Site

Councillor Kevin Crameri OAM requested a further report to Council on this matter, including a response to information received by him from affected residents.

RR 5 Shopping Trolleys

Councillor Bernard Bratusa requested a Councillor Briefing to outline solutions as to what action can be taken to ensure shopping trolleys are not left in public places throughout the Penrith Local Government Area.

Councillor Karen McKeown OAM left the meeting, the time being 7:29pm.

RR 6 Property in Mt Vernon - Review of Development Application

Councillor Tricia Hitchen requested that Council review a development application for the installation of a driveway on a property at Mt Vernon.

Councillor Karen McKeown OAM returned to the meeting, the time being 7:30pm.

RR 7 The Haven women's refuge

Councillor Tricia Hitchen thanked Council staff for their ongoing support of the refuge, for assisting with any ongoing issues that arise, and for meeting support and assistance with phone enquiries.

RR 8 Provision of Lights at Pedestrian Crossing, Lennox Shopping Centre, Emu Plains

Councillor Marcus Cornish requested that the Local Traffic Committee investigate the provision of lights at the pedestrian crossing between the Senior Citizens' Centre and Lennox Shopping Centre at Emu Plains.

RR 9 Provision of Lighting at Judges Place Carpark

Councillor John Thain requested a memo reply to all Councillors regarding the installation of security lighting at Judges Place Carpark along the pathway to the Senior Citizens' centre.

RR 10 Provision of a Pathway along Palmyra Avenue, North St Marys

Councillor Kevin Crameri OAM requested a memo reply to all Councillors investigating whether the roadside drain in this area could be moved to enable a footpath to be installed along Palmyra Avenue from North St Marys Leagues Club to the creek.

RR 11 Council's responsibilities regarding Bankruptcy of Contractors

Councillor Kath Presdee requested a memo reply to all Councillors outlining Council's responsibilities, both legal or moral, when contractors providing services to Council declare bankruptcy resulting in termination of employment of their staff.

RR 12 Recent visit by delegation from Penrith's Sister City Kunshan, China

Councillor Greg Davies requested that the Mayor write a letter to the Mayor of Kunshan, conveying thanks for the recent visit by a delegation from Kunshan City and reinforcing the friendship between the two cities.

COMMITTEE OF THE WHOLE

93 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Mark Davies that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 7:39pm

1 Presence of the Public

CW1 RESOLVED on the motion of Councillor John Thain seconded Councillor Mark Davies that the press and public be excluded from Committee of the Whole to deal with the following matters:

Outcome 1

2 Council Property - Lease Agreement - Shop 1/140-142 Henry Street Penrith (Allen Arcade)

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 Personal Matter

This item has been referred to Committee of the Whole as the matter refers to the personal hardship of a resident or ratepayer and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

The meeting resumed at 7:43pm and the General Manager reported that the Committee of the Whole met at 7:39pm on 27 May 2019, 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 Council Property - Lease Agreement - Shop 1/140-142 Henry Street Penrith (Allen Arcade)

RECOMMENDED on the MOTION of Councillor Todd Carney seconded Councillor Marcus Cornish

CW2 That:

1. The information contained in the report on Council Property - Lease Agreement - Shop 1/140-142 Henry Street Penrith (Allen Arcade) be received.
2. Council enter a lease agreement for Shop 1/140-142 Henry Street, Penrith NSW 2750 on the terms and conditions listed in this report.
3. The Common seal of the Council of the City of Penrith be affixed to any necessary documentation.

3 Personal Matter

RECOMMENDED on the MOTION of Councillor Karen McKeown OAM seconded Councillor Bernard Bratusa

CW3 That the information provided in the verbal report be received.

ADOPTION OF COMMITTEE OF THE WHOLE

94 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jim Aitken OAM that the recommendations contained in the Committee of the Whole and shown as CW1, CW2 and CW3 be adopted.

OUTCOME 2 - WE PLAN FOR OUR FUTURE GROWTH

1 Penrith Local Planning Panel and Sydney Western City Planning Panel

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

That:

1. The information contained in the report on Penrith Local Planning Panel and Sydney Western City Planning Panel be received.
2. A Councillor Briefing be held to provide Councillors with details of the functions of the Penrith Local Planning Panel and Sydney Western City Planning Panel, including all processes undertaken to prepare for, and conduct, the meetings.

There being no further business the Chairperson declared the meeting closed the time being 7:54pm.

I certify that these 8 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 27 May 2019.

Chairperson

Date