

CONFIRMED MINUTES
OF THE ORDINARY MEETING OF PENRITH CITY COUNCIL HELD IN THE
COUNCIL CHAMBERS
ON MONDAY 29 APRIL 2019 AT 7:00PM

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 Rev Neil Checkley.

A minute's silence was then observed in remembrance of the recent attacks in Sri Lanka.

PRESENT

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

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Aaron Duke for the 29 April 2019.

APOLOGIES

59 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor Greg Davies that apologies be accepted for Councillors Jim Aitken OAM and Bernard Bratusa.

CONFIRMATION OF MINUTES - Ordinary Meeting - 25 March 2019

60 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Karen McKeown OAM that the minutes of the Ordinary Meeting of 25 March 2019 be confirmed.

DECLARATIONS OF INTEREST

There were no declarations of interest.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Local Traffic Committee Meeting held on 1 April 2019

61 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Todd Carney that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 1 April, 2019 be adopted.

2 Report and Recommendations of the Policy Review Committee Meeting held on 8 April 2019

62 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Todd Carney that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 8 April, 2019 be adopted, with an amendment to Item 3 – Code of Meeting Practice and recommendation 4 to now read:

The Council's Code of Meeting Practice, once adopted be used for all Council Committee Meetings, except for the provisions that relate to the requirement to web cast and record meetings.

DELIVERY PROGRAM REPORTS

OUTCOME 3 - WE CAN GET AROUND THE CITY

1 Additional Federal Roads to Recovery Funding for the period 2019/20 to 2023/24

63 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Todd Carney

That:

1. The information contained in the report on Additional Federal Roads to Recovery Funding for the period 2019/20 to 2023/24 be received
2. Council accept the allocation of \$1,522,275 from the Australian Government under the Roads to Recovery Program over the 2019/20 to 2023/24 funding period
3. Council write to the Federal Government formally thanking them for the additional funding under the Roads to Recovery Program.

OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES

2 RFT18/19-22 for the construction of Mulgoa Park Amenities

64 RESOLVED on the MOTION of Councillor Brian Cartwright seconded Councillor Kevin Crameri OAM

That:

1. The information contained in the report on RFT18/19-22 for the construction of Mulgoa Park Amenities be received
2. The proposal and lump sum price from Westco Building Consultants Pty Ltd of \$237,960 excluding GST be accepted for Construction of Toilet Amenities and Associated Works at Mulgoa Park, Mulgoa.
3. The Common Seal of the Council of the City of Penrith be placed on all documentation as necessary.

OUTCOME 5 - WE CARE ABOUT OUR ENVIRONMENT

Procedural Motion

65 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Marcus Cornish that *Item 3 – Recycling Processing Contract* be deferred to Committee of the Whole for discussion and consideration of the item be deferred until after Committee of the Whole.

This item has been referred to Committee of the Whole as the report refers to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

4 Peach Tree and Lower Surveyors Creeks Flood Study

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

That:

1. The information contained in the report on Peach Tree and Lower Surveyors Creeks Flood Study be received
2. The Peach Tree and Lower Surveyors Creeks Flood Study Final Report April 2019 be adopted.
3. The Peach Tree and Lower Surveyors Creeks Flood Study Final Report April 2019 be made available to the public through Council's website.
4. Council write to those who made a submission advising of Council's resolution.

OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

5 Audit, Risk and Improvement Committee

67 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Brian Cartwright that the information contained in the report on Audit, Risk and Improvement Committee be received.

7 Licence Agreement to Transport for NSW (Sydney Trains) for site compound purposes - 641 High Street, Penrith (Part Lot 90 DP 1176539)

68 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Brian Cartwright

That:

1. The information contained in the report on Licence Agreement to Transport for NSW (Sydney Trains) for site compound purposes - 641 High Street, Penrith (Part Lot 90 DP 1176539) be received.
2. Subject to no objections being received, Council grant a licence to Transport for NSW – Sydney Trains on the terms and conditions detailed in this report.

3. Council resolve to affix the Common Seal of the Council of the City of Penrith to any necessary documentation.

9 Summary of Investment & Banking for the Period 1 March 2019 to 31 March 2019

69 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Brian Cartwright

That:

1. The information contained in the report on Summary of Investment & Banking for the Period 1 March 2019 to 31 March 2019 be received.
2. The certificate of the Responsible Accounting Officer and Summary of Investments and Performance for the period 1 March 2019 to 31 March 2019 be noted and accepted.
3. The graphical investment analysis as at 31 March 2019 be noted.

6 Property History - Part 240-250 Racecourse Road, Jamisontown (Part Lot 1 DP 1057945)

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

That:

1. The information contained in the report on Property History - Part 240-250 Racecourse Road, Jamisontown (Part Lot 1 DP 1057945) be received.
2. A copy of the report be sent to any residents who had made submission to Council on this matter.

8 Exhibition of Draft Delivery Program (2017-21) and Draft 2019-20 Operational Plan (including Draft 2019-20 Fees and Charges)

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

That:

1. The information contained in the report on Exhibition of Draft Delivery Program (2017-21) and Draft 2019-20 Operational Plan (including Draft 2019-20 Fees and Charges) be received.
2. In accordance with the Local Government Act 1993 and Local Government (General) Regulation 2005, the *Draft Delivery Program 2017-21* (incorporating the *Operational Plan for 2019-20* and *Draft Fees and Charges 2019-20*) be placed on Public Exhibition for 28 days commencing on Monday 6 May 2019 and closing on Monday 3 June 2019 (inclusive).
3. The Public Exhibition arrangements are implemented as detailed in this report, and submissions from the community are invited.

REQUESTS FOR REPORTS AND MEMORANDUMS AND URGENT BUSINESS

UB 1 5th Annual Indian Cultural Festival

Councillor Tricia Hitchen has requested that Council allocate \$500 from the East Ward Voted works to assist with the room hire at St Marys Memorial Hall for the 5th annual Indian Cultural Festival on 27 July 2019.

72 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Robin Cook 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.

73 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Robin Cook that Council allocate \$500 from the East Ward Voted works to assist with the room hire at St Marys Memorial Hall for the 5th annual Indian Cultural Festival on 27 July 2019.

RR 1 IPART Report

Councillor Kevin Crameri OAM requested that a motion be developed and submitted to the LGA conference regarding the IPART Report delay.

RR 2 Accident History of Llandilo Road, Richmond Road and Blacktown Road

Councillor Kevin Crameri OAM has requested that we receive a report on the road accident history of the area surrounding Llandilo Road, Richmond Road and Blacktown Road from the Police and RMS.

RR 3 Permit to Burn Regulation

Councillor Kevin Crameri OAM has requested that Council review the Permit to Burn regulation to see if the time limit can be changed if the RFS is involved using it as a tracking exercise.

RR 4 Boarding Houses

Councillor John Thain has requested that an urgent meeting be held with the Minister for Planning and the Mayor and Deputy Mayor regarding Boarding House issues in the Penrith LGA.

RR 5 Feasibility of Preparing Plans for small sporting clubs

Councillor Todd Carney has requested for a report on the feasibility of preparing plans for small sporting clubs so they have something ready for grant applications when they become available.

RR 6 Sustainable Events Policy

Councillor Robin Cook has requested a report and review of the Sustainable Events Policy with emphasis on sustainable catering.

RR 7 Report to Council on State Government promises during State Election

Councillor Karen McKeown OAM has requested for a report to Council on the State Government's promises during the State Government election.

RR 8 Community Bus Replacements

Councillor Greg Davies has requested a report to Council on the state of our community buses with ongoing committee costs and if they need replacing.

RR 9 Code of Conduct and Meeting Procedures Policy

Councillor Greg Davies has requested that Council write to the State Government with a request that given they were the authors of the mandatory Code of Conduct and Meeting procedures policy for Local Government, that it be also adopted by the State Government in the interest of good governance.

RR 10 Llandilo Fire Shed

Councillor Marcus Cornish has requested for a memorandum regarding an update on the relocation of the Llandilo Fire Shed.

RR 11 Provision of Rubbish Bins throughout Thornton

Councillor Mark Davies has requested for a memorandum regarding the provision of installing rubbish bins along footpaths and pathways in Thornton and why they weren't installed initially.

COMMITTEE OF THE WHOLE

74 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kath Presdee that the meeting adjourn to the Committee of the Whole to deal with the following matter, the time being 7:50pm.

1 Presence of the Public

CW1 RESOLVED on the motion of Councillor Greg Davies seconded Councillor Kath Presdee that the press and public be excluded from Committee of the Whole to deal with the following matter:

Outcome 5

2 Recycling Processing Contract

This item has been referred to committee of the whole as the report refers to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

The meeting resumed at 7:53pm and the General Manager reported that the Committee of the Whole met at 7:50pm on 29 April 2019, the following being present

His Worship the Mayor, Councillor Ross Fowler OAM, Deputy Mayor, Councillor Greg Davies, and Councillors Todd Carney, Brian Cartwright, Robin Cook, Marcus Cornish, Kevin Crameri OAM, Mark Davies, 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 recommendation to Council.

CONFIDENTIAL BUSINESS

2 Recycling Processing Contract

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

CW2 That the information contained in the verbal report on the recycling processing contract be noted.

ADOPTION OF COMMITTEE OF THE WHOLE

75 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 and CW2 be adopted.

OUTCOME 5 - WE CARE ABOUT OUR ENVIRONMENT

3 Recycling Processing Contract

76 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Marcus Cornish

That:

1. The information contained in the report on Recycling Processing Contract be received
2. The 4-year Contract offer with VISY Recycling for recyclables processing commencing July 1 2019 ending June 30 2023 (with a 1 year extension at Council's option) be accepted.
3. Final contractual terms and conditions be as agreed by the Chief Governance Officer and the Waste and Resource Recovery Manager
4. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

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 29 April 2019.

Chairperson

Date