

**CONFIRMED MINUTES
OF THE ORDINARY MEETING OF PENRITH CITY COUNCIL HELD REMOTELY USING
AUDIO VISUAL LINKS, AUDIO STREAMED ON THE COUNCIL WEBSITE AND IN THE
COUNCIL CHAMBERS ON MONDAY 21 FEBRUARY 2022 AT 7:02PM**

NATIONAL ANTHEM

The meeting opened with the National Anthem.

WEBCASTING STATEMENT

Her Worship the Mayor, Councillor Tricia Hitchen read a statement advising that Council Meetings are recorded and webcast.

STATEMENT OF RECOGNITION

Her Worship the Mayor, Councillor Tricia Hitchen read a statement of recognition of Penrith City's Aboriginal and Torres Strait Islander Cultural Heritage.

PRAYER

The Council Prayer was read by Rev Christine Bayliss Kelly.

PRESENT

Her Worship the Mayor, Councillor Tricia Hitchen, Deputy Mayor Councillor John Thain, and Councillors Jim Aitken OAM, Bernard Bratusa, Todd Carney, Robin Cook, Kevin Crameri OAM, Mark Davies, Sue Day, Ross Fowler OAM, Glenn Gardiner, Karen McKeown OAM, Mark Rusev and Marlene Shipley.

APOLOGIES

20 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Todd Carney that an apology from Councillor Jonathan Pullen be received.

CONFIRMATION OF MINUTES - Ordinary Meeting - 10 January 2022

21 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Marlene Shipley that the minutes of the Ordinary Meeting of 10 January 2022 be confirmed.

DECLARATIONS OF INTEREST

Councillor Sue Day declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 28 - RFT21/22-16 for the Provision of Catering Supplies and Consumable Products*, as the awarded tenderer is a customer of her employer. Councillor Sue Day stated that she would remain in the meeting but not participate in the debate or voting on these matters.

Councillor Bernard Bratusa declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 19 - Acceptance of Grant Funding - Sport and Recreation Infrastructure*, and *Item 21 - Grant Funding Application - Multi-Sport Community Facility Fund*, as he is a former employee of the Minister for Sport. Councillor Bernard Bratusa also declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 28 - RFT21/22-16 for the Provision of Catering Supplies and Consumable Products*, as he is a former employee of the awarded tenderer. Councillor Bernard Bratusa did not take part in debate or voting on these matters and left the meeting for the consideration of these items.

Councillor Tricia Hitchen declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 18 - Request from Fusion Western Sydney to Support Local Young People*, as she is a regular donor to Fusion Western Sydney. Councillor Tricia Hitchen stated that she would remain in the meeting as the chair but not participate in the debate or voting on these matters.

MAYORAL MINUTES

1 Australia Day Honours and Awards 2022

22 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor John Thain that the Mayoral Minute on Australia Day Honours and Awards 2022 be received.

NOTICES OF MOTION

1 Redland City Council - 2032 Friendship Agreement

23 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain

That:

1. The General Manager write to Redland City Council offering our support and assistance through a friendship or similar formal arrangement in the development of their Whitewater facility and preparation for the 2032 Olympics.
2. A report be brought back to Council on the outcome of any discussions.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Penrith Community Safety Partnership Meeting held on 27 October 2021

24 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor Sue Day that the recommendations contained in the Report and Recommendations of the Penrith Community Safety Partnership meeting held on 27 October, 2021 be adopted.

2 Report and Recommendations of Local Traffic Committee held on 7 February 2022

25 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor Robin Cook that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 7 February, 2022 be adopted, with Item 13 to now read:

“13 Old Bathurst Road, Emu Heights – Proposed ‘Winding Road’ Signage

Raymond Tran – Transport for NSW (TfNSW) queried the positioning of the proposed signage location and that the compliance with these type of signs can be difficult to manage. He recommended that the placement of the sign should be established prior to any curves, preferably east. Councillor Karen McKeown OAM questioned the use of the flashing lights in residential areas but also requested to have this further investigated.

David Drozd – Traffic Engineering Coordinator advised that the signage attempts to achieve its purpose of turning trucks around before they hit the bends however, proposed the idea of deferring this matter for further investigations to be made. Adam Wilkinson – Engineering Services Manager (Chair) agreed with all the points raised and advised that the item be deferred for review and discussion.

RECOMMENDATION

1. The information contained in the report on Old Bathurst Road, Emu Heights – Proposed ‘Winding Road’ Signage be received.
2. The matter be deferred subject to further review and discussion”

Note: With reference to ‘Confirmation of Minutes – Local Traffic Committee Meeting held on 1 November 2021’, please refer to the Confirmed Minutes of the Local Traffic Committee Meeting of 1 November 2021 for amendment to those in attendance.

DELIVERY PROGRAM REPORTS

OUTCOME 1 - WE CAN WORK CLOSE TO HOME

1 Cooperative Marketing Opportunities with Destination NSW

26 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on Cooperative Marketing Opportunities with Destination NSW be received
2. Council endorse the Expressions of Interest to Destination NSW for the purpose of cooperative marketing activities as outlined in this report

OUTCOME 2 - WE PLAN FOR OUR FUTURE GROWTH

2 Submission to the Fernhill Estate Draft Landscape Masterplan

27 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Marlene Shipley

That:

1. The information contained in the report on Submission to the Fernhill Estate Draft Landscape Masterplan be received.
2. Council endorse the submission to the Fernhill Estate Draft Landscape Masterplan provided at Attachment 3 and forward a copy to Greater Sydney Parklands by 28 February 2022.

3 Submission to Local and State Infrastructure Contributions Reforms

28 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Bernard Bratusa

That:

1. The information contained in the report on Submission to Local and State Infrastructure Contributions Reforms be received.
2. Council endorses the submission to the contributions reforms as provided as Attachment 2 of this report, to be provided to the Department of Planning, Industry and Environment for consideration.
3. Council endorses the submission to the IPART review provided as Attachment 3 of this report, to be provided to IPART to reconfirm Council's endorsed position.

4 Submission to "A New Approach Rezoning Discussion Paper"

29 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain

That:

1. The information contained in the report on Submission to "A New Approach Rezoning Discussion Paper" be received
2. Council endorse the submission on the "A New Approach to Rezoning Discussion Paper, provided as Attachment 1 to this report, to be provided to the Department of Planning, Industry and Environment for their consideration

5 Submission to the Design and Place SEPP

30 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Bernard Bratusa

That:

1. The information contained in the report on the Submission to the Design and Place SEPP and surrounding policy framework be received

2. Council endorse the submission on the draft DP SEPP and surrounding policy framework, provided as Attachment 1 to this report, to be provided to the Department of Planning and Environment for their consideration

OUTCOME 3 - WE CAN GET AROUND THE CITY

7 Acceptance of Grant Funding - Local Road and Community Infrastructure Program - Extension of Program (Phase 3)

31 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Bernard Bratusa

That:

1. The information contained in the report on Acceptance of Grant Funding - Local Road and Community Infrastructure Program - Extension of Program (Phase 3) be received
2. Council accept the grant funding of \$3,044,550
3. Council endorse the Work schedules as listed in the report
4. Council write to The Hon Michael McCormack MP, Deputy Prime Minister - Minister for Infrastructure, Transport and Regional Development and The Hon Mark Coulton MP - Minister for Regional Health, Regional Communications and Local Government and Melissa McIntosh, Federal MP for Lindsay, thanking them for the funding.

8 Pedestrian Safety Program Funding (High Pedestrian Activity Area) 2021/22

32 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Bernard Bratusa

That:

1. The information contained in the report on Pedestrian Safety Program Funding (High Pedestrian Activity Area) 2021/22 be received.
2. Council accept grant funding of \$50,000 offered for the Safe Speeds in High Pedestrian Activity and Local Areas Project shown in Table 1 for the 2021-22 financial year.
3. Council write to the relevant State Member thanking them for their continued support of road safety improvements.

9 Factory Road and Loftus Street Footpaths

33 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Bernard Bratusa that the information contained in the report on Factory Road and Loftus Street Footpaths be received.

6 Review of Environmental Factors (REF) for New Richmond Bridge and Traffic Improvements-Stage 1The Driftway

34 RESOLVED on the MOTION of Councillor Kevin Cramer OAM seconded Councillor Glenn Gardiner

That:

1. The information contained in the report on Review of Environmental Factors (REF) for New Richmond Bridge and Traffic Improvements-Stage 1The Driftway be received.
2. Council's Engineering Services Manager be authorised to finalise a submission, based on this report and attachments, to Transport for NSW (TfNSW) by 4 March 2022.

OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES

10 Streetlights Ahead Program - Converting Streetlights to LEDs

35 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor John Thain

That:

1. The information contained in the report on Streetlights Ahead Program - Converting Streetlights to LEDs be received
2. Council endorse the proposal to enter into an agreement with Endeavour Energy over the upgrade of Endeavour's public lighting infrastructure through the replacement of existing street lighting assets with LED-based luminaires.

11 RFT 21/22-15 Public Domain Cleaning Services

36 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor John Thain

That:

1. The information contained in the report on RFT 21/22-15 Public Domain Cleaning Services be received
2. The tender from V.D.G Pty Ltd trading as VDG Services Australia, in the amount of \$369,148.26 per annum (excluding GST) be accepted for Public Domain Cleaning Services.
3. The General Manager (or their delegate) be authorised to sign all necessary legal documents in relation to this matter.

12 RFT21/22-17 Refurbishment Works at Ripples Leisure Centre St Marys

37 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Ross Fowler OAM that the information contained in the report on RFT21/22-17 Refurbishment Works at Ripples Leisure Centre St Marys be received.

OUTCOME 5 - WE CARE ABOUT OUR ENVIRONMENT

13 Little Creek Catchment Floodplain Risk Management Study and Plan

38 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Little Creek Catchment Floodplain Risk Management Study and Plan be received.
2. The Little Creek Catchment Floodplain Risk Management Study and Plan Final Report dated October 2021 be adopted.
3. The Little Creek Catchment Floodplain Risk Management Study and Plan Final Report dated October 2021 be published and made available on Council's website.
4. Council further consider the recommended mitigation works in the Little Creek Catchment Floodplain Risk Management Study and Plan for inclusion by Council in future Capital Works Programs and for grant funding applications.
5. Council consider the flood planning recommendations listed in the Little Creek Catchment Floodplain Risk Management Study and Plan Final Report dated October 2021 when reviewing its Development Control Plan 2014, and the Local Environmental Plan 2010.
6. Council write to those who made submissions advising of Council's resolution.
7. Council write to relevant State and Federal Members of Parliament advising them of the adoption of the Little Creek Catchment Floodplain Risk Management Study and Plan and thanking them for their continued support of Council's Floodplain Management program.

14 College, Orth and Werrington Creeks Catchment Floodplain Risk Management Study and Plan

39 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on College, Orth and Werrington Creeks Catchment Floodplain Risk Management Study and Plan be received.
2. The College, Orth and Werrington Creeks Catchment Floodplain Risk Management Study and Plan Final Report October 2021 be adopted.
3. The College, Orth and Werrington Creeks Catchment Floodplain Risk Management Study and Plan Final Report October 2021 be published and made available on Council's website.
4. Council further consider the recommended mitigation works in the College, Orth and Werrington Creeks Catchment Floodplain Risk Management Study and Plan for inclusion by Council in future Capital Works Programs and for grant funding applications.

5. Council consider the flood planning recommendations listed in the College, Orth and Werrington Creeks Catchment Floodplain Risk Management Study and Plan Final Report October 2021 when reviewing its Development Control Plan 2014, and the Local Environmental Plan 2010.
6. Council write to those who made submissions advising of Council's resolution.
7. Council write to relevant State and Federal Members of Parliament advising them of the adoption of the College, Orth and Werrington Creeks Catchment Floodplain Risk Management Study and Plan and thanking them for their continued support of Council's Floodplain Management program.

Councillor Bernard Bratusa left the meeting, the time being 7:40pm.

OUTCOME 6 - WE ARE HEALTHY AND SHARE STRONG COMMUNITY SPIRIT

15 Access Committee - Appointment of Community Members 2022-26

40 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain

That:

1. The information contained in the report on Access Committee - Appointment of Community Members 2022-26 be received.
2. Council endorse the appointment of the six (6) community members outlined in this report to a four-year term of the Access Committee from 2022-25.
3. Council write to the unsuccessful applicants who expressed an interest in joining the Access Committee to thank them.

16 Paddle Australia - Event Sponsorship Proposals

41 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain

That:

1. The information contained in the report on Paddle Australia Sponsorship Proposals be received.
2. Council endorse \$20,000 sponsorship in support of the 2022 ICF World Ranking Australian Open – Canoe Slalom and Canoe Freestyle Championships.
3. Council endorse \$20,000 sponsorship in support of the 2022 Paddle Australia Canoe Sprint Championships and Oceania Championships.

18 Request from Fusion Western Sydney to Support Local Young People

42 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain

That:

1. The information contained in the report on the request for financial support from Fusion Western Sydney be received,
2. Council endorse Fusion Western Sydney's request for \$1,880 (excluding GST) to assist 16 local young people to participate in activities at Penrith Whitewater Stadium as part of a day program, and that the funds be taken from the Voted Works Reserve.

19 Acceptance of Grant Funding - Sport and Recreation Infrastructure

43 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain

That:

1. The information contained in the report on Acceptance of Grant Funding - Sport and Recreation Infrastructure be received
2. Council endorse both the \$1,549,495 funding offered from the NSW Government and Cricket Australia Funds and, signing funding agreements for the projects at:
 - *NSW Government Everyone Can Play*
 - Trinity Drive Reserve, Cambridge Gardens; New Mixed Recreation and Junior Playspace - \$198,860
 - Nindi Crescent, Glenmore Park; Playspace Upgrade - \$75,000
 - Wilson Park, Llandilo Playspace Upgrade - \$75,000
 - *NSW Government Greater Cities Sport Facility Fund*
 - Gipps Street Recreation Precinct, Claremont Meadows; Amenity construction \$1,000,000
 - *NSW Government Community Building Partnership 2021 Round*
 - *Boronia Park, North St Marys; Dog Park - \$40,000*
 - *Cook Park, St Marys; Playspace Enhancement - \$40,000*
 - *Wilson Park, Llandilo; Playspace Upgrade - \$15,000*
 - *Surveyors Creek Softball Facility, Glenmore Park; Field Upgrade - \$30,000*
 - *Illawong Ave Reserve; Kingswood Park; Community Playspace Upgrade - \$50,000*

- *Australian Cricket Infrastructure Fund*
 - Patterson Oval, Cambridge Park; Cricket Practice Facility - \$13,000
 - Cook and Banks Reserve, St Clair; Cricket Practice Facility - \$12,635
- 3. Council write to the relevant State Members, Ministers, Cricket NSW, Cricket Australia and Nepean District Cricket Association thanking them for their funding support towards delivering improved sport and recreation facilities

20 Grant Funding Application - Destination NSW Regional Event Fund

44 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain

That:

1. The information contained in the report on Grant Funding Application - Destination NSW Regional Event Fund be received.
2. Council endorse the application for grant funding from Destination NSW's Regional Event Fund.

21 Grant Funding Application - Multi-Sport Community Facility Fund

45 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain

That:

1. The information contained in the report on Grant Funding Application - Multi-Sport Community Facility Fund be received
2. Council endorse the applications be prepared and submitted for GCSFF;
 - Gipps Street Recreation Precinct, Claremont Meadows – Construction of new multi-sport playing fields, floodlighting, irrigation and training infrastructure.
 - The Kingsway North (Oz tag, Touch Football, Cricket), Werrington – Amenity building redevelopment ensuring full accessibility and including, storage, showers and toilets, administration, and canteen facilities.
3. Council endorse the funding allocations from existing budgets allocated to the projects as contributions to be included in the grant application:
 - Gipps Street Recreation Precinct, Claremont Meadows – \$2,500,000.
 - The Kingsway North (Oz tag, Touch Football, Cricket), Werrington – \$850,000.

Councillor Bernard Bratusa returned to the meeting, the time being 7:41pm.

22 COVID Recovery – Special Purposes Grant

46 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain

That:

1. The information contained in the report on COVID Recovery – Special Purposes Grant be received.
2. Council endorse a COVID Recovery – Special Purposes Grant to be advertised, and funds distributed to eligible local groups.
3. Funds from the Voted Works Reserve split evenly between all three wards up to \$60,000 are allocated to the COVID Recovery – Special Purposes Grant.

24 RFT 21/22-05 Ched Towns Amenities Redevelopment

47 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain

That:

1. The information contained in the report on RFT 21/22-05 Ched Towns Amenities Redevelopment be received
2. The proposal and lump sum price from Alpall Pty Limited for the amount of \$1,365,500.00 (excluding GST) be accepted for the Ched Towns Amenities Redevelopment.
3. The General Manager (or their delegate) be authorised to sign all necessary legal documents in relation to this matter.

25 RFT21/22-07 Gipps Street Recreation Precinct - Landscape Construction

48 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain

That:

1. The information contained in the report on RFT21/22-07 Gipps Street Recreation Precinct - Landscape Construction be received
2. Council decline to accept any tenders received
3. Council resolve not to call fresh tenders for the reason that pricing options within the submitted responses could be considered in negotiations with the companies that submitted responses and, as tenders have already been received from qualified and experienced contractors, fresh tenders are not likely to present a more advantageous result to Council
4. The General Manager (or their delegate) be authorised to negotiate with Glascott Landscape and Civil Pty Ltd, Lloyd Group Pty Ltd and Statewide Civil Pty Ltd
5. A recommendation on the outcome of the negotiations be reported to Council for award of the tender.

17 Digital Literacy Mentoring Program for Isolated Seniors - Successful Grant Submission

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

That:

1. The information contained in the report on the NSW Department of Communities and Justice (DCJ) *Reducing Social Isolation for Seniors Grant Program* be received.
2. Council accepts a *Reducing Social Isolation for Seniors Grant* for \$40,000 from the Department of Communities and Justice to deliver a Digital Literacy Mentoring Program for Isolated Seniors Program in 2022, in partnership with LEEP.

23 RFT 21/22-04 Doug Rennie Amenities Redevelopment

50 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Sue Day

That:

1. The information contained in the report on RFT 21/22-04 Doug Rennie Amenities Redevelopment be received
2. The proposal and lump sum price from Coverit Building Group for the amount of \$1,057,364.14 (excluding GST) be accepted for the Doug Rennie amenities redevelopment.
3. The General Manager (or their delegate) be authorised to sign all necessary legal documents in relation to this matter.

26 RFT21/22-14 Hickeys Lane Amenities Building Construction

51 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Sue Day

That:

1. The information contained in the report on RFT21/22-14 Hickeys Lane Amenities Building Construction be received.
2. The tender from CoverIt Building Group Pty Ltd for the amount of \$1,280,200.91 (excluding GST) be accepted for Hickeys Lane Amenities Building Construction.
3. The General Manager (or their delegate) be authorised to sign all necessary legal documents in relation to this matter.

27 RFT21/22-22 Bill Ball Amenities

52 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Sue Day

That:

1. The information contained in the report on RFT21/22-22 Bill Ball Amenities be received
2. The tender from Coverit Building Group Pty Ltd, for the amount of \$1,108,635.00 (excluding GST) be accepted for Bill Ball Amenities, St Marys.
3. The General Manager (or their delegate) be authorised to sign all necessary legal documents in relation to this matter.

OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

29 2022 Australian Local Government Association (ALGA) National General Assembly (NGA)

53 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Karen McKeown OAM

That:

1. The information contained in the report on 2022 Australian Local Government Association (ALGA) National General Assembly (NGA) be received
2. Council put forward suggestions to develop motions by staff to be submitted to the National General Assembly and delegate authority to the General Manager to submit prior to the deadline.
3. Council nominate Her Worship the Mayor, Councillor Tricia Hitchen as its voting delegate for the 2022 National General Assembly of Local Government.
4. Council nominate Councillors Karen McKeown OAM, Ross Fowler OAM, Jim Aitken OAM and John Thain as observers at the 2022 National General Assembly of Local Government.
5. Leave of absence be granted to all Councillors attending the 2022 National General Assembly of Local Government to be held in Canberra from 19 – 22 June 2022.

28 RFT21/22-16 for the Provision of Catering Supplies and Consumable Products

54 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor John Thain

That:

1. The information contained in the report on RFT21/22-16 for the Provision of Catering Supplies and Consumable Products be received.

2. ABCOE Distributors Pty Ltd be awarded the contract subject to the execution of a formal agreement for Council Catering Supplies and Consumable Products upon a satisfactory financial assessment.
3. The General Manager (or their delegate) be authorised to sign all necessary legal documents in relation to this matter.

30 Licence of 688 High Street Penrith

55 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on Licence of 688 High Street Penrith be received.
2. Council approve the proposed new licence agreements under the terms and conditions listed within the report.
3. The common seal of the Council of the City of Penrith be affixed to all documents as required, and the General Manager (or their delegate) be authorised to sign all necessary legal documents in relation to this matter.

31 Easement for electrical substation Allen Place Penrith Lot 1 DP1263787

56 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on Easement for electrical substation Allen Place Penrith Lot 1 DP1263787 be received
2. Council grant an easement over current Lot 1 DP1263787, inclusive of a future consolidated lot benefiting Epsilon Distribution Ministerial Holding Corporation (Endeavour Energy) for the purposes detailed within this report.
3. The common seal be affixed to all documents as required, and the General Manager (or their delegate) be authorised to sign all necessary legal documents in relation to this matter.

32 Organisational Performance and Financial Review - December 2021

57 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Glenn Gardiner

That:

1. The information contained in the report on Organisational Performance and Financial Review - December 2021 be received
2. The Organisational Performance and Financial Review - December 2021 as at 31 December 2021, including the revised estimates outlined in this report and detailed in the *Organisational Report - December 2021*, be adopted.

3. Council revote the works as detailed in the Recommended Revoted Works Lists, detailed in the *Organisational Report - December 2021* for inclusion in the 2022-23 Operational Plan.

33 Summary of Investment & Banking for the Period 1 December 2021 to 31 December 2021

58 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Glenn Gardiner

That:

1. The information contained in the report on Summary of Investment & Banking for the Period 1 December 2021 to 31 December 2021 be received.
2. The certificate of the Responsible Accounting Officer and Summary of Investments and Performance for the period 1 December 2021 to 31 December 2021 be noted and accepted.
3. The graphical Investment Analysis as at 31 December 2021 be noted.

34 Summary of Investment & Banking for the Period 1 January 2022 to 31 January 2022

59 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Glenn Gardiner

That:

1. The information contained in the report on Summary of Investment & Banking for the Period 1 January 2022 to 31 January 2022 be received.
2. The certificate of the Responsible Accounting Officer and Summary of Investments and Performance for the period 1 January 2022 to 31 January 2022 be noted and accepted.
3. The graphical Investment Analysis as at 31 January 2022 be noted.

COMMITTEE OF THE WHOLE

60 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor Robin Cook that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 7:51pm.

1 Presence of the Public

CW1 RESOLVED on the motion of Councillor Karen McKeown OAM seconded Councillor Robin Cook that the press and public be excluded from Committee of the Whole to deal with the following matters:

Outcome 7

2 Unsolicited Request to Purchase Council Owned Land Located at 1 Littlefields Road Mulgoa

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 (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret 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 7:51pm on Monday, 21 February 2022, the following being present

Her Worship the Mayor, Councillor Tricia Hitchen, Deputy Mayor Councillor John Thain, and Councillors Jim Aitken OAM, Bernard Bratusa, Todd Carney, Robin Cook, Kevin Crameri OAM, Mark Davies, Sue Day, Ross Fowler OAM, Glenn Gardiner, Karen McKeown OAM, Mark Rusev and Marlene Shipley.

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 Unsolicited Request to Purchase Council Owned Land Located at 1 Littlefields Road Mulgoa

RECOMMENDED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Robin Cook

CW2 That:

1. The information contained in the report on Unsolicited Request to Purchase Council Owned Land Located at 1 Littlefields Road Mulgoa be received.
2. Council provides its support to enter into direct negotiations with the proponent for the divestment of Lot 1 DP 852709, as per the recommendation provided by the Property Development Management Group in accordance with an updated valuation, and
3. The negotiations and subsequent outcome are presented back to Council for its consideration.

ADOPTION OF COMMITTEE OF THE WHOLE

61 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor John Thain 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 7:53pm.

I certify that these 17 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 21 February 2022.
