



PENRITH CITY COUNCIL

BUSINESS PAPER



*Mayor – Councillor David Bradbury
presenting a prize to one of the winners of the
Australia Day Fun Run*



Ordinary Meeting

19 February 2001



Penrith City Council

A COUNCIL COMMITTED TO PROVIDING THE HIGHEST QUALITY SERVICE TO ITS CUSTOMERS

14 February, 2001

Dear Councillor,

In pursuance of the provisions of the Local Government Act, 1993 and Regulations thereunder, notice is hereby given that an **ORDINARY MEETING** of Penrith City Council is to be held in the Council Chambers, Civic Centre, 601 High Street, Penrith on Monday 19 February 2001 at 7.00pm.

Attention is directed to the statement accompanying this notice of the business proposed to be transacted at the meeting.

Yours faithfully,

Alan Travers
General Manager

B U S I N E S S

1. **APOLOGIES**
2. **LEAVE OF ABSENCE**
3. **CONFIRMATION OF MINUTES**
Ordinary Meeting 5 February 2001
4. **DECLARATIONS OF INTEREST**
 - *Pecuniary Interest*
 - *Other Interest*
5. **ADDRESSING THE MEETING**
6. **MAYORAL MINUTE**
7. **NOTICE OF MOTION**
8. **ADOPTION OF REPORTS AND RECOMMENDATIONS OF COMMITTEES**
 - *Local Traffic Committee Meeting – 5 February 2001*
 - *Policy Review Committee Meeting – 12 February 2001*
9. **MASTER PROGRAM REPORTS**
10. **SUPPLEMENTARY AND LATE REPORTS (TO BE DEALT WITH IN THE MASTER PROGRAM TO WHICH THE ITEM RELATES)**
11. **QUESTIONS WITHOUT NOTICE**
12. **COMMITTEE OF THE WHOLE**



*Enquiries regarding this Business Paper should be directed to the
Public Officer, Peter Huxley on (02) 4732 7649*

ORDINARY MEETING

19 FEBRUARY 2001

TABLE OF CONTENTS

SEATING ARRANGEMENTS

MEETING CALENDAR

CONFIRMATION OF MINUTES

REPORT AND RECOMMENDATIONS OF COMMITTEES

MASTER PROGRAM REPORTS

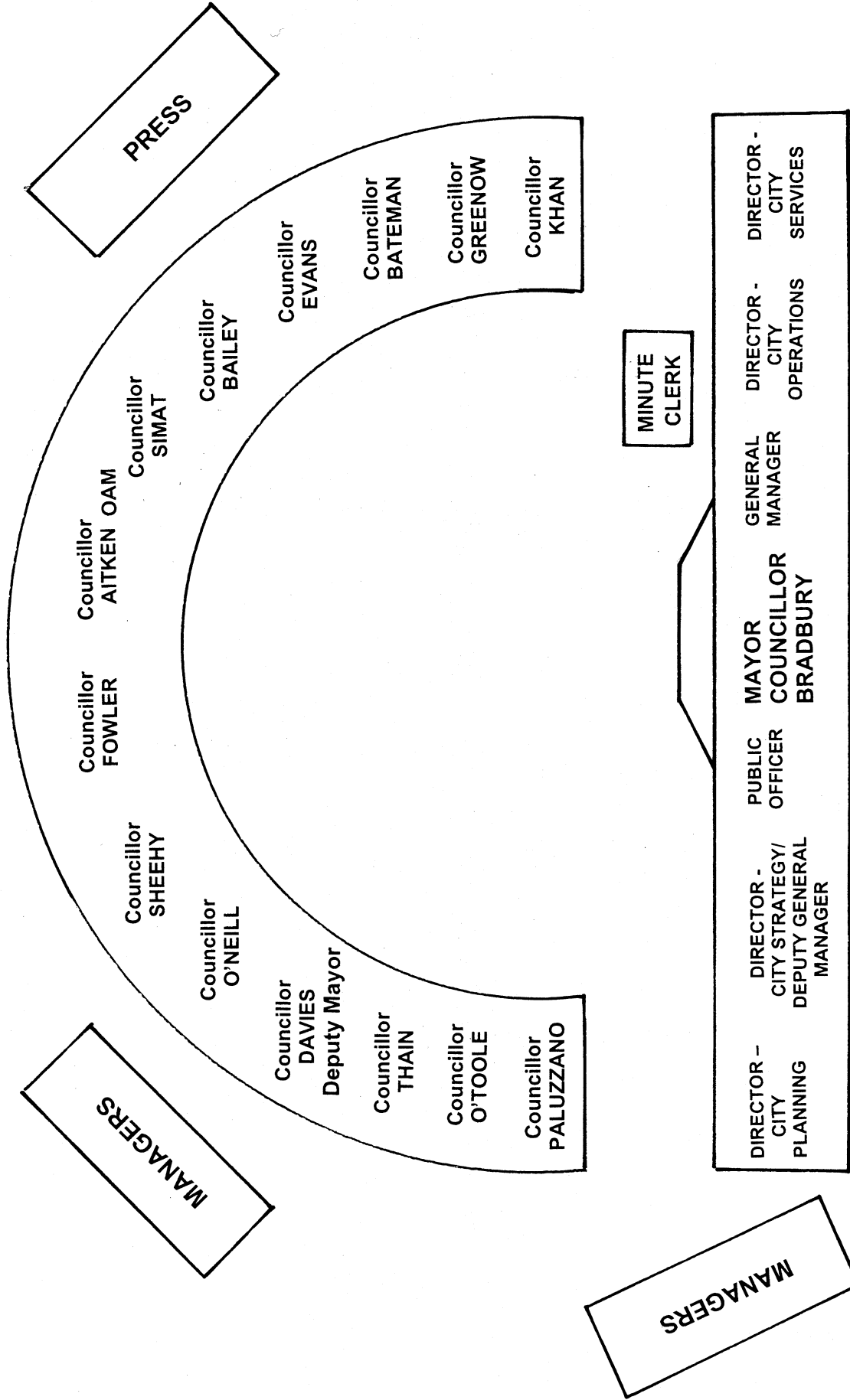
PRAYER

“Almighty God, we acknowledge that you are sovereign over the nations of the World and in the lives of individuals. Our destiny is in your hands. Help us who are gathered here in this Council Meeting to seek your way and the welfare of the people we represent.

Guide us, we pray in our deliberations, in our differing opinions, to listen to each other with respect and interest. Help us to be fair in our judgements, wise in our actions, endeavouring to keep a spirit of harmony and peace, so that our city may prosper and our people live in contentment. In the name of Jesus Christ our Lord. Amen.”



COUNCIL CHAMBERS SEATING ARRANGEMENTS



PENRITH CITY COUNCIL
MEETING CALENDAR
1 July 2000 - 30th June 2001
MEETING CALENDAR
MINUTE NO 1316

	TIME	FEB	MAR	APR	MAY	JUN
Ordinary Meetings	7.00 pm		5	2	7	4
		#19	19	23	#21	18
Extraordinary Meeting						
Policy Review Committee	7.00 pm		12	9	14	25

Council has two Ordinary Meetings per month where practicable. Extraordinary Meetings are held as required.

Policy Review Meetings are held monthly.

Members of the public are invited to observe at meetings of the Council. Should you wish to address Council, please contact The Public Officer, Peter Huxley on 47327649.

Meetings at which the Management Plan quarterly review is tabled and discussed.

WORKSHOP CALENDAR 2001											
	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC
OTHER COUNCIL ACTIVITIES											
Works Inspection	23		27		22						
Economic Development & Employment	13			8							
Strategic Planning Review Workshop (To Be Determined)											
Management Planning Special Workshop		21	11								
Local Traffic Committee Meetings	5	5	2	7	4	2	6	3	8	5	3
WSROC Board Meeting	15		19		21						
WSROC EMC Meeting	1	15		17							
Local Government Week						23-30					
POLICY FORUMS											
National General Assembly - (Canberra) (ALGA)										25-28	
Local Government Association Conference - (Wollongong) (LGA)									27-31		
Australian Local Government Women's Association Conference		29-32									
Flood Plain Management Conference				8-11							
State Assembly of Local Government (Sydney)						16-17					

WORKSHOP CALENDAR 2001

	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC
PROFESSIONAL DEVELOPMENT FORUMS AND CONFERENCES											
Local Government Managers Australia (National Congress) Brisbane				13-16							
Local Government Managers Australia (NSW Conference) (Sydney)							9-10				
Local Government Managers Australia (Forum - 1 day only) (Sydney)				28							
Urban Development Institute of Australia - (UDIA) NSW Conference (Terrigal)								14-15			
Royal Australian Planning Institute (RAPI) National Conference (Adelaide)		5-8									
Australian Institute of Environmental Health (NSW) Annual Conference		26-27									
Australian Institute of Environmental Health (National) Annual Conference (Perth)									14-19		
Australian Institute of Building Surveyors (NSW) Annual Conference						16-17					

UNCONFIRMED MINUTES
ORDINARY MEETING
HELD IN THE COUNCIL CHAMBERS, PENRITH ON
MONDAY 5 FEBRUARY 2001 AT 7.07PM

PRAYER

The meeting opened with the National Anthem and the Prayer read by Reverend Neil Checkley.

PRESENT

His Worship the Mayor Councillor D Bradbury, Councillors J Aitken, D Bailey, J Bateman, G Davies, J Greenow, C O'Neill, C O'Toole, K Paluzzano, P Sheehy, S Simat, and J Thain

APOLOGIES

1 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Bateman that apologies be received and accepted from Councillor A Khan.

LEAVE OF ABSENCE

2 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Bateman that Leave of Absence be granted to Councillors R Fowler and G Evans.

CONFIRMATION OF MINUTES

Ordinary Meeting – 18 December 2000

3 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Bateman that the minutes of the Ordinary Meeting of 18 December be confirmed with the following amendments:

Declarations of Interest on Page 2 to read:

Councillor Bateman declared an interest in Items 6, 11, 31 as he is a Director of panthers and reserved the right to take part in the debate in respect of items 11 and 31.

Works Committee Inspection Meeting Minute 381 on Page 5 to read:

Resolved on the Motion of Councillor O'Toole seconded Councillor Sheehy that the recommendations WC1 to WC5 contained in the minutes and report of the Works Committee Inspection of 15 December 2000 be adopted.

DECLARATIONS OF INTEREST

Councillor Thain declared an interest in Item 21 – Tender 29 – 00/01 – Supply and Delivery of Four (4) Agricultural Tractors (625/70) as he is an employee of a company that could be associated with Sumitoma Australia Ltd and took no part in the debate or voting.

Councillor Bateman declared an interest in Item 6 – Development Application for the erection of two additional buildings, minor alterations to existing buildings and landscaping at Lewers Bequest and Penrith Regional Gallery, Lot 4 DP 504935 River Road, Emu Plains 00/5463 as he is a Partner in a firm of solicitors who acts on behalf of the adjoining neighbour and he reserved the right to speak on the matter.

Councillor Bateman declared an interest in Item 19 – Selected Building Trades as he is a Partner in a firm of solicitors who act on behalf of certain tenderers and took no part in the debate or voting.

SUSPENSION OF STANDING ORDERS

4 RESOLVED on the MOTION of Councillor Bailey seconded Councillor Greenow that Standing Orders be suspended to allow the following persons to address the meeting, the time being 7.12 PM:

Mr David Roberts on the running of Council.

Mr Barry Sunstrom from AMP Penrith on the presentation of item of Olympic memorabilia.

Mavis Reynolds, President of the Foundation of Creative Enterprise on Creating a Sculpture Park in the Penrith Lakes Development.

Mr Max Harrison, President Kingswood Trades and Citizens Association on Kingswood Neighbourhood Centre project update.

Mr Madday, resident on Kingswood Neighbourhood Centre project update.

Mr Hugh Todd representing ADI Residents Action Group on the ADI site, St Marys.

Councillor Aitken requested that Council allow Mr Roberts to address the Committee of the Whole at the conclusion of the Ordinary Meeting.

The Mayor advised of Council's Code of Meeting Practice and the procedural process for the moving of motions.

RESUMPTION OF STANDING ORDERS

5 RESOLVED on the MOTION of Councillor Aitken seconded Councillor Bailey that Standing Orders be resumed the time being 7.13PM.

A MOTION was MOVED by Councillor Aitken seconded Councillor Bailey that Council allow Mr Roberts to address the Committee of the Whole at the conclusion of the Ordinary Meeting.

An AMENDMENT was MOVED by Councillor Davies that an urgent report be presented back to Council on a policy for persons addressing Committee of the Whole.

Councillor Bateman requested a legal opinion on whether there was provision for a member of the Public to address Committee of the Whole.

Council's Legal Officer advised that as a practice Council had not previously allowed members of the public to address Committee of the Whole and that Council could be creating a precedent.

The AMENDMENT lapsed through want of a seconder.

Councillor Aitken advised he wished to withdraw his Motion.

Councillor Sheehy requested a Point of Order that the Motion could not be withdrawn once moved and seconded.

The Mayor RULED that the Motion could not be withdrawn.

The MOTION was PUT.

The MOTION was LOST.

SUSPENSION OF STANDING ORDERS

6 RESOLVED on the MOTION of Councillor Paluzzano seconded Councillor Aitken that Standing Orders be suspended to allow Mr David Roberts, Mr Barry Sunstrom, Mavis Reynolds, Mr Max Harrison, Mr Madday, Mr Hugh Todd to address Council the time being 7.23PM.

Mr David Roberts requested that there be a meeting with him and Councillors after this meeting to address his issues.

The Mayor advised Mr Roberts that he should meet with the Mayor or the General Manager regarding his concerns and it would be dealt with by way of report to the Council in Committee of the Whole if required.

Mr. Roberts left the meeting.

Mr Barry Sunstrom from AMP Penrith presented the Mayor with an Olympic uniform and an Olympic Torch in appreciation and recognition of Council and the community involvement in the Olympic Torch Relay.

Ordinary Meeting

The Mayor and Councillor Bateman thanked Mr Sunstrom and AMP for their assistance in making the torch relay a success.

Mavis Reynolds, President of the Foundation for Creative Enterprise informed Council of a proposal to make the Penrith Lakes area an International Sculpture Park. She advised that the proposal was to install a contemporary sculpture placed in the water set in mudstone. The sculpture would use solar and wind energy.

Mavis asked Council for a letter of support so that the Foundation could seek corporate sponsorship.

Mr Max Harrison, President Kingswood Trades and Citizens Association requested Council relook at the size of the proposed Kingswood Neighbourhood Centre with the view to making it larger than 65 sq metres. He said a larger facility would accommodate the needs in the area.

Mr Maddy, resident advised Council the residents were in favour of the Kingswood Neighbourhood Centre facility but were opposed to it being built on the proposed site. He also cited traffic problems currently being experienced in the area and the lack of footpaths from bus routes.

He asked Council to reconsider the site for the facility and that it be placed in an area that would not affect residents. He also asked Council to consider the security needs for the facility.

Mr Hugh Todd, representing the ADI Residents Action Group raised concerns regarding the development of the ADI site. He advised Council the resident's group wished to work alongside Council and be united in their opposition of the current proposal. He congratulated Council on their assistance with the public demonstration of opposition to Badgerys Creek Airport and felt that a similar demonstration on a similar scale was required.

Mr Todd requested Council assistance in the same way as the Badgerys Creek Airport Group were assisted with Council resources.

RESUMPTION OF STANDING ORDERS

7 RESOLVED on the MOTION of Councillor Bailey seconded Councillor Sheehy that Standing Orders be resumed the time being 8.53PM.

MAYORAL MINUTE

Jennifer Bounds OAM

8 RESOLVED on the MOTION of the His Worship the Mayor Councillor Bradbury seconded Councillor Paluzzano that the Mayoral Minute be adopted.

A standing ovation was given to Mrs Jennifer Bounds OAM.

REPORTS OF COMMITTEES

Development Regulation Working Party – 12 December 2000

9 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor O'Neill that the recommendations DR1 to DR9 contained in the Minutes and Report of the Committee Meeting of Development Regulation Working Party be adopted.

MASTER PROGRAM REPORTS

THE CITY IN ITS REGION

1 Australia Day Celebrations - Penrith Lakes 1003/5 pt16

10 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Thain

That:

1. the Australia Day report be received.
2. The State Government be thanked for support given for Australia Day activities in Penrith.

34 ADI Site St Marys - Update 4130/2

11 A MOTION was MOVED by Councillor Sheehy seconded Councillor O'Toole

That:

1. Council endorse a deputation comprising the Mayor, Councillors Sheehy, Fowler and Bateman to pursue as a matter of urgency discussions with the Federal Ministers for Environment and Heritage, and Finance and Administration, and the Federal Opposition's spokespersons for Environment and Finance.
2. Council seek the support of the Member for Lindsay, Hon Jackie Kelly, and Senator Hutchins to facilitate those discussions.

An AMENDMENT was MOVED by Councillor Aitken seconded Councillor Simat

That

1. Council endorse a deputation comprising the Mayor, Councillors Sheehy, Fowler and Bateman to pursue as a matter of urgency discussions with the Federal Ministers for Environment and Heritage, and Finance and Administration, and the Federal Opposition's spokespersons for Environment and Finance.
2. Council seek the support of the Member for Lindsay, Hon Jackie Kelly, and Senator Hutchins to facilitate those discussions.

Ordinary Meeting

3. Council ask the State Government to reconsider Council's request for the inclusion of an additional 178 ha to the regional park proposed in the R.E.P.

The AMENDMENT was PUT and LOST.

Councillor Bateman called for a DIVISION.

For	Against
Greenow	Sheehy
Bailey	O'Neill
Bateman	Davies
Simat	Thain
Aitken	O'Toole
	Paluzzano
	Bradbury

The MOTION was then PUT and CARRIED.

THE CITY IN ITS ENVIRONMENT

3 Senate Inquiry into the Disposal of Defence Properties 4100/62

12 RESOLVED on the MOTION of Councillor O'Neill seconded Councillor Davies that the report into the Senate Inquiry into disposal of Defence properties be noted.

4 Land Zoned 3(d) Special Business 4107/27

13 RESOLVED on the MOTION of Councillor O'Neill seconded Councillor Davies

That:

1. Pursuant to the provisions of the Environmental Planning and Assessment Act, 1979 and Regulations (1980), Council submit the draft Local Environmental Plan for 3(d) Special Business zones to the Minister for gazettal.
2. All those that made submissions on the exhibition be notified of Council's decision.
3. Standards Condition of Consent be reviewed annually and reported to Council.

Councillor Thain left the meeting the time being 8.20 PM.

2 State Environmental Planning Policy No. 5-Housing for Older people or People with a Disability (Amendment No. 1) 4114/6

Ordinary Meeting

14 RESOLVED on the MOTION of Councillor Bailey seconded Councillor Greenow that the information contained in this report be received and noted.

5 Review of Standard Conditions of Consent. 4100/28

15 RESOLVED on the MOTION of Councillor Davies seconded Councillor Sheehy That:

1. Council adopt the revised Standard Conditions Policy, including the standard consent format and advisory matters attached to this report;
2. the Standard Conditions Policy be made available to the public;
3. Council's Building Approvals and Environment Protection Manager be authorised to approve minor changes to the wording of the standard conditions where the proposed change does not alter the original intent of the standard condition.
4. A formal evaluation of the operation of the standard conditions of consent policy be carried out at least once per year and the outcomes reported to Council.

Councillor Thain returned to the meeting the time being 8.28 PM.

Councillor Davies left the meeting the time being 8.28 PM.

6 Development Application for the Erection of Two Additional Buildings, Minor Alterations to Existing Buildings and Landscaping at Lewers Bequest & Penrith Regional Gallery, Lot 4 DP504935 River Road, Emu Plains 00/5463

16 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Sheehy that this matter be deferred to the Council Meeting on 19 February and that a consultation meeting be convened at the earliest possible date with the objector.

Councillor Paluzzano requested that the Committee of Management of Lewers be made aware of the matter.

Councillor Davies returned to the meeting the time being 8.32 PM.

Councillor Greenow left the meeting the time being 8.40 PM.

Councillor Greenow returned to the meeting the time being 8.44 PM.

Councillor O'Toole left the meeting the time being 8.45 PM.

7 Castlereagh Waste Management Centre 560191

17 RESOLVED on the MOTION of Councillor Davies seconded Councillor Thain That Council:

Ordinary Meeting

1. Write to the Hon Bob Debus MP, Minister for Emergency Services, Environment Minister, Minister Assisting the Premier on the Arts to seek a commitment that the Rehabilitation Funds will be spent outside the Castlereagh Waste Management Centre site for general community benefit.
2. Write to Waste Service NSW to request that its Board resolve to approach the Government for the commitment identified in item 1 and that the Board support expenditure of funds on the alternative projects recommended in this report.
3. Write to Negotiated Solutions to request that the community consultation group give consideration to the alternative projects recommended in this report.
4. Formally advise Waste Service NSW that the exhibited End Use Concepts are not accepted by Council ahead of the options appraisal report and completion of the capping trial.
5. Liaise closely with Waste Service NSW on its plans to rehabilitate the Centre including any proposed future uses of the site.

Councillor O'Toole returned to the meeting the time being 8.50 PM.

Councillor Bateman declared an interest in item 11 Sculpture Park as he was a Patron of the Foundation of Creative Enterprise but reserved the right to speak and vote on the matter.

THE CITY AS A SOCIAL PLACE

9 Assistance Towards Amateur Sportspersons and Representatives in the fields of Art, Music, Culture - Interstate and Overseas Travel **6016/1 Pt27**

18 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Greenow that the donations to those organisations listed in this report be noted.

10 New South Wales Touch Football Association Junior State Cup **3260/4**

19 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Greenow that the information contained in this report concerning the New South Wales Touch Football Association Junior State Cup be received.

14 Real Estate Signs on Footpaths **4129/5 Pt 3**

20 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Greenow That:

1. the report concerning Real Estate Signs on Footpaths be received;

Ordinary Meeting

2. Council endorse the recently implemented policy and procedures for the removal of illegally placed real estate advertising signs on public footways and public areas.
3. Council again writes to all agents requesting their co-operation and advising of Council's policy.

15 Community Assistance Programme - Rolling Component Current Requests

6016/4 Pt32

21 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Greenow that Council approve the allocation of \$580 for the International Women's Day event to Penrith Women's Health Centre on behalf of the partnership of organisations sponsoring the event.

17 377 Committees of Council - Quorum

1300/2

22 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Greenow that Council confirm the option for centres to change their constitutions as required to be "that a quorum at a normal meeting will be three members or 50% of members whichever is the greater".

8 Penrith Regional Gallery and the Lewers Bequest - NSW Ministry for the Arts Grant

1043/26

23 RESOLVED on the MOTION of Councillor Thain seconded Councillor Paluzzano
That:

1. the report concerning Penrith Regional Gallery and the Lewers Bequest - NSW Ministry for the Arts Grant be received.
2. Council write to the State Government thanking them for funding.

11 Sculpture Park

950/55

24 RESOLVED on the MOTION of Councillor Paluzzano seconded Councillor Greenow Council provide a letter of support to the Foundation of Creative Enterprise toward the concept of a "Sculpture Park" as referred to in this report.

Ordinary Meeting

12 Councillor Representation - Board of Directors of the Penrith Regional Indoor Aquatic and Recreation Centre Ltd 2986/14 Pt10

25 RESOLVED on the MOTION of Councillor Davies seconded Councillor Thain that Councillor Greenow be appointed to fill the current vacancy on the Board of Directors of the Penrith Regional Aquatic and Recreation Centre Ltd.

13 Alcohol Free Zones 9008/13 Pt 3

26 RESOLVED on the MOTION of Councillor Bailey seconded Councillor Aitken
That:

1. the report concerning Alcohol Free Zones be received;
2. Council pursue the establishment of alcohol free zones in accordance with this report;
3. suitable advertisements be placed in the local media of Council's intentions.
4. A further report be prepared for Council on the effectiveness of the Alcohol Free Zones.

16 Kingswood Neighbourhood Centre Project Update 1350/10 Pt3

27 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Bailey

That a further report be prepared for to Council addressing the following:

- i) Confirming that a community facility is to be built in Kingswood
- ii) Confirming the concept of what is to be built
- iii) Confirm residents of Kingswood are entitled to a proper facility and that it is not to be built in stages
- iv) Revisit the site for the building
- v) Funding for the project to be outlined with the view to construction starting in the next financial year
- vi) Consultation is to be undertaken with the residents of Kingswood in this process.

18 Mountains to Meadows Mobile Pre-school 2001 Schedule 1401/3 Pt7

28 RESOLVED on the MOTION of Councillor Greenow seconded Councillor Paluzzano
That:

Ordinary Meeting

1. Providing Colyton parents can be satisfactorily accommodated in other venues and the Department of Community Services license Surveyors Creek Council's Mobile Pre-school; that Council's Mobile Pre-School operates as follows in 2001:

Monday	Colyton (for term 1)
Tuesday	Claremont Meadows
Wednesday	Claremont Meadows
Thursday	Planning and Preparation Day
Friday	Erskine Park (with possible move to a rural area later in the year)

2. If Erskine Park is successful in being licensed for extra places Council apply to the Federal Government for extra child care benefit places.

1. Write to State Government regarding fee assistance.

Councillor Davies requested a report to Council after discussion take place with Blacktown City Council on the matter.

THE CITY AS AN ECONOMY

35 Outdoor Trading and Eating Areas

7000/13

29 RESOLVED on the MOTION of Councillor O'Toole seconded Councillor Davies:

That:

1. Pursuant to the provisions of the Environmental Planning and Assessment Act, 1979 and Regulations (1980) Council prepare and publicly exhibit a Development Control Plan for Outdoor Trading and Eating Areas.
2. Pursuant to the provisions of the Environmental Planning and Assessment Act, 1979 and Regulations (1980) Council prepare and publicly exhibit an amendment to Penrith Local Environmental Plan 255 (Exempt and Complying Development) and the Penrith Development Control Plan Exempt and Complying Development to include outdoor trading and eating areas for both Penrith and St. Marys town centres.
3. The St. Marys Town Centre Committee and the Penrith City Centre Association be advised of Council's decision and thanked for their assistance in the preparation of the policy for outdoor trading and eating areas.
4. Petitioners be advised of Council's actions.

THE CITY SUPPORTED BY INFRASTRUCTURE

19 Selected Building Trades

112/20 PART 3

30 RESOLVED on the MOTION of Councillor Davies seconded Councillor Aitken that the Building Trades Contractors listed in the report for various trades be engaged by Council

This is Page No 11 of the Unconfirmed Minutes of the Ordinary Meeting of Penrith City Council held in the Council Chambers, Penrith on Monday 5 February 2001

Ordinary Meeting

for a three year period in accordance with the terms and conditions of the reference document and the details within their submission.

21 Tender 28-00/01 - Supply and Delivery of Three (3) Tandem Vibratory Rollers 38/33

31 RESOLVED on the MOTION of Councillor Davies seconded Councillor Aitken that the tender of Sumitoma Australia Ltd be accepted for the supply and delivery of three (3) Bitelli DTV 325 tandem vibratory rollers at a total price of \$96,000.

22 Tench Reserve Boat Ramp 3032/12 Pt.4

32 RESOLVED on the MOTION of Councillor Davies seconded Councillor Aitken that Council endorse the General Manager's action in approving the acceptance of the WADAMP 2000/2001 Grant in the amount of \$96,000 for improvements to the Tench Reserve Boat Ramp.

20 Tender 29-00/01 - Supply and Delivery of Four (4) Agricultural Tractors 625/70

33 RESOLVED on the MOTION of Councillor Thain seconded Councillor Bateman that the tender of Agco Australia Ltd be accepted for the supply and delivery of four (4) Massey Ferguson 4225-2C Agricultural Tractors at the total price of \$173,060.

25 Local Government Remuneration Tribunal 10/42 Pt4

34 RESOLVED on the MOTION of Councillor Thain seconded Councillor Bateman That:

1. a written submission be made to the Local Government Remuneration Tribunal outlining Penrith's special situation in terms of its regional role and the issues that it is currently handling; and
2. the Tribunal be advised that if required, the Mayor and a Councillor would be prepared to make a presentation to the Tribunal in support of Council's submission.

27 Warrant Information and Privacy 6021/4 Pt3

35 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Davies

Ordinary Meeting

That

1. The detailed warrant information be excluded from the business paper.
2. A copy of the information currently held within the warrant be made available for Councillors and Senior Staff inspection in the Financial Services Department two weeks after the end of the month.

28 Lease of Shop 1, Allen Arcade, 140-142 Henry Street, Penrith - Skin Cancer Clinic 320469 LE4 Pt.3

36 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Davies
That:

1. Council approve the assignment of the Lease of Shop 1, Allen Arcade from DFG Clinics Pty Ltd to Medical Care Australia Ltd.
2. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

30 Proposal to Re-Finance Loan 6030/262

37 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Davies
That:

1. Council seek approval from the Minister from the Department of Local Government to renegotiate this loan;
2. Upon approval being given, financial institutions be approached to provide firm quotes on interest rates for similar loan products for this loan amount, that is \$5.8 million;
3. A further report be submitted to Council to approve the loan borrowing.

31 National Local Government Community Development Conference 933/2 Pt5

38 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Davies that Council approve the attendance of Councillor Pat Sheehy and Councillor Akbar Khan at the National Local Government Community Development Conference in Perth on 20th - 23rd March, 2001.

Ordinary Meeting

32 July 1999 - June 2001 Equal Employment Opportunity Management Plan 909/46

39 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Davies that the information contained in the report concerning the July 1999 – June 2001 E.E.O. Management Plan be received.

Councillor Simat left the meeting, the time being 9.20pm and did not return
Councillor Aitken left the meeting the time being 9.20pm
Councillor Aitken returned to the meeting the time being 9.25pm.

23 Customer Service Update 101/39 Pt2

40 RESOLVED on the MOTION of Councillor Greenow seconded Councillor O'Toole That:

1. the information contained in the Customer Service Update Report, be received;
2. the Customer Service Review Working Party meet as soon as possible so as to investigate a variety of issues and options to improve the level of customer service that Penrith Council provides to residents and ratepayers.

24 Charges for Cable Television 44-8

41 RESOLVED on the MOTION of Councillor Davies seconded Councillor O'Toole that the information in the report be received

26 Australian Local Government Women's Association Conference 752/3 Pt 9

42 RESOLVED on the MOTION of Councillor Davies seconded Councillor Bateman that Councillors Greenow, Paluzzano, O'Neill and any other interested Councillor be Council's delegates to the 48th Annual State Conference of the Local Government Women's Association NSW Branch to be held at Batemans Bay between Friday 30 March and Sunday 1 April 2001.

29 Summary of Investments & Banking December 2000 6021/4

43 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Davies That:

Ordinary Meeting

1. the Certificate of the Responsible Accounting Officer, Statement of General Fund Bank Balances as at 31 December 2000 and the Summary of Investments for the period 1 December 2000 to 31 December 2000 be noted and accepted;
2. the graphical investment analysis as at 31 December 2000 be noted.

33 Presentation to Beryl Hanbury

44 RESOLVED on the MOTION of Councillor Aitken seconded Councillor Bateman that a presentation be made to Beryl Hanbury recognising her long and dedicated service to Council.

The Mayor and Deputy Mayor congratulated Beryl Hanbury on her dedication and achievements and wished her a successful and happy retirement.

QUESTIONS WITHOUT NOTICE

Councillor Paluzzano left the meeting the time being 9.45PM.

QWN1 Councillor Thain requested traffic management be taken into consideration when ALDI open its premises. DA00/2513 Pt2

The Technical Service Manager advised the traffic flow will be monitored.

QWN2 Councillor Aitken requested a report to Council Committee of the Whole addressing issues contained in Mr and Mrs Pesl's correspondence. DA00950173 PT4

QWN3 Councillor Aitken requested a memo advising of an outstanding rate notice forwarded to Mr D Thomas for rates on a possessory title of unmarked street being Perry Street, Emu Plains.

QWN4 Councillor Aitken requested an on site meeting be convened between Mr Warren of 412 Mulgoa Road Regentville and Council officers regarding flooding of his premises on a regular basis. 729180

Councillor Paluzzano returned to the meeting the time being 9.50PM.

QWN5 Councillor Aitken requested a memo advising what Chemists were distributing Methodone in the Penrith Local Government Area. 7011/47

QWN6 Councillor Greenow requested a copy of the memo be forwarded to her.

QWN7 Councillor Aitken requested a report to Council on the policy for the cleaning of streets and stormwater drains. 9006/7

QWN8 Councillor Aitken requested Council write to the Hon Kim Beazley seeking commitment on their plans for a future airport at Badgerys Creek. 9000/2 Pt5

Ordinary Meeting

The Mayor ruled that a report would be presented to the next Council meeting on the matter.

QWN9 Councillor Bailey requested a report to Council regarding collection shopping trolleys. 9200/9 Pt4

QWN10 Councillor Bailey requested a memo on a request for business to sponsor the replacement of old signs on the Great Western Highway, Russell Street and Old Bathurst Road, Emu Plains. 9012/1 Pt7

QWN11 Councillor Bateman requested a memo on the Jindabyne Sport and Recreational all weather athletic track.

QWN12 Councillor Bateman requested a report on the installation of bollards on the southern side of Dunheved Road reserve to prevent trucks parking on the reserve. DU/04 Pt6

QWN13 Councillor Bateman asked for a memo regarding the closure of the Telstra Call centre in Penrith. 24/17 Pt2

QWN14 Councillor Bateman requested a report on Council's policy on buying Australian made products. 1129/19

QWN15 Councillor Bateman requested a report on the changes to the Environmental Protection Act specifically s80(1). 7018/15 Pt7

QWN16 Councillor Bateman advised of a matter for Committee of the Whole being the proposed Cambridge Gardens Shopping Centre Star Court . DA00991887 Pt4

He advised this item be referred to Committee of the Whole as the report refers to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion on the matter in open meeting would be, on balance, contrary to the public interest.

QWN17 Councillor Bateman requested a memo the cost of air conditioning the Emu Plains Community Centre. 1358/1

QWN18 Councillor Bateman also requested a report regarding air conditioning installation for all neighbourhood centres. 1350/1 Pt6

COMMITTEE OF THE WHOLE

45 RESOLVED on the MOTION of Councillor Greenow seconded Councillor Sheehy that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 10.00PM.

Ordinary Meeting

1 Presence of the Public

CW1 RESOLVED on the MOTION of Councillor O'Neill seconded Councillor Sheehy that the press and public be excluded from Committee of the Whole to deal with the following matters

Council's Operating Environment

2 Personnel Matter

1985/1 Part 12

This item has been referred to Committee of the Whole as the report refers to a personnel matter concerning a particular individual and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

The City in its Environment

3 Cambridge Gardens Shopping Centre Star Court

This item has been referred to Committee of the Whole as the report refers to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion on the matter in open meeting would be, on balance, contrary to the public interest.

The meeting resumed at 10.10pm and the General Manager reported that the Committee of the Whole met at 10.00pm on Monday 5 February 2001, the following being present

His Worship the Mayor Councillor D Bradbury, Councillors J Aitken, D Bailey, J Bateman, G Davies, J Greenow, C O'Neill, C O'Toole, K Paluzzano, P Sheehy, and J 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 Personnel Matter

1985/1 Part 12

Councillor O'Toole left the meeting the time being 10.00pm.

CW2 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Bateman that a payment of \$2,000, in addition to the contract payments, be made to the Olympic Celebrations Coordinator, Francesca Cathie, in consideration of the extra time and effort that she contributed to ensure the program was successful.

3 Cambridge Gardens Shopping Centre Star Court

Ordinary Meeting

Councillor Bateman requested a report to the next meeting on the clarification of information contained in a memo dated 22nd December relating to the proposed development at Cambridge Gardens Shopping Centre.

ADOPTION OF COMMITTEE OF THE WHOLE

46 RESOLVED on the MOTION of Councillor, Bateman seconded Councillor Greenow that the recommendation contained in the Committee of the Whole and shown as CW1 to CW2 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 10.12 PM.

Confirmed
Chairperson

Addressing the Meeting of Council

The following person/s has requested permission to address the Council on the issues as outlined below:

- Jan Cartwright on the issue of having to ask permission of Council to remove a tree/(s) or to erect fencing.



PENRITH CITY COUNCIL

Procedure for Addressing Meetings

Anyone can request permission to address a meeting, providing that the number of speakers is limited to three in support of any proposal and three against.

Any request about an issue or matter on the Agenda for the meeting can be lodged with the General Manager or Public Officer up until the time of the meeting, that is 7.00pm.

The Public Officer or Minute Clerk will speak to those people who have requested permission to address the meeting, prior to the meeting at 6.50pm, to advise them of the procedure to be followed.

It is up to the Council or Committee to decide if the request to address the meeting will be granted.

Where permission is to be granted the Council or Committee, at the appropriate time, will suspend Standing Orders to allow the address to occur.

The Chairperson will then call the person up to the lectern or speaking area.

The person addressing the meeting needs to clearly indicate:

- Their name;
- Organisation or group they are representing (if applicable);
- The issue or matter to be addressed;
- Whether they are opposing or supporting the issue or matter (if applicable) and the action they would like the meeting to take.

Each person then has five minutes to make their address. The Council or Committee can extend this time if they consider it appropriate, however, everyone needs to work on the basis that the address will be for five minutes only.

Councillors may have questions about the address so people are asked to remain at the lectern or in the speaking area until the Chairperson has thanked them.

When this occurs, they should then return to their seat.

Peter Huxley
Public Officer
02 4732 7637

July 2000

**REPORT AND RECOMMENDATION
OF THE LOCAL TRAFFIC COMMITTEE MEETING OF PENRITH CITY
COUNCIL HELD IN THE OSBORNE ROOM, PENRITH
ON MONDAY 5 FEBRUARY 2001 AT 9.00AM**

PRESENT

Craig Ross – Technical Services Manager (Chairperson), Sergeant John Milton – Penrith Police, Senior Constable Bob Tengdahl – St Marys/Regentville Police, Jason MacPherson - Roads and Traffic Authority, Lois Fisher – for the Member for Penrith

IN ATTENDANCE

Councillor Greenow, Rosemarie Barretto – Senior Traffic Engineer, Ron Watson – Westbus, Linton Hewson – Trainee Engineer,

APOLOGIES

Cathy Edwards – Road Safety Supervisor

CONFIRMATION OF MINUTES

Local Traffic Committee Meeting – 4 December 2000

The minutes of the Local Traffic Committee Meeting of 4 December 2000 were confirmed.

DECLARATIONS OF INTEREST

No declarations of interest.

MASTER PROGRAMME REPORTS

1 Pages Road/John Street, St Marys – Intersection Treatment (PA/05 Pt2 & JO/03)

RECOMMENDATION

LTC1 That the Committee consider the matter at a site inspection to be arranged as soon as possible.

2 Tench Avenue, Jamisontown – Intersection Treatment Options (FA/02; TE/13; BE/02)

RECOMMENDATION

LTC2 That:

1. the closure of Bellevue Road/Tench Avenue not be further considered;
2. intersection treatment options in Bellevue Road/Factory Road, Bellevue Road/Cross Road, and Bellevue Road/Tench Avenue/Factory Road, Jamisontown, as tabled at the meeting, be listed in the outstanding projects under Traffic Facilities Programme to be considered in future budgets;

3. residents who responded to the circular letter regarding the closure be advised of the Committee's recommendation;
4. Council's Community Safety Officer be advised of the Committee's recommendation.

3 Londonderry Road, Londonderry - School Crossing (9001/8 Pt12 & LO/05 Pt4)

RECOMMENDATION

LTC3 That:

1. the School Principal be requested to submit to Council an undertaking in accordance with the Roads and Traffic Authority form, to display the "CHILDREN CROSSING" flags at the Children's Crossing before and after school hours;
2. on receipt of the Principal's undertaking, the Roads and Traffic Authority be requested to provide a Children's Crossing on Londonderry Road, near Londonderry Primary School, in conjunction with the existing marked pedestrian crossing;
3. the Roads and Traffic Authority be requested to provide oversized advance warning signs on the approaches to the crossing facility in lieu of the existing signs and "zig-zag" linemarking for northbound traffic on Londonderry Road, Londonderry.

4 Proposed Changes to Westbus Bus Routes in the Penrith LGA (9001/8 Pt 12)

LTC Comment

The Roads and Traffic Authority representative advised the Committee that the Authority has no objection in principle for buses turning right onto Garswood Road from The Northern Road.

It was also suggested that Westbus be requested to consider provision of a service at stage 2 bus route planning through Nepean Hospital grounds from Derby Street to Somerset Street, in both directions. Westbus representative, Ron Watson, advised that a bus service through the hospital may be possible subject to further investigation whether the internal roads within the hospital site are capable of accommodating a large bus (ie, low floor buses).

RECOMMENDATION

LTC4 That:

1. the Committee endorse the changes;
2. the Committee endorse the right turn movements from The Northern Road to Garswood Road for buses only;

3. Westbus be requested to investigate provision of a bus service through the Nepean Hospital from Derby Street to Somerset Street, both directions, at stage 2 of the bus route planning.

5 Bicycle Riding on Footpaths (9003/1 Pt5 & 9008/1)

RECOMMENDATION

LTC5 That the Committee note the information.

6 The Kingsway, St Marys - Proposed NSW Touch Football Association Junior State Cup (3260/4 & TH/13)

RECOMMENDATION

LTC6 That the NSW Touch Football Association Junior State Cup to be held on 24 and 25 February 2001, be approved on traffic grounds, subject to the following conditions:

1. "No Stopping" (temporary) restrictions to be provided on The Kingsway, Werrington, both sides, approximately 30m on either side of the access points;
2. traffic signals (temporary) not be provided near the access points on The Kingsway;
3. qualified traffic marshalls to be provided near the access points at The Kingsway;
4. the temporary parking restriction signs to be installed as shown on the sketch provided by the applicant. All costs associated with the supply, installation, and removal of these signs after the event to be met by the applicant;
5. safety fence not required on The Kingsway;
6. barriers to be provided by Council as requested by the applicant. These barriers shall be obtained from the Storekeeper at Council's Depot, Copeland Street, Kingswood, upon payment of a specified security deposit. Arrangements can be made by contacting the Depot on 4732-7605;
7. the applicant to provide a sign indicating the location for "Carpark Entry for Buses/Authorised Vehicles Only";
8. the applicant to advise Les Holland of the Roads and Traffic Authority's Traffic Management Centre of the event;
9. the applicant be advised of the Committee's recommendation.

7 Westbus - Proposed New Bus Stops in the Penrith LGA (9001/8 Pt 13)

LTC Comment

Comments on proposed bus stops:

Ransley Street, Penrith

Bus zone fitted within the existing “No Standing” zone restrictions.

Jamison Road, Penrith

- (c) Recommendation: Westbus should review the location for the bus stop westbound on Jamison Road, opposite Rawson Avenue.

Joseph Street, Kingswood

- (c) Recommendation: Proposed bus stop to be relocated from number 88 to in front of number 80 (church) subject to consultation with the church. It was noted that the church has off-street parking availability.

Richmond Road, Kingswood

Opposite number 48 – bus stop to be installed on the western side, 20m north of Gascoigne Street (near the auto repairs shop).

O’Connell Street, Kingswood

Recommendation: Proposed bus stop to be relocated from adjacent number 21 to outside number 19, subject to consultation with resident.

Parker Street, Kingswood

- (a) Comment from Westbus to be referred to the Roads and Traffic Authority.
(b) Relocate northbound bus stop from 50m south of Smith Street to 50m north of Smith Street, subject to consultation with the affected residents.

St Andrews Drive, Glenmore Park

- (a) & (c) Proposed bus stops are affected by the proposed bus bay and parent drop-off at the proposed school.
(b) Bus stop on the approach to the proposed wombat crossing (Glenmore Park Public School II), subject to consultation with resident.

Shearwater Drive, Glenmore Park

- (a) The proposed bus stop to be relocated to outside numbers 8 and 10.
(d) The proposed bus stop to be relocated to outside numbers 21 and 23.

Woodlands Drive, Glenmore Park

- (b) The proposed bus stop to be relocated at the border of numbers 22 and 24. Agent for number 22 has been advised, but no response has been received to date, and number 24 has objected due to loss of privacy, parking, etc.
(c) The objection from the resident at number 21 has been withdrawn, as the house has been sold.
(d) The proposed bus stop outside Wiz Kids Pre-school is recommended subject to consultation with the operator of the pre-school.

GENERAL COMMENT

Many of the objections received related to loss of privacy, parking, noise whilst these objections are noted, the Committee felt that the provision of bus services serving the wider

community has precedent over individual parking availability noting that there was alternate parking nearby.

RECOMMENDATION

LTC7 That:

1. the proposed bus stops, which were considered satisfactory on traffic safety grounds (as per list of proposal) be approved, subject to any further consultations by Westbus, as noted;
2. the Roads and Traffic Authority be requested to provide bus zones, where appropriate, according to the list of proposed bus zones;
3. Council's Parks Construction & Maintenance Manager be requested to trim trees where appropriate;
4. all affected residents, particularly those who raised objections to Council, be advised of the Committee's recommendation;
5. Westbus be advised of the Committee's recommendation, accordingly;
6. further consultation occur with the Roads and Traffic Authority regarding the bus zones in Parker Street just south of Jamison Road.

8 Rodgers Street, Kingswood - Request for "No Stopping" Zone (RO/03)

RECOMMENDATION

LTC8 That:

1. the affected residents on the northern side of Rodgers Street, near the intersection of Somerset Street, be consulted prior to implementation of the "No Stopping" zone;
2. the Roads and Traffic Authority be requested to provide a "No Stopping" zone in Rodgers Street, both sides, for a distance of 12m east of Somerset Street, Kingswood, subject to consultation with the affected residents;
3. Westbus be advised of the Committee's recommendation.

9 Mulgoa Road & Allan Street, Mulgoa – Request for Relocation (9001/8 Pt 13)
of Bus Stop

RECOMMENDATION

LTC9 That:

1. the existing bus stop in Mulgoa Road outside house number 1212 be relocated 10m to the north, outside house number 1208 (subject to consultation with the owner/occupier of 1208);
2. Council's Works Construction & Maintenance Manager be requested to provide bollards between the road and the footpath at the bus stop;
3. Westbus be advised of the Committee's recommendation.

GENERAL BUSINESS

1 Water Street, Emu Plains – Sight Distance Problems (*Raised Council*) (WA/13)

Councillor Bailey has made previous representation on behalf of a resident regarding a sight distance problem on Water Street at Government House Drive, Emu Plains.

At its meeting on 4 September 2000, the Local Traffic Committee considered the sight distance problems in Water Street. The Committee commented that *“Police indicated that the access door to the shopping centre near Water Street (fire door) has now been closed and it was observed that the parking that occurred in Water Street has dramatically reduced and that the parking restrictions may not now be required.”*

Council resolved, on the recommendation of the Committee, that *“the matter be deferred for monitoring over the next month”*.

Further investigation has revealed that there were no cars parked near the intersection and no obstruction has been observed. Provision of parking restrictions is not considered appropriate.

RECOMMENDATION

LTC10 That parking restrictions not be provided at the Water Street/Government House Drive intersection at Emu Plains.

2 Explorers Way, St Clair – Proposed Concrete Median (*Raised Council*) (EX/01 Pt 3)

At the Local Traffic Committee meeting on 3 July 2001, the committee considered the design plan for a proposed concrete median island in Explorers Way, St Clair, at its intersection with Colorado Drive. Council resolved, on the recommendation of the Committee, *“that the project be deferred for a review of the scope of works”*.

The intersection treatment has been reviewed and the design plan has been amended for consideration by the Committee. The cost of the project, as amended, is estimated to be approximately \$13,800. The current budget of this project is approximately \$13,898.

The amended design plan was tabled at the meeting.

RECOMMENDATION

LTC11 That:

1. the Committee approve and endorse construction of the proposed intersection treatment at Explorers Way/Colorado Drive, St Clair;
2. Council's Design Co-ordinator be advised of the Committee's recommendation and be requested that the design of the facility be forwarded to the Works Construction & Maintenance Manager for construction.

3 Birmingham Road, Penrith – Funding for Works (*Raised Council*) (BI/01)

Funding for this project was estimated to be approximately \$13,700 and was approved by the Local Traffic Committee on 4 September 2000. It should be noted that the unit rates used for the concept plan were according to Council estimates published in March 1998. Advice from the Works Section indicates that a 10% increase should be allowed for estimating purposes as the current estimates are now out of date. The revised cost estimate for this project is \$17,300, which is \$3,600 more than the original cost allocation. The revised plan and its estimates were tabled at the meeting.

RECOMMENDATION

LTC12 That:

1. the Committee consider and approve the amended design plan and revised cost estimate;
2. the additional amount of \$3,600 (as per above revised cost estimate) be funded from LTC funds;
3. Council's Design Co-ordinator be advised of the Committee's recommendation and be requested that the design of the facility be forwarded to the Works Construction & Maintenance Manager for construction.

4 Newmoon Place, St Clair – Request for “No Stopping” Restriction (*Raised Council*) (NE/06)

Council's Plant Foreman, Mr Bill Hilder, has brought to Council's attention that a number of vehicles are parking on Newmoon Place near the driveways or at the intersection of Timesweep Drive, particularly during before and after school hours. With the recent commencement of the 2001 school year, vehicles parking near the intersection are creating traffic flow problems as well as sight distance problems for other vehicles wishing to turn onto Timesweep Drive from Newmoon Place.

Newmoon Place has a road width of 6m between kerbs. It is considered appropriate to install a “No Stopping” restriction on Newmoon Place, both sides, to a distance of 10m south of Timesweep Drive, to prevent vehicles parking near the intersection and to improve sight distance for turning vehicles. It is also considered appropriate to install a “No Stopping”

restriction on Timesweep Drive, south side, 10m on either side of Newmoon Place, to improve traffic flow in both directions.

RECOMMENDATION

LTC13 That the Roads and Traffic Authority be requested to provide “No Stopping” zones at the following locations, subject to consultation with the affected residents:

- Timesweep Drive, south side, 10m on either side of Newmoon Place;
- Newmoon Place, both sides, 10m south of Timesweep Drive.

5 Orange Avenue, Claremont Meadows – Request for Barriers (OR/08)
(Raised Council)

Council has received complaints from a resident of Orange Avenue, Claremont Meadows, concerning traffic problems generated by access to the UWS.

The resident has advised that vehicles are travelling down Orange Avenue (which is a cul-de-sac), and driving across a paddock to access the university, and has requested that barriers be installed to prevent the illegal access from Orange Avenue.

RECOMMENDATION

LTC14 That the matter be deferred for further investigation.

6 Sherringham Road, Cranebrook – Existing Pedestrian Refuge (SH/02)
(Raised Council)

A pedestrian refuge island was constructed in Sherringham Road between Pensax Road and Cedarwood Place in conjunction with the subdivision development. Concerns were raised regarding on-street parking on Sherringham Road near the facility and discussions between the Technical Services Manager, Corporate Manager-Operations, and Design Co-ordinator that the pedestrian refuge island be relocated and reconstructed.

The facility has resulted in parking restrictions in front of three residential properties along the northern end of Sherringham road. Following discussions with the affected residents, it was agreed to relocate and reconstruct the pedestrian refuge island as well as provide chevron linemarking to highlight the presence of the refuge.

The cost of reconstruction of this facility is estimated to be \$6,500, and is to be funded from Local Traffic Committee funds.

A revised plan was tabled at the meeting.

RECOMMENDATION

LTC15 That:

1. the Committee endorse and approve the revised plan for the pedestrian refuge island at an estimated cost of \$6,500, to be funded from Local Traffic Committee funds;
2. Council's Design Co-ordinator be advised of the Committee's recommendation and be requested to forward the plan to the Works Construction & Maintenance Manager for construction.

7 Somerset Street, Kingswood – Request for Centre-Ped (Raised Council)

(SO/02)

At its meeting on 6 November 2000, the Local Traffic Committee considered a design plan for a pedestrian refuge island in Somerset Street, near the hospital. The pedestrian refuge island was to be located north of the hospital driveway. Council resolved, on the recommendation of the Committee, that *“the matter be deferred for consideration of a centre-ped refuge island”*.

Three proposals were prepared for consideration by Local Traffic Committee:

- Option 1 - single refuge at northern side (original proposal) at \$10,900
- Option 2 - twin pedestrian refuge islands, at \$14,000
- Option 3 - pedestrian refuge island (south side) and centre-ped refuge island (north side) at \$14,000.

A centre-ped will increase the cost of construction and additional funds will need to be allocated.

The Committee was requested to consider and endorse one of the options for provision of a centre-ped on Somerset Street. An additional funding of \$3,100 would be required for either Option 2 or 3.

The three proposals and their estimates were tabled at the meeting.

RECOMMENDATION

LTC16 That:

1. the Committee consider and endorse Option 2 (twin pedestrian refuge islands) on Somerset Street, Kingswood, near the hospital. The additional funding of \$3,100 for Option 2 be funded from LTC funds;
2. the bus zones on both sides of Somerset Street be relocated as shown on the design plan;
3. the parking regulatory signs associated with the construction of the proposed facilities be approved as shown on the plan;
4. the affected residents be advised of the revised plan as well as the relocation of the bus zones and installation of the parking regulatory signs associated with the construction of these facilities;

Local Traffic Committee

5. Council's Design Co-ordinator be advised of the Committee's recommendation.
There being no further business the Chairperson declared the meeting closed, the time being 11.40am.

Confirmed

Chairperson



MASTER PROGRAM REPORTS

Item		Page
THE CITY IN ITS REGION		
1	Western Sydney Orbital (9011/49)	1
THE CITY IN ITS ENVIRONMENT		
2	Development Application For The Erection Of Two Additional Buildings, Minor Alterations To Existing Buildings And Landscaping At Lewers Bequest & Penrith Regional Gallery, Lot 4 DP504935 River Road, Emu Plains 00/5463	7
3	Development Application For Filling Of Site On Lot 45 DP975322 (No.17) First Road, Berkshire Park, Applicant: G.M. Lenton (Surveyors) Pty Ltd, Owner: S & P Haber 00/5053	20
4	Heritage Advisory Committee 4125/9	27
5	Penrith Heritage Archival Recording Policy 4125/9	30
THE CITY AS A SOCIAL PLACE		
6	Transfer Of Street Parking Responsibilities To Local Government 9018/1 Pt 2	39
7	Youth Week - Allocation Of Grants 1019/25 Pt5	41
8	Seniors Week 2001 1019/9	44
THE CITY AS AN ECONOMY		
9	Penrith City Centre Association And St. Marys Main Street Committee 4201/53 & 4202/14	47
10	Erskine Park Employment Area 4161/15 Pt19	50

THE CITY SUPPORTED BY INFRASTRUCTURE

11	City Operations Directorate Report To Mid February 2001 152/3	61
12	Proposed Changes To Westbus Bus Routes In The Penrith LGA (9001/8 Pt 12)	74

COUNCIL'S OPERATING ENVIRONMENT

13	2000/2001 Management Plan - December Quarter Review 36/28	79
14	Information On Civic Receptions 10/5 Part 11	84
15	Insurance Ombudsman	86
16	Review Of Delegations 923/30 Pt 9	88
17	Council Property - Easement To Drain Water Over Lots 454 To 458, D.P. 14333, Jamison Road And Lot 1, D.P. 50899, Stafford Street, Kingswood 539652	90
18	Additions And Amendments To 2000/2001 Council Fees And Charges 6007/29	93
19	Summary Of Investments & Banking January 2001 6021/4	95



**REPORT AND RECOMMENDATIONS
OF THE POLICY REVIEW COMMITTEE MEETING OF PENRITH CITY
COUNCIL HELD IN THE PASSADENA ROOM, CIVIC CENTRE, PENRITH
ON MONDAY 12 FEBRUARY 2001 AT 7.05 PM**

PRESENT

His Worship the Mayor Councillor David Bradbury, Councillors J Aitken, D Bailey, John Bateman, G Davies, G Evans, J Greenow, A Khan (from 7.08PM), C O'Neill, C O'Toole (from 7.15PM), K Paluzzano, P Sheehy, S Simat (from 7.35PM), and J Thain

APOLOGIES

PR50 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Davies that apologies be received and accepted from Councillors O'Toole, Khan and Simat.

LEAVE OF ABSENCE

PR51 RESOLVED on the MOTION of Councillor Evans seconded Councillor Greenow that Leave of Absence be granted to Councillor Fowler.

CONFIRMATION OF MINUTES

Policy Review Committee Meeting – 27 November 2000

PR52 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor O'Neill that the minutes of the Policy Review Committee Meeting of 27 November 2000 be confirmed.

DECLARATIONS OF INTEREST

There were no declarations of interest.

Councillor Sheehy made a statement to the meeting in reference to the report on ADI discussed at the Ordinary Meeting on 5 February 2001, Councillor Sheehy said that he had no problems with Council making representations to the Minister for Planning about the Minister's decision on ADI.

SUSPENSION OF STANDING ORDERS

PR53 RESOLVED on the MOTION of Councillor Davies seconded Councillor O'Neill that Standing Orders be suspended to allow Mr Geoff Brown of the ADI Residents Action Group to address the meeting, the time being 7.07PM.

Councillor Khan arrived, the time being 7.08PM.

Mr Brown addressed Council as a spokesperson for the ADI Residents Action Group. He advised of a Public meeting that took place on 31st January 2000 and the strong commitment of the group to save heritage listed areas on the site. He requested Council support to the amount of \$15,400 to assist the group in organising a rally. He complimented Penrith City Council on their involvement with the successful Badgerys Creek Anti Airport Rally and asked Council to give the same commitment to the ADI Residents Action Group.

RESUMPTION OF STANDING ORDERS

PR54 RESOLVED on the MOTION of Councillor Thain seconded Councillor Paluzzano that Standing Orders be resumed the time being 7.12PM.

MASTER PROGRAM REPORTS

THE CITY IN ITS ENVIRONMENT

The Mayor ruled that 3 would be dealt with as the first item on the Agenda.

3 Presentation by the Western Sydney Waste Board

19/103

The Deputy Mayor, Councillor Greg Davies, introduced the General manager of the Western Sydney Waste Board, Ms Jane Pretty and her staff and invited her to make a presentation to the Committee.

Councillor O'Toole arrived, the time being 7.15PM.

Ms Pretty spoke about the work of the Board, the waste Pre-treatment facility being developed at South Windsor, opportunities for resource recovery from waste and potential savings for the community through reductions in the S88 Waste.

Councillor Simat arrived, the time being 7.35PM.

A short video depicting what a drive through recycling facility might look like was also shown. Detailed material on the work of the Waste Board and some of the initiatives mentioned during the presentation were distributed to Councillors.

Councillor Bailey left the meeting, the time being 7.40PM

Councillor Bailey returned to the meeting, the time being 7.41PM

Questions by several Councillors about the similarity of the Wollongong facility to the one proposed for South Windsor and the various technologies used in the treatment of waste were answered by Ms Pretty.

His Worship the Mayor thanked Ms Pretty and her team for their informative presentation and for the work of the Waste Board.

PR55 RESOLVED on the MOTION of Councillor Davies seconded Councillor Thain

That:

1. Council receive the presentation from the Western Sydney Waste Board.
2. The General Manager of the Western Sydney Waste Board be thanked for the informative presentation to Council

THE CITY AND ITS REGION

The Mayor ruled that items 1 and 8 would be dealt with together.

1 & 8 ADI Site, St Marys

4130/2

PR56 RESOLVED on the MOTION of Councillor O'Toole seconded Councillor Bailey

That:

1. the information contained in the Environmental Planning Manager's Report, be noted;
2. Council request advice from the Department of Urban Affairs and Planning addressing each of the key concerns raised in Council's submission outlining the reasons for which those concerns have not been incorporated within the REP.
3. Council provide ADIRAG with \$15,400 in accordance with their submission.

THE CITY IN ITS ENVIRONMENT

2 Cities for Climate Protection

7018/14

Louise Petchell gave a presentation, elaborating on the main issues raised in the report.

PR57 RESOLVED on the MOTION of Councillor Thain seconded Councillor Paluzzano

That:

1. Council receive and note the results of the Milestone 1 audit, and support Council's continuing involvement to complete the remaining Milestones.
2. Council adopt a Greenhouse Gas Reduction Goal for Council's and the community sectors' emissions of 25% (below 1995 levels) by 2010.
3. Council endorse the attached Greenhouse Gas Reduction Local Action Plan for implementation.
4. Council form a Greenhouse Strategy Group comprising a broad representation of community, business/industry, environmental groups, education and government representatives to provide a forum for the ongoing review, development and monitoring of the Greenhouse Gas Reduction Local Action Plan.
5. In relation to the implementation of the Local Action Plan, Council also pursue the following key actions -
 - (a) continue to assess the implementation costs, potential savings and payback periods, and the potential emission reductions for priority actions
 - (b) identify key indicators for the success of the program, and establish a monitoring system related to the Local Action Plan

- (c) establish a revolving Sustainability Initiatives Fund, using a proportion of the savings that are achieved through greenhouse gas reduction initiatives to fund future sustainability initiatives and energy efficiency actions
 - (d) promote successes, and establish Penrith as a leading Council in the implementation of sustainable strategies.
 - (e) seek funding for selected projects in the Local Action Plan.
6. Council promote the Local Action Plan and foster community involvement.
7. (a) Council consider the fitment of exhaust purifiers to all plant to reduce exhaust emissions.
- (b) Investigations be undertaken to determine what standard the buses within the City need to comply with in respect of Greenhouse Gas Reduction and that local bus proprietors be asked what their plans are for changing over to compressed natural gas.

4 Domestic Waste Service - Multi Unit Housing

7015/1

PR58 RESOLVED on the MOTION of Councillor Bailey seconded Councillor Paluzzano

That:

1. the Domestic Waste Service – Multi Unit Housing report be received;
2. the preferred method of waste collection service for new and existing multi unit housing be the ‘collect and return method’;
3. the Safety, Emergency and Waste Services Manager be authorised to commence negotiations with Rethmann and Cleanaway to vary the current contract arrangements for the implementation of a ‘collect and return’ service to new and existing multi unit housing developments;
4. a further report be provided to Council detailing the outcome of the negotiations with Council’s Garbage and Recycling contractors and budgetary adjustments required to implement the proposal for 2001/2002.
5. Council contact local strata managers about this proposal to gain their opinions as to how this may be implemented.
6. Council trial this method for a period of 12 months and that a report be brought back to Council on the effectiveness of the trial in addressing the issues raised in the report.

5 Introduction of 120 litre Mobile Garbage Bins

7015/1

PR59 RESOLVED on the MOTION of Councillor Davies seconded Councillor Bailey

That:

1. the report concerning the Introduction of 120 litre Mobile Garbage Bins be received;
2. Council endorses the introduction of 120 litre MGBs on a voluntary basis commencing 1 July 2001.
3. the appropriate domestic waste management charges be developed for 2001/2002.
4. A further report be presented to Council detailing what promotions will be used to encourage people to take up the 120 litre bins in lieu of the 240 litre bins.

6 Draft 2001/2002 Management Plan

36/33

PR60 RESOLVED on the MOTION of Councillor Davies seconded Councillor O'Toole

That:

1. The information concerning the Draft 2001/2002 Management Plan be received.
2. The 2001/2001 draft budget and associated fees be prepared on the basis set out in this report and included in the draft Management Plan
3. Council identify other issues for consideration in the preparation of the Draft 2001/2002 Management Plan.

Councillor Davies requested consideration for money to be put aside to assist in the implementation of the Salary System.

Councillor O'Toole requested Customer service be a key focus area in the Management Plan.

Councillor O'Toole requested information on the status of paid maternity leave.

The General Manager advised that the new award was currently under consideration.

Councillor Davies requested consideration be given for paid maternity leave to be part of Council's enterprise agreement.

7 General Property Revaluation

6503/4 Pt 11

The Chief Rates Clerk gave a presentation highlighting aspects of the report. He explained the outcome of the revaluation and the effects of valuation variances.

Policy Review Committee Meeting.

PR61 RESOLVED on the MOTION of Councillor Evans seconded Councillor Greenow
That:

1. The information be received and noted;
2. Delegated authority be given to the General Manager to authorise submissions of objection to valuations by the Chief Financial Officer and Chief Rates Clerk.

There being no further business the Chairperson declared the meeting closed the time being 9.15.

Confirmed
Chairperson

ORDINARY MEETING

19 FEBRUARY 2001

MASTER PROGRAM REPORTS

Item		Page
	THE CITY IN ITS REGION	
1	Western Sydney Orbital (9011/49)	1

The City in Its Region

1 Western Sydney Orbital

(9011/49)

Compiled by: Charles Wiafe, Transportation Planner
Authorised by: Craig Ross, Technical Services Manager

<p>Management Plan 4 Year Outcome (Page 12): <i>A Strategic Access and Transport Plan, integrated with land use planning, is developed and being implemented.</i></p> <p>00/01 Critical Action: <i>Lobby to secure the early construction of the Werrington Arterial, Western Sydney Orbital and improvements to identified major road intersections.</i></p>

Purpose

The purpose of this report is to inform Council of the features and benefits of the proposed Western Sydney Orbital for the Penrith LGA, and to seek Council's endorsement of issues that would be addressed in Council's submission on the project.

Background

On 4 January 2001, the Federal Minister for Transport and Regional Services, Mr John Anderson announced that the Federal Government has allocated \$350 million towards the construction of the Western Sydney Orbital, and jointly released its EIS with the NSW Minister for Transport and Roads, Mr Carl Scully.

The proposed Western Sydney Orbital will comprise approximately 39km of divided carriageway between the M5 and the Hume Highway at Prestons, and the M2 at West Baulkham Hills. It will connect all existing motorways and provide a motorway standard road to all parts of Sydney and the major employment and residential areas. It is the final link in Sydney's high standard orbital road network, as shown in Figure 1.

The Orbital will form the Sydney leg of the National Highway – the Federal Government's principal road network. It will replace the Cumberland Highway, which at the moment acts as the interim National Highway through Sydney.

The EIS on the project is currently on public exhibition at a number of locations including the Penrith Library. The RTA is project managing the planning, design, and environmental assessment process for the Federal Government and has called for submissions in writing by 5 March 2001.

The project is identified in Council's current Management Plan and Council has supported the Orbital for a number of years. Council has been lobbying for its early construction, along with the WSROC Orbital Taskforce, the NRMA, and other agencies.

Features of the Proposed Road

The project is to be funded largely by the private sector through a toll. Initially the orbital is proposed to have two trafficable lanes in each direction, separated by a wide central median that could be used to provide additional traffic lanes or public transport in the future.

Public transport (light or heavy rail or bus lanes) may be added to complement the transport corridor. Buses are most likely because of space considerations. A cycle way will be included in the corridor or adjacent to the Orbital.

Access to the orbital would be allowed from 15 grade separated interchanges, including interchanges at:

- Hume Highway/M5 Motorway and Camden Valley Way, Prestons
- Cowpasture Road, Hinchinbrook
- Elizabeth Drive, Cecil Park
- Old Wallgrove Road, Eastern Creek
- M4 Motorway, Eastern Creek
- Sunnyholt Road, Kings Langley
- Old Windsor Road, Kings Langley
- Richmond Road, Dean Park
- M2 Motorway, Baulkham Hills.

The Old Wallgrove Road interchange will provide access to Australia's Wonderland. Previously Council has made representation for the project to make provision for a link to the Erskine Park Employment Area. The RTA has advised that such a link can be provided from the Old Wallgrove Road interchange.

The Orbital will be constructed within a road corridor ranging from about 65m to 150m wide, however additional land will be required at interchanges. A typical cross section would be 7m traffic lanes, 2.5m shoulder/breakdown lane, 1m road verge on either side, separated by a 15m median, and guttering where required.

Construction Programme

Construction is proposed to commence in the second half of 2002 and be completed in 2007. The construction will start in the northern section where the corridors have been acquired. Some sections of the Orbital will be open prior to 2007, including the section from the M2 to the M4, which may be open by 2005.

The purchase of all land required is not likely to be completed before 2004, because of the availability of funds.

Funding Option

The Orbital is estimated to cost \$1.25 billion. The Federal Government has allocated \$350 million towards the cost of the project. The private sector would finance the remaining amount and would build, own, operate, and maintain the Orbital for a specified period of time on behalf of the Commonwealth. The capital cost is proposed to be recouped by a toll.

The proposal includes full electronic tolling. Road users would purchase an electronic tag linked to an account with the toll operator. Special equipment mounted on gantries or on road structures, such as bridges over the orbital would read these tags and debit the driver's account accordingly. The toll would be charged depending on the length of the trip up to a fixed limit. This system would be similar to that operating on the Melbourne CityLink project.

The EIS and the Minister's media release have outlined that electronic tolling will occur at regular intervals along the Orbital, at a cost of 25 cents per kilometre. Although not finally decided, the proposed toll could be capped at \$5. Travel below the maximum fee could be based on the distance travelled. Final costs will depend, in part, on the volume of traffic attracted to the tollway.

Electronic tolling will allow for flexibility in tolling, eg, for CPI increases, peak and off-peak charges, and would eliminate the need for toll plazas on the main carriageway or ramps.

All vehicles will be tolled (bicycles excepted). The concept is that commercial and private vehicles will all be tolled at the same rate, to encourage trucks on to the tollway.

The orbital will be the only National Highway that is proposed to attract a toll. The Federal Minister for Transport and Regional Services has addressed this issue in his media release, indicating that “the Federal Government has agreed to a toll to help finance the project to enable the road to be constructed in a time frame acceptable to the motoring public”. He has also indicated that the Federal Government will only consider tolling the National Highway in the future on a case by case basis, and not as a matter of course.

At its meeting on 23 October 2000, Council considered a report on possible toll options on the Orbital, and resolved that Council would not oppose a shadow toll but would raise objection to any proposal that would impose a direct toll on road users.

Benefits of the Orbital for the Sydney Region

The EIS has outlined that when completed the Orbital will result in the following benefits:

- \$25 will be saved in fuel and running costs for the 39km distance;
- significant savings in travel times, ie, approximately 1 hour for the 39km;
- 56 sets of traffic lights will be avoided;
- 13 interchanges will permit good access to residential and employment zones;
- 33 pedestrian crossings and 25 road crossings will reduce community fragmentation;
- 39 million tonnes of transport in the corridor in 1996 will increase by 40% to 55 million tonnes in 2006.

The Orbital will increase the potential for jobs in Western Sydney (which is currently about half the rate of jobs in Eastern Sydney). Around 1,200 jobs will be created in the construction stage.

The Western Sydney Orbital would make it easier to travel in western Sydney. It will provide improved north-south road connections within Sydney and complete the missing link in Sydney’s orbital road network, as shown in Figure 1. In doing so, it will attract new activities and facilities to the Greater Western Sydney region.

The present value of net user benefits (including cost of accidents, travel time, and vehicle operating costs) is estimated at \$2 billion, while the present value cost is estimated at \$1.06 giving a road user Benefit Cost Ratio of 2.2. This indicates that the project will result in significant benefits to the community and meets the criteria specified by Treasury for project funding.

Benefits for the Penrith LGA

The Orbital would improve access to the employment and activity centres in north west Sydney, and make provision for improved access to the Erskine Park Employment Area.

The project is, however, expected to have a marginal impact on traffic flow on the arterial road network in the Penrith LGA, as shown in the following modelled morning peak hour traffic flows on key links in the LGA with and without the Orbital:

Street	Location	Without WSO		With WSO	
		2006	2016	2006	2016
Great Western Highway	East of Mamre Road	2,675	2,957	2,667	2,856
Great Western Highway	East of the WSO	3,089	3,819	4,001	4,082
The Northern Road	South of M4	2,553	2,798	2,726	2,776
The Northern Road	North of the GWH	3,773	4,107	3,717	3,974
Erskine Park Road	South of M4	1,697	1,841	1,761	1,985
Mamre Road	South of GWH	2,660	2,949	2,081	2,446
Mamre road	South of M4	2,100	2,262	2,351	2,334
M4 Motorway	East of Mamre Road	7,421	8,019	8,275	9,081
M4 Motorway	East of Mulgoa Road	5,878	6,310	5,907	6,365

The project is not expected to have a direct environmental impact on the Penrith LGA.

To gain full benefit of the project, a link to the Erskine Park Employment Area and a connection from the orbital near Richmond Road to Werrington Arterial would be required.

M2/Western Sydney Orbital and Werrington Arterial Road Connection

The M2 extension shown on earlier planning documents provides for a connection through Forrester Road and along the northern end of Bidwill/Hassall Grove Estate. Council requested that the route for such a link be better defined in the ADI rezoning studies.

Blacktown City Council did not, however, support a route through the Peter Van Hassell Park (at the northern end of Forrester Road) and the other routes may have significant environmental constraints.

An alternate lower key connecting link needs to be investigated to provide satisfactory development of access to the northern end of the Orbital from the Penrith LGA.

Issues to be Raised in Council's Submission

It is proposed that a submission be made to the RTA Sydney Operations outlining that Council supports the project as part of arterial road improvements in the Greater Western Sydney region.

With regard to the proposed funding, Council would not oppose a shadow toll but raises objection to the proposed direct toll on road users.

To gain the full benefit of the project for the Penrith LGA, links to the Erskine Park Employment Area and the northern residential areas of the LGA would be desirable and the RTA should be requested to advance the planning of such links.

RECOMMENDATION

That:

1. Council note the information on the EIS and funding package for the Western Sydney Orbital;
2. A submission be made to the Roads and Traffic Authority, advising that:
 - Council supports the project as part of arterial road improvements in the Greater Western Sydney region;

- Council would not oppose a shadow toll, but objects to the proposed direct toll on road users;
- to gain the full benefit of the project for the Penrith LGA, connections to the Erskine Park Employment Area and the northern residential areas of the LGA would be desirable and that the RTA be requested to advance the planning for such links.



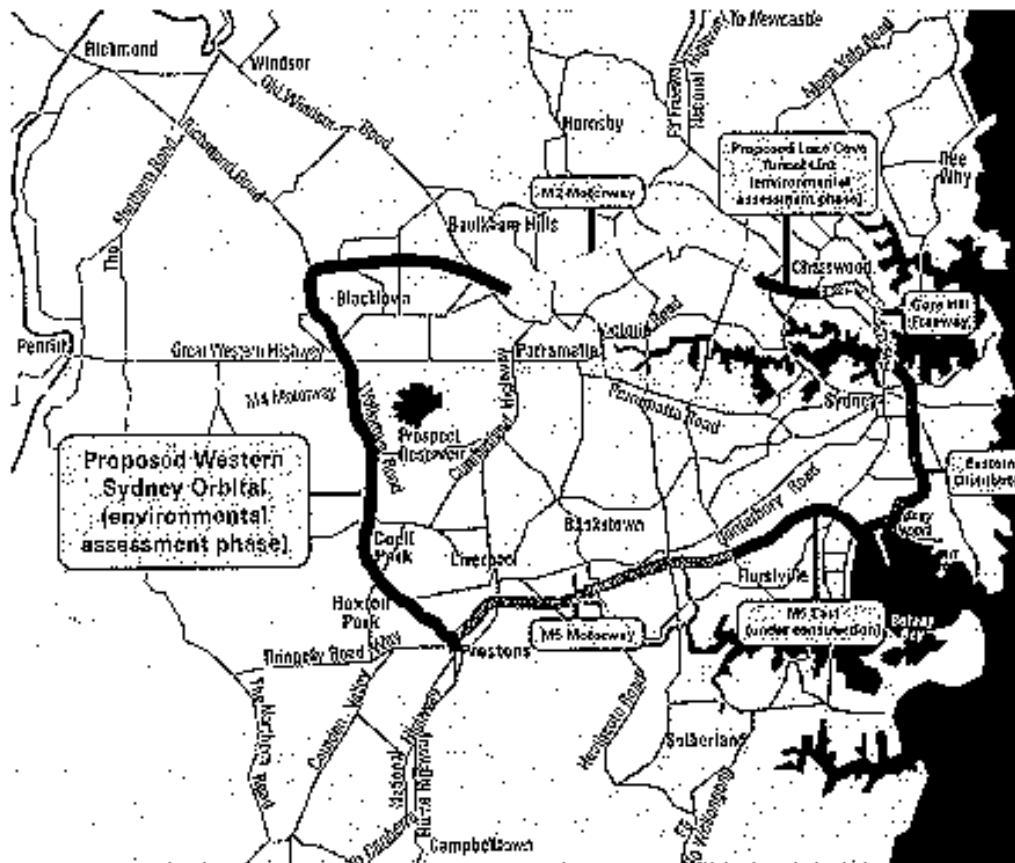


FIGURE 1

Note:

A copy of "The Proposed Western Sydney Orbital" brochure has been previously provided to Councillors.

ORDINARY MEETING

19 FEBRUARY 2001

MASTER PROGRAM REPORTS

THE CITY IN ITS ENVIRONMENT

2	Development Application For The Erection Of Two Additional Buildings, Minor Alterations To Existing Buildings And Landscaping At Lewers Bequest & Penrith Regional Gallery, Lot 4 DP504935 River Road, Emu Plains 00/5463	7
3	Development Application For Filling Of Site On Lot 45 DP975322 (No.17) First Road, Berkshire Park, Applicant: G.M. Lenton (Surveyors) Pty Ltd, Owner: S & P Haber 00/5053	20
4	Heritage Advisory Committee 4125/9	27
5	Penrith Heritage Archival Recording Policy 4125/9	30

The City in Its Environment

- 2 Development Application for the Erection of Two Additional Buildings, Minor Alterations to Existing Buildings and Landscaping at Lewers Bequest & Penrith Regional Gallery, Lot 4 DP504935 River Road, Emu Plains**

00/5463

Compiled by: Jennifer Cunningham, Environmental Planner

Authorised by: Craig Butler, Building Approvals & Environment Protection Manager

Management Plan 4 Year Outcome (Page 20): *Development enhances the City's living and working environments.*

00/01 Critical Action: *Implement policy and regulatory responses to achieve quality urban outcomes (e.g. 3D modelling).*

Introduction

An application has been made by Council for the erection of two buildings on land adjacent to the Lewers Gallery (“the Gallery”) at River Road, Emu Plains (Lot 4 DP504935). The proposed buildings will provide storage space, a meeting room and a workshop area for the Gallery, and alterations are also proposed for the existing gallery complex to facilitate pedestrian movement between the existing and proposed buildings. Site plans and elevations are included in the attachments.

The Lewers Bequest and Penrith Regional Art Gallery is owned and operated by Penrith City Council. It is also identified as a heritage item in the Penrith Local Environmental Plan 1991 (Environmental Heritage Conservation).

Following a previous report to Council, an on site meeting was convened in order to further address concerns raised by adjoining residents with regards to fencing and potential loss of privacy and security.

This report considers the proposed development and outlines the findings of the assessment of the application. It addresses the main issues that have emerged in that assessment and those issues raised by adjoining residents at the on-site meeting. This report recommends that Council support the development subject to certain conditions, further consultation with adjoining residents at various stages of development, and further assessment of the parking provisions of the Gallery.

Site Description

The site is located on the western side of River Road, Emu Plains. The Nepean River flows parallel to River Road on the eastern side. The site is generally rectangular in shape with a frontage of 21.5metres and a depth of 73metres. The site is generally level with a slight decline at the front of the lot to the footpath area. There are residential buildings to the north, south and west.

The site comprises the original farmhouse at the southern end of the property (Lot 3 DP 504935), as well the more contemporary Ancher House (Lot B DP419667) immediately adjacent to the land subject to this application. The land to be developed has previously comprised a small orchard and water tank. The gardens surrounding the Gallery are also noted for their heritage value and have also been included in the heritage listing for the site.

The Proposal

The proposal comprises the following alterations to the existing site:

- The demolition of part of the existing wall to the north of the Gallery to provide for a new doorway opening from the existing Gallery complex directly to the proposed storage room.
- A new 1.8m wide access way from the existing courtyard area within the Gallery complex to a new courtyard area separating the two proposed buildings. An existing Cleaners Room and part of the existing womens toilet will be removed to allow the development of this accessway.
- The removal of a total of thirteen trees including eight fruit trees.

The proposed additions include:

1. A new storage room (measuring 234m sq) with a mezzanine storage level for frame and paint storage. The proposed building will be accessed directly through a new door way into the existing gallery complex to the south, through a proposed roller door on the northern elevation giving access to a covered loading area, and through a doorway into the proposed courtyard area to the east. The building will be constructed of Colorbond and coloured dark grey-green.
2. A new enclosed air-conditioning unit to service the proposed storage room.
3. A new room (measuring 195m sq) for use as a workshop (97.5m sq), meeting room (30m sq), and additional storage space (67.5m sq). The workshop area will have access through double doors to the paved and covered courtyard area to the west, to the garden area to the east and to the storage and meeting rooms. The storage area will have direct access to a covered loading area. The building will be constructed of Colorbond and coloured dark grey-green.
4. A paved courtyard linking the two new buildings covered with a tensile structure and a covered walkway.
5. A new compacted gravel driveway and turning circle.
6. A new 1.8m high masonry wall to be located in front of the buildings and bagged and painted to match the existing external walls of the adjoining Ancher House. It is envisioned that this wall will obscure views of the proposed buildings from River Road and contribute to the landscaping of the area to be developed.
7. Landscaping of the existing Ancher House courtyard and proposed buildings.

A Conservation Management Plan for the Lewers Bequest & Penrith Regional Gallery was prepared by Tanner & Associates in March 1998. One of the findings of this Plan was that the Gallery was suffering from inadequate storage space. This proposal is largely in accordance with the conservation policy outlined in this Plan.

Community Consultation

Mullane Planning Consultants, on behalf of Penrith City Council, undertook consultation with Council planning staff, including heritage advisors, prior to the lodgement of the Development Application.

Adjoining residents were notified of the Application in accordance with Council's Notification and Advertising DCP and a total of four submissions were received. Issues raised were:

- The noise associated with the proposed air conditioning unit and that of the existing air conditioning unit servicing Ancher House.
- The height of the proposed buildings.
- The condition of the existing fences along the rear and northern boundaries of the subject lot and the provision of any new fencing as part of this proposal.
- Noise from vehicles servicing the workshop and storage area.
- Concerns regarding the security of residences immediately adjacent to the subject site on River Road.

These issues are addressed in the assessment section of this report.

Following a previous report to Council, determination of the application was deferred pending an on-site meeting with adjoining residents, the applicant and Councillors. At the meeting, the applicant more fully described the nature of use of the development. The neighbours outlined their preferences for fencing along the northern boundary. The applicant subsequently offered to revise elements of the fence. Several additional conditions and further recommendations have been added in support of the outcomes of the on-site meeting.

Assessment of the Proposal

The application has been assessed in accordance with the provisions of Section 79C of the *Environmental Planning & Assessment Act 1979*. The key issues identified during the course of the assessment are summarised as follows.

1. Statutory Situation

Interim Development Order No. 2

The site is zoned Residential A under *Interim Development Order No. 2*. No special provisions of this plan apply to the proposed development or the subject site. The proposed development is defined as an Educational Establishment and is permissible with Council consent.

Sydney Regional Environment Plan (SREP) No. 20 – Hawkesbury Nepean River (No. 2 – 1997)

The site falls within the Hawkesbury – Nepean catchment and as such is subject to *Sydney Regional Environment Plan (SREP) No. 20 – Hawkesbury Nepean River (No. 2 – 1997)*. The SREP 20 provision aims to ensure that the development does not negatively impact on water quality, fauna and flora habitats. SREP 20s planning considerations, policies and strategies are not compromised by the proposed development.

Penrith Local Environmental Plan 1991 (Environmental Heritage Conservation)

The proposed development is subject to the provisions of *Penrith Local Environmental Plan 1991 (Environmental Heritage Conservation)*. That planning instrument primarily seeks to ensure that new development is undertaken in a manner that is sympathetic to and does not detract from the heritage value of the item and its setting. The development is proposed to be carried out in the vicinity of a heritage item ("Lewers Bequest and Penrith Regional Art Gallery – including gallery and garden") listed in Part 1 of Schedule 2 of that plan.

The Executive Summary contained in the Conservation Management Plan for the Gallery, prepared in March 1998, states that *“The Lewers Bequest and Penrith Regional Art Gallery is considered a valuable property to the wider community, an important cultural and educational centre and is considered an item of environmental heritage by the Penrith City Council.”*

In a Statement of Heritage Impact prepared in accordance with this Plan and lodged in support of the application, the applicant concludes that

“The provision of these new facilities will enhance the appreciation of the heritage and cultural significance of the complex by freeing up spaces for public enjoyment which are currently being used inappropriately for storage, etc. The physical impact of the proposed new development will be minimal because of the following measures:

- *Its siting at the rear of the block which will preserve existing trees and retain landscape setting fronting onto River Road.*
- *Its separation from existing buildings by means of a low-level covered way and through the use of different materials and colours.*
- *The choice of an exterior colour that will integrate with established trees and landscaping.*
- *Its low-key design style – minimising bulk and adopting a similar building-void relationship to existing buildings.*

In accordance with this Plan a detailed assessment of matters listed in the Special Provisions has been undertaken. It is considered that the proposed development is consistent with the aims and objectives of this plan.

Council’s Heritage Advisor has reviewed the application and is generally supportive of the proposal though it is requested that additional minor details be submitted to Council for approval prior to construction. These include samples of the colour proposed for the screen wall and the proposed buildings; details of the proposed covering for the loading areas adjacent to the proposed buildings; details of the cover to be provided for the courtyard area; details on the location and operation of any security lighting or other security measures (refer Condition10).

2. Bulk, Scale and Colour of the Proposed Development

The proposed buildings have been designed in order to ensure the impact on the heritage value of the gallery buildings to the south is acceptable. Garden areas and outdoor workshop spaces, which characterise the existing gallery, have been incorporated into the proposed area to be developed.

The design of the proposed development has principally been dictated by its relationship with the adjoining heritage item. The roof of the rear storage shed is slightly higher (5.7m) than the building proposed to the front of the lot (5m in height) to allow for a mezzanine storage area. The roof peaks for both buildings are lower than that of the Gallery building and Ancher House. It is considered that the buildings do not constitute an inconsistency with the bulk and scale of the existing residential development in the area. However, given the location of the building on the site, the subsequent lack of opportunity for landscape screening, the proximity of adjoining residences, as well as the height of the proposed buildings, it is recommended that additional details be provided relating to the treatment of those sections of the northern and western elevations that protrude above the height of the proposed fence (refer Condition10).

The proposed buildings are to be constructed of dark green Colorbond which will delineate it from the other heritage buildings on the site. The eastern elevation of the building to the front of the site also includes glass louvres and doorways. The applicant has stated that this material was chosen as it is associated with shed type constructions and will blend with the established trees and shrubs on the site. A masonry screen wall to the front of the site will ensure that, when viewed from the roadway, the proposed buildings will not appear to be out of character with adjacent masonry and brick residential buildings. A condition has been placed on the consent that requests that samples of the colours to be used in the proposed buildings and the screen wall be submitted to Council for approval (refer Condition 10).

3. Traffic and Parking

The Applicant has outlined that the proposed DA is not expected on its own to result in additional parking generation to the Gallery, because the proposed buildings are to rationalise and improve the existing storage and workshop arrangements.

The existing Gallery generates up to 25 cars during major exhibitions, which are held every 6-8 weeks. During such exhibitions cars park on the western side of the River Road and on the eastern side of the River Road in front on the Gallery, as well as in the informal car park on site to the rear of the Gallery building.

While the Applicant has indicated the DA would not increase parking demand, a major exhibition and use of the proposed buildings for a workshop at the same time would increase the parking demand and it is recommended that the events at the Gallery be managed to ensure that peak parking demand for a workshop and the Gallery do not occur at the same time. It is recommended that a condition be imposed to ensure the exhibitions do not take place at the same time with the major workshops (refer Condition 11).

Any further application for development at the site will need to address the parking provisions at the site. It is recommended that the Council undertake an assessment of the traffic and parking situation at the site over the next twelve months and that the findings of this assessment be reported to Council for further action if required (refer Recommendation A).

A new proposed driveway off River Road provides access for delivery vehicles to both proposed buildings and incorporates areas under shadecloth to allow delivery during rainy periods. The proposed driveway is approximately 2.8 wide. To accommodate delivery vehicles it is recommended that a condition be placed on the approval to widen the driveway to at least 3m (refer Condition 3). A turning circle has been provided which allows vehicles to exit from the site in a forward direction. It is understood that deliveries are normally made by vans and the like however the Gallery will need to manage deliveries to ensure longer vehicles can safely enter and leave the site. In order to ensure this turning area is kept clear and the volume of traffic on the driveway is kept at a level that will not impact on the amenity of the adjoining residents, it is also recommended that vehicular access to the driveway be restricted by a locked chain or the like. Details of the design of this are to be submitted to Council for approval (refer Condition 4). It is recommended that the chain across the driveway include a small sign directing vehicles to on-site parking provided to the rear of the gallery (refer Condition 4).

4. Landscaping

The proposal, as outlined in a landscaping plan submitted to Council, involves the removal of thirteen trees from the site, the introduction of landscaping adjacent to the screen wall and the rearrangement of existing landscaping in the Gallery courtyard. The trees to be removed do not have any heritage significance and are not listed in Councils Register of Significant Trees and Gardens. It is considered that any reasonable development of the site would necessitate the removal of the proposed trees and, given the retention of seven trees considered important in maintaining the streetscape and screening views from adjoining residences, the proposed removal of the trees is considered acceptable. The proposed landscaping of the site is in keeping with the landscape theme of the existing gallery, which is noted in the Conservation Management Plan for the site.

Any pruning or trimming of trees undertaken to facilitate vehicle access to the site should be undertaken in consultation with adjoining neighbours (refer Condition 36).

5. Impacts on the Amenity of the Surrounding Area

The existing fences along the rear end northern boundaries of the lot are to be removed and upgraded to a masonry wall at least 1.8m high and of similar height and construction to that to the rear of the existing Ancher House. It is considered that this wall will ensure the visual privacy of the adjoining residents. A condition has been placed on the consent that requests that the proposed colour and finish of this wall be continued to cover the interior of the existing brick wall to which it will connect, and that the details of this finish be submitted to Council (refer Condition 10). These details should include the colour and design of the northern face of the wall along the northern boundary and should be decided in consultation with the adjoining neighbours.

Vehicular access to the proposed buildings will be limited to that of small delivery vehicles, which are expected to visit the site infrequently. The size of the workshop area (approximately 100m sq) will limit numbers using the facility and it is not expected that the operation of art classes will generate minimal noise. As discussed in the assessment of traffic and parking issues, it is not anticipated that the proposed development will necessitate carparking requirements that cannot be accommodated on the site during normal Gallery operation.

During the course of the most recent site visit, the adjoining residents (83 River Road) spoke of their concern about a loss of privacy and a security risk presenting as a result of the proposed development. Following discussion regarding the limited access members of the public would have to the front landscaped area and driveway, it was felt that the proposed development was not likely to impact on the amenity of the adjoining residence. The limited access to the driveway and other areas on the common boundary will also limit the potential for an additional security risk as a result of the proposal. Notwithstanding, the applicant offered to extend the length of the masonry wall along the northern boundary to an agreed point and, if deemed necessary after a twelve month trial period, provide a post and rail fence for the remainder of the boundary. The extension of the fence will satisfactorily ensure the privacy of the front entrance and second storey verandah of the adjoining residence, as well as the security of the area, and should be included as a condition of the development consent (refer Condition 5). Any provision of fencing during or after the trial period should be in consultation with the adjoining residents and is not subject to consent from Council (refer Recommendation B).

Additional details have been requested to address the northern and eastern facades of the buildings when viewed from the adjoining residential properties (refer Condition 10).

The noise from the proposed air conditioning unit has been raised in a submission to Council. It is recommended that a condition be placed on the consent to soundproof the proposed air conditioning unit to protect the amenity of the adjoining residents (refer Condition 2).

Summary of Conditions

Condition Number	Issue
2	Soundproofing of air-conditioning unit
3	Driveway
4	Access to driveway
5	Extent of fencing on northern boundary
10	Additional design details relating to external finishes, security systems,
11	Operation of workshop
36	Pruning of trees

Conclusion

The Gallery complex has been recognised as having an important role to play in the development of the artistic and cultural community in Penrith. The proposal seeks to rationalise existing storage and workshop space currently provided in unsuitable locations within the existing gallery buildings and provide an integrated storage and workshop facility specifically designed for that purpose.

Whilst being principally concerned with the relationship the proposed buildings will have with the heritage values of the adjacent Gallery buildings, the design of the proposed buildings is considered to also comply with the requirements outlined for non-residential development in residential areas. The impact on the amenity, privacy and security of the area is considered minimal.

Additional details have been requested with regards to the finish of the proposed masonry fence, masonry screen wall, proposed covering of the courtyard and loading area, and the means by which vehicular access will be restricted to the area. These details are to be submitted to Council for approval prior to the issue of a Construction Certificate.

It is considered that the proposed development will not necessitate parking requirements beyond those that can be accommodated on site during normal gallery operation. It is recommended however, that the functioning of parking and traffic flow in and around the site be re-assessed following the occupation and commencement of operation of the proposed buildings.

RECOMMENDATION

That:

- A. The applicant be required to undertake a traffic assessment of the use for the next twelve month period with a further report being presented to Council.
- B. The adequacy of measures undertaken to ensure the privacy and security of the adjoining property to the north of the subject site be reviewed twelve months after occupation of the subject site and, if required, additional fencing be constructed in consultation with adjoining residents.

- C. Those residents who made a submission on the application be advised of Council's decision.
- D. Development application No. 00/5463 for the erection of two additional buildings, minor alterations to existing buildings and landscaping at Lewers Bequest & Penrith Regional Gallery, Lot 4 DP504935 River Road, Emu Plains be approved subject to the conditions:

General Conditions

- 1. The development must be implemented substantially in accordance with the plans (numbered SK1-01, SK1-02, SK1-03) received by Penrith City Council on 30-11-00, the application form and on any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.
- 2. The proposed air conditioning unit is to be soundproofed or so located as to control the emission of noise, so as to prevent noise nuisance to adjoining properties.
- 3. The proposed driveway should be at least 3m wide.
- 4. Vehicular access to the turning circle and driveway beyond the turning circle is to be restricted to delivery vehicles by means of a barrier across the driveway. Details relating to the design, materials and finishes to be used are to be submitted to Council for approval. This barrier should support a small sign directing vehicles to existing onsite carparking.
- 5. The proposed masonry wall on the northern boundary should be extended beyond the existing brick wall towards River Road to a point which is level with the front brick pillar of the adjoining residence immediately to the north.
- 6. All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date of the application for the relevant Construction Certificate or Complying Development Certificate was made).
- 7. Prior to the construction of the approved development it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued either by Penrith City Council or an appropriately accredited certifier. A separate application, complete with detailed plans and specifications, must be made for a Construction Certificate.
- 8. The classification of the building(s) forming part of this consent is as follows:
Class 9B.
- 9. Where there is a likelihood of annoyance due to noise from demolition works, the following NSW Environment Protection Authority Noise Control Guidelines apply to the hours of works:
Monday to Friday: 7am to 6pm
Saturday: 7am to 1pm (if inaudible on neighbouring residential premises), and otherwise 8am to 1 pm
Sundays/Public Holidays: No work permitted

The provisions of the *Protection of the Environment Operations Act, 1997* in regulating offensive noise also apply to all construction and demolition works.

Prior to the Issue of a Construction Certificate

10. Subject to section 80A(2) of the *Environmental Planning and Assessment, 1979*, the following details shall be submitted and approved by Council or an accredited certifier;
- samples of the colour, agreed by Council, of the screen wall and the proposed buildings;
 - details of the colour and finish of the wall/fence to be constructed along the western and northern boundaries of the site, as agreed by Council. These details should be decided in consultation with the neighbours adjoining the fence.
 - details of the cover to be provided for the courtyard area, as agreed by Council;
 - details on the location and operation of any security lighting, or other security measures as agreed by Council;
 - details of the treatment, as agreed by Council, of that part of the northern and eastern façades of the proposed buildings that can be viewed above the proposed fence. This information may include, but is not limited to, the following;
 - the provision of an awning extending the length of the elevations
 - the provision of lattice or alternative building materials that will provide visual relief
 - the provision of glazing or external windows

The requirements of this condition shall be satisfied prior to a Construction Certificate being issued for the development.

Note: Appeal provisions relate to all ancillary aspects of the development in accordance with section 80A(3) and 97 of the *Environmental Planning and Assessment Act, 1979*.

11. The use of the proposed workshop area for that purpose shall not occur during exhibition openings or other peak visitation times.
12. A drainage design plan, detailing the proposed method of stormwater drainage disposal by gravity to Penrith City Council's drainage system is to be submitted and approved prior to the issue of the Construction Certificate.

Matters to be Part of the Construction Certificate

13. A Waste Management Plan, prepared in accordance with guidelines and requirements in the Penrith Development Control Plan 2000 – Controls for the Management and Minimisation of Waste, should be lodged with Council for approval prior to the issue of a Construction Certificate.
14. All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:
- a) Complying with the deemed to satisfy provisions, or
 - b) Formulating an alternative solution which:
 - (i) complies with the performance requirements, or
 - (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - c) a combination of a) and b).

15. A preliminary assessment of the plans submitted with the application has disclosed that the following design and/or construction issues need to be addressed prior to the issue of any Construction Certificate to ensure compliance with the Building Code of Australia:
 - (i) required exits are to swing in the direction of egress
16. A parenting room shall be provided in accordance with Penrith City Council Parenting Facilities Policy 1996
17. The existing building shall be suitably upgraded to comply with fire safety provisions of the BCA.
18. The structural alterations to the buildings shall not unduly reduce or compromise:
 - (i) the existing level of fire protection afforded to persons accommodated in or resorting to the building, or
 - (ii) the existing level of resistance to fire of the building, or
 - (iii) the existing safeguards against the potential spread of fire to adjoining buildings.
19. Access and sanitary facilities for persons with disabilities are to be provided in accordance with the requirements of the Building Code of Australia and Penrith City Council's Access Policy for persons with disabilities. Details of compliance are required to be provided in the relevant plans and specifications submitted with the Construction Certificate application.
20. A fire safety schedule of essential fire or other safety measures shall be submitted with the Construction Certificate application. The fire safety schedule shall specify all of the measures (both current and proposed) that are required for the building premises so as to ensure the safety of persons in the building in the event of fire.

The fire safety schedule must distinguish between:

 - (i) the measures that are currently implemented in the building premises, and
 - (ii) the measures that are to be proposed to be implemented in the building premises, and must specify the minimum standard of performance for each measure.

Prior to any Work Commencing

21. The applicant is required to submit to Penrith City Council a "Notice of Commencement and Appointment of Principal Certifying Authority" form at least 2 days prior to the commencement of construction works.

Note: Regardless of whether the "Notice of Commencement and Appointment of Principal Certifying Authority" form is submitted or not, where Penrith City Council undertakes the first compliance inspection for the proposed development, Council is deemed to have been nominated as the Principal Certifying Authority.
22. All fees associated with Penrith City Council owned land and infrastructure shall be paid Council prior to any works commencing. These fees include Road Opening fees and Infrastructure Restoration fees.
23. Structural details of the nominated building component(s), prepared and/or certified by a professional engineer or other appropriately qualified person, shall be lodged with the certifying authority prior to constructing or erecting that portion of the approved development.

Nominated Component:

- a) Footing system
- b) Floor slab
- c) Structural concrete
- d) Structural steelwork

Matters to Be Complied With During Construction

- 24. Stamped plans, specifications, a copy of the consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction.
- 25. The applicant must notify the Principal Certifying Authority in advance (if in the case of Penrith City Council, at least 24 hours by phone or by 4.00pm on the weekday before the inspection is required) to inspect the following stages of construction:
 - a) Steel reinforcement for footings/slabs/ or other structural concrete components prior to placement of concrete,
 - b) Stormwater pipes and surface drainage prior to the pipes being covered over,
 - c) When the building is completed and ready for approval to occupy,
 - d) At any other stage during construction deemed as being required by the Principal Certifying Authority.

Note: Facsimile requests for inspections will not be accepted. The approved fee must also be paid for the inspection.

- 26. Roofwater drains shall be discharged into the street gutter or common line.
- 27. Where there is a likelihood of annoyance due to noise from construction sites, the following NSW Environment Protection Authority Noise Control Guidelines apply to the hours of construction works:

Monday to Friday:	7am to 6pm
Saturday:	7am to 1pm (if inaudible on neighbouring residential premises), and otherwise 8am to 1pm
Sundays/Public Holidays:	No work permitted

The provisions of the *Protection of the Environment Operations Act, 1997* in regulating offensive noise also apply to all construction works.

- 28. A certificate by a surveyor registered under the *Surveyor's Act 1929*, verifying the lowest floor level of a habitable room to RL 28.0m AHD shall be submitted upon completion of the building to that level. The building shall not be further constructed until approval is given to proceed.
- 29. All electrical services associated with the proposed building works shall be adequately flood proofed in accordance with the requirements of Penrith City Council's Interim Policy for the Development of Flood Liable Land. Flood sensitive equipment (including electric motors and switches) shall also be located above the standard flood level of RL28.0m AHD.

Prior to the Issue of an Occupation or Subdivision Certificate

- 30. An Occupation Certificate is to be obtained from the Principal Certifying Authority on completion of all works and prior to the commencement of the approved use. The Occupation Certificate will not be issued if any conditions of this consent are outstanding.

31. In accordance with section 109M of the *Environmental Planning and Assessment Act 1979* (as amended), an Occupation Certificate must be obtained from the Principal Certifying Authority, prior to occupation of the new building work or usage of the building or part.
Failure to obtain the required Occupation Certificate is an offence and is subject to a penalty of \$2750.
32. An Occupation Certificate (either interim or final) shall not be issued by the Principal Certifying Authority unless the required Fire Safety Certificate has been issued for the building/use/occupation applied for. (A Fire Safety Certificate is a certificate that states, in relation to each essential fire or other safety measure required by the relevant building consent or fire safety order to be implemented in the building premises:
 - (i) That the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so, and
 - (ii) That, as at the date of the assessment, the measure was found to be capable of performing a standard not less than that required by the schedule of the relevant building consent or fire safety order).
33. The applicant and owner is advised that under the provisions of Part 7B of the Environmental Planning and Assessment Regulation:
 - Fire Safety Certificates are required to be submitted to Penrith City Council and the New South Wales Fire Brigades prior to occupation of the building and a fire safety statement is to be provided on an annual basis thereafter, in relation to all of the essential fire or other safety measures within the building premises.
 - A copy of the latest fire safety schedule and fire safety certificate/statement is required to be displayed in a prominent position within the building at all times.
34. Glass installations within the building shall comply with AS 1288 and the Building Code of Australia. A report shall be submitted upon completion of the glass installation certifying compliance with the requirements of AS 1288 prior to the occupation of the building.

Operation Matters

35. Each year, the owner of a building to which an essential fire safety measure is applicable must cause Penrith City Council to be given an annual fire safety statement for the building.
An annual fire safety statement for a building:
 - (i) Must deal with each essential fire safety measure in the building premises, and
 - (ii) Must be given:
 - Within 12 months after the last such statement was given, or
 - if no such statement has previously been given, within 12 months after a final fire safety certificate was first issued for the building.
36. Any pruning or trimming of trees undertaken to facilitate vehicle access to the site should be undertaken in consultation with adjoining neighbours

Advisory Matters

37. As part of all construction works, developers and applicants are required to liaise with appropriate authorities and utility providers. These authorities and utility providers include, but are not limited to:-
- The WorkCover Authority.
 - Integral Energy.
 - Sydney Water.
 - A telecommunications provider.
 - Australia Post.
 - Other energy suppliers/authorities.
 - Other relevant State and Federal Government Departments.

38. Major Utilities – ‘Dial Before You Dig Service’.

Damage to underground cables, pipework and other utility services are a serious problem. Damage to major underground utilities can be avoided by calling the ‘Dial Before You Dig Service’ on **1100** and following simple guidelines provided by the operators on this telephone number. Individuals and companies who do not follow these simple procedures may be found to be financially liable for damage caused to major utilities.

Note: Consideration should still be made for other non-member utility providers who do not participate in the ‘Dial Before You Dig Service’.

39. These building plans must be submitted to any business office of Sydney Water at least fourteen (14) days before commencement of work. The plans and a Building Application Form, available at business offices need to be submitted to ensure that the proposed structure meets the requirements of Sydney Water's By-Laws concerning:
- (i) Location of sanitary fixtures.
 - (ii) Relationship of the building to water mains, sewers and stormwater channels and for valuing purposes in connection with Section 97(4) and (7) of Sydney Water's Act and for the calculation of a building fee in accordance with by-Law 7(1) (a) of Sydney Water's Act.

Failure to submit these plans before commencement of work will render the owner liable to a penalty and may result in the demolition of the work at the builder's expense.

40. The Building Code of Australia and AS 1428 are the minimum standards for access and facilities for the disabled. These, however, may not negate the applicants or owners responsibility under the *Disability Discrimination Act*. Information concerning this may be obtained from the Disability Council of NSW on (02) 9211 2866 or (Toll free) 1800 044 848.



The City in Its Environment

- 3 Development Application for filling of site on Lot 45 DP975322
(No.17) First Road, Berkshire Park, Applicant: G.M. Lenton
(Surveyors) Pty Ltd, Owner: S & P Haber**

00/5053

Compiled by: Ilija Susnja, Environmental Planner

**Authorised by: Craig Butler, Building Approvals and Environment Protection
Manager**

Management Plan 4 Year Outcome (Page 22): *The City retains its distinct rural and urban qualities.*

00/01 Critical Action: *Maintain and enhance the distinctive nature of the City's urban and rural areas.*

Introduction

A Development Application has been submitted seeking Council's consent for filling on the subject site. The application has been submitted to Council, in response to a Notice of Intention to Serve an Order to remove unauthorised landfill from the site. It is Council policy that applications for unauthorised land uses, such as this, are reported to Council.

This report provides details of the proposal, an assessment of the key issues of concern and recommends the application be approved as a deferred commencement consent.

Background

Council became aware filling works were being carried out on the site without development consent on 21 July 1999. A Notice of Intention to Serve an Order was sent to the applicant on 12 September 2000 requesting that appropriate sediment erosion controls be installed and the unauthorised fill be removed from the property.

As an alternative to removing the fill material, the owner has made application for Council's consideration to the issuing of Development Consent for the fill.

The Development

The site is located at 1-7 First Road, Berkshire Park. A location map of the site is appended to this report.

The subject property has an area of 2 ha (100.6m x 201.2m) and is located on the corner of Llandilo and First Roads. The site is not flood affected. There are no trees within the fill area.

A brick house and a metal shed are located adjacent to the First Road frontage. A small fibro shed is sited towards the centre of the property. The site is predominantly cleared. However, a number of trees line the boundary of the property, outside the fence-line.

The site currently contains one distinct area where fill has been spread on the site. The fill is located to the western corner of the site and covers an area of approximately 1400m². The depth of the fill is approximately 150mm and it is estimated that the volume of existing fill is 210 cubic metres. The fill was deposited and spread on the site in July 1999. The existing fill appears to be generally clean soil containing crushed terracotta, concrete and tiles.

This application seeks approval for the existing unauthorised fill and further filling of the site. It is proposed to import an additional 1000-1200 cubic metres of fill, to be spread over the south of site, covering an approximate area of 7000m². A site plan of the proposal is attached to this report.

It is stated in the application that the:

“...purpose of the proposal is to remediate an area of land where a previous owner had excavated the topsoil to a depth of about 200mm. The area now becomes waterlogged and swampy during wet weather.”

The application is accompanied by an Environmental Assessment Report prepared by Penrith Civil Test Pty Ltd indicating that the existing fill on site is “uncontaminated and suitable for landfill”.

Community Consultation.

The application was notified in accordance with Council’s policy. No submissions were received.

Assessment of the Application

The application has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act, 1979. The following key issues have emerged: -

Statutory

Penrith Local Environment Plan No.201- Rural Lands.

The site is zoned 1(B) Rural “B” Zone- Smallholdings Zone under the provisions of Penrith Local Environmental Plan 201 – Rural Lands. Development for the purposes of filling is permissible with the consent of Council.

Penrith Rural lands Development Control Plan

The site is subject to the provisions of Penrith Rural Lands DCP. The relevant aims of the DCP in relation to filling are:-

- *Allow filling only where it enhances the use of rural properties.*
- *Ensure that no adverse impact on local drainage characteristics occurs.*
- *Ensure filling will not increase flood hazard or risk to other properties.*
- *Ensure that material used is satisfactory in terms of potential impact on local soil and water quality.*

The filled area increases the utility of the property and enhances its use by providing an additional area for rural pursuits which does not become waterlogged and swampy during wet weather.

Council’s Development Services Unit has examined the proposal and concluded that the proposed filling will have no significant impact on overland flow within the area, nor an adverse impact on local drainage characteristics.

The consultant’s contamination report is inadequate and does not presently demonstrate that the existing fill is not likely to impact on the existing soil and water quality of the locality.

The proposed filling is therefore considered to be generally consistent with the aims of Penrith Rural Development Control Plan, with the exception of the aim regarding the potential impact of fill on local soil and water quality.

Sydney Regional Environmental Plan No.20: Hawkesbury-Nepean River (No.2-1997)

The site falls within the Hawkesbury-Nepean catchment and as such is subject to Sydney Regional Environmental Plan (SREP) No. 20- Hawkesbury-Nepean River (No.2 – 1997). Development consent is required for the proposal as the area of fill is greater than 100 square metres, in accordance with Part 3 of the SREP.

The contamination report submitted with the application concludes that the fill already on the site is uncontaminated and suitable for fill. The contamination report has been reviewed and it is concluded that the report has not been prepared in accordance with the Environmental Protection Authority (EPA) guidelines.

The analysis of the existing fill was based on two separate samples of the material. The EPA guidelines for sampling of fill material require a far greater number of samples to be taken. In addition, the presentation of the report and results is not in accordance with the EPA guidelines for reporting of contamination analyses. A more detailed investigation of the existing fill is required. This investigation must be conducted in accordance with the EPA guidelines.

Despite the above, the contamination report has shown that two samples of the 210m³ of fill are uncontaminated. This volume of fill however represents a minor amount of fill material in relation to the area of the site.

It is not possible to reach a firm conclusion as to the environmental impact of the existing fill placed on site. However, it is considered likely that the existing fill is uncontaminated, and may satisfy the aim of SREP No.20 and the water quality policy of SREP 20. It is considered appropriate that a further investigation of the existing fill be conducted in accordance with the EPA guidelines, in order to demonstrate compliance with SREP 20. This further investigation may be appropriately required through a deferred commencement condition- whereby, approval will not take effect until a satisfactory report has been submitted, demonstrating that the existing fill is not contaminated.

The application states that the remaining fill to be imported to the site is yet to be sourced. Any further fill will require documentary evidence that it is clean and uncontaminated. This may be adequately addressed through conditions of consent.

The water quality policy of SREP 20 requires consideration of the need for an Erosion and Sediment Control Plan. This aspect of the application is discussed in detail in the following section of this report.

Sediment Erosion Controls

The issue of short and long term sediment erosion controls needs to be further addressed in order to ensure that the filling works will have no impact on water quality within the area. Further information on the sediment erosion control details are only required for the new fill as the existing fill has been on site for some time and grass cover is firmly established over it.

The application has generally stated that silt barriers will be installed around the new filled area. However, a Sediment Erosion Control Plan has not been submitted with the application. A detailed plan of the sediment erosion control measures to be employed on site will need to be submitted and approved by Council, prior to any works commencing. The plan should demonstrate compliance with Council's Sediment Erosion Control DCP.

The application does state that a re-vegetation program will be instigated once finished levels are achieved. However, no details of how the filled area will be re-vegetated have been provided with the application. The area to be filled is currently covered with natural grass. It is considered appropriate that the filled area be re-seeded, or re-vegetated by other means, in order to establish grass cover. Any sediment erosion control fences must remain until grass cover over the filled area is established.

There are no constraints on the site that would hinder the provision of adequate sediment erosion controls and re-vegetation of the filled area. It is considered that these aspects of the development may be adequately addressed through conditions of consent.

Summary of Conditions		
Issues		Condition No.
1	Sediment & erosion controls	2
2	Re-vegetation of filled area	4
3	Contamination of existing fill	1-Schedule 1
4	Compliance	2- Schedule 1 5

Conclusion

The applicant seeks development approval for unauthorised landfill, which has already been placed over the site, and further filling to occur on the site. The issues raised in the assessment of the application are:

- Short-term sediment erosion controls for the filled area;
- Long-term stabilisation of the filled area;
- The existing fill is unauthorised; and
- The inadequacy of the consultant's report to verify that the fill is uncontaminated and suitable for any land use.

The first two issues may be adequately addressed through conditions of consent.

Whilst the development has commenced without consent, the owner is nonetheless able to submit a development application for an activity which is permissible with the consent of Council. If the development application has merit and the activity does not result in any environmental harm, formalisation of the activity by way of development consent is available to Council.

The remaining issues can be clarified by the submission of further information that embellishes that already supplied. If it can be conclusively shown that the existing fill is not contaminated, than no environmental harm has resulted in it being deposited on site. Existing fill would satisfy the environmental criteria and future material could be suitably controlled by way of conditions attached to the operational consent.

It is recommended that the application be approved subject to a "deferred commencement" consent.

RECOMMENDATION

- (a) The Development Application 00/5053 for proposed land filling on Lot 45 DP975322 (No.1-7) First Road, Berkshire Park be determined by granting a “deferred commencement” consent under Section 80(3) of the Environmental Planning and Assessment Act, 1979 as amended. Upon strict compliance with the conditions appearing in Schedule 1, and on the issue of confirmation in writing from Council, the consent shall commence to operate as a development consent, inclusive of all conditions appearing in Schedule 2 pursuant to Section 80 of the Act.

Schedule 1

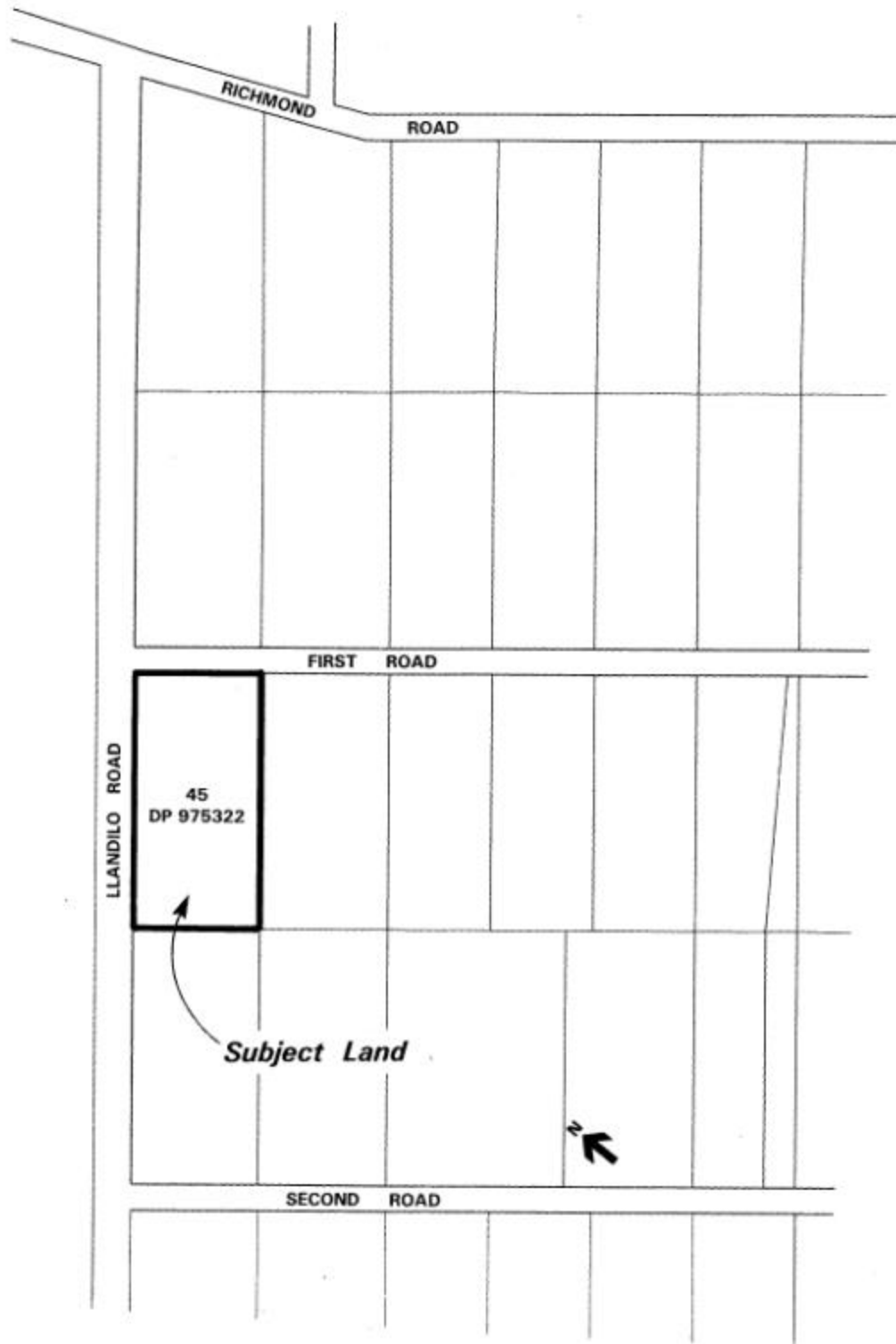
1. A further contamination report shall be prepared and submitted to Council for approval. The contamination report shall validate that the existing fill material poses no unacceptable risk to human health or the environment, and is suitable for its intended purpose and land use. All validation works are to be carried out in accordance with Penrith Contaminated Land Development Control Plan, the ANZECC and NH&MRC Guidelines and applicable NSW Environment Protection Authority Guidelines.
2. The contamination report referred to condition No.1 of Schedule 1, shall be submitted to Council within 3 months from the date of this consent.

Schedule 2

1. The development must be implemented substantially in accordance with the stamped-approved plans issued by Penrith City Council, the application form and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.
2. Soil and sediment erosion controls are to be provided in accordance with Penrith City Council’s Erosion and Sediment Control Development Control Plan 1996, prior to and during the construction of the development. A detailed plan of the proposed measures shall be provided to Council for consideration and approval prior to the commencement of any works on site. A Compliance Certificate shall be submitted to the Principal Certifying Authority, or Council, certifying that the erosion and sediment control measures have been installed in accordance with the approved erosion and sediment control plan for the development. The Compliance Certificate shall be submitted a minimum 5 days prior to the commencement of site works. The approved sediment erosion control measures are to be maintained until grass cover is established over the filled area.
3. No fill material is to be imported to the site without the prior approval of Penrith City Council in accordance with Penrith Council Contaminated Land Development Control Plan. All fill material to be imported shall be validated by an appropriately qualified person as posing no unacceptable risk to human health or the environment, and as being suitable for its intended purpose and land use. All validation works are to be carried out in accordance with Penrith Contaminated Land Development Control Plan, the ANZECC and NH&MRC Guidelines and applicable NSW Environment Protection Authority Guidelines. A copy of the certification shall be submitted to Penrith City Council.
4. All land that has been disturbed by earthworks is to be spraygrassed or similarly treated to establish a grass cover.

5. A Compliance Certificate shall be issued for conditions 1 to 4 (inclusive) within six (6) weeks of completion of all works.
- (b) That an Order be issued to the owner of the property in the terms set out in the Notice of Intention to Serve an Order issued to the owner on 12 September 2000 if the contamination report referred to in Condition No.1 of Schedule 1 of this deferred commencement consent is not submitted to Council within the time frame specified in Condition No.2 of Schedule 1.





The City in Its Environment

4 Heritage Advisory Committee

4125/9

Compiled by: Terry Agar, Senior Environmental Planner

Authorised by: Roger Nethercote, Environmental Planning Manager

Management Plan 4 Year Outcome (Page 34): *The City's cultural and environmental heritage values are appreciated and conserved by the community.*

00/01 Critical Action: *Engage residents, development and tourism industries in promoting the City's cultural and environmental heritage.*

Introduction

The Heritage Advisory Committee first met on 30 June 1999. Since that time it has met several times, gaining an appreciation of its role in the City's heritage management and engaging in heritage policy development.

This report outlines the role of the Heritage Advisory Committee, the work it has undertaken and some of the difficulties it has experienced in the first year of its operation.

Role and Constitution

The Committee is constituted under the provisions of Section 337 of the Local Government Act 1993. The purpose of the Committee to conserve and promote the heritage of the City of Penrith, and to provide advice to Council on heritage matters. It has always been intended that the committee should operate as a "hands on" group defining and undertaking their own heritage promotion activities within the boundaries of their constitution, with minimal reliance on Council support. In this regard the Committee should "value add" to the heritage promotion and management that Council already does.

The Committee's constitution allows for nine members, namely:

Two Councillors of the Council (currently Councillors Greenow and O'Toole)

A representative from the National Trust

A representative from the community

A representative from Nepean District Historical Society

A representative from St Marys Historical Society

A representative from the University of Western Sydney

A representative from the Royal Australian Institute of Architects

A representative from the National Parks & Wildlife Service

Council's Heritage Adviser and representatives from the Environmental Planning Department, Building Approvals & Environment Protection Department and Penrith City Library may attend to advise the Committee on specific matters.

Since the committee's establishment it has not had a full complement of members. Despite persistent requests, the National Trust has declined to nominate a member and the National Parks and Wildlife Service has not replied. Notwithstanding, the Committee has met five times and conducted business despite on a couple of occasions a formal meeting could not be recorded because a quorum was not present. This situation was exacerbated by the fact that the community representative did not advise of his inability to continue on the committee. That representative has subsequently resigned. Advertising for a new community

representative has recently attracted suitable applicants and a new representative will be appointed shortly. Members of the Committee have since been requested to nominate alternative representatives from their respective organisations to overcome situations where they are unable to attend.

The issue of the possible expansion of the Committee was discussed at its last meeting (30 January 2001) with a view to maintaining a critical mass for its ongoing activities. The Committee resolved to recommend to Council that its constitution be altered to expand the number of community representatives from one to three and include the Nepean District Historical Archaeology Group as a new organisation member.

Committee Activities

A significant part of the Committee's meetings has involved the provision of information to the members to assist them in understanding the nature of the heritage management system and its interactions at the national, state and local levels. Council's Heritage Adviser has also provided a regular summary of his activities with a slide presentation.

The meetings have also provided an opportunity for officers to explain to the Committee reasons behind Council's decisions; for example, to approve the demolition of non-heritage item early buildings. The major benefit of this approach is that it permits the various Committee representatives to inform their respective groups with factual information about Council's heritage decisions.

Other initiatives that have been reported to and endorsed by the Committee during the past year are:

- A partnership with history students from UWS to digitally re-photograph all of Council's heritage items for entry into the NSW State Heritage Inventory.
- Support for the application for a \$1,500 dollar-for-dollar grant from the NSW Heritage Assistance Program for the transfer of the information from the Penrith Heritage Inventory to the NSW State Heritage Inventory which is now available on the NSW Heritage Office website (www.heritage.nsw.gov.au).
- Consideration and recommendation to Council of an archival recording policy for the full and partial demolition of heritage items and historic buildings. The Building Approvals and Environment Protection Department has reviewed the policy to ensure that it is a workable, practical policy, whilst retaining the original intent of the Committee. A report will be presented to Council for consideration and possible adoption in the near future.
- The provision of one day, in-house Heritage Training Seminar to raise awareness of heritage management issues and to improve the assessment of heritage development applications. The Seminar for all building surveyors, planners and subdivision engineers was presented by Council's Heritage Adviser, Otto Cserhalmi.

Conclusion

The Heritage Advisory Committee is making a valuable contribution to the promotion and management of the City's heritage assets. Although it has experienced difficulties in holding recent meetings, it is considered that with the addition of two community representatives and a new organisation representative, it should be able to continue with its valuable work.

RECOMMENDATION

That:

1. The report regarding the Heritage Advisory Committee be received and noted.
2. The constitution of the Heritage Advisory Committee be amended to increase the number of community representatives from one to three and the Nepean District Historical Archaeology Group be admitted as an organisation member of the Committee.



The City in Its Environment

5 Penrith Heritage Archival Recording Policy

4125/9

Compiled by: Terry Agar, Senior Environmental Planner

Authorised by: Roger Nethercote, Environmental Planning Manager

Management Plan 4 Year Outcome (Page 34): *The City's cultural and environmental heritage values are appreciated and conserved by the community.*

00/01 Critical Action: *Review the effectiveness of Council's Heritage Policies and responses.*

Introduction

Council currently does not have a formal policy to require the archival recording of heritage places prior to giving consent for their demolition. Council's Heritage Advisory Committee has considered a report on the need for a policy to require an archival recording, as a condition of consent, for development applications to demolish heritage items or places deemed to have potential heritage significance. The Committee recommended that Council consider adopting a policy which requires an archival recording, of a certain standard, as a condition of a deferred commencement consent. A copy of the draft policy is appended.

This report -

1. describes the intent and recommendations of the Heritage Advisory Committee's report;
2. outlines the amendments to other Council policies necessary for the draft policy's implementation, and
3. includes a draft Penrith Heritage Archival Recording Policy for Council's consideration and endorsement.

Heritage Archival Record Policy

The Heritage Advisory Committee has noted the current heritage policy deficiency in regard to archival recording when consenting to the demolition of heritage items and non-heritage items. The Committee recommended an archival recording policy for adoption as Council policy. The recommended policy operates in the circumstances where heritage buildings and places cannot be conserved. The purpose of the policy is to ensure that Council's consent to demolish heritage buildings and places includes the following requirements -

1. A 'deferred commencement' consent for the proposed activity or development is mandatory;
2. An archival recording is undertaken, prior to works advancing; and
3. The archival recording is to an identified standard, so that future researchers may properly understand Penrith's development history.

Importantly, the Policy incorporates a definition of 'potential place of heritage significance'. This increases the applicability of the policy to places that have been identified by other statutory processes and non-statutory bodies as having heritage significance. The definition includes places -

- to which an Interim Heritage Order applies, or

- nominated for the State Heritage Register, or
- identified in the -
 - ? Penrith Heritage Inventory
 - ? Register of the National Estate
 - ? National Heritage List
 - ? National Trust of Australia listing
 - ? Royal Australian Institute of Architects' Register of 20th Century Buildings
 - ? Art Deco Society Register, or
 - ? Australian Institution of Engineers Register of Engineering Significance.

The inclusion of the 'potential places of heritage significance' definition in the policy recognises the fact that new heritage issues, and the identification of additional places, can arise when Council receives demolition applications.

In circumstances where demolition consent is issued, Council needs to provide clear direction on the need for an archival recording, and the standards required. This approach provides certainty that some research, on the place's heritage significance, will be undertaken.

Amendment of other Council Policies

The adoption of the Policy, with its application to 'potential places of heritage significance', raises two key issues. The first is to ensure that the application is properly assessed, and the appropriate conditions, requiring an archival recording, are incorporated into the consent. The second is the appropriateness of ensuring community involvement during the assessment of the proposed application for demolition. These issues, and the suggested amendments, are outlined below.

Exempt and Complying Development

Currently, heritage items and items listed on the State Heritage Register, are exempt development under Council's 'Exempt and Complying Development' Development Control Plan (ECD DCP). This means that a development application must be assessed by Council and approved before demolition may proceed. Other places are not subject to the DCP and an independent certifier, without Council involvement, may approve demolition.

The draft policy introduces a broad range of statutory and non-statutory means of ascribing heritage significance to a place (as a 'potential place of heritage significance'), and it is considered reasonable that those places should also be specified as exempt development. It is recommended that the (ECD DCP) be amended accordingly.

Notification and Advertising

Currently heritage items and items listed on the State Heritage Register are captured under Council's 'Notification and Advertising' Development Control Plan (NA DCP). The NA DCP requires written notification to affected neighbours, and the advertising of proposed demolition of heritage items and State Heritage Register items. This ensures interested parties have an opportunity to make a submission for Council's consideration.

Similarly, the NA DCP should be amended to include the 'potential place of heritage significance' to require appropriate community consultation regarding proposals for demolition. This ensures a consistent approach for all heritage related demolition

applications. It is recommended that the NA DCP should be amended accordingly, as soon as possible.

Heritage Management

Council at its meeting of 27 July 1998 adopted a policy of requiring applicants to submit a Statement of Heritage Impact with all development applications for listed heritage items and heritage conservation areas in accordance with NSW Heritage Council's 1996 Guidelines. That policy ensures that an adequate level of information is sought with development applications for heritage items so that an adequate assessment can be made of the impact the proposal is likely to have on the heritage significance of that item. The policy also provides a consistent approach to the information which needs to be provided to enable a determination on the level of impact. It also provides that for heritage items of local significance a Statement of Significance also accompanies the development application as part of the Statement of Heritage Impact.

The proposed Heritage Archival Recording Policy represents the second in what will be an ongoing consideration of relevant heritage management initiatives. Other issues which will be discussed in future Heritage Advisory Committee forums will include aspects such as developing incentives for conservation of heritage items, financial and otherwise, and developing policy guidelines for the alternative use of heritage items in the interest of providing for an economic basis for conservation.

In considering the most appropriate means by which Council can give affect to these heritage management policies as they emerge, it is felt that their incorporation into a formal Development Control Plan applying to the whole of the City would deliver the most relevant level of statutory control and applicability to the development assessment process. Other initiatives that will be considered by the Advisory Committee and those pursued by Council can be added over time to the Heritage Management DCP to complement and expand the present policy directives.

Accordingly, it is recommended the Council pursue the preparation and exhibition of a Heritage Management DCP which incorporates both the existing Statement of Heritage Impact Policy as well as the proposed Archival Recording Policy.

Conclusion

The draft Penrith Heritage Archival Recording Policy was developed through the recommendations of the Heritage Advisory Committee, and is a major step in the development of better heritage management for the City.

The adoption of the draft Policy and its incorporation into a Heritage Management DCP, in concert with the recommended amendments to the Exempt and Complying Development DCP and the Notification and Advertising DCP, will result in a consistent approach to the proposed demolition of heritage items and potential places of heritage significance. Council will, as a result, be able to require development applications for the demolition of all such defined places, and also involve the community in the assessment process.

RECOMMENDATION

That:

1. Council, in accordance with the provisions of the Environmental Planning and Assessment Act, prepare and exhibit a city-wide draft Heritage Management Development Control Plan incorporating Council's adopted Statement of Heritage Impact Policy and proposed Heritage Archival Recording Policy.

2. Council, in accordance with the provisions of the Environmental Planning and Assessment Act, prepare and exhibit an amendment to the Exempt and Complying Development, and Notification and Advertising Development Control Plans, as outlined in this report.



PENRITH HERITAGE ARCHIVAL RECORDING POLICY

Name of this Policy

This policy is the Penrith Heritage Archival Recording Policy.

Operation of this Policy

This policy was adopted by Penrith City Council on

Purpose of this policy

The purpose of this policy is to specify:

1. The circumstances under which an archival recording of a heritage item or potential place of heritage significance is required;
2. The standard of archival recording required; and
3. The type of development consent to be issued.

Application of this Policy

This policy applies to all heritage items or potential places of heritage significance as defined in this policy.

Definitions

“**demolish**” means to wholly or partly destroy or dismantle the heritage item or potential place of heritage significance building, work, archaeological site, tree or place.

“**heritage item**” means a place, building, work or archaeological site described in the Penrith Heritage Local Environmental Plan and, or the State Heritage Register. A heritage item can also include any component, fixture or fitting which is attached to the item.

“**heritage significance**” means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

“**potential place of heritage significance**” means a building, work, archaeological site, garden, tree or place that is subject to any of the following:

- (a) an Interim Heritage Order; or
- (b) nominated for the State Heritage Register; or
- (c) identified in the -
 - (i) Penrith Heritage Inventory
 - (ii) Register of the National Estate
 - (iii) National Heritage List
 - (iv) National Trust of Australia listing
 - (v) Royal Australian Institute of Architects’ Register of 20th Century Buildings
 - (vi) Art Deco Society Register; or
 - (vii) Australian Institution of Engineers Register of Engineering Significance.

Policy Provisions

1. Demolition Consent

A consent to demolish a heritage item, or potential place of heritage significance shall include a requirement for the professional archival recording of that place.

2. Archival Recording Timing

An archival recording of a heritage item, or potential place of heritage significance shall be required prior to demolition.

3. Archival Recording Standard

The standard of archival recording required shall be in accordance with that described in Schedule 1 to this policy.

4. Consent Type

A consent issued under the Environmental Planning and Assessment Act for the demolition of a heritage item, or potential place of heritage significance shall be a deferred commencement consent.

Schedule 1

Archival Recording Standards

ARCHIVAL RECORDS OF ITEMS SHOULD BE PREPARED BY AN EXPERIENCED HERITAGE CONSULTANT
--

Title page with subject, author, client, date and copyright.

Statement of why the record was made

Outline history of the item and associated sites, structures and people.

Statement of heritage significance of the items using State Heritage Inventory criteria.

Inventory of archival documents related to the item (eg, company records, original drawings), when available.

Location plan

Show relationship to surrounding geographical features, structures, roads, vegetation etc. Include a north point.

Base plans

Drafted or hand-drawn base plans shall be prepared and include:

- Cross-references to photographs
- Name the relevant features, structures and spaces
- A north point.

Black and white photographic record

One set of 35mm black and white negatives labeled and cross-referenced to base plans and accompanied by informative catalogues are required. Two copies of proof sheets and select medium format prints showing important details shall be provided. Images shall include:

- views to and from the site (possibly from four compass points)
- views showing relationships to other relevant structures and landscape features
- all external elevations
- Views of all external and internal spaces (eg, courtyards, rooms roof spaces etc.)
- External and internal details (e.g., joinery, construction joints, decorative features, paving types, etc.).

All photographic images shall be mounted and labeled.

Colour slides

Two copies mounted in archivally stable slide pockets, clearly labeled and cross-referenced to base plans. Images shall include:

- views to and from the site and/or the heritage item
- views and details of external and internal colour schemes as appropriate.

Selected colour prints may be required. They should be mounted and labeled.

Measured Drawings

Appropriately scaled drawings printed on archivally stable paper shall be provided. For a built item, this may include:

- Site plan (1:500 or 1:200)
- Floor plan/s (1:100 or 1:50)
- Elevations and sections (1:100 or 1:50)
- Roof plan/s (1:100 or 1:50)
- Ceiling and joinery details (1:20 or 1:10)

- Machinery and services details, e.g., drainage lineshafts

Presentation

The archival recording shall be presented to Council as a single bound document preferably in A4 format. Large maps shall be folded and inserted as map pockets attached to the document. Similarly, all photographic images shall be fixed to the document and labelled.

No unbound documents or loose supporting materials such as maps, plans, slides, negatives or prints are acceptable.

Two complete copies of the archival recording are required. However, one copy may not include a set of photographic negatives.

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ORDINARY MEETING

19 FEBRUARY 2001

MASTER PROGRAM REPORTS

THE CITY AS A SOCIAL PLACE

6	Transfer Of Street Parking Responsibilities To Local Government 9018/1 Pt 2	39
7	Youth Week - Allocation Of Grants 1019/25 Pt5	41
8	Seniors Week 2001 1019/9	44

The City as a Social Place

6 Transfer of Street Parking Responsibilities to Local Government

9018/1 Pt 2

Compiled by: Garry Rumble, Safety, Emergency & Waste Services Manager

Authorised by: David Burns, Acting Director ~ City Operations

Management Plan 4 Year Outcome (Page 44): *A City-wide Community Safety Plan, supported by the community, is in place.*
00/01 Critical Action: *Link the Road Safety Strategic Plan to the City-wide Community Safety Plan.*

Purpose of Report

The purpose of this report is to advise Council the present position concerning the transfer of street parking responsibilities from the State Government to Local Government.

Background

Council was advised through the Local Government & Shires Association on 22 December 2000 that the State Government has decided to transfer Parking Police Officers (PPOs) and the functions of street parking enforcement to Local Government.

The Local Government and Shires Association called a meeting of Mayors and General Managers on Wednesday, 31 January 2001. This meeting was chaired by the President of the Local Government Association of NSW, Cr Peter Woods, OAM.

Council was represented at the meeting by the Deputy Mayor, Councillor Davies, the General Manager, Workforce Development Manager and Safety, Emergency & Waste Services Manager.

Outcome of Meeting

Following advice from representatives of Industrial Relations NSW Police Services and Policy Division of Ministry for Police, the meeting determined the following recommendations:

- “1. That Local Government supports, in principle, the transfer of street parking enforcement to Local Government with Local Government having management and control of this function.
2. That all sources of parking infringement revenue should be returned to Local Government.
3. That Local Government endeavour to employ all PPOs who seek ongoing employment with Local Government on terms and conditions determined by each employing council, subject to satisfactory medical report.
4. That all accrued and pro rata leave entitlements and other liabilities eg superannuation, up to the date of transfer be funded by the State Government.

5. That those PPOs who do not become employed by Local Government remain the responsibility of the State Government and be either redeployed within the State Public Service or offered redundancy.
6. That Local Government recognises that there are differences between councils, particularly in country areas, and that individual arrangements may need to be negotiated with the State Government.
7. That representatives of the LGSA be involved in determining the structure and level of fines on an ongoing basis.
8. That Local Government seeks the support of the State Government to upgrade relevant technology having regard to technology used in other states and overseas.
9. That the negotiating team consists of the Presidents and appropriate Officers of the LGSA and the Mayors of Griffith, South Sydney and Waverley be involved as required.
10. That councils be kept fully informed of developments.”

Present Position

There are currently four PPOs working in the Penrith Local Government Area, two at St Marys LAC and two at Penrith LAC.

Further discussions will take place with the Local Government Association on proposed duties and salary arrangements to ensure that the future employment of existing PPOs is to the best advantage of all parties.

A further report will be presented to Council when the results of these discussions are known.

RECOMMENDATION

That:

1. the report on the Transfer of Street Parking Responsibilities to Local Government be received;
2. a further report be presented to Council.



The City as a Social Place

7 Youth Week - Allocation of Grants

1019/25 Pt5

Compiled by: Jeni Pollard, Youth Development Officer

Authorised by: Carol Joyce, Community Development Manager

Management Plan 4 Year Outcome (Page 66): *Equity of access to social services and facilities is increased for identified communities.*

00/01 Critical Action: *Encourage fairness of access to Council and non-government facilities and services.*

Purpose of the Report

The purpose of this report is to seek Council's endorsement for recommendations about the allocation of funding for Youth Week activities in Penrith City. The report also seeks Council approval for the use of Judges Carpark for a one day Youth Week event.

Background

Youth Week is to be celebrated from Sunday, 1st April to Sunday, 8th April 2001. The theme for Youth Week this year is "Get Into It" and the aim is to provide young people with an opportunity to express their views and act on issues that impact on their lives.

Council receives an annual amount of \$2,000 for Youth Week from the Department of Education and Training. As a requirement of receiving these funds Council is expected to match the amount received on a dollar for dollar basis. Any unspent funds are required to be returned to the NSW Department of Education and Training. In 1998 Council resolved to advertise the availability of these funds annually, through the local press and through existing networks.

Funding Criteria

Council endorsed the criteria for Youth Week funding on 1st June 1998. Groups submitting for funds are asked to meet the following criteria:

- To address the theme of Youth Week;
- To demonstrate that activities will involve young people in the planning and implementation of activities and events;
- To demonstrate an ability to implement strategies which improve access for young people from Aboriginal and Torres Strait Islander backgrounds, non-English speaking background and young people with disabilities.

Applications for Funds

Applications for funding closed on 22nd January 2001. Four applications have been received this year, all proposing activities that meet Council's criteria. The total amount of funds sought exceeded the budget and all four applicants have been contacted to review their budget and to assess where Council can support the proposed activities to minimise costs such as providing a venue free of charge.

Should Council agree to the recommended amounts all applications can be funded within the budget.

**1. Don Bosco Recreation Centre (Requested \$2,000)
Recommended \$1,100**

Various recreational activities and competitions for young people which will promote young people's contribution to the community. The Centre will support a planning committee of young people who will organise various activities culminating in a large Friday night event where young people and families will not be charged for entry to the Centre. Council will print flyers promoting the activity. The submission also included a request for funds to print T-shirts. This is not considered to be an item that significantly contributed to the participatory priority of Youth Week.

**2. Active Employment (Requested \$850)
Recommended \$550**

A function to celebrate the achievements of young people with a mental illness who are overcoming barriers to achieving employment and vocational goals. Young people will assist in the organisation of the event. The submission requested funds for venue hire which Council will provide free of charge.

**3. Young Christian Workers Movement (Requested \$500)
Recommended \$250**

To assist in the processing and presentation costs of photos taken by a group of young women from the St Marys area. The photos are of young women involved in a variety of activities and from different social and cultural backgrounds. These photos will then be exhibited in select venues across the City. The amount of money requested in this submission is considered high for the intended outcomes as well as there being a relatively small number of participants.

**4. St Clair Youth Centre and Penrith Youth Interagency (Requested \$3000)
Recommended \$2,100**

Skate, Band and Information Day to be held in Penrith on Saturday, 7th April. Youth Services will combine resources with a steering committee of young people to organise this event from 12 noon to 6pm.

The amount of money requested represents three-quarters of the total funding pool. After negotiations with representatives from the Interagency the recommended amount is considered adequate to hold the event given additional support from Council in terms of the venue and printing.

In addition to the funds sought the group is also seeking permission to use the first and top floor of Judges Place Carpark in Penrith. The use of the first floor will be in the event of rain only.

A similar event was held during Youth Week last year and the day was a success with over 1,000 young people attending the incident free event. As with last year Council would require that the organisers:

- Provide evidence of Public Liability Insurance for \$10M cover against accidents
- Provide adequate supervision and security at the event
- Promote the event as drug and alcohol free

- Consult with the Penrith City Centre Association and the Penrith Chamber of Commerce to discuss and ensure effective management of the event by the organisers.
- Inform regular users of the carpark of the special event to be held on the 7th of April.

The Manager of Building, Construction and Maintenance has been consulted and is supportive of the use of the carpark for this activity. Council will make arrangements for:

- Barriers for traffic diversion
- Access to electrical power circuits and the anticipated electrical loads required for the event
- Garbage receptacles

RECOMMENDATION

That:

1. The information contained in the Community Development Manager's report on Youth Week be received.
2. Council approve funding for Youth Week activities to those organisations and projects recommended in this report
3. Council approve the request from Penrith Youth Interagency to utilise Judges Carpark on Saturday, 7th April for a skating, band and information event to celebrate Youth Week subject to the requirements outlined in the Community Development Managers report.



The City as a Social Place

8 Seniors Week 2001

1019/9

Compiled by: Lyn Black, Aged & Disabilities Services Officer

Authorised by: Carol Joyce, Community Development Manager

Management Plan 4 Year Outcome (Page 66): *Equity of access to social services and facilities is increased for identified communities.*

00/01 Critical Action: *Encourage fairness of access to Council and non-government facilities and services.*

Background

Seniors Week is to be celebrated from Sunday March 18 to Sunday March 25, 2001. Local celebrations provide an opportunity to recognise the contribution made by our senior residents. The theme for this year is “Share the Experience”, which is intended to celebrate the experience and knowledge of older people.

Application for Funds:

Council has allocated funds to be granted to community groups to assist them to hold activities specifically for the older community.

The availability of Council funds to assist non-profit groups in the provision of Seniors Week activities was advertised in the local media and through community networks. Organisations and groups applying for grants were asked to consider the aims of Seniors Week, which are:

- To promote, among people of all ages, a more positive understanding of ageing
- To enhance the standing and recognition of the contributions of older people to the Penrith community
- To provide information which will help older people to continue to lead independent lives.

Applications were received for nine projects or activities. Criteria specified in the grant guidelines include:

- The activity is open to all older people in the Penrith community
- The activity involves the wider community or has the potential to reach the wider community
- The activity promotes positive images of being older to seniors or the wider community
- The activity is innovative and creative
- There might be positive outcomes from the activity eg an attitude change or a product such as an information booklet.
- The event encourages active participation of older people
- The activity showcases the skills of older people and their continuing contribution to the general community.

This year applications fitted within the allocated budget. The applications are as follows.

Organisation	Proposed activity	Estimated Nos.	\$ Requested	\$ Recommended
St. Marys Combined Pensioners	Church Service	60	\$150.00	\$150.00
St. Marys Combined Pensioners	Indoor Bowls	80	\$350.00	\$350.00
St. Marys Combined Pensioners	Bingo	40	\$250.00	\$250.00
Tir na n'Og (Land of the Young – Irish Seniors Group)	Bus trip – South Coast	53	\$820.00	\$820.00
Werrington Community Project	Art & Craft Exhibition	300	\$500.00	\$500.00
Penrith Aged Mobile Service	Seniors Mini Olympics	200	\$500.00	\$500.00
Penrith Valley Seniors Centre	Directory of Centres Activities	500 copies	\$800.00	\$800.00
Older Womens Network	Have a Go Day & Share the Experience	40	\$450.00	\$450.00
Penrith Seniors Dance Club	New Vogue Dancing	60	\$600.00	\$600.00
Total			\$4,420.00	\$4,420.00

Council Activity

Council will launch Seniors Week on Monday 19th March with a Seniors Safety Seminar. This function is a joint project with local community Police. Seniors will hear tips on safety and be entertained by the NSW Police Band. Councillors will be forwarded an invitation in due course.

RECOMMENDATION

That:

1. The information contained in the Community Development Manager's Report on Seniors Week 2001 be received;
2. Council approve funding through its Seniors Week Grants Program to those organisations as listed in the Community Development Manager's Report.



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ORDINARY MEETING

19 FEBRUARY 2001

MASTER PROGRAM REPORTS

THE CITY AS AN ECONOMY

9	Penrith City Centre Association And St. Marys Main Street Committee 4201/53 & 4202/14	47
10	Erskine Park Employment Area 4161/15 Pt19	50

The City as an Economy

9 Penrith City Centre Association and St. Marys Main Street Committee 4201/53 & 4202/14

Compiled by: Gary Dean, Corporate Manager - Operations

Authorised by: Bruce McDonald, Director - City Strategy

Management Plan 4 Year Outcome (Page 82): *An environment conducive to business is in place.*

00/01 Critical Action: *Pursue, in partnership with economic groups, integrated initiatives to improve business sustainability and the City's economic performance.*

Introduction

Council has received a progress report from both the Penrith City Centre Association and the St. Marys Town Centre Management Group regarding their activities for the period July to December 2000.

Council supports the activities of these groups by the provision of a sub-category rate funding strategy over the respective commercial centres. A condition of that funding agreement is a requirement for the submission of regular reports detailing the group's activities.

Current Situation

Listed below are the activities from each of the Centres:

Penrith

® *Sydney 2000 Olympics*

- co-ordinated and funded a town centre 'clean-up';
- purchased flower boxes which were placed in strategic locations in town centre;
- provided funds for the production of Penrith Olympic brochures;
- participated in the Multicultural Festival Committee;
- purchased and installed additional banner arms for Olympic displays;

® *Communication*

- prepared and distributed regular town centre newsletter;

® *Promotional Activities*

- prepared and distributed (70,000) a detailed 'tourist type magazine' promoting Penrith and in particular, the 'shopping experience' in the CBD;
- erected at strategic locations within the CBD, a number of information boards promoting coming events;
- in conjunction with Council, participated in the development of a draft Outdoor Dining Policy. Facilitated the participation of 15 town centre eateries during a trial period;
- conducted a successful Christmas campaign which included street entertainment and erection of festive decorations/banners;

® *CBD Enhancements*

- worked with Council officers in identifying further priorities for capital improvements;
- prepared and submitted a request for continuation of the Capital Works Funding Program;

® *Town Centre Co-ordinator*

- recognised the need for a full-time Town Centre Co-ordinator – Carolyn Sheehan was appointed in November, initially for a three month period;
- joined the ‘Main Street Australia’ organisation.

The Association met on nine (9) occasions during the six month period. There were no meetings during the Olympics.

St. Marys

® *Promotions*

- conducted ‘shop-locally’ campaign
- facilitated bi-monthly newspaper ‘specials’ for a number of participating retailers
- Christmas promotion involved auctioning a car using ‘crazy-cash’
- Finalised arrangements for cycle criterion

® *Communication*

- prepared and distributed regular town centre newsletter
- utilised local print media for both editorial and advertising

® *Town Centre Enhancements*

- engaged electrical contractor to complete installation of ‘bud lighting’ in the Queen Street trees
- determined priorities for further capital improvements in the town centre – made submission to Council seeking continuation of funding programme
- continued to implement graffiti removal programme
- liaise with property owners to improve the appearance of their premises
- worked closely with Council officers in the development of the outdoor trading and dining policy

® *Networking*

- continued active participation with relevant state government departments and agencies
- worked with local community groups in areas of common interest

Conclusion

Both Centres have continued to operate in an effective manner and Council’s funding has been applied accordingly.

Included in the attachments is a copy of each of the group’s reports with more specific detail on each of these activities.

RECOMMENDATION

That Council receive the information regarding progress reports from the Penrith City Centre Association and the St. Marys Town Centre Management Inc.



The City as an Economy

10 Erskine Park Employment Area

4161/15 pt19

Compiled by: Peter Coyte, Economic Development Officer

Authorised by: Alan Stoneham, Director City Planning

Management Plan 4 Year Outcome (Page 66): *Erskine Park Employment Area and Penrith University Employment Park are being developed and further opportunities are progressing in other major activity centres.*

00/01 Critical Action: *Secure services for Erskine Park Employment Area.*

The purpose of this report is to provide Council with an update of matters that are being addressed to bring about development of the Erskine Park Employment Area (EPEA) and to seek Council's authority to proceed to exhibit a Section 94 Contributions Plan for the estate.

Background

The Erskine Park Employment Area (EPEA) contains over 500 hectares of land and is located to the south of the residential areas of St. Clair and Erskine Park, to the north of the Water Supply Pipeline and to the east of Mamre Road and rural land uses.

The EPEA represents Council's strategic response to continuing the supply of employment land within the City. There is potential for provision of over 10,000 jobs in its fully developed state and the EPEA is included in the NSW Government's Employment Lands Development Program.

The Penrith Local Environmental Plan 1994 (Erskine Park Employment Area) (LEP1994) for the area was gazetted on 25 November 1994.

Whilst the area has been zoned since 1994, its development has been inhibited by several issues which include;

- Market Forces- Competition from other industrial areas closer to Sydney and regional road systems;
- Perceived higher Section 94 charges, as the site is the first industrial site that has had to provide water quality as well as water quantity measures in drainage design. A comparison of Section 94 charges with competitor estates has been attached and indicates that council's charges are competitive;
- Threatened Species – this is the first industrial greenfield site to develop since the gazettal of the Threatened Species Conservation Act; and
- The corporatisation of Sydney Water- again Erskine Park is the first industrial estate where Sydney Water has required the first developer to carry the cost of the provision of lead in mains for water and sewer.

In 1996 Council commissioned a report covering a number of issues impacting on the timely development of the Erskine Park Employment Area. That report by consultants Hill PDA, provided recommendations that Council has continued to pursue in three areas namely:

- Infrastructure Provision
- Marketing
- Development Approval Process

To date those efforts have been mostly contained to the provision of infrastructure to enable development to proceed and to the preparation of a Draft Development Control Plan and Draft Contributions (Section 94) Plan to assist in the Development Approval process.

Current Position

Sydney Water

There have been two issues that have impacted on the delivery of water and sewer infrastructure to EPEA.

- The publication of Development Servicing Plans for water and sewer to identify Developer Services Charges that are applicable to development of the area; and
- The requirement by Sydney Water that the first developer bear the cost of the lead in mains which would then be recovered from later developers and refunded to the first developer.

Developer Service Plans have issued for the appropriate delivery Systems (Orchard Hills Water Supply and St Marys Sewerage Treatment System).

At its Ordinary Meeting on 18 December 2000, Council resolved:

- *Council allocate \$960,000 to provide lead in water and sewer infrastructure for the Erskine Park Employment Area;*
- *The conditions negotiated and outlined above(in the report) be confirmed and council officers authorised to negotiate final wording of the agreement; and*
- *Authority be given to affix Council's seal to the agreement.*

Discussions have also progressed with Sydney Water to have the design work completed to enable early commencement of these works on receipt of a development application. The process, which is being pursued with Sydney Water, is:

- Project Manager appointed from Sydney Water's list of approved managers;
- Concept Planning and costing;
- Detailed design;
- Tenders called for construction
- Development Application;
- Construction.

Following discussions with senior Sydney Water officers, they have appointed Asset Solutions, a Sydney Water subsidiary, to commence the detailed design works for delivery of the water and sewer mains.

A similar process applies for the essential drainage works that are required north of Erskine Park Road. Council officers are currently preparing a Development Application for those works and we are awaiting approval from the property owners.

The Development Application is being prepared, which will assess the impact on threatened species present in the location. Council's Environmental Consultants have endorsed the works, in the development application. A separate report will be submitted to works being carried out on private property. Sydney Water indicates that they would prefer to submit a joint development application, as sewer mains will follow the proposed drainage reserve.

Development Control Plan

A Draft Development Control Plan (DCP) was placed on public exhibition on 29th September 2000 and closed for comment on 4th December 2000. It is proposed that a report will be submitted to Council outlining comments received from exhibition of the Draft Development Control Plan and recommending appropriate responses following the exhibition of the Draft Section 94 Plan. This will enable comments on both Plans to be provided to Council at the same time.

The DCP incorporates development standards as well as road and drainage proposals. It also incorporates a plan of those lands identified by Council's Environmental Consultants, which have flora and fauna implications as identified in the Threatened Species Conservation Act. This involves approximately 150 hectares.

Approximately 250 hectares of land can be directly used for employment development. The DCP provides some benefits by including drainage and electricity easements in calculation of site cover ratios. This will provide for a more practical use of those available lands.

Also, the lands identified as having bio-diversity value are not excluded from development by the Development Control Plan. Should owners wish to develop those lands then they will need to carry out a more detailed environmental study for submission with their development application.

Section 94 Plan

A Draft Section 94 plan has been prepared and is attached.

The aims and objectives of this plan are:

- (a) to ensure that the level of provision of facilities and services is adequate to satisfy the demand generated by additional development;
- (b) to ensure the equitable recovery of the costs of major capital works necessary for development to occur;
- (c) to ensure the equitable distribution of costs associated with works installed in the course of or after development;
- (d) to levy Section 94 contributions within the Erskine Park Employment Area for the purposes of drainage/water quality, roads and traffic management facilities and administration; and
- (e) to ensure that the contributions levied on development are reasonable.

The charges for Section 94 works have been costed on net developable lands as outlined in Map 3 of the Plan.

There are substantial lands in the EPEA that are impacted by drainage and electricity easements, which reduce the area available for development. To alleviate the impact of those easements, where no development can occur because of these affects, the Development Control Plan allows these areas to be used as part of the landscaping and road setbacks. It also, allows these areas to be included in the overall footprint of the site when calculating site cover.

The estate essentially has 11 owners who can develop. As it appears unlikely that a single developer will emerge to purchase all or most of the lands, the approach that has been adopted in the Section 94 Plan has been one that enables each landowner to develop independently of others.

The Section 94 Plan provides for road and drainage infrastructure as follows:

Drainage

As indicated in Map 1 in the Plan, the estate is divided by a north-south ridge that creates two distinct drainage catchments. This has meant that each of the developments will need to accommodate water quantity and quality measures within its own boundaries, with Section 94 works identified as follows:

Western Catchment

Amplification of Mamre Road culverts	\$940,000
Construction of discrete channel north of Erskine Park Rd	\$680,000
Amplification of Erskine Park Road culverts	\$295,000
Construction of basin/wetlands south of Erskine Park Road	\$3,450,000
Studies	\$101,250
Total	\$5,466,250

Eastern Catchment

The only works that have been identified and costed to date are:

Construction of Basin/wetlands north of Lenore Lane	\$2,100,000
Studies	\$17,795
Total	\$2,117,795

The Eastern Catchment is essentially in one ownership and it has been assumed that the Western Catchment will be the first to develop.

At this point the only lands that Council will require to be dedicated will be the wet lands/detention basins south of Erskine Park Road in the Western Catchment and the North of Lenore Lane in the Eastern Catchment, each an area of approximately 5 hectares.

Roads and Traffic Management

The Section 94 Plan, in respect of roads and traffic management, has also been structured on a catchment basis as outlined in Map 3 and on pages 16 and 17 of the Plan. This reflects the benefit gained as follows:

Whole of estate

The upgrading of the Mamre Road/Erskine Park Road intersection	\$300,000
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These works will benefit the whole of the estate and cost will be shared across the estate;

Catchment A

No further works required.

Catchment C

Mamre Road/Development Access Road	\$300,000
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Catchment B

Construction of the Erskine Park Road/Lenore Lane intersection	\$400,000
Realignment of 200m of Lenore Lane	\$500,000
Construction of Lenore Lane 1.3 km	\$3,250,000
Drainage function in constructed road	\$400,000
Land acquisition 20m additional road reserve	\$390,000
Land acquisition for realignment near Erskine Park road	\$180,000
Total	\$5,120,000

Costs for these works will be distributed across those sites as outlined in catchment "B" in Map 2 in the Plan.

Essentially the reconstruction of 1.5 kms of Lenore Lane and intersection with Erskine Park Road will benefit those owners fronting or with access from Lenore Lane. Lenore Lane currently services three major and one small land holding. The proposed construction would provide a 13 metre road along the frontage of two of the major landholdings and an access to another major land holding to the east of those properties.

In considering how to provide these traffic and road works, several different options have been examined and have included:

1. Exclude the Lenore Lane roadworks from the Section 94 works, as has occurred in other developments in the City. The landowners with “frontage” to Lenore Lane would each be responsible for ½ road construction for road frontage to their respective properties.

Comment

This option depends on one of the properties with actual frontage to Lenore Lane being first to develop. It poses a problem of access to the property on the eastern end of Lenore Lane if they wish to develop before the others. It also creates an equity issue, as the eastern property would gain an advantage of sealed access being provided to their “front door” without contributing to the cost. With half road construction scenarios it is not usual to have a third party benefiting from use of the road for access to their site.

2. A seven metre construction in the centre of the road being section 94 works with the properties fronting Lenore Lane each adding 3 metres and gutters to their frontage.

Comment

This would require the eastern property to contribute to the “centre seal” but this is still a heavier cost to western properties fronting Lenore Lane.

3. Based on providing a dual carriageway as originally proposed for the “Boulevard”, proposed in earlier road patterns for the estate, a 20 metre road construction with the three major properties constructing one third each.

Comment

It was generally considered that the need for a 20 metre road would be challenged on current traffic estimates, which we would have used to argue with RTA about the need to upgrade Erskine Park Road to dual carriageway. It also poses an issue of equity, placing the cost of what would essentially be considered a regional road on a catchment and not the whole estate, particularly as it cannot be determined that it would be needed under current traffic generation projections.

Council has received correspondence from the New South Wales Department of Transport that suggests a regional road link from Lenore Lane through to the Western Sydney Orbital. The opportunity to preserve an adequate road reserve, should this eventuate, will be retained in the setback areas.

4. Construction under a development agreement.

Comment

This would require agreement by all parties and appears an unlikely outcome.

5. Construction under section 94 which would see each of the land owners in this catchment contribute funds to the Section 94 Plan on a pro-rata basis depending on the developable area of their individual sites.

Comment

Under this scenario any of the three major landowners could develop first with staged construction on the basis of ½ road construction (7m) which would reduce Council's financial exposure, arising from a differential between construction costs and contributions collected.

Funding Implications

As indicated above, the delivery of drainage and road works as outlined in the Draft Plan will have financial implications for Council, depending on various development scenarios. With disaggregated ownership and different attitudes to development, even with staging of the infrastructure there will be a financial outlay required to deliver upfront the minimum levels of road and drainage infrastructure to allow development to proceed.

The provision of that upfront infrastructure has three possible funding sources:

1. Require the first developer to deliver all or that portion of the minimum infrastructure required enabling his development to proceed, without providing disadvantage to any subsequent development. The issue of upfront funding by developers has been canvassed in the provision of water and sewer infrastructure and has to date been a major inhibitor to development because of the uncertain nature of industrial development. It is unlikely that development would proceed under this scenario;
2. Council providing the upfront funding, to construct the minimum infrastructure to enable development to proceed and then to stage the balance of the roads and drainage as development occurs and Section 94 funds are collected

Council officers have been assessing possible development scenarios to determine that exposure. These models have highlighted a varying financial exposure for Council depending upon

- The timing of the development of the various landholdings;
- The need to construct Lenore Lane to 1.5 kilometres east of Erskine Park Road with a staged development but at a total cost of \$5,510,000;

That assessment has indicated that after collection of Section 94 contributions from the first developer to provide the infrastructure Council's exposure to accommodate that development could be as much as \$2,500,000, which is in addition to the \$960,000 already committed to fund lead in mains for sewer and water.

The major risk to Council in providing the additional funds for the construction of the infrastructure is the possibility that there would be no development beyond the first developer, for some time. In this regard, the expectations of the landowners could prove to be an inhibitor to development.

3. State Government provide "bridging finance" to enable construction of the roads and drainage so as to facilitate development.

Council has already provided in excess of \$1million to create an opportunity for the estate to develop. It is considered that the State Government is better positioned to carry this increased exposure. Accordingly it is considered that a formal submission be made to the Treasurer through the local members seeking his examination of how a "bank of funds" might be provided to ease the financial burden on local government in providing this early

infrastructure for employment development. This bridging finance would be repaid to the government as Section 94 Contributions are collected as development proceeds.

Marketing

To date Council has not engaged in a marketing strategy for the estate. The Hill PDA study recommended that a marketing strategy should be developed between Council and the landowners and a copy of the Marketing Section of that report is attached.

There have been enquiries received from landowners and investors who are showing interest in developing the western section of the estate. The lack of available land and particularly larger blocks in areas such as Huntingwood, Arndell Park and Minchinbury is causing increased interest in Erskine Park. There has also been one major enquiry in respect of the lands in the eastern catchment.

At present the enquiry being received is for large single lots for relocation and consolidation of corporate facilities. There appears to be a lot of warehouse distribution uses with some manufacturing attached.

In addition to the major problem with the provision of water and sewer lead in mains, developers who have made enquiries on these properties have been seeking:

- Clear advice on what level of development will be allowed on the sites due to constraints placed on the area from the Threatened Species Conservation Act;
- Clear advice on the design and land take required for the drainage and road patterns on the estate;
- Clear advice on development standards for the estate; and
- Clear advice on section 94 charges.

The advances outlined in this report will overcome these objections and providing the expectations of the landowners are such that a feasible development scenario can be developed, then the estate should advance in the short term.

Chief Financial Officer's Comments

The development of employment land at this site has been a high priority of Council for some years. Council has previously resolved to commit funds to the project to secure the construction of up front water and sewerage costs. These funds will be redeemed if development of the site is achieved.

In considering the Section 94 plan the rate and order of development is a critical consideration from a financial perspective. Council can not easily manage the timing of the receipt of funds from the developers, and the need to construct infrastructure works in this plan. It will therefore be necessary for Council to further consider the potential need to provide funds to manage the mismatches that could occur.

This report notes that the order of development may require funding to be obtained. The worst case scenario has been estimated at \$2.5m. The length of time that this funding would be required can not be determined, and therefore the true cost can not be accurately forecast. Again in a worst case scenario should subsequent development not occur the full cost would be at the expense of the general revenues of Council.

The Economic Development Officer has indicated that with the advancement of issues raised in this report that the estate will most likely advance in the short term.

The Section 94 Plan has been written to allow Council the opportunity to fund short-term funding mismatches by loan. The developer contributions would then meet both the capital and debt servicing costs of the loan (on the assumption that further development occurs). As loans require Ministerial approval this funding source cannot be guaranteed. Council will need to further consider the need for loan funds if it eventuates, and if loans are not available find an alternate source.

Conclusion

Erskine Park Employment Area was rezoned in November 1994 as Council's response to meet the need for additional employment lands. Since that time there have been several issues that have impacted upon bringing the estate "online". Also since that time there have been several estates brought onto the market in LGA's east of Penrith and these have included:

- Huntingwood (Blacktown)
- Arndell Park (Blacktown)
- Minchinbury (Blacktown)
- Norwest (Baulkham Hills)

Each of these estates has not encountered the Threatened Species issues that had implications for EPEA, nor have they had to carry the upfront charging of water and sewer lead in infrastructure.

The issue of Sydney Water's lead in infrastructure has largely been resolved with Council agreeing to fund these works from monies held by Sydney Water to fund the sewer infrastructure to support development of the Australian Taxation Office. Council officers have met with Sydney Water to negotiate the terms of the Agreement and to progress the design of those lead in mains.

There are differing attitudes between the landholders and their desire to develop in the short term. Three properties are being actively marketed with interest being shown by developers, whilst other major landowners have indicated they are have no intention to develop in the short term.

A further constraint is that Erskine Park does not have a "product" to sell. Major end users such as Nestle, Wyeth Pharmaceuticals, Interpak and Visyboard, among others have looked at Erskine Park and just seen undeveloped paddocks rather than an industrial estate.

In order to deliver the necessary Section 94 works to enable these three properties to develop (and provide some 2,000 jobs) there is a financial exposure for Council of up to \$2,500,000 depending of the timing of the delivery and collection of section 94 charges. It is unlikely that developers will carry these additional costs and whilst the Section 94 plan does not commit Council to having to fund the works, if development is to progress funding, from either Council or the State Government pending the collection of Section 94 charges will be required.

The estate will face competition from the "Boral" and "Wonderland" developments in the SEPP 59 release area to the east and these lands appear to be receiving priority from the State Government. It would seem that there may be benefit in seeking State Government assistance

(through local members) with delivery of section 94 works, particularly roads that have the potential to become regional roads.

The development of Erskine Park Employment Area is critical to growth of employment opportunity in the City. It will also impact on Council being able to meet its objectives in the Strategic Plan in regard to providing local jobs for the local workforce by growing local business. In order to bring Erskine Park on line by providing the investment/development community with the certainty it is looking for we need to:

- Complete negotiations with Sydney Water including detailed design for the sewer and water lead in mains being competed;
- Complete a Development Application for drainage works required north of Erskine Park Road;
- Review submissions on the Development Control Plan and report to Council;
- Place the Section 94 Plan on public exhibition and discuss it with landowners in the estate; and
- Seek discussions with local members to see how we can engage the State Government to assist with the delivery of roads and drainage infrastructure to this zoned estate.

At this point we seek Council's approval to place the Draft Section 94 Contributions Plan on public exhibition so that we can canvass landowners and other stakeholder input into the funding of infrastructure. We will ensure that advertisements are placed with the St. Clair/Erskine Park Advertiser. Whilst on exhibition we will explore through the local members the possibility of State Government assistance to provide bridging finance to deliver the minimum roads and drainage infrastructure.

RECOMMENDATION

That

- The Erskine Park Employment Area Report be received;
- The Development Contributions (Section 94) Plan for the Erskine Park Employment Area be placed on exhibition for a minimum period of four weeks; and
- We request the support of local members in calling for an examination by the State Government on its engagement to assist with the delivery of local employment infrastructure as outlined in the Economic Development Officers report.



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ORDINARY MEETING

19 FEBRUARY 2001

MASTER PROGRAM REPORTS

THE CITY SUPPORTED BY INFRASTRUCTURE

11	City Operations Directorate Report To Mid February 2001 152/3	61
12	Proposed Changes To Westbus Bus Routes In The Penrith LGA (9001/8 Pt 12)	74

The City Supported by Infrastructure

11 City Operations Directorate Report to mid February 2001

152/3

Compiled by: Sandra Grima, Works Construction & Maintenance Manager's Secretary

Authorised by: David Burns, Acting Director City Operations

<p>Management Plan 4 Year Outcome (Page ##): <i>A register of all significant assets, their condition and standards determined and a plan for their maintenance is operating.</i></p> <p>00/01 Critical Action: <i>Prepare and implement a prioritised asset management plan.</i></p>

Works Construction & Maintenance Department

Works Construction Section

Queen Street, St Marys -The asphalt surfacing works for the remainder of Queen Street and Station Street is programmed for 11 February, 2001. This will be followed by linemarking. Indications are that this project will be completed well within this years allocation. A further report will be submitted to Council on completion of all works.

Budget Estimate \$1,279,529
Expenditure to Date \$ 704,000

Glossop Street, St Marys (Adelaide to Brisbane Streets) - The section between Adelaide and Brisbane Streets is completed. Work continues on kerb and gutter repairs and sub-soil drainage works between Brisbane Street and Phillip Street.

Budget Estimate \$574,021
Expenditure to Date \$481,775

High Street, Penrith (Station to Riley Streets) – Options for the resurfacing are currently being investigated with the asphalt industry. The process is to select the most suitable method and product which will reduce the impact on traders and traffic during construction.

Budget Estimate \$487,431
Expenditure to Date \$204,516

Gross Pollutant Traps - Work is underway on the construction of GPTs on the Corporation drain at Peachtree Creek, cnr Jane & Riley Streets and Charles Hackett Drive.

Budget Estimate \$383,000
Expenditure to Date \$127,067

Path Paving - The contractor, N A Zappacosta, has completed Blackwell Avenue, Lukes Lane and Moore Street. This will be followed by works in Glenmore Park.

Budget Estimate \$703,860
Expenditure to Date \$100,500

Llandilo Road Widening - Sealing work is still to be carried out between Fourth Road and Spence Road.

Budget Estimate \$246,994

Expenditure to Date \$129,976

TALC Jobs - Works completed since the last report are the Allen Place blisters and Broadway speed hump in the Penrith CBD.

Works Maintenance Section

Council's Street Sweeping operations continue as follows:

- Night Shift (6 nights/wk). 2 mechanical street sweepers and 1 small mechanical street sweeper, 1 footpath flusher.
- Day Shift (5 days/wk). 2 hand sweepers in the Penrith CBD, 2 hand sweepers in the St Marys CBD, and 1 hand sweeper for regional shopping centres, 1 large mechanical sweeper.

A period of very hot weather in January caused native street trees to shed large quantities of leaves, bark, etc. resulting in a considerable backlog of work for the day shift mechanical sweeper. Heavy rains following this hot, dry period then added to the number of requests for sweeping.

However, with the amount of leaf litter etc. washed into the pits and drains during the exceptionally heavy rain in late January, very few local flooding problems could be attributed to blockages caused by this material. The heavy rain was beyond the capacity of many drainage systems within the city and consequently drainage maintenance crews were kept extremely busy dealing with residents concerns.

Recent heavy rain has vastly increased the demand for heavy patching and pothole patching throughout the City.

The quantity of damaged kerb and gutter, particularly in older areas within the city, is increasing at a greater rate than Councils ability to effect repairs. All work is inspected, prioritised and programmed accordingly.

Plant Replacement Programme

<i>Tender/Quote Stage</i>	<i>Ordered</i>	<i>Received</i>
1 Backhoe) Tenders closed	1 Flocon	5 Ride-on Mowers
1 Skidsteer Loader - Under evaluation	2 Trucks	1 Tool Trailer
	4 Agricultural Tractors	5 Trailing Mowers
	3 Tandem Rollers	1 Truck

Road Resheeting/Resealing Programme

The Road Resheeting (Asphalt) Programme is virtually complete. Only Barber Avenue and Wedmore Road remain to be resheeted.

The Road Resealing (Bitumen Spray Seal) Programme completed to date include: Dharug Cl, Donohoes Dr, Farm Rd, Frogmore Rd, Glenleigh Ave, Kingshill Rd, Sixth Ave and Timothy Rd.

In January with the assistance of Hawkesbury River County Council and contractors, the pond was treated, drained and cleaned. Fortunately the work was completed just before the major rain event in late January thereby avoiding any infestation downstream. Incidentally, the pond contained large quantities of carp which were removed. The entire treatment operation was co-ordinated by Council's Design and Parks sections. There will be some modifications to the pump within the pond that will provide aeration to the water. This will reduce the likelihood of this type of outbreak occurring again.

- **Bushcare**

January 2001 Newsletter compiled and mailed out.

North-West Sydney Bushcare Training program prepared, dates set and brochures printed and ready for distribution.

Building Construction & Maintenance Department

Wattle Glen Children's Centre - Break and Enter

Security alarms identified a break and enter on the 26th December 2000. Council's Building Maintenance Supervisor called Police when he discovered three persons on site. Police arrived and arrested and charged the offenders with break and enter and theft. Damage was restricted to a broken window and the goods were returned to the Centre.

Kingswood Park Community Centre

A number of break and enters have occurred at the Centre over the past few months. Despite security grilles being installed, damage has occurred to doors and windows. A microwave oven and playgroup toys were stolen. Additional security measures have been taken in an attempt to prevent further break and enter. Police were notified.

Emu Plains Precinct

All buildings were extensively graffitied on Christmas Eve and a number of external lights and windows were smashed in the library. Graffiti was removed within 24 hours and there have been no further instances in that area. Police were notified.

Erskine Park Child Care Centre

Vandals smashed seven (7) skylights on the roof of the child care centre and vandalised all carpark light fittings on 27th December 2000. Emergency repairs were carried out prior to full repair works being completed in the New Year. The matter was reported to Police.

Glenmore Park B & A Centre

The Glenmore Park B & A was destroyed by fire on 27th November 2000. Assessors for the Insurance Company have reported that the building should be demolished to slab level and for Council to have new plans drawn up for the rebuilding of the Centre.

Dwelling - 9 Collins Street St Marys

Demolition of this building is due to be completed by mid February.

Building Assessment Inspections

Building Assessment Inspections have commenced on Council's buildings to determine a prioritised Asset Replacement Programme for the next three (3) years. A consulting company was engaged to provide details for all Neighbourhood Centres and Public Halls.

Council staff are continuing with assessments of public toilets buildings and Rural Fire Stations.

Maintenance Works for December 2000 & January 2001

The BCM department received 222 maintenance requests for December 2000. Graffiti removal accounted for 43% of these requests. Only 2% of the total maintenance requests were outstanding as of 31st December 2000.

The BCM department received 269 maintenance requests for January 2001. Graffiti removal accounted for 53% of these requests. Only 3% of the total maintenance requests were outstanding as of 31st January 2001.

Safety, Emergency & Waste Services Department

Community Safety

Cottage Street, Werrington - Community Safety Audit

This audit has now been completed with a number of representatives attending. The information is currently being collated prior to a meeting of participants to determine strategies to address issues identified in the audit process.

St Marys Central Business District (CBD) - Community Safety Audits

A wide range of community groups, traders, service providers and government authorities have been invited to attend the first meeting to discuss the audit process planned for the St Marys CBD. This is a major project with the audit area divided into five manageable sections for audit. It is anticipated that the audit process will take twelve months to complete.

The celebrations to mark the completion of the Queen Street upgrading will be held just prior to the first audit meeting (21 February 2001 at 7 pm at the St Marys Band Club) and the series of audits will be presented in a spirit of continuing the beautification of St Marys.

Graffiti Removal Information Package

The development of this package has been a partnership project including Council Officers from Safety, Emergency & Waste Services and Building Construction & Maintenance.

The package will be available to the community on request and will be displayed at both Penrith & St Marys Council Offices. There are also plans to include the information of Council's Web page. The package contains information promoting Penrith as a "Graffiti Free Zone" and offering tips for easy graffiti removal.

Syringe Collection & Disposal Training for Penrith Sporting Groups

This training will be presented prior to the commencement of the winter sporting season, during March & April. Provision of this training has been facilitated by a group of Council Officers across Council and will be presented by Andy Hart from the Wentworth Area Health Service.

The training will be a requirement for sporting groups and will be included in the "Conditions of Hire" of Penrith sporting fields. Once the training has been completed, appropriate equipment will be distributed to groups for the safe collection and disposal of discarded needles and syringes.

Further development of the "Penrith Valley Community Safety Partnership"

A working group including Councillors and Council staff will be convened shortly to progress the development of the partnership including the consideration of issues such as membership composition, criteria and selection.

Rangers

Animal Services Officers provided increased patrols at Council's Leash Free areas to promote the correct use of these areas.

A Companion Animals information program was commenced through local newspapers to promote the need and advantages of microchipping and registering animals under the Companion Animals Act.

Forty reports of abandoned motor vehicles were investigated in the month of January 2001, and three penalty infringement notices were issued to the owners who did not remove the vehicles.

Penalty infringement notices of \$200 were issued to persons who were responsible for the dumping of rubbish in Llandilo.

Penrith Rural Fire Service

Penrith Rural Fire Service Brigades attended 155 incidents in the month of January. These included 91 bush and grass fires, 35 vehicle fires, 4 serious motor vehicle accidents, 2 structure fires, 19 rubbish and tip fires, and 4 false alarm calls

Erskine Park Brigade visited the Erskine Park Pre-School to teach fire safety.

The Orchard Hills and Regentville Brigades attended the New Years Eve celebrations at Panthers for fire protection and crowd control for the 9.00 pm fire works display and the midnight display.

One tanker and one personnel carrier with fourteen fire fighters assisted with a large fire burning in the Cobar Region. The tanker was part of a task force to the region and the changeover crews were flown into the area the following day. The fire was contained due to the rapid response of troops to the area, and milder weather conditions.

Information meetings are progressing with the proposed changeover of fire control staff to State Government. An information night was held at Panthers. Commissioner Phil Koperberg and Assistant Commissioner Mark Crossweller addressed this meeting. Council was

represented by SEWS Manager, Fire Control Staff and Volunteers. Additional meetings are being arranged through the Rural Fire Service.

On Saturday, 20 January 2001, The Bush Rangers Band donated their time to raise money for the Rural Fire Service. Approximately 100 people attended the Harold Corr Hall to enjoy the Celebration of Centenary with almost \$700.00 being raised from the evening.

Penrith SES

During the reporting period a number of storm events have occurred.

Out of Area Responses

There was a storm at Dubbo on 6 January 2001. Assistance was provided in the co-ordination and dispatch of a container with equipment consisting of tarpaulins and ropes for use at Dubbo.

On 16 January an out of area response was requested by Mt Druitt SES. On this occasion six members assisted in removing a fallen tree from a motor vehicle and sundry other fallen trees.

Local Storm Events

A major wind storm on 15 January required the response of 20 members. This event included dangerous situations such as the removal of tree branches entangled in live power lines. Removal of fallen branches on parked cars at St Marys RSL Club required careful attention to prevent further damage to other cars. A loose roof at Colyton Ambulance Station required securing. Quick action prevented further damage and allowed the station to remain operational.

Heavy rain on 27 January gave rise to 13 jobs and one road closure. During this storm 12 members provided support. Temporary access to the Nepean Rowing Club was provided across playing fields while SES pumps were used to remove large quantities of back up waters under the railway bridge in Bruce Neale Drive.

An education program has been recommended to gain the support of drivers with four wheel drive vehicles who often insist in attempting to ford deep water. Their action can result in further damage due to bow waves and also endanger SES personnel in having to free stalled vehicles where drivers have ignored advice from SES personnel.

Heavy rain on 30 January caused overflowing gutters to many residential properties. Flooding damage occurred to a two storey dwelling and SES members cleaned drains to prevent further damage. Major damage to another dwelling was caused when the lounge room ceiling collapsed following water penetration through a damaged roof tile.

A future education program has been planned for raising community awareness of the need to maintain gutters and drains on a regular basis.

On 31 January heavy rains resulted in Penrith SES responding to approximately 80 jobs. A major response to Melbourne & Hobart Streets, St Marys was required due to flooding from Ropes Creek. This response required the use of two boats. A recent decision to have a permanent 3m punt on a 4WD response unit has proved advantageous in these situations. A total of 11 people were evacuated from 3 houses. A motor vehicle was submerged to windowsill height. Ambulance assistance was given in the transportation of a person. Rural Fire assisted in three water pump outs of domestic premises. SES Headquarters team provided valuable assistance in communications, welfare and feeding during these events.

Waste Management

- The program to replace all pebblecrete street litter bins with new bins to match Australian Street Furniture has commenced and should be completed by the end of February.
- Work to construct security fencing and an automatic sliding gate to the Effluent Disposal Depot (near Council's Plant Nursery) has been programmed to commence on 22 February 2001 and should be completed by early March.
- Investigations on the introduction of smaller garbage bins for the domestic waste services has been completed and the matter reported to the Policy & Review Meeting of 12 February 2001.
- Investigations on providing an alternative method of collecting domestic waste from multi unit housing has been completed and the matter reported to the Policy & Review Meeting of 12 February 2001.
- Investigations on establishing an "On Call Garden Organics" waste collection service has been completed and will be reported to Council in the near future.
- Domestic garbage and recycling customer service requests and performance details for the December 2000 Quarter are as follows:

	Rethmann		Cleanaway	
	Current Qtr	Previous Qtr	Current Qtr	Previous Qtr
New Services	296	(327)	315	(325)
Replacement Bins	620	(430)	139	(156)
Bin Repairs	246	(229)	60	(44)
Missed Services	149	(92)	58	(66)
Complaints	38	(23)	3	(7)
Tonnages	14,988	(12,045)	3,557	(3,027)
Clean Ups Provided	4,134	(3,756)		

The missed services by Rethmann and Cleanaway equate to 1 in 5,100 collections and 1 in 6,200 collections respectively.

Western Sydney Waste Board

- Four of the Western Sydney Councils have appointed (Board funded) waste officers to administer the Waste Not DCP. Penrith has completed interviews and it is anticipated that an officer will be appointed in the near future.
- A Statute Law Amendment to the Waste Minimisation and Management Act has been passed by the State Government to give Boards the powers to let contracts.
- Tenders for the Pre-Treatment Facility to be constructed at the South Windsor Landfill Depot have closed and the Board is currently evaluating six tenders.
- Council officers recently met with officers of the Board regarding an agreement to send approximately 17,000 tonnes of domestic waste per annum to the proposed pre-treatment facility. A draft agreement is currently being examined by Council officers.

Waste Education and Promotion

Promote Clean Environments in Local Communities

- Clean Up Australia Day – Sunday, 4 March 2001 – 11 sites registered to date. NRMA \$2000 grant awarded to Council (see below).
- Action Stations pilot program work proceeding with Keep Australia Beautiful, Mission Australia, Kingswood Traders, Kingswood Lions Club, Werrington Project and volunteers at Kingswood and Werrington Stations.

Education and Promotion

- Cleanaway Education Officer promoting program to schools.
- Diverting food scraps from Civic Centre through composting and worm farming is being investigated.
- Christmas cards recycled through Planet Ark/Video Ezy campaign.
- Tried use of recycling bins at State Cricket event at Howell Oval.
- Attended Wollongong City Council's launch of its Solid Waste Energy Recycling Facility (SWERF) operation.
- Talks given: Air FM and Nepean Rotary Club.
- Talks booked: Tuesday Club (20 February); Civic Centre visit (27 February); St Marys View Club (28 March); Werrington County CCC (9 April); Blue Emu CCC (17 May & 25 July).

Home Composting and Worm Farms

- Earthworks course being investigated for St Clair.
- Community gardens being investigated for establishment in Glenmore Park and in Cranebrook with the WSWB, Department of Housing and Glenmore Park developers.
- Compost bins and worm farms sales = 30.

Encourage Household Waste Reduction

- Prepared project bids on producing a video and cd rom promotional kits, signage and award system to encourage waste reduction.

NRMA Local Government Grant

- Applied for \$2000 grant for Penrith Council to provide funds for promotional material for site supervisors and for clean up at Spence Road site.
- Submission was successful for the total amount and presentation of the cheque will be made by NRMA to Council in the next week.
- Co-ordination of clean up at Spence Road is being undertaken with site supervisors and the Aboriginal Land Council.
- Promotional material is being produced for distribution to site supervisors.

Property Development Department

St Marys Residential Precinct Area – (East of Collins Street)

The sale of the property to Landcom was completed on 23rd January, 2001.

No. 54 King Street, St Marys

The sale of the property is scheduled for the end of February.

St Marys Residential Precinct – (Great Western Highway)

The St Marys Residential Precinct Committee at its last meeting agreed to sell the remaining three (3) blocks of land on the Great Western Highway, east of Collins Street.

A report will soon be presented to Council recommending the listed sale price and the appropriate Real Estate Agent in St Marys to market the land on Council's behalf.

225-227 Queen Street, St Marys

Negotiations have been underway for some time with the Property Section of the NSW Police Service and the St Marys Commander relating to the accommodation requirements of a new St Marys Police Station on this site.

The Service is yet to inform Council as to their needs.

Great Western Highway, Kingswood

A meeting was held last month with the applicant whom Council has agreed to sell the property to. He is keen to resolve the issues conveyed to him following the meeting with the residents late last year.

It was explained that some of the issues can be dealt with by conditions whilst others will necessitate an amended plan. Access to the Great Western Highway by splitting the development and re-arranging of visitor parking is being investigated with the RTA. Garbage facilities in order to satisfy current requirements are being addressed.

Woodriff Street, Penrith

Negotiations are continuing with Community Aid concerning the relocation of the Before and After Child Care Centre. Approaches have recently been made with the Principal of Kingswood Park Primary School for accommodation.

A meeting has been organised with the Community Aid Committee and the Principal to advance the relocation issue.

Former Council Chambers Site

The 2000/01 Management Plan includes the task to "*Finalise a development strategy for the former Council Chambers site*". There is a need to review the earlier work completed by Hassell which offered site development options and an indicative timeframe.

The boundary adjustment on the amalgamation subdivision plan over Council's land and Penrith TAFE have been forwarded to the Land Titles Office for registration. The TAFE has been required to send their Title documents to the Land Titles Office.

Mulgoa Road & High Street – (Carpenter Site)

Following the presentation by Consultants DEM – Planning and Design, Council at its meeting of the Policy Review Committee on Monday, 27th November, 2000 resolved to

consider the options and determine those to be further developed, but excluding development on the eastern side of the site.

The RTA plays an important part in the Study of the site and further action on the site development options are being discussed with the RTA.

Mulgoa & Regentville Roads, South Penrith

Investigations on the land for the Surveyors Creek drainage area that affects Council's Industrial land have now been completed. It requires an additional area of 1,956m² to be incorporated into the drainage system to improve the flow of water from Glenmore Park.

Road construction in Regentville Road is 75% complete, together with the relocation of a watermain and completing the remainder of the cul-de-sac relating to road seal and kerb and guttering.

Kiosk Tench Reserve

Investigations are continuing concerning the feasibility of the proposal as well as examining alternatives for a Mobile Van that can be moved on a daily basis.

Old Post Office, Emu Plains

A Draft Conservation Management Plan Brief has been compiled and is being examined prior to the Heritage Architectural Consultants being contacted to undertake the Management Plan.

Acquisitions

- Negotiations continuing with a property owner in High Street.

Property Management

- All rental reviews on Council property for the month of December have been completed.

Penrith Valley Cemeteries

Operational

In the six month period to 31 December 2000, 89 burials occurred in the operating cemeteries. 42 burials occurred at Penrith, 38 at St Marys and 9 at Emu Plains. 78 monumental sites were purchased pre-need (reserved) - mainly in the Greek Orthodox and Coptic Orthodox Sections at St Marys. This was above expectations, due in part to purchases of the few remaining sites at St Marys.

Columbarium placements and reservations were well below expectations, and these services will need to be marketed more strongly.

Services continue irrespective of the prevailing weather conditions. The wet weather particularly has highlighted certain service deficiencies, including overland water flows, vehicle management at times of services. Both the extremely hot January period and the recent wet period highlighted the need to provide portable shelter for mourners.

Improvement Program

The Development Application for the perimeter fence at Penrith General Cemetery is expected to be lodged by the end of February, pending conclusion of pre-lodgement discussions with Council Planning Officers. The Project schedule should still see construction in May and June 2001.

A drainage design has been completed for the north eastern portion of St Marys General Cemetery. The preferred solution includes an easement over the adjoining property.

The Greek Orthodox Section at Penrith is available for sale and marketing.

KMA Kevin Mills and Associates have completed the Flora and Fauna Study at the Castlereagh site (Portion 245). The Study identifies a number of threatened species on the site. Close examination will be made of the Study and opportunities for development of the site fully canvassed.

A Monumental Mason has commenced work to straighten headstones or move pieces of 28 monuments at St Stephens Cemetery. Primarily this work will make safe leaning headstones and clear walkways of monument pieces.

Management and administration

A local graphic designer has been engaged to prepare a brand mark/log and a tag line for *Penrith Valley Cemeteries*. The logo and tag line will be incorporated in all signage and documentation.

Work continues in entering records into *Final Filer*, with work concentrating on Penrith. On-site verification of St Marys records did not occur in December as planned, and will be undertaken as capacity allows.

Practices and procedures are under continual review. A Council representative now attends all burial services. Capital and Service Enhancement works have been identified and included in the 2001/2002 Project Evaluation process. A *service quality* survey is being designed.

Halls & Centres Operations

The larger venues of St Marys Memorial Hall, St Marys Community Centre and Harold Corr Community Hall continue to enjoy bookings on most Saturdays for weddings, parties and community social functions. The usage of facilities during January is seasonally low, particularly by permanent hirers.

Data is being collected for inclusion in documents as part of the *Public Facilities Marketing Project*. \$9,000 is available to compile various information brochures as well as to provide basic internet links. This Project will include all Council facilities suitable for functions.

Hall Usage for December

	Regular Users		Casual Users		Total	
	Times Used	Hours Used	Times Used	Hours Used	Times Used	Hours Used
Arthur Neave Memorial Hall (Small Hall)	0	0	4	56	4	56
Arthur Neave Memorial Hall (Large Hall)	0	0	0	0	0	0
Berkshire Park Hall	0	0	1	16	1	16
Harold Corr Community Hall (Small Hall)	6	7	0	0	6	7
Harold Corr Community Hall (Large Hall)	17	46	3	20	20	66
Melrose Hall (Main Hall)	24	70	3	42	27	112
North St Marys Hall	8	17	2	32	10	49
Ridge Park Hall	8	38.5	4	64	12	102.5
St Marys Community Centre	39	125	2	16	41	141
St Marys Memorial Hall	9	41.5	3	28	12	69.5
Surveyors Creek Community Centre	6	16	1	16	7	32
TOTAL	117	361	23	290	140	651

RECOMMENDATION

That the City Operations Directorate Report to mid February, 2001 be received.



The City Supported by Infrastructure

12 Proposed Changes to Westbus Bus Routes in the Penrith LGA (9001/8 Pt 12)

Compiled by: Charles Wiafe, Transportation Planner
Authorised by: Craig Ross, Technical Services Manager

Management Plan 4 Year Outcome (Page 94): *Accessible bus, train and taxi services improved (including between Penrith and St Marys).*
00/01 Critical Action: *Lobby to enhance journey-to-work bus and rail services across the City.*

Purpose

The purpose of this report is to inform Council of changes proposed by Westbus to its bus routes in the Penrith Local Government Area and to seek Council's approval for the use of roads on any new routes.

Background

Westbus provides services to the eastern part of the LGA, east of the Nepean River, under a commercial bus contract signed with the Department of Transport. The contract regulates the minimum service levels and bus service frequencies. Over the last three years, Council has received representations about bus service frequencies and the lack of services to parts of Glenmore Park, in particular the Woodlands Estate. Concerns have also been expressed about the inadequate services to Nepean Hospital, the UWS, and the Vines Estate at Orchard Hills. The proposed changes would address these concerns.

Westbus has advised Council that it is proposing to implement changes to its current bus routes in the LGA from the end of February 2001. The proposed changes are the first of two phases to improve bus services in the LGA during the year. Planning and community consultation for the second phase of changes is scheduled to start in May 2001.

The first phase changes involve introduction of new bus routes to service Glenmore Park and the Vines Estate at Orchard Hills. Changes are also proposed to bus routes and services to Nepean Hospital, the UWS, and Claremont Meadows.

Westbus has applied to the Local Traffic Committee and Council for these changes to be approved. The Local Traffic Committee considered the application at its meeting on 5 February 2001 and its recommendations are reported in the LTC minutes.

The changes would result in the use of a number of local streets that were previously not bus routes. These include:

- *Kingswood:* Joseph Street
- *Kingswood:* Derby Street between Parker Street and Somerset Street;
- *The Vines Estate:* Wentworth Road, Cabernet Circuit, Verdelho Way, Bordeaux Place;
- *Glenmore Park:* Garswood Road, St Andrews Drive, Glenmore Parkway, Shearwater Drive, Woodlands Drive, Davison Avenue.

A copy of the proposed bus routes has been previously distributed to Councillors. A copy will also be available at the Council meeting.

Current Situation

The proposed changes have been assessed by Council staff and the Local Traffic Committee, and the following comments are made.

Glenmore Park

The additional services to Glenmore Park would involve a bus route entering and leaving the Estate from The Northern Road along Garswood Road, St Andrews Drive and a section of the Parkway, through Woodlands Estate to the Town Centre. It is also proposed to extend the existing bus service from Mulgoa Road to service the Town Centre.

The proposed new route would require right turn movements from The Northern Road into Garswood Road (buses only).

It is noted that the proposed bus routes do not service the Blue Hills area. Westbus has advised that bus services in the Blue Hills Estate will be looked at during the next phase of the review.

Kingswood/Hospital Precinct

It was also suggested that Westbus be requested to consider provision of a service at stage 2 bus route planning through Nepean Hospital grounds from Derby Street to Somerset Street, in both directions. Westbus representative, Ron Watson, advised that a bus service through the hospital may be possible subject to further investigation whether the internal roads within the hospital site are capable of accommodating a large bus (ie, low floor buses).

The changes also address concerns raised by residents of the aged housing development in Floribunda Avenue.

Community Consultation

The Department of Transport requires Westbus to consult Council and the local community prior to making any major changes to their bus routes and timetable. To fulfill this requirement, Council has requested Westbus to consult all key stakeholders (ie, Lensworth and the Glenmore Park Community Development Project). A meeting of the Glenmore Park Residents' Association was held on Monday, 15 January 2001 and Westbus representatives attended the meeting. Westbus has now advised that residents are satisfied that the proposed bus routes would provide a reasonable bus service to the area.

The proposed bus routes were discussed at a special meeting of the Public Transport Forum held on 25 January 2001, attended by 25 participants. The meeting provided an opportunity for participants to discuss the proposed changes with Westbus representatives. General concerns related to additional services to north St Marys, north Cranebrook, the UWS, and Glenmore Park, improved bus service frequencies, and the need for adequate community consultation. Westbus has indicated that these requests will be considered in the next phase of the review.

Suitability of the Proposed Bus Routes

Council's Senior Maintenance Supervisor has advised that the proposed new routes have adequate pavement width and strength to be used as bus routes and there are no objections to approving the proposed routes.

There are two speed humps and a dish crossing in the link between Cabernet Circuit and Bordeaux Place in Orchard Hills, and instructions have been issued for re-linemarking to better delineate the speed humps.

LTC Comments

The LTC considered the proposed bus routes and associated bus stops at its meeting on 5 February 2001, and recommended that:

1. *“the Committee endorse the changes;*
2. *the Committee endorse the right turn movements from The Northern Road to Garswood Road for buses only.”*

Adequacy of Proposed Bus Routes

The first phase of the proposed changes does not improve services to north Cranebrook, Werrington and Kingswood, or the UWS (particularly from the nearby suburbs), and neither does it provide appropriate services between Werrington, Kingswood, and St Marys. Starting and finishing times for a number of suburbs are also a concern to some residents. These issues have been raised with Westbus and they have been requested to consider improved services as part of the second phase of the review.

Accessible Bus Services

For the last three years, Council has been lobbying for accessible (low floor) buses to be introduced in the Penrith LGA. The lobbying has included representations to local bus companies (Westbus and Pearce), Local Members, and the Minister for Transport.

Following these representations, Westbus launched 25 new low floor buses in December 2000 to service the Penrith LGA.

While there were initial concerns about the suitability of the local road network to accommodate these buses, particularly with regards to traffic calming devices, following field trials Council has made appropriate modifications such that all approved bus routes can accommodate the new low floor buses.

Bus Service Frequency

Westbus has advised that out of the ten bus timetables for the area, only five of them are being amended as part of the phase 1 changes to be implemented from the end of February. This would not include accessible buses and routes.

The remaining five timetables will be changed as part of phase 2 and will highlight the low floor accessible bus routes and timetables. This will improve bus services in the local area for people with mobility impairment as well as the aged and parents with prams.

The additional service to Glenmore Park will result in ½ hour services from The Northern Road and Mulgoa Road and approximately 15 minute services from the Glenmore Park Town Centre.

RECOMMENDATION

That Council approve the proposed changes to Westbus bus routes and the introduction of accessible buses in the LGA.



ORDINARY MEETING

19 FEBRUARY 2001

MASTER PROGRAM REPORTS

COUNCIL'S OPERATING ENVIRONMENT

13	2000/2001 Management Plan - December Quarter Review 36/28	79
14	Information On Civic Receptions 10/5 Part 11	84
15	Insurance Ombudsman	86
16	Review Of Delegations 923/30 Pt 9	88
17	Council Property - Easement To Drain Water Over Lots 454 To 458, D.P. 14333, Jamison Road And Lot 1, D.P. 50899, Stafford Street, Kingswood 539652	90
18	Additions And Amendments To 2000/2001 Council Fees And Charges 6007/29	93
19	Summary Of Investments & Banking January 2001 6021/4	95

Council's Operating Environment

13 2000/2001 Management Plan - December Quarter Review

36/28

Compiled by: Helen Lowndes, Corporate Development Manager and Brian Jenkins, Chief Financial Officer

Authorised by: Alan Travers, General Manager

Management Plan 4 Year Outcome (Page 108): *Effective corporate governance has been maintained.*

00/01 Critical Action: *Prepare, implement and review strategic and management plans and processes.*

Background

In accordance with the Local Government Act, 1993, Council's 2000/2001 Management Plan Progress Report for the period ending 31 December 2000 is presented tonight for Council's consideration.

Format of Review

The Review is presented in a similar format to the September Quarter Review considered by Council on 20 November 2000. The review includes progress reported by managers for each two year task and against key performance indicators for each service. Some further refinement of performance indicators and annual targets for services has been implemented in the current review. This is an ongoing process which will be substantially progressed through the development of specifications for Council's services, and through the formulation of the 2001/2002 Management Plan.

It should be noted that task responsibilities for this review are as at 31 December 2000 and do not yet reflect the organisational restructure. It is intended that the confirmed Director accountabilities and Manager responsibilities arising from the restructure will be brought into the Management Plan through the March Quarter review and the 2001/2002 Management Plan.

A copy of the progress review document is provided under separate cover.

The General Manager's report comments on key achievements and issues over the quarter, as well as indicating the focus of organisational efforts for the remainder of 2000/2001.

The Chief Financial Officer's report is also contained within the review document and includes information on budget progress and recommended variances.

An overview of the progress of Four Year Outcomes, as well more detailed commentary on emerging issues that have impacted on the delivery of the annual program, will be provided through the report of each Director to the Policy Review Committee meeting on 12 March.

Council has adopted the practice that substantial savings made within the annual budget will be considered against projects from the current High Priority Unfunded Projects list. As the Chief Financial Officer has reported that the annual budget is essentially balanced at the half year point, it is recommended that no application of available funds be made to unfunded projects at this time.

Projects proposed to be deferred or carried over to 2001/2002

The mid-year review of the Management Plan also provided an opportunity for managers to undertake a detailed review of the status of projects as at 31 December 2000. This identified a number of projects that are unlikely for various reasons to be completed or commenced this year. Details of these projects are provided in the Capital and Operating Budget Projects Lists in the December Quarter Review document. Commentary on significant projects is provided below.

It is proposed that either a full or part revote of the project budgets be transferred to a revote reserve until the end of this year. Some of these projects will need to be reconsidered to ensure that they can be delivered in the next financial year.

- **Northern Road Widening, Glenmore Park (WCMM)**

This project requires from the RTA a commitment for the balance of funding and to project manage the work on behalf of Council. Funding was not included in the RTA 2000/2001 budget. However recent contact from the RTA would indicate that it is attempting to expedite this project which may enable work to commence this financial year. This project, as a result of this advice, will be reassessed in the March Quarterly Review.

- **Drainage ~ Lambridge Industrial Estate, Lugard Street, North Penrith (DM)**

The development application for this work has been delayed pending negotiations with DUAP regarding downstream drainage. It is proposed to include the balance of the project in the 2001/2002 budget.

- **Caddens Release Area (EPM)**

Discussions have only recently commenced with the proponents regarding planning studies required for the area. The project will extend into 2001/2002.

- **Glenmore Park Expansion Area (EPM)**

Similar to the Caddens project discussions have only recently commenced with the proponents regarding planning studies required for the area. This project will extend into 2001/2002.

- **Penrith Lakes (EPM)**

While this project has commenced Council is awaiting a funding contribution from the proponent towards additional planning resources required.

- **Werrington Signals Release Area (EPM)**

A draft LEP is being advanced for the area. Ongoing discussions are taking place with DUAP and other key government agencies in terms of the final land use arrangements for the area as well as the design and programming of the proposed University Railway Station.

- **Casuarina Stand (Bio Park) Surveyors Creek (PCMM)**

Additional environmental investigations were required to be completed for submission with the development application for the project. It is anticipated that the development application will be submitted to Council by the end of February. The project works are proposed to be put out to tender and it is expected that the project will commence this year.

- **Kingswood Neighbourhood Centre (CDM)**

This project was reported to Council's Meeting of 5th February. A further report on the project was requested by Council addressing a number of issues including siting, design, and funding for the project with the view to construction commencing in the next financial year.

- **Greening the City ~ High / Henry Streets (Western End) (DM)**

Design and initial costings for the project are complete. Funds are insufficient to complete works proposed in the design endorsed by the Penrith City Centre Association as the next City Centre enhancement priority. Further funding for this project will be submitted for consideration in conjunction with the preparation of the 2001/2002 budget.

- **Hydrotherapy Treatment Centre (RCSM)**

Commencement of this project was delayed due to the finalisation of the Project Management Special Relationships Agreement with the Department of Public Works and Services. Construction commenced in January 2001 and is estimated to be completed before the end of the calendar year.

- **Penrith Regional Gallery (RCSM)**

A development application was required to be prepared and submitted for approval for this project. The application is currently being assessed by Council officers. It is anticipated that the project will commence this financial year following the tender process and will be completed in the first half of 2001/2002.

- **Companion Animal Act Compliance Program (SEWM)**

Commencement of this project was delayed due to staff resource constraints in the first half of the year. While this project is estimated to be 50% completed by the end of 2000/2001, a number of actions will carry over to 2001/2002.

Proposed Amendments to Tasks

A number of amendments to Tasks in the adopted Management Plan were made by Council through the September Review. The current review has identified a need for some further refinements, which involve amended wording and/or reassignment of responsibility for certain Tasks. These are detailed in Table 1 following. The reassignment of Manager responsibilities have been approved by the General Manager and incorporated within the December Quarter Progress Report. Proposed minor wording amendments, which are clarifications to better describe Council's intention in the relevant programs, have also been incorporated, subject to endorsement by Council.

TABLE 1: Amendments to Task Responsibilities and Wording

Issue	Task	Reference and Wording	Mgr	Proposed Amendment
<i>The City in its Region</i>				
2. Penrith Lakes	2.6	Advocate through or participate in the planning process for the provision of recreation facilities at Penrith Lakes.	EPM	Amend Task wording to: "Advocate through and participate in the planning process for the provision of recreation facilities at Penrith Lakes."
<i>The City in its Environment</i>				
5. Urban Environment	5.22	Develop guidelines and DCPs to achieve quality outcomes.	BAEPM	Amend Task wording to: "Develop guidelines, LEPs and DCPs to achieve quality outcomes." Transfer responsibility to Team led by EPM
11. Heritage	11.5	Evaluate and report on management of historic cemetery sites	EPM	Transfer responsibility to WCMM
<i>The City Supported by Infrastructure</i>				
25. New Infrastructure	25.2	Implement the acquisition of property when required.	CDM	Transfer responsibility to PDM
28. Floodplain Management	28.2	Participate in Hawkesbury/Nepean Floodplain Steering Committee and technical groups.	SEWM	Transfer responsibility to TSM
<i>Council's Operating Environment</i>				
29. Service Selection and Delivery	29.2	Implement outcomes of Project Evaluation Working Party	tbd	Assign responsibility to CM
30. Management of the Organisation	30.9	Establish job descriptions and salary systems	WDM	Amend Task wording to: "Provide staff with appropriate training and authority."
33. Procedures and Systems	33.7	Maintain Council's property and GIS data and inquiry systems.	TSM	Amend Task wording to: "Maintain GIS property data and related enquiry system."

In addition, in a small number of cases, the need exists to add additional Tasks to the Management Plan or to transfer existing Tasks to different programs. These recommended amendments are detailed in Table 2. These changes, if endorsed by Council, will be implemented in the March Quarter review, with suitable Task renumbering. Where appropriate, progress comments on these matters have been included in the present review within the existing Task structure.

TABLE 2: Proposed New Tasks and Task transfers between Master Programs/Issues

Issue	Task	Reference and Wording	Mgr	Amendment
<i>The City in its Environment</i>				
8. The Look of the City	8.7	Prepare plans for neighbourhood commercial area improvements.	CMO	Transfer Task to The City as a Social Place Master Program, Issue 15. Older Established Areas Facilities and Services and amalgamate with Task 18.12, using wording of Task 18.12.
<i>The City as an Economy</i>				
18. Business Development	18.12	Continue to work in partnership with all local shopping centres to improve the amenity and convenience of the centres and develop a program of priorities for the physical enhancement of those centres	CMO	Transfer Task to The City as a Social Place Master Program, Issue 15. Older Established Areas Facilities and Services, and amalgamate with Task 8.7 [see above]. Retain wording of Task 18.12.
<i>Council's Operating Environment</i>				
33. Procedures and Systems	before 33.4	NEW TASK: "Conduct IT Audit."	DS	New Task to precede Task 33.4 "Consider findings of IT Audit and implement agreed enhancements." (ITM)

As Council has earlier agreed to receive a formal presentation at the mid-year and end of year reviews, the General Manager will make a presentation at this time.

The opportunity is available for Council tonight to seek clarification or elaboration on particular matters in the Quarterly Review.

RECOMMENDATION

1. The 2000/2001 Management Plan Review as at 31 December 2000, including the revised estimates identified in the recommended budget, be adopted;
2. The recommended amendments to Tasks in the 2000/2001 Management Plan as reported in Tables 1 and 2 be adopted.



Council's Operating Environment

14 Information on Civic Receptions

10/5 Part 11

Compiled by: Colin Dickson, Corporate Marketing Supervisor

Authorised by: Peter Huxley, Executive Officer

<p>Management Plan 4 Year Outcome (Page 111): <i>Effective communication occurs throughout the organisation, with the community, and among major city organisations.</i> 00/01 Critical Action: <i>Coordinate and support civic events and functions.</i></p>

Requested by Cr Aitken

Background

Councillor Aitken requested information on Council's policy for the holding of Civic Receptions and details of the costings and attendance of the last six receptions.

Current Situation

There is no official policy for the holding of Civic Receptions. However it is normal practice for receptions to be held to recognise -

distinguished guests visiting the City;
outstanding achievement by local individuals or groups;
sporting achievements (normally state level champions or higher) of individuals and teams

In coordinating receptions special consideration is made to ensure the function will be an enjoyable and memorable occasion for the person or group being recognised. As such there are different requirements for each reception including the menu and beverages served, the hire of equipment or a venue, entertainment, alcohol, gifts, decorations and staff overtime which result in variances in the per head cost of each individual function.

The last six Civic Receptions held were –

Tuesday 19th December – Civic Reception in recognition of the St Marys Spring Festival & Penrith Valley Festival Organising Committees

A total of 55 people indicated they were attending this function.
Cost of function – \$648.62

- **Thursday 14th December – Civic Reception for the St Paul's Cadet Rural Fire Brigade**

A total of 82 people indicated they were attending this function.
Cost of function – \$486

- **Friday 24th November – Civic Reception for 2000 Olympians and Paralympians**

A total of 32 indicated they were attending this function
Cost of function – \$552

- **Tuesday 17 October – Thank you reception for Penrith Community Olympic Program Volunteers**

There was no RSVP for this function as nearly 800 invitations were issued and resources were not available to handle the volume of replies. The function arrangements included catering for 500 people. However, probably due to the inclement weather, it is estimated that between 300 and 350 people attended.
Cost of function – \$4776.03

- **Sunday 17 September – Civic Reception in honour of artist Clifford Possum whose distinctive artworks were displayed in the Indigenous Art Exhibition at the Joan Sutherland Performing Arts Centre.**

A total of 36 indicated they were attending (although a number of people who did not indicate they were attending turned up for the function so the attendance was probably around 45 – 50).
Cost of function – \$884.00

- **Friday 8 September – Civic Reception for the presentation of the Australian Sports Medals**

This function was held to present the Australian Sports Medals to the City of Penrith Recipients nominated by Council and the local Federal Member. Due to a number of issues it was not possible to obtain a clear indication of the expected number of people attending the function. These issues included a short lead in time to the function, invitations being issued by two parties, and recipients having the option of bringing along family and friends (as is the case with the Wall of Achievement Presentation Evening.) 200 people were catered for.
Cost of function – \$1275.00

RECOMMENDATION

That the report on Civic Receptions be received.



Council's Operating Environment

15 Insurance Ombudsman

Compiled by: Ken Muir, Risk Management Coordinator

Authorised by: Brian Jenkins, Chief Financial Officer

<p>Management Plan 4 Year Outcome (Page 110): <i>Effective risk management is practiced.</i> 00/01 Critical Action: <i>Incorporate appropriate risk exposure assessment in the organisation's decisions and activities.</i></p>

Purpose

A report was requested by Councillor Bateman to consider a request to lobby the Prime Minister to create an Insurance Ombudsman.

Background

In October 2000 the General Manager of Bourke Shire Council appealed to members of the LGA to write to local Federal members and the Prime Minister requesting the creation of an Ombudsman to resolve insurance disputes.

Insurance Enquiries and Complaints LTD (IEC), General Insurance Claims Review Panel, was contacted in mid October and they have provided a copy of their Terms of Reference, the general insurance code of practice and the 1999 Annual Review. The complaints scheme provides a process to resolve disputes between individuals and insurers. The scheme also provides free advice and information on general insurance. IEC is an industry based self-regulatory body but its existence and its purpose have not been widely publicised.

Details on the background to the proposal were received on 3 November 2000. The basis for the proposal for an Ombudsman is to eliminate disputes that arise from interpretation of contracts of cover. This is in response to the hardship experienced by individuals in the community who have discovered, too late, that their insurance does not cover defined risks. Some of the definitions are to the layperson, extremely difficult to appreciate, for example cover may be for sudden flood but not for inundation that was a build up of natural water overflow. The hardships became a matter of dispute and some insurers, in the interest of client relations, have partially compensated natural disaster victims. The example outlined above has been addressed by IEC and is outlined in their 1999 Annual Review.

The matter of creating an Insurance Ombudsman was raised at the LGSA conference in mid November 2000. Council supported the concept, in principle, as an independent and more accessible mechanism for individuals to resolve disputes.

On 30 November, the Insurance Council of Australia (ICA) provided additional information on the IEC in support of IEC's activities as a tool for self-review and reform. This support is based on the Australian Securities and Investments Commission's approval of the revised Code of Practice and complaints scheme. Improvements in the scheme include more user-friendly policy wordings and promotion to raise consumer awareness of the complaints resolution process.

Summary

An Insurance Ombudsman may be more effective than the existing self-regulatory body, but the creation of an Insurance Ombudsman would be unnecessary if it replicates the IEC. Alternately, Council, through the LGA, should encourage the IEC to promote itself in order to be a more effective mechanism for resolving complaints, improve the general public's understanding on limitations of insurance cover and improve the claims management.

RECOMMENDATION

That Council supports the request to write to local Federal Members and the Prime Minister requesting the creation of an Ombudsman to resolve insurance disputes so long as this replaces the IEC.



Council's Operating Environment

16 Review of Delegations

923/30 Pt 9

Compiled by: Dianne Richards, Administration Officer and David Leavett-Brown,
Public Health Co-ordinator

Authorised by: Peter Huxley, Executive Officer

Management Plan 4-Year Outcome (Page 106): *Effective corporate governance has been maintained.*

00/01 Critical Action: *Ensure statutory obligations are performed and observed.*

Background

Under Section 381 of the Local Government Act 1993, both Council and the General Manager must authorise delegations that are drawn from any legislation apart from the Local Government Act 1993.

Council maintains a Register of Delegations, which is made available for inspection by the public. This occurs through the Public Officer and the Administration Department. The Delegations Register contains officer delegations under the Local Government Act and any other Act Council officers require to undertake their duties.

Current Situation

The purpose of this report is to ensure that Council and RID Squad officers have the appropriate delegations to ensure that they can perform their duties in accordance with relevant legislation. Changes to legislation, additional positions and a review of position requirements have necessitated the need to request changes to delegations. The delegations contained in the attachment to this report have been as a result of a review undertaken by the Manager and Director for the department.

New positions include an Environmental Assessment Officer, Waste Officer and two Senior Investigations Officers for the RID Squad.

It has also become apparent that at present only Council's Building Approvals and Environment Protection Manager is able to commence proceedings in the Local Court for his Department's matters. It is considered necessary to extend this delegation to the BAEP Department's Co-ordinators in an effort to increase flexibility and the ability to action legal matters more efficiently. It is anticipated that further changes will be required with a full review of delegations to staff in the Building Approvals and Environment Protection Department now underway

The attachment lists the particular Acts that delegated authority is required under and the relevant positions affected.

RECOMMENDATION

That:

1. Council authorise the functions and delegations for the positions in accordance with the schedule contained in the attachment to this report.



Council's Operating Environment

17 Council Property - Easement to Drain Water over Lots 454 to 458, D.P. 14333, Jamison Road and Lot 1, D.P. 50899, Stafford Street, Kingswood **539652**

Compiled by: Bob Anderson - Property Officer - Valuation

Authorised by: Brian Griffiths, Property Development Manager

Management Plan 4 Year Outcome (Page 114): *Maintain a sound financial position and liquidity.*
00/01 Critical Action: *Implement a property development strategy to support Council's economic, social and environmental objectives.*

Purpose

The purpose of this report is to obtain Council's approval to the granting of an easement for drainage pipes over its Open Space land in Jamison Road and Stafford Street, Kingswood together with the payment of compensation.

Background

Council is the owner of Lots 454 to 458, D.P. 14333, Jamison Road and Lot 1, D.P. 508999, Stafford Street, Kingswood which is zoned as Open Space and incorporates drainage pipelines and a detention basin. Council's land is shown in dark edging on the annexed plan.

In 1995, Council granted an easement to drain water in favour of the adjoining property at Nos. 37-39 Jamison Road to drain water to Council's drainage system. The easement was created on the land.

The next property at Nos. 41-43 Jamison Road has been approved for development and there is a need to drain water through the existing townhouse development at Nos. 37-39 Jamison Road and then through Council's land in connecting to the existing drainage system. The easements are shown on the annexed plan.

To accommodate the flows, a second pipe is proposed to be laid within the existing 2 metre wide easement through Council's land and the easement modified to benefit Nos. 41-43 Jamison Road.

Bateman Battersby, Solicitors and Attorneys, on behalf of the owner of Nos. 41-43 Jamison Road, Mrs Oxenham, have requested Council's consent to the granting of the easement for the drainage. A small section of easement to drain water is required on Lot 454, D.P. 14333 as well as modifying the existing easement for the benefit of property Nos. 41-43 Jamison Road.

Compensation in the amount of \$2,000 should be paid by the owner to Council in creating the easement, together with all survey, legal and registration costs.

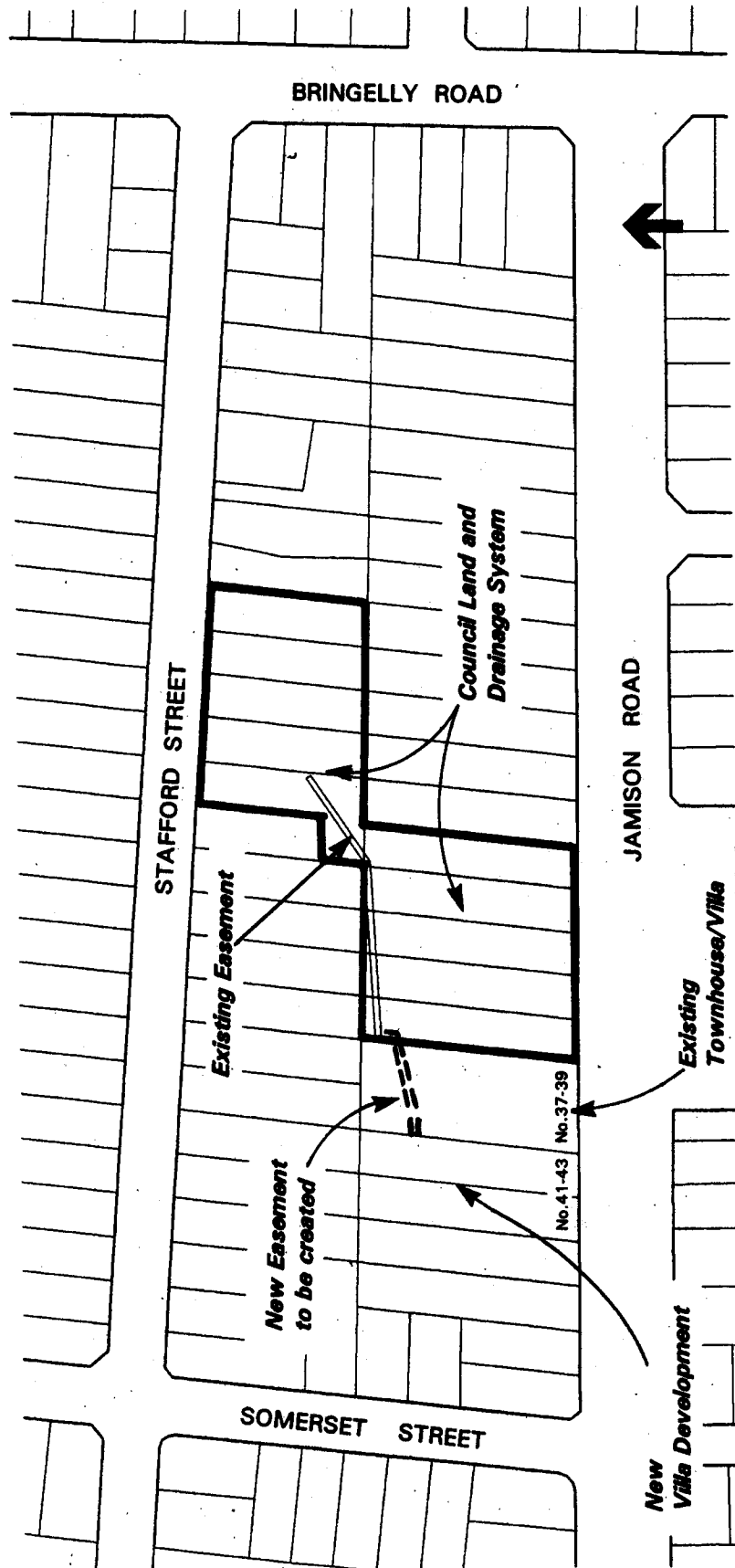
The effect of the drainage easement will not reduce the value of the existing parcels in Council's ownership nor adversely affect the future use of the lands as Open Space.

RECOMMENDATION

That:

1. Bateman Battersby, Solicitors and Attorneys, be advised that the payment of compensation in the amount of \$2,000 is required for the creation of a 2.0 metre wide easement over Lots 454 to 458, D.P. 14333 Jamison Road and Lot 1, D.P. 508999, Stafford Street, Kingswood benefiting Nos. 41-43 Jamison Road.
2. The owner be responsible for all survey, legal and registration costs associated with the creation of the easement.
3. The Common Seal of the City of Penrith be placed on all necessary documentation.





Council's Operating Environment

18 Additions and Amendments to 2000/2001 Council Fees and Charges

6007/29

Compiled by: Mick Fell, Community Programme Co-ordinator

Authorised by: Brian Jenkins, Chief Financial Officer

Management Plan 4 Year Outcome (Page 114): *Maintain a sound financial position and liquidity.*

00/01 Critical Action: *Review opportunities for sustainable and equitable increases to Council's income supported by the community.*

Purpose

The purpose of this report is to recommend to Council that the fees and charges for the use and hire of Autumnleaf Neighbourhood Centre be amended.

Section 612 of the Local Government Act 1993 stipulates that:

"If after the date on which the Management Plan commences a new services is provided, or the nature or extent of an existing service is changed, the Council must give public notice for the new or changed service".

Background

At its meeting of 23rd October, 2000 Council considered a request from the St Clair Community Project Inc. seeking financial assistance with respect to their management of the Autumnleaf Neighbourhood Centre. The St Clair Community Project manages the neighbourhood centre under a licence agreement with Council.

In response to their request, Council donated the sum of \$1,500 to the project and resolved to assist them in the development of new management strategies for the centre.

Report

As previously reported, one of the reasons that the project struck a degree of financial trouble in generating income for the centre was the withdrawal of \$7,000 p.a. when a dance school moved their classes to a larger facility.

Closer investigation showed that the high rate of usage had been compensating for low hourly fees over a substantial period of time.

Bringing the fees more into line with those charged for the use of other Council facilities will substantially improve the income of the centre. Users have been consulted by the committee in the setting of these fees.

The recommended fees and charges amendments to achieve this are set out below:

1999/2000 Fee	Autumnleaf Neighbourhood Centre	GST Yes/No	Price Ex GST	GST	Net Price	2000/2001 Fee
\$165.00	Private Functions (both halls 4.00pm to 1.00am) Friday & Saturday	Yes	\$160.00	\$16.00	\$176.00	\$176.00
\$16.50 ph	Private Functions (Sat until 4.00pm, Sun)	Yes	\$20.00	\$2.00	\$22.00	\$22.00 ph
\$150.00	Bond (including \$20 Key Deposit)	No	\$150.00	-	\$150.00	\$150.00
	<i>Non-Profit Community Groups</i>					
\$5.50 ph	Permanent bookings	Yes	\$7.50	\$0.75	\$8.25	\$8.25 ph
\$7.50 ph	Casual bookings	Yes	\$9.00	\$0.90	\$9.90	\$9.90 ph
\$30.00	Key Deposit/Bond	No	\$30.00	-	\$30.00	\$30.00
	<i>Profit Making Groups</i>					
\$7.70 ph	Permanent bookings	Yes	\$9.00	\$0.90	\$9.90	\$9.90 ph
\$30.00	Key Deposit/Bond	No	\$30.00	-	\$30.00	\$30.00
\$55.00	Cancellation Fee (if cancelled within 14 days of function)	Yes	\$50.00	\$5.00	\$55.00	\$55.00

Conclusion

If Council accepts the recommendation, these changes and additions to the 2000/01 Management Plan will be advertised in accordance with the requirements of the Local Government Act. In the event that there are no objections received to the proposed change in fees during the 28 day consultation period, it is recommended that the fees outlined in this report be made effective. A further report will be submitted to Council if objections are received.

RECOMMENDATION

That:

1. the new and amended fees in this report be approved for public advertisement for a period of not less than twenty-eight (28) days;
2. provided that there are no objections to the proposed amended fees for Autumnleaf Neighbourhood Centre, fees be set in accordance with the schedule contained in the Community Development Manager's Report.



Council's Operating Environment

19 Summary of Investments & Banking January 2001

6021/4

Compiled by: Peter Lennon, Expenditure Accountant

Authorised by: Brian Jenkins, Chief Financial Officer

Management Plan 4 Year Outcome (Page 114): *Maintain a sound financial position and liquidity.*
00/01 Critical Action: *Implement a contemporary debt reduction program.*

This report contains a summary of investments for the period 1 January to 31 January 2001 and the bank reconciliation as at 31 January 2001.

CERTIFICATE OF RESPONSIBLE ACCOUNTING OFFICER

I hereby certify the following:

1. All investments have been made in accordance with Section 625 of the Local Government Act, and the relevant regulations.
2. Council's Cash Book and Bank Statements have been reconciled as at 31 January 2001.

RECOMMENDATION


Brian Jenkins
Responsible Accounting Officer

That:

1. the Certificate of the Responsible Accounting Officer, Statement of General Fund Bank Balances as at 31 January 2001 and the Summary of Investments for the period 1 January 2001 to 31 January 2001 be noted and accepted;
2. the graphical investment analysis as at 31 January 2001 be noted.



Summary of Investments

1 January to 31 January 2001

	Term	Balance as at 31-Dec-00 \$	Investments for this period \$	Withdrawals/ Maturities for period \$	Balance as at 31-Jan-01 \$	
IMB	Call	1,050,000	1,900,000	2,950,000	950,000	2,000,000
LGFS	Call	400,000	600,000	1,000,000	750,000	250,000
St George	Call	0	0	0	0	0
Westpac	Call	0	600,000	600,000	400,000	200,000
CBA	Call	0	0	0	0	0
Suncorp Metway	Call	0	0	0	0	0
Citibank	Call	0	0	0	0	0
Bank West	Fixed	7,600,000	5,800,000	13,400,000	5,800,000	7,600,000
ANZ	Fixed	1,979,520	0	1,979,520	994,865	984,655
CBA	Fixed	7,668,882	0	7,668,882	0	7,668,882
Citibank	Fixed	10,900,000	1,500,000	12,400,000	2,500,000	9,900,000
Colonial State	Fixed	0	0	0	0	0
IMB	Fixed	5,000,000	2,500,000	7,500,000	3,000,000	4,500,000
Greater Bld Society	Fixed	1,000,000	0	1,000,000	0	1,000,000
LGFS	Fixed	12,500,000	1,000,000	13,500,000	2,000,000	11,500,000
NAB	Fixed	1,979,111	993,295	2,972,406	1,979,111	993,295
St George	Fixed	2,500,000	0	2,500,000	0	2,500,000
Suncorp Metway	Fixed	0	0	0	0	0
Westpac	Fixed	1,968,207	990,089	2,958,296	1,968,207	990,089
TOTAL		54,545,720	15,883,384	70,429,104	20,342,183	50,086,921
		\$27,062		Add: General Fund Bank Balance		\$190,590
		54,572,782				50,277,511
Period Ending		Reconciliation of Invested Funds				* Period Ending
31-Dec-00						31-Jan-01
\$54,572,782			Invested Funds Held as at 31 January 2001			\$50,277,511
			Represented by:			
			Externally Restricted Assets			
17,645,993			Section 94 Developer Contributions			18,545,984
1,321,384			Restricted Contributions for Works			1,679,919
1,088,289			Unexpended Grants			1,004,522
20,055,666						21,230,425
			Internally Restricted Assets for funding of operations:			
751,897			Unexpended Loan Funds			751,897
3,705,951			Sinking Funds			3,705,951
15,567,163			Internal Reserves			14,541,708
1,343,035			Security Bonds and Deposits			1,357,075
21,368,046						20,356,631
			Restricted Assets Utilised in Operations			
13,149,070			Unrestricted Invested Funds			8,690,455
54,572,782			Invested Funds held as at 31 January 2001			50,277,511

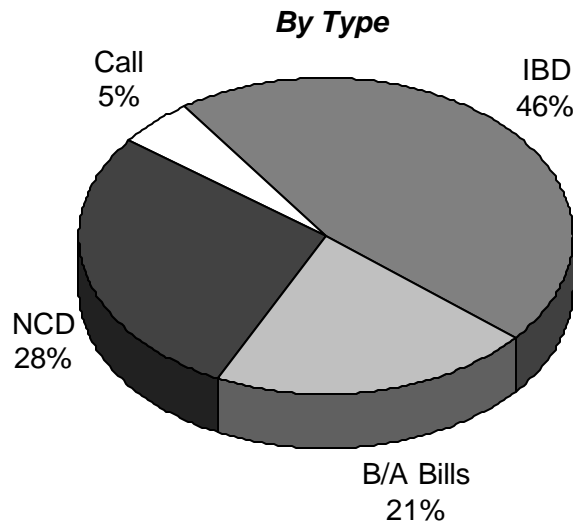
Statement of General Fund Bank Balances as at 31 January 2001

Cash account balances as at 31 December 2000		(\$2,566,476.15)
Receipts for period ended 31 January 2001		<u>\$11,335,982.11</u>
		\$8,769,505.96
Payments for Period Ended 31 January 2001		
Paid since last meeting		(\$9,503,327.02)
Cash account balances as at 31 January 2001		(\$733,821.06)
General Fund Operating Bank Account Balance as at 31 January 2001		\$190,590.86
Limits of overdraft arranged with Bank	\$600,000.00	GENERAL
Limits of overdraft authorised by Auditors Cert. 6/9/99	\$40,249,000.00	GENERAL

INVESTING GUIDELINES (FROM COUNCIL'S INVESTMENT POLICY 26 MAY 1995 as amended 8 May 2000)

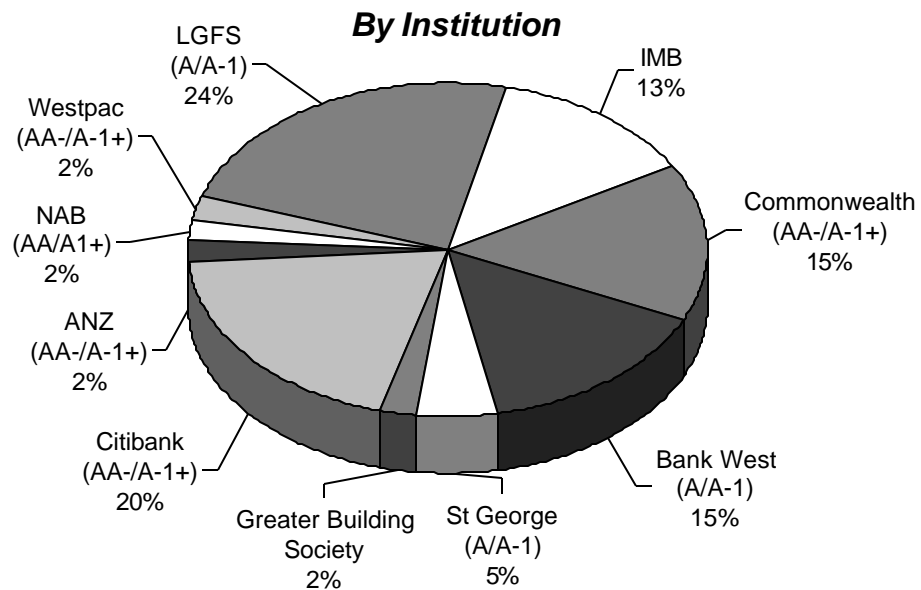
- Minimum acceptable S & P Australian ratings are A (long term) and A-1 (short term) - not more than 20% of Council's portfolio permitted at these ratings. Building Societies are not rated by S & P. Appendix D of Council's Investment Policy specifies conditions to be met. Investments at S&P ratings below this level placed prior to amendments to Council policy of 8 May 2000 will be redeemed at maturity in accordance with Department of Local Government guidelines and Council policy.
- Short term ratings < 1 year. Long term ratings > 1 year.
- Term of investments may not exceed three years.
- Investments exceeding one year's duration must be limited to 20% of the average total portfolio.
- The average weighted days to maturity of Council's investment portfolio **must not exceed 548 days**.
- No institution will hold more than 25% of Council's total investments when the investment was first made.

Investment Portfolio as at 31 January 2001



- NCD Negotiable Certificates of Deposit
- Call Overnight Funds
- B/A Bills Bank Accepted Bills
- IBD Interest Bearing Deposits

Ratings Hierarchy in Descending Order	
<u>Long Term</u>	
AAA	
AA+	
AA	
AA-	
A+	
A	
A-	
<u>Short Term</u>	
A-1+	
A-1	
A-2	



- LGFS Local Government Financial Services
- IMB Illawarra Mutual Building Society

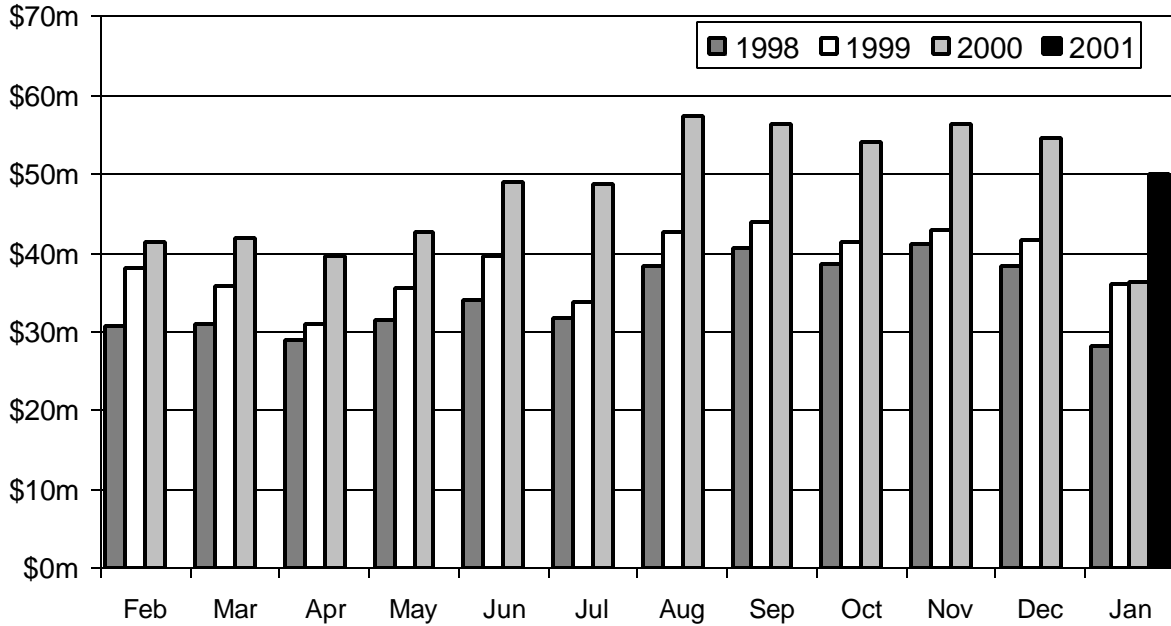
Note:

While technically outside Council's Investment Policy in respect of the Rating A (Long Term) and A-1 (short Term), it has been the practice to treat the LGFS (owned equally by the Local Government Association and the Shire's Association of NSW) outside the rating consideration.

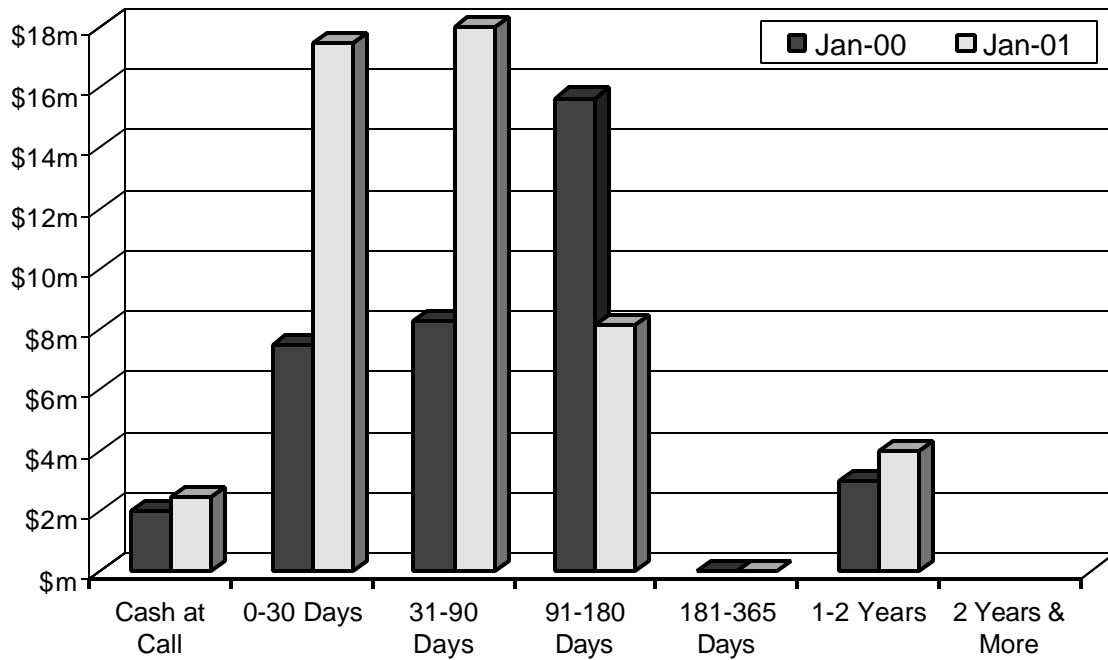
Investments

as at 31 January 2001

Total Investment Portfolio



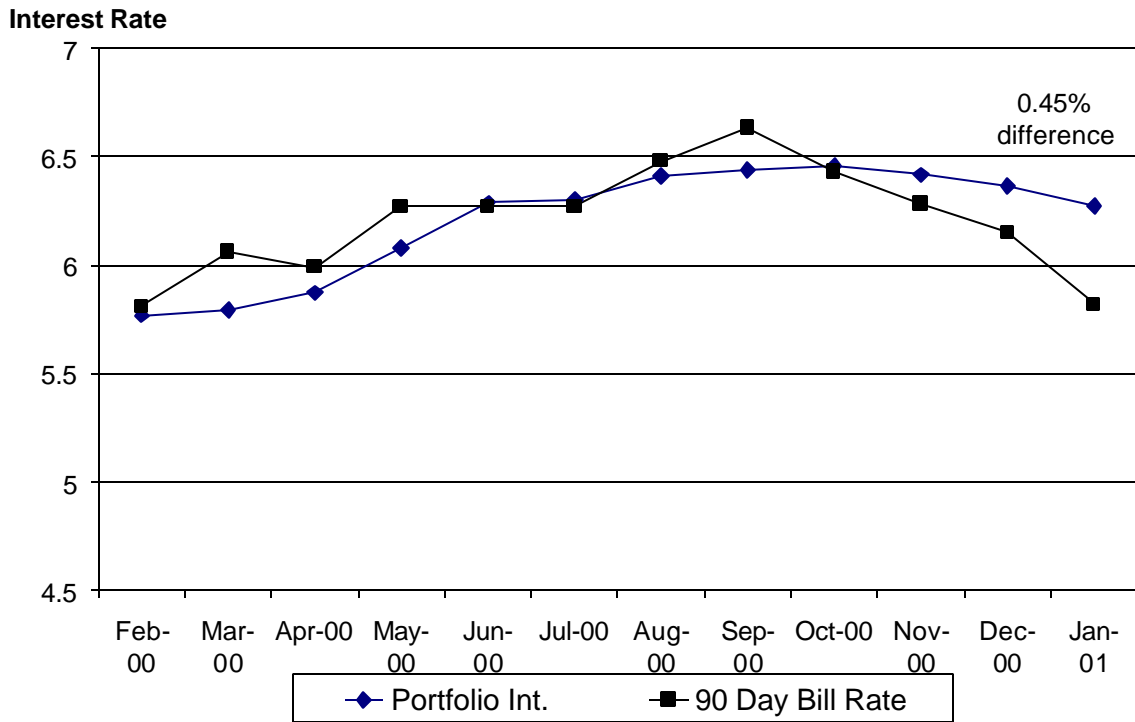
Spread of Investment Maturities



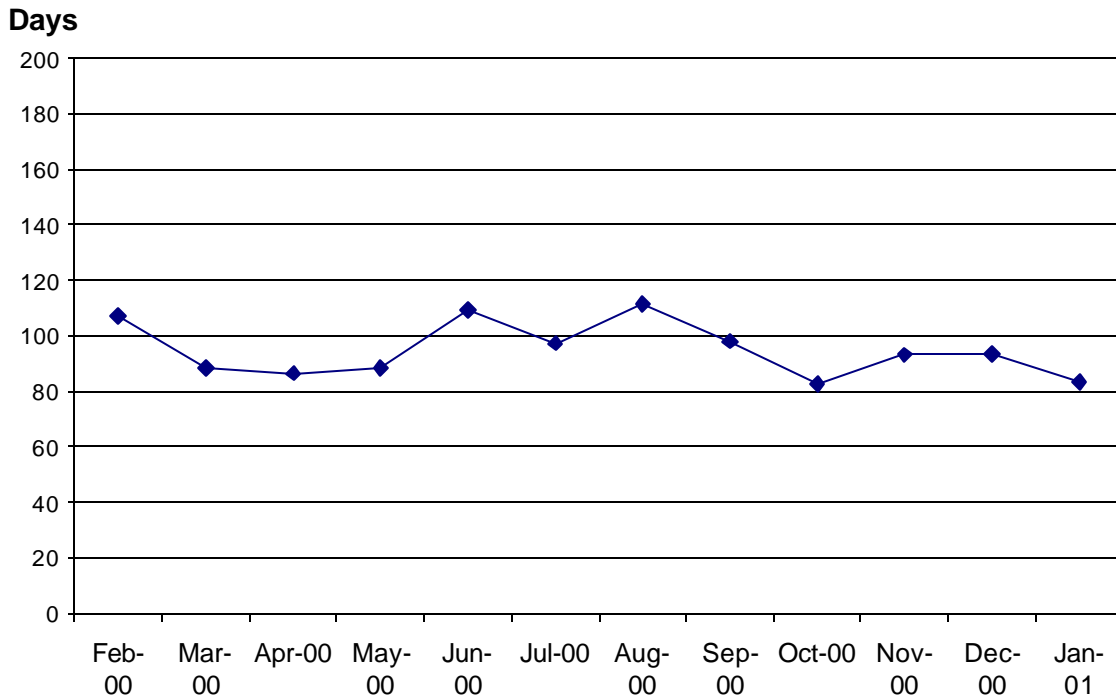
Note: Term investments exceeding one year's duration as a percentage of average portfolio for the preceding twelve months = 8.12%.

Weighted Average Interest Rate

(Comparison of PCC's Portfolio Interest Rate to WBC 90 Day Bank Bill Rate)



Weighted Average Term to Maturity



ORDINARY MEETING – 19 FEBRUARY 2001
SUPPLEMENTARY ITEMS
CONTENTS

MASTER PROGRAM REPORTS

Item		Page
	THE CITY IN ITS REGION	
20	ADI Site St Marys - Adirag Funding 4130/2	101



The City in Its Region

20 ADI Site St Marys - ADIRAG Funding

4130/2

Compiled by: Glenn Allen, Senior Environmental Planner

Authorised by: Roger Nethercote, Environmental Planning Manager

Management Plan 4 Year Outcome (Page ##): *Greenfield development is sustainable and preserves the natural environment.*

00/01 Critical Action: *Lobby for the inclusion of AHC listed land not already included in the proposed Regional Park on the former ADI Site.*

Background

Council at its Policy Review Committee Meeting of 12 February 2001 considered a report on the gazettal of Sydney Regional Environmental Plan (REP) No. 30 – St Marys, and a further report on the request by ADIRAG for Council support in the organisation of a major community rally on the ADI issue. In regard to the ADIRAG request, Council resolved to provide the group with \$15,400 in accordance with the group's submission.

Chief Financial Officer comments

Council further requested that a source of funds for the ADIRAG rally be recommended. Council would be aware that funding for ADIRAG was allocated in the current Management Plan for other activities of the group. Additional funding will be required for this project.

It is recommended that funding be made directly from Council's Available Funds. The current surplus for this year is \$11,365 as reported in the December Management Plan Review. Should savings be made in the second half of 2000/2001 these funds would be restored.

RECOMMENDATION

That \$15,400 be voted and approved for expenditure as a donation to the ADIRAG for the purpose of holding a community rally on the ADI issue.



**FOR INFORMATION ON THE ATTACHMENTS
IN THIS BUSINESS PAPER PLEASE CONTACT
PENRITH CITY COUNCIL
ON
4732 7777
AND ASK TO SPEAK
TO THE OFFICER WHO COMPILED THE REPORT**