



PENRITH CITY COUNCIL

BUSINESS PAPER



Clean Up Australia Day – Presentation of Cheque to Council from the NRMA
(left to right) Simon Hartley (NRMA); Mayor – Councillor David Bradbury;
Amanda Mulligan (site supervisor); Katie; Fsgt Mark Fishlock (site supervisor)
Photo courtesy of the Western Weekender



Public

5 March 2001



Penrith City Council

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

28 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 5 March 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,

Bruce McDonald
Deputy General Manager

B U S I N E S S

1. **APOLOGIES**
2. **LEAVE OF ABSENCE**
3. **CONFIRMATION OF MINUTES**
Ordinary Meeting 19th 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**
 - *Graffiti Management Working Party – 19th February 2001*
 - *Economic Development and Employment Committee Meeting – 13 February 2001*
 - *Customer Service Review Meeting – 28th February 2001 (under separate cover)*
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*

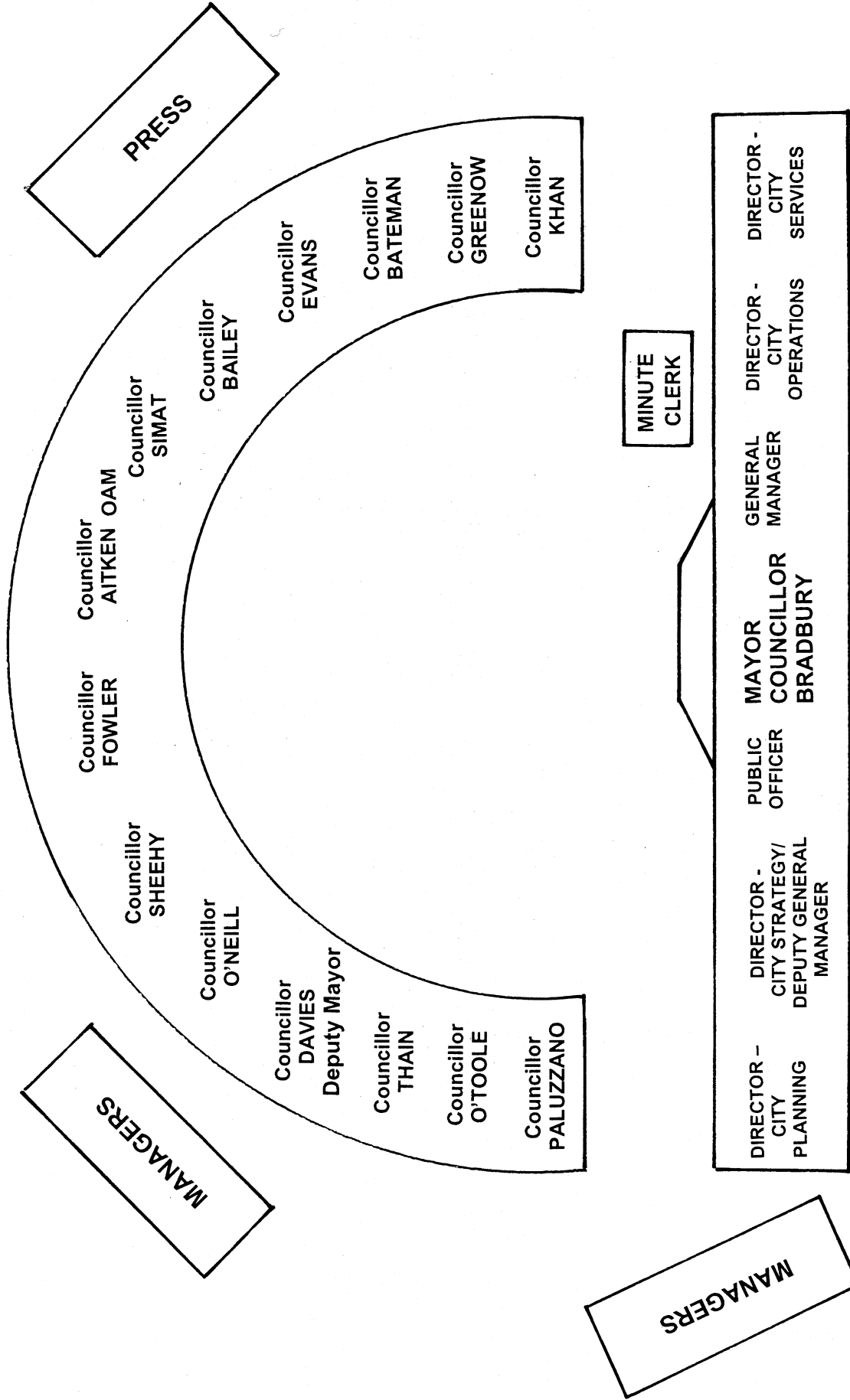
PRAYER

“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
OF THE ORDINARY MEETING OF PENRITH CITY COUNCIL HELD IN THE
COUNCIL CHAMBERS, PENRITH
ON MONDAY 19 FEBRUARY 2001 AT 7.00 PM

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, John Bateman, G Davies, G Evans, R Fowler, J Greenow, A Khan, C O'Neill, C O'Toole, K Paluzzano, P Sheehy, S Simat (arrived at 7.28pm) and J Thain

APOLOGIES

47 RESOLVED on the MOTION of Councillor Greenow seconded Councillor Evans that apologies be received and accepted from Councillor Simat .

CONFIRMATION OF MINUTES

Ordinary Meeting – 18 December 2000

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

Confirmation of Minutes:

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 did not vote on the matters nor take part in the debate in respect of items 11 and 31.

DECLARATIONS OF INTEREST

Councillor Bateman declared an interest in Item 17 as he is a partner in a firm of solicitors who acts on behalf of the applicants and took no part in the debate or voting.

SUSPENSION OF STANDING ORDERS

49 RESOLVED on the MOTION of Councillor Davies seconded Councillor Paluzzano that Standing Orders be suspended to allow Jan Cartwright to address the meeting, the time being 7.06PM.

Mrs Cartwright was not in attendance.

RESUMPTION OF STANDING ORDERS

50 RESOLVED on the MOTION of Councillor Greenow seconded Councillor Bateman that Standing Orders be resumed the time being 7.07PM.

MAYORAL MINUTE

Erskine Park Employment Area

51 RESOLVED on the MOTION of His Worship the Mayor Councillor Bradbury seconded Councillor Bateman that Council seek the assistance of the Member for Mulgoa, Dianne Beamer in arranging a meeting with the Treasurer the Hon Michael Egan and the Minister for Western Sydney, the Hon Kim Yeadon to advance Council's proposals for Western Sydney Employment Lands Infrastructure Fund.

REPORTS OF COMMITTEES

Local Traffic Committee Meeting – 5 February 2001

52 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor O'Neill that the recommendations LTC1 to LTC 16 contained in the Minutes and Report of the Local Traffic Committee Meeting of 5 February 2001 be adopted.

Policy Review Committee Meeting – 12 February 2001

53 RESOLVED on the MOTION of Councillor Paluzzano seconded Councillor Thain that the recommendations PR50 to PR55 and PR57 to PR61 contained in the Minutes and Report of the Policy Review Committee Meeting of 12 February 2001 be adopted.

PR56 ADI Site St Marys

A MOTION was MOVED by 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.

An AMENDMENT was MOVED by Councillor Fowler seconded Councillor Aitken

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.

The Amendment was PUT and LOST.

Councillor Sheehy called for a Division

For

Cr Fowler
Cr Simat
Cr Evans
Cr Khan
Cr Aitken

Against

Cr Greenow
Cr Bateman
Cr Bailey
Cr Sheehy
Cr O'Neill
Cr Davies
Cr Thain
Cr O'Toole
Cr Paluzzano
Cr Bradbury

The Motion was PUT and CARRIED.

Councillor Aiken foreshadowed an item for General Business.

MASTER PROGRAM REPORTS

THE CITY IN ITS REGION

1 Western Sydney Orbital (9011/49)

54 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Aitken 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.

20 ADI Site St Marys - ADIRAG Funding

4130/2

55 A MOTION was Moved by Councillor Bailey seconded Councillor Bateman

That:

1. \$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.
2. The Mayor address the ADIRAG function.
3. The Mayor write to the Federal Member for Chifley, the Federal Member for Lindsay, the State Member for Londonderry, the State Member for Penrith and the State Member for Mulgoa asking them:
 - a. where they stand on the ADI issue
 - b. what they have done about ADI
 - c. to address the rally.
4. The Mayor to issue a press release about the responses received.
5. A report be prepared detailing the full financial cost to Council of the ADI issue.

56 AN AMENDMENT was MOVED by Councillor O'Toole seconded Councillor Davies that \$15,400 be voted and approved for expenditure as a donation to ADIRAG for the purpose of holding a community rally on the ADI issue.

The Amendment was PUT.

The Amendment was LOST.

Councillor Sheehy called for a Division.

For	Against
Cr Paluzzano	Cr Fowler
Cr O'Toole	Cr Aitken
Cr Paluzzano	Cr Simat
Cr Thain	Cr Bailey
Cr Sheehy	Cr Evans
Cr Bradbury	Cr Bateman
	Cr Greenow
	Cr Khan

The MOTION was PUT and CARRIED.

THE CITY IN ITS ENVIRONMENT

4 Heritage Advisory Committee 4125/9

57 RESOLVED on the MOTION of Councillor Greenow seconded Councillor Paluzzano 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.

5 Penrith Heritage Archival Recording Policy 4125/9

58 RESOLVED on the MOTION of Councillor Greenow seconded Councillor Paluzzano that::

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.

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

59 RESOLVED on the MOTION of Councillor Paluzzano seconded Councillor Sheehy 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.

**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**

60 RESOLVED on the MOTION of Councillor Bailey seconded Councillor Bateman that the matter be deferred pending a site inspection.

THE CITY AS A SOCIAL PLACE

7 Youth Week - Allocation of Grants 1019/25 Pt5

61 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Paluzzano 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.

8 Seniors Week 2001 1019/9

62 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Paluzzano
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.

6 Transfer of Street Parking Responsibilities to Local Government 9018/1 Pt 2

63 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Bailey
That:

1. the report on the Transfer of Street Parking Responsibilities to Local Government be received;
2. a further report be presented to Council as soon as possible
3. a further report on those responsibilities of State Government transferred to Local Government since 1990.

THE CITY AS AN ECONOMY

10 Erskine Park Employment Area 4161/15 pt19

64 RESOLVED on the MOTION of Councillor Davies seconded Councillor Evans
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.

Councillor Thain left the meeting at 8.10pm.

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

65 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Greenow
That:

1. Council receive the information regarding progress reports from the Penrith City Centre Association and the St. Marys Town Centre Management Inc.
2. Council write to the Penrith City Centre Association and the St Marys Town Centre Management Inc. and the Chambers of Commerce congratulating them on their achievements.

THE CITY SUPPORTED BY INFRASTRUCTURE

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

66 RESOLVED on the MOTION of Councillor O'Neill seconded Councillor Evans that Council approve the proposed changes to Westbus bus routes and the introduction of accessible buses in the LGA.

11 City Operations Directorate Report to mid February 2001 152/3

67 RESOLVED on the MOTION of Councillor Paluzzano seconded Councillor Sheehy that the City Operations Directorate Report to mid February, 2001 be received.

COUNCIL'S OPERATING ENVIRONMENT

16 Review of Delegations 923/30 Pt 9

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

Council authorise the functions and delegations for the positions in accordance with the schedule contained in the attachment to this report.

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

69 RESOLVED on the MOTION of Councillor Davies seconded Councillor Sheehy
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.

18 Additions and Amendments to 2000/2001 Council Fees and Charges

6007/29

70 RESOLVED on the MOTION of Councillor Davies seconded Councillor Sheehy
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.

19 Summary of Investments & Banking January 2001

6021/4

71 RESOLVED on the MOTION of Councillor Davies seconded Councillor Sheehy
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.

14 Information on Civic Receptions

10/5 Part 11

72 RESOLVED on the MOTION of Councillor Aitken seconded Councillor Simat
That:

1. the report on Civic Receptions be received.
2. A further report be forwarded to Council on the formulation of a policy on Civic Receptions.

15 Insurance Ombudsman

73 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Aitken 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.

13 2000/2001 Management Plan - December Quarter Review

36/28

Councillor Fowler questioned the statement that the Rural Lands Study was completed.

The EPM advised the consultant had submitted a draft report which was being reviewed for a report to Council.

Councillor Sheehy asked why customer surveys on waste services were conducted through schools

Councillor Simat left the meeting at 8.20pm
Councillor Paluzzano left the meeting at 8.20pm
Councillor O'Toole left the meeting at 8.21pm

The SEWM advised that conducting the surveys of parents through schools had achieved a high return rate and was felt to be a valuable part of the waste education program carried out with the schools.

Councillor Thain raised concern that North St Marys required a new Social Plan and improvements to social facilities.

Councillor Bailey asked if the team leadership training for gangers was part of promoting a more flexible team based structure.

The General Manager advised that this was an important step towards a flexible workforce and he had personally observed the value of this training.

Councillor Fowler raised concerns about the budget being balanced with funds from the ELE reserve and asked for clarification about the reduction of that reserve to 16% of the total entitlements.

The General Manager advised that Council's policy was to maintain a 20% reserve averaged over 5 years which may mean that in a particular year the reserve may be below 20%. He

also advised a further report will be forwarded to Council on employee leave entitlement liability.

Councillor Fowler also raised concerns that the Finance Working Party had not met since the election of this Council and why the Children's Services Review Working Party and the Advertising Working Party had not met.

The General Manager advised the working parties will meet in the near future.

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

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.

Councillor Simat returned to the meeting at 8.23pm
Councillor Paluzzano returned to the meeting at 8.23pm
Councillor O'Toole returned to the meeting at 8.23pm

Councillor O'Toole and Councillor Palluzzano left the meeting at 8.26pm and did not return.

Councillor Evans left the meeting at 8.40pm
Councillor Evans returned to the meeting at 8.43pm.

QUESTIONS WITHOUT NOTICE

QWN1 Councillor Greenow requested Council enquire why the public telephones in Chapel Street St Marys were removed and when they will be replaced. **24/16 Pt2**

QWN2 Councillor Bateman requested Council waive the fees for the hiring of Cambridge Park Hall by the Werrington Community Project Inc for the Seniors Arts and Craft Exhibition. **1255/5**

His Worship the Mayor ruled the matter to be urgent and that it be dealt with at the meeting.

75 RESOLVED on the MOTION of Councillor Bateman seconded Councillor O'Neill that the fees for the hiring of the Cambridge Park Hall by the Werrington Community Project Inc. for the Seniors Arts and Craft Exhibition be funded from North Ward Voted Works. **1255/5**

QWN3 Councillor Bateman requested a memo be forwarded to all North Ward Councillors and the Mayor on the Llandilo Trunk Drainage Scheme. **5110/1**

QWN4 Councillor Bateman requested a memo be forwarded to all North Ward Councillors and the Mayor with a copy of the response to Mr and Mrs Eccstein regarding Castlereagh flooding. **DE/07**

QWN5 Councillor Bateman requested a meeting be organised regarding the Bulky Good Retail Centre Proposal for Jamisontown to discuss traffic issues and the Mayor be invited to the meeting. **DA00/5432 TSM**

QWN6 Councillor Bateman expressed his concern at the lack of ownership given to council in the Penrith City 2000 + Strategic Plan document as published. **36/27 Pt4**

QWN7 Councillor Bailey requested a report to Council on the operation of the Penrith War Memorial Swimming Pool. The report to include comparison pricing with Ripples. **2981/1 Pt2**

QWN8 Councillor Bailey requested a memo on why expenditure warrants have been withdrawn from the Council Business Paper. **6021/4 Pt3**

The Chief Financial Officer advised the publishing of the expenditure warrant could contravene sections of the Privacy Act.

QWN9 Councillor Fowler requested information of Council's policy regarding the recognition of heritage items and the notification to potential developers. He requested in the event no policy was in place an urgent report to Council on the developing of a policy for developers in relation to heritage items. **4124/8**

QWN10 Councillor Sheehy requested a report to Council on the status of the operations of the Lemongrove Gradens Retirement Village and the Residents Committee. He advised that he would be happy to be involved in the process. **1010/5 Pt11**

QWN11 Councillor Sheehy requested a footpath be constructed through the park at the corner of Blaxland Avenue and the Crescent Lemongrove. **3148/1**

His Worship the Mayor ruled the matter to be urgent and that it be dealt with at the meeting.

RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Bailey that a footpath be funded from North Ward Voted Works through the park at the corner of Blaxland Avenue and the Crescent Lemongrove **3148/1**

QWN12 Councillor Thain requested a memo on the status of the toilet block at Willow Place, North St Marys and whether it had been locked to the public. **3106/4**

QWN13 The Mayor read a request from Councillor Paluzzano for a report on S94 Older Established Areas Plan. The report to include amount collected, expenditure, future projections for usage of contributions and management of S94 contributions. **4201/19 Pt3**

COMMITTEE OF THE WHOLE

76 RESOLVED on the MOTION of Councillor Davies seconded Councillor Thain that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 9.10PM.

1 Presence of the Public

CW1 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Greenow that the press and public be excluded from Committee of the Whole to deal with the following matters

Council's Operating Environment

2 Property Matter

AS/07/1

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

The City in Its Environment

3. Legal Matter

DA991887

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 of the matter in open meeting would be, on balance, contrary to the public interest.

**4. 73 Kingshill Road, Mulgoa
DA0095173**

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 of the matter in open meeting would be, on balance, contrary to the public interest.

The meeting resumed at 9.39PM and the General Manager reported that the Committee of the Whole met at 9.10pm on Monday 19 February 2001 , the following being present

PRESENT

His Worship the Mayor Councillor D Bradbury, Councillors J Aitken, D Bailey, J Bateman, G Davies, G Evans, R Fowler, J Greenow, A Khan, C O'Neill, P Sheehy, S Simat, 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. *Property Matter*

DA 991887

CW2 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Greenow
That:

1. Part of Hewitt Street/Ashwick Circuit not required as road be closed.
2. Application be made to the Department of Land Water Conservation for the road closure.
3. A further report be submitted to Council on the sale of the closed section to the adjoining owner pending agreement.

3. *Legal Matter*

DA991887

CW3 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Fowler that the report be received and noted.

Councillor Aitken requested his name be recorded as being against the recommendation.

4. *73 Kingshill Road Mulgoa*

DA 0095173

RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Davies

*That:

1. the information contained in this report be received.
2. A further meeting be held on a without prejudice basis and a further report on the outcome of the meeting be made back to Committee of the Whole.

ADOPTION OF COMMITTEE OF THE WHOLE

77 RESOLVED on the MOTION of Councillor, Greenow seconded Councillor O'Neill that the recommendations contained in the report from the Committee of the Whole and shown as CW1 to CW 4 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 9.40PM.

Confirmed
Chairperson

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 GRAFFITI MANAGEMENT WORKING PARTY OF PENRITH CITY
COUNCIL HELD IN THE PASSADENA ROOM, PENRITH
ON MONDAY 19 FEBRUARY 2001 AT 5.00 PM**

PRESENT

Councillor G Davies, C O'Neill, P Sheehy and J Thain

Council Officers R Moore, J Phillips, G Rumble, G Dean, A Kane, G Tuckwell, Y Perkins, J Pollard, J Onus.

IN ATTENDANCE

Peter Jackson-Calway - St Marys Town Centre Manager, Kevin Dowse - Department Juvenile Justice.

APOLOGIES

GMWP 7 RESOLVED on the MOTION of Councillor Thain seconded Councillor Sheehy that apologies be received and accepted from Councillor David Bradbury, Councillor Jackie Greenow and John Budin.

CONFIRMATION OF MINUTES

Ordinary Meeting - 11 December 2000

GMWP 8 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Thain that the minutes of the Graffiti Management Working Party Meeting of 11 December 2000 be confirmed.

DECLARATIONS OF INTEREST

No declarations of interest.

REPORTS OF COMMITTEES

1 Development of a Graffiti Removal Information Package 1027/14 & 7025/6 Pt4

Yvonne Perkins presented the Graffiti Information Package to the meeting. Councillor Davies suggested Council publicly stress to the community how much it costs Council to remove graffiti within the Penrith LGA and include this information in the next reprint of the brochure.

GMWP 9 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor O'Neill that the report concerning the development of a Graffiti Removal Information Package be received.

2 Department of Juvenile Justice - Young Offenders Graffiti Removal Programme

7025/6 Pt 4

John Phillips briefly discussed the background of the Young Offenders Graffiti Removal Programme and introduced Kevin Dowse from the Department of Juvenile Justice.

Kevin Dowse reported on how the programme operates with Blacktown City Council and Blue Mountains Council.

Blacktown City Council's Community Enhancement Officer is responsible for the operation of the programme in Blacktown. The Young Offenders Graffiti Removal Programme currently remove graffiti from 42 different sites within the Blacktown region including the maintenance of electricity boxes, laneways, bus shelters and fences. The Community Enhancement Officer undertakes the agreement with property owners and supplies waterbased acrylic paint and equipment to the Department of Juvenile Justice, who supplies trained supervisors, transport and labour.

The Department of Juvenile Justice has successfully maintained this programme with Blacktown City Council for the past 12 months.

GMWP 10 RESOLVED on the MOTION of Councillor Thain seconded Councillor Sheehy that appropriate steps are taken to expand the Young Offenders Graffiti Removal Programme operated by the Department of Juvenile Justice into the Penrith LGA.

3 Pilot Graffiti Removal One-Day Programme

7025/6 Pt 4

John Phillips discussed the report. Amanda Kane advised on how she proposes to publicise the programme, emphasising community support and suggested the launch of the Graffiti Removal Information Package to the community at that time.

GMWP 11 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor O'Neill that the pilot graffiti removal one day programme on the proposed site be endorsed.

Report and Recommendation of the Graffiti Management Working Party of Penrith City Council held in the Council Chambers, Penrith on Monday 19 February 2001

GENERAL BUSINESS

Public Authorities - Graffiti Removal Programme

Discussions took place on how Council could encourage the Public Authorities to be involved in rapid graffiti removal and how this could be achieved. It was decided Council would use local media to publicly expose the Public Authorities' lack of interest in following Council's lead in rapid graffiti removal.

Graffiti Blasters Initiative

John Phillips advised the Committee that Council received correspondence from the Crime Prevention Division of the Attorney General's Department advising that Council's request for a \$25,000 grant to renew its graffiti removal equipment is being seriously considered and request Council to submit a formal application, project plans and timetable.

There being no further business the Chairperson declared the meeting closed the time being 6.10 pm.

.....
Confirmed
Chairperson

**REPORT AND RECOMMENDATION
OF THE ECONOMIC DEVELOPMENT AND EMPLOYMENT COMMITTEE
MEETING OF PENRITH CITY COUNCIL HELD IN THE PASSADENA ROOM,
PENRITH CIVIC CENTRE
ON TUESDAY 13 FEBRUARY 2001 AT 7.30 AM**

PRESENT

His Worship the Mayor Councillor David Bradbury and Councillor G Evans (Chair).

IN ATTENDANCE

Rosemary Anderson, Prof. Trevor Cairney, Roger Cowan David Hill, Paul Kennedy, Gil Kommer, Michelle Noort, Ian Stainton, Martin Ollis and Steve Willingale.

Council Officers: Peter Coyte, Mark Letta and Bruce McDonald, Paul Page and Geoff Shuttleworth.

APOLOGIES

ED1 RESOLVED on the MOTION of Roger Cowan and seconded Gil Kommer that apologies be received and accepted from Councillor J Aitkin, Councillor J Bateman, Councillor C O'Toole, Councillor K Paluzzano, Chris Giller, Graeme Kaye, John Reed, David Trist,

CONFIRMATION OF MINUTES

Economic Development and Employment Committee Meeting – 21st November 2000

ED2 RESOLVED on the MOTION of Ian Stainton and seconded Paul Kennedy that the minutes of the Economic Development and Employment Committee meeting of 21st November 2000 be confirmed.

DECLARATIONS OF INTEREST

There were no declarations of interest.

MASTER PROGRAM REPORTS

1 EDEC Chairman's Report

31/15

The Chairman, Cr. Greg Evans briefly introduced the report to the meeting noting the importance of the matter to the future of EDEC.

Cr Evans invited Bruce McDonald (Director~City Strategy) to provide comment from the perspective of Council.

This is Page No 1 of the Report and Recommendation of the Economic Development and Employment Committee of Penrith City Council held on Tuesday 13 February 2001

Bruce McDonald noted that the need for a review of the structure of EDEC is appropriate for two key reasons. They are

- a) That the structure of EDEC and the manner in which it links to Council is not strictly compliant with the requirements of the Local Government Act.
- b) That since it was first formed to act as an advisory body to Council it has undergone significant change and has evolved to a point where it is now developing its own strategies and initiating activities for the economic benefit of the broader community.

In respect of the later it was noted that EDEC would be in a far better position to be able to determine and control its own destiny and growth if its structure better reflected its focus.

He noted that the trend amongst similar groups across the state has been the adoption of "incorporated" model and adopted an incorporated type structure as has been the case with similar groups across the state.

Bruce Mc Donald further noted that any review of the future structure of EDEC should also address the issue of funding to ensure that sufficient resources were available for its continued efficient operation.

Cr Evans sought clarification on the proposed date of effect noted within the report. Bruce McDonald indicated that the date proposed reflects the point in time when the current EDEC Five Year Strategy expires and would be the best time to make a change from an old EDEC to a new. He also noted that this timetable also fits with Council's overall economic development planning process.

Bruce McDonald further noted that Council places great importance on the Economic Development of the City and irrespective of the outcome of the review process would continue to work closely with EDEC and the broader community in developing and implementing initiatives that support economic and employment growth.

Ian Stainton sought clarification from Bruce McDonald on the type of structure that it is proposed may be adopted.

Bruce McDonald responded by saying that the decision of the model to be adopted is a matter for EDEC to decide although the model used by groups such as the Coffs Harbour Future Development Corp, Investment Albury Wodonga and the Central Coast Regional Development Corporation seems to present itself as an appropriate style.

Peter Coyte added to that statement by saying that the model used by each of the above groups works particularly well and has allowed each of the groups to grow and develop their potential with a degree of autonomy but while still closely linked to their local councils.

Ian Stainton further noted that each of the three mentioned all receive significant funding from their local councils. Peter confirmed this indicating that in most cases this funding is raised by means of a special rate levy.

Gil Kommer stated that in his view EDEC currently maintains a very strong link with Council unlike many other groups who do not currently have that connection and that would be at risk should EDEC incorporate..

Bruce responded by saying that the two town centre committees are recent examples of incorporated groups that do not bear out those concerns. In fact, both groups enjoy an excellent working relationship with Council and have benefited far more in terms of their ability to liaise with Council and access support funding.

Prof. Trevor Cairney indicated that he was not sure of what his view is on the proposal at this time, but did state that EDEC is certainly one of the most effective groups of this type within Greater Western Sydney and he would hate to see that potential lost.

Nevertheless, he conceded that EDEC is at a critical point where it has been successful at developing opportunities and attracting funding but not at being able to move things along beyond the initial stages. He used the recent Audit of IT Capacity as an example of the type of project that a "new" EDEC might be able to move forward within its own right.

Ian Stainton suggested that it is worthwhile to move forward with the review but suggested that a recommendation that a specific timeliness be incorporated into the process be added to the five recommendations listed.

The Chairman, while acknowledging the importance of continuing to move forward with the review suggested that the recommendations remain as is until EDEC meets further on the issue.

By way of a final comment the Chairman noted his concerns as being

- a) the issue of funding;
- b) the need for change given that the committee is working well in its current form;
- c) the risk that if incorporated EDEC could run the risk of simply becoming another group operating outside the Council umbrella; and,
- d) if incorporated and Council's view on the group changes it could easily re-establish another committee under S.377 or other structure.

In this regard, Bruce noted that Council's record so far has been in the aggregation rather than the disaggregation of groups such as EDEC.

ED3 RESOLVED on the MOTION of Ian Stainton and seconded Gil Kommer that the

1. EDEC Executive review issues pertaining to the future structure of EDEC such as the type of legal entity to be adopted, the ongoing structural and operational relationship with Council and the issue of funding;
2. EDEC Executive consult with Chambers of Commerce, Town Centre Groups and the Dunheved Business Park Industrial Development Committee to examine how a range of economic activities across the City, such as the current Penrith Industry Network Project and other future activities such as a cooperative marketing program might be funded;

3. EDEC Executive consult with representatives of the Australian Independent Regional Development Organisation and/or additional Independent Development Bodies to obtain professional advice and guidance in respect of the establishment of an independent organisation;
4. EDEC determine the mechanism to be proposed to provide secure funding arrangements for its activities; and
5. A further report is brought to EDEC covering the outcomes of the above enquiries.

2 EDEC Quarterly Update Report 31/15

Business Growth Focus Group

In addition to that noted within the business papers, Paul Kennedy advised that at its meeting on the 31 January 2001, the focus group received a presentation from the consultants to the Penrith Industry Network Project.

The purpose of the presentation was to highlight to the group the final outcomes of the consultancy component of the project.

He further advised that at the next meeting of the group a representative of the Roads and Traffic Authority will present a session on the proposed Western Sydney Orbital EIS.

Information Technology Focus Group

In the absence of Glen Walton, Peter Coyte spoke briefly about the activities of the IT Focus Group.

He highlighted in particular those points shown within the report that will become the key objectives of the group as determined at the workshop held on 8th December 2000.

Prof. Trevor Cairney was invited to speak on the status of the High Performance Computer Node. He noted that the process is coming along quietly with the central facility at the Australian Technology Park (Redfern) now in place and operational.

The Western Sydney node has been confirmed and will be located at Penrith. The local node will be connected to the main facility by microwave in the first instance and then ultimately by optical fibre.

The industry strategy for the project is currently being developed with GROW support, with the establishment of a local board underway. It is anticipated that it will hold its first meeting in March

International Business Group

Roger Cowan noted that work is continuing on getting the group going and this remains the key focus of activity so far.

He reported that as a result of the recent Growing Export Project, six local businesses have applied to enter the "Export Access" Program with eight others possible contenders.

Place Marketing Group

In the absence of Graeme Kaye, Paul Page noted that at the planning workshop held on the 5th December 2000, fifty three people attended and four areas of focus were identified.

Tourism Infrastructure Focus Group

Steve Willingale reported that the first stages of work have commenced in respect of the Heritage Trail. This initial work will occur in the St Marys area.

Discussions are continuing in respect of the River Walk, with the greatest hurdle still to be overcome being the crossing of Peach Tree and Boundary Creeks.

ED4 RESOLVED on the MOTION of David Hill and seconded Martin Ollis that

1. The EDEC Quarterly Update Report be received.

3. GROW Penrith Report

Peter Coyte reported that the current focus of the Penrith GROW Committee is to look at how the committee can now move forward outstanding projects as well as working towards identifying new projects for development.

Ian Stainton noted that further positions (including a marketing position) are to be filled shortly. In response to a comment from Gil Kommer re the potential for tour companies to use aboriginal tour guides, Ian briefly highlighted the proposed initiative between the Outdoor Recreation Council of Australia and the Western Sydney Institute of TAFE to develop a training program and a process of accreditation for those wanting to train as tour operators and guides.

ED5 RESOLVED on the MOTION of Ian Stainton and seconded Gil Kommer that the GROW Penrith Report be received.

GENERAL BUSINESS

Gil Kommer noted that it appears that the ADI proposal is all but decided and would like the opportunity to hear from the developers re the detailed side of the proposal.

The Chairman suggested that in his view the ADI situation is far from being a closed book.

Peter Coyte indicated that Council has and will continue to work tirelessly in ensuring that local input is provided at every opportunity.

The Mayor noted that Council is still awaiting formal advise of the gazettal as well as response to a number os issues already raised.

He further indicated that Council needs to await this information before it can undertake any further follow up action.

There being no further business the Chairperson declared the meeting closed the time being 8.59 am.

Confirmed
Chairperson

MASTER PROGRAM REPORTS

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ORDINARY MEETING

5 MARCH 2001

MASTER PROGRAM REPORTS

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	THE CITY IN ITS REGION	
1	Chinese Youth League Dragon Boat Festival 2001 2987-2	1



The City in Its Region

1 Chinese Youth League Dragon Boat Festival 2001

2987-2

Compiled by: Paul Page, Tourism Supervisor

Authorised by: Geoff Shuttleworth - Economic Development and Marketing
Manager

Management Plan 4 Year Outcome (Page 5): *Penrith is widely recognised as an innovative vibrant and attractive City with an identify distinguishing it from other parts of Sydney.*

00/01 Critical Action: *Secure and promote major events and celebrations.*

Management Plan 4 Year Outcome (Page 6): *The City's international standard sporting facilities are widely used by elite sports people.*

00/01 Critical Action: *Identify ways to promote existing facilities and work with relevant organisations to host hallmark events in Penrith Valley.*

The Chinese Youth League of Australia Inc. has requested assistance from Council in the staging of its annual Dragon Boat Festival at the International Regatta Centre on 7-8 April 2001.

The Chinese Youth League was established in 1939 to promote cultural diversity and has participated in Dragon Boat events since 1984. The group claims to be the oldest and most active Dragon Boat Club in New South Wales and to have widespread community support, especially from the Chinese community.

In previous years the event has been held at Darling Harbour but in April 2000 it transferred to the International Regatta Centre in Penrith. At that time Council provided in kind support and the Mayor welcomed the event to Penrith Valley.

According to the Chinese Youth League, the Dragon Boat Festival 2001 will be the premier dragon boat competition in Australia and will include an international food fair, markets and cultural and contemporary musical performances and will conclude with a grand celebration dinner. There will be the traditional eye dotting ceremony and Dragon Boat opening ceremonies.

There will be interstate and international teams, with invitations extended to crews from New Zealand, China, Germany and the Philippines. They expect 2000 paddlers and officials alone with many more thousands of visitors and spectators from Sydney and Penrith.

Assistance Sought

The Festival Committee has sought the following Council assistance

1. **Waiving of the site hire charge.** It is the Olympic Co-ordination Authority (OCA), not Council, which manages the International Regatta Centre. Council officers have, however, offered to assist with negotiations with OCA.
2. **Promotion of event.** Council will assist by including event details in its usual publications such as the regularly distributed "What's On", provide space on Council's web site and include it in editorial material supplied to the media.
3. **Organisation of market stalls:** Contact information for the community organisations which participate in the Australia Day celebrations at the International Regatta Centre will be supplied to the organisers.

4. **Participation in corporate races with a Council team.** The Recreation and Cultural Services Manager has initiated the formation of a team for this event. Council has previously fielded a dragon boat team in the Greater West Games held in October 2000.
5. **Purchase of a full page colour advertisement** in the event program (\$1,000). This can be funded from the Economic Development and Marketing Department Budget;
6. **\$6,000 in sponsorship assistance.** This would be to assist with purchase and preparation of trophies (\$5,000) and provision of a shuttle bus between Penrith Station and the Regatta Centre (\$1,000) for the two days of the event.
7. **Purchase of a Council table** at the fund raising dinner on the Sunday night at the end of the event. (\$1,000).

Conclusion

The promotion of a major event, particularly sports based tourism is a focus of Council's Strategic Plan. The opportunity to secure and enhance the premier Dragon Boat Race event in Australia will not only add to our tourism appeal but will also add to the diversity of cultural experience available in Penrith Valley.

Council has not allocated funds in its current Management Plan to sponsor events such as this. Funds of \$7,000 would need to be voted specially to support this event as set out above.

Council frequently receives *ad hoc* requests like this for assistance with events. A policy for supporting such events is currently being developed. In anticipation of this policy, a Project Evaluation for funds to support events like this has been incorporated into the current budget development process.

Chief Financial Officer's Comment

The Tourism Supervisor has indicated that funds have not been allocated nor are they available in the current year's budget. Should Council wish to support this activity from available funds it will be necessary to vote and approve for expenditure an additional \$7,000. The current available funds level is \$2.79m, with the current years budget being \$10,035 in deficit at this point in time.

RECOMMENDATION

That:

1. Council indicate its support for the Dragon Boat Festival to be held at the International Regatta Centre on 7-8 April 2001;
2. Council provide \$7,000 to support the Dragon Boat Festival event as detailed in the report;
3. The Penrith Valley Visitor Information Centre promote the event to the media and users of the centre;
4. Action be taken to form a Council team to enter the corporate races.



ORDINARY MEETING

5 MARCH 2001

MASTER PROGRAM REPORTS

THE CITY IN ITS ENVIRONMENT

2	Werrington Army Signals Site Rz970008	3
3	Amendment Of Development Control Plan - Lot 26 DP752022 Lot 1 DP1018318, Lot 25 DP258414, Lot 1 DP60530, Lots 1 & 2 DP227140 And Lot 1 DP390802 Luddenham Road, Luddenham. Applicant: North Western Surveys. Owner: Camelot Grange Pty Limited And Evermoon Pty Limited. RZ000006	6
4	"Four Winds" Heritage Item 4124/7	14



The City in Its Environment

2 Werrington Army Signals Site

RZ970008

Compiled by: Allegra Zakis, Senior Environmental Planner

Authorised by: Roger Nethercote, Environmental Planning Manager

Management Plan 4 Year Outcome (Page 20): *New release areas deliver quality urban environments.*

00/01 Critical Action: *Plan new release areas to achieve quality urban environments.*

Introduction

Council at its meeting of 18 December 2000 resolved to prepare a draft Local Environmental Plan and Development Control Plan for the Werrington Army Signals site.

The purpose of this report is to advise Council on the status of the planning for the site and the outcomes of recent negotiations with the Department of Defence and other key government agencies involved in the delivery of the proposed University Railway Station.

Current Status

At the meeting of 18 December 2000 Council resolved to exhibit a draft LEP for the site which allocated the following land use areas: -

- 7 ha employment
- 9 ha residential
- 4.5 ha conservation
- 1 ha transport interchange

This report put forward 7 ha as the minimum possible area for the employment zone that would offer viable opportunities for a variety of employment generating uses. The Department of Defence and the Department of Urban Affairs and Planning had expressed a preference for a smaller employment zone.

Following Council's resolution, the rezoning process has been commenced. Consultation with the National Parks and Wildlife Service under section 34A of the EPA Act has been completed and the Department of Defence has been requested to prepare a flora and fauna study for the site which complies with the NPWS guidelines. This study has been commissioned and the results are expected within the next two weeks.

Consultation with public authorities, adjoining councils and other organisations under section 62 of the Act has commenced. The proposed changes to the plan are not seen as major departures from the intent of the plan distributed under section 62 and thus do not warrant this consultation process being done again. Each organisation consulted under section 62 will be notified of the exhibition and of the changes to the plan.

On 16 February 2001 a meeting to discuss planning for the Werrington Signals site and the advancement of the UWS railway station was convened by the Member for Mulgoa, Diane Beamer with representatives from the Department of Defence, the Department of Transport and State Rail, the Mayor and Deputy Mayor and senior Council staff. The purpose of this meeting was to resolve any lingering concerns that key stakeholders had for the proposals which Council was keen to pursue for the site.

The main issues discussed at this meeting were the areas assigned for the 10(a) Mixed-Use Residential Zone and the 10(b) Mixed-Use Employment Zone, the wording of the draft LEP and the implications the plan had for the proposed University Railway Station.

The meeting was quite fruitful and resulted in agreement being reached with the Department of Defence for an 8 ha (nett) area being assigned for the residential zoning of the site and for an 8 ha (nett) area being assigned for the employment zoning of the site. This change will help ensure that the Werrington Signals site can make a genuine and viable contribution to employment provision in Penrith, whilst still recognising the strategic location of the site adjacent to a new railway station. The landuse areas now being proposed for this site are listed below.

- 8 ha employment
- 8 ha residential
- 2 ha drainage
- 3 ha bushland conservation
- 1 ha transport interchange

It is noted however, the areas for drainage, transport and bushland conservation are being reviewed and will need final confirmation.

In addition to discussion on the areas for the 10(a) Mixed-Use Residential Zone and the 10(b) Mixed-Use Employment Zone, the Department of Defence raised some concern over the written provisions of the draft Local Environmental Plan. In general these were minor concerns and changes will be made to the draft plan to clarify its wording and intent. A further meeting with representatives from the Department of Defence has already been held and most of the issues resolved.

One of the issues raised was the need for detailed provisions to be developed for the Werrington Signals site. In response to this the Department of Defence has agreed to commission a consultant to liaise with Council and prepare a Development Control Plan for this site to be exhibited concurrently with the draft LEP. This consultant has been commissioned and initial discussions held. It is expected that a draft DCP can be prepared relatively quickly so that the exhibition of the draft LEP will not be unduly delayed.

UIP process

The Urban Improvement Program process has been delayed by DUAP pending resolution of the rezoning process for the Werrington Signals site. The agreements reached at the meeting of 16 February 2001 have resolved the outstanding issues and as such present an opportunity for the UIP process to continue. It is accordingly appropriate for Council to now urge DUAP to finalise the administrative arrangements associated with the UIP to enable the stakeholder group to be convened and for a suitable Place Manager to be appointed to facilitate the project's co-ordination.

Conclusion

The meeting held on 16 February 2001 was very beneficial and resulted in a clear direction for the overall development of the site. The agreements reached will allow both this rezoning and the UIP process for the Kingswood / Werrington area to progress.

The Local Member for Mulgoa, Diane Beamer, the Department of Transport and State Rail should all be thanked for their contributions to a positive outcome for the site.

Given that the directions for the site are now agreed, it is important that we seek early negotiations with State Rail and the Department of Transport on the proposed UWS railway station and interchange designs to ensure that its construction is able to advance as quickly as possible and that it is fully integrated with the development of the site.

RECOMMENDATION

That:

1. Council endorse the proposed changes to the land use arrangements and requirements outlined in the report for their incorporation into the draft Local Environmental Plan.
2. Council express its thanks to the local member for Mulgoa, Diane Beamer, for her actions in convening the recent stakeholders meeting and in helping achieve a positive outcome for the site.
3. Council express its thanks to the Department of Transport and State Rail for helping achieve a positive outcome for the site and urging them to begin discussions with Council to finalise planning for the proposed UWS railway station and associated transport interchange.



The City in Its Environment

- 3 Amendment of Development Control Plan - Lot 26 DP752022
Lot 1 DP1018318, Lot 25 DP258414, Lot 1 DP60530, Lots 1 & 2
DP227140 and Lot 1 DP390802 Luddenham Road,
Luddenham. Applicant: North Western Surveys. Owner:
Camelot Grange Pty Limited and Evermoon Pty Limited. RZ000006**

Compiled by: Gordon Williams, Environmental Planner

Authorised by: Roger Nethercote, Environmental Planning Manager

Management Plan 4 Year Outcome (Page 22): *The purpose and role of the City's rural areas are defined and secured, and their conservation is optimised.*
00/01 Critical Action: *Manage development consistent with the principles of Council's Rural Land Strategy and promote best practice rural development.*

Introduction

An application has been received from North Western Surveys Pty Ltd on behalf of the property owners seeking to amend the Luddenham Equestrian Estate Development Control Plan (DCP). The proposed changes to the DCP reflect the current requirements of the National Parks and Wildlife Service, the Department of Land and Water Conservation, the Environmental Planning and Assessment Act, and Penrith City Council policy.

This report details the proposed changes to the DCP to facilitate the development of the subject land, and recommends that Council endorses the amended DCP. A copy of the plan is included in the attachments.

Location

The subject properties are bounded to the west by Luddenham Road, to the east by South Creek and to the north by the water supply pipeline and have a total area of approximately 360 hectares. Cosgroves Creek runs through the site. A location plan is appended.

Background

The site was rezoned for an integrated rural residential development on 14 July 1989 comprising of an 18 hole golf course and golf country club, community facility, motel and other associated recreation facilities. Although the site is known as the Luddenham Equestrian Estate, the DCP and accompanying plans did not detail the extent of the equestrian facilities to be provided, however it was generally contemplated they would comprise such things as stables, holding yard and horse trails around the site.

The number of lots is governed by a density control for the site which permits one dwelling per 2 ha of site area. A range of lot sizes was contemplated, with smaller lots (around 0.5 to 1.5 ha) in the lower parts of the site and adjacent to the golf course and larger lots in the western and southern areas of the site where effects on remnant bushland needed to be minimised.

The Council in endorsing the rezoning proposal at the time, supported the integration of the residential component with the golf course and proposed recreational facilities on the basis that as a result, the proposal would offer a particular life style choice that was not presently available in the City. It will also add to the diversity and range of housing types available in

the City. Council's support was also based on the premise that an integrated development of the nature proposed would, to a large extent, be self-sufficient and less reliant on other community services and facilities in the locality. Council also was of the view that the recreation facilities to be included, particularly the motel/conference venue, would also provide additional employment opportunities in the City and form an asset for the local tourism industry.

Although Council has received a number of enquiries over the years, no firm proposals have been lodged to advance the development of the site until recently. The current submission is the first proposal to advance the development which the proponents believe is economically viable and an opportunity to implement the zoned use of the site.

Statutory Position

The site is zoned Rural "1(c)" under LEP 201. The objectives for development of the site included in that plan are:

- (a) to allow rural/residential development at an average density for the area of land to which this clause applies of not more than one dwelling per 2 hectares; and
- (b) to protect the existing vegetation, especially along creek lines and on ridges; and
- (c) to protect localities of Aboriginal archaeological significance; and
- (d) to protect downstream land from further flooding as a result of additional stormwater run off from the development; and
- (e) to ensure that development of the land is consistent with the aims and objectives of Sydney Regional Environmental Plan No. 9 - (Extractive Industry) in relation to potential extractive industry in adjoining areas.

A further key element in the zoning provisions is that Council must be satisfied that the development is part of a comprehensive and integrated development proposal which includes a golf course, golf country club, community facility and other associated recreation facilities.

The Luddenham Equestrian Estate Development Control Plan was adopted by Council in 1989. The objectives of the DCP are:

- (a) To provide an additional level of detail about planning objectives and principles above that contained in the Local Environmental Plan.
- (b) To ensure that the site is developed in accordance with the principles outlined in the Statement of Environmental Factors.
- (c) To encourage development in a manner that assists the establishment of a community with its own identity, which is integrated with its surroundings.
- (d) To ensure that adequate consideration has been given to landscaping and the form, siting, building materials and colours of any proposed buildings.

The DCP outlined a number of development principles. These included a structure plan, which identified seven development zones and recommended minimum lot sizes, and principles for design of the subdivision and buildings. A detailed landscape plan was required to be provided to Council at development application stage.

Proposal

The applicant intends to advance development of the land for a 180 lot rural/residential subdivision with a golf course and club house, golf driving range, tennis courts, barbecue area, children's play area, seating and a recreational/meeting room and a motel. The equestrian facility is no longer considered viable and is therefore not proposed to be included in the development.

The applicant has carried out investigation in regard to a number of items listed in the LEP and as a result has proposed a revised DCP. A proposed staging plan for the development is included in the DCP. The proposal has been prepared to reflect site constraints and aims at maximising the amount of indigenous vegetation retained on the site, as well as complying with legislation changes that have taken place since the Luddenham Equestrian Estate DCP was adopted.

The application was accompanied by a number of reports that will be lodged as part of future applications for the development of the site if the amendment of the DCP is supported. These include:

- Statement of Environment Effects;
- Flora & Fauna Report and Species Impact Statement;
- Environmental Impact Statement for the proposed "Waste Water Package Treatment Plant";
- Traffic Impact Assessment;
- Bushfire Threat Assessment;
- Archaeological Survey;
- Landscape Master Plan.

The various authorities have been consulted during the preparation of the above reports.

Public Notification

The surrounding land owners were notified and the proposal was advised in the paper for a period of 28 days. Council received two submissions; one from an owner who raised the issue of an existing airstrip on their property and requested that future property owners be advised of its existence. A letter from the Department of Land & Water Conservation requesting they be contacted by the applicant to discuss the development prior to any application for works being lodged was submitted.

Aboriginal Heritage

The applicant has carried out research and consulted with the relevant authorities and the Local Aboriginal Land Council. Correspondence has been provided indicating the proposal is satisfactory. Formal consideration to the proposal will be given by National Parks & Wildlife Service as part of the development application.

Effluent Treatment

The applicant proposes to treat effluent for the future dwellings by an on-site package treatment plant. The draft Environmental Impact Statement (EIS) for this plant has been received and reviewed. It has been shown that the site is suitable for the re-use of reclaimed effluent. The package treatment plant would be suitably conditioned upon a formal application for the plant being lodged.

Dwelling Design

The DCP proposes dwelling standards to ensure the location and use of suitable building materials and colours complement the existing environment and to ensure their harmony with the surrounding landscape. To ensure that there is adequate guidance given to subsequent building developers on the nature and form of housing desirable for this locality, it has been suggested as an amendment to the DCP that a building siting and design code be prepared which will encompass the various elements listed in the DCP and other aspects relevant to provide clear guidance for the design and siting of new buildings on the site, particularly dwellings, and certainty for those residents interested in living in the new community.

The design code would also recognise the importance of vistas to the site from surrounding main roads and that it is essential the overall built form and character of development emerging on the site retains a sense of 'ruralness' and does not demonstrate a predominant urban character. This issue has also been cross-referenced with the landscape design/management elements in the DCP.

By way of example, the DCP limits the size of sheds on sites and limits the percentage of 1st floor areas on 2 storey buildings to ensure that suitable building forms for the rural area are provided. The setback requirements are also included in the DCP to ensure that dwellings are separated and open buffers are provided to roads, other dwellings, adjoining development and bushland.

Existing Vegetation/Landscaping

The site contains a significant stand of Cumberland Plain Woodland and Sydney Coastal River Flat Forest, while the remainder of the site has been cleared and used for grazing purposes for a number of years. The applicant has submitted a Flora and Fauna report and a Species Impact Statement.

The Flora and Fauna report identifies that the site contains five vegetation communities that contain threatened and significant plant species. The vegetation community also contains endangered fauna and provides habitat for both endangered and vulnerable fauna. The report in brief recommends:

- The bushland reserve of approximately 10 ha be created within the bushland area of the golf course. This reserve should be managed as a single entity by a group such as the proposed golf club, and will give permanent protection to the vegetation.
- No clearing to occur in the riverine woodlands unless necessary for creek crossings or for removal of weeds.
- The habitat trees be retained wherever possible. If removal is necessary then inspection by a qualified fauna ecologist prior to and during felling.

The proposed lot layout has been designed as a result of the investigation in the above reports.

The applicant has proposed that a landscape Masterplan will control the overall landscaping of the site. A copy of the landscape masterplan is to be lodged with the application. This will be considered with the subdivision application.

Whilst this approach is acceptable, it is considered the draft DCP requires additional reference to the importance of ensuring that the landscape qualities of the site and its rural context are maintained in any development of the site. To that end, the Landscape Masterplan would embrace the requirements of the proposed Building Siting and Design Code and ensure that there are clear guidelines for the design and management of both existing vegetation and proposed landscaping treatments on the site.

Conclusion

The proposed amended DCP will set the framework for the development of the site in a manner that will provide for a rural/residential development of a high standard.

The applicant, in putting forward the DCP amendment, has taken into account the objectives in LEP201 for the development, and also a number of recent studies undertaken of the site. The proposal provides for an improved conservation outcome and puts forward the key facilities originally intended for the land. They have also indicated the current viability of the proposal.

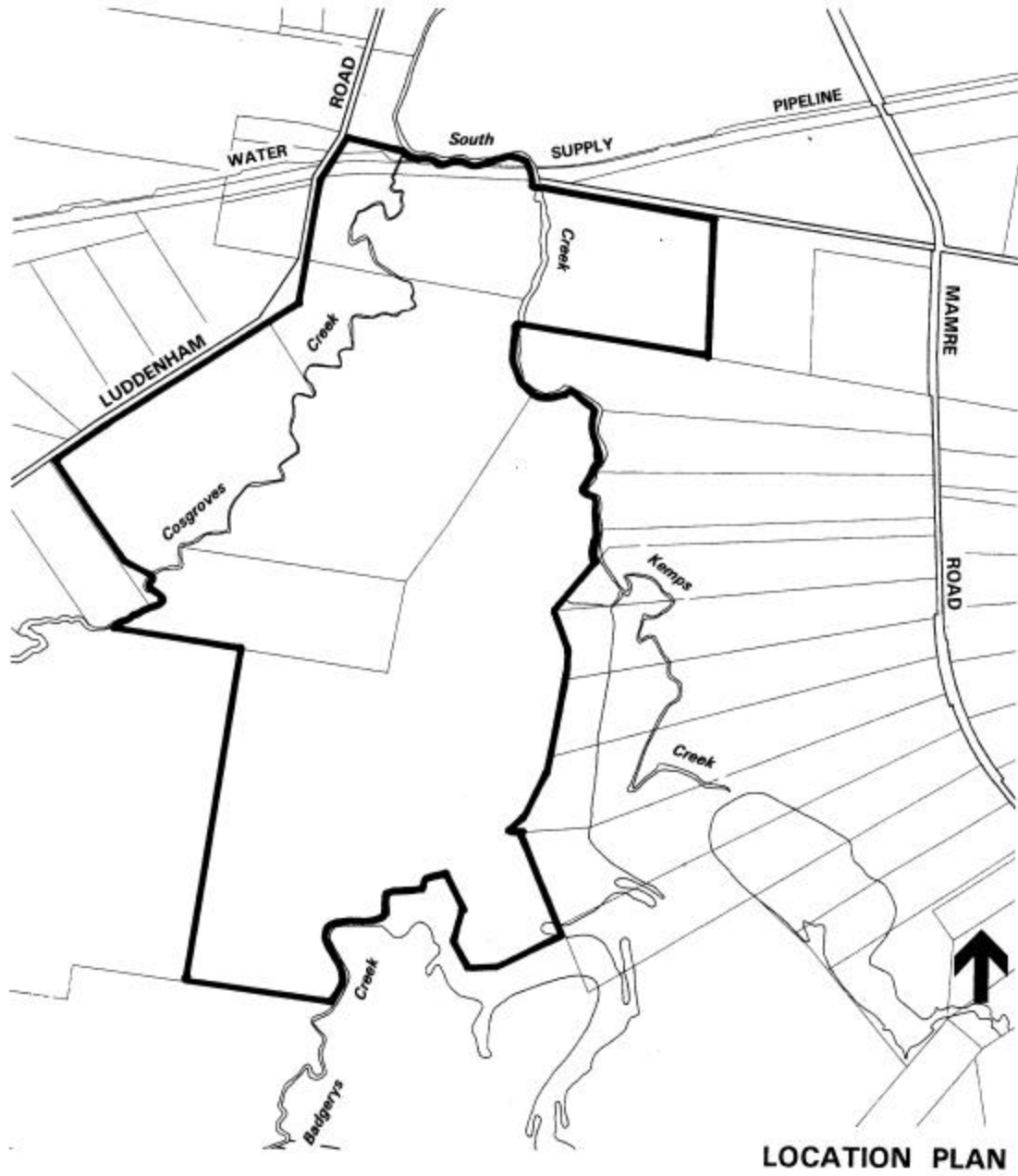
The amendments outlined in the report to the exhibited draft DCP in our view further clarify and refine the objectives for the site and Council's intentions in supporting the original rezoning. The amended DCP is therefore put forward for Council endorsement.

RECOMMENDATION

That:

1. Council in accordance with the provisions of the Environmental Planning and Assessment Act, adopt the amended Luddenham Equestrian Estate DCP for Lot 26 DP752022 Lot 1 DP1018318, Lot 25 DP258414, Lot 1 DP60530, Lots 1 & 2 DP227140 and Lot 1 DP290802 Luddenham Road, Luddenham as attached to the report and Council publish notice of its decision.
2. The applicant be advised of Council's decision.
3. The interested parties who lodged submissions be advised of Council's decision.





The City in Its Environment

4 "Four Winds" Heritage Item

4124/7

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.*

Requested by: Councillor Davies

Introduction

Councillor Davies has requested a report on the potential uses of the heritage item known as "Four Winds" and its site located on the Great Western Highway at Werrington. A location plan is appended.

The place is owned and managed by the Department of Urban Affairs and Planning (DUAP). A draft conservation management plan has recently been exhibited for comment by the Department.

This report describes the background to the subject property, the recommended potential uses in the conservation management plan and outlines the contents in a submission to the Department and Urban Affairs and Planning. The report concludes with a recommendation that Council endorse the attached submission to the DUAP.

Background

The Department of Urban Affairs and Planning recently commissioned Mayne-Wilson and Associates, Conservation Landscape Architects to prepare a draft conservation management plan for the property known as "Four Winds". The project involved the assessment of the conservation and management of the structures as well as a large area of land to its east and south.

"Four winds" is listed as a heritage item under the Penrith Heritage LEP. The heritage item status applies only to the building, outbuilding and the allotment it is located within (Pt Lot 10 DP202346). The zoning of the property is 5(d) Special Uses Corridor, in which a range of uses including community facilities, public authorities activities, dwelling houses, home occupations, public buildings, public utility installations/undertakings, recreation areas are permissible with consent. The provisions of the Penrith Heritage LEP, however provide a wider range of uses that might be considered for such a Heritage listed property where that use would not affect the amenity of the area and it would be likely to assist the conservation of the building.

Part of the additional land in the study area comprises the former Brells Tannery site to the east along the Great Western Highway. The remainder of the study area land comprises South Creek corridor land.

The draft Conservation Management Plan notes that the residence, its outbuildings and surrounding archaeological remains provide evidence of one of the important tanneries

previously centred at St Marys. Tanning, together with wagon making, provided the initial phase of closer settlement of the St Marys district commencing in the 1840's. The industries utilised plentiful supplies of timber and water to establish secondary processing of rural produce within the grazing lands on the Cumberland Plain that were progressively cleared west of Sydney.

The plan indicates the remaining structures record the success of Martin Brell, a local tanner, whose construction of the "Four Winds" residence on the site in 1922 culminated a successful business career spanning 53 years. The tanner was one of the largest in the area and its products exported to Europe. It is noted the residence, with its American (California Bungalow) influenced architecture, records a rare example of the use of this essentially suburban building style in the then more rural setting of this part of St Marys.

The property is included in DUAP's section 170 register under the NSW Heritage Act of heritage items that it owns and manages. This means that the significance of the item must be conserved through the imposition of mandatory minimum standards of maintenance and repair for the building. The standards in the Regulation relate to:

- Weatherproofing;
- Fire protection;
- Security;
- Essential maintenance.

Recent inspection of the building indicates that DUAP has complied with the requirements of the regulation.

"Four Winds" was subject to a development application by the Western Sydney Health Service in 1999 for its use as a methadone clinic. Council refused the application.

DUAP intends to lease "Four Winds" and the land in its vicinity. The draft Conservation Management Plan it has commissioned is intended to assist in determining an appropriate use for the buildings and land. DUAP has suggested that a condition of the lease will be that the buildings are conserved to a certain standard for an appropriate use that does not compromise the identified heritage significance of the place.

Draft Conservation Management Plan

The draft CMP contains a summary of recommendations followed by a comprehensive overview of the buildings and site and a review of the archaeological potential of the site. A copy of the executive summary and recommendations is included in the attachments. This forms the basis of the assessment of the heritage significance of the place and is soundly based. A conservation policy is presented with and the constraints and opportunities for the site assessed and future management possibilities discussed.

The potential uses identified in the draft CMP are:

1. Funeral centre with memorial gardens
2. AFL football complex
3. Pony or gymkana club
4. Plant nursery
5. Sporting recreation facility (unspecified)

6. Industrial and agricultural museum site.

Assessment of the Draft Conservation Management Plan

A detailed submission on the draft conservation management plan (draft CMP) has been prepared for council's endorsement and is attached to this report. The submission has been prepared in consultation with Council's Heritage Adviser. A brief summary of what is contained within the submission is presented below.

The submission has two main parts. The first comments on the general content whilst the second is an appendix of specific comments on the presentation and recommendations of the report.

The draft CMP provides a generally sound examination of the history and heritage significance of the place. However, concern is raised over the following matters:

- ◆ Type and nature of the recommendations;
- ◆ Deficiencies in presentation;
- ◆ Content and clarity of conservation management policy; and
- ◆ Exclusion of potential uses.

Whilst the recommended future uses of the place are considered to be generally feasible, a range of uses (particularly for the buildings) have been excluded on the assumption that the traffic noise impact on them is too great. Uses such as a residence, offices and professional consulting room have been excluded without an assessment of the level of impact and the potential for noise attenuation measures to make them viable.

The Director ~ City Strategy has identified that a group including Council, EDEC's IT Project Team and the Penrith Valley Business Enterprise Centre is developing a proposal for an IT Incubator. He considers that this building could possibly be adapted for that purpose. Further investigation of that will be undertaken.

The submission recommends that DUAP revise the Draft CMP in the following ways:

- ◆ Make firm recommendations to address identified conservation needs
- ◆ Defining the content of a schedule of works for conservation;
- ◆ Provision of a clearer conservation management policy
- ◆ Separation of the use of the buildings and site to broaden potential uses; and
- ◆ Assessment of noise impact on potential uses.

Conclusion

The draft CMP provides a generally sound examination of the history and heritage significance of the place, but does not satisfactorily address some of the long term conservation management issues associated with the site. The conservation policy for the buildings and site requires revision to provide clearer, more concise direction for the conservation of the place. The range of future uses for the place requires reassessment with a view to expanding the range of uses that could be accommodated without compromising the heritage significance of the place.

RECOMMENDATION

That Council endorse the attached submission in response to the draft Conservation Management Plan for “Four Winds” and forward it to the Department of Urban Affairs and Planning.



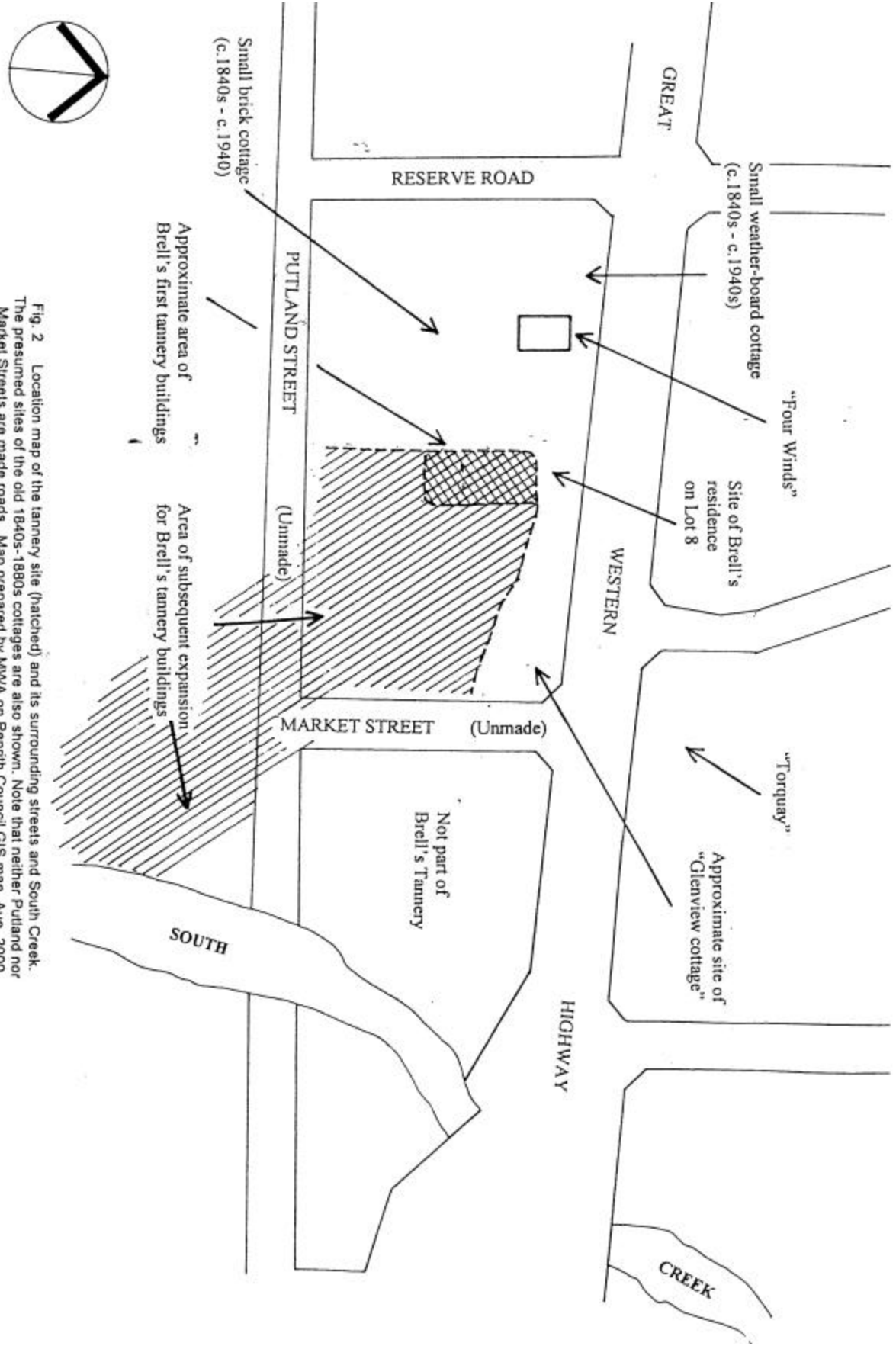


Fig. 2 Location map of the tannery site (hatched) and its surrounding streets and South Creek. The presumed sites of the old 1840s-1880s cottages are also shown. Note that neither Putland nor Market Streets are made roads. Map prepared by MWA on Pennith Council GIS map, Aug. 2000

ORDINARY MEETING

5 MARCH 2001

MASTER PROGRAM REPORTS

THE CITY AS A SOCIAL PLACE

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6	'Australia Dreams' Quilt - A Gift To The City Of Penrith 1985/9 Pt4	23
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8	Information Session For Penrith City Arabic Speaking Residents 34/4	29



The City as a Social Place

5 Railway Street Theatre Funding Submission

1050/9 Pt2

Compiled by: Steve Hackett, Director - City Services

Authorised by: Steve Hackett, Director - City Services

Management Plan 4 Year Outcome (Page 42): *The City's cultural profile has been raised.*

00/01 Critical Action: *Promote the City as a centre of cultural excellence.*

Council will recall a major annual funding request from the Railway Street Theatre (\$200,000) to allow for the continued provision of resident theatre company services to the City and region.

Theatre representatives addressed Council's Policy Review Committee Meeting on 22 May 2000. At that time, Council resolved that:

1. Discussions take place with Railway Street Theatre Company Ltd representatives regarding the issues raised in their funding submission.
2. A preliminary position on the Railway Street Theatre funding submission be formulated as part of Council's Public Exhibition of the Draft 2000/2001 Management Plan.
3. Representatives from Railway Street Theatre Company Ltd be invited to attend the upcoming Social/Cultural Forum.
4. A working party be formed to investigate proposed support to the Theatre.'

Additional information was sought from the Theatre to enable further consideration of the funding request. A Council Working Party has met on two occasions (with Theatre representatives) to further address the funding request. The outcome of those meetings was a resolution (11/12/00) that:

1. Council staff meet as a matter of urgency with Railway Street Theatre representatives to examine opportunities to accommodate Theatre operations into proposed Joan Sutherland Performing Arts Centre (JSPAC) Extensions Project.
2. A Project Nomination Bid seeking increased subsidy to Railway Street Theatre be formulated as a matter of urgency.
3. A further report be provided to the Railway Street Theatre Funding Submission Working Party.'

With respect to resolution 1 (from 11/12/00), several meetings have taken place between Council's Architect for the JSPAC Extensions Project, Theatre representatives and staff. The outcome of this examination is that the reasonable needs to accommodate the Theatre's operation into the JSPAC can be achieved by the development of an area of land to the east of the present facility building envelope as opposed to a refurbishment of the existing Alan Mullins room.

One opportunity from this could be that the existing Alan Mullins room remain as is and provides another useable space for the Centre.

Further studies are being carried out to identify an indicative building cost of this option as part of the total extensions project. In any event, the funding needed is still to be determined and any incorporation of Theatre activities/operations into the JSPAC is seen as a medium/longer term scenario. Upon receipt of this costing information, it is proposed to convene a working party meeting.

With respect to resolution 2 (from 11/12/00), a Project Nomination for 2001/02 will be formulated for discussion by the Working Party and then Council's consideration as part of the Project Nomination process.

As 2001 is the Year of the Volunteer, it is proposed that this nomination would centre around seeking funds of \$165,000 (Council presently contributes \$35,000 p.a. to the Theatre from Operational Budgets) to purchase Theatre tickets. The intention is that these tickets would complement Council's Year of the Volunteer Program by being distributed to volunteers throughout the City. This concept has been discussed verbally with Theatre representatives and there is some support to that notion.

Distinct from the above matters, Railway Street Theatre Company Ltd have formally invited a nominee of Council onto the Board of Directors of the Company. There is seen to be merit in Council considering this invitation further.

RECOMMENDATION

That Council consider appointing a representative to the Board of Directors of Railway Street Theatre Company Ltd.



The City as a Social Place

6 'Australia Dreams' Quilt - a gift to the City of Penrith

1985/9 Pt4

Compiled by: Erik Henricksen, Acting Recreation & Cultural Services
Manager

Authorised by: Ray Moore, Director ~ City Operations

Management Plan 4 Year Outcome (Page 63): *The City's cultural profile has been raised.*

00/01 Critical Action: *Promote the City as a centre of cultural excellence.*

Background

In January 2001 Council was offered a gift 'Australia Dreams' a quilt by Jayne Butler which was created as part of the Quilts 2000 Project run in conjunction with the Sydney 2000 Paralympic Games. It was donated to Council in recognition of its support of these games.

The Mayor responded by way of correspondence on 25 January 2001 accepting the generous offer from Quilts 2000.

The Quilt – 'Australia Dreams'

'Australia Dreams' is described as innovative, black/brown machine pieced, appliquéd and quilted, machine embroidered and embellished, cotton, synthetics, machine embroidered lace.

The Creator – Jayne Butler

Jayne, an Australian living in the U.S.A. is an award winning textile artist. This quilt is an original design created as an expression of love for Australia and its people.

Quilts 2000

Quilts 2000 were instigated and voluntarily carried out, by a group of ten leading quiltmakers. The Quilts 2000 Project was recently announced as a category winner at the Fundraising Industry Association of NSW annual awards and now proceeds for consideration for a national award.

The Quilt, accompanied by a book titled "Quilts 2000 Australia Celebrates" has now been received by Council and is on display at tonight's meeting.

Location

Council has in place a Cultural Program conducted by a dedicated group of volunteers who have created a number of excellent works focussing on specific local topics and displayed in various Council buildings, namely the Civic Centre and Central Library.

As the majority of these works are displayed in the Civic Centre/Central Library, it may be appropriate that this particular item be displayed in the St Marys Branch Library and Business Centre. A suitable site within this building has been identified and the quilt complements the existing décor.

RECOMMENDATION

That:

1. The information on 'Australia Dreams' Quilt by Jayne Butler, a gift to the City of Penrith, be noted.
2. The quilt be displayed at the St Marys Branch Library and Business Centre.
3. A letter of appreciation be sent to both Mrs Wright, Chairman Quilts 2000 and Jayne Butler, creator of the works.



The City as a Social Place

7 Penrith VRA Rescue Squad - Application for Funding

1101/1 Pt 4

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

Authorised by: Ray Moore, Director ~ City Operations

Management Plan 4 Year Outcome (Page 44): *The City is positioned to better manage emergencies.*

00/01 Critical Action: *Lobby to secure adequate provision of other emergency services for the City.*

The purpose of this report is to advise Council of a request for funding from the Penrith Volunteer Rescue Association (VRA) and to offer solutions which will ensure the best outcome for all emergency services operating in the Penrith Local Government Area.

VRA Background

- The first Volunteer Rescue Association (VRA) specialist squad was set up in mid 1930, being the Bushwalkers Wilderness Rescue Squad. In 1950 the first VRA Land Rescue Squad was formed in Wagga Wagga to assist Police.
- In 1962 the Bourke Rescue Squad was formed and in 1975 the Penrith Rescue Squad was formed. From information supplied from the Penrith VRA some 4,000 jobs have been responded to since 1975. In recent years funding for the running of the Penrith VRA has been primarily sourced from donations and fund raising activities from volunteers.
- At the present time there are some 75 organisations in New South Wales affiliated with the Volunteer Rescue Association Inc. Penrith is the only squad operating in the Sydney region. Other nearby squads are Lithgow and Central Coast. A squad is also located on Norfolk Island.

Request

The Penrith VRA requests Council consider the following three options:

1. Provide \$60,000 per annum on an ongoing basis.
2. Provide a one off project grant of \$200,000 for the completion of the new headquarters building.
3. Provide a one off project grant of \$200,000 and an ongoing \$60,000 per annum on an ongoing basis.

Comment

Council has always assisted the Penrith VRA on a requested basis. Examples of this assistance are an interest free loan provided for the purchase of vehicles, storage areas have been provided for the housing of plant and equipment, training rooms and facilities have been provided on an ongoing basis without charge and assistance has been given to secure a site for their headquarters building.

Other assistance is provided by The NSW VRA Association Inc who provides comprehensive insurance coverage for affiliates and their members. This coverage is in addition to the provisions of the NSW State Emergency & Rescue Management Act where insurance cover is provided for Workers Compensation, Public Liability, Directors & Officers Liability, Building & Contents and Motor Vehicles.

Previous Request for Financial Assistance from Penrith VRA

In 1995 Council considered a similar request from the Penrith VRA for a one off grant of \$150,000 to assist them in funding the construction of their headquarters building.

Council on this occasion resolved to seek a deputation to the Minister for Police & Emergency Services to strenuously press for a one off grant of \$150,000 to help fund the construction of this building.

Advice was received from the Minister for Corrective Services and Minister for Emergency Services that any financial assistance sought by the local VRA should be made to the NSW VRA Executive who are responsible for the distribution of government grants.

The President of the NSW VRA, Mr Ray Gill, advised that the requested funding, even on a one off basis, would be inequitable to those VRA Rescue Squads who have greater needs and would also be disruptive in the message it would convey to squads who abide by VRA policies and guidelines. The present VRA policy with approaches to members seeking financial assistance by VRA Rescue Squads is that such approaches must be made to the VRA Executive for assessment in the first instance.

Recent contact with the Minister for Emergency Services Office confirms this is the current policy and this process should be followed.

Council's Responsibility for Emergency Services

Council's role is to provide manpower, plant, equipment and materials as available and is required to assist in dealing with a local incident or emergency, and to provide expertise and support to engineering, health, environmental and welfare functional services.

In addition, to providing the Local Emergency Management Officer (Safety, Emergency & Waste Services Manager) as Executive Officer to the Local Emergency Management Committee and the Local Emergency Operations Controller. Council also provides the Chairperson (Mayor) of the Local Emergency Management Committee and the Recovery Co-ordinating Committee.

The budget for this activity varies with the type and nature of the operations occurring.

Council's Financial Responsibility for Emergency Services

Council has a statutory responsibility to provide financial and administrative assistance for the NSW Fire Brigades, the Penrith Rural Fire Service and the Penrith SES.

NSW Fire Brigades

The NSW Fire Brigades acts as the combat agency for fire, hazardous materials, incidents and emergency response operations and performs primary/secondary rescue tasks allocated by the State Rescue & Emergency Services Board and/or as responded by the NSW Police Service.

There are currently four NSW Fire Brigades operating in the Penrith LGA. A new Brigade is programmed for the Cranebrook area.

Penrith NSW Fire Brigade is the primary/secondary rescue unit in the Penrith LGA.

The net cost to Council for this service, as indicated in the 2000/2001 Management Plan, is \$644,610.

Penrith Rural Fire Service

The Penrith Rural Fire Service acts as the combat agency for the supervision of fires within the Rural Fire Brigade's area boundaries and assists at the request of the Police Service, NSW Fire Brigades, Ambulance Service, VRA and SES in dealing with any incident or emergency.

There are currently 10 Rural Fire Service stations in the Penrith LGA. This service is supported by some 350 volunteers.

Council contributes 12.3% of operational costs to the Penrith Rural Fire Service. This will increase to 13.3% in the 2001/02 period.

The net cost to Council for this service, as indicated in the 2000/2001 Management Plan, is \$552,345.

Penrith SES

The Penrith SES acts as the combat agency for floods, storms and tempests and co-ordinates the evacuation and welfare of affected communities. The SES assists, at their request members of the NSW Police Service, NSW Fire Brigades, Ambulance Service, Rural Fire Service, in dealing with an incident or an emergency.

The Penrith SES currently has 30 volunteers.

The net cost to Council for this service, as indicated in the 2000/2001 Management Plan, is \$48,648.

Penrith City Local Disaster Plan

The Penrith City Local Disaster Plan provides, in part, that:

“RESCUE

- (a) Rescue activities will be conducted by the designated Primary and Secondary Response Units in accordance with existing legislation and established procedures.”

Penrith VRA

The Penrith VRA Rescue Squad's responsibilities under the Penrith City Local Disaster Plan is to perform primary rescue tasks as allocated by the State Rescue & Emergency Service Board and/or as responded by the NSW Police Service, NSW Fire Brigades, Ambulance Service of NSW, NSW Rural Fire Service and SES in dealing with any incident or emergency. This service is supported by 15 volunteers.

Summary

State Rescue Board of NSW

The principal responsibilities of the State Rescue Board is to control and co-ordinate the rescue agencies in connection with rescue operations and to ensure the maintenance of efficient and effective rescue services throughout the State.

The State Rescue Board was established under the provisions of the State Emergency & Rescue Management Act and makes recommendations to the Minister on the levels of government support to volunteer organisations providing land and maritime rescue services, namely The NSW Volunteer Rescue Association (VRA), of which the Penrith VRA is a part, the Royal Volunteer Coastal Patrol (RVCP) and the Australian Volunteer Coast Guard Association (AVCGA).

These volunteer organisations raise a considerable amount of funding through their own initiatives and the State Government supplements their fund raising activities with an annual grant.

Last financial year the government made available \$500,000 to the VRA and its affiliates. This grant was paid directly to the Executive of the VRA who in turn distributed funds to its member units and its affiliate organisations.

Penrith City Council is fortunate in having a comprehensive range of emergency services operating in our local government area. Whilst the development of these services has been far from ad hoc, there has not been an overall review of the service providers.

This could be an ideal opportunity to request that the State Rescue Board review the services in an holistic manner and assist Council in identifying best practice management of our available resources.

The opportunity for the NSW Volunteer Rescue Association to assess the Penrith VRA proposal for financial assistance should be given in accordance with the present NSW VRA policy.

The State Government grant for 2001/02 is yet to be determined and it is suggested that any application for funding by the Penrith VRA, being part of the NSW Volunteer Rescue Association Incorporated be made directly to the Executive of the VRA.

RECOMMENDATION

That:

1. the report on the Penrith VRA Rescue Squad's application for funding be received;
2. the Penrith VRA be advised to make application for financial assistance through the NSW Volunteer Rescue Association in terms of this report;
3. the State Rescue Board of NSW be requested to conduct a review of rescue services for the Penrith Local Government Area.



The City as a Social Place

8 Information Session for Penrith City Arabic Speaking Residents

34/4

Compiled by: David Thompson, Executive Services;
Erich Weller, Community Programme Co-ordinator

Authorised by: Peter Huxley, Executive Officer

<p>Management Plan 4 Year Outcome (Page 66): <i>Equity of access to social services and facilities is increased for identified communities.</i></p> <p>00/01 Critical Action: <i>Encourage fairness of access to Council and non-government facilities and services.</i></p>
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Purpose

The purpose of this report is to inform Council of the Information Session for Penrith City Arabic-speaking residents, to be held in the Civic Centre on the morning of Tuesday, 6th March. The content of this report is also relevant to Council's Operating Environment, Critical Action: *Identify and progressively implement best practice in the delivery of services and projects* (p104 Management Plan).

Background

According to the 1996 Census there are over 20,000 residents over the age of five years in the City that speak a language other than English at home. This is likely to be an underestimate insofar as almost 4,000 persons did not indicate their language spoken at home.

Attachment 1 provides a pie chart indicating the twelve most commonly spoken languages at home other than English by residents in Penrith City.

Representatives of a number of non-English speaking background communities in the City have approached Council to develop information and education sessions on Council's governance role and service provision. This includes the Spanish speaking and Filipino communities.

Council for many years now has run an education program designed primarily for schools, secondary and tertiary education facilities but also catering to groups from the general public who would like to learn about Council and the way it operates. For many non-English speaking background communities in the City this information needs to be translated. The information session will in many cases require an interpreter. Thus the planning and preparation involved in co-ordinating and organising these sessions for non-English speaking communities in the City is substantially greater.

Council has a responsibility under the Local Government Act 1993 to ensure its services are accessible equitably to all its residents. Access to information is a key step in achieving this outcome. In some cases this will require interpreters and translations.

In September last year the Australian Lebanese Welfare Group formally approached the then Mayor, Councillor John Bateman, to request Council organise an information session on its services for Arabic speaking residents in the City.

The Australian Lebanese Welfare Group is funded by the Department of Immigration and Multicultural Affairs. It has provided services to Arabic speaking residents of Penrith City since the mid-90s. The ALWG is now based at St Marys Community Centre with Nepean Migrant Access.

The ALWG's role is to provide direct welfare casework and settlement services to Arabic speaking communities, with particular emphasis on new arrivals and humanitarian entrants. It also encourages and supports mutual assistance by initiating the establishment of group activities, e.g. women's group, English classes. Clients come from a diverse range of countries, including Egypt, Lebanon, Kuwait, Syria, Saudi Arabia, Sudan, Iraq and Jordan, and religions.

Council has supported the ALWG with Community Assistance Programme donations in the past, as well as the ALWG was a major partner with Council in holding a "Working Together with Arabic Speaking Residents in Penrith City" workshop in 1999. This focussed on how local community organisations could better meet the settlement needs of Arabic speaking residents in the City.

The Information Session outlined in the next Section is an extension of this partnership work.

Information Session

The Mayor, Councillor David Bradbury, will welcome participants to the session. Topics to be covered include:

- Local governance and the services Council provides.
- Council's Role in Environmental Protection and how you can assist.
- Recycling household rubbish.

The session will also include a visit to the front counter and the library. The availability of the Telephone Interpreter Service to assist residents of non-English speaking background will be highlighted. An interpreter will be in attendance to provide the presented information in Arabic.

Translated material will also be available on other generic services provided by local government. Council officers expect 20-30 participants at the session.

Conclusion

The information session for Penrith City Arabic speaking residents is the first of its kind that Council has organised. This is a pilot initiative and if successful it is intended to hold further sessions for other non-English speaking background communities in the City.

RECOMMENDATION

That:

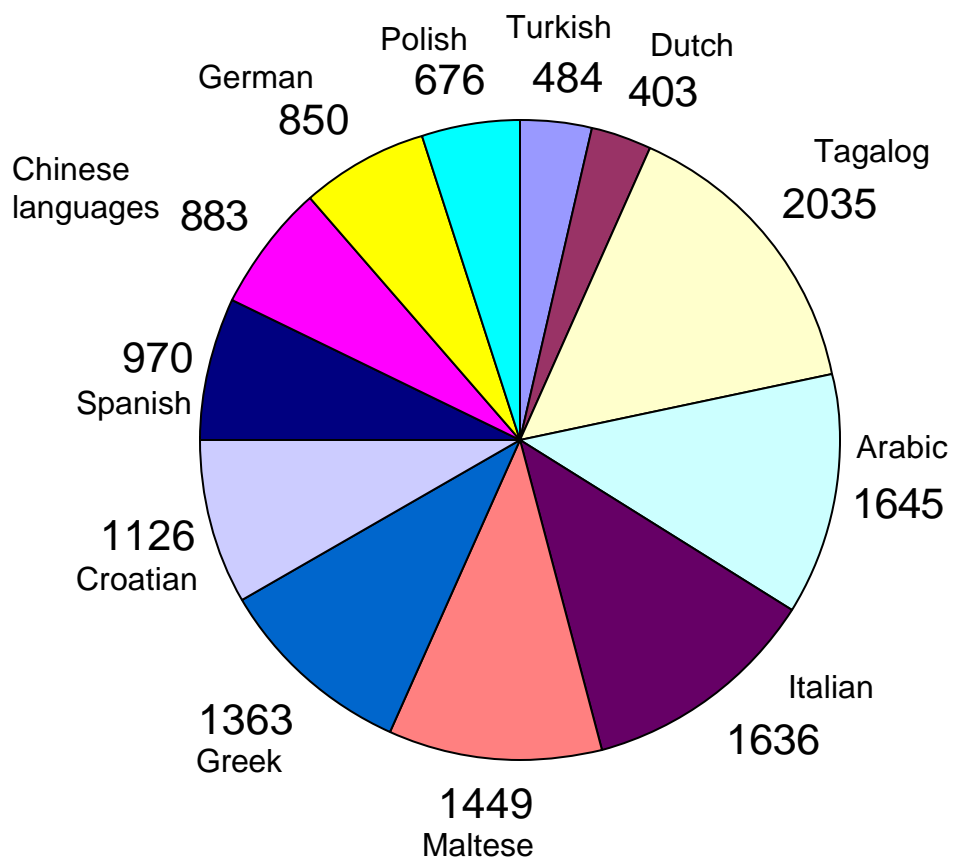
1. Council receive the information on the Information Session for Arabic speaking residents.

2. Council receive a further report evaluating the success of the pilot initiative by April, 2001 and this evaluation include information on the cost of organising the session, the provision of an interpreter and selected translated material.



ATTACHMENT 1

**Languages Other than English Spoken at Home
Persons 5 Years+
Penrith LGA 1996**



N.B. This shows only the top 12 languages.

ORDINARY MEETING

5 MARCH 2001

MASTER PROGRAM REPORTS

THE CITY SUPPORTED BY INFRASTRUCTURE

9	Roads To Recovery Programme 9011/56	33
10	Footpaving – Henry Street, Penrith And Creek Road, St Marys (9008/16 Pt 3)	37



The City Supported by Infrastructure

9 Roads to Recovery Programme

9011/56

Compiled by: David Burns, Works Construction and Maintenance Manager

Authorised by: Ray Moore, Director City Operations

Management Plan 4 Year Outcome (Page 105): *A register of all significant assets, their condition and standards determined and a plan for their maintenance is operating.*

00/01 Critical Action: *Develop a sustainable financial response to existing and future asset maintenance, and incorporate that in Council's Management Plan.*

Background

At its Ordinary Meeting on 11 December, 2000 Council received a report on the Federal Government's Roads to Recovery Programme. A copy of that report is attached.

Council was advised in the report that a detailed proposal for the projects to be funded under this programme would be developed once the Federal Government advised the Administrative Guidelines and Conditions to apply to payments to Councils.

Council at the meeting on 11 December, 2000 resolved that the funding received under the Roads to Recovery Programme be allocated to road asset maintenance which would continue Council's commitment to preventative maintenance, ie bitumen reseals in rural areas, asphalt (hot-mix) resheets in urban areas. This would also include patching and kerb & gutter repairs prior to resealing and resheeting, and widening of road pavements and resealing of selected rural roads.

Current Situation

The Administrative Guidelines and Conditions were received from the Department of Transport and Regional Services (DOTRS) on 22 February, 2001. Copies are attached to tonight's Business Paper.

In summary, the Roads to Recovery Programme provides funding for roads in rural, regional and metropolitan areas. The funds are provided in the form of grants directly to local government for expenditure on roads. The focus of the programme is the renewal of local roads as an essential element of Australia's social and economic infrastructure.

The Federal Government considers local government best placed to make decisions on the road investment at the local level. The Roads to Recovery Programme reflects this by giving councils the freedom to use the funds on their roads as they wish.

Under the Roads to Recovery Act 2000 payments under the Programme can only be used "on the construction upgrade or maintenance of roads".

The DOTRS has advised in the guidelines that in addition to the normal meaning, "roads" can include:

- traffic signs and control equipment
- street lighting equipment
- vehicular ferries
- bridges or tunnels, including pedestrian bridges or tunnels

- bicycle paths

The programme operates on an annual cycle of:

- provision by Local Government Authorities (LGA) of annual schedules of works.
- quarterly payments made in advance.
- payments (other than first payment) will be made following a report by the LGA on the expenditure of funds from the previous payment, and
- provision by the LGA of an annual statement of accountability and reporting on objectives achieved by their use of Programme funds.

To receive the first payment, Council is required to submit payee details and a works schedule covering the period to 30 June 2001. The DOTRS have advised that if Council supports the recommended schedule of works, detailed later in this report, then the first payment will be received by the end of March.

Effect of Roads to Recovery Programme

A resolution of Council when it considered the Roads to Recovery Programme at its meeting on 11 December, 2000 was that a further report be submitted to Council advising of the works proposed to be funded under the Programme and the effect this programme will have on the road asset condition within the Penrith LGA.

a) **Road Asset Condition**

Council has previously received reports on the current condition of the road asset and the effect that different funding scenarios would have on the condition.

Attached to this report is a graph showing the effect of the 4-year Roads to Recovery Programme on the average pavement condition index for the road network. The graph indicates that the four year funding programme assists in reducing the current rate of deterioration of the road pavement condition, however the programme does not address the shortfall in recurrent funds identified as being required to arrest the current deterioration of the asset, the improvement of the condition and maintaining it in this improved condition.

This matter was addressed in the Deputy Mayor's letter to the Minister thanking the Federal Government for the Programme. The Minister was requested to consider making the Roads to Recovery Programme an on-going programme and not just a four year programme.

b) **Proposed Schedule of Works 2000/2001**

Penrith City Council will receive a Roads to Recovery Programme total grant of \$3,637,225 over four years, ie an annual grant of \$909,306 for works on the local road network.

A programme has been developed for 2000/2001 for a combination of asphalt resheets, bitumen reseals, pavement widening and stabilisation in urban and rural areas. All projects have been identified from information contained in the SMEC Pavement Management System and in future programmes. The Roads to Recovery Programme has enabled these projects to be brought forward.

Programmes are being developed for the next three years of the Roads to Recovery Programme and these will be reported to Council when finalised.

The recommended 2000/2001 Roads to Recovery Programme is as follows:

Location	Description	Estimated Cost \$
Bennett Road, St Marys from Shepherd Road to St Clair Avenue	Heavy patch failed areas, replace sections of damaged kerb and gutter and asphalt resheet.	\$62,000
Factory Road, Regentville - Mulgoa Road to Bundarra Road	Combination asphalt resheet and two coat bitumen seal	\$28,000
Glenbrook Street, Jamisontown - Mulgoa Road to Sparks Road	Heavy patch failed areas and asphalt resheet	\$45,000
Herbert Street, Cambridge Park - Wrench Street to William Street	Heavy patch failed areas; replace sections of kerb and gutter, asphalt resheet	\$90,000
John Oxley Avenue, Werrington - Dunheved Road to Princess Street	Heavy patch failed areas; replace sections of kerb and gutter, asphalt resheet	\$110,000
Jolly Street, Castlereagh - Sheredan Road to Church Street	Heavy patch and single coat bitumen seal.	\$14,000
Kerrs Road, Mt Vernon - Mamre Road to Mt Vernon Road	Stabilise and widen existing pavement, 2 coat bitumen seal.	\$82,000
Kurrajong Avenue, North St Marys - Glossop Street to Boronia Road	Heavy patch failed areas, replace sections of kerb and gutter, asphalt resheet	\$125,000
Londonderry Road, Londonderry - Namatjira Avenue to 70m south of Kenmare Road	Heavy patch failed areas, asphalt resheet	\$163,000
O'Connell Street, Kingswood - Second Avenue to Gershwin Crescent	Combination heavy patch failed areas, stabilise and widen various sections, 2 coat finish seal, asphalt overlay	\$190,000
		\$909,000

RECOMMENDATION

That:

1. the report concerning the Federal Government's Roads to Recovery Programme be received.

2. the projects detailed in the report be funded under the Roads to Recovery Programme for 2000/2001.



The City Supported by Infrastructure

10 Footpaving – Henry Street, Penrith and Creek Road, St Marys (9008/16 Pt 3)

Compiled by: Craig Ross, Technical Services Manager

Authorised by: Alan Stoneham, Director ~ City Planning

Management Plan 4 Year Outcome (Page 94): *A strategy for footpaths and cycle ways across the City has been implemented.*

00/01 Critical Action: *Review Council's Footpath Program and Council's Cycleways Plan, and develop an implementation and funding plan.*

Requested by: Councillors Davies and Fowler

Purpose

The purpose of this report is to provide Council with information regarding footpaving at two locations in the city. Cr. Davies has enquired about the footpaving adjacent to Ripples and Cr. Fowler has enquired about the Henry Street footpaving.

Background

Council has an outstanding list of unfunded footpaving throughout the city that is used for consideration of future programmes. This list is reviewed from time to time and has been the subject of a consultant study to address the needs of the whole of the urban area. This report will be submitted to Council in the near future.

Current Situation

The status of two sections of footpaving has been requested:

Henry Street between Evans Street and Doonmore Street (north side)

This footpath is 135m in length and completes the unconstructed section between Doonmore Street and Evan Street. The estimated cost is \$6,500 and in accordance with Council's policy, 50% of this amount can be recouped from adjoining owners. The footpath is heavily utilised and has some uneven sections and is a high priority in the Unfunded Footpath List.

Creek Road – Ripples Frontage (east side)

This section of footpath is heavily utilised by patrons to the Ripples Swimming Centre and is a high priority in the Unfunded Footpath List. The path is 120m in length and is estimated to cost \$5,760.

RECOMMENDATION

That the Technical Services Manager's report on the two sections of footpath be received.



ORDINARY MEETING

5 MARCH 2001

MASTER PROGRAM REPORTS

COUNCIL'S OPERATING ENVIRONMENT

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Council's Operating Environment

11 Salary Administration System Progress Report

909/75 Pt. 16

Compiled by: Danielle Taylor, Personnel Services Manager

Authorised by: Linden Barnett, Workforce Development Manager

Management Plan 4 Year Outcome (Page 116): *A flexible, skilled, motivated, responsive and valued workforce is in place.*

00/01 Critical Action: *Provide a safe and equitable workplace.*

Introduction

The purpose of this report is to provide Council with an update on the progress being made on the Salary System Project.

Current Situation

The final stage of this project is now being undertaken focusing on the assessment of skills and knowledge leading to the progression of staff through the salary system. In most organisations this process is regarded as a potential high-risk activity as it:

- Can have financial implications
- Can impact on industrial harmony and staff morale
- Can impact positively or negatively upon productivity levels in this organisation

Therefore it is important that the process be undertaken in a way that ensures the integrity of the system and process and obtains quality results. A comprehensive policy and procedure document has been developed and implemented. This policy will support those staff responsible for guiding the process.

A summary of the major aspects of the policy is as follows:

- Overview of the different types of assessment
- Explanation of the principles of assessment
- Ensuring the cost effectiveness of the process
- Procedure for staff if they wish to request the review of an assessment decision
- Roles of key players in the assessment process
- Maintaining confidentiality of assessment results

This policy has been developed through an extensive process of consultation. Meetings have been held with staff and management representatives from the Joint Consultative Committee. The draft policy was also presented to the Managers at their monthly meetings. The comments and feedback from these groups have been carefully considered and incorporated into the final document.

This final stage of implementation will involve the following:

1. Education and communication with staff
2. Appointment of a Technical champion to oversee the process
3. Finalisation of clear guidelines and documentation

1. Education and Communication Activities

Studies have shown that skill and knowledge assessment systems are more successful when there is a high level of understanding of the system by staff. To ensure that this is the case with Penrith City Council steps have been taken to develop an in-house training course. A temporary Part-time Training and Development Officer has been employed to develop this course. The goal is to develop a course to assist staff in accessing and participating in the Skill and Knowledge Assessment Process. This course will largely be based upon the provisions contained within the Skill and Knowledge Assessment Policy. Staff will continue to be kept informed by way of regular newsletters and presentations as each milestone is reached.

2. Appointment of a Technical Expert to implement the process

As mentioned earlier in this report the process of Skill and Knowledge Assessment is seen as a potential high-risk activity. For this reason the decision was taken to “buy in” expertise to fill the position of Workplace Assessment Coordinator for a period of up to eighteen (18) months.

The field of expertise is commonly referred to as “competency based assessment” or “Workplace Assessment.” The goal is to ensure a transfer of skills and knowledge from the Workplace Assessment Co-ordinator to existing staff in the Workforce Development Department.

The Workplace Assessment Coordinator will introduce the process of skill and knowledge assessment by:

- Coaching supervisors to undertake the assessment of technical skills
- Co-ordinate the engagement of contractors to undertake skill assessments of organisational and occupational skills
- Develop and implement administrative processes connected with Salary administration and skill and knowledge development.

Steps were taken to fill the position of Workplace Assessment Coordinator in early October 2000. Unfortunately the recommended applicant declined the offer. The position has been re-advertised and interviews should be held in early March 2001.

In the meantime, a brief has been developed as part of the process of sourcing a range of external consultants to conduct Workplace Assessments in each of the occupational areas.

3. Finalisation of clear guidelines and documentation

Skill and knowledge profiles have been developed for each occupational group and each individual job. An exhaustive process of consultation has been undertaken.

As mentioned above a comprehensive policy document has been developed. Training documentation is also currently being developed at this point in time.

Final steps to implement the system are:

- Finalise consultation with the Joint Consultative Committee and staff regarding Skill and Knowledge Profiles
- Develop Workplace Assessment and Desktop Assessment Procedures and Checklist
- Finalise development of Salary System Training Course

- Train Workforce Development staff to support Supervisors in area of Desktop Assessment
- Finalise development of Skill and Knowledge Profiles
- Publicise availability of system
- Conduct Trial Workplace Assessments
- Conduct Salary System Training Courses
- System goes live!

Most of the above activities are currently being undertaken concurrently and are progressing well.

RECOMMENDATION

That the information concerning the Progress Report on the Salary Administration System contained in this report be received by Council.



Council's Operating Environment

12 Child Protection Legislation and its impact on Council

20/37

Compiled by: Danielle Taylor, Personnel Services Manager

Authorised by: Linden Barnett, Workforce Development Manager

Management Plan 4 Year Outcome (Page 116): *A flexible, skilled, motivated, responsive and valued workforce is in place.*

00/01 Critical Action: *Provide a safe and equitable workplace.*

Management Plan 4 Year Outcome (Page 54): *Children's services are provided to assist families, family employment choices and to maximise children's potential.*

00/01 Critical Action: *Advocate for standards of care and education to protect and foster children's health, safety and education.*

Requested by: Councillor Greg Davies.

Introduction

A report on Child Protection Legislation and its impact on Council was presented to Council on 19 June 2000. A further report and copy of the Policy and Procedure document was requested to be presented to Council.

The purpose of this report is to provide Council with:

- An update on the progress being made in the implementation of Child Protection legislation
- A copy of the policy document

Background

In response to the recommendations from the 1997 Wood Royal Commission into the NSW Police Service, the NSW Parliament enacted legislation to contribute to reducing the risk of abuse of children and young people by those entrusted with their care.

As a result the Government initiated a series of wide ranging reforms at both the organisation and policy level to ensure the protection of children was given greater priority. Part of the policy response was the adoption of four Acts that seek to put in place arrangements to assist in reducing the likelihood of an inappropriate person working with children and young people.

These pieces of legislation are:

- The Ombudsman Amendment (Child Protection and Community Services Act 1998)
- The Child Protection (Prohibited Employment) Act 1998
- The Commission for Children and Young People Act 1998 (CCYP)
- The Children and Young Persons (Care and Protection) Act 1998

Action taken to date:

A review group was formed made up of the Workforce Development Manager, Personnel Services Manager, Children's Services Manager and the Legal Officer. This group has overseen the implementation of an action plan that included the development of a policy and procedure document.

One of the first steps undertaken was the identification of all positions within Council that fall within the definition of being a "child related" position. Interviews were held with all managers to identify all child related positions in accordance with the definitions under the various pieces of Child Protection Legislation. A list of the identified positions has been added as an attachment to the Policy document.

The legislation allows for a staged implementation of its provisions. The first groups of staff to be dealt with are:

- casual employees
- volunteers
- new employees

Progress in the implementation of the provisions of the Child Protection Legislation is pleasing especially since several other large projects have been undertaken concurrently being the Salary System Project and the implementation of an integrated Human Resources Information System. The implementation of these legislative provisions has required the dedication of significant time and resources. Council is fortunate that it has the staff, resources and contacts to be able to develop a comprehensive policy and Staff Information Session. Not all organisations may be in a position to respond as quickly as Council. Council has recognised this and has forwarded copies of its documentation, invitations to attend Staff Information Sessions and contact details to associated organisations being:

- Joan Sutherland Performing Arts Centre
- Penrith Whitewater Stadium
- Ripples – St Marys Leisure Centre

Expert advice on the implementation of the provisions of the Child Protection Legislation can be obtained by contacting:

- The N.S.W. Commission for Children and Young People
- N.S.W. Department of Community Services.
- N.S.W. Ombudsman

Casual Employees

Two information sessions were conducted in October 2000 for all of the people listed on Children's Services Relief List; 154 casual staff attended these sessions. The aim was to educate staff on the new legislation. The sessions were run by our own staff and covered the following topics:

- Overview of the new legislation
- Child Abuse Indicators
- Procedures in completing and returning the Child Protection Forms
- Changes to Council's Administrative procedures to accommodate the new legislative requirements

Volunteers

Procedures on how to deal with volunteers working in child care centres and other services that deal with children have been developed and implemented.

New employees

All applicants recommended for employment to child related positions are now required to complete a Prohibited Employment Declaration Form and a Working with Children Check Consent Form. This consent form is submitted to the Department of Community Services who then conduct the check on the candidate. Once a clearance has been obtained from the Department of Community Services an offer of employment is made.

Administrative procedures have been developed and the appropriate staff have been trained.

Existing Permanent and Temporary Staff

Attention is now being focused on ensuring that all permanent and temporary staff attend an information session. To date four Information Sessions have been conducted (December 2000) for this particular group with 191 staff attendances being recorded. Further information sessions are currently being organised for March/April 2001 for the remaining staff members.

Overview of the Draft Child Protection Policy and Procedure Document

The initial draft policy and procedure document was developed by the Personnel Services Manager through a process of consultation with the Workforce Development Manager, Legal Officer and Children's Services Manager. The draft document was then presented to the Joint Consultative Committee in October 2000 and to the Managers at their November 2000 Meeting.

The Policy aims to provide guidance to staff in the areas of:

- Employment screening
- Reporting an allegation of child abuse against a Council employee
- Procedure to investigate an allegation of child abuse
- Reporting of disciplinary proceedings against council staff involving child abuse, sexual misconduct or acts of violence involving children to an external body.

The document also:

- Contains an extensive list of definitions to assist staff.
- Establishes a Child Protection Contact Officer Network to assist staff and members of the general public in lodging a complaint of child abuse
- Establishes a Child Protection Team charged with the responsibility of providing advice and support to Directors, Managers and Supervisors in the conduct of an investigation into an allegation of child abuse made against a staff member
- Provides details on protective behaviour strategies for staff

The process of identifying the impact of this legislation has also brought to our attention associated issues that require further examination. Those issues are:

- The placement of school students on work experience involving periods of time alone with Council staff that fall outside the definitions under Child Protection Legislation, e.g. site visits with technical staff

- The risk to Council staff in those situations where the work environment or position responsibilities require them to work alone

Both of these issues will be examined more fully with a view to developing an appropriate set of guidelines or procedures.

RECOMMENDATION

That Council receive this report and the Child Protection Policy and Procedure document.



Council's Operating Environment

13 Presentation to Raymond Wiggins

##

Compiled by: Jim Mason, OH&S/Employee Relations Officer

Authorised by: Danielle Taylor, Personnel Services Manager

<p>Management Plan 4 Year Outcome (Page ##): <i>A flexible, skilled, motivated, responsive and valued workforce is in place.</i></p> <p>00/01 Critical Action: <i>Provide a safe and equitable workplace.</i></p>

Background

In accordance with Council's policy of recognising those staff who have provided lengthy and loyal service, we are here tonight to farewell Ray Wiggins. This report signals Ray's desire to retire from his position of Maintenance Overseer after over 35 years service with Council.

Ray commenced duties with Council on 6th September 1965 as a General Labourer.

Over these next 35 years Ray, due to his hard work, enthusiasm and efficiency was able to progress through the ranks of the outdoor staff from General Labourer, Leading Hand, Ganger and Works Foreman to his final classification of Maintenance Overseer.

Ray also showed his versatility by carrying out the duties of Acting Caretaker at the Council Chambers during periods of absence by the Building Caretaker.

In the absence of the Superintendent of Works on leave Ray capably carried out these duties on numerous occasions and was always willing to undertake out of hours duties on callouts during times of emergencies.

Also, during his years of service he has successfully completed numerous training courses, some of which included Supervision, Occupational Health & Safety, Manual Handling and Confined Spaces.

During his period of service he has received letters of congratulations for work well done from residents and ratepayers of Penrith City.

Ray's employment with Council has been highlighted by his notably outspoken and forthright manner but he always had the welfare of his fellow workers and the citizens of Penrith utmost on his mind. Ray earned the respect of his peers and fellow workers.

Ray is well-known for his mannerisms and colloquialisms, especially when talking to anyone and calling them "mate".

Apart from Ray's 35 year association with Council he has also had a long association with Penrith Panthers in administrative functions and is currently the Security Manager for the Panther teams. During the football season if Penrith had had a successful week-end, Ray was on top of the world, but heaven help his staff if they lost.

An overseer of Ray's calibre, after 35 years of dedicated service and wealth of experience will prove very hard to replace and the Depot will miss his loud raucous voice summoning the staff to attention and duty.

RECOMMENDATION

That a presentation to Ray Wiggins be made at tonight's Council meeting in recognition of his 35 years outstanding service.



**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**

ORDINARY MEETING

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THE CITY IN ITS ENVIRONMENT

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The City in Its Environment

14 Development Application for Additions and Alterations to the Existing Penrith Anglican Colege on Lots 14 & 15 DP 803128 (338-356) Wentworth Road, Orchard Hills, Owner and Applicant: Sydney Anglican Schools Corporation

DA00/2631

Compiled by: Pukar Pradhan, Environmental Planner

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

<p>Management Plan 4 Year Outcome (Page 20): <i>The City retains its distinct rural and urban qualities.</i></p> <p>00/01 Critical Action: <i>Maintain and enhance the distinctive nature of the City's urban and rural areas.</i></p>
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Introduction

An application has been lodged by Sydney Anglican School Corporation seeking Council's consent to construct a new senior library building, a new maintenance building, a basketball court, additional 55 vehicle parking area and to modify the approved layout of some buildings and facilities on the abovementioned properties. The application also seeks approval to increase the number of students from 700 to 940 students by the year 2007.

The key issues relevant to this development application are:

- Traffic.
- Noise.
- Increase in the number of students.

This report provides details of the proposal, an assessment of relevant issues and recommends conditional approval of the application.

Background

Council on 1 July 1996 refused an application to construct a school complex on the above property. The applicant then appealed to the Land and Environment Court. The appeal was upheld and conditional development consent was granted on 20 December 1996 by the Court.

The approved development incorporated the following attributes:

- The alteration and additions to the existing dwelling to be used for the administration of the school.
- The construction of two single storey buildings for classrooms.
- The construction of six earth covered buildings for classrooms
- A sports oval and a grandstand.
- Two basketball courts.
- A bus bay and parent "drop off and pick-up" area and
- 160 car parking bays and associated driveways

The proposal was for 700 students ranging from Kindergarten to Year 12. It was proposed to be constructed in six stages over a period of six years.

The plan approved by the Court and the proposal's anticipated intake and staging strategy is an attachment to this report.

The applicant is now proposing to add two new buildings, increase the number of students and to modify the layout of some of the facilities on the subject site to complete the development.

The Subject Site

The subject site has an approximate area of 6.5 hectares and is located on the southern side of Wentworth Road, approximately 600m east of its intersection with The Northern Road. The site is slightly elevated due to the existence of a ridge, which runs centrally through the site in a north south direction. The highest point of this ridge occurs in the centre of the site and is that forms a dominant topographical feature in the surrounding locality.

The site currently contains several buildings including four earth-covered classroom buildings, an administration building located on the ridge, a sports ground and car park.

The Proposal

The current proposal involves the following:

- ❑ Construction of a new senior library building and a maintenance building to be located at the southern end of the proposed new senior quadrangle.
- ❑ Construction of a single building to be used to accommodate Year 11 and 12 students.
- ❑ The two approved basketball courts will be moved to the east of the playing field and a third court constructed.
- ❑ The gymnasium previously approved on the ridge is to be relocated to the south-eastern corner of the site.
- ❑ The approved canteen is to be relocated and located within the proposed gymnasium building.
- ❑ The large approved playing field and running track is to be reduced in size and re-oriented on a north-south axis.
- ❑ The approved grandstand is to be deleted.
- ❑ An additional 55 car-parking spaces are to be provided
- ❑ The number of students is to be increased to 940 up to the year 2007.
- ❑ Additional landscaping.

Plans of the proposal are attached to this report.

Statutory Situation

The subject site is zoned 1(b) – “Rural” pursuant to SREP No 25 – Orchard Hills. The proposed development is defined as “Educational Establishment”. While SREP No 25 was amended in 1999 to, amongst other things, prohibit educational establishments in the 1(b) zone. Clause 30 allows an “Educational Establishment” on this subject (Lot 501 DP 803128) site. Hence, is a permissible use.

Orchard Hills – Development Control Code No 1

This Code 1 applies to the western portion of the site. The Code aims to promote proper integration of the built and rural environments, it promotes the continuation of the open space and semi-rural character of this locality.

The subject development was considered by the Land & Environment Court and found to be consistent with intent of the Code. The proposal to relocate the gymnasium building and delete the grandstand from the ridgeline of the site will in fact improve the overall visual quality of the area by comparison to the current approval. None of the other works compromise nor conflict with the Code.

SREP – No 20

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). SREP 20 aims to ensure that the development does not negatively impact on water quality, fauna and flora habitats. SREP 20's planning considerations, policies and strategies are not compromised by the proposed development.

SEPP-11

The proposed development was referred to the Sydney Regional Development Advisory Committee (SRDC) for assessment in accordance with State Environmental Planning Policy No 11. The SRDC raised no objection to the development but recommended the following conditions be imposed should the application proceed:

- (i) The car parking layout to comply with current Australian Standards.
- (ii) The provision of traffic calming devices, within the proposed car parking area.
- (iii) The main pedestrian access must not be in the proposed car parking area.
- (iv) The bus drop off area is not to be used as a “kiss and ride” area.
- (v) A paved pedestrian path is to be considered across the entire frontage of the site.
- (vi) The provision of a suitable pedestrian facility along Wentworth Road.
- (vii) The installation of warning signs on approaches to school.
- (viii) The car parking areas are to be provided with pavement directions.
- (ix) Any pedestrian access proposed on site is to be a raised facility (e.g. wombat crossing).
- (x) All disabled car parking spaces are to be in close proximity to the main entrance from the car parking area.

These comments were referred to Council's Technical Services Manager, who has advised that, appropriate school zone signs have already been provided in front of the School. All other matters should generally be required as conditions of consent (condition J036; J037 & J040).

Due to the site's location none of the staff walk or cycle to the School and the majority of students either come by bus or vehicles and very few walk to the school.

The Technical Services Manager has, therefore, advised that matters v and vi of the SRDC's requests are not required for this development.

The Local Traffic Committee also considered the application at its meeting in October 2000. The Committee raised no objection to the development, but recommended that it provide adequate on-site parking including student parking. Traffic calming is also to be provided on the internal road network.

Public Consultation

The application was notified in accordance with Council's Development Control Plan – "Notification and Advertising". Two meetings have been held with Council and representatives of the Orchard Hills Residents' Association to discuss this application. An on site meeting was held on 27 February 2001 between the applicant, available Councillors and Council staff. Five submissions were received including two from the Orchard Hills Residential Association. Their comments are summarised below:

The proposal would impact on the amenity of the area due to –

- Increase in traffic along Wentworth Road.
- Increase in noise due to additional traffic and students.
- Increase in water run-off due to additional development on site.
- Concerns at the incremental increase in the number of students and the associated impacts as outlined above.

The above issues are addressed in the latter part of this report.

Three submissions, one of which was from the Orchard Hills Resident's Association, were received in support of this application.

Assessment of Proposal

The consultation and assessment process has resulted in the emergence of several key issues that need to be considered when determining this application. These issues are now dealt with individually.

1. Statutory Considerations

• REP Objectives

The aims of the Regional Environmental Plan for Orchard Hills relevant to the site are as follows:

- to protect and enhance the scenic landscape quality of the area;
- to ensure that development does not compromise the agricultural or scenic qualities of Orchard Hills;
- to ensure that development is compatible with existing infrastructure;
- to promote Orchard Hills as a rural landscape buffer area both along the F4 Freeway and between the various residential areas of the City of Penrith;
- to permit the carrying out of development which promotes the agricultural and scenic qualities of Orchard Hills;

The key objectives most relevant to the subject site relate to the protection and enhancement of the rural landscape and the scenic quality of the area, and ensuring that development does not compromise these attributes.

Council's position in relation to these matters, as they related to the original application, is well documented. The Court concluded that the overall character of that development would

still be in keeping with its rural setting. The Court was of the opinion that the development did not compromise the REP objectives. This application although an intensification of the existing school, seeks to relocate those buildings yet to be constructed under the earlier consent to less visually prominent locations within the site. In the case of the grandstand this building element has been deleted from the development entirely. The proposed new infrastructure (library, maintenance and seniors building; carparking) is located so as to not intrude on significant viewsapes. As such the REP objectives are not overlooked nor compromised.

2. *Visual Considerations*

The planning controls relating to this site and land within the vicinity of this site place significant emphasis on the need to protect the scenic and rural qualities of the existing landscape. These qualities are characterised by a regionally significant landscape that offers undulating hills and scattered remnant native vegetation.

Visual impact associated with development on this site is particularly sensitive because of its location on the ridgeline, together with the fact that the site and the existing dwelling house can be observed from The Northern Road, which is a major entry and gateway to the City.

As outlined above the relocation of buildings to more sympathetic locations and the deletion of the grandstand will markedly improve the visual quality of the development, in particular when viewed from the rear and The Northern Road.

Once the landscaping is complete around the site boundaries new buildings will be partially screened. The overall development is considered to be consistent with the existing scenic character of the area.

3. *Bulk, Scale and Design*

The proposed new buildings are designed to be compatible with existing buildings on site that are of a single storey appearance. These buildings are to be located in the south-eastern corner of the site and are located a significant distance from Wentworth Road and from adjoining residential properties to the west. A condition has been imposed [Condition No G005 (c)] requiring the proposed new buildings to be painted in similar colours as the existing buildings.

As outlined above the relocation and deletion of approved buildings will also reduce the bulk and scale of the development.

4. *Noise*

Noise sources associated with any school would originate from the playground, the assembly area, sporting areas, from the public address system, from the bell and vehicular movements associated with the school.

Noise generated from the playgrounds and assembly areas will be controlled to some extent by the buildings that flank them. This has been a purposeful response to the site characteristics and the associated impacts of operating a school in proximity to the adjoining residential properties. Similarly, earth mounding is proposed to be installed adjacent the sporting oval, which will mitigate noise generated from it. Some noise may be audible from nearby residences however, it is unlikely that the level of noise would pose unacceptable impacts on the surrounding locality.

The proposal to remove the grandstand and athletics track and reduce the size of sporting oval will also result in a reduction in noise level in the area.

An acoustic report submitted with the application concludes that, the proposal will not increase noise emissions from the school grounds to neighbours, when compared to noise emissions from the previous approved plan, and that it will remain in compliance with the EPA noise criteria. Council's officers have assessed the report and concur with the findings of the applicant's acoustic consultant and suggests specific conditions that again reflect the Courts conditions for the original consent.

Concern was raised by one of the nearby residents that he could quite clearly hear the public address system during the daytime. A condition was imposed on the previous consent restricting bells, external address system or loud hailers for the school. This condition has been reinforced in this consent (Condition No.A038). Furthermore, additional conditions have been imposed (Special Condition No. 6 and 9) to ensure that any activity that occurs after normal hours does not cause nuisance to nearby properties. It is therefore considered that noise levels generated as a result of this development would be reasonable and unlikely to have significant impact on the amenity of the area.

5. Traffic Impact and Parking Provision – Technical Services Manager's comments

The site has a frontage of 200m to Wentworth Road and access to the school is via a roundabout at the western side of the site. Wentworth Road is a local road, operating as one of the collector roads in Orchard Hills providing access to The Northern Road.

- *Parking Consideration*

The site currently contains 186 on-site parking spaces for 507 students and 40 staff. The proposed development is to provide additional 55 on-site car parking spaces for the projected 940 students and 62 staff (i.e. a total of 241 on-site parking spaces). The development also makes a provision of 83 "overflow" car parking spaces within the basketball courts and playing fields.

The development also proposes a separate bus bay to cater for four buses within the site and a separate parents' "drop-off and pick-up" bay to cater for four vehicles.

Council's Parking Code specifies a parking requirement of one space per two teachers (primary and secondary school) and 100 spaces for students (secondary only). The Code does not specify a requirement for parent "drop-off and pick-up" areas.

Application of the code requires an off-street parking provision of 131 car parking spaces.

Parking survey at the School between the hours of 3:00pm – 4:00pm (to coincide with the afternoon peak of the school's activities) have indicated that the current 507 students generate peak parking demand of 117 spaces. That is a peak on-site parking demand of 0.23 car parking spaces per student.

With the projected enrolment of 900 students, the parking demand would be approximately 220 spaces. While a percentage of the Year 12 students are expected to drive to school, the applicant has indicated that the starting and closing times for the junior and senior students will be staggered by 30 to 45 minutes. The peak parking demand will therefore be less than the projected peak demand of 220 car parking spaces.

The proposed parking provision of 241 formal spaces would accommodate usual peak parking demand.

Special events proposed at the site (drama/musical productions, school speech night the gymnasium) will have a maximum seating capacity of 900 people. The peak parking demand

for such events is estimated at 300 spaces. Other special events would include end of season sporting final fixtures, which is projected to attract 700 players and spectators and a peak parking generation of 280 cars. Sports outside the school's hours including inter-school competitions on the Saturdays are expected to attract up to 200 people with an associated parking demand of 80 spaces. These can all be serviced by the formal and overflow parking provision.

The development, therefore, provides adequate on-site parking spaces for the students and staff. The development does not provide any parking spaces for bicycles. A condition has been imposed (Condition No. 16) to provide several parking spaces for bicycles within the site.

- *Traffic Consideration*

The predominant traffic movement in and out of the school is from Wentworth Road via The Northern Road. The Traffic Report accompanying the application includes the results of a traffic survey carried out in June 2000.

The table below shows the current traffic (trips) and future traffic along Wentworth Road in front of the School.

Existing Traffic 507 Students	Future Traffic 940 Students	Increase in Trips Approximate	Current Traffic Delays in Wentworth Road	Predicted Future Delays in Wentworth Road
AM – 469 trips	AM – 869 trips	400	4.0 Sec. AM	AM – 4.5 Sec
PM - 395 trips	PM - 732 trips	337	3.8Sec. PM	PM - 4.3 Sec.

The traffic survey indicates that the increased traffic after full development (and enrolment) will be approximately 400 trips during in the AM peak hour and 337 trips in the PM peak hour.

The Northern Road currently carries a two-way peak hour traffic volume of approximately 2000 vehicles per hour north of the roundabout and 1400 vehicles per hour south of the roundabout during the peak period. This development will result in an increased traffic volume of 20% of the peak period to 2400 vehicles per hour north of the roundabout. This section of The Northern Road has a capacity of approximately 2700 vehicles per hour, and is also to be widened to four lanes, as part of the Glenmore Park development (ac capacity of 5400 vehicles per hour). Hence the road has capacity to accommodate the increased traffic.

Wentworth Road currently carries a two-way traffic volume of 500 vehicles per hour. The additional traffic would increase the traffic flow to 900 vehicles per hour. Wentworth Road has a capacity to accommodate up to 1400 vehicles per hour and hence can accommodate this increased volume.

The key traffic impact of the proposed expansion of the School primarily concerns its impact on the performance of the roundabout in the front of the School and The Northern Road/Wentworth Road roundabout. Delays at the roundabouts have been the main concern raised in the submission by the residents.

The applicant has modelled the performance of the both roundabout and the results indicate that delays at the School roundabout will be 4.5 seconds per vehicle in the morning peak hour and 4.3 seconds in the afternoon peak hour, an average of 0.4 second increased delays per vehicles. This is not considered to be a significant increase in traffic delays at the Wentworth Road roundabout.

The roundabout at the Northern Road/Wentworth Road will continue to operate at Level of Service B, with a total average delay of 13 seconds per vehicle in the morning peak hour.

The applicant has indicated that starting and finishing times for the junior and senior students are staggered by 30 to 45 minutes. This will also assist to reduce the numbers of vehicles and traffic along Wentworth Road. A condition has been imposed to ensure this (Special Condition No 3).

The applicant has indicated that parents' vehicles will be directed to nominated parking points. A condition has been imposed (Special Condition No 15) to place a physical barrier (two landscaping aisles) within the site between the hours 8.30am to 9.30am and 3.00pm to 4.30pm.

The applicant has already installed "No Stopping" signs within parent "drop-off and pick-up" area and a sign to indicate "Buses Only" within the bus bay to ensure the availability of these spaces during peak hours.

In light of the above, it is acknowledged that the proposed development will result in some delays in traffic movements along Wentworth Road. However, these delays are not considered to be significant and will only be concentrated in a one hour period, immediately before and after school hours.

It is considered prudent for the applicant to arrange for a quarterly meeting with the Orchard Hills Residential Association and Council to discuss any traffic issues and discuss ways to minimise and manage the traffic along Wentworth Road for the first year of operation once the development is completed. Accordingly a condition has been imposed (Special Condition No. 14)

6. *Increase in Water Run-Off*

The site currently contains an on-site detention structure in the form of a dam, which receives storm flows. The application will provide stormwater drainage pipework to receive discharge from rainwater downpipes and surface water outlets/sumps.

The drainage concept plan is supported subject to the provision of absorption trenches in appropriate locations. This has been conditioned (Condition No J036 & J037).

7. *Landscaping*

The development proposes to provide trees/shrubs along the front, eastern and southern boundaries. Groups of trees have also been proposed in different locations to improve the area.

The plan was referred to Council's Landscape Architect who raised no objection to the plan in principle. Details of the species will be required to be prepared in consultation with Council's Landscape Architect prior to the construction certificate being issued. A condition [Condition No G005 (b)] has been imposed accordingly.

Summary of some of the conditions imposed

Condition Nos.	Requirements to be met
Sp. Cond. No.1	Capping of student numbers to maximum of 940.
Sp. Cond. No.2	No external speakers.
G-005 (b) & (c)	Details of landscaping and external finishes.
Sp. Cond. No.3	Staggering of starting and closing times for junior and senior students.
Sp. Cond. Nos. 11-14	Traffic calming devices/measures.
Sp. Cond. No. 16	Bicycle parking spaces

Conclusion

The proposed development is considered to be of an acceptable design and scale and successfully considers the nature of the site in the design of the classroom buildings to recognise the site's unique location and topographical character. The applicant has demonstrated that the likely impacts of the proposal have been considered. Where it is considered that further address of these issues is required appropriate conditions have been recommended that will obviate the applicant to achieve specific performance criteria.

The application is, therefore, not considered to have significant impact on the existing amenity of the area and is recommended for approval, subject to conditions of consent.

RECOMMENDATION

That :-

- A. the development application No. 00/2931 for the erection of additional buildings and amendments to the design layout on Lot 501 DP 866791 (338-356) Wentworth Road, Orchard Hills, be approved subject to the following conditions.

Standard Conditions

- A001 (in accordance with plans numbered SK101, SK102 and SK103 dated May 2000)
- A006.
- A008 – (iii); (iv); (x); (xviii); (xxvii); (xxxiii); (xli); (xliii); (xliv); (xlv); (xlviii); (l) & (li).
- A016.
- A033
- A034.
- A036.
- C002.
- C003.
- C030.
- C006.
- D001.
- D002.- Sections B; C; D; E & F.
- D006.
- D008.
- F002.
- F003.
- G001.
- G004.

- G005. (a)
(b). Details of the proposed landscaping works complementing the development is to be submitted for consideration and approval. The landscape plan should be prepared in consultation with Council's landscape architect specifying proposed species and their location, pot sizes to complement the rural character of the area.
(c). A schedule of external materials and colour scheme, including roof materials of a dull, non-reflective material including samples.
- G011.
G018.
G023.
J025.
J027. (241 Parking spaces)
K001.
K005. insert [G005(B)] in the space allocated.
O001.
O007.
O008.

Special Conditions

1. The numbers of students are restricted to a maximum of 940 only. Any increase in the student number beyond this will be subject to a new development application.
2. No bells, external public address systems or loud hailers shall be used for the school.
3. The starting and finishing time of the school for junior and senior students shall be staggered to have a minimum gap of 30 minutes separation.
4. A separate application shall be submitted to Council if the gymnasium is to be used as a Place of Public Entertainment.
5. A Waste Management Plan incorporating recycling shall be submitted for consideration and approval.
6. All activities that occurs after normal school hours shall be restricted and controlled to ensure that any nuisance to neighbouring properties is prevented.
7. Activities on sports field shall be limited to :
 - ◆ Monday to Friday 9.00am to 6.00pm
 - ◆ Saturday and Sunday 10.00am to 6.00pm.
8. Details of pipe sizes, grades etc. for all of the stormwater system are to be provided for Council consideration and approval prior to construction.
9. Details of alternative location of absorption trenches and method of disposal to be provided to Council for approval prior to construction.
10. Parking space dimensions and manoeuvring areas are to comply with AS2890.1.
11. Traffic calming devices shall be provided within the proposed car parking areas. Details of their locations shall be indicated on the plan.
12. Any pedestrian access proposed on site is to be as a raised facility (e.g. Wombat Crossing).

13. The internal traffic circulation within the site are to be linemarked and indicated on the pavements by means of directional arrows.
 14. Penrith Anglican College shall arrange three monthly meetings with Orchard Hills Residential Association and Council for the first year after completion of the final stage of the development to discuss the traffic situation along Wentworth Road. Any works required to be carried out in order to minimise traffic impact along that road shall be undertaken by the applicant.
 15. A physical barrier shall be placed between the landscaping aisle and the parking area along the frontage as indicated in red on the approved plan during the peak hours in the morning and afternoon.
 16. Provision is to be made for bicycle storage.
- B. That those people who made submissions be advised of Council's decision.



**REPORT AND RECOMMENDATION
OF THE INAUGURAL CUSTOMER SERVICE REVIEW WORKING PARTY OF
PENRITH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS, PENRITH
ON WEDNESDAY 28 FEBRUARY 2001 AT 6.25 PM**

PRESENT

Councillors, R Fowler, C O'Toole, K Paluzzano, P Sheehy,

APOLOGIES

CSR1 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Fowler that apologies be received and accepted from His Worship the Mayor Councillor D Bradbury, Councillors, J Greenow, D Bailey, A Khan, J Aitken and J Bateman

IN ATTENDANCE

Acting General Manager, Economic Development and City Marketing Manager, Customer Service Supervisor.

DECLARATIONS OF INTEREST

No declarations of interest.

MASTER PROGRAM REPORTS

1 Customer Service Review - Initial Discussion Paper 909/56 Pt 5

Councillor Pat Sheehy was elected to chair the meeting.

The Acting General Manager, Bruce Mc Donald, gave an introduction to the background and purpose of the Customer Service Review Working Party.

The Economic Development and City Marketing Manager, Geoff Shuttleworth, introduced the master program report, its purpose and its expected outcomes. Geoff Shuttleworth then worked through the report, explaining the definitions outlined in it.

Councillor Sheehy asked for comments on the definitions contained in the report.

Discussion occurred around the difference between service specifications and service delivery and the interface between the two in the preparation of service specifications.

The Economic Development and City Marketing Manager, Geoff Shuttleworth said that the Corporate Development Manager would provide further information on the service specification project at a subsequent meeting of the working party.

Councillor Fowler asked that the definition of "Our Customers" be extended to read "anyone who deals or may deal in the future with Council"

Customer Service Review Working Party

The Economic Development and City Marketing Manager, Geoff Shuttleworth, then explained the relationship of the review with Councils Strategic and Management plans and also explained the Approach to the Customer Service Review.

Councillor Sheehy asked that the four proposed areas forming the structure of the Customer Service Review Working Party be expanded to include correspondence as an issue. This would cover the area of the general tone of letters written by Council and also the speediness of replies. Correspondence as an issue should also be added to the terms of reference.

Councillor Paluzzano asked that both internal and external customers be added to the terms of reference for on-line contacts.

The Economic Development and City Marketing Manager, Geoff Shuttleworth, gave an overview of the issues contained in the report and asked if Councillors wished to nominate further issues for consideration.

Councillor Paluzzano asked that complaint handling be added to the list of issues.

Discussion took place on the membership of the working party. The preferred approach was to not limit it to a core team, but to invite all Councillors to all meetings.

The Customer Service Supervisor, Graham Bambrick gave an overview and description of the Counter operations currently undertaken at the Civic Centre and the Queen Street Centre.

There were no further issues or discussion raised on other items contained in the report.

RECOMMENDATIONS

CSR2 RESOLVED on the MOTION of Councillor Paluzzano seconded Councillor Sheehy. that :

1. The Customer Service Review initial discussion paper be received.
2. The approach to the Customer Service review outlined in the paper be adopted.
3. The terms of reference for the Customer Service Review Working Party be adopted.
4. The management initiated actions identified in this paper be reported to the next meeting.
5. The next meeting concentrate on face to face issues.
6. An inspection of the Customer Service Unit be arranged as soon as possible.

There being no further business the Chairperson declared the meeting closed the time being 7.50PM..

Confirmed
Chairperson