

PENRITH CITY COUNCIL BUSINESS PAPER



Recipients of Awards in the Order Of Australia are Marc Robinson (CSM), Judy Shepherd, wife of the late Victor (Col) Shepherd (OAM), Group Captain, Andrew (Bill) Hayden (OAM) with the Mayor, Councillor Greg Davies and General Manager Alan Travers on 10th February 2003.



Ordinary Meeting

3 March 2003



Penrith City Council

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

26 February 2003

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 3 March, 2003 at 7.00pm.

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

Yours faithfully

Alan Travers
General Manager

B U S I N E S S

1. **APOLOGIES**
2. **LEAVE OF ABSENCE**
Leave of Absence has been requested by:
Councillor Aitken – 24 February – 4 March 2003 inclusive
Councillor Bateman – 3 March 2003 inclusive
3. **CONFIRMATION OF MINUTES**
Ordinary Meeting – 17 February 2003
4. **DECLARATIONS OF INTEREST**
Pecuniary Interest (The Act requires Councillors who declare a pecuniary interest in an item to leave the meeting during discussion of that item)
Other Interest
5. **ADDRESSING THE MEETING**
6. **MAYORAL MINUTE**
7. **NOTICE OF MOTION**
8. **ADOPTION OF REPORTS AND RECOMMENDATIONS OF COMMITTEES**
Disability Access Committee – 4 February 2003
Policy Review Committee – 24 February 2003
9. **MASTER PROGRAM REPORTS**
10. **URGENT REPORTS (to be dealt with in the master program to which the item relates)**
11. **QUESTIONS WITHOUT NOTICE**
12. **COMMITTEE OF THE WHOLE**

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

**ORDINARY MEETING
MONDAY 3 MARCH 2003
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PRAYER

“Sovereign God, tonight as we gather together as a Council we affirm that you are the giver and sustainer of life. We come together as representatives of our community to make decisions that will benefit this city and the people within it.

We come not in a spirit of competition, not as adversaries, but as colleagues. Help us to treat each other with respect, with dignity, with interest and with honesty. Help us not just to hear the words we say, but also to hear each others hearts. We seek to be wise in all that we say and do.

As we meet, our concern is for this city. Grant us wisdom, courage and strength.

Lord, help us. We pray this in the name of Jesus Christ our Lord. Amen.”



Statement of Recognition of Penrith City's Aboriginal and Torres Strait Islander Cultural Heritage

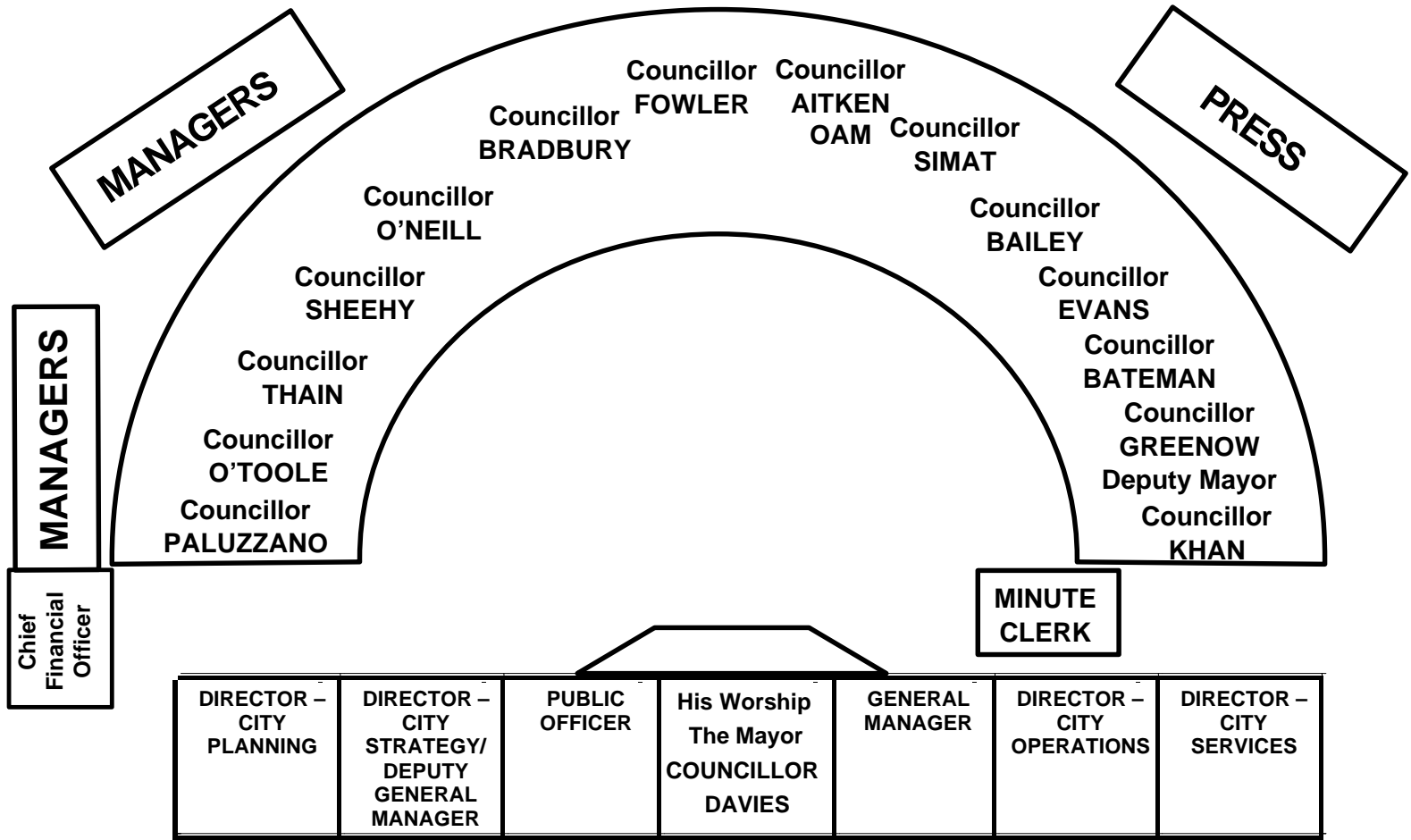
Council values the unique status of Aboriginal people as the original owners and custodians of lands and waters, including the land and waters of Penrith City.

Council values the unique status of Torres Strait Islander people as the original owners and custodians of the Torres Strait Islands and surrounding waters.

We work together for a united Australia and City that respects this land of ours, that values the diversity of Aboriginal and Torres Strait Islander cultural heritage, and provides justice and equity for all.



COUNCIL CHAMBERS SEATING ARRANGEMENTS



PENRITH CITY COUNCIL
MEETING CALENDAR
March – December 2003

MINUTE NO

	TIME	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
		Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon
Ordinary Meetings	7.00 pm	3	7	5	2	7	4	1		3	1
		17	14	19#	*16	21	18#	8 ^22 or ^29	13 27	17#	15
Policy Review Committee	7.00 pm	24	28	26	23	28	25		20		8

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.

* Meeting at which the Management Plan for 2002/2003 is adopted.

^ Mayoral Election subject to poll being declared.

UNCONFIRMED MINUTES

OF THE ORDINARY MEETING OF PENRITH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS, PENRITH

ON MONDAY 17 FEBRUARY 2003 AT 7.05PM

PRAYER

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

His Worship the Mayor, Councillor Greg Davies read a statement of recognition of Penrith City's Aboriginal and Torres Strait Islander cultural heritage.

PRESENT

His Worship the Mayor Councillor Greg Davies, Councillors J Aitken, D Bailey, J Bateman D Bradbury, G Evans, R Fowler, J Greenow, C O'Neill, C O'Toole, K Paluzzano (arrived 7.20PM), P Sheehy, and J Thain.

APOLOGIES

37 RESOLVED on the MOTION of Councillor O'Toole seconded Councillor Greenow that apologies be received and accepted from Councillors Aitken and Paluzzano.

LEAVE OF ABSENCE

Leave of Absence had previously been granted to Councillor Khan and Councillor Simat.

CONFIRMATION OF MINUTES

Ordinary Meeting – 3 February 2003

Councillor Greenow asked that there be an amendment to Item 20, Resolution 2 – Councillor Paluzzano is to be added to the attendees.

38 RESOLVED on the MOTION of Councillor Greenow seconded Councillor Bateman that the minutes of the Ordinary Meeting of 3 February 2003 be confirmed.

DECLARATIONS OF INTEREST

No declarations of interest.

SUSPENSION OF STANDING ORDERS

39 RESOLVED on the MOTION of Councillor Greenow seconded Councillor Bateman that Standing Orders be suspended to allow Ms Judy Hayward and Ms Marcia McGoogan to address the meeting, the time being 7.09PM.

His Worship the Mayor said that Council had also received a request to address Council from Mrs Eunice McCann. The Mayor said that because Mrs McCann had requested Council to defer its decision on her development application, he would hold over her request to address Council until Council determines the outcome of the request to defer her development application.

Ms Judy Hayward of Emu Heights addressed the meeting on Item 26 – Development Application to construct a double garage and verandah at Lot 51, DP232888 (No. 30) Dempsey Street, Emu Heights, Applicant and Owner: M & J Hayward DA02/2516. Ms Hayward spoke for the development.

Mrs Hayward said that the proposed development would not impact adversely on the streetscape and would have minimal impact on the neighbouring properties. She presented a photograph of the site of the proposed development, and also presented a petition in support of the development signed by residents in 34 out of the 36 houses in her street.

Councillor Paluzzano arrived at the meeting, the time being 7.20PM.

Ms Marcia McGoogan of Emu Heights addressed the meeting on Item 26 – Development Application to construct a double garage and verandah at Lot 51, DP232888 (No. 30) Dempsey Street, Emu Heights, Applicant and Owner: M & J Hayward DA02/2516. Ms McGoogan spoke against the development.

Mrs McGoogan said that the development did not comply with the relevant DCP with regard to the size of the setback, and that the proposed development was not large enough to be a double garage as stated in the plan of the development. She said that the applicant already had garaging for four vehicles but still chose to park them in the street.

Mrs McGoogan said that the development was prominent and obtrusive with no unique or meritorious features, and that the arguments of the applicant were subjective and did not provide evidence to justify any deviation from the requirements of the DCP.

Mrs McGoogan said that Council had not followed its own process in assessing this Development Application and asked for an investigation into the processes undertaken and standards applied by the Building Approvals and Environment Protection department.

RESUMPTION OF STANDING ORDERS

40 RESOLVED on the MOTION of Councillor Evans seconded Councillor Greenow that Standing Orders be resumed the time being 7.25PM.

MAYORAL MINUTE

The late Robin Wiles

His Worship the Mayor, Councillor Davies, read a Mayoral Minute offering Council's condolences over the passing of former Penrith City Councillor Robin Wiles, who died on 6th February.

The Mayor asked that a minute's silence be observed in remembrance of former Councillor Wiles.

Councillors Greenow, Sheehy and Fowler all spoke in high regard of Robin Wiles.

41 RESOLVED on the MOTION of Councillor Davies, seconded Councillor Greenow that the Mayoral Minute be received.

Australia Day Honours – 2003

Wing Commander Andrew Robert (Bill) Hayden OAM

His Worship the Mayor, Councillor Davies, read a Mayoral Minute recognising Mr Hayden's receipt of the Medal of the Order of Australia in the Australia Day Honours list.

42 RESOLVED on the MOTION of Councillor Davies, seconded Councillor Greenow that the Mayoral Minute be received.

REPORTS OF COMMITTEES

Local Traffic Committee – 3 February 2003

Councillor Greenow asked if the parking restrictions adjacent to 124 Queen Street St Marys would not be applied until the new Police Station there is opened. The Asset Manager David Burns advised that the parking restrictions would not come into force until the Police Station is opened.

43 RESOLVED on the MOTION of Councillor Greenow seconded Councillor Sheehy that the recommendations LTC1 to LTC19 contained in the Minutes and Report of the Committee Meeting of 3 February 2003 be adopted.

MASTER PROGRAM REPORTS

THE CITY IN ITS REGION

- 1 Section 94 Development Contributions Plan - Cultural Facilities 4114 / 3 PT10**

44 RESOLVED on the MOTION of Councillor O'Toole seconded Councillor Paluzzano that, in accordance with the Environmental Planning and Assessment Act 1979 as amended, and the Environmental Planning and Assessment Regulation 2000, Council endorse the exhibition of the draft City-wide Section 94 Development Contributions Plan - Cultural Facilities, as attached to this report.

THE CITY IN ITS ENVIRONMENT

- 4 Tender No. 04/02/03 for provision of Bush Regeneration Services and Associated Project Management 38/73 pts 1 - 4**

45 RESOLVED on the MOTION of Councillor Thain seconded Councillor O'Neill
That:

1. The report on Tender No 04/02/03 for provision of Bush Regeneration Services and Associated Project Management be received.
2. The tender applicants, as outlined in the report, be accepted onto a Panel of Approved Suppliers of Bush Regeneration Services and Associated Project Management.
3. Unsuccessful tender applicants be notified.

- 2 Review of Penrith Development Control Plan 2000 – Residential Land 4100/44 Pt8**

Councillor Sheehy thanked staff for their timely response to this matter.

Councillor Greenow asked that parking be looked at as well.

Councillor O'Toole asked that other older established areas in the city be included.

- 46 RESOLVED on the MOTION of Councillor O'Toole seconded Councillor Greenow That:-
1. The report concerning the review of the Penrith Development Control Plan 2000 - Residential Land – Villa-Style Development be received.
 2. Council agrees to commence a review of this Development Control Plan if funds are available to be directed to it as an outcome from the December review of Council's 2002/03 budget.

**3 Filling of Land - 8 Donohoes Avenue, Mulgoa Applicant:
Eunice McCann Owner: Eunice, Stanley & Richard McCann DA02/3042**

Councillor Bailey enquired as to the outcome of the Court proceeding regarding this matter. Council's Legal Officer, Mr Stephen Britten advised that the case has been adjourned.

Councillor Sheehy requested that Council officers use accepted units of measure in reports to Council. He said that a stockpile is not a standard unit of measure.

- 47 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Bailey that this item be deferred and that a further report be prepared that answers the following questions:

- a) Would the proposed course of action render Council potentially liable in any action undertaken by a third party?
- b) Has the proposal been approved by the Environmental Protection Authority (EPA)?
- c) Has the EPA levy been paid on the waste material?

5 Energy Performance Contract Proposal 38/62

Councillor Bradbury left the meeting, the time being 7.45PM.

- 48 RESOLVED on the MOTION of Councillor Thain seconded Councillor Bailey that this matter be deferred to the Policy Review Committee so there can be a presentation by Siemens.

**26 Development Application to Construct a Double Garage and
Verandah at Lot 51 DP232888 (No. 30) Dempsey Street, Emu
Heights, Applicant and Owner: M & J Hayward DA02/2516**

Councillor Bradbury returned to the meeting the time being 7.49PM.

A MOTION was MOVED by Councillor Sheehy seconded Councillor Thain that DA02/2516 be refused on the grounds outlined in the report

An AMENDMENT was moved by Councillor Bradbury seconded Councillor Bateman That:-

1. That this DA to construct a Double garage and Verandah at Lot 51 DP 232888 (No.30) Dempsey Street, Emu Heights be approved subject to the following conditions:

- The development must be implemented substantially in accordance with the stamped-approved plans issued by Penrith City Council, the application form and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.
- The work must be carried out in accordance with the requirements of the Building Code of Australia. A contract of insurance for the residential development shall be in force in accordance with Part 6 of the Home Building Act 1989.
- All construction works shall be in accordance with Penrith Development Control Plan-Residential Construction Works. In particular, attention is drawn to the following specific provisions

Part A2–Drainage

Part A2.3–Surface Water Drainage

Part A2.4–Stormwater Drainage Design & Construction

The building shall not be used or occupied until an Occupation Certificate has been issued.

- All demolition works are to be conducted in accordance with the provisions of AS 2601-1991 “The Demolition of Structures”. Prior to demolition, all services shall be suitably disconnected and capped off or sealed to the satisfaction of the relevant service authority requirements.
- All demolition and excavated material shall be disposed of at a Council approved site or waste facility. Details of the proposed disposal location of all excavated material from the development site shall be provided to the Principal Certifying Authority prior to commencement of demolition.
- Dust suppression techniques are to be employed during demolition to reduce any potential nuisances to surrounding residences.
- All waste materials stored on site must be contained in a designated area, such as a waste bay or bin, to ensure that no waste material enters the stormwater system or neighbouring properties during demolition/construction.
- The designated waste storage area shall provide at least 2 waste bays to allow for the sorting of different waste materials. The waste bays shall be fully enclosed when the site is unattended, particularly at night and over the weekend.

- 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.
 - The hours of construction works are restricted to the following:

Mondays to Fridays, 7am to 6pm

Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm

No work is permitted on Sundays and Public Holidays.
 - The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.
 - 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 Principal Certifying Authority prior to constructing or erecting that portion of the approved development.
 - Roof trusses.
 - Roofwater drains shall be discharged into the street gutter or common line.
 - The applicant is required to submit to Penrith City Council a completed “Notice of Commencement and Appointment of Principal Certifying Authority” form at least 2 days prior to the commencement of construction works. If the “Notice of Commencement and Appointment of Principal Certifying Authority” form is not submitted, and Penrith City Council undertakes the first compliance inspection for the proposed development, Council is deemed to have been nominated as the Principal Certifying Authority.
2. The objectors are notified of Council’s decision.
 3. A report be brought to the next Development Regulation Working Party in relation to the practices and procedures followed by Council and its officers in considering variations from Development Control Plans.
 4. All Councillors be given training that covers the basics of the planning legislation framework immediately after the next election.
 5. A report be prepared on the proposition that Council write to the Minister for Local Government asking that consideration be given to requiring candidates for local government elections to undertake mandatory courses on matters related to the operation of local government, including ethics, planning legislation and the like.

The AMENDMENT was put and carried and became the MOTION.

Councillor Sheehy foreshadowed an amendment that a condition be drafted to cover the parking of the vehicle in the garage and not in front of the house. The foreshadowed amendment lapsed for want of a seconder.

49 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Evans that the motion be put.

50 RESOLVED on the MOTION of Councillor Bradbury seconded Councillor Bateman

That:-

1. That this DA to construct a Double garage and Verandah at Lot 51 DP 232888 (No.30) Dempsey Street, Emu Heights be approved subject to the following conditions:

- The development must be implemented substantially in accordance with the stamped-approved plans issued by Penrith City Council, the application form and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.
- The work must be carried out in accordance with the requirements of the Building Code of Australia. A contract of insurance for the residential development shall be in force in accordance with Part 6 of the Home Building Act 1989.
- All construction works shall be in accordance with Penrith Development Control Plan-Residential Construction Works. In particular, attention is drawn to the following specific provisions

Part A2–Drainage

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- All demolition and excavated material shall be disposed of at a Council approved site or waste facility. Details of the proposed disposal location of all excavated material from the development site shall be provided to the Principal Certifying Authority prior to commencement of demolition.
- Dust suppression techniques are to be employed during demolition to reduce any potential nuisances to surrounding residences.

- All waste materials stored on site must be contained in a designated area, such as a waste bay or bin, to ensure that no waste material enters the stormwater system or neighbouring properties during demolition/construction.
 - The designated waste storage area shall provide at least 2 waste bays to allow for the sorting of different waste materials. The waste bays shall be fully enclosed when the site is unattended, particularly at night and over the weekend.
 - 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.
 - The hours of construction works are restricted to the following:

Mondays to Fridays, 7am to 6pm

Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm

No work is permitted on Sundays and Public Holidays.
 - The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.
 - 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 Principal Certifying Authority prior to constructing or erecting that portion of the approved development.
 - Roof trusses.
 - Roofwater drains shall be discharged into the street gutter or common line.
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2. The objectors are notified of Council’s decision.
 3. A report be brought to the next Development Regulation Working Party in relation to the practices and procedures followed by Council and its officers in considering variations from Development Control Plans.
 4. All Councillors be given training that covers the basics of the planning legislation framework immediately after the next election.

5. A report be prepared on the proposition that Council write to the Minister for Local Government asking that consideration be given to requiring candidates for local government elections to undertake mandatory courses on matters related to the operation of local government, including ethics, planning legislation and the like.

27 Developments Approved under the Residential DCP which Involved a Variation from the Building Line

Councillor Bailey left the meeting, the time being 8:14PM.

51 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Evans that the report relating to developments approved under the Residential Development Control Plan which involved a variation from a building line be received.

THE CITY AS A SOCIAL PLACE

11 Better Futures Strategy Update 1030/59

52 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Fowler that Council receive the information contained in the *Better Futures* Strategy Update report.

12 Supporting Aboriginal Access to Children's Services (SAACS) Projects Report 1300/91 Pt 2

53 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Fowler
That:

1. Council receive the information regarding the operation of Council's SAACS Project.
2. Council endorse the exploration of avenues of funding for continuation of the SAACS Project as an early childhood Aboriginal liaison position for Children's Services.
3. Council lobby the Department of Community services regarding the need for funds to address the barriers of affordability and transport for Aboriginal families to access pre-school programmes. A further report is provided to Council regarding funding issues for pre-school.

6 Lighting at Dukes Oval, Emu Plains 3159/9

Councillor Bailey returned to the meeting the time being 8:15PM.

54 RESOLVED on the MOTION of Councillor Fowler seconded Councillor O'Neill

That Council contribute the amount of \$10,000 to be funded equally out of North and South Wards' Voted Works, towards the cost of Lighting at Dukes Oval and that the Emu Plains AFL Club be advised accordingly.

7 Penrith Valley Festival - Australian Formula One Superboats 1003/32

Councillor Thain left the meeting the time being 8:18PM.

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

1. Each Ward's voted works contribute equally towards Council's \$10,000 sponsorship of the Australian Formula One Superboat Series event on 15th and 16th March 2003.
2. This sponsorship is conditional upon Council securing event naming rights.

8 Lighting improvements to Cook Park 3003/1

Councillor Thain returned to the meeting the time being 8:22PM.

56 RESOLVED on the MOTION of Councillor Greenow seconded Councillor Bradbury

That

1. The Nepean Soccer Association be asked to contribute \$4,500 towards the cost of field lighting for Cook Park,
2. The Association pay \$3,000 of their contribution "up front", and, if necessary, pay the additional \$1,500 of their contribution in instalments over time .
3. Council contribute the remaining cost (approximately \$13,500) of installing field lighting at Cook Park, as outlined in the report, with the amount to be drawn equally from each Ward's voted works.
4. That the amount taken from each Ward's voted works for this item be reimbursed next year from the 2003-04 Parks Improvement Program budget.

9 Community Assistance Programme 6016/41

57 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Paluzzano

That:

1. Council approve the allocation of \$1,000 to Parkinson's NSW Inc. towards the costs associated with the running of an awareness seminar, at Penrith Civic Centre, for World Parkinson's Day on 11th April 2003.
2. Council approve the allocation of \$500 to the Penrith Valley Senior's Computer Club to assist with establishment costs, including registration with the Department of Fair Trading and the purchase of furniture for storage purposes.

3. Council approve the allocation of \$200 towards catering costs for the Community Connections Building Open Day to be held on 28th February 2003.

10 Seniors Week 2003 1019/15

58 RESOLVED on the MOTION of Councillor Paluzzano seconded Councillor O'Neill
That:

1. The information contained in the Community Development Manager's report on Seniors Week 2003 be received;
2. Council approve funding through its Seniors Week Grants Program to those organisations as recommended in the Seniors Week 2003 report.
3. Activities be listed on Council's web page and fliers be sent to other facilities including Ripples, the Joan Sutherland Performing Arts Centre and the Penrith Whitewater Stadium.

THE CITY AS AN ECONOMY

Councillor Paluzzano left the meeting the time being 8:35PM.

13 Urban Development Institute of Australia National Congress 2003 103/14 Pt.4

59 RESOLVED on the MOTION of Councillor Fowler seconded Councillor O'Neill that the information contained in the Property Development Manager's report regarding the Urban Development Institute of Australia National Congress 2003 be received.

THE CITY SUPPORTED BY INFRASTRUCTURE

14 Glenmore Park Release Area Section 94 Development Contributions Plan Review 4122/22 Pt 13

60 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Bateman that the amended Glenmore Park Release Area Section 94 Development Contributions Plan be adopted and commence on the date of its public notification.

15 RTA Funding Agreement for Road Safety Co-ordinator 904/29

61 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Bateman
That:

1. the RTA Funding Agreement for the Road Safety Co-ordinator be accepted.
2. a further report be submitted to Council on the establishment of the Road Safety Programme Steering Committee.

23 Summary of Investments & Banking – 1 January 2003 to 28 January 2003. 6031/4

66 RESOLVED on the MOTION of Councillor Fowler seconded Councillor Evans

That:

1. the Certificate of the Responsible Accounting Officer, Statement of General Fund Bank Balances as at 28 January 2003 and the Summary of Investments for the period 1 January 2003 to 28 January 2003 be noted and accepted;
2. the graphical investment analysis as at 28 January 2003 be noted, and
3. the information regarding agency collection methods be noted.

24 Supply Projects 6022/8

67 RESOLVED on the MOTION of Councillor Fowler seconded Councillor Evans

That;

1. The Blackwood Group and Express Industrial Supplies Pty Ltd be awarded a supply agreement in accordance with the terms of the Tender, and
2. The Blackwood Group be the preferred supplier.

25 Council Property - Easement to Drain Water over Lot 2004, D.P. 840346, Great Western Highway, Oxley Park 688955

68 RESOLVED on the MOTION of Councillor Fowler seconded Councillor Evans

That:

1. The two (2) applicants be advised that the payment of compensation in the amount of \$2,500 (exclusive of GST) each is required for the creation of a 2 metre wide easement over Lot 2004, D.P. 840346, Great Western Highway, Oxley Park to allow drainage of Lot 31, D.P. 817188, No. 84 Adelaide Street and Lot 2312, D.P. 1043209, No. 88 Adelaide Street, Oxley Park.
2. The two (2) applicants be responsible for all survey, legal and registration costs associated with the creation of the easement.
3. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation to effect registration of the easement.

19 Community Consultation Policy and Procedures Manual 1129/42

69 RESOLVED on the MOTION of Councillor O'Toole seconded Councillor Paluzzano

That:

During discussion of progress within The Council's Operating Environment Master Program, Councillor Bateman left the meeting the time being 9:19PM.

Councillor Bailey left the meeting at 9:19PM and did not return.

Councillor Bateman returned to the meeting the time being 9:22PM.

Following the conclusion of the General Manager's presentation, Council's Chief Financial Officer spoke about Council's budget performance.

Councillor O'Toole left the meeting the time being 9:24PM.

Councillor Greenow left the meeting the time being 9:24PM.

Councillor Greenow returned to the meeting the time being 9:25PM.

Councillor O'Toole returned to the meeting the time being 9:27PM.

Councillor Evans left the meeting the time being 9:28PM.

71 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Fowler
That:

1. The 2002-2003 Management Plan Review as at 31 December 2002, including the revised estimates identified in the recommended budget be adopted;
2. The recommended reallocations to projects as detailed in this report be adopted.

QUESTIONS WITHOUT NOTICE

QWN1: Councillor Greenow requested that a report be presented to Council regarding the possibility of naming a park in Orth St, Kingswood "Heather Dobson Park".

3205/1

QWN2: Councillor Bateman requested that \$600 from North and South Ward Voted Works be allocated to Emu Plains Rugby League Club to purchase hoses to water Leonay Oval providing they adhere to current water restrictions.

3259/1 Pt 3

Councillor Evans returned to the meeting the time being 9:33PM.

His Worship the Mayor, Councillor Greg Davies ruled that the matter was urgent and that it be dealt with at this meeting.

72 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Fowler that \$600 from North and South Ward Voted Works be allocated to Emu Plains Rugby League Club to purchase hoses to water Leonay Oval providing they adhere to current water restrictions.

- QWN3: Councillor Bateman requested a memo outlining any objections received regarding the Development Application of a 6 x 2 storey duplex units in Barrett Place, Cranebrook.
DA02/2181
- QWN4: Councillor Bateman requested a report to Council outlining the cost to install bollards at various locations in Emu Plains – most urgent area is Tarpan Place, Emu Heights.
TA/17
- QWN5: Councillor Bateman indicated that he has a legal matter for Committee of the Whole.
- QWN6: Councillor Bailey requested a memo reply regarding the organisation of a cleanup of the Eastern and Western foreshores of the Nepean River, particularly the area near the rowing club. Could the S.R.A and R.T.A also be contacted to remove all graffiti from Victoria Bridge.
5013/6 Pt 4
- QWN7: Councillor Bradbury requested a memo regarding the operating hours of the toilets located at the St Marys Village Shopping Centre. A copy of the memo to be sent to all East Ward Councillors.
194051 Pt 2
- QWN8: Councillor Bradbury requested a report regarding the Claremont Meadows Youth Centre precinct.
1030/50
- QWN9: Councillor Bradbury requested a report regarding the Mulgoa Bushcare Group campaign to seek long term preservation of Orchard Hills Defence Site.
4100/62
- QWN10: Councillor Bradbury requested a report on where the whole process of the ADI Site was up to. He also asked whether any public meetings had been held or any other “official” meetings.
4130/2 Pt 59
- QWN11: Councillor Sheehy requested a report regarding the request from the Penrith Seniors Computer Club for assistance in the provision of an additional telephone line.
1053/1 Pt 3
- QWN12: Councillor O’Toole on behalf of Councillor Paluzzano requested that \$220 be allocated from South Ward Voted Works to assist Alex Johnson’s fundraiser to help with costs towards his overseas trip to Japan for Baseball.
6016/1 Pt 32

His Worship the Mayor, Councillor Greg Davies ruled that the matter was urgent and that it be dealt with at this meeting.

The MOTION put by Councillor O'Toole seconded Councillor Evans that \$220 be allocated from South Ward Voted Works to assist Alex Johnson's fundraiser to help with costs towards his overseas trip to Japan for Baseball was NOT CARRIED.

QWN13: Councillor O'Toole requested a memo about the application of Council's sponsorship policy.

6016/1 Pt 32

COMMITTEE OF THE WHOLE

73 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Sheehy that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 9.51PM.

1 Presence of the Public

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

Council's Operating Environment

2 *Legal Matter - 460 The Driftway, Londonderry* 558621 Pt 6

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.

Council's Operating Environment

3 *Property Matter - Lot 1, Cherrybrook Chase, Londonderry* 769449

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 reveal a trade secret and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

Council's Operating Environment

4 *Staff Matter* 909/91 Pt 6

This item has been referred to committee of the whole as the report refers to personnel matters concerning particular individuals and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

Council's Operating Environment

5 *Legal Matter – Mulgoa – Referred from the Ordinary Meeting*

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 10.14PM and the Public Officer reported that the Committee of the Whole met at 9:51PM on Monday 17 February 2003 , the following being present

His Worship the Mayor Councillor Greg Davies, Councillors, J Bateman D Bradbury, G Evans, R Fowler, J Greenow, C O'Neill, C O'Toole, P Sheehy, and J Thain

and the Committee of the Whole excluded the press and public from the meeting for the reasons set out in CW1 and that the Committee of the Whole submitted the following recommendations to Council.

CONFIDENTIAL BUSINESS

2 Legal Matter - 460 The Driftway, Londonderry

558621 Pt 6

RECOMMENDATION

CW2 RECOMMENDED on the MOTION of Councillor Bateman seconded Councillor Evans that the matter be settled as set out in this report.

5 Legal Matter - Mulgoa

RECOMMENDATION

CW3 RECOMMENDED on the MOTION of Councillor Bateman seconded Councillor Fowler that the information be received.

3 Property Matter - Lot 1, Cherrybrook Chase, Londonderry

769449

During discussion of this item, the General Manager, Director – City Operations and the Property Development Manager were the only officers in attendance.

RECOMMENDATION

CW4 RECOMMENDED on the MOTION of Councillor Sheehy seconded Councillor Bateman that Council adopts Conditions 1 & 2 as outlined in the reports summary.

4 Staff Matter

909/91 Pt 6

During discussion of this matter, the Workforce Development Manager was the only officer in attendance.

RECOMMENDATION

CW5 RECOMMENDED on the MOTION of Councillor Sheehy seconded Councillor Fowler that the recommendations of the Senior Staff Recruitment / Review Committee be adopted.

ADOPTION OF COMMITTEE OF THE WHOLE

74 RESOLVED on the MOTION of Councillor Bradbury seconded Councillor Bateman that the recommendations contained in the Committee of the Whole and shown as CW1 to CW5 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 10.14PM.

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 12 noon on the day of the meeting.

Prior to the meeting the person who has requested permission to address the meeting will need to provide the Public Officer with a written statement of the points to be covered during the address in sufficient detail so as to inform the Councillors of the substance of the address and a written copy of any questions to be asked of the Council in order that responses to those questions can be provided in due course.

In addition, prior to addressing the meeting a person addressing Council or Committee will be informed that they do not enjoy any privilege and that permission to speak may be withdrawn should they make inappropriate comments.

It should be noted that speakers at meetings of the Council or Committee do not have absolute privilege (parliamentary privilege). A speaker who makes any potentially offensive or defamatory remarks about any other person may render themselves open to legal action.

Prior to addressing the meeting the person will be required to sign the following statement:

“I (name) understand that the meeting I intend to address on (date) is a public meeting. I also understand that should I say or present any material that is inappropriate, I may be subject to legal action. I also acknowledge that I have been informed to obtain my own legal advice about the appropriateness of the material that I intend to present at the above mentioned meeting”.

Should a person fail to sign the above statement then permission to address either the Council or Committee will not be granted.

The Public Officer or Minute Clerk will speak to those people who have requested permission to address the meeting, prior to the meeting at 6.45pm, to collect copies of documentation and signed statements and will 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 only so much of the 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);
- Details of the issue to be addressed and the item number of the report in the Business Paper;
- Whether they are opposing or supporting the issue or matter (if applicable) and the action they would like the meeting to take;
- The interest of the speaker (e.g. affected person, neighbour, applicant, applicants spokesperson, interested citizen etc).

Each person then has five minutes to make their address. Those addressing Council will be required to speak to the written statement they have submitted. Permission to address Council is not to be taken as an opportunity to refute or otherwise the points made by previous speakers on the same issue.

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 7649

November 2002

REPORT AND RECOMMENDATIONS
OF THE DISABILITY ACCESS COMMITTEE OF PENRITH CITY COUNCIL
HELD IN THE PASSADENA ROOM, CIVIC CENTRE, PENRITH
ON TUESDAY 4 FEBRUARY 2003 AT 5.30 PM

PRESENT

Councillor Jackie Greenow; Barbara Bonfield; Jill Huber; Steve Hyland; Greg Marshall; Kevin Finlayson; Hans Meijer, Asset Systems Engineer; Graham Howe, Building Project Co-ordinator; Jenny Gillespie, Aged and Disability Services Officer; Mick Fell, Community Programme Co-ordinator

APOLOGIES

DAC1 RESOLVED on the MOTION of Barbara Bonfield seconded Greg Marshall that apologies be received and accepted from Councillor David Bradbury, Councillor John Thain, Craig Butler, Carol Joyce

PRESENTATION BY PATH

Councillor Greenow welcomed and introduced the members of PATH. John O'Sullivan gave an overview of the Path to Your Door project and Bob Campbell, Community Colleges NSW, spoke to the Powerpoint Presentation.

The Path to Your Door (PTYD) project is a home visiting programme where volunteers visit families suffering isolation and distress who need to access multiple services. The co-ordinator manages the referrals, assessments, advocacy, networking, recruiting, training and supervision of the volunteers. Through the PTYD project clients are empowered and linked with services. There are six clients on the waiting list at present.

The project was initiated with WSAAS funding for 1999-2002 of \$60,000 p.a. PATH is seeking Council's assistance in the ongoing continuation of the programme. Joan Nolan also spoke about the development of the programme and training of volunteers who have helped 37 clients during the length of the programme. Bob Campbell said that PATH would like \$10,000 or whatever Council can give to keep the programme going on a part-time basis so they can seek funding from other bodies. They will also be approaching Hawkesbury and Blue Mountains Councils for funding.

The committee discussed the issues raised in the presentation and resolved to write back to PATH and thank them for their presentation and to congratulate them on what they have achieved. It was also decided that the committee would inform PATH that it does not have any funds and suggest ways to liaise, prepare a CDSE submission and build further in the network.

CONFIRMATION OF MINUTES

Disability Access Committee – 19 November 2002

DAC2 RESOLVED on the MOTION of Barbara Bonfield seconded Greg Marshall that the minutes of the Disability Access Committee of 19 November 2002 be confirmed.

DECLARATIONS OF INTEREST

No declarations of interest.

BUSINESS ARISING FROM PREVIOUS MINUTES

Removal of Post

Barbara Bonfield thanked Council for removing the post on the footway in Woodriffe Street adjacent to Memory Mall.

MASTER PROGRAM REPORTS

1 Penrith DDA Action Plan Study 2002

1133/33

Jenny Gillespie read the report to the committee. The draft plan has now gone to the printers and will then be mailed to committee members, distributed to Councillors, the General Manager and managers. They will have the opportunity to make comments and changes will be made. The accompanying Council report will be written and it will then go to Council for resolution.

Jenny Gillespie said that people will be given a couple of weeks to make comments. Barbara Bonfield, Elizabeth Guthrie and Jill Huber will be given the report on disk.

After the plan is adopted by Council it will be placed on the website. Mick Fell said that it will go on HEREOC's website as well.

Mick Fell said that the plan is a positive document and acknowledged to the committee the excellent work that Jenny Gillespie had put in with John Moxon on this project.

Steve Hyland said that the plan will be a benchmark for other people.

Jenny Gillespie thanked Greg Marshall for sitting on the culling committee and using his time to go through all the briefs. Jenny also thanked Councillor Greenow for her contribution to the process.

DAC3 RESOLVED on the MOTION of Greg Marshall seconded Steve Hyland that:

1. The information on the Penrith DDA Action Plan 2002 report be received.
2. Greg Marshall and Jill Huber and everyone else concerned with helping the plan to get to this stage be thanked.

GENERAL BUSINESS

General Bus Service in Penrith

There was discussion regarding the bus service in Penrith and the cutting of bus services. Councillor Greenow said there is no service from St Marys after 7.00pm. There is approval for a 12 month trial for the cuts in services. Steve Hyland said that PDRC will be writing to the Department of Transport on behalf of people with disabilities who have made complaints.

It was suggested to write to the Department of Transport about the status of the lift at St Marys Station.

Rowing Centre

Jill Huber said that there is no sign at the Rowing Centre to say when it opens in the morning. This matter will be referred to the appropriate person.

Mulgoa Road Access

Kevin Finlayson brought to the committee's attention the duration of the lights at the pedestrian crossing on Mulgoa Road near the Mega Centre and the Shell Service Station. He said he can only get to the middle where the tunnel is when the lights change to red. Hans Meijer to follow up with the RTA.

Footpath Link

Councillor Greenow said that the missing link on Wolseley Street is needed now. Hans Meijer to check where it is in the footpath paving programme and bring back to the next meeting.

Greg Marshall, Kevin Finlayson and Steve Hyland all praised the pram ramps in the CBD. Hans Meijer to pass their appreciation on to the crews.

Ramp Outside Plaza on Riley Street

Greg Marshall brought to the committee's attention the difficulty experienced with the curve in the ramp outside the Plaza on Riley Street. Hans Meijer will get the pram ramps checked out.

Parker Street Traffic Island

Steve Hyland pointed out that the RTA build all their islands with a little lip on them – Parker Street is an example. Hans Meijer will follow this up. Steve Hyland will provide a list of the problem islands to Hans Meijer who will forward on to the RTA. He will also speak to the RTA regarding their current standard.

Jamison Road and Parker Street Corner

Barbara Bonfield raised the problem at Jamison Road and Parker Street Corner where it is not possible to get onto the footpath with a wheelchair or if a person has walking problems as the footpath drops down. Hans Meijer to take this to the Traffic Committee.

Derby Street near Hospital

Steve Hyland spoke about the crossing on Derby Street near the hospital, which is very steep, and no one in a wheelchair or scooter would cross there. Hans Meijer will write to the RTA regarding this problem.

NEXT MEETING

The next meeting of the Disability Access Committee will be held on Tuesday, 1st April, 2003 at 5.30pm in the Pasadena Room.

There being no further business the Chairperson declared the meeting closed the time being 7.15pm.

Confirmed
Chairperson

**REPORT AND RECOMMENDATIONS
OF THE POLICY REVIEW COMMITTEE MEETING OF PENRITH CITY
COUNCIL HELD IN THE COUNCIL CHAMBERS, PENRITH
ON MONDAY 24 FEBRUARY 2003 AT 7.05 PM**

PRESENT

His Worship the Mayor Councillor Greg Davies, Councillors J Bateman, D Bradbury, G Evans, R Fowler, J Greenow, A Khan, P Sheehy, S Simat (arrived 7.08PM), and J Thain.

APOLOGIES

1 RESOLVED on the MOTION of Councillor Greenow seconded Councillor Fowler that apologies be received and accepted from Councillors D Bailey, C O'Neill, S Simat, K Paluzzano, and C O'Toole.

LEAVE OF ABSENCE

2 RESOLVED on the MOTION of Councillor Greenow seconded Councillor Fowler that leave of absence be granted to Councillor Aitken for the period 24 February to 4 March 2003 inclusive.

CONFIRMATION OF MINUTES

Policy Review Meeting of 9 December 2002

3 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Bateman that the minutes of the Policy Review Committee Meeting of 9 December 2002 be confirmed.

DECLARATIONS OF INTEREST

There were no declarations of interest at the commencement of the meeting.

NOTE: Prior to discussion of Item 6, Councillor Evans declared a pecuniary interest in that item as he is a Director of the Board of the Western Weekender Newspaper.

REPORTS OF COMMITTEES

Recreation and Open Space Working Party – 5 February 2003

4 RESOLVED on the MOTION of Councillor Sheehy seconded Councillor Greenow that the recommendations be adopted.

MASTER PROGRAM REPORTS

1 Housing for Older People and People with a Disability

4114/6

Councillor Simat arrived at the meeting the time being 7:08PM.

Councillor Bradbury said that it was a good report, and that SEPP5 development so far seems to be happening in places where it is appropriate.

He said that Council should monitor SEPP 5 developments to ensure that they are not used to exploit opportunities for developments where they would be inappropriate.

Councillor Sheehy commented that the report showed that the over-55s were becoming a powerful influence on policy, and that the figures quoted on page 3 of the report were very instructive.

Councillor Sheehy raised the issue of the status of carers for aged and disabled people living in SEPP5 developments. He said that the status of carers was unclear, and raised the example of a carer living in such a SEPP 5 unit following the passing away of the person being cared for. Councillor Sheehy said that a blind eye had been turned towards this situation up until now, but that the issue of the status of carers needed to be addressed.

Councillor Bateman said that there was an ongoing problem where State Government made regulations and then left it up to Local Government to police them.

Council's Director - City Planning, Mr Alan Stoneham said that this had not been a problem with SEPP5 developments to date, as Council's role had so far been limited to the assessment of applications, although if we were required in the future to police the regulations relating to SEPP 5 developments, this would prove to be very "resource hungry".

Councillor Bateman commented that the restrictive covenant relating to SEPP 5 developments applied to occupancy but not to ownership, and that many people in the community may not be aware of this.

Councillor Bradbury said that he had heard anecdotal evidence that people had been encouraged to buy SEPP 5 units and live in them, even though they did not qualify for occupancy of such units.

His Worship the Mayor, Councillor Davies suggested that an information report could be prepared for Council on these issues with a view to raising them with the Local Government Association. Councillor Davies also raised the issue of retirement accommodation being sited in rural areas for people who needed such accommodation, but who did not want to move away from their rural area to live in a suburban environment, perhaps close to a railway station or commercial centre.

5 RECOMMENDED on the MOTION of Councillor Bradbury seconded Councillor Sheehy

That:

1. The information contained in this report be received and noted.

2. All applications for SEPP 5 developments continue to be monitored, in terms of their success in meeting the needs of the City.
3. The outcomes of the SEPP 5 monitoring and review process be incorporated into the development of principles and provisions for the City's new PlanFirst Local Plan.
4. A Memo be sent to all Councillors when an application for SEPP5 is received for an area not already designated for multi-unit housing.
5. That an information report be prepared for Council addressing the issues raised about SEPP 5 developments during the discussion of this report.

2 Pole Posters

4129/5 Pt5

Councillor Sheehy asked whether Council could pursue solutions to this problem along the same lines as Parramatta Council, as detailed in the appendix to the report.

Council's Waste and Community Protection Manager, Mr Barry Ryan, said that no Council had actually developed a completely successful solution to this problem.

His Worship the Mayor, Councillor Davies said that Council should also pursue the issue of pole posters put up by businesses and individuals. Councillor Davies mentioned that a letter has been drafted to be sent to all local Candidates in the upcoming NSW State Election, outlining the prohibition of pole posters being displayed on public property and reminding them of their responsibilities in this area.

6 RECOMMENDED on the MOTION of Councillor Sheehy seconded Councillor Bateman

That

1. the information contained in this report concerning pole posters be received.
2. Council investigate the possibility of pursuing solutions to this problem along the same lines as Parramatta Council, as detailed in the appendix to the report.
3. Council Rangers immediately remove pole posters found on public property.

Councillor Khan left the meeting the time being 7:36PM.

3 Waste Education

7004/40 Pt 6

Councillor Khan returned to the meeting the time being 7:42PM.

Council's Waste Education Officer, Ms Aisha Poole addressed the meeting to inform Councillors about the progress and future directions of Council's Waste Education program.

Ms Poole mentioned that the program had been focusing on educating children in local schools and childcare centres about the need to reduce, reuse and recycle, but that the time had come to re-focus more effort towards the adult community.

Feedback from schools was that they were aware of waste issues, and were less inclined to participate in the program. In conjunction with this, local community participation rates have fallen slightly, and contamination rates were starting to rise. It is therefore important to reinforce the program in the wider community. This is being done via a number of avenues, including community workshops, shopping centre displays, a presence at local events, and promotional material and advertising. Ms Poole said that people were invariably impressed when they saw the design of the trucks that collect the waste, and how they separate the waste from split bins. She said that displays that featured the trucks were very effective in educating the community.

Councillor Fowler congratulated Ms Poole on the quality of her presentation and on the achievements of the Waste Education program.

Councillor Bradbury asked if information about the Waste Education Program was provided on Council's website.

Ms Poole said that there was a lot of information provided, including information about what can be re-cycled, and material for school projects.

His Worship the Mayor, Councillor Davies asked if Council has advertised information about the splitting of waste and the design of the trucks.

Ms Poole said that Council had done that sort of advertising, but that it may be timely to repeat it.

His Worship the Mayor, Councillor Davies asked if the reduction in participation and the increased contamination rates of recyclable waste were costing Council money.

Ms Poole said that the way the contract with CleanAway was structured, it was not a Council responsibility.

Council's Waste and Community Protection Manager, Mr Barry Ryan, said however, that the more waste that was recycled instead of going to landfill, the closer Council got to achieving their goals of reducing waste to landfill.

Councillor Sheehy suggested that Council should make small bins the standard for household non-recyclable waste, as the amount of waste tended to match the space available for it. Smaller bins would encourage more recycling.

Councillor Fowler asked if the presentation of the Waste removal trucks could be improved, as they appeared dirty and scratched.

Mr Ryan said this had already been raised with the company two weeks ago and that it was being addressed.

7 RECOMMENDED on the MOTION of Councillor Sheehy seconded Councillor Bateman that the report on Waste Education be received.

4 North St Marys Community Renewal - Update

1359/4 Pt6

Councillor Thain thanked Council officers for the quality of the report. He said that a lot of progress has been made, and that congratulations were due to everybody involved.

Councillor Greenow said that meetings with the various State Government departments have been very good and that the people at the meetings seem to understand where we are coming from. Councillor Greenow said she hoped that we don't have to wait for the other Council to get the necessary work done before the program can proceed.

8 RECOMMENDED on the MOTION of Councillor Thain seconded Councillor Greenow

That:

1. Council adopt the demolish and rebuild option (that is the Option 1 Concept Plan) as outlined in this report as the preferred option for the proposed North St Marys Community Facility Project.
2. Council advance \$100,000 in the current Management Plan year for project definition costs including full design documentation for the proposed new North St Marys Community facility.
3. A further report will be provided to Council once there are more definite costings for the design.
4. Council write to the State Member seeking his continued support in making representations to the relevant State Government agencies in relation to funding contributions towards the North St Marys Community Facility Project.
5. Council write to the State Member seeking his support in approaching the St Marys Rugby League Club and the St Marys Band Club in relation to funding contributions towards the proposed North St Marys Community Facility Project.
6. Community consultation be undertaken with residents in the immediate surrounds of the North St Marys Hall to ascertain their views about the proposed new facility.

5 Service Specification Program - Progress Report

36/35

9 RESOLVED on the MOTION of Councillor Bateman seconded Councillor Sheehy

That:

1. The information contained in the Service Specification Program – Progress Report be received.
2. In future all completed draft service specifications be reported to Policy Review Committee meetings for assessment and review
3. where specific requests for information on or changes to draft service specifications are required by Council that they be addressed **by exception**

only, at specially convened Services Review Working Party meetings scheduled at least once every quarter or when required.

6 Progress Report on Local Newspaper Advertising 23/50

Councillor Evans declared a pecuniary interest in this item as he is a Director of the Board of the Western Weekender Newspaper and left the meeting, the time being 7:50PM.

His Worship the Mayor, Councillor Davies thanked Mr Geoff Holt, from Council's advertising bureau, Leonard Holt Robb, for his attendance at the meeting.

10 RECOMMENDED on the MOTION of Councillor Bateman seconded Councillor Sheehy that information on the progress of Council's Advertising be received.

Councillor Evans returned to the meeting, the time being 7:52PM.

8 Draft Bush Fire Environmental Assessment Code 1011/11

11 RECOMMENDED on the MOTION of Councillor Fowler seconded Councillor Bateman

That:

1. the report on the Draft Bush Fire Environmental Assessment Code be received;
2. a further report be submitted to Council on the implications of changes to the Service Level Agreement with the NSW Rural Fire Service following the forum to be held in March 2003;
3. Council make a submission to the NSW Rural Fire Service in the terms of this report.

7 Progress of Council's Strategic Program 36/27

Councillor Simat left the meeting the time being 8:05PM.

Councils Director - City Strategy and Deputy General Manager, Mr Bruce McDonald introduced the report, which is a review of Council's strategic platform, and which shows how Council has performed against the current four year plan.

He said that the review shows where Council needs to concentrate effort. No parts of the plan have been shown to have been neglected, but the review does highlight where greater focus is needed if we are to achieve the outcomes required in the plan.

Councillor Sheehy said that we need to get commitment from the State Government to address the transport problems in our area. Council knows only too well what the problems are, but all we can do is point them out to the State Government.

Council's Director - City Planning, Mr Alan Stoneham, said that there are ongoing issues with the protection of the natural environment. He said that it was timely to refresh our approach to federal and state ministers on the issues.

Councillor Thain asked what types of industries were referred to in the target of increasing businesses in the Penrith LGA by 20% as stated in the plan.

Mr McDonald said that this was a target of numbers of businesses only, and didn't refer to business type. He said that a further report on the types and sizes of new businesses was being prepared.

Councillor Sheehy asked if the problems with the supply of electricity to the new Erskine Park Industrial Estate He said that the establishment of the industrial estate had been planned for ten years and it seemed surprising that there were now problems supplying power to the area. Councillor Sheehy suggested that these problems may be the result of unintended consequences of deregulation of the power supply industry, insofar as Integral Energy may be less inclined to pay for the installation of infrastructure when businesses could then source their power from another supplier.

Mr Stoneham said that he was unsure of the reason for the problems and that a meeting was being convened by Council to bring the landowners and Integral Energy together to discuss the problems, but this meeting had been deferred until a date in approximately three weeks time.

Councillor Evans asked what initiatives had been made on the Smart City Strategy.

Mr McDonald said he would prepare a memo for Councillor Evans detailing these initiatives.

Councillor Thain left the meeting the time being 8:20PM.

Councillor Greenow raised the issue of roads in the Penrith LGA. She said that although funding had been greatly increased, it was still not sufficient to bring all our roads up to an acceptable standard and keep them there.

Mr McDonald said that workshops could be organised to examine options for Council.

Councillor Thain returned to the meeting the time being 8:22PM.

Councillor Simat returned to the meeting the time being 8:23PM.

12 RECOMMENDED on the MOTION of Councillor Greenow seconded Councillor Bateman that the information contained in this report on the progress of the Strategic Program be received.

9 Key Issues and Financial Settings for the 2003-2004 Management Plan

36/44

Council's Chief Financial Officer, Mr Barry Husking introduced the report. This report initiates a process of working through the upcoming management plan and balancing what is needed to be done against available funds.

Councillor Fowler asked what is being done to reduce Council's Workers' Compensation Insurance premium.

Mr Husking said that Council was sharing ideas with other Councils in Westpool, but that we were in an insurance pool and were affected by the performances of others in that pool. He said that a number of options were being investigated, including the possibility of self-insurance, and changes to Occupational Health and Safety policies and practices. He said that changes already made to these policies and practices had already shown some positive results, which would be reflected in the long term.

Mr Husking said that he could prepare a report to Council on this issue.

Councillor Khan said that he believed that many claims for Worker's Compensation were not genuine and Council should look at ways of reducing such claims.

Councillor Fowler said that he believed that most claims were genuine, but that Council already had a very good claims management regime which encouraged people who had been injured at work to become productive again as quickly as possible.

13 RECOMMENDED on the MOTION of Councillor Greenow seconded Councillor Bateman

That:

1. Council adopt as its principal policy setting for preparation of the 2003-2004 Management Plan, an emphasis on the completion of the 2000-2004 Strategic Program;
2. Council make initial identification of matters to be considered in the preparation of the Draft 2003-2004 Management Plan, with particular reference to
 - Regional Transport
 - Bushland Management
 - Commonwealth Surplus Land
 - Road Assets
 - Building Assets

10 Institute of Public Works Engineering Australia - National Overseas Study Tour

155/8

Councillor Evans left the meeting the time being 8:34PM.

Council's Director - City Operations, Mr Ray Moore, addressed the meeting and described and showed pictures of his recent Institute of Public Works Engineering Australia (IPWEA) National Overseas Study Tour

14 RECOMMENDED on the MOTION of Councillor Bateman seconded Councillor Khan that the information contained in the Director - City Operations' report in relation to the Institute of Public Works Engineering Australia (IPWEA) National Overseas Study Tour be received and noted.

Councillor Evans returned the time being 8.37PM.

LEAVE OF ABSENCE

Councillor Bateman requested Leave of Absence for 3 March 2003 inclusive.

15 RECOMMENDED on the MOTION of Councillor Fowler seconded Councillor Greenow that Councillor Bateman be granted Leave on Absence for 3 March 2003 inclusive.

There being no further business the Chairperson declared the meeting closed the time being 8:53PM.

Confirmed
Chairperson

MASTER PROGRAM REPORTS

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THE CITY IN ITS ENVIRONMENT		
1	Review Of Standard Conditions Policy 4100/28	1
2	Subdivision Application: Lots 84, 93, 94, 95 Sec D DP1687, Lots 2 & 3 DP568995 And Lot 108 DP260982 Mulgoa Road & Regentville Road, Regentville. Owner/Applicant: Penrith City Council DA01/1268	4
3	Development Application: Home Business (Beauty Salon) At Lot 5 DP 852186 (No. 5) The Lakes Drive, Glenmore Park Applicant: Deborah Ritchie, Owner: Graham Hogg DA02/1534	11
4	Extension Of The Hickey's Lane Irrigation System	20
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THE CITY IN ITS ENVIRONMENT

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The City in Its Environment

1 Review of Standard Conditions Policy

4100/28

Compiled by: Liza Cordoba, Senior Environmental Planner

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

Management Plan 4 Year Outcome (Page 22): *Development enhances the City's living and working environments.*

02/03 Critical Action: *Implement policy and regulatory responses to achieve quality urban outcomes.*

Purpose:

This report provides an overview of Council's review of standard conditions used in the development assessment process. It seeks Council's approval to adopt the revised Standard Conditions Policy.

Introduction

Council's list of standard conditions was first adopted in 2001 and is reviewed on an annual basis to ensure it is contemporary and consistent with legislative or industry reforms. Since its introduction, a more consistent approach has been achieved in the development consents issued by Council as the wording of conditions is:

- standardised and easily read,
- brought into best practice by ensuring that the intent of the condition is reflected in the actual wording translated, and
- consistent with legislation.

With this in mind, the review of the policy enables Council to consider how the conditions are being interpreted in the field by the industry and public, and to effect changes to the standard conditions and Council's processes.

Legislative Changes

Council will recall that in early 2002, the Hon. Premier Carr instigated a parliamentary inquiry into the quality of the current system for construction of buildings. The Joint Select Committee on the Quality of Buildings in July 2002 released the findings of the parliamentary inquiry titled "Report upon the Quality of Buildings". It was the Committee's view that "*the quality of buildings being produced is fundamentally linked to the quality of each element of the building process including licensing, standards, consumer information, approval and planning processes, and dispute management and resolution.*" To that end, the Committee provided 55 recommendations for the NSW Government to consider.

On 24 January 2003, PlanningNSW wrote to councils advising that legislative change is being introduced in response to the Committee's findings and recommendations. These changes, namely the "Building Legislation Amendment (Quality of Construction) Act 2002", will take effect on 1 July 2003 requiring further refinements to our development assessment process including the conditions to be imposed on development consents as well as the certification of the building or subdivision works.

It is therefore timely that the standard conditions reflect the procedural changes being introduced.

An example of the proposed changes relates to the issuing of Occupation Certificates. At present, the legislation allows:

- dwelling houses and dwellings (in dual occupancy, villa or townhouse style developments) to be occupied without the need for an Occupation Certificate being issued, and
- for other development that required an Occupation Certificate, the Certificate could be issued so long as the building complied with the BCA. It did not take into account whether the conditions of the development consent were complied with often relating to landscaping, drainage, roadworks and the like.

Since July 1998 (when the development and building approvals processes were incorporated into the Environmental Planning and Assessment Act), it has been Council's practice to require (via a development consent) completion of the development before the Occupation Certificate is issued for the development. Legal opinion provided at that time advised that although this was an additional requirement to the statutory requirements for issuing an Occupation Certificate it reasoned that this practice is appropriate to ensure that Council's aim of delivering developments of a high quality standard is achieved. The imposition of such a condition on the development consent was seen to be reasonable and appropriate.

The legislative changes will require Occupation Certificates to be issued for dwelling houses, dwellings in dual occupancy, villa or townhouse developments as well as minor structures such as garages, rural sheds, swimming pools and the like. Additionally, the conditions to the development consent will also need to be complied with before an Occupation Certificate can be issued. The resultant effect of this should be a reduction of compliance matters before Council.

Proposed Amendments to the Policy

Overall, the format of the conditions and the development consent (issued by Council) will remain substantially the same. The review of the conditions responds to recent and impending legislative changes in mind, such as the bushfire legislation (introduced last August) and the Building Legislation Amendment (Quality of Construction) Act 2002 to take effect on 1 July 2003. New conditions regarding the provision and maintenance of the Asset Protection Zone for developments in bushfire prone land and the construction requirements for dwellings in these areas have been included in the revised policy.

Conditions relating to the installation of on-site sewage management systems (OSSM), otherwise known as septic tanks, and the ongoing operational licence of these systems have also been added into the policy. The conditions for the installation of the OSSM will be included to the development consent to ensure that the OSSM is installed and completed for use for the residence on a rural property prior to the dwelling being occupied. The operational licence for the system will be issued by Council (with conditions) only after the:

1. residence has been completed, and
2. OSSM has been installed and Council has inspected the completed system in accordance with the development consent conditions.

Current conditions relating to the importation of fill material to the site have also been reviewed, but these will be separately reported to Council as a follow up to undertakings previously made by the officers to review how Council might further strengthen its management of fill imported to development sites.

At the Parliamentary Inquiry hearings, it was noted that there was confusion as to the responsibilities of the certifier and Council, particularly over the OSSM and works carried out on the road reserve or connections to Council's infrastructure. The new or amended conditions address this.

A revised version of the Standard Conditions Policy, incorporating the changes to the standard conditions, is in the Attachments section of the Business Paper. The right hand column of the attachment identifies the new or changed conditions by bold lettering.

Conclusion

This review of the standard conditions of consent is part of Council's commitment to respond to reforms and to be consistent in our approval practices. Additionally, it has taken into consideration the recommendations of the Joint Select Committee on the Quality of Buildings and the impending legislative changes intended to take effect on 1 July 2003.

RECOMMENDATION

That:

1. Council adopt the revisions to the Standard Conditions Policy as detailed in this report.
2. The adopted Standard Conditions Policy be made available to the public.



The City in Its Environment

2 **Subdivision Application: Lots 84, 93, 94, 95 Sec D DP1687, Lots 2 & 3 DP568995 and Lot 108 DP260982 Mulgoa Road & Regentville Road, Regentville. Owner/Applicant: Penrith City Council**

DA01/1268

Compiled by: **Gordon Williams, Environmental Planner**

Authorised by: **Roger Nethercote, Environmental Planning Manager**

<p>Management Plan 4 Year Outcome (Page 23): <i>Development enhances the City's living and working environments.</i></p> <p>02/03 Critical Action: <i>Implement management practices to secure and maintain quality development outcomes.</i></p>

Purpose:

The purpose of this report is to consider a development application to consolidate 7 lots and re-subdivide the resultant lot in 2 allotments. The report assesses the proposal and recommends Council grant development consent, subject to conditions.

Background

A development application has been lodged by Council's Property Development Manager for the consolidation and re-subdivision of the seven subject properties into two lots. One of the lots (proposed Lot 101) will be dedicated as drainage reserve, while the other lot (proposed Lot 100) may be further developed for industrial purposes. A small portion of road widening is proposed to accommodate the turning circle in Regentville Road. This report provides an assessment of the proposal and comments from the independent planning consultant engaged to review the assessment by Council Officers. (A subdivision plan is appended.)

The subject site is located on the eastern side of Mulgoa Road and runs through to Regentville Road (locality plan appended). The site is vacant and contains a number of trees and a drainage channel that forms part of Surveyors Creek. The site has industrial development on three sides and residential development to the south of the drainage channel.

Assessment of the Proposal

The application has been assessed against the provisions of the Penrith Local Environmental Plan 1996 (Industrial Lands), Penrith LEP 1998 (Urban Lands), Council's Industrial Development Control Plan and Section 79(c) of the Environmental Planning and Assessment Act 1979.

Statutory Situation

The land is zoned 6(a) Public Recreation and Community Uses under Urban Land LEP; 4(b) Special Industrial under Industrial Lands LEP; 5(b) Special Uses Roads under IDO No 28; and 2(b) Light Industrial under IDO No 28.

The land is currently classified as “operational” under the provisions of the Local Government Act.

The minimum lot area under the industrial zone is 1000m². The proposed industrial zoned lot has an area of 1.56ha and satisfies the requirements of the LEP in regard to width and area. The lot to be dedicated as drainage has an area of 1.08ha and its area and shape reflect the area required to contain the existing drainage channel. The drainage land, once dedicated, will be classified as “community” land.

Demands on Services

All necessary services are available to the subject site. The provision of these services would be subject to arrangements with the various authorities and can be addressed in the conditions of consent.

Vegetation

The application was accompanied by a flora and fauna report and a tree report. The reports indicated that the proposal would not impact upon threatened species, endangered ecological communities, endangered populations or their habitats.

In approving an earlier development application for the filling of a disused watercourse on the subject property, Council resolved that:

A Draft Development Control Plan be prepared under Delegated Authority to guide site development and protect and preserve the significant vegetation on the site. The Draft Development Control Plan be placed on public exhibition and be reported to Council for adoption of the final plan.

A condition of development consent for the filling required that:

Development of the site being carried out in accordance with any Development Control Plan or Draft Development Control Plan applying to the land.

After careful consideration of the resolution, it was concluded that more appropriate controls could be placed directly on the title of the property via an 88B restriction. This was considered to be a better mechanism for address the intent of the Council resolution than the suggested DCP.

The applicant subsequently requested a modification to the land filling consent indicating a preparedness to apply an 88B restriction over those parts of the site which had been identified as containing significant tree stands worthy of conservation. The plan nominated a development exclusion zone containing those significant trees. A copy of that plan is attached to this report. The consent condition referred to above was subsequently modified to:

Development on the site is to be carried out in accordance with any restriction or covenants applying to the land. Such restrictions or covenants are to be applied to the land in conjunction with any application to subdivide or consolidate any allotments forming the site. The restriction or covenants must have the effect of

guiding site development in order to protect and preserve the significant trees on the site.

Council's Legal Officer has considered this alternate approach and is of the view that the 88B restriction is an effective means of achieving the desired controls.

A condition will be imposed that requires an 88B restriction be placed on the title of the proposed Lot 100 that maximises the retention and protection of the existing trees. In this regard, the applicant proposes a development exclusion zone, which will be clearly identified on the plan of subdivision.

Traffic Matters

The proposal includes the dedication of road widening in Regentville Road, which provides for Council's standard cul-de-sac and footpath area. As the road and cul-de-sac are already constructed, no roadwork is required as a consequence of this development.

Independent Assessment

As the proposal is an application by Council over "operation" classified land, it was referred to an independent consultant, Rhodes Thompson & Associates, for assessment. The consultants are of the view that the application represents a relatively minor and ultimate procedural subdivision, which is unlikely to result in any adverse impacts. The consultant has advised that:

"We are of the opinion that the proposed development satisfies all relevant matters for consideration contained within Section 79(c) of the Environmental Planning & Assessment act 1979. Accordingly, we recommend that the application be approved subject to standard conditions."

Conclusion

The proposed subdivision is in accordance with the provisions of Council's planning instruments that apply to the site. The proposal rationalises the existing lot arrangements over the site and will result in the dedication of an area of constructed road and an existing area zoned Public Recreation and Community Uses. The application has been independently assessed and the consultant has concluded that there is no reason why the applicant should not be issued with development consent.

RECOMMENDATION

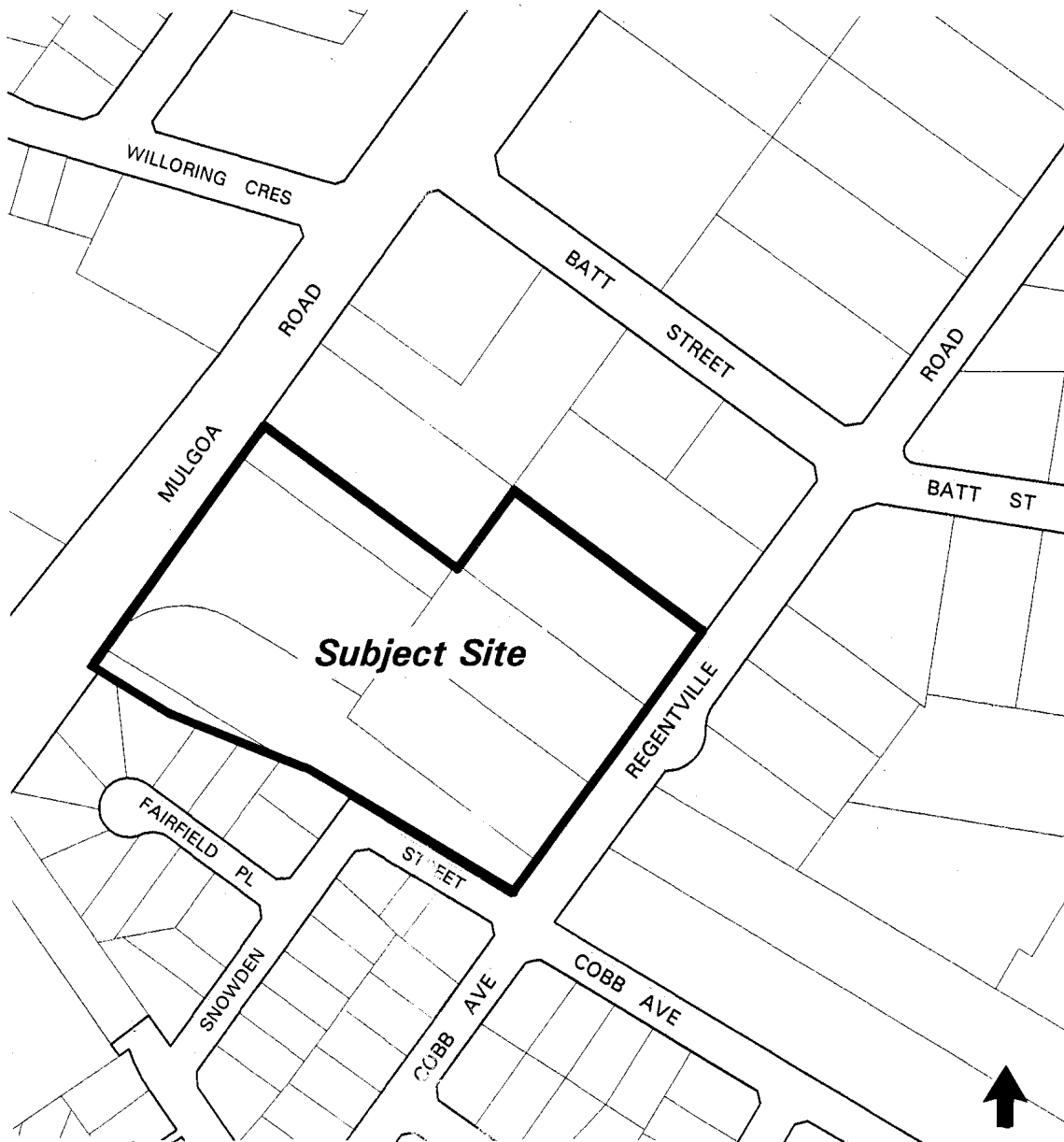
That the application to subdivide Lots 84, 93, 94, 95 Sec D DP1687, Lots 2 & 3 DP568995 and Lot 108 DP260982 Mulgoa Road & Regentville Road, Regentville be approved subject to the following conditions:

1. The development must be implemented substantially in accordance with the stamped-approved plans issued by Penrith City Council, the application form and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.
2. Prior to the release of the linen plan, the following service authority clearances shall be obtained:
 - a Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water.

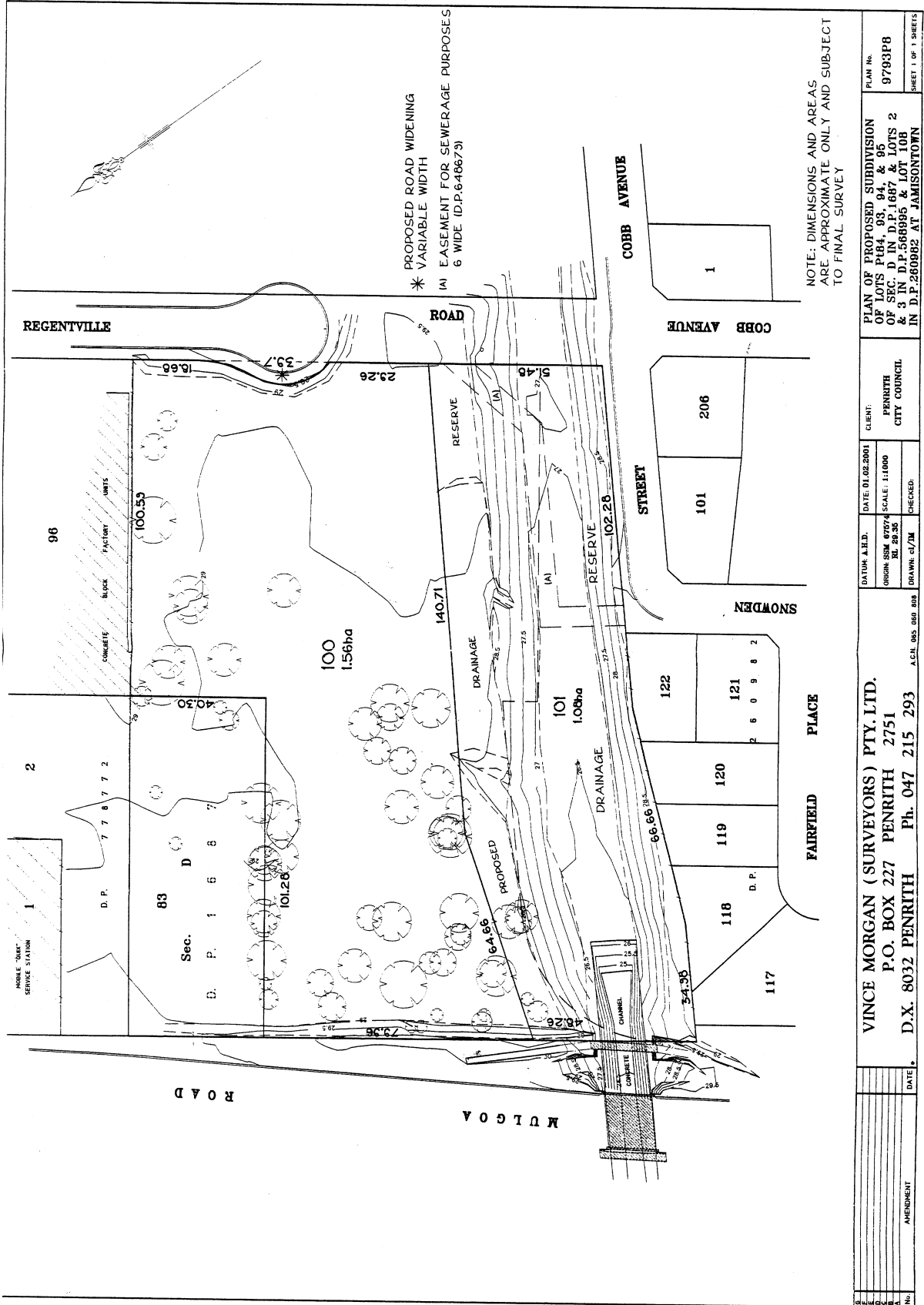
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- a letter from Integral Energy stating that satisfactory arrangements have been made for electricity supply to all proposed allotments in the subdivision, including any necessary easements.
 - a letter from an approved telecommunications service provider (Telstra or Optus) that satisfactory arrangements have been made for underground telephone services to all proposed allotments in the subdivision, including any necessary easements.
3. Submission of the original Linen Plan and ten (10) copies. The Linen Plan must indicate that:
- “It is intended to dedicate all new roads to the public as road”
- “It is intended to create Lot 101 as a public reserve”.
- All dedications of roads/ drainage are to be undertaken at no cost to Penrith City Council.
4. The linen plan of subdivision is to be supported by an 88B instrument creating a Restriction as to User or easement regarding measures to protect the significant tree stands on the site. The instrument shall in the following terms:
- No building or related development shall be permitted within that part of the site designated as a development exclusion zones as shown on the Plan prepared by Rhodes Haskew Associates and approved by Council.

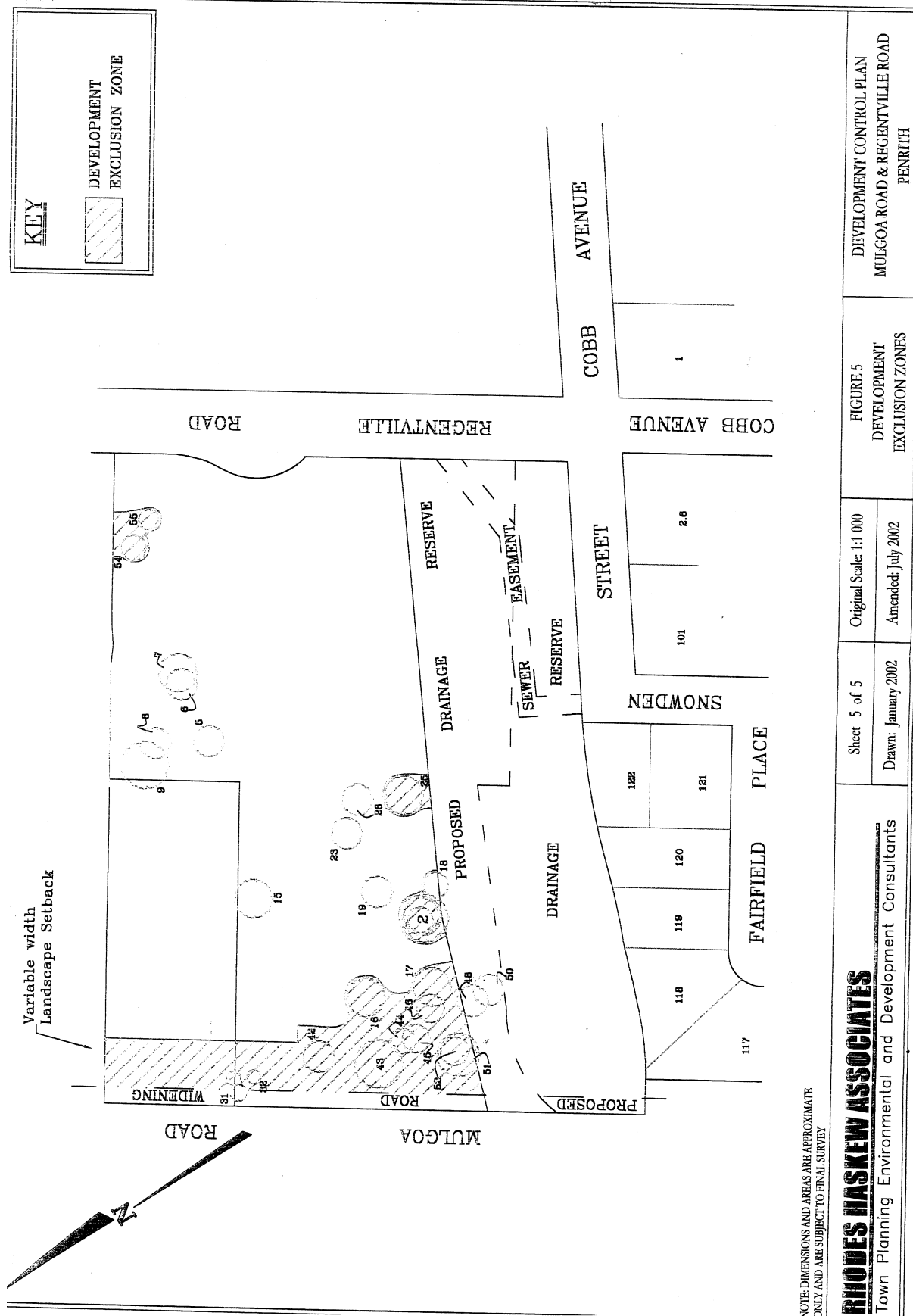
Council shall be nominated as the only authority permitted to modify, vary or rescind such restriction as to user.





LOCATION PLAN





The City in Its Environment

- 3 Development Application: Home Business (Beauty Salon) at Lot 5 DP 852186 (No. 5) The Lakes Drive, Glenmore Park Applicant: Deborah Ritchie, Owner: Graham Hogg DA02/1534**

Compiled by: Gurvinder Singh, Senior Environmental Planner

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

Management Plan 4 Year Outcome (Page 22): *Development enhances the City's living and working environments.*

02/03 Critical Action: Implement policy and regulatory responses to achieve quality urban outcomes.

Purpose:

To enable Council to consider an application for a home business (beauty salon) in the double garage of an existing residential dwelling. The use has already commenced on the site. Reporting of this matter to Council is required in accordance with Council's policy that unauthorised development be determined by Council.

Introduction and Background

The application seeks Council's approval for the use of the double garage of the existing dwelling as a home business – beauty salon. The applicant is currently operating the business from the site. Prior to this application the applicant operated the same business from another dwelling in the Glenmore Park area.

Development consent (DA970222) for the former business at 31 Marcus Clarke Crescent, Glenmore Park was approved on 28 July 1997 – prior to Council's current Urban LEP and Residential DCP. This use operated with Council approval from the existing double garage, with two car parking spaces provided on the driveway. It was considered at the time that there was adequate room for on-street parking in front of the property without reducing traffic safety.

A modification to the approved operating hours was granted on 12 August 1998 to allow increased trading hours on a Thursday night and Saturday.

Determination of this application has been protracted because, as noted in this report, the proposal does not comply with some of the requirements of the Residential DCP.

The Site

The subject site is located in a well-established residential area. The area is generally characterised by single and double storey dwellings with attached double garages.

The lot is rectangular-shaped with a wide frontage (18 metres) and an area of 504 metres². An access handle to lots at the rear adjoins the western boundary of the site.

There is a single-storey dwelling with an integrated double garage currently existing on the property. The setback to the garage is 7 metres from the front property boundary, and there is an existing driveway, which leads to the garage which is approximately 6 metres wide.

The Proposal

The proposal involves the use of the existing double garage of a residential dwelling as a beauty salon to be operated by the occupier of such dwelling. The occupier of the dwelling would be the only employee of the business. The type of procedures to be carried out on the premises includes facials, waxing, nails, pedicures, slimming treatments, massage and tanning. The business involves the erection of partitions in the garage to create two beauty therapy rooms, a solarium room and a reception and nailable area.

Entrance to the garage is gained through glass sliding doors installed on the inside of the existing panel-lift garage doors. This allows the panel doors to be closed when the business is not in use to cover the glass sliding door entrance and screen the business from view.

The operating hours have been scaled down slightly to that which was originally submitted and constitute the following:

Monday – Wednesday, Friday	9.00am-12.00pm	2.00pm-7.00pm
Thursday	9.00am-12.00pm	3.00pm-8.00pm
Saturday	9.00am-2.00pm	

Widening of the existing driveway on the site has occurred to allow the parking of three vehicles in front of the garage.

Community Consultation

The application was notified to adjoining owners and occupiers in accordance with Council's Notification and Advertising Development Control Plan. No objections were received. However two letters of support for the home business from surrounding residents were received.

Assessment of the Proposal

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

1. Statutory Assessment

(a) Penrith Local Environment Plan 1998 – Urban Land (LEP 1998)

The subject property is zoned 2(B) Residential (Low Density) under LEP 1998. The proposal is defined as a 'home business' under the LEP and is a permissible use in the zone. Council must not consent to such a proposal if it is contrary to one or more aims and objectives of the LEP or the specific zone.

A specific aim of the LEP is to permit small-scale business activities within residential areas, which do not significantly affect residential amenity.

The applicant has stated they will be the only employee of the business and there would be no other staff. The operation of the salon would be appointment-based with no more than two customers on the site at any one time. Two car parking spaces for customers would be provided on the site, and therefore there should be no need for on-street parking.

Later sections of this report canvass potential impacts by the development on the amenity of the area. They conclude that, on balance, the development may not affect amenity.

It is considered that the proposed development is not contrary to the general aims and objectives of the LEP or the zone.

(b) Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (SREP 20)

SREP 20 provides an overall direction for planning to protect the environment of the Hawkesbury Nepean Catchment within which the development site is located. The proposed development would not compromise the planning considerations, policies and strategies of this Plan.

(c) Development Control Plan 2000 – Residential Land (DCP 2000)

Volume 1 of DCP 2000 provides requirements for single dwellings in residential zones. This plan requires that two carparking spaces for the dwelling be provided on site.

The use of the double garage for the beauty salon would lead to a loss of two covered car parking spaces. The home business would require two spaces to be provided on site, which leaves only one space for the residents of the dwelling. Council is in receipt of a letter from the applicant's husband which states that his working hours are from 8.00am to 7.00pm Monday to Friday. As the husband's vehicle would constitute the second vehicle associated with the residential use of the property and his working hours are the same as the operating hours of the home business, only three spaces would be required at any one time on the site.

However on Saturdays both vehicles associated with the residential use could be present on the property. It is considered that due to the shortened trading hours on Saturdays, the appointment based operation of the use and the presence of on-street parking, there would be minimal impact on traffic safety.

To ensure that the home business is operated in a satisfactory manner that will not affect the amenity of surrounding properties, it is considered appropriate for the following measure to be taken:

- Limit the development consent to a period of 1 year to enable Council the opportunity to ensure that the home business does not adversely impact the amenity of the area.

2. The Likely Impacts of the Development

Context and Setting – The proposed home business would be located within an existing residential area and would operate from the garage of an existing residential dwelling. The business is small in scale and would provide a service to surrounding properties. Furthermore at times when the business is not operating the garage doors will screen views of the salon and the dwelling would appear as if it were a normal residential dwelling.

The widening of the driveway to three-vehicle width and the loss of carspaces behind the building alignment will have a negative impact on the streetscape appearance. Council officers encouraged a reduced scale of business so that a carspace behind the alignment could be maintained.

Equally, the business will present to the street when operating. Once again, this could have a negative impact on streetscape appearance. Entrance to the business from a side or rear door was encouraged, but not accepted by the applicant as they had already undertaken the works.

On balance, these potential negative impacts may not be able to be sustained by Council as a basis for refusal.

Access, transport and traffic – The site provides for three carparking spaces on the front driveway of the property, which has been widened to cater for the extra required space. One of these spaces is required for the applicant's vehicle and the other two are provided for clients of the salon. It is considered that three carparking spaces on the site are sufficient for the operation of the home business and the use of the dwelling for residential purposes.

The operation of the home business on an appointment only basis with a maximum of two clients at any one time would not lead to a significant increase in traffic within the area. Furthermore the site is within a well-established residential area with existing transportation networks (i.e. buses).

Utilities – The existing utilities, which currently service the dwelling, are sufficient for the purposes of the home business also.

Waste – Rubbish from the operation of the business, such as wax strips, tissues, cotton balls etc., will be disposed of via Council's regular household waste collection. Due to the small scale of the business and hence, the small amount of waste that would be generated, it is considered that this arrangement is sufficient.

Social impact – The operation of a home business from the site provides a cost-effective service for local residents in close proximity to their homes. It would also ensure that a greater number of people are at home and relatively active in the neighbourhood during the day (including the applicant) which would increase the security of the site and the immediate area.

Construction – The home business has already been constructed and is in operation. The construction is of such a small scale (partitioning and installing a glass sliding door) that it is relatively insignificant. Regardless, conditions will require that evidence be supplied that all work has been in accordance with the Building Code of Australia.

The use of the garage as a beauty salon falls under the provisions of Public Health Acts and as such suitable conditions will be imposed to ensure that the operation of the business is in accordance with these provisions.

Signage – The applicant had previously erected a free-standing A-frame sign on the front lawn of the property. This sign was not considered appropriate, and after discussions with Council officers it was removed. A condition will be imposed upon the consent limiting the advertising signage to a single non-illuminated sign of maximum dimensions 1.2m by 0.6m, attached to the front wall of the dwelling indicating only the name and occupation of the resident. This type of sign would be exempt development under Council's Development Control Plan - Exempt and Complying Development.

Conclusion

The proposal for the operation of a beauty salon from 5 The Lakes Drive, Glenmore Park is permissible with Council consent.

It is considered appropriate that the consent be limited to a period of 1 year, upon which time the applicant can reapply for a continuing use. These measures are required to ensure that the operation of the home business does not detrimentally impact upon the surrounding locality.

RECOMMENDATION

That the development application DA02/1534 for the operation of a home business – beauty salon at Lot 5 DP 852186 (No. 5) The Lakes Drive, Glenmore Park be approved subject to the following conditions:-

1. The development must be implemented substantially in accordance with the stamped-approved plans issued by Penrith City Council, the application form and any supporting information received with the application, except as may be amended by the following conditions.
2. A compliance certificate, from a suitably qualified person, shall be submitted to Council certifying that the works already completed in relation to the use have been constructed in accordance with the requirements of the Building Code of Australia.
3. The business is to be registered with Penrith City Council by completing the “Registration of Premises” form. This form is to be returned to Council prior to the commencement of the business.
4. The “home business” shall not involve:
 - the employment of more than one person; or
 - the exhibition of an advertisement (other than an advertisement exhibited on that dwelling house or dwelling to indicate the name or occupation of the resident); or
 - the interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or the like; or
 - interference with the amenity of the neighbourhood due to the generation of vehicular traffic, the reduction of carparking in the vicinity of the site, visits by customers or clients, or the like; or
 - exposure to view, from any adjacent premises or from any public place, of any unsightly matter.
5. Customer visits to the site shall be arranged on an appointment only basis so that:
 - no more than two customers are to be on the premises at any one time, and
 - no more than two customers’ cars are parked on the site at any one time.
 - Customers’ cars are not parked on the street.
6. No signs are to be displayed on the property other than a single sign (not illuminated) of maximum dimensions 1.2m x 0.6m attached to the front wall of the dwelling indicating only the name and occupation of the resident.
7. All materials and goods associated with the use shall be contained within the building at all times.
8. The operator shall ensure that the requirements of the Local Government Act 1993 and Regulations thereunder, the Public Health (Skin Penetration) Regulation 2000 and the NSW Health Department Skin Penetration Guidelines 2000 are met at all times.
9. Any person carrying out any of the following skin penetration procedures shall ensure that the requirements of the Public Health (Skin Penetration) Regulation 2000, and the NSW Department of Health Skin Penetration Guidelines 2000 are met at all times:
 - acupuncture
 - tattooing

- ear piercing
- hair removal
- any other procedure which involves skin penetration.

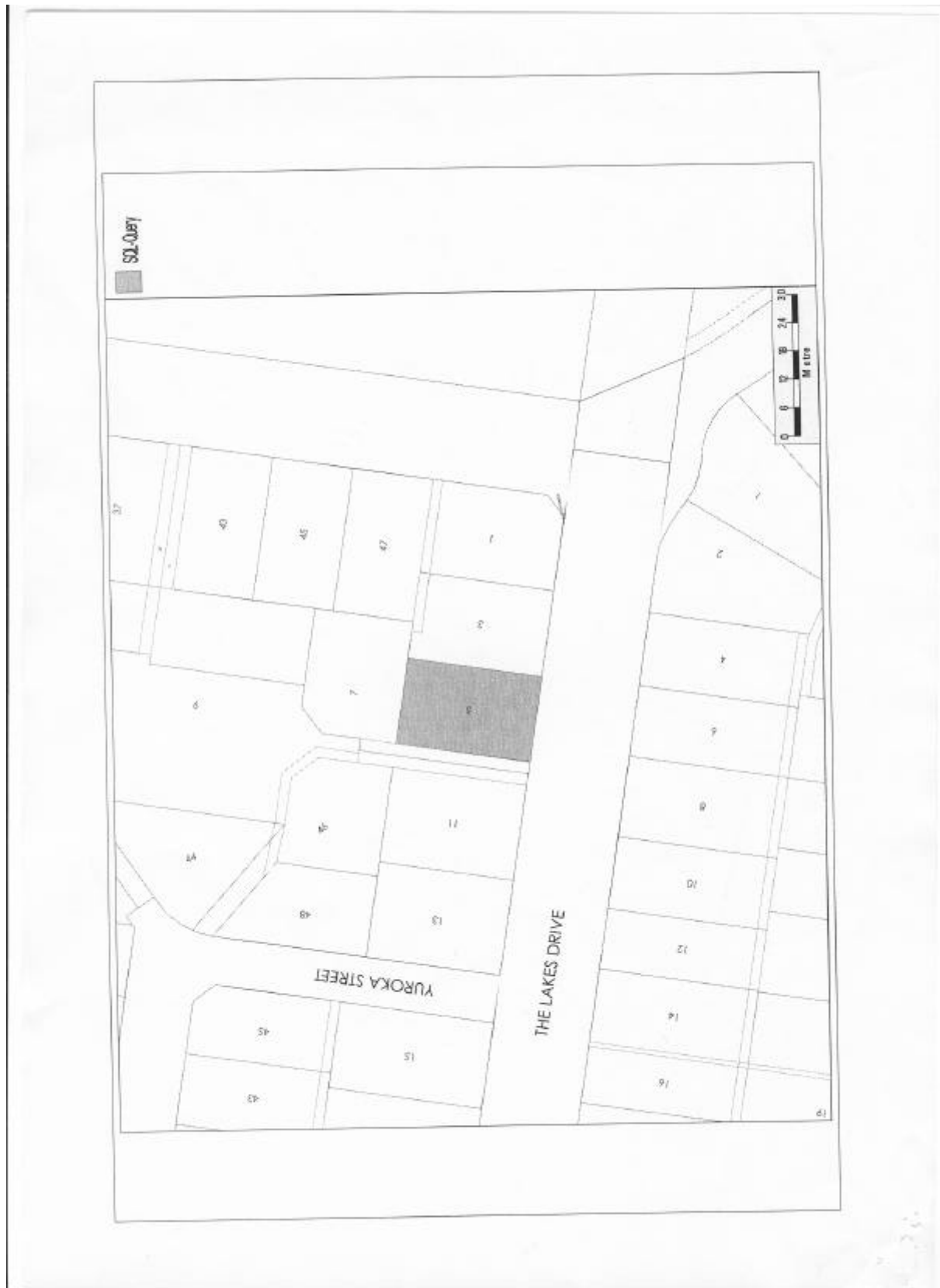
Special Conditions

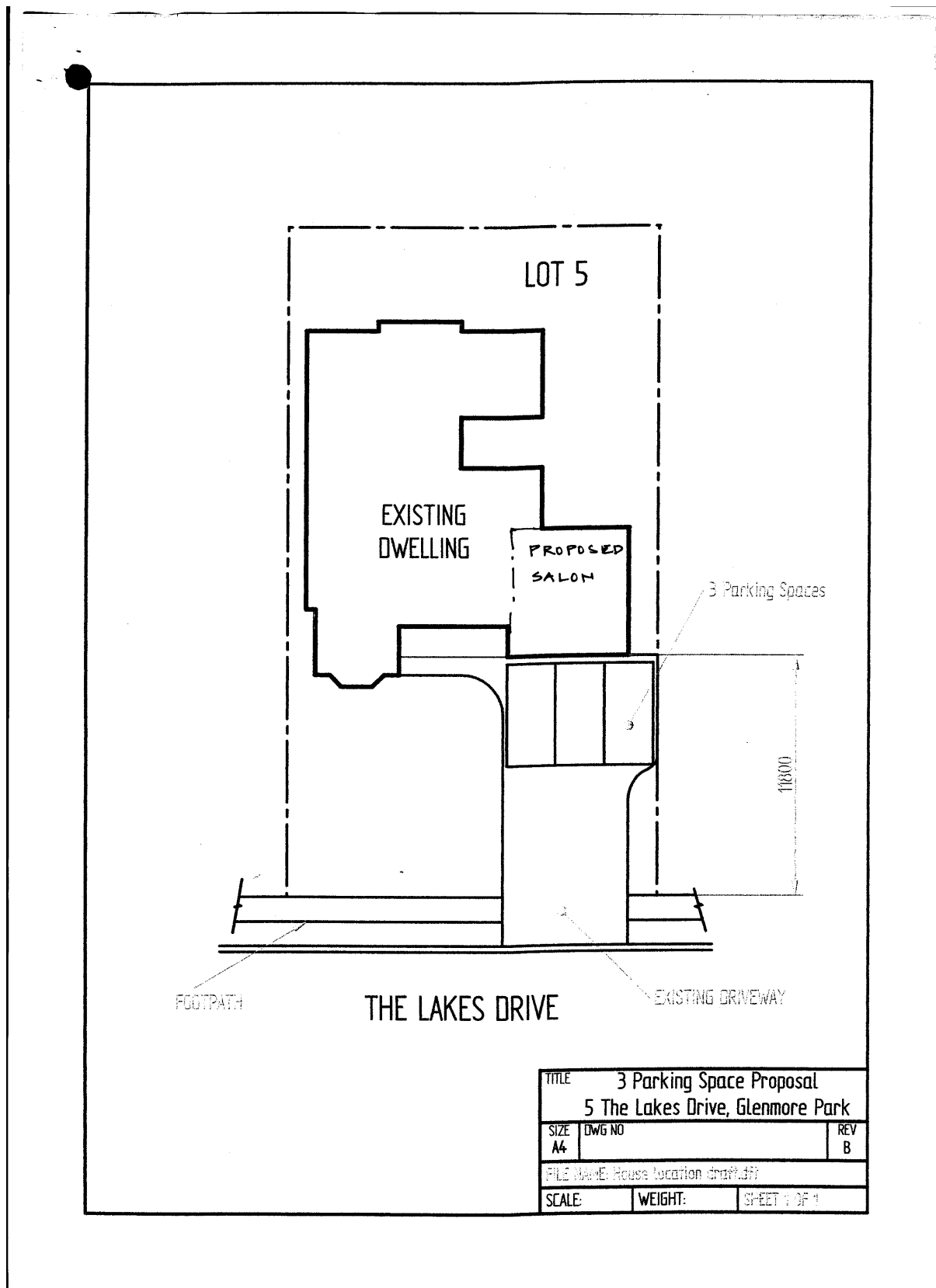
10. The operating hours are restricted to the following:

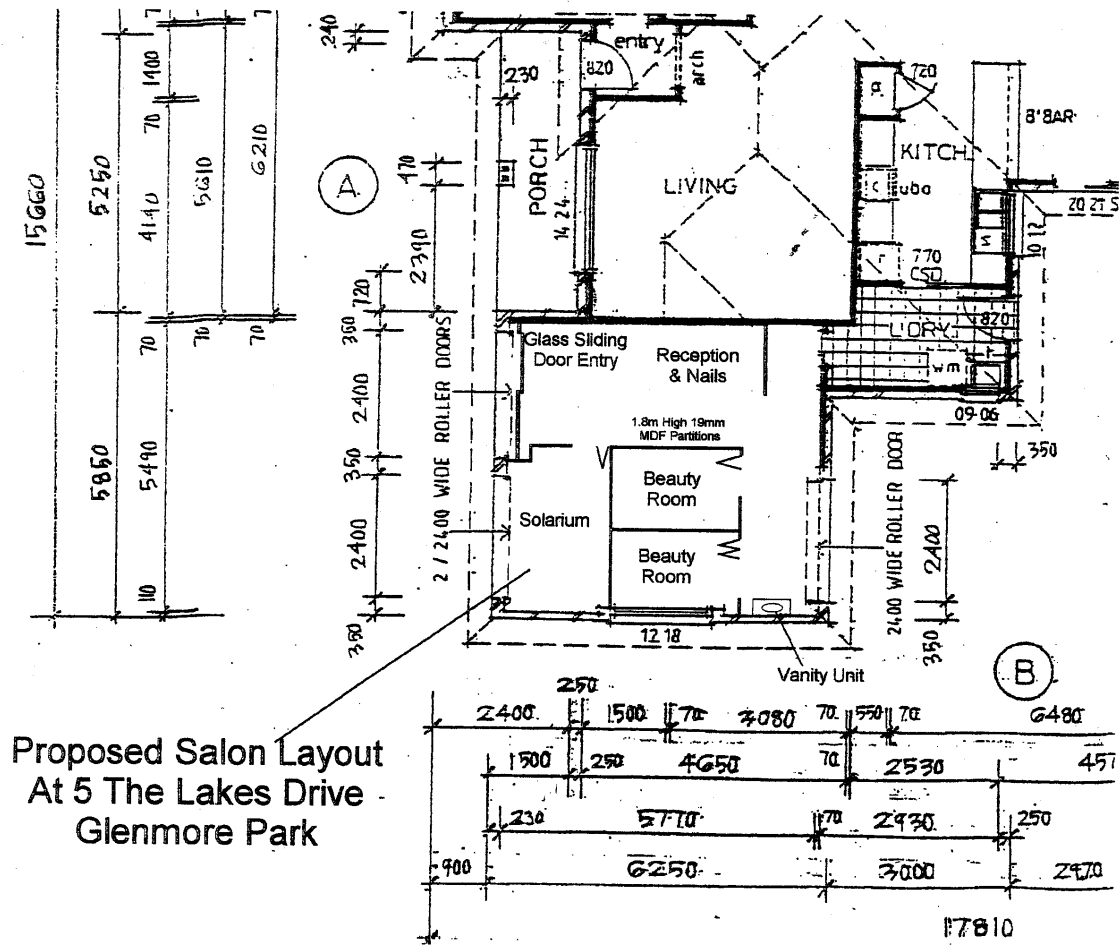
Monday – Wednesday, Friday	9.00am-12.00pm	2.00pm-7.00pm
Thursday	9.00am-12.00pm	3.00pm-8.00pm
Saturday	9.00am-2.00pm	

11. This consent is limited to a period of 12 months from date of issue. Prior to the expiry date of this consent, the applicant will be required to submit an application to extend the consent for a further period of time.
12. The retail sale of goods shall only be conducted with clients at the time of their appointment.









The City in Its Environment

4 Extension of the Hickey's Lane Irrigation System

Compiled by: Raphael Collins Parks Construction & Maintenance Manager

Authorised by: Alan Stoneham Director City Planning

Management Plan 4 Year Outcome (Page 32): *Water conservation strategies developed and implemented.*

02/03 Critical Action: *Secure increased use of recycled water.*

Purpose:

This report will advise Council of the proposed extension of the irrigation system at Hickey's Lane to Andrews Rd and Greygums Oval.

Background

Council will recall the presentation given by Sydney Water (December Policy Review meeting), regarding the proposed recycled water scheme to be provided along Castlereagh and Mulgoa Roads. The system will supply recycled water to customers fronting the roads.

Council resolved to support the scheme subject to further analysis of the financial implications and details of the proposed agreement. A further report will be submitted to Council in the future with details about the agreement and seeking Council's support to commence with environmental assessments.

In the Enhanced Environmental Program, there is \$40,000 allocated to water conservation measures in the first year. It is intended to use part of these funds to extend the recycled water scheme at Hickey's Lane to the Rugby Union Stadium, Panthers Baseball and Greygums Oval. This scheme would allow these grounds to be irrigated to their optimum levels.

Extending the recycled water to the three venues will save Council between \$15,000 to \$20,000 per year in water costs.

Discussions with Sydney Water have been ongoing to examine the details of the scheme. Sydney Water have recently advised us that they are planning to lay a pipeline from Coreen Avenue to Andrews Road for the supply of town water to Penrith Lakes and the site known as Lake Environs. The route of this pipeline will be parallel to Hickey's Lane and along the western side of the Rugby Union facility. Sydney Water will be applying for an easement over the Council land. The laying of the pipeline is a perfect opportunity to share the same trench. This will mean a major reduction in costs for the project.

In order for Sydney Water to fast track the planning and implementation of the pipeline, they have requested a letter from Council endorsing the proposed scheme. The letter is to mention that Council is keen to have the system up and running by December 2003.

Project Approvals

If Council agrees to the extension of the irrigation scheme, the first stage would be to acquire the necessary approvals. The use of recycled water (effluent) is identified as designated development under the Environmental Planning and Assessment Act and requires consent under Regional Environmental Plan No.20 for the Hawkesbury Nepean. This means that a Development Application will need to be prepared which will have to include an environmental impact statement (EIS).

Once the approvals are in place, we can connect into the existing water tanks. The reticulation systems for the (3) sporting venues are already in place. The laying of the main (150mm) pipeline from the Sewerage Treatment Plant to Andrews Rd can proceed as soon as Sydney Water install their section of the pipeline (this part of the scheme does not require consent).

Expediting this component of the overall water re-use proposal for the CBD and Mulgoa Road areas will mean that it is delivered at least two years earlier than would otherwise be possible. The EIS will be limited to the use of recycled water at Greygums Oval, the Rugby Union Stadium and Panthers Baseball complex.

The conversion to the use of recycled water for irrigation will reduce Council's consumption of potable water. This is in accordance with sustainability initiatives and responds to the target established on the Hawkesbury Nepean Catchment Blueprint to improve environmental flows in the river.

Conclusion

Council has a unique opportunity to expand the use of recycled water in the very near future. The supply of recycled water to Andrews Road will ultimately save Council money but more importantly we will be able to irrigate these fields more effectively.

The pipeline will be sized so that it will complement the proposed system planned for Castlereagh and Mulgoa Roads. The pipeline can be extended when the much larger scheme is eventually implemented.

The required assessments for this proposal have already commenced and a further report will be submitted to Council when more details become known.

RECOMMENDATION

That:

1. Council support, in principle, the proposed extension of the Hickey's Lane irrigation system to the Rugby Union Stadium, Panthers Baseball complex and Greygums Oval;
2. the funding allocated for water conservation measures in the Enhanced Environmental Program be used towards the implementation of this scheme;
3. a further report be presented to Council when more details on the scheme are available.



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THE CITY AS A SOCIAL PLACE

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The City as a Social Place

5 Penrith Valley Community Arts Precinct Access Road

4202/17

Compiled by: Gary Dean, Facilities Operations Manager and David Burns,
Asset Manager

Authorised by: Ray Moore, Director – City Operations

Management Plan 4 Year Outcome (Page 46): *The City's cultural profile has been raised.*

02/03 Critical Action: *Develop a program and funding to complete the extensions to the Penrith Regional Gallery and Lewers Bequest, and Joan Sutherland Performing Arts Centre, and establish the Penrith City Arts and Cultural Centre in the St Marys Community Precinct.*

Purpose:

To seek Council's endorsement to proceed with the construction of the new Precinct access road which incorporates an option for the extension of the Don Bosco Youth Centre site.

Background

Since 1996 Council has been investigating landuse opportunities for its land bounded by Great Western Highway, Mamre Road, Swanston Street and Monfarville Street, St Marys. A study completed at that time recommended that Council –

- encourage residential development east of Collins Street and
- retain (and expand) the community, cultural and civic focus of the land west of Collins Street

In late 1999 Council accepted the offer from Landcom for the purchase of the residential component east of Collins Street. That land being identified for integrated housing with a component being for older persons.

The 1996 Study made reference to the possibility of a cultural centre. The report stated:

“...Council has now an opportunity to provide a focal point/centre of operations/homebase for the development, promotion and coordination of a whole range of community arts initiatives, services and facilities...”

It was suggested that Memorial Hall would form the focus and integral component of a major arts and cultural facility for Penrith City.

Council determined that the management of the Precinct needed to be reviewed to bring the whole site under one management structure.

To progress these matters Council's 1999/2000 Management Plan included the following task:

“Complete a masterplan and management structure for the St Marys Community Precinct including a practical and implementable model for the delivery of the Penrith City Arts and Cultural Centre.”

To progress this matter, Council engaged Woods Bagot to undertake the following work:

1. "To develop a masterplan and management structure which can provide guidance for the further development of the precinct in a feasible, viable and appropriate manner,
2. To develop a practicable and implementable model for the delivery of the Penrith City Arts and Cultural Centre."

Throughout the Study, Woods Bagot were guided by a Project Steering Committee comprising East Ward Councillors and relevant Council officers.

To facilitate the implementation of the findings and recommendations of the Study, Council adopted a funding model. The major source of funding being from property sales identified in and around the Precinct. The issue of funding is addressed elsewhere in this report.

The Consultant report was subsequently submitted to Council. Three scenarios were developed for the precinct.

1. Minimal change but would involve a new driveway access, refurbish Memorial Hall, establish a resource/visitor centre and arrange greater usage of the community centre and Senior Citizens centre.
2. Can be staged. Incorporates elements of scenario 1 together with refurbishment and expansion of both the community centre and Memorial Hall.
3. Major change involving demolition of all existing buildings and construction of a new purpose built building.

The Consultant recommended Scenario 2. Five (5) possible management options were provided – the recommended option being individual tenant/user agreements under a precinct management committee.

The Project Steering Committee considered the Consultants report and adopted the recommendations made. Council subsequently endorsed the Committee's decision.

Throughout the Study the Consultants undertook comprehensive consultation with a range of stakeholders including potential occupants of the Precinct.

In particular, the Don Bosco Youth Centre (which is now situated in the SW corner of the Precinct) made representations regarding the opportunity to secure additional land which could be used to expand its existing activities. Council provided land to this organisation many years ago at minimal cost so that the Centre could be constructed.

In adopting Scenario 2, the Project Steering Committee determined that the construction of the new Precinct Access Road should be the initial priority.

Early last year Council engaged Consultants to prepare the necessary documentation which would allow the issue of the required approvals and construction.

The development application was approved in December 2002.

Options for Don Bosco Expansion

During the course of the plan preparation further consultation was made with Don Bosco Youth Centre regarding its earlier interest. To the north of the existing Centre is a paved court area which is used for a range of outdoor ball activities. To the east of the building is a

grassed area which is insufficient in size to allow the construction of any meaningful space. What Don Bosco sought was an additional strip of land 6m wide to add to the existing grassed area.

With this in mind the new access road off Swanston Street has been so located as to allow the possible transfer of the required 6m width of land. To achieve this, additional engineering work (and cost) will need to be included into the project. This matter is discussed below.

Scope of Roadworks/Drainage

Civil works involved with the Penrith Valley Community Arts Precinct include the construction of:

- Two new access roads, 7 metres wide, from Collins Street and Swanston Street
- Kerb and gutter
- Concrete footpaths
- Internal roundabout
- Drainage works
- Landscaping
- Lowering of a water-main in Swanston Street at the new access
- Demolition of house in Swanston Street
- Signposting and linemarking

These works have been estimated to cost approximately \$335,840.

As mentioned above, the Don Bosco Youth Centre has made representations regarding the opportunity to secure additional land which could be used to expand its existing activities. The land in question is highlighted on the attached plan. There is a substantial ground level difference between the Don Bosco Youth Centre and the proposed access road of Swanston Street. If the land was to be transferred to the Youth Centre with the intention that it be used as an active space, a new retaining wall approximately 84 metres long and up to 2.8 metres high would need to be constructed along the length of the new road off Swanston Street.

The cost of the construction of this retaining wall, including the associated drainage, foundations and earthworks is estimated at approximately \$129,000.

This work, if included, would result in a total project construction cost of \$464,840.

If the land transfer with the Youth Centre is to proceed, it is possible to stage the construction of the overall scope of works, while the discussions and possible funding contributions continue with the Youth Centre.

The preferred approach is:

- Stage 1 – construction of the two new access roads off Swanston and Collins Streets, internal roundabout and associated drainage
- Stage 2 – site excavation and construction of the retaining wall and transfer of land.

Notwithstanding that the arrangements proposed under Stage 2 have not reached any point of agreement, Stage 1 can proceed at this time. The costs associated with Stage 1 are the same whether or not Stage 2 proceeds, only the location of the road off Swanston Street has been amended to facilitate the possibility of Stage 2.

Chief Financial Officer's Comments

Council allocated \$355,000 in the current year's budget to the Penrith Valley Community Arts Precinct project. Funding is by way of a \$150,000 transfer from the Arts Precinct Reserve and \$205,000 from general revenue. A further \$159,000 remains in the reserve for allocation to this project.

After taking into account year to date expenditure (\$29,000) the balance of funds available to the Precinct project is \$485,000. The allocation of \$336,000 to a new access road, as recommended in this report, can therefore be accommodated within available funds.

Works associated with the possible construction of a retaining wall adjacent to the Youth Centre are estimated to cost \$129,000. This proposal is recommended for deferral pending consideration of cost sharing opportunities between Council and the Youth Centre. If suitable financing arrangements were in place this cost could be reduced by \$15,000 providing construction of the wall and the access road were carried out simultaneously. It is expected there will be some delay in the Youth Centre being able to secure any commitment to provide funds for this project. Given this, and the imperative to expedite other precinct works, it is appropriate to proceed now with the access road.

The Arts Centre Precinct is included in the Major Projects Funding Model. Further consideration needs to be given to the financing strategy for the currently unfunded works, including refurbishment of the Memorial Hall, which are included in the Model.

Conclusion

The construction of this new Precinct Access Road has previously been identified as a priority by Council. The required approvals and funding is in place to allow this to proceed. Council's staff will undertake the work.

The project has included the opportunity for transfer of a small area of land to Don Bosco Youth Centre so that its activities can be expanded. To achieve this will require extensive site earthworks and construction of a substantial retaining wall. It is felt that the cost of these works should be shared between Council and Don Bosco. Discussions should continue with Don Bosco on this matter.

In the meantime, Council should proceed with the construction of the new Precinct access roads as identified in the Masterplan.

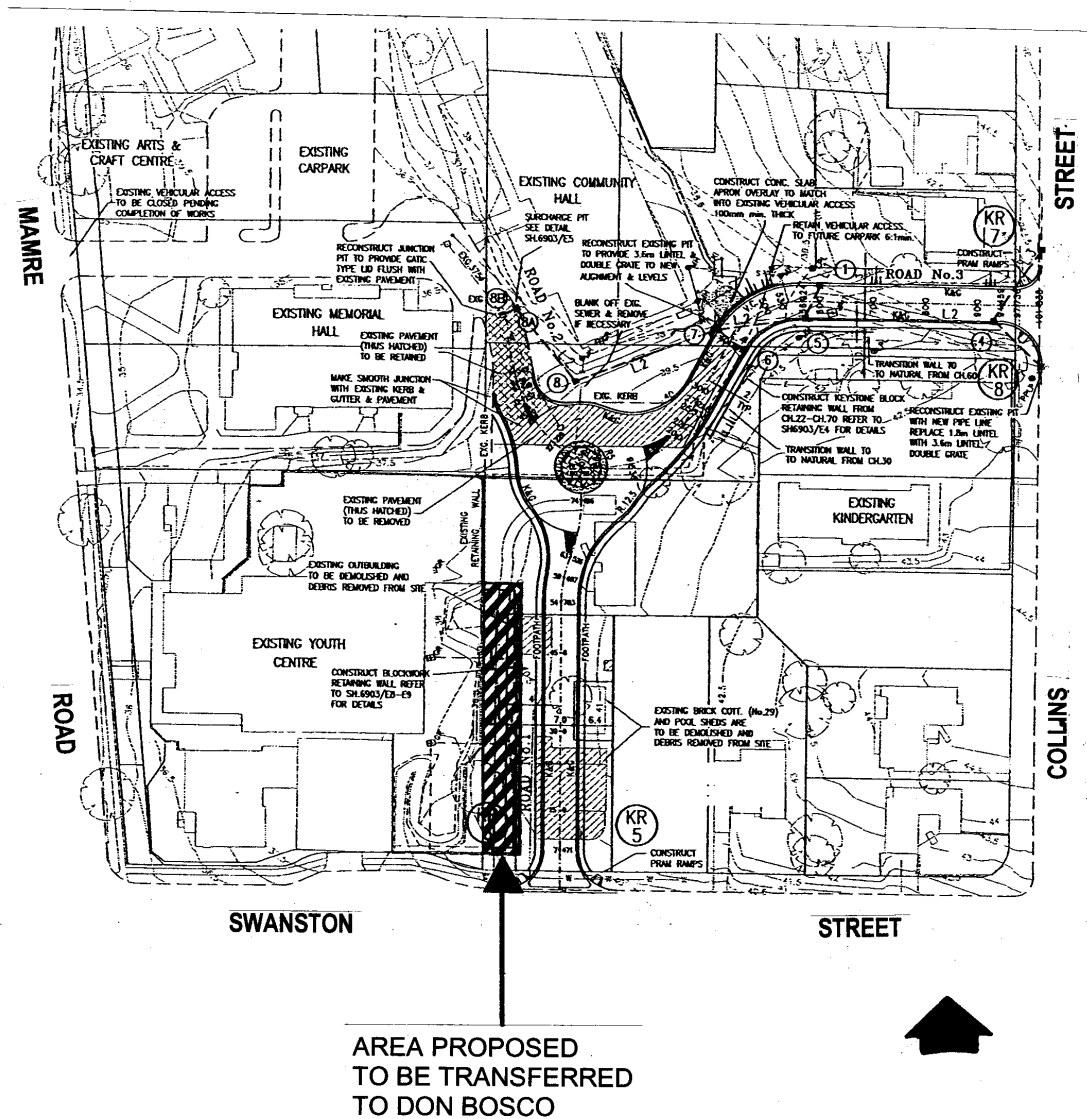
The other elements of the Precinct Masterplan are being investigated and it is intended to present a report to the Project Steering Committee as soon as practicable.

RECOMMENDATION

That:

1. the new Precinct Access Road off Swanston and Collins Streets, which incorporates the opportunity for expansion of the Don Bosco Youth Centre site, be constructed at an early date.
2. Council allocate \$336,000 in the 2002/03 budget for construction of a new precinct access road off Swanston and Collins Street St Marys, funding to be provided by way of a \$160,000 transfer from the Arts Centre Precinct Reserve and \$176,000 from revenue, and that current estimates be adjusted to reflect this allocation.
3. discussions continue with the Don Bosco Youth Centre regarding cost sharing of the engineering works required to facilitate the transfer of the additional area of Council's land to the Centre.





The City as a Social Place

6 Assistance Towards Amateur Sportspersons and Representatives in the field of Art, Music, Culture - Interstate and Overseas Travel

6016/1 Pt 32

Compiled by: Diana Tuckwell, Facilities Operations Managers Secretary

Authorised by: Gary Dean, Facilities Operations Manager

Management Plan 4 Year Outcome (Page 45): *Community recreation facilities and services in new and established areas meet contemporary needs.*
02/03 Critical Action: *Provide in partnership with others an agreed plan for delivery of recreation facilities and services based on available resources.*

Purpose:

Inform Council of the donations provided for the October - December 2002 reporting period.

Background

Council has a policy of providing assistance to amateur sportspersons and representatives in the fields of Art, Music, Culture for the purpose of encouraging participation in international or interstate events by residents or by members of clubs based in the City of Penrith or students of schools and educational establishments within the Penrith City area and who are representing the country of Australia or the State of New South Wales. Those requests Council has received and dealt with, for financial assistance in accordance with the Policy for the period 1 October – 31 December 2002 are listed below:

OVERSEAS DESTINATIONS

1.	a donation of \$600.00 was made to Australian University Sport with a request that \$300.00 each be passed on to Lauren Sykes and Jacqueline Lawrence, both of Penrith to help defray their travelling expenses when they competed in the 2002 World University Canoe Slalom Championships which were held in Krakow, Poland during September 2002.
2.	a donation of \$600.00 was made to Australian Indoor Cricket Federation Ltd with a request that \$300.00 each be passed on to Kim Horwood and Mark Butler, both of Mt Pleasant to help defray their travelling expenses when they compete in the 2003 International Masters and Junior World Series Indoor Cricket Competition being held in South Africa during March-April 2003.
3.	a donation of \$300.00 was made to Australian Canoeing Inc with a request that it be passed on to Hayley Shaw-McGuinness of Cranebrook to help defray her travelling expenses when she competed in the 2002 Junior World Canoe Slalom Championships held in Poland during June-July 2002.
4.	a donation of \$300.00 was made to Australian Indoor Soccer (Futsal Five A Side) Assoc Inc with a request that it be passed on to Melanie Kast of Claremont Meadows to help defray her travelling expenses when she competed in the Under 20's Indoor Soccer Team Tournament of Spain being held during November-December 2002.
5.	a donation of \$300.00 was made to Australian Blind Cricket Council with a request that it be passed on to Darren Northey of Kingswood to help defray his travelling expenses when he competed in the Blind Cricket World Cup held in India during November-December 2002.

6.	a donation of \$300.00 was made to Gymnastics Australia with a request that it be passed on to Ashley Mullen of South Penrith to help defray his travelling expenses when he competed in the Men's Artistic Gymnastics Competition held in Noumea during December 2002.
7.	a donation of \$300.00 was made to the Edmund Rice Centre for Justice with a request that it be passed on to Lili Shearer of Kingswood Park to help defray her travelling expenses when she participated in the cross-cultural immersion program to Zambia during September-October 2002.
8.	a donation of \$300.00 was made to the Australian Paralympic Committee with a request that it be passed on to Nathan Pentecost of Emu Plains to help defray his travelling expenses when he competed in the 2002 FESPIC Games which were held in Korea during October-November 2002.
9.	a donation of \$600.00 was made to the Australian Delegation to The Hague International United Nations Youth Association with a request that \$300.00 each be passed on to Andrew Robinson of Springwood and Chaturanga Bandaranyake of St Clair (both students of Penrith High School) to help defray their travelling expenses when they represented Australia as part of the Australian Delegation to The Hague International Model United Nations Conference which was held during January 2003.

INTERSTATE DESTINATIONS

10.	a donation of \$200.00 was made to NSW Combined High Schools Sports Association with a request that it be passed on to Peter Leek of St Marys to help defray his travelling expenses when he competed in the School Sport Australia 2002 Swimming Nationals which were held in Darwin during September 2002.
11.	a donation of \$200.00 was made to NSW Ice Hockey Inc with a request that it be passed on to Gary Markowski of Glenmore Park to help defray his travelling expenses when he competed in the Under 16's National Kurt De Fris Ice Hockey Tournament which was held in Perth, Western Australia during September 2002.
12.	a donation of \$100.00 was made to Softball NSW with a request that it be passed on to Joshua Ferry of South Penrith to help defray his travelling expenses when he competed in the Under 16 Mens National Softball Championships held in Melbourne during January 2003.
13.	a donation of \$450.00 was made to Athletics NSW with a request that \$150.00 each be passed on to Rebecca Cooper of Cambridge Park, Joshua Landers of Mt Pleasant and Corrine Archer of St Clair to help defray their travelling expenses when they competed in the 2002 Australian All Schools Track and Field Championships held in Hobart and Launceston during December 2002.
14.	a donation of \$1,100.00 was made to Table Tennis NSW Inc with a request that \$100.00 each be passed on to Andrew Roden, David Lunammachak, Andrew Ha, Misay Lim, Mishu Lim, Tam Tran, Greg Evans, Hans Wetsteyn, Les Walczuk, Peter Pye and Karl Preuss (all members of Nepean District Table Tennis Association) to help defray their travelling expenses when they competed in the Australian Junior and Veterans Table Tennis Championships which were held in Melbourne during October 2002.

Last year Council considered a request from the Penrith Valley Sports Foundation regarding the administration of the Donations Policy transferring to the Foundation. Council considered that request at an Ordinary Meeting and deferred the matter for further discussions with the Foundation and subsequent report to Council. That report will be submitted to Council shortly.

Until recently our practice with these donations has not included any follow up with the recipients regarding a result of their respective events. A change has been introduced whereby each recipient is requested to advise Council as soon as practicable of their results. It is intended that a record of accomplishments across the City be developed so that the recipients' achievements can be acknowledged at a civic function at an appropriate time.

RECOMMENDATION

That the donations to those organisations listed in this report be noted.



The City as a Social Place

7 Development of a procedure to address Community Safety
Issues in pedestrian laneways

HI/03

Compiled by: David Burns, Asset Manager and Yvonne Perkins, Community
Safety Coordinator

Authorised by: Gary Dean, Acting Director, City Operations

<p>Management Plan 4 Year Outcome (Page 67): <i>A City-wide Community Safety Plan, supported by the community, is in place.</i></p> <p>02/03 Critical Action: <i>Facilitate partnerships with relevant stakeholders to implement the City's Community Safety Plan.</i></p>
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Purpose:

The purpose of this report is to advise Council of the request from the St Nicholas of Myra School to close and lease the section of Higgins Street that separates the two sections of the school and the development of a procedure to assess issues of concern related to pedestrian laneways within the city.

Background

The section of Higgins Street west of Higgins Lane separates the two sections of the St Nicholas of Myra School. The school caters for kindergarten to year 6. Due to previous concerns regarding vehicle safety issues a fence and gate was constructed across Higgins Street at Higgins Lane. The school was given permission to close that gate during school hours and the gate had to be opened at all other times. This prevented vehicle access however pedestrian access through this closed section of Higgins Street was maintained.

Pedestrian access is provided from Higgins Street to Castlereagh Street through private property. This access was conditioned at the development approval stage. A review of this pedestrian access through private property using current CPTED (Crime Prevention through Environmental Design) principles showed that this access does not comply with contemporary community safety principles and that access would not be encouraged today.

Previous requests have been received from both the school and its Parish and parent group to have this section of Higgins Street closed and leased to the school. These requests resulted from a number of incidents during school hours that included theft, trespass within school buildings and loitering within close proximity of young children.

The school has advised that it has updated its security to solve some of the problems but are restricted in their efforts to provide a secure environment for their students as a result of the public access through this section of Higgins Street.

Previous requests for the closure of Higgins Street have been denied due to the need to maintain pedestrian access and the Department of Land & Water Conservation's non-acceptance of anti-social behaviour as a reason for closure.

Current Situation

A meeting was held with representatives of St Nicholas of Myra School in late 2002 to further address the schools concern regarding the safety of its pupils. The major concern to

the school remains the safety and security of its young school community. Discussions concluded that the lease of this section of Higgins Street while still retaining pedestrian access would not address the safety issues.

Penrith Police has been closely involved with the school and Council regarding these concerns. The Police advise that there are recorded incidents that have occurred in the vicinity of the school that may impact on the safety and security of the school community. The Police are supportive of the closure of this section of Higgins Street.

Pedestrian counts carried out by Council staff show a reasonable volume of pedestrians using this access during morning and afternoon periods but greatly reduced pedestrian activity in late morning and early afternoon. The reasons for this usage are yet to be determined and more qualitative information is required to assist in assessing the request for the closure.

Given the number and complexity of the issues surrounding the St Nicholas of Myra School the opportunity exists to develop a procedural decision making tool that will adequately address the issues in the vicinity of the school. The procedure will also address the majority of issues that will arise (and have previously arisen) in other laneways across the City.

Development of a new procedure

Antisocial behaviour in laneways is emerging as a significant Community Safety issue across the whole Local Government Area and is resulting in a number of requests for laneway closures.

Advice was sought from the Department of Land & Water Conservation (DLWC) to determine its current stance on antisocial behaviour as a reason for laneway closure. DLWC advised that the Minister now addresses issues of antisocial behaviour in his deliberation of an application for closure. Where it is known that threat to persons or property is a major drive towards a pathway being closed, the Minister now weighs this factor against the everyday access, which a laneway normally provides.

The Minister requires a report from the local Police identifying antisocial behaviour/criminal activity in support of a request for closure.

As a result of the increasing requests a procedure is being developed to assess the requests received. The procedure will involve input from a number of Council functions including; Community Safety & Neighbourhood Renewal, Asset Maintenance, Traffic Section and Property Development.

A factor previously used in considering a request for closure was a pedestrian count and whether the laneway was affected by easements. An integral part of the new procedure is not just the pedestrian count at specific times, but a system to provide qualitative information as previously mentioned. A questionnaire and interview process needs to be developed to provide qualitative data such as:

- age range
- number of pedestrian movements in a given period
- number of movements each person makes in a given period
- where the pedestrians are coming from
- where the pedestrians are going
- reasons for using the laneway, and
- reactions to any proposed closure.

This information would need to be collected over a range of times to provide information on pedestrian usage to allow an informed decision to be made concerning the future of the laneway.

It is proposed that the development of the procedure, including the questionnaire and interview process be prepared by a qualified consultant in research methods of this kind. It is also proposed that the consultant be engaged not only to develop the questionnaire, but to carry out the field work on this occasion to test and critique the proposed draft process. Funds (estimated to be \$8,000) are available from the Community Safety budget to facilitate the engagement of this consultant.

Conclusion

The request for the lease of this section of Higgins Street and associated pedestrian access has provided the opportunity to develop a procedure to tackle the complex issues in this area and provides a test case for closure of a laneway primarily based on antisocial behaviour.

This procedure when adopted would then be used by Council staff in any future requests for a laneway closure across the city.

A further report will be submitted to Council detailing the results of the investigation and consultation process and recommending action to be taken with regards to the request for the closure and lease of this section of Higgins Street.

RECOMMENDATION

That the information in this report, relating to the development of a procedure for addressing requests for laneway closures and the issues relating to Higgins Street be received.



The City as a Social Place

8 Youth Week 2003

1019/25 Pt6

Compiled by: Katerina Tahija, Youth Development Officer

Authorised by: Carol Joyce, Community Development Manager

<p>Management Plan 4 Year Outcome (Page 53): <i>Equity of access to social services and facilities is increased for identified communities.</i></p> <p>02/03 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 proposed activities to be held for young people in Penrith City during Youth Week 2003.

Background

The Youth Week 2003 celebrations are scheduled for 5th – 13th April. The theme for this year is ‘What’s it to you?’ In 2003 the focus of the theme is for young people to develop their own ideas and thoughts based on influences in their lives and how these influences affect them.

To celebrate Youth Week in the City of Penrith, any local non-profit organisation is encouraged to put in a submission including youth and community groups, churches, social/interest groups, training and employment agencies.

The Youth Week aim will be achieved through young people’s active involvement in activities which:

- Raise issues, ideas and concerns of young people
- Develop strategies to address the issues important to young people
- Increase the community’s awareness of young people and the issues which are important to them
- Promote young people’s contributions to the community
- Demonstrate the involvement of young people in the planning of activities
- Demonstrate access to activities from a broad range of young people.

For Youth Week 2003 organisations were also asked to address transport and promotion issues as identified in Council’s Youth Needs Audit. Specifically, organisations were required to demonstrate what strategies they will employ to address any transport issues and how the proposed activity will be advertised and promoted to a diverse range of young people.

This year, Council received a Youth Week budget of \$2,500 from the Premiers Department. As a requirement of receiving these funds Council matches the amount on a dollar for dollar basis. Thus \$5,000 is available for allocation to community organisations and groups this year.

The opportunity to apply for Youth Week funds in 2003 was widely advertised, including through Penrith Youth Interagency, local press, the Mayor’s column and as well to other service interagencies by email.

Local Activities for 2003

Following is a summary of all the Youth Week applications submitted for the 2003 funding round.

Neighbourhood Development Team – Erskine Park

Proposed activity - a Youth Week festival. The festival will comprise a variety of activities including alternative drum workshop, painting, music, drama and airbrush tattooing culminating in a disco with local bands. The Pulse Committee, made up of local young people will plan, organise and evaluate the activity with support from the organisation. The activity will be promoted via local high schools, local newspapers, contact with communities, posters placed in shopping centres, word of mouth and Centrelink. The Festival will be held at the community centre in Erskine Park, which is accessible by public transport and has a large carpark.

Funds requested - \$1,600.

Hillsong Church St Marys

Proposed activity – Search for St Marys Brightest Stars. A talent quest for young people with awards for the winners in a variety of categories. Categories will be as follows: Academic Excellence, Sporting Achievement, Outstanding Community Involvement, and Excellence in Cultural Arts – Music and Artistic work. There will be a concert event for those young people. The activity is a way of promoting youth talent and youth issues while providing an opportunity for young people to display their talents. The activity will be promoted using 96.1 FM radio, local community centres, hospitals, train station and schools. Young people have been involved with putting together the proposal and a youth committee will be developed to assist in the planning and implementing of the event. The organisation will provide transport to young people to and from the event.

Funds requested - \$1,100.

Fusion: Western Sydney & Channel Café

Proposed activity – A concert, talent and dance night for local bands and young talents. Also a community BBQ in close proximity to the Penrith CBD. This is an opportunity for young people to display and enjoy their talents, ideas, issues and concerns with the local community. A small committee of youth from the Fusion centres and other interested people will be developed with support from a co-ordinator. Young people will also be involved with the implementation of the activities on the night. Promotion will be through schools, youth services, local churches, local magazines, radio, internet, email and multilingual flyers. The likely venue is St Marys Memorial Hall which is located near public transport and a bus service will also be provided. Security will be provided. A location for the community BBQ is yet to be confirmed. All Council requirements will need to be met before the location is confirmed.

Funds requested - \$1,100.

Fusion: Cranebrook Youth Development Service

Proposed activity – A variety of activities throughout the week including BBQ at Cranebrook High, BBQ for Cranebrook community, basketball competition, information and various workshops. Events will be promoted with flyers and posters as well as youth week website. The events will be for local young people and within the school so does not need additional transport.

Funds requested - \$400

South Penrith Youth & Neighbourhood Services

Proposed activity - local dance party for young people of Cranebrook incorporating a consultation using video recordings. The event is proposed by the Cranebrook Youth Services Forum. The results of the recorded consultations will feed into current work and community planning for the Cranebrook Town Centre Precinct. A working party will be developed to include young people. Promotion will include local networks, including specific disability networks. The event will also be promoted via local schools and school newsletters. Specific strategies to include young people with disabilities and ATSI young people will be implemented. Transport will be provided via use of the Youth Bus Project. The event will be held at Mt Pleasant Neighbourhood Centre and provision for security has been included in the budget.

Funds requested - \$800

Summary

Council's contribution to Youth Week supports and assists the local community to deliver a wide range of activities for young people in the City of Penrith. Relevant recommendations from the Youth Needs Audit have also been included to form part of the funding criteria.

Council's budget for Youth Week 2003 is \$5,000. The total funds requested for the proposed activities is also \$5,000.

For 2003, the approved activities will also be posted on Council's website as recommended in Councils Youth Needs Audit.

RECOMMENDATION

That Council approve the allocation of funds to applicant organisations for Youth Week 2003 as outlined in this report.



The City as a Social Place

9 Child Care Benefit Places: Outside School Hours Care

1300/19

Compiled by: Winifred Sadler, Children's Services Development Officer

Authorised by: Denise Gibson, Children's Services Manager

Management Plan 4 Year Outcome (Page 57): *Children's services are provided to assist families, family employment choices and to maximise children's potential.*
02/03 Critical Action: *Provide best practice, quality children's services that supports workforce participation, families and children.*

Purpose:

To inform Council of a recent request by the Department of Family and Community Services (DFCS) to relinquish child care benefit places to assist them in managing the supply of Outside School Hours Care (OSHC). This report informs Council of the trends in the usage of child care benefit and recommends that Council retains the current levels, and submits an expression of interest for 45 additional places for the OOSH services in the Section 94 Plan for Glenmore Park and Claremont Meadows. In addition it is recommended that Council lobby the Commonwealth Government to provide OOSH places on the basis of a planned needs assessment that allows sponsors to reallocate places across services within an LGA to meet community needs.

Background

The Federal Government approves the allocation of child care benefit (CCB) places to provide fee relief to families using Outside School Hours Care Services. At the current time the Federal Government have capped these places resulting in a shortage of places in some areas. In order to address this issue the DFCS has written to several of Council's OSHC requesting that they make CCB places not currently in use available for re-allocation.

In the past places were distributed on a needs basis with each local government area rated at high, medium or low priority. This model has not reflected the growing need in newly establishing areas or gaps in service provision in some suburbs. The current planning process is developed from feedback from Peak organisations, information on school enrolments from the Department of Education, and through occasional surveys or expressions of interest. Council needs to continue to provide information to the DFCS Planning Service and Support team on the local demand for OOSH places.

Where services provide a combined OSHC from the same location, for example: Before School, After School, Vacation Care, services can seek approval from DFCS to transfer these places within the one service. Places cannot be transferred between separate services, for example from an existing centre to a new OSHC centre that Council is considering building. The Department is maintaining a register of expressions of interest for new centres requiring assisted places. These places will be re-allocated from those that have been given up by existing services. Within s94 plans the need for OOSH services in the Penrith LGA is identified and expressions of interest can be made to the DFCS.

Background to CCB Places in Council's OSHC

In 2000 the DFCS offered extra OSHC CCB places wherever a need could be demonstrated. At that time Children's Services carried out an analysis to determine which of Council's Centres required additional places and reported the outcome to Council. Council resolved the following:

An application to the DFCS be made for additional funded Child Care Assisted Places for:

- Erskine Park B&A 3 before school places
- Glenmore Park B&A 5 before school places
- Gumbirra B&A 3 before school places
- Kindana B&A 3 before school places

These applications were successful.

Current Before and After (B&A) School Care in Council Centres

The following table shows the current level of funded B&A places.

Name of Centre	AM	PM
Emu Village	40	60
Erskine Park	30	45
Glenmore Park	20	45
Grays Lane	30	40
Gumbirra	20	45
Kindana	35	45
Rainbow Cottage	35	35
Tandara	45	45
Yoorami	45	45

Distribution of OSHC Assisted Places for Developing Areas

Penrith Local Government Area is a developing region with new suburbs still to be developed. Section 94 plans make provision for future Children's Services in Glenmore Park and Claremont Meadows. When Council develops these services in the future the procedure to request CCB places is to register an expression of interest with the DFCS. There is no guarantee that CCB places would be available for new services.

Utilisation Patterns

The cost of a service is an important factor to consider in relation to utilisation patterns. Until 2001 all centres had individual budgets. Once centre utilisation dropped a couple of places fees needed to increase to cover operational costs. OOSH services are price sensitive. These increased costs then impact on utilisation again and the centre's financial position was set on a downward spiral. Gradual moves towards centralised budgets for Children's Services should assist in overcoming such problems and in keeping fees at a competitive level, consequently increasing utilisation.

Analysis of utilisation

Attachment A and B provide an overview of Before and After School Care utilisation for the period 1997 – 2002.

These graphs show that over a period of time there can be a considerable fluctuation in utilisation for some centres. Across the centres the difference between the lowest average

utilisation and the highest average utilisation for before school is 24.22 places and for after school the widest range is 20.04 places. In a four year period where a centre has continually had average utilisation of 10 places below its CCB places there may be some argument to give up some places for re-allocation. This could be considered the case for the following centres for before school. However, fluctuations in utilisation are unpredictable. An example of this is the recovery of afternoon utilisation at Grays Lane B&A from an average of 31.2 places in November 2002 to 45.1 in February 2003.

Levels of utilisation in B&A over 1998 - 2002

Name of Centre	Assisted Places Morning	Highest average utilisation in 4 year period
Emu Village	40	24.34
Grays Lane	30	17.4
Grays Lane	30	13.59
Yoorami	45	25.42

It may be acceptable for each of the above centres to relinquish 5 places for re-allocation. However, centres such as Glenmore Park and Gumbirra currently have only 20 assisted before school places. Some redistribution of places to Glenmore Park and Gumbirra would assist affordability for parents wishing to use before school care. If before school places were to be re-allocated it would assist the Penrith community to re-allocate the places either to existing centres in the LGA or to centres planned to be built in the future under Section 94 development plans.

Over a four year period all Council's After School Care programmes have achieved maximum utilisation at some point and have had no more than 10 places below the CCB places allocated to them. It is therefore not recommended that Council consider the re-allocation of any After School Care CCB places at this time.

Summary

The Federal Government has a cap on OSHC CCB places. There is no process to allocate places on a needs basis across and LGA at a suburb level. The DFCS has written to OSHC requesting them to relinquish assisted places that are currently not in use for re-allocation to other local government areas. Re-allocation of places within the same service can be requested but not between services.

Penrith is an area that is still developing and it is to be expected that the need for OSHC CCB places will grow. While OOSH services in some areas of the LGA may currently be experiencing fluctuations to utilisation it is reasonable to expect that in future years these places will be utilised.

Due to a wide fluctuation in utilisation for some of Council's services it is considered not to be in the communities best interests to give up places from the LGA for re-allocation to other regions. The only exception might be where a service had achieved an average of less than 10 places below its assisted places over a four year period. This would apply to 4 before school programmes. Other existing before school programmes however, would benefit from extra CCB places, as would any new OSHC centre that Council will develop in the future. It is proposed that Council lobby the Commonwealth Government to request planning be carried out on a needs basis and to request that places be reallocated across services according to need when the sponsor operates several services.

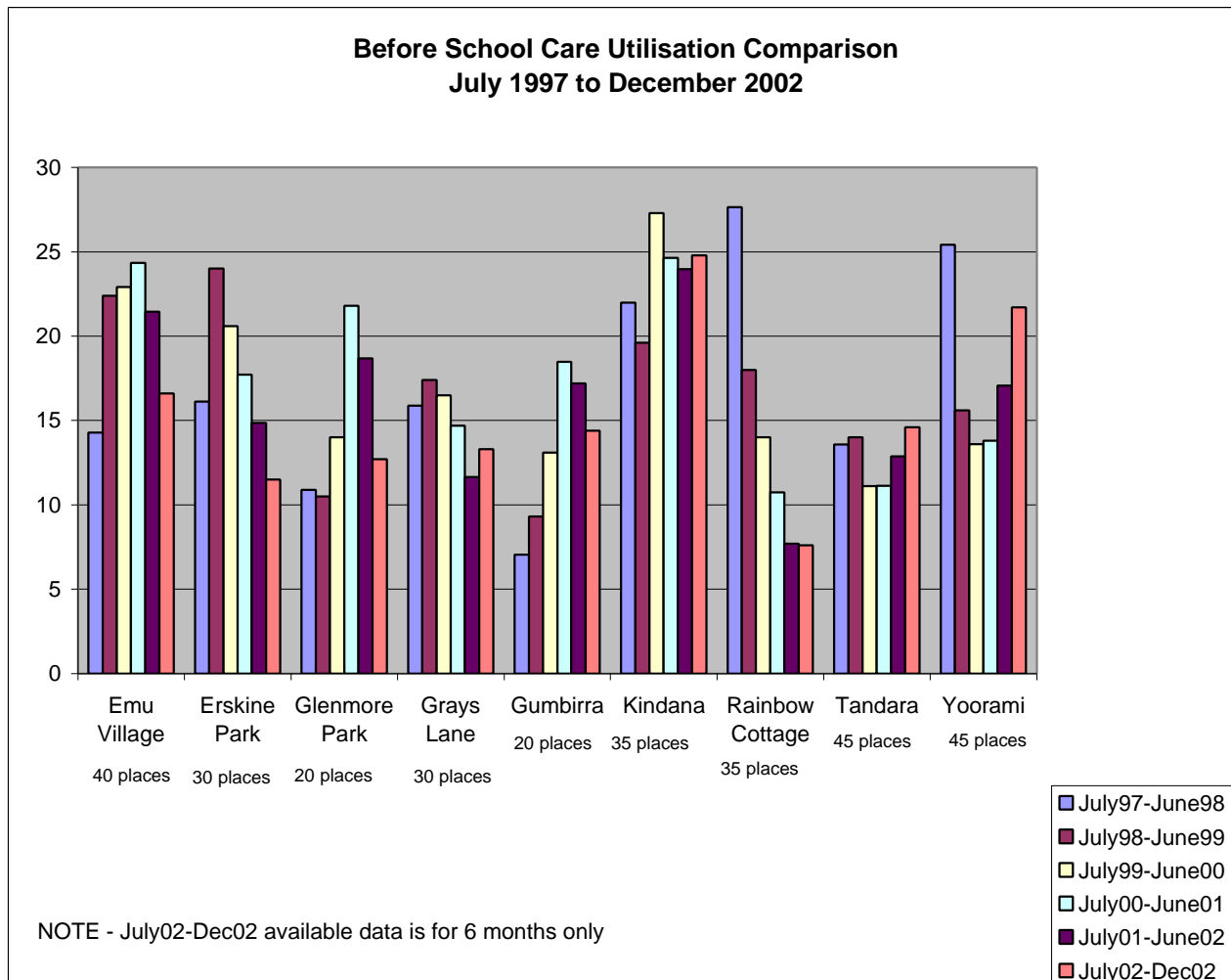
RECOMMENDATION

That Council:

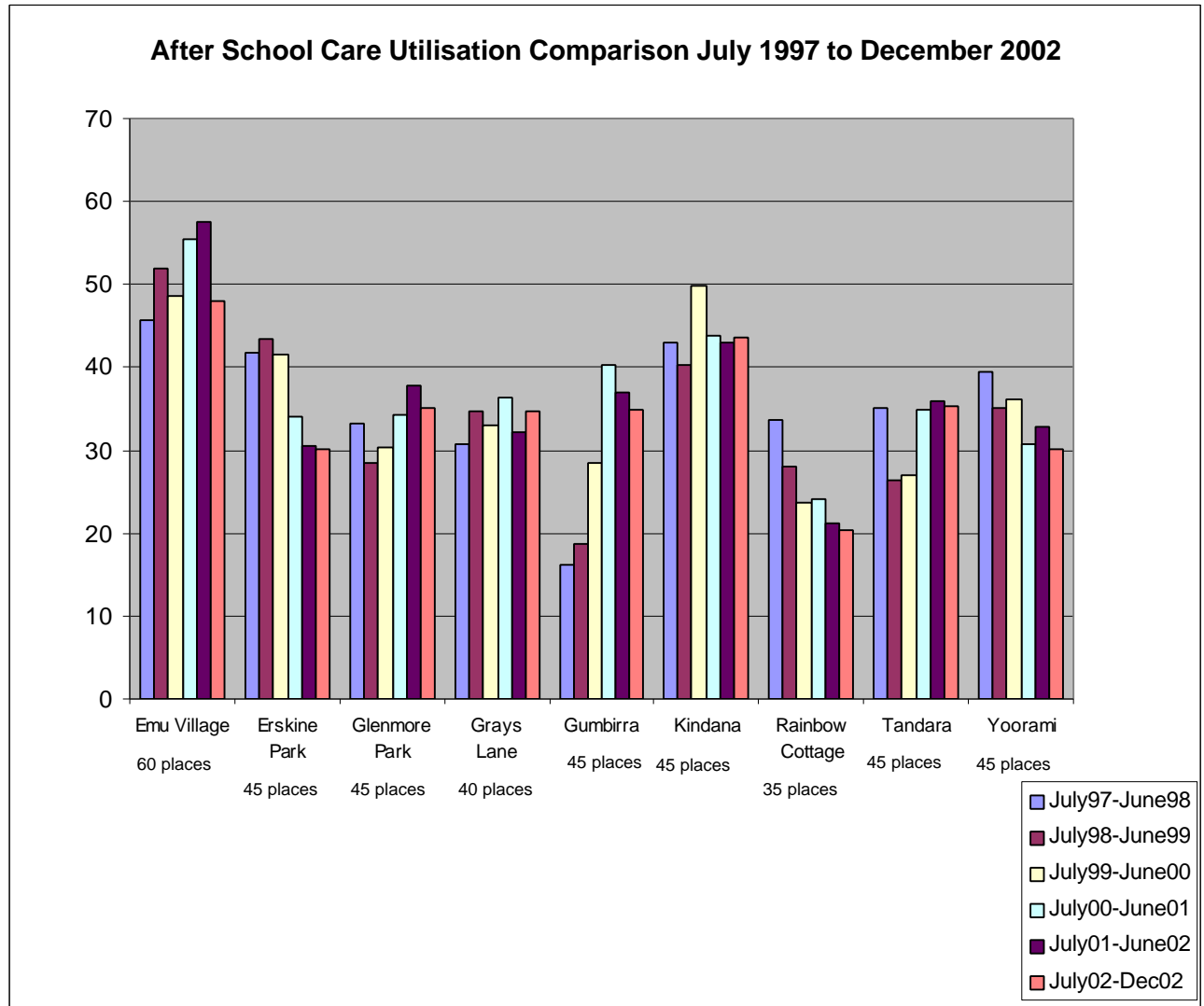
1. Decline the request to relinquish CCB places
2. Lobby the Federal Government to request planning be carried out on a needs basis at the suburb level
3. Lobby the Federal Government to request that sponsors of multiple services be able to re-allocate places across the sponsored services according to identified need
4. Submit an expression of interest for 45 CCB places at OOSH services at Glenmore Park and Claremont Meadows



ATTACHMENT A



ATTACHMENT B



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THE CITY AS AN ECONOMY

Item		Page
10	Urban Development Institute Of Australia National Congress 2003 103/14 Pt.4	45

The City as an Economy

10 Urban Development Institute of Australia National Congress
2003

103/14 Pt.4

Compiled by: Brian Griffiths, Property Development Manager

Authorised by: Ray Moore, Director - City Operations

Management Plan 4 Year Outcome (Page 81): *Development of selected sites has commenced.*

02/03 Critical Action: *Identify and acquire other key development sites.*

Purpose:

The purpose of this report is to obtain Council's approval for Councillor Simat in attending the Urban Development Institute of Australia National Congress in Melbourne from 17th - 20th March, 2003.

Background

The Urban Development Institute of Australia has its National Congress in each capital City around Australia on a yearly basis. It provides hands-on experience with technical tours over prominent development sites within each City enabling attendees to become more attune to the modern forms of residential development within our environment.

Current Situation

Council at its meeting of 17th February, 2003 was presented with a report concerning the agenda for the Urban Development Institute of Australia National Congress in Melbourne with the theme "Renaissance" that will focus on the comprehensive and significant changes across the whole City.

The report recommended that Council nominate attendance at the annual conference. It was resolved that the Property Development Managers report be received and the contents be noted. No Councillor was nominated in attending.

Councillor Simat was unable to attend Council's meeting of 17th February, 2003 due to his approved leave of absence. He has requested that he be authorised to attend the Urban Development Institute of Australia National Congress in Melbourne from 17th – 20th March, 2003.

RECOMMENDATION

That Councillor Simat be authorised to attend the Urban Development Institute of Australia's National Congress in Melbourne from 17th – 20th March, 2003.



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COUNCIL'S OPERATING ENVIRONMENT

Item		Page
11	Penrith City Council Customer Survey 2003 1129/43	47
12	Presentation To Teresa Stelma 909/83	50

Council's Operating Environment

11 Penrith City Council Customer Survey 2003

1129/43

Compiled by: Peter Goodfellow, Acting Corporate Development Officer

Authorised by: Ken Lim, Acting Corporate Development Manager

Management Plan 4 Year Outcome (Page 105): *Appropriate services are selected, based on their relevance to Council's customer requirements and benefit to the community.*
02/03 Critical Action: *Deliver quality customer services, responsive to contemporary community expectations.*

Purpose:

The purpose of this report is to inform Council of the outcome of the Penrith City Council Customer Survey 2003 request for quotation and the timetable for the project.

Background

This project is a task in the 2002-2003 Management Plan. Council has approved funding to enable external resources to be provided to assist Council officers to develop and conduct a survey.

A consultant brief was developed requiring a strategic city wide survey to provide Council with an understanding of the perceptions and needs of the local community with respect to both Council's services and facilities and to customer service.

The data gathered from the survey will be used to inform Council's strategic planning and the service specification process as well as identify priorities for further research at the operational service level.

The analysis of the survey results will enable Council to:

- continue to plan for services and infrastructure to provide sustainable solutions to meet the needs of existing and future Penrith City Council residents;
- determine whether the services it delivers are well managed, responsive and effective;
- determine whether the organization and its personnel maintain high standards of customer service.

Current Situation

The Brief was incorporated into a request for quotation that was forwarded to the following companies, all expert in this field:

- Micromex Marketing Services
- Hunter Valley Research Foundation
- Illawarra Regional Information Service
- OWL Research and Marketing Pty Ltd
- Creative and Response Research Services (Aust) Pty Ltd

An evaluation team, comprising Carol Joyce, Graham Bambrick, Tony Jarrett, Colin Stevenson and Peter Goodfellow, assessed each submission against the following criteria:

- Corporate Experience and Referees
- Consortium Members and Key Sub-Contractors (if applicable)

- Consultancy Deliverables
- Personnel Qualifications, Skills & Experience
- Consultant's Program for Delivery of the Services
- Value for Money

From this, three companies were selected for a more detailed interview: Illawarra Regional Information Service, Micromex Marketing Services and Hunter Valley Research Foundation. Illawarra Regional Information Service were subsequently selected.

Draft Project Plan

Discussions have taken place with the chosen consultant and the attached Draft Project Plan has been developed (See Appendix 1). The consultant will be conducting a telephone survey of 600 randomly selected residents of the Penrith City LGA during April 2003.

RECOMMENDATION

That this information on the Penrith City Council Customer Survey 2003 project be received.



Appendix 1 Draft Project Plan

Week ending (Friday) →	14/02	21/02	28/02	07/03	14/03	21/03	28/03	04/04	11/04	18/04	25/04	02/05	09/05	16/05	23/05	30/05
Project meeting (11 February)	X															
Sample design & Methodology	X	X														
Pilot test of Trial Survey				X												
Conduct Resident Interviews								X	X							
Report preparation											X	X	X			
Report & Exec summary available for comment														X		
Final Report Available																X
Presentation to CMT (date to be determined)																
Presentation to Council (date to be determined)																

Council's Operating Environment

12 Presentation to Teresa Stelma

909/83

Compiled by: Jim Mason, Occupational Health/Employee Relations Officer

Authorised by: Danielle Welsh, Personnel Services Manager

Management Plan 4 Year Outcome (Page 168) *A flexible, skilled, motivated, responsive and valued workforce is in place.*

02/03 Critical Action: *Provide and effective workforce development framework.*

Purpose:

Presentation to Teresa Stelma for over 30 years service with Penrith City Council.

Background

In accordance with Council's Policy of recognising those staff who have provided lengthy and loyal service, we are here tonight to honour Teresa Stelma who has completed over 30 years service.

Overview of the Work History of Teresa Stelma

Teresa commenced duties at Council in January 1973 as a Junior Library Assistant.

Initially, Teresa worked at both Penrith and St. Marys branches as well as shifts on the mobile library bus and was involved in the usual library assistance duties which included book repairs, display, over-dues and conducting library tours.

Teresa successfully completed a 5 year part-time Library Practice Course at Sydney Technical College which qualified her as a Library Technician. In 1978 she was promoted to the position of Library Technician with her duties then including conducting storytime sessions, updating advisory programs and rostered book deliveries to house-bound patrons.

Teresa was also employed as the Circulation Supervisor at the Penrith Central Library. This included staff training, preparation of rosters and culling of book stock.

In early 1980 Teresa transferred to the Cataloguing Section as Accessions Officer. Teresa has remained in the Cataloguing Section with her duties involving cataloguing and reference work both at the Penrith service desk and primarily at St. Marys.

During her 30 years in the library service Teresa has witnessed great technological changes in work practices from a manual card system in 1970's to today's web based technology. Teresa has been able to embrace these ongoing changes which has created continual challenges and learning requirements.

Summary

Over a period of 30 years Teresa has been a valued employee in the Council library service.

The esteem and regard that Teresa's fellow workers feel for her was highlighted on Saturday night 8 February when a party of over 50 current and former staff members and their families attended a party at St. Marys Community Centre to celebrate her 30 years service.

RECOMMENDATION

That a presentation be made to Teresa Stelma tonight at Council's meeting in recognition of over 30 years service with Penrith City Council.



**COMMITTEE OF THE WHOLE
MASTER PROGRAM REPORTS
CONTENTS**

Pecuniary Interest

Other Interests

Monday 3 March 2003

Item	Page
1 Presence of the Public	1
2 Property Matter - 140-142 Henry St, Penrith 320469 LE6 Pt 4	3



1 Presence of the Public

Everyone is entitled to attend a meeting of the Council and those of its Committees of which all members are Councillors, except as provided by Section 10 of the Local Government Act, 1993.

A Council, or a Committee of the Council of which all the members are Councillors, may close to the public so much of its meeting as comprises:

- (a) the discussion of any of the matters listed below; or
- (b) the receipt or discussion of any of the information so listed.

The matters and information are the following:

- (a) personnel matters concerning particular individuals;
- (b) the personal hardship of any resident or ratepayers;
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business;
- (d) commercial information of a confidential nature that would, if disclosed:
 - prejudice the commercial position of the person who supplied it; or
 - confer a commercial advantage on a competitor of the Council; or
 - reveal a trade secret.
- (e) information that would, if disclosed, prejudice the maintenance of the law;
- (f) matters affecting the security of the Council, Councillors, Council staff or Council property;
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.

The grounds must specify the following:

- (a) the relevant provision of section 10A(2);
- (b) the matter that is to be discussed during the closed part of the meeting;
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a

trade secret) an explanation of the way in which discussion of the matter in open meeting would be, on balance, contrary to the public interest.

Members of the public may make representations at a Council or Committee Meeting as to whether a part of a meeting should be closed to the public

The process which should be followed is:

- a motion, based on the recommendation below, is moved and seconded
- the Chairperson then asks if any member/s of the public would like to make representations as to whether a part of the meeting is closed to the public
- if a member/s of the public wish to make representations, the Chairperson invites them to speak before the Committee makes its decision on whether to close the paring or not to the public.
- if no member/s of the public wish to make representations the Chairperson can then put the motion to close the meeting to the public.

The first action is for a motion to be moved and seconded based on the recommendation below.

RECOMMENDATION

That:

Council's Operating Environment

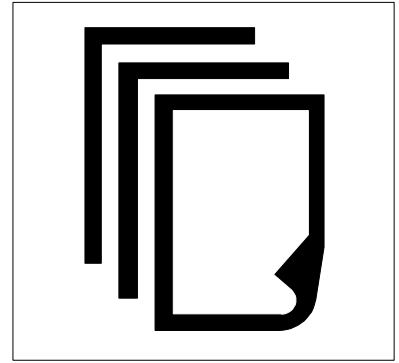
2 *Property Matter - 140-142 Henry St, Penrith*

320469 LE6 Pt 4

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 confer a commercial advantage on a competitor of the council and discussion of the matter in open meeting would be, on balance, contrary to the public interest.



ATTACHMENT



Date of Meeting: 3 March 2003

Master Programme: The City in its Environment

Programme: Urban Environment

Report Title: REVIEW OF STANDARD CONDITIONS
POLICY

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R006	Trench-disposal area	56



A001	<p>The development must be implemented substantially in accordance with the plans numbered _____, drawn by _____ and dated _____, the application form and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.</p> <p>{Note: Prescribed conditions under the Environmental Planning and Assessment Regulation 2000 as amended will apply to building and subdivision work commencing/approved on 1 July 2003.}</p>	<p><i>Approved plans that are architecturally drawn- not for Deferred commencement</i> SIGNIFICANT CHANGE</p>
A01S	<p>The development must be implemented substantially in accordance with the plans numbered _____, drawn by _____ and dated _____, the application form and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.</p> <p>{Note: Prescribed conditions under the Environmental Planning and Assessment Regulation 2000 as amended will apply to building and subdivision work commencing/approved on 1 July 2003.}</p> <p>The on-site sewage management system shall be installed and implemented in accordance with the recommendations of _____ Report prepared by _____, dated _____. An operational licence for the system is to be sought from and issued by Penrith City Council before:</p> <ul style="list-style-type: none"> • the on-site management system is commissioned/can be used, and • [the dwelling can be occupied. / an Occupation Certificate can be issued for the development.] <i>Delete if not applicable</i> 	<p><i>Approved plans for DA with OSSM</i> NEW</p>
A002	<p>The development must be implemented substantially in accordance with the stamped-approved plans issued by Penrith City Council, the application form and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.</p> <p>{Note: Prescribed conditions under the Environmental Planning and Assessment Regulation 2000 as amended will apply to building and subdivision work commencing/approved on 1 July 2003.}</p> <p><i>Add following paragraph if on-site sewage management system included</i></p> <p>The on-site sewage management system shall be installed and implemented in accordance with the recommendations of _____ Report prepared by _____, dated _____. An operational licence for the system is to be sought from and issued by Penrith City Council before:</p> <ul style="list-style-type: none"> • the on-site management system is commissioned/can be used, and • [the dwelling can be occupied. / an Occupation Certificate can be issued for the development.] <i>Delete if not applicable</i> 	<p><i>Approved plans-use in place of A001</i> SIGNIFICANT CHANGE</p>
A02F	<p>The development must be implemented substantially in accordance with the stamped-approved plans issued by Penrith City Council, the application form and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.</p> <p>{Note: Prescribed conditions under the Environmental Planning and Assessment Regulation 2000 as amended will apply to building and subdivision work commencing/approved on 1 July 2003.}</p>	<p><i>Approved Fast Light Das</i> NEW</p>
A003	<p>The development must be implemented substantially in accordance with the stamped-approved plans issued by Penrith City Council and other plans or documents approved in respect to Schedule 1 by Council or an accredited Certifier, except as may be amended in red on the attached plans and by the following conditions.</p>	<p><i>Deferred commencement use only</i></p>

A004	<p>The development is to be carried out generally in accordance with the stamped-approved plans [as amended in red by Council] <i>Delete if not applicable</i> and the staging strategy outlined in Schedule 1 of this development notice, and accompanying documentation submitted in respect to this application.</p> <p>{Note: Prescribed conditions under the Environmental Planning and Assessment Regulation 2000 as amended will apply to building or subdivision work commencing/approved on 1 July 2003.}</p>	<p><i>DA staging (Changes to timeframe of conditions required)</i> SIGNIFICANT CHANGE</p>
A005	<p>A copy of the _____ approval issued by the _____ under the _____ Act shall be submitted to the Principal Certifying Authority, before the Construction Certificate can be issued for the same development. A copy of the approval shall be submitted to Penrith City Council with the copy of the Construction Certificate, if Council is not the Principal Certifying Authority.</p>	<p><i>Approval Body's consent (Integrated DA)</i></p>
A006	<p>This development consent relates to Stage 1 of the development only. A separate development application shall be submitted to Penrith City Council for any future stages of the development.</p>	<p><i>Separate DA for future development stages</i></p>
A007	<p>This consent is limited to a period of _____ months from _____. Prior to the expiry date of this consent, the applicant will be required to submit a new development application for any continuance of the use.</p>	<p><i>Variable time period</i></p>
A008	<p>The work must be carried out in accordance with the requirements of the Building Code of Australia. If the works relates to a residential building and is valued at \$12,000 or greater, then a contract of insurance for the residential development shall be in force in accordance with Part 6 of the Home Building Act 1989.</p> <p>{Note: Residential building includes alterations and additions to a dwelling, and structures associated with a dwelling house/dwelling such as carport, garage, shed, rural shed, swimming pool and the like}</p>	<p><i>Works to BCA requirements</i> SIGNIFICANT CHANGE</p>
A009	<p>All construction works shall be in accordance with Penrith Development Control Plan-Residential Construction Works.</p>	<p><i>Residential Works DCP (no specific section)</i> NEW</p>
A010	<p>All construction works shall be in accordance with Penrith Development Control Plan-Residential Construction Works. Particular attention is drawn to the following specific provisions: <i>Nominate only if necessary</i></p> <ul style="list-style-type: none"> (a) Part A1–Earthworks (b) Part A1.1–Limitations on Excavations (c) Part A2–Drainage (d) Part A2.3–Surface Water Drainage (e) Part A2.4–Stormwater Drainage Design & Construction (f) Part A2.5–Sanitary Drainage (g) Part A3.2–Documentation Requirements for Termite Risk Management (h) Part A4.1–Dropped Edge Beam Construction (i) Part A6–Fire Safety (j) Part A6.1–Fire Separation (k) Part A6.2–Smoke Alarms (l) Part A7.1–Scald Prevention in Residential Buildings (m) Part B6–Driveway Design and Construction (n) Part B7–Works Associated with Council Owned Land & Infrastructure (o) Part B11–Swimming Pools (p) Part B12–Access for Inspections 	<p><i>Residential Works DCP (specific section to be considered)</i></p>
A011	<p>All construction works shall be carried out strictly in accordance with Penrith City Council's Engineering Works Development Control Plan and accompanying Guidelines for Engineering Works for Subdivisions and Developments Part 2–Construction.</p>	<p><i>Engineering Works DCP</i></p>

A012	The proprietor of the food business shall ensure that the requirements of the Food Act 1989 and Food Regulation 2001 are met at all times. All food shop construction works shall be carried out in accordance with the requirements of the Australian Institute of Environmental Health "National Code for the Construction and Fitout of Food Premises" 1993, the Food Act 1989 and Food Regulation 2001.	<i>Food shop</i>
A013	Prior to the [use commencing, / issue of a Construction Certificate for the development,] <i>Delete if not applicable</i> development consent No. _____ shall be surrendered to Penrith City Council in accordance with the provisions of the Environmental Planning and Assessment Act, 1979. <i>Add following paragraph if Construction Certificate is required</i> If Council is not the certifier issuing the Construction Certificate, then before the Construction Certificate is issued a letter from Council is to be provided to the certifier stating that the development consent has been surrendered to Council.	<i>Surrender of previous consent</i> SIGNIFICANT CHANGE
A014	Lot/s _____ in Deposit Plan/s _____ are to be consolidated as one allotment. A copy of the registered plan of consolidation (from the Land Titles Office) is to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate for the development.	<i>Lot Consolidation</i>
A015	The land to which this approval relates is to be identifiable, with a Lot and Deposit Plan number, as part of a registered subdivision prior to the issue of a Construction Certificate.	<i>Site to be registered allotment</i>
A016	No development is to be carried out on land required for road widening purposes.	<i>Road Widening</i>
A017	Prior to occupation of the building or a tenancy within the building, a separate development approval is to be obtained from Penrith City Council to use the building or each tenancy within the building/complex.	<i>DA for use</i> SIGNIFICANT CHANGE
A018	A separate development approval is to be obtained from Penrith City Council to [install an/ upgrade the existing] <i>Delete if not applicable</i> on site sewage management system before the Construction Certificate for the erection of the [dwelling / development / _____] <i>Delete if not applicable</i> on the subject property is issued. The system is to be installed and appropriately licensed prior to the [occupation of the dwelling. / issue of an Occupation Certificate for this development.]	<i>DA for new/upgrade OSSM</i> OR <i>For use if DA staged</i> SIGNIFICANT CHANGE
OR		
The on-site sewage management system shall be installed and implemented in accordance with the recommendations of _____ Report prepared by _____, dated _____. An operational licence for the system is to be sought from and issued by Penrith City Council before:		
<ul style="list-style-type: none"> • the on-site management system is commissioned/can be used, and • [the dwelling can be occupied. / an Occupation Certificate can be issued for the development.] <i>Delete if not applicable</i> 		
A019	The _____ shall not be occupied until an Occupation Certificate has been issued.	<i>Occupation Certificate</i> SIGNIFICANT CHANGE
A19F	The _____ shall not be used or occupied until the Principal Certifying Authority has issued a Compliance Certificate certifying that the _____ has complied fully with the development consent and has been constructed in accordance with the Construction Certificate.	<i>Compliance Certificate (use instead of A019)</i> NEW
A020	The building shall not be used under any circumstances for any commercial, industrial or residential activity.	<i>Use of building</i> SIGNIFICANT CHANGE

A021	The business is to be registered with Penrith City Council by completing the “Registration of Premises” form. This form is to be returned to Council prior to the commencement of the business.	<i>Business registration</i>
A022	The “home business” shall not involve: <ul style="list-style-type: none"> • the employment of more than two persons at any one time in addition to the permanent residents; or • the exhibition of an advertisement (other than an advertisement exhibited on that dwelling house or dwelling to indicate the name or occupation of the resident); or • the interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or the like; or • interference with the amenity of the neighbourhood due to the generation of vehicular traffic, the reduction of carparking in the vicinity of the site, visits by customers or clients, or the like; or • exposure to view, from any adjacent premises or from any public place, of any unsightly matter; or • the provision of any essential service main of a greater capacity than that available in the locality; or • a brothel. 	<i>Home business</i>
A023	Customer visits to the site shall be arranged on an appointment only basis so that: <ul style="list-style-type: none"> • no more than 1 customer is being attended to by the business proprietor at any one time, and • no more than 2 customer cars are parked on the site at any one time. 	<i>Limit customers on site (for home business)</i> SIGNIFICANT CHANGE
A024	The “health care consulting room” shall not: <ul style="list-style-type: none"> • involve more than ___ <i>Nominate but not more than 3</i> health care professionals at any one time, or • provide health care services to persons other than outpatients of the health care consulting room, or • employ more than ___ <i>Nominate but not more than 3</i> employees in connection with the health care services provided by the health care consulting room, or • involve any procedures such as x-rays, ultrasounds, cat scan, radiography, pathology tests or the like. 	<i>Health care consulting rooms</i> SIGNIFICANT CHANGE
A025	No signs are to be displayed on the property other than a single, non-illuminated sign of maximum dimensions 1.2m x 0.6m attached to the front wall of the dwelling indicating only the name and occupation of the resident.	<i>Sign on residential property</i>
A026	A separate development application for the erection of a sign or advertising structure, other than an advertisement listed as exempt development, is to be submitted to Penrith City Council, complying with the requirements of Penrith Development Control Plan–Advertising Signs.	<i>Advertising sign (not for residential)</i>
A027	The existing dwelling house is to be suitably converted to a non-habitable use or removed from the site within one (1) month of occupation of the new dwelling house. Details of such works proposed for the existing dwelling house are to be submitted with the Construction Certificate application.	<i>Conversion of existing dwelling</i> SIGNIFICANT CHANGE
A028	All boundary fences are to be rural in character in accordance with the [City of Penrith Rural Development Control Plan 1991/ Design and Management Guidelines under Sydney Regional Environmental Plan No. 13-Mulgoa Valley/ Planning Report for Sydney Regional Environmental Plan No. 25-Orchard Hills.] <i>Delete if not applicable</i>	<i>Rural fencing</i>
A029	The operating hours are from _____ am to _____ pm Mondays to Fridays, _____ am to _____ pm Saturdays, and _____ am to _____ pm Sundays. [Delivery and service vehicles generated by the development are limited to _____ am and _____ pm <i>Nominate applicable days.</i>] <i>Delete if not applicable</i>	<i>Hours of operation & delivery times</i>

A030	No retail sale of goods shall be conducted from the subject premises.	No retail sales
A031	No motor vehicles are to be displayed for sale on the subject premises.	No vehicle sales
A032	All materials and goods associated with the use shall be contained within the building at all times.	Goods in buildings
A033	No amusement machines are to be installed in the premises.	Galaga
A034	No more than 20 dogs, exclusive of pups under the age of six months, are to be accommodated on the premises at any given time. The dogs shall be confined to their kennels, exercise runs or exercise compounds at all times.	Keeping of Dogs
A035	A soundproofed holding shed is to be provided for the accommodation of distressed animals.	Dog holding shed
A036	A baby care room shall be provided and maintained in accordance with Penrith City Council's Baby Care Rooms Development Control Plan 2002. Details are to be submitted as part of the Construction Certificate application.	Baby care room SIGNIFICANT CHANGE
A037	To ensure that <i>(the conditions of the buildings / maintenance of approved landscaping / proper waste management / other requirements)</i> are managed in a workmanlike, efficient and non intrusive manner for the term of the development, a 'positive covenant' shall be registered over the land to which the development relates, prior to the [commencement of use. / issue of an Occupation Certificate.] <i>Delete if not applicable</i>	Positive covenants SIGNIFICANT CHANGE
	During the construction of the development, documentation and associated legal paperwork shall be forwarded to Penrith City Council for consideration and endorsement which notes Council's interest in the positive covenant before the positive covenant is registered with the Land Titles Office.	
A038	[Prior to the issue of the Occupation Certificate, a lighting system shall be installed for the development to provide uniform lighting across common areas and driveways.] <i>Delete if not applicable</i> Exterior lighting shall be located and directed in such a manner so as not to create a nuisance to surrounding landuses. The lighting shall be the minimum level of illumination necessary for safe operation. The lighting shall be in accordance with AS 4282 "Control of the obtrusive effects of outdoor lighting" (1997).	Lighting locations
A039	The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.	Graffiti
A040	A Section 68 application shall be sought from and issued by Penrith City Council before public entertainment can be conducted on the premises as required under the Local Government Act 1993.	POPE application
A041	The [dwelling / _____] <i>Delete if not applicable</i> shall be constructed in accordance with the provisions of the "Planning for Bushfire Protection" December 2001, and: <ul style="list-style-type: none"> • [to a Level [1 / 2 / 3] <i>Nominate applicable</i> construction under AS3959-1999 "Construction of buildings in bushfire-prone area" / _____ <i>specify the construction package submitted</i>] <i>Delete if not applicable</i>, and • the stamped-approved schedule of external [materials. / materials, and • _____ <i>Other</i>] <i>Delete if not applicable</i> 	Construction in bushfire areas (Also impose A042, maybe H034 & H035) NEW
A042	An Asset Protection Zone for protection from bushfire shall be provided and maintained to the [dwelling / _____] <i>Delete if not applicable</i> in accordance with the recommendations outlined in the _____, and in particular are to include the following: <ol style="list-style-type: none"> i. An Inner Protection Area of ____m and an Outer Protection Area of ____m shall be provided and maintained for the term of the development. ii. The Inner Protection Area (IPA) shall be maintained as follows: 	Asset Protection Zones in bushfire areas (Also impose A041) NEW

- minimise fuel levels at ground level that can be set alight by a bushfire,
- vegetation does not provide a path for the transfer of fire to the development – that is fuels are discontinuous,
- no trees are to overhang the building,
- trees should be well spread out and not form a canopy,
- trees or shrubs that retain dead material or deposit excessive quantities of fuel in a short period of time should not be planted within the IPA,
- trees and shrubs should be located far enough from the building that the radiant heat they produce or direct flame contact will not ignite the house,
- wooden sheds, combustible material, large areas or quantities of garden mulch, stacked flammable building materials etc, shall not be sited in the IPA.

Add iii if required

iii. The entire Asset Protection Zone shall be maintained as an IPA in a fuel free condition _____.

To ensure that the Asset Protection Zone of ____ metres is provided and maintained around the [dwelling house/ _____] *Delete if not applicable* for the term of the development, a 'positive covenant' shall be registered over the land to which the development relates, prior to the [occupation of the dwelling house/ issue of an Occupation Certificate] *Delete if not applicable*.

During the construction of the development, documentation and associated legal paperwork shall be forwarded to Penrith City Council for consideration and endorsement which notes Council's interest in the positive covenant before the positive covenant is registered with the Land Titles Office.

{Note: The Asset Protection Zone is the sum total of the Inner Protection Area and Outer Protection Area.}

A043 An air conditioning unit shall not be installed to the dwelling without the prior approval of Penrith City Council if the:

- air conditioning unit is located within 3m of a property boundary, and
- noise levels emitted by the air conditioning unit will exceed 5dB(A) above the ambient background noise level measured at the property boundary.

Air conditioner for existing dwelling
NEW

A separate development application shall be sought and obtained from Council prior to the installation of an air conditioning unit.

B**DEMOLITION**

B001	The _____ on [Lot _____/ the subject site] <i>Delete if not applicable</i> is to be demolished as part of the approved work.	<i>Demolition of existing structures</i>
B002	<p>All demolition works are to be conducted in accordance with the provisions of AS 2601-1991 "The Demolition of Structures". Prior to demolition, all services shall be suitably disconnected and capped off or sealed to the satisfaction of the relevant service authority requirements.</p> <p>All demolition and excavated material shall be disposed of [in accordance with the approved waste management plan for the development. / at a Council approved site or waste facility. Details of the proposed disposal location(s) of all excavated material from the development site shall be provided to the Principal Certifying Authority prior to commencement of demolition.] <i>Delete if not applicable</i></p>	<i>AS for demolition and disposal to approved landfill site (also impose D009)</i>
B003	<p>You should read Council's Fact Sheet titled "Handling and Disposal of Fibrous Cement Products" before any demolition works commence on the site.</p> <p>Prior to commencement of demolition works on site, a portaloo with appropriate washing facilities shall be located on the site and the Principal Certifying Authority is to be satisfied that:</p> <ul style="list-style-type: none"> • Measures are in place so as to comply with the WorkCover Authority's "Short Guide to Working with Asbestos Cement" and • The person employed to undertake the works is a licensed asbestos removal contractor and is holder of a current WorkCover Asbestos Licence. <p>Any demolition works involving the removal of all asbestos shall only be carried out by a licensed asbestos removal contractor who has a current WorkCover Asbestos Licence.</p>	Asbestos SIGNIFICANT CHANGE
B004	Dust suppression techniques are to be employed during demolition to reduce any potential nuisances to surrounding properties.	<i>Dust</i>
B005	The tracking of mud and soil deposits from the site shall not occur during demolition works.	<i>Mud/Soil</i>
B006	<p>Demolition works will be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:</p> <ul style="list-style-type: none"> • Mondays to Fridays, 7am to 6pm • Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm • No demolition work is permitted on Sundays and Public Holidays. <p>In the event that the demolition relates to works inside the building and do not involve external walls or the roof, and do not involve the use of equipment that emits noise then the demolition works are not restricted to the hours stated above.</p> <p>The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.</p>	Hours of work SIGNIFICANT CHANGE
B007	The prescribed conditions under the Environmental Planning and Assessment Regulation 2000 as amended applies to the demolition of existing buildings/structures on site.	<i>Prescribed condition (use from 1 July03)</i> NEW

- C001 Prior to the commencement of works on site:
- An appropriately qualified conservation architect shall be employed to oversee the construction of the approved development, including any approved demolition works.
 - Details of the conservation architect employed to oversee the construction of the development shall be submitted to Penrith City Council with the 'Notification of Commencement' 2 days before works are to commence on site.
- The conservation architect should have prior experience in the conservation of similar heritage items and shall ensure that the work is in accordance with the [conservation management documents. / _____.] *Delete if not applicable*
- Employment of conservation architect*
SIGNIFICANT CHANGE
- C002 Two (2) complete copies of the archival recording are to be submitted to Penrith City Council, including a set of photographic negatives on completion of _____ *Insert timeframe*. The archival recording shall be prepared by an experienced heritage consultant and is to be in accordance with the Archival Recording Standards described below:
- Title page (with subject, author, client, date and copyright).
 - Statement of why the record was made.
 - Outline history of the item and associated sites, structures and people.
 - Statement of heritage significance of the items using the State Heritage Inventory criteria.
 - Inventory of archival documents related to the item (eg. company records, original drawings) when available.
 - Location plan (show relationship to surrounding geographical features, structures, roads, vegetation etc. Include a north point).
 - Base plans, drafted or hand-drawn base plans including:
 - (i) cross references to photographs;
 - (ii) name the relevant features, structures and spaces;
 - (iii) a north point.
 - Black and white photographic record, including one set of 35mm black and white negatives labelled and cross referenced to base plans and accompanied by informative catalogues, and two copies of proof sheets and select medium format prints showing important details. The images shall include:
 - (i) views to and from the site (possibly from four compass points);
 - (ii) views showing relationships to other relevant structures and landscape features;
 - (iii) all external elevations;
 - (iv) views of all external and internal spaces (eg. courtyards, rooms, roof spaces etc.); and
 - (v) external and internal details (eg. joinery, construction joints, decorative features, paving types etc.).

All photographic images shall be mounted and labelled.
 - Colour slides (two copies mounted in archivally stable slide pockets, clearly labelled and cross referenced to base plans). Images shall include:
 - (i) view to and from the site and/or the heritage item, and
 - (ii) views and details of external and internal colour schemes as appropriate.

Selected colour prints may be required. They should mounted and labelled.
 - Measured drawings, with appropriately scaled drawings printed on archivally stable paper. For a built item, this may include:
 - (i) site plan (1:500 or 1:200),
 - (ii) floor plan(s) (1:100 or 1:50),
 - (iii) elevations and sections (1:100 or 1:50),
 - (iv) roof plan(s) (1:100 or 1:50),
 - (v) ceiling and joinery details (1:20 or 1:10), and
 - (vi) machinery and services details eg. drainage lineshafts.
 - Presentation

The archival recording shall be presented to Council as a single bound document preferably in A4 format. Large maps shall be folded and inserted as map pockets
- Archival recording*

attached to the document. Similarly, all photographic images shall be fixed to the document and labelled.

Unbound documents or loose supporting materials such as maps, plans, slides, negatives or prints are not acceptable.

- C003 If any archaeological relics are uncovered during the course of the work then works in that area shall immediately cease and the NSW Heritage Office contacted immediately.

Uncovering relics

The applicant is advised that, depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the Heritage Act, 1977 may be required before any further work can be considered in that area of the site.

D**ENVIRONMENTAL MATTERS**

D001	<p>Erosion and sediment control measures shall be installed prior to the commencement of works on site including approved clearing of site vegetation, and maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 1998.</p> <p>{Note: To obtain a copy of the publication, you should contact the Publications Officer, Housing Production Division, Department of Housing on (02) 9821 6092.}</p> <p>The erosion and sediment control measures shall be certified (by way of a Compliance Certificate) as having been installed in accordance with the approved erosion and sediment control plan(s) for the development and "Managing Urban Stormwater: Soils and Construction" 1998. The Compliance Certificate shall be obtained and issued a minimum 2 days before works are to commence on site.</p> <p>The approved sediment and erosion control measures are to be installed prior to and maintained throughout the construction phase of the development until [the landscaping, driveway and on-site parking areas have been completed for the development. / the land, that was subject to the works, have been stabilised and grass cover established.] <i>Delete if not applicable</i> These measures shall ensure that the tracking of mud and soil deposits from the site does not occur during the construction of the development.</p>	<p><i>Implement approved sediment & erosion control measures</i> SIGNIFICANT CHANGE</p>
D002	<p>All land that has been disturbed by earthworks is to be spraygrassed or similarly treated to establish a grass cover.</p>	<p><i>Spraygrass</i></p>
D003	<p>Before any works are commenced [on site, / in the vicinity of proposed Lot _____,] <i>Delete if not applicable</i> adequate fencing with star picket and wire fencing shall be installed to ensure that the [part of the site containing _____/ adjoining area containing _____] <i>Delete if not applicable</i> is not disturbed by the construction/demolition works or earthworks.</p>	<p><i>Fencing protection to part of site or adjoining property</i></p>
D004	<p>Site remediation works shall be carried out generally in accordance with the approved contamination report and remedial action plan as well as Penrith Contaminated Land Development Control Plan, the ANZECC and NHMRC Guidelines (1992) and applicable NSW Environment Protection Authority Guidelines.</p> <p>On completion of the site remediation works, the following documentation is to be submitted to the Principal Certifying Authority and Penrith City Council, if Council is not the Principal Certifying Authority:</p> <ul style="list-style-type: none"> • Written notification that the site remediation works have been completed is to be submitted within 30 days that the said works have been completed. • A validation report, prepared by an appropriately qualified person as defined in Penrith Contaminated Land Development Control Plan, is to be submitted before any building work can commence on the remediated site. The report shall certify that the remediation works have been carried out in accordance with the approved Remedial Action Plan, relevant NSW Environment Protection Authority requirements and Penrith Contaminated Land Development Control Plan. 	<p><i>Site remediation works</i> SIGNIFICANT CHANGE</p>
D005	<p>No fill material is to be imported to the site without the prior approval of Penrith City Council in accordance with Sydney Regional Environmental Plan No.20 (Hawkesbury-Nepean River) (No.2-1997). No recycling of material shall be used as fill material on the site without the prior approval of Council.</p>	<p><i>No filling without prior approval (may need to add D006)</i> SIGNIFICANT CHANGE</p>
D007	<p>Filling operations on the property are only permitted in conjunction with the building works as detailed on the approved plans and specifications, and shall not extend more than 2 metres past the defined building footprint. Any fill material imported into the "building footprint" shall be certified by an appropriately qualified person as being free of contaminants/ weeds and suitable for its intended purpose in accordance with Penrith Contaminated Land Development Control Plan. The certification is to be submitted to the</p>	<p><i>Filling of land (limited approval)</i> SIGNIFICANT CHANGE</p>

Principal Certifying Authority to enable the construction of the building to commence. A copy of the Certificate is to be submitted to Penrith City Council for their reference.

- D008 Where a building is to take place on any land that is to be filled, such filling is to be compacted appropriately prior to any construction work being carried out. *Filling compaction*
- D009 All waste materials stored on site must be contained in a designated area, such as a waste bay or bin, to ensure that no waste material enters the stormwater system or neighbouring properties during demolition/ construction works on site. *Covering of waste storage area*
- The designated waste storage area shall provide at least 2 waste bays to allow for the sorting of different waste materials. The waste bays shall be fully enclosed when the site is unattended, particularly at night and over the weekend.
- D010 All excavated material or waste generated as a result of the development that cannot be re-used or recycled shall be disposed of at a Council approved site or waste facility. Details of the proposed disposal location of all excavated material from the development site shall be provided to the Principal Certifying Authority prior to construction works commencing. *Appropriate disposal of excavated or other waste*
- D011 The subject site is affected by a “designated road” defined under Penrith Rural Development Control Plan and as such, the internal noise level of all habitable rooms of the building is not to exceed LA_{10 (20 minute)} of 40dB(A) [or alternatively, levels recommended by the Environmental Protection Authority]. *Insert if applicable* A report, prepared by a qualified acoustic consultant, detailing how the design and proposed construction of the building meets the noise criteria is to be submitted to Penrith City Council for its consideration and approval prior to the issue of a Construction Certificate. If Council is not the certifier issuing the Construction Certificate, then a copy of the report approved by Council should be submitted to the certifier. *Traffic noise & acoustic report (if not submitted with DA, otherwise use H007)*
- A certificate is to be obtained from a qualified acoustic consultant certifying that the building has been constructed to meet the noise criteria in accordance with the approved acoustic report. This certificate is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.
- D012 The subject site is within the 20-25 ANEF contour of the proposed Sydney West Airport at Badgery’s Creek. Prior to the issue of a Construction Certificate, an acoustical design report is to be submitted to Penrith City Council for its consideration and approval. The acoustical design report, prepared by an accredited acoustical consultant, shall incorporate noise control design features in accordance with the requirements of AS2021-2000 “Acoustics– Aircraft Noise Intrusion–Building Siting and Construction”. If Council is not the certifier issuing the Construction Certificate, then a copy of the report approved by Council should be submitted to the certifier. *Airport noise & acoustic report (if not submitted with DA, otherwise use H007 or H008)*
- Prior to the issue of an Occupation Certificate, a qualified acoustic consultant shall certify that the development has been constructed to meet the indoor design sound levels in accordance with the approved acoustic report. The certification shall be submitted to the Principal Certifying Authority. A copy of the certification together with the Occupation Certificate shall be submitted to Penrith City Council if Council is not the Principal Certifying Authority.
- D013 Noise levels from the premises shall not exceed the relevant noise criteria detailed in _____ prepared by _____ dated _____. The recommendations provided in the above-mentioned acoustic report shall be implemented and incorporated into the design and construction of the development, and shall be shown on plans accompanying the Construction Certificate application. A certificate is to be obtained from a qualified acoustic consultant certifying that the building has been constructed to meet the noise criteria in accordance with the approved acoustic report. This certificate is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate. *Approved noise level1*

The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

D131	Noise levels from the premises shall not exceed the relevant noise criteria detailed in _____ prepared by _____ dated _____. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.	<i>Approved noise level2</i>
D132	Noise levels from the premises shall not be audible within a habitable room of any residence between _____ and _____. The recommendations provided in the above-mentioned acoustic report shall be implemented and incorporated into the design and construction of the development, and shall be shown on plans accompanying the Construction Certificate application. A certificate is to be obtained from a qualified acoustic consultant certifying that the building has been constructed to meet the noise criteria in accordance with the approved acoustic report. This certificate is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.	<i>Approved noise level3</i>
<p>The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.</p>		
D014	The operating noise level of plant and equipment shall not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.	<i>Plant and equipment noise</i>
D015	A plan detailing the spills prevention, contingency and emergency clean-up procedures for the development shall be submitted for approval prior to construction works commencing. The approved procedures plan shall be implemented in the event of a spill or emergency.	<i>Spill prevention & clean-up procedures</i>
D016	<p>The following details are to be submitted for approval prior to the issue of the Construction Certificate:</p> <ul style="list-style-type: none"> • The proposed fuel bowser/s shall be covered with a canopy. All uncontaminated stormwater from the canopy and other roofed areas shall be directed away from the forecourt area under the canopy. • The covered fuel bowser/s area shall be protected from the entry of external surface waters at the canopy line by either a minimum 2% change in grade, or a combination of a minimum 2% grade changes and a grated drainage system. • Tanker delivery facilities shall be provided with a spillage collection device, which will collect any spilt fuel. 	<i>Service stations</i>
D017	All wastes collected within the canopy of the fuel bowsers shall be directed to the sewer after being treated in accordance with the requirements of Sydney Water.	<i>Service stations-waste</i>
D018	Inlets to underground storage tanks are to be located so as to ensure that vehicles discharging fuel are contained within the boundaries of the site.	<i>Underground tanks</i>
D019	Above ground fuel storage tanks shall be installed on a concrete surface and protected by a grated drainage system to a dead-end sump or by a bund. The storage capacity of the bund or sump shall be equal to 110% of the volume of the tank.	<i>Bunding-fuel tanks</i>
D020	All vehicle washing, engine degreasing and steam cleaning shall be conducted in a wash bay approved, installed and connected to the sewer in accordance with Sydney Water's requirements.	<i>Vehicle wash bay</i> SIGNIFICANT CHANGE
<p>Details of the vehicle wash bay including the Section 73 Certificate issued by Sydney Water for the discharge of trade waste from the premises shall be submitted to the Principal Certifying Authority before the wash bay can be installed.</p>		
D021	Waste oil shall be stored in a covered and banded area and regularly removed to a waste oil recycle operation.	<i>Waste oil storage & removal</i>

D022	<p>All mechanical repairs shall be conducted within the workshop area which shall be provided with suitable pollution control devices that removes grease, oil, petroleum products and grime prior to discharge to the sewer system in accordance with the requirements of Sydney Water.</p> <p>No mechanical work including the painting of vehicles and preparation of vehicles for painting such as rubbing back and washing shall be carried out in open driveways or car parking areas.</p> <p>Prior to the issue of the Construction Certificate, the following details are to be submitted for consideration and approval:</p> <ul style="list-style-type: none"> • proposed pollution control devices in accordance with Sydney Water requirements; and • specifications for the spray-painting booth and associated ventilation. 	<p><i>Mechanical repairs</i> SIGNIFICANT CHANGE</p>
D023	<p>All works and storage areas where spillages are likely to occur shall be bunded. The size of the area to be bunded shall be calculated as being equal to 10% of the total volume of containers stored, or 110% of the largest container stored, whichever is the greater. All bunded areas shall be graded to a blind sump so as to facilitate emptying and cleaning. Details are to accompany the application for a Construction Certificate.</p>	<p><i>Bunding</i></p>
D024	<p>Prior to the issue of a Construction Certificate, details of any pre-treatment facilities as required by Sydney Water as well as the Section 73 Certificate issued by Sydney Water for the development are to be submitted to the Principal Certifying Authority.</p>	<p><i>Pre-treatment facilities</i> SIGNIFICANT CHANGE</p>
D025	<p>Stormwater runoff from parking and open areas shall be directed to the stormwater drainage system. Stormwater pre-treatment devices shall be used to remove litter and sediment to _____. Specifications of the stormwater pre-treatment devices including details on maintenance and cleaning of the devices are to [accompany the Construction Certificate application./ be submitted to Council for consideration and approval prior to commencement of works onsite.] <i>Delete if not applicable</i></p>	<p><i>Stormwater disposal</i> SIGNIFICANT CHANGE</p>
D026	<p>Only clean and unpolluted water shall be discharged to Penrith City Council's stormwater drainage system. All liquid wastes, other than unpolluted stormwater, arising from the site shall be discharged to the sewer in accordance with the requirements of Sydney Water.</p> <p><i>Delete next paragraph if not applicable</i></p> <p>In the event that a waste contractor will remove liquid waste from the premises, you are to ensure that the waste contractor is licensed with the Environment Protection Authority. Such waste shall be disposed of in a licensed waste facility.</p>	<p><i>Liquid wastes</i> SIGNIFICANT CHANGE</p>
D027	<p>The stormwater drainage system shall not be altered or new lines directed into the system without the prior approval of Penrith City Council.</p>	<p><i>SW lines not to be touched</i></p>
D028	<p>Prior to the issue of a Construction Certificate, an Environmental Management Plan (EMP) for the site shall be submitted to Penrith City Council for consideration and approval. The EMP shall be prepared by suitably qualified consultants in consultation with Council and other relevant agencies, and may need to be amended to include the comments provided by Council and other agencies. The EMP is to:</p> <ul style="list-style-type: none"> • address all environmental aspects of the development's construction and operational phases, and • recommend any systems/ controls to be implemented to minimise the potential for any adverse environmental impact(s), and • incorporate a programme for ongoing monitoring and review to ensure that the EMP remains contemporary with relevant environmental standards. <p>The EMP should include but is not limited to the following:</p> <ul style="list-style-type: none"> • soil and water management • dust suppression 	<p><i>Environment Management Plan</i> SIGNIFICANT CHANGE</p>

- litter control
- noise control
- waste management
- dangerous/hazardous goods storage
- emergency response and spill contingency.

Council will not withhold its consent to the Environmental Management Plan provided the above-mentioned matters are reasonably addressed.

The relevant aspects of the approved EMP shall be implemented during the relevant phase(s) of the development.

Employment of Environmental Consultant

A suitably qualified environmental consultant shall be employed to supervise the implementation of the development in accordance with the relevant aspects of the approved EMP as identified at each phase of the development, eg. prior to commencement of works, construction and post-construction/ ongoing operations of the development. Details of the environmental consultant, including contact details, employed to oversee the development shall be submitted to Penrith City Council with the 'Notification of Commencement' 2 days before any works are to commence on site.

Add following paragraph if required

Operational matters of the development

Compliance Certificates or other written document shall be obtained from a qualified environmental consultant certifying that the _____ aspects of the approved EMP are complied with. The Compliance Certificate or other written documentation shall be submitted to Penrith City Council on an annual basis, on the anniversary of the Occupation Certificate being issued for the development.

D029	All manufacture and assembly associated with the use shall be conducted within the confines of the building at all times.	<i>Manufacture use</i>
D030	Any liquid discharge from the air handling system, resulting from operation, maintenance and/or cleaning operations, are to be disposed of into the sewer system. Discharge into the stormwater disposal system is not permitted.	<i>Air handling system</i>
D031	All gases, odours, fumes, steam, moisture and particulate matter generated by the use of the premises shall be collected into a one-stack system with a suitable filter system for discharge to the atmosphere. The quality of the discharges from the stack system shall comply with the requirements of the Protection of the Environment Operations Act 1997.	<i>One stack system</i>

E001	<p>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:</p> <p>(a) complying with the deemed to satisfy provisions, or</p> <p>(b) formulating an alternative solution which:</p> <ul style="list-style-type: none"> • complies with the performance requirements, or • is shown to be at least equivalent to the deemed to satisfy provision, or <p>(c) a combination of (a) and (b).</p>	<i>BCA compliance</i>
E01A	<p>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:</p> <p>(d) complying with the deemed to satisfy provisions, or</p> <p>(e) formulating an alternative solution which:</p> <ul style="list-style-type: none"> • complies with the performance requirements, or • is shown to be at least equivalent to the deemed to satisfy provision, or <p>(f) a combination of (a) and (b).</p> <p>It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/ statement for the building.</p>	<i>BCA compliance (Class 2-9) NEW</i>
E002	<p>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:</p> <ul style="list-style-type: none"> • _____ 	<i>BCA issues to be addressed</i>
E003	<p>The structural alterations to the buildings shall not unduly reduce or compromise:</p> <ul style="list-style-type: none"> • the existing level of fire protection afforded to persons accommodated in or resorting to the building, or • the existing level of resistance to fire of the building, or • the existing safeguards against the potential spread of fire to adjoining buildings. 	<i>Structural alterations</i>
E004	<p>Existing floor wastes from the laundry/bathroom shall be extended beyond the proposed additions.</p>	<i>Floor wastes</i>
E005	<p>The smoke alarms shall be interconnected so that the sounding of the alarm in one detector activates the alarm in all detectors.</p>	<i>Smoke detectors-interconnect</i>
E006	<p>Access and sanitary facilities for persons with disabilities are to be provided and maintained in accordance with the requirements of the Building Code of Australia and AS 1428 "Design for Access and Mobility". Details of compliance are to be provided in the relevant plans and specifications accompanying the Construction Certificate application.</p>	<i>Disabled access and facilities</i>
E007	<p>Shade areas are to be provided and maintained for the development in accordance with Penrith City Council's Minimum Shade Provision in Public Places policy. Details are to accompany the Construction Certificate application.</p>	<i>Shade Policy in Public Places</i>
E008	<p>A fire safety list of essential fire or other safety measures shall be submitted prior to the issue of the Construction Certificate. The fire safety list shall specify all measures (both current and proposed) that are required for the building so as to ensure the safety of</p>	<i>Fire safety list with Construction Certificate</i>

persons in the building in the event of fire. The fire safety list must distinguish between:

- the measures that are currently implemented in the building premises, and
- 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.

E009 The owner of a building, to which an essential fire safety measure is applicable, shall provide Penrith City Council with an annual fire safety statement for the building. The annual fire safety statement for a building must:

Annual fire safety statement-essential fire safety (Class 2-9)

- (a) deal with each essential fire safety measure in the building premises, and
- (b) 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.

As soon as practicable after the annual fire safety statement is issued, the owner of the building to which the statement relates:

- must also provide a copy of the statement (together with a copy of the current fire safety schedule) to the Commissioner of New South Wales Fire Brigades, and
- prominently display a copy of the statement (together with a copy of the current fire safety schedule) in the building.

E010 A supplementary fire safety statement is to be given to Penrith City Council where a critical fire safety measure is implemented. A supplementary fire safety statement for a critical fire safety measure must be given at such intervals (being intervals of less than 12 months) as is specified in respect of that measure in the current fire safety schedule for the building.

Fire safety statement-critical fire safety (Class 2-9)

As soon as practicable after the supplementary fire safety statement is issued, the owner of the building to which the statement relates:

- must also provide a copy of the statement (together with a copy of the current fire safety schedule) to the Commissioner of New South Wales Fire Brigades, and
- prominently display a copy of the statement (together with a copy of the current fire safety schedule) in the building.

F HEALTH MATTERS & OSSM INSTALLATION

F001	<p>All food shop construction works shall be carried out in accordance with the requirements of the Australian Institute of Environmental Health “National Code for the Construction and Fitout of Food Premises” 1993, the Food Act 1989 and Food Regulation 2001.</p> <p>Detailed plans and specifications for the construction of the premises and installation of fittings, furnishings and equipment to all food preparation and storage areas are to be submitted with the Construction Certificate application regarding the fitout of the food shop. [Particular attention is drawn to:</p> <ul style="list-style-type: none">• _____] <i>Delete if not applicable</i>	<i>Food shop construction & plans</i>
F002	<p>All work shall be carried out in accordance with the requirements of the Australian Institute of Environmental Health “National Code for (A) Food Vending Vehicles and (B) Temporary Food Premises 1991”.</p>	<i>Temporary food outlets</i>
F003	<p>All works associated with the retail meat premises shall be carried out in accordance with the requirements of the NSW Meat Industry Authority New South Wales “Standard for Construction and Hygienic Operation of Retail Meat Premises” 1999.</p>	<i>Retail meat premises</i>
F004	<p>The applicant shall register all regulated systems (as defined by the Public Health Act, 1991) with Penrith City Council by completing the form “Details of Regulated System” and returning it to Council prior to the system’s operation.</p> <p>The regulated system shall be thoroughly flushed before being brought into service and shall be located in a position to ensure that the exhaust discharge from the tower is away from occupied areas, air intake and building openings.</p> <p>The regulated system shall be maintained in accordance with the maintenance and cleaning requirements of the Public Health Act, 1991 and Public Health (Microbial Control) Regulation 2000, AS 3666.2:1995 “Air Handling and Water Systems of Buildings–Microbial Control”, and the New South Wales Code of Practice for the Control of Legionnaires Disease. A copy of the summary maintenance reports for air handling shall be submitted to Penrith City Council within 14 days of such work being completed.</p>	<i>Regulated system</i>
F005	<p>When an air handling, hot water, warm water or water cooling system is installed:</p> <ul style="list-style-type: none">• A certificate is to be obtained certifying that the system has been installed in accordance with the Public Health (Microbial Control) Regulation 2000 and AS 3666.1:1995.• All relevant information required under clause 15(3) of the Public Health (Microbial Control) Regulation 2000 shall be submitted to Penrith City Council on completion of the building.• The occupier of the premises shall ensure that the system is maintained in accordance with requirements of the Public Health (Microbial Control) Regulation 2000 and AS 3666.1:1995, unless the Council has been notified otherwise.	<i>Legionnaires Disease</i>
F006	<p>The rainwater tank must be maintained so as not to create a nuisance and it must be protected against mosquito infestation.</p>	<i>Water tank & nuisance</i>

F007	The operator of [hairdressing / beauty salon] <i>Delete if not applicable</i> shall ensure that the requirements of the Local Government Act 1993 and Regulations thereunder, the Public Health (Skin Penetration) Regulation 2000 and the NSW Health Department's "Skin Penetration Guidelines" 2000 are met at all times.	Hairdresser
F008	Any person carrying out any of the following skin penetration procedures shall ensure that the requirements of the Public Health (Skin Penetration) Regulation 2000, and the NSW Department of Health's "Skin Penetration Guidelines" 2000 are met at all times: <ul style="list-style-type: none"> • acupuncture • tattooing • ear piercing • hair removal • any other procedure which involves skin penetration. 	Skin penetration
F009	The [primary] <i>Insert if required</i> septic tank shall have a minimum capacity of ___ Litres. <i>Add next sentence if required</i> The minimum capacity of the collection well shall be ___ Litres.	Septic-capacity NEW
F010	The septic tank system shall be located at least 1.5m from any building.	Septic-distance from house NEW
F011	<p>i. All house sewer and plumbing work shall be carried out in accordance with Sydney Water's requirements or the Local Government (Water, Sewerage and Drainage) Regulation 1993.</p> <p>ii. Penrith City Council is both the consent authority and certifying authority for the installation of the On Site Sewage Management System (OSSM), otherwise known as a septic tank system. It is your responsibility to contact Council's Building Approvals and Environment Protection Department to organise all inspections required for the installation of the system. In this regard, the following will require inspection:</p> <ul style="list-style-type: none"> • All drainage lines, septic tanks [and absorption trenches] <i>Insert if required</i> before they are backfilled. • Other _____. <i>Delete if not applicable</i> • On completion of the system's installation and prior to its commissioning, ensuring compliance with those conditions specific to the installation of the system. <p>A copy of the satisfactory inspection reports carried out by Council shall be submitted to the Principal Certifying Authority if Council is not the Principal Certifying Authority.</p> <p>iii. [The septic tank and drainage lines / The septic tank, drainage lines and effluent disposal area] <i>Delete if not applicable</i> shall not to be altered without the prior approval of Council. [In addition, the septic tank shall not be buried or covered.] <i>Delete sentence if imposing condition F017</i></p> <p>iv. There shall be no effluent runoff from the subject property to adjoining premises, public places or reserves.</p> <p>v. There shall be available all year round, adequate water supply that is available to the property.</p>	Septic-general (applies to all systems) NEW

- F012 A cistern fitted with an external overflow and incorporating a 3/6 Litre dual flush shall be used. A 4 Litre flush can be used as an alternative. Cistern
NEW
- Flushing cisterns fitted with internal overflows shall not be installed or connected to any WC pan.
- F013 The disposal area shall have a minimum area of ____m² and shall be prepared in accordance with the “Environmental and Health Protection Guidelines – On Site Sewage Management for Single Households” and AS1547:2000. Aerated-disposal
area
NEW
- Prior to the [occupation of the dwelling / issue of the Occupation Certificate] *Delete if not applicable* and the issue of an operational licence for the OSSM system by Penrith City Council, the effluent disposal area shall be: *Nominate*
- prepared/ landscaped in accordance with the stamped-approved [plans / landscape plan] *Delete if not applicable*
 - retained and filled with absorbent soil as shown on the stamped-approved [plans. / plans, and] *Delete if not applicable*
 - sited so as not to contaminate the natural watercourse that traverses the subject property.
- All stormwater and seepage shall be diverted away from the disposal area by using an agricultural drain or earthen bund and dish drain.
- F014 All irrigation pipework and fittings shall comply with AS2698 “Plastic Pipes and Fittings for Irrigation and Rural Applications”. In this regard: Aerated-irrigation
NEW
- the irrigation system is not to be connected to/not capable of connection to the mains water supply,
 - standard household fittings, soaker hoses, garden sprinklers and standard water hose fittings are not to be used,
 - all distribution lines of the irrigation system to any standpipe shall be buried to a minimum 100mm below finished surface level, and
 - spray irrigation equipment connected to distribution lines shall be fixed.
- Spray irrigation shall only use low pressure, low volume spray heads which are not capable of producing aerosols. The spray shall have a maximum plume height 400mm and a plume radius of not more than 2 metres.
- A minimum of two signs shall be erected within the effluent disposal irrigation area in accordance with the following specifications:
- signage is to be in green background,
 - 20mm high series ‘C’ lettering in black or white, and
 - the words of the sign are “RECLAIMED EFFLUENT – NOT FOR DRINKING – AVOID CONTACT”.
- The signage shall be maintained for the term of the development.
- F015 The owner/occupier shall enter into an annual service contract with the manufacturer, distributor or other person authorised (in writing) by Council to service the aerated septic tank(s) every three (3) months from the date of commissioning in the following manner: Aerated-service
contract
NEW
- i. A three monthly service shall include a check on all mechanical, electrical and functioning parts of the aerated system including:
- the chlorinator,
 - replenishment of the disinfectant,
 - all pumps,
 - the air blower, fan or air venturi,
 - the alarm system,
 - the effluent disposal area and irrigation spray outlets,
 - the slime growth on the filter media, and

- the operation of the sludge returns system.
- ii. On the yearly anniversary date of the commissioning of the system, an annual service of the system shall also be carried out which includes a check on the sludge accumulation in the septic tank (primary treatment tank) and the clarifier, where appropriate.
 - iii. The following field tests are to be carried out at every service:
 - free residual chlorine using DPD colorimetric or photometric method,
 - pH from a sample taken from the irrigation chamber,
 - dissolved oxygen from a sample taken from the final aeration or stilling chamber (although recommended) is optional.
 - iv. For systems which utilise the sewage treatment principle of activated sludge or contact aeration, a sludge bulking test, known as a SV30 Test, shall also be conducted on an annual basis. This test is to determine whether the accumulated sludge is bulking, indicating that the aeration compartment(s) will require desludging.

On completion of each service, a service report sheet is to specify all service items and test results, the amount of chlorine compound provided, the date the service was conducted and the technician's initials. A copy of the service report is to be:

- given to the property owner and another to the applicant (if not the same), and
- forwarded to Penrith City Council.

Each service agent shall provide a registered business office which, if unattended during business hours, is provided with a telephone answering device or service. A means of reporting a malfunction or breakdown outside normal business hours shall be available. In the event of a breakdown or malfunction, the service agent shall, within 24 hours of the breakdown or malfunction, ensure that temporary repairs are carried out to the aerated system to ensure continued operation of the system. This may necessitate provision of adequate spare parts and temporary replacement blowers and irrigation pumps where repairs cannot be completed on site.

F016	The buried aerated septic tank shall be sealed with an approved epoxy resin to Council's satisfaction.	<i>Aerated-tank seal</i> NEW
F017	The septic tank and collection well shall be at least 150mm above ground level to ensure that surface water does not enter the tank and well. The collection well shall have a graduated dipstick of copper material not less than 13mm in diameter. The highest graduation is to indicate when the collection well is full. The suction line must be of 50mm galvanised iron and fitted with a gate valve and approved locking device at the front boundary.	<i>Pump out</i> NEW
F018	Council's contractor shall empty the collection well on a weekly basis, unless otherwise varied by Council.	<i>Pump out-empty</i> NEW

F019	<p>The disposal area shall: <i>Nominate</i></p> <ul style="list-style-type: none"> • be prepared with a minimum 100mm cover of absorbent soil that has been ripped into the existing topsoil. The area to be prepared should include up to 2.5m either side of the trench. • [have an even grade / be graded to a minimum 1% crossfall] <i>Delete if not applicable</i> and turfed [in accordance with the stamped-approved plans] <i>Insert if applicable</i> prior to the [occupation of the dwelling / issue of the Occupation Certificate] <i>Delete if not applicable</i> and the issue of an operational licence for system by Penrith City [Council. / Council, and] <i>Delete if not applicable</i> • sited so as not to contaminate the natural watercourse that traverses the subject property. <p><i>Add following if applicable</i></p> <p>All stormwater and seepage shall be diverted away from the disposal area by using an agricultural drain or earthen bund and dish drain.</p>	<p><i>Trench-disposal area</i></p> <p>NEW</p>
F020	<p>The finished surface level of the absorption area must be at least 150mm below the invert of the septic tank outlet.</p> <p>An automatically operated pump shall be provided and come into operation when the collection well contains 600 Litres.</p> <p>All sullage not treated in the septic tank or directed into the collection well must be disposed of in an environmentally responsible manner so as not to create any nuisance or pollution event.</p>	<p><i>Trench-other</i></p> <p>NEW</p>
F021	<p>The contents of the existing [septic tank / collection well] <i>Delete if not applicable</i> shall be removed by Council's contractor and deposited to an approved sanitary depot. The disconnected tank shall be removed, demolished or filled with clean soil and garden lime.</p>	<p><i>Removal of system</i></p> <p>NEW</p>

- G001 All services (water, sewer, electricity, telephone and gas) [, including the provision of service conduits and stub mains,] *Delete if not applicable* are to be installed within the proposed public roads before final inspection of the engineering works. *Installation of services and Service Clearances (subdivision)*
- Prior to the release of the linen plan, the following service authority clearances shall be obtained:
- a Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water; and
 - a letter from Integral Energy stating that satisfactory arrangements have been made for electricity supply to all proposed allotments in the subdivision, including any necessary easements; and
 - a letter from Telstra and Optus that satisfactory arrangements have been made for underground telephone services to all proposed allotments in the subdivision, including any necessary easements.
- These clearances are to be submitted to the Principal Certifying Authority.
- G002 A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s website at www.sydneywater.com.au then the “e-developer” icon, or telephone 13 20 92. *Section 73 (not for single dwellings)*
SIGNIFICANT CHANGE
- The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority prior to the issue of [an Occupation Certificate. / a Subdivision Certificate/ release of Strata Plan.] *Delete if not applicable*.
- G003 A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s website at www.sydneywater.com.au then the “e-developer” icon, or telephone 13 20 92. *Section 73 (for single dwellings & dual occs only)*
NEW
- The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority before [the dwelling can be occupied. / an Occupation Certificate is issued for the development.] *Delete if not applicable*
- G004 Prior to the issue of a Construction Certificate, a written clearance is to be obtained from Integral Energy stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development. In the event that a padmounted substation is necessary to service the development, Penrith City Council shall be consulted over the proposed location of the substation before the Construction Certificate for the development is issued as the location of the substation may impact on other services and building, driveway or landscape design already approved by Council. *Integral Energy*
SIGNIFICANT CHANGE

H001 Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction.

*Stamped plans
and erection of
site notice1*
**SIGNIFICANT
CHANGE**

The following details are to be placed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details is to be erected:

- at the commencement of, and for the full length of the, construction works onsite, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed when the Occupation Certificate has been issued for the development.

H01F Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction.

*Stamped plans
and erection of
site notice2*
NEW

The following details are to be placed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details is to be erected:

- at the commencement of, and for the full length of the, construction works onsite, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed on completion of earthworks and when a Compliance Certificate has been issued by the Principal Certifying Authority certifying that the development has complied fully with the development consent and, where required, been constructed in accordance with the Construction Certificate.

- H002 Prior to commencement of construction works: *Nominate*
- (a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:
- a standard flushing toilet connected to a public sewer, or
 - if that is not practicable, an accredited sewage management facility approved by the council, or
 - alternatively, any other sewage management facility approved by council.
- (b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- (c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
- must preserve and protect the building from damage, and
 - if necessary, must underpin and support the building in an approved manner, and
 - must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).
- (d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:
- if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,
 - the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and
 - any such hoarding, fence or awning is to be removed when the work has been completed.

All forms of construction

- H003 No work is to commence on site until such time as a person accredited to prepare traffic control plans in accordance with AS1742.3 and the Roads and Traffic Authority's publication "Traffic Control at Worksites" has certified a Traffic Control Plan for the development/site. The Traffic Control Plan shall be implemented during the construction phase of the development and a copy of the plan shall be available on site at all times.

Traffic safety during construction or subdivision works
SIGNIFICANT CHANGE

A copy of the Traffic Control Plan shall accompany the Notice of Commencement to be submitted to Council 2 days before any work is to commence on site.

- H004 For construction works carried out by an owner-builder on a residential premises but not the contractor or other persons employed by the owner-builder to carry out such works, construction hours for the owner-builder shall be restricted to the following hours so long as complaints regarding the construction are not received by Council:

Hours of work (owner-builder residential only)
NEW

- Mondays to Saturdays, 7am to 8pm, and
- Sundays and Public Holidays, 8am to 8pm.

In the event that Council receives complaints regarding the manner in which the construction works is being conducted, Council reserves the right to amend the construction hours for the development.

Contractors or other persons employed to carry out works

In the event that a contractor or other persons have been employed by the owner-builder to carry out all or part of the construction works, then the construction hours shall be restricted to the following:

Construction works that are carried out in the open that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside the residential building and do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

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

H041 Subdivision or construction works that are carried out in the open that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

*Hours of work
(other devt)*
**SIGNIFICANT
CHANGE**

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy and do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

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

H005 The following matters are ancillary aspects of the development under Section 80A (2) of the Environmental Planning and Assessment Act, 1979. Appeal provisions will apply to the submission requirements regarding ancillary aspects of the development (see Sections 80A(3) and 97 of the Act). *Nominate*

*Section 80A (2)
matters*
**SIGNIFICANT
CHANGE**

- (a) A soil erosion and sediment control plan, prepared in accordance with the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 1998 shall be submitted for consideration and approval with the Construction Certificate application. {Note: To obtain a copy of the publication, you should contact the Publications Officer, Housing Production Division, Department of Housing on (02) 9821 6092.}
- (b) External materials are to match or complement the materials of the existing building(s). Details on achieving this requirement shall be submitted for consideration and approval with the Construction Certificate application.
- (c) A schedule of external materials and colour scheme for the development, including roof materials of a dull, non-reflective material, and the pavement surface (for vehicular access, manoeuvring and parking) is to accompany the Construction Certificate application.

The proposed schedule should _____
(specify requirement as well as the aim/ what you are trying to achieve in imposing the requirement)

- (d) _____ (specify requirement as well as the aim/ what you are trying to achieve in imposing the requirement) shall be

submitted to and approved by Council [or an accredited certifier] *Specify consent authority*

H006	<p>A completed waste management plan shall be submitted to Penrith City Council for consideration and approval. Council must approve the plan before [a Construction Certificate / works can commence on site] <i>Delete if not applicable</i> can be issued for the approved development.</p> <p>The waste management plan shall be prepared in accordance with Penrith Development Control Plan 2000 – Controls for the management and minimisation of waste, and shall address the type of construction materials (including demolition materials), estimated volume (m³) or area (m²), re-use or recycling methods, contractor and recycling outlet or landfill site for the following:</p> <ul style="list-style-type: none">• _____ [List material that requires additional information, including waste generated as a result of the development eg. demolition] <p>The approved waste management plan shall be implemented during the demolition and/or construction phase of the approved development.</p>	<p><i>Submission of and implement waste mgt plan</i></p>
H007	<p>The recommended construction details to reduce [aircraft / traffic] noise intrusion to meet indoor design sound levels, as detailed in the report prepared by _____ and dated _____ are to be undertaken during construction. As the recommended construction details are carried out and on completion of the development, a qualified acoustic consultant shall certify that the development has been constructed to meet the indoor design sound levels in accordance with the approved acoustic report.</p>	<p><i>Aircraft or traffic noise (if the report is submitted with DA)</i></p>
H008	<p>A mechanical ventilation system that incorporates acoustical attenuation must be installed to ensure that aircraft noise intrusion is effective at all times. Details of the mechanical ventilation system are to accompany the Construction Certificate application.</p> <p>Once the approved mechanical ventilation system has been installed, a qualified acoustic consultant shall certify that the approved mechanical ventilation system has been installed with the acoustical attenuation measure.</p>	<p><i>Aircraft noise–mechanical ventilation</i></p>
H009	<p>Details of all excavations for the proposed building works, indicating the maximum cut and fill levels shall be provided for consideration and approval prior to the issue of a Construction Certificate. Cut and fill is limited to a maximum of 1 metre, in accordance with Penrith Residential Construction Works Development Control Plan.</p>	<p><i>Cut / fill details</i></p>
H010	<p>The site is not to be cut. Details of the extent of excavations (fill only) are to be shown on the plans submitted with the Construction Certificate application.</p>	<p><i>Fill details (no cut)</i></p>
H011	<p>Detailed engineering plans and specifications relating to the work shall be submitted for consideration and approval prior to the issue of a Construction Certificate.</p>	<p><i>Engineering plans & specifications</i></p>
H012	<p>A geotechnical report has been prepared for this allotment in accordance with AS2870 and the site has been classified as Class _____. Structural engineering details reflecting this design criteria are to be included as part of the Construction Certificate application.</p>	<p><i>Site classification and footings</i></p>
H013	<p>Structural details of the nominated building component(s), prepared and/or certified by a professional engineer or other appropriately qualified person, shall be submitted with the Principal Certifying Authority prior to constructing or erecting that portion of the approved development. <i>Nominate</i></p> <ul style="list-style-type: none">(a) Footing piers(b) Footing system(c) Concrete floor slab(d) Structural concrete(e) Wall frame bracing(f) Roof trusses(g) Structural steelwork	<p><i>Further details of building components</i></p>

- (h) Retaining walls
- (i) _____ Other

H014	Residential slabs and footings shall be designed and certified by a qualified practising Structural Engineer or a suitably qualified person in accordance with the requirements of AS2870-1996 "Residential Slabs and Footings". Details are to be provided for consideration and approval prior to the issue of a Construction Certificate.	<i>Slabs/ footings</i>
H015	Details of the proposed termite management system shall be submitted for consideration and approval prior to the issue of a Construction Certificate. Council recommends that consideration will be given to protection against subterranean termites in situations where termite resistant construction is used.	<i>Termites</i>
H016	Manufacturer details of roof trusses are to be submitted for consideration and approval prior to the issue of a Construction Certificate.	<i>Roof trusses</i>
H017	A certificate from a qualified practising Structural Engineer attesting to the adequacy of the structure to support the anticipated loads is to be submitted for consideration and approval prior to the issue of a Construction Certificate.	<i>Loads on existing buildings</i>
H018	A certificate from a qualified practising Structural Engineer shall accompany the Construction Certificate application, certifying the structural adequacy of all load bearing walls prior to their erection.	<i>Loadbearing walls</i>
H18F	All timber framework shall comply with AS1684-1999 Residential Timber Framing Code.	<i>Timber framework</i>
H019	All damaged or defective materials are to be replaced with sound, approved materials.	NEW <i>Old materials</i>
H020	All reinforced concrete footings and slabs are to be designed to suit the soil conditions in accordance with AS2870-1996 "Residential Slabs and Footings".	<i>AS2870</i>
H021	The sub-floor ground level shall be higher than the adjoining external finished ground and path levels.	<i>Sub-floor level</i>
H022	The building shall be set out by a registered surveyor. A Survey Certificate shall be undertaken and submitted to the Principal Certifying Authority when the building is constructed to [ground floor slab level. /damp-proof course level. /bearer and joist level.] <i>Delete if not applicable</i>	<i>Survey</i>
H023	The approved [grading/retaining/drainage] <i>Delete if not applicable</i> shall be completed prior to the frame inspection. Details are to be submitted for consideration and approval prior to commencement of construction.	<i>Retaining prior to frame</i>
H024	Glass installations within the building shall comply with AS 1288 and the Building Code of Australia. On completion of the glass installation, a report shall be submitted certifying compliance with AS 1288.	<i>Glass installations</i> <i>AS1288</i>
H025	Garbage rooms within buildings shall have masonry walls with smooth face cement rendering to the full height internally and be provided with a smooth concrete floor. The floor shall be graded and drained to a floor waste connected to the sewer that shall be charged with a suitably located cold water hose cock. Access doors to the garbage store shall be tight fitting solid core or of non-combustible construction.	<i>Construction of garbage rooms</i>
H026	Energy efficient insulation shall be provided to the development in accordance with Penrith Local Environmental Plan 1998 (Urban Land). Ceiling insulation to an equivalent thermal rating of at least R____ and wall insulation to an equivalent thermal rating of at least R____ shall be incorporated in the construction of the multi-unit housing development.	<i>Insulation for multi-unit housing</i> SIGNIFICANT CHANGE

On completion of the ceiling and wall installation, the company or person who installed

the insulation shall submit written documentation to the Principal Certifying Authority certifying that the insulation for the development has the equivalent thermal rating as specified in this condition.

H027	<p>Energy efficient insulation shall be provided to the development in accordance with Penrith Residential Development Control Plan. Ceiling insulation to an equivalent thermal rating of at least R_____ and wall insulation to an equivalent thermal rating of at least R_____ shall be incorporated in the construction of the [dwelling. / dual occupancy development.] <i>Delete if not applicable</i></p> <p>On completion of the ceiling and wall installation, the company or person who installed the insulation shall submit written documentation to the Principal Certifying Authority certifying that the insulation for the development has the equivalent thermal rating as specified in this condition.</p>	<p><i>Insulation for dwg & dual occ</i> NEW</p>
H028	<p>The hot water system for [each / the] <i>Delete if not applicable</i> dwelling shall have a minimum rating of 3.5 stars. Upon installation of the hot water system, the company or person who installed the hot water system(s) shall submit written documentation to the Principal Certifying Authority certifying the energy rating for the hot water system that has been installed for the subject [dwelling. / dwellings in the development.] <i>Delete if not applicable</i></p>	<p><i>Hot water system</i> NEW</p>
H029	<p>Mechanical ventilation equipment, ducts, air conditioner services and the like shall be contained within the building.</p>	<p><i>Ventilation equipment</i></p>
H030	<p>The roof of the structure is to be a dull, non-reflective surface and colour.</p>	<p><i>Roof finishes (rural property)</i></p>
H031	<p>The overflow for the rainwater tank is to be connected into the existing stormwater disposal system on the site.</p>	<p><i>Rainwater tank overflow</i></p>
H032	<p>The building is to be painted internally and externally.</p>	<p><i>Painting</i></p>
H033	<p>Clothes drying facilities are to be positioned and screened from public view.</p>	<p><i>Clothes line</i></p>
H034	<p>To assist in the prevention of ember entry to the roof area, fire grade sarking with a flammability index not greater than five is to be used under all roofing. The sarking shall be located directly below the roofing battens and shall cover the entire roof area including the ridge.</p>	<p><i>Bushfire-Roof Sarking (add A041 & A042, maybe H035)</i> NEW</p>
H035	<p>To improve the protection of the building in the event of bushfire, glazed windows and doors on the [fire prone elevation / _____ or specify which elevation(s)] <i>Delete if not necessary</i> shall be:</p> <ul style="list-style-type: none"> • fully screened with 2mm steel or bronze wire mesh (covering the entire glazed area) or • toughened or laminated glass shall be used over the entire glazed area. 	<p><i>Bushfire-protection of windows and doors (add A041 & A042, maybe H034)</i> NEW</p>

I**R O A D S A C T R E Q U I R E M E N T S**

- I 001 Under the Roads Act 1993, the erection of an awning over or on the road reserve at _____ is to be approved by Penrith City Council before a Construction Certificate can be issued for the development. This is an initial approval under the Roads Act and a license for the awning will require renewal every five (5) years from Council.
- On completion of the awning, a certificate from a qualified practising structural engineer certifying to the structural adequacy of the awning is to be submitted to Council before [commencement of the use of the building or issue of the Occupation Certificate for the building]. *Delete if not applicable*
- Awnings over or on road reserve*
- I 002 Under the Roads Act 1993, the erection of the _____ over or on the road reserve at _____ is to be approved by Penrith City Council before [a Construction Certificate can be issued for the development. /the advertising sign can be installed.] *Delete if not applicable* This is an initial approval under the Roads Act and a license for the structure will require renewal every five (5) years from Council.
- On completion of the structure, a certificate from a qualified practising structural engineer certifying to the structural adequacy of the structure is to be submitted to Council before [commencement of the use of the structure]. *Delete if not applicable*
- Structure over or on road reserve (incl signage)*
NEW
- I 003 Under the Roads Act, 1993 the following works in _____ are to be approved by Penrith City Council before the Construction Certificate for the development is issued: *Nominate*
- (a) Provision of gutter crossing [____m wide]. *Delete if not applicable*
 - (b) Provision of a heavy-duty gutter crossing [____m wide]. *Delete if not applicable*
 - (c) Provision of a pipe crossing [____m wide]. *Delete if not applicable*
 - (d) Provision of a vehicular footway crossing [____m wide]. *Delete if not applicable*
 - (e) Provision of a heavy-duty vehicular footway crossing [____m wide]. *Delete if not applicable*
 - (f) [Provision / Repair / Provision and repair] *Delete if not applicable* of [concrete/ asphaltic concrete/ segmental paver footpath] *Delete if not applicable* _____m wide.
 - (g) Reinstatement of redundant [gutter/ vehicular crossing.] *Delete if not applicable*
 - (h) Opening the road reserve for the provision of services including stormwater.
 - (i) Placing of hoardings, containers, waste skips, etc. in the road reserve.
 - (j) Provision of driveway entrances.
 - (k) _____ *Other*
- Council's approval for the works is required prior to:
- the commencement of works on the road reserve, or
 - hoardings, containers, waste skips etc being placed on the road reserve.
- All works including the placement of hoardings, containers, waste skips and the like on the road reserve shall be carried out in accordance with Penrith City Council's specifications. Works on the road reserve shall be completed before [the commencement of the use. / an Occupation Certificate can be issued for the development.] *Delete if not applicable*
- Contact Council's Development Services Unit on (02) 4732 7777 to arrange for payment of fees and an inspection of the works.
- Roads Act approval1*
SIGNIFICANT CHANGE
- I 004 Under the Roads Act, 1993 the following works are to be approved by Penrith City Council before the Construction Certificate for the development is issued: *Nominate*
- (a) Provision of kerb and gutter, drainage and ancillary works in _____.
 - (b) Provision of kerb and gutter, drainage and half width road pavement construction _____m wide, in _____.
 - (c) Provision of kerb and gutter, drainage and full width road pavement construction _____m wide, in _____.
- Roads Act approval2*
SIGNIFICANT CHANGE

- (d) Provision of road pavement construction ____m wide, in _____.
- (e) Provision of stormwater drainage in _____.
- (f) _____ *Other*

A formal application to Penrith City Council is required. Contact Council's Development Services Unit on (02) 4732 7777 to ascertain applicable fees.

All works are to be designed and constructed in accordance with Penrith City Council's Engineering Works Development Control Plan and Guidelines for Engineering Works for Subdivisions and Developments, Part 1–Design and Part 2–Construction. The works are to be completed before an Occupation Certificate can be issued for the development.

- I 0 0 5 Prior to the issue of a Construction Certificate, a performance bond is to be lodged with Penrith City Council for the following works: *Nominate*
- (a) Reinstatement of redundant [gutter. / vehicular crossing.] *Delete if not applicable*
 - (b) Provision of [concrete/ asphaltic concrete/ segmental paver footpath]. *Delete if not applicable*
 - (c) Provision of kerb and gutter, drainage and ancillary works in _____.
 - (d) Provision of kerb and gutter, drainage and half width road pavement construction in _____.
 - (e) Provision of kerb and gutter, drainage and full width road pavement construction in _____.
 - (f) Provision of road pavement construction ____m wide, in _____.
 - (g) Provision of stormwater drainage in _____.
 - (h) Provision and maintenance of landscape works.
 - (i) _____ *Other*

Payment of performance bond
SIGNIFICANT CHANGE

Performance Bond

The amount of the bond will be determined upon lodgement of detailed plans for the Engineering Construction Certificate. The performance bond will be refunded once the works have been completed to the satisfaction of Council and a maintenance bond (if required) has been lodged with Council.

Maintenance Bond (if required)

If required, the maintenance bond shall be lodged with Penrith City Council on completion of the works. The maintenance bond will be required for a minimum period of 12 months, from the date of issue of the Occupation Certificate. Council will determine the amount of the maintenance bond [on completion of the works/ at the time of the linen release]. *Delete where not applicable*

J001	All excavated material associated with the construction of the pool shall be disposed of at an approved landfill tip or a Penrith City Council approved location. Failure to dispose of excavated material in an authorised location can result in legal action being taken.	<i>Excavated material removal</i>
J002	When the swimming pool construction has reached a stage where the pool is capable of holding water, the pool area shall be restricted from access in accordance with AS1926 "Swimming Pool Safety". Restriction of access to the pool area shall also comply with the Swimming Pools Act, 1992.	<i>Fencing when water in pool</i>
J003	The swimming pool is to be surrounded at all times by a child-resistant barrier that: <ul style="list-style-type: none"> • separates the swimming pool from any moveable dwelling, hotel or motel situated on the premises and from any place (whether public or private) adjoining the premises, and • is located immediately around the swimming pool, and • contains within its bounds no structure apart from the swimming pool and such other structures (such as diving boards and pool filtration plants) as are wholly ancillary to the swimming pool, and • is designed, constructed, installed and maintained in accordance with the standards prescribed by AS 1926 "Swimming Pool Safety". 	<i>Pool fence—commercial</i>
J004	At all times, the swimming pool is to be surrounded by a child-resistant barrier that: <ul style="list-style-type: none"> • separates the swimming pool from any residential building situated on the premises and from any place (whether public or private) adjoining the premises, and • is designed, constructed, installed and maintained in accordance with the standards prescribed by AS 1926 "Swimming Pool Safety". 	<i>Pool fence—residential</i>
J005	The following means of access to the swimming pool shall be restricted to: <p>(a) For each doorway giving access to the swimming pool:</p> <ul style="list-style-type: none"> • the door or, if there is a security door in addition to another door then either of those doors must be kept child-safe by means of a lock, latch, bolt, chain or another child-resistant device located at least 1.5 metres above finished floor level, and • there must not, on the door or on the door frame, be any footholds wider than 10 millimetres between the release mechanism of the door and any point 100 millimetres above finished floor level. <p>(b) For each window giving access to the swimming pool (but does not apply to a child-safe window or to a window that is totally enclosed by a child-safe grille):</p> <ul style="list-style-type: none"> • the bottom of the lowest opening panel of the window must (when measured in the closed position) be at least 1.2 metres above finished floor level, and • there must not be any footholds wider than 10 millimetres between the bottom of the lowest opening panel of the window and any point within 1.1 metres below the bottom of that panel. 	<i>Doors and windows</i>

J006	The child-safe window grilles marked on the approved plan are required under the requirements of the Swimming Pools Act 1992 as an alternative means of restricting access from the dwelling to the swimming pool area. The child-safe window grilles are to remain as approved for the life of the swimming pool.	<i>Window grilles</i>
J007	If a common boundary fence forms part of the pool enclosure, the provision, maintenance and effectiveness of the said boundary fence is the responsibility of the pool owner whilst ever the pool exists. Alternatively, the pool shall be fully enclosed by isolation fencing.	<i>Boundary fencing</i>
J008	A smooth faced barrier is to be fixed to the existing boundary fence at a width of 1200mm externally and 300mm internally from the junction of the pool fence and shall extend to the height of the boundary fence. This is required so as to restrict holds for climbing in accordance with AS 1926 "Swimming Pool Safety".	<i>Smooth faced barrier</i>
J009	To promote pool safety awareness in the City and ensure that pool owners are actively ensuring the safety of all users of their pool, the "Backyard Pool Safety" package was developed in conjunction with Penrith City Council and State government agencies. It is the pool owners' responsibility to purchase and read the information package prior to using the swimming pool (The package is available for purchase from Council's Civic Centre, 601 High Street, Penrith).	<i>Backyard pool safety package (add J010)</i>
J010	A sign must be erected in a prominent position in the immediate vicinity of the swimming pool and must: <ul style="list-style-type: none"> ▪ be erected in accordance with the provisions relating to instructional posters of the document entitled "Policy Statement No. 9.4.1: Guidelines for the Preparation of Posters on Resuscitation" published by the Resuscitation Council. (A copy may be purchased from Penrith City Council's Civic Centre, 601 High Street, Penrith), and ▪ bear a notice that contains the words "YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL", together with details of resuscitation techniques (for adults, children and infants) set out in the relevant provisions of the document entitled "Cardio Pulmonary Resuscitation" published by the Australian Resuscitation Council. (A copy may be purchased from Penrith City Council's Civic Centre, 601 High Street, Penrith). 	<i>Pool board/ sign (add J009)</i>

K**E N G I N E E R I N G**

K001	Engineering design drawings are to be prepared strictly in accordance with Penrith City Council's Engineering Works Development Control Plan and the Guidelines for Engineering Works for Subdivisions and Developments Part 1–Design.	<i>Engineering Works DCP</i>
K002	After completion of all the engineering works, Work-as-Executed Drawings and Certificates are to be submitted to the Principal Certifying Authority in accordance with Penrith City Council's Engineering Works Development Control Plan and Guidelines for Engineering Works for Subdivisions and Developments - Part 1 Design and Part 2 Construction. A copy of Work-as-Executed Drawings and Certificates are also to be submitted with Penrith City Council, if Council is not the Principal Certifying Authority.	<i>WAE drawings and certificates</i> SIGNIFICANT CHANGE
K003	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.	<i>Drainage design</i>
K004	Where the disposal of drainage involves the provision of drains across lands owned by others, drainage easements shall be provided. The width of the drainage easement is to be in accordance with Penrith City Council's Engineering Works Development Control Plan and Guidelines for Engineering Works for Subdivisions and Developments, Part 1–Design and Part 2–Construction. Documentary evidence of the creation of the easement is to be submitted to Penrith City Council (for information purposes) prior to the issue of a Construction Certificate. The easement will need to be registered with the Land Titles Office prior to the issue of an Occupation Certificate. A copy of the registered easement for drainage should be submitted to the Principal Certifying Authority and Penrith City Council, if Council is not the Principal Certifying Authority.	<i>Easement creation</i> SIGNIFICANT CHANGE
K005	The applicant is to grant an easement to Penrith City Council for drainage purposes on the location shown on Council's plan accompanying this consent and on the basis that no claim for compensation will be made and that Council will meet all associated survey and legal costs. Drainage easements shall be provided and evidence of registration shall be submitted prior to [occupation of the dwelling. / the issue of an Occupation Certificate.] <i>Delete if not applicable</i>	<i>Easement to Council</i> SIGNIFICANT CHANGE
K006	Footings of the structure along the boundary of a drainage easement shall be taken to a depth equal to the invert level of the pipeline.	<i>Footings and easements</i>
K007	Any necessary common drainage lines and easements for the conduct of stormwater from each lot to the nearest appropriate gutter, drain or stormwater channel are to be provided.	<i>CDLs & easements</i>
K008	Documentary evidence is to be submitted to Penrith City Council of the registration of a Right of Way in favour of _____ prior to the [development commencing. / building being occupied.] <i>Delete if not applicable</i>	<i>Registration of ROW</i>

K009 An on-site detention system shall be provided to restrict stormwater discharges from the site to pre-development flows. The system is to provide for all storms up to and including the 1% AEP event. In addition, a positive covenant shall be registered on the site for the on-site detention system before [an Occupation Certificate is issued for the development. / the residential building can be occupied.] *Delete if not applicable*

Engineering details and supporting calculations for the on-site detention system are to be prepared by a qualified Hydrologic/Hydraulic Engineer and is to [be submitted for approval prior to the commencement of works. / accompany the Construction Certificate application for the development.] *Delete if not applicable*

{Note: If Penrith City Council is the Principal Certifying Authority for the Construction Certificate for the development, the Construction Certificate application shall include the fee for the On-Site Detention System.}

On-site detention system levels are critical and should be carefully checked prior to construction to ensure they are built in accordance with approved plans and will have the required volume of storage.

Submission of WAE plans

On completion of the on-site detention system, Works-As-Executed (WAE) plans, prepared by a registered surveyor or the design engineer, are to be submitted to the Principal Certifying Authority. If Penrith City Council is not the Principal Certifying Authority, a copy of the WAE plans is to be submitted to Council. The WAE plans are to be certified by the designer of the system and are to clearly make reference to:

- the works having been constructed in accordance with the approved plans, and
- the actual storage volume and orifice size provided, and
- any variation to the approved design and required remedial works, and
- the anticipated performance of the system with regard to the design intent.

Registration of Positive Covenant

Prior to the [occupation of the development./ issue of an Occupation Certificate for the development,] *Delete if not required* a positive covenant shall be registered on the property for the on-site detention system in the following terms:

For the purposes of the positive covenant:

- “structure and works” shall mean the on-site detention system constructed on the land as set out in the plan annexed hereto and marked with the letter “A” (or alternatively as detailed on the plans approved by Council No.: _____) including all gutters, pipes, drains, walls, kerbs pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater on the land.
- “the Act” means the *Conveyancing Act 1919*.

The registered proprietors covenant with the Council of the City of Penrith (Council) that they will maintain and repair the structure and works on the land in accordance with the following terms and conditions:

- (a) The registered proprietor will:
 - Keep the structure and works clean and free from silt, rubbish, debris and other pollutants.
 - Maintain and repair at the sole expense of the registered proprietors the whole of the works, including all structures, so that the on-site detention system functions in a safe and effective manner in accordance with the design intent.
- (b) For the purpose of ensuring observance of the covenant, Council may by its servants or agents at any reasonable time and upon giving the person against whom the covenant is enforced not less than 2 days notice (but at any time without notice in the case of an emergency), enter the land and view the state of

construction, maintenance or repair of the structure and works on the land.

- (c) By written notice Council may require the registered proprietors to attend any matter and carry out such work within such time as the Council may require to ensure the proper and efficient performance of the structure and works and to that extent 88F(2)(a) of the Act is hereby agreed to be accordingly.
- (d) Pursuant to Section 88F(3) of the Act, Council shall have the following additional powers pursuant to this covenant:
- i. In the event that the registered proprietor fails to comply with the terms of any written notice issued by the Council as set out above, the Council or its authorised agents may enter the land with all necessary equipment and carry out any work which Council in its discretion considers reasonable to comply with the said notice referred to in (c) hereof.
 - ii. Council may recover from the registered proprietor in a court of competent jurisdiction:
 - Any expense reasonable incurred by it in exercising its powers under subparagraph (a) hereof. Such expense shall include reasonable wages for Council's own employees engaged in effecting the said work, supervising the said work and administering the said work together with costs, reasonably estimated by the Council, for the use of machinery, tools and equipment in conjunction with the said work.
 - Legal costs on an indemnity basis for the issue of the said notices and recovery of the said costs and expenses together with the costs and expenses of registration of a covenant charge pursuant to Section 88F of the Act or providing any certificate required pursuant to Section 88G of the Act or obtaining any injunction pursuant to Section 88H of the Act.
- (e) This covenant shall bind all persons who claim under the registered proprietors as stipulated in Section 88E(5) of the Act.

K010	<p>Arrangements are to be made to ensure that:</p> <ul style="list-style-type: none"> • all habitable floor levels are at least 0.5m above the 1% Annual Exceedance Probability (A.E.P.) flood flow, • stormwater drains under and within 1m of the proposed buildings are upsized to a 1% A.E.P. storm flow capacity, • a clear waterway is provided over the stormwater drain so that a 1% A.E.P. storm flow can be accommodated with a minimum of 500mm to the habitable floor level. <p>Details of how the development will comply with the above requirements are to be submitted with the Construction Certificate application.</p>	<i>1% AEP</i>
K011	Habitable floor levels and basement entry levels shall not be below RL ____m AHD (adopted flood level + 0.5m).	<i>Flooding and floor levels</i>
K012	Driveways and car parking areas shall not be below RL ____m AHD (adopted flood level).	<i>Flooding and drive levels</i>
K013	A certificate by a surveyor registered under the Surveyor's Act 1929, verifying the lowest floor level of a habitable room to RL____ m AHD shall be submitted upon completion of the building to that level. No further construction of the building is to be carried out until approval is given to proceed.	<i>Flooding AHD level + survey</i>
K014	All electrical services associated with the proposed building works shall be adequately flood proofed in accordance with 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 0.5metres above the standard flood level of RL____ m AHD.	<i>Flood proofing and sensitive equipment</i>
K015	A report for a wastewater treatment system, prepared by a suitably qualified person,	<i>Wastewater</i>

	shall be submitted for approval. The report shall indicate the type of system suitable for the soil type and the location of the disposal system on the site.	<i>treatment system (not submitted with DA)</i>
K016	Roofwater drains shall be discharged into the street gutter or common line.	<i>Stormwater</i>
K017	A plan showing full details of stormwater and sewerage drainage lines and inlets shall be submitted prior to occupation of the building.	<i>SW & sewerage plan</i>
K018	Signs shall be painted on stormwater drains indicating that they are not to take liquid or solid waste.	<i>Signs on drains</i>
K019	Before site drainage can be connected to Council's drainage system, an inspection is to be carried out by Penrith City Council's Development Services Unit. An inspection fee will be charged in accordance with Council's adopted Fees and Charges.	<i>Connection to Council's system (add P002)</i>
K020	kerb and gutter, and bitumen road pavement shall be constructed from the edge of the existing seal to the lip of the kerb and gutter in _____. Details are to be shown on the engineering design drawings.	<i>K/G & road pavement (add 1004(f))</i>
K021	A _____ m splay corner at the intersection of _____ is to be dedicated to Penrith City Council, at no cost to Council.	<i>Splay corner (add 1003(k) or 1004(f))</i>
K022	A concrete driveway (minimum 3.0m wide) shall be constructed from the kerb and gutter along the access corridor to Lot _____. The remaining sections of the corridor are to be top dressed with 50mm of topsoil and seeded or spraygrassed.	<i>Concrete driveways</i>
K023	Prior to the [issue of an Occupation Certificate, / release of the linen plan,] <i>Delete if not applicable</i> appropriate ramps, table drain crossings, and vehicle entrances are to be constructed to provide reasonable physical access to Lot _____. Prior to commencement of such works, a Roads Act approval for the footpath crossing is to have been obtained from Penrith City Council.	<i>Vehicle entrances to lots (add 1003)</i>
K024	A driveway, with a minimum 3.5m wide and sealed with a 2 coat hot bitumen seal, shall be provided [within the access handle to Lot _____/ for Lot _____] <i>Delete if not applicable</i> . The minimum depth of the pavement is to be 200mm. Sealed footpath crossovers are to be provided at all points of ingress and egress, and is to extend from the edge of the seal to the property boundary.	<i>Vehicle access to rural lots (add L001)</i> SIGNIFICANT CHANGE
	Landscaping shall be provided and maintained along the accessway. The planting to be used shall be local endemic species. A landscape plan prepared in accordance with Council's Landscape Development Control Plan is to be submitted for approval.	
K025	All land required for vehicular access and parking is to be [concreted or sealed with a bituminous pavement. / sealed with bituminous pavement. / sealed in accordance with the schedule of external finishes and materials approved for the development.] <i>Delete if not applicable</i>	<i>Pavement seal</i> SIGNIFICANT CHANGE
K026	All land required for vehicular access within the site is to be stabilised.	<i>Stabilised access</i>
K027	A total of ____ off-street parking spaces are to be provided, linemarked and maintained for the development, generally in accordance with the approved schedule of external finishes. The parking space dimensions and manoeuvring areas are to comply with AS2890.1-1993, the Building Code of Australia and the Commonwealth Disability Discrimination Act.	<i>Car Parking</i>
	Of the ____ spaces, ____ parking spaces for persons with disabilities are to be provided in accordance with AS1428.1 and are to be located close to all pedestrian [accessways / entrances] <i>Delete if not applicable</i> to the building.	

(The following paragraph is to be used for industrial / commercial development)

In this regard, the new [industrial / commercial] *Delete if not applicable* floor space generated by this development was calculated at the rate of _____ space per _____m² floor area. Any proposed future uses of the _____ units will require a separate development application to Council in accordance with condition _____ A017. The proposed future use of the unit(s) is not to attract a parking rate higher than _____ space per _____m² floor area, unless additional on-site parking spaces are to be provided with the proposed future use(s).

- K028 A total of _____ off-street parking spaces are to be provided and maintained for the development, in accordance with the stamped-approved plans, the staging sequence referred to in Schedule 1 of this Notice, and in the following manner: *Car parking (for staging strategy)*
- | | | | |
|---------|---|---|--|
| Stage # | # | Car parking to be provided for each stage of the development | |
| | | # off-street parking spaces are to be provided, paved, linemarked and maintained generally in accordance with the approved schedule of external finishes. | |
| | | # off-street parking spaces are to be provided, paved, linemarked and maintained generally in accordance with the approved schedule of external finishes. | |
- The parking space dimensions and manoeuvring areas are to comply with AS2890.1–1993, the Building Code of Australia and the Commonwealth Disability Discrimination Act.
- Of the _____ spaces, _____ parking spaces for persons with disabilities are to be provided in accordance with AS1428.1 and are to be located close to all pedestrian [accessways / entrances] *Delete if not applicable* to the building.
- K029 The vehicular crossing _____ is to be used for ingress purposes only and appropriately signposted "IN". *'IN' crossings*
- K030 The vehicular crossing _____ is to be used for egress purposes only and appropriately signposted "OUT". *'OUT' crossings*
- K031 A combined ingress and egress driveway separated by a 1m wide island is to be provided in the location shown on Penrith City Council's amended plan. *IN/ OUT separation*
- K032 A physical barrier sufficient to prevent both vehicular and pedestrian entry to the site shall be constructed in _____ and maintained for the term of the development. The barrier is to be completed prior to the issue of the Occupation Certificate for the approved development and commencement of use of the building. *Prevention of entry*
- K033 A directional sign indicating the location of customer parking is to be provided. *Customer parking sign*
- K034 As part of the Work-as-Executed Drawings, details of all fill placed on the site is to be indicated on a contoured fill plan. These details must show, by various shadings or cross-hatchings, the depth of any fill within 0.3m depth ranges. *WAE for filling (add D006)*
- K035 Street signs are to be erected at the intersection of each street. Appropriate names for the streets are to be selected from Penrith City Council's approved street names list. If you do not agree to any of those listed you may suggest to Council other appropriate names. The regulations imposed under the Roads Act require that these street names are advertised on two occasions; firstly as a proposal, and secondly as an official naming. This process means that you must pay the required advertising fee to Council before the Council can commence the process to name the street. *Street signs for subdivision*
- K036 At the completion of the works, a maintenance bond is to be lodged with Penrith City Council. This bond will be required for a minimum of 12 months from the date of [line release./ issue of the Occupation Certificate.] *Delete if not applicable*. Contact Council's Development Services Unit on 4732 7777 to ascertain the value of the bond. *Maintenance Bond*

L001	<p>All landscape works are to be constructed in accordance with the stamped-approved plan _____ <i>Plan Number</i> dated _____ and Sections F5 “Planting Techniques”, F8 “Quality Assurance Standards”, F9 “Site Management Plan” of Penrith Council’s Landscape Development Control Plan.</p> <p>Landscaping shall be maintained:</p> <ul style="list-style-type: none"> • in accordance with the approved plan, and • in a healthy state, and • in perpetuity by the existing or future owners and occupiers of the property. <p>If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity, as the vegetation which died or was removed.</p>	<p><i>General</i> SIGNIFICANT CHANGE</p>
L002	<p>The approved landscaping for the site must be constructed by a landscape professional listed in Council’s Approved Landscape Consultants Register as suitable to construct category [2 / 3] landscape works. <i>Delete irrelevant category</i></p>	<p><i>Landscape construction</i></p>
L003	<p>The following series of reports relating to landscaping are to be submitted to the nominated consent authority at the appropriate time periods as listed below. These reports shall be prepared by the individual or company who undertook the original landscape design for the site/development. <i>Nominate</i></p> <p>i. Implementation Report</p> <p>Upon completion of the landscape works associated with the development and prior to the issue of an Occupation Certificate for the development, an Implementation Report must be submitted to the Principal Certifying Authority attesting to the satisfactory completion of the landscaping works for the development. The report is to be prepared by the company or individual that completed the approved landscape design.</p> <p>An Occupation Certificate should not be issued until such time as a satisfactory Implementation Report has been received.</p> <p>If Penrith City Council is not the Principal Certifying Authority, a copy of the satisfactory Implementation Report is to be submitted to Council together with the Occupation Certificate for the development.</p> <p>ii. Maintenance Report</p> <p>On the first anniversary of the date of the Occupation Certificate issued for the development, a Landscape Maintenance Report is to be submitted to Penrith City Council certifying that the landscape works are still in accordance with the development consent and the plant material is alive and thriving.</p> <p>The same individual or consultant who undertook the approved landscape design must prepare this report.</p> <p>iii. Final Site Arborist’s Report</p> <p>This report is to be submitted to Penrith City Council 2 years after the Occupation Certificate was issued. This report is to be prepared by the same Consulting Arborist who prepared the Tree Management Plan. At Council’s discretion this period may be reduced under circumstances where the Site Arborist is able to guarantee the health and ongoing survival of the trees.</p> <p>iv. 3 Year Landscaping Report</p> <p>3 years after an Occupation Certificate was issued for the development, the same individual or consultant who undertook the approved landscape design shall prepare a Landscaping Report for Council’s consideration and approval, certifying to one of the following:</p>	<p><i>Report requirement</i> SIGNIFICANT CHANGE</p>

- (a) The landscaping on site has matured and is in accordance with original landscape approval.
- (b) The landscaping on site has not matured in accordance with the original design philosophy and requires significant restoration.

In this case, restoration plans are to be submitted to Council for its consideration and approval. The approved plans shall be implemented at the expense of the property owners.

L004	<p>To ensure that landscape works are constructed in accordance with the approved landscape plan and supporting information, a bank guarantee or insurance bond shall be submitted to Penrith City Council prior to the issue of a Construction Certificate. The bank guarantee or insurance bond shall be:</p> <ul style="list-style-type: none"> • to the value of \$ _____, being the equivalent to 50 % of the total costs of the landscape works as demonstrated by a signed and sighted contract for the works to be carried out by a contractor listed in Council's Approved Landscape Consultants Register, and • unconditional, and • from an institution and in a form approved by Council. <p>12 months after the Occupation Certificate has been issued for the development, a Landscape Maintenance report on the landscaping shall be submitted to Penrith City Council in accordance with condition ___ L003(ii). Council shall return the bank guarantee or bond upon receipt of a satisfactory Landscape Maintenance Report.</p>	<i>Bond for landscape works</i>
L005	<p>All plant material associated with the construction of approved landscaping is to be planted in accordance with the Tree Planting Specification prescribed in Penrith Council's Landscape Development Control Plan.</p>	<i>Planting of plant material</i>
L006	<p>All landscape works are to meet industry best practice and the following relevant Australian Standards:</p> <ul style="list-style-type: none"> • AS 4419 Soils for Landscaping and Garden Use, • AS 4454 Composts, Soil Conditioners and Mulches, and • AS 4373 Pruning of Amenity Trees. 	<i>Aust Standard</i>
L007	<p>All trees that are required to be retained as part of the development are to be protected in accordance with the minimum tree protection standards prescribed in section F4 of Councils Landscape Development Control Plan.</p>	<i>Tree protection measures—no TMP with DA</i>
L008	<p>No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed (other than those within the proposed building footprint or as shown on the approved plans) without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order and Policy.</p>	<i>Tree Preservation Order</i>
L009	<p>No trees are to be removed from within the subdivision without the prior consent of Penrith City Council. Any trees to be removed as part of the engineering work are to be shown on engineering plans submitted for Council's consideration and subsequent approval.</p>	<i>Tree Preservation Order (subdivision)</i>
L010	<p>The trees identified for retention by the Tree Management Plan dated _____ shall be retained and duly protected during the construction of the development. Tree protection measures shall:</p> <ul style="list-style-type: none"> • be installed before any works can commence on site including the clearing of site vegetation, and • comply with the standards prescribed by the Tree Management Plan, and • be certified by the author of the Tree Management Plan (TMP) before any works can commence on site. The certification is to be a Compliance Certificate or other written document certifying that the tree protection measures have been installed in accordance with the recommendations in the approved TMP. The Compliance Certificate or other suitable documentation shall be submitted to the Principal 	<p><i>Retain existing trees (no tree bond required)</i> SIGNIFICANT CHANGE</p>

Certifying Authority a minimum 2 days prior to the commencement of site works. A copy of the Compliance Certificate or written documentation is to be submitted to Council with the "Notice of Commencement".

L011 The trees identified for retention by Tree Management Plan dated _____ shall be retained and duly protected during construction of the development.

Existing trees to be retained & Tree bonds
SIGNIFICANT CHANGE

Prior to the issue of a Construction Certificate for the development, the applicant shall submit a bank guarantee or insurance bond to Penrith City Council. The bank guarantee or insurance bond shall be kept in force for 2 years following the issue of an Occupation Certificate, and must be:

- for an amount of not less than \$____,
- unconditional, and
- from an institution and in a form approved by Council.

Prior to the commencement of any works on site, including clearing of site vegetation, tree protection measures shall be:

- installed in accordance with the standards prescribed by the Tree Management Plan, and
- certified by the author of the Tree Management Plan (TMP) before any works can commence on site. The certification is to be a Compliance Certificate or other written document certifying that the tree protection measures have been installed in accordance with the recommendations in the approved TMP. The Compliance Certificate or other suitable documentation shall be submitted to the Principal Certifying Authority a minimum 2 days prior to the commencement of site works.

A refund of all bank guarantees or insurance bonds relating to tree conservation on the subject property will occur after satisfaction of the following requirements:

- After no less than 12 months after the first occupation of any of the buildings, the applicant shall submit to Penrith City Council a report detailing the health and prognosis of the tree(s) identified in the consent. The report is to be prepared by the consulting arborist who prepared the TMP.
- The bond shall be released in full by Council in the event that the arborist or tree surgeon certifies that the tree(s) have not suffered, and are unlikely to suffer injury to their health as a result of the development.
- In the event that the arborist or tree surgeon has identified damage to any of the trees, Council is entitled, by notice in writing, to direct the applicant to take such steps as may be reasonable and appropriate to restore the damage to the trees within a period of not less than 90 days.
- In the event that the applicant fails to comply with this notice, Council is entitled to carry out such work (including replacement of the tree(s) with mature specimens) as may be required for that purpose, and to call up so much of the bank guarantee or insurance bond as may be required by Council to cover the cost of replacing or restoring the health of any of the trees.

L012 Existing landscaping is to be retained and maintained at all times.

Existing landscaping (for existing development)

M**SUBDIVISION (General)**

M001	<p>Work on the subdivision is not to commence until:</p> <ul style="list-style-type: none"> • a Construction Certificate has been issued, • a Principal Certifying Authority has been employed for the project, and • any other matters prescribed in the development consent for the subdivision and the Environmental Planning and Assessment Act and Regulation have been complied with. <p>Penrith City Council is to be notified 48 hours prior to commencement of engineering works or clearing associated with the subdivision.</p> <p>{Note: Prescribed conditions under the Environmental Planning and Assessment Regulation 2000 as amended will apply to subdivision work commencing/approved on 1 July 2003.}</p>	<p><i>Prior to subdivision work (Applies to subdivision except strata)</i> SIGNIFICANT CHANGE</p>
M002	<p>The layout is to be amended as shown in red on the plan attached (marked as Penrith City Council plan _____ dated _____).</p>	<p><i>Plans amended in red</i></p>
M003	<p>The proposed subdivision shall not encroach on any statutory boundary clearances or setbacks. A plan prepared by a registered surveyor showing the relative position of all buildings to the proposed boundaries shall be submitted to the Principal Certifying Authority.</p>	<p><i>Statutory boundary clearances</i></p>
M004	<p>Before the final inspection of the engineering works, proposed Lot ____ shall be cleaned of any debris and rubbish excluding vegetation. The cleaning process should not involve the use of heavy machinery.</p>	<p><i>Cleaning of lots</i></p>
M005	<p>Before the final inspection of the engineering works, fencing is to be provided along the boundary of proposed Lot _____ (as labelled on the approved plan as fencing of public land) with lapped, capped and stained timber fencing to a height of 1.8m. The stain shall be of a teak colour or similar.</p>	<p><i>Fencing of lots</i></p>
M006	<p>A concrete pathway is to be constructed within the interallotment pathway between Lots _____. The concrete path must be at least _____ metres wide.</p>	<p><i>Inter-allotment pathway</i></p>
M007	<p>An additional street light is to be installed midway along each inter-allotment pathway. Arrangements are to be made with Integral Energy for this additional light.</p>	<p><i>Street lighting</i></p>
M008	<p>Submission of the original Linen Plan and ten (10) copies. The Linen Plan must indicate that:</p> <p>“It is intended to dedicate all new roads to the public as road”</p> <p>“It is intended to create Lot _____ as a public reserve”.</p> <p>All dedications of roads/ drainage are to be undertaken at no cost to Penrith City Council.</p> <p>The following information is to be shown on one (1) copy of the plan.</p> <ul style="list-style-type: none"> • The location of all buildings and/or other permanent improvements shall comply with any statutory boundary clearances or setbacks as defined by the Building Code of Australia and Council’s resolutions. • All existing services are wholly contained within the lot served and/or covered by an appropriate easement. 	<p><i>Linen Plan</i></p>
M009	<p>The linen plan of subdivision is to be supported by an 88B instrument creating a Restriction as to User or easement regarding the following:</p> <ul style="list-style-type: none"> • Easement for support-the provision of an easement of support to cover all embankments that extend into the lots if the batters are steeper than 5:1. • Residue Allotment - no development or building shall be allowed or be permitted to 	<p><i>88B Instrument</i></p>

remain on the named lot unless satisfactory arrangements have been made with Penrith City Council for services (water, sewer, electricity and telephone), any outstanding contributions or consolidation with adjoining lots.

Council shall be nominated as the only authority permitted to modify, vary or rescind such restriction as to user.

- | | | |
|------|---|--------------------------------|
| M010 | Prior to the issue of an Occupation Certificate, the following land _____ is to be dedicated to Penrith City Council as required under the provisions of Council's adopted Development Control Plan _____. Upon dedication, the land is vested in Council free of all trusts, obligations, estates, interests, contracts, charges and rates. | <i>Land dedication</i> |
| M011 | Soil Testing is to be carried out to enable each lot to be classified according to AS2870- "Residential Slabs and Footings". A copy of the report, including a plan showing the classification where there is more than one classification over the subdivision is to be submitted to Penrith City Council prior to the issue of a Subdivision Certificate. | <i>Soil testing</i> |
| M012 | The Subdivision Certificate shall not be issued until such time as the dwellings have been constructed to a height of _____ above floor level. | <i>Floor level requirement</i> |

N**S E C T I O N 9 4**

- N001 This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan(s) for _____ [and _____] *Delete if not applicable.* Based on the current rates detailed in the accompanying schedule attached to this Notice, \$_____ is to be paid prior to release of the Construction Certificate (the rates are subject to a quarterly review). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Section 94 contribution (apply separate condition for each Contribution Plan)

The attached schedule should accompany the contribution payment.

The Section 94 Contributions Plan for _____ may be inspected at Council's Civic Centre, 601 High Street, Penrith.

- N002 This contribution is imposed in accordance with Penrith City Council's Section 94 Contributions Plan for _____. The land described as Lot____ DP_____ is to be dedicated to Council prior to the issue of the [Subdivision Certificate. / Occupation Certificate.] *Delete if not applicable* Upon dedication, the land is vested in Council freed and discharged from all trusts, obligations, estates, interests, contracts, charges and rates. The land is to be used by Council for the provision of [open space/drainage/community facilities/road/other _____] *Delete if not applicable.*

Land dedication under Section 94

The Section 94 Contributions Plan for _____ may be inspected at Council's Civic Centre, 601 High Street, Penrith.

P**P A Y M E N T O F F E E S**

- P001 All roadworks, dedications and drainage works are to be carried out at the applicant's cost.
- P002 Prior to the commencement of any works on site, all fees associated with Penrith City Council-owned land and infrastructure shall be paid to Council. These fees include Road Opening fees and Infrastructure Restoration fees.

Costs

Fees associated with Council land (Applies to all works & add K019)

- Q001 Prior to the commencement of any earthworks or construction/demolition works on site, the proponent is to:
- (a) employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation, and
 - (b) submit a Notice of Commencement to Penrith City Council.

Notice of Commencement & Appointment of PCA1 (applies to all)

SIGNIFICANT CHANGE

The Principal Certifying Authority shall submit to Council an "Appointment of Principal Certifying Authority" in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

{Note: As from 1 July 2003, if Penrith City Council is to be appointed as the Principal Certifying Authority (PCA) for the development, then the proponent is to formally appoint Council as the PCA. You should contact Council's Building Approvals and Environment Protection Department on (02) 47327991 to commence the procedures for appointing Council as the PCA.}

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing site vegetation), the proponent shall submit a "Notice of Commencement" to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

The following documentation shall accompany the "Notice of Commencement" to be submitted to Penrith City Council: *Nominate*

- A Compliance Certificate certifying that sediment and erosion control measures has been installed in accordance with condition ___ *D001*.
- A copy of the Traffic Control Plan for the development/site in accordance with condition ___ *H003*.
- Details of the qualified conservation architect employed to oversee the development in accordance with condition ___ *C001*.
- Details of the qualified environmental consultant employed to supervise the development.
- A Compliance Certificate or other documentation certifying that the tree protection measures have been installed in accordance with condition ___ *L010*.
- _____ *Other*

- Q01F Prior to the commencement of any earthworks or construction works on site, the proponent is to:
- (a) employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation, and
 - (b) submit a Notice of Commencement to Penrith City Council.

Notice of Commencement & Appointment of PCA2 (use for Fast Light)

The Principal Certifying Authority shall submit to Council an "Appointment of Principal Certifying Authority" in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

{Note: As from 1 July 2003, if Penrith City Council is to be appointed as the Principal Certifying Authority (PCA) for the development, then the proponent is to formally appoint Council as the PCA. You should contact Council's Building Approvals and Environment Protection Department on (02) 47327991 to commence the procedures for appointing Council as the PCA.}

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing site vegetation), the proponent shall submit a "Notice of Commencement" to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Q002 Before a certifier can issue a Construction Certificate for the development, a Compliance Certificate or other appropriate documentation is to be submitted to the certifier for the following: *Nominate*

- Registered plan of consolidation of the subject property.
- Subject allotment is a registered parcel of land.
- Council, under the Roads Act 1993, has issued the necessary approvals associated with the subject development.
- Certification that the land is suitable for the approved development in relation to possible land contamination. The certification is to be prepared by an appropriately qualified person, as defined in Penrith Contaminated Land Development Control Plan.
- Council has in fact approved the _____ *Name of report* requiring the prior approval of Council.
- _____ *Other*

Compliance Certificate before Construction Certificate can be issued

NEW

A copy of the Compliance Certificate and/or other documentation(s) stated above and all other documentation supporting the issue of the Construction Certificate as well as the copy of the Construction Certificate issued for the approved development shall be submitted to Penrith City Council if Council is not the Principal Certifying Authority.

Q003 All Compliance Certificates relating to the engineering works [including the filling operations on site] *Delete if not applicable* shall be submitted to the Principal Certifying Authority prior to the issue of the _____ Certificate.

Compliance Certificates (Engineering)

Q004 An Occupation Certificate shall be sought from the Principal Certifying Authority prior to occupation of or commencement of use of each stage of the development. Before the Occupation Certificate can be issued for each stage of the development, a Compliance Certificate or other documentation suitable to the Principal Certifying Authority shall be sought indicating that all conditions of this development notice, but not those conditions relating to the operations of the development, commensurate with that stage of the development have been satisfied or met prior to the occupation or use of that stage of the development.

Occupation Certificate (Staged DA)

A copy of the Compliance Certificate or other documentation shall be submitted to Penrith City Council if obtained from an accredited certifier. A copy of the Occupation Certificate is also to be submitted to Penrith City Council, if Council is not the Principal Certifying Authority.

Q005 An Occupation Certificate or Compliance Certificate is to be obtained from the Principal Certifying Authority on completion of all works and prior to the occupation/use of the _____.

Occupation
Certificate for
Class 1
NEW

The Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding. This includes submitting the following documentation to the Principal Certifying Authority: *Nominate*

- (a) Written documentation from the company or person who installed the ceiling and wall insulation certifying that the insulation for the development has the equivalent thermal rating specified in the condition.
- (b) Written documentation from the company or person who installed the hot water system(s) certifying that the energy rating for the hot water system installed for each dwelling is 3.5 stars or better.
- (c) Written documentation or Compliance Certificate from Penrith City Council certifying to the satisfactory completion of works approved under the Roads Act 1993.
- (d) The provisions of AS1428.1 and that any person with disabilities can access the building, including its perimeter. In this regard, the Compliance Certificate (or other documentation) is to be prepared by an accredited access consultant.
Delete if not applicable
- (e) Copy of a Compliance Certificate for the satisfactory installation of and the Licence to Operate the on site sewage management system issued by Penrith City Council. *Delete if not applicable*
- (f) Appropriate documentation that the positive covenant on the land has been registered with the Land Titles Office in regard to provision and maintenance of the [Asset Protection Zone. / on site detention system.] *Delete if not applicable*
- (g) Copy of registered 88B Instrument for the drainage [easement. / easement benefitting Penrith City Council.] *Delete if not applicable*
- (h) Certification from a qualified acoustic consultant certifying that the development has been constructed [in accordance with the approved acoustic report. / to meet the indoor design sound levels in accordance with the approved acoustic report.] *Delete if not applicable*
- (i) Certification from a qualified acoustic consultant certifying that the approved mechanical ventilation system has been installed with the acoustical attenuation measure.
- (j) _____. *Delete if not applicable*

A copy of the Occupation Certificate and all necessary documentation supporting the issue of the Certificate is to be submitted to Penrith City Council, if Council is not the Principal Certifying Authority. In the event that a Compliance Certificate was issued by the Principal Certifying Authority certifying compliance that all conditions of the development consent required to be met has in fact been met as well as any documentation stated above, shall be submitted to Penrith City Council if Council is not the Principal Certifying Authority.

{Note: As from 1 July 2003, an Occupation Certificate will be required for Class 1 and 10 buildings before the building can be occupied. This is the date when the "Building Legislation Amendment (Quality of Construction) Act 2002" comes into effect.}

Q05F An Occupation Certificate or Compliance Certificate is to be obtained from the Principal Certifying Authority on completion of all works and prior to the occupation/use of the _____.

Occupation
Certificate for
Class 10

The Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding.

A copy of the Occupation Certificate and all necessary documentation supporting the issue of the Certificate is to be submitted to Penrith City Council, if Council is not the Principal Certifying Authority. In the event that a Compliance Certificate was issued by the Principal Certifying Authority certifying compliance that all conditions of the development consent required to be met has in fact been met as well as any documentation stated above, shall be submitted to Penrith City Council if Council is not the Principal Certifying Authority.

{Note: As from 1 July 2003, an Occupation Certificate will be required for Class 1 and 10 buildings before the building can be occupied. This is the date when the "Building Legislation Amendment (Quality of Construction) Act 2002" comes into effect.}

Q006 An Occupation Certificate is to be obtained from the Principal Certifying Authority on completion of all works and prior to the occupation of the building/tenancy and commencement of the approved use. The Occupation Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding, and the development does not comply with the provisions of the Environmental Planning and Assessment Act and Regulation.

Occupation
Certificate
**SIGNIFICANT
CHANGE**

Before the Occupation Certificate can be issued for the development, [Fire Safety Certificates issued for the building are to be submitted to Penrith City Council and the New South Wales Fire Brigades. In addition,] *Delete if not applicable* a Compliance Certificate or other documentation deemed suitable to the Principal Certifying Authority (PCA) is to be submitted to the PCA, detailing compliance with: *Nominate*

- The provisions of AS1428.1 and that any person with disabilities can access the building, including its perimeter. In this regard, the Compliance Certificate (or other documentation) is to be prepared by an accredited access consultant.
- Condition ___ A016 to which the on site sewage management system has been installed and the operational licence has been issued by Penrith City Council.
- Condition ___ A041 to which a positive covenant for the land has been registered with the Land Titles Office regarding the provision and maintenance of the Asset Protection Zone.
- Condition ___ D013 whereupon a qualified acoustic consultant has certified that the development has been constructed in accordance with the approved acoustic report.
- Condition ___ H007 whereupon a qualified acoustic consultant has certified that the development has been constructed to meet the indoor design sound levels in accordance with the approved acoustic report.
- Condition ___ H008 whereupon a qualified acoustic consultant has certified that the approved mechanical ventilation system has been installed with the acoustical attenuation measure.
- Condition ___ H026 whereupon the company or person who installed the ceiling and wall insulation shall submit written documentation to the Principal Certifying Authority certifying that the insulation for the development has the equivalent thermal rating as specified by this condition.
- Condition ___ H027 whereupon the company or person who installed the ceiling and wall insulation shall submit written documentation to the Principal Certifying Authority certifying that the insulation for the development has the equivalent thermal rating as specified by this condition.
- Condition ___ H028 whereupon the company or person who installed the hot water system shall submit written documentation to the Principal Certifying Authority certifying that the energy rating for the hot water system installed for each dwelling is

- 3.5 stars or better.
- Condition ___ *I003 or I004* whereupon Council has certified that the works approved under the Roads Act 1993 are satisfactorily completed.
- Condition ___ *K004* that the drainage easement has been registered with the Land Titles Office.
- Condition ___ *K005* that the drainage easement benefitting Penrith City Council has been registered with the Land Titles Office.
- Condition ___ *K009* that the certified Works-As-Executed plans for the on-site detention system has been submitted to Council and that a positive covenant for the land has been registered with the Land Titles Office regarding the provision and maintenance of the on-site detention system.
- _____ *Other*

A copy of the Occupation Certificate and all necessary documentation supporting the issue of that Certificate including the abovementioned documents shall be submitted to Penrith City Council, if Council is not the Principal Certifying Authority.

Q007	Prior to the commencement of use, all diagnostic imaging (x-ray apparatus) equipment shall be registered with the Environment Protection Authority in accordance with the Radiation Control Regulation 1993 and the Authority's Radiation Guideline No. 6. Information on how to apply for new registration applications including renewal may be obtained from the Authority's website, www.epa.nsw.gov.au/radiation .	<i>Diagnostic imaging apparatus (EPA Registration)</i> SIGNIFICANT CHANGE
Q008	A Subdivision Certificate is to be obtained prior to the release of the linen plan of subdivision. The Subdivision Certificate will not be issued if any of the conditions in this consent are outstanding.	<i>Subdivision Certificate</i>
Q009	A Strata Certificate shall be obtained from the Principal Certifying Authority prior to lodgement of the strata plan with the Land Titles Office. The Strata Certificate will not be issued if: (a) any of the conditions in this consent or the development consent DA _____ issued for the building on the land are outstanding, and (b) if the Final Occupation Certificate for the building, the subject of the strata plan, has not been issued.	<i>Strata Certificate</i> SIGNIFICANT CHANGE

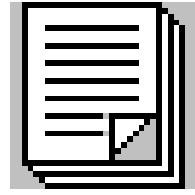
R**O P E R A T I O N O F O S S M**

R001	The on-site sewage management system shall be implemented in accordance with the development consent No. _____ issued by Penrith City Council as well as any additional conditions attached to this licence.	<i>OSSM-general (Applies to all systems)</i>
R002	<p>A minimum of two signs shall be erected within the effluent disposal irrigation area in accordance with the following specifications:</p> <ul style="list-style-type: none"> • signage is to be in green background, • 20mm high series 'C' lettering in black or white, and • the words of the sign are "RECLAIMED EFFLUENT – NOT FOR DRINKING – AVOID CONTACT". <p>Signage shall be maintained for as long as the effluent disposal is being irrigated onto the said area.</p>	<i>Aerated-irrigation</i>
R003	<p>It is the proponent's responsibility to ensure that:</p> <p>i. A three (3) monthly service is carried out on the aerated septic tank, with the first service to occur three (3) months from the date the system was commissioned. The three monthly service shall include a check on all mechanical, electrical and functioning parts of the aerated system including:</p> <ul style="list-style-type: none"> • the chlorinator, • replenishment of the disinfectant, • all pumps, • the air blower, fan or air venturi, • the alarm system, • the effluent disposal area and irrigation spray outlets, • the slime growth on the filter media, and • the operation of the sludge returns system. <p>The following field tests are to be carried out at every service:</p> <ul style="list-style-type: none"> • free residual chlorine using DPD colorimetric or photometric method, • pH from a sample taken from the irrigation chamber, • dissolved oxygen from a sample taken from the final aeration or stilling chamber (although recommended) is optional. <p>ii. Each year (from the date the system is commissioned), an annual service of the system shall also be carried out which includes a check on the sludge accumulation in the septic tank (primary treatment tank) and the clarifier, where appropriate.</p> <p>For systems which utilise the sewage treatment principle of activated sludge or contact aeration, a sludge bulking test (known as a SV30 Test) shall be conducted at the annual service to determine if the accumulated sludge is bulking. Should this be the case, the aeration compartment(s) may require desludging following this field test.</p> <p>iii. On completion of each service, a copy of the service report sheet shall be submitted to Penrith City Council. The report is to specify all service items and test results, the amount of chlorine compound provided, the date the service was conducted and the technician's initials.</p> <p>iv. Under no circumstances is the disposal area to be used for recreational purposes.</p> <p>v. Effluent from the aerated system shall not be used to irrigate land that contains fruit or salad vegetables or where these are being grown.</p>	<i>Aerated-owner's responsibility</i>
R004	Council's contractor shall empty the collection well at least weekly, unless otherwise varied by Council.	<i>Pump out-empty well</i>

- R005 The automatic pump shall be maintained to ensure that the pump comes into operation when the collection well contains 600 Litres. *Trench*
- All sullage not treated in the septic tank or directed into the collection well must be disposed of in an environmentally responsible manner so as not to create any nuisance or pollution event.
- R006 The septic tank and disposal area shall be protected from possible vehicle/ stock damage. *Trench-disposal area*



ATTACHMENT



Date of Meeting: 3rd March 2003

Master Programme: Council's Operating Environment

Issue: Finance

Report Title: 2002-03 Voted Works

2002-03 VOTED WORKS as at 3rd March 2003

Item No	Description of Allocation	Meeting Approved	Amount of Allocation	Balance	Actual/Committed Expenditure	Responsible Manager
			\$	\$	\$	
<u>EAST WARD</u>						
					53,000	
	Amount carried forward from 2002				90,597	
	Amount Available for 2003				<u>143,597</u>	
1	St Marys Arts & Crafts exhibition	2-Sep-02	500	143,097	500	FOM
2	Bus Shelter in conjunction with State Records	16-Sep-02	834	142,263	0	BCMM
3	Donation to Erskine Park Development Team	23-Sep-02	200	142,063	200	CDM
4	Donation to Farmhand Foundation	18-Nov-02	2,000	140,063	2,000	EO
5	Reimburse working bee sand St Marys Occ Care	18-Nov-02	127	139,936	127	CSM
6	Extractor fan for Blair Oval athletics building	16-Dec-02	800	139,136	800	FOM
7	BMX Facility at St Marys	3-Feb-03	6,500	132,636	0	PCMM
8	Footpath along Blair Avenue, St Marys	3-Feb-03	1,800	130,836	0	AM
9	Donation to Cancer Council Relay for Life	3-Feb-03	1,000	129,836	1,000	FOM
10	Extensions to cricket pitch at Potter Field	3-Feb-03	4,400	125,436	470	PCMM
11	Sponsorship of Formula 1 Superboat series	17-Feb-03	3,334	122,102	0	FOM
12	Improve lighting at Cook Park fields (see below)	17-Feb-03	4,500	117,602	0	PCMM
			<u>25,995</u>	<u>117,602</u>		
<u>NORTH WARD</u>						
					53,000	
	Amount carried forward from 2002				69,101	
****	Reimbursement of funds advanced in 2001/02				10,000	
	Amount Available for 2003				<u>132,101</u>	
1	Penrith Senior Citizens' Office window ****	19-Aug-02	1,676	130,425	1,676	BCMM
2	Upgrade for Wilson Park at Llandilo	19-Aug-02	17,500	112,925	17,500	PCMM
3	Bus Shelter in conjunction with State Records	16-Sep-02	833	112,092	0	BCMM
4	Fencing at Kingswood Park Community Centre	14-Oct-02	7,500	104,592	6,818	FOM
5	Donation to Farmhand Foundation	18-Nov-02	2,000	102,592	2,000	EO
6	Cranebrook's 'Carols in the Park'	2-Dec-02	1,500	101,092	1,500	FOM
7	Flooring for Llandilo Hall	16-Dec-02	5,000	96,092	5,000	FOM
8	Donation to Cancer Council Relay for Life	3-Feb-03	1,000	95,092	1,000	FOM
9	BMX Facility at St Marys	3-Feb-03	6,500	88,592	0	PCMM
10	Sponsorship of Formula 1 Superboat series	17-Feb-03	3,333	85,259	0	FOM
11	Improve lighting at Cook Park fields (see below)	17-Feb-03	4,500	80,759	0	PCMM
12	Lighting at Dukes Oval	17-Feb-03	5,000	75,759	0	PCMM
13	Purchase of hoses to water Leonay Oval	17-Feb-03	300	75,459	0	PCMM
			<u>56,642</u>	<u>75,459</u>		
<u>SOUTH WARD</u>						
					53,000	
	Amount carried forward from 2002				78,447	
	Amount Available for 2003				<u>131,447</u>	
1	Penrith Senior Citizens' Office window ***	19-Aug-02	1,675	129,772	1,675	BCMM
2	Bus Shelter in conjunction with State Records	16-Sep-02	833	128,939	0	BCMM
3	Donation to Farmhand Foundation	18-Nov-02	2,000	126,939	2,000	EO
4	Mulgoa Progress Assn Christmas party	2-Dec-02	1,000	125,939	1,000	FOM
5	Fencing at boundary of Penrith Showground	2-Dec-02	6,231	119,708	6,231	FOM
6	Additional shade structure at Tench Reserve	16-Dec-02	9,500	110,208	0	PCMM
7	Donation to Cancer Council Relay for Life	3-Feb-03	1,000	109,208	1,000	FOM
8	BMX Facility at St Marys	3-Feb-03	6,500	102,708	0	PCMM
9	Sponsorship of Formula 1 Superboat series	17-Feb-03	3,333	99,375	0	FOM
10	Improve lighting at Cook Park fields (see below)	17-Feb-03	4,500	94,875	0	PCMM
11	Lighting at Dukes Oval	17-Feb-03	5,000	89,875	0	PCMM
12	Purchase of hoses to water Leonay Oval	17-Feb-03	300	89,575	0	PCMM
			<u>41,872</u>	<u>89,575</u>		
	Committed			124,509		
	Uncommitted			282,636		
	TOTAL VOTE			<u>407,145</u>		

**** Funds advanced for Hickey's Lane fencing have been reimbursed from the 2002/3 Parks Improvement Program

*** Project savings recommended to be returned to voted works pool as part of December budget review

Note Cook Park lighting improvements will be reimbursed from 2003/2004 Parks Improvement Program