

## BUSINESS PAPER



### Reaching milestones

Councillor Jim Aitken accepts the Milestone 5 award for the Cities for Climate Protection Program's Greenhouse Gas Reduction Program, and the Milestone 1 Award for the Water Campaign at the ALGA conference in Canberra on Monday 8 November. The awards were presented by Dr Diana Wright (L), Division Head, Industry, Communities and Energy Division, Australian Greenhouse Office, and Mr Wayne Wescott (R), CEO of the International Council for Local Environmental Initiatives - Australia/ New Zealand.

## Policy Review Committee Meeting

22 November 2004

17 November 2004

Dear Councillor,

In pursuance of the provisions of the Local Government Act, 1993 and Regulations thereunder, notice is hereby given that a **POLICY REVIEW COMMITTEE MEETING** of Penrith City Council is to be held in the Pasadena Room, Civic Centre, 601 High Street, Penrith on Monday 22 November 2004 at 7.00pm.

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

Yours faithfully,

**Alan Travers**  
**General Manager**

***B U S I N E S S***

- 1. APOLOGIES**
- 2. LEAVE OF ABSENCE**
- 3. CONFIRMATION OF MINUTES**  
*Policy Review Committee – 23 August 2004*
- 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 MINUTES**
- 7. NOTICE OF MOTION**
- 8. REPORTS & RECOMMENDATIONS OF COMMITTEES**
- 9. MASTER PROGRAM REPORTS**
- 10. URGENT REPORTS (to be dealt with in the Master Program to which the item relates)**
- 11. CONFIDENTIAL BUSINESS**

**POLICY REVIEW COMMITTEE MEETING**

**MONDAY 22 NOVEMBER 2004**

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**CONFIRMATION OF MINUTES**

**MASTER PROGRAM REPORTS**

## MEETING CALENDAR

November 2004 - December 2004

	TIME	NOV	DEC
		Mon	Mon
Ordinary Meetings	7.00 pm		6
			20
Policy Review Committee	7.00 pm	22	13

# Meetings at which the Management Plan quarterly review is presented.

- Council has two Ordinary Meetings per month where practicable.
- Extraordinary Meetings are held as required.
- Policy Review Meetings are held monthly where practicable.
- Members of the public are invited to observe meetings of the Council. Should you wish to address Council, please contact the Executive Officer, Glenn McCarthy on 47327649.

**UNCONFIRMED MINUTES  
OF THE POLICY REVIEW COMMITTEE MEETING OF PENRITH CITY  
COUNCIL HELD IN THE COUNCIL CHAMBERS, PENRITH  
ON MONDAY 23 AUGUST 2004 AT 7.05 PM**

**PRESENT**

His Worship the Mayor Councillor David Bradbury, Councillors Jim Aitken OAM, Kaylene Allison, Lexie Cettolin, Kevin Crameri OAM, Greg Davies (arrived at 7:06PM.), Mark Davies, Ross Fowler, Jackie Greenow, Karen McKeown, Susan Page, Garry Rumble, Pat Sheehy, and John Thain.

**APOLOGIES**

PRC 198 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Ross Fowler that apologies be received and accepted from Councillors Greg Davies and Steve Simat.

**CONFIRMATION OF MINUTES**

**Policy Review Committee Meeting - 26 July 2004**

PRC 199 RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Ross Fowler that the minutes of the Ordinary Meeting of 26 July 2004 be confirmed.

**DECLARATIONS OF INTEREST**

There were no declarations of interest.

**MASTER PROGRAM REPORTS**

**THE CITY IN ITS ENVIRONMENT**

**1 Presentation on the Management and Operations of the  
Western Sydney Regional Illegal Dumping Squad 7004/51**

Council's Waste and Community Protection Manager, Mr Barry Ryan introduced the report on the Western Sydney Regional Illegal Dumping (RID) Squad, and introduced the Chairperson of the Western Sydney RID Squad Management Committee, Mr Ross Bentley.

Mr Bentley spoke about the co-operation of regional Councils working together to control illegal dumping.

Councillor Greg Davies arrived at the meeting, the time being 7:06PM.

Mr Bentley introduced Senior RID Squad Investigation Officer, Mr. Grant Haydon, who gave a presentation on some examples of the operation and success of the RID Squad.

PRC 200 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Garry Rumble

***Unconfirmed Minutes of the Policy Review Committee Meeting of Penrith City Council held in the Council Chambers, Penrith on Monday 23 August 2004***

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That:

1. The information contained in the report and presentation on the Management and Operations of the Western Sydney Regional Illegal Dumping Squad be received
2. Council request the State Government to consider increasing the current level of fines that apply to illegal dumping so as to serve as a greater deterrent to the practice
3. Council submit a late motion to the upcoming Local Government Association Conference calling on the State Government to review the level of fines that can be issued under the Protection of the Environment Operations Act
4. Council thank the Chairperson of the Western Sydney RID Squad Management Committee, Mr Ross Bentley, and the RID Squad Investigation Officer, Mr Grant Haydon, for their presentation.

**2 Rehabilitation of the former Castlereagh Liquid Waste Depot site and an update on the Castlereagh Community Fund 4109/15 Pt30**

Council's Environmental Health Manager, Mr Wayne Mitchell, introduced the Chief Executive Officer of Waste Services NSW, Mr Ken Kanofski, who gave a presentation on the progress of rehabilitation of the former Castlereagh Liquid Waste Depot site.

Councillor John Thain left the meeting, the time being 7:51PM and did not return.

Councillor Jim Aitken left the meeting, the time being 8:10PM.

PRC 201 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Pat Sheehy

That:

1. The information contained in the report on Rehabilitation of the former Castlereagh Liquid Waste Depot site and an update on the Castlereagh Community Fund be received
2. A further report on the future zoning of the site be brought to a future Council meeting
3. Council thank the Chief Executive Officer of Waste Services NSW, Mr Kanofski, for his presentation.

**THE CITY AS A SOCIAL PLACE**

**3 Public Domain Lighting Policy 1027/14 Pt7**

Councillor Jim Aitken returned to the meeting, the time being 8:15PM.

PRC 202 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Susan Page

That:

1. The information contained in the report on the Public Domain Lighting Policy be received
2. Council adopt the Public Domain Lighting Policy as detailed in this report for the lighting of all public spaces
3. Council endorse the development of the Public Domain Lighting Policy into a Public Domain Lighting Development Control Plan for the design of public space lighting in new developments
4. The existing arrangements for the assessment of "Street Lighting" be replaced with this new Public Domain Lighting Policy.

## **THE CITY SUPPORTED BY INFRASTRUCTURE**

### **4 Asset Management**

Council's Chief Financial Officer, Mr Barry Husking, gave an introduction to the Asset Management report and introduced Council's Asset Manager, Mr David Burns.

Mr Burns gave a presentation on the state of the local road network and the implications of various funding options on the future maintenance responsibilities of the Council.

PRC 203       RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Pat Sheehy

That:

1. The information in the report on Asset Management be received
2. Council agrees in principle that:
  - a. The roads' budget should be increased over the next four years to achieve a funding level that maintains the average pavement condition index of the road network to an agreed standard
  - b. The pavement condition standard be agreed as part of adopting the Civil Asset Construction service specification
  - c. Depreciation to be applied to road assets in 2003/04 should be based on forecasts of remaining useful life.
3. The adequacy of building maintenance and renewal budgets be reviewed following building condition assessments.

## **COUNCIL'S OPERATING ENVIRONMENT**

### **5 Progress of Council's 2000-2005 Strategic Program 36/27**

PRC 204 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Garry Rumble

That

1. The information contained in the report on the progress of Council's Strategic Program be received
2. Council express its appreciation of the work done by staff in achieving the results described in the report.

### **6 Council's Code of Conduct 750/23 Pt 4**

Councillor Kevin Crameri left the meeting, the time being 9:10PM.

Councillor Kevin Crameri returned to the meeting, the time being 9:19PM.

Councillor Jim Aitken left the meeting the time being 9:22PM and did not return.

PRC 205 RESOLVED on the MOTION of Councillor Pat Sheehy seconded Councillor Greg Davies

That:

1. The information in the report on Council's Code of Conduct be received
2. The matter be the subject of a further report to the Policy Review Committee by Council's Legal Officer after further consideration of, and receiving advice about the suggested amendment to, the section "Dealings in Land".

Councillor Lexie Cettolin left the meeting, the time being 9:23PM.

Councillor Lexie Cettolin returned to the meeting, the time being 9:25PM.

### **7 Workforce Development Report 909/127**

PRC 206 RESOLVED on the MOTION of Councillor Susan Page seconded Councillor Greg Davies

That:

1. The information contained in the Workforce Development Report be received
2. The next quarterly Workforce Development Report show the number of staff Skills and Knowledge assessments that have been completed since the current report
3. Council thank the Council officers who prepared the report.



***Unconfirmed Minutes of the Policy Review Committee Meeting of Penrith City Council held in the Council Chambers, Penrith on Monday 23 August 2004***

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There being no further business the Chairperson declared the meeting closed, the time being 9:48PM.

# **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.

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.

Steve Hackett  
**Public Officer**  
02 4732 7637

August 2003

## **MASTER PROGRAM REPORTS**

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## The City in Its Region

### 1 Metropolitan Strategy - Submission on Discussion Paper

4100/23 part 3

**Compiled by:** Mark Broderick, Release Area Unit Coordinator

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

<p><b>Management Plan 4 Year Outcome:</b> <i>Agreement has been reached with State and Federal governments on which land will be assessed for greenfield development to 2020.</i></p> <p><b>Critical Action:</b> <i>Secure acknowledgement that development of the South Creek Valley Sector is not proposed by State Government.</i></p>
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#### **Purpose:**

*To provide Council with an overview of the State Government's Discussion Paper on the Metropolitan Strategy for Sydney and to outline the issues which can form the basis of Council's submission on the paper.*

#### **Background**

On 17 September 2004 the State Government released a Discussion Paper on the Metropolitan Strategy for Sydney (Metro Strategy). The Discussion Paper is a result of a series of Forums and Workshops held throughout 2004. The Discussion Paper invites comments and feedback by the end of November 2004. Given the short deadline to make a submission to State Government, the report is set out largely in dot point form to facilitate that submission. A copy of the Discussion Paper was distributed to each Councillor last month and is included in the Attachments to this business paper.

#### **Background**

The development of the Metro Strategy formally began in May this year with the Sydney Futures Forum where experts from State and Local Government, business, industry, education and the community sat down together to consider the trends, issues and potential directions for growth of the Greater Metropolitan Region. The Forum began a process of public participation where people had a chance to have their say about the future of their City. A Penrith Position Paper was developed for the Forum, with input from the Mayor, Directors and other key officers of Council.

Our position paper was arranged around the key principles of sustainability, access, balance, equity and health and well-being. A copy is included in the Attachments.

A Sydney Futures Forum for Local Government was also held on 17 June 2004 to discuss ideas and priorities generated through the Sydney Futures Forum. A total of 51 Councils as well as representatives from Regional Organisations of Councils (ROCs) across the Greater Metropolitan Region were invited to have their say on the Metropolitan Strategy. This Forum was attended by the Mayor, General Manager, and Directors of City Strategy and City Planning.

On 14 May 2004 the Minister for Infrastructure, Planning and Natural Resources, Craig Knowles MP, released the Metropolitan Strategy Ministerial Directions Paper. The purpose of this Paper was to generate discussion and ideas on the development of the Metropolitan

Strategy. The Ministerial Directions Paper explains what the Metropolitan Strategy is, how it will be developed, what it will contain and how it will influence the Planning System.

The Ministerial Directions Paper also provides a snapshot of Sydney's population growth and household changes, current issues facing Metropolitan Sydney, challenges for sustainability, managing urban growth, housing choice, economic growth and employment, natural resource conservation, regional open spaces, transport, infrastructure and regional development.

The Metropolitan Strategy is proposed as a new blueprint that will guide development over the next 30 years. When completed the Metropolitan Strategy is intended to set out how the State Government will sustainably manage growth and change in Sydney and the Greater Metropolitan Region (GMR) over the next 30 years.

A detailed background to the Metro Strategy process, consultations to date, and the Ministerial Directions Paper was provided in a report to Council on 28 June 2004.

### **Metropolitan Strategy Discussion Paper**

The Discussion Paper is the next stage in the development of the Metro Strategy and has been developed principally to engage the community and includes background information and major issues as well as key Directions for managing change. It comes out of the Sydney Futures Forum and Local Government Forum held in May and June this year.

The Discussion Paper identifies nine Directions for managing the changing greater metropolitan region:

1. Plan for Balanced Growth within Natural Resource Constraints
2. Strengthen the Regions
3. Manage Growth and Value Non-Urban Areas
4. Build Liveable Communities
5. Renew Existing Areas
6. Strengthen Employment Centres and Precincts
7. Connect Centres with the Transport Network
8. Target Infrastructure
9. Use Appropriate Funding and Governance Arrangements

For each Direction there is a brief description and a list of Priority Actions and Ideas. Set out below is a critique of each of the Directions as well as general commentary. This commentary can, if agreed, inform our submission to the State Government.

### **Comments on the Discussion Paper and Metro Strategy**

#### ***General***

Penrith City Council has for some time been pressing State Government to consider and embrace regional transport and land use strategies, urban growth strategies, and environmental agendas at both a local and regional level. The State Government is therefore to be commended for including these elements as Directions in the Discussion Paper.

It is disappointing however, that Greater Western Sydney has not been given a Regional or sub-Regional status in the Discussion Paper, given that a similar status has been given to comparable regions such as the Illawarra and the Lower Hunter.

The paper identifies six broad sub-regions across Sydney. These include North, South, East Central, West Central, North West and South West. Greater Western Sydney is not identified. The Regional Planning and Management Framework prepared by WSROC has identified Western Sydney, with its clear regional identity, its unique characteristics and its distinctive strong, regional economy, as a distinct place to be managed.

The State Government's announcements earlier this year regarding the Penrith City Centre and a link road from the Erskine Park Employment area to the M7 Westlink, has demonstrated the Government's ongoing commitment and recognition of Penrith as a Regional Centre, however our role in the Greater Western Sydney Region has not been recognised in the Discussion Paper, despite the Government's previous 1998 Metropolitan Strategy document – *Shaping Western Sydney*, which recognised that “Western Sydney is a unique region because of its diversity of land uses and cultures”.

Centres and corridors are also not clearly defined within the sub-regions. These aspects need to be drawn out in the Metro Strategy.

A number of the priority actions and ideas display some ambiguity, often stating what is already happening, and are not action-oriented. Given the brevity of the Discussion Paper, it is hoped that the final Metro Strategy will in its greater detail overcome this aspect.

Importantly, the Metro Strategy will need to develop measures, by which the performance of the directions and actions identified in the Metro Strategy will be assessed and delivered. These measures should be arranged on the Greater Sydney regional scale, the sub-regional scale, including Western Sydney and the City (LGA) scale. Such an approach would provide a mechanism for the aggregation of the performance criteria at each scale to provide the wider view.

Penrith Council has adopted the United Nations Environment Program (UNEP) Principles for Sustainable Cities for its Sustainable Penrith Action Plan. Using an internationally recognised set of principles such as these to guide thinking and provide a strategy framework for action for the development of sustainable solutions for the Metro Strategy is strongly encouraged.

The Discussion Paper lacks an overall vision of the Greater Metropolitan Area. Without an overall vision it is hard to evaluate what is trying to be achieved and how the sub-regions and regions are supporting and balancing each other. Given the issue of increasing social polarisation, there is also a lack of definition on matters of social and economic equity across the region. Within the broader headings of sustainability and healthy communities there is no reference to social justice, equity or fairness.

***Recommended additional matters to be addressed in the Discussion Paper and Metro Strategy are:***

- *Identify Greater Western Sydney as a separate Region.*
- *Identify clear goals and objectives for each Direction.*
- *More discussion is required on the impacts of urban renewal on established neighbourhoods.*
- *Explore internationally recognised measures, such as the UNEP Principles, to provide a strategic framework for action to deliver sustainable solutions.*
- *Develop a series of performance criteria to benchmark the performance of the Metro Strategy at the LGA, sub-regional and Greater Sydney Region level.*
- *More discussion is required on matters of social and economic equity across the region.*

## **Discussion Paper Directions**

The nine Directions in the Discussion Paper respond to the key issues that were identified at the Forums as the main areas that should be addressed. These Directions are generally supported, however some of the Priority Actions and Ideas listed under each Direction do not accurately express the issues identified or give a firm commitment to achieving the Direction.

There appears to be little “goal-setting” in the Directions. For example, there is no mention of sustainability indicators for the stated Directions.

### ***Direction 1 – Balanced Growth***

This Direction is supported, however further emphasis needs to be placed on how the Government will ensure that the delivery of new housing in established areas will be directed, planned and effectively implemented. There is also the critical need to determine the impact of increased housing densities and the process of urban renewal on established communities. Under this Direction, it is also noted:

- There is little recognition of the difficulties in achieving coherent neighbourhoods through the urban renewal of existing older suburbs (such as Oxley Park and Cambridge Park). This conversion process is left to the resources of Local Government. Centres and Corridors alone will not generate the quantum of housing expected to be generated over the life of this Strategy.
- There is a need to determine the “natural resource limits” and how that will inform the extent of development that Sydney can sustainably accommodate.
- The Paper refers to the provision of 60 to 70 percent of housing in established areas. However, the consequences of not achieving this need to be explained. A set of policies needs to be developed for coordinating and managing that development.
- The Hawkesbury – Nepean Catchment is under stress however this is not recognised. The Blueprint for this major river system should be a key direction.

### ***Recommended additional priority actions and ideas for this Direction are:***

- *Renewal of established residential neighbourhoods outside of identified Centres and Corridors.*
- *Develop mechanisms for developing and managing the urban renewal processes of established residential areas, given their increased role in accommodating population increases.*
- *Implement the Blueprint for the Hawkesbury – Nepean Catchment.*
- *Utilise the “ecological footprint” of Sydney as a basis for identifying Sydney’s urban extent.*
- *Fundamental need to identify the natural resource constraints of Sydney and how and where that will limit growth.*

### ***Direction 2 – Strengthen the Regions***

Although the independency of the regions which make up the Greater Metropolitan Region is recognised, this Direction fails to identify Western Sydney as a discrete Region with its own distinctive identity, strong economy and unique social and cultural characteristics. The last Metro Strategy identified Western Sydney in this manner and the Government should be urged to recognise and reinstate the role and contribution Western Sydney makes in Metropolitan Sydney.

- The regions referred to are all interdependent, including Greater Western Sydney, which contributes notably to Sydney’s success and deserves to be identified.



- Directions for Western Sydney as identified in WSROC's Greater Western Sydney Regional Planning and Management Framework are consistent with the Direction for the Metro Strategy. These include – travel, employment, social and cultural development, and rural-natural-urban interconnections.
- As a World Heritage Area, the Blue Mountains should be considered a separate unit within the region for environmental reasons.
- The need for an intra-regional transport is not addressed. The lack of analysis of the existing infrastructure needs of Greater Western Sydney highlights the urgency to examine existing capacities.

***Recommended additional priority actions and ideas for this Direction are:***

- *Recognise that the identified regions are inter-dependent.*
- *Recognise Greater Western Sydney as a succinct Region, based on WSROC's Regional Planning and Management Framework.*
- *Identify the existing capacities of transport infrastructure in the regions.*

***Direction 3 – Managing Growth and Value Non-Urban Areas***

The thrust of this Direction is supported, however the suggested “trade-offs” are questionable given the need to have a much higher degree of certainty established for the limits to urban growth across Sydney, particularly the Western Sydney region. There is a need to:

- Address all of the other growth areas that are being planned for (for example, the Metropolitan Development Program release areas) and developed outside the nominated North West and South West growth centres.
- Clearly define the areas which urban and non-urban growth will be permitted, to allow firm decisions to be made for future land uses, such as productive agriculture (a “growth limit” concept).
- Ensure that rural and agricultural lands and natural areas are not only conserved, but their value is recognised and a long term future is mapped out for them. We cannot continue with the notion that they are simply “land banks” for future urbanisation.

***Recommended additional priority actions and ideas for this Direction are:***

- *Make a firm commitment to the reserving of significant natural areas and rural lands for their distinctive rural, economic and environmental qualities, and clearly identify those lands.*
- *Identify funding for the management of natural areas and rural lands.*
- *Preserve rural lands for their own intrinsic qualities, and not expose those lands to “trade-off” situations.*
- *Introduce a “growth limit” line which clearly identifies the future extent of urban development, whilst acknowledging the valued rural lands and natural resources to be preserved.*

***Direction 4 – Build Liveable New Communities***

The thrust of this Direction is supported. However the provision of infrastructure to these new areas should not be at the expense of our established communities, particularly where “backlog” facilities and services have been identified. The main issues under this Direction are:

- Need to recognise the interconnectedness of communities within the Region.
- Same energies being proposed for the North West and South West sectors need to be brought to new release areas outside of these growth centres.

- Direction should refer to all new release areas currently being planned for.
- Need to ensure that a variety of housing aligns with the needs of the community as well as the demands of the market.
- Resourcing of North West and South West sectors should not be at the expense of existing local areas. The timely provision of those new urban releases should not be at the expense of the needs of our local release areas.
- Penrith's proximity to the North West and South West sectors will result in our providing the needs of those new communities (eg, jobs).
- There should be a firmer commitment to Development Corporations in order to provide greater certainty to better planned outcomes.
- The creation of employment opportunities with new greenfield communities should be given a high priority.

***Recommended additional priority actions and ideas for this Direction are:***

- *This Direction should apply to all new residential release areas currently being planned for.*
- *Ensure that existing and planned local urban areas continue to be adequately resourced.*
- *Ensure that "growth centres" are connected to established urban communities with access to employment, nominated regional centres, etc.*
- *Ensure housing choice, including affordable housing, which meets the needs of the community and is adaptable to meet future needs.*

***Direction 5 – Renew Existing Areas***

The emphasis given to locating new housing in existing identified centres and corridors is limiting and is questioned in terms of the potential to deliver up to 70% of housing in this way. This Direction fails to recognise the substantial extent to which new housing is already directed to the established residential areas outside of centres and corridors. The main issues are:

- Centres and corridors do not accommodate the bulk of housing, which will be in the existing suburbs. There continues to be a lack of recognition of the need to fund and plan for our older established communities.
- It is important to clarify what the contribution is that the established older areas make to the region, and how the planned new release areas fit in.
- Identify a funding base that would convert urban renewal policies to masterplan conditions. This would see a higher profile being taken by DIPNR and other agencies in developing planning directives and in eliciting cohesive action plans for neighbourhood renewal.
- Ensure that the conversion of these places is managed in a physical sense. The concept of Development Corporations to bring together integrated outcomes for established areas should be explored.
- A fundamental aim of this Direction should be for liveable communities, however a "centres policy" does not reflect suburban areas.
- There is a narrow definition of existing residential areas – what is the Metro Strategy expecting from these areas.
- The consequences of the Metro Strategy failing to deliver 60 – 70 % of housing as infill is not explored.
- Need to recognise State Government's sign off to Councils' Residential Strategies and related approach to managing urban growth.

***Recommended additional priority actions and ideas for this Direction are:***

- *Clarify whether existing planned residential release areas are considered “infill”.*
- *Recognise the older existing residential areas and their importance in accommodating urban renewal by developing appropriate Government policy directives, funding and delivery mechanisms, including through a Development Corporation approach.*
- *Need to ensure better urban outcomes in the redevelopment of existing residential neighbourhoods.*
- *More consideration is needed to be made to the inability of existing centres to deliver the quantum of infill development forecast in the Paper.*
- *Commit to urban growth management strategies that have already been committed to by State Government (including Local Councils’ adopted residential development strategies and Penrith’s growth management protocol).*

***Direction 6 – Strengthen Employment Centres and Precincts***

This Direction is generally supported. However it needs to be recognised that employment in Western Sydney is highly dispersed and often located outside nominated regional centres. This suggests the need to have improved access to employment and intra-regional connections.

There is a need to:

- Recognise the “suburbanisation “ of jobs in greater Western Sydney – out of centre employment must be recognised.
- Clarify the reference to the “airport” (assumed to be a reference to Kingsford Smith Airport).
- Recognise that job creation must occur as a result of new release areas. Penrith has a policy of matching jobs growth to new working populations in all new urban release areas, which was supported by the State Government in the planning for the ADI site, St Marys.
- Recognise the Erskine Park Employment Area and its links to Westlink M7 and SEPP 59.
- Recognise Werrington Enterprise Living and Learning (WELL) Precinct as an activity area and potential job core, with advantages of associations with UWS / TAFE. It will take advantage of committed infrastructure being the University Railway Station and the Werrington Arterial Link.
- Seek a more proactive approach from the Government in providing for and developing employment centres. Penrith sought over a long period of time to plan of and finally establish the Erskine Park Employment Area. Our experience is that there are benefits in investing in further infrastructure.

***Recommended additional priority actions and ideas for this Direction are:***

- *Recognise employment patterns within and between regions.*
- *Recognise Penrith’s policy of matching jobs growth to new working populations.*
- *Recognise the WELL Precinct as an activity area and potential job core.*
- *Identify a proactive approach in providing for, developing and investing in employment centres, including Erskine Park Employment Area.*

***Direction 7 – Connect Centres with the Transport Network***

This Direction is supported. However the regional transport studies undertaken by WSROC indicate a strong disconnection between existing centres and jobs and that, accordingly, connectivity across the Western Sydney Region is as important as out of it. This Direction

suggests that comprehensive transport network exists, and that notion would seem debatable. Provision of bus corridors in themselves will not in provide accessibility solutions for our communities. Greater focus needs to be given to additional and more frequent services and inter-modal transport connections.

There is a need to:

- Identify the comprehensive transport network that the Directions Paper is referring to. Western Sydney communities not currently connected by a comprehensive transport network.
- Recognise the potential transport role for St Marys as a “container terminal”, given its location on the western Rail line, existing rail spur, adjacent industrial lands and activities and direct connections to the M4 Motorway and conceivably the M2 corridor.
- Develop an Integrated Land Use and Transport Plan for the Region.
- Recognise the importance of enhancing connectivity across the region (other than corridors) to link employment opportunities.

***Recommended additional priority actions and ideas for this Direction are:***

- *Recognise major existing transport infrastructure in Western Sydney (such as the St Marys container terminal).*
- *Adopt an Integrated Land Use and Transport Plan for Western Sydney.*
- *Identify opportunities for connectivity across the region.*

***Direction 8 – Target infrastructure***

This Direction is generally supported, however it does not enunciate where the spare infrastructure capacity exists, and what type of infrastructure is referred to. It also needs to be recognised that the issue is not just one of capacity but also the condition of that infrastructure and cost of amplification where enhancements are required. Areas of infrastructure deficiency should receive priority, and not be further relegated by new growth area developments. A more cohesive, whole-of-government approach to infrastructure planning and delivery is crucial. Infrastructure should be considered not just as a cost, but as a long term investment. That means that effective planning for infrastructure should be put in train. Making best use of infrastructure is commendable, however there is no undertaking to improve and maintain existing older services and facilities.

There is a need to:

- Identify where the “spare infrastructure capacity” exists in Western Sydney.
- Identify the impacts of urban renewal on existing infrastructure capacities and what will be required. In this regard, infrastructure needed for established areas should not be compromised by new urban greenfield sites.
- Look more comprehensively at land use infrastructure planning, including planning for infrastructure obsolescence and replacement over time.
- Consider existing “backlog” areas.

***Recommended additional priority actions and ideas for this Direction are:***

- *Examine the capacities of existing transport network and identify and improve shortfalls in connecting established communities.*
- *Examine and develop policy to respond to the impacts of urban renewal on existing infrastructure capacities.*
- *Develop a clear mechanism to deliver and renew major infrastructure.*

***Direction 9 – Use Appropriate Funding and Governance Arrangements***

It is acknowledged that new ways of funding infrastructure are required, however that should apply to Government and its long-term financing programs as much as to expectations for the private sector. The Government should implement measures to stimulate growth in nominated centres and urban sectors to ensure that they succeed in their role identified in the Metro Strategy. Government should be proactive in this regard by its actions in Government office relocations, cultural/social/recreation facility development, education institution establishment, etc. which aim to “kick start” the process.

- Government agencies need to be more strategic in their funding arrangements, and be prepared along with Treasury, to take a longer term, including an inter-generational, view on financing.
- Needs to be a vehicle to oversee investment of development of infrastructure in Western Sydney, such as establishing a Development Corporation or similar body which could manage the interests of Western Sydney, as is already proposed for the North West and South West Sectors.
- Government needs to adopt measures to stimulate growth areas/centres to succeed in their nominated roles, for example, tangible public policies and measures such as Government office relocations, cultural/social/recreational facilities, education institutions, to “kick start” the process.

***Recommended additional priority actions and ideas for this Direction are:***

- *Recognise the role of local planning initiatives in providing for planned development outcomes.*
- *Establish a Development Corporation or similar body which could manage the interests of Western Sydney, as is already proposed for the North West and South West Sectors.*
- *Adopt measures to stimulate growth areas/centres to succeed in their nominated roles.*

**Conclusion**

The breaking down of a number of the institutional barriers to achieving Metropolitan planning outcomes and an integrated approach to Sydney’s development is to be commended as it is urgently needed and long overdue. It is also pleasing to note that many of the WSROC Regional Planning and Management Framework elements have been included in the Discussion Paper, albeit briefly stated.

Without clear overall vision for the Greater Metropolitan Region being stated in the document, it is difficult to evaluate what is trying to be achieved. Nonetheless, the intention underpinning most of the Directions appears well placed. As outlined in the report however, there are a range of specific aspects which we believe should reinforce and inform the Key Directions outlined.

It is recommended that Council make a submission to State Government on the Discussion Paper, based on the commentary outlined in this report.

**RECOMMENDATION**

That Council endorse a submission to the State Government on the Metropolitan Strategy Discussion Paper based on the commentary and recommendations outlined in this report.



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**The City as a Social Place**

**2 Penrith Whitewater Stadium Ltd - Annual Report and Board of Directors**

**2988/15**

**Compiled by: Gary Dean, Facilities Operations Manager**

**Authorised by: Ray Moore, Director - City Operations**

**Management Plan 4 Year Outcome:** *Community recreation facilities and services in new and established areas meet contemporary needs.*

**Critical Action:** *Provide an agreed plan for delivery of recreation facilities and services based on available resources.*

**Purpose:**

*To provide details to Council following the Sixth Annual General Meeting of Penrith Whitewater Stadium Ltd. The Chairman and the Stadium Manager will be making a brief presentation to this meeting. The report recommends that the information be noted, that certain Directors be re-appointed and that Council underwrite the operations of the Company for a further period of 12 months.*

**Background**

Each year following the Annual General Meeting of the Company a report is presented to Council on the year's activities, including the financial position. That Council report also includes the Chairman and Stadium Manager's reports which are extracted from the Company's Annual Report.

**Annual Report**

The Sixth Annual General Meeting of the Company was held on Thursday 21 October 2004 for the period ended 30 June 2004.

The Chairman of the Board and Stadium Manager will be in attendance tonight to make a short presentation. Following are their reports extracted from the Annual Report.

**Chairman's Report**

*"It gives me much pleasure to present the Chairman's Report to the Sixth Annual General Meeting of Penrith Whitewater Stadium Limited.*

*The results for the financial year were particularly pleasing and it is very encouraging to see patronage increasing. Revenue for the year was \$2,445,201, an increase on the previous year of 24.2%. The financial results for the year ended 30 June 2004 resulted in a surplus before depreciation, amortisation and interest of \$309,359, an increase of 51% on 2003. The company continued to improve the facility with capital expenditure during the year of \$28,371. The Stadium continued to contribute to the overall Penrith economy and the advancement of the sport of canoe slalom both locally and internationally.*

*Penrith Whitewater Stadium continues to generate a great deal of publicity both nationally and internationally, adding to its reputation as a world premier sporting facility. The centre successfully hosted both international and local competitions*

*during the year and remains the preferred off-season training venue for a number of European teams. The original objective set by Penrith City Council in delivering a world-class recreation facility and providing training and education initiatives to elite and up and coming athletes to further the sport of Canoe Slalom continues to be successfully met.*

*The success of the operations is a result of the continuing dedication of the staff at Penrith Whitewater Stadium. Peter Flowers, the Centre Manager and his management team are to be congratulated for the efficient and effective operations of the business and the excellent manner in which the services are delivered to the public at large. The enthusiasm and commitment of staff and management at the centre has been fundamental to this success.*

*During the year a planning session was held to develop the strategic direction of the business of the Penrith Whitewater Stadium. The outcomes will be incorporated into the long-term vision for the facility. The planning for the urban area at penrith lakes is nearing completion and there will be a number of opportunities that arise for further business development when this planning is finalised. These opportunities will involve partnerships with other organisations and possible further capital investment from both Penrith Whitewater Stadium limited and Penrith City Council.*

*I would like to take this opportunity to thank my fellow directors for their continuing input and commitment to the operations of Penrith Whitewater Stadium. I particularly thank Greg Evans, who retired following the Council Elections in March 2004, for his contributions to the ongoing success of the centre.*

*Finally I would like to take this opportunity to congratulate the coach and members of the Australian Canoe Slalom Olympic Team on their success at the 2004 Athens Olympics.”*

**The Stadium Manager’s Report states:**

*“Penrith Whitewater has had its most successful trading year to date with rafting revenue increasing by approx 30%. Other aspects of the business have also fared extremely well throughout the year cementing the stadiums place as a world leader in the provision of artificial whitewater recreation activities and sport. The targeted growth of the business for the year was 5% and it is pleasing to note that this has been significantly exceeded.*

*Guided whitewater rafting has remained our major commercial activity. Other significant activities provided included: recreational whitewater canoe/kayak paddling; instruction in Canoe and Kayak paddling at beginner, intermediate and advanced levels; equipment hire; catering from the Whitewater Terrace Café; and the provision of competition and training for Canoe/Kayak Slalom and Canoe/Kayak Freestyle.*

*Rafting has been the venue’s main commercial activity and has continued to operate in an efficient manner with 26,091 clients participating in the activity. The represents a 10.3% increase in clients over the previous year. This resulted in a 29% increase in revenue from commercial rafting over the previous year. Some of this improvement is the result of conducting our first marketing campaign on television. This also saw an increase in the marketing expenditure for the year of approx 40%.*

*The Canoe/Kayak Instruction Program has remained a popular activity increasing revenue supply by approx 6%. This was achieved through the delivery of approx 5,900 hrs of instruction throughout the year. The Schools Instruction component of*



*this program has once again proven its value to the local community. While some 4000 hours of instruction was delivered to students we also saw two of the original Penrith Whitewater squad members selected onto the Australian National Junior Slalom Team and one onto the Australian Junior Freestyle Team.*

*Throughout 2003-04 the Whitewater Terrace Café has traded strongly. The dedication of staff in this area has paid off with the profit from the café increasing by over 200%. One of the largest areas of increase in Café revenue has come from catering delivered to corporate clients.*

*Canoe/Kayak competition is the other major focus of the venue and this year we were hosts to the International Freestyle Committees 2004 Pre World Championships in January. This attracted over 100 athletes from Europe, North America, Asia and Africa.*

*Other major events conducted throughout the past 12 months included:*

<i>NSW Canoeing Inc State Slalom Championships</i>	<i>-</i>	<i>October 2003</i>
<i>Penrith Whitewater Freestyle Classic (Australian National Team Selection Race)</i>	<i>-</i>	<i>November 2003</i>
<i>Penrith Whitewater Summer Slalom Series</i>	<i>-</i>	<i>Feb 2004</i>
<i>The Energy Australia International Slalom Series (A National Slalom Team Selection Event)</i>	<i>-</i>	<i>March 2004</i>
<i>Penrith Whitewater Autumn Slalom Series</i>	<i>-</i>	<i>May 2004</i>

*This year the annual International Slalom Series attracted over 120 athletes from 14 different nations. The event has grown each year since its inception in 1999 and has cemented its place on the international canoeing calendar.*

*The Stadium has continued to support the National Canoe/Kayak Slalom Program in partnership with the Australian Institute of Sport, The New South Wales Institute of Sport and Australian Canoeing. The stadium has supplied approx 426 hours of water for team training sessions. This represents a significant sponsorship in excess of \$45,000. We are also proud to announce that 4 of the 5 Australian Olympic Athletes in Canoe Slalom use Penrith Whitewater as their home training venue. Support of the Western Sydney Academy of Sport Canoe Slalom Program has also continued with the provision of three training sessions per week for members of the Academy. The value of this sponsorship being \$17,000.*

*The Company's Charity Program has continued to operate and over 130 Gift Certificates have been donated to various charity organisations, schools, sporting associations and local fundraising campaigns.*

*Other local community support saw our continued participation in the Colo River Clearing Program carried out in conjunction with the National Parks and Wildlife Service. Penrith Whitewater again trained participants in rafting and provided equipment for the river clearing expeditions.*

*During the year a restructuring of staff was undertaken and at the conclusion of the year the stadium had a workforce consisting of 9 permanent employees along with our pool of casual: Raft Guides, Whitewater Instructors, Canoe slalom coaches, administration/finance staff and Café personnel. The restructuring saw the employment of a Head Guide, a Reservations Supervisor and a Maintenance Assistant.*

*The permanent staff has continued to work in a dedicated manner and have shown a real commitment to the business and its future. I take the opportunity of thanking them for their input and dedication.*

*As we move into the second year of our current business plan it is pleasing to report on the company's success in not only meeting but surpassing the targets set for most aspects of the business. We now look forward to ensuring that this year is as successful and that the business continues to grow to meet our expectations."*

Copies of the Annual Report have been provided to Council.

### **Board of Directors**

The Articles of Association of the above company provide, in part, that:

1. To provide continuity the members of the Board shall resign on a rotating basis. At the First Annual General Meeting, three (3) Directors (including one (1) Councillor) shall resign. At the Second Annual General Meeting, three (3) members shall resign (including one (1) Councillor). Thereafter, the members of the Board, except the Council Officer, shall resign after they have served on the Board for three (3) years after appointment or re-appointment to the Board.
2. All retiring Directors shall be eligible for re-appointment.

Council should note that as per the Articles of Association Councillor Greg Davies and Helen Brownlee resigned at the Sixth Annual General Meeting of Penrith Whitewater Stadium Ltd held on 21 October 2004 and nominated for reappointment. It was resolved at the Sixth Annual General Meeting of Penrith Whitewater Stadium Limited that Penrith City Council be requested to endorse the appointment of Councillor Greg Davies and Helen Brownlee as Directors of Penrith Whitewater Stadium Ltd.

Council's Director of City Planning, Mr Alan Stoneham is the General Manager's representative and Company secretary.

Councillor Ross Fowler was reappointed Chairman.

### **Financial Accountant - Entities comment**

As mentioned by both the Chairman and the Stadium Manager Penrith Whitewater Stadium Ltd has traded strongly over the 2003/04 financial year. Significant increases to rafting revenues and the successful development of the Whitewater Terrace café have ensured a sound financial basis for the business. The operation exceeded it's 2003/04 targets and with further emphasis upon television advertising during 2004/05 this years targets should also be successfully achieved allowing the business to build upon its strong 2003/04 performance.

### **RECOMMENDATION**

That:

1. The information contained in the report for Penrith Whitewater Stadium Ltd Annual Report for the period ending 30 June 2004 be received.
2. Council congratulate the Board of Penrith Whitewater Stadium Ltd on their success and achievements over the twelve months to the end of June 2004.

3. Councillor Greg Davies and Helen Brownlee be appointed to fill the vacancies that occurred at the Sixth Annual General Meeting of Penrith Whitewater Stadium Ltd.
4. Council agree to underwrite the operations of the Penrith Whitewater Stadium for 12 months to the end of June 2005.



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## The City as a Social Place

### 3 City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd - Annual Report and Board of Directors

2986/8

Compiled by: Gary Dean, Facilities Operations Manager

Authorised by: Ray Moore, Director City Operations

**Management Plan 4 Year Outcome:** *Community recreation facilities and services in new and established areas meet contemporary needs.*

**Critical Action:** *Provide an agreed plan for delivery of recreation facilities and services based on available resources.*

#### Purpose:

*To provide Council with details following the tenth Annual General Meeting of the City of Penrith Regional Indoor and Aquatic Recreation Centre Ltd. The report recommends that the information be noted that certain appointments be made to fill the vacancies and that Council agree to underwrite the company for a further period of 12 months.*

#### Annual Report

This report to Council follows the tenth Annual General Meeting of the Company held Tuesday 19 October 2004 for the trading period 1 July 2003 to 30 June 2004.

The Chairman of the Board and General Manager of Ripples will be in attendance tonight to make a short presentation. Following are their reports extracted from the Annual Report.

#### Chairman's Report

*"I am pleased to present the Chairman's Report to the Tenth Annual General Meeting of the City of Penrith Regional Indoor Aquatic and Recreation Centre Limited.*

*The 2003/2004 year again presented the Company with a number of challenges to address. The trading result and patronage levels have been disappointing, however the Board with Management have been focused on improving viability and with this in mind have recently renewed the gym equipment as part of a strategic plan to attract more patrons to the Centre.*

*The Company recorded an operating loss of \$418,946 after providing for employee benefits of \$1,722,314 (a decrease of .73%) and after expenditure of \$126,740 on repairs and maintenance. Capital expenditure was kept to a minimum with \$13,246 being expended on necessary items. Penrith City Council continues to be kept fully informed with regards to the financial position of the Centre and have agreed to continue to underwrite the Centre's operations.*

*The Hydrotherapy Centre income has increased markedly and is on target to reach a breakeven point this financial year. This reflects a concerted effort by staff in getting greater recognition of the Hydrotherapy Centre services with Medical Professional and Hospitals.*

*The Centre is now entering its 11<sup>th</sup> year of operation, and strategies have been developed so as to return the facility to profitability. The ongoing maintenance of the Centre is being*

*addressed and a new Occupancy Agreement is to be endorsed by Penrith City Council in the near future.*

*Meeting patrons expectations and keeping the facility attractive is to be the prime focus in the ensuing year. Planning is already underway to improve the amenity and functionality of parts of the main Centre to make it more attractive for patrons to visit.*

*I would like to take this opportunity to acknowledge the efforts of the General Manager, Geoff Yates and his Management Team, as well as all the staff in continuing to deliver a community facility that remains as a leader in the industry. Through their commitment and positive outlook, the Centre will continue to be acknowledged for its friendly, customer focussed and professional management.*

*I would like to thank my fellow Directors for their contributions and efforts during what has been a difficult year and finally to especially recognise the efforts of David Trist who retired as a Director during the year."*

### **Centre General Manager's Report states**

*"The financial year ending 30<sup>th</sup> June 2004 was one that presented the company with a number of issues that significantly impacted the operations of the facilities. These included:*

- *Key personnel leaving the company*
- *Major equipment / plant failures*
- *Patronage levels below target expectations*

*Patronage in total has been a concern across the industry for the past 2 years where the focus on swimming and swimming lessons has waned. This follows a trend where the Olympic Games year triggers people's interest back to swimming, especially when the Australian team does well. People become focussed again and swimming lesson participation grows, an important factor with infant death by drowning still at unacceptable levels.*

*A number of new initiatives are being put into place to ensure that Ripples maintains a strong competitive advantage in the industry and to ensure that we meet our community's expectations. I will cover these more fully later.*

#### *Financial Overview*

*The company posted a loss of \$418,946 after providing for depreciation of \$217,105 and Repairs and Maintenance of \$126,740.*

*Operating Revenue was \$2,649,118 representing a decrease of 2.3% on last year's revenue. Membership Sales were \$53,846 below budget expectations, representing a decrease of 7.35% on last year's figure. This downturn and a strategy to address this situation are discussed later in this report.*

*As highlighted above, a number of unbudgeted essential maintenance items caused costs, especially gas expenditure, to rise dramatically. To maintain the operations of the pools to customer expectations, this situation was unavoidable.*

*A conscientious effort by all staff to keep costs under control saw marked savings occur and I commend the staff for their undertakings.*

*Full financial details are contained in the accompanying accounts and notes to the Financial Statements.*

### *Personnel*

*In November 2003, our Office Administrator, Ms Natalie Schleifer, departed to pursue other career directions. Ms Schleifer had been with the Company for 9 years and was a key member of the Management team. This presented a number of challenges to develop other staff to fulfil the responsibilities and skills required to continue operations to a similar competent level.*

*Staff turnover is still a contentious issue in the industry generally, especially with casual staff. Ripples is developing other strategies to keep good staff on board. The training of staff to a higher level of competency than the industry standard will be a focus over the next 12 months. The provision of great service and programmes remains a major priority.*

### *The Future*

*Ripples has just celebrated its 10<sup>th</sup> Birthday. It is time to refocus the business to present to clients that Ripples is the 'one stop shop' for fitness, recreation, rehabilitation and wellness. Ripples has the strong advantage of having all the essential facilities under one roof. This feature will be used as an essential marketing feature to attract new business.*

*As part of this plan, the Board of Directors approved the renewal of all the gym equipment to give Ripples a fresh new look. This has already seen an increase in patronage and memberships, with a lot of previous clients returning.*

*Hydrotherapy income continues to rise steadily, where it is anticipated to reach break-even point this financial year. More promotions work is being undertaken with local hospitals, doctors and physios to gain more referral business. This will sure up a slight decline in insurance business as a result of Workcover tightening controls on physiotherapy generally.*

*The next year will see an Asset Management programme implemented in conjunction with Penrith City Council to assess and plan for the Centre's future maintenance. This will be an important programme that will ensure that the facility is seen as being well presented at all times. (First impressions count.)*

### *Acknowledgements*

*In conclusion, I would like to thank the Board of Directors for their support guidance and encouragement during the year. I look forward to continuing this relationship in the year ahead.*

*Finally, to the staff, our greatest asset! I thank them for their support and hard work in what has been a tough year for all of us. With the continuing support of the Ripples Team we will meet the future challenges and see that Ripples remains 'First in Fun Health and Fitness Everytime'.*

*Copies of the Annual Report have been provided to Council."*

### **Board of Directors**

The Articles of Association of the company provide, in part, that:

1. To provide continuity the members of the Board shall resign on a rotating basis. At the First Annual General Meeting, three (3) Directors (including one (1) Councillor) shall resign. At the Second Annual General Meeting, three (3) members shall resign (including one (1) Councillor). Thereafter, the members of the Board, except the Council officer,

shall resign after they have served on the Board for three (3) years after appointment or re-appointment to the Board.

2. All retiring Directors shall be eligible for re-appointment.

Council should note that as per the Articles of Association, Councillor Greg Davies, Christine Keeble, Rodney Watson and Lynette Crossley resigned at the Annual General Meeting of the Company held 19 October 2004 and, apart from Christine Keeble (who resigned because of business commitments), nominated for re-appointment. It was resolved at the Tenth Annual General Meeting of the City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd that Penrith City Council be requested to endorse the appointment of Councillor Greg Davies, Rodney Watson and Lynette Crossley as continuing Directors of the City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd. The Board is now making enquiries regarding a replacement for Christine Keeble.

Council's Building Approvals and Environmental Protection Manager, Mr Craig Butler, remains on the Board as Council's General Manager's representative and Company secretary.

Councillors Fowler and Thain were elected Chairman and Deputy Chairman respectively.

### **Hydrotherapy Centre**

This new facility has been funded in part from a grant from the NSW Government and an internal Council loan provided to the Board. The Board has entered into an agreed repayment schedule for that loan.

The 'take-up' in usage of the Centre has been slow, but as indicated above by the Ripples' General Manager, that situation is changing steadily. To assist the Company, in these initial stages of this new facility, Council agreed earlier this year to defer several of its loan payments.

In September, the Board Chairman, Councillor Ross Fowler and Ripples General Manager met with Council's General Manager, Chief Financial Officer and Financial Services Manager to discuss the financial situation of the Company and the impact that the Hydrotherapy Centre was having on the Company's operations. A number of options were discussed and it was agreed that the Board would consider these options at its October 2004 Board meeting.

Council has now been advised that the following options were considered by the Board:

- Pay capital component only on the loan
- Pay 50/50, of the loan with Council
- Council 'take-over' the loan (and the asset with the Company continuing to operate the facility)

The Board resolved that Council consider the third option.

Investigations have commenced into this request which will be the subject of a separate report to Council.

### **Financial Accountant - Entities comment**

The continued viability of the Ripples centre, especially the hydrotherapy centre, is a matter for significant concern for both the Ripples directors and management and for Council and its management. The specific issue of the hydrotherapy centre has, as indicated, been the subject of discussions between the Board's Chairman and General Manager and Council's General

Manager, Chief Financial Officer and Finance Manager and will be the subject of a future report to the Council.

Ripples auditors commented in their 2003/04 Audit opinion “the main issue arising from the audit was the financial viability of the company. This issue must be monitored closely by both the directors of the company and Penrith City Council.”

Both the Chairman and the General Manager have addressed the issue of viability and the Board feels that with the recent decision to renew the gym equipment as part of a strategic plan to attract more patrons to the facility the recent trend to losses can be turned around for 2004/05. At a recent meeting between the Chairman and General Manager of Ripples and Council’s General Manager, Chief Financial Officer and Finance Manager, the Ripples management presented an anticipated budget with both a positive cashflow and a surplus result. To date the direct financial assistance provided by the Council to Ripples for 2004/05 has been in the form of reorganising the internal loan for the hydrotherapy facility and providing an advance on working capital of \$100,000.

### **RECOMMENDATION**

That:

1. The information contained in the report on City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd - Annual Report and Board of Directors be received
2. Councillor Greg Davies, Rodney Watson and Lynette Crossley be appointed to fill the vacancies that occurred at the Tenth Annual General Meeting of the City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd.
3. Council agree to underwrite the operations of the City of Penrith Aquatic and Recreation Centre Ltd for 12 months to the end of June 2005.
4. Council congratulate the Board of the City of Penrith Aquatic and Recreation Centre on their success and achievements over the 12 months to the end of June 2004.





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## The City as a Social Place

### 4 Penrith Regional Gallery and Lewers Bequest Ltd - Annual Report

1043/11

Compiled by: Gary Dean, Facilities Operations Manager

Authorised by: Steve Hackett, Director City Services

<b>Management Plan 4 Year Outcome:</b> <i>The City's cultural profile has been raised.</i>
<b>Critical Action:</b> <i>Promote the City as a centre of cultural excellence.</i>

#### Purpose:

*To provide details to Council following the second Annual General Meeting of the Penrith Regional Gallery and Lewers Bequest Ltd. The Chairman will be making a brief presentation. The report recommends that the information be noted, that certain Directors be re-appointed and that Council underwrite the operations of the Company for 12 months from 1<sup>st</sup> July 2004.*

#### Annual Report

The second Annual General Meeting of the Company was held on 11 October 2004 for the period ended 30 June 2004.

#### Chairman's Report

*"2003/2004 reviewed against any of the accepted criteria was another period of outstanding success.*

*The statistical evidence in the Annual Report is testimony to that success. Beyond the figures, the vibrancy of the exhibitions, the enthusiasm and support of gallery visitors and others, is by far the more significant evidence of the ongoing commitment to, and success in achieving the Gallery's objectives.*

*As always Penrith City Council's long-term support is acknowledged together with that of the NSW Government, the NSW Ministry for the Arts and Sita Environmental Solutions.*

*The outstanding efforts of Director John Kirkman and his staff deserve our unstinting praise.*

*I extend grateful appreciation to my Board colleagues, the Friends of the Gallery and the other volunteers for their continued support.*

*May the year ahead bring some of the tangible outcomes for which so many have toiled."*

#### Gallery Director's Report

*"2003/04 successfully built on increases in Gallery productivity and services delivered in 2002/03. In particular, the Gallery continued to consolidate growth in the following key result areas i.e.*

- 1. Exhibitions*
- 2. Visitation*
- 3. Marketing and Promotion*

4. Education Services
5. Revenue
6. Collection Management
7. Volunteer Programs
8. Garden
9. Governance

*Of continued success was the development of synergies with and between contemporary visual arts practice, community cultural development and art scholarship e.g. the Boofheads & Scrubbers Revenge and Time and Love exhibition projects.*

*The Gallery's continued strategy to re-establish community links and thus create a solid visitor base (via inclusive exhibition programs) continues to succeed. Indeed, the program balance of populism and scholarship; local and global concerns; community and professional curatorship; emerging and established artists proved to be resonant with audiences.*

*Similarly, the Gallery's strategic shift to 'in-house' curated exhibitions, education outreach and workshop programs (and a related commitment to quality customer service) paid dividends, particularly in the areas of visitation, promotion and income generation. It should be noted that in all cases 'in-house' developed exhibitions outperformed 'travelling' or 'import' exhibitions in terms of visitation.*

*Performance indicators reveal the following pattern of expansion in the key result areas i.e.*

- Visitation from **46,098**(02-03) to **43,786**(03-04). No increase.
- Exhibitions from **37** (02/03) to **33** (03/04).
- Gallery income from **\$28,051**(02/03) to **\$49,954** (03/04).
- Grants received from **\$175,000** (02/03) to **\$235,000** (03/04).
- Promotion valuation from **\$10,572,588** (02/03) to **\$6,077,721** (03/04).
- Events/Workshops/Lectures from **473** (02/3) to **660** (03/04).
- Education Program participants from **9,342** (02/03) to **8,2233** (03/04).

*Specifically...*

1. 2003/04 Exhibitions:
  - **Operation Art** (28/6-26/7/03). State-wide children's art and workshop project. Visitation @ 11,767. Promotion @ \$58,740.
    - **Boofheads and Scrubbers Revenge** (2/8- 28/9/03). Boofheads - Brook Andrew, Michael Butler, Adam Cullen, Michael Kempson, Michael Lindeman, Tony Schwenson, Steve Smith, Robert Young. Scrubbers Revenge - Cecily Briggs, Karen Coull, Cherry Hood, Raquel Ormella, Eugenia Raskopolis, Regina Walter, Justene Williams. Visitation @ 9,891. Promotion @ \$5,179,530.
    - **At the Time It Seemed Important - Christopher Dean** (2/8-30/11/03)
      - Paintings from residency plus selected Collection works.
    - **Brainfeed** (4/10-30/11/03). Theory and technique. Jenny Allan, Rochelle Allan, Robyn Backen, Mel Donat, Tarna Edwards, Joan Grounds, Haro, Martin Kirkwood, Keren Ruki, Tim Ryan, Jonathan Wilson. Visitation @ 6,369. Promotion @ \$183,900.
    - **Coming Together** (27/10- 10/11/03). Exhibition of works by Aboriginal TAFE students. Promotion @ 23,900.
    - **Time and Love: The Handcrafted Bedroom** (6/12/03 - 8/2/04). Celebrating virtuoso 'artists' in the community. Curated by a community curatorium and Gallery staff. Visitation @ 7,034. Promotion @. \$240,000.
    - **The Landscape Show** (6/12/03 - 8/2/04). Exploring "landscape". Margaret West, Jeff Rigby, Warwick Fuller, Rhett Brewer, Bruce Latimer, Toni Warburton, Elaine Russell.

- **Margo Lewers Retrospective and Larson and Lewers Survey** (14/2- 24/3/04). Travelling exhibitions from S H Ervin Gallery and Manly Art Gallery & Museum. Visitation @ 4,947. Promotion @ \$216,960.
- **Land Out of Time** (2/4/-16/5/04). Blue Mountains artists revisit sites painted by 19<sup>th</sup> Century landscape artists. Patrick Benifer, John Caldwell, Jose De Koster, John Ellison, Warwick Fuller, Birgitte Hansen, David Robert Hill, Kerry Johns, Nadege Lamy, Ruth le Cheminant, Jeff Rigby, Venita Salnajs, Thomas Spence, Ian Swift, Owen Thompson, Michael White, James Willebrant, Sophie Zahlan De Cayetti. Visitation @ 7,489. Promotion @ \$87,995.
- **Frank Hinder - Order from Chaos** (3/4-20/6/04). Works on paper 1944 - 46 from the Gallery Collection.
- **King and Cameron** (17/4-20/6/04). Works by regional artists Victoria King and John Cameron. Visitation @ 3,778.
- **Sonia Farley Studio and Bathhouse Exhibition Projects** (ongoing). The Gallery presented a range of community focused and initiated exhibition projects in the Sonia Farley Studios and heritage Bathhouse. The program provided community focused professional development, training and exhibition opportunities and presented 9 exhibitions with 211 community members participating.

*1. Visitation:*

*Key achievements for the period 2003/04 included*

- *Achieving an overall annual Gallery attendance of **43,786***
- *Continued to increase visitor demographic diversity of visitors via: strategically targeted media and promotional programs; exhibition specific visitor research and profiling; exhibition specific database development; community networking; participation in local community festivals and events, tours and workshops; 'boutique' promotions in non Gallery outlets.*

*2. Marketing and Promotion:*

*2003/04 marketing and promotion objectives were to*

- *Continue to target and engage Western Sydney specific audiences.*
- *Create and promote community participation and involvement in the Arts.*
- *Create creative partnerships and resource sharing with other peak cultural institutions e.g. Casula Powerhouse Arts Centre and Museum of Contemporary Art.*
- *Continue to develop and maintain exhibition specific database networks for direct mail as well as electronic communication.*
- *Continue to develop corporate identity and branding awareness.*

*The 2003/04 marketing and promotion strategy was to*

- *Produce high quality mass distribution promotional print materials including invitations, fliers, posters and catalogues.*
- *Deliver dual pronged advertising strategy i.e. primary market Western Sydney, the secondary market the Sydney Metropolitan.*
- *Seek alternative advertising options outside of the mainstream of print and radio e.g. letterbox drops, poster runs, postcards, and banners in the local area and motorway billboards.*
- *Target local community networks specific to exhibitions e.g. Time and Love.*
- *Seeking sponsorship and in-kind support from local businesses as well as cross-promotional opportunities.*
- *Development and maintenance of the database so as to increase the visitor attendance.*
- *Conducting visitor research and analysis so that the Marketing Media and Advertising Strategy can be monitored.*
- *Extending the media coverage to include website listings, radio and television coverage.*

*Positive 2003/04 outcomes include:*

- *Establishment of positive professional relationships with key people in the media industry both locally and in the metropolitan area.*
- *Gaining a first-rate reputation within the arts sector, the local community, media, and art professionals.*
- *Repeat visitation for concurrent exhibitions proving we have established a relationship with the local community.*
- *Featured on six national television programs within a four-month period that covered three separate exhibitions.*
- *Forged in-kind and cross-promotional relationships with local industry such as Panthers World of Entertainment, The Sleeping Giant.*

### *3. Education Services:*

*Aims of the 2003/04 Educational Program included to*

- *Increase schools access to the exhibition program and collection*
- *Assist in the development of Visual Literacy in our regional schools*
- *Provide art appreciation and workshop outreach programs*
- *Extend Gallery access to disabilities audiences*
- *Provide workshops and Gallery tours to preschool and family audiences*
- *Present holiday workshop programs audiences 3 y/o to 14 y/o*
- *Provide teacher development opportunities in art making and art theory*
- *Offer professional development opportunities via community access exhibitions*
- *Install and develop a Digital Lab offering teacher development workshops, general public workshops and school workshops*
- *Publish and circulate an education newsletter, that profiles the Gallery's exhibition Calendar and education opportunities*
- *Expand Kids workshop and Adult workshop Databases*
- *Expand our education Database by researching regional schools, educational institutions and arts organisations*
- *Establish on-going lecture series to accompany exhibition program*
- *Trial adult workshop programs.*

*2003/04 Education Program development strategies included*

- *Provision of outreach services and art making workshops*
- *School Outreach Program included interactive language and literacy based workshop activities*
- *Presenting disability exhibition and workshop programs*
- *Developing special kids exhibition interpretation and workshop programs*
- *Presenting teacher development and enrichment programs*
- *Design and distribution of education program and workshop flyer to 1400 schools, art organizations, Uni, TAFE, and workshop data base*
- *Present ongoing school holiday workshop programs*
- *Develop and present Digital Lab Program*
- *Offering adult specific workshops program*
- *Create exhibition focused syllabus synergies between visual arts and crafts and other syllabus areas.*

*2003/04 Education Program outcomes included*

- *The Gallery has increased education program attendance by 39%*
- *Holiday programs for students sold out*
- *Digital workshops sold out.*

### *4. Revenue, Grants and Sponsorship:*

*The Gallery revenue increased its income revenue stream from \$28,051 (2002/03) to \$49,954 (2003/04). The increase was due to the installation of vending machines, designated visitor service officers, proactive venue and merchandise programs.*

*In 2003/04 the Gallery increased grants received from \$176,706 (02/03) to \$235,000 (03/04). It should be noted that majority of grants monies received were from the NSW Ministry for the Arts.*

*The Gallery continues to receive ongoing \$8,000 sponsorship from SITA Environmental Solutions. Also, throughout the year Gallery staff were able to secure project specific 'in kind' sponsorships.*

**6. Collection Management:**

*The primary focus for the 2003/04 Collection Management program was to manage and conserve existing Collections (no works purchased). Specifically, program focus was to*

- *Continue assessment and conservation of items from the permanent collection (2D).*
- *Complete cataloguing and appropriate storage of the Adolph Gustav Plate photography collection.*
- *Complete conservation assessment of the outdoor sculpture collection, with a focus on works by Gerald Lewers.*
- *Complete conservation of three Gerald Lewers outdoor sculpture/fountains.*
- *Complete cataloguing of entire permanent collection into the AdLib Collection Data Management software.*
- *Consolidate storage of permanent collection into one storage facility, including the addition of new storage racks for paintings and sculptures.*
- *Make Collection available for visiting artists, scholars and community members.*

**7. Volunteers:**

*Throughout 2003/04 the Gallery implemented a range of 'volunteer' programs (including volunteers, interns, work for the dole and Green Reserve). The program was invaluable in further developing community links; professional development and work place training opportunities; garden conservation and archival programs and visitor service initiatives. Such programs also enabled the Gallery to amortise and maximise limited human and financial resources.*

**8. The Garden:**

*Preparatory work continued with regards the restoration and upgrade of the Gallery's extant historic gardens. However, it should be noted that the Heritage Garden Conservation Management Plan and Maintenance Schedule Project was not delivered to time by project consultants Michael Lehany and Meredith Walker. This failure severely compromised and restricted work in the garden.*

**9. Governance:**

*Throughout the 2003/04 financial year much work has been completed to finalise the transitional arrangements between Penrith City Council and the Company. This has been a careful and considered process involving staff from the Gallery and Council. To date the process has been a successful and positive process.*

*It should also be noted that the Board has now approved a new staffing structure for the 2004/05 financial year (to be fully reported on in the next Annual Report).*

*In conclusion I would like to express thanks and appreciation to my exemplary staff. The Gallery now has a strong and creative team with which to tackle the challenges that lay ahead. Together we continue to build for a strong, creative and sustainable future.*

*Similarly, I would like to thank the Chairman, Directors of the Board and Penrith City Council for their support and encouragement shown to staff, the Gallery stakeholders and myself over the last 12 months."*

A copy of the Annual Report has been provided to Council.

## **Board of Directors**

The Articles of Association of the company provide, in part, that:

1. To provide continuity the members of the Board shall resign on a rotating basis. At the First Annual General Meeting, five (5) Directors (including one (1) Councillor) shall resign. At the Second Annual General Meeting, five (5) members shall resign (including one (1) Councillor). Thereafter, the members of the Board, except the Council officer, shall resign after they have served on the Board for three (3) years after appointment or re-appointment to the Board.
2. All retiring Directors shall be eligible for re-appointment.

Council should note that as per the Articles of Association, Councillors McKeown and Sheehy and Mrs Jan Cannon and Mr Rhett Brewer resigned at the Annual General Meeting of the Company held on 11 October 2004 and Councillors McKeown and Sheehy and Mrs Jan Cannon and Mr Rhett Brewer nominated for reappointment. It was resolved at the Second Annual General Meeting of the Penrith Regional Gallery and the Lewers Bequest Ltd that Penrith City Council be requested to endorse the appointment of Councillors McKeown and Sheehy and Mrs Jan Cannon and Mr Rhett Brewer as continuing Directors of the Penrith Regional Gallery and the Lewers Bequest Ltd.

The Hon Mr Peter Anderson AM and Councillor Pat Sheehy were reappointed Chairman and Deputy Chairman respectively.

Council's Facilities Operations Manager, Mr Gary Dean is the General Manager's representative and Company secretary.

Mrs Kerry Spurrett resigned from the Board and did not seek reappointment. Mrs Spurrett has been a Board member since the Board's inception and was a long time member of the Gallery Management Committee prior to the Board. Mrs Spurrett should be thanked for her valuable contribution to the success of the Gallery.

The Board has sought Council's endorsement to the appointment of Ms Fiona Steele to fill the vacancy created by Mrs Spurrett's resignation. Ms Steele works for the NSW Department of Education and Training Arts Unit as the 'Operation Art' Coordinator and Executive Officer coordinating the selection of a state wide exhibition of students' artworks from government and non-government schools. She has an extensive role which includes developing sponsorships, relationship building and networking. The Board considers Ms Steele to be an excellent replacement for Mrs Spurrett.

## **Financial Accountant – Entities comments**

The financial operations of the Gallery have continued to be maintained through the books of Penrith City Council during the 2003/04 financial year. Devolvement of these financial operations to the Management of the Gallery has been undertaken with close cooperation between Council officers and Gallery staff. An MYOB accounting plus package has been developed to record the accounting transactions for the Gallery and recent developments have allowed regular reporting structures to be in place to satisfy both the operational management of the gallery and the requirements of the Board and granting bodies.

The Gallery management is now undertaking the full range of accounting practices for the gallery, including the payment of staff salaries, PAYE taxation, GST accounting and regular board reporting. Council officers will continue to provide financial support and advice to the gallery management.

### **Other Activities at the Gallery**

During the past 12 months Council officers have worked with the Gallery and Council's Consultant Architects to finalise the documentation for a range of improvements/enhancements at the Gallery. These include the replacement of the roof and annex on Lewers House. A new entry is proposed from River Road with the construction of a new covered walkway adjacent to Ancher House. The verandah adjoining the Regional Gallery is to be widened and treated in a manner sympathetic to the historic integrity of the site. This widened area will occupy seating for visitors to 'rest' and enjoy refreshments. A range of other improvements will be done which will result in operational efficiencies and functionality.

The Development Application was approved in August 2004. Documentation is now being finalised for a Construction Certificate and Tender. The work is planned for March-April 2005.

The Gallery Gardens Conservation Management Plan, prepared by specialists appointed by Council has now been completed and the Steering Committee overseeing the specialists received a presentation on the comprehensive details of the reports. Council officers will review the report for submission to the Board in the near future. An agreed program, and budget will need to be developed by the Board for implementation by the Gallery staff.

The transfer of the Gallery management from Council to the Board was completed by 1 July 2004. Council officers have continued to work with the Gallery staff to ensure a smooth transition.

### **Conclusion**

The Gallery continues to grow in profile which is resulting in increased visitation and very positive feedback. This situation will continue with the further improvements planned over the coming months. It's status as a truly Regional Gallery will be confirmed.

### **RECOMMENDATION**

That:

1. The information concerning the Penrith Regional Gallery and Lewers Bequest Ltd Annual Report for the Board of Directors be received.
2. Council congratulate the Board of the Penrith Regional Gallery and Lewers Bequest Ltd for the results over the twelve months to end of June 2004
3. Councillors McKeown and Sheehy and Mrs Jan Cannon and Mr Rhett Brewer be reappointed to fill the vacancies that occurred at the Second Annual General Meeting of the Penrith Regional Gallery and Lewers Bequest Ltd.
4. Council endorse the nomination of Ms Fiona Steele to fill the vacancy that occurred by the resignation of Mrs Kerry Spurrett at the Second Annual General Meeting of the Penrith Regional Gallery and Lewers Bequest Ltd.
5. Council congratulate and thank Mrs Kerry Spurrett for her valuable contributions she has made over many years as a member of the Management Committee and Board at the Gallery
6. Council agree to underwrite the operations of the Penrith Regional Gallery and Lewers Bequest Ltd for twelve months from 1 July 2004 subject to receipt of the 2004/05 Gallery budget.



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## The City as an Economy

### 5 City Centres' Vitality and Viability Review

4200/6

**Compiled by:** Mark Andrews, Senior Environmental Planner

**Authorised by:** Ruth Goldsmith, Local Planning Manager

**Management Plan 4 Year Outcome:** *Local job-to-workforce ratio increased to 70%.*  
**Critical Action:** *Conduct and respond to an assessment of the effectiveness of the City's major business centres.*

#### **Purpose:**

*To confirm the policy approach for the assessment of Development Applications before Council, in the context of the City Centres' Vitality and Viability Review.*

#### **Background**

Council, at its meeting of 11 October 2004, considered the attached progress report on the City Centres' Review and resolved:

1. *The information contained in the report 'City Centres' Vitality and Viability Review' be received; and*
2. *An urgent briefing session or workshop be convened to review the current interim policy regarding building heights in the St Marys and Penrith centres and to confirm the basis for determining the Development Applications currently before Council.*

A Councillor briefing held on 16 October 2004 provided an initial opportunity to discuss the planning controls for the Penrith City Centre and St Marys Town Centre, and the suggestions made by the Government Architect in the Urban Design Analysis Study for Stage One of the City Centres Review. The key issues emerging from those discussions were building heights, the economics of development, the location of different land uses, urban design, parking and future strategies.

A further Councillor briefing session was held on 1 November 2004, with Council's consultants: Chris Johnson (NSW Government Architect), Martin Hill (HillPDA), Ken Hind (SKM), and Mike Collins (MCA Property) providing presentations on their analysis of the issues and opportunities in each Centre. Copies of the consultants' presentations have been distributed separately to Councillors, and the consultants are present tonight to enable further discussion on the issues emerging from the City Centres' Review.

Feedback sessions on the draft Vision for each Centre were also held on 3 and 4 November 2004, to provide feedback to the individuals and groups who participated in the consultations in August. Participants generally supported the proposed Visions and provided comments for our consultants, Village Well, to incorporate into the revised Visions. Village Well are now finalising their report, and the outcomes will be reported for Council's consideration when received.

The focus for the City Centres' process is to now incorporate the Visions, developed through the consultations and workshops, and the information and knowledge developed through the first stage of the studies, into the preparation of strategies that will take both Centres forward.

To do that successfully, a range of issues have to be considered, addressed, and integrated into a cohesive policy approach.

In the meantime, the importance of supporting the continuing vitality of the Centres is recognised, and a reasonable policy approach is required to guide current Development Applications before Council. It is still premature to adopt a final building envelope for the Centres, as this should continue to be developed with the broader community and Council's consultants through the Review process. Whilst a detailed urban design approach is yet to be developed, there is general support emerging from the analysis and consultations that can provide guidance for the assessment of current development proposals.

The specific issues of building heights, the economics of land uses, and carparking are further examined below, leading to a recommendation regarding an interim policy response.

### **St Marys Town Centre**

The St Marys Town Centre is predominantly zoned 'Mixed use' under the Penrith Planning Scheme (PPS) of 1960. The PPS does not contain statutory controls governing floor space ratios and building heights for development within the Town Centre.

The Government Architect was asked, ahead of his broader review of the Penrith City Centre and St Marys Town Centre, to recommend a building envelope to inform decisions regarding where higher rise development could be located within the St Marys Town Centre. This approach ensured that contemporary information was available, if required, to assist in guiding development proposals in the interim.

The Government Architect highlighted the need to create a sense of arrival through landmark buildings at both the intersection of Queen St and the Great Western Highway and at the St Marys Railway Station precinct. The views from Glossop Street, and the sense of enclosure provided by the surrounding ridgelines were identified as significant elements to recognise in the future development of St Marys. In this regard, the Government Architect has recommended that an appropriate built form should comprise –

- ~ *no buildings to exceed 6 storeys in height, as it would compromise the views from Glossop Street and the appropriate scale for the Centre,*
- ~ *'gateway structures' at either end of Queen Street, to a maximum of 6 storeys*
- ~ *other development along Queen Street, between the two 'gateways' to a maximum of 4 storeys to protect and enhance the built form of the Centre*
- ~ *the potential for development, between the two gateways and to the east and west of Queen Street, to a maximum of 5 storeys with the top storey set back beyond the elevations of the lower storeys.*

### **Penrith City Centre**

The general intention of the existing (1997) planning controls is to allow a greater intensity of development around the railway station in the CBD area, with a lower scale of development at a greater distance from the station.

The existing planning instruments govern building bulk, scale and height through the application of floor space ratio controls. Floor space bonus provisions are provided to encourage residential development in the former High St Mall precinct. The additional FSR is only permitted if –

- *the development includes a residential component of at least 25% of the total floor space, and*
- *the residential component is located above street level, and*

- *buildings have a maximum height of 15 on the northern side of High St and 18 metres on the southern side of High St, and*
- *meet building envelope, urban design and access criteria, and*
- *site area thresholds are met (encourages consolidation of smaller lots).*

No other statutory height controls apply elsewhere within the Penrith City Centre. There is some concern that this approach could result in an inconsistent built form outcome for the City Centre. The Government Architect suggests that a review of Council's FSR controls (site-by-site or block-by-block) would achieve a more consistent city form for the Penrith City Centre.

Last year, in response to current proposals and proposed development enquiries, the NSW Government Architect was asked, ahead of his broader review of the Penrith City Centre and St Marys Town Centre, to develop a preliminary building envelope to inform decisions regarding where higher rise development could be located within Penrith City Centre.

The Government Architect recommended the staged introduction of an urban structure comprising lower scale development fronting public streets, new green parks and urban squares, ringed by higher built forms. This structure seeks to concentrate future activity within the central 'core' section of the City Centre, improve pedestrian accessibility between the existing principal activity nodes and provide quality public spaces. Its staged introduction ensures that development in the City Centre is not fragmented and takes place in an orderly manner. He indicated that:

- *building heights in the City Centre should generally be limited to 4 storeys, with the top storey setback beyond the elevations of the lower storeys,*
- *building heights along High Street between Station St and Mulgoa Road should be limited to 5 storeys, with the top storey setback beyond the elevations of the lower storeys, and*
- *higher building forms, of up to 12 storeys, could be used to define the edges of the core of the City Centre, and to create a sense of enclosure.*

The outcomes of the Government Architect's analysis were considered by Council at its Policy and Review Committee Meeting of 8 December 2003. The report highlighted the need to ensure that development proposals that emerged prior to completion of the City Centres' Review did not compromise the future orderly development and desired form of the City Centre. Council endorsed the report's recommendations that, pending completion of the City Centres' Review:

- *Higher rise development in the Penrith City Centre should be restricted to properties immediately each side of Station Street, between Belmore Street and Union Road, and limited to a maximum of 6 storeys*
- *Elsewhere within the Penrith City Centre, buildings should observe a maximum building height of 4 storeys, with the top storey set back beyond the elevations of the lower storeys*
- *Site development should respect and respond to the issues, opportunities and principles identified by the Government Architect, and*
- *Development should be required to comply with the provisions of the existing Penrith City Centre planning instruments, in particular the current maximum floor space ratio requirements.*

## Current Applications

The following applications for higher rise development in the St Marys Town Centre and Penrith City Centre are currently with Council for assessment and determination:

<b>Applicant and Location</b>	<b>Description</b>	<b>Conforms with current planning controls and policies?</b>	
Orinoco Investments Pty Ltd <b>DA03/2889</b> 54 King St St Marys	Mixed use development – ~ Ground floor retail and parking ~ 3 storeys of residential with top storey set back	Yes	~ Penrith Planning Scheme 1960 applies. ~ Being assessed against DCP 2000 for apartments and SEPP 65 where appropriate. ~ A similar development was previously approved on this former Council owned site in 2000.
Cavasini Constructions Pty Ltd <b>DA03/3292</b> 538-556 High St Penrith	Mixed use development – ~ 3 levels of basement parking ~ Ground floor level retail ~ 2 storeys of commercial ~ 5 storeys of residential	No	~ Does not comply with Penrith City Centre LEP 1997 Zone 3(a) (ii) objectives ~ Exceeds FSR ~ Exceeds height ~ Exceeds overshadowing ~ Does not meet SEPP 65 requirements – context, scale, built form, density, resource energy and water efficiency, aesthetics
Charles Glanville (Architects) Pty Ltd <b>DA04/0744</b> 558 High St Penrith	Mixed use development – ~ 2 level of basement parking ~ Ground floor retail and parking ~ 1 storey commercial ~ 3 storeys of residential with top storey set back	Yes	~ Generally complies with Penrith City Centre LEP 1997, DCP and Interim Building Heights Policy following discussion with Government Architect.
Allam Bros and Associates Pty Ltd <b>DA04/1276</b> 84 Henry St Penrith	Commercial development – ~ 2 levels of basement parking ~ 4 storeys of commercial with top storey set back	Yes	~ Generally complies with LEP, DCP and Interim Policy on Building Heights. ~ Issue of car parking to be resolved.

The proponents of the two mixed-use applications in the Penrith City Centre have been invited to attend tonight's meeting.

## Key Issues

The City Centres' discussions over recent months have focussed on the issues emerging from the studies and consultations, and highlighted the need for both long term responses and, where necessary, interim policy responses to manage current development proposals. Specific issues relating to current development proposals are addressed in more detail below.

1. *SEPP 65 and mixed use development (retail / commercial / residential)*

Issues regarding mixed land uses (including a residential component), building heights and viability are emerging in both Penrith and St Marys, with comments also referencing the impact of SEPP 65 provisions on the viability of development. The NSW Government Architect has provided comments in response to concerns expressed about the interaction of SEPP 65 and its potential impacts on heights and viability.

The Government Architect has indicated that SEPP 65 encourages dual aspect apartments and cross-over apartments. These designs encourage good solar access and natural air flow, improving amenity and 'livability'. Rather than access by avoiding long corridors that service many apartments, the SEPP 65 requirements have influenced designs to have access and service cores that each serve a smaller number of apartments. Generally speaking, a standard service core should support a minimum of 4 'dual aspect' apartments (the apartments faces out two ways) with entries on each floor. This reduces the amount of public circulation corridors (one corridor every two floors), resulting in larger apartments overall. He also argues that depending on the plot size and orientation, greater efficiencies can be achieved.

As a prelude to SEPP 65, and to encourage better urban design, the State Government published the *Residential Flat Design Pattern Book* in 2001. This has now been followed up by *Improving Flat Design: a progress report*, which was published in March this year. This booklet analyses 20 built projects (located in the Sydney metropolitan area, coastal and regional NSW) that demonstrate a real improvement in design quality. Together, the publications show what quality design is and that it is achievable.

2. *Land Use Precincts*

There is debate within the property industry and planning profession about the need to provide for a commercial / retail core in a City Centre. Arguments for the preservation of a core focus on future management issues and current operational concerns. Commercial owners are seeking to ensure the timely redevelopment and refurbishment of buildings without the difficulties of negotiating with residential owners (under the Strata Titles Act). Existing mixed-use developments are experiencing conflict between residents and the hours and activities associated with the retail / commercial businesses. Alternatively, it is argued that mixed-use development should be promoted throughout the Centre to add life and vitality outside of normal office / business hours.

The Property Council's recent submission on the Metropolitan Strategy Discussion Paper supports the development of precincts, saying –

*“Not all centres are the same. The future of any particular centre depends on its competitive advantage and intrinsic character. In determining the future of centres particular attention also needs to be given to the regional and metropolitan context. Strategic plans for centres need to identify and reserve land for future growth. Opportunities for growth must not be stifled by blockages in development control and outdated plans.*

*Business land uses also face heavy competition from residential development. Much of the recent conversion of industrial land to residential use has occurred with very little strategic thought. The policy of encouraging more apartment buildings in CBDs can also undermine their future employment capacity, if not planned correctly”.*<sup>1</sup>

The concept of precincts for specific land uses underpinned the focus of the earlier Penrith City Centre Review, and this approach has continued to effectively shape Penrith's growth over the past five to ten years.

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<sup>1</sup> *Metro Strategy: A Property Industry Perspective* November 2004 pages 11-12

Contemporary principles of accessibility and urban design suggest that a commercial / retail core in Penrith should be located generally within 5 minutes' walking distance from the station. Identification of precinct/s for retail / commercial uses provides certainty for landowners, developers and occupiers, and enables economic and investment decisions to be based on clear policy directions. This would also encourage commercial development closer to the core, and allow a transition to the adjoining residential areas.

Mixed-use residential development, with ground floor retail / commercial could be located generally within 10 minutes' walking distance of the station, and along the edge of the commercial / retail core. This encourages the synergies of activity to occur without generating the highlighted potential for activity conflicts. It also encourages retail activities most closely aligned with residential development (dining, cafes, leisure, and service activities) to locate adjacent to, or within, these developments and areas.

Similar principles can be applied in St Marys, however the structure of the Centre and its role in providing services to the district, suggests that residential development may be integrated with the existing commercial / retail uses without compromising the integrity of the Centre.

Clearly, given the spectrum of the debate, this is an issue that will be explored further through the second stage of the City Centres' Review. This process would involve workshops with Council's consultants, key stakeholders and consultation with the wider community.

### *3. Traffic congestion and car parking*

The Access and Transport Analysis Report indicates that Council's current car parking requirements and arrangements contribute to traffic congestion, by promoting car usage. Significantly, advice from both Council's Economic Consultant and local developers suggests that the viability of commercial development is severely constrained by the current car parking requirements. Clearly, if current car parking requirements are preventing the attraction of the commercial activity needed in the Centres, further examination will be necessary.

A long-term response will be needed, in concert with the State Government, to address traffic congestion and to reduce car use in city centres. The second stage of the Review will consider necessary infrastructure network improvements, travel demand management, innovative public transport, carparking location and management, and the potential impacts of future growth of the City and surrounding region on our City Centres.

### *4. Economic viability of Development*

In the recent Briefing Session with Councillors, Council's economic consultant Martin Hill outlined the current economics of developing different land uses, to varying building heights, in both of the City's Centres. His information identified that in the central High Street precinct in the Penrith City Centre:

- ~ mixed use development (retail, commercial, residential) that complies with the current planning controls, provides only marginal economic returns and is marginally viable*
- ~ a retail / residential (no commercial) development, that complies with the current planning controls, provides improved economic returns and is more viable than the above scenario.*

In terms of the economics of developing different land uses to varying building heights in St Marys, Martin Hill has also identified that retail / residential (no commercial) development, that complies with the current planning controls, provides the best economic returns and is most viable. Martin has suggested that the building heights, proposed by the Government

Architect for St Marys, may need further examination to ensure that they can be economically viable. This matter will be investigated in the second stage of the Review.

Mike Collins, Council's property development advisor, also highlighted the current economics of developing in the City's two key Centres. He argued that the current carparking provisions are prohibitive, are not consistent with other major centres, and act as a disincentive to commercial development.

5. *Interim Policy on Building Heights in the St Marys Town Centre*

There is emerging development interest in St Marys, and all interested parties are currently working with Council in moving forward with the City Centres' Review. They have been involved in the Workshops and feedback sessions, and are providing valuable information and insight into potential future directions for the Centre.

To provide intending developers with some guidance, pending the development of Centre strategies and the preparation of contemporary planning controls, an Interim Policy on building heights, based on the NSW Government Architect's urban design analysis, is recommended.

6. *Interim Policy on Building Heights in the Penrith City Centre*

The Interim Policy, adopted by Council on 8 December 2003, is based on the NSW Government Architect's analysis of the Penrith City Centre. It was adopted to guide consideration of development proposals that emerged prior to completion of the City Centres' Review, and ensured that such proposals did not compromise the future orderly development and desired form of the City Centre.

The City Centres' Review initial analysis and consultation processes have now been completed, and the second stage of the studies is now ready to be progressed. Generally, there is a level of support emerging for the height and urban design principles articulated in the NSW Government Architect's analysis.

It is, however, still premature to adopt a final building envelope for any part of the City Centre. This issue needs to be determined as part of a cohesive and integrated suite of policy responses, that has considered the influences and impacts of each element of future Centre activities and design on all other components, to ensure a viable and vital City Centre. It cannot be determined in isolation of decisions on economic viability, and car parking requirements, and urban design considerations that will shape the Centre into the future.

This issue should continue to be developed with all stakeholders, including the broader community, through the second stage of the City Centres' Review process. Whilst a detailed urban design approach is yet to be developed, the general support emerging from the analysis and consultations can provide guidance for the assessment of current development proposals.

The Interim Policy restricted 'higher rise' development to a maximum of six storeys for properties along Station Street, between Belmore Street and Union Road. Elsewhere within the Penrith Centre, buildings were limited to a maximum height of four storeys, with the top storey 'set back'. Proposed developments also had to respect and respond to the issues, opportunities and principles identified by the Government Architect, and comply with the provisions of the existing Penrith City Centre planning instruments, in particular the current maximum floor space ratio requirements.

In this regard, the current adopted Interim Policy generally allows appropriate development to occur without compromising the future growth of the Centre. It is also considered reasonable, given the directions of the Review, to enable early consideration of development proposals up to and including five stories in height, if it is in areas so identified on the

Government Architect's analysis. The proposed range of four, five and six storey limits provide reasonable development opportunities for those who need to advance developments whilst the future Centre policies are progressed.

During this period there may be inconsistency with proposals that comply with the FSR requirements, and yet may exceed the Interim Height Policy. Such proposals will need to be considered on their merits, and in the context of the future directions emerging from the City Centres' Review.

It would provide greater certainty in the longer term, however, to specify a height limit in metres rather than a number of built 'storeys', particularly given the different floor-to-ceiling provisions for different uses (retail, commercial, residential). This issue will be an integral element of our considerations in the second stage of the Review.

It is recommended that Council continues to support the Interim Policy approach, with the additional opportunities recommended in this report, until the second stage of the City Centres' Review has been progressed, and the appropriate urban design and form for the Penrith Centre is determined. Council's two economic consultants, and local developers, have demonstrated that development within the recommended parameters is economically viable.

### **City Centres' Review – Future Process**

#### *1. City Centres' Task Force*

Councillors discussed the issues emerging from the City Centres' Review at the Briefing Session on 16 October 2004, and indicated that they would be interested in visiting other relevant city centres to see examples of 'the good, the bad, the ugly and the mistakes'. Opportunities for the introduction of 3D modelling to assist in guiding future strategies and development assessments in the Centres were highlighted. There was also recognition that continuing dialogue with Council's consultants was needed to ensure a more comprehensive understanding of the emerging issues.

It was suggested that a City Centres' Taskforce should be formed. This would provide opportunities for further discussions, and contribute to the progress of the Review. Accordingly, it is recommended that a City Centres' Taskforce is established.

#### *2. SEPP 65 Panel*

*State Environmental Planning Policy 65 - Design Quality of Residential Development Flat Development* came into effect in 2002 and requires, amongst other things, a consent authority to refer development applications for residential flat buildings to an independent Design Review Panel, for advice prior to determination of the application. The Independent Panel must be established by the Minister, and applies to the designated consent authority. The Panel also provides advice to consent authorities at the pre-lodgment stage, and to Councils on the design content of draft planning instruments and controls.

In the Sydney metropolitan area, Panels have been established on a regional basis for Hurstville, Kogarah and Rockdale; Burwood, Canada Bay and Strathfield; Randwick and Waverley; and Gosford and Wyong. Two Panels cover the Parramatta local government area, due to the current volume of applications.

The SEPP also promotes the establishment of Independent Design Review Panels (IDRP). These comprise an expert Panel, convened to review and comment on residential flat



proposals that meet the SEPP 65 criteria. As Council is receiving significant development enquiries and applications incorporating residential flat buildings, it is timely for Council to pursue the opportunity to establish a Design Review Panel for the Penrith local government area. The Panel would also be of assistance in the development of new planning controls arising from the City Centres' Review. Council's Building Approvals and Environment Protection Manager is preparing a report on the establishment of a IDRP, which will be presented to Council early in the new year.

### 3. *Community Consultation and Visioning*

The City Centres' Review analysis and consultation processes have progressed. Following the recent community feedback sessions on the draft Visions, our community consultation consultants Village Well are finalising their report. The outcomes will be reported for Council's consideration as soon as the information has been finalised.

### **Conclusion**

Generally, there is a level of support emerging for the height and urban design principles articulated in the NSW Government Architect's analyses. It is, however, still premature to adopt final building envelopes for the both Centres, as these should continue to be developed with the broader community through the City Centres' Review process. Whilst a detailed urban design approach is yet to be developed, the general support emerging from the analysis and consultations can provide guidance for the assessment of current development proposals.

Given the growing interest in the City's Centres, it is imperative that the City Centres' Review is advanced as quickly as possible whilst ensuring the outcomes are soundly based on research, the principles of sustainability, and community engagement. It is therefore proposed that a number of workshops in the new year will underpin the development of strategies, to support the delivery of the Visions for both Penrith and St Marys. It is intended that the Strategies will be completed by June 2005.

Concurrently with the strategies, work will commence on the preparation of draft planning controls, to guide future development in the Centres. It is intended that these will be completed by December 2005.

### **RECOMMENDATIONS**

That:

1. The information contained in the report '*City Centres' Vitality and Viability Review*' be received
2. The Interim Policy on Building Heights in the Penrith City Centre, adopted on 8 December 2003, continue to be applied in the assessment of relevant development applications before Council, as follows –
  - 2.1 Higher rise development in the Penrith City Centre shall be located as indicated in Stage One of the NSW Government Architect's proposed urban structure (restricted to properties immediately each side of Station Street, between Belmore Street and Union Road) and shall be limited to a maximum of six storeys
  - 2.2 Along the south side of High Street (generally between Station Street and old Mulgoa Road), and on the north side of Union Road (between Worth Street and old Mulgoa Road) buildings shall observe a maximum building height of five storeys, with the top storey 'set back' beyond the elevations of the lower storeys

- 2.3 Elsewhere within the Penrith City Centre, buildings shall observe a maximum building height of four storeys, with the top storey 'set back' beyond the elevations of the lower storeys
  - 2.4 Site development shall respect and respond to the issues, opportunities and principles identified by the Government Architect, and
  - 2.5 Development shall be required to comply with the provisions of the existing Penrith City Centre planning instruments, in particular the current maximum floor space ratio requirements.
3. The NSW Government Architect's proposed building heights for the St Marys Town Centre, along both sides of Queen Street only, be adopted as an Interim Policy to guide development enquiries and applications, pending the preparation of planning and development controls arising from the *Our City Centres - Vitality and Viability Review*
  4. Council pursue the opportunity to establish a Design Review Panel for the Penrith local government area
  5. A City Centres' Task Force comprising all interested Councillors be formed to discuss key issues arising from the City Centres Review.



## **Council's Operating Environment**

### **6 New Local Government (State) Award**

**929/20**

**Compiled by:** Linden Barnett, Workforce Development Manager

**Authorised by:** Steve Hackett, Director - City Services

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

**Critical Action:** *Maintain a flexible, harmonious and productive workforce.*

#### **Purpose:**

*To advise the Policy Review Committee of the new Local Government (State) Award*

#### **Background**

Negotiations for a new Local Government (State) Award have been undertaken during 2004. A significant feature of the negotiations has been the development of a 'plainer English' version of the Award and extensive negotiations over the extent of Award increases during the life of the new Award.

To ensure a more robust consultative process and for the first time in Award negotiations, the LGSA established an Award Working Group drawn from members of the LGMA and Human Resource representatives from various Councils. Penrith's General Manager participated as a member of this working group.

The outcome of consultation with stakeholders and conciliation proceedings before the Industrial Relations Commission was the development of a package of variations to establish a three year consent Award.

#### **Present Position**

A new consent Award was made by the Industrial Relations Commission on 19 October 2004. It took effect from the beginning of the first pay period to commence on or after 1 November 2004 for a period of three years.

Rates of pay were increased by 4%, 3.5% and 3% over a period of three years with minimums of \$22, \$20 and \$19 per week respectively. Financial Services has advised that it has allowed for this level of increases in its forward estimations.

Other new provisions in the Award include:

- Limitation on Councils in employing staff on term contracts
- The encouragement of more flexible working and family arrangements
- Removal of impediments to multi-skilling
- Stipulation that Councils may require an employee to work reasonable overtime
- Variations to the disciplinary provisions
- The entitlement of redundant employees to job search allowance of up to \$2000.00

Other variations or new provisions relating to garbage handling, motor vehicle leaseback arrangements and NAIDOC Week leave and salary sacrifice arrangements were either currently applying at Council or had no effect on existing work arrangements.

A copy of all variations to the Award is attached to this business paper. The full Award document will be placed on official notice boards when available through the Award Supply Service.

**RECOMMENDATION**

That the information contained in the report on the new Local Government (State) Award be received.

