

3 July 2007

Dear Councillor,

In pursuance of the provisions of the Local Government Act, 1993 and the Regulations thereunder, notice is hereby given that an **ORDINARY MEETING** of Penrith City Council is to be held in the Council Chambers, Civic Centre, 601 High Street, Penrith on Monday 2 July 2007 at 7:30pm.

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**

### *BUSINESS*

1. **APOLOGIES**
2. **LEAVE OF ABSENCE**
3. **CONFIRMATION OF MINUTES**  
*Ordinary Meeting - 25 June 2007.*
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)*  
*Non-Pecuniary Interest*
5. **ADDRESSING THE MEETING**
6. **MAYORAL MINUTES**  
*Council recognised for Excellence in Stormwater Research.*
7. **NOTICES OF MOTION**
8. **ADOPTION OF REPORTS AND RECOMMENDATION OF COMMITTEES**
9. **MASTER PROGRAM REPORTS**
10. **URGENT REPORTS (to be dealt with in the master program to which the item relates)**
11. **QUESTIONS WITHOUT NOTICE**
12. **COMMITTEE OF THE WHOLE**



**ORDINARY MEETING**

**MONDAY 2 JULY 2007**

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# PRAYER

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

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

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

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





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

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

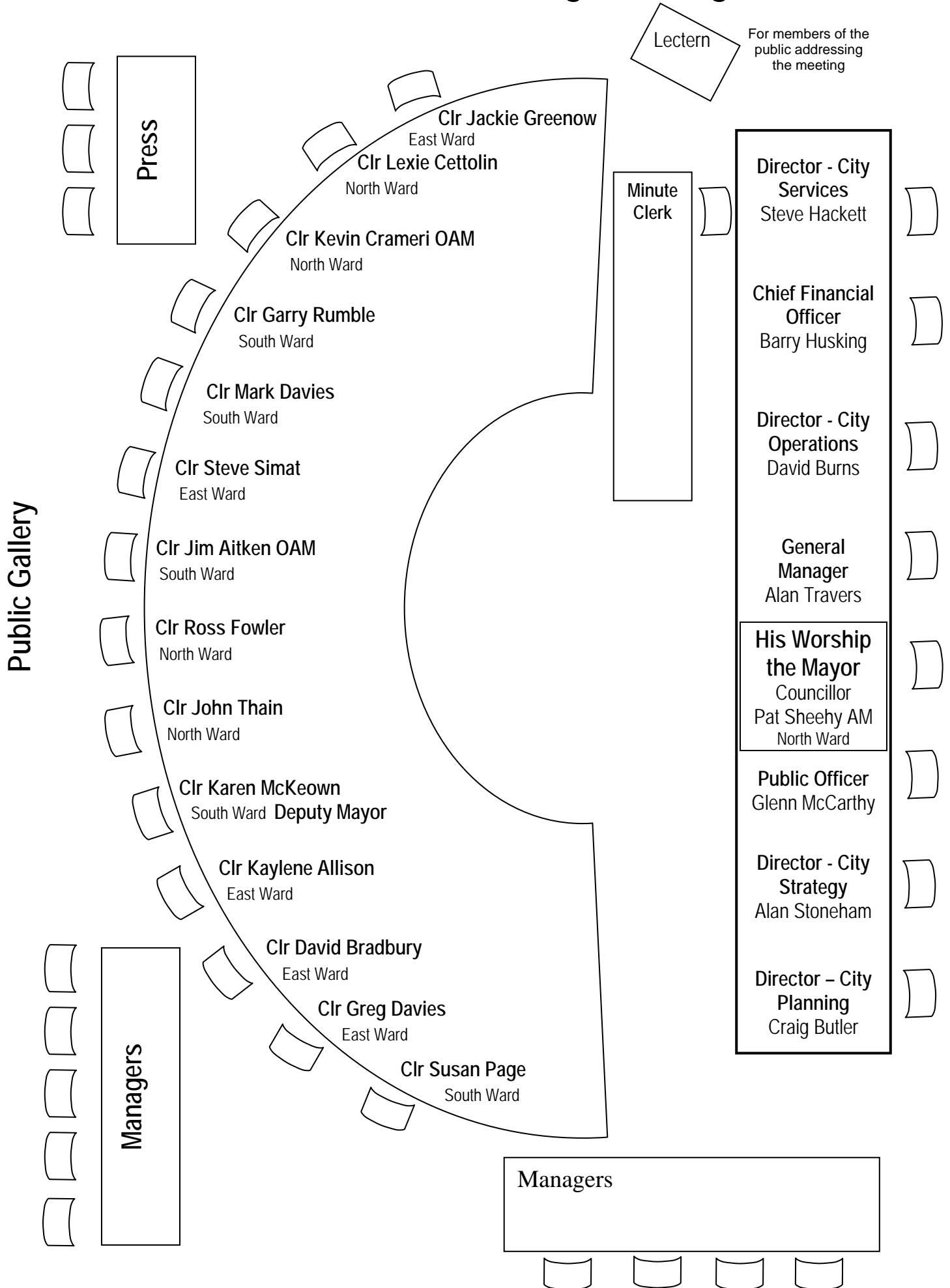
Council values the unique status of Torres Strait Islander people as the original owners and custodians of the Torres Strait Islands and surrounding waters.

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





# Council Chambers Seating Arrangements







## MEETING CALENDAR

February 2007 - December 2007

	TIME	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
		Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon
<b>Ordinary Meetings</b>	<b>7.30 pm</b>	12	5		7❖	25*	2		3✓			
			26	23	28		23	13	24^	29	19	10
<b>Policy Review Committee</b>	<b>7.30 pm</b>		12	2@		4	9		10			3
		19#+		30	21#		30	20#+		8@	5#	

# Meetings at which the Management Plan ¼ly reviews are presented.

#+ General Manager's presentation – half year and end of year review

❖ Meeting at which the Draft Management Plan is adopted for exhibition

\* Meeting at which the Management Plan for 2007/2008 is adopted

^ Election of Mayor/Deputy Mayor [only business]

@ Strategic Program progress reports [only business]

✓ Meeting at which the 2006/2007 Annual Statements are presented

- Council's Ordinary Meetings are held on a three-week cycle where practicable.
- Extraordinary Meetings are held as required.
- Policy Review Meetings are held on a three-week cycle where practicable.
- Members of the public are invited to observe meetings of the Council (Ordinary and Policy Review Committee). All meetings start at 7:30pm.
- Should you wish to address Council, please contact the Public Officer, Glenn McCarthy on 47327649



## **UNCONFIRMED MINUTES**

### **OF THE ORDINARY MEETING OF PENRITH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS**

**ON MONDAY 25 JUNE 2007 AT 7:33 PM**

#### **NATIONAL ANTHEM**

The meeting opened with the National Anthem.

#### **STATEMENT OF RECOGNITION**

His Worship the Mayor, Councillor Pat Sheehy AM read a statement of recognition of Penrith City's Aboriginal and Torres Strait Islander Cultural Heritage.

#### **PRAYER**

The Council Prayer was read by the Rev Neil Checkley.

#### **PRESENT**

His Worship the Mayor Councillor Pat Sheehy AM, Councillors David Bradbury, Lexie Cettolin, Kevin Crameri OAM, Ross Fowler, Jackie Greenow, Susan Page, Garry Rumble, Steve Simat and John Thain.

#### **APOLOGIES**

200 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Garry Rumble that the apologies from Councillors Greg Davies and Mark Davies be accepted.

#### **LEAVE OF ABSENCE**

Leave of Absence was previously granted to Councillor Jim Aitken OAM for the period 7 June 2007 to 29 June 2007 inclusive.

Leave of Absence was previously granted to Councillor Karen McKeown for the period 25 May 2007 to 26 June 2007 inclusive.

Leave of Absence was previously granted to Councillor Kaylene Allison for the period 26 May 2007 to 1 July 2007 inclusive.

#### **CONFIRMATION OF MINUTES - Ordinary Meeting - 28 May 2007**

201 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Susan Page that the minutes of the Ordinary Meeting of 28 May 2007 be confirmed.

#### **DECLARATIONS OF INTEREST**

Councillor Steve Simat declared a pecuniary interest in *Item 10 – St Marys Release Area - Public Exhibition of draft Plan of Management for Wianamatta Regional Park*, as his employer provides consultancy services to Delfin Lend Lease. He stated that he would leave the Chamber during consideration of this matter.

Councillor Kevin Crameri OAM declared a non-pecuniary interest in *Item 10 - St Marys Release Area - Public Exhibition of draft Plan of Management for Wianamatta Regional Park*, as he lives in a neighbouring area.

Councillor John Thain declared a non-pecuniary interest in *Item 9 – City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd – Subsidy*, as he is a Director on the Board of the City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd.

Councillor Ross Fowler declared a non-pecuniary interest in *Item 9 – City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd – Subsidy*, as he is a Director on the Board of the City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd.

## **MAYORAL MINUTES**

### **1 Locals receive 2007 Queen’s Birthday Honours**

202 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Jackie Greenow that the Mayoral Minute on Locals receive 2007 Queen’s Birthday Honours be received.

### **2 Council recognised for innovative use of compost**

203 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Jackie Greenow that the Mayoral Minute on Council recognised for innovative use of compost be received.

## **REPORTS OF COMMITTEES**

### **1 Report and Recommendations of the Local Traffic Committee Meeting held on 4 June 2007**

204 RESOLVED on the MOTION of Councillor Steve Simat seconded Councillor Jackie Greenow that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 4 June, 2007 be adopted.

### **2 Report and Recommendations of the Policy Review Committee Meeting held on Monday 4 June 2007**

205 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Kevin Crameri OAM that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 4 June, 2007 be adopted.

## MASTER PROGRAM REPORTS

### LEADERSHIP AND ORGANISATION

#### 1 2007-2008 Management Plan

206 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Susan Page

That:

1. The information contained in the report on 2007-2008 Management Plan be received.
2. The recommended actions, including changes to the draft budget, staff establishment, and tasks as detailed in the report be adopted, and those which relate to variations to the exhibited draft plan, be incorporated into the Management Plan.
3. The 2007-2008 Management Plan, as amended, be formally adopted.
4. Council approve for expenditure the budget as detailed in the 2007-2008 Management Plan, and on that basis formally vote these funds for the 2007-2008 financial year.
5. Those individuals and organisations who made submissions on Council's Management Plan be thanked for their input and advised of Council's decision.
6. Those projects in the 2006-2007 Management Plan, which were approved by Council in the March Quarter Review 2007 to be carried forward, be added to the adopted Management Plan and Budget for 2007-2008.
7. A further report be presented to Council providing a detailed response to the issues raised by Mr Bruce Oliver in his submission dated 1 June 2007.

#### 2 Making of Rates and Charges for 1 July 2007 to 30 June 2008

207 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Susan Page

That:

1. The information contained in the report on Making of Rates and Charges for 1 July 2007 to 30 June 2008 be received.

##### 2. Ordinary Rate

In accordance with Section 535 of the Local Government Act 1993, an ordinary rate named Residential ordinary in accordance with Section 543(1) of point four zero two three (.4023) cents in the dollar being ad valorem amount on the land value of all rateable land in the City categorised as residential under Section 493 and that an ordinary rate named Farmland ordinary of point two zero one one five (.20115) cents in the dollar on the land value of all rateable land in the City categorised as Farmland and that an ordinary rate named Business ordinary of point seven two six zero three (.72603) cents in the dollar on all rateable land in the City categorised as business and that an ordinary rate being a subcategory of Business rate named

Penrith CBD Rate of point eight three three eight (.8338) cents in the dollar and that an ordinary rate being a subcategory of Business rate named St Marys Town Centre Rate of one point one two one seven (1.1217) cents in the dollar be now made for the period 1 July 2007 to 30 June 2008 subject to a minimum rate under Section 548(5) of six hundred and forty nine dollars (\$649.00) in respect of each separate parcel of land categorised as Residential and Farmland and that each separate parcel of land categorised as Business or as a subcategory of Business be subject to a minimum rate under Section 548(5) of the Local Government Act, 1993 of eight hundred and thirty dollars and forty cents (\$830.40).

**3. Service of Rate Notices**

The rate or charge for the 2007-08 rate year be levied on the land specified in a rates and charges notice by the service of that notice, and the General Manger be and is hereby authorised, to prepare and serve such notice for and on behalf of Council.

**4. Charges**

The charges attached to the report to the Ordinary meeting on 25 June 2007, titled Making of Rates and Charges for 1 July 2007 to 30 June 2008, be made (see attachment).

**5. Interest**

For the purpose of calculating the interest on overdue rates and charges in accordance with Section 566(3) of the Local Government Act, 1993, Council make the interest charge for 2007-08 ten (10.0) percent per annum.

**6. Pension Rebate**

All eligible pensioners under Section 575 of the Local Government Act, 1993 be granted a rebate of 50% of the ordinary rate and domestic waste management service up to a maximum of \$250.00 under Section 575(3) of the Local Government Act, 1993.

Councillor Kevin Crameri OAM requested that his name be recorded as having voted AGAINST the MOTION.

**THE CITY IN ITS BROADER CONTEXT**

**3 Penrith Valley Cultural Precinct - grant applications**

208 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Steve Simat

That:

1. The information contained in the report on Penrith Valley Cultural Precinct - grant applications be received.
2. An application to the Federal Department of Transport and Regional Services for a \$860,000 grant under the Regional Partnerships Program be made.

3. An application to the NSW Department of Utilities, Energy and Sustainability for a \$60,000 grant under the Public Facilities Program be made.

## **THE CITY AS A SOCIAL PLACE**

### **4 Youth Week 2007**

209 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Steve Simat that the information contained in the report on Youth Week 2007 be received.

### **5 Community Assistance Program 2006/07 Rolling Component**

210 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Steve Simat

That:

1. The information contained in the report on Community Assistance Program 2006/07 Rolling Component be received.
2. Council approve a grant allocation of \$1,000 each, to the Mamre Plains Ltd, the Werrington Community Project Inc and Nepean Migrant Access Inc, under the Rolling Component of the 2006/07 Community Assistance Program, for the identified projects.

### **6 Tender 17-06/07 - Grave Digging Services**

211 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Steve Simat

That:

1. The information contained in the report on Tender 17-06/07 - Grave Digging Services be received.
2. L J Follington Constructions Pty Ltd be awarded a contract for grave digging services for a period of 2 years, with an option to extend the agreement for a further 2 x 1 year periods, subject to satisfactory performance, with provision for rise and fall.
3. G A and A P Lane be thanked for their grave digging service to Council and the community.

### **7 Roadside Trading on Public Land**

212 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Steve Simat that the information contained in the report on Roadside Trading on Public Land be received.



## **8 Penrith Football Stadium Redevelopment**

213 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Steve Simat

That:

1. The information contained in the report on Penrith Football Stadium Redevelopment be received.
2. The NSW State Government be thanked for their \$5 million contribution to the Penrith Football Stadium Redevelopment.
3. The Penrith Football Stadium Redevelopment Working Party be re-convened for the Stage 2 works, comprising Councillors Lexie Cettolin, Greg Davies and Mark Davies, Mr Alan Travers, Penrith City Council General Manager (or his representative), Karyn Paluzzano MP, Member for Penrith, four (4) representatives of Panthers and one (1) representative of the Penrith Valley Sports Foundation.
4. The Terms of Reference for the Penrith Football Stadium Redevelopment Working Party be:

*“To develop and report back to Council on a recommended scope of works for Stage 2 of the Penrith Football Stadium Redevelopment.”*

## **9 City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd - Subsidy**

214 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Steve Simat

That:

1. The information contained in the report on City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd - Subsidy be received.
2. An additional subsidy of \$98,500 be provided to the City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd for the 2006-07 financial year.

## **11 Variation of Subdivision Control currently applying to Lot 20 DP 20420**

**(No. 11) Hornseywood Avenue, South Penrith. Applicant: Mrs Mary Gibbons; Owner: M & T Gibbons**

**DA07/0396**

215 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Steve Simat

That:

1. The information contained in the report on Variation of Subdivision Control currently applying to Lot 20 DP 20420 (No. 11) Hornseywood Avenue, South Penrith be received
2. The Common Seal of Penrith City Council be affixed to all necessary documentation to vary the covenant
3. The development application DA07/0396 for dwelling additions on Lot 20, DP 20420, 11 Hornseywood Avenue, Penrith be approved, subject to the following conditions:

**Standard Conditions**

- 4.1 A001 – Approved plans  
A008 – Works to BCA requirements  
A009 – Residential Works DCP  
A020 – Use of building  
A043 – Air conditioner  
B001-B006 – Demolition  
D001 - Erosion and sediment control measures  
D007 – Filling of land  
D009 – Covering of waste storage areas  
D010 – Waste disposal  
E001 – BCA compliance  
E005 – Smoke detector  
F006 – Rainwater tank and nuisance  
G005 – Rainwater tank plumbing  
H01F – Stamped plans and erection of site notice  
H013 – Further details of building components  
H014 – Slabs/footings  
H015 – Termite Control  
H022 – Survey  
H030 – Roof finishes  
H036-H039 – Rainwater tank  
H041 – Hours of work  
I003 – Road Act condition  
K016 – Stormwater  
Q01F – Notice of commencement and appointment of PCA  
Q05F – Occupation certificate

**Special conditions**

- 4.2 Prior to the issue of a Construction Certificate for the development, the variation of the registration on the use of land referred to as (c); in the Section 88b instrument attached to the Deposited Plan 20420 shall be registered with the Department of Lands
- The variation of the covenant shall be in terms approved by Penrith City Council in the documentation submitted in support of the development application.

Councillor Steve Simat left the meeting, the time being 8:07 pm.

**10 St Marys Release Area - Public Exhibition of draft Plan of Management for Wianamatta Regional Park**

216 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Susan Page

That:

1. The information contained in the report on St Marys Release Area - Public Exhibition of draft Plan of Management for Wianamatta Regional Park be received.
2. Council endorse a submission to the Department of Environment and Climate Change on the draft Plan of Management for Wianamatta Regional Park as outlined in the recommendations contained in the report.
3. Council seek the support of the Department of Environment and Climate Change for the detailed Masterplan for Wianamatta Regional Park facilities and infrastructure being prepared and publicly exhibited as a priority and that Council be consulted in this process.
4. Council write to the Commonwealth Government, requesting confirmation that funds of \$1.1M will be provided for the erection of feral-proof fencing around the proposed Regional Park.
5. A field inspection of the area be carried out, and maps be provided detailing detention basins, parks and any potential problems.

**THE CITY IN ITS ENVIRONMENT**

Councillor Steve Simat returned to the meeting, the time being 8:13 pm.

**12 Clean Up of Illegal Dumping on Deerubbin Local Aboriginal Land Council Lands Grant**

217 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Clean Up of Illegal Dumping on Deerubbin Local Aboriginal Land Council Lands Grant be received.
2. Council auspice \$50,000 in grant funding to the Deerubbin Local Aboriginal Land Council for the clean up and deterrence of illegal dumping.
3. The Principal of St Paul's Grammar School be advised of the action to be taken to clean up the site, and be provided with a copy of the report, if required.

### **13 Energy Savings Action Plan**

218 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor John Thain

That:

1. The information contained in the report on the Energy Savings Action Plan be received
2. Council adopt the Energy Savings Action Plan
3. The adopted Plan be submitted to the Minister for Environment and Climate Change for approval.
4. Council write to the Penrith Whitewater Stadium, seeking information as to the feasibility of fitting turbines to the watercourses in order to utilise water to generate electricity.

### **THE CITY SUPPORTED BY INFRASTRUCTURE**

### **14 2007/2008 Auslink National Black Spot Program**

219 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kevin Cramer OAM

That:

1. The information contained in the report on 2007/2008 Auslink National Black Spot Program be received.
2. Council accept the grants offered under the 2007/2008 Auslink National Black Spot Program, as detailed in the report.
3. Council make representations to both State and Federal Governments, regarding the intersection on Mamre Road, at Lonsdale and Wilson Streets, and also the Sherringham Road intersection at Cranebrook, proposing that these two areas be included in the National Black Spot Program.
4. A further report be provided to Council detailing how the process of obtaining Black Spot funding works and how State Government indicates its support of applications for the inclusion of various roads in the Program.

### **15 Proposed Closure of Driver Lane, Wallacia**

220 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Susan Page

That:

1. The information contained in the report on Proposed Closure of Driver Lane, Wallacia be received.
2. Council endorse the proposed closure of Driver Lane, Wallacia.

3. The Property Development Manager submit an application to the Department of Lands to finalise the closure.
4. The Property Development Manager present a further report to Council after the valuation of the land and pending acceptance by the adjoining owner.
5. The owners of adjoining properties be advised of Council's intentions in this matter and be provided with a copy of this report.

**16 Funding for the Local State Emergency Service to Provide Improved Volunteer Amenities**

221 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Funding for the Local State Emergency Service to Provide Improved Volunteer Amenities be received.
2. Council receive an additional \$30,000 in funding for the construction of an amenities building for the Local State Emergency Service.

**LEADERSHIP AND ORGANISATION**

**17 Pecuniary Interest Returns**

222 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Ross Fowler that the information contained in the report on Pecuniary Interest Returns be received.

**19 Council Property - Dedication as Road - Lot 184 DP 575962, Forbes Street, Emu Plains. Owner: Penrith City Council - Applicant: Penrith City Council**

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

That:

1. The information contained in the report on Council Property - Dedication as Road - Lot 184 DP 575962, Forbes Street, Emu Plains. Owner: Penrith City Council - Applicant: Penrith City Council be received.
2. Lot 184 DP 575962 be dedicated as road.
3. The Common Seal of the Council of the City of Penrith be affixed to all necessary documentation including the Plan of Subdivision.

**21 Audit Tender 2007**

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

That:

1. The information contained in the report on Audit Tender 2007 be received.

2. The tender from PricewaterhouseCoopers be accepted in accordance with the specifications defined in the tender documentation, and Council appoint the firm of PricewaterhouseCoopers for the period 1 July 2007 to 30 June 2013.
3. The Common Seal of the Council of the City of Penrith be affixed to any necessary documentation.
4. Council officers contact Council's Controlled Entities to advise them of the tender responses for their consideration.

## **22 Council Property - Sale of Land in Belmore Street, Penrith**

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

That:

1. The information contained in the report on Council Property - Sale of Land in Belmore Street, Penrith be received
2. Council agree to the reimbursement to the Property Development Reserve, from the Penrith Town Centre Section 94 Fund, for the sale of land that has been dedicated for road widening purposes in Belmore Street, Penrith as indicated in the report.

## **23 Summary of Investments and Banking for the period 1 May to 28 May 2007**

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

That:

1. The information contained in the report on Summary of Investments and Banking for the period 1 May to 28 May 2007 be received.
2. The Certificate of the Responsible Accounting Officer and Summaries of Investments and Performance for the period 1 May 2007 to 28 May 2007 be noted and accepted.
3. The graphical investment analysis as at 28 May 2007 be noted.

## **18 City Operations Directorate Report to end of May 2007**

227 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Kevin Crameri OAM that the information contained in the report on City Operations Directorate Report to end of May 2007 be received.

## **20 Audit Committee**

228 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Audit Committee be received.

2. In addition to the Mayor of the day, or his Councillor nominee, Council appoint Councillors Karen McKeown, Ross Fowler and Garry Rumble to the Audit Committee.
3. The number of independent members be increased to a maximum of three.
4. The section of the Charter of the Audit Committee headed "Audit Committee Membership and Meetings" be replaced with the revised section attached to this report.
5. Council endorse Robert Coombes, Frank Gelonesi and Jayant Gulwadi as members of the Audit Committee.

## **QUESTIONS WITHOUT NOTICE**

### **QWN 1 Contents Insurance - Bush Fire Brigade Sheds**

Councillor Kevin Cramer OAM requested a report to Council on the issue of obtaining contents insurance for donated and purchased equipment stored in Bush Fire Brigade sheds.

### **QWN 2 Quarries - Rates and Land Valuations**

Councillor Kevin Cramer OAM requested a report to Council detailing the reasoning behind the Valuer General's low valuation of quarry lands in the Penrith LGA, per hectare, and taking into consideration the possibility that this land may be zoned for high density housing in the future.

### **QWN 3 Road Connecting Erskine Park Employment Area to the M7 Motorway**

Councillor Steve Simat requested a report to Council on the status of the planning and funding for the provision of a road to connect the Erskine Park Employment Area to the M7 motorway.

### **QWN 4 Footpath Paving - Wallacia**

Councillor Ross Fowler requested that an amount of \$18,000 from South Ward voted works be allocated to footpath paving from the corner of Mulgoa and Silverdale Roads, Wallacia, on the northern side of Silverdale Road, then along Alwyn Avenue, connecting the Caravan Park to existing paving.

229 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Garry Rumble that the matter be brought forward and dealt with as a matter of urgency.

His Worship the Mayor, Councillor Pat Sheehy AM, ruled that the matter was urgent and should be dealt with at the meeting.

230 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Garry Rumble that an amount of \$18,000 from South Ward voted works be allocated to footpath paving from the corner of Mulgoa and Silverdale Roads, Wallacia, on the northern side of Silverdale Road, then along Alwyn Avenue, connecting the Caravan Park to existing paving.

**QWN 5 Traffic Conditions at Kurrambee School**

Councillor John Thain requested that the matter of new traffic conditions at Kurrambee School, regarding parking in Water Street, be referred to the Local Traffic Committee for investigation.

**QWN 6 Building Design Awards**

Councillor John Thain requested that his thanks be passed on to staff involved in the recent Building Design Awards.

**QWN 7 IPART Inquiry into Rail Fares**

Councillor David Bradbury requested that Council prepare a submission to the Independent Pricing and Regulatory Tribunal (IPART) in relation to IPART's current inquiry into rail fares, the submission objecting to any increase in fares on the bases that: (1) no increase in fares should be approved until trains travelling to the outer suburbs of Western Sydney are adequately equipped with heating for the winter and air conditioning for the summer; and (2) patronage levels have been rising in recent years and excessive fare increases will discourage further increases in patronage.

231 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Kevin Crameri OAM that the matter be brought forward and dealt with as a matter of urgency.

His Worship the Mayor, Councillor Pat Sheehy AM, ruled that the matter was urgent and should be dealt with at the meeting.

232 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Kevin Crameri OAM that Council prepare a submission to the Independent Pricing and Regulatory Tribunal (IPART) in relation to IPART's current inquiry into rail fares, the submission objecting to any increase in fares on the bases that: (1) no increase in fares should be approved until trains travelling to the outer suburbs of Western Sydney are adequately equipped with heating for the winter and air conditioning for the summer; and (2) patronage levels have been rising in recent years and excessive fare increases will discourage further increases in patronage.

**QWN 8 Review of National Framework for Women in Local Government**

Councillor Susan Page requested a report to Council on the process of implementation of recommendations for this Council, from the recent Review of National Framework for Women in Local Government.

**QWN 9 Water Run-off - Parker Street, Penrith**

Councillor Susan Page requested a memo reply regarding a resident's concerns about rainwater running under their house in Parker Street, Penrith, from a nearby service road.

**QWN 10 Speeding Vehicles - Station and Lethbridge Streets, Penrith**

Councillor Susan Page requested a memo reply concerning complaints received from residents about speeding vehicles, particularly between 5.30 and 7.30 pm, on Station and



Lethbridge Streets, Penrith, and outlining any appropriate speed reduction measures that may be taken in this area.

### **QWN 11 Availability of Nursing Home Places within Western Sydney for Young People with Disabilities**

Councillor David Bradbury requested a report to Council on the availability of nursing home places within Western Sydney for young people suffering from severe and permanent disability, with the report to consider the availability of funding arising out of the recent intergovernmental agreement between the States and the Commonwealth.

## **COMMITTEE OF THE WHOLE**

233 RESOLVED on the MOTION of Councillor Susan Page seconded Councillor Ross Fowler that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 8:53 pm.

### **1 Presence of the Public**

CW1 RESOLVED on the motion of Councillor Susan Page seconded Councillor Ross Fowler that the press and public be excluded from Committee of the Whole to deal with the following matters:

#### ***Leadership and Organisation***

### **2 Commercial Matter - Council Property - Acquisition of Land in Lawson Street, Penrith**

*This item has been referred to Committee of the Whole as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in open meeting would be, on balance, contrary to the public interest.*

#### ***Leadership and Organisation***

### **3 Commercial Matter - Council Property - Lease of Shop 10, Allen Arcade, 140-142 Henry Street, Penrith**

*This item has been referred to Committee of the Whole as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in open meeting would be, on balance, contrary to the public interest.*

### **4 Commercial Matter - Council Property - Lease of Shop 8 at Allen Arcade, 140-142 Henry Street, Penrith**

*This item has been referred to Committee of the Whole as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in open meeting would be, on balance, contrary to the public interest.*

The meeting resumed at 9:03 pm and the General Manager reported that the Committee of the Whole met at 8:53 pm on 25 June 2007, the following being present

His Worship the Mayor Councillor Pat Sheehy AM, Councillors David Bradbury, Lexie Cettolin, Kevin Crameri OAM, Ross Fowler, Jackie Greenow, Susan Page, Garry Rumble, Steve Simat, and John Thain

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

## **CONFIDENTIAL BUSINESS**

### **2 Commercial Matter - Council Property - Acquisition of Land in Lawson Street, Penrith**

RECOMMENDED on the MOTION of Councillor Ross Fowler seconded Councillor Susan Page

CW2 That:

1. The information contained in the report on Commercial Matter - Council Property – Land in Lawson Street, Penrith be received.
2. The matter be reported to an Ordinary Meeting of Council.

### **3 Commercial Matter - Council Property - Lease of Shop 10, Allen Arcade, 140-142 Henry Street, Penrith**

RECOMMENDED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Ross Fowler

CW3 That:

1. The information contained in the report on Commercial Matter - Council Property - Lease of Shop 10, Allen Arcade, 140-142 Henry Street, Penrith be received.
2. Council grant Benchmark Resources Pty Ltd a 3 year lease with a 3 year option over Shop 10 at Allen Arcade, 140-142 Henry Street, Penrith in accordance with the terms and conditions as outlined in the report.
3. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

**4 Commercial Matter - Council Property - Lease of Shop 8 at Allen Arcade, 140-142 Henry Street, Penrith**

RECOMMENDED on the MOTION of Councillor Ross Fowler seconded Councillor Garry Rumble

CW4 That:

1. The information contained in the report on Commercial Matter - Council Property - Lease of Shop 8 at Allen Arcade, 140-142 Henry Street, Penrith be received.
2. Council grant Benchmark Resources Pty Ltd a new 3 year lease with a 3 year option over Shop 8 at Allen Arcade, 140-142 Henry Street Penrith, in accordance with the terms and conditions as outlined in the report.
3. The Common Seal of the City of Penrith be placed on all necessary documentation.

**ADOPTION OF COMMITTEE OF THE WHOLE**

234 RESOLVED on the MOTION of Councillor Ross Fowler seconded Councillor Steve Simat that the recommendations contained in the Committee of the Whole and shown as CW1, CW2, CW3 and CW4 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 9:04 pm.

# **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.

Glenn McCarthy  
**Public Officer**  
02 4732 7649

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## MAYORAL MINUTES

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1	Council recognised for Excellence in Stormwater Research	1







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## Mayoral Minute

### Council recognised for Excellence in Stormwater Research

**Strategic Program Term Achievement:** *A floodplain management policy to protect the built environment is being implemented by Council consistent with Government guidelines.*

Penrith City Council was awarded the Stormwater Industry Association (NSW) Award for “Excellence in Stormwater Research 2007” at the Association’s annual conference in June.

Council won the award for its “Penrith Broadscale Overland Flow Flood Study.” The study was conducted by consultants, Cardno Lawson Treloar and had the technical and financial support of the Department of Environment and Climate Change (previously DNR) under the Floodplain Management Program.

The study applied innovative modelling techniques and cutting edge technology to map overland flow extents across the Local Government Area. Council staff provided the intellect and guidance to the Study - part of the broader catchment analysis program, which was started in 2002 with the airborne survey and photography.

The Stormwater Industry Association is a national body with representatives from professional bodies, the construction industry, manufacturers, universities and research institutions, service authorities and all levels of government.

The Association links the diverse and multi-disciplinary interests of all Australian stakeholders of the stormwater industry and represents them at national forums. As part of the Association’s annual conference, awards are presented in a number of categories.

The award was accepted by Ratnam Thilliyar, Council’s Senior Stormwater Engineer at the SIA Conference 2007 Annual Awards Presentation, which was held at Wollongong on 20 June 2007.

Pat Sheehy AM  
Mayor

### RECOMMENDATION

That the Mayoral Minute on Council recognised for Excellence in Stormwater Research be received.





## MASTER PROGRAM REPORTS

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## **THE CITY IN ITS BROADER CONTEXT**

There were no reports under this Master Program when the Business Paper was compiled

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## **THE CITY AS A SOCIAL PLACE**

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## The City as a Social Place

### 1 Neighbourhood Centres Week 2007

**Compiled by:** Joanne Tran, Community Development Officer - Generalist

**Authorised by:** Erich Weller, Community Development Manager

**Strategic Program Term Achievement:** *Strategies are in place to respond to the social and health needs of the community.*

**Critical Action:** *Support community organisations to address the differing needs and issues of the various age groups through Council's policy responses, program initiatives and advocacy.*

#### **Purpose:**

*To inform Council of the activities held during Neighbourhood Centres Week 2007 in Penrith City. The report recommends the information contained in the report on Neighbourhood Centres Week 2007 be received.*

#### **Neighbourhood Centres Week**

The Neighbourhood Centres Week (7-13 May 2007) is an annual celebration to raise community awareness of Neighbourhood Centres' services and activities, and also to celebrate achievements by these organisations. The week is held to promote the services at each local Neighbourhood Centre through community events, and other types of awareness-raising activities.

Neighbourhood Centres are activity hubs for their local communities. They play a vital role in bringing people together to build stronger local communities through social, educational, vocational training, youth, and family activities. In Penrith City, there are over thirty neighbourhood and community centres where local residents can meet and hold activities. A range of social services and programs are also delivered from many Centres.

Council's support of Neighbourhood Centres Week provides recognition of the vital work and contributions of local groups and organisations to their communities.

This year, Penrith City Council (the Community Development Department and Facilities Operations Department), Workers in Neighbourhood Centres (WINC), and the Neighbourhood Centres Volunteer Management Committee Network joined together to develop and support the display of information stalls in two shopping centres.

The two Neighbourhood Centres Week 2007 stalls were at Penrith Plaza on Wednesday, 9 May, and another at St Marys Village Centre on Thursday, 10 May. Free activities on offer were children's face painting and balloons along with other give-away items. A range of information about current services and programs was available at the stalls.

The week of celebrations also included displays of photos and information brochures and leaflets at both Penrith and St Marys Libraries to showcase the work of local Neighbourhood Centres.



*Council staff and Centre Volunteers at the Neighbourhood Centre Stall at Penrith Plaza*

### **Summary**

The evaluation of the activities held for Neighbourhood Centres Week 2007 indicates that the community response was positive. Many of the information leaflets on different neighbourhood centres and what they offer were distributed.

### **RECOMMENDATION**

That the information contained in the report on Neighbourhood Centres Week 2007 be received.

### **ATTACHMENTS/APPENDICES**

There are no attachments for this report.

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**The City as a Social Place**

**2 Seniors Week 2007 "Embrace Life Through Music" Celebration**

**Compiled by:** Athena Kandris, Community Development Officer - Aged and Disability

**Authorised by:** Erich Weller, Community Development Manager

**Strategic Program Term Achievement:** *Strategies are in place to respond to the social and health needs of the community.*

**Critical Action:** *Support community organisations to address the differing needs and issues of the various age groups through Council's policy responses, program initiatives and advocacy.*

**Purpose:**

*To inform Council about the "Embrace Life Through Music" 2007 Seniors Week celebration and other activities held during Seniors Week. The report recommends that the information be received.*

**Background**

Seniors Week is celebrated annually across New South Wales, and Seniors Week 2007 was held from 11 to 18 March. The celebrations during Seniors Week encourage the involvement of older people in the community generally, and support their continued participation in local activities. Once again, the theme for this year was 'Live Life', and the emphasis was on the contribution that seniors make to family, friends, workplaces and communities.

On Thursday, 15 March, Penrith Council held a special event 'Embrace Life through music' for our local senior residents. Council received \$1,000.00 from the Department of Ageing, Disability and Homecare (DADHC) to assist with the event.

**Council's Event**

A working group consisting of representatives from local government and non-government organisations, senior groups, including Penrith and St Mary's Senior Citizen Centres, assisted Council staff in organising the event. The expansion of the working group offered an opportunity to build on existing skills and knowledge and fostered new ideas by working on joint projects and building on the capacity of working group members. It aided in strengthening the relationships of the sector and provided the opportunity for new relationships.

Council's celebration was extremely successful, with over 400 people attending at the Joan Sutherland Performing Arts Centre.

'Embrace life through music' aimed to showcase local musical acts across generations and cultures, and incorporate the concept of music for the wellbeing of older people by involving them in the activities.

The Mayor, Councillor Pat Sheehy, formally opened the event and officially launched Seniors Week 2007 in Penrith City.

Students from Cranebrook High School opened the concert with a spectacular and colourful showcase of their multi-award winning Rock Eisteddfod musical and drama performance. This was followed by a dance performance by the Aboriginal Catholic Ministry Dancers made up of mainly Aboriginal elders.

The International Dance Group made up of women from Penrith Older Women's Network took the audience on a multicultural journey by performing dances from Turkey to Armenia, from Mexico to the South Pacific and from the USA to Israel. This was followed by students from The Maher-Hamilton School of Irish Dance who performed dances they had performed while representing Australia in the Irish National Championships.

Next the St Mary's Seniors Greek group 'Enosis' performed traditional dances from the rugged and mountainous region of 'Epirus'. The audience then welcomed Robin Howat from the Golden Stave Music Therapy Centre with participants from the Penrith Aged Mobile Service-St Clair Aged and Disabled Day Centre who demonstrated the benefit of music for the wellbeing of older people and people with disabilities by singing and playing instruments.



*Penrith Seniors Choir Performing at Seniors Week*

One of the major highlights of the concert was the performance by the Penrith Seniors Choir, which was recently formed with the assistance of Penrith City Council and the Joan Sutherland Performing Arts Centre. This successful cultural development outcome was an initiative of the working group who aimed to offer an opportunity for seniors to come together to form a senior's choir and perform at Council's Seniors Week event. This became possible with the assistance of the Joan Sutherland Performing Arts Centre who provided a tutor to work with the choir. Consequently, the choir which is made up of 16 seniors

rehearses weekly at the Joan Sutherland Performing Arts Centre and hopes to be able to perform at other local events.

The concert came to a close with a sing-a-long by the Penrith Seniors Choir and members of the St Mary's and District Historical Society, who were dressed in early 1900's costumes. Participation was invited from the audience.

Master of Ceremonies was Margaret Pope from the local Penrith Music and Comedy Company.



*Participants having Lunch at Seniors Week*

Council allocated the two Community Access buses to transport seniors to and from Llandilo and St Mary's Senior Citizens Centre. Additionally, a Great Community Transport bus assisted in picking up and returning seniors.

### **Evaluation**

An evaluation survey was conducted with the working group and identified that the event was very successful and a great concert. Some of the comments were:

*"The Joan Sutherland Performing Arts Centre was an excellent venue – for comfort and sound, very central. Feel this is an ideal venue for the Penrith Council's annual event."*

*"Congratulations to everyone – without your help and your commitment the event would not have been such a success."*

*“According to St Mary’s Branch CPSA members who attended, everything was excellent.”*

*“The concert was very, very good. Some said even better than the Sydney Concert.”*

*“Volunteers worked well together and having the students there to help was great.”*

*“Having all seniors being seated at the one time for lunch.”*

*“People seemed happy and enjoyed the day out.”*

*“I just wish to make a comment about the senior’s concert as that it was my first visit to the Joan Sutherland Centre and I found the venue excellent. We were looked after extremely well by the young boys who looked after us with the morning teas and lunch, they were so well mannered. The concert we did enjoy and in particular the Irish Dancers and the Penrith Seniors Choir.”*

*“To the Penrith City Council – thank you for the wonderful senior’s week concert. Thank you to the person who organized it. Thank you for the morning tea and the very nice lunch. I enjoyed the morning so much.”*

*“The recent concert and luncheon held at the Joan Sutherland Performing Arts Centre on Thursday 15<sup>th</sup> March, for Seniors Week was very successful and enjoyed by an audience of 400 people. They were very supportive of the local amateur performers which consisted of the very young to the more elderly of the district. It was encouraging to see all age groups participating on the day in such a pleasant venue of which Penrith can be proud. The council can be applauded for organizing the whole day.”*

The evaluation survey was also valuable in gathering comments about ways in which the celebration can be improved for next year’s event.

### **Seniors Week Grants**

Council allocates funds each year through the Seniors Week Grant Program to assist community-based groups in organising activities during Seniors Week for older residents in the community. At the Ordinary meeting on 12 February 2007, Council allocated \$6,500 to fund nine (9) local community organisations to assist in the delivery of projects during Seniors Week.

The range of events showcased the skills of older people, their participation, and their contribution to the community. The following activities and organisations indicate the range of activities in 2007:

- Catholic Parish of Holy Spirit St Clair hosted a morning and afternoon tea, together with lunch at Mamre Homestead and a sing-along by local school students;
- The Anglo-Indian Association of NSW held a multicultural day of entertainment for senior residents of Erskine Park;
- National Seniors Association Penrith Nepean had a coach trip to Nan Tien Temple in Wollongong with morning tea and lunch.;

- St Mary's Combined Pensioners and Superannuants Association (CPSA) of NSW Inc held an Ecumenical Church Service with refreshments and a variety of activities;
- St Mary's CPSA of NSW Inc held a cultural event with a mix of Greek/Australian music, food and other activities;
- South Penrith Community Project hosted a seniors morning tea and luncheon including entertainment. Seniors participated in various activities;
- Werrington Community Project Inc held its annual seniors arts and craft Expo, with a special 10th year celebration featuring arts and crafts done by local people, 55 years and over;
- Nepean Voluntary Aid Red Cross celebrated 50 years in Penrith by holding a luncheon to recognise the contribution that volunteers make in our community.

Council had allocated funds to Nepean Retired Men's Club Inc to hold an Older Men's 'Wellness' and Information Session but, due to issues with the organisation of proposed activities, the event was unable to proceed.

The funds were consequently put towards the additional costs of Council's event 'Live Life through music' which included the hiring of additional tables and chairs.

Evaluation was sought from all groups who received grants to assist with planning for Seniors Week 2008. The feedback has been very positive. Events were well attended, often exceeding the expectations of organisers. The events have been a great opportunity for seniors to participate in activities, interact with other groups and learn from each other.

### **Conclusion**

Seniors Week offers organisations and individuals the opportunity to become involved in programs to celebrate the contribution seniors make to communities. Council's 2007 successful event 'Embrace Life through music' acknowledged and celebrated the contribution older people make to communities, but it also highlighted the importance of music for the well-being of older people by involving them in the activities. It was a day filled with music, dance, sounds, laughter and celebration which involved local performers across generations and cultures and the assistance of local volunteers and school children.

Additionally the eight (8) community-based groups who organised activities during senior's week showcased the skills of older people and their contribution to the communities. The activities encouraged the involvement and participation of local school children, volunteers, older people from culturally and linguistically diverse backgrounds and older people with disabilities.

As indicated earlier, all events were successful. Seniors Week 2007 has been a valuable opportunity for seniors to participate in activities with other groups.

Certificates of Appreciation and letters were forwarded to students who volunteered at Council's event 'Embrace Life through music'. Letters of appreciation together with a disc of photos taken of the event were also forwarded to performers and working group members. Lastly letters of gratitude were forwarded to local businesses which contributed to making the event a success.



**RECOMMENDATION**

That the information contained in the report on Seniors Week 2007 "Embrace Life Through Music" Celebration be received.

**ATTACHMENTS/APPENDICES**

There are no attachments for this report.

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**The City as a Social Place**

**3 Provision of Security Gates for Jamison Park, Penrith**

**Compiled by:** Lindsay Clarke, Parks Coordinator

**Authorised by:** Raphael Collins, Parks Construction & Maintenance Manager

**Requested By:** Councillor Garry Rumble

**Strategic Program Term Achievement:** *The City's recreation and leisure facilities and services meet its needs and are optimally used.*

**Critical Action:** *Ensure facilities and services reflect the City's diverse current and future recreation and leisure needs.*

**Purpose:**

*To advise Council of the cost to provide security gates to the access roads of Jamison Park. The report recommends that security gates at the entrances to Jamison Park be considered.*

**Background**

Vandalism to the buildings, playing fields and park structures at Jamison Park, is increasing. This is mainly the result of anti-social behaviour late at night. The easy access into the park contributes to the problem. Sporting clubs that use the park usually finish by 9.30pm. After that, there is no reason for vehicles to enter the park.

Jamison Park has four entrance roads, two to the soccer/league fields and two to the netball facility.

Through a combination of bollards and tree planting, vehicle access to the new league field and the netball courts is now fully controlled.

The northern portion of the park is used for soccer in winter and cricket/athletics in summer. The boundary of the northern portion of the park is not fully controlled. This portion of the park has an entrance road on York Road and an entrance road on Jamison Road. The open drain along the Jamison Road frontage is reasonably effective in controlling vehicle access. The York Road frontage for the northern portion of the park is open to vehicles at all hours.

**Current Situation**

Vehicle access to the northern portion of Jamison Park needs to be controlled. It is proposed that gates be erected at the entrance roads. The cost of these gates is \$7,950, plus installation and construction of a small median to hold a locking post. The installation and median could be accommodated in the Parks Operational budget.

The Nepean District Soccer Football Association has indicated that it would contribute \$5,000 to the cost of these gates.

The erection of gates would have the greatest benefit in reducing late night vandalism especially by motor vehicles. The gates would need to be opened/closed each day. Because of the public toilets in Jamison Park, Council's toilet cleaning team could open the gates each morning at no ongoing cost.

Jamison Park has extensive use each day of the week. A suitable closing time would be 10pm, which would require the service of Council's security contractor.

Suitable signage would need to be erected advising park users of the closing time, and advising that a late opening fee would apply if cars do not vacate the park by 10pm. This is similar to the arrangement at Tench Reserve.

### **Financial Services Manager's Comments**

It is anticipated that the installation of the gates will reduce the amount of damage to the fields caused by motor vehicles and therefore the cost of repairing the damage. There is no identified source in the budget for the cost of the gates and the security contractor other than the Parks Maintenance budget. The total cost for the installation of the gates (\$7,950) and the security contractor (\$5,475) is \$13,425 in the first year with ongoing costs of \$5,475 per annum. Nepean District Soccer Football Association has indicated that it will contribute \$5,000 to the cost of these gates, thus the total cost to be found within the Parks budget in the first year is \$8,425. Allocation of the funds to this project may have a potential impact on planned maintenance.

### **Conclusion**

The total cost of the gates plus installation will be \$7,950. The costs associated with the ongoing locking of the gates is \$5,475 per annum.

The Nepean District Soccer Football Association can see the benefit of erecting gates on the entrances to Jamison Park and will contribute \$5,000 to the cost.

### **RECOMMENDATION**

That the information contained in the report on Provision of Security Gates for Jamison Park, Penrith be received.

### **ATTACHMENTS/APPENDICES**

There are no attachments for this report.

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## The City as a Social Place

### 4 Additional Projects in Parks Improvement Program

**Compiled by:** Raphael Collins, Parks Construction & Maintenance Manager

**Authorised by:** David Burns, Director - City Operations

**Strategic Program Term Achievement:** *The City's recreation and leisure facilities and services meet its needs and are optimally used.*

**Critical Action:** *Facilitate joint use of the City's recreation and leisure facilities, including co-location of programs.*

#### **Purpose:**

*To inform Council of three additional projects in the Parks Improvement Program. The report recommends the projects be included in the 2007/2008 Management Plan.*

#### **Background**

The 2007-2008 Capital Works has been approved by Council, as part of the Management Plan, on 25 June. Council also endorsed the Penrith City Local Open Space Development Contributions Plan (Section 94) that allows the local open space facilities listed in the program to proceed.

The following two projects, included in the Section 94 open space program, need to be brought forward into next year's Parks Improvement Program:

- North Ward Skate Park
- Roper Road Fields.

#### **Current Situation**

- **North Ward Skate Park**

In the 2007-2008 Management Plan, there is a task to 'complete detailed design and approvals for the North Ward Skate Park.' The public consultation for the skate park has commenced and it is anticipated will be completed by September.

Convic Design has been commissioned to assist with the consultation and design development of the skate park, which will cost \$15,000. A report will be submitted to Council about the project, after the consultation stage, and prior to the lodgement of the Development Application.

- **Roper Road Fields (Jam Factory Site)**

Another task in the 2007-2008 Management Plan is to finalise detailed plans and commence the rehabilitation of the former Jam Factory site on Roper Road, Colyton. In the Penrith City Local Open Space Development Contributions Plan, there is \$300,000 allocated for the rehabilitation and construction of the Roper Road Fields.

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It is intended that \$100,000 be included in the 2007-2008 Management Plan to be used for Council's contribution for a Metropolitan Greenspace Grant. The applications for these grants close on 20 July. If successful, the funds will be used to undertake rehabilitation works on the site.

- **Memory Park**

The Penrith Branch of the RSL approached Council earlier this year to propose the construction of a war memorial in Memory Park. It is envisaged the new memorial will be moved to a different location in the park to better accommodate the increasing crowds on ANZAC Day commemorations.

The RSL is providing funds to prepare a Plan of Management at a cost of \$20,000, and is hopeful it can gain Federal funding to construct a new memorial by next year's ANZAC Day.

### **Financial Services Manager's Comments**

The Penrith City Local Open Space Development Contributions Plan was adopted at the Ordinary meeting on 25 June 2007, on the recommendation of the Policy Review Committee meeting held on 4 June 2007. Included in this new plan are the two projects mentioned above: \$300,000 (high priority) for site restoration and construction of fields at Roper Road; and \$330,000 (high priority) for a skate park and furniture at Sherringham Road Reserve, Cranebrook. Funds are therefore available from s94 for the proposed projects for Roper Road -\$100,000 in 2007-08, and North Ward Skate Park- \$15,000 in 2007-08. The third project mentioned in this report is for the preparation of a plan of management for the construction of a new war memorial in Memory Park that is to be funded by a contribution of \$20,000 from the RSL.

### **Conclusion**

The three abovenamed projects need to be included in the 2007-2008 Management Plan in order for them to be implemented.

The North Ward Skate Park and Roper Road fields will be funded from S94. Improvements to Memory Park will be funded through contributions from the Penrith RSL.

### **RECOMMENDATION**

That:

1. The information contained in the report on Additional Projects in Parks Improvement Program be received.
2. The three projects noted in the report be included in the 2007-2008 Management Plan - \$100,000 for Roper Road Fields, \$15,000 for North Ward Skate Park, and \$20,000 for Plan of Management for Memory Park.

### **ATTACHMENTS/APPENDICES**

There are no attachments for this report.

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**The City as a Social Place**

**5 Parks and Leisure National Conference 2007**

**Compiled by:** Lindsay Clarke, Parks Coordinator

**Authorised by:** Raphael Collins, Parks Construction & Maintenance Manager

**Strategic Program Term Achievement:** *The City's recreation and leisure facilities and services meet its needs and are optimally used.*

**Critical Action:** *Facilitate joint use of the City's recreation and leisure facilities, including co-location of programs.*

**Purpose:**

*To advise Council of the Parks and Leisure Australia National Conference and to seek Council's interest in participating. The report recommends that Council nominate any available Councillors wishing to attend.*

**Background**

The Parks and Leisure National Conference is held annually in various cities throughout Australia. In the past, Council has sent staff delegates to the conference and has sought interest from Councillors wishing to attend.

**Current Situation**

This year, the Conference will be held in Townsville, from 16 to 19 September 2007. The theme of the Conference is "A Pivotal Role".

Although the program has not been finalised at this early date, some of the papers for discussion include:

- Managing Sporting Resources in a Drought Environment;
- Water for the future;
- Management of the use of public open space;
- Skate and BMX facilities;
- Growth areas – what sporting facilities are required;
- The relationship between ground conditions and injury risk.

A memorandum was sent to all Councillors, advising them of the Conference, on 6 June 2007. Early bird bookings, at a substantial saving, are available up to 7 July.

**Conclusion**

The forthcoming Parks and Leisure Conference addresses many of the issues confronting parks management in the Penrith LGA. The conference also provides the opportunity for participants to network with other councils, and to see first hand how various facilities in Townsville are managed.

It is suggested that Council nominates available Councillors to attend the conference. It is intended that two staff members from the Parks Department will attend.

**RECOMMENDATION**

That:

1. The information contained in the report on Parks and Leisure National Conference 2007 be received.
2. Council nominate Councillors to attend the Parks and Leisure National Conference in Townsville in September 2007.

**ATTACHMENTS/APPENDICES**

There are no attachments for this report.

## THE CITY IN ITS ENVIRONMENT

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The City in its Environment

**6 Civic Waste Collection and Disposal Tender**

**Compiled by:** Geoff Brown, Waste Management Co-ordinator

**Authorised by:** Barry Ryan, Waste and Community Protection Manager

**Strategic Program Term Achievement:** *Waste to landfill and indiscriminate dumping are significantly reduced and resource recovery is optimised.*

**Critical Action:** *Develop and implement service systems to complement waste reduction strategies and satisfy community needs.*

**Previous Items:** Domestic Waste Contract Tenders - Ordinary Meeting - 5 March 2007

Additional Information on the Domestic Waste Contract Tenders - Ordinary Meeting - 5 March 2007

**Purpose:**

*To provide a further report to Council on the Civic Waste and Collection and Disposal Tender as a consequence of correspondence being received from Grundy's Waste regarding additional information to their tender. The report recommends the preferred tenderer for the Civic Waste Collection and Disposal Contract be SITA Environmental Solutions.*

**Background**

At the Ordinary meeting of 5 March 2007, Council considered a number of non domestic waste tenders, including the Civic Waste Collection and Disposal Tender. The report on the Civic Waste Collection and Disposal Tender recommended that SITA Environmental Services (SITA) be appointed as the preferred tenderer for this service. Although SITA did not have the lowest tender (\$2,871 per annum more than the lowest tenderer being Grundy's Waste) they provided a tender that satisfied all of the evaluation criteria.

The tender evaluation team considered that SITA provided the best overall tender, and while not the lowest tenderer, provided a competitive price, and has the capacity and resources to provide both Garbage and Recycling Services as specified in the tender.

It was resolved however, as a result of correspondence (provided on the evening of the Council meeting) from one of the tenderers, being Grundy's Waste, that a further report be presented to Council on the tender for Civic Waste Collection and Disposal Services.

**Civic Waste Services**

Civic Waste Services are garbage and recycling services provided to Council properties throughout the city. These properties include the Civic Centre and Library, Childcare Centres and Pre-Schools, Community Centres, Recreational Facilities, State Emergency Services, Rural Fire Services and facilities for street cleaning services.

These properties and facilities currently receive waste and recycling collection services using bins ranging in capacity from small 240L mobile garbage bins up to large 4500L waste containers. There are currently 58 Council properties provided with these services, of which 87% of the properties utilise the large waste containers. The remaining 13% utilise the small 240L mobile bins, most of which are provided at Penrith and St Marys Cemeteries.

From a logistical approach, to service the different bin categories and waste categories it would be necessary to have at least a front lift truck for the large waste containers and a rear lift truck for the small 240L mobile bins, remembering that each truck will need to collect and dispose of both garbage and recyclables in separate collection programs or provide two separate fleets of trucks to perform the service.

Payment for these services comes from the budgets of the respective Council departments receiving these services.

### **Correspondence from Grundy's Waste**

Correspondence received from Grundy's on 5 March provides the following information:

1. *Grundy's Waste is a locally owned and operated business, not foreign owned and employs their people.*
2. *Grundy's Waste has recently purchased a Rear Loader Truck which has put Grundy's Waste in a much better situation for the small part of the tender for the 240 and 660 carts.*
3. *Grundy's Waste is currently doing and has been for a couple of years, on going work with the Council at their Works Depot at Copeland Street, Kingswood and also their other tip off point at Werrington Road, Werrington. Also the costing of this work equates to around the same as the costing of this tender.*
4. *Grundy's Waste has proven to be a reliable and efficient service for this period of time and currently uses Penrith City Council as one of our references when applying for other work.*
5. *Grundy's Waste was the cheapest price, understanding that doesn't mean that we should win, but a local business comes a long with a pricing structure (understanding that at the time of the tender application, Grundy's Waste did not own a Rear Loading Vehicle, but now do) shouldn't the local business be given a shot at the small part of the tender.*
6. *Question was asked about how could Grundy's Waste offer such cheaper rates for the 240 carts in general waste and also in Recycling. Our answer to that is Grundy's Waste are very keen to build on a working relationship with their local Council and is willing in areas to find tune margins, a bigger advantage of being the smaller business, less overheads.*
7. *Grundy's Waste is a growing business, hence since the application for this tender Grundy's Waste has purchased a Rear Loader, another Hook Lift truck and Dog Trailer and recently purchased a brand new Vacuum Tanker. Grundy's Waste will continue to grow.*

*Grundy's Waste understands that the Council's decision is final after tonight and can find no discrepancies with the tender information on the Web.*

*Grundy's Waste would just like the Council to please take into consideration the working relationship that this local business is keen to build with there local Council.*

### **Tender Process Overview**

Tenders were invited for the Civic Waste services on 15 August 2006, and closed on 17 October 2006. The tenders were evaluated by the Tender Evaluation Team, comprising the Waste and Community Protection Manager, Waste Management Co-ordinator, Waste Education Officer and Financial Accountant - Entities. An overview to the process was provided by Council's legal Officer.

As a part of the evaluation process, interviews were conducted with the short listed tenderers, being SITA Environmental Solutions and Grundy's Waste. The matter was then reported to Council on 5 March 2007.

On the evening of 5 March 2007, prior to the Council meeting, correspondence from Grundy's Waste, regarding their tender, was received. As a result of this correspondence, Council resolved that a further report be provided.

The information contained in the letter from Grundy's Waste (as detailed above) provided no additional information relevant to their tender, other than that they had recently purchased an additional truck. As a result of this, Grundy's Waste advised that this additional truck would place them in a much better situation for the small part of the tender which deals with the emptying of the 240L mobile bins (this information comes five months after close of tenders and three months after interviews with Grundy's Waste and SITA).

A meeting was held with Grundy's Waste representatives, as a result of Council requesting a further report on this matter. This meeting was conducted in conjunction with Council's Legal Officer, Waste and Community Protection Manager and Waste Management Co-ordinator. The outcome of this meeting provided no additional information relevant to the tender process that would change the evaluation of this tender.

Grundy's tendered price for the small 240 litre bin service was very low, which is likely to encourage the take up of this service in lieu of large waste containers which are predominantly used for this service. This issue was put to Grundy's representatives at this meeting.

At this meeting Grundy's indicated that if there was a substantial take up of the small 240 litre mobile bin service then they would require a price increase for this service, i.e request a variation to the contract.

### **Criteria Used to Evaluate the Tender**

The criteria to evaluate the tender included *Value for money, Management skills, staff and other resources, Vehicles Plant and Equipment (including Depot and facilities), Customer Service, Occupational Health and Safety, Service delivery and capacity, Industrial Relations and Financial capacity.*

SITA Environmental Solutions satisfied the evaluation team with respect to each of the criteria. The evaluation team however, had concerns regarding the criteria *Value for money, Vehicles Plant and Equipment, Service delivery and capacity and Financial capacity*, with respect to the Grundy's tender. These issues will be detailed below.

**Value for money** - Whilst Grundy's tender price for the main component of this contract is comparable to that of SITA's, their price for the small 240L mobile bin component of the contract is very low, and it would appear that the price for these services would barely cover disposal costs let alone costs for bin supply, labour, fuel and oil.

The tender price for the component of this tender being the small 240L Mobile bins is so attractive that Council Childcare Centres and other Council properties (currently using large waste containers) may wish to avail themselves of the 240L mobile bin service, in lieu of the large waste containers, for cost savings and convenience. If Grundy's Waste was awarded the contract, the low cost of the 240L mobile bin component of this service could prove to be financially unviable and may have an impact on their financial capacity to deliver these services.

Recent discussions with the management of Grundy's Waste indicated that, should the service for the small 240L mobile bin component of this contract increase, then Grundy's Waste would need to increase the price for this service i.e. request a variation to the contract.

For comparative purposes, if this (the small 240L mobile bin component) component of the Civic Waste collection tender was removed, then SITA would be the lowest tenderer by about \$3,800 per annum for the primary portion of the contract.

**Vehicles Plant and Equipment** – Grundy's Waste advised in their tender that this contract is a one man one vehicle operation, and a back up vehicle and drivers are available if required. Grundy's Waste nominated a front lift truck for the performance of this service, and a spare front lift truck as back up. This type of garbage truck is suitable for emptying large waste containers, and is not ideal for emptying the small 240L and 660L mobile bins. Grundy's Waste did not have any other truck resources for the servicing of all the bins that Council currently utilises.

The new truck nominated in Grundy's letter (referred to previously in this report) is suitable for the emptying of small 240L and 660L mobile bins; however, Grundy's have no suitable back-up vehicle in the event of breakdown or other circumstances where this truck is not available.

Council utilises large waste containers for 2 different waste streams, being garbage and cardboard, and uses the smaller mobile bins also for 2 different waste streams, being garbage and commingled recycling.

The truck nominated in Grundy's tender is not ideal for all different types and sizes of bins, whereas SITA has Garbage and Recycling trucks for the bin sizes and waste types to be collected and has an extensive commercial fleet of trucks as back up.

Logistically SITA are in a better situation to provide this service under this contract due to their truck resources, i.e. variety and number.

**Service delivery and capacity** – As Grundy’s Waste had nominated only one truck to perform these services (front lift truck suitable for large waste containers), it was considered that the logistics of performing the service, (given that there are two bin categories and two waste streams for each bin category) would prove very difficult.

SITA, on the other hand, has nominated trucks suitable for the collection of the various bin sizes and waste types, and has an extensive commercial fleet of trucks as back up in the event of breakdown or service growth.

In discussions with Grundy’s Waste, it was indicated that their core business is the provision of hook lift waste containers (waste containers up to 30m<sup>3</sup> in capacity). Their tender confirmed this, identifying 6 hook lift trucks and 2 front lift trucks, the 2 front lift trucks being appropriate for servicing the large waste containers under this contract.

SITA however, has a large commercial fleet of garbage and recycling trucks for the collection of the different types of waste and recyclables under this contract, and also has back up trucks and support staff in the event of breakdown or staff absence.

**Financial capacity** – a Financial Risk Assessment by Council’s consultant Risk Manager has been conducted for SITA and Grundy’s Waste. Details of the financial analysis is provided under cover of a confidential memorandum to Councillors. SITA and Grundy’s Waste financial standing have been assessed as strong and satisfactory respectively.

### **Legal Officer’s Comment**

Council has an obligation to assess the tenders in accordance with the criteria. This ensures that there is fair process for all. I am of the opinion that the report represents a fair and impartial assessment by the Council staff. It is open to the Council to take a different view, but Council must ensure it is fair in its assessment. It seems that in this process all are bound by the criteria set, which must be used to assess the outcome.

### **Evaluation Summary**

Further consideration has been given to the tenders of both SITA and Grundy’s Waste, as a result of correspondence being provided by Grundy’s Waste. The correspondence was received over 5 months after close of tenders, and after a report to Council (to determine the tenders) had been released (on Council’s web site) for view by the community, four days prior to the scheduled meeting on 5 March 2007.

In the interest of maintaining a level playing field, one may argue that it is unfair to allow the extra truck to be considered. If Council did do this, then all tenderers should be allowed the same opportunity.

It is considered that SITA Environmental Solutions has provided the best overall tender, with a competitive price, and logistically is in a much better position to provide the service for Council. SITA has the capacity and resources to provide both garbage and recycling services for the small 240L mobile bin services and also the large waste container service. SITA’s financial standing is also strong and has a minimal insolvency risk.

It will be recommended that SITA Environmental Solutions be nominated as the preferred Tenderer for Civic Waste Collection and Disposal and that contract negotiations be conducted with this organisation.

**RECOMMENDATION**

That:

1. The information contained in the report on Civic Waste Collection and Disposal Tender be received.
2. SITA Environmental Solutions be appointed as the preferred tenderer for Civic Waste Collection and Disposal Services.
3. The Waste and Community Protection Manager, in consultation with the Legal Officer, be authorised to negotiate contracts consistent with the report presented to Council at its Ordinary meeting of 5 March 2007.

**ATTACHMENTS/APPENDICES**

There are no attachments for this report.

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The City in its Environment

7            **Rehabilitation of Sections of The Great River Walk - Penrith -  
Successful Grant Application**

**Compiled by:**            **Janet Rannard, Bushland Management Officer**

**Authorised by:**        **Raphael Collins, Parks Construction & Maintenance Manager**

**Strategic Program Term Achievement:** *The City's biological diversity is being protected and conserved through the implementation of a biodiversity conservation and bushland management strategy.*

**Critical Action:** *Undertake biodiversity conservation and protection and pursue the effective management of natural areas.*

**Purpose:**

*To advise Council of the successful application for a Local Government River Health Partnership Round 6 Grant to rehabilitate sections of the Nepean River, along the Great River Walk. The report recommends that Council approve the Local Government River Health Partnership Grant.*

**Background**

The Hawkesbury Nepean Catchment Management Authority (HNCMA) has made \$889,800 available, from the Strategic Reserve NHT Funds, for Local Government projects. Projects must contribute to the implementation of the "*Hawkesbury Nepean Catchment Action Plan*" by addressing the River Health Management (RHM) targets. This project will achieve the following:

- 3000 native plants established through revegetation (from a RHM target of 60,000)
- 3.6 Ha of riparian zone revegetated (from a RHM target of 100 Ha)
- 0.3 km of creekline undergoing intensive rehabilitation (from a RHM target of 60 km)
- 0.3 km of creek line treated for pest plant control (from a RHM target of 60 km)
- 1 site treated for stabilisation and erosion control (from a RHM target of 10)

**Current Situation**

After the completion of Stage 1 of the Great River Walk, some other sections adjacent to the Walk were identified as requiring rehabilitation including the embankments leading from Weir Reserve down to the Nepean River and the area at the River end of Old Ferry Road near the top of the existing rock steps adjacent to the Log Cabin Motel.

Work will include weed control, erosion control and revegetation and will be carried out by contractors with assistance from Council's own Bush Regenerators.

On 29 May 2007, the Project Services Agreement was signed by Council. The approved Grant of \$30,940 will be matched with cash from EEP of \$24,600 and an in kind contribution of \$4,740.



### **Conclusion**

The work will aesthetically improve the approach to the Nepean River from Weir Reserve, as well as providing a non-invasive backdrop to the wedding pavilion. It will also assist with stabilising the two embankments. Work will start on this project early in July 2007, and must be completed within the 2007-2008 financial year.

### **RECOMMENDATION**

That:

1. The information contained in the report on Rehabilitation of Sections of The Great River Walk - Penrith - Successful Grant Application be received.
2. Council accept the Grant offered under the Local Government River Health Partnership Grant as detailed in the report.

### **ATTACHMENTS/APPENDICES**

There are no attachments for this report.

## THE CITY AS AN ECONOMY

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**The City as an Economy**

**8 Kunshan Trade and Investment Promotion Fair - October 2007**

**Compiled by:** Geoff Shuttleworth, Economic Development and City Marketing Manager

**Authorised by:** Geoff Shuttleworth, Economic Development and City Marketing Manager

**Strategic Program Term Achievement:** *Programs are attracting domestic and international visitors to the City for access to cultural and sporting exchange and experiences and language education and training.*

**Critical Action:** *The City's international relationships are maintained and opportunities for enhancing these relationships are explored.*

**Purpose:**

*To advise Council of an invitation for the Mayor to lead a delegation of business people to the Kunshan Autumn Trade and Investment Promotion Fair in October 2007.*

**Background**

Penrith City has a Friendship City relationship with Kunshan, and a Mutual Cooperation Agreement with Xicheng District of Beijing, which are both in the People's Republic of China.

In December 2006, Council resolved that there be Councillor and staff representation at the Kunshan Autumn Trade and Investment Promotion Fair in the People's Republic of China in October 2007, and that a courtesy visit be paid to Xicheng District of Beijing, People's Republic of China.

This was in response to an invitation from the Mayor of Kunshan, Guan Aiguo, for representatives of Council to participate in the Fair, and coincided with a visit by two officials from the Kunshan Municipal Government for two months in August/September 2006 (David Wang, Deputy Director of the Kunshan Foreign Affairs Office and Sheng Xuedong, Deputy Director of the Kunshan Construction Bureau), during which they learnt about Council's operations and how it works with its local community.

The purpose of the Fair is to promote Kunshan's business and investment opportunities. The Fair also features the Kunshan Achievements Show (displaying every aspect of Kunshan's recent achievements) and the Production Exhibition (for local Kunshan producers to display their products). In addition, there is an official Opening Ceremony and other activities such as smaller Promotion Fairs sponsored by Kunshan's towns' governments. 2006 also featured a Forum on Industry Cooperation and Development between the Mainland and Taiwan, and an Overseas Chinese Scholars Forum.

Attendance at the Fair provides an opportunity for Penrith to showcase itself at this significant event, and to network with a wide range of participants in the Trade Fair along with international visitors, to investigate potential opportunities for Penrith.

### **Current Situation**

Communication has been received from Mr Greg Evans, a local business person, advising that he has received an invitation from the Mayor of Kunshan to arrange a delegation of six business people from Penrith also to attend the Kunshan Autumn Trade and Investment Promotion Fair in October 2007.

Mr Evans advises that the invitation was as a result of discussions he had with David Wang and Sheng Xuedong when they visited Penrith from Kunshan last year.

He goes on to say “It would be most beneficial if the Mayor of Penrith were to lead this delegation to facilitate discussions at the highest levels of government and business while the group is in Kunshan, which I am sure will lead to very positive outcomes for Penrith in the future.”

It is pleasing to see that the Mayor of Kunshan has extended such an invitation to a group of Penrith business people as well as an invitation to Council itself. This reflects a confidence by the Mayor of Kunshan that the relationship between Penrith and Kunshan has the potential to provide bilateral opportunities and benefits to both cities.

If Council were to accept this invitation from Mr Evans for the Mayor to lead this business delegation, it would reinforce Council’s commitment to facilitate tangible economic outcomes from its international relations program and enhance the already strong partnership that Council enjoys with the local business community in developing a broad range of economic development programs promoting local employment and business growth.

Mr Evans is currently talking with a range of local business people to participate in this delegation at their own cost. Councillor Jim Aitken has indicated to Mr Evans that he is keen to participate in the delegation, in his capacity as a local business person, and as with other business people he would pay his own costs.

Discussions with Mr Evans have indicated that the business delegation also intends to visit the China Import and Export Fair in Guangzhou as part of the trip. This is the largest Trade Fair in China and happens to coincide with the period of the visit. It would be appropriate for Council representatives to accompany members of the business delegation.

During the time that David Wang and Sheng Xuedong spent in Penrith, they also visited Lachlan Shire, Penrith’s local Friendship City. They were excited about potential business opportunities between Kunshan and Lachlan Shire, and it is understood that the Mayor of Kunshan has also extended an invitation for Lachlan Shire Council and business representatives to attend the Kunshan Trade and Investment Promotion Fair.

### **Conclusion**

As indicated earlier in the report, Council resolved, in December 2006, that there be Councillor representation, along with staff nominated by the General Manager, at the Kunshan Autumn Trade and Investment Promotion Fair in the People’s Republic of China in

October 2007, and that a courtesy visit be paid to Xicheng District of Beijing, People's Republic of China.

Accepting the invitation for the Mayor of Penrith also to lead a business delegation to the Kunshan Fair will further enhance the outcomes from the visit.

## **RECOMMENDATION**

That:

1. The information contained in the report on Kunshan Trade and Investment Promotion Fair - October 2007 be received.
2. The Mayor of Penrith lead the business delegation from Penrith, invited by the Mayor of Kunshan, to participate in the 2007 Kunshan Autumn Trade and Investment Promotion Fair as requested by local Penrith business person Mr Greg Evans.

## **ATTACHMENTS/APPENDICES**

There are no attachments for this report.

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**The City as an Economy**

**9           CLAIR Forum 2007**

**Compiled by:**           **Geoff Shuttleworth, Economic Development and City Marketing Manager**

**Authorised by:**       **Geoff Shuttleworth, Economic Development and City Marketing Manager**

**Strategic Program Term Achievement:** *Programs are attracting domestic and international visitors to the City for access to cultural and sporting exchange and experiences and language education and training.*

**Critical Action:** *The City's international relationships are maintained and opportunities for enhancing these relationships are explored.*

**Purpose:**

*To advise of Council's participation in the 2007 ASCA Conference and CLAIR Forum. The report recommends that Councillor Greenow represent Council at the 2007 CLAIR Forum being held as part of the 2007 Australian Sister Cities Association Annual Conference in Darwin, from 30 September to 3 October 2007.*

**Background**

CLAIR is the Japanese Council of Local Authorities for International Relations. CLAIR has an office in Sydney and Council has developed a strong relationship with the Director General of this office and other CLAIR staff.

CLAIR conducts an annual forum with a theme around a contemporary issue of importance to local government in both Australia and Japan.

In 2006, the CLAIR Forum was conducted in Townsville in association with Townsville City Council. The theme for the 2006 Forum was "Grassroots Sustainability – International Lessons", with Dr David Suzuki as keynote guest speaker. The Forum was attended by the General Manager and Councillor Kevin Cramer.

Following on from the 2006 Forum, discussions have been held with the Director General of CLAIR Sydney for the 2009 CLAIR Forum to be held in Penrith. This would be in conjunction with major celebrations of the 25<sup>th</sup> anniversary of Council's Sister City relationship with Fujieda, Japan, and the 20<sup>th</sup> anniversary of its Friendship City relationship with Hakusan, Japan (formerly Matto City).

A decision has not yet been made by CLAIR as to the location of the 2009 Forum.

**Current situation**

The 2007 CLAIR Forum will be held in Darwin this year, as part of the Australian Sister Cities Association (ASCA) Annual Conference, which is being hosted by Darwin City Council from 30 September to 3 October 2007.

The theme for the CLAIR Forum has not yet been determined, however it would be appropriate to have Council representation at the ASCA Conference to reinforce Council's bid to have the 2009 CLAIR Forum in Penrith.

Councillor Jackie Greenow has indicated that she would be interested in representing Council in this capacity and, considering her role as Chairperson of the Penrith International Friendship Committee, it would be most appropriate that she attend.

#### **RECOMMENDATION**

That:

1. The information contained in the report on CLAIR Forum 2007 be received.
2. Councillor Greenow represent Council at the 2007 CLAIR Forum being held as part of the 2007 Australian Sister Cities Association Annual Conference in Darwin from 30 September to 3 October 2007.

#### **ATTACHMENTS/APPENDICES**

There are no attachments for this report.



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**The City as an Economy**

**10 Request for sponsorship of World Dragon Boat Championships**

**Compiled by:** Paul Page, City Marketing Supervisor

**Authorised by:** Geoff Shuttleworth, Economic Development and City Marketing Manager

**Strategic Program Term Achievement:** *Programs are attracting domestic and international visitors to the City for access to cultural and sporting exchange and experiences and language education and training.*

**Critical Action:** *Encourage domestic and international visitors to visit and utilise the City's international sporting facilities.*

**Purpose:**

*To present to Council a proposal by AusDBF (Australian Dragon Boat Federation), accompanied by a Business Plan, for Council to be a sponsor of the World Dragonboat Championships to be held in Australia for the first time at the International Regatta Centre at Penrith from 19 - 23 September 2007. The report recommends that Council agree to the request.*

**Background**

The eighth IDBF (International Dragon Boat Federation) World Dragon Boat Championships are to be held in Australia for the first time at the International Regatta Centre at Penrith 19-23 September 2007.

The event is held every two years. Registrations have already been received from over 2,300 athletes from 16 member countries. (Details of countries, the numbers of athletes and the location of their accommodation are provided in full in the business plan, a copy of which is attached).

All racing associated with the event will be held at the International Regatta Centre at Penrith from 20 to 23 September. The opening ceremony on 19 September will be held at Parramatta and the "After Party" on 23 September will be held at Darling Harbour. AusDBF has co-ordinated accommodation bookings which have been secured in hotels and motels between Wentworthville and Penrith.

All races are conducted using a standard fleet of locally based vessels which are used repeatedly in the various races. Teams do not bring their own vessels as happens in rowing and canoeing events.

Dragon boat racing also differs from rowing and canoeing in not being an Olympic event. This lowers the "overheads" associated with staging a World Championship. Dragon Boat racing is nevertheless quite interesting and attractive for spectators with the vessels featuring elaborate dragon ornamentation and a drummer who assists paddlers in keeping time.

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## **Sponsorship Proposal**

AusDBF is proposing that Council provide sponsorship of \$20,000 which would be used to contribute to the provision of event infrastructure (portable toilets, fencing and barricades), lanyards with PV branding for photo IDs and bottled water and lunches for athletes. This request can be met from the City Marketing and Events budgets.

In return, the business plan sets out a number of benefits, including advertising in the event program and event newspaper, signage on one of the competition boats, opportunity to display PV banners, a staff team building opportunity, hospitality passes to the VIP tent, use of Penrith Valley/ Council logos on promotional materials and on the official web site and the Mayor to be invited to present championship medals in one of the racing categories and to speak at the opening and closing functions.

The business plan also proposes a package of “In Kind” support activities valued at \$15,000 which includes

1. A Civic reception for IDBF officials and sponsors;
2. Distribution of leaflets and posters to various Council venues, including the visitor information centre;
3. Inclusion in Council’s official “What’s On” information distributed in hard copy and on line;
4. Banners in High Street promoting the event;
5. Invitations sent to local schools to attend on the Thursday and Friday as a school excursion;
6. Assistance with promotion in the local radio or papers;
7. Gifts for athletes;
8. Supply of local information and promotional kits for athletes.

The implementation of this package will be negotiated directly with the organisers and any direct costs associated with the package will be funded from the City Marketing budget.

Through this package and other initiatives, the City Marketing program will promote the prestige that the event brings to Penrith Valley to the local community and encourage the local community to come and experience the spectacle of dragon boat racing.

## **Conclusion**

The World Dragon Boat Championships is a major event at one of our international sporting facilities. It will have a positive impact on our economy and bring many visitors to Penrith Valley and on this basis it would be appropriate to meet the request for support.

## **RECOMMENDATION**

That:

1. The information contained in the report on Request for sponsorship of World Dragon Boat Championships be received;
2. Sponsorship of the World Dragonboat Championships to a value of \$20,000 be approved in accordance with Council’s City Marketing Event Sponsorship Policy..

**ATTACHMENTS/APPENDICES**

- |  |            |          |
|--|------------|----------|
| <b>1.</b> Sponsorship proposal from Australian Dragon Boat Federation for World Dragonboat Championships | 4<br>Pages | Appendix |
|--|------------|----------|

20<sup>th</sup> May 2007

Paul Page  
Marketing Supervisor  
Penrith City Council  
PO Box 60  
Penrith NSW 2751

**RE: SPONSORSHIP PACKAGE FOR THE 2007 WORLD DRAGON BOAT CHAMPIONSHIPS**

**Background**

The 8<sup>th</sup> IDBF (International Dragon Boat Federation) World Dragon Boat Championships are to be held in Australia for the first time. The event is to be run at the Sydney International Regatta Centre, Penrith from 19<sup>th</sup> – 23<sup>rd</sup> September 2007.

The World Championships are only held every 2 years and Australia was awarded the right to host back in 2003 and has been working on the Championships ever since.

The schedule for the week will be as follows:

DATE	Schedule
Sun 16 <sup>th</sup> Sept	Arrival of International Teams
Mon 17 <sup>th</sup> Sept	Team training sessions Sightseeing tours
Tue 18 <sup>th</sup> Sept	Team training sessions Sightseeing tours
Wed 19 <sup>th</sup> Sept	Team training sessions PM – Opening Ceremony
Thu 20 <sup>th</sup> Sept	1000m racing all categories
Fri 21 <sup>st</sup> Sept	AM – IDBF Council meeting PM – 500m mixed racing
Sat 22 <sup>nd</sup> Sept	200m racing all categories
Sun 23 <sup>rd</sup> Sept	500m racing open/women all categories PM – After Party
Mon 24 <sup>th</sup> Sept	Departure of all teams

Currently the Championships have received entries from the following countries for participation:

Country	No of participants	Accommodation
Australia	500	Chifley and Penrith Valley Inn
Canada	350	Parramatta
China	196	Booked own
Germany	193	Nepean Shores Resort, Penrith

**Dragons Downunder Pty Ltd.**

ACN 121 171 766

**AusDBF Members**

- Canberra Dragon Boat Assoc
- Dragonboat Assoc of SA
- Dragon Boats NSW
- Dragon Boats NT
- Dragon Boat Federation WA
- Queensland Dragon Boat Federation
- Victorian Dragon Boat Assoc
- Dragons Abreast Australia

**Associate Members**

- Tasmanian Dragon Boat Federation

**2007 Organising Committee**

**Championships Director**  
Jon Taylor

**Technical Director/Assisting Championship Director**  
Melanie Cantwell

**Directors**

- Akal Khalsa (Medical)
- M Lee (Volunteers)
- C Osman (Ceremonies)
- C Wong (Transport)
- H Wong (Site)
- S Wong (Admin)

**Correspondence**

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Fax: (02) 9746 3214  
Website: dragonboat07.com.au

Appendix 1 - Sponsorship proposal from Australian Dragon Boat Federation for World Dragonboat Championships

Great Britain	140	Log Cabin, Quality Inn Penrith and Parramatta
Hong Kong – China	60	???
Japan	83	Parramatta
Macau-China	60	Blacktown
New Zealand	252	Windsor + all over
Philippines	50	Blacktown
Poland	25	Wentworthville
Switzerland	25	Blacktown
Ukraine	25	Wentworthville
USA	365	Parramatta
Volunteers	400	Parklea Garden Village
IDBF Officials	25	Chifley Penrith

As you can see we have utilised all the accommodation that was available to us in the area.

We are still waiting to hear from Italy, Singapore, South Africa and Russia.

The Championships Committee intends to utilise as much as possible local resources hence have been working closely with companies such as Penrith Party Hire, Muru Mittaggar, and Panthers already.

As this will be the first time for many of these athletes to come to Australia, the Championship committee has been working very hard to put on a good event for them.

This is a very exciting opportunity to have all these countries visiting shores, but also the competition is going to be incredible. For that reason we envisage that the event will attract lots of spectators both from within the dragon boat community around Australia and locally.

The sport of dragon boats is very unique in so much as it is not only a sport of the highest calibre but is very culturally diverse with many traditions. The fact the sport is open to both and men who are able to compete side by side is very unique in the sporting area.

The World Championships is going to bring a lot of money into the local economy, whether it is through the accommodation, dining, Shopping centres, tourist attractions, transport – you name it.

The Championship Committee are already a long way into the organising for the event and in fact used the National Championships recently held at Penrith during Easter as a trial run for the World Championships. The feedback from the athletes that attended was it was the best National Championships ever! As an aside NSW has put in a bid to host the 2008 National Championships again.

The Championship Committee are now having fortnightly meetings (which anyone from Council is invited to attend)

**Budget**

1. The budget has been reviewed numerous times for the Championship committee and final approval of the budget lies with the International Dragon Boat Federation.
2. The World Championships event is being underwritten by the Australian Dragon Boat Federation.
3. Currently the budget for the event is being worked on strictly volunteer basis (no paid staff).
4. The committee would be happy to forward this to you at any time

The World Championships Committee is very excited and looking forward to the prospect of working with **Penrith City Council** for this event.

Currently Eco Point Resorts and NSW Major Events are the events Titanium Sponsors. We would be delighted if **Penrith City Council** would come on board as a **Platinum Sponsor**.

The Championship Committee would like to recommend the following package:

**In kind support - \$15k**

1. Penrith City Council would host all the IDBF Officials and sponsors to a Civic reception
2. Distribution of leaflets and posters to various Council venue's, including visitor Information centre
3. Inclusion in Council's official "What's on" information distributed in hard copy and on line
4. Banners down High Street promoting the event with PVC and Event logo on them
5. Discount vouchers to the stores in the local area (to be given to the athletes)
6. Invitation sent to all the schools in the local area to attend the event on Thurs or Fri as a school excursion
7. Assistance with any promotion on the local radio or local papers (Panthers magazine, Historic Windsor Paper, Blue Mountains Tourist Newspaper, Penrith City Star, The Western Weekender, Penrith Press)
8. Gifts for the athletes – e.g. a water bottle with the Penrith Valley branding and Eco friendly bags "souvenir show bags" that each athlete would be given. (we already have quotes and a supplier for these) (water bottles \$2.20 each and bags \$1.30 each)
9. Supply of promotional kits for the athletes

**Cash Support - \$25k**

This contribution would be used for items like:

1. Water for all the athletes (2000 dozen) for the 4 days and volunteers (450 dozen) this could certainly have Penrith Valley branding on them
2. Infrastructure – portaloos, fencing, barricades (fencing could certainly have the PVC branding on it)
3. Lunch for the athletes and or volunteers each day
4. Lanyards with Penrith valley branding which will be used for all the photo ID's for the athletes, officials and volunteers

**In Return**

1. Advert in the official event program (in good faith an advert went in the Official event for the National Championships – April 2007)
2. Signage on both sides of one dragon boat (In good faith this has already been completed and was used at the National Championships in April 2007)
3. Use of Penrith Valley /Penrith City Council logo on all materials and on official website ([www.dragonboat07.com.au](http://www.dragonboat07.com.au))
4. Article in an issue of the "Drum Downunder" – This goes out monthly to all the athletes attending the World Championships.
5. Penrith Valley display banners at the event
6. Daily hospitality passes to the VIP area and Opening ceremony (10 per day)
7. Invitations were issued to the VIP function for the National Championships in April 2007 in good faith
8. 1 x Team building activity for staff (at a mutually agreed time)
9. Display stand during the Championships in the Cultural village
10. Mayor to present championship medals in one category during the Championships
11. Mayor to speak at the Opening Ceremony
12. Mayor to be part of the Official Closing for the Championships

The Championship Committee look forward to a favourable reply

Yours Sincerely

Melanie Cantwell  
Assisting Championship /Technical Director  
Mob: 0418 480 731  
Email: [president@dragonboatsnsw.org.au](mailto:president@dragonboatsnsw.org.au)

**THE CITY SUPPORTED BY INFRASTRUCTURE**

<b>Item</b>	<b>Page</b>
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**The City Supported by Infrastructure**

**11 Grading of rural road shoulders in Berkshire Park and Llandilo and status of Llandilo Trunk Drainage Scheme**

**Compiled by:** Hans Meijer, Asset Systems Engineer  
Gowry Gowrythasan, Civil Operations Engineer  
Glenn Mallard, Design Co-ordinator

**Authorised by:** David Burns, Director - City Operations

**Requested By:** Councillor Kevin Crameri OAM

**Strategic Program Term Achievement:** *An asset management strategy is in operation for civil infrastructure that optimises its use and maintains it to agreed standards fit for its contemporary purpose.*

**Critical Action:** *An Asset Management Strategy for civil assets is developed, maintained and implemented.*

**Purpose:**

*To advise Council of the current procedure of grading of rural road shoulders in Berkshire Park and Llandilo and the status of the Llandilo Trunk Drainage Scheme. The report recommends that the information be received.*

**Background**

**Rural road shoulder grading**

Councillor Kevin Crameri OAM, on 18 June 2007, requested a report to Council on how Council currently handles the grading of road shoulders in Llandilo and Berkshire Park.

There are currently 43km of local sealed roads and 14km of regional sealed roads in Berkshire Park and Llandilo. Council has undertaken, over several years, to widen the sealed pavements along the regional rural road network in Llandilo and Berkshire Park to between 8 and 9m. The remaining sealed rural local roads within Llandilo and Berkshire Park are generally 5-6m in width.

Historically, Council has graded table drains frequently, resulting in sediment entering waterways. As an environmentally aware Council, routine grading of road shoulders is no longer conducted. The NSW Roadside Environment Committee also discourages the disturbance of vegetation along the roadside, as sediment may be mobilised and washed downstream. Removal of the established vegetation encourages weeds, which compete with regeneration and existing native trees, shrubs and groundcovers.

**Current Situation**

Council currently operates a single construction grader. This grader is used to grade the remaining 14km of unsealed Council roads, prepare carparks for sealing, and assists in road reconstruction and construction works. The majority of road shoulders are not suitable to be

graded by this grader due to its size. There are currently in excess of 478km of unsealed road shoulders within the rural road network.

The recent storm and rain events during June have highlighted several road shoulder locations where water has travelled along the road pavement instead of along the table drains. During the recent storm events throughout Berkshire Park and Llandilo, Council's after hours call-out staff identified several locations where water was temporarily flowing along the road pavement. It was noted by these staff that the majority of this water was no longer on the road after the rain stopped. This is similar to urban drainage, where the urban system is designed for specific storm events only and anything above that flows within the street.

Council's call-out staff have also identified and prioritised works in Llandilo and Berkshire Park, following the February storms. The Works Coordinator – Drainage Maintenance sent letters to 11 properties in Llandilo, following concerns raised during the February storm event. Three responses have been received to date, as a result of these letters, and authorisation to enter private property by the property owners to maintain the channels has been granted.

The identified works, which included mowing of drains, grading of selected shoulders, improving table drains and cleaning culverts, have been completed at the following locations:

- Second Avenue, between Seventh Avenue and Fifth Avenue;
- Second Avenue, between Eighth Avenue and Ninth Avenue;
- Fourth Avenue, between Third Avenue and The Northern Road;
- Seventh Avenue, between Second Avenue and Third Avenue;
- Eighth Avenue, between Second Avenue and Third Avenue;
- Ninth Avenue, 100m south of Eighth Avenue;
- Intersection of Second Avenue and Eighth Avenue;
- Mayo Road - entire length;
- Llandilo Road mowing of drainage channel between Fourth Road and Richmond Road.

Additional routine maintenance works are programmed in these suburbs, and have been prioritised with other drainage issues identified across the remaining rural suburbs. Council's Civil Operations Engineer is currently in the process of re-allocating the workforce to increase the staff available to respond directly to drainage issues.

Where water was identified in the rural area as flowing along the street, it was frequently where property owners appear to have installed undersized pipe crossings within the table drain to provide access to their property. Material from property owners' unformed driveways also appeared to be deposited within the table drains. Council staff are currently identifying these locations and, where appropriate, installing larger pipes to improve water flow within the table drains. Backhoes are also being used to reshape the table drains in identified locations, to minimise disturbance to the established vegetation. Backhoes and bobcats are better able to minimise disturbance to vegetation by remaining on the road shoulder, and do not clear more than is essential to improve drainage. Council staff allocate the appropriate plant to perform works at each identified location to get the best possible outcome.

### **Llandilo and Berkshire Park Trunk Drainage Scheme**

At Council's Ordinary Meeting on 5 March 2007, Councillor Kevin Crameri OAM requested a report to Council, providing a review and audit of the Llandilo Trunk Drainage Scheme.

During the 1980s, Council constructed numerous open earth Trunk Drainage Schemes in the rural areas, in an effort to assist residents in alleviating stormwater inundation lying over their properties for extended periods, after consistent rains. Such schemes included Berkshire Park Trunk Drainage, The Driftway Trunk Drainage and Llandilo Trunk Drainage.

The Llandilo Scheme was constructed by Council in the early 1980s. The area of Llandilo bounded by Fifth Avenue, Second Avenue, Eighth Avenue and South Creek is very flat and subject to local nuisance flooding.

The purpose of the Llandilo Trunk Drainage Scheme is to de-water the area following periods of heavy rain and property flooding. Because of the flatness of the channels, due to the surrounding low-lying topography, this de-watering may take some time after the rainfall ceases. The drainage scheme implemented was not intended to protect properties from flooding, and it is not possible to construct a drainage system that will protect the properties from local nuisance flooding.

Following extensive consultation, and unanimous approval by all property owners, the Scheme was constructed with a series of shallow, flat channels through the privately owned land. As part of these works, the capacity of the original culvert at Fifth Avenue was assessed and subsequently amplified to accommodate significant flows. The invert of the new culvert was set at the lowest level possible whilst maintaining a tailout grade to South Creek (approximately 900m).

At the time, Council did not acquire easements over these channels which, in the main, follow property boundaries and not a defined 'natural' watercourse.

### **Power of Entry**

In the early 1980s, when the Llandilo drainage system was constructed, Council had power under the Local Government Act 1919 to enter private property to implement drainage systems and to repair, maintain and replace such drainage systems.

The Local Government Act 1993 appeared to remove the power that existed under the previous Act for councils to enter private property to repair, maintain and replace drainage systems.

Following the apparent removal of the power of entry by the 1993 Act, there became an increased awareness of Council's inability to access its infrastructure on private property. This could only be overcome by the creation of easements, which could be a costly exercise, with possible compensation as well as the survey, registration and legal costs of creating the easements.

However, after a three year campaign by the Water Directorate (an organisation which currently has 95 member councils and county councils responsible for water supply and/or sewerage services in NSW), and the LGSA, the Minister for Local Government endorsed the

reinstatement of power of entry, and on 1 August 2002 the Local Government Amendment (Miscellaneous) Bill, 2002 commenced. Section 59A was included in the LGA 1993.

***59A Ownership of water supply, sewerage and stormwater drainage works***

*(1) Subject to this Division, a council is the owner of all works of water supply, sewerage and stormwater drainage installed in or on land by the council (whether or not the land is owned by the council).*

*(2) A council may operate, repair, replace, maintain, remove, extend, expand, connect, disconnect, improve or do any other things that are necessary or appropriate to any of its works to ensure that, in the opinion of the council, the works are used in an efficient manner for the purposes for which the works were installed.*

The commencement of Section 59A confirmed Council's power to enter and conduct maintenance works on existing drainage systems on private land, and negated the absolute need to create easements to enable access for the maintenance of the drainage system through private property.

**Easements**

An easement is a limited legal right to make use of a property owned by another. The creation of an easement may also restrict particular types of developments or structures being placed within these easements.

To commence the easement process, surveyors had been engaged to survey the drainage system within the Llandilo system to determine the areas/widths of easements that would be required to be created.

The survey information was provided and individual draft plans have since been prepared for consultation with the thirteen owners affected.

The creation of easements over the individual properties would result in them being registered on the Certificate of Title, and remove any doubt as to Council's rights or ability to enter the properties to carry out future maintenance on the drainage system, if required. It would also serve notice on any intending purchaser of the existence of the drainage system and Council's rights to enter and maintain.

However, the agreement of the thirteen owners involved would be required to the creation of the easements. In past similar situations, private owners affected by drains may agree to maintenance being carried out, but would not agree to the granting of an easement to Council, and may seek, and in certain instances claim, the right to compensation.

It is envisaged that the owners within the Llandilo drainage system would also have reluctance to the grant of easements, especially if it is to be without compensation, and may challenge the need for the granting of easements with Council having the power of entry under Section 59A. In the absence of an easement, Council will, following advice to the property owner, utilise the power under Section 59A to maintain the drainage system.

### **Conclusion**

Council needs to ensure that any drainage maintenance work has regard for the environmental impacts, particularly in relation to erosion and sedimentation controls. Erosion is known to be a significant cause of water pollution and causes impacts such as turbidity, nitrification and salinity. Erosion can also damage native vegetation, alter natural drainage pathways and cause a deterioration in riparian and aquatic habitats.

It is currently best practice to maintain grass cover as a protection against erosion in roadside drains and drainage channels. Broad scale grading or disturbance of drainage channels is generally avoided, and where necessary must be complemented with temporary erosion control measures until revegetation occurs. Mowing is the preferred maintenance option, except where sediment has built up to an unacceptable level.

### **RECOMMENDATION**

That the information contained in the report on Grading of rural road shoulders in Berkshire Park and Llandilo and status of Llandilo Trunk Drainage Scheme be received.

### **ATTACHMENTS/APPENDICES**

There are no attachments for this report.

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## **LEADERSHIP AND ORGANISATION**

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### **URGENT**

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## Leadership and Organisation

### 12            **CLAIR Local Government Exchange and Cooperation Seminar 2007**

**Compiled by:**            **Geoff Shuttleworth, Economic Development and City Marketing  
Manager**

**Authorised by:**        **Alan Travers, General Manager**

**Strategic Program Term Achievement:** *Council values its staff and its workforce culture is adaptable, harmonious, flexible and conducive to high levels of innovation, empowerment, motivation and productivity.*

**Critical Action:** *Opportunities are created for all staff to realise their potential and systems encourage innovation, empowerment, motivation and productivity.*

#### **Purpose:**

*To advise Council of a seminar being organised by the Council of Local Authorities for International Relations (CLAIR) in Japan. The report recommends that:*

- 1. The information contained in the report on the CLAIR Local Government Exchange and Cooperation Seminar 2007 be received.*
- 2. The Chief Financial Officer's participation in the CLAIR Local Government Exchange and Cooperation Seminar 2007 be supported as outlined in the report.*

#### **Background**

Council has been invited to nominate a senior staff attendee at this Seminar.

CLAIR is hosting the Local Government Exchange and Cooperation Seminar in Japan from 11 – 21 November 2007. This Seminar brings together people from both Japan and abroad that are working in Local Governments and related organisations, with a goal of promoting a network between overseas Local Government executives, Local Governments in Japan and CLAIR.

Exchange participants will attend a Local Government Seminar hosted by CLAIR in Tokyo, before travelling to Ishikawa Prefecture (where Penrith's Friendship City, Hakusan, is located), where they will take part in a week long exchange workshop hosted by Ishikawa Prefectural Government.

The General Manager has been invited to participate in the program and has nominated the Chief Financial Officer to attend as Council's representative. Council has developed a strong relationship with CLAIR, and particularly with the Director General of the Sydney office, Mr Yoshiyasu Hyotani and his staff, and this invitation follows on from discussions with Mr Hyotani.

By exchanging information and engaging in debate regarding the current condition and issues of Local Governments, the seminar functions to make people more aware of the state of Local Governments in Japan and abroad. In addition, the Exchange Events in Local

Authorities Program held in a host Japanese Local Government, provides overseas participants the opportunity to learn more about Japanese culture and can also be an initial step to future exchange.

CLAIR is accepting up to ten participants from the area covered by CLAIR Sydney (ie Australia and New Zealand) for this seminar. For invited participants, CLAIR will meet all expenses in Japan during the seminar period, except for any personal expenses. Expenses prior to arrival in Japan and after departing Japan are to be borne by the individual participant.

Although the itinerary is not yet finalised, the cost including airfares is expected to be in the vicinity of \$5,000.00. Funds can be made available from within the Corporate Management Training and Development budget. A report and presentation would be made by the Chief Financial Officer at the conclusion of the seminar.

Council has made approaches to CLAIR in regard to holding their annual forum in Penrith in 2009, in conjunction with major anniversary celebrations with our international relations in Japan, Fujieda and Hakusan. Attendance at this seminar would assist Council's bid to have the CLAIR annual forum in Penrith.

#### **General Manager's comment**

This seminar will, I believe, contribute to the Chief Financial Officer's professional development, and will also assist Council's developing relationships with both CLAIR and our Sister Cities. I support the Chief Financial Officer's attendance and am of the view that it is a privilege that an invitation has been extended to participate in this important seminar.

An opportunity exists for the Chief Financial Officer whilst in Japan to undertake a day visit to both Fujieda and Hakusan, Council's Sister Cities, to further promote the respective partnerships.

#### **RECOMMENDATION**

That:

1. The information contained in the report on CLAIR Local Government Exchange and Cooperation Seminar 2007 be received.
2. The Chief Financial Officer's participation in the CLAIR Local Government Exchange and Cooperation Seminar 2007 be supported as outlined in the report.

#### **ATTACHMENTS/APPENDICES**

There are no attachments for this report.

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## Leadership and Organisation

### 13 Council Property - Electricity Easements at Wallacia Bushfire Brigade, Lot 422 DP 706223, Park Road, Wallacia

Compiled by: **Bob Anderson, Property Officer - Valuation**

Authorised by: **Brian Griffiths, Property Development Manager**

**Strategic Program Term Achievement:** *Council provides adequate resources to deliver its program and has introduced measures to increase its capacity.*

**Critical Action:** *Implement a property development program that maximises the potential for sustainable additional revenue to support major projects and programs.*

#### **Purpose:**

*To obtain Council's concurrence to the granting of easements for electricity purposes to Integral Energy and Sydney Water, in association with the construction of the Wallacia sewer system. The report recommends Council grant Integral Energy an Easement for Padmount Substation, plus an Easement for Electricity Purposes to Sydney Water over Lot 422 DP 706223, Park Road, Wallacia.*

#### **Background**

Council is the owner of the Wallacia Bushfire Brigade building, Lot 422 DP 706223, Park Road, Wallacia containing an area of approximately 879 square metres. The building adjoins the Wallacia Golf Club.

#### **Current Situation**

To provide the sewerage system to Wallacia, a Sewerage Pumping Station has been constructed on the Wallacia Golf Club land, adjacent to Council's land. As part of the construction, it was necessary for the electricity supply for the pumping station to be constructed on the Council land adjacent to Park Road.

The electricity supply comprises a Padmount Substation adjacent to Park Road, within the building set-back area, plus cabling to the pumping station site to be acquired by Sydney Water.

A requirement of Integral Energy is that an easement be created over the substation site 3.8m x 5.5m, and a Restriction on Use of Land immediately surrounding the substation to a measurement of 6.105m x 9.18m.

An Easement for Electricity Purposes, one metre wide, is also required by Sydney Water for the supply cable to the pumping station site.

The location of the easements is indicated on the attached plan.

The substation and cabling location had been determined in conjunction with the fire brigade and Council staff and the easements will have little detrimental effect on the fire brigade use.

Council's land is classified as "Operational" land under the Local Government Act.

Compensation has been determined by the Department of Lands (Valuation Services), in the amount of \$2,000, to be paid by Sydney Water.

Sydney Water will be responsible for all costs associated with the creation of the easement, such as survey and reasonable legal expenses.

A Plan of Acquisition for the land required from the Golf Club, plus the Proposed Easements over Council's land, has been prepared and registered by Sydney Water as DP 1108408. The Transfer Granting Easement documents to create the new easement need to be executed under the Council's Common Seal.

### **RECOMMENDATION**

That:

1. The information contained in the report on Council Property - Electricity Easements at Wallacia Bushfire Brigade, Lot 422 DP 706223, Park Road, Wallacia be received.
2. Council grant Integral Energy an Easement for Padmount Substation 3.8m x 5.5m and a Restriction on use of Land immediately surrounding the substation to a measurement of 6.105m x 9.18m over Lot 422 DP 706232, Park Road, Wallacia.
3. Council grant Sydney Water an Easement for Electricity Purposes one metre wide over Lot 422 DP 706232, Park Road, Wallacia.
4. Council accept compensation from Sydney Water in the amount of \$2,000 for the two easements described in recommendations 2 & 3 above.
5. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

### **ATTACHMENTS/APPENDICES**

- |  |           |          |
|--|-----------|----------|
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## **Leadership and Organisation**

### **14 Council Property - Transfer of Funds for Land in Lawson Street Penrith**

**Compiled by:** Brian Griffiths, Property Development Manager

**Authorised by:** Brian Griffiths, Property Development Manager

**Strategic Program Term Achievement:** *Council provides adequate resources to deliver its program and has introduced measures to increase its capacity.*

**Critical Action:** *Implement a property development program that maximises the potential for sustainable additional revenue to support major projects and programs.*

#### **Purpose:**

*To obtain Council's approval to the transfer of funds to Section 94 in accordance with the provisions of the Environmental Planning & Assessment Act 1979 for land in Lawson Street Penrith . The report recommends the financial procedures relating to the Property Development Reserve and Section 94 funding.*

#### **Background**

This report provides information and outlines procedures that are required to be followed in approving funding transfers between the Property Development Reserve and Section 94.

The Property Development Reserve has been established for many years, and incorporates the funding structure for the development of property projects and acquisition of land for future property development. A separate function of the Property Development Service covers the statutory side of property, where land is required for open space, drainage reserves, road widening, community uses and civic uses, with funding coming from Section 94.

Property Development focuses on land that is classified as “Operational” land, as Council has the power to sell and deal with the land as Council sees fit. Land classified as “Community” land is generally open space and cannot be sold.

A report was presented to Council on 25 June 2007 in the Committee of the Whole, where it was resolved to provide the content of this report to Council’s Ordinary Meeting.

#### **Lawson Street Property**

In 1976, Council purchased a property at No 7 Lawson Street, Penrith described as Lot 456 DP 830714 that contained an area of 614 m<sup>2</sup>. The property consisted of a 2 storey brick and galvanised roof dwelling, and was acquired for the purposes of widening Lawson Street. The building was extensively damaged by fire in 1992, and was subsequently demolished. The land is now not required for road widening as determined by Council, also in 1992. It was also decided that, following the demolition of the improvements, the land was to become available for car parking.

A report was presented to Council on 6 February 1995, indicating that the land be acquired by the Penrith CBD Car Parking Fund, and the funds be transferred to the Property Development Reserve to facilitate financing construction of the Civic Centre and Regional Library.

In 1995, an independent valuation had been obtained from Alcorn Lupton Nicholson, Consultant Valuers and Property Consultants, who had assessed the value of No 7 Lawson Street, concerning Lot 456 DP 830714, in the sum of \$250,000. It was resolved at that meeting that the Penrith CBD Car Parking Fund acquire the property, and the land be utilised for car parking. A plan attached to this report shows the location of the subject site.

As a result of the funds coming from section 94, specifically from the Penrith CBD Car Parking Funds, the purchase of the land from contributions automatically classifies the land as “Community”. All lands previously purchased for car parking purposes in Penrith, without using section 94 funds, were classified as “Operational”. Accordingly, a report was presented to Council, at its meeting of 20 March 1995, informing Council that it was necessary to reclassify the land from “Community” to “Operational”.

Various steps were undertaken by giving public notice, advertising, and providing 28 days notice for written submissions, in accordance with the requirements of the Local Government Act 1993. At the same time, all the adjoining land owned by Council, consisting of 15 parcels, was consolidated, and the land is now described as Lot 10 DP 849474, with an area of 6,977 m<sup>2</sup>.

No submissions were received following the advertising, and Council formally resolved, on 15 May 1995, to reclassify Lot 456 DP 830714 at No 7 Lawson Street, Penrith from “Community” to “Operational”, due to its location within the Soper Place Car Park lands which have previously been classified as “Operational”.

Council land holdings will be key to future development that helps achieve the vision of the Penrith City Centre Strategy. The transfer allows the land in Lawson Street to be flexible for future development and provide funds back into the car parking component of the Penrith Town Centre Section 94 fund.

It is now appropriate that funds be transferred back to the Penrith Town Centre Section 94 fund from the Property Development Reserve. Consequently, the property being Lot 456 DP 830714, with an area of 614 m<sup>2</sup>, was also valued by Alcorn Corbin Nicholson Real Estate Valuers and Land Economists, in accordance with the current market value of the land.

They have assessed the current market value of the land at \$620,000 (excluding GST). The zoning of the property is “General Business 3 (a)” and the Development Control Plan Floor space Ratio Controls (Penrith City Centre) indicates the property is within a precinct where the floor space ratio is 4:1.

### **Chief Financial Officer’s Comments**

This proposal leaves the land parcel in Council’s ownership but transfers funds between internally restricted (property development) and externally restricted (Section 94) cash assets as consideration for the change in status of the land. The transfer provides the flexibility to take advantage of any development opportunities that may present on this and adjoining sites.



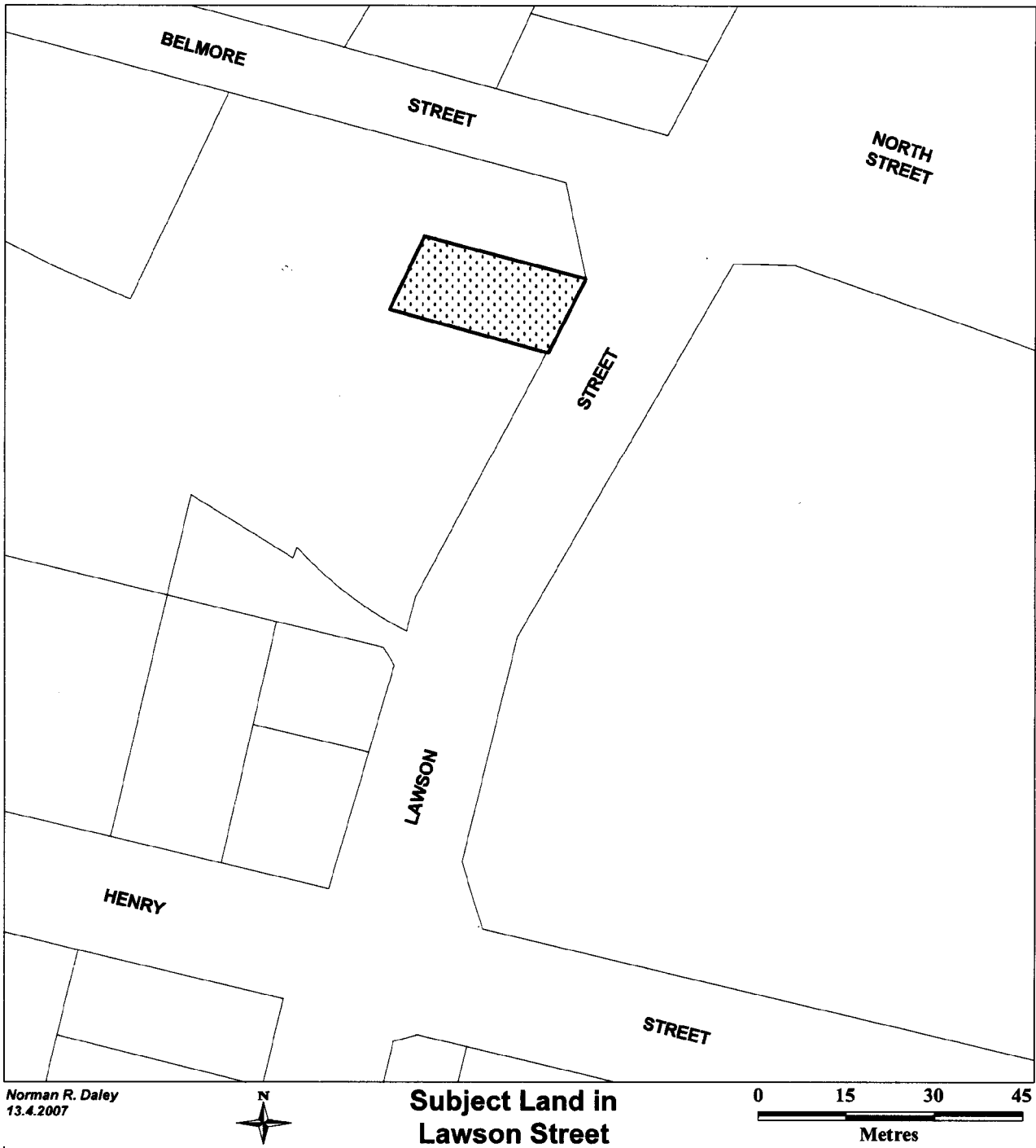
**RECOMMENDATION**

That:

1. The information contained in the report on Council Property - Transfer of Funds for Land in Lawson Street Penrith be received
2. The amount of \$620,000 be transferred to the Penrith Town Centre Section 94 Fund from the Property Development Reserve.

**ATTACHMENTS/APPENDICES**

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**URGENT REPORTS**  
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## Leadership and Organisation

### 15 Audit Tender 2007 amendment

Compiled by: Andrew Moore, Financial Accountant

Authorised by: Vicki O'Kelly, Financial Services Manager

**Strategic Program Term Achievement:** Council provides adequate resources to deliver its program and has introduced measures to increase its capacity.

**Critical Action:** Develop annual and longer-term resource plans aligned to the Strategic Program and service specifications.

#### Purpose:

To advise Council of an amendment to the Audit Tender reported to the Ordinary Meeting 25 June 2007. The report recommends that the information be received.

#### Current Situation

The outcome of the Audit Tender was reported to Council at the Ordinary meeting 25 June 2007. Following this meeting the successful tenderer, PricewaterhouseCoopers, notified Council officers that they had made a transposition error, relating to GST, when completing the pricing schedule for the tender. Upon review of the supporting documentation supplied with the tender this was found to be the case. The table below shows the change.

	Tender Schedule Price	Corrected Price
Penrith City Council	\$60,909	\$67,000
RIPPLES	\$9,091	\$10,000
PWS	\$9,091	\$10,000
PPVA	\$4,545	\$5,000

The change in price does not impact the recommendation that the tender be awarded to PricewaterhouseCoopers as they remain substantially cheaper and were ranked as the higher rated firm prior to the assessment of price and scored particularly well on the scope of service criteria.

#### RECOMMENDATION

That the information contained in the report on Audit Tender 2007 amendment be received.

#### ATTACHMENTS/APPENDICES

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## Leadership and Organisation

### 21 Audit Tender 2007

**Compiled by:** Andrew Moore, Financial Accountant

**Authorised by:** Vicki O'Kelly, Financial Services Manager

**Strategic Program Term Achievement:** *Council provides adequate resources to deliver its program and has introduced measures to increase its capacity.*

**Critical Action:** *Develop annual and longer-term resource plans aligned to the Strategic Program and service specifications.*

#### **Purpose:**

*To advise Council of Penrith City Council's Audit Tender outcome. The report recommends that the preferred tender be accepted.*

#### **Background**

Council is required to appoint an external auditor by tender every 6 years, in accordance with Sections 422 to 425 of the Local Government Act (1993).

The current audit tender held by PricewaterhouseCoopers expires at the completion of the audit for the year ended 30 June 2007.

Tenders have been sought and evaluated and the outcomes are summarised in this report, together with the recommendation for the appointment of an external auditor for the period to 30 June 2013.

#### **Tender Process**

Public notice of the tender was given through newspapers during the week commencing 14 May 2007. The tender was also placed on the WSROC e tender website. While no hard copies of the tender document were requested, a total of 13 packages were retrieved from the WSROC e tendering site

Tenders closed 5 June 2007 and an evaluation of the 2 submissions received is provided below.

#### **Evaluation Process**

An evaluation has been undertaken by a panel consisting of Councillor Ross Fowler (as nominated by the Finance Working Party), the Chief Financial Officer, Financial Services Manager and Financial Accountant.

The evaluation process included an appraisal and ranking of the submissions received, in accordance with the selection criteria contained within the tender.

## Tender Evaluation

Each tenderer was assessed against the assessment criteria set out in the tender document. While both firms clearly demonstrated a capacity to deliver the services requested by the tender, PricewaterhouseCoopers was the higher rated firm prior to the assessment of price and scored particularly well on the Scope of Service criteria. Once price was considered, PricewaterhouseCoopers remained the highest rated firm.

### *Annual Price (excluding GST)*

PricewaterhouseCoopers	\$60,909	(annual increases ~ CPI)
Pitcher Partners	\$100,000	(annual increases ~ CPI)

At this point, it was determined to make contact with the referees provided by PricewaterhouseCoopers. Subject to satisfactory references for PricewaterhouseCoopers, the references for Picture Partners would not be investigated.

The referees for PricewaterhouseCoopers provided very positive feedback.

PricewaterhouseCoopers is Council's current external auditor, and also the current auditor of 30 other NSW councils, and the quality of their work is well known to Council's officers who have a good relationship with PricewaterhouseCoopers staff.

Based on the above assessment the panel recommends that Council appoint PricewaterhouseCoopers as external auditor to Penrith City Council for the period 1 July 2007 to 30 June 2013.

## Controlled Entities

As reported to the Finance Working Party in February 2007, the audit tender requested submissions from firms interested in providing Audit and Financial Services to Council's Controlled Entities. It was seen as an opportunity to assess if economies or efficiencies could be achieved by this approach from both financial and workflow aspects.

The tender allowed respondents to provide submissions for services to:

- Penrith City Council only;
- Penrith City Council and its Controlled Entities (individually); or
- The Controlled Entities (individually) only.

The tender documentation acknowledged that differing start dates would be required to accommodate existing contract arrangements. Respondents were to price all Entities separately. The tender stated that it was not incumbent on any of Council's Controlled Entities to engage an auditor as a result of the tender, but a recommendation may be made by Council to the Board of each entity for their consideration.

No responses were received that addressed the Entities only. However, both PricewaterhouseCoopers (PwC) and Pitcher Partners did provide submissions for all entities. Both firms demonstrated capacity and complying tenders. The proposed fees (excluding GST) for 2007-08 are summarised in the following table:



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	<b>PwC</b>	<b>Pitcher Partners</b>
RIPPLES	\$9,091	\$15,000
PWS	\$9,091	\$15,000
PPVA	\$4,545	\$15,000
Annual Increase	CPI	CPI

The fees proposed by PricewaterhouseCoopers are lower than the fees currently charged by the respective auditors for each entity.

## **RECOMMENDATION**

That:

1. The information contained in the report on Audit Tender 2007 be received.
2. The tender from PricewaterhouseCoopers be accepted in accordance with the specifications defined in the tender documentation, and Council appoint the firm of PricewaterhouseCoopers for the period 1 July 2007 to 30 June 2013.
3. The Common Seal of the Council of the City of Penrith be affixed to any necessary documentation.
4. Council officers contact Council's Controlled Entities to advise them of the tender responses for their consideration.

## **ATTACHMENTS/APPENDICES**

There are no attachments for this report.



**COMMITTEE OF THE WHOLE**

**MASTER PROGRAM REPORTS**

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**Pecuniary Interests**

**Other Interests**

**Monday July 2 2007**

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## **1 Presence of the Public**

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

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

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

The matters and information are the following:

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

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

The grounds must specify the following:

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

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

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

The process which should be followed is:

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

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

## **RECOMMENDATION**

That:

### *City as a Social Place*

- 2 Legal Matter - Unauthorised development carried out by Walker Corporation Pty Limited. Applicant: Walker Group Constructions; Owner: Macquarie Goodman DA04/1637**

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

