

7 May 2008

Dear Councillor,

In pursuance of the provisions of the Local Government Act, 1993 and the Regulations thereunder, notice is hereby given that a **POLICY REVIEW COMMITTEE MEETING** of Penrith City Council is to be held in the Pasadena Room, Civic Centre, 601 High Street, Penrith on Monday 12 May 2008 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**
Leave of absence has been granted to:
Councillor Susan Page - 21 April 2008 to 26 May 2008 inclusive.
3. **CONFIRMATION OF MINUTES**
Policy Review Committee Meeting - 28 April 2008.
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**
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**

POLICY REVIEW COMMITTEE MEETING

MONDAY 12 MAY 2008

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MEETING CALENDAR

CONFIRMATION OF MINUTES

MASTER PROGRAM REPORTS

2008 MEETING CALENDAR

February 2008 - December 2008

	TIME	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
		Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	To be confirmed.		
Ordinary Meetings	7.30 pm	4	10	7	5❖		14	4	8✓			
		25		21	19	23*		29^				
Policy Review Committee	7.30 pm		3		12#		7		1			
		18#+	31@	28		16	28	18#+				
Councillor Briefing / Working Party / Presentation	7.30 pm	11		14		2✧		11				
			17		26	30	21	25				

- # 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 2008/2009 is adopted

- ^ Election of Mayor/Deputy Mayor
 @ Strategic Program progress reports [only business]
 ✓ Meeting at which the 2007/2008 Annual Statements are presented
 ✧ Management Plan Councillor Briefings/Public Forum (May)

- 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). Should you wish to address Council, please contact the Public Officer, Glenn McCarthy on 4732 7649.

**UNCONFIRMED MINUTES
OF THE POLICY REVIEW COMMITTEE MEETING OF PENRITH CITY
COUNCIL HELD IN THE PASSADENA ROOM, PENRITH
ON MONDAY 28 APRIL 2008 AT 7:38PM**

PRESENT

His Worship the Mayor Councillor Greg Davies, Councillors Jim Aitken OAM, Kaylene Allison, Lexie Cettolin, Kevin Crameri OAM, Mark Davies, Ross Fowler OAM, Karen McKeown, Garry Rumble, Pat Sheehy AM and John Thain.

APOLOGIES

PRC 23 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Garry Rumble that apologies be received and accepted from Councillors David Bradbury, Jackie Greenow and Steve Simat.

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Susan Page for the period 21 April 2008 to 12 May 2008 inclusive.

CONFIRMATION OF MINUTES - Policy Review Committee Meeting - 31 March 2008

PRC 24 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Pat Sheehy AM that the minutes of the Policy Review Committee Meeting of 31 March 2008 be confirmed.

DECLARATIONS OF INTEREST

Councillor Ross Fowler OAM declared a pecuniary interest in *Item 3 – Riverlink Precinct Plan* as he is a Director of a company that owns property in the Plan area and also the accountant for property owners within the Plan area. Councillor Fowler declared his intention to leave the meeting during debate and voting on this matter.

Councillor Jim Aitken OAM declared a pecuniary interest in *Item 4 – Caddens Release Area draft Local Environmental Plan and draft Development Control Plan* as he owns land within the area. Councillor Aitken declared his intention to leave the meeting during debate and voting on this matter.

MASTER PROGRAM REPORTS

THE CITY AS A SOCIAL PLACE

Having previously declared a pecuniary interest in Item 4, Councillor Jim Aitken left the meeting, the time being 7:40pm.

4 Caddens Release Area draft Local Environmental Plan and draft Development Control Plan

Mr Kerry Robinson, General Manager Urban Development, Landcom and Ms Camille Abbott, Development Director, Landcom, gave a presentation on the Caddens Release Area.

The presentation included information on Landcom's role, the process to date, community consultation, structure plan, sustainability blueprint principles and precinct centre concept and the process from here.

PRC 25 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on Caddens Release Area draft Local Environmental Plan and draft Development Control Plan be received.
2. In accordance with the Environmental Planning and Assessment Act 1979 and associated Regulations, Council submit the draft Caddens Release Area Local Environmental Plan to the Director-General of the Department of Planning seeking the issue of a Section 65 certificate to enable the draft Plan to be publicly exhibited.
3. In accordance with the Environmental Planning & Assessment Act, 1979 and associated Regulations, a draft amendment to Penrith Development Control Plan 2006 to incorporate the development controls relating to Caddens Release Area be publicly exhibited.
4. Landcom and the other landowners within the Caddens Release Area be advised of Council's decision and of the importance of achieving a suitable outcome for delivery of affordable housing across the whole of the release area.
5. A further report be presented to Council following the exhibition.

Councillor Jim Aitken returned to the meeting, the time being 7:59pm.

LEADERSHIP AND ORGANISATION

6 Planning Online Services

Councillor Mark Davies left the meeting, the time being 8:24pm.

Councillor Mark Davies returned to the meeting, the time being 8:32pm.

Ms Shari Hussein, Strategic Planning Coordinator, Penrith City Council gave a presentation on the DA Tracker and Register.

26 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Pat Sheehy AM

That:

1. The information contained in the report on Planning Online Services be received.
2. The information displayed on the public view of the DA tracker and register be approved.

THE CITY IN ITS BROADER CONTEXT

Having previously declared a pecuniary interest in Item 3, Councillor Ross Fowler OAM left the meeting, the time being 8:32pm.

3 Riverlink Precinct Plan

PRC 27 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Kaylene Allison

That:

1. The information contained in the report on Riverlink Precinct Plan be received
2. The revised Riverlink Precinct Plan, as attached to this report, be adopted by Council as an Interim Policy
3. The policy directions outlined in the adopted Riverlink Precinct Plan be used to guide the preparation of planning controls in the draft Penrith Local Environmental Plan and Penrith Development Control Plan (Stage 2)
4. The landowners and residents of the Riverlink Precinct be invited to comment on the draft planning controls for the Precinct when they are developed.

Councillor Ross Fowler returned to the meeting, the time being 8:34pm..

1 Draft Penrith Development Control Plan 2008

PRC 28 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Mark Davies

That:

1. The information contained in the report on Draft Penrith Development Control Plan 2008 be received.
2. Further necessary changes be made to the draft Penrith Development Control Plan 2008 prior to exhibition, to ensure consistency with draft Penrith LEP 2008 (Stage 1).
3. Draft Penrith Development Control Plan 2008 be publicly exhibited, in accordance with the relevant provisions of the Environmental Planning and Assessment Act, 1979 and associated Regulations.
4. Amendments to Penrith Development Control Plan 2006 be publicly exhibited, in accordance with the relevant provisions of the Environmental Planning and Assessment Act, 1979 and associated Regulations, as outlined in this report.
5. An amendment to Penrith Local Environmental Plan 1991 (Environmental Heritage Conservation) be publicly exhibited, in accordance with the relevant provisions of the Environmental Planning and Assessment Act, 1979 and

associated Regulations, as outlined in this report.

6. The amendment to Penrith Local Environmental Plan 1991 (Environmental Heritage Conservation) be exhibited in accordance with the Department of Planning document entitled "*LEPs and Council Land – Best Practice Guideline for councils using delegated powers to prepare LEPs involving land that is or was previously owned or controlled by Council*", in as far as that plan relates to newly proposed heritage items.
7. Further reports be presented to Council following the exhibition.

2 Penrith Urban Study and Strategy

PRC 29 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Penrith Urban Study and Strategy be received.
2. Council endorse the Urban Study and Urban Strategy program, including the proposed communications framework, as outlined in this report.

THE CITY AS A SOCIAL PLACE

5 Refugee Welcome Zone

PRC 30 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Jim Aitken OAM

That:

1. The information contained in the report on Refugee Welcome Zone be received.
2. Council endorse the declaration of Penrith City Council as a Refugee Welcome Zone at a Public event such as Refugee Week in June 2008.
3. Penrith City Council further explore actions in this report to promote the City as a Refugee Welcome Zone.

There being no further business the Chairperson declared the meeting closed the time being 8:35pm.

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 Universal Design Playgrounds

Compiled by: Grant Collins, Recreation and Cultural Facilities Planner
Authorised by: Roger Nethercote, Environmental Planning Manager
Erich Weller, Community and Cultural Development Manager
Requested By: Councillor John Thain

<p>Strategic Program Term Achievement: <i>The City's recreation and leisure facilities and services meet its needs and are optimally used.</i></p> <p>Critical Action: <i>Ensure facilities and services reflect the City's diverse current and future recreation and leisure needs.</i></p>
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Purpose:

To provide Council with an update on the progress of the planning to develop universal design playgrounds in the City. The report also provides commentary on the suitability of establishing a liberty swing in a playground facility in the City. The report recommends Council receive the information contained in this report.

Background

The PLANS Report adopted by Council in March 2004 provided a range of strategies relating to Recreation and Cultural facility development in the City along with broad infrastructure, facilities and services strategies for the City's established residential areas. The immediate priorities were to develop an Open Space Network where all of Council's open space assets were categorised and mapped. Following this process, the next priority was to develop the Open Space Action Plan which provided the quantum and quality standards to inform future development in the City in terms of open space requirements. It also introduced the concept of social inclusion in open space planning and the need to incorporate universal principles.

The Local Open Space Development Contributions Plan provided a detailed schedule of works to embellish open space across the City that was not categorised as a district level facility and applied to the City's infill development. The Open Space Action Plan and Local Open Space Development Contributions Plan were adopted by Council on 25 June 2007.

A District Open Space Development Contributions Plan was adopted by Council on 17 December 2007. This Plan incorporated a range of district open space facility embellishments, including 2 universal design playground facilities. These are discussed later in the report.

'Out and About' Universal Design Project

Universal design is *"the design of products and environments to be usable by all people, to the greatest extent possible, without adaptation or specialized design."* (Centre for Universal Design, NC State University USA (1997).

The joint project with UWS was initiated with the successful application for research partnership program funding in late 2006 and the project was officially launched by Mayor Pat Sheehy at the Penrith Lakes on 12 May 2007. The project studied the cultural context to the application of universal design in public and outdoor recreational space in the Penrith LGA and served as preliminary research to establish the partnership and share knowledge of contemporary universal design principles and practices, prior to exploring the potential feasibility for a broader state or national initiative in this field.

The broad project aims included:

- To investigate the knowledge base supporting Universal Design as a local government strategic planning tool in the context of cultural diversity;
- To develop an understanding of the cultural issues related to accessibility and design of existing and proposed public and outdoor recreational space within the context of the demographic composition of the Penrith LGA;
- To determine the practical concerns about the application of Universal Design through consultations with developers, major businesses, and Penrith City Council planners in the context of their understanding of the Penrith community.

An extensive literature review was prepared that provided national and international perspectives regarding current initiatives in designing for more inclusive environments. The final draft report that responds to the project aims is in the process of being reviewed by the UWS team and the findings will be presented to Council.

Proposed Universal Design Playgrounds

The District Open Space Facilities Development Contributions Plan includes proposed major district level sport and recreation projects within the City. The overall intention is to make the City's existing open space assets 'work harder' as an efficient and sustainable approach to meet the open space sport and recreation needs and demands of the projected incoming population.

The adopted District Open Space Facilities Development Contributions Plan included, amongst other projects, recommended works to provide a district level universal design playground for the Gipps St site and a universally designed public water adventure 'sprayground' and outdoor entertainment amphitheatre at the Penrith Lakes.

The recently completed Master Plan for the Gipps St site has incorporated a universal design playground facility. Council adopted the Master Plan for this site in December 2007 along with the Precinct Plan for the South Creek Corridor. The Master Plan proposed key development phases for the Gipps St site which are due to be progressed once Council receives clear direction on how the current planning reforms will impact the delivery of the proposed quality district level facilities which includes the Gipps St site.

In our negotiations with Penrith Lakes Development Corporation (PLDC) during the course of last year, consideration has been given in the planning for both the new urban area and the regional parklands to the establishment of a wide range of recreation and open space opportunities, particularly those based around a water theme. PLDC indicated a preparedness

to incorporate universal design principles into the planning for the Penrith Lakes scheme, as well as provide a significant funding contribution to establishing a water based recreation facility. In early 2008, Council was informed however, that the advancement of the proposed development and its related planning was to be put on hold whilst the quarry operators reviewed its viability. We are seeking further advice from PLDC on its intentions to continue planning for the development of this significant site.

In addition to the Penrith Lakes and Gipps Street sites, a playground is being planned as part of the Glenmore Park Child and Family Precinct project that will incorporate universal design features. This facility will include an adventure playground with an accessible raised sand pit, wider pathways, an accessible swing immediately adjacent to other swings where children with diverse abilities can have fun together, and a range of sensory experiences that everyone can enjoy. This playground will provide a positive example of how to plan and design public open space areas to be inclusive where all kids with diverse abilities can interact and play together.

A feasibility study for a Penrith Regional City Garden is also currently being progressed. This presents a further opportunity to consider the application of universal design principles, along with other sustainability design criteria. It provides an opportunity to consider the inclusion of another universally designed playground should this project advance to fruition. This project will be presented at a forthcoming Councillor Briefing session.

Liberty swings

A liberty swing is a device which allows a person who uses a wheelchair to swing while remaining in their wheelchair. A small retractable ramp allows access to the swing and the wheelchair is clamped securely into position and requires the assistance of another person or carer to help move the swing.

Some local examples of liberty swings can be seen at Centennial Park, Nurragingy Reserve in Blacktown, Lake Parramatta Reserve and as part of the “All Access Playground” at Auburn Botanic Gardens.

Where these types of swings have been installed in public places, it is usual that they are separately fenced off primarily because of the weight of the device and safety concerns to other people in the playground. The average cost of installing a liberty swing is between \$35,300 - \$41,300.

Liberty Swing installed at Centennial Park, Sydney



The liberty swing installed at Centennial Park in Sydney (see above photo) is fenced off from the rest of the playground using the MLAK (Master Locksmith Access Key) lock system which is designed to allow people with diverse abilities 24 hour access to public facilities. The locking system used is not the major issue, rather the fencing used that effectively separates this facility from the rest of the playground. However, given that people with diverse abilities have to apply to be able to use the MLAK system, it is not something that everyone can easily access which in itself creates a separate and “special” space which is contradictory to the aims and objectives of universal design which is a more inclusive design approach.

Council’s adopted Open Space Action Plan endorses the application of universal design principles and standards in future open space planning and design. Penrith City Council has the opportunity to provide a leading example of inclusive design in playgrounds that could showcase to the community the benefits of universal design, with the intention to build on our current universal design project with the UWS into a broader state or even national initiative in this field.

This view is supported by the Australian Quadraplegic Association’s Public Education Co-ordinator (Russell Chudleigh) who expressed concerns about liberty swings in that Association’s 2000 – 2001 Annual Report and argues for a more inclusive design approach. His article in part states “...I, as a member of the disability rights movement, must accept part of the blame. I was consulted about it, but failed to express my concerns to the right people at the right time! You might argue that children with disabilities have the right to experience swings and yes they do. But, also we need to ask what do we aim to achieve when we design playgrounds. We need to design areas for our children that are safe, that provide exercise, skills development and interaction. Most of all we need to build playgrounds that are inclusive.”

Zoe Sofoulis from the Centre for Cultural Research is leading the UWS team on our joint ‘Out and About’ universal design project. As part of these project findings Zoe states -

“...Universal design principles extend the concept of usability by aiming to design objects and environments that are easily usable by a wide diversity of users across generations. UD includes but also goes beyond a concern with 'occupational performance' in its primary goal of being socially inclusive. For example, a Liberty Swing, specially designed for people in wheelchairs, may well be both accessible and usable, providing a satisfactory swinging experience to its users. But Liberty Swings typically fail on the dimension of social inclusivity. Located in a separate section of a playground from other equipment, fenced off out of concerns of risks to unsupervised able-bodied children, their dominant message is of segregating their ‘special’ users from other park-goers. A UD solution would instead offer play equipment that is useable by people with or without wheelchairs, or provide areas where people on various kinds of wheeled devices could do circuits or have fun together.”

Council’s Disability Services Officer, Ben Felten, in response to a question posed on the suitability of liberty swings at the Nepean Disability Forum in November 2006, provided the following advice:

“Penrith City Council’s adopted strategic direction is to develop more inclusive and accessible public open space environments. Penrith City Council’s aim is to utilise best practice Universal Design standards and techniques to develop inclusive public open space and playground environments, initially within designated key district level parks. Universal or inclusive design does not encourage the design of separate or ‘special’ spaces for people with disabilities, but rather strives to encourage the “design of products and environments to be usable by all people, to the greatest extent possible, without adaptation or specialised design” (Centre for Universal Design, NC State University 1997).

The Penrith City Council "Draft Open Space Action Plan" includes guidelines for the future development of open spaces and recommends the adoption of universal design principles and practices.

Kurrumbee School within the City of Penrith has installed a Liberty Swing and within this private facility context, the installation of the Liberty Swing is considered to be suitable.

Liberty Swings are accessible for some people with a disability and can provide an enjoyable and rewarding experience for participants and others. However, the installation of a Liberty Swing within a public setting is not supported as it can promote segregation due to the safety requirement to fence it off from the rest of the playground, and the design characteristics, which are contradictory to the aims and objectives of Universal Design principles and the aim for more inclusive public open space environments.”

Forum participants generally endorsed the principles of planning for inclusive environments which is also supported by the NSW Government Disability Policy Framework.

Community and Cultural Development Manager’s Comments

Council’s Disability Access Committee has considered the matter of Liberty Swings and Universal Design at a number of meetings, most particularly in April 2006 in the context of the PLANS study and on several subsequent occasions.

The Committee has consistently encouraged support by Council of an ‘inclusive’ approach in the design of facilities for people with a disability and has noted broad support for the principles of Universal Design. Committee members have also commented on the issue of access to Liberty Swings which can require a MLAK key to access the facility because they are normally surrounded by a locked fence. The MLAK key is a universal lock and key system which provides security for accessible facilities.

In November 2006, these matters were discussed at the Nepean Disability Forum which indicated similar support for Universal Design principles in the provision of playgrounds and other facilities.

Parks Construction and Maintenance Manager’s Comments

I support the proposal to have an all inclusive play system design that can be utilised by everyone. The Liberty Swing is a very specialised play component that caters for people with particular disabilities only. Given the inherent safety problems associated with the weight of

the swing, it is necessary for perimeter safety fencing to be installed. This has the effect of segregating the facility and possibly excluding other children from its use, particularly if a special locking system is used.

Opportunities for Alternative Universal Design Swings


There are other alternatives to liberty swings that provide a more inclusive model that would be preferable to the inclusion of a separated space in a playground with a liberty swing.

The inclusive seat swing designed by Omnitech, for example, provides a deep and wide ergonomic seat to accommodate people of all abilities and can be designed adjacent to other swings so that all children and people of all ages and diverse abilities can play and interact together. This swing provides an upper body stabilisation harness and would require the necessary assistance for people who use wheelchairs to transfer out of their wheelchair to access.



The cost of the inclusive swing by itself would be approximately \$1,590. To provide a 2 bay swing (3 swings in total) with installation (excluding soft fall) would be \$5,350 and a 3 bay swing (5 swings in total as seen in the picture provided above) would be \$6,900.

Omnitech Inclusive Seat Swing

INCLUSIVE SWING SEAT



- A truly inclusive swing seat
- Swinging fulfills the need for vestibular stimulation (vital for maintaining balance)
- Deep and wide ergonomic seat accommodates individuals of all abilities
- Restraint locks in place for easy entry and exit
- Raised locking mechanism prevents pinching and scraping
- Additional upper body stabilization harness available for use in supervised facilities



Conclusion

The delivery of quality district level universally designed playgrounds will be progressed under the current District Open Space Development Contributions Plan in order to provide facilities that the whole family can enjoy, and provide examples of recreation facilities that showcase the benefits of more inclusive design. We are also proactively promoting universal design more broadly through the new City-wide Urban Strategy and Development Control Plan, to more effectively serve the needs of our community.

In relation to opportunities for installation of a liberty swing, the inclusive swing seat such as that designed by Omnitech, in our view, provides a more preferable solution for play equipment for children with diverse abilities in Council's public open space areas.

The delivery of the playground facility in the Glenmore Park Child and Family Precinct development next year, will provide a facility that includes universal design features for the south ward. Plans for the establishment of the universal design playgrounds at Penrith Lakes (north ward) and the Gipps Street site (east ward) will continue to be advanced in consultation with the relevant stakeholders. We will keep Council informed regarding the delivery of these facilities.

RECOMMENDATION

That the information contained in the report on Universal Design Playgrounds be received.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

The City as a Social Place

2 Nomination as enforcement agency under the Food Act 2003

Compiled by: Graham Liehr, Environmental Health Co-ordinator

Authorised by: Wayne Mitchell, Environmental Health Manager

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

Critical Action: *Develop and implement a healthy strategy for the City that will guide planning and strategies that embrace healthy outcomes.*

Presenters: Wayne Mitchell - Environmental Health Manager

Purpose:

To inform Council of the amendments to the Food Act 2003 and the status of the Food Regulation Partnership co-ordinated by the NSW Food Authority. The report recommends that Council, pursuant to Section 111 (1) of the Food Act 2003, nominate as a Category B enforcement agency to the NSW Food Authority.

Background

Council has a strong commitment to protecting the health and safety of our community. A key component of the Health Service is the food safety program which aims to ensure the safety of food sold and consumed in the City.

The NSW Food Authority has for some time been developing new legislation that will significantly change and reform how food safety is delivered in NSW. Council has received previous reports in 2005 and 2007 on progress of what the Authority calls the “Food Regulation Partnership”. These changes primarily define a clear role for Local Government in securing food safety and provides additional regulatory tools and resources to do so.

Amendments to the Food Act 2003 were proclaimed on 1 January 2008 that mandate the relationship between local government and the NSW Food Authority with the objectives:

- Providing a safer food to consumers particularly by reducing the impact of foodborne illness caused by the retail food sector;
- Strengthen the food safety response capacity of NSW State and local government agencies; and
- Better use of local and State resources.

Essential to the partnership are legislated provisions that include:

- A mandated role for councils clearly stating their roles under an appropriate service level;
- The range of fees and charges that are available to effectively fund a food safety program at that service level; and
- Regular reporting to the Food Authority.

Standards have been developed by the Authority that provide a schedule of the types of food businesses that should be included in an inspection program, identifies the food business risk category and recommends inspection frequencies; identifies the Food Authority's role in providing comprehensive support, assistance and training for councils; provides for consistency amongst jurisdictions and evidence that objectives are being realised by regular reporting mechanisms.

A fundamental principle of the Food Regulation Partnership (FRP) is that councils will operate at a level commensurate with their resources, expertise, and capacity and as a continuation of their existing functions. This report formalises the category that best satisfies the level of importance to the community within our capacity and capability.

The Council's enforcement functions with respect to food premises will be mandated as at 1 July 2008. The New South Wales Food Authority is required by legislative change to appoint councils as an "enforcement agency" from that date.

A Summary of the Changes

Food Regulation Role

Council will formally undertake its food regulation role as an enforcement agency under the NSW Food Act 2003, as amended from 1 July 2008. Protocols and guidelines should ensure there is a clear understanding of the Council's role. Councils and the Authority will be using the special Food Regulation Partnership logo and branding to promote their partnership.

Cost Recovery Capability

Enforcement agencies will have improved capacity to recover the costs of providing their food regulation functions. The Food Regulation 2004 includes the following fees:

- An annual service charge intended for enforcement agencies to recover the indirect costs associated with their function. The fee does not apply to food business operating for the sole purpose of raising funds for community groups or a charitable cause;
- The current inspection fees raised under the Local Government Act 1993 will continue. The Food Regulation 2004 includes a recommended maximum fee structure that includes an inspection fee of \$143.08 per hour with a minimum charge of half an hour as well as a travel fee of \$35.77. Council's adopted fee in the 2007-2008 Management Plan was \$132 per inspection; and
- A new fee for issuing an Improvement Notice of \$330.

A comparison of the fee structure in the Food Regulation 2004 compared to Penrith Council's Management Plan fees is shown in Table 1.

	Food Regulation 2004	2007-2008 Management Plan	Proposed fees for 2008-2009 Management Plan
Administration fee (annual)	5 or less full time equivalent food handlers = maximum \$250. More than 5 but not more than 50 full time equivalent food handlers = maximum \$500. More than 50 full time equivalent food handlers = maximum \$2000. No charge to not for profit community based organisations.	\$247	5 or less full time equivalent food handlers = maximum \$250 More than 5 but not more than 50 full time equivalent food handlers = maximum \$500 More than 50 full time equivalent food handlers = maximum \$2000 No charge to not for profit community based organisations
Improvement Notice	\$330	Nil	\$330
Inspection fee – food premises	\$143.08 per hour. (Minimum half hour). Travelling charge of \$35.77 (additional fee)	\$132	\$137 No charge to not for profit community based organisations
Temporary events	\$143.08 per hour. (Minimum half hour). Travelling charge of \$35.77 (additional fee)	Nil	Food stalls selling low risk pre-packaged food = \$40 High risk food stalls = \$60 No charge to not for profit community based organisations

Table 1: Comparison of fees in Food Regulation 2004 to Council fees

Support and Assistance from the Food Authority

Support, assistance and training for councils will be provided by the Authority. This will include:

- assistance with high level enforcement;
- assistance with resource support in unforeseen circumstances;
- development of operational guidelines in consultation with council networks;
- assistance with perceived conflicts of interest;
- environmental health officer career promotion;
- special projects grants program;
- facilitation of networks, eg the existing regional food groups and state liaison group;
- providing technical and paralegal advice;
- facilitating a special website for enforcement agencies; and

- maintaining ‘real-time’ communication with emails and newsletters.

Reporting Requirements

Each six months Council will be required to submit a report to the Authority on its resources and activities for the period. The Authority will publish a summary of information from Council on the Food Regulation Partnership website, when it is launched later this year.

A copy of the overview and explanation of the Food Regulation Partnership amendments to the Food Act 2003 on the NSW Food Authority Web site are included as Appendix 1.

Update on Penrith Council’s Food Safety Program 2007-2008

A review of Penrith Council’s service specification was undertaken in May 2007 to ensure the Council’s inspection program was aligned with the draft partnership guidelines. The review identified the need for an additional Environmental Health Officer, with funding for the position subsidised partially through fees generated through food premises inspection fees and the new annual service fee adopted in the 2007-2008 Management Plan. Recruitment of this position was only completed in March 2008 after some initial difficulty attracting a suitable officer.

The Food Safety Program is a significant part of Council’s adopted specification for Health Services. The program identified over 513 food businesses which were proposed to be inspected at a frequency aligning with the inspection frequency recommended in the partnership. This program included a proposal to inspect 361 high risk food businesses twice annually and 152 medium risk businesses once annually. Through the inspection process, any serious non-compliance is immediately brought to the attention of the food shop proprietor and action taken in accordance with enforcement procedures encouraged by the Food Authority to ensure consistency across the state. Since 1 July 2007, there have been 450 food business inspections and 73 reinspections of food businesses. The remaining inspections are scheduled for completion in the last quarter.

An Improvement Notice issued under Section 58 of the Food Act 2003 is issued in a situation where the inspection has identified unclean or unsanitary conditions or is unfit for the intended use. The penalty for not complying with an Improvement Notice is a Prohibition Order issued under Section 60 of the Food Act 2003. A Prohibition Order may require the cessation of food production or restriction on the use of equipment. Since 1 July 2007, there have been 13 Improvement Notices issued to operators of food business.

Penalty Notices may be issued when food is handled in a manner that is not compliant with the requirements of the Food Safety Standards. The Penalty Notice may be served in conjunction with an Improvement Notice or separately. There have been 14 Penalty Notices issued to date this financial year. These are commonly for issues such as unclean conditions or poor temperature control.

The Environmental Health Team has recently commenced prosecutions against the operators of two food premises for a variety of breaches of the Food Safety Standards. The circumstances in both of these is where it has been revealed during the inspection that the premises and food handling practices have placed the community at significant risk and there had been previous warnings issued. Council will be advised of the outcome of these legal proceedings when they are completed in the court system.

Council's Environmental Health Officers have undertaken inspections of two weekend events including the Working Truck Show at the Museum of Fire and the Penrith Community Fair. The inspections were undertaken after liaison with the event organisers prior to the event and advising of the intended inspections. The inspections were important in identifying procedures that should be developed for the proposed introduction of a regular inspection program of major events, commencing next year.

Categories of Enforcement Agencies

A fundamental principle of the Food Regulation Partnership is that councils will operate at a level commensurate with their resources, expertise, capacity and as a continuation of their existing functions. For most councils, including Penrith Council, this will mean a Category B nomination as outlined below.

Where councils nominate for a lesser level of involvement at Category A (the minimum level), the regulatory functions will either be carried out by the Authority or their contractor or another party at full cost recovery and Council will not be able to exercise any control over those activities over and beyond Category A.

The categories were reported to the Council previously but are summarised again for information.

Category A

This is intended to be the minimum food regulation responsibility level for an enforcement agency. It only covers:

- a) Responding to urgent food safety matters;
- b) Urgent food recall investigations; and
- c) Six-monthly reporting on food regulation activities.

Councils will be appointed to Category A responsibilities only where they have exhausted other options such as forming alliances with other councils or engaging Contractors / consultants. Generally, only the smaller, remote rural councils will be able to fit into this category.

Category B

This is the intended standard food regulation responsibility level for an enforcement agency that includes the majority of councils. This category includes Category A responsibilities, and the following:

- a) food recall investigations;
- b) routine inspection and enforcement of the retail and food service sector;
- c) medium and low risk food complaint investigations; and
- d) collaboration on single-case foodborne illness investigations.

Category C

This is the higher food regulation responsibility for an enforcement agency. It includes responsibilities for Categories A and B and any other responsibility determined in

consultation with the Authority, in particular, inspection of non-licensed manufacturers and wholesalers.

Other responsibilities, eg providing information and training for food handlers, are worthwhile food regulation activities that are encouraged but they will not be compulsory. To nominate at Category C level would involve an expansion of the Council's current role and would be beyond our current resource capability. It is our aim to nominate for Category C in the future, but it may take a year or two to develop our capacity to achieve that category.

Penrith City Council Nomination as an Enforcement Agency

The Food Act 2003 requires the Authority to call for and assess nominations from councils to act as an Enforcement Agency and in this regard they require information as to:

1. The preferred category of function of an enforcement agency;
2. The food business profile;
3. The skills of officers planned to be engaged in food regulatory work;
4. Whether or not councils have an annual inspection program for high and medium food businesses for the 12 month period commencing 1 July 2008.

Category of Enforcement Agency

This report recommends that Penrith City Council nominates as a Category B Enforcement Agency under the Food Regulation Partnership and the Food Act 2003, as discussed previously in this report. The following information will inform and support this nomination.

Food Business Profile

Council's food surveillance program, under the 2007-2008 Management Plan, included a total of approximately 513 food businesses which are subject to an annual inspection. Food premises are categorised according to risk and 361 food premises are categorised as high risk and 152 medium risk.

Over the last 3 months, the Environmental Health Department has been undertaking an audit of food businesses in the Penrith local government area to align Council's inspection program with the range of food business types that should be included in the inspection program outlined in the Food Partnership agreement. The audit has identified an additional 262 businesses to date that should be included in the inspection program. The audit is yet to be completed, however it is expected that these figures capture the majority of the premises.

Additionally, until an inspection is completed of each of the premises, the exact figures could be found to vary slightly. These premises have not been subject to regular inspection surveillance in the past and will therefore impact on existing resources of the Environmental Health team.

Accordingly, it is proposed to modify the inspection program frequency and inspect all food business once annually unless inspections identify critical food handling practices at consecutive inspections in which case the frequency will be increased.

The additional food premises that have been identified include premises that have not been traditionally inspected by local government but have now been identified under the partnership agreement. Additionally, the audit has extended to identify businesses operating

from residential areas which include many caterers which are difficult to identify due to the nature of their business or advertising methods. The “vulnerable population” sector (nursing homes, childcare centres, meals for the elderly) may not remain the responsibility of local government and may be subject to licensing in future with the Authority. Options for a third party auditing system in the vulnerable population sector are currently under review.

Table 2. below gives an indication of the category and number of additional food premises:

Business Type	Number	Risk category
Register caterers	10	High
Correctional Centres	3	High
Child care centres (council)	27	High
Child care centres (private)	57	High
Nursing Homes	8	High
School canteens	78	High
Meals for the elderly	3	High
Other	76	High/medium

Temporary food stalls

Additional to the food premises identified above, there are a variety of major events held throughout the city which include temporary food stalls. The temporary food premises that operate at these events are also being included in Council’s food safety program.

Temporary food stalls identified for inclusion in the program include the Penrith Markets on both Wednesdays and Sundays, the Penrith Show, St Marys Spring Festival and a number of similar events. Food sales at sporting events and other community fund raisers will also be incorporated into educational initiatives.

Skills of officers involved in food regulatory work

This work is undertaken by the Council Environmental Health Team within the Environmental Health Department. The team members involved in food surveillance include the Environmental Health Co-ordinator, a full time Senior Environmental Health Officer and a part time Senior Environmental Health Officer, and two Environmental Health Officers. All officers have appropriate qualifications and demonstrated skills and experience in food regulatory activities. These positions are supported with a part time administrative officer. This team has a range of other environmental health and safety responsibilities, in addition to food safety. It is considered that this team has the capacity and capability to carry out the work at Category B level and still maintain the level of regulatory service for other environmental health functions.

Planned inspection program

An inspection program has been planned for high and medium risk food businesses for the 12 month period commencing 1 July 2008. The Food Partnership inspection program suggests a minimum of one inspection for medium risk businesses and a minimum of two inspections for high risk premises. The inspection frequency is recommended by the Food Authority and Council may elect to vary the number of inspections.

The inspection procedure requires the identification of “critical food handling practices” (CFHP) which are required to be reported in the six monthly reports to the Food Authority. Council is also required to report on the number of business not complying with CFHP as a result of follow-up action.

Annual Service Charge

Councillor Susan Page recently requested additional information about Council’s food premises charges and specifically the new annual service charge. The annual service fee is consistent with the charge recommended under the Food Act 2003 and the amount is prescribed in Clause 173C of the Food Regulation 2004. The annual service fee exempts charities and food businesses not inspected annually. The service fee is to cover the cost of running the entire food safety program which includes:

- Development and maintenance of a Council database;
- Reporting to the Food Authority;
- Food complaints referral systems with the Food authority;
- Food recalls;
- Participation in state wide food sampling programs and surveys; and
- Training and education of food handlers through various mechanisms including education programs, Council’s website and newsletters.

The annual service charge does not include the inspection component which is charged separately and is dependent on the number of inspections. The cost of the food program is still significantly subsidised by general revenue. The inspection fees adopted by Council are lower than the maximum fees recommended in the Food Regulation and it is not proposed to charge the suggested travelling time fee.

Conclusion

The Food Regulation Partnership is one that the Council has formally indicated in principle support to the NSW Food Authority. A fundamental principle of the Food Regulation Partnership is that councils will operate at a level commensurate with their resources, expertise, capacity and as a continuation of their existing functions for the benefit of the community.

This report recommends that the Council nominate as a Category B Enforcement Agency which closely aligns with the Council’s existing food safety functions. This level of service will continue to ensure that high standards of food safety are maintained for food sold in the City.

RECOMMENDATION

That:

1. The information contained in the report on Nomination as enforcement agency under the Food Act 2003 be received.

2. Pursuant to Section 111(1) of the Food Act 2003 Council nominate as a Category B Enforcement Agency to the NSW Food Authority.

ATTACHMENTS/APPENDICES

1. Amendments to Food Act 2008 4 Pages Appendix

Overview

Amendments to the *Food Act 2003 (NSW)* and *Food Regulation 2004* enabled the new [Food Regulation Partnership](#) from 1 January 2008.

The amendments include:

- enforcement agencies will be required from 1 July 2008 to carry out routine inspections of retail food businesses, and
- fees & charges for food safety activities can be charged under the *Food Act 2003 (NSW)*

The impact of the changes on retail food businesses will vary between councils depending on their individual food regulation program.

A process of appointing local councils to clearly defined food inspection roles will occur between March - June 2008.

Retail businesses affected

Businesses affected include those which:

- sell or serve food directly to consumers
- produce food for direct sale to consumers as their main food-related activity.

Manufacturing, wholesaling & food transport is not included in the changes.

Impact

The changes will:

- better protect business reputations as suppliers of quality safe food
 - consumers will have more confidence in the NSW retail food supply under the more effective food regulatory system
 - potential food poisoning outbreaks which could easily erode the NSW industry's excellent reputation and damage sales will be reduced
- create a level playing field for retail food businesses
 - retail food inspections will occur in all council areas
 - inspectors across NSW will interpret & apply food regulations more consistently

- food businesses that don't comply with regulations will face more consistent action to rectify issues
- improve food industry performance
 - all retail businesses will be inspected and required to comply with regulations by maintaining premises and equipment, cleaning practices, ensuring correct food storage and training of staff
 - councils will take immediate action to address non-compliance
 - introduce some fees and charges
 - each council is responsible for setting their fees and charges to reflect the needs of their community
 - the NSW Food Authority sets recommended maximum inspection and administration fees and charges based on cost recovery

The fees and charges include:

- a fixed fee for **issuing an improvement notice** (including one reinspection) - \$330
- a recommended **maximum fee for inspection** of a non-licensed food business - \$143.08 per hour plus \$35.77 for travelling expenses (local councils can already charge a fee under s608 *Local Government Act 1993 (NSW)*, for inspecting the premises of a food business)
- a **maximum annual administration charge** on non-licensed food businesses that are subject to inspection once every twelve months

Councils can waive or reduce inspection fees, the annual administration charge & improvement notice fees. It is an offence to not pay the improvement notice fee.

Changes

Changes include:

- Councils' responsibilities
 - to be appointed as 'enforcement agencies' councils are required to carry out regular inspections and enforcement for the retail & food service sectors within their area
 - food complaint investigations
 - urgent food safety responses including urgent food recalls

- reports on key food regulation activities to the NSW Food Authority every six months
- regular inspections
 - retail food businesses will be inspected regularly except for those deemed low risk such as newsagencies selling packaged confectionery
- NSW Food Authority
 - the Authority will publish summary reports on its website. Reports will be based on the combined data of food regulation activities of councils. Individual businesses will not be named in these reports. The aim is to:
 - reduce foodborne illness by controlling the most important food handling practices
 - improve consistency among councils
 - demonstrate council's food regulation activities
 - increase public awareness about food regulation

The new system is the result of a consultative three-year intensive development process with local government and other key stakeholders.

It is a collaborative initiative between the State and local governments of NSW.

Reason for change

The old system lacked a robust framework for the coordination of food regulation activities across NSW.

While food safety inspections of the retail sector traditionally fell under the local council domain, they were not mandatory. Some local councils inspected food premises and some didn't.

Councils appointed as enforcement agencies will be required to regularly inspect retail food premises and report to the NSW Food Authority on their activities.

Benefits

Approximately one third of foodborne illness in NSW is attributed to the retail food sector. The economic impact of foodborne illness attributed to the sector is estimated at \$760 million per year.

The new system:

- provides for safer food for the consumers of NSW by reducing the impact of foodborne illness caused by the retail food sector
- is a NSW-wide program which means consistency across all local government areas in the State
- avoids duplication by clarifying the roles and responsibilities between councils and the NSW Food Authority
- strengthens whole-of-government response to food safety emergencies such as potential foodborne illness outbreaks, food recalls, extortion and bioterrorism
- reduces the costs to retail food businesses of food poisoning outbreak such as from lost trade and goodwill
- gives councils the flexibility to recover the costs of food regulation enforcement, should they exercise it

THE CITY IN ITS ENVIRONMENT

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

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THE CITY AS AN ECONOMY

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3 The 2007 Penrith Valley Economic Development Corporation Business and Export Survey	25



The City as an Economy

**3 The 2007 Penrith Valley Economic Development Corporation
Business and Export Survey**

Compiled by: Bijai Kumar, Local Economic Development Program Manager

Authorised by: Bijai Kumar, Local Economic Development Program Manager

Strategic Program Term Achievement: *The City's business community, learning institutions and training institutions are working in an integrated way to strengthen and develop the City's local economic base.*

Critical Action: *Support PVEDC in the development of the City's enterprises.*

Presenters: Steve Willingale - PVEDC - Business and Export Survey
John Bateman - Chairman, PVEDC - Business and Export Survey

Purpose:

To inform Council of the key outcomes and recommendations of the 2007 PVEDC Business and Export survey. The report recommends that the information contained in the report be received.

Background

The 2007 Business and Export survey is the third of its kind conducted by the PVEDC covering exclusively Penrith's six industrial precincts- Erskine Park, St Marys/Dunheved, Emu Plains, South Penrith, North Penrith and Kingswood. The first survey was conducted in 2004, with a follow-up survey completed in 2005.

In 2004, the Corporation's International Business Task Group recognised that, in order to plan and evaluate the group's efforts to support local businesses, particularly in the area of exports, the group must first have a current profile of exporting and other businesses in the Penrith. A previous survey of the export capacity of Penrith businesses had been conducted in 2000/2001, although this survey had targeted manufacturing companies, rather than the City's industrial precincts.

The main objective of the survey was to determine the export capacity of businesses in Penrith and facilitate the growth of profitable relationships between local businesses and businesses in other countries. In addition to achieving a number of other objectives listed below, the survey was also designed to provide comprehensive information on the Information Technology take up rate in the area, employment, and to determine skill shortages in a variety of industries:

- identify between 100 to 200 potential exporters;
- identify current exporters, their products/services and destinations;
- gather information that will assist in identifying opportunities to increase the value of exports from the region;

- gather information that will assist in identifying opportunities to assist potential exporters to export;
- be a marketing tool for communicating the aims of the PVEDC and the International Business Task Group to current and potential exporters, as well as businesses overall; and
- provide a comprehensive database of current and potential exporters, to be provided to Austrade and Tradestart [an Austrade agency operated by NSW Business Chamber in Penrith] for their follow up post survey

The survey was conducted with the assistance of seven students from University of Western Sydney. The Acting CEO of PVEDC Mr Steve Willingale and Mr John Bateman, Chairman of the Corporation will present the survey results to Council.

Key Survey Outcomes

A CD with the title “Penrith Valley Export and Business Survey” has been provided with the report and it contains the full survey results. The key results of the survey, including snapshots of each of the six industrial precincts, is provided in Attachment 1.

The survey has resulted in the following seven recommendations about how the results can be applied to support local business development and growth and will be considered by the PVEDC and its partners:

- A bi-annual survey to be undertaken with the next one to be conducted in 2009;
- A simplistic case study type seminar/forum be facilitated to provide current and potential exporters with relevant and easy to understand and useful information in relation to exporting;
- The database of current and potential exporters identified in the survey be provided to Austrade and Tradestart offices based in Penrith for follow up action;
- Investigation of the implementation of a high technology portal type database which provides businesses in Penrith with information on what each business provides in terms of manufactured goods or services. This would be used as a tool to assist local businesses to acquire goods and/or services that may be presently made outside of Penrith. This is supported by paragraph 12.3.1 of this report which shows that only 38% of Penrith businesses source 0-25% of their inputs from Penrith businesses;
- The many positive aspects of doing business in Penrith, as identified in the survey, to be used for promotional purposes by each area to encourage new business to relocate to Penrith;
- A detailed analysis to be done of what businesses have closed or moved in the two years from 2005 and 2007. The report would find the reasons for such movements and be useful for future decision-making in relation to Penrith’s industrial precincts;
- A forum be established to enable Penrith businesses to discuss what sort of problems they face in acquiring and retaining skilled employees, as well as the difficulties in acquiring and/or keeping apprentices. This forum could also include discussions on the schools/industry partnership issues and the recent TAFE initiative on school based apprenticeships.

The survey provides a useful body of work which will result in developing evidence based programs and activities to support business growth and exports. Already in recognition of the skills shortages facing businesses in all the six industrial precincts PVEDC has organised in partnership with Council a skills forum in May to proactively engage with businesses, educators and training providers in addressing this critical issue that has the potential to impede sustainable business growth.

RECOMMENDATION

That the information contained in the report on The 2007 Penrith Valley Economic Development Corporation Business and Export Survey be received.

ATTACHMENTS/APPENDICES

1. 2007 Business and Export Survey Synopsis 8 Pages Appendix

PVEDC Business and Export Survey 2007- Key Results

Business Overview

The review of the two most important categories, number of businesses and number of employees, showed very modest growth compared to the 2005 survey. The total number of businesses in Penrith only increased by 0.2%, or 3, to make 1,531 in total. The total number of employees identified from respondents to the survey increased by a modest 6%, or 796, to 14,000.

An interesting result is that 196 businesses have closed or moved out of Penrith since 2005. Fortunately, 199 businesses have set up in the same period.

In terms of size of business, the 2007 survey confirms that Penrith has a very large number of micro and small businesses, (ie businesses with 20 or less employees), with 73% of respondents indicating that they fit into these two categories.

It is interesting to note that some 27% of businesses in Penrith's industrial precincts are in manufacturing, up from 25% in 2005.

A pleasing result is that the number of exporters increased from 9% to 10% in 2007 (143 to 150), however the number of potential exporters has decreased from 4% to 3% (56 to 48) in 2007. The increased number of exporters is partly due to previous potential exporters now becoming exporters, whilst the drop in potential exporters may be victims of the unfavourable exchange rates. Also, the percentage of respondents that import has risen from 13% in 2005 to 18% in 2007, a total number of importers of 271.

An area of concern is the reduced number of businesses that have inputs supplied by Penrith businesses. In 2005, 19% of respondents sourced 50% or more of their inputs locally. This has reduced to 15% in 2007.

An ongoing problem, highlighted also in the 2005 survey, is the large number of businesses experiencing difficulty in getting skilled and semi-skilled workers. 13% of respondents in 2007 indicated they suffered from skill shortages in their businesses. 485 comments were received regarding advantages of doing business in Penrith Valley whilst 158 comments were received regarding the disadvantages.

Business Overview		
<i>Number of Businesses by Area</i>		
	2005	2007
St Marys	489	450
South Penrith	417	433
North Penrith	328	359
Emu Plains	174	173
Kingswood	111	102
Erskine Park	9	14
Total	1,528	1,531

Number of People Employed		
Employed	13,204	14,000
New Businesses		
New Businesses 2007	216	199
Businesses moved out or closed	100	196
Net new business	116	3
Size of Businesses Overall		
Micro (<5 employees)	42% (644)	47% (717)
Small (6-20 employees)	26% (389)	26% (403)
Medium (21-100 employees)	7% (107)	8% (124)
Large(101+ employees)	1% (17)	1% (16)
Top 5 Businesses by ANZSIC Code		
Manufacturing	25% (389)	27% (410)
Retail Trade	30% (461)	23% (352)
Construction	9% (143)	11% (168)
Other Services including R & M	2% (31)	10% (154)
Wholesale Trade	12% (191)	8% (130)
Exporters		
Number of Penrith Exporters	9% (143)	10% (150)
Number of Potential Penrith Exporters	4% (56)	3% (48)
Number of Years Exporting		
10 or more	36% (51)	38% (57)
6 to 9 years	19% (27)	17% (26)
2 to 5 years	29% (42)	25% (37)
1 year or less	7% (10)	9% (14)
No response	9% (13)	11% (16)

Top 5 Destinations of Exports		
	2005	2007
New Zealand and Pacific	27% (64)	25% (67)
South East Asia	21% (51)	19% (52)
North Asia (including China)	12% (28)	17% (46)
West Europe (including UK)	10% (24)	14% (39)
North America	13% (30)	7% (19)
Number of Destinations Exporting to		
1 region only	35% (50)	41% (60)
2 regions	22% (31)	26% (39)
3 regions	10% (14)	13% (20)
4 or more regions	13% (18)	11% (17)
Not Specified		9% (14)
Top 6 Industries Exporting		
2005	2007	
Machinery & equipment Mfg	Machinery & Equipment Mfg	
Metal product Mfg	Metal Product Mfg	
Machinery & motor vehicle W/s	Construction Trade Services	
Motor vehicle retailing & services	Other Retail	
Petroleum, coal, chemical Mfg	Repairs & Maintenance	
Textile, clothing, foot, leather Mfg Non-metallic mineral product Mfg (6 th equal)	Non-metallic mineral product Mfg	
Importers		
	2005	2007
Number of Penrith Importers	13% (205)	18% (271)
Proportion of Inputs Supplied by Penrith Businesses		
Receive 76-100%	11% (174)	8% (128)
Receive 51-75%	8% (119)	7% (102)
Receive 26-50%	9% (136)	9% (133)
Receive 0-25%	39% (602)	38% (583)
Sources of Supplies (not provided by Penrith businesses)		
Sydney metro	47% (481)	34% (436)
Overseas	20% (205)	21% (271)
Australia wide	17% (177)	20% (241)

Sources of Imports		
	2005	2007
North Asia (including China)	19% (72)	32% (144)
West Europe (including UK)	16% (62)	17% (76)
North America	20% (75)	16% (74)
South East Asia	19% (73)	14% (63)
Japan	5% (19)	6% (27)
New Zealand & Pacific	7% (26)	6% (27)
Middle East	4% (14)	5% (24)
East Europe	7% (27)	4% (15)
Other	3% (15)	0% (0)
Top 6 Industries Importing		
Motor vehicle retailing & services	Motor vehicle retailing & services	
Machinery & motor vehicle W/s	Machinery & motor vehicle W/s	
Machinery & equipment Mfg	Machinery & Equipment Mfg	
Basic material W/s	Basic material W/s	
Personal & household good retailing	Other Store Based Retailing	
Metal product Mfg	Repairs & Maintenance	
Information Technology		
	2005	2007
Emails and Websites		
Emails	39% (589)	42% (636)
Websites	23% (348)	28% (424)
Skills Shortages		
	2005	2007
Businesses and Skills Shortages		
Suffer from skills shortages	14% (221)	13% (194)
Do not suffer from skills shortages	53% (803)	48% (728)
Top 8 Skill Shortages by ANZSIC Classification and Vocation		
ANZSIC Classification	Vocation	
Motor Vehicle Retailing & Services	Tradesmen (especially qualified)	
Metal Product Mfg	Skilled or experienced workers	
Machinery & Equipment Mfg	Mechanics/ Panel beaters / Spray painters	
Professional, Scientific & Technical Services	Sheet Metal Workers/ machine operators	
Retail Trade	Drivers	
Business Services	Electricians	
Construction Trade Services	Welders & Boiler Makers	
Wholesale Trade	Engineers	

<i>Area Overview</i>		
Industrial Area	Land Size (hectares)	
Erskine Park	495	
St Marys/Dunheved	298	
North Penrith	247	
Emu Plains	125	
South Penrith	75	
Kingswood	20	
Total	1260	
Vacancy & Occupancy	2005	2007
Vacant Premises	281	279
Occupancy	84%	85%

Snapshots by Industrial Precincts

St Marys

St Marys still remains a thriving industrial area with the highest number of businesses, employees, importers, and exporters, of all Penrith's industrial precincts.

Even though the area has the highest numbers, the 2007 survey reveals that the number of businesses in St Marys has decreased by 8% to 450 over the past 2 years, and the number of employees has decreased by 3% to 4,767. Of the 450 businesses surveyed in St Marys, 33% were micro-sized businesses, employing 5 or less staff, and 32% were small business, with 6 to 20 employees. The number of medium-sized businesses, with 21 to 100 employees, increased to 10%, whilst large businesses, with more than 101 employees, accounted for 1% of businesses.

Businesses in St Marys have embraced Information Technology more widely since 2005, with 41% of businesses using email, up from 39% in 2005, and 29% utilising a company website, up 10% from the previous year. St Marys was also identified with the highest number of importers, exporters and potential exporters, than any other industrial area in Penrith.

According to the survey, 35% of Penrith's importers were located in St Marys, as well as 37% of the city's exporters, down from 41% in 2005. St Marys was also home to a number of experienced exporters – those that have been exporting for 10 or more years – with 53% of experienced exporters located in the business park.

The number of exporters in this area is also likely to grow within the next year, with 36% of potential exporters also located in St Marys. The survey also found that the St Marys industrial area had the highest level of skills shortage for all industrial areas, with 17% of respondents indicating they suffered from this problem.

Most businesses agreed that St Marys was a good location for doing business, with land being comparatively cheaper to other locations in Sydney, with good access to transport links, local clients and suppliers.

South Penrith

Excluding Erskine Business Park, which has a small number of respondents, businesses in the South Penrith industrial area are at the forefront of technology when it comes to adopting e-commerce and new technology, compared with other industrial precincts in Penrith Valley.

Results from the 2007 survey showed that, of those businesses which responded to the survey, 47% utilised e-mail in their workplace, whilst 30% had a company website.

The survey found that despite being the second smallest industrial area in terms of land size, South Penrith businesses employed 3,259 employees, making it the second largest industrial precinct in Penrith after St Marys, in terms of the number of employees but with the largest number of employees per hectare.

Since 2005, the increase in the number of employees in South Penrith represents a modest growth of 4%. The number of businesses operating in the precinct has also grown at the same rate of 4% since 2005, with 433 companies identified in the latest survey.

Over the past two years, there has been a continuing increase in the number of micro-sized businesses, ie employing five or less staff, operating in South Penrith. Of the 433 businesses identified, 61% were micro-sized, compared to 55% in 2005.

A further 22% were small businesses, employing between 6 to 20 employees, 6% were medium-sized businesses, with 21 to 100 employees, and 1% were large businesses, employing more than 101 employees.

According to the survey, the predominant type of business in the industrial area is retail trade, carried out by 31% of businesses, followed by manufacturing, construction and other services.

Of those importers and exporters identified in the survey, 25% of importers, and 15% of exporters were found in South Penrith. 33% of the potential exporters identified within Penrith are also located in the precinct.

23% of the businesses surveyed in South Penrith cited the advantage of the industrial precinct as being in a good location, whilst local clients and suppliers, as well as the precinct being a growing area, were defined by 14% of respondents as beneficial.

North Penrith

Over the past two years, the North Penrith industrial precinct has experienced the largest percentage growth for the number of businesses in the area, and number of people employed, excluding Erskine Park which had a very small base number in 2005, and thus would be a distortion to rank with the original five areas surveyed in 2004.

The number of businesses in North Penrith grew by 9% from 2005, with 359 businesses identified. North Penrith also appears to be a popular hub for new businesses in 2007 within Penrith, with 32% of new businesses opening up followed closely by South Penrith, with 30% of new businesses.

Of those businesses which responded to the survey, the majority are micro in size (ie employing less than 5 staff), making up 51% of businesses. A further 26% are small businesses (ie 6 to 20 employees), 6% are medium-sized businesses (ie 21 to 100 staff), whilst one percent are large businesses, with more than 100 employees.

As indicated above, North Penrith had the largest increase in people employed, with an increase of 15% between 2005 and 2007 amounting to 395 additional workers, a total of 3,041. The major types of businesses identified in North Penrith were manufacturing and retail trade, with 33% and 23% respectively. Other types of businesses identified in the survey were wholesale trade, at 12%, and construction, at 9%.

North Penrith was second only to St Marys in terms of % of businesses importing and exporting, with 24% of respondents importing and 27% exporting, similar to 2005. In addition, from the potential exporters identified in the survey, 33% were located in North Penrith.

The main advantages cited by businesses for operating a business in North Penrith were those of being in a good location (37%), the precinct being a growing area with an increasing population (15%), and being close to local clients and suppliers, and having good access to transport links (each with 11%).

Emu Plains

A large number of survey respondents commented favourably on the advantages of doing business in Emu Plains.

From the 173 businesses identified in the 2007 survey within Emu Plains who responded, 63% indicated the area as a good location for doing business with close proximity to home, clients and suppliers, with a further 13% noting good access to transport links. Another 10% of businesses in the area said Emu Plains offered a supportive business environment.

According to the 2007 survey, Emu Plains had one of the highest occupancy rates of all industrial areas in Penrith Valley, at 89%. This industrial precinct, as is the case with other areas, experienced a 0.6% drop in terms of net new businesses in the area, but still had a 10% increase in the number of employees in the area, rising to 1,791 in 2007.

Around two out of three businesses in Emu Plains have less than 20 staff, with 39% of businesses micro-sized, and a further 28% being a small business. 14% of the businesses identified in the survey are medium-sized, while 1% is a large business, employing more than 101 staff. Similar to other industrial areas in Penrith Valley, Retail Trade and Manufacturing are the predominant types of businesses operating in the area, with 28% and 24% respectively.

10% of importers and 17% of exporters from the industrial areas, are located in Emu Plains. This industrial area also had the highest number of new exporters, which have been exporting for less than one year.

Over half of the businesses that responded to the survey said they did not suffer a skills shortage, with 11% indicating they did suffer.

Kingswood

The number of businesses in this area has fallen by 8% to 102 from 111 in 2007. This is the same % fall as St Marys and causes concern at the falling number of businesses in Penrith's two older business areas. However, even with such a drop in business numbers, the Kingswood industrial area still had a 9% increase in employee numbers in 2007 to 421 from 385 in 2005.

The occupancy rate for this area is still at a reasonably high 89% due probably to the older style of units for lease and the relatively cheaper rent. Also, Kingswood has the second biggest concentration of employees by area with 21 employees per hectare on its 20 hectare area. It has 3% of industrial land employment situated on only 1.6% of the total employment land area in Penrith Valley.

Of the businesses that responded to the 2007 survey, a significant proportion have less than five employees, with 51% being micro-sized; the same % as in 2005. A further 18% of businesses are small, hiring between 6 and 20 employees, which again is the same as in 2005, whilst 2% are classified as medium, compared to 3% in 2005. There were no large businesses.

Retail trade was by far the predominant type of business in Kingswood, similar to South Penrith, with 49% of respondents carrying out this activity. Around 21% of businesses were in manufacturing, whilst 8% carried out wholesale trade from their premises.

The survey found that the uptake of Information Technology in Kingswood had increased over the past 12 months, with 21% of businesses utilising a commercial website, up from 13% in 2005. The use of emails remained similar to 2005 with 25% of businesses using emails compared to 26% in 2005. Kingswood was still the lowest user of Website and Email usage.

Kingswood, like a number of other areas, had a reasonably large number of businesses suffering skill shortages, with 10% of respondents indicating they have this problem. This number is down from the 2005 number at 14%.

Erskine Business Park

This industrial precinct is the newest in Penrith with an area of 495 hectares. Because it is growing in terms of businesses and employees, the comparison of some items could be distorted due to the small base.

The number of businesses has risen from 9 in 2005 to 14 in 2007. This has provided an increase in employees from 479 in 2005 to 721 in 2007.

As expected from the nature of the development, 64% of businesses are classified as medium, ie 21 to 100 employees, but with only 7% being large, ie 101 or more employees. Further, due to the nature of development there, the occupancy rate is 100%.

Manufacturing accounts for 51% of businesses, with property & business services accounting for 21% and transport & storage 14%.

Although only 2% of Penrith importers are located there, they account for 43% of Erskine Park's businesses. Interestingly, this area accounts for 1% of total exporters but exporters in Erskine Park only make up 7% of the total businesses in the area.

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THE CITY SUPPORTED BY INFRASTRUCTURE

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

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LEADERSHIP AND ORGANISATION

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