

3 September 2008

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 8 September 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 Stoneham
General Manager

BUSINESS

- 1. LEAVE OF ABSENCE**
- 2. APOLOGIES**
- 3. CONFIRMATION OF MINUTES**
Ordinary Meeting - 4 August 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**
Retirement of Parks Construction and Maintenance Manager.
The Passing of Mr Greg Marshall.
Mayoral Ball raises \$36,000 for local charities.
A Retrospective of Penrith City Council 2004 - 2008.
- 7. NOTICES OF MOTION**
- 8. ADOPTION OF REPORTS AND RECOMMENDATION OF COMMITTEES**
Local Traffic Committee Meeting - 4 August 2008.
Access Committee Meeting - 6 August 2008.
Policy Review Committee Meeting - 18 August 2008.
Local Traffic Committee Meeting - 1 September 2008.
Policy Review Committee Meeting - 1 September 2008.
- 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 8 SEPTEMBER 2008
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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.



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.

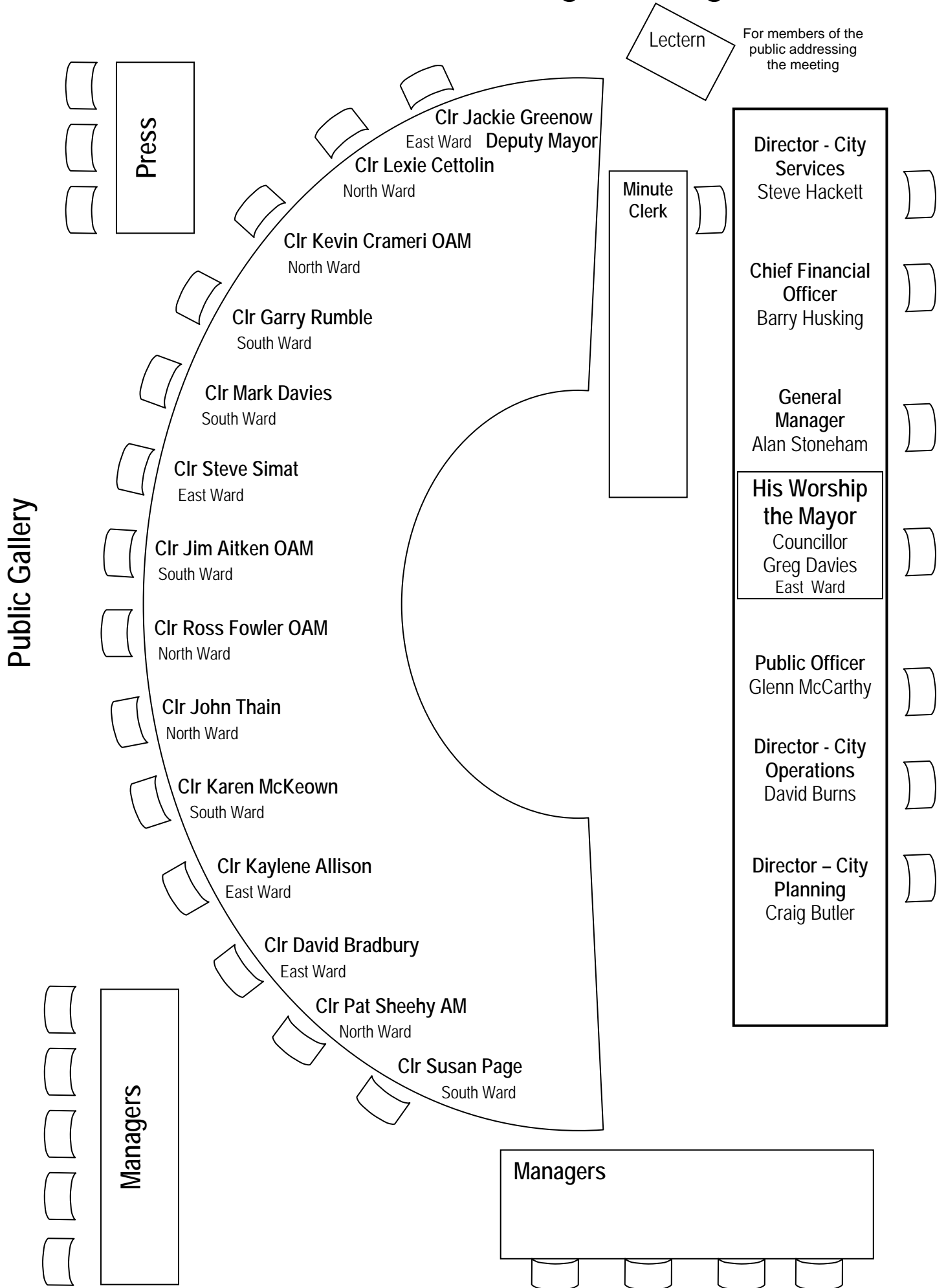
We come not in a spirit of competition, not as adversaries, but as colleagues. Help us to treat each other with respect, with dignity, with interest and with honesty. Help us not just to hear the words we say, but also to hear each others hearts. We seek to be wise in all that we say and do.

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.”



Council Chambers Seating Arrangements



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	Mon	Mon	Mon
Ordinary Meetings	7.30 pm	4	10	7	5❖		14	4	8✓	13	10	1
		25		21	19	23*			29^			15
Policy Review Committee	7.30 pm		3		12#		7		1	20	17#	
		18#+	31@	28		16	28	18#+				
Councillor Briefing / Working Party / Presentation	7.30 pm	11		14		2✧		11			3	
			17		26	30	21	25			24	

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 ORDINARY MEETING OF PENRITH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS

ON MONDAY 4 AUGUST 2008 AT 7:32PM

NATIONAL ANTHEM

The meeting opened with the National Anthem.

STATEMENT OF RECOGNITION

His Worship the Mayor, Councillor Greg Davies 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 Greg Davies, Councillors Jim Aitken OAM, Kaylene Allison, David Bradbury, Lexie Cettolin, Kevin Crameri OAM, Ross Fowler OAM, Jackie Greenow, Karen McKeown, Susan Page, Garry Rumble, Steve Simat (arrived at 8:15 pm) and John Thain.

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Pat Sheehy AM for the period 2 July 2008 to 4 August 2008 inclusive.

APOLOGIES

269 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Susan Page that the apologies from Councillors Mark Davies and Steve Simat be accepted.

CONFIRMATION OF MINUTES - Ordinary Meeting - 14 July 2008

270 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Garry Rumble that the minutes of the Ordinary Meeting of 14 July 2008 be confirmed.

DECLARATIONS OF INTEREST

Councillor Jim Aitken OAM declared a non-pecuniary interest in *Item 21 – Status of the Fernhill and Infracorp proposals for inclusion on the Metropolitan Development Program*, as he has had prior business dealings with the proponent for the development of Fernhill.

Councillor Kevin Crameri OAM declared a non-pecuniary interest in *Committee of the Whole Item 3 - Property Matter - Council Property - Leasing of Part of the Property at No 9 Jeanette Street, Regentville*, as he is a member of the Llandilo Rural Fire Brigade.

SUSPENSION OF STANDING ORDERS

271 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Susan Page that Standing Orders be suspended to allow members of the public to address the meeting, the time being 7:40 pm.

Mr Geoff Brown

Item 21 - Status of the Fernhill and Infracorp proposals for inclusion on the Metropolitan Development Program

Mr Brown, representing the Western Sydney Conservation Alliance, spoke in support of the recommendation, in particular the proposal for Council to pursue acquisition of the site. Mr Brown sought Council's rezoning of the site to Zone E2 Environmental Conservation in order to preserve the area, and requested urgent management of the site to protect identified conservation and heritage values.

272 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Jim Aitken OAM that an extension of time be granted to Mr Geoff Brown, the time being 7:50 pm.

Mr Brown concluded by suggesting a possible use for the land as a regional park and also suggested that a plan of management be put in place for the area.

Ms Lisa Harrold

Item 21 - Status of the Fernhill and Infracorp proposals for inclusion on the Metropolitan Development Program

Ms Harrold, representing the Mulgoa Valley Landcare Group, spoke in support of the recommendation and congratulated Council on the position it has taken in this matter. Ms Harrold stated that this land is an integral part of the Cumberland conservation corridor and every effort should be made to protect it. Ms Harrold also sought a rezoning of the entire site to Zone E2 Environmental Conservation.

RESUMPTION OF STANDING ORDERS

273 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Karen McKeown that Standing Orders be resumed, the time being 8:00 pm.

MAYORAL MINUTES

1 Open Day 2008

274 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow that the Mayoral Minute on Open Day 2008 be received.

2 Smoke Free Playgrounds and Sporting Fields Program Highly Commended Award

275 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Garry Rumble that the Mayoral Minute on Smoke Free Playgrounds and Sporting Fields Program Highly Commended Award be received.

3 Fast Rail Proposal

276 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor John Thain that the Mayoral Minute on Fast Rail Proposal be received.

Councillor Steve Simat arrived at the meeting, the time being 8:15 pm.

REPORTS OF COMMITTEES

1 Report and Recommendations of Policy Review Committee Meeting held on 28 July 2008

277 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Susan Page that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 28 July, 2008 be adopted, with Questions Without Notice Item 1, to now read:

“Councillor Ross Fowler OAM requested a report to Council regarding the status of the proposals, for inclusion on the State Government’s Metropolitan Development Program, of Fernhill and former Air Services Australia land at Cranebrook. Also, information regarding the biodiversity significance of the former Air Services Australia land at Cranebrook, and the potential for ‘listing’ the site to ensure its protection.”

MASTER PROGRAM REPORTS

THE CITY IN ITS BROADER CONTEXT

1 Penrith Valley Cultural Precinct

278 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kaylene Allison that the information contained in the report on Penrith Valley Cultural Precinct be received.

21 Status of the Fernhill and Infracorp proposals for inclusion on the Metropolitan Development Program

279 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Kevin Cramer OAM

That:

1. The information contained in the report on Status of the Fernhill and Infracorp proposals for inclusion on the Metropolitan Development Program be received.
2. Council lobby the State Government to acquire the Infracorp site, and dedicate it as a Nature Reserve under the National Parks and Wildlife Act, to conserve its unique assemblage of vegetation communities.
3. Council make a submission to the NSW Scientific Committee requesting that the vulnerable threatened species on the Infracorp site be listed as endangered populations under the Threatened Species Act.
4. Council pursue options for a Zone E2 Environmental Conservation zoning for the site through Stage 2 of the Penrith Local Plan.
5. Council seek, with the owners and appropriate authorities, urgent maintenance of the site to protect its unique ecological values, including a clean up of the site as soon as possible.

THE CITY AS A SOCIAL PLACE

4 Community Assistance Program 2007-08 Rolling Component-Projects Approved Under Delegation January-June 2008

280 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Susan Page that the information contained in the report on Community Assistance Program 2007-08 Rolling Component-Projects Approved Under Delegation January-June 2008 be received.

7 Request for Tender 06-07/08 Londonderry Neighbourhood Centre & Park Amenities Building Upgrade

281 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Susan Page

That:

1. The information contained in the report on Request for Tender 06-07/08 Londonderry Neighbourhood Centre & Park Amenities Building Upgrade be received.
2. The tender be awarded to Bilas Knight Pty Ltd for the value of \$955,355.50.

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

282 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Susan Page that the information contained in the report on Assistance Towards Amateur Sportspersons and Representatives in the fields of Art, Music, Culture - Overseas and Interstate Travel be received.

10 Extension of the Penrith Valley Community Safety Plan

283 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Susan Page

That:

1. The report concerning the endorsement of the Penrith Valley Community Safety Plan 2007 – 2010 by the NSW Attorney General as a Safer Community Compact for the period January 2008 to January 2011 be received.
2. Council approve the extension of the conclusion date of the Penrith Valley Community Safety Plan from March 2010 to January 2011 to coincide with the period of endorsement as a Safer Community Compact by the NSW Attorney General.

2 Naming of the Meeting Room in Londonderry Neighbourhood Centre

284 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor John Thain

That:

1. The information contained in the report on Naming of the Meeting Room in Londonderry Neighbourhood Centre be received.
2. Council approve the naming of the large meeting room in the Londonderry Neighbourhood Centre as the ‘The John Murphy and Alan Mills Room’.

3 Kingswood Park - Concept Plan for Neighbourhood Park

285 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on Kingswood Park - Concept Plan for Neighbourhood Park be received.
2. The shortfall of \$51,438 be funded from North Ward voted works.

5 The Alliance for Healthy Cities

286 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Kevin Crameri OAM

That:

1. The information contained in the report on The Alliance for Healthy Cities be received.
2. Penrith City Council joins the Australian Chapter of the Alliance for Healthy Cities.

6 Walking Track - Werrington Downs to Cambridge Park

287 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Walking Track - Werrington Downs to Cambridge Park be received.
2. A report be presented to the next Policy Review Committee Meeting regarding funding options including possible staging of works.

9 Improvements to St Clair Netball Courts

288 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Improvements to St Clair Netball Courts be received.
2. A formal carpark and drainage improvements at Mark Leece Complex be carried out with funds advanced from the Penrith Local Open Space Development Contributions Plan.

THE CITY IN ITS ENVIRONMENT

11 Agnes Banks and Londonderry Sewerage Scheme - Review of Environmental Factors

289 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Agnes Banks and Londonderry Sewerage Scheme - Review of Environmental Factors be received.
2. A submission be sent to Sydney Water outlining Council's overall support for the proposed Agnes Banks and Londonderry Sewerage Scheme and some comments on aspects of the Review of Environmental Factors that could be further considered.

12 Hawkesbury Nepean River Summit

290 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jackie Greenow

That:

1. The information contained in the report on Hawkesbury Nepean River Summit be received.
2. Council support the Hawkesbury City Council River Summit and make a financial contribution of \$5,000 towards the operational costs.

14 The Western Sydney Alliance Submission on a National Aviation Policy

291 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jackie Greenow that the information contained in the report on The Western Sydney Alliance Submission on a National Aviation Policy be received.

13 Parking of Vehicles for Sale on Road Verges and Naturestrips

292 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Lexie Cettolin that a further report be presented to Council on this matter, recommending a suitable method of warning residents of penalties that may arise from parking of vehicles for sale on road verges and naturestrips.

THE CITY SUPPORTED BY INFRASTRUCTURE

15 Federal Government 2009/2010 "Auslink Black Spot Program" submissions

293 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Kevin Crameri OAM

That:

1. The information contained in the report on Federal Government 2009/2010 "Auslink Black Spot Program" submissions be received.
2. Council endorse the 8 projects listed under 'Table A' of the present report for submission to the Roads and Traffic Authority for funding under the Federal Government 2009/2010 "Auslink Black Spot Program".
3. The Roads and Traffic Authority be requested to investigate traffic safety on roads under its jurisdiction at locations indicated in 'Table B' of this report.

16 NSW Rescue Service - Penrith

294 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Karen McKeown

That:

1. The information contained in the report on the NSW Rescue Service - Penrith be received.
2. Council agree to defer the repayment from the NSW Rescue Service - Penrith, due in March 2008, to December 2008.
3. Council waive the interest provision of the agreement for this deferred repayment.

Councillor Jim Aitken OAM left the meeting, the time being 9:09 pm.

17 Fast Rail Proposal

295 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor John Thain that the information contained in the report on Fast Rail Proposal be received and that the actions of the Mayor, as contained in his Mayoral Minute to this meeting, be endorsed.

LEADERSHIP AND ORGANISATION

18 2008 Local Government Association Conference

296 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Kevin Crameri OAM

That:

1. The information contained in the report on 2008 Local Government Association Conference to be held in Broken Hill from 25-29 October 2008 be received.
2. Councillor Pat Sheehy AM attend the Conference as an observer in view of his eligibility for presentation of an Outstanding Service Award and the title of Emeritus Mayor, and Council meet Councillor Sheehy's out of pocket expenses associated with his attendance at the Conference.
3. Council defer nomination of its voting delegates and remaining observers to attend the Conference to the first Ordinary Council meeting following the Local Government Elections to be held on 13 September 2008.
4. The nine (9) motions detailed in the report be submitted for inclusion in the 2008 Local Government Association NSW Conference Business Paper.

19 Update on Local Government Elections - 13 September 2008

297 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Kevin Crameri OAM that the information contained in the report on Update on Local Government Elections - 13 September 2008 be received.

20 City Operations Directorate Report to end of July 2008

298 RESOLVED on the MOTION of Councillor Garry Rumble seconded Councillor Karen McKeown

That:

1. The information contained in the report on City Operations Directorate Report to end of July 2008 be received.
2. A further urgent report be presented to the next meeting of the Policy Review Committee providing details of the proposed construction of the Schoolhouse Creek pedestrian bridge.

Councillor Jim Aitken OAM returned to the meeting, the time being 9:15 pm.

QUESTIONS WITHOUT NOTICE

QWN 1 Use of Email for Correspondence with Local Groups

Councillor Susan Page requested a report to Council on the feasibility of using email, instead of paper mail, for corresponding with local groups.

QWN 2 Nepean Disabilities Social Group - Purchase of Printer

Councillor David Bradbury requested that an amount of \$200 be allocated from each Ward's voted works (totalling an amount of \$600) towards the provision of a laser printer to the Nepean Disabilities Social Group.

299 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Susan Page that the matter be brought forward as a matter of urgency.

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

300 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Susan Page that an amount of \$200 be allocated from each Ward's voted works (totalling an amount of \$600) towards the provision of a laser printer to the Nepean Disabilities Social Group.

QWN 3 Construction of Footpath in Debrincat Avenue, North St Marys

Councillor Kaylene Allison requested that an amount of \$29,250 be allocated from East Ward voted works for the construction of a footpath in Debrincat Avenue, North St Marys between Boronia Road and Ropes Creek, to link with the footpath constructed by Blacktown City Council.

301 RESOLVED on the MOTION of Councillor Kaylene Allison seconded Councillor Jackie Greenow that the matter be brought forward as a matter of urgency.

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

302 RESOLVED on the MOTION of Councillor Kaylene Allison seconded Councillor Jackie Greenow that an amount of \$29,250 be allocated from East Ward voted works for the construction of a footpath in Debrincat Avenue, North St Marys between Boronia Road and Ropes Creek, to link with the footpath constructed by Blacktown City Council.

QWN 4 Construction of Bus Shelter on Gipps Road, Claremont Meadows

Councillor Kaylene Allison requested that an amount of \$10,000 be allocated from East Ward voted works for the construction of a bus shelter on Gipps Street, Claremont Meadows, placed at the existing bus stop at the rear of the properties (adjacent to the southern Sunflower Drive entrance).

303 RESOLVED on the MOTION of Councillor Kaylene Allison seconded Councillor Jackie Greenow that the matter be brought forward as a matter of urgency.

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

304 RESOLVED on the MOTION of Councillor Kaylene Allison seconded Councillor Jackie Greenow that an amount of \$10,000 be allocated from East Ward voted works for the construction of a bus shelter on Gipps Street, Claremont Meadows, placed at the existing bus stop at the rear of the properties (adjacent to the southern Sunflower Drive entrance).

QWN 5 Construction of Disability/Pram Ramp on North side of Jamison Park

Councillor Karen McKeown requested that an amount of up to \$3,000 be allocated from South Ward voted works to construct a disability/pram ramp and associated path on the north side of Jamison Park.

305 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Jim Aitken OAM that the matter be brought forward as a matter of urgency.

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

306 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Jim Aitken OAM that an amount of up to \$3,000 be allocated from South Ward voted works to construct a disability/pram ramp and associated path on the north side of Jamison Park.

QWN 6 Removal of Sign

Councillor John Thain requested that the sign in Werrington Lakes referring to Charles Sturt Drive be removed as this is no longer relevant.

QWN 7 Australian Rules Playing Field - Grays Lane

Councillor John Thain requested a report to the next Policy Review Committee Meeting detailing the cost of providing an asphalt or concrete slab between the ovals at the Australian Rules playing field in Grays Lane, Cranebrook, with a memo reply also to be forwarded to Councillor Thain.

QWN 8 Allocation of Sporting Fields

Councillor John Thain requested that a letter be sent to sporting groups clarifying the process and intent of the previous letter sent by Council to groups who wish to use sporting fields.

QWN 9 Park opposite Kingswood Cemetery

Councillor Ross Fowler OAM requested a report to Council on the feasibility of making improvements to the park located opposite Kingswood Cemetery and the possibility of formalising and naming this park.

QWN 10 Smoke Free Areas

Councillor Jim Aitken OAM requested a report to Council on the feasibility of having Council grounds on the corner of High Street and Mulgoa Road made into a smoke free area and also considering any issues arising from having any Council owned and used properties that are visited by the general public also made smoke free, with a memo reply to be provided to all Councillors.

Councillor Steve Simat left the meeting, the time being 9:29 pm, and did not return.

QWN 11 Perspex Infill for Fire Tanks used in Displays

Councillor Kevin Crameri OAM requested that an amount of \$500 be allocated from North Ward voted works to cover the cost of perspex infill for the fire tankers that are used on displays on open days, school fetes etc, and also for 6 fold up chairs and associated sun cover.

307 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Garry Rumble that the matter be brought forward as a matter of urgency.

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

308 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Garry Rumble that an amount of \$500 be allocated from North Ward voted works to cover the cost of perspex infill for the fire tankers that are used on displays on open days, school fetes etc, and also for 6 fold up chairs and associated sun cover.

QWN 12 Hall Hire - Leukaemia Foundation Charity Event

Councillor Kevin Crameri OAM requested that an amount of \$400 be allocated from North Ward voted works for the cost of hiring the Harold Corr Hall for the Leukaemia Foundation's charity ball, to be auspiced by the St Marys Development Committee.

309 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jackie Greenow that the matter be brought forward as a matter of urgency.

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

310 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jackie Greenow that an amount of \$400 be allocated from North Ward voted works for the cost of hiring the Harold Corr Hall for the Leukaemia Foundation's charity ball, to be auspiced by the St Marys Development Committee.

QWN 13 Encore Historical Sewing Group - Provision of Glass Display Cabinet

Councillor Jackie Greenow requested that an amount of up to \$3,000 be allocated, in equal amounts, from each of North, South and East Ward voted works, to the Encore Historical Sewing Group to provide a glass display cabinet to protect an historical garment which is to be housed at Mamre House.

Councillor Kevin Crameri OAM left the meeting, the time being 9:35 pm.

311 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor John Thain that the matter be brought forward as a matter of urgency.

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

Councillor Kevin Crameri OAM returned to the meeting, the time being 9:36 pm.

312 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor John Thain that an amount of up to \$3,000 be allocated, in equal amounts, from each of North, South and East Ward voted works, to the Encore Historical Sewing Group to provide a glass display cabinet to protect an historical garment which is to be housed at Mamre House.

COMMITTEE OF THE WHOLE

313 RESOLVED on the MOTION of Councillor Susan Page seconded Councillor Kevin Crameri OAM that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 9:39 pm.

1 Presence of the Public

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

City Supported by Infrastructure

2 Legal Matter - Contractual Arrangements with Onyx Group Pty Limited

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.

Leadership and Organisation

3 Property Matter - Council Property - Leasing of Part of the Property at No 9 Jeanette Street, Regentville

This item has been referred to Committee of the Whole as the report refers to commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

Leadership and Organisation

4 Senior Staff Matters

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

The meeting resumed at 10:18 pm and the General Manager reported that the Committee of the Whole met at 9:39 pm on 4 August 2008, the following being present

His Worship the Mayor Councillor Greg Davies, Councillors Jim Aitken OAM, Kaylene Allison, David Bradbury, Lexie Cettolin, Kevin Crameri OAM, Ross Fowler OAM, Jackie Greenow, Karen McKeown, Susan Page, Garry Rumble 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 Legal Matter - Contractual Arrangements with Onyx Group Pty Limited

RECOMMENDED on the MOTION of Councillor Garry Rumble seconded Councillor Jackie Greenow

CW2 That the information contained in the report on Onyx Group Pty Limited be received.

3 Property Matter - Council Property - Leasing of Part of the Property at No 9 Jeanette Street, Regentville

RECOMMENDED on the MOTION of Councillor Jackie Greenow seconded Councillor Jim Aitken OAM

CW3 That:

1. The information contained in the report on Property Matter - Council Property - Leasing of Part of the Property at No 9 Jeanette Street, Regentville be received.
2. Council agree to the leasing of the site in the form of a Licence Agreement to the NSW Rural Fire Service in accordance with the rental structure outlined in the terms and conditions.
3. The Licence Agreement being entered into is subject to the NSW Rural Fire Services (Zone Cumberland Liaison Committee) agreeing to the rental distribution in accordance with the relevant Council's nominated.

4. Discussions over the lease of the Cox Avenue Site by the Great Community Transport Inc to be considered.
5. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

Councillor Jim Aitken OAM left the meeting, the time being 9:50 pm, and did not return.

4 Senior Staff Matters

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

CW4 That:

1. The information contained in the report on Senior Staff Matters be received.
2. The recommendations of the Senior Staff Recruitment / Review Committee be adopted.

ADOPTION OF COMMITTEE OF THE WHOLE

314 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Susan Page that the recommendation 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 10:20 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 7.15pm.

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

MAYORAL MINUTES

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Mayoral Minute

Retirement of Parks Construction and Maintenance Manager

Strategic Program Term Achievement: *Council's workforce is appropriately planned and skilled and Council is an attractive employment choice for talented people.*

Parks Construction and Maintenance Manager Raphael Collins will retire on 1/4/09 after 23 years with Penrith City Council. Raphael is currently on annual leave following his last day at Council on July 4.

Raphael started with Council in 1985 on a 12 month temporary appointment as the Parks and Reserves Manager and was responsible for the implementation of the Ward maintenance system in his first year. Raphael's enthusiasm, dedication and leadership resulted in his permanent appointment to the position of Parks and Reserves Manager in July 1986, responsible for managing maintenance, capital works and general improvements to over 1270 hectares of open space, parks and sporting fields.

One of Raphael's – and indeed Council's – proudest achievements was the installation of the Mt Pleasant Irrigation Scheme in 1995 which saw Hickey's Park watered using recycled water from the Penrith Sewage Treatment Plant. At the time this was a groundbreaking procedure which was only made possible by Raphael's determination and dedication. It certainly paid off during the dry years to come and Council won the Keep Australia Beautiful Council's Metro Pride Award in 1996. More recently, Raphael was successful in obtaining Sydney Water's co-operation to extend the recycled water to Greygums Oval and Andrews Road fields.

Raphael has long been highly respected by the sporting community for ensuring that sporting groups have access to the best possible facilities. He developed very close working relationships with the various sporting associations and clubs and maintained regular contact with the management of the two main football codes to ensure that all clubs had access to fields and facilities and plans could be put in place for the future. He was involved in establishing the Penrith Valley Sports Foundation, an organisation which represents and advocates for all sporting bodies across the City. This organisation provides ongoing encouragement and support to the outstanding sportsmen and women of Penrith.

He was also successful in obtaining a number of grants over the years that have funded bush regeneration, sporting field improvements and other projects which have all contributed to the amenity of Penrith and the community. Raphael has actively encouraged and supported bush regeneration projects and until recent years when dry weather made it no longer viable, embarked on significant tree planting programs across the City.

Raphael retires from Penrith City Council leaving behind a number of quality playgrounds, well maintained sporting fields and tree planting projects that will live on for generations to enjoy. On behalf of Council and the City, I wish Raphael and his family all the very best in his retirement.

Greg Davies
Mayor

RECOMMENDATION

That the Mayoral Minute on Retirement of Parks Construction and Maintenance Manager be received.

Mayoral Minute

The Passing of Mr Greg Marshall

Colyton resident and devoted volunteer Greg Marshall passed away on Saturday, 14th August, 2008. He will be greatly missed by all who knew and worked with him.

Greg was committed to promoting the inclusion and active participation of people with a disability in community life. He was recognised on Council's Wall of Achievement in 2002 for his outstanding community service. Greg had Spina Bifida and was an inspiration and great support to other people with disabilities.

Greg was founding member of both the Penrith Disabilities Resource Centre Inc (PDRC) and the Physical Disabilities Action Forum (PDRCs advocacy and lobbying arm). He served PDRC as Chairperson, Vice Chairperson, Secretary and Public Officer and devoted many hours to ensuring the ongoing viability of the service. Greg was an active PDRC volunteer on two days each week for more than 12 years to create and managed an access database and guide, both valuable resources for the local community.

Over the years Greg was involved in many areas of community support including:

- Committee member or Chairperson of Hawkesbury/Penrith Respite Service 1993 – 2005
- GREAT Community Transport (formerly Nepean Community Transport) Committee member or Chairperson 1992 – 1993 and 1999 – 2008
- St Marys Area Community Development Project – Vice Chairperson or Committee Member 1995 – 2008
- NSW Sports Council for Disabled Metropolitan West Region Committee 1997-2001
- Penrith City Council Disability Access Committee – Member 1992-1996.

Greg could put his views strongly, and was a clear thinker with the ability to reassess once all the information was available and compromise if needed. Through his hard work and dedication Greg obtained a certificate 3 in disability services from TAFE and an anti-discrimination certificate from the NSW Anti-Discrimination Board.

His passing is a sad loss to Penrith City, and on behalf of Council I would like to offer deepest sympathy to Greg's family and to his many friends and colleagues. I know that Greg's cousin Donna and his close mate Steve Hyland are attending tonight and we hope are able to take some comfort in knowing Greg was a very valued member of our community and that his work and life made a difference to so many.

Greg Davies
Mayor

RECOMMENDATION

That the Mayoral Minute on The Passing of Mr Greg Marshall be received.

Mayoral Minute

Mayoral Ball raises \$36,000 for local charities

Strategic Program Term Achievement: *A commonly shared long-term vision for the City underpins strategic collaboration and community engagement.*

It is with great pleasure that I advise Council on Saturday 30 August 2008 the third annual Penrith Mayoral Charity Ball raised \$36,000. Over the past three years this event has raised nearly \$100,000 for local charities.

The Ball's great success can be attributed to the generosity of its sponsors and the hard work of the Council staff involved and as always, I was very impressed by the high level of community spirit we are fortunate to enjoy in our City and in Council as an organisation. The three charities which each received \$12,000 were: Bravehearts, Don Bosco Youth and Recreation Centre and Nepean Area Disabilities Organisation (NADO). In keeping with the Ball's theme; Celebrate Penrith, the high quality entertainment consisted of local performers The Robertson Brothers and the Steppin' Out Duo of Julia Parashko and John McQue.

I'm so proud that this City has individuals and organisations willing to step up, be counted and help support the broader community and I would personally and publicly like to thank the sponsors and supporters involved in the event, some of whom participated last year as well: Gold sponsors Tony Ferguson Weightloss Centre; Silver sponsors Parkview Penrith, Penrith Lakes Development Corporation and Delfin; and supporter J Wyndham Prince.

The venue, St Marys Band Club, was very generous with their support and I'd also like to mention two of the other clubs in our community who purchased tables, Penrith RSL and St Marys League Club. Kingswood Florist and Creative Balloons also deserve a mention as they supplied all the flowers and table decorations free of charge. Many other local organisations and businesses supplied prizes for the raffle and lucky door draws which helped add to the Ball's final tally.

Troy Dodds from Kick FM, our MC for the evening was fantastic in keeping the guests entertained. I would also like to acknowledge the support of Deputy Mayor Jackie Greenow and my fellow Councillors Jim Aitken OAM, John Thain, David Bradbury, Karen McKeown, Susan Page and Pat Sheehy AM for their support in purchasing tickets to the Ball.

As mentioned, a hard working team of council staff were behind the success of the Ball and I would like to thank Meredith Banks, Shelley Lee and Colin Dickson for their efforts both in the lead up and on the evening. In particular, Meredith, whose attention to detail never wavered despite trying circumstances.

And finally, I would like to thank all those who contributed to the success of the third annual Mayoral Charity Ball through their attendance on the evening. It's people that make a City great and we truly have a wonderful City to call home.

Greg Davies
Mayor

RECOMMENDATION

That the Mayoral Minute on Mayoral Ball raises \$36,000 for local charities be received.

Mayoral Minute

A Retrospective of Penrith City Council 2004 - 2008

Strategic Program Term Achievement: *A commonly shared long-term vision for the City underpins strategic collaboration and community engagement.*

The last four years have seen many significant milestones achieved, projects successfully undertaken, and sound strategic decisions made for the short and long-term benefit of Penrith City.

Council's current Strategic Plan: "Penrith City: the Competitive Edge" 2005-2009 reflects our commitment to positioning the City as a desirable place to live, work, play and invest. It has served us well in attracting jobs and employment to the City, fostering partnerships and delivering services to our community.

This Council has proved itself to be progressive, proactive, willing to take on new challenges and able to 'get the job done'. Real progress has been demonstrated in a range of areas and we have added substantially to the assets of the City over our term in office.

This Council has demonstrated its capacity to get things done through co-operatively working with the community and other groups, organisations and levels of government.

Council has continued to demonstrate a genuine commitment to consulting and engaging with the community and listening to what it has to say, for example through public forums like the Futures Forum in July 2008.

Regional City

A major highlight came in 2005 when Penrith was designated a Regional City under the State Government's Metropolitan Strategy. This recognises Penrith as a major residential and economic centre, and should ensure greater access to health, education and recreation services for our City now and in years to come.

We take this regional responsibility very seriously and Penrith's active commitment to improving the broader region has seen us host and coordinate the Regional Illegal Dumping Squad and Westpool, with great benefit to all the member councils and communities.

Hosting important visits

It was an extremely proud moment for myself and the City when we welcomed Prime Minister Kevin Rudd to Penrith in April 2008. Not only was the national media spotlight on our City, but history was made when for the first time Federal Cabinet was held outside a Federal Government building, in our Council Chambers. The opportunity for 500 western Sydney locals to then see and hear the Prime Minister and Ministers at Jamison High School was significant and demonstrates that Penrith is well and truly on the national agenda.

In 2006 our City was extremely honoured to be chosen as the first Australian community to welcome the Queen's Baton Relay, part of the Commonwealth Games celebrations, and the focus of a nationally-televised event at the International Regatta Centre.

In fact our growing regional, state and national importance has been evidenced by many events hosted in recent years. The State Government has held two State Cabinet meetings here at the Civic Centre in June 2005 and May 2006, and most recently we hosted the State Plan Regional Consultation in June 2008. Each year since 2004 Penrith has been chosen as one of a small number of sites in NSW to host an Australia Day Premier's Reception.

Penrith is an increasingly sought-after venue for major events and conferences – such as the Western Sydney Regional Organisation of Councils (WSROC) Conference in April 2008 - and with good reason. We're looking forward to welcoming the Ulysses Club for their AGM next March.

Economic Development and City Marketing

More local jobs and affordable housing options - delivered in a sustainable way – are essential. Local economic development and attracting investment, industry and business have been priorities for Council over the last four years and will continue to be important.

Council has identified job creation as our single biggest challenge in the years ahead. The State Government has plans for the Western Sydney Employment Hub which will see Erskine Business Park become part of one of the largest industrial precincts in Australia.

Council has an employment strategy in place for 40,000 jobs – exceeding the State Government's target for Penrith of 28,000 new jobs by 2031.

Already employment for some 2700 people has been created at Erskine Business Park, well on the way to our goal of 6000 for the employment area. More than 35 companies and speculative buildings have been established in the Park. Around \$570 million worth of development has been approved by Council and the Department of Planning and another \$50 million is currently under consideration.

The State Government's decision to build a \$60million office block in Penrith CBD - the result of Council's willingness to identify and capitalise on opportunities - was also great news.

Our City has been strongly represented in recent years in the prestigious Western Sydney Industry Awards. This year, among other things, Penrith businesses were recognised for their outstanding achievements in the fields of innovation and sustainability. Overall, this year Penrith City took out more categories in the annual awards than any other Local Government Area.

The Penrith Valley Home Based Business Website was launched in March 2007. This collaborative project between Council and several local organisations, including Penrith Valley Home Based Business Network and Penrith Valley Chamber of Commerce, has helped support and encourage home based businesses in our City. The Buy Penrith Valley campaign, launched in June 2008, will reap real benefits for the whole of Penrith City.

Over the four years of the Council term the City Marketing program has built on the well established *Penrith Valley, River, Mountains, Lakes* branding with increasing emphasis on positioning Penrith Valley as a major regional city within the Sydney metropolitan area.

The role of events in marketing the City has grown significantly, with major events such as the Canoe Slalom World Cup, the annual Solar Boat Challenge, World Dragon Boat Championships and National Rowing Championships providing important opportunities to showcase Penrith Valley.

The Visitor Information Centre moved into a new and much larger building in 2006. This is an example of a very successful collaboration with our business community and has allowed Penrith Valley to be showcased to visitors much more effectively.

Sustainability

Perhaps the greatest challenge this Council has faced has been to respond to the pressure that increased population growth is placing on our environment.

Real progress has been made during the term of this Council in incorporating sustainability across all of Council's activities and services, and we are committed to continuous improvement.

In May 2008, Penrith was awarded the final Milestone under its participation in the International Council for Local Environmental Initiatives (ICLEI) Water Campaign. During the program Council reduced its ongoing water consumption by 35% and implemented several significant actions including retrofitting Council facilities and developing recycled water schemes for some of the City's open spaces and playing fields.

Council's 2005 Carbon Neutral plan established strategies and targets for reducing carbon emissions, and included a commitment to reducing Council and community carbon emissions by 25% before 2015.

Last year, for the first time, our Annual Report incorporated a Sustainability Report, reporting on some 80 sustainability indicators and global reporting initiatives – evidence of Council's commitment to both sustainability and open and transparent reporting.

The Sustainability Revolving Fund, initiated in 2003, continued to fund numerous sustainability initiatives, including the establishment of an energy performance contract for this building. We've been able to make energy and cost savings of over \$254,000 per year, and reduce our greenhouse gas emissions by approximately 1930 tonnes per annum through the Energy Performance Contract and other Sustainability Revolving Fund projects.

Another initiative of which we're particularly proud is a complete organic recycling program which will be the first of its kind in Australia. Due to start in 2009, it is expected to reduce the amount of waste being sent to landfill by over 26,000 tonnes and produce 14,000 tonnes of high grade compost.

Council will then 'close the loop' and give this compost back to the community by using 7,000 tonnes of this product on our sporting fields, greatly improving their quality.

Council's environmental achievements over the last four years have been very important for the current residents and future generations of Penrith City. Progress has been made in repairing past environmental damage to our waterways, and protecting the natural environment from further pollution.

We have continued to provide waste and litter awareness programs to achieve significant reduction in the amount of waste material going to landfill, and an expanded and more effective recycling program.

City Operations

Changes to the structure of Council's City Operations Directorate in the last year have enabled Council to be even more effective in delivering quality services to the community in the important areas of City Works; Public Domain Amenity and Safety; Waste and Community Protection; Parks Construction and Maintenance; and Recreation.

No review of this Council's achievements would be complete without highlighting our successes in the delivery of community infrastructure and services. Over its term, this Council has invested approximately \$11 million in building maintenance, \$90 million in Roads, Drainage, Carparks, Traffic Facilities and Footpath Maintenance and Construction and \$41 million in Parks Construction and Maintenance.

Some 226 km of roads have been resurfaced and more than 66 km of new footpaths have been constructed. Residents have told us that footpath construction is a high priority and I am pleased we have been able to deliver on this, contributing to the health, safety and wellbeing of our residents and reducing dependence on cars. In 2007-08 we spent a record \$2 million on 30km of footpaths.

Parks Construction and Maintenance

Council has continued to provide high quality sporting grounds across the City despite water restrictions. The extension of the reclaimed water scheme at Hickey's Lane has enabled irrigation of the Rugby Union Stadium, baseball fields and the Greygums AFL fields. An automatic irrigation system was installed to three soccer fields at Cook Park. During this Council term several fields, including the main soccer field at Parker Street and field No. 5 at Jamison Park, had lighting installed or upgraded to competition level.

Council has given ongoing support to the Penrith Valley Sports Foundation and several new amenities have been constructed for the benefit of sporting groups, including a new amenities building for the Colyton/ St Clair Baseball Club. Fencing has been installed at several locations including Darcy Smith oval at Emu Plains. Several sporting field carparks have been constructed and sealed, including carparks at Doug Rennie Fields, Kingswood and Parker Street, Penrith.

Shade structures and new BBQ facilities at Tench Reserve have proved popular with its many users. Additional and upgraded play equipment has been provided at several local parks including Mulgoa Park, Mulgoa and Poplar Park, Oxley Park.

Thanks largely to Council's Bushland Management Officer and many volunteers, Bushcare and Landcare projects continue to see improvements to our natural areas. Plans of

Management have been developed and adopted for Weir Reserve and the River Road Riparian Corridor.

Public Domain Amenity and Safety

This Council has been strongly committed to enhancing the City's presentation and has substantially increased the resources allocated for public space maintenance. Almost \$13 million has been allocated for Community Safety and Public Domain maintenance. Well maintained areas contribute to community perceptions of safety across the City. This is achieved through the development of Community Safety initiatives that incorporate strategies such as graffiti minimisation in partnership with the community.

Graffiti minimisation has been a top priority for this Council and the implementation of a graffiti reporting hotline in 2007 has played a key role in effectively responding to graffiti on both public and private property.

Recreation

Penrith is well on the way to being a nationally and internationally recognised centre of excellence for sport and culture, with world class facilities including the International Regatta Centre and Penrith Whitewater Stadium.

Since 2004 we have hosted numerous state, national and world championships, in sports ranging from rowing to netball, speed skating to model boat racing. These events bring national and international visitors to the City and put Penrith on the map for all the right reasons.

We have provided more recreational facilities for youth in the city. Following the success of the Jamison Skate Park facility, opened in 2002, new skate facilities at Glenmore Park and St Clair, officially opened in September this year, are proving extremely popular.

Stage 1 of the Great River Walk was officially opened in February 2007, and Stage 2 in June this year. It has already begun making the fantastic views and landscapes along the river more accessible for the widest possible range of users, including walkers and cyclists, and will play an important role in raising awareness of the need to care for this great natural resource. I am proud our Council has been able to lead the way in delivering on this nationally significant project, which has also been embraced and financially supported by local business

Health and Well Being

Health and well-being of the community have been high on Council's agenda during the last four years. Council joined the Healthy Cities Alliance of the World Health Organisation. The program's objectives are consistent with Council's current development of a City Health Strategy to guide strategic planning and policy development. Health principles are being integrated into these processes to achieve long term improvements in the health of our communities.

Other initiatives included health promotion programs addressing obesity and smoking, in partnership with Sydney West Area Health Service. Health and nutrition education programs were run at schools and childcare centres to promote healthy food choices.

Council was Highly Commended for “Programs and Policies that Reduce Exposure to Tobacco” at the Heart Foundation Local Government Week 2008 Awards in July. This was in recognition of Council’s Smoke-free Playgrounds and Sporting Fields program, based on the Smoke Free Outdoor Areas Policy adopted by Council in July 2007.

From a public health perspective, Council’s enhanced Food Safety Program was recognised by our appointment as an enforcement agency under new provisions in the Food Act. Council has balanced a strong compliance regime with education of food handlers.

City Centres

Revitalisation of our City Centres has remained a high priority. The Penrith City Centres Plan was launched in November 2006. The Penrith Local Environmental Plan 2008 (Penrith City Centre), developed by the Department of Planning together with Council, was gazetted by the NSW Minister of Planning in February 2008. The plan provides a strategic framework for improving the quality and sustainability of development across the City. Council can now move forward with a range of development initiatives which will boost job, business, housing and lifestyle opportunities. This plan, together with the Penrith City Centre Vision, Development Control Plan and Civic Improvements Plan, is part of the NSW Government’s vision to create a strong network of vibrant regional cities outside the Sydney CBD.

New Release Areas and Established Areas

Considerable effort has been directed toward planning for the City’s ten new urban release areas to ensure they can offer sustainable, safe and satisfying living and working environments. Development is now under way in Erskine Park Employment Area, Waterside (Lakes Environs) and Claremont Meadows Stage 2.

Council has tried to strike a proper balance between our City’s established neighbourhoods, new release areas and rural areas, addressing the needs of residents in older areas without detriment to other services. This goal has been supported by funding through our Asset Renewal and Established Areas Strategy (AREAS) starting with the 2006-2007 Management Plan. We are already seeing improvements in physical amenity and construction, and some great work is being done through consultation and community liaison to address social and economic issues.

The Magnetic Places program, part of Council’s Neighbourhood Renewal Program, has paved new ground in creating activities and projects for the community and bringing community meeting places to life. The pilot 2007-2008 Magnetic Places Community Cultural Grants Program has proven successful in supporting and generating creative activities, events and programs that bring to life our community meeting places, celebrating the culture and pride in established neighbourhoods across the City.

Community and Cultural Development

The City has continued to develop its reputation as a centre of cultural excellence and diversity, supported by the integration of the City’s principal cultural facilities with the creation of the Penrith Performing and Visual Arts Ltd in 2006.

The Joan Sutherland Performing Arts Centre extensions, opened in August 2005, have proved a valuable addition to the cultural assets and development of Western Sydney. The \$1.4 million capital improvements to Penrith Regional Gallery and Lewers Bequest were also completed and officially opened in August 2007.

The development of the Penrith Valley Cultural Precinct has taken many forward steps during this Council term. In September 2007 we officially opened the St Marys Arts and Crafts Studio, and February 2008 saw the official reopening of the refurbished former St Marys Council Chambers building. Work is now underway on the Memorial Hall refurbishment and the construction of the Community Square.

We have demonstrated our commitment to social justice and access and equity in the delivery of services to the City's residents.

In February 2006 we launched the Penrith City Centre Access Map, the latest in a series of projects by Council to improve access to services for all.

Meeting the needs of our youth has continued to be a priority. In July 2006 we launched our Youth Website, a great source of information about jobs, apprenticeships, courses, recreation activities, school issues, training and youth services for young people and their families.

A number of neighbourhood centres have been opened and upgraded, including the new North St Marys Neighbourhood Centre opened in August 2005, and the Claremont Meadows Community Centre upgrade in 2007.

Children's Services

This Council has been committed to providing a range of high quality children's services to meet the diverse needs of families in our community, recognising this as an investment in our City's future.

The innovative management structure of the Penrith City Children's Services Cooperative, established under the previous Council, continues to perform very well. The Cooperative currently manages 17 long day care centres, 9 before and after school care centres, 7 centre-based and 1 mobile pre-school, 6 vacation care centres and 1 mobile play van.

Over the last four years, Council has dedicated \$3.8 million to capital improvements to Children's Services. The Grays Lane Children's Centre (May 2006), Erskine Park Out of School Hours Centre (May 2007) and Tamara Children's Centre (April 2008) all reopened during this Council's term after successful extension and upgrade works.

Library

Penrith Library received a welcome upgrade in May this year, with improvements including new self-serve check-in facilities; realignment of shelving to make better use of available space; display area for local community groups; new carpet and furniture, and repainting and cleaning; and a more dynamic children's area, including new CDs, computers and DVDs.

Since 2004 the library has continued to build its reputation as one of the top regional libraries in Australia, offering some of the best facilities available to its 80,000 members, including

research and family history resources and a community toy library. Our regional library service continues to be a flagship operation for the organisation. Library loans have increased by over 20% since 2003-04, to 817,259 loans in 2007-08.

Financial Management

This Council leaves a legacy of careful and responsible management of the city's resources to its successor. Council has maintained a healthy financial position through our responsible financial management which has been acknowledged by the international credit rating agency - Standard and Poor's. Our credit rating was upgraded to AA+ during 2007 and this was confirmed in our most recent rating in July 2008.

Council won the prestigious *NSW Local Government Annual Financial Statement Award* for 2005-2006 and for 2006-2007 - the first time any Council has won the award for a second time.

Awards and Reputation

Our organisation is widely respected in local government around Australia and widely regarded as a strategically focussed Council and has been recognised as a leader in a number of areas.

The Department of Local Government in the recent Better Practice Review stated, in part, that Council is a well managed organisation, enjoying excellent community and employee satisfaction, has strong and clear leadership and is well positioned to address the future needs of the LGA.

In 2007, Council received a Gold Award for *Penrith's new Management Plan model - Integrating Strategy, Sustainability and Services* at the annual Sydney Morning Herald Local Government Management Excellence Awards. It was the third year running Council won gold at those awards.

Council's effectiveness, strong management, and commitment to continuous improvement and responsible local government were also acknowledged in 2005-2006 and 2006-2007 when we were Highly Commended in the esteemed *A.R. Bluett Memorial Awards*.

Council continues to maintain an extremely high level of satisfaction in our customer surveys, conducted every two years. Our rating not only improved from 2005 to 2007 but we continued to outperform the average satisfaction rates for Metropolitan, Regional and NSW Councils.

Partnerships

If a partnership can benefit Penrith, Council has been keen to explore it, and we haven't limited ourselves to other government authorities and large organisations. Fostering and developing partnerships between the City's key stakeholders has been a key element of our strategic program since 2004.

We have continued to make excellent progress in maintaining and establishing strategic alliances with organisations such as the University of Western Sydney, TAFE, the Sydney

West Area Health Service, Department of Housing, local Chambers of Commerce, Panthers and the City Town Centre Associations.

Evidence of the value of partnerships for our City can be seen at Penrith Stadium. In the past couple of years, \$15 million in Federal and State Government funding has been secured to upgrade the stadium, including the western grandstand and playing field. Council and Panthers worked closely both in lobbying for the funding and then through a working party, to achieve the best outcome from the funds. Council has long had a master plan for the stadium and a view that the facility could be used for more than rugby league. In keeping with our Regional City status, Penrith Stadium is evolving into a venue that has the potential to attract quality outdoor entertainment, and sporting events from soccer to tennis.

The upgraded Western Grandstand and new corporate complex at Penrith Stadium were officially opened in September 2006 and include vastly improved spectator, media and coaches facilities in the western grandstand; new corporate and player facilities and a new playing surface.

Friendship relationships and International links

A range of mutually beneficial programs and activities have continued between Penrith and our international links in Japan, China, Korea and England. These have included cultural and sporting programs; student exchanges; and business and economic development programs. We've welcomed several delegations from various countries, in a range of interest areas including agriculture, local government and childcare. This year we celebrated the 10th anniversary of our Mutual Cooperation Agreement with Xicheng.

Closer to home, our relationship with Lachlan Shire has flourished following the signing of a friendship agreement in August 2006. The strengthening of ties has brought benefits for both communities as our two very different local government areas work together, helping and supporting each other and sharing ideas and expertise. A range of activities and exchanges in the sporting, education, business and cultural fields have already been enjoyed as both communities embrace the partnership with great enthusiasm.

Council to Council activities have included a successful staff exchange program and the secondment of a Penrith Council employee to Lachlan as Acting General Manager. We've also welcomed Lachlan Shire at many of our events including The Penrith City Festival, our annual Open Day and Mayoral Musicale, our Australia Day celebrations and the Penrith Show, and we look forward to opportunities to promote our City and services at a range of events in their community.

Penrith further demonstrated its willingness to help other organisations through the secondment of a staff member to act as General Manager at Brewarrina Shire Council for seven months and as Acting General Manager of Hawkesbury River County Council.

Civic functions and community events

This Council has particularly focussed on the people – not only the bricks, concrete and greenery - that make up this great City. This is reflected in the enhanced calendar of civic functions and community events since 2004.

Council events such as Open Day, Activate, and Australia Day celebrations have continued to grow in popularity, quality and reputation.

Highlights include three annual Mayoral balls, raising over \$90,000 for local charities, and expansion of the Open Day Mayor for a Day competition to include 14 junior Councillors, who take part in a mock council meeting.

The diversity, vitality, talent, generosity and dedication of our local community is evident in the amazing range and number of civic functions I have hosted and attended as Mayor including those for:

- the Volunteer Rescue Association
- local school leaders
- Western Sydney Industry Award winners
- the Red Cross, and
- the CWA.

Since 2004, Council's Wall of Achievement program has recognised 83 outstanding individuals for their personal contributions to our City's community, with more and more people nominated each year. I would like to take this opportunity to again express Council's gratitude to all the dedicated local individuals who give so generously of their valuable time, effort and skills in so many aspects of community life.

Acknowledgments

I would also like to take this opportunity to express Council's thanks and congratulations to the organisation's 900 employees on their hard work over the past four years. None of the achievements mentioned would have been possible without the support of all the dedicated and talented staff efficiently and effectively delivering our diverse range of programs and services.

I would like to acknowledge the significant contribution of Alan Travers, whose vision and hard work during his 10 years as General Manager and 20 years with Council have left a strong legacy since his retirement in July. We were fortunate enough to find a fitting successor in Alan Stoneham, a long time local who has held senior positions at Penrith City Council including Director City Planning and Director City Strategy for more than 12 years.

The talent and dedication of Council's workforce, evident both in senior management and throughout the ranks, is the result of a great deal of investment in attracting and retaining quality staff over many years and stands the City in good stead for years to come.

Special thanks to Corporate Secretary Jenny Anderson, who on her retirement in July had served 15 different mayors over two decades.

I have enjoyed my term on Council very much, especially the honour over the last 12 months of serving as Mayor for the second time as well as Deputy Mayor at the beginning of our term in 2004. This Council has been able to rise above politics and individual opinion, and function as an effective team focussed on making sound decisions for the best interests of Penrith City.

I have appreciated the support of all my fellow Councillors, and I would like to take this opportunity to thank Cr Jackie Greenow for her efforts as Deputy Mayor. Jackie has ably and enthusiastically supported me in both terms as Mayor and I thank her for her time and efforts in representing Council.

Councillors Bradbury, Greenow, Thain and Sheehy have served with distinction as Mayor of Penrith City during this Council's term. To those councillors who will not be standing in the forthcoming elections – Councillors Bradbury, Page, Rumble, Sheehy and Simat- I would like to say farewell and thank you for your contributions to Penrith City and its community.

In particular, Cr Pat Sheehy AM, who has served an impressive five terms on Council since 1987, and Cr David Bradbury, who leaves Council to devote his considerable talent and energy to the City as the Federal Member for Lindsay. David has been an outstanding representative of this community as a Penrith Councillor since 1999, including terms as Mayor in 2000-2001 and in 2004 and I wish him all the very best.

To the Councillors contesting the elections on 13th September, I offer my best wishes - you have been part of a very successful Council and your contributions deserve recognition.

Last, but certainly not least, I would like to thank my wife Robyn for her support and encouragement, not just during my term as Mayor, but over the 13 years I've been on Council.

This Council has worked very hard and successfully over the past four years to ensure the City consolidated its strengths and opportunities and lived up to its role as a regional leader. I am proud of our record, and I am sure the City's future is securely positioned on a positive and prosperous path.

Greg Davies
Mayor

RECOMMENDATION

That the Mayoral Minute on A Retrospective of Penrith City Council 2004 - 2008 be received.

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REPORTS OF COMMITTEES

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**REPORT AND RECOMMENDATIONS OF THE
LOCAL TRAFFIC COMMITTEE MEETING**

HELD ON 4 AUGUST, 2008

PRESENT

Michael Alderton - Road Network Services Engineer (Chairperson), Councillor Karen McKeown – Representative for the Member for Mulgoa, , Sergeant Natasha Crawford – Penrith Police, Constable Nadine Willis – Penrith Police, Senior Constable Mark Elliott – St Marys Police, James Suprain - Roads and Traffic Authority

IN ATTENDANCE

Ron Watson – Westbus, Steven Purvis – Ranger

APOLOGIES

Deputy Mayor - Councillor Jackie Greenow, Councillor Pat Sheehy AM – Representative for the Member for Londonderry, Tim Horan – Representative for the Member for Penrith, David Drozd – Senior Traffic Engineer, Dean Dehghan-Khalaji – Trainee Engineer

CONFIRMATION OF MINUTES - Local Traffic Committee Meeting - 7 July 2008

The minutes of the Local Traffic Committee Meeting of 7 July 2008 were confirmed.

DECLARATIONS OF INTEREST

There were no declarations of interest.

MASTER PROGRAM REPORTS

THE CITY SUPPORTED BY INFRASTRUCTURE

1 Henry Street/Lawson Street, Penrith - Traffic Signal Configuration

RECOMMENDED

That:

1. The information contained in the report on Henry Street/Lawson Street, Penrith - Traffic Signal Configuration be received.
2. The Roads and Traffic Authority be advised of the current accident history at the location and be requested to investigate the provision of a right-turn arrow for both northbound and southbound vehicles on Lawson Street, Penrith at the signalised intersection of Henry Street, together with modifications to signal phasing to accommodate the turn arrows.
3. David Bradbury MP and the resident be advised of Council's resolution.

2 Debrincat Avenue, North St Marys - Proposed Provision of 'BB' Centreline Marking and 'E1' Edge Lines

RECOMMENDED

That:

1. The information contained in the report on Debrincat Avenue, North St Marys - Proposed Provision of 'BB' Centreline Marking and 'E1' Edge Lines be received.
2. New 'BB' centrelines be provided on Debrincat Avenue between Glossop Street and Boronia Road in the gaps, and any faded lines be reinstated. All through lanes must be a minimum 3.0m width.
3. 'YY' markers be provided on the centrelines at maximum 12.0m spacings on Debrincat Avenue, between Glossop Street and Boronia Road.
4. Edge line parking lanes be provided on Debrincat Avenue between Glossop Street and Boronia Road on both the eastbound and westbound carriageways.
5. The project be funded from the 2008/2009 RTA Block Grant for signs and lines.

3 Brisbane Street, Oxley Park - Proposed Provision of 'BB' Centreline Markings and 'E1' Edge Lines

RECOMMENDED

That:

1. The information contained in the report on Brisbane Street, Oxley Park - Proposed Provision of 'BB' Centreline Markings and 'E1' Edge Lines be received.
2. 'BB' centrelines be provided on Brisbane Street between Sydney Street and Melbourne Street. All through lanes must be a minimum 3.5m width.
3. 'YY' markers be provided on the centrelines at maximum 12.0m spacings on Debrincat Avenue, between Sydney Street and Melbourne Street.
4. 'E1' edge line parking lanes be provided on Brisbane Street between Sydney Street and Melbourne Street, on both the eastbound and westbound carriageways.
5. Provision of 'BB' centrelines and parking lanes on Brisbane Street between Glossop Street and Sydney Street not be supported.
6. The project be funded from the 2008/2009 RTA Block Grant for signs and lines.

4 Star Court, Cambridge Gardens - Request for Provision of Parking Restrictions

RECOMMENDED

That:

1. The information contained in the report on Star Court, Cambridge Gardens - Request for Provision of Parking Restrictions be received.
2. Full-time 'No Stopping' restrictions be installed on the eastern side of Star Court, from the McDonalds driveway access to the regulatory 10m distance from an intersection on Richmond Road.
3. The resident and the management at McDonalds be advised of Council's resolution.

5 Eton Road, Cambridge Park - Request for Provision of Traffic Calming Devices

RECOMMENDED

That:

1. The information contained in the report on Eton Road, Cambridge Park - Request for Provision of Traffic Calming Devices be received.
2. The project be entered into Council's Traffic Facility Prioritisation process, and when the project receives priority against other listed sites, Council's Design Co-ordinator be requested to investigate options for traffic calming in Eton Road, Cambridge Park, and a further report be submitted to the Local Traffic Committee for consideration.
3. The residents be advised.

GENERAL BUSINESS

**GB 1 Debrincat Avenue, St Marys – Proposal to Reduce Speed Limit
(Raised RTA)**

The Roads and Traffic Authority (RTA) representative advised that the Authority is proposing to reduce the speed limit on Debrincat Avenue from 60km/h to 50km/h in the week beginning 22 September 2008. The speed limit on Debrincat Avenue is currently 50km/h from Glossop Street to 80m east of Boronia Road, and 60km/h from 80m east of Boronia Road to Aurora Drive. The proposal is to make the entire length of Debrincat Avenue a 50km/h speed limit.

RECOMMENDED

That the Committee note the information.

GB 2 Old Bathurst Road, Emu Heights – Request for Signage (*Raised Penrith Police*)

The Penrith Police representative advised that a request has been received from a resident for signage to be installed near the intersection of Old Bathurst Road and Russell Street, Emu Heights (westbound), indicating that vehicles over 7.5m are prohibited from using Old Bathurst Road west of the intersection.

RECOMMENDED

That Council investigate the matter.

GB 3 High Street & Henry Street, Penrith - Bus Route Proposed Amendment (*Raised Westbus*)

The Westbus representative advised that Westbus is considering a route change from High Street to Henry Street once the configuration of the traffic signals has been completed at the Henry Street/Evan Street intersection. The Committee was asked for any objections to the proposed route change.

RECOMMENDED

That the Committee note the information, and the information be referred to Council's Disability Access Committee.

GB 4 Jamison Road/Woodriff Street, Penrith – Request to Investigate Street Lighting (*Raised Councillor McKeown*)

Councillor McKeown raised a request, on behalf of a resident, for the street lighting at Jamison Road/Woodriff Street, Penrith to be investigated.

Council's Road Network Services Engineer advised that Council's City Works Department has already written to Integral Energy in response to the resident's concerns, requesting that the matter be investigated.

RECOMMENDED

That Councillor McKeown be advised.

GB 5 Great Western Highway/Russell Street, Emu Plains – Request for Accident History (*Raised Councillor McKeown*)

Councillor McKeown raised concerns on behalf of a resident, regarding vehicles running the red lights (eastbound) on the Great Western Highway at Russell Street, Emu Plains.

Councillor McKeown requested that the accident history at this intersection be investigated and the Committee be advised.

RECOMMENDED

That:

1. The accident history at the intersection of Great Western Highway/Russell Street, Emu Plains be investigated and the information be submitted to the Local Traffic Committee if a consistent pattern of accidents exists at the intersection.

2. Councillor McKeown be advised.

There being no further business the Chairperson declared the meeting closed the time being 10:05am.

RECOMMENDATION

That the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 4 August, 2008 be adopted.

**REPORT AND RECOMMENDATIONS OF THE
DISABILITY ACCESS COMMITTEE MEETING**

HELD ON 6 AUGUST, 2008

PRESENT

Councillor Jackie Greenow, Deputy Mayor (Chair); John Farragher; David Currie; Jill Huber; Tricia Hitchen (5.27pm)

IN ATTENDANCE

Joe Ibbitson, Community Programs Co-ordinator; Hans Meijer, Asset Systems Engineer; Vanessa Muscat, Environmental Health and Building Surveyor; Ben Felten, Disability Access Officer; Aimee Lee, Environmental Planner; Erich Weller, Community and Cultural Development Manager; Graham Howe, Building Projects Co-ordinator; Paul Humphreys, Training and Development Co-ordinator; Steve Barratt, Building Regulatory Co-ordinator; Professor Helen Armstrong, University of Western Sydney.

APOLOGIES

An apology was accepted from Tricia Hitchen.

CONFIRMATION OF MINUTES - Disability Access Committee Meeting - 4 June 2008

The minutes of the Disability Access Committee Meeting of 4 June 2008 were confirmed.

BUSINESS ARISING FROM MINUTES OF 4 JUNE 2008

Upgrade Works to Panthers Football Stadium Grandstand

David Currie enquired about the upgrade work to Panthers Football Stadium.

Steve Barratt provided the following information:

Western grandstand:

- 21 accessible spaces provided

Eastern grandstand extension:

- six wheelchair accessible spaces will be provided
- five carer spaces to be provided
- 25 adjacent reserved family spaces
- eight unisex accessible toilets

Northern hill:

- six wheelchair spaces
- six carer spaces

Southern grandstand:

- proposal for the southern grandstand will come before the Committee – additional accessible facilities will be provided in this new purpose-built building.

Drop off point:

- suggestion that drop off point be along the Station Street side of the grandstand
- everyone has to enter grandstand by turnstile gates
- some proposed street drop off points will be available
- area near the drop off point at western grandstand to be expanded
- additional eight car park spaces in Panthers carpark
- potential to provide additional area down near western grandstand and the new southern grandstand
- no carparking associated with eastern grandstand.

Committee discussion included:

- the travel path between the western and eastern grandstands does not meet accessibility standards
- drop off point on the corner near the entry into the eastern grandstand
- people with disabilities don't like to be on display
- situation of someone who needed assistance to get out of the vehicle is best addressed by being able to drive in and exit in the area available to the VIPs. Special arrangement for the small number of people that would apply to so that they can enter via the turnstile from this area.

Steve Barratt agreed that the Development Services Department will follow this issue up with the developers.

Councillor Greenow asked when the southern stand will be built. Steve Barratt replied that it is well into the planning stage.

Tricia Hitchen arrived at 5.27pm.

GB2 Disability Signage outside the Penrith Disability Resource Centre (PDRC)

Hans Meijer recommended that the existing parking restriction signage outside the PDRC office in Henry Street be maintained as it is possible for someone with a disability sticker to legally overstay any park time limit signage by 15 minutes if signage were changed to disabled signage with parking time limits.

GB6 Penrith RTA - Toilet

Steve Barratt advised that changes occurred to the RTA building in 2004 and the application was approved by a private certifier. There is no requirement under the Building Code of Australia for any toilets to be provided in the building. It is not a regulatory matter that could be forced. It was suggested that the Access Committee approach the RTA.

The Committee discussed the following:

- people being nervous when having driving tests
- more senior people having to be tested
- Jamison Park toilets being open through the day
- Penrith RTA is in a remote location.

DAC 26 RESOLVED on the MOTION of David Currie seconded Jill Huber that a letter be written to the RTA advising the Committee has had community representation that toilets be provided in the Penrith RTA building.

DECLARATIONS OF INTEREST

No declarations of interest.

MASTER PROGRAM REPORTS

THE CITY AS A SOCIAL PLACE

4 Out and About in Penrith - Universal Design and Cultural Context

Joe Ibbitson introduced Professor Helen Armstrong from the Centre for Cultural Research at the University of Western Sydney.

Helen Armstrong made a presentation to the Committee on the “Out and About in Penrith – Universal Design and Cultural Context” project.

Erich Weller advised that the Glenmore Park Child and Family Precinct proposal has a significant landscape and playground component which has some universal design elements. This project will go out to tender shortly.

Councillor Greenow thanked Helen Armstrong for her attendance and presentation.

RECOMMENDED that the information contained in the report on Out and About in Penrith - Universal Design and Cultural Context be received.

Professor Armstrong left the meeting.

1 Development Application referral to the Disability Access Committee

DA08/0718 Alterations and Additions to the Colonial Hotel, Werrington

Aimee Lee introduced the development application for the alterations and additions to the Colonial Hotel in Werrington.

Committee discussion included:

- refurbishment will give greater accessibility throughout the hotel
- concern regarding the ramp
- accessible toilets to be provided inside the building
- an outdoor eating courtyard will be opening
- the ramp is on the northern side of the building and is 20m long

- in emergencies people will always go out the way they came into the building.

RECOMMENDED that the information contained in the report on Development Application referral to the Disability Access Committee be received.

Aimee Lee left the meeting.

2 Disability Access Committee - Change of Name

Joe Ibbitson provided background to the proposal to change the name of the Disability Access Committee to the Access Committee. This will enable the Committee to respond to broader issues and strengthen Council's leadership role in promoting Universal Design and social inclusion. The Terms of Reference are also proposed to be changed to reflect this new approach.

Joe Ibbitson advised that he would wait until the minutes are formally adopted by Council before advertising for new community members.

RECOMMENDED that:

1. The information contained in the report on Disability Access Committee - Change of Name be received.
2. The name of the Committee be changed to the Access Committee.
3. The Terms of Reference for the Committee be changed as outlined in this report.

3 2007/2008 Disability Access Improvement Program

Ben Felten provided an overview of the 2007/08 Disability Access Improvement Program which has an annual allocation of \$25,000.

The report includes total expenditure and identifies the projects that have been completed. The Access to Information project which was not able to be completed will be identified in the next Disability Action Plan.

Discussion was held around the amount of funds provided for this program.

Joe Ibbitson advised that the Disability Action Plan Stage 2 is underway and will come before the new Disability Access Committee in December.

RECOMMENDED that:

1. The information contained in the report on 2007/2008 Disability Access Improvement Program be received.
2. A further report be provided to the Committee on the list of proposed projects and activities to be included in the 2008/09 Disability Access Improvement Program.

5 Disability Access Committee 2004-08 - End of Term Highlights

Joe Ibbitson introduced the report which highlighted the achievements of the Disability Access Committee over the past four years.

David Currie recommended that the Committee and staff of Council should be highly congratulated on their achievements.

Councillor Greenow stated that the change of attitude within Council is something that needs to be highlighted. Erich Weller advised that the training component covers off on the change of culture within Council.

Tricia Hitchen thanked Councillor Greenow for her continued support and for attending all the meetings.

Joe Ibbitson reminded the Committee that members will be invited to the Policy Review meeting to be held on 1st September 2008. The evening will commence with dinner at 6.30pm.

Joe Ibbitson advised that David Currie, who has been a valued member of the Disability Access Committee, would not be nominating for the Committee again but has agreed to do a short presentation on 1st September.

Councillor Greenow thanked David Currie.

RECOMMENDED that the information contained in the report on Disability Access Committee 2004-08 - End of Term Highlights be received.

6 Welcoming Customers with a Disability

Ben Felten introduced the report on the “Welcoming Customers with a Disability” booklet which provides information on quality customer service. This booklet will be distributed with all disability and customer service training projects.

Joe Ibbitson handed out copies of the booklet to members of the Disability Access Committee.

The Mayor has requested that this booklet be given to all Council’s controlled entities, e.g. Ripples – St Marys Leisure Centre.

The Committee’s discussion included the following:

- distribution of the booklet to the local Chamber of Commerce – with a presentation to raise their awareness
- the General Manager has agreed to promote the booklet through the internal staff newsletter
- copies of the booklet be provided to the libraries
- possibility of providing the booklet on Council’s website and the intranet.

RECOMMENDED that the information contained in the report on Welcoming Customers with a Disability be received.

LEADERSHIP AND ORGANISATION

7 Disability Awareness Training

Paul Humphreys provided the meeting with an update on disability related training which has been delivered in the last two years. This training included general awareness, technical training and customer service training.

All new staff receive a brief talk from Ben Felten regarding disability awareness as part of the orientation program.

A feedback sheet from one of the customer service training sessions was handed out.

Councillor Greenow asked if any of the entities come to the training. Paul Humphreys advised that representatives of the entities had come to pilot sessions but would certainly be included in any future sessions.

RECOMMENDED that:

1. The information contained in the report on Disability Awareness Training be received.
2. Council officers be thanked for preparing the report.

GENERAL BUSINESS

GB 1 Council Elections – Disability Access at Penrith High School

Tricia Hitchen reported that when she worked at Penrith High School at the last election the gates had been locked which denied access for people with a disability to the school premises. They had to sit in the rain and vote in front of everyone.

Ben Felten advised that he had received a verbal complaint after the last election with concerns regarding access. Council's concerns have been forwarded to the Electoral Commission.

Erich Weller advised that this matter will be raised with Council's Executive Officer.

GB 2 Nepean Disability Social Group

Joe Ibbitson informed the Committee about the Nepean Disability Social Group and handed out the group's most recent newsletter. Erich Weller advised that the group will be moving to PCYC at the end of the year. For further information contact Kevin Finlayson on 0402 670 717.

GB 3 State Government Review of PADP (Program of Appliances for Disabled People)

Tricia Hitchen informed the meeting of the State Government Review of PADP and its

funding and suggested members go onto the website to make a submission.

Councillor Greenow thanked everyone for attending the meeting and also thanked David Currie for the time and work he has put into the Disability Access Committee.

There being no further business the Chairperson declared the meeting closed the time being 7.00pm.

RECOMMENDATION

That the recommendations contained in the Report and Recommendations of the Disability Access Committee meeting held on 6 August, 2008 be adopted.

**REPORT AND RECOMMENDATIONS OF THE
POLICY REVIEW COMMITTEE MEETING**

HELD ON 18 AUGUST, 2008

PRESENT

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

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Pat Sheehy AM for the period 16 August 2008 to 26 August 2008 inclusive.

APOLOGIES

Apologies were received and accepted from Councillor Jackie Greenow and Councillor Steve Simat.

CONFIRMATION OF MINUTES - Policy Review Committee Meeting - 28 July 2008

The minutes of the Policy Review Committee Meeting of 28 July 2008 were confirmed.

DECLARATIONS OF INTEREST

There were no declarations of interest.

MASTER PROGRAM REPORTS

LEADERSHIP AND ORGANISATION

1 2007-2008 Management Plan - June Quarter and End-of-Year Review

Councillor Kevin Crameri OAM left the meeting, the time being 7:37 pm

Councillor Kevin Crameri OAM returned to the meeting, the time being 7:42 pm

RECOMMENDED

That:

1. The information contained in the report on the 2007-2008 Management Plan - June Quarter and End-of-Year Review be received
2. The 2007-2008 Management Plan Review as at 30 June 2008 be adopted
3. The voting of funds and estimates of income for 2007-2008 be amended to reflect the revised estimates, expenditures and revotes as detailed in the Management Plan Review
4. Council revote the works as detailed in the Recommended Revoted Works

Lists for inclusion in the 2008-2009 Management Plan.

THE CITY AS AN ECONOMY

5 2008-09 Business Plans of the Town and Centre Associations

RECOMMENDED

That:

1. The information contained in the report on 2008-09 Business Plans of the Town and Centre Associations be received.
2. Funding for the Penrith City Centre Association and the St Marys Town Centre Association in the amounts of \$286,735 and \$215,109 respectively be endorsed to be paid in four equal instalments at the beginning of each quarter.

6 2008-09 Business Plan of the Penrith Valley Economic Development Corporation

RECOMMENDED

That:

1. The information contained in the report on 2008-09 Business Plan of the Penrith Valley Economic Development Corporation be received
2. Funding in the amount of \$369,732 be endorsed to be paid in two equal six monthly instalments in September 2008 for \$184, 866 and January 2009 for \$184,866.

7 Economic Development Review Steering Committee Report

RECOMMENDED

That:

1. A new Economic Development Entity be created as a Company limited by guarantee, independent of Council and incorporating the roles and functions of the Penrith Valley Economic Development Corporation and Council's Local Economic Development Department
2. The process for creating the new entity be via the way of reconstituting the PVEDC to reflect the new directions, role and structure of the new board
3. The vision, mission, goals and the board structure and its composition as provided in the report be incorporated in the constitution of the new entity
4. The Entity have a board comprising 14 members with nine members representing industry sectors identified in the report; two members representing the broad Penrith community; two elected representatives from Council and one Council officer being the General Manager or his representative.

5. The board members for the new entity be selected by a panel headed by the Mayor and comprising two Councillors and two independent members
6. The board members of the new entity be remunerated through an expense allowance for each sitting to be determined by the Board
7. Annual funding as outlined in the report be provided by Council to the new entity.
8. Funding received by Council via the Planning Agreement between Council and Glenmore Park Stage 2 landowners for job creation programs, be provided to the new entity within a reasonable period after the funds are received by Council
9. A Management Agreement be prepared which clearly articulates Council's job creation programs and economic challenges facing the City, mechanisms for the new entity working in collaboration with Council and the City's business organisations and learning institutions and a set of appropriate key performance indicators that will demonstrate the new entity's performance in job creation in the City.

THE CITY IN ITS BROADER CONTEXT

2 Penrith Local Plan - update on key projects

RECOMMENDED that the information contained in the report on Penrith Local Plan - update on key projects be received.

THE CITY AS A SOCIAL PLACE

3 Delivery of Local Open Space Plan projects

RECOMMENDED

That:

1. The information contained in the report on Delivery of Local Open Space Plan projects be received.
2. Funding for Stage 3 of Victoria Park, \$106,000, be provided from the Penrith Local Open Space Contribution Plan in 2008-09.
3. A further report discussing the capacity and priorities of both the local and district open space plans be made to a Councillor briefing.
4. Council give in principle support for the development of a strategy to dispose of surplus land parcels with a view to the funds realised being used for priority open space projects within the city.

Councillor Ross Fowler OAM left the meeting, the time being 8:26 pm

Councillor Ross Fowler OAM returned to the meeting, the time 8:29 pm

4 Proposed Amendment to Council's Procedure for the Assessment of Requests for the Closure of Pedestrian Laneways

RECOMMENDED

That:

1. The information contained in the report on Proposed Amendment to Council's Procedure for the Assessment of Requests for the Closure of Pedestrian Laneways be received.
2. Pedestrian laneways that are determined suitable for closure be physically closed with the use of appropriate fences and gates.
3. The option of constructing low level side fences along the laneway boundary between the building frontage and property boundary for those laneways determined to remain open be included in the procedure.
4. Following physical closure, the option of legal closure and sale be left open and subject to initiation by adjoining property owners.

THE CITY SUPPORTED BY INFRASTRUCTURE

8 Schoolhouse Creek Pedestrian Bridge

RECOMMENDED that the information contained in the report on Schoolhouse Creek Pedestrian Bridge be received.

LEADERSHIP AND ORGANISATION

9 2008 Meeting Calendar (Oct - Dec) and 2009 Meeting Calendar

RECOMMENDED

That:

1. The information contained in the report on 2008 Meeting Calendar (Oct - Dec) and 2009 Meeting Calendar be received
2. The Draft 2008 Meeting Calendar for October to December be adopted.
3. The Draft Meeting Calendar for 2009 be adopted.

QUESTIONS WITHOUT NOTICE

QWN 1 Saunders Park, St Clair/Colyton Little Athletics

His Worship the Mayor, Councillor Greg Davies requested that an amount of \$3,320.00 be allocated from East Ward voted works to cover the cost of raising the drain and repair of long jump pit at Saunders Park to ensure the safety of the athletes.

RECOMMENDED that the matter be brought forward as a matter of urgency.

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

RECOMMENDED that an amount of \$3,320.00 be allocated from East Ward voted works to cover the cost of raising the drain and repair of long jump pit at Saunders Park to ensure the safety of the athletes.

There being no further business the Chairperson declared the meeting closed the time being 8:40 pm.

RECOMMENDATION

That the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 18 August, 2008 be adopted.

**REPORT AND RECOMMENDATIONS OF THE
LOCAL TRAFFIC COMMITTEE MEETING**

HELD ON 1 SEPTEMBER, 2008

PRESENT

Michael Alderton - Road Network Services Engineer (Chairperson), Councillor Karen McKeown – Representative for the Member for Mulgoa, Councillor Pat Sheehy AM – Representative for the Member for Londonderry, Sergeant Natasha Crawford – Penrith Police, Constable Nadine Willis – Penrith Police, James Suprain - Roads and Traffic Authority, David Drozd – Senior Traffic Engineer

IN ATTENDANCE

Ron Watson – Westbus, Steven Purvis – Ranger

APOLOGIES

Deputy Mayor - Councillor Jackie Greenow, Senior Constable Mark Elliott – St Marys Police

CONFIRMATION OF MINUTES - Local Traffic Committee Meeting - 4 August 2008

The minutes of the Local Traffic Committee Meeting of 4 August 2008 were confirmed.

DECLARATIONS OF INTEREST

There were no declarations of interest.

MASTER PROGRAM REPORTS

THE CITY SUPPORTED BY INFRASTRUCTURE

1 Stafford Street, Penrith - Proposed Provision of 1/2 Hour Timed Parking

RECOMMENDED

That:

1. The information contained in the report on Stafford Street, Penrith - Proposed Provision of 1/2 Hour Timed Parking be received.
2. All shop owners at the Stafford Street shops be consulted regarding the proposal and any substantial objections be referred back to the Local Traffic Committee.
3. Subject to no substantial objections, approximately 70m of timed parking (1/2P) be provided on the southern side of the access road in front of the Stafford Street shops.
4. The shop keeper who raised the concerns be advised of Council's resolution.

2 St Andrews Drive/Laguna Drive, Glenmore Park - Sight Distance Problems

RECOMMENDED

That:

1. The information contained in the report on St Andrews Drive/Laguna Drive, Glenmore Park - Sight Distance Problems be received.
2. Advance intersection warning signs (W2-4A) be installed for both approaches on St Andrews Drive to Laguna Drive, Glenmore Park.
3. 15m of double-barrier lines and YY-markers for both approaches be implemented on St Andrews Drive, Glenmore Park commencing from the central median.
4. 15m of double-barrier lines and YY-markers be implemented on Laguna Drive, Glenmore Park commencing from the central median.
5. The deflection of the intersection at Laguna Drive, Glenmore Park be linemarked for clear delineation.
6. A 'Stop' sign and associated linemarking be provided on Laguna Drive at the intersection of St Andrews Drive, Glenmore Park.
7. Affected residents and those residents that made submissions be advised of Council's resolution.
8. Councillor McKeown be advised accordingly.

3 Parker Street, Kingswood - Provision of a Fixed 'School Zone' Speed Camera

RECOMMENDED

That:

1. The information contained in the report on Parker Street, Kingswood - Provision of a Fixed 'School Zone' Speed Camera be received.
2. The Committee note the information.

4 Lady Jamison Drive, Glenmore Park - Speeding Issues

RECOMMENDED

That:

1. The information contained in the report on Lady Jamison Drive, Glenmore Park - Speeding Issues be received.
2. Affected residents be consulted and any substantial objections be referred back to the Local Traffic Committee
3. Double-barrier linemarking be installed between the roundabout at the

intersection of Lady Jamison Drive and Stein Place to the slow point 100m south, 15m east of the roundabout on Stein Place and 15m of BB lines south of the slow point on Lady Jamison Drive.

4. Advance slow point warning signs (W5-33A) be installed 50m north and south of the slow point and advance roundabout warning signs (W2-7A) be installed 80m north and south of the roundabout located adjacent Budge Lane on Lady Jamison Drive, Glenmore Park.
5. David Bradbury MP and the resident be advised of Council's resolution.

5 Ninth Avenue, Llandilo - Xavier College Walkathon - Friday, 5 September 2008

RECOMMENDED

That:

1. The information contained in the report on Ninth Avenue, Llandilo - Xavier College Walkathon - Friday, 5 September 2008 be received.
2. All emergency service authorities and Westbus be advised by the organiser prior to the event.
3. The organiser ensure that participants obey all Police directions and road rules during the event.
4. The organiser indemnify Council against all claims for damage or injury which may result from conducting the event.
5. A copy of the Public Liability Insurance of \$10 million be forwarded to Council's Risk Management Co-ordinator.
6. The applicant be advised.

GENERAL BUSINESS

GB 1 Ulysses Grand Parade – Saturday, 21 March 2009 (*Raised Council*)

The Local Traffic Committee (LTC), at its meeting on 8 October 2007, considered a report on Ulysses Grand Parade in Penrith. The report provided information on the event which is expected to consist of 2,000 to 4,000 motorcycles. Council, at its Ordinary Meeting on 15 October 2007, resolved on the recommendation of the Committee "*that the Committee note the information*".

The event is a Class 1 Event under the Roads and Traffic Authority's "*Guide to Traffic and Transport Management for Special Events*". In accordance with the guidelines, the Ulysses 2009 AGM co-ordinator has submitted a Traffic Management Plan (TMP) and Traffic Control Plan (TCP) to Council for information.

The parade route remains unchanged from that reported to the LTC in October 2007, which traverses the following path.

- Commence marshalling at Jamison park from 6:00am Saturday 21 March 2009
- Parade commences at 8:00am, exiting Jamison Park onto Jamison Road eastbound in the westbound lane from York Road to Racecourse Road
- Jamison Road eastbound lane from Racecourse Road to Evan Street
- Evan Street northbound from Jamison Road to High Street
- High Street westbound from Evan Street to Station Street
- Station Street southbound into Penrith Showground entrance.

The TMP and TCP propose signage, barricades, witches hats and site marshals with stop/slow batters throughout the parade route to control the parade and other traffic. It is envisaged that the parade will be completed at 10:30am, with the last motorcycles entering the showground for the closing ceremony which commences at 11:00am.

Following the closing ceremony, it is proposed to close Ransley Street between Station Street and Mulgoa Road to allow a free flowing exit from the showground back to Mulgoa Road or Panthers for participants.

RECOMMENDED

That:

1. The TMP and TCP submitted by Road and Rail Data dated 19 August 2008, detailing the 2009 Ulysses Grand Parade be endorsed by the Committee.
2. Approval be given for the temporary closure of Jamison Road between York Road and Evan Street, Evan Street between Jamison Road and High Street, High Street between Evan Street and Station Street, and Station Street between High Street and Penrith Showground entrance from 6:00am to 10:30am, and Ransley Street between Station Street and Mulgoa Road from 11:30am to 12:30pm on Sunday, 16 November 2008, for the Ulysses Grand Parade, in accordance with the TMP and TCP, be approved subject to the following conditions:
 - (a) the organisers be advised that this is a Class 1 Event under the Roads and Traffic Authority's "*Guide to Traffic and Transport Management for Special Events*", and that all conditions and requirements specified in the Guidelines must be complied with prior to the event
 - (b) advertisements be placed in the local press and on radio for two weeks prior to the event, noting the road closures, and a copy of this advertisement be submitted to Council for information; together with providing variable message signs (VMS) in appropriate locations a minimum of one week prior to the event, with the locations of the VMS boards submitted to Council for endorsement prior to their installation
 - (c) the parade organiser carry out letterbox drops to all residents and businesses effected by the parade route prior to the event, advising of the closures and how to access their properties during this time

- (d) the organiser/applicant to co-ordinate with Council's Traffic Special Events Co-ordinator (Gary Lawson on telephone 4732-7562) regarding barriers and detour signs required for the event and to advise points of delivery for these facilities
- (e) the organisers to ensure participants obey road rules and Police directions during the event
- (f) the organisers to obtain separate Police approval
- (g) the organisers to indemnify Council in writing prior to the event against all claims for damage and injury which may result from the proposed event
- (h) the organisers to submit to Council a copy of Public Liability Insurance of \$10 million, as required
- (i) the organisers to provide documentary evidence to Council prior to the event that the event fully complies with the NSW Occupational Health & Safety Act 2000 and the NSW Occupational Health & Safety Regulations 2001
- (j) suitably accredited traffic controllers/marshals to be used at all traffic control points;

3. The organiser/applicant be advised.

GB 2 Station Street, Penrith – Request to Relocate Australia Post Street Posting Box (*Raised Council*)

Council has received a request from Australia Post for approval to relocate an existing Street Posting Box (SPB) from its current location in Station Street, opposite the Red Cow Hotel. The request follows the reconstruction of the footpath at this location and the implementation of a left-turn slip lane from Belmore Street, posing an OH&S issue for Australia Post staff. Approval is requested to relocate the SPB 40m south on Station Street, adjacent the existing kerb inlet pit.

RECOMMENDED

That the Street Posting Box and associated 'No Stopping – Australia Post Vehicles Excepted' signage be relocated approximately 40m south on Station Street, Penrith.

GB 3 York Road, South Penrith – Request for Provision of Pedestrian Crossing Facility (*Raised Council*)

Council has received a request from David Bradbury MP, Member for Lindsay, for the provision of a pedestrian crossing facility on York Road, South Penrith, in the vicinity of the skate park south of Abel Street.

The Local Traffic Committee (LTC), at its meeting on 4 September 2006, previously considered a report on the provision of a pedestrian crossing on York Road, South Penrith. Council, at its Ordinary Meeting on 18 September 2006, resolved on the recommendation of the Committee that:

- "1. *The information contained in the report on York Road, South Penrith- Request for*

- provision of pedestrian crossing facility be received*
2. *The provision of a marked pedestrian crossing in York Road between Able Street and Batt Street, Penrith not be supported.*
3. *Further investigations be carried out into the feasibility of providing a pedestrian refuge island in York Road between Able Street and Batt Street, Penrith.*
4. *The Police be requested to carry out monitoring/enforcement of vehicle speeds in York Road, Penrith.”*

Since this time, Council has built an approved Black Spot facility at York Road and Abel Street to address vehicular conflicts that were occurring at this location.

York Road, between Jamison Road and Batt Street, is a local road providing access to industrial establishments, Jamison Park and residential properties in the South Penrith area. The section of York Road in question has a road width of 12.8m between kerbs, with double barrier linemarking. Parking along this section of York Road is unrestricted and a pedestrian refuge island currently exists in York Road near Preston Street.

Previously, a pedestrian/vehicle survey was conducted during three separate one-hour intervals throughout the day in accordance with Roads and Traffic Authority (RTA) guidelines. The pedestrian/vehicle survey indicated that 13 pedestrians crossed York Road in the morning, 14 pedestrians during midday and 20 in the afternoon. As the measured pedestrian flow per hour did not comply with the warrants for a marked pedestrian crossing, the provision of a marked crossing was not supported at the time.

A check of the accident history over the six-year period from July 2002 to June 2007 revealed that there was one reported accident involving a pedestrian crossing York Road on 12 June 2002 at 5:00pm. Representations made to Councillor Bradbury's office indicate that a further pedestrian accident has occurred in the vicinity of the skate park as recently as July this year.

In order to accommodate pedestrian movements in this locality and thereby improve general pedestrian safety, it is recommended that a suitably designed pedestrian refuge be installed at this location. The loss of some 12 on-street car parking spaces is expected as a result of the installation.

RECOMMENDED

That:

1. The project be entered into Council's Traffic Facility Prioritisation process, and when the project receives priority against other listed sites, Council's Design Co-ordinator be requested to investigate options for positioning a pedestrian refuge in York Road, South Penrith, with a further report to be submitted to the Local Traffic Committee for consideration.
2. David Bradbury MP, Member for Lindsay be advised.

GB 4 Jamison Park, Penrith – Heavy Vehicle Parking (*Raised Councillor McKeown*)

Councillor McKeown raised concerns on behalf of a resident regarding heavy vehicles being

parked in Jamison Park for long periods and overnight.

RECOMMENDED

That Council's Co-ordinator Ranger Services be requested to investigate this matter and advise Councillor McKeown of the outcome.

GB 5 River Road, Emu Plains – Speeding Vehicles (*Raised Councillor McKeown*)

Councillor McKeown raised concerns on behalf of residents, regarding vehicles speeding in River Road, Emu Plains, and requested that a speed classification survey be carried out. Council's Senior Traffic Engineer advised that investigations had commenced regarding a further submission from residents.

RECOMMENDED

That:

1. A speed classification be carried out on River Road, Emu Plains and a further report be submitted to the Local Traffic Committee if required.
2. Councillor McKeown be advised of the 85th percentile speed on River Road, Emu Plains.

GB 6 The Lakes Drive, Glenmore Park – Speeding Vehicles (*Raised Councillor McKeown*)

Councillor McKeown raised concerns on behalf of residents regarding vehicles speeding in The Lakes Drive, Glenmore Park. Residents are concerned about vehicles increasing speed as they round a sweeping curve when travelling off Surveyors Creek Road on the left slip lane onto The Lakes Drive, towards the school.

RECOMMENDED

That:

1. A speed classification be carried out on The Lakes Drive, Glenmore Park and a further report be submitted to the Local Traffic Committee if required.
2. Councillor McKeown be advised of the 85th percentile speed on The Lakes Drive, Glenmore Park.

GB 7 NRMA Forum (*Raised Penrith Police*)

The Penrith Police representative raised advice received in a letter from the NRMA following the recent Penrith Local Motorists' Forum, regarding various issues in the Penrith LGA. Council's Road Network Services Engineer advised that Council had received advice of the outcomes of the Forum.

RECOMMENDED

That the Committee note the NRMA's advice.

GB 8 Allen Place Carpark – Garbage Bins on Footpath (*Raised Council*)

Council's Ranger raised concerns about garbage bins on the footpath at the rear of shops in the Allen Place Carpark, causing pedestrians to walk on the road.

RECOMMENDED

That Council's Compliance Officers be requested to investigate this matter and take appropriate action to have the bins relocated to inside the stop storerooms or bin rooms.

GB 9 Carinya Street/Crana Street, St Marys – Traffic Safety (*Raised Council*)

Council's Ranger raised concerns about traffic safety at Carinya Street/Crana Street, St Marys, where drivers either don't give way to other vehicles or are travelling the wrong way along a one-way street.

RECOMMENDED

That the matter be investigated.

GB 10 Doonmore Street/Fulton Street, Penrith – Request for Provision of 'No Stopping' Restrictions (*Raised Council*)

Council's Ranger requested the placement of 'No Stopping' restrictions to enable easier enforcement outside Penrith Public School. One of Council's Ranger Services officers was recently assaulted at this location when trying to enforce the mandatory 10m of 'No Stopping' around intersections in accordance with the Australian Road Rules.

RECOMMENDED

That 'No Stopping' restrictions be installed at the intersection of Doonmore Street and Fulton Street, Penrith, to comply with the mandatory 10m of 'No Stopping' around intersections in accordance with the Australian Road Rules.

GB 11 Russell Street, Emu Plains – Traffic Safety (*Raised Councillor McKeown*)

Councillor McKeown raised concerns about a vehicle being parked on Russell Street, Emu Plains, between Great Western Highway and Forbes Street, causing two separate rear-end collisions last Saturday morning. One collision involved four to five vehicles.

RECOMMENDED

That the Roads and Traffic Authority be advised of the details of the accident and be requested to consider the provision of parking restrictions at this location.

There being no further business the Chairperson declared the meeting closed, the time being

10:25am.

RECOMMENDATION

That the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 1 September, 2008 be adopted.

**REPORT AND RECOMMENDATIONS OF THE
POLICY REVIEW COMMITTEE MEETING**

HELD ON 1 SEPTEMBER, 2008

PRESENT

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

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor David Bradbury for the 1 September 2008.

APOLOGIES

Apologies were received from Councillor Mark Davies and Councillor Steve Simat.

CONFIRMATION OF MINUTES - Policy Review Committee Meeting - 18 August 2008

The minutes of the Policy Review Committee Meeting of 18 August 2008 were confirmed.

DECLARATIONS OF INTEREST

There were no declarations of interest.

MASTER PROGRAM REPORTS

THE CITY AS A SOCIAL PLACE

2 Disability Access Committee 2004-08 Achievement Highlights

RECOMMENDED

That:

1. The information contained in the report on Disability Access Committee 2004-08 Achievement Highlights be received.
2. The Committee members be thanked for their participation on and contribution to Council's Disability Access Committee during the 2004-08 period.
3. Certificates of Appreciation be presented to the community members of the Disability Access Committee for the period 2006-08.

Councillor Jackie Greenow left the meeting, the time being 7:51pm

THE CITY IN ITS BROADER CONTEXT

1 Outcomes of the Universal Design and Cultural Context Project

Councillor Jackie Greenow returned to the meeting, the time being 7:54pm

RECOMMENDED

That:

1. The information contained in the report on Outcomes of the Universal Design and Cultural Context Project be received.
2. A further report be presented to a future meeting of the Policy Review Committee detailing the outcome of investigations into which of the project's recommendations can be implemented.
3. Opportunities for greater community "ownership" of parks and reserves be further investigated.
4. The participants involved in the project be thanked for their efforts.

3 Aboriginal Job Compact

RECOMMENDED

That:

1. The information contained in the report on Aboriginal Job Compact be received.
2. Council endorse the signing of an Aboriginal Job Compact Agreement with the Department of Aboriginal Affairs and progress implementation as outlined in this report.

LEADERSHIP AND ORGANISATION

4 Online Community Consultation

RECOMMENDED

That the information contained in the report on Online Community Consultation be received.

5 Independent Pricing and Regulatory Tribunal review of Revenue Framework for Local Government

RECOMMENDED

That the information contained in the report on Independent Pricing and Regulatory Tribunal review of Revenue Framework for Local Government be received

There being no further business the Chairperson declared the meeting closed the time being 8:43pm.

RECOMMENDATION

That the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 1 September, 2008 be adopted.

MASTER PROGRAM REPORTS

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THE CITY IN ITS BROADER CONTEXT

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1	Penrith City Centre Development Control Plan 2007	1



The City in its Broader Context

1 Penrith City Centre Development Control Plan 2007

Compiled by: Abdul Cheema, Senior Environmental Planner

Authorised by: Ruth Goldsmith, Local Planning Manager

Strategic Program Term Achievement: *Penrith City Centre provides a comprehensive range of economic and human and lifestyle services to Outer Western Sydney and Central Western New South Wales.*

Critical Action: *Develop and implement contemporary planning controls to support the delivery of the Penrith City Centre Strategy.*

Purpose:

To seek Council's endorsement to exhibit a minor amendment to the adopted Penrith City Centre Development Control Plan (DCP) 2007. The proposed amendment clarifies current references, in the DCP, to the Penrith City Centre Local Environmental Plan 2008. The report recommends that Council endorse the exhibition of the draft amendment to Penrith City Centre Development Control Plan.

Background

The Regional Cities Taskforce, together with Council staff, prepared a suite of four planning documents – a Vision, Local Environmental Plan (LEP), Development Control Plan (DCP) and Civic Improvements Plan (CIP) for the Penrith City Centre.

At its Ordinary Meeting of 15 October 2007, following public exhibition of the draft plans, Council endorsed the draft LEP and draft CIP and recommended that they be forwarded to the Minister to be made, and adopted the Vision and draft DCP.

The Penrith City Centre DCP 2007 was to take effect from the date that the Penrith City Centre LEP was gazetted. Unfortunately, the process of gazetting the LEP was delayed until early 2008. The name of the draft LEP was subsequently changed by the Department of Planning from 'Penrith City Centre Local Environmental Plan 2007' to 'Penrith City Centre Local Environmental Plan 2008', to reflect the year of gazettal.

This late name change has implications for the Penrith City Centre DCP, as adopted by Council in October 2007. The DCP refers to Penrith City Centre LEP 2007 rather than Penrith City Centre LEP 2008 throughout the document. This could adversely impact on the legislative connections between the LEP and DCP.

It is therefore recommended that the adopted Penrith City Centre DCP 2007 be amended to change all references to the LEP in the document to 'Penrith City Centre Local Environmental Plan 2008'. This is intended as a minor procedural amendment, and no other changes to the adopted DCP are proposed.

RECOMMENDATION

That:

1. The information contained in the report on Penrith City Centre Development Control Plan 2007 be received.
2. Council endorse the public exhibition of a minor procedural amendment to Penrith City Centre Development Control Plan 2007 (to clarify reference to 'Penrith City Centre LEP 2008'), in accordance with the relevant provisions of the Environmental Planning and Assessment Act, 1979 and associated Regulations, as outlined in this report.
3. A further report be presented to Council following the exhibition.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

THE CITY AS A SOCIAL PLACE

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4	Development Application No. 08/0576 - Proposed Four Storey Commercial Building at Lot 1 DP 567138 & Lot D DP153855 (No. 600 - 608) High Street, Penrith. Applicant: Nor'side Investments Pty Ltd; Owner: Nor'side Investments Pty Ltd DA08/0576	9



The City as a Social Place

2 Research Partnerships Program - University of Western Sydney

Compiled by: Janet Keegan, Children's Services Manager - Operations

Authorised by: Steve Hackett, Director - City Services

Strategic Program Term Achievement: *Services are provided to meet the diverse needs of families and to support the development of children.*

Critical Action: *Facilitate the delivery of children's services with a range of stakeholders to meet the current and emerging needs of families.*

Purpose:

To inform Council of the successful outcome of an application for a Research Partnership Program opportunity with the University of Western Sydney (UWS). The report recommends that Council endorse acceptance of the grant.

Background

At the Ordinary Meeting of 5 May 2008, Council was advised of an opportunity for a partnership with the University of Western Sydney (UWS) in a Research Program. The context of this is that the University of Western Sydney offers research grant opportunities with industry, commerce, education and other independent partners on projects that benefit the Australian community. Council's Children's Services Department, in collaboration with the University's School of Education, developed an application for a research grant for a study investigating curriculum development and staff retention issues in early childhood centres.

The research study will investigate challenges in early childhood settings relating to curriculum development and staff retention. The study aims to investigate a challenge identified within Council's children's services, but evident elsewhere, related to quality early childhood service provision in long day care centres and pre-schools. Anticipated outcomes of the study include a deep understanding of parent, child, practitioner and management perceptions of what constitutes, enables and inhibits quality in early childhood provision. The study findings will have significance for Council and will carry a high potential for replication and extension across Western Sydney, nationally and internationally. The project aims to improve quality service provision for all children and families in Penrith. The project also includes a strategy to gather the perceptions of children, whose views are rarely sought. The project's innovative edge also includes the deployment of a new technology for focus group knowledge building and data collection, and the outcome will be a new evaluation instrument that uses contemporary theory as its foundation.

The Application

The total value of the project is \$32,797. UWS grants of this nature require the indication of an 'in kind' and/or dollar for dollar contribution by external partners. For this application, a contribution of \$15,970 (\$14,519 from Grant Reserve, GST \$1,451.90) is required from Council.

Summary

This research project has the potential to influence quality children's service provision across the City and strongly aligns with Council's mission which is to implement its strategy and program through skilled and responsive management, by valuing its staff, partnerships and community involvement, by providing quality customer service and upholding ethical standards and behaviour. This research project is strongly supported by the Penrith City Children's Services Co-operative.

RECOMMENDATION

That:

1. The information contained in the report on Research Partnerships Program - University of Western Sydney be received.
2. Council endorse acceptance of the research grant.
3. Council and the Penrith City Children's Services Co-operative be advised of the findings of the research.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

The City as a Social Place

3 Sydney North West Inclusion Support Agency

Compiled by: Janet Keegan, Children's Services Manager - Operations

Authorised by: Steve Hackett, Director - City Services

Strategic Program Term Achievement: *Services are provided to meet the diverse needs of families and to support the development of children.*

Critical Action: *Facilitate the delivery of children's services with a range of stakeholders to meet the current and emerging needs of families.*

Purpose:

To inform Council of a Federal Government offer of a new three and a half year funding agreement for all current Inclusion Support Agencies (ISAs). The report recommends that Council's interest in a new funding agreement be conveyed to the Department of Education, Employment and Workplace Relations (DEEWR).

Background

In 2006, Council signed a funding agreement with the Federal Government for the Sydney North West Inclusion Support Agency. This Commonwealth initiative is provided to improve the access and inclusion to children's services of:

- Children from culturally and linguistically diverse backgrounds;
- Aboriginal and Torres Strait Islander children;
- Australian South Sea Islander children;
- Children with high ongoing support needs, including a disability.

The North West region encompasses the Penrith, Blue Mountains and Hawkesbury LGAs.

Current Situation

The current funding agreement between Council and the Federal Department of Education, Employment and Workplace Relations (DEEWR) for the ISA ends in December 2008. The Department is in the process of developing new funding agreements for the period 2009 to 2012 for all current ISAs. Through consultations undertaken across the region, it is not expected that the new funding agreement will deviate significantly from the present one. One change will be that the next ISA funding agreement will be for three and a half years with an activity start date of 1 January 2009 and an end date of 30 June 2012.

To enable the Government to proceed with the development of the new funding agreement, Council's interest in continuing as an ISA is now sought. The indicative annual funding amount provided of \$415,683.33 is based on the 2006-2008 allocation for this region and includes indexation. The ISA is wholly externally funded with no financial contribution required of Council.

Summary

The current funding agreement between Council and the Federal Government has had positive outcomes and has improved access and inclusion to children's services for children in the target groups. The infrastructure is in place to support a new funding agreement for the period 2009 to 2012 and to deliver the outcomes required.

RECOMMENDATION

That:

1. The information contained in the report on Sydney North West Inclusion Support Agency be received.
2. Council's interest in a new funding agreement be conveyed to the Department of Education, Employment and Workplace Relations.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

The City as a Social Place

- 4 **Development Application No. 08/0576 - Proposed Four Storey Commercial Building at Lot 1 DP 567138 & Lot D DP153855 (No. 600 - 608) High Street, Penrith Applicant: Nor'side Investments Pty Ltd; Owner: Nor'side Investments Pty Ltd**

Compiled by: **Warwick Stimson, Development Assessment Co-ordinator - South**

Authorised by: **Paul Lemm, Development Services Manager**

<p>Strategic Program Term Achievement: <i>Redevelopment of existing areas contributes to safe, sustainable, affordable and satisfying living environments and cohesive communities.</i></p> <p>Critical Action: <i>Formulate and implement social and cultural strategies for redeveloping established areas that support cohesive communities.</i></p>

Purpose:

To advise Council of a major development application for the CBD and seek delegation to determine the matter given the transitional arrangements between the existing and future Council, the fact that its determination is imminent, and the economic benefit to the City for an application such as this type to be determined expeditiously. The report recommends that the General Manager exercise his delegated authority to determine the development application after consultation with the Mayor or the Deputy Mayor.

Executive Summary

A development application has been submitted seeking approval for the construction of a four (4) storey commercial building with basement car parking and a roof terrace on Nos.606 - 608 High Street Penrith.

The proposal is predominately over No.606 (Lot 1 DP567138) however it relies upon a minor boundary adjustment between Nos. 606 and 608. Consequently the application will necessitate the demolition of existing buildings on both properties.

The proposed development includes the subdivision of the two properties to enable a boundary adjustment to reflect the configuration of the proposed building.

Under the relevant planning instrument, Penrith City Centre Local Environmental Plan 2008 (City Centre LEP 2008), the proposal is defined as a *business premises* and *office premises*.

The subject site is zoned B4 (Mixed Use) under the City Centre LEP 2008 and the proposal is a permissible land use with Council consent.

It is considered important to report the matter to this meeting of Council because of the transitional arrangements between the existing and future Council, the fact that its determination is imminent, and the economic benefit to the City for an application such as this type to be determined expeditiously.

The Proposed Development

The proposed building comprises the following:

- Basement level car parking with 64 car spaces (48 spaces identified in a “stacked” parking arrangement i.e. 24spaces), including 1 disabled access space, accessed via a ramp from Union Lane
- Ground level – 860m² commercial floor space, driveway and short-term parking for 9 visitor spaces including 1 disabled access space
- First floor – 1,220m² commercial floor space
- Second floor – 1,275m² commercial floor space
- Third floor – 1,275 m² commercial floor space
- Roof level – outdoor terrace and air-conditioning plant room

The main building entry is located on the High Street frontage. All levels are accessed by a single lift and each level contains a building core area that includes male and female toilet facilities, disabled facilities, and small kitchen. Three (3) fire exit stairs are located on each level.

A locality and site plan are appended to this report. Colour perspectives and larger scale site plan will be enclosed separately for Councillors.

Merits of the Proposal

The development is being assessed in accordance with the matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979, and having regard to those matters the following key issues have been identified.

Permissibility

The proposed development is a permissible use in the B4 Mixed Use (Business Zone) with Council consent. It is considered that the aims and objectives of the *Penrith City Centre Local Environmental Plan 2008* have been satisfied.

Design Considerations

The application was referred to Council’s Architect who indicated general support for the development. Minor issues raised have either resulted in the applicant revising their plans, or do not warrant refusal of the application and can be addressed through conditions of consent.

Car Parking

The car parking requirements for the proposal have been assessed by Council’s Traffic Engineer. It is considered that through the approval of a Management Plan, and levying the proposal in accordance with Council’s Section 94 plan, compliance will be achieved.

Sustainability

Matters relating to sustainability are continuing to be negotiated with the applicant. Additional reports demonstrating compliance with the sustainability requirements of the LEP and DCP can be requested as conditions of consent and submitted prior to the issuing of any Construction Certificate.

Consultation

The application has been referred to a number of internal and external stakeholders. Comments received have either been incorporated into amended plans, or can form the basis of conditions of consent.

The application has been assessed by an independent planning consultant who is of the view that the proposed development will not have a significant negative impact on the locality. Furthermore, the proposed development is considered appropriate for the site, given the zoning and development controls that apply to the site through the recently gazetted City Centres LEP. The independent planning consultant has formed the view that the application can be approved subject to conditions.

Legal & Governance Manager's Comment

The General Manager has a wide range of delegations to determine matters such as this. The General Manager has sub-delegations to other officers in the organisation. It is proposed that these delegations be used to determine this matter. Council's past practice during Christmas recess is set out in report Item 11 in tonight's business paper. It is proposed to deal with this matter following the processes set out in that report.

Conclusion

An independent planning consultant has been retained by Council to assess the development application and has formed a preliminary view that the application can be approved subject to conditions. The consultant is of the opinion that the issues discussed above can be finalised either prior to determining the application, or by way of conditions of consent.

It is considered important to report the matter to this meeting of Council because of the transitional arrangements between the existing and future Councils, the fact that its determination is imminent, and the economic benefit to the City for an application such as this type to be determined expeditiously. Accordingly, delegated authority is sought from the Council to determine this application during that period.

RECOMMENDATION

That:

1. The information contained in the report on Development Application No. DA08/0576 - Proposed Four Storey Commercial Building at Lot 1 DP 567138 & Lot D DP153855 (No. 600 - 608) High Street, Penrith be received.
2. The General Manager exercise his delegated authority to determine the development application after consultation with the Mayor or the Deputy Mayor.

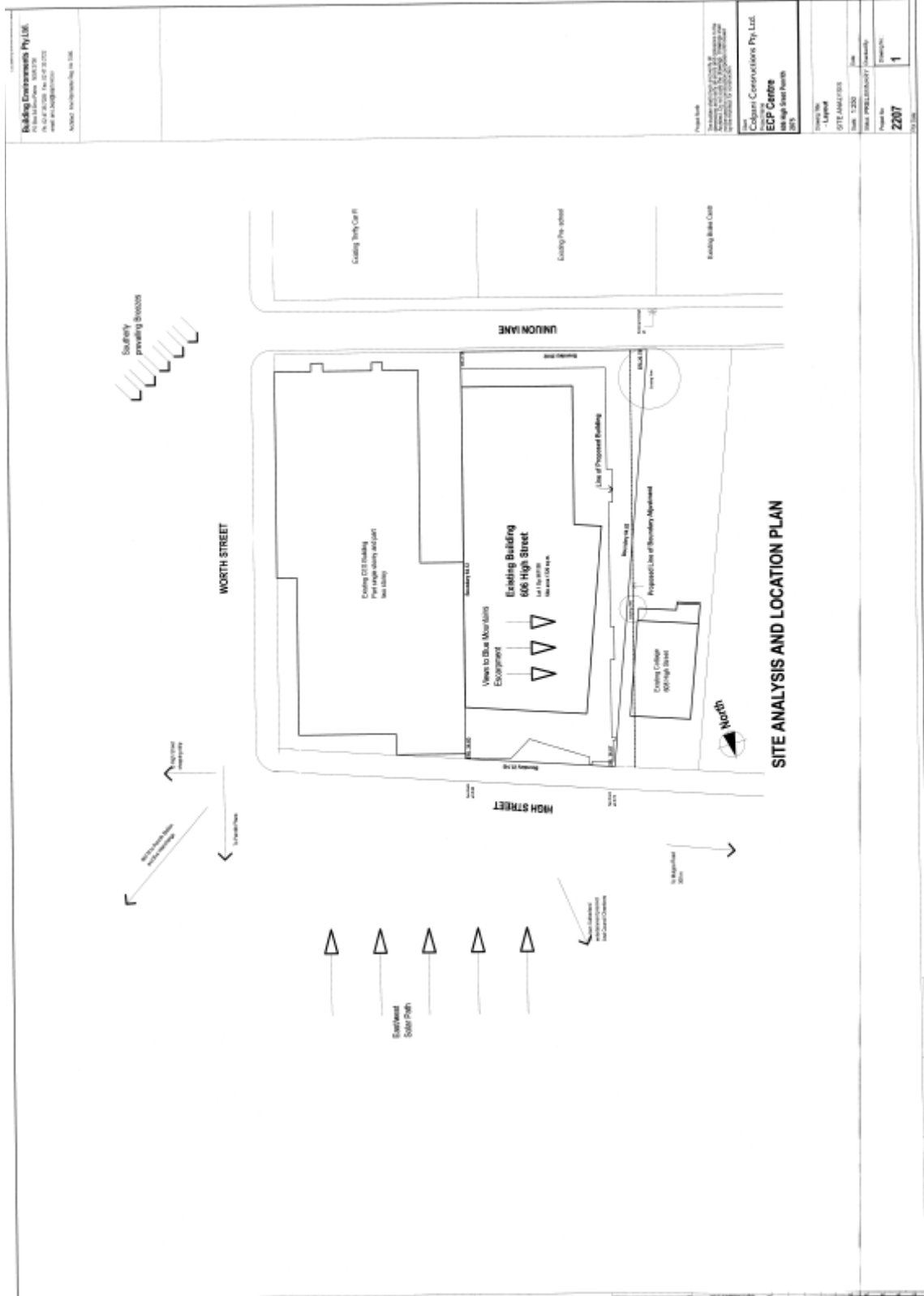
ATTACHMENTS/APPENDICES

1. Locality Plan 1 Page Appendix
2. Site Plan 1 Page Appendix



Norman R. Daley
3rd September 2008

DA 08/0576
Four Storey Commercial
Development



THE CITY IN ITS ENVIRONMENT

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The City in its Environment

5 Kitchen Organics Tidy Bins 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

Purpose:

To provide Council with an assessment of the tenders submitted for the supply and distribution of kitchen organics tidy bins to single and dual occupancy households within urban areas of the city to complement the introduction of the organics collection service. The report will recommend the preferred tender.

Background

Council has adopted a Domestic Waste Strategy that is aimed to achieve the objectives of developing systems and practices that will achieve high levels of resource recovery, reducing technology risk, deriving benefit from market competition, providing convenient systems and maintaining high levels of public health and safety.

To meet these objectives, a four staged process of improvement to our existing services was agreed to, ie:

- Introduce a co-mingled recycling service;
- Utilise, when available, Alternative Waste Treatment facilities that will process residual waste and then progress to a long term contract for the processing of residual waste through Alternative Waste Treatment facilities; and
- Introduce a service for the collection and processing of organics – food and garden waste.

The co-mingled recycling service was introduced in mid 2007 and recycling levels in 2007-2008 increased to 22% of total domestic waste (previously at 19-20%).

In regard to the second phase of the strategy, Penrith Council's domestic waste has been processed through the WSN's UR3R facility at Eastern Creek (at no additional cost to Council), further reducing total waste to landfill. Longer term contracts for the processing of residual waste through alternative waste treatment facilities are being negotiated with WSN Environmental Services.

At Council's Ordinary Meeting of 5 March 2007, Council considered reports on the Domestic Waste Contract Tenders, including the Organics Collection Service and the Processing and Treatment of Organics Service.

In respect to the organics collection and treatment services, Council adopted the recommendation that SITA Environmental Solutions (SITA) be appointed as the preferred tenderer for such services. Contracts with SITA have been signed in accordance with Council's resolution and it is anticipated that this service will commence in July 2009 on completion of the organics composting facility at Kemps Creek.

This service will be provided to all single and dual occupancy households within urban areas of the city.

At the Domestic Waste Working Party Briefing of 14 May 2008, it was recognised that residents who will be provided with an organics collection service will need to be provided with a kitchen organics tidy bin to assist and encourage the use of this service. The tidy bin is seen as a convenient method for the interim storage of kitchen organics prior to placement in the 240 litre organics bin for collection and composting.

Ideally, these bins will need to be delivered to households with the new 140 litre residual bin and bin lid changeover program.

Calling for Tenders

Tenders for the supply and distribution of kitchen organics tidy bins were advertised in the Sydney Morning Herald and local newspapers on 24 June 2008, closing on 15 July 2008.

The tender provided the following options:

- (a) Supply and distribution of the initial stock of 51,000 kitchen organics tidy bins and the ongoing supply and distribution of the bins; or
- (b) Supply only of the initial stock of 51,000 kitchen organics tidy bins and ongoing supply of bins; or
- (c) Distribution only of the initial supply of the kitchen organics tidy bins and distribution of the ongoing supply of the bins.

The timing of the initial bulk supply and distribution of 51,000 bins is required to coincide with the supply and distribution of the 140 litre residual bins and bin lid changeover program for the organics service, expected to be in June/July 2009.

The ongoing supply and distribution of the kitchen organics tidy bins will be for a 12 month period after the initial bulk supply. Ongoing supply and distribution after the first 12 months will be reviewed and negotiated between the parties at the appropriate time.

Tenderers were required to submit a conforming tender, however they were also advised that Council would consider a non-conforming tender provided a conforming tender was also submitted.

Tenders Received

Below are details of the tenders received:

- Source Separation Systems Pty Ltd
Level 1, 19 Darby Street, Newcastle, NSW
- Nylex Materials Handling
80 Hartnett Drive, Seaford, VIC

Nylex Materials Handling provided a tender for both options (a) and (b) above, whilst Source Separation Systems submitted a tender for option (b) only and no tenders were submitted for option (c) – the distribution only of both the initial and ongoing supply of kitchen organics tidy bins.

A Tender Evaluation Team was developed to consider and evaluate the tenders, and to ensure high probity levels were maintained throughout the process. The team comprised the Waste Management Coordinator, the Waste Education Officer and the Senior Governance Officer.

The evaluation process comprised:

- Checking tenders for conformity with the contract documents;
- Evaluation of each tender against the evaluation criteria;
- Interviews with each tenderer;
- Further review of each tender based on verbal presentations from interviews and the formal tender submitted, against the evaluation criteria;
- Referee checks;
- Preparation of this report, recommending proposed outcomes.

The evaluation criteria for each of the tenders are as follows:

- Specification compliance and quality of goods;
- Rates and unit prices for the goods and services specified;
- Previous performance and distribution experience;
- Delivery response times;
- Ability to provide an ongoing supply of the goods;
- Quality assurance;
- Occupational health and safety compliance.

Tender Evaluation

Specification compliance and quality of goods

Source Separation Systems

Source Separation Systems' bin has a capacity of 7.5 litres and is manufactured from a minimum of 25% post-consumer and post-industrial plastic waste. The bins are manufactured using high-density Polyethylene. The bin also has the following specification characteristics:

- A 360⁰ double rim snap latch lid to provide effective sealing to minimise odours and keep out vermin;
- The container is designed with a large oval opening. The lid rotates through 260⁰, for complete opening to allow for easy scraping of food scraps from chopping boards and dinner plates;
- Large, durable carrying handle attached to the upper rim sides for additional strength;
- The bin has smooth internal and external surfaces, and corners and crevices of the bin are rounded to allow for thorough cleaning and to eliminate food build-up;
- The bin has an average wall thickness of 3mm to provide a durable and robust product suitable for use within households;
- The bin size is approximately 20cm high x 30cm long x 20cm wide and is suitable for placement on the kitchen bench or under the kitchen sink and can be placed in the dishwasher for cleaning if necessary.

The bin specified by Source Separation Systems (Norseman Plastics) has been designed specifically for use in households for the storage of kitchen food waste, which forms part of an integrated organics collection system for households in local government regions of Canada and has a five year warranty. Samples of this bin were provided by the tenderer and have been found to be easy to use, durable and easy to clean.

Nylex

Nylex has provided five bin options, one of which (option 5) is still in the design phase and would require Council input to produce a final concept for manufacture. This option is considered a risk to Council in that the product would not have been tested in the marketplace to identify any manufacturing or design flaws or its suitability for its intended use.

Nylex has not, at this stage, provided samples of the other four bin options (although two requests have been put to Nylex to provide the sample bins), which was a requirement of the tender. At the tender interview, Nylex staff identified undesirable design characteristics of bin option 1 in that the lid opening was too small to accommodate the scraping of food waste from plates. This bin also had a capacity of 9 litres and is 37.5cm high, and had a diameter of 23cm, and was considered too large for inclusion within household kitchens. The bin is manufactured from HDPE and comes with a 10 year warranty.

Option 2 is a pedal operated bin with a capacity of 8 litres and is 32.5cm high x 24cm long x 19cm wide, is made from Polypropylene and has a 2 year warranty.

Option 3 and 4 are the same bin design, but differ in capacity. These bins have a sensor lid that opens automatically on presenting a plate or other material close to the lid for placement in the bin. The bins come in 6 litre and 10 litre capacities, are made of Polypropylene and have 2 year warranties. Both bins have a length and width of 30cm and 21.5cm but vary in height from 35cm to 45cm.

None of the bin options submitted by Nylex are provided with handles and it would appear from the diagrams provided that the bins do not have rounded corners to facilitate cleaning and minimise food build up.

The bins to be provided by Nylex, other than for option 5, are general containers for use within households and are not currently available in Australia.

Product specifications and diagrams of each bin option have been provided to all Councillors separately with a covering memorandum.

Rates and unit prices for the goods and services specified

The following tables provide a summary of the tenderers' prices and various pricing options.

Nylex – Supply and Distribution – five bin options were proposed					
	Bin 1	Bin 2	Bin 3	Bin 4	Bin 5
Bulk Supply (51,000) – Cost/Bin	\$11.28	\$11.45	\$21.17	\$22.63	\$TBA
Bulk Distribution – Cost/Bin	\$1.00	\$1.50	\$1.50	\$1.90	\$1.00
Ongoing Supply/Distribution – Cost/Bin	\$18.54	\$18.75	\$30.40	\$32.16	\$TBA

Nylex – Supply Only					
	Bin 1	Bin 2	Bin 3	Bin 4	Bin 5
Bulk Supply (51,000) – Cost/Bin	\$11.28	\$11.45	\$21.17	\$22.63	\$TBA
Ongoing Supply – Cost/Bin	\$13.54	\$13.75	\$25.40	\$27.16	\$TBA

Source Separation Systems – Supply Only					
	Bin 1	Bin 2	Bin 3	Bin 4	Bin 5
Bulk Supply (51,000) – Cost/Bin	\$6.32				
Ongoing Supply – Cost/Bin	\$7.84				

The overall supply and distribution and supply only costs for 51,000 bins for both tenderers are as follows:

Nylex- Supply and Distribution

Bulk supply of 51,000 bins for option 1 through to option 4 range from \$575,280 through to \$1,154,130. The option 5 price would depend on the final design of a bin, however Nylex advises that a basic bin design without optional extras would cost in the vicinity of \$22 per unit. This would provide a minimum overall cost of \$1,122,000 for bin supply only.

Bulk distribution of 51,000 bins for options 1 through to option 4 range from \$51,000 through to \$96,900. The option 5 distribution cost would only be available on finalisation of the new bin design.

The ongoing supply and distribution costs as provided by Nylex are detailed in the above table.

Nylex - Supply Only

Bulk supply only cost of 51,000 bins for options 1-4 range from \$575,280 to \$1,154,130.

The option 5 price would depend on the final design of a bin, however Nylex advises that a basic bin design without optional extras would cost in the vicinity of \$22 per unit. This would provide an overall minimum cost of \$1,122,000 for bin supply only.

The ongoing supply only cost for options 1-4 range from \$13.54 per bin to \$27.16 per bin.

Source Separation Systems – Supply Only

Bulk supply only cost of 51,000 bins is \$322,322 (this amount can be discounted to \$319,770 for early payment, ie within seven days of invoicing).

The ongoing supply only cost is \$7.84 per bin. Source Separation Systems did not tender for the distribution of the bins.

Source Separation Systems did not tender for the distribution of the bins to households and therefore, if awarded this contract, Council will need to obtain separate delivery arrangements. Should the negotiation costs be less than \$150,000, Council will not need to tender for this service.

Previous performance and distribution experience

The kitchen organics tidy bins to be supplied by Source Separation Systems (via Norseman Plastics Canada) have been manufactured and supplied to the following regions in Canada:

- Durham Region - 130,000
- Region of Barrie - 40,000
- Peel Region - 300,000

Current commitments by Norseman Plastics in the manufacture and supply of the bins include the following regions of Canada:

- City of Hamilton - 80,000
- Regional Municipality of Niagara - 115,000

Nylex's previous experience and current projects primarily include the manufacture, supply and distribution of mobile waste containers for local government and will include the supply of bins and lids for Council's upcoming organics collection service. Their previous and current commitments to supply and deliver mobile waste bins have an estimated value of \$4.9M.

Delivery response times

Source Separation Systems states in its tender that the initial bulk supply of 51,000 bins can be provided to the distribution depot by 6 April 2009, if the contract is awarded by 31 October 2008.

Nylex has advised that, with bins options 1, 2 3 & 4, it would require a lead time of around 12 – 16 weeks from the date of order to be able to supply the 51,000 bins in readiness for delivery. With option 5 a lead up time of 18 – 20 weeks would be required.

Ability to provide an ongoing supply of the goods

Source Separation Systems works in conjunction with Norseman Plastics Canada. Its tender provides for a bin known as the “kitchen collector”, which is manufactured in Canada. Norseman Plastics was established in 1969 and has produced approximately 1.7 million “kitchen collectors” for Canadian local government regions.

Source Separation Systems will hold an ongoing supply of bins in stock embossed with Council’s brand, at a level of 2.5% (1,275 bins) of the initial bulk supply in readiness for delivery to new households.

Nylex advises that it proposes to store the bulk supply of bins at the SITA depot to be established at Kemps Creek, prior to distribution. Depending on the volume of the ongoing supply of bins, these too will be stored at this facility.

Quality assurance

Both organisations have a quality assurance management system as part of their overall management systems, which are currently accredited to an ISO Standard. Both organisations have supplied a copy of their corporate quality assurance manual.

Occupational health and safety compliance

Both organisations have accredited occupational health and safety management plans as part of their overall management systems, which include safe work method statements, education and induction programs.

Optional Tender Submission - Education and Promotion

In addition to its tender, Source Separation Systems has provided an option for education and promotional services. Its proposal includes the design and production of an eight page booklet (quantity of 52,275 to be delivered with the kitchen tidies). It also includes the provision of five community education displays at shopping centres in the lead up to the service commencement, and a further display one year later to gain feedback and evaluate community acceptance and use of the service. This would cost \$30,600 (32 cents per bin). Approximately 67% of the cost was for design and production of the booklets and 33% was for the community education displays at shopping centres (including pull-up banners and education staff). Source Separation Systems advised Council officers that it is prepared to provide the community education component only, if required, at a cost of approximately \$10,000.

Source Separation Systems advises that it is flexible with its education system and would be happy to work with SITA, Visy and Council on the design of education material.

Having Source Separation Systems' input into the education program would be highly beneficial, as it has experience with introducing this type of service, and will compliment Council's education program that will be developed and implemented to ensure that residents are well prepared for the new service prior to service commencement.

Financial Services Manager's Comment

The 2008-09 Domestic Waste Budget includes an allocation of \$500,000 for the supply and distribution of Kitchen Organics Tidy Bins. Funding for the purchase and distribution of the kitchen bins is provided from the Waste Reserve, which has accumulated funds in anticipation of the new bins required for the introduction of an organics collection service.

Summary

Source Separation Systems has tendered a product which has been designed specifically for the collection and storage of household food waste. The bin meets the design characteristics specified in the tender documents and is provided with a five year warranty.

The tender price for the Source Separation bin is \$6.32 per unit, or \$322,322 for 51,000 bins. The total amount will be discounted to \$319,770 if the payment is made within seven days of invoicing.

This product is widely used in Canada for the collection of household food waste, with over 1.7M units being distributed to households in Local Government regions. Referee checks with Local Government Waste Managers in Canada support the design characteristics and adequacy of the bin for its intended use.

Source Separation Systems did not tender for delivery of the bins and if it is successful with this tender, Council will need to consider other delivery options.

In comparison, Nylex has tendered with five bin options, one of which requires Council's input for design and manufacture. The design and manufacture option is considered a risk as the bin will not have been tested in the market place beforehand.

It is difficult to evaluate the other four bin options, as Nylex did not submit samples as requested in the tender. Only photographs of the bins were provided. These bin options, however, appear to be designed for general household use and do not satisfy all the design characteristics specified in the tender.

The tender price per bin ranges from \$11.28 to \$22.63 plus delivery costs which range from \$1.00 per bin to \$1.90 per bin depending on the option. The bulk supply cost ranges from \$575,280 to \$1,122,000 for 51,000 bins with delivery costs ranging from \$51,000 to \$96,900.

Source Separation Systems' tender is \$252,958 less than the lowest supply only price submitted by Nylex. The Source Separation bin meets the design characteristics specified in the tender and is a bin designed specifically for the intended use and is widely used and supported in Local Government Regions in Canada.

It will be recommended that the tender submitted by Source Separation Systems (including the optional education and promotion program) be the preferred tender, however a method of distribution needs to be resolved as Source Separation Systems did not tender for this service.

Given that SITA Environmental Solutions is responsible for the delivery of the 140 litre residual waste bin and lid changeover program for the introduction of organics, it is seen as a practical option that SITA be engaged in the distribution of the kitchen Organics Tidy Bins.

It will also be recommended that Council officers be authorised to negotiate suitable terms with SITA Environmental Solutions for the receiving, storage and distribution of the kitchen organics tidy bins in conjunction with the distribution of the 140 litre residual bins and bin lid changeover program.

RECOMMENDATION

That:

1. The information contained in the report on Kitchen Organics Tidy Bins Tender be received.
2. Source Separation Systems be the preferred tenderer for the supply of kitchen organics tidy bins at the rates identified in this report.
3. The Waste & Community Protection Manager, in consultation with the Legal & Governance Manager, be authorised to negotiate a contract with Source Separation Systems consistent with this report for signing under the Common Seal of Council.
4. The Waste & Community Protection Manager be authorised to negotiate terms with SITA Environmental Solutions to receive, store and distribute the kitchen organics tidy bins to households in the city in conjunction with the distribution of the 140 litre mobile garbage bin (and bin lid changeover program) that will form part of the three bin collection system.

ATTACHMENTS/APPENDICES

There are no attachments for this report

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THE CITY AS AN ECONOMY

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

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THE CITY SUPPORTED BY INFRASTRUCTURE

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The City Supported by Infrastructure

6 RTA 2008/09 Road Funding Grants

Compiled by: Hans Meijer, Acting Parks Construction and Maintenance Manager

Authorised by: Matthew Stewart, City Works Manager

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 RTA 2008/09 Road Funding Grants. The report recommends that Council accept the grants.

Background

The Roads and Traffic Authority provides various Road Funding Grants to councils each year, to assist with the maintenance of regional roads, road safety and traffic related issues.

Advice has been received from the RTA of the following grants for 2008/2009.

1. Regional Roads

The Regional Road Block Grant is made up of the following components:

- *Road Component:* Allocated to maintenance work on regional roads.
- *Supplementary Road Component:* This is available for road work, as determined by Council, on regional roads. In 2008/09, this component is allocated to the Rural Roads Widening Program for the completion of the widening of Luddenham Road, a 3.5km section south from Twin Creeks Drive (2.0km south of Twin Creeks Drive heading towards Elizabeth Drive).
- *Traffic Facilities Component:* For the installation and maintenance of regulatory signs and lines on local and regional roads.

Council can access a 50% contribution for specific works on Regional roads under the REPAIR Program. The RTA has advised that Council was not successful in obtaining REPAIR program funding in 2008/09. Penrith City Council's allocation under this program in recent years has been as follows:

- 2008/2009: Not successful.
- 2007/2008: \$694,000*
- 2006/2007: \$250,000

- 2005/2006: \$250,000
- 2004/2005: \$250,000
- 2003/2004: \$250,000
- 2002/2003: \$250,000
- 2001/2002: \$250,000
- 2000/2001: \$244,500
- 1999/2000: \$249,000

It should be noted that the maximum grant available to a Council under this program is usually \$250,000. In 2007/08, additional funding was allocated by the RTA to Luddenham Road (\$144,000) and Forrester Road (\$300,000).

The RTA advises that the following 2008/09 Program Funding is available to Council:

Regional Roads	2008/09	Basis of Grant
Block Grant - Road Component	\$394,000	100%
Block Grant - Supplementary Road Component	\$156,000	100%
Block Grant - Traffic Facilities Component	\$364,000	100%
Total Allocation to Penrith City Council	\$914,000	

The Supplementary Road Component of the Block Grant has been allocated toward the completion of the upgrading Luddenham Road, a 3.5km section commencing 2.0km south of Twin Creeks Drive heading south to Elizabeth Drive.

RECOMMENDATION

That:

1. The information contained in the report on RTA 2008/09 Road Funding Grants be received.
2. The RTA 2008/09 Program Funding Block Grant in the amount of \$914,000 be accepted.
3. The Supplementary Road Component in the amount of \$156,000 be allocated to the completion of the upgrading of Luddenham Road, a 3.5km section commencing 2.0km south of Twin Creeks Drive, heading south to Elizabeth Drive.
4. The Common Seal of the Council of the City of Penrith be affixed to the "Agreement for Block Grant Assistance to Council for Regional Roads 2008/2009".

ATTACHMENTS/APPENDICES

There are no attachments for this report.

The City Supported by Infrastructure

7 Federal Government 2008/2009 "Auslink Black Spot Program" funding offer

Compiled by: David Drozd, Senior Traffic Engineer

Authorised by: David Yee, Acting Design and Technical Advice Manager

Strategic Program Term Achievement: *Road network capacity, safety and efficiency are improved and traffic congestion is reduced.*
Critical Action: *A program is being implemented to address deficiencies and areas of congestion in the Local Road Network.*

Purpose:

To advise Council of the funding offer obtained under the 2008/2009 Auslink National Black Spot Program. The report recommends that Council accept the 100% funding offered under the program.

Background

Council, at its Ordinary Meeting on 13 August 2007, recommended that the following seven projects be submitted for consideration for 100% funding under the 2008/2009 Federal Government National Black Spot Program.

<i>Item</i>	<i>Primary Road</i>	<i>Intersecting Street or Section of Road</i>	<i>Total Number of Accidents (5 years data)</i>	<i>Total Number of Fatal / Injury Accidents</i>	<i>Proposed Treatment</i>	<i>Cost Estimate</i>	<i>Benefit Cost Ratio (BCR)</i>
1	Old Bathurst Road, Emu Heights	50m-200m west of Gosling St	18	0 / 7	Guardrail, provide acceptable superelevation, Rumble Bars	\$200,000	15.4
2	Fairlight Road, Mulgoa	5km Black Length from Mulgoa Rd to Parkriver Cl	11	1 / 7	Guardrail, set back of roadside hazards, Chevron signage	\$205,000	18.9
3	Seventh Av, Llandilo	Terrybrook Rd	7	1 / 3	Raised median Islands, additional priority signs on medians	\$50,000	18.2
4	Castlereagh St, Penrith	Stafford St	10	0 / 3	Roundabout, Raised median Islands, additional priority signs on medians	\$192,000	11.5

5	Ninth Av / Third Av / Eighth Av, Llandillo	4.2km Regional Black Length	16	0 / 5	Guardrail, set back of roadside hazards	\$300,000	4.7
6.	Kingshill Road, Mulgoa	3km Black Length from Mulgoa Rd to Northern Rd	12	0 / 6	Guardrail, set back of roadside hazards, Chevron signage	\$180,000	21.4
7.	Second Av, Llandillo	Fifth Av	3	0 / 3	Raised median Islands, additional priority signs on medians	\$42,000	9.1

Current Situation

The Roads and Traffic Authority (RTA) has advised that the Federal Minister for Local Government, Territories and Roads has approved the following projects listed below for construction by Penrith City Council under the 2008/2009 Auslink National Black Spot Program.

The funding allocated is 100% of the total project cost and there is therefore no contribution required by Council. A condition of acceptance is that all projects must be completed prior to 30 June 2009.

The projects for which 100% grant funding has been approved are:

<i>Item</i>	<i>Primary Road</i>	<i>Intersecting Street or Section of Road</i>	<i>Proposed Treatment</i>	<i>Cost</i>
1.	Kingshill Road, Mulgoa	3km Black Length from Mulgoa Rd to Northern Rd	Guardrail, set back of roadside hazards, Chevron signage	\$180,000
2.	Fairlight Road, Mulgoa	5km Black Length from Mulgoa Rd to Parkriver Cl	Guardrail, set back of roadside hazards, Chevron signage	\$205,000
3.	Seventh Av, Llandilo	Terrybrook Rd	Raised median Islands, additional priority signs on medians	\$50,000
4.	Old Bathurst Road, Emu Heights	50m-200m west of Gosling St	Guardrail, provide acceptable superelevation, Rumble Bars	\$200,000
5.	Castlereagh St, Penrith	Stafford St	Roundabout, Raised median Islands, additional priority signs on medians	\$192,000
			TOTAL FUNDING:	\$827,000

During the investigation process, Council's Traffic Engineers adopted new approaches to scrutinising potential Black Spot locations and devoted time to proactively identify locations where a high benefit to cost ratio would be achieved. The RTA also recognised new innovations adopted by Penrith Council such as video recorded rural road lengths, as being valuable for them in their assessment of the nominated projects.

The additional analysis and assessment has proven successful, with the RTA granting Council funding for the maximum number of 5 projects. The \$827,000 offered to Council far exceeds the 2008/2009 financial year forecast of \$65,000 for grants under this program, and it is more than twice the amount of funding Council has ever received in any financial year under this program.

In addition to the funding sought under the 2008/2009 Auslink Program, Council applied to the Roads and Traffic Authority for a grant of \$30,000 for the preparation of a Bike Plan under a 50:50 funded program. The RTA has advised that the funding of \$30,000 has been approved subject to Council matching the funds for 2008/2009. Council's Management Plan recognises this project and has allocated the Council component of \$30,000 in the budget.

Funding of this level should be recognised as a substantial achievement for Council, and it is expected that the resulting accident remediation treatments will result in improved levels of traffic safety and a reduction in accidents on roads within the LGA.

RECOMMENDATION

That:

1. The information contained in the report on Federal Government 2008/2009 "Auslink Black Spot Program" funding offer be received.
2. Council accept the grant funding of \$827,000 offered for the 5 successful projects under the 100% Federally Funded "Auslink Black Spot Program" for 2008/2009.
3. Council accept the grant funding of \$30,000 offered under the 50:50 program for the Penrith Bike Plan 2008/2009.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

The City Supported by Infrastructure

8 Penrith CBD - Temporary Christmas Shuttle Bus

Compiled by: Michael Alderton, Road Network Services Engineer

Authorised by: David Yee, Acting Design and Technical Advice Manager

Strategic Program Term Achievement: *Road network capacity, safety and efficiency are improved and traffic congestion is reduced.*

Critical Action: *A program is being implemented to address deficiencies and areas of congestion in the Local Road Network.*

Purpose:

To determine an application from the Penrith City Centre Association (PCCA) to provide part funding for the 2008 Penrith CBD Temporary Christmas Shuttle Bus Service. The report recommends that Council fund part of the costs of the proposed shuttle bus service.

Background

The PCCA, in conjunction with Penrith City Council, ran a free Christmas Shuttle Bus service last year which received excellent feedback from people in the local community. According to data collected from the drivers of the two shuttle buses, a total of 5,359 passengers travelled on the services in 2008, which was an increase in patronage from the first year the service was run in 2006 which serviced approximately 4,500 passengers.

Current Situation

PCCA has approached Council seeking approval of the service this year and has requested Council to provide funding towards the service, along similar lines to last year. This involved Council funding the cost of an accessible bus and PCCA funding a trolley bus.

PCCA is proposing a modification to the previous proposals to cater for the needs of older residents who are keen to participate in the festive season but are unable to access various retail areas in the CBD. It is proposed to run two buses during the Christmas period, offering the following services:

1. One shuttle bus operating in a continuous shuttle service loop around the CBD, similar to the route taken last year. Given that there would only be one bus running, the frequency of the service would be a 30 minute loop. This service would not be a wheelchair accessible service.
2. One bus operating a continuous shuttle service loop incorporating the retirement villages in close proximity to the CBD and the major retail areas in the CBD. The proposed loop measures approximately 12km and a bus could offer an hourly service (8 loops per day) taking into account the additional time required to pick up and set down aged people. This bus would also be available to pick up people requiring wheelchair access or pram access. This route is proposed to commence at Mountain View Retirement Village, loop through Penrith via Westfields and Henry Street to St Stephens Retirement Village on Coreen Avenue via Lemongrove Retirement

Village on Glebe Place, and returning to Mountain View Retirement Village via Penrith CBD.

It is proposed that the service commence on Monday, 1 December 2008 and ceases on 24 December 2008, ie, a total of 24 days. The bus will run seven days a week between the hours of 9:00am to 5:00 pm.

Full details of the routes will be reported to the Local Traffic Committee for consideration upon Council's confirmation of funding.

The two buses will be hired from the Blue Mountains Bus Company. The PCCA's bus will be an old-style trolley bus, and it is proposed that Council's bus will be a more modern style vehicle that will have wheelchair and pram accessibility. Buses will carry signage and decorations that will clearly indicate to passengers that it is the free Christmas Shuttle Bus Service.

Costs associated with the provision of the accessible bus for 24 days of operation is a total of \$26,880. This figure only includes the actual bus service operation and does not include peripheral items such as bus signage, promotional flyers or newspaper advertising. In 2007, Council funded the cost of the accessible bus, contributed towards bus graphics (front and side of bus), and covered the costs of the installation of temporary Bus Stop signage.

This year, it is proposed that Council contribute \$13,440 from the Carparking/Traffic Facilities Reserve to the Penrith City Centre Association for the operation of the second free shuttle bus. In addition to this, PCCA has requested that Council contribute \$399.30 toward bus graphics (front and side of bus) and cover the costs of the installation of temporary Bus Stop signage.

RECOMMENDATION

That:

1. The information contained in the report on Penrith CBD - Temporary Christmas Shuttle Bus be received.
2. Council contribute \$13,440 for the operation of the second free shuttle bus and \$399.30 toward bus graphics (front and side of bus), together with the costs of the temporary Bus Stop signage, from the Carparking/Traffic Facilities Reserve.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

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LEADERSHIP AND ORGANISATION

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Leadership and Organisation

9 2007-08 Annual Financial Statements

Compiled by: Andrew Moore, Financial Accountant

Authorised by: Vicki O'Kelly, Financial Services Manager

Strategic Program Term Achievement: *A sound long-term financial position is maintained in balance with pressures to provide new and expanded services.*
Critical Action: *Achieve agreed financial performance targets.*

Purpose:

To present to Council the Draft 2007-08 Annual Statements. The report recommends that the Annual Statements be referred for audit.

Introduction

This report covers:

- Addressing of the meeting by Council's auditor
- Legislative requirements
- Background to the Financial Policies
- Budget Amounts
- Summary of Financial Results.

Addressing of the Meeting by Council's Auditor

Mr Dennis Banicevic, a Director of PricewaterhouseCoopers will be addressing the meeting. Dennis has over twenty years audit experience in Local Government, has a large number of New South Wales councils as audit clients, and has been responsible for Council's audit since the merger of Price Waterhouse and Coopers ten years ago.

Legislative Requirements

The Local Government Act requires the following steps:

1. Council staff prepare the statements
2. Council issues a statement that the accounts are in order
3. Council refers the statements to its auditors for checking
4. The auditor returns the statements with an audit opinion attached
5. The statements are placed on public display and the community may make submissions
6. The statements are formally presented during a council meeting.

This report recommends completion of 2, 3 and 4 at tonight's meeting. The auditors have received an advance copy of the statements and have now completed several weeks of their

audit program. It is considered appropriate that Council issue the required statement for the 2007-08 accounts.

This report also deals with formal requirements to complete the 2007-08 Financial Statements.

The financial statements are prepared by Council staff, using the accrual method of accounting, and comply with Australian Accounting Standards and the New South Wales Local Government Code of Accounting Practice and Financial Reporting. The statements are required to be audited by an independent auditor, and lodged with the Department of Local Government before 7 November 2008.

An unaudited copy of the statements was presented to Council's Audit Committee meeting 20 August 2008. At that meeting the Audit Committee resolved that:

1. *the information contained in the report on 2007-08 Annual Financial Statements be received.*
2. *the Audit Committee is satisfied with the answers it has received and is unaware of any reason why the Statements should not be adopted*
3. *the Audit Committee refers the statements to Council for signing*
4. *the Audit Committee requests commentary be provided to Council as discussed at the meeting to assist Councillors in understanding the statements*

Key factors in the production of this year's financial statements are discussed below.

Fair Value

Financial reporting for Local Government in New South Wales had been governed by the Australian Generally Accepted Accounting Principles (AGAAP), the Standards issued under these principles, especially Australian Accounting Standard 27 (AAS27), and the Code of Accounting Practice (Code) issued by the New South Wales Department of Local Government.

The Australian Accounting Standards Board (AASB) adopted International Financial Reporting Standards (IFRS) for application to reporting periods beginning on or after 1 January 2005. The AASB has issued Australian equivalents to IFRS (AIFRS). The adoption of AIFRS has been reflected in the preparation of Council's financial statements since the year ending 30 June 2006.

The Department of Local Government (DLG) at the time had mandated that all councils halt all revaluation programs on Infrastructure, Property, Plant and Equipment (IPPE). Councils were to take up the election to have these assets held at deemed cost, as allowed in the standards for first time adoption of AIFRS. It also advised that a staged program across the industry would be implemented to bring these assets to fair value.

The release of this year's Code confirmed that, for the year ending 30 June 2008, all councils should transition buildings, operational land and plant and equipment to fair value. As a result of this mandate, and following discussions with Council's auditor, PricewaterhouseCoopers, the following approach has been followed.

All buildings on Council's balance sheet have been transitioned to fair value. Given the time constraints and the high cost of a full valuation, insurance replacement costs have been used as an approximate value. These values have been used in the calculations to allow these assets to be revalued using the gross restatement method as determined by the Code. The insurance valuations used were provided by Scott Fullarton Valuations Pty Ltd and are a desktop update as at 30 June 2008. Physical inspection and valuation of Council buildings by the valuer occurs every three years with the next scheduled valuation to occur for 30 June 2009. This valuation will comply with AASB 116 and provide full componentisation of Council buildings as required. The net effect of the revaluation of Buildings to the balance sheet is \$106.6m. There will be additional depreciation in 2008-09 associated with the revaluation.

Operational Land has also been transitioned to fair value. All operational land has been revalued to fair value in compliance with AASB 116 by a registered valuer on Council staff. This revaluation has resulted in an increase in the value held on the Balance Sheet for Operational Land of \$73.9m.

The Code determined that fair value of plant and equipment is deemed to be the depreciated replacement cost where it is evident that there is no impairment. No impairment of these assets has been identified.

Investment Valuation Adjustment

In April 2008, it was reported to Council that, as a result of the continued fall out in Global Financial Markets stemming from the credit crunch, the credit ratings for the two Collateralised Debt Obligations (CDO's) in Council's portfolio had been reviewed. In both cases, the Credit Rating was reduced. At the time the CLEAR CDO, which had an initial investment of \$1,000,000 was the worst affected and had been downgraded to B+. It was reported that, while this downgrade had impacted the market or resale value of the investment, the interest payments were still being received and there had been no defaults in the underlying security.

On 4 July 2008, Council was advised that Standard & Poors have again revised the credit rating of the CLEAR CDO and downgraded it from B+ to B. This downgrade has significantly impacted the marketable or resale value of the CDO. The downgrade had taken effect for 30 June 2008 and the current market value of the CDO is \$123,341. To date, this remains a paper loss only and, while that is not an assurance that it will not translate into a real loss in the future, it is important to emphasise that currently no defaults have been experienced on the underlying investment, and as it stands the whole \$1,000,000 of the investment will be returned on maturity. In addition to this, the quarterly interest payments on this investment continue to be made in full and on time. Councillors will be aware that Oakvale have since advised Council that Standard and Poors have further downgraded this investment to CCC+.

Council's only other CDO, Momentum, has over the last 12 months also experienced a downgrade in its Standard & Poors rating but has only suffered a minor movement in its market valuation as there was no direct exposure to the US sub prime market.

During the audit an alternative valuation was received from Oakvale, Council's investment advisor on 21 August 2008 for this investment. This valuation was significantly different to

the previous valuation obtained by Council and represented a bid price for the CDO as at 30 June 2008 from the issuers of the CDO, Calyon.

Both of the CDOs in Council's portfolio form part of the longer term assets and were intended to be Held to Maturity. When purchased, it was not envisaged that they be traded, nor is there an active secondary market. This lack of an active secondary market makes it difficult to obtain a true market value for the investments.

The accounting treatment of this recent movement has been discussed with Council's auditor PricewaterhouseCoopers and Council's Audit Committee. These discussions, along with reference to the Code of Accounting Practice and the relevant accounting standard, AASB 139, have resulted in the following treatment. Both CDOs has been transferred from the "Held to Maturity" classification in Note 6 to "Available for Sale". Once reclassified, the value of the investments were written down from \$1,000,000 to \$123,341 in the case of the CLEAR CDO and from \$1,000,000 to \$295,000 in the case of the Momentum CDO and the loss of \$1,581,659 has been passed through the Income Statement.

Summary of Financial Results

An in-depth commentary and analysis of the year's results is again be included in the final Financial Statements. The following figures are draft and may be subject to audit adjustment. A final copy of the Annual Financial Statements will be provided, once they have been adopted by Council. The following table contains some of the key results:

	All figures in \$'000s unless stated otherwise		
	2007-08	2006-07	% Change
Revenue (including capital)	149,075	165,849	(10.1%)
Operating Expenditure	136,759	134,124	2.0%
Net Surplus	12,316	31,725	(61.2%)
Operating result before capital	(2,059)	(1,099)	87.4%
Capital Grants and Contributions	14,375	32,824	(56.2%)
Total Assets	1,160,728	963,411	20.5%
Total Equity at 30 June	1,062,510	869,716	22.2%
Total Borrowings (excluding bank overdraft)	63,406	57,757	9.8%
Cash and Investments	65,376	58,402	11.9%
Unrestricted Current Ratio	1.15:1	1.33:1	(13.5%)
Rates Outstanding Ratio	5.04%	4.72%	6.8%
Debt Service Ratio	7.13%	7.32%	(2.6%)

Council's financial position as at 30 June 2008 continues to be sound. After allowing for \$14.4 million of capital grants and contributions, Council finished the year with a surplus from ordinary activities of \$12.3 million (\$31.7m 2006-07).

Unrestricted current assets exceed current liabilities by a ratio of just over 1.15:1. This is marginally below Council's targeted minimum of 1.25:1 but above the Department of Local Government's minimum benchmark of 1:1. The unrestricted current ratio deteriorated

slightly compared to the previous year (1.33:1) largely as a result of the consolidation of year end results of the controlled entities.

Working Capital – an internal liquidity measure – is \$2.9 million (2006-07 - \$3.7m), and remains well above Council’s adopted target of \$2 million.

The outstanding loan liability increased, but in line with expectations to \$63.4 million. The amount of operating revenue committed to servicing this debt continues to remain stable at 7.13%.

Budget Surplus

Council has received a report on the year end budget position as part of the Management Plan review to the Ordinary meeting of 18 August 2008. As a result of the adjustment made to Council’s Momentum CDO as discussed earlier in this report the proposed transfer to reserve of \$500,000 has been reduced by \$264,720 to \$235,280. No further adjustments have been made and the budget surplus for the year can be confirmed as \$47,899. An updated Long Term Financial Model is included in the Financial Statements as Special Schedule 8.

Legislative Requirements

The Local Government Act classifies various transactions as being write-offs of rates and charges. The reasons for write-offs include properties becoming exempt from rates, pensioner rebates, changes in rating category, rounding down of payments by 4 cents, postponed rates, domestic waste charges reversed because they were levied in error, rates and charges reversed due to amended valuations.

The following tables summarise the rates and sundry debtors amounts written off under delegated authority, or pursuant to Council resolutions, and are provided for information:

Rates And Charges Written Off	\$
General Rates	58,749.45
Extra Charges	17,783.55
Domestic Waste	82.64
TOTAL	76,615.64

Pensioner Abandonment	\$
General Rates - Statutory	1,608,505.68
Domestic Waste - Statutory	509,801.43
TOTAL	2,118,307.11

Sundry Debtor Abandonments	\$
Sundry Debtor	152,087.75
TOTAL	152,087.75

Extra charges include interest and legal costs, and are written off due to financial hardship, and where the original rate or domestic waste charge is required to be written off.

Sundry Debtors abandonments are the aggregate of a number of small debts that are either unable to be pursued due to their small size or deemed to be uncollectible.

During 2007-08, stores and tools to the value of \$820.89 were written off as summarised below.

Stores & Materials Written Off	\$
Stores and Tools	820.89
TOTAL	820.89

The draft statements are presented for Council to form its opinion. The required opinion is set out in the following recommendation. If resolved, the Statement of Council's Opinion can be signed and handed to the auditors at tonight's meeting.

Summary

The draft statements are presented for Council to form its opinion. The required opinion is set out in the following recommendation. If resolved, the Statement of Council's Opinion can be signed and handed to the auditors at tonight's meeting.

During the preparation of this year's Financial Statements, Council ran a photo competition open to all students of the Local Government Area. Many of the photos submitted are included in the Financial Statements and the winning entry by Brooke Porrelli of Glenmore Park School appears on the front cover of the document.

RECOMMENDATION

That:

1. The information contained in the report on 2007-08 Annual Financial Statements be received.
2. Pursuant to s413(2)(c) it is the Council's opinion that:
 - a. The financial statements and schedules have been drawn up in accordance with the Local Government Act 1993 and Regulations, the Local Government Code of Accounting Practice and Financial Reporting, the Local Government Asset Accounting Manual, and Australian Accounting Standards. The Code requires a phasing in of the new accounting requirements
 - b. Apart from the non-recognition of land under roads as required by the phasing process, the statements comply with Australian Statements of Accounting Concepts
 - c. The financial statements present fairly the Council's financial position as at 30 June 2008 and the operating result for the year then ended

- d. The statements are in accord with Council's accounting and other records.
3. Pursuant to clause 215 of the Local Government Financial Management Regulation it is the Council's opinion that:
 - a. The accompanying Special Purpose Financial report has been drawn up in accordance with the Local Government Act 1993 and Regulations, the Local Government Code of Accounting Practice and Financial Reporting, and the requirements of National Competition Policy. The Code requires the inclusion of various charges and subsidies which are not actually paid or payable.
 - b. The report is a special purpose report and is not required to comply with Australian Accounting Standards. The above legislative requirements differ from Australian Accounting Standards and hence the report does not comply with Australian Accounting Standards.
 - c. The financial statements present a modelled scenario for comparative purposes. They do not report an actual result.
4. Council confirms its endorsement of the budget in the knowledge that some of its business activities are not making commercial returns. The existence of notional subsidies represents Council's commitment to its community service obligations.
5. The Statements be forwarded to Council's Auditors.
6. Abandonments for 2008 as detailed be written off.
7. The balance of stores and materials be adjusted in the stores and materials registers in accordance with the various write-offs. The information contained in the report on 2007-08 Annual Financial Statements be received.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

Leadership and Organisation

10 Audit Committee

Compiled by: Peter Browne, Internal Auditor

Authorised by: Stephen Britten, Legal and Governance Manager

Strategic Program Term Achievement: *A contemporary system of risk management and internal control is operating.*

Critical Action: *Develop and implement an internal audit program that reviews the effectiveness of Council's risk management, compliance and internal control systems.*

Purpose:

To inform the Council of the Audit Committee Meeting of 20 August 2008 where the Council's Financial Statements for the period ended 30 June 2008 were discussed. The report recommends that the information be received.

Background

The Audit Committee is comprised of four Councillors and three Independent members appointed by Council to advise on financial reporting, internal controls, corporate risks, business ethics, assurance and other matters as identified in its Charter. The Charter provides that the Committee should report back to Council after each meeting. An outline of the Audit Committee and its Charter are available to the public via Council's website.

The responsibilities of the Audit Committee under its Charter include:

Review the Council's annual financial statements with the General Manager, Chief Financial Officer and the external auditor prior to tabling at Council. The review should include discussion with management and external auditors of significant issues regarding accounting principles, practices and judgments.

Current Situation

The Audit Committee met on 20 August 2008 and received reports on the 2007/08 Annual Financial Statements, Business Continuity Planning, FiscalStar ratings and Internal Audit. The draft minutes of the prior meeting (as provided to Council 14 July 2008) were adopted without alteration. The draft minutes of the Audit Committee meeting of 20 August 2008 are appended to tonight's Business Paper.

The bulk of the meeting was devoted to reviewing the 2007/08 Annual Financial Statements. At the time of the meeting, some items were not yet finalised, however the Committee was satisfied with the answers it received on all matters raised. Since the Committee Meeting, the value of one of Council's CDO investments was reviewed and a reduced value is included in the Financial Reports to tonight's meeting. Members of the Committee were advised of the change by memo which was also sent to all Councillors.



Audit Committee chairperson
Emeritus Professor Robert Coombes
with Dennis Banicevic of
PricewaterhouseCoopers following
the Audit Committee meeting.

The Committee enquired as to whether the statements presented a true and fair view of the Council's operations and if the positions taken by management were in accord with that taken by other councils. The appended minutes show that discussion covered a number of issues including:

- Council's investments in Collateralised Debt Obligations (CDOs);
- Building revaluations and Fair Value;
- Maintenance, Depreciation and Asset Replacement;
- Overall performance and performance indicators;
- Rates debts.

The appended minutes demonstrate that at the conclusion of the item, the Audit Committee supported the adoption of the Financial Statements by Council.

RECOMMENDATION

That the information contained in the report on Audit Committee be received

ATTACHMENTS/APPENDICES

1. Minutes of Audit Committee 4 Pages Appendix

UNCONFIRMED MINUTES

**OF THE AUDIT COMMITTEE MEETING OF PENRITH CITY COUNCIL
HELD IN THE PASSADENA ROOM, PENRITH
ON WEDNESDAY 20 AUGUST 2008 AT 8:05AM**

PRESENT

Robert Coombes (Chair); Frank Gelonesi;
Councillors Ross Fowler OAM, Karen McKeown, and Garry Rumble,

Alan Stoneham (General Manager), Peter Browne (Internal Auditor),
Barry Husking (Chief Financial Officer), Stephen Britten (Legal and Governance
Manager), Glenn Schuil (Senior Governance Officer), Vicki O'Kelly (Financial
Services Manager), Andrew Moore (Financial Accountant), and
Dennis Banicevic (External Auditor - PricewaterhouseCoopers).

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Pat Sheehy AM for the period
16 August 2008 to 26 August 2008 inclusive.

APOLOGIES

Resolved on the motion Councillor Ross Fowler OAM seconded Councillor Gary
Rumble that apology be received and accepted from Jayant Gulwadi.

WELCOME

The Chair congratulated Alan Stoneham on his appointment as General Manager of
Penrith City Council.

CONFIRMATION OF MINUTES - Audit Committee Meeting - 9 April 2008

Resolved on the motion of Councillor Ross Fowler OAM seconded Councillor Gary
Rumble that the minutes of the Audit Committee Meeting of 9 April 2008 be
confirmed.

DECLARATIONS OF INTEREST

Nil

MASTER PROGRAM REPORTS

LEADERSHIP AND ORGANISATION

1 2007-08 Annual Financial Statements

Andrew Moore presented the Draft Financial statements for the period ending 30 June
2008.

It was noted that one CDO with a face value of \$1M was revalued down to \$123,000
while Council's other CDO is still valued at \$1M. Discussion focused on the losses

of other Councils which are far higher than Penrith's, the history of Councils investing in these instruments, and the extent of reporting to Council on the matter so far. Council Officers were of the view that the valuation received reflected the fact that there is no effective market for this security. Coupon (interest) payments continue to be received.

Buildings have been revalued by Council experts but further work is required in order to determine the depreciation that should be applied. Independent assessors will be looking at this during 2008/09 for insurance purposes and it seemed sensible to utilise that work rather than duplicate the task for the statements. There was discussion on revaluations generally and roads in particular. It was noted that depreciation expenses will rise due to the revaluations and that cyclical revaluations are now expected. The Department of Local Government issues directives on when to revalue items and this improves the comparison between Councils. Dennis Banicevic complimented Council on the accuracy of the accounts as current accumulated depreciation has proven to be in line with the outcome of the revaluations.

The Committee asked questions on disposal of property and the accounts of controlled entities. Dennis Banicevic provided a commentary on note 13(Performance Measures), special schedule 7 (Condition of Public Works) and special schedule 8 (Financial Projections). Rates outstanding was discussed along with the other KPIs.

It was noted that Council does not currently generate a surplus prior to capital grants and contributions, which indicates that assets are wearing out faster than they are replaced. There is quite a bit of estimation involved in determining how fast assets are wearing out and the accuracy level needs to be factored into any evaluation. More important than the actual answer was whether the outcome improves or deteriorates each year. Penrith's results are improving and special schedule 8 is encouraging in this regard.

The Committee requested the Financial Services Manager to include in her usual "plain English" commentary on the Financial Statements to Council, the matters discussed including CDOs, Fair Value, Rates Outstanding, KPIs, Special schedules 7 and 8.

The meeting noted that the statements were in the final stages of checking and review. The chair asked if anyone saw any reason to doubt that the Financial Statements when completed, would present a true and fair view or if there was any reason why the Council should not sign off on the statements.

Resolved on the motion of Frank Gelonesi seconded Councillor Ross Fowler OAM that

1. the information contained in the report on 2007-08 Annual Financial Statements be received.
2. the Audit Committee is satisfied with the answers it has received and is unaware of any reason why the Statements should not be adopted
3. the Audit Committee refers the statements to Council for signing

4. the Audit Committee requests commentary be provided to Council as discussed at the meeting to assist Councillors in understanding the statements

2 Internal Audit - Four Year Plan

Peter Browne advised of the current status of the plan.

Resolved on the motion of Clr Ross Fowler OAM seconded Frank Gelonesi that :

1. The information contained in the report on Internal Audit - Four Year Plan be received.
2. The current year proceed as proposed and that a further report be brought back to the next Audit Committee meeting on future years' plans.

3 Progress report on Penrith City Council's Business Continuity Plan.

Stephen Britten advised the Committee of the Council's Business Continuity Plan. The Plan creates a management structure to organise recovery after a major event as well as dealing with a number of specific items.

The Plan needs to be updated regularly to keep it current. In particular changes will be needed due to restructuring of Council that is currently underway. Training and testing of the Plan is proposed for next year after updating of the organisation structure.

Councillor Gary Rumble suggested a number of minor changes and complimented the staff on the quality of the Plan.

Resolved on the motion of Councillor Gary Rumble seconded Councillor Karen McKeown that the information contained in the report on Progress report on Penrith City Council's Business Continuity Plan. be received.

4 FiscalStar analysis on Penrith City Council

The report by FiscalStar on Councils was discussed. The analysis of each Council is considered superficial and far more information would be needed by FiscalStar for them to provide anything useful. It was noted that they do provide a more detailed analysis for a fee and it would appear that the preliminary statistics are geared to gaining media attention. It was noted that Council has had a "Better Practice Review" which is a detailed review of the particular Council conducted by the Department of

Local Government. A review by Standard and Poors confirmed Penrith City Council's AA+ credit rating in June 2008.

Resolved on the motion of Councillor Gary Rumble seconded Councillor Ross Fowler OAM that the information contained in the report on FiscalStar analysis on Penrith City Council be received.

5 Audit Committee Standing Items

Peter Browne and Stephen Britten updated the Committee on recent events. It was noted that the next meeting will have different Councillor members and will need to elect a chairperson for the next 12 months. Councillor Gary Rumble will not be a candidate for the 2008 Council Elections and hence this is his last meeting. Councillor Gary Rumble was thanked for his contribution.

Resolved on the motion of Frank Gelonesi seconded Councillor Ross Fowler OAM that the information contained in the report on Audit Committee Standing Items be received.

GENERAL BUSINESS

GB 1 Organisational Restructure

Alan Stoneham advised that the new organisation structure is being advised to staff and following that process, the Audit Committee will be advised at the next meeting.

NEXT MEETING

The date for the next meeting was tentatively set as 3 December 2008.

There being no further business the Chairperson declared the meeting closed the time being 9:58 am.

Leadership and Organisation

11 Council Operations between the Local Government Election and the 13 October 2008 Ordinary Council Meeting

Compiled by: Stephen Pearson, Executive Services Officer

Authorised by: Glenn McCarthy, Executive Officer

Strategic Program Term Achievement: *The organisation is managing its statutory requirements and the needs of a participatory community in a transparent and balanced way.*
Critical Action: *Develop, review and monitor policies and procedures to enable the organisation to engage more effectively with the community while meeting its statutory and public interest obligations.*

Purpose:

To inform Councillors of the operational arrangements between the upcoming Local Government Election and the Ordinary Council Meeting to be held on 13 October 2008. The report recommends that development applications which would normally warrant reporting to Council between 9 September 2008 and 12 October 2008 inclusive be determined by:

- 1. The General Manager, after consultation with the Mayor, or in the Mayor's absence, the Deputy Mayor, in the periods from 9/9/08 to 12/9/08 inclusive and from 30/9/08 to 12/10/08 inclusive;*
- 2. The General Manager, after consultation with the Mayor, in the period from 13/9/08 to 29/9/08; with a report to be presented to the Council Meeting on 13 October 2008 relating to the operations of the organisation during this period.*

Background

The Local Government Elections will be held on Saturday 13 September 2008. Under section 233(2)(b) of the *Local Government Act 1993* all Councillors – other than the Mayor – cease to hold office on the day of the ordinary election.

The position is different for the Mayor. Under section 230(3)(b), the Mayor holds the Mayoral position until a successor is declared to be elected to the office. This applies whether or not the Mayor is re-elected as a Councillor at the ordinary election. The proviso is that for a Mayor elected by the Councillors, that the Mayoral election must be held within 3 weeks after the ordinary election.

The Local Government Elections are the responsibility of the New South Wales Electoral Commission and Council plays no role in the counting or declaration of the Poll. Council, in anticipation of the poll being declared in mid to late September, has resolved that the Mayoral Election be held on Monday 29 September 2008 (which is 16 days after the ordinary election).

Current Situation

Council's current policy stipulates that development applications falling within the six categories set out below must be brought to Council. These include applications for which:

1. A Councillor has requested that the matter be determined by the Council;
2. Significant public objection has been raised;
3. The application generates significant traffic, or otherwise warrants referral to Council;
4. The development is proposed to be undertaken upon land owned by Council;
5. The applicant is Council;
6. The applicant is a Councillor, or related to a Councillor, and the application is for a development which is either:
 - On land other than that which is their current or proposed place of residence, or
 - Not to be used for residential purposes by the applicant;
7. The applicant is an employee of Council, or related to an employee of Council, and the application is for development which is either:
 - On land other than that which is their current or proposed place of residence, or
 - Not to be used for residential purposes by the applicant;
8. The development was commenced ahead of development consent being sought.

The upcoming elections will effectively result in deferring the determination of development applications within these categories for a period of 5 weeks until the Ordinary Meeting to be held on 13 October 2008, the business of the 29 September Ordinary Meeting being confined to the Mayoral/Deputy Mayoral election and appointment of Committees. It is considered prudent for interim alternative arrangements to be put in place.

Council presently has a policy 'Decision-Making Arrangements during Council's Christmas Recess' whereby development applications which would normally warrant reporting to Council, can be determined by the General Manager, under the General Manager's delegation, in consultation with the Mayor, or in the Mayor's absence, the Deputy Mayor. This same policy could be applied, but with modification for the period when Council has no Deputy Mayor (i.e. from 13 September 2008 to 29 September 2008).

It is proposed therefore that:

- for the period between the day following the last Ordinary meeting of the present Council (9 September 2008) up until the day prior to the Council Election (12 September 2008), that development applications which would normally warrant reporting to Council, be determined by the General Manager, under the General Manager's existing delegations, and the Mayor, or in the Mayor's absence, the Deputy Mayor be consulted prior to determination.
- for the period between the Council Election (13 September 2008) and the first Ordinary meeting of the new Council (29 September 2008), that development applications which would normally warrant reporting to Council, be determined by the General Manager, under the General Manager's existing delegations, and the Mayor be consulted prior to determination.
- for the period between the day following the first Ordinary meeting of the new Council (30 September 2008) and the day prior to the second Ordinary meeting of the new Council (12 October 2008), that development applications which would normally warrant reporting to Council, be determined by the General Manager, under the General

Manager's existing delegations, and the Mayor, or in the Mayor's absence, the Deputy Mayor be consulted prior to determination.

Other routine operations would continue as normal. The General Manager would exercise his powers to ensure the smooth operation of the organisation.

At this stage, the following development applications may need determinations to be made between 8 September 2008 and 13 October 2008:

1. DA08/0218 – 162a Sixth Avenue, Llandilo (Daly International) telecommunications tower;
2. DA08/0576 – 606 High Street, Penrith (Nor'Side Developments) Commercial building (see separate report to tonight's meeting).

RECOMMENDATION

That:

1. The information contained in the report on Council Operations between the Local Government Election and the 13 October 2008 Ordinary Council Meeting be received.
2. Development Applications which would normally warrant reporting to Council between 9 September 2008 and 12 October 2008 inclusive be determined under the General Manager's delegation by:
 - the General Manager, after consultation with the Mayor, or in the Mayor's absence, the Deputy Mayor, in the periods from 9/9/08 to 12/9/08 inclusive and from 30/9/08 to 12/10/08 inclusive;
 - the General Manager, after consultation with the Mayor, in the period from 13/9/08 to 29/9/08.
2. A report be presented to the Ordinary Council Meeting to be held on 13 October 2008 relating to the operations of the organisation during this period.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

Leadership and Organisation

12 Directors on Penrith Performing and Visual Arts Limited

Compiled by: Matthew Bullivant, Legal Officer

Authorised by: Stephen Britten, Legal and Governance Manager

Strategic Program Term Achievement: *Council has implemented leading practice ethical and corporate governance standards.*

Critical Action: *Review and apply leading practice ethical and corporate governance standards.*

Purpose:

To inform Council of the resignation of two directors from the board of the Penrith Performing and Visual Arts Limited and the appointment of Councillor Pat Sheehy AM to one of those positions. The report recommends that the resignations of Councillor Pat Sheehy AM and Mr Bruce McDonald be received and that Councillor Pat Sheehy AM be appointed as a community representative on the board of the Penrith Performing and Visual Arts Limited.

Background

The Penrith Performing and Visual Arts Limited (PPVA) is a controlled entity of the Council. The objectives and operation of the PPVA are controlled by a Board of Directors in accordance with the Constitution of the PPVA.

The Board of PPVA consists of 15 Directors. Clause 16.2 of the Constitution provides that the Council shall appoint directors to the Board in such a manner as the Council deems appropriate.

The Constitution also provides that the Board shall be comprised of not more than 5 Council Directors of whom not more than 4 are to be Councillors of the Council and the remaining Council Director position is to be the General Manager or his nominee. The remaining positions on the Board are to consist of up to 10 appointed Directors who shall not be Council Directors.

Current Situation

Councillor Pat Sheehy AM is currently one of the four Councillor Director representatives on the board of PPVA. Council's former Director of City Strategy, Mr Bruce McDonald, holds one of the 10 community Director positions on the board.

Mr Bruce McDonald has tendered his resignation to the Board of Directors. This has the effect of leaving one of the ten community Director positions vacant.

It is understood that Councillor Pat Sheehy AM has elected not to nominate for the upcoming Council elections (13 September 2008), meaning that Councillor Sheehy AM will not be a Councillor on Penrith City Council for the new Council term.

In the circumstances, Councillor Sheehy AM has also tendered his resignation to the Board of Directors as one of the Councillor Director representatives.

In light of the vacancies created by Mr Bruce McDonald and Councillor Pat Sheehy AM (as one of the 4 Councillor positions), the Board of Directors recommend the appointment of Mr Pat Sheehy AM to fill the community Director vacancy created by Mr Bruce McDonald.

This report therefore recommends that the resignation of Mr Bruce McDonald be accepted, along with the resignation of Councillor Pat Sheehy AM, in his capacity of one of the four Councillor Directors. The report also recommends that Mr Pat Sheehy AM be appointed to the vacant community Director position effective from 14 September 2008.

If the recommendations referred to in this report are endorsed by the Council, then this will have the effect of creating a vacancy on the Board of Directors of one of the four Councillor Director representatives.

The Constitution of PPVA does not require this position to be filled immediately. It is recommended that the Councillor Director vacancy be filled after the Council elections on 13 September 2008. It is anticipated that a report will be included in the business paper for the first available Council meeting following the Council elections. This report will deal with the Councillor Director positions on all of Council's controlled entities.

RECOMMENDATION

That:

1. The information contained in the report on Directors on Penrith Performing and Visual Arts Limited be received.
2. The resignations of Councillor Pat Sheehy AM as a Councillor representative and Mr Bruce McDonald as a community representative on the board of the Penrith Performing and Visual Arts Limited be accepted.
3. Councillor Pat Sheehy AM be appointed as a community representative on the board of the Penrith Performing and Visual Arts Limited effective from 14 September 2008.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

Leadership and Organisation

13 2008-09 Financial Assistance Grant

Compiled by: Ben Collins, Acting Management Accountant - Budget

Authorised by: Vicki O'Kelly, Financial Services Manager

Strategic Program Term Achievement: *A sound long-term financial position is maintained in balance with pressures to provide new and expanded services.*

Critical Action: *Achieve agreed financial performance targets.*

Purpose:

To provide Council with information regarding the 2008-09 Financial Assistance Grant from the Federal Government. The report recommends that the additional general component of \$389,694 be transferred to Reserve for 2009-10 projects.

Background

A significant part of Council's annual revenue (\$10.7m in 2008-09) is derived from the Financial Assistance Grant. Local Government financial assistance grants are general purpose grants that are paid to local councils under the provisions of the Commonwealth *Local Government (Financial Assistance) Act 1995*.

The grant to be received in 2008-09 consists of two components, a general component (\$8.9m) and a roads component (\$1.8m). The calculation of the grant is an extremely complex exercise and Council has no control over many of the factors. As it is an allocation of a pool of funds, the impacts of social and economic factors in other areas of the state will have an impact on the amount available for Penrith.

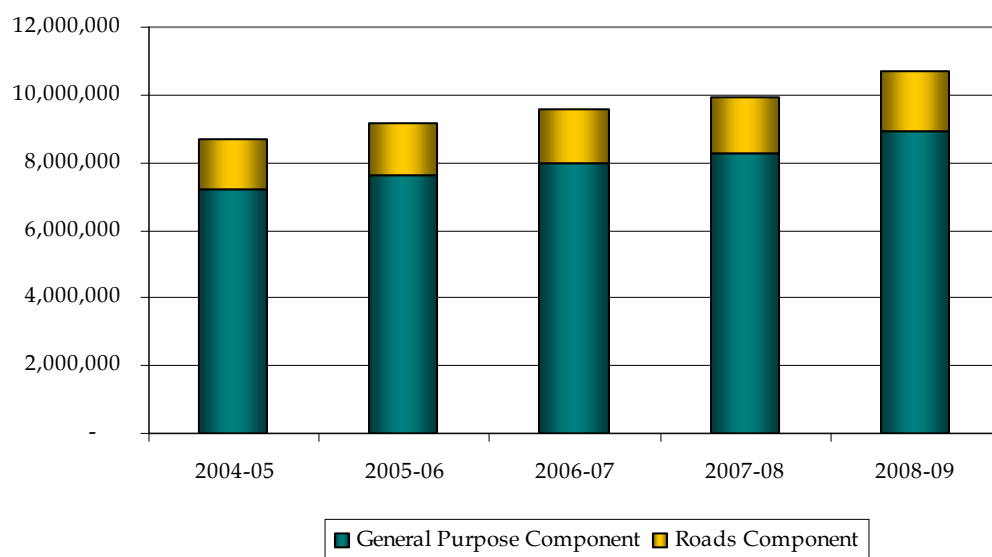
Council made a number of submissions to the Grant Commissions after they visited Penrith in November 2004, however none of the submissions resulted in a change to the factors used to calculate the grant distribution, as our existing measures were considered adequate. More recently, the Grants Support Officer has examined the most recent factors and discussed these with the Grants Commission. There were no areas where it was able to be identified that the disability factors relating to Penrith contained within the formula were not adequate.

Current Situation

The Financial Assistance Grant (FAG) allocated this year is \$459,642 more than was estimated during the budget process. At the time of preparing the 2008-2009 original budget, a 3% increase on the 2007-08 actual grant received was factored in. The 2008-09 allocation is a 7.6% increase on the previous year. The roads component of the grant is an additional \$120,570, compared to 2007-08 actual, which according to Council policy is added to the roads budget.

This increase in the Financial Assistance Grant has been included in the Long Term Financial Model, and a 3% increase applied from 2009-10 onwards.

	2004-05	2005-06	2006-07	2007-08	2008-09
Total Financial Assistance Grant	8,714,034	9,167,872	9,586,765	9,953,104	10,711,342
General Purpose Component	7,233,103	7,607,106	7,959,646	8,264,426	8,902,094
Roads Component	1,480,931	1,560,766	1,627,119	1,688,678	1,809,248
% Increase on prior year					
Total Financial Assistance Grant	(0.90%)	5.21%	4.57%	3.82%	7.62%
General Purpose Component	(1.33%)	5.17%	4.63%	3.83%	7.72%
Roads Component	1.23%	5.39%	4.25%	3.78%	7.14%



It is suggested that the additional funds of \$389,694 be transferred to reserve to assist in funding the general revenue component of the key projects in 2009-10 in which year the Long Term Financial Model predicts challenges in preparing a balanced budget with the current level of service delivery.

RECOMMENDATION

That:

1. The information contained in the report on 2008-09 Financial Assistance Grant be received.
2. The additional \$389,694 be transferred to reserve for 2009-10 projects.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

Leadership and Organisation

14 Summary of Investments & Banking reported for the period 1 July to 31 August 2008

Compiled by: Pauline Johnston, Expenditure 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: *Maximise funding opportunities to deliver Council's program.*

Purpose:

To provide a summary of investments for the period 1 July 2008 to 31 August 2008, and a Reconciliation of Invested Funds at 31 August 2008.

Background

This report contains information on the investment portfolio for July and August. At the time of printing this report, while investment balances were known, Council had not received the monthly return on the portfolio for August from Oakvale Capital, Council's investment advisers. Once this information has been finalised it will be issued to Councillors by memo.

Important information relating to Council's two Collateralised Debt Obligations (CDO's) was sent to Councillors by memo on 22 August 2008. This memo updated Councillors on the status of these investments. The June investment report had informed Councillors that Council's CLEAR CDO had suffered a significant credit rating downgrade by Standard and Poors that had impacted the investments market value and that this impact would reduce the value of the investment from \$1m to \$123,000. At the time it was reported that Council's other CDO, Momentum, was still being carried in Council's books at par value (\$1m) as it had not experienced similar downgrades, and that there was no direct exposure to the US sub prime investments and that this investment was in corporate debt.

During the end of year audit process, an alternative valuation was received from Oakvale on 21 August 2008 for the Momentum 2007-07 Collateralised Debt Obligation. This valuation was significantly different to the previous valuation obtained by Council and represented a bid price for the CDO as at 30 June 2008 from the issuers of the CDO, Calyon.

Following discussions with Council's auditors, PricewaterhouseCoopers, it has been deemed prudent to adjust the valuation of the CDO as at 30 June from \$1,000,000 to \$295,000. Oakvale Capital have confirmed that in their opinion the investment is not at risk and that the reduced valuation is a function of the current market conditions and not necessarily a reflection of the worth of the security. This decrease in value, along with the decline in value of the CLEAR CDO previously reported to Council, has been included in the financial results for 2008 that are being reported to this meeting.

In addition to this, Oakvale have advised Council that Standard and Poors have further downgraded the CLEAR CDO to CCC+.

Both of these CDOs continue to form part of the long term component of Council's portfolio and fluctuations in their values will be reported in the monthly investment report to Council.

CERTIFICATE OF RESPONSIBLE ACCOUNTING OFFICER

I hereby certify the following:

1. All investments have been made in accordance with Section 625 of the Local Government Act 1993, relevant regulations and Council's Investment Policy.
2. Council's Cash Book and Bank Statements have been reconciled as at 31 August 2008.



Barry Husking
Responsible Accounting Officer

RECOMMENDATION

That:

1. The information contained in the report on Summary of Investments & Banking reported for the period 1 July to 31 August 2008 be received.
2. The Certificate of the Responsible Accounting Officer and Summaries of Investments and Performance for the period 1 July 2008 to 31 August 2008 be noted and accepted.
3. The graphical investment analysis as at 31 August 2008 be noted.

ATTACHMENTS/APPENDICES

1. Summary of Investments 4 Pages Appendix

Penrith City Council

Summary of Investment Portfolio

1 July 2008 to 31 August 2008

Prepared in conjunction with Oakvale Capital

Commentary for July and August 2008

Despite a larger than expected CPI increase for the June quarter, the RBA, at its 2 September meeting, announced a reduction of 0.25% in official interest rates. This decrease, the first in almost seven years, was widely expected because high interest rates were causing a decline in business confidence, and recent economic data indicated the economy was slowing down sufficiently and inflation starting to fall. Term deposit rates for new investments decreased during August as banks factored in the probability of one or more cuts in official rates before year end.

Following on the disappointing result in June, the portfolio performed significantly better during July, and preliminary calculations indicate that August earnings should meet benchmark.

Following discussion with Council's auditors, both CLEAR and Momentum CDOs are shown in this report at their revised carrying values and credit ratings. The credit crunch which has so adversely affected this type of security, continues to cause major concern across global investment markets, although the US now seems to have avoided deep recession.

Due to the early scheduling of the September Ordinary Meeting, performance figures for August investments were not available in time to include in this report however will be provided by memo as soon as they are available.

Council's portfolio continues to be monitored closely to ensure returns are maximised as opportunities become available.

Benchmark (UBSWA Bank Bill Index) annualised	8.15%
Annualised return (Council portfolio)	6.91%
Managed Funds (return for the period)	8.68%
Floating Rate Notes (return for the period)	8.41%

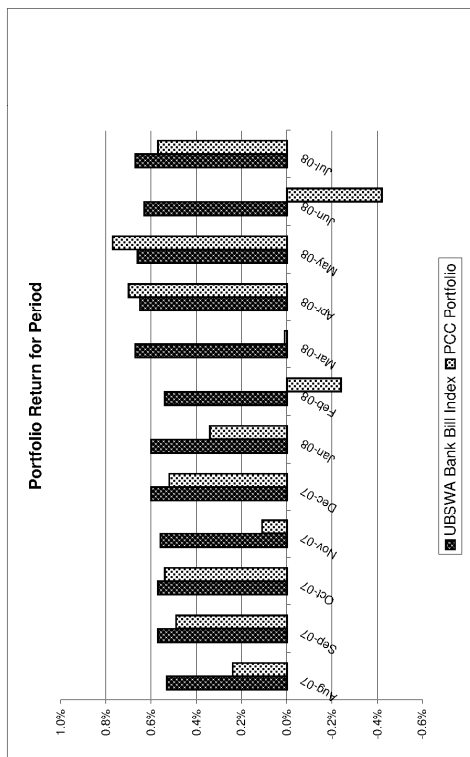
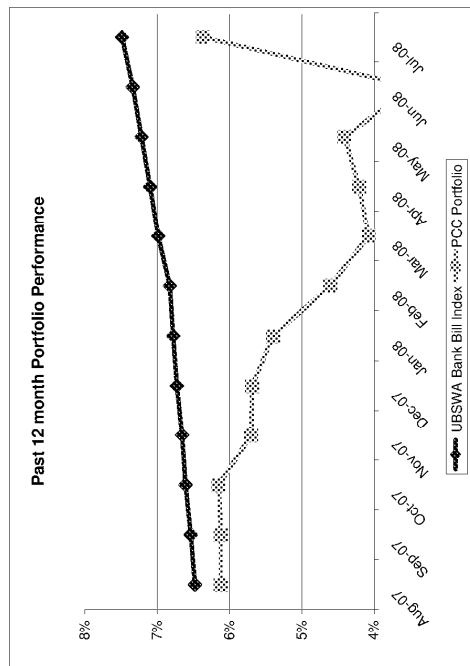
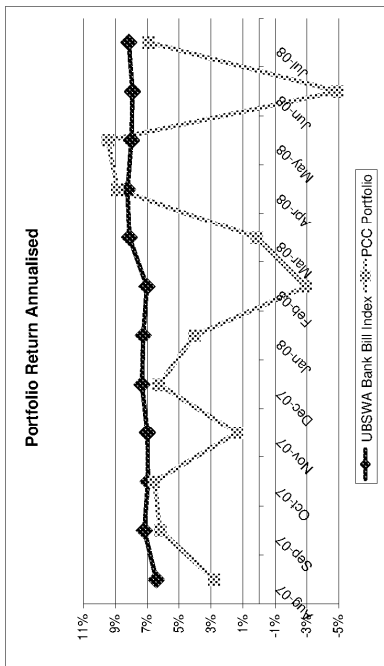
Perinth City Council

Historical Investment Performance

Monthly portfolio returns compared to monthly and annualised

Performance for the period
1 July 2008 to 31 July 2008

	Portfolio %	Benchmark % (UBS Warburg)
Portfolio return for the period	0.57	0.67
Portfolio return annualised	6.91	8.15
Past 12 month portfolio performance	6.37	7.49
Current portfolio yield	8.30	



**Pennith City Council
Investment Summary**

Asset Group	Opening value (Face value) 30 June 2008	Closing value (Carrying value) 31 August 2008
Pooled Managed Fund Investment Group	12,647,885	12,827,438
Floating Rate Note Investment Group	17,457,340	15,875,681
Current Investment group (excl bank balance)	500,000	1,600,000
Term Investment Group	35,609,092	37,109,092
Total	66,214,317	67,412,211
General Fund Bank Balance	415,888	1,540,187
Total	66,630,205	68,952,398

Reconciliation of Invested Funds

	Period ending 30-Jun-08	Period ending 31-Aug-08
	66,630,205	68,952,398
Externally restricted Assets		
Section 94 Developer Contributions	23,670,250	22,634,355
Restricted Contributions for Works	6,211,180	5,916,733
Unexpended Grants	3,333,495	3,292,121
Unexpended Loan Funds	12,294,825	8,711,440
Other	1,056,596	4,221,229
	46,566,346	44,775,878
Internally Restricted Assets for funding of operations		
Sinking Funds	388,450	388,450
Internal Reserves	12,571,529	14,602,349
Security Bonds and Deposits	1,863,545	1,893,196
	14,823,524	16,883,995
Restricted Assets Utilised in Operations	0	
Unrestricted Invested Funds	5,195,137	7,292,525
Invested Funds held as at 31 August 2008	66,585,007	68,952,398

Porirua City Council

Portfolio shown as rated by S & P

Global Credit exposure	Bank/Financial Institution	\$ Utilised	% Portfolio	% Policy Maximum
Short Term				
A-1+	CSA, Citibank, BankWest, Macquarie	30,209,082	44.81%	100% (25% per institution)
A-3	IMB	8,500,000	12.61%	20%
AA-	LGFS Fixed Out-Performance Cash Fund	12,827,438	19.03%	20% (when the investment was first made)
Long Term				
AAA	Floating Rate Note (Barclays Capital)	2,957,340	4.38%	100% (25% per institution)
CCC+	Aramis (CLEAR 40) CDO	123,341	0.18%	15% per institution
AA- Securities Exposure				
AA	Floating Rate Note (Westpac)	1,000,000	1.48%	100% (25% per institution)
AA	Floating Rate Notes (CBA)	4,000,000	5.93%	100% (25% per institution)
AA-	Floating Rate Note (HSBC)	1,000,000	1.48%	100% (25% per institution)
AA-	Floating Rate Note (Deutsche Bank)	1,000,000	1.48%	100% (25% per institution)
AA-	Floating Rate Note (ANZ)	2,500,000	3.71%	100% (25% per institution)
AA+ Securities Exposure				
BBB-	Momentum Calyon Nickel CDO	295,000	0.44%	15%
A	Floating Rate Notes (St George Bank, Macquarie Bank)	2,000,000	2.97%	100% (20% per institution)
A	Floating Rate note (Colonial Finance)	1,000,000	1.48%	100% (20% per institution)
Total Portfolio		67,412,211	100%	

Diversification of Portfolio

Dealing Bank	Investment	Percentage
BankWest	11,500,000	17.06%
Citibank Pty Limited	9,200,000	13.65%
Barclays Bank	2,957,340	4.39%
Merrill Lynch/ Pierce, Fenner & Smith Incorporated	123,341	0.2%
ANZ Bank	2,500,000	3.71%
Westpac Banking Corporation	1,000,000	1.48%
Commonwealth Bank of Australia	7,509,092	11.14%
LGFS	12,827,438	19.03%
Macquarie Bank	8,000,000	11.87%
Calyon	295,000	0.44%
St George Bank	1,000,000	1.48%
Deutsche Bank	1,000,000	1.48%
HSBC	1,000,000	1.48%
IMB Limited	8,500,000	12.61%
Total Investment	67,412,211	100%

COMMITTEE OF THE WHOLE

MASTER PROGRAM REPORTS

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Pecuniary Interests

Other Interests

Monday September 8 2008

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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

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:

Leadership and Organisation

2 Commercial Matter - Council Property - Lease of Shop 2 at 144 Henry Street, Penrith

This item has been referred to Committee of the Whole as the report refers to commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

Leadership and Organisation

3 Commercial Matter - Bennett Road, St Clair

This item has been referred to Committee of the Whole as the report refers to commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

4 Commercial Matter - Council Property - Lot 28 DP 700376 Laycock Street, Cranebrook, being part of Greygums Oval

This item has been referred to Committee of the Whole as the report refers to commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret and discussion of the matter in open meeting would be, on balance, contrary to the public interest.



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