

24 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 29 September 2008 at 7:00PM.

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

Yours faithfully

**Alan Stoneham**  
**General Manager**

***BUSINESS***

- 1. APOLOGIES**
- 2. CONFIRMATION OF MINUTES**  
*Ordinary Meeting - 8 September 2008.*
- 3. 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*
- 4. MAYORAL MINUTE**  
*Welcome to New Council.*
- 5. MASTER PROGRAM REPORTS**

**ORDINARY MEETING**  
**MONDAY 29 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.

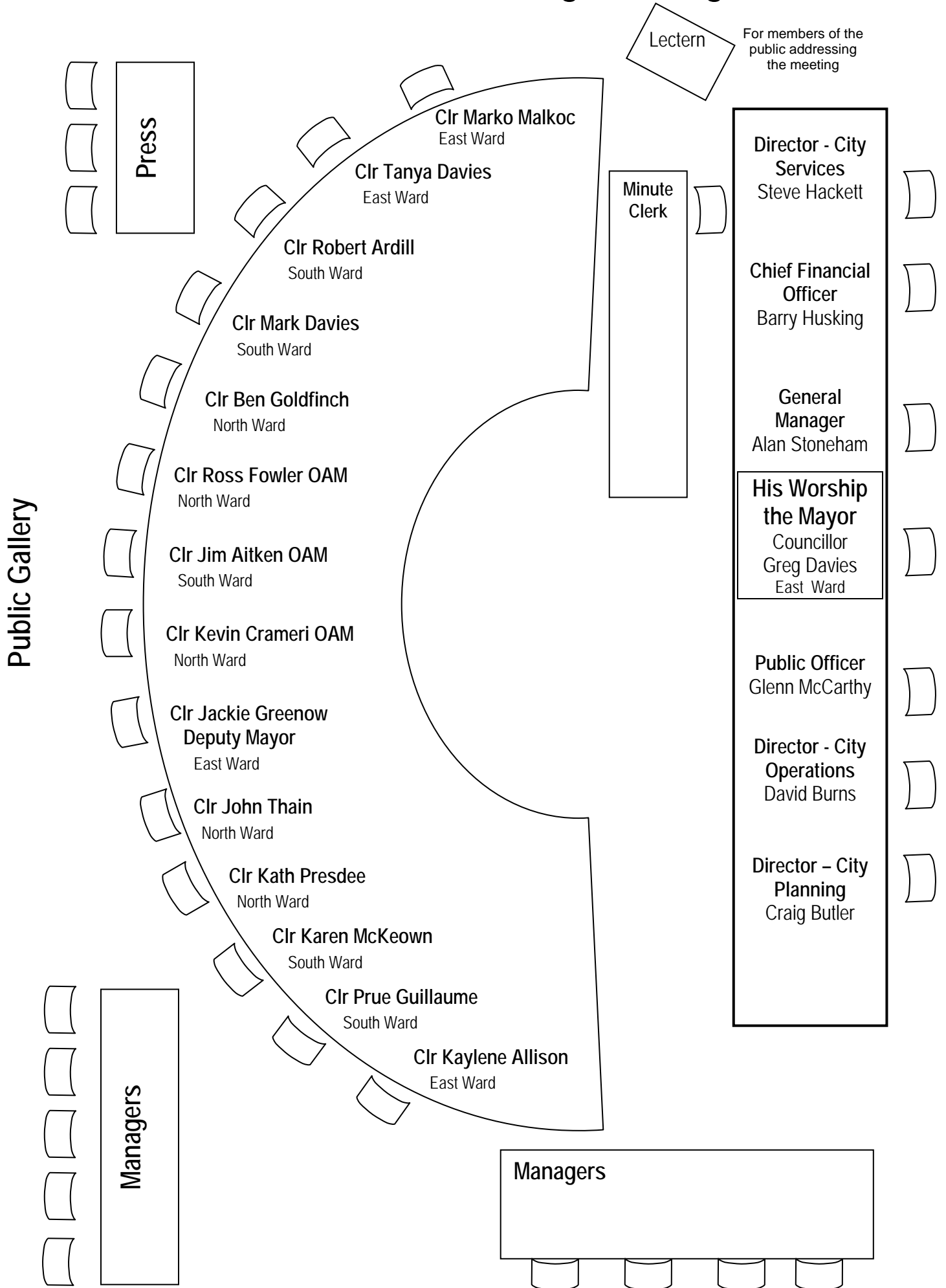
We come not in a spirit of competition, not as adversaries, but as colleagues. Help us to treat each other with respect, with dignity, with interest and with honesty. Help us not just to hear the words we say, but also to hear each others hearts. We seek to be wise in all that we say and do.

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
<b>Ordinary Meetings</b>	7.30 pm	4	10	7	5❖		14	4	8✓	13	10	1
		25		21	19	23*			29^			15
<b>Policy Review Committee</b>	7.30 pm		3		12#		7		1	20	17#	
		18#+	31@	28		16	28	18#+				
<b>Councillor Briefing / Working Party / Presentation</b>	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 8 SEPTEMBER 2008 AT 7:04PM**

#### **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 Kaylene Allison, David Bradbury, Lexie Cettolin, Kevin Crameri OAM, Mark Davies, Ross Fowler OAM, Jackie Greenow, Karen McKeown, Susan Page, Garry Rumble, Pat Sheehy AM and John Thain.

#### **APOLOGIES**

315 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Jackie Greenow that the apologies from Councillors Jim Aitken OAM and Steve Simat be accepted.

#### **CONFIRMATION OF MINUTES - Ordinary Meeting - 4 August 2008**

316 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Kevin Crameri OAM that the minutes of the Ordinary Meeting of 4 August 2008 be confirmed.

#### **DECLARATIONS OF INTEREST**

Councillor Pat Sheehy AM declared a non-pecuniary interest in *Item 12 – Directors on Penrith Performing and Visual Arts Limited* as he is recommended for appointment as a community representative on the Board of Penrith Performing and Visual Arts Limited. Councillor Sheehy stated that he would leave the Chamber during consideration of this item.

Councillor Karen McKeown declared a non-pecuniary interest in *Item 12 – Directors on Penrith Performing and Visual Arts Limited* as she is a member of the Board of Penrith Performing and Visual Arts Limited. Councillor McKeown stated that she would reserve her right to speak and vote on the matter.



## MAYORAL MINUTES

### **1 Retirement of Parks Construction and Maintenance Manager**

317 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow that the Mayoral Minute on Retirement of Parks Construction and Maintenance Manager be received.

### **2 The Passing of Mr Greg Marshall**

318 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow that the Mayoral Minute on The Passing of Mr Greg Marshall be received.

A minute's silence was observed in memory of Mr Greg Marshall.

### **3 Mayoral Ball raises \$36,000 for local charities**

319 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow that the Mayoral Minute on Mayoral Ball raises \$36,000 for local charities be received.

### **4 A Retrospective of Penrith City Council 2004 - 2008**

320 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Jackie Greenow that the Mayoral Minute on A Retrospective of Penrith City Council 2004 - 2008 be received.

## REPORTS OF COMMITTEES

### **1 Report and Recommendations of the Local Traffic Committee Meeting held on 4 August 2008**

321 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Susan Page that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 4 August, 2008 be adopted.

### **2 Report and Recommendations of the Disability Access Committee Meeting held on 6 August 2008**

322 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Ross Fowler OAM that the recommendations contained in the Report and Recommendations of the Disability Access Committee meeting held on 6 August, 2008 be adopted.

### **3 Report and Recommendations of the Policy Review Committee Meeting held on 18 August 2008**

323 RESOLVED on the MOTION of Councillor Susan Page seconded Councillor Mark Davies that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 18 August, 2008 be adopted.

**4 Report and Recommendations of the Local Traffic Committee Meeting held on 1 September 2008**

324 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Mark Davies that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 1 September, 2008 be adopted.

**5 Report and Recommendations of the Policy Review Committee Meeting held on the 1 September 2008**

325 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Lexie Cettolin 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**

326 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Ross Fowler OAM that *Item 9 - 2007-08 Annual Financial Statements* be considered before all other business.

**SUSPENSION OF STANDING ORDERS**

327 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Kaylene Allison that Standing Orders be suspended to allow Council's Auditor to address the meeting, the time being 8:34 pm.

Council's External Auditor, Mr Dennis Banicevic, a Director of PriceWaterhouse Coopers, addressed the meeting and gave a short presentation on Council's 2007-2008 Annual Financial Statements. Mr Banicevic said the Statements show Penrith City Council to be in a sound financial position and that they demonstrate a high standard of financial reporting.

**RESUMPTION OF STANDING ORDERS**

328 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Ross Fowler OAM that Standing Orders be resumed, the time being 8:47 pm.

**LEADERSHIP AND ORGANISATION**

**9 2007-08 Annual Financial Statements**

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

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.

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

### **1 Penrith City Centre Development Control Plan 2007**

330 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Mark Davies

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.

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

### **2 Research Partnerships Program - University of Western Sydney**

331 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Karen McKeown

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.

### **3 Sydney North West Inclusion Support Agency**

332 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Karen McKeown

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.

- 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**

333 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Karen McKeown

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.

## THE CITY IN ITS ENVIRONMENT

### **5 Kitchen Organics Tidy Bins Tender**

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

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.

## THE CITY SUPPORTED BY INFRASTRUCTURE

### 8 Penrith CBD - Temporary Christmas Shuttle Bus

335 RESOLVED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Jackie Greenow

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.

### 6 RTA 2008/09 Road Funding Grants

336 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Kevin Crameri OAM

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".

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

337 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Pat Sheehy AM

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.
4. Council congratulate staff involved in securing this grant funding, particularly in regard to their new approach to obtaining 'Black Spot' funding.

## **LEADERSHIP AND ORGANISATION**

Having previously declared a non-pecuniary interest in Item 12, Councillor Pat Sheehy AM left the meeting, the time being 8:53 pm.

### **12 Directors on Penrith Performing and Visual Arts Limited**

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

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.
4. Council write a letter to Mr Bruce McDonald thanking him for his considerable contribution as a community representative on the board of the Penrith Performing and Visual Arts Limited.

Councillor Garry Rumble left the meeting, the time being 8:54 pm.

Councillor Pat Sheehy AM returned to the meeting, the time being 8:55 pm.

### **10 Audit Committee**

339 RESOLVED on the MOTION of Councillor Susan Page seconded Councillor Kaylene Allison that the information contained in the report on Audit Committee be received.

Councillor Garry Rumble returned to the meeting, the time being 8:56 pm.

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

340 RESOLVED on the MOTION of Councillor Susan Page seconded Councillor Kaylene Allison

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.

**13 2008-09 Financial Assistance Grant**

341 RESOLVED on the MOTION of Councillor Susan Page seconded Councillor Kaylene Allison

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.

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

342 RESOLVED on the MOTION of Councillor Susan Page seconded Councillor Kaylene Allison

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.



## **QUESTIONS WITHOUT NOTICE**

### **QWN 1 Spring Festival 2008**

Councillor Jackie Greenow advised that the Spring Festival was to be held on Saturday 6 September 2008, but that it had to be cancelled due to rain. It would now be held on a date to be determined, but possibly 11 October 2008.

### **QWN 2 Request for Sign - Brookfield Basketball Court**

Councillor Lexie Cettolin requested a memo reply to her request for a sign to be erected at the Brookfield basketball court, to remind people to take their rubbish with them when they leave.

### **QWN 3 Funds handed over to State Government by Councils**

Councillor Kevin Crameri OAM requested a memo reply consisting of an itemised list of amounts of money handed over to State Government by Penrith City Council relating to agency payments (predominantly rate instalments) taken on Council's behalf by the Commonwealth Bank, where insufficient reference was included to enable identification.

### **QWN 4 Government Drive, Emu Plains**

Councillor Kevin Crameri OAM requested a memo reply as to whether the north side of Government Drive, Emu Plains is on the list for footpath paving, and if so, when the work is scheduled to be carried out.

### **QWN 5 Damaged caused to Roads by Garbage Trucks - Llandilo**

Councillor Kevin Crameri OAM requested a report to Council on the damage caused by garbage trucks to the verge and edge of the road in Old Llandilo Road, and Fourth Avenue, between Northern and Terrybrook Roads, Llandilo.

### **QWN 6 Provision of Maintenance Services - Llandilo**

Councillor Kevin Crameri OAM requested a report to Council addressing concerns of residents of Llandilo that the provision of services to this area are diminishing, in particular those relating to maintenance of roads, shoulders and footpaths.

### **QWN 7 Availability of Rescue Services in Penrith Area**

Councillor Kevin Crameri OAM requested a report to Council on the current availability of the rescue service in the Penrith area, given the recent loss of the Ambulance service, including the area covered by the service, and also requested that a letter be forwarded to the Minister for Emergency Services, the Hon Tony Kelly MLC, seeking information in this regard.

### **QWN 8 TV Reception in Western Sydney**

Councillor Kevin Crameri OAM requested a memo reply to all Councillors concerning the lack of TV reception available in various areas of the Penrith Local Government Area and seeking that this problem be addressed.

**QWN 9 Report on Outstanding Items**

Councillor Garry Rumble requested a report to Council on Outstanding Items, previously submitted by him for action.

**QWN 10 Batt Street, Penrith - Commercial Car Parking**

Councillor Mark Davies requested that the matter of providing parking restrictions for the left side of Batt Street, Penrith, heading east, be referred to the Local Traffic Committee, as no parking facilities are available for businesses along this side of the road.

**QWN 11 Glenbrook Street, South Penrith - Speeding Vehicles**

Councillor Mark Davies requested that the Local Traffic Committee be requested to investigate the matter of speeding vehicles in Glenbrook Street, South Penrith with a view to providing some speed minimisation measures in this street.

**QWN 12 Nepean District Cricket Association**

Councillor Ross Fowler OAM requested a report to Council detailing the proposal by the Nepean District Cricket Association for the provision of additional cricket facilities in the Penrith Local Government Area, and canvassing sources of additional funding.

**QWN 13 Nepean Medical Research Foundation**

Councillor Ross Fowler OAM requested that an amount of \$2,500, to be funded in equal amounts from each of North, South and East Ward voted works, be allocated to membership of the Nepean Medical Research Foundation, with a report to Council outlining the benefits of membership of the Foundation and the options available for funding such membership into the future.

343 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Mark Davies that the matter be brought forward as a matter of urgency.

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

344 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Mark Davies that an amount of \$2,500, to be funded in equal amounts from each of North, South and East Ward voted works, be allocated to membership of the Nepean Medical Research Foundation, with a report to Council outlining the benefits of membership of the Foundation and the options available for funding such membership into the future.

**QWN 14 Provision of Seating at Greygums Sportsground**

Councillor John Thain requested that an amount of \$4,800 be allocated from North Ward voted works to the provision of seating between the ovals at the AFL grounds at Greygums Sportsground.

345 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Pat Sheehy AM that the matter be brought forward as a matter of urgency.

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

346 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Pat Sheehy AM that an amount of \$4,800 be allocated from North Ward voted works to the provision of seating between the ovals at the AFL grounds at Greygums Sportsground.

**QWN 15 Old Bathurst Road and Smith Street, Emu Plains**

Councillor John Thain requested that the Local Traffic Committee investigate the provision of traffic signals at the intersection of Old Bathurst Road and Smith Street, Emu Plains to improve traffic control in this area.

**QWN 16 No Mow Zones - North Ward**

Councillor John Thain requested a report to Council on No Mow Zones in North Ward.

**QWN 17 Compost Bin Scheme**

Councillor Karen McKeown requested that Council write to all schools in the Penrith Local Government Area to ascertain if they wanted to be involved with the Compost Bin Scheme.

Councillor Karen McKeown further requested that an amount of \$2,000 be allocated from each of North, South and East Ward voted works (totalling \$6,000) to enable all schools in the Penrith Local Government Area to participate in the Compost Bin Scheme.

347 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Garry Rumble that the matter be brought forward as a matter of urgency.

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

348 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Garry Rumble that an amount of \$2,000 be allocated from each of North, South and East Ward voted works (totalling \$6,000) to enable all schools in the Penrith Local Government Area to participate in the Compost Bin Scheme.

Councillor Karen McKeown requested that a report be presented to Council on conclusion of this Scheme, outlining its success.

**QWN 18 Request for Donation - St Clair Youth and Neighbourhood Team Inc**

Councillor Kaylene Allison requested that an amount of \$2,000 be allocated from East Ward voted works to St Clair Youth and Neighbourhood Team Inc to cover the cost of sending Youth Group participants to a camp at Wisemans Ferry.

349 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, Greg Davies, ruled that the matter was urgent and should be dealt with at the meeting.

350 RESOLVED on the MOTION of Councillor Kaylene Allison seconded Councillor Jackie Greenow that an amount of \$2,000 be allocated from East Ward voted works to St Clair Youth and Neighbourhood Team Inc to cover the cost of sending Youth Group participants to a camp at Wisemans Ferry.

**QWN 19 New RTA Office - St Marys**

Councillor Kaylene Allison requested that the Mayor write to the RTA, thanking it, on behalf of residents, for the reinstatement of an office at the Station Street Plaza in St Marys.

**QWN 20 Penrith RSL Memorial Fundraising Dinner**

Councillor David Bradbury requested that an amount of \$1,000 in total be allocated, in equal amounts from each of North, South and East Ward voted works, to the purchase of tickets for a table at the Penrith RSL Memorial Fundraising Dinner to be held on 12 September 2008.

351 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Mark Davies that the matter be brought forward as a matter of urgency.

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

352 RESOLVED on the MOTION of Councillor David Bradbury seconded Councillor Mark Davies that an amount of \$1,000 in total be allocated, in equal amounts from each of North, South and East Ward voted works, to the purchase of tickets for a table at the Penrith RSL Memorial Fundraising Dinner to be held on 12 September 2008.

**QWN 21 Provision of Pram Ramps - Oxford Street and Melita Road, Cambridge Park**

Councillor Pat Sheehy AM requested a memo reply on the provision of pram ramps in the kerbing at the intersection of Oxford Street and Melita Road, Cambridge Park, to facilitate access to Oxford Street shops.

Councillor Pat Sheehy AM also requested that an accessibility audit of the area be undertaken and referred to Council's Access Committee.

Councillor Mark Davies left the meeting, the time being 9:19 pm.

**QWN 22 Outstanding Matter - Use of Email Correspondence**

Councillor Susan Page requested follow up of her request that email be used for correspondence with community groups, wherever possible, instead of paper.

The Mayor indicated to Council that a report should be presented to the new Council on all outstanding Councillor requests.

Councillor Mark Davies returned to the meeting, the time being 9:21 pm.

**QWN 23 Bethany Primary School - Fun Day/Fete - 24 October 2008**

Councillor Susan Page requested that an amount of \$250 be allocated from South Ward voted works to Bethany Primary School to cover the cost of hiring the Penrith City Council stage for its Fun Day/Fete to be held on 24 October 2008, and also that the requirement for the \$500 bond for the stage be waived in this instance.

353 RESOLVED on the MOTION of Councillor Susan Page seconded Councillor Garry Rumble that the matter be brought forward as a matter of urgency.

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

354 RESOLVED on the MOTION of Councillor Susan Page seconded Councillor Garry Rumble that an amount of \$250 be allocated from South Ward voted works to Bethany Primary School to cover the cost of hiring the Penrith City Council stage for its Fun Day/Fete to be held on 24 October 2008, and also that the requirement for the \$500 bond for the stage be waived in this instance.

**COMMITTEE OF THE WHOLE**

355 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Pat Sheehy AM that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 9:23 pm.

**1 Presence of the Public**

CW1 RESOLVED on the motion of Councillor Jackie Greenow seconded Councillor Pat Sheehy AM that the press and public be excluded from Committee of the Whole to deal with the following matters:

*Leadership and Organisation*

**2 Commercial Matter - Council Property - 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.*

The meeting resumed at 9:25 pm and the General Manager reported that the Committee of the Whole met at 9:23 pm on 8 September 2008, the following being present

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

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

**CONFIDENTIAL BUSINESS**

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

RECOMMENDED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Susan Page

CW2 That:

1. The information contained in the report on Commercial Matter - Council Property - Lease of Shop 2 at 144 Henry Street, Penrith be received.
2. Council grant a 5 year lease with a 5 year option to The Trustees of the Society of St Vincent De Paul (NSW) in accordance with the terms and conditions outlined in the report.
3. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

**3 Commercial Matter - Bennett Road, St Clair**

RECOMMENDED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Susan Page

CW3 That:

1. The information contained in the report on Commercial Matter - Bennett Road, St Clair be received.
2. Council agree to purchase the land at 209 Bennett Road St Clair from NSW Police in accordance with conditions 1 to 8 as indicated in the report.
3. Council agree to the Proposed Procedures (a) to (e) as outlined in the report.
4. The land be classified at "operational" land.
5. The Common Seal of the Council of the City of Penrith be placed on the necessary documentation.

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

RECOMMENDED on the MOTION of Councillor Pat Sheehy AM seconded Councillor Kevin Cramer OAM

CW4 That:

1. The information contained in the report on Commercial Matter - Council Property - Lot 28 DP 700376 Laycock Street, Cranebrook, being part of Greygums Oval be received.
2. Council raise no objection to the Telstra installation of a telecommunication facility in relation to the existing light pole located at the Greygums Oval, Laycock Street, Cranebrook on Lot 28 DP 700376.
3. Council accept the access compensation in the amount as stated in the report.
4. The applicant be responsible for all survey, legal and construction costs associated with the access notice.
5. The Property Development Manager be authorised to sign an access deed for Telstra to install, operate and maintain telecommunications facilities.

**ADOPTION OF COMMITTEE OF THE WHOLE**

356 RESOLVED on the MOTION of Councillor Jackie Greenow seconded Councillor Pat Sheehy AM that the recommendations contained in the Committee of the Whole and shown as CW1, CW2, CW3 and CW4 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 9:27 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**

**Item**

**Page**

1 Welcome to New Council

1





## **Mayoral Minute**

### **Welcome to New Council**

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

This meeting, the first of the newly-elected Council, begins a four year term in which we'll use our collective wisdom, experience, energy, skills and abilities to ensure quality services and facilities - and a prosperous, sustainable future - for the people of Penrith City. I congratulate all Councillors on your election by the people of Penrith City, and I look forward to working with each of you for the City's benefit.

There are six fresh new faces around the Council Chambers, bringing with them new ideas and perspectives, and fresh enthusiasm for the City. I warmly welcome on board Councillors Robert Ardill, Tanya Davies, Ben Goldfinch, Prue Guillaume, Marko Malkoc, and Kath Presdee.

Of course, these new faces mean there are six Councillors from last term who won't be joining us again. Five of those, David Bradbury, Susan Page, Garry Rumble, Pat Sheehy AM and Steve Simat chose not to stand again at the local government election on Saturday 13<sup>th</sup> September, while Lexie Cettolin unsuccessfully sought re-election.

They should all be very proud of the extensive contribution they made to Penrith City and our Council during their time as Councillors. They were instrumental as part of the team that successfully guided the City through the many challenges of the last four years, leaving it on a positive and prosperous path for the future. On behalf of the City, I thank them for their efforts and commitment, and wish them all the very best for the future.

Before we conduct the election for the new Mayor tonight, I would like to express my appreciation for the hard work and support of my Councillor colleagues and Council's staff during my second term as Mayor of Penrith City. It is a great honour to have served the people of Penrith City in this way, and I thank them for the privilege.

Greg Davies  
Mayor

### **RECOMMENDATION**

That the Mayoral Minute on Welcome to New Council be received.







## MASTER PROGRAM REPORTS

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## **LEADERSHIP AND ORGANISATION**

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## **Leadership and Organisation**

### **1 Election of Mayor**

**Compiled by:** Stephen Pearson, Executive Services Officer

**Authorised by:** Glenn McCarthy, Executive Officer

**Strategic Program Term Achievement:** *Council has reviewed its own role and operations and has adopted contemporary practices to best discharge its charter.*

**Critical Action:** *Review current structures and procedures supporting Council and Councillors responsibilities.*

#### **Purpose:**

*The purpose of this report is for the Councillors to elect a Mayor.*

#### **Background**

Section 290 of the Local Government Act, 1993 requires councils to elect a mayor within three (3) weeks of an ordinary election. The Mayoral election must therefore be held by 4 October 2008.

#### **Returning Officer**

The Local Government (General) Regulation 2005 – Schedule 7 provides that the General Manager (or a person appointed by the General Manager) is the returning officer for the election of a mayor by the councillors.

#### **Nominations for Mayor**

The Local Government (General) Regulation 2005 (the Regulation) provides for a councillor to be nominated without notice for election as Mayor. However, the nomination must be in writing by two or more councillors, one of whom can be the nominee. The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

The nomination is to be delivered or sent to the Returning Officer (General Manager). The nomination form can be delivered or sent to the Returning Officer up until the time of the election being conducted.

Nomination forms have been sent to all Councillors prior to this meeting. Nomination forms will also be available at the meeting if required.

The Returning Officer is to announce the names of the nominees at the Council meeting at which the election is to be held.

### **Term of Office of Mayor**

The term of office of the Mayor will be until the next Mayoral Election on 28 September 2009.

### **Ballot**

If only one councillor is nominated, that councillor is elected. If more than one councillor is nominated, the council is to resolve whether the election is to proceed by open voting, ordinary ballot or preferential ballot. The election is to be held at the council meeting at which the council resolves on the method of voting.

In the Regulation the term “open voting” means voting by a show of hands or similar means, and “ballot” has its normal meaning of secret ballot. In other words, the ordinary and preferential ballots are to be secret ballots.

### **Ordinary Ballot or Open Voting**

If the election proceeds by ordinary ballot, the Returning Officer is to decide the manner in which votes are to be marked on the ballot-papers. The Formality of a ballot-paper under this Part is to be determined in accordance with clause 345 of the Regulation.

#### *Count in the case of 2 candidates*

1. If there are only 2 candidates, the candidate with the higher number of votes is elected.
2. If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

#### *Count in the case of there being 3 or more candidates*

1. If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
2. If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
3. If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.
4. A further vote is to be taken of the 2 remaining candidates.
5. The candidate with the higher number of votes is elected.
6. If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

### **Preferential Ballot**

1. The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers “1”, “2” and so on against the various names so as to indicate the order of their preference for all the candidates.
2. The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 of the Regulation.
3. If a candidate has an absolute majority of first preference votes, that candidate is elected.
4. If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
5. A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter’s preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.
6. An "absolute majority", in relation to votes, means a number which is more than one-half of the number of unexhausted formal ballot-papers.

### **Tied Candidates**

1. If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
2. If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

### **Choosing by Lot**

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the Returning Officer. The slips are folded by the Returning Officer so as to prevent the names being seen. The slips are mixed and one is drawn at random by the Returning Officer and the candidate whose name is on the drawn slip is chosen.

### **Result**

The result of the election (including the name of the candidate elected as Mayor) is:

1. to be declared to the Councillors at the Council meeting at which the election is held by the Returning Officer, and
2. to be delivered or sent to the Director-General and to the Secretary of the Local Government and Shires Associations of New South Wales.

#### **RECOMMENDATION**

That:

1. The information contained in the report on Election of Mayor be received.
2. In the event of more than one Councillor being nominated, Council determine the method of election for the office of Mayor.

#### **ATTACHMENTS/APPENDICES**

There are no attachments for this report.



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## Leadership and Organisation

### 2 Election of Deputy Mayor

**Compiled by:** Stephen Pearson, Executive Services Officer

**Authorised by:** Glenn McCarthy, Executive Officer

**Strategic Program Term Achievement:** *Council has reviewed its own role and operations and has adopted contemporary practices to best discharge its charter.*

**Critical Action:** *Review current structures and procedures supporting Council and Councillors responsibilities.*

#### **Purpose:**

*To report to Council the procedure and method for the election of a Deputy Mayor by the Councillors. The report recommends that Council consider the election of a Deputy Mayor and determine the method for the election and term of office of the Deputy Mayor.*

#### **Background**

Section 231 of the Local Government Act 1993 makes the following provision for the election of a Deputy Mayor:

- (1) The councillors may elect a person from among their number to be the deputy mayor.
- (2) The person may be elected for the mayoral term or a shorter term.
- (3) The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.
- (4) The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.

The election of a Deputy Mayor is not required by the Act but is for each council to determine.

The balance of this report assumes the continuation of Council's tradition and practice of electing a Deputy Mayor.

#### **Nominations for Deputy Mayor**

The Local Government (General) Regulation 2005 (the Regulation) provides for a councillor to be nominated without notice for election as Deputy Mayor. However, the nomination must be in writing by two or more councillors, one of whom can be the nominee. The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

The nomination is to be delivered or sent to the Returning Officer (General Manager). The nomination form can be delivered or sent to the Returning Officer up until the time of the election being conducted.

Nomination forms have been sent to all Councillors prior to this meeting. Nomination forms will also be available at the meeting if required.

The Returning Officer is to announce the names of the nominees at the Council meeting at which the election is to be held.

### **Term of Office of Deputy Mayor**

Where a council does elect a Deputy Mayor, the term can be for the Mayoral term or a shorter term at the council's discretion.

In accordance with Council's practice, it is recommended that the term of office of the Deputy Mayor be the same as the term of office of the Mayor (until 28 September 2009).

### **Method of Voting**

Council could resolve to use a different method of voting for the Deputy Mayor, however it has been Council's practice to use the same method of voting for the election of both the Mayor and Deputy Mayor.

### **RECOMMENDATION**

That:

1. The information contained in the report on Election of Deputy Mayor be received.
2. Council consider the Election of a Deputy Mayor.
3. In the event of more than one Councillor being nominated, Council determine the method of election for the office of Deputy Mayor.
4. In accordance with Section 231 (2) of the Local Government Act 1993, the term of office of the Deputy Mayor for the 2008/2009 period be the same as the term of office of the Mayor (until 28 September 2009).

### **ATTACHMENTS/APPENDICES**

There are no attachments for this report.

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## Leadership and Organisation

### 3 Councillor Fees

Compiled by: Stephen Pearson, Executive Services Officer

Authorised by: Glenn McCarthy, Executive Officer

**Strategic Program Term Achievement:** *Council has reviewed its own role and operations and has adopted contemporary practices to best discharge its charter.*

**Critical Action:** *Review current structures and procedures supporting Council and Councillors responsibilities.*

#### **Purpose:**

*To receive a report about Councillor Fees as set by the Local Government Remuneration Tribunal and by Council Policy.*

#### **Background**

Section 248 of the Local Government Act 1993 requires that a council must pay each councillor an annual fee. A council can either fix this fee itself (in which case it must be fixed in accordance with the appropriate determination of the Local Government Remuneration Tribunal), or if it doesn't, it must pay the appropriate minimum fee determined by the Tribunal.

Section 249 of the Local Government Act 1993 requires that a council must pay the mayor an annual fee, which is paid in addition to the fee paid to the mayor as a councillor. A council can either fix this fee itself (in which case it must be fixed in accordance with the appropriate determination of the Local Government Remuneration Tribunal), or if it doesn't, it must pay the appropriate minimum fee determined by the Tribunal.

Section 249 of the Local Government Act 1993 gives discretion to a council to pay a fee to the deputy mayor acting in the office of mayor and the amount of the fee so paid must be deducted from the mayor's annual fee.

#### **Local Government Remuneration Tribunal**

The Local Government Remuneration Tribunal was established under the Local Government Act, 1993. Its main function is to:

- a) determine categories for councils and mayoral offices;
- b) place each council and mayoral office into one of the categories it has determined;
- c) determine the minimum and maximum amounts of fees to be paid to mayors and councillors in each of the categories.

### **Fees Payable from 1 July 2008**

In a report presented to Council on 19 May 2008, it was advised that the Tribunal had made its determinations of annual fees payable from 1 July 2008 to Mayors and Councillors.

Penrith City Council is a Category 1A Council and fees for this category were to be set within the range of:

	<b>Councillor -Annual Fee</b>	<b>Mayor-Additional Fee</b>
Category 1A	\$13,470 - \$22,680	\$29,210 - \$66,100

Council has previously resolved as a matter of policy, that the maximum of the range be paid. The fees that apply for 2008/2009 are as follows:

1. Councillor Annual Fee \$22,680
2. Mayor - Additional Fee \$52,880  
being 80% of the maximum Mayoral fee
3. Deputy Mayor – Additional Fee \$13,220  
being 20% of the maximum Mayoral fee

The fee for the Mayor and Deputy Mayor is in addition to the annual Councillor fee, so the total fee paid to the Mayor and Deputy Mayor for 2008/2009 is as follows:

1. Mayor - \$75,560
2. Deputy Mayor - \$35,900

Under Council's Policy for the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors, the fees are paid to the Mayor, Deputy Mayor and Councillors monthly in arrears.

### **RECOMMENDATION**

That the information contained in the report on Councillor Fees be received

### **ATTACHMENTS/APPENDICES**

There are no attachments for this report.

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## Leadership and Organisation

### 4 Councillor Representation on Controlled Entities and External Organisations

**Compiled by:** Stephen Pearson, Executive Services Officer

**Authorised by:** Glenn McCarthy, Executive Officer

**Strategic Program Term Achievement:** *Council has reviewed its own role and operations and has adopted contemporary practices to best discharge its charter.*

**Critical Action:** *Review current structures and procedures supporting Council and Councillors responsibilities.*

#### **Purpose:**

*To appoint Councillor representatives to the following Controlled Entities and External Organisations:*

#### *CONTROLLED ENTITIES*

- 1. The Penrith Performing and Visual Arts Limited (PP&VA);*
- 2. The City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd. (St Marys Leisure Centre - "Ripples");*
- 3. The Penrith Whitewater Stadium Ltd; and*
- 4. The Penrith City Children's Services Co-operative Ltd.*

#### *OTHER EXTERNAL ORGANISATIONS*

- 5. Hawkesbury River County Council;*
- 6. Western Sydney Regional Organisation of Councils Limited (WSROC Ltd);*
- 7. Westpool;*
- 8. Penrith Valley Regional Sports Centre Ltd; and*
- 9. New Economic Development Entity (name not yet determined)*

*The report recommends that Council representatives be appointed to the various Controlled Entities and External Organisations.*

#### **Background**

Council is represented on many external organisations constituted under the Local Government Act and the Corporations Law. Qualification as a voting delegate or director of these organisations is dependant upon an appointment being made by Council and the appointee being a Councillor.

Some of the Constitutions of these external organisations enable Council to replace all of the Directors to the Boards. Council also has the choice that where Councillors have been re-elected and have also served on those external organisations, that those Councillors should continue on those external organisations if those Councillors wish to do so.

In this regard the Legal and Governance Manager has made the following comment:

*“Council should consider that if it replaces all Councillors on its Boards this would not support the notion of providing continuity and corporate knowledge. Accordingly I am recommending where a Councillor has been returned to Council and that Councillor had a position on a Board, that their time on the Board continue until such time as the relevant constitution requires otherwise.*

*Having said this, on all Boards except the Penrith City Children’s Services Co-operative Ltd the Council has the power to replace all of its Councillor representations. This approach is not recommended. The Constitutions for these entities have adopted the approach that I am recommending. Vacancies are not created on that entity until the Annual General Meeting unless a Councillor is not returned to the Council then a vacancy would be created on that Board that would allow the Council to replace a member of the Board.”*

This report provides details of the controlled entities and external organisations for which election of voting delegates or directors is required.

## **CONTROLLED ENTITIES**

Council, for a number of years, has operated certain of its activities through controlled entities. A controlled entity is an organisation where Council has a controlling interest. Council has four controlled entities. Those entities are as follows:

1. The Penrith Performing and Visual Arts Limited.
2. The City of Penrith Regional Indoor Aquatic and Recreation Centre Limited.  
(St Marys Leisure Centre - "Ripples")
3. The Penrith Whitewater Stadium Limited.
4. The Penrith City Children’s Services Co-operative.

### **1. The Penrith Performing and Visual Arts Ltd (PP&VA)**

Penrith Performing and Visual Arts Limited (PP&VA) provides facilities to deliver cultural programs and recreation to the residents of Penrith LGA and Western Sydney, as well as promoting access to its programs and facilities to the community and artists.

In addition, it produces and presents a diverse program of cultural and educative performances, events and activities across a wide range of performing arts for the City of Penrith and the surrounding region.

Its activities include:

- \* Joan Sutherland Performing Arts Centre (JSPAC)
  - Research and Development
  - Program Production and Presentation
  - Community Cultural Development Programs
  - Conservatorium of Music
  - Education Programs

- Youth Programs
- Seniors Programs
- Disability Programs
- Venue Hire
- Sales and Marketing
- Technical Services and Facilities
- Master Classes and Workshops
- Concerts
  
- \* Q Theatre Company
  - Research and Development
  - Program Production and Presentation
  - Education Programs
  - Theatre Training
  - Classic, Modern & Contemporary
  - Children's Theatre
  
- \* Penrith Regional Gallery & The Lewers Bequest (PRG&TLB)
  - Exhibitions and Events Program
  - Collection Management
  - Facilities Maintenance
  - Workshop Sessions and Education Programs
  - Venue Hire
  - Sales and Marketing
  - Community Cultural Development Programs
  - International Projects
  - Gardens
  - Creative Partnerships
  - Educational Programs
  - Heritage and History
  - Margaret Farm Residencies

This Centre is operated by a Public Company Limited by Guarantee and Council has the right to appoint the membership of the company. Control of the facility is licensed to the company through an Occupation Agreement. Council is entitled to have up to four (4) Councillor representatives on the Board of the Company.

To provide continuity the members of the Board of Directors, except for the General Manager or his/her nominee, shall retire on a rotating basis. At the first Annual General Meeting after 1 July 2006, five (5) directors shall retire (including one (1) Councillor). At the second Annual General Meeting after 1 July 2006 five (5) Directors shall retire (including one (1) Councillor). At the third Annual General Meeting after 1 July 2006 five (5) Directors shall retire. Thereafter the members of the Board of Directors, shall retire after they have served on the Board of Directors for three (3) years after appointment or re-appointment to the Board of Directors.

All retiring Directors shall be eligible for re-appointment.

Also on the Board is a Council officer nominated by the General Manager. Council's Officer on the Board at the present time is the Director – City Services, Mr Steve Hackett.

A member of the Board of Directors ceases to be a Director if they cease to hold the office by virtue of which they are appointed to the Board of Directors.

The Board meets at 5.30 p.m. on the fourth Wednesday of each month, at the Centre. The next meeting will be held on Wednesday 22<sup>nd</sup> October 2008. This will also be the Annual General Meeting of PP&VA.

Councillors on the Board prior to the 2008 Local Government election were Cr Ross Fowler OAM, Cr Jackie Greenow, Cr Karen McKeown and Cr Pat Sheehy AM.

Cr Ross Fowler OAM, Cr Jackie Greenow and Cr Karen McKeown have been re-elected to Council and their tenure on the Board can be continued or they can be replaced. Former Councillor Pat Sheehy AM did not stand for re-election to Council which creates a vacancy on the Board.

Council will need to appoint up to (4) Councillors to represent Council as Directors on the Board of Penrith Performing and Visual Arts Limited.

<b>2. The City of Penrith Regional Indoor Aquatic and Recreation Centre Ltd. (St Marys Leisure Centre – “Ripples”)</b>
--

This Company was established in April 1994, and the facility commenced operating in September 1994. “Ripples” is a contemporary indoor regional aquatic and recreation centre, being a major redevelopment of the old St Mary’s Swimming Pool. A hydrotherapy facility has also been added to the Centre.

“Ripples” is managed by a Public Company Limited by Guarantee and Council has the right to appoint the membership of the company. Control of the facility is licensed to the company through an Occupation Agreement. The Board comprises up to four (4) Councillors of the Council, one (1) Council Officer (General Manager or his nominee) and five (5) other appointed members, who are not to be Councillors of the Council. Directors are bound by the provisions of the Corporations Law.

To provide continuity, the members of the Board resign on a rotating basis. At the Annual General Meetings, three (3) members resign (including one (1) Councillor). Thereafter, the members of the Board, except the Council Officer, resign after they have served on the Board for three (3) years after appointment or re-appointment to the Board.

All retiring Directors are eligible for re-appointment.

Also on the Board is a Council officer nominated by the General Manager. Council’s Officer on the Board at the present time is the Director – City Planning, Mr Craig Butler.

The Board currently meets at 7.30 a.m. on the third Tuesday of every second month at “Ripples”. The next Board meeting will be held on Tuesday 21<sup>st</sup> October 2008.

Councillors on the Board prior to the 2008 Local Government election were Cr Greg Davies, Cr Ross Fowler OAM and Cr John Thain.



Cr Greg Davies, Cr Ross Fowler OAM and Cr John Thain have been re-elected to Council and their tenure on the Board can be continued or they can be replaced.

Council will need to appoint up to four (4) Councillors to represent Council as Directors on the Board of The City of Penrith Regional Indoor Aquatic and Recreation Centre Limited.

### **3. The Penrith Whitewater Stadium Ltd**

Penrith Whitewater Stadium was constructed prior to the 2000 Sydney Olympic Games. It is a venue for Canoe Slalom and is managed by a Public Company Limited by Guarantee created by Council. Council has the right to appoint the membership of the company. Control of the facility is licensed to the company through an Occupation Agreement.

Membership of the Board consists of five (5) community members, up to four (4) Councillors and the General Manager or his nominee.

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

Also on the Board is a Council officer nominated by the General Manager. Council's Officer on the Board at the present time is the Director – City Operations, Mr David Burns.

The Board meets on the third Thursday of every month at 5.00 p.m. at the Stadium. The next meeting will be held on Thursday 16<sup>th</sup> October 2008.

Councillors on the Board prior to the 2008 Local Government election were Cr Ross Fowler OAM, Cr Karen McKeown, Cr Garry Rumble and Cr Pat Sheehy AM.

Cr Ross Fowler OAM and Cr Karen McKeown have been re-elected to Council and their tenure on the Board can be continued or they can be replaced. Former Councillors Garry Rumble and Pat Sheehy AM did not stand for re-election to Council which creates two (2) vacancies on the Board.

Council will need to appoint up to four (4) Councillors to represent Council as Directors on the Board of Penrith Whitewater Stadium Limited.

### **4. The Penrith City Children's Services Co-operative Ltd**

Penrith City Children's Services Co-operative Ltd's main function is to manage the direct operation of Children's Services. The Co-operative was established in November 2002 and it is a co-operative under the Co-operatives Act 1992.

The Council has used its delegation power to delegate to the Co-operative the Council's functions with respect to the service delivery of the provisions of Council's Children's Services to the community. The Co-operative directs and operates the Council staff and facilities under the delegation given to it by Council. A management agreement exists

between the Co-operative and the Council. The Board of the Co-operative is supported by the Council internal staff in the delivery of the operations to the City.

The constitution provides for Council to elect three (3) Councillors to be on the Board. The term of office of Council's elected representative is the term of the Council which is until September 2012.

A person is not eligible to be elected and may not serve as Director of the Co-operative unless the person is:

- a currently serving Councillor of Penrith City Council nominated by that Council provided that a person will not cease to be qualified under this paragraph during a Council election period merely because that person has stood down from their position on the Council during that period
- the nominee of the General Manager of Penrith City Council.

Should a Councillor not be re-elected to Council, then a vacancy would occur in the office of Directors. The Council would then be entitled to nominate a Councillor to fill the vacancy on the Board. The rules of the Co-operative have been designed in such a way that unless a Councillor is not re-elected to the Council, then no vacancies are created on the Board.

At each Annual General Meeting the independent Directors shall retire in rotation of four and three each year. The Directors to retire in any year shall (subject to the provision as to filling casual vacancies) be those who have been longest in office since their last election. The General Manager's nominee is the Director - City Services, Mr Steve Hackett.

The Board meets on the fourth Thursday of every second month at 6.30pm at Penrith City Council. The next meeting will be on Thursday 23<sup>rd</sup> October 2008.

Councillors on the Board prior to the 2008 Local Government election were Cr Kaylene Allison, Cr Ross Fowler OAM and Cr Jackie Greenow.

Cr Kaylene Allison, Cr Ross Fowler OAM and Cr Jackie Greenow have been re-elected to Council and their tenure on the Board can be continued or they can be replaced.

Council will need to appoint three (3) Councillors to represent Council as Directors on the Board of The Penrith City Children's Services Co-operative.

## **OTHER EXTERNAL ORGANISATIONS**

Council also has representatives on the following external organisations:

5. Hawkesbury River County Council
6. Western Sydney Regional Organisation of Councils Limited (WSROC Ltd)
7. Westpool
8. Penrith Sports Stadium Ltd
9. New Economic Development Entity (name not yet determined)

## **5. Hawkesbury River County Council**

The Hawkesbury River County Council is constituted under section 387, Part 5 of Chapter 12 of the Local Government Act, 1993, with the primary purpose of controlling noxious weeds on land under its jurisdiction.

The County Council covers the Councils of Baulkham Hills, Blacktown, Hawkesbury and Penrith. These Councils have delegated to the Hawkesbury River County Council, their powers under the Local Government Act, to act independently as a County Council, with authority under the Noxious Weeds Act 1993.

The County Council's charter is to:

- “(a) control noxious weeds on land occupied by it; and*
- (b) to control noxious weeds on roads in the County District (this does not include freeways, toll works or State works under the State Roads Act, 1986); in this case the “control” function means the physical eradication of the declared noxious weeds.*

*For private lands the owner/occupier is responsible. However, the County Council can issue weed control notices requiring the owner/occupier to eradicate the weeds and if the notice is not complied with may enter the land and carry out the work at the owner's cost or take legal action. In either case, costs may be recovered as a charge on the land.”*

Council is required to appoint two voting delegates to the Hawkesbury River County Council within two (2) months after each general election of Councillors. The term of office will be until the ordinary election of Councillors in September 2012. If more than two Councillors are nominated, the method of election is by preferential ballot.

An attendance fee of \$8,250.00 per annum is paid to the Chairperson and a fee of \$4,530.00 per annum is paid to members. Members also receive reimbursement for travel expenses.

Under section 396 of the Local Government Act 1993, a county council is required to meet at least 4 times a year. Meetings of the Hawkesbury River County Council are held approximately every two months at 6 Walker Street, (Corner Dowling Place) South Windsor at 5.00pm. on the second Thursday of the month.

Council's delegates to the Hawkesbury River County Council prior to the 2008 Local Government election were Cr Jackie Greenow and Cr John Thain.

Council will need to appoint two (2) Councillors to represent Council on the Hawkesbury River County Council. If more than two Councillors are seeking appointment to the County Council, Council should call on the General Manager to conduct the preferential ballot.

## **6. Western Sydney Regional Organisation of Councils Limited (WSROC Ltd)**

WSROC, which was formed in 1973, is a research, advocacy and lobbying organisation representing the councils and communities of this region. Member councils are Auburn,

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Bankstown, Baulkham Hills, Blacktown, Blue Mountains, Fairfield, Hawkesbury, Holroyd, Liverpool, Parramatta and Penrith.

WSROC is a company limited by guarantee. WSROC's governing body is the Board, which meets every two months on a rotating basis at each member council. Meetings are held on various Thursdays at 6.30pm.

WSROC's Constitution provides that the Board shall consist of two (2) Directors nominated by each member council, both of whom must be Councillors. Appointment to the Board is until the Annual General Meeting held after each general election of Councillors. The term of office will therefore be until the AGM of the WSROC following the general election of Councillors in September 2012. Directors are bound by the provisions of the Corporations Law. The WSROC Constitution also provides for the appointment of Alternate Directors in the place of specified Directors during periods of leave of absence.

The appointment of an Alternate Director must be in writing under the signature of the General Manager. Council may wish to nominate two (2) Councillors for this purpose.

The Annual General Meeting and the first meeting of the new WSROC Board will be held at Penrith City Council on Thursday 23<sup>rd</sup> October 2008 as follows:

- 6.30 pm Directors' nominations are received
- 6.40 pm WSROC Annual General Meeting commences to endorse the financial reports and conduct elections for the WSROC Executive Management Committee
- 7.00 pm Board Meeting commences

Interested Councillors should note that in joining the WSROC Board that they will become Company Directors and will therefore be subject to both the WSROC Constitution and the Corporations Law.

Council's appointed Directors to WSROC prior to the 2008 Local Government election were former Councillor Susan Page and Councillor Jim Aitken OAM. No Alternate Directors were elected.

Former Councillor Susan Page did not stand for re-election.

Cr Jim Aitken OAM has been re-elected to Council and his tenure on the Board can be continued or he can be replaced. Former Councillor Susan Page did not stand for re-election to Council which creates a vacancy on the Board.

Council will need to appoint two (2) Councillors to represent Council as Directors on the Board of Western Sydney Regional Organisation of Councils Limited. Council may also wish to elect two (2) Alternate Directors.

## **7. Westpool**

Westpool is a Co-Operative Local Government Self Insurance Scheme which has been established under the provisions of the Local Government Act 1993 to provide cost effective civil liability protection for its member Councils.

Members of Westpool are Blacktown, Blue Mountains, Fairfield, Hawkesbury, Liverpool, Parramatta and Penrith Councils.

Under the Westpool By-Laws, each member Council shall appoint two (2) representatives to the Board, one of whom shall be an elected member for the term of the Council and the other being the General Manager or his nominee being a permanent employee.

The term of office of Council's elected representative is the term of the Council which is until September 2012.

The Executive of Westpool meets every quarter and the full Board meets for 4 hours at 10.00am on a Monday every two (2) months at the various member Councils, on rotation.

The next Westpool Board meeting will be held at 10.00am on Monday 13<sup>th</sup> October 2008 at Fairfield City Council. This will be followed by the Annual General Meeting of Westpool at 12 noon..

Councillor Ross Fowler OAM has been Council's Director representative on the Board of Westpool. Councillor Fowler OAM has also been the Chairperson of Westpool since 1993. He has successfully led this pool for a number of years and the pool is well respected within the insurance pooling and insurance industries. The pool has been an innovation for the Western Sydney Councils involved in the pool.

Although Council can replace its Director on the Board, Cr Ross Fowler OAM has been re-elected to Council and it is recommended that his tenure on the Board be continued in view of his longstanding knowledge of and successful contribution to Westpool.

#### **8. Penrith Valley Regional Sports Centre Ltd**

Penrith Valley Regional Sports Centre Ltd is Company Limited by Guarantee. It is a multipurpose indoor sports venue built to provide an extensive range of sporting events for Penrith and the region. It has been operating for approximately 19 years.

The constitution provides for Council to nominate one (1) Councillor to be a Director of the Centre. The term of office of Council's elected representative is the term of the Council which is until September 2012.

The Board meets each month at 6.30pm on the second Wednesday of the month at the Centre. The next meeting date is to be advised.

Council's appointed Directors to Penrith Valley Regional Sports Centre Limited prior to the 2008 Local Government election was Cr John Thain.

Cr John Thain has been re-elected to Council and his tenure on the Board can be continued or he can be replaced.

Council will need to appoint one (1) Councillor to represent Council as a Director on the Board of Penrith Valley Regional Sports Centre Limited.

## **9. New Economic Development Entity**

A new Economic Development Entity is currently being created independent of Council and incorporating the roles and functions of the former Penrith Valley Economic Development Corporation and Council's Local Economic Development Department. The new entity will deliver Council's economic development and employment services.

The name of the new entity will be determined by the new Board.

The key elements of the Constitution for the new entity and the structure of its Board have been endorsed by Council as follows:

### *Legal Status*

The new entity will be a company limited by guarantee and not be a controlled entity of Council.

### *Mission*

The entity would provide a central point for investment and business development for the City and the region.

### *Vision*

The entity's vision would be "to increase the quantum and quality of jobs in the city by promoting economic development and enhancing the economic culture and profile of the City and region."

### *Objectives*

The new entity's key objectives will be to:

- Market and promote Penrith's role as a regional business centre and its attractions for investment
- Represent and promote the interests of local businesses, commercial and industrial landowners and developers
- Develop and facilitate implementation of a range of programs to support the growth of local businesses, with a focus on the needs of small businesses
- Develop and implement a range of programs to service and attract investment into the City
- Facilitate an industry partnership program to leverage support for implementing business development and marketing programs
- Engender cooperation and collaboration between representative economic and business organisations in the City
- Facilitate partnerships with State and Commonwealth agencies, business and learning organisations and the like
- Seek support, including financial support, for business development and investment promotion programs

To achieve its objectives the new entity will work closely with Penrith City Council in:

- undertaking research on business, industry and investment trends, challenges and opportunities and contributing to and informing Council's strategic directions on economic development and job creation
- developing and implementing plans complementary to Council's Strategic and Management Plans

#### *Role of the Board*

The central role of the Board of the new entity would be to set the strategic direction, appoint the CEO and oversee the management and business activities of the entity.

#### *Structure of the Board*

The Entity will have a Board comprising 14 members, with nine members representing industry sectors, two members representing the broad Penrith community; two elected representatives from Council and one Council officer being the General Manager or his representative.

The board members of the new entity be remunerated through an expense allowance for each sitting to be determined by the new Board.

#### *General criteria for selection of Board Members*

It is important that the Board has a well-balanced composition with backgrounds, skills, and experience across key business, industry, and community areas as well as expertise in relevant areas. The Board members would be expected to have the following key attributes:

- A strong commitment to the Penrith community and its future growth and development
- High calibre individuals who are currently involved in business, industry or community leaders with the capacity to influence economic development outcomes
- Demonstrate an understanding of investment trends and/or industry trends, challenges and needs
- Be well networked (at the corporate and government levels) and partnership builders. This represents a key criterion and may be achieved through representation from an industry body.

#### *Board Meetings*

It is expected that the first Board meeting of the new entity will take place in late November/early December 2008.

#### *Councillor Representation*

Council will have as of right position on the new Board. This is considered appropriate in view of Council's substantial ongoing funding contributions for the operational activities of the new entity and to enable Council to safeguard its interests in the organisation.

Council's appointed Director to the former Board of the Penrith Valley Economic Development Corporation Ltd prior to the 2008 Local Government Election was Councillor

Ross Fowler OAM and Councillor John Thain was appointed as an alternate Director should Councillor Fowler not be able to attend a meeting of the Board.

Council will need to appoint two (2) Councillors to represent Council as members of the Board of the new Economic Development Entity.

## **RECOMMENDATION**

That:

1. The information contained in the report on Councillor Representation on Controlled Entities and External Organisations be received
2. Council:
  - a. appoint up to (4) Councillors to represent Council as Directors on the Board of **Penrith Performing and Visual Arts Limited**
  - b. appoint up to four (4) Councillors to represent Council as Directors on **The City of Penrith Regional Indoor Aquatic and Recreation Centre Limited**
  - c. appoint up to (4) Councillors to represent Council as Directors on the Board of **Penrith Whitewater Stadium Limited**
  - d. appoint (3) Councillors to represent Council as Directors on the Board of **The Penrith City Children's Services Co-operative**
  - e. appoint two (2) Councillors to represent Council on the **Hawkesbury River County Council**
  - f. appoint two (2) Councillors to represent Council as Directors on the Board of **Western Sydney Regional Organisation of Councils Limited** and nominate two (2) Councillors as Alternate Directors to WSROC Ltd when the nominated Director(s) cannot attend a meeting of the Board
  - g. reaffirm Councillor Ross Fowler as its appointed representative on the Board of **Westpool**
  - h. appoint (1) Councillor to represent Council as a Director on the Board of **Penrith Valley Regional Sports Centre Limited**
  - i. appoint (2) Councillors to represent Council as Directors on the Board of **the new Economic Development Entity**

## **ATTACHMENTS/APPENDICES**

There are no attachments for this report.



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## Leadership and Organisation

### 5 Councillor Representation on Committees

Compiled by: Stephen Pearson, Executive Services Officer

Authorised by: Glenn McCarthy, Executive Officer

**Strategic Program Term Achievement:** *Council has reviewed its own role and operations and has adopted contemporary practices to best discharge its charter.*

**Critical Action:** *Review current structures and procedures supporting Council and Councillors responsibilities.*

#### **Purpose:**

*To appoint Councillor representatives to the following Committees:*

#### *EXTERNAL COMMITTEES*

- 1. Bush Fire Management Committee*
- 2. Local Emergency Management Committee*
- 3. Cumberland Rural Fire Service Zone Liaison Committee*
- 4. Floodplain Management Authorities*
- 5. Local Government Advisory Group for the Hawkesbury Nepean River*
- 6. T S Nepean Building Facilities Management Committee*
- 7. St Clair High School Community Centre Management Committee*
- 8. Jamison High School Community Centre Management Committee*
- 9. Local Traffic Committee*
- 10. Western Sydney Alliance*
- 11. Penrith Valley Sports Foundation*

#### *INTERNAL COMMITTEES OF COUNCIL*

- 12. Heritage Advisory Committee*
- 13. St Marys Development Committee*
- 14. Senior Staff Recruitment/Review Committee*
- 15. Penrith Valley Cultural Precinct Steering Committee*
- 16. Access Committee*
- 17. Penrith International Friendship Committee*
- 18. Penrith Valley Community Safety Partnership*
- 19. Audit Committee*
- 20. Penrith Flood Advisory Consultative Committee*

*The report recommends that Councillor representatives be appointed to the various Committees.*

#### **Background**

This report addresses External and Internal Committees that require Councillor representation.

It is divided into two categories being:

*External Committees*

- ◆ Committees not convened by Council but requiring Council representation.

*Internal Committees of Council*

- ◆ Committees where Council delegates management under Section 377 of the Local Government Act.
- ◆ Internal Committees set up on Council's initiative to fulfil a specific function.
- ◆ Committees convened by Council where there is an obligation to do so.

**EXTERNAL COMMITTEES**

**1. Bush Fire Management Committee**

Formed under the Rural Fires Act, 1997, this Committee prepares bush fire management plans for operations and fuel management. The Committee comprises of a group of stakeholders in the Local Government Area who are responsible for overseeing the planning required to minimise the impact of bush fires.

The Committee comprises of a group of stakeholders in the Local Government Area who are responsible for overseeing the planning required to minimise the impact of bush fires.

This Committee has as its objective:

*To enable the development of a mosaic of fuel reduced areas in the Penrith Council area, designed to protect life, property and other community assets from the effects of bush fire by:*

- ◆ *Identifying those fuels in the Penrith Council area which constitute a hazard to life, property and other community values; and*
- ◆ *Setting strategies to be used to manage the accumulation of fuels in the areas identified.*

The Council is represented on the committee by the Mayor or a nominated Councillor. Councillor Kevin Cramer OAM was Council's appointed representative prior to the 2008 Local Government election.

The Committee meets twice per year during the day just prior to and immediately after the fire season. The next meeting is expected to be held in March 2009.

Council should appoint the Mayor (or the Mayor's nominee) to the Bush Fire Management Committee.

## **2. Local Emergency Management Committee**

Formed under the State Emergency and Rescue Management Act, 1989, this Committee prepares and reviews disaster management plans for the Penrith Local Government Area. It has representatives of local emergency response agencies who are responsible for overseeing the planning for major emergencies in the Local Government Area.

The Committee meets 3-4 times per year during the day at various locations throughout the City. The next meeting will be held on 7<sup>th</sup> October 2008 at the Penrith Police Station.

The Mayor is the Chairperson of this Committee at the present time.

Council should re-appoint the Mayor to the Local Emergency Management Committee.

## **3. Cumberland Rural Fire Service Zone Liaison Committee**

The Cumberland Rural Fire Service Zone Liaison Committee is a committee set up following the amalgamation of the Penrith, Blacktown & Fairfield Rural Fire Districts into one zone.

The Committee meets at the respective Council offices on a rotating basis, 4 times a year in the evening. The next meeting will be held on 20<sup>th</sup> November 2008 at Blacktown City Council.

The Council is represented on the committee by two (2) Councillors. Councillor Kevin Crameri OAM and Councillor Garry Rumble were Councils appointed representatives prior to the 2008 Local Government election.

Council should appoint two (2) Councillors to the Cumberland Rural Fire Service Zone Liaison Committee.

## **4. Floodplain Management Authorities**

Formed in May 1961 as the Flood Mitigation Authorities and subsequently renamed to Floodplain Management Authorities, it has as its objectives:

- ◆ *Support the primary objective of the State Government's Flood Prone Land Policy, namely to reduce the impact of flooding and flood liability on individual owners and occupiers and to reduce private and public losses from flooding.*
- ◆ *Press for optimum financial assistance by State and Federal Governments to Flood Mitigation Authorities to implement the government's Flood Prone Land Policy.*
- ◆ *Provide a forum for exchange of information and ideas related to flood mitigation.*
- ◆ *Foster good relationships and effective liaison between the Authorities and Government Departments.*

Membership of the Authorities entitles council to three (3) representatives to attend the meetings, with two being voting delegates. Council's delegates prior to the 2008 Local Government election were Councillors Jim Aitken OAM, Jackie Greenow and Garry Rumble.

The Authorities meets quarterly. The next meeting will be held on 13 November 2008 in Sydney. The Floodplain Management Authorities Annual Conference will be held in Albury from 16<sup>th</sup> – 20<sup>th</sup> February 2009 (which will be a Joint Conference with the Victorians).

Council should nominate three (3) Councillors to the Floodplain Management Authorities of NSW.

#### **5. Local Government Advisory Group for the Hawkesbury Nepean River**

The Local Government Advisory Group for the Hawkesbury Nepean River is a working group that reports to a statutory authority, the Hawkesbury Nepean Catchment Management Authority (CMA) Board.

The Hawkesbury Nepean Local Government Advisory Group (HNLGAG) has a strategic role in:

- providing a forum for the discussion and resolution of natural resource management issues raised by Catchment councils.
- the development, implementation and monitoring of local government roles in catchment management, including those identified in the Catchment Action Plan (CAP) and Investment Strategy (IS) for the Hawkesbury-Nepean catchment.
- prioritising management actions and projects for inclusion in investment strategies in collaboration with catchment councils and the HNCMA.
- promoting opportunities for funding of catchment management investment to enable catchment councils to deliver environmental benefits consistent with catchment and management targets for the catchment.
- strengthening the partnership between Local, State and Federal Governments in assisting local government to address targeted catchment issues through community capacity building.

The HNLGAG plays a strategic coordination role for natural resource projects and issues managed by the councils in the catchment. The HNLGAG works closely with the CMA Board to provide advice on a range of local government issues and assist to deliver the CMA's Local Government Partnership Program which funds onground projects in the catchment.

The HNLGAG currently has membership from 23 Councils in the catchment.

The Group must meet at least 4 times a year to discuss and provide advice on how to resolve Natural Resource Management issues raised by catchment councils. These meetings provide

an important opportunity for networking and sharing of information, particularly of best practice in catchment management.

The next meeting of the Local Government Advisory Group for the Hawkesbury Nepean River will be held on 18<sup>th</sup> December 2008. This will be a special meeting with the CMA Board.

Council's representative prior to the 2008 Local Government election was Cr Jackie Greenow, with Cr Kevin Cramer OAM being the alternate Councillor.

There has been provision in the past for Council to nominate one Councillor and an alternate Councillor, with the term of office being for the term of the Council.

However, a review is currently being undertaken of HNLGAG which might result in a different structure and council representation on the Group. Short term nominations are therefore initially sought for one (1) Councillor and an alternate Councillor who both have an interest in natural resource management to participate in this review. The nominated Councillors may or may not be ultimately included for the term of the Council, depending on the outcome of the review.

Council should nominate one (1) Councillor and an alternate Councillor with an interest in natural resource management to participate in a review of the Local Government Advisory Group for the Hawkesbury Nepean River.

#### **6. T S Nepean Building Facilities Management Committee**

Formed in May 1993 by Council, this Committee has as its objective:

- ◆ *The purpose of this Committee is to manage the building for the benefit of the community.*

The current lease by Council to the Naval Association of Australia (Nepean Blue Mountains Subsection) Inc. of Lot 8 DP 583414 off Bruce Neale Drive, Penrith (which extends from 1 December 2004 to 30 November 2014), states that a Councillor must be nominated by Council to sit on this Committee.

Council's representative prior to the 2008 Local Government election was Councillor Pat Sheehy AM.

The Committee meets as the need arises.

Council should nominate one (1) Councillor to the T S Nepean Building Facilities Management Committee.

#### **7. St Clair High School Community Centre Management Committee**

Formed under a joint deed of agreement between the Department of School Education and Council in 1987, this Committee has as its objectives:

- ◆ *To manage, care for and maintain the Centre.*
- ◆ *To hire or otherwise make the Centre available to members of the public and bodies or associations desiring to conduct social, educational, cultural, recreational and sporting activities therein.*
- ◆ *To determine the scale of charges to be paid by persons or bodies hiring the Centre.*
- ◆ *To enter into agreements in connection with the hiring of the Centre.*
- ◆ *To accept hiring fees and to hold security bonds paid by hirers of the Centre.*
- ◆ *To pay all costs, charges and expenses in connection with the day to day running of the Committee.*
- ◆ *To establish bank accounts in the name of the Committee for the purpose of depositing and disbursing monies received.*
- ◆ *To carry out improvements to the Centre and repair damage incurred whilst the Centre is being used under the authority of the Committee.*
- ◆ *To do all such lawful things as are incidental or conducive to the attainment of the above objectives.*

The “Centre” is defined in the deed as “the multi-purpose hall (including toilets and change rooms), the Arts/Industrial Arts Block and the Home Economics Block known as the St. Clair High School Community Centre”.

The agreement states that the Council is entitled to nominate one person to this Committee.

The Committee currently meets as required in the Staff Common room at St Clair High School.

The outgoing Principal, Mr Allan Jones, has advised that he does not expect the Committee to meet on any regular basis in the future, as it was decided by the Committee some time ago, that the Centre was being satisfactorily being managed through the normal School management processes and that there was no need to conduct further meetings.

The Principal has sent a letter to Council dated 10 September 2008 outlining the current status of the Management Committee and the community use of the school’s facilities:

*“I wish to inform Council that the Committee has not functioned for some years, with the management of the school facilities reverting with the school. This decision was based purely on the grounds that the committee had become redundant.*

*This decision in no way lessens the community access to the facilities at St Clair High School. Indeed, I am proud to advise Council that there has been a strong growth in the use of school facilities by community groups.*

*Not least of these developments has been the joint venture between Penrith City Council and the Department of Education and Training (DET) in establishing a school oval and change-room facility. With funding from each of the above and a \$150,000 grant from the Commonwealth Government, this facility was completed in 2007 and now provides a shared facility for the community. The opening of the facility by the Mayor of Penrith, Councillor Greg Davies, was a highlight of our year.*

*The school oval is now used each weekend by the Western Force Soccer Club. Training is also held at the school oval on two afternoons during the week. Penrith City Council maintains the grounds under an agreement between Penrith City Council and DET.*

*Other areas of regular community use are the facilities offered to the Nepean Community College, the Southern Baptist Church group and the Goju Ryu Karate Club. In addition to the regular users the school hosts a wide variety of community users of the school hall.*

*I trust that the above provides the necessary information for you in relation to the role the school plays in the community use of its facilities and provides an explanation for there being no need for a management committee and thus a Council representative.”*

Council’s representative prior to the 2008 Local Government election was Councillor G Davies.

Council should nominate an East Ward Councillor to the St Clair High School Community Centre Management Committee, in the event that a meeting is convened at some time in the future.

## **8. Jamison High School Community Centre Management Committee**

Formed under a joint deed of agreement between the Department of School Education and Council in 1986, this Committee has as its objectives:

- ◆ *To manage, care for and maintain the Centre.*
- ◆ *To hire or otherwise make the Centre available to members of the public and bodies or associations desiring to conduct social, educational, cultural, recreational and sporting activities therein.*
- ◆ *To determine the scale of charges to be paid by persons or bodies hiring the Centre.*
- ◆ *To enter into agreements in connection with the hiring of the Centre.*
- ◆ *To accept hiring fees and to hold security bonds paid by hirers of the Centre.*
- ◆ *To pay all costs, charges and expenses in connection with the day to day running of the Committee.*
- ◆ *To establish bank accounts in the name of the Committee for the purpose of depositing and disbursing monies received.*

- ◆ *To carry out improvements to the Centre and repair damage incurred while the Centre is being used under the authority of the Committee.*
- ◆ *To do all such other lawful things as are incidental or conducive to the attainment of the above objects.*

The “Centre” is defined in the deed as “the multi-purpose hall known as the Jamison High School Community Centre”.

The agreement states that the Council is entitled to nominate three persons (not necessarily Councillors or officers) at least one of whom is to be a member of the community at large.

The Committee meets as the need arises.

Council’s representatives prior to the 2008 Local Government election were Cr Mark Davies and Cr Garry Rumble.

Council should nominate two (2) South Ward Councillors to the Jamison High School Community Centre Management Committee and put in place a process to select a person from the community to sit on this Committee.

## **9. Local Traffic Committee**

Formed in 1976, by the then Traffic Authority (now RTA) to deal with delegations to Council for traffic matters.

This Committee’s objective is to:

- ◆ *Provide advice to Council on the implementation of traffic control facilities on roads other than classified roads, with the exceptions outlined in the Local Traffic Committee Guidelines.*

Under the Road Transport (Safety & Traffic Management) Act 1999, the RTA is legislated as the organisation responsible for the control of traffic on all roads in New South Wales. In order to deal with the large number and range of traffic related matters effectively, the RTA has delegated certain aspects of the control of traffic on local roads to Councils. The RTA has retained both the control of traffic on the State's classified road network and the control of traffic signals on all roads.

The RTA delegation to Councils limits the types of prescribed traffic control devices and traffic control facilities that Council can authorise and imposes certain conditions on Councils. One of these conditions requires Councils to obtain the advice of the RTA and the Police prior to proceeding with any proposal. This is most commonly achieved by Councils establishing a Local Traffic Committee. The committee is composed of four formal members each with one vote. These four members are a representative from Council, the Police, and the RTA and the Local State Member of Parliament or their nominee.



The Local Traffic Committee is an advisory body only, having no decision making powers. It is primarily a technical review committee that is required to advise the Council on traffic related matters referred to it by Council.

The Committee meets at 9am on the first Monday of each month except in October the meeting will be on the second Monday of that month. The next meeting will be held on the 13<sup>th</sup> October 2008.

At present, Councillors attend on an availability basis or where issues of particular concern are to be considered. They have no voting rights but are able to have input into the matters at hand.

As is current practice, all Councillors should be invited to attend the Local Traffic Committee.

#### **10. Western Sydney Alliance**

The Western Sydney Alliance was formed over a decade ago to oppose the proposed development of an international airport at Badgerys Creek. It has membership from a number of Western Sydney Councils including Penrith.

The Alliance has somewhat achieved its goal as the current Minister for Infrastructure, Transport, Regional Development and Local Government has made recent statements confirming that the current government will not proceed with an airport at Badgerys Creek. Any formal change to the legislation which reserves the site or decision about its future use will not be made until after a National Aviation Policy review is completed.

The Alliance made a submission on the terms of reference for this review recently. A white paper is expected on the review in late 2008 with the green paper to follow in mid 2009. It will be important for the Alliance to make submissions to this review.

The Alliance is likely to consider its future at the conclusion of the national aviation policy review.

The Alliance is now only meeting on an as needs basis and relies on the executive to progress matters including submissions to relevant inquiries and lobbying State and Australian governments. The Executive meets irregularly, but on average about three times per year.

The Mayor or a Councillor from Holroyd holds the position of Chair of the Alliance and the Mayor of Penrith the Deputy Chair. Staff from both Holroyd and Penrith supports the executive.

#### **11. Penrith Valley Sports Foundation**

Formed in 1993, this foundation has as its objective:

- ◆ *To discuss with the various representatives of sporting associations, the priorities for the forthcoming year's Parks Improvement Program.*

- ◆ *Consult with associations to achieve a greater understanding of issues relating to the operation of their particular sport.*
- ◆ *Discuss opportunities for Grants funding.*

This Foundation meets at the Civic Centre on the second Thursday of every month at 5.30pm.

Council's representative on the Penrith Valley Sports Foundation prior to the 2008 Local Government election was Councillor Pat Sheehy AM.

Council should nominate one (1) Councillor to the Penrith Valley Sports Foundation.

## **INTERNAL COMMITTEES OF COUNCIL**

### **12. Heritage Advisory Committee**

The Heritage Advisory Committee was established in 1999 to conserve and promote the heritage of the City of Penrith, and to provide advice to Council on heritage matters. The Committee has 6 meetings a year at the Civic Centre either on a Wednesday or Thursday commencing at 5.00pm.

Council's representatives on the Heritage Committee prior to the 2008 Local Government election were Councillors Jackie Greenow and Garry Rumble.

Council should nominate two (2) Councillors to the Heritage Advisory Committee.

### **13. St Marys Development Committee**

The St Marys Development Committee was established in 1974 to promote the St Marys Spring Festival, and such other projects as Council approves from time to time on the recommendation of the Committee. The Committee meets on a monthly basis on the first Tuesday of the month. The next meeting will be held at 5pm on the 7<sup>th</sup> October 2008 at the Champness Room at St Marys Library.

Council's representatives consist of the five East Ward Councillors.

Council should nominate the five (5) East Ward Councillors to the St Marys Development Committee.

### **14. Senior Staff Recruitment/Review Committee**

The Senior Staff Recruitment/Review Committee was established in 1993 to assess contractual issues relating to Senior Staff and to recruit Senior Staff.

Council's representatives on the Senior Staff Recruitment/Review Committee prior to the 2008 Local Government election were Councillors Jim Aitken OAM, Greg Davies, Ross Fowler OAM, Jackie Greenow and Pat Sheehy AM.

Council should continue to adopt this approach and appoint the Mayor and four (4) Councillors to the Senior Staff Recruitment /Review Committee. Council can co-op other Councillors for the purposes of recruitment.

### **15. Penrith Valley Cultural Precinct Project Steering Committee**

The Penrith Valley Cultural Precinct Project Steering Committee (PVCPPSC) oversees the planning and implementation of Council's community precinct off Mamre Road and Queen Street, St Marys.

The Committee meets on a needs basis. It generally has two meetings a year at 5.00pm at the Civic Centre.

Council's representatives consist of the five East Ward Councillors.

It is proposed that this Steering Committee be now convened as a Working Party. In this regard, Councillors should refer to the separate report on this business paper "Councillor Representation on Working Parties".

### **16. Access Committee**

The Access Committee (previously known as the Disability Access Committee) was established in 1999 to facilitate the provisions of the highest possible standard of physical access throughout the Penrith Local Government area for people with disabilities. Its charter is to:

- ◆ Raise the profile of the Access Committee within the community.
- ◆ Identify the access needs of people with disabilities.
- ◆ Involve Council officers with the Access Committee on relevant issues.
- ◆ Monitor the implementation of Penrith Council's Access Policy throughout the Local Government area.
- ◆ Consult with Council and the community by providing information and practical advice on access matters.
- ◆ Collaborate with Council to identify strategies to improve access.
- ◆ Facilitate the availability of education to the whole community on issues relating to access.

The Committee meets up to six (6) times a year on the first Wednesday of every second month at 5.00pm at the Civic Centre.

The Committee has provision for three (3) Councillors to be members.

Council's representatives on the Access Committee prior to the 2008 Local Government election were Councillors Lexie Cettolin, Jackie Greenow and John Thain.

Council should nominate three (3) Councillors to the Access Committee.

### **17. Penrith International Friendship Committee**

The aims of the Penrith International Friendship Committee are to foster friendship, communication and understanding between people internationally and to encourage and facilitate the participation of the people of Penrith in cultural, educational, sporting and social activities with international links established by the City.

Membership of the International Friends shall be open to any person with an interest in the conduct of the City of Penrith's International Friendly Relationships. The Chairperson for this Committee is the Mayor or his/her nominee. Councillor Greenow has been the Mayor's nominee since this Committee was established in 1996.

It is recommended that the information on the Penrith International Friendship Committee be noted.

### **18. Penrith Valley Community Safety Partnership (PVCSP)**

The Penrith Valley Community Safety Partnership (PVCSP) is a committee of Penrith City Council that makes recommendations to Council.

Members include Penrith City Councillors, Council officers and representatives from Police, City and Town Centre Associations, Chamber of Commerce, Transport, Health, Education and a range of community organisations & community representatives.

The Partnership has three objectives:

1. To identify Community Safety issues, and develop and prioritise strategies to combat these issues.
2. To integrate the concept of community safety throughout the member organisations and the City.
3. To monitor the implementation of, and review on a regular basis, the Penrith Valley Community Safety Plan.

Meetings are held quarterly on the fourth Wednesday of the month at the Civic Centre commencing at 6.30pm.

At present, Councillors attend on an availability basis or where issues of particular concern are to be considered.

As is current practice, all Councillors should be invited to attend the Penrith Valley Community Safety Partnership.

## **19. Audit Committee**

The Audit Committee is an independent advisory Committee assisting the Council to fulfil its oversight responsibilities. The primary duties and responsibilities of the Audit Committee are to assist the Council discharge its responsibilities relating to:

- Financial reporting practices
- Business ethics, policies and practices
- Management and internal controls
- Monitoring the integrity of the Council's financial reporting practices and finance and accounting compliance
- Reviewing internal controls, key corporate risks and all audit related matters
- Encouraging adherence to Council's policies and continuous improvement of Council's systems and practices.
- Adoption of the Internal Audit Plan.

The Audit Committee shall be comprised of the Mayor of the day (or a Councillor being the Mayor's representative), three other Councillors, and up to three Independent external members. All appointments shall be made by the Council.

The Audit Committee meets at least four times a year at 8.00am at the Civic Centre (the day can vary). Additional meetings may be held as directed by the Chairperson.

Council's representatives on the Audit Committee prior to the 2008 Local Government election were Councillor Pat Sheehy AM (being the Mayor's representative) and Councillors Ross Fowler OAM, Karen McKeown and Garry Rumble.

Council should nominate the Mayor and three (3) Councillors to the Audit Committee.

## **20. Penrith Flood Advisory Consultative Committee**

The Penrith Flood Advisory Consultative Committee is a committee established by Council with community representatives, together with other stakeholders, to make recommendations to Council on any necessary changes to Council's current Flood Policy.

The Committee is a key link between the local community and the Council and acts as both a focus and forum for the discussion of technical, social, economic, environmental and cultural issues in relation to flooding. One of the important roles of the committee is identifying management options and making recommendations to Council on appropriate development controls for land use.

The meetings of the Committee are held at the Civic Centre at 4:00pm on a Monday every second month or on an as needs basis.

At present, Councillors attend on an availability basis or where issues of particular concern are to be considered.

As is current practice, all Councillors should be invited to attend the Penrith Flood Advisory Consultative Committee.

## RECOMMENDATION

That:

1. The information contained in the report on Councillor Representation on Committees be received.
2. The Mayor (or the Mayor's nominee) be appointed to the **Bush Fire Management Committee**.
3. The Mayor be re-appointed to the **Local Emergency Management Committee**.
4. Council appoint two (2) Councillors to the **Cumberland Rural Fire Service Zone Liaison Committee**.
5. Council appoint three (3) Councillors to the **Floodplain Management Authorities of NSW**.
6. Council appoint one (1) Councillor and an alternate Councillor with an interest in natural resource management to participate in a review of the **Local Government Advisory Group for the Hawkesbury Nepean River**.
7. Council appoint one (1) Councillor to the **T S Nepean Building Facilities Management Committee**.
8. Council appoint one (1) East Ward Councillor to the **St Clair High School Community Centre Management Committee**, in the event that a meeting is convened in the future.
9. Council appoint two (2) South Ward Councillors to the **Jamison High School Community Centre Management Committee** and put into place a process to nominate a member of the community at large.
10. The information on the **Local Traffic Committee** be noted.
11. The information on the **Western Sydney Alliance** be noted.
12. Council appoint one (1) Councillor to the **Penrith Valley Sports Foundation**.
13. Council appoint two (2) Councillors to the **Heritage Advisory Committee**.
14. Council appoint all five (5) East Ward Councillors to the **St Marys Development Committee**.
15. Council appoint the Mayor and four (4) Councillors to the **Senior Staff Recruitment/Review Committee**, with other Councillors being co-opted as necessary when the Committee deals with recruitment matters.
16. Council convene the **Penrith Valley Cultural Precinct Project Steering Committee** as a Working Party.
17. Council appoint three (3) Councillors to the **Access Committee**.
18. The information on the **Penrith International Friendship Committee** be noted.

19. All Councillors be invited to attend the **Penrith Valley Community Safety Partnership.**
20. Council appoint the Mayor and three (3) Councillors to the **Audit Committee.**
21. All Councillors be invited to attend the **Penrith Flood Advisory Consultative Committee.**

**ATTACHMENTS/APPENDICES**

There are no attachments for this report.

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## Leadership and Organisation

### 6 Councillor Representation on Working Parties

**Compiled by:** Stephen Pearson, Executive Services Officer

**Authorised by:** Glenn McCarthy, Executive Officer

**Strategic Program Term Achievement:** Council has reviewed its own role and operations and has adopted contemporary practices to best discharge its charter.

**Critical Action:** Review current structures and procedures supporting Council and Councillors responsibilities.

#### **Purpose:**

##### *EXISTING WORKING PARTIES*

*To review the operation of the following Working Parties and to appoint Councillor representatives as required:*

1. Advertising Working Party
2. Castlereagh Cemetery and Crematorium Working Party
3. Climate Change Working Party
4. Sustainability Champion
5. Development Regulation Working Party
6. Domestic Waste Working Party
7. Finance Working Party
8. Lemongrove Gardens Working Party
9. Penrith Football Stadium Future Management Working Party
10. Penrith Stadium Redevelopment Working Party
11. Penrith Swimming Centre Upgrade Working Party
12. Recreation and Open Space Working Party
13. Economic Development Working Party
14. Wall of Achievement Awards Working Party

##### *PROPOSED NEW WORKING PARTIES*

*To propose the formation of the following two new Working Parties and appoint Councillor representatives:*

15. Recreation Working Party
16. Penrith Valley Cultural Precinct Working Party

*The report recommends that:*

*\* Councillor representatives be appointed to the Climate Change Working Party, Sustainability Champion, Finance Working Party, Lemongrove Gardens Working Party, Penrith Stadium Redevelopment Working Party and Wall of Achievement Awards Working Party*

*\* the Advertising Working Party, Castlereagh Cemetery and Crematorium Working Party, Development Regulation Working Party, Domestic Waste Working Party, Penrith Football*



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*Stadium Future Management Working Party, Penrith Swimming Centre Upgrade Working Party, Recreation and Open Space Working Party and the Economic Development Working Party be disbanded*

*\* two new Working Parties be formed to be known as the Recreation Working Party and the Penrith Calley Cultural Precinct Working Party*

## **Background**

This report reviews Council's existing Working Parties that require Councillor representation as well as suggesting formation of two new Working Parties.

Working Parties are convened by Council and consist of Councillors and Council staff. They deal with specific issues currently being addressed by Council. They can be ongoing, or convened for a limited term. They are not a decision making forum and they are not open to the public. They cease to operate once the objectives outlined in their Terms of Reference are achieved.

The following details set out the Terms of Reference and membership of the twelve (12) Working Parties established by the previous Council. In addition, comments from the relevant manager have been provided, where available, to assist Council in deciding whether the Working Party should be continued or disbanded.

## **EXISTING WORKING PARTIES**

### **1. Advertising Working Party**

#### Terms of Reference

The Advertising Working Party exists to:

- Review the Strategic Approach to Council's Advertising
- Consider the Strategic Placement of Council's Advertising
- Consider the future Role of an Agency

#### Membership

All available Councillors.

#### Meetings

As required, generally on a Monday at 5:00pm  
(1 meeting in 2007, no meetings to date in 2008)

#### Date of Last Meeting

27 August 2007

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Manager's Comment

It is recommended that the Advertising Working Party be disbanded for the following reasons:

- The Working Party currently meets on an ad hoc basis and has had no on-going role since the move to the use of an agency
- The matters dealt with could be submitted through the Councillor Briefings and involve all Councillors

The Working Party could be reconstituted if needed to consider any future proposed changes to Council's advertising arrangements, expressions of interest etc.

<b>2. Castlereagh Cemetery and Crematorium Working Party</b>
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Terms of Reference

The Castlereagh Cemetery and Crematorium Working Party exists to develop and report back to Council on a plan for the development of the Castlereagh Cemetery and Crematorium, and to oversee implementation of the plan, as adopted by Council.

Membership

Five (5) Councillors. Members of the Working Party prior to the 2008 Local Government election were Councillors Lexie Cettolin, Kevin Cramer OAM, Ross Fowler OAM, John Thain and Pat Sheehy AM.

Meetings

As required, generally on a Monday at 5:00pm  
(1 meeting in 2007, no meetings to date in 2008)

Date of Last Meeting

9 July 2007

Manager's Comment

This working party is in "recess" pending the outcomes of the Department of Lands investigations into the feasibility of establishing a Cemetery/Crematorium at Berkshire Park. No action can be taken by the Working Party at this stage until Council has advice from the Department of Lands. The Working Party can be disbanded as no information is likely to be received in the near future. A working group could be reconstituted from the new Council as required.

### **3. Climate Change Working Party**

#### Terms of Reference

The Climate Change Working Party exists to develop and make recommendations on strategic responses to the challenge of Climate Change for the City and Council, particularly in regard to:-

- development and implementation of the Strategic Plan
- Council's commitments to National and International declarations and protocols, and
- further development of energy and greenhouse partnerships, strategies and targets.

#### Membership

Mayor and three other (3) Councillors. All available Councillors are invited to attend. Members of the Working Party prior to the 2008 Local Government election were the Mayor and Councillors Mark Davies, Ross Fowler OAM and Karen McKeown. All available Councillors may attend.

#### Meetings

As required, generally on a Monday at 5:30pm  
(1 meeting to date in 2008)

#### Date of Last Meeting

28 April 2008

#### Manager's Comment

This Working Party was formed in February 2008 but has met only once, due to difficulties in scheduling and resourcing. The Chair of the Working Party is Cr McKeown, who is Council's Sustainability Champion. This body could be reconstituted with the new Council around Council's new Strategic Plan. Recommended to continue.

### **4. Sustainability Champion**

#### Terms of Reference

The responsibilities of the 'Sustainability Champion' are to:

- Promote sustainability principles, initiatives and programs in Council and other forums,
- Receive information updates on Council's progress in achieving sustainability outcomes,
- Attend both promotional and community events, and
- Represent Council at sustainability related functions and awards ceremonies.

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Membership

One (1) Councillor. The role of the ‘Sustainability Champion’ is for the term of the Council, at which time the position becomes vacant and is subsequently filled through the new council nomination process.

Councillor Karen McKeown was Council’s ‘Sustainability Champion’ prior to the 2008 Local Government election.

**5. Development Regulation Working Party**

Terms of Reference

The Development Regulation Working Party exists for the continuing review of Council’s approvals and land use management practices.

Membership

All available Councillors.

Meetings

As required, generally either on a Tuesday at 1:00pm or Monday or Wednesday at 5:00pm (5 meetings in 2007, 1 meeting to date in 2008)

Date of Last Meeting

13 August 2008

Manager’s Comment

The Development Regulation Working Party was formed in February 1993. The aim of the Working Party was to review the building and development application process. The Working Party was formed at a time when the approval processes were undergoing significant scrutiny from government agencies in an effort to improve efficiency, consistency of advice, resourcing and decision making process.

Over the years, the Working Party has presided over a number of reforms for the organisation which has seen the formulation of current systems and procedures which now form part of our daily work practice. The key focus for the Working Party has been to review the roles of interdepartmental responsibility in the development approval process, establish a prelodgement consultation process, review delegations for the determination of applications, review Council’s Public Consultation policies, strengthen the Council’s Governance procedures, standardise conditions of consent, refine policies relating to the approval process and to review the Corporate structure in order to bring about a more efficient and effective approval service.

When the Working Party was first formed it comprised a number of nominated Councillors and relevant Council officers. The Working Party met on a monthly basis and reported to the Ordinary Council meeting. In more recent years, the frequency of the Working Party has been

on an “as needs” basis and has no longer been providing minutes to the Ordinary Council meeting. The Working Party’s role has become more a reference group rather than one where its decisions were reported to the Ordinary Council meeting. The composition of the Working Party has changed in that invitations are now sent to all Councillors to attend. Meetings have been arranged to coincide with either a Policy Review Committee meeting and or a Councillor Briefing so that Councillor availability can coincide with attendance at other meetings.

The Working Party’s role has always been focused on approval process and procedure, with many of the current work practices being an outcome of their involvement and refinement. However, given that the Working Party no longer makes recommendations which are adopted by Council and that many of the reforms for which the Working Party was created have now been put in place, it is arguable whether or not the task of the Working Party has been completed.

Should there be a need for significant refinement to our existing processes and procedures, it is considered that alternative forums that could be used to canvas these would be either the Policy Review Committee or Councillor Briefings.

It is recommended that the Development Regulation Working Party be discontinued and replaced by matters being reported to either the Policy Review Committee or Councillor Briefings.

## **6. Domestic Waste Working Party**

### Terms of Reference

- To consider available waste collection and recycling services
- To consider waste disposal methods, including alternative waste technologies

### Membership

All available Councillors.

### Meetings

As required, generally on a Wednesday at 12noon.  
(3 meetings in 2007, 1 meeting to date in 2008)

### Date of Last Meeting

14 May 2008

### Manager’s Comment

The Domestic Waste Working Party was originally established on 6 December 2004 for a sunset period of 12 months to consider waste collection and disposal methods that may be utilised by Council during the next contract period.

Given that the Terms of Reference of the Domestic Waste Working Party were that it be limited to 12 months, and that the issues can now be progressed at Policy Review Committee meetings/Ordinary Council meetings, it is recommended that this Working Party be disbanded.

## **7. Finance Working Party**

### Terms of Reference

To brief and seek Councillor input on matters relating to:

- Finance
- Business Development
- Council-led Development
- Any other matters not relating to the functions otherwise considered by the Services Working Party, Corporate Development Working Party and the Development Working Party.

### Membership

Mayor or Deputy Mayor and two (2) Councillors. All available Councillors are invited to attend. Members of the Working Party prior to the 2008 Local Government election were the Mayor or Deputy Mayor and Councillors Ross Fowler OAM and Councillor Pat Sheehy AM.

### Meetings

As required, generally on a Monday, Tuesday or Friday at 12noon.  
(2 meetings in 2007, 1 meeting to date in 2008)

### Date of Last Meeting

25 March 2008

### Manager's Comment

The Finance Working Party is ongoing. The role of the Finance Working Party is to review financial policy and financial issues including the impact of changes to accounting standards and discuss property strategy matters as they arise.

## **8. Lemongrove Gardens Working Party**

### Terms of Reference

1. To consider the implications associated with changes to relevant Legislation
2. To consider the terms and condition and position regarding the present arrangements in respect of the hostel and the self care retirement units at Lemongrove.

3. To consider the future of the Lemongrove Gardens Retirement Village management.
4. To make recommendations in respect of the contemporisation of the agreement between ARV and Council for the remainder of the term of the agreement with ARV.
5. To consider the future management of the Lemongrove Retirement Hostel.
6. To consider the financial situation of the two facilities.
7. To consider the Long Term planning of all aged care accommodation facilities and stake holders in the LGA to optimise the provision of future aged care to the area.

#### Membership

Three (3) Councillors. Other available and interested Councillors may attend. Members of the Working Party prior to the 2008 Local Government election were Councillors Greg Davies, Ross Fowler OAM and Pat Sheehy AM.

#### Meetings

As required, generally on a Monday at 5:00pm  
(1 meeting in 2007, no meetings to date in 2008)

#### Date of Last Meeting

5 February 2007

#### Manager's Comment

At this stage the Lemongrove Gardens Working Party should be continued until the Council determines a future for the site.

### **9. Penrith Football Stadium Future Management Working Party**

#### Terms of Reference

The Penrith Football Stadium Future Management Working Party exists to investigate future management options for the Penrith Football Stadium and recommend to Council a preferred arrangement.

#### Membership

Four (4) Councillors. Members of the Working Party prior to the 2008 Local Government election were Councillors Lexie Cettolin, Greg Davies, Mark Davies and Pat Sheehy AM.

Meetings

As required, generally on a Monday at 5:00pm  
(4 meetings in 2007, no meetings to date in 2008)

Date of Last Meeting

12 November 2007

Manager's Comment

Now that a new lease agreement is in place, this Working Party has not met for some time and there is no reason why it should continue. It is recommended that this Working Party be disbanded.

**10. Penrith Stadium Redevelopment Working Party**

Terms of Reference

The Penrith Stadium Redevelopment Working Party exists to develop and report back to Council on a recommended scope of works for Stage 2 of the Penrith Football Stadium Redevelopment.

Membership

Three (3) Councillors. Members of the Working Party prior to the 2008 Local Government election were Councillors Lexie Cettolin, Greg Davies and Mark Davies.

Meetings

As required, generally on a Monday at 5:30pm  
(4 meetings in 2007, 1 meeting to date in 2008)

Date of Last Meeting

28 May 2008

Manager's Comment

The Penrith Stadium Redevelopment Working Party should continue until the master plan for the Stadium is complete. The next stage of the master plan is to design and commence development of the Southern Grandstand. A Federal grant of \$5m has been received for this work which will provide grandstand facilities for both the Football Stadium and also for the cricket ground at Howell Oval.

It is recommended that the Working Party's membership be increased to include the Federal Member for Lindsay (or his nominated representative), two representatives of Penrith Cricket Club, as well as a nominated representative from Council's Access Committee as identified by that Committee. The Working Party will steer the design and implementation process of



the Southern Grandstand's redevelopment as well as provide advice on the progressing the overall master plan.

## **11. Penrith Swimming Centre Upgrade Working Party**

### Terms of Reference

The Penrith Swimming Centre Upgrade Working Party exists to develop and recommend to Council a strategy for the redevelopment of the Penrith Swimming Centre and to oversee the implementation of that strategy.

### Membership

Three (3) Councillors. Members of the Working Party prior to the 2008 Local Government election were Councillors Lexie Cettolin, Karen McKeown and Susan Page.

### Meetings

As required, generally on a Wednesday at 7:00pm  
(no meetings in 2007, no meetings to date in 2008)

### Date of Last Meeting

23 November 2005

### Manager's Comment

The Penrith Swimming Centre Upgrade Working Party has not met for some time and there is no reason why it should continue. It is recommended that this Working Party be disbanded.

## **12. Recreation and Open Space Working Party**

### Terms of Reference

The Recreation and Open Space Working Party exists to:

1. To determine a comprehensive Recreation and Cultural Facilities Strategy and priority program for its implementation across the City.
2. To consider the effective utilisation and maintenance of existing recreation and open space facilities, with particular emphasis on active sporting fields, in concert with Council's Service Specification Program.
3. To review the emphasis and direction being pursued in Council's Playground Facilities and Parks Improvement programs.

### Membership

All available Councillors.

Meetings

As required, generally on a Wednesday at 7:00pm  
(no meetings in 2007, no meetings to date in 2008)

Date of Last Meeting

19 October 2005

Manager's Comment

The Recreation and Open Space Working Party has not met for some time and there is no reason why it should continue. It is recommended that this Working Party be disbanded.

**13. Economic Development Working Party**

Terms of Reference

The Economic Development Working Party exists to make recommendations to Council on the most efficient and effective structure for delivering citywide economic development and employment services in Penrith taking into account the unique challenges and opportunities faced by the City, its business and residents.

Membership

Mayor and four other (4) Councillors. Other available and interested Councillors may attend. Members of the Working Party prior to the 2008 Local Government election were Councillors Ross Fowler OAM, Jackie Greenow, Susan Page and Pat Sheehy AM.

Meetings

Three per year, generally on a Wednesday at 5:30pm  
(3 meetings in 2007, 2 meetings to date in 2008)

Date of Last Meeting

19 March 2008

Manager's Comment

The Economic Development Working Party was set up to conduct a review on how Council delivers its economic development services with a focus on job creation. The genesis of the review was a report prepared by Professor Ed Blakely for Glenmore Park Stage 2 development in which he recommended that to achieve greater efficiencies and better economic outcomes for the city, Council should streamline the structure for delivering its economic development services.

The Working Party worked in partnership with the Penrith Valley Economic Development Corporation (PVEDC) and consulted extensively with local and regional economic partners

and other Councils as well as receiving independent advice from the University of Western Sydney on international economic development models.

The review has culminated in a resolution by Council to set up an external independent economic development entity that will combine the role and responsibilities of the PVEDC and Council's own Local Economic Development Department. The new entity is expected to start operations at the onset of 2009.

Under the circumstances, it is recommended that this Working Party be disbanded.

#### **14. Wall of Achievement Awards Working Party**

##### Terms of Reference

The Wall of Achievement Awards attempt to put into place a process whereby Council and the community in general can formally recognise the significant achievements taking place across the community.

The Wall of Achievement Awards Working Party considers nominations for Wall of Achievement Awards and presentation format.

##### Membership

Seven (7) Councillors. Members of the Working Party prior to the 2008 Local Government election were Councillors Kaylene Allison, Ross Fowler OAM, Jackie Greenow, Karen McKeown, Pat Sheehy AM and John Thain.

##### Meetings

Once per year, generally on either a Monday or Wednesday at 5:00pm  
(1 meeting in 2007, 1 meeting in 2008)

##### Date of Last Meeting

9 July 2008

##### Manager's Comment

This Working Party was formed in 1997 and it is an essential part of the Wall of Achievement Awards nominations selection process. Nominations for the Award close at the end June each year with announcements and presentation of Awards being made by the Mayor toward the end of August/early September of each year.

It is appropriate for this small Working Party of Councillors to continue.

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## PROPOSED NEW WORKING PARTIES

The following new Working Parties are proposed:

### **15. Recreation Working Party (proposed new Working Party)**

It is recommended that the Recreation and Open Space Working Party and the Penrith Swimming Centre Upgrade Working Party (both of which are recommended to be disbanded) be combined into one working party to be known as the Recreation Working Party.

A strategic task in the 2008-2009 Management Plan is to review the role of the recreational controlled entities. (ie the Boards of Ripples St Marys and Penrith Whitewater Stadium). Penrith Memorial Swimming Pool and St Clair Leisure Centre are also areas that need consideration in the above review.

The proposed overriding aim of this Working Party is to identify and evaluate all options open to the Council for the future management and development of Ripples St Marys, Penrith Memorial Swimming Pool, St Clair Leisure Centre and Penrith Whitewater Stadium.

#### Proposed Terms of Reference

To identify and evaluate all options open to the Council for the future management and development of the following recreation facilities:

- Ripples St Marys
- Penrith Memorial Swimming Pool
- St Clair Leisure Centre
- Penrith Whitewater Stadium

#### Proposed Membership

Three (3) Councillors and Recreation Manager, Legal and Governance Manager, Director City Services, Venue Managers (Penrith Whitewater Stadium, Ripples St Marys, Penrith Pool)

#### Proposed Meetings

Every 2 months (day to be confirmed once working party is established)

### **16. Penrith Valley Cultural Precinct Working Party**

The St Marys Community Precinct Working Party was established in 1994 to oversee the conduct on the Consultant's Study on the future use and development of the land bounded by the Great Western Highway, Mamre Road, Swanston and Monfarville Streets, St Marys. The Study was subsequently completed and Council adopted the recommendation on the manner in which the precinct should be developed.

The Working Party comprised of all East Ward Councillors.

In 1997 the Working Party was abandoned in favour of a Steering Committee, known as the St Marys Residential, Civic and Community Project Steering Committee, which was to oversee the development of the precinct. The Councillor representation remained unchanged.

The Steering Committee has seen the establishment of the St Marys Community Centre and the Queen Street Centre. The Committee also agreed to a preferred land use option for Council's residential land east of Collins Street, which was subsequently sold to Landcom. Its main focus has been on the precinct land bounded by the Great Western Highway, Mamre Road, Swanston and Collins Streets, St Mary. The Precinct has a very strong arts and cultural focus bringing together a diverse range of groups that already exists across the city.

The Steering Committee has since been renamed the Penrith Valley Cultural Precinct Project Steering Committee (PVCPPSC) and it is now appropriate that it be re-formed into a Working Party once again.

The focus of the Working Party over the next period will be the completion of the refurbishment of the Memorial Hall (already well underway) and the construction of the community square. Other priorities for Council work will be the activation of the cultural precinct and the promotion of the opportunities for creative expression by cultural groups and artists. The Penrith Valley Cultural Precinct will continue to grow as a hub where the communities of Penrith City come to share this creative expression, and over time, the Precinct will contribute to the cultural vitality of St Marys and the City as a whole.

#### Terms of Reference

To oversee the planning and implementation of Council's community precinct off Mamre Road and Queen Street, St Marys.

#### Membership

All East Ward Councillors.

#### Meetings

Meetings proposed on an as needs basis at 5.00pm at the Civic Centre.

### **SUMMARY OF RECOMMENDATIONS RELATING TO WORKING PARTIES**

#### Recommended for disbandment

Advertising Working Party  
Castlereagh Cemetery and Crematorium Working Party  
Development regulation Working Party  
Domestic Waste Working Party  
Penrith Football Stadium Future Management Working Party  
Penrith Swimming Centre Upgrade Working Party  
Recreation and Open Space Working Party  
Economic Development Working Party

Recommended to continue

Climate Change Working Party  
Sustainability Champion  
Finance Working Party  
Lemongrove Gardens Working Party  
Penrith Stadium Redevelopment Working Party  
Wall of Achievement Awards Working Party

Recommended new Working Parties

Recreation Working Party  
Penrith Valley Cultural Precinct Working Party

**Conclusion**

Following adoption of this report, Councillors who have gained membership on the various Working Parties will be contacted by the relevant Manager with further information about the Working Party, including meeting schedules, and so on.

**RECOMMENDATION**

That:

1. The information contained in the report on Councillor Representation on Working Parties be received.
2. Council appoint Councillor representatives to the following existing Working Parties:
  - a. **Climate Change Working Party**  
Mayor and three (3) Councillors to be appointed
  - b. **Sustainability Champion**  
One (1) Councillor to be appointed
  - c. **Finance Working Party**  
Mayor or Deputy Mayor and two (2) Councillors to be appointed
  - d. **Lemongrove Gardens Working Party**  
Three (3) Councillors to be appointed
  - e. **Penrith Stadium Redevelopment Working Party**  
Three (3) Councillors to be appointed
  - f. **Wall of Achievement Awards Working Party**  
Seven (7) Councillors to be appointed

3. Council form the following new Working Parties:
  - a. **Recreation Working Party**  
Three (3) Councillors to be appointed
  - b. **Penrith Valley Cultural Precinct Working Party**  
Five (5) East Ward Councillors to be appointed
4. Council disband the following existing Working Parties:
  - a. **Advertising Working Party**
  - b. **Castlereagh Cemetery and Crematorium Working Party**
  - c. **Development Regulation Working Party**
  - d. **Domestic Waste Working Party**
  - e. **Penrith Football Stadium Future Management Working Party**
  - f. **Penrith Swimming Centre Upgrade Working Party**
  - g. **Recreation and Open Space Working Party**
  - h. **Economic Development Working Party**

**ATTACHMENTS/APPENDICES**

There are no attachments for this report.

## **Leadership and Organisation**

### **7 Local Government Constitutional Summit - A Special National General Assembly**

**Compiled by:** Stephen Pearson, Executive Services Officer

**Authorised by:** Glenn McCarthy, Executive Officer

**Strategic Program Term Achievement:** *Council has reviewed its own role and operations and has adopted contemporary practices to best discharge its charter.*

**Critical Action:** *Review current structures and procedures supporting Council and Councillors responsibilities.*

#### **Purpose:**

*To advise Council that the Australian Local Government Association (ALGA), in consultation with state and territory local government associations, will be conducting a Local Government Constitutional Summit from 8-11 December 2008 in Melbourne. The report recommends that Council determine Councillor attendance at the Local Government Constitutional Summit.*

#### **Background**

The Australian Local Government Association (ALGA), in consultation with state and territory local government associations, is convening a Local Government Constitutional Summit at the end of this year. The Summit will bring together councils to discuss and reach agreement on a position to put to the Federal Government in regard to the recognition of local government in the Commonwealth of Australia Constitution.

The recognition of local government in the Australian Constitution has been central to debate at successive National General Assemblies of Local Government over the years.

#### **Local Government Constitutional Summit**

The Local Government Constitutional Summit will be held at the Melbourne Convention and Exhibition Centre, Southbank, Victoria from 8-11 December 2008.

#### **Council's Position**

It has been Penrith Council's longstanding position that Local Government should be recognised in the Australian Constitution, and over the years, it has both sponsored and supported motions to the National General Assembly of Local Government and the Local Government Association Conference in support of this stand.

The ALGA and state and territory local government associations have been working together to gauge the current level of support for constitutional recognition amongst councils as well as the various strengths and issues with each option for recognition.



Council, at its meeting held on 4 August 2008, reaffirmed its support of constitutional recognition for Local Government and resolved to inform the Local Government Association of NSW that Council considers the most appropriate response to be entrenchment of Local Government in the Australian Constitution, with high importance on simplified/streamlined Federal funding, establishing a minimum level guarantee of funding and symbolic recognition for Local Government. Council also resolved to keep Local State and Federal Members of Parliament well informed.

### **Attendance**

It is now necessary to determine Councillor attendance at the Local Government Constitutional Summit. There will be no voting delegates as such, as there will be no motions to be debated as is usually the case at ordinary National General Assemblies.

Registration is open to anyone who wishes to attend.

### **RECOMMENDATION**

That:

1. The information contained in the report on Local Government Constitutional Summit - A Special National General Assembly be received.
2. Council determine the Councillors to attend the Local Government Constitutional Summit to be held in Melbourne from 8-11 December 2008.

### **ATTACHMENTS/APPENDICES**

There are no attachments for this report.

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## Leadership and Organisation

### 8 2008 Local Government Association Conference

Compiled by: Stephen Pearson, Executive Services Officer

Authorised by: Glenn McCarthy, Executive Officer

**Strategic Program Term Achievement:** *Council has reviewed its own role and operations and has adopted contemporary practices to best discharge its charter.*

**Critical Action:** *Review current structures and procedures supporting Council and Councillors responsibilities.*

#### Purpose:

*To select seven voting delegates and observers to attend the Local Government Association's annual policy-making conference to be held in Broken Hill from 25 - 29 October 2008. The report recommends that Council select its voting delegates and observers to attend the 2008 Local Government Association Conference in Broken Hill from 25 - 29 October 2008.*

#### Background

The Local Government Association of NSW (LGA) will hold its Annual Conference in Broken Hill from 25 – 29 October 2008.

Over the years, Council has been very successful at influencing the development of state-wide LGA Policy, particularly in the areas of planning, the environment, community planning, fire and emergency services, roads and transport and rating policy.

#### Delegates

Council now needs to select delegates to represent Penrith at the upcoming Conference, according to the following population and category criteria as laid out in the Constitution of the Association.

Group No.	Population	Delegates
1	Less than 10,000	1
2	10,000 – 20,000	2
3	20,000 – 50,000	3
4	50,000 – 100,000	4
5	100,000 – 150,000	5
6	Over 150,000	7
7	County Councils and Associate Members	2
8	Aboriginal Land Councils	27

In determining populations, the Association uses the Australian Bureau of Statistics publication 3218.0 (latest figures 2005-06). As Penrith City falls into Group 6, it is entitled to seven (7) voting delegates.

## **Other Delegates and Observers**

In past years, because a number of Penrith City Councillors have also represented either the Executive of the LGA or other industry organisations the Hawkesbury River County Council, delegate numbers have been as high as 10. Council has also included Councillors as observers to the Conference in addition to its voting delegates.

In 2007, Council's voting delegates were the Deputy Mayor, Councillor Jackie Greenow and Councillors Kaylene Allison, Kevin Cramer OAM, Karen McKeown, Susan Page and Pat Sheehy AM.

In 2007, for the seventh year, Council sponsored up to three observers chosen by the Deerubbin Local Aboriginal Land Council to attend the LGA Conference.

For 2008, a new separate Delegate Category has been established – Group No. 8 - Aboriginal Land Councils - 27 Delegates. However, the Association has recently advised that for 2008, there will be no delegates attending from this Group because the NSW Aboriginal Land Council has not yet taken out membership of the Local Government Association.

In keeping with Council's past practice, the Deerubbin Local Aboriginal Land Council has again been invited to nominate up to three delegates to attend the 2008 LGA Conference.

Council, at its meeting held on 4 August 2008, authorised former Councillor Pat Sheehy AM to attend the Conference as an observer in view of his eligibility for presentation of an Outstanding Service Award (21 years service) and the title of Emeritus Mayor (3 x one year terms).

## **Election of Local Government Association Executive**

An Election Notice has been received from the NSW Electoral Commission calling for nominations to the Local Government Association of NSW Executive Committee for the following positions:

President (*1 from a country council or from the incumbent president*)

Treasurer (*1 from a country council or metropolitan council*)

2 Vice-Presidents (*1 from a country council, 1 from a metropolitan council*)

20 Executive Committee Members (*10 from country councils, 10 from metropolitan councils*)

Nominations must be in writing, signed by the candidate and at least two nominators other than the candidate. No person may nominate more candidates than the number to be elected for each position.

Candidates must be serving members of councils which are financial ordinary members (not associate members) of the Association. Nominators must be elected members of councils which are financial ordinary members (not associate members) of the Association.

Rule 22 (a) requires that the office of President alternates between members of country councils and members of metropolitan councils. To be eligible to be elected, candidates for the position of President at this election must be members of country councils but may also include the incumbent President.

Candidates for the positions of Vice-President and Committee Member must be from the respective country or metropolitan councils for which the nomination is made.

Nominations close at noon on Friday 17 October 2008.

Voting is conducted at the Conference. Voting for President, Vice-Presidents and Treasurer will be conducted on Monday 27 October 2008 and for the Executive Committee on Tuesday 28 October 2008.

Nomination forms have been circulated separately to all Councillors.

### **Conclusion**

Council has been successful in influencing State LGA policy through its involvement in past LGA Conferences. Council's efforts to influence policies that affect Local Government at all levels as an ongoing task, and Council's attendance and involvement at the Conference is one of the activities that goes to fulfilling this task.

### **RECOMMENDATION**

That:

1. The information contained in the report on 2008 Local Government Association Conference be received.
2. Council nominate seven (7) voting delegates to attend the 2008 LGA Conference to be held in Broken Hill from 25 – 29 October 2008.
3. Council give consideration to the nomination of observers to attend the 2008 LGA Conference.
4. Council endorse the action taken to sponsor up to three (3) Aboriginal observers, nominated by the Deerubbin Local Aboriginal Land Council, to attend the 2008 LGA Conference.

### **ATTACHMENTS/APPENDICES**

There are no attachments for this report.

