

9 March 2011

Dear Councillor,

In pursuance of the provisions of the Local Government Act, 1993 and the Regulations thereunder, notice is hereby given that a **POLICY REVIEW COMMITTEE MEETING** of Penrith City Council is to be held in the Pasadena Room, Civic Centre, 601 High Street, Penrith on Monday 14 March 2011 at 7:30PM.

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

Yours faithfully

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

### ***BUSINESS***

- 1. LEAVE OF ABSENCE**
- 2. APOLOGIES**
- 3. CONFIRMATION OF MINUTES**  
*Policy Review Committee Meeting - 21 February 2011.*
- 4. DECLARATIONS OF INTEREST**  
*Pecuniary Interest (The Act requires Councillors who declare a pecuniary interest in an item to leave the meeting during discussion of that item)*  
*Non-Pecuniary Conflict of Interest – Significant and Less than Significant (The Code of Conduct requires Councillors who declare a significant non-pecuniary conflict of interest in an item to leave the meeting during discussion of that item)*
- 5. ADDRESSING THE MEETING**
- 6. MAYORAL MINUTES**
- 7. NOTICES OF MOTION TO RESCIND A RESOLUTION**
- 8. NOTICES OF MOTION**
- 9. DELIVERY PROGRAM REPORTS**
- 10. REQUESTS FOR REPORTS AND MEMORANDUMS**
- 11. URGENT BUSINESS**
- 12. CONFIDENTIAL BUSINESS**



**POLICY REVIEW COMMITTEE MEETING**

**MONDAY 14 MARCH 2011**

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**MEETING CALENDAR**

**CONFIRMATION OF MINUTES**

**DELIVERY PROGRAM REPORTS**

## 2011 MEETING CALENDAR

January 2011 - December 2011  
(adopted by Council on 28/2/11)

	TIME	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
		Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon
<b>Ordinary Council Meeting</b>	<b>7.30pm</b>		7 28#@	21	11❖ (7.00pm) 18	2 30#*	27	18	15#@	5✓ 19^ (7.00pm)	10∞	7 21#	12 (7.00pm)
<b>Policy Review Committee</b>	<b>7.30pm</b>	31	21	14	4	9	6	4	1 22	26	31	14	5
<b>Operational Plan Public Forum</b>	<b>6.00pm</b>					<b>Wed</b> 4							

- ❖ Meeting at which the Draft Operational Plan for 2011-2012 is adopted for exhibition
- \* Meeting at which the Operational Plan for 2011-2012 is adopted
- # Meetings at which the Operational Plan quarterly reviews are presented
- @ Delivery Program progress reports
- ^ Election of Mayor/Deputy Mayor
- ✓ Meeting at which the 2010-2011 Annual Statements are presented
- ∞ Meeting at which any comments on the 2010-2011 Annual Statements are presented

- Extraordinary Meetings are held as required.
- 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 Senior Governance Officer, Glenn Schuil.



**UNCONFIRMED MINUTES  
OF THE POLICY REVIEW COMMITTEE MEETING OF PENRITH CITY  
COUNCIL HELD IN THE PASSADENA ROOM, PENRITH  
ON MONDAY 21 FEBRUARY 2011 AT 7:35PM**

**PRESENT**

His Worship the Mayor Councillor Kevin Crameri OAM, Councillors Jim Aitken OAM, Kaylene Allison, Robert Ardill (arrived 7:42pm), Greg Davies, Mark Davies, Tanya Davies, Ross Fowler OAM, Jackie Greenow, Prue Guillaume, Marko Malkoc, Karen McKeown, Kath Presdee and John Thain.

**APOLOGIES**

There were no apologies.

Leave of Absence was previously requested by Councillor Ben Goldfinch for the period 21 February 2011 to 25 February 2011 inclusive.

PRC 5 RESOLVED on the MOTION of Councillor Marko Malkoc seconded Councillor Jim Aitken OAM that Leave of Absence be granted to Councillor Ben Goldfinch for the period 21 February 2011 to 25 February 2011 inclusive.

Councillor Prue Guillaume left the meeting, the time being 7:36pm.

**CONFIRMATION OF MINUTES - Policy Review Committee Meeting - 31 January 2011**

PRC 6 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Marko Malkoc that the minutes of the Policy Review Committee Meeting of 31 January 2011 be confirmed.

**DECLARATIONS OF INTEREST**

Councillor Jim Aitken OAM declared a Pecuniary Interest in Item 1 - *The WELL Precinct Development Contributions Plan and Caddens Residential Development Applications* as he is a owner of property in the area.

Councillor Prue Guillaume returned to the meeting, the time being 7:38pm.

**DELIVERY PROGRAM REPORTS**

**A CITY OF OPPORTUNITIES**

**4 Concept Plan of Precinct A within Glenmore Park Stage 2 Applicant:  
Lensworth Glenmore Park C/O Byrnes PDM Pty Ltd; Owner:  
Lensworth Glenmore Park**

Development Services Manager, Paul Lemm introduced the report and invited Brendan O'Brien from Stockland Group to give a presentation.

Councillor Robert Ardill, arrived the time being 7:42pm.

PRC 7 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Marko Malkoc

That:

1. The information contained in the report on Concept Plan of Precinct A within Glenmore Park Stage 2 Applicant: Lensworth Glenmore Park C/O Byrnes PDM Pty Ltd; Owner: Lensworth Glenmore Park be received
2. The Precinct A concept plan be endorsed.
3. Council write to the Department of Education requesting:
  - confirmation of their intention to use the site allocated to them for provision of a primary school and;
  - the potential of consolidating the sporting fields and the proposed school site into one lot to allow for greater flexibility in use.

In accordance with Section 375A of the Local Government Act 1993, a DIVISION was then called with the following result:

**For**

Councillor Greg Davies  
Councillor Tanya Davies  
Councillor John Thain  
Councillor Robert Ardill  
Councillor Jackie Greenow  
Councillor Karen McKeown  
Councillor Prue Guillaume  
Councillor Kath Presdee  
Councillor Mark Davies  
Councillor Kevin Crameri OAM  
Councillor Jim Aitken OAM  
Councillor Kaylene Allison  
Councillor Ross Fowler OAM  
Councillor Marko Malkoc

**Against**

## **A LEADING CITY**

### **1 The WELL Precinct Development Contributions Plan and Caddens Residential Development Applications**

Having previously declared a Pecuniary Interest Councillor Jim Aitken OAM left the meeting, the time being 8:25pm.

PRC 8 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Marko Malkoc

That:

1. The information contained in the report on The WELL Precinct Development Contributions Plan and Caddens Residential Development Applications be received.
2. Council write to the Minister and Shadow Minister for Planning seeking a Direction exempting the WELL Precinct Development Contributions Plan, the District Open Space and Cultural Facilities Plans from the \$30,000 per lot/dwelling cap.

3. Council not enter into an “In Kind” arrangement or a Voluntary Planning Agreement with Landcom in relation to its residential development applications for the Caddens Urban Release Area.
4. Council seek clarification/commitment from the NSW Government regarding delivery of State infrastructure which will affect development of the WELL Precinct.
5. Council write to the NSW Premier, the Opposition Leader and the Minister and Shadow Minister for Planning concerning S94 contributions, seeking advice as to the proposed approach for dealing with funding for local infrastructure for future developments.

In accordance with Section 375A of the Local Government Act 1993, a DIVISION was then called with the following result:

**For**

Councillor Greg Davies  
Councillor Tanya Davies  
Councillor John Thain  
Councillor Robert Ardill  
Councillor Jackie Greenow  
Councillor Karen McKeown  
Councillor Prue Guillaume  
Councillor Kath Presdee  
Councillor Mark Davies  
Councillor Kevin Crameri OAM  
Councillor Kaylene Allison  
Councillor Ross Fowler OAM  
Councillor Marko Malkoc

**Against**

Councillor Jim Aitken OAM returned to the meeting, the time being 8:39pm.

His Worship the Mayor, Kevin Crameri OAM left the meeting, the time being 8:39pm.

Deputy Mayor, Councillor Jim Aitken OAM took the chair for consideration of item 2.

Councillor Robert Ardill left the room and did not return to the meeting, the time being 8:40 pm.

## **2 Accessible Communities Program**

PRC 9 RESOLVED on the MOTION of Councillor Marko Malkoc seconded Councillor Karen McKeown

That:

1. The information contained in the report on Accessible Communities Program be received
2. Council endorse the submission of applications for the Tandara Childcare Centre and Accessible Bus Shelter Program.
3. Sunnyfield Enterprises be advised of Council’s recommendation and the reasons for not seeking a grant for their proposed project.



His Worship the Mayor, Councillor Kevin Crameri OAM returned to the meeting and took the Chair, the time being 8:40pm.

Councillor John Thain left the meeting, the time being 8:41pm.

Councillor John Thain returned to the meeting, the time being 8:42pm.

### **3 Constitutional Recognition for Local Government**

PRC 10 RESOLVED on the MOTION of Councillor Jim Aitken OAM seconded Councillor Kath Presdee

That:

1. The information contained in the report on Constitutional Recognition for Local Government be received
2. Council declares its support for the financial recognition of local government in the Australian Constitution so that the Federal Government has the power to fund local government directly
3. Council seek the inclusion of local government in any new Preamble to the Constitution if one is proposed
4. Council call on all political parties to support a referendum by 2013 to change the Australian Constitution to achieve Constitutional recognition for local government and in this regard, Council write to the Prime Minister, the Leader of the Opposition and local Federal Members of Parliament to inform them of Council's support for Constitutional recognition for local government.

## **A LIVEABLE CITY**

### **5 Access To Council Facilities**

PRC 11 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Marko Malkoc

That:

1. The information contained in the report on Access To Council Facilities be received.
2. The draft Key System Policy be adopted

There being no further business the Chairperson declared the meeting closed the time being 8:51pm.

## **DELIVERY PROGRAM REPORTS**

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## A LEADING CITY

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1 Revitalising and Refreshing our Marketing	1





## 1 Revitalising and Refreshing our Marketing

Compiled by: Paul Page, City Marketing Supervisor

Authorised by: Brian Steffen, Group Manager - Information & Customer Relations

<b>Objective</b>	<i>We demonstrate leadership, foster resilience and tenacity, and encourage innovation</i>
<b>Community Outcome</b>	<i>A Regional City that provides our jobs, education, services and entertainment (1)</i>
<b>Strategic Response</b>	<i>Demonstrate our leadership, and encourage innovation (1.1)</i>

Presenters: Paul Page - Penrith City Council - Revitalising our image

### Executive Summary

Council's current Four Year Delivery Program 2009-13 calls for the image and marketing for both the City (as a place) and Council (as an organisation) to be refreshed and revitalised.

This report advises on the program to deliver this priority which is about to commence. The report recommends that the information be received.

### Background

This is a very major project with an important bearing on the way we project our city and our organisation to our customers and to the audiences and markets that we seek to influence throughout the world outside the city.

The 2009-13 Delivery Program specifies the following Delivery Actions:

*1a – Refresh the City's image and market position by building on our strengths, natural environments, identity and character, to enhance Penrith's position as a regional city.*

*4a – Revitalise Council's image and marketing, focussing on our strengths, to reflect Council's regional leadership role.*

In order to move towards achieving these outcomes the following task was included in the 2009-10 Operational Plan.

*Develop a brief to retain a marketing consultant to conduct market research and review the City's and Council's branding and image.*

The 2010-11 Operational Plan does not include a follow on task of appointing a consultant to deliver this project as the project was unfunded. Internal savings have, however, been found and the project is now ready to proceed over the current and next financial years. This will allow the Delivery Actions to be completed on schedule.

### **Branding based approach**

The approach which has been adopted is to treat both the City and the Council as brands. Brand is the central concept in marketing, whether it is a product, service, organisation or a place. A brand is the collective reputation of a product, service, organisation or place in the mind of the target market. Each individual consumer in the target market has a perception of a brand and collectively these perceptions form a brand image.

A brand strategy guides the way that a product (or service, organisation or place) is marketed. The brand strategy controls its positioning in the market and the way its features and benefits are communicated.

The market positioning adopted as part of a brand strategy must resonate with the target audience. It must be credible and it must differentiate the product from its competitors.

A number of “brand values” should underpin the positioning and promotion. Brand values are statements that the owners of the brand strategy want the market to hear and believe about the product. An example of a brand value for Penrith might be “*Penrith offers a harmony of urban and rural lifestyles*”.

A brand strategy usually provides for these values to be summarised verbally in a tag line and graphically through a logo, though neither a brand nor a brand strategy has to have a tag line or a logo. (This also means that a brand strategy review does not necessarily lead to a logo being changed.)

Disciplined adherence to a brand strategy is critical to marketing success. Adopting a credible positioning and communicating consistent messages will improve brand image.

Branding a place like Penrith is more complex than branding a commercial product and branding places is a relatively new concept.

The most obvious difference between branding commercial products and places is that it is not as clear who owns and manages the brand. In this case Council is assuming this role but we do not have the same relationship with the product that a company has with its own product.

It is really a case of Council being “first amongst equals”. A place brand strategy must be owned and endorsed by the major stakeholder institutions which also have an interest in the way the city is marketed. Members of the local community should also be comfortable about using the adopted brand messages when they interact with people from outside the area.

Another difference between marketing commercial products and places is the fact that no single entity has complete control over the “product” – its physical presentation or the impression created by human encounters between visitors and locals, particularly service providers.

The proposed project therefore provides for extensive consultation with the stakeholder institutions. They must be committed to supporting the agreed strategy and it must be compatible with their own brand messages.

But agreement amongst the stakeholders is not enough for a successful brand strategy. The brand positioning and messages must also resonate with the needs, wants and concerns of the market. It would be all too easy for the important stakeholders to agree on a brand strategy based on “conventional wisdom” only to find later that the “conventional wisdom” proves to be unreliable.

There is a particular need to avoid the temptation to adopt a “*We have everything*” or “*It’s all here*” type of positioning. This is a situation where being inclusive is not desirable. We need a meaningful and distinctive edge to make Penrith stand out from the competition.

The project therefore calls for extensive research of target markets inside and outside the City to determine the current brand image and what messages and positioning will give us that meaningful and distinctive edge.

### **Current Situation**

Council adopted a brand strategy for Penrith in the lead up to the Year 2000 Olympics. The positioning line for this strategy is “*Penrith Valley, River Mountains Lakes*”. This strategy was developed in consultation with the stakeholder institutions of the time and was tested and refined using extensive market research.

This was a groundbreaking project in its time and many of the ideas and information that emerged from this project remain valid.

This brand strategy continues to guide Council’s current City Marketing program. There is some residual ownership by the city institutions but much of this has inevitably diminished over time with the many changes that have taken place since it was originally adopted.

The most significant of these changes is the official recognition of Penrith as a Regional City under the NSW government Metro Strategy.

This project will provide the opportunity for the stakeholder institutions to become re-engaged with the marketing of the City.

There is currently no brand strategy for Council as an organisation and generally we do not have an adequate understanding of the brand or the brand image, that is to say, our reputation. There are a logo and a tag line which Council adopted in 2003. The graphical component of the logo was copied from the Penrith Valley brand with the tag line, “*Serving our Community*” replacing “*River, Mountains Lakes*”. As detailed earlier, there is more to a brand strategy than a logo or tag line.

### **Council Brand**

The emphasis of the Council brand component of the project will be on gaining a better understanding of the reputation of Council within the community, how it feels about Council and the services it provides, how their delivery could better meet the market and on developing a style manual that will lead to greater consistency in the look and feel of Council communications. This will be applied particularly to the development of the new Council website.



The Project Brief calls for the tag line and logo to be reviewed, however, this does not necessarily mean that they will be changed. As much as possible any changes in this area will be phased in as supplies of existing materials are exhausted with new supplies only being ordered when they are required.

### **Stakeholder Workshop**

The process of involving local stakeholder institutions in the review of the Penrith place brand has commenced with a workshop and briefing held on Thursday 24 February.

The following organisations were invited:

Delfin Lend Lease	Penrith Valley Chamber of Commerce
International Regatta Centre	Penrith City Centre Association
Nepean Blue Mountains Local Health Network	St Marys Town Centre Association
Panthers World of Entertainment	University of Western Sydney
Penrith Business Advisory Centre	Westfield Penrith Plaza
Penrith Business Alliance	Western Sydney Institute of TAFE
Penrith Lakes Development Corporation	

This workshop allowed the institutions to become familiar with the objectives and key success factors of the project. Their response was highly supportive and great enthusiasm was expressed for being involved in the project over the next 12 months.

Their input has been noted and some of their ideas and suggestions have been incorporated into the draft call for Expressions of Interest. A report on the workshop discussion will be included with the project documentation circulated to prospective consultants.

### **Project Approach**

In developing these brand strategies we will need to answer these questions...

- *What we are known for?*
- *What is our reputation?*
- *What do we want our reputation to be?*
- *What can we credibly claim to be known for?*
- *What messages will resonate with those we seek to influence?*

This information will provide the basis for developing effective market positions and supporting messages. These questions have an important relationship with our vision and aspirations for the city and the successful consultant will be required to be familiar with these as they develop the brand strategy.

The major components of the project are

1. *Consult internally and externally;*
2. *Research target markets;*
3. *Develop and test positioning(s);*
4. *Begin implementation;*
5. *Develop a communications style manual;*
6. *Incorporate the outcome into Council's web site redevelopment.*

The project brief calls for Councillors to be consulted about the brand positioning. Focus sessions and briefings will therefore be held with Councillors and reports provided at agreed points in the project plan.

A call for Expressions of Interest from qualified consultants has been drafted and will be circulated to selected consultants shortly after tonight's meeting.

### **Time Frame**

24 February 2011	Briefing and consultation of external stakeholders
14 March 2011	Report to Policy Review Committee
25 March 2011	Finalise brief and circulate
March - April 2011	Shortlist and receive presentations
29 April 2011	Select consultant
13 May 2011	Finalise project plan
May - September 2011	Commence consultation and market research, inc Councillors
October 2011	Interim report and presentation to Council
Nov - Dec 2011	Finalise market research and testing of concepts
February 2012	Final report and presentation to Council
February - April 2012	Commence implementation program

### **Conclusion**

This is an important project with the potential to enhance the quality of Council's communication with the community and to support efforts by Council and its partners to market Penrith as a preferred place to live, work, visit and invest. It will make a major contribution to ensuring that Council is presented in the best possible manner on the revamped web site.

### **RECOMMENDATION**

That the information contained in the report on Revitalising and Refreshing our Marketing be received.

### **ATTACHMENTS/APPENDICES**

There are no attachments for this report.

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## A CITY OF OPPORTUNITIES

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2	Protocol for Service Delivery to People Experiencing Homelessness	9





## **2 Protocol for Service Delivery to People Experiencing Homelessness**

**Compiled by:** Vesna Kapetanovic, Community Projects Officer

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

<b>Objective</b>	<i>We have access to what we need</i>
<b>Community Outcome</b>	<i>A City with equitable access to services and facilities (7)</i>
<b>Strategic Response</b>	<i>Base the provision of services and facilities on principles of social justice and equity (7.1)</i>

### **Executive Summary**

Council has been proactive in responding to issues regarding homelessness in Penrith City and is a key stakeholder in the Regional Taskforce on Homelessness. Council's commitment to homelessness issues has been broadly acknowledged by the Taskforce. Council's ongoing partnerships with other government agencies and the community and business sectors as part of the Taskforce have resulted in many positive outcomes for the community. One example is Project 40 that was funded in 2010 by the Commonwealth and NSW Governments to offer chronically homeless people permanent housing and the support to sustain this housing long term.

Council recognises the principal responsibility for funding and resourcing homelessness services lies with the Federal and State Governments. Local government can also play a support role within its sphere of responsibilities as well as through advocacy.

The need for a Council Protocol for Service Delivery to People Experiencing Homelessness (the Protocol) has been noted in various consultation processes, both within Council and in the homelessness service sector.

This aim of this Protocol is to ensure that Council officers are supported in responding to and working with homeless people through an agreed process for customer service to homeless people. It is anticipated that this Protocol will be part of Council's customer service delivery guidelines and will result in a responsive and quality service to homeless people through clarifying staff roles, responsibilities and obligations that maintain a safe environment for the whole community. The Protocol applies to Council service delivery in public places including Council facilities such as libraries, neighbourhood centres as well as parks and open space.

Council recognises that homelessness impacts upon a person's ability to enjoy basic rights and freedoms. This Protocol has been developed within a Human Rights Framework to ensure that people who are homeless in public places are treated appropriately and that their rights are respected. At the same time the protocol recognises that homeless people have responsibilities in public places.

The implementation of this Protocol will be coordinated by the Community and Cultural Development Department supported by internal training for relevant Council officers and a resource card that lists local and regional support services. The draft Protocol for Service Delivery to People Experiencing Homelessness is provided as Appendix 1 to this report.

The report recommends that the information be received and that the proposed protocol for services delivery to people experiencing homelessness be adopted.

### **Background**

The Regional Taskforce on Homelessness, covering the Penrith, Blue Mountains, Hawkesbury and Blacktown Local Government Areas, was established in October 2009 to provide a structured regional and local response to addressing homelessness. Council became a signatory to the Taskforce Memorandum of Understanding in 2009 and has continued to play a key role in various strategies and projects such as the Homelessness Street Count in May 2010 and a joint Taskforce and University of Western Sydney homelessness research partnership project. Councillor Karen McKeown is Council's representative on the Taskforce and the Community and Cultural Development Department also attend as participants.

In bringing together Commonwealth, State and Local Government agencies, community service providers, consumer representatives and the business sectors, the Taskforce has provided a base from which issues can be raised and innovative and collaborative solutions developed to address the needs of and challenges for homeless people in Penrith and surrounding LGAs.

Council involvement in the Taskforce has highlighted the issues homeless people experience in every day life including use of public space to sleep, the storage of personal belongings, and barriers to requests for information and participation in social life. It has been noted in the Taskforce, that the four Councils represented in the Taskforce have been positive in responding to and working with community partners to support effective service delivery to homeless people. This also applies to relevant Council customer services.

### **Rationale for the Protocol for Service Delivery to People Experiencing Homelessness**

Homeless people are marginalised within the community and are often excluded from participation in social, recreational, cultural and economic life. It is broadly acknowledged that due to the complex nature of homelessness, homeless people may present particular issues that are not covered comprehensively in Council's standard customer service guidelines.

The development of this specialised Protocol will provide staff with the process and specific information for customer service to homeless people. It is anticipated that this Protocol will be part of Council's customer service delivery guidelines and will support staff to provide a responsive and respectful service to people who are homeless through clarifying staff roles, responsibilities and obligations that maintain a safe environment for the whole community. In addition it is expected that adoption of the Protocol will result in efficiencies in the use of Council officer time as it will reduce the need for customer service agreements for particular individuals that have specific needs.

The proposed Protocol reflects Council's values in working towards a sustainable City that focuses on healthy and resilient communities. The Protocol will also support Council to

achieve community outcomes as stated in the Strategic Plan 2031 regarding equitable access to services and facilities.

By developing the protocol Penrith City Council is providing leadership for the other three Councils represented on the Taskforce insofar as the Penrith protocol will provide a model for use by these Councils.

### **Consultation Process**

The Community and Cultural Development Department has conducted targeted consultation with internal staff as well with key homelessness specialist service providers regarding the concept, content and application of the proposed Protocol.

Internal consultation involved Waste & Community Protection, Public Domain Amenity and Safety, City Parks, Library Services, Recreation and Customer Service. These service delivery areas were identified as departments that have operational presence in public places and experience contact with homeless people within their work. Broad support was expressed for the development of this Protocol and specific issues regarding operational matters were raised for inclusion. Consultation ascertained the importance of providing staff with information and a clear framework that outlines best practice in responding to and working with homeless people. Consultation has also occurred with Council's Legal and Governance Department to ensure the Protocol recognises Council's legal obligations.

External consultation was undertaken with key homelessness specialist service providers regarding the information featured in the Protocol to ensure contemporary practices are reflected in the policy document. Consultation with external service providers also confirmed the role they will play in relation to information provision supporting Council in the implementation of the Protocol.

### **Development of the Protocol**

The proposed Protocol has some similarities to the NSW State Government Protocol for Homeless People in Public Places that was introduced in 2000 to guide State Government staff on how to work with homeless people in public places. The NSW Protocol is an important element in the Government's strategy for preventing and responding to homelessness and has set a precedent for Local Government to establish similar Protocols that address specific operational requirements.

Several Councils have developed their own Homeless Persons Protocol, for example Parramatta and Waverley Councils, who have prioritised ensuring access to services for homeless people and minimising the negative impacts homelessness has on their lives.

The draft Protocol provided at Appendix 1 to this report includes the aim of the policy, the definition of homelessness, a summary of the human rights framework, and a number of key principles that incorporate a guideline for action.

It is important to note that the design of this Penrith City Protocol is based on a human rights framework that recognises that homelessness impacts upon a person's ability to enjoy basic rights and freedoms. The Protocol will ensure that people who are homeless in public places are treated appropriately and their rights are respected. This includes the right to use public space and the protection against arbitrary interference to privacy. At the same time the



Protocol recognises that homeless people have responsibilities and in exceptional circumstances, because of their actions, the Police may be called to respond to the matter. This is covered under Principle Two of the appended Protocol.

The Protocol also emphasises the commitment Council has to provide equitable access to services and facilities for residents. Council will continue to participate in the Regional Taskforce on Homelessness and advocate in collaboration with other agencies and organisations for support for homeless people.

### **Implementation of the Protocol**

As part of the internal consultation undertaken in the development of the Protocol, Council officers have expressed the need for such a policy. Therefore it is anticipated that staff will respond positively to this Protocol as it outlines how to respond to customer service homelessness issues in a co-ordinated and effective way.

The implementation of this Protocol will be supported by targeted internal training and resource cards that list local and regional support services. Preliminary discussion has already been held with Council's Workforce and Workplace Department on this matter of training. The relevant Council managers have also expressed the view that some of their staff will require training.

The implementation of the Protocol will be coordinated by the Community and Cultural Development Department which will liaise with internal and external partners to design the internal training package and ensure the resources are current and relevant. Council's Training and Development Coordinator will also be further consulted in development of this training.

### ***Resources to support the Protocol***

Wentworth Community Housing recently initiated and funded a resource card for homeless people that features contact details for emergency services (including the Homeless Persons Information Line), crisis accommodation services, health and support services, free meal services, food parcels and vouchers. This resource card is a project of the Regional Taskforce on Homelessness which will review and update the card as necessary.

The Taskforce has shown support for the development of this Protocol and additional copies of the resource card were printed for Council to assist with implementation of the Protocol. This resource card will be distributed to Council service areas that have an operational presence in public places to support requests for information by providing appropriate contact details of specialist services.

Information cards from the Homeless Persons Information Centre (a free 1800 telephone service), which provides information on available accommodation service options, will also be available to staff to distribute to homeless people.

### ***Development and Evaluation of Staff Training***

As outlined above, the Community and Cultural Development Department will work in partnership with the Workforce and Workplace Department to develop training that accompanies the Protocol.

Consultation with various Council service delivery areas reinforced that the training package needs to cover the content of the Protocol, how to apply the Protocol in practice, the issues and causes of homelessness, barriers to accessing services, and the type of services available to homeless people.

External homelessness specialist service providers will be involved in delivering some aspects of the training.

It is anticipated that a pilot training package will be delivered and evaluated by participants selected from each key Council service delivery area. This includes Waste and Community Protection, Public Domain Amenity and Safety, City Parks, Library Services, Recreation, and Customer Service. Participant feedback will assist in assessing the design of and content of any further training for relevant officers.

### **Conclusion**

In summary, Council's commitment to homelessness has been demonstrated through various partnerships, networks and strategies across the region. As a key stakeholder in the Regional Taskforce on Homelessness, Council has been acknowledged for its innovative approach in developing a Protocol for Service Delivery to People Experiencing Homelessness.

In particular, internal consultation has highlighted the need for this Protocol, as it will enable staff to respond to homelessness issues in a co-ordinated and effective way across the organisation, particularly for those service delivery areas that have an operational presence in public spaces.

This Protocol is set within a human rights framework and will address critical social outcomes as stated in Council's Strategic Plan 2031, in particular the objective to provide equitable access to services and facilities for all residents.

The implementation of this Protocol and the training will be coordinated by the Community and Cultural Development Department with the support of Council's Workforce and Workplace Department.

### **RECOMMENDATION**

That:

1. The information contained in the report on Protocol for Service Delivery to People Experiencing Homelessness be received.
2. The proposed Protocol for Service Delivery to People Experiencing Homelessness be adopted.

### **ATTACHMENTS/APPENDICES**

1. Protocol for Service Delivery to People experiencing Homelessness 5 Pages Appendix



## POLICY DOCUMENT

<b>POLICY NAME:</b>	<b>Protocol for Service Delivery to People Experiencing Homelessness</b>	<b>Policy No:</b>
<b>Adopted by Council:</b>		<b>Minute No:</b>
<b>Review:</b>		<b>File No:</b>
<b>Relevant Legislation:</b> <i>(if applicable)</i>		<b>Responsible Department:</b> Community and Cultural Development

### Policy Statement

#### Aim:

The aim of this Protocol is to clarify the roles, responsibilities and obligations of Penrith City Council staff in responding to homeless people. The protocol applies to outdoor and indoor public places managed by Penrith City Council. This includes parks, open spaces, libraries, community and recreational facilities, and customer services areas.

Council services that have an operational presence in public places have supported the development of the Protocol. This includes Community and Cultural Development, Public Domain Amenity and Safety, Waste and Community Protection, City Parks, Recreation and the Library service.

#### Background

Homelessness can be caused by a range of circumstances that result in social and economic costs to individuals, families and communities. Homelessness often forces people away from their family, friends and communities. For some, it can make it difficult to maintain school attendance or further study, and leaves people vulnerable to long term unemployment and chronic ill-health. Homeless people are often excluded from participation in the social, recreational, cultural and economic life of our communities.

#### Definition of Homelessness

For the purpose of this Protocol, Penrith City Council utilises the cultural definition of homelessness developed by Chamberlain and MacKenzie (1992) and applied by the Australian Bureau of Statistics (ABS) in their 'Counting the Homeless 2006' Report. This definition explains homelessness in relation to minimum community standards regarding housing and is also used by ABS to measure the incidence of homelessness.

Primary homelessness: People experiencing primary homelessness are the most vulnerable group - that is people who are without conventional accommodation and sleep rough by living on the streets, in deserted buildings, improvised dwellings, under bridges and in parks.

Secondary homelessness: People who frequently move between temporary accommodation, emergency shelters, supported accommodation assistance programs and sleeping on couches with friends or relatives.

Tertiary homelessness: People staying in boarding houses on a medium to long-term basis, defined as 13 weeks or longer.

### **Human Rights Framework**

A person who is homeless may face many challenges including the right to an adequate standard of living, the right to education, the right to liberty and security of the person, the right to privacy, the right to social security, the right to freedom from discrimination, the right to vote, and many more.

The Universal Declaration of Human Rights, Article 25 asserts that all members of the community have the right to a standard of living adequate for the health and wellbeing of themselves and their family, including housing, food, clothing, medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, old age or other lack of livelihood.

Penrith City Council recognises that homelessness impacts upon a person's ability to enjoy basic rights and freedoms. This Protocol has been developed within a Human Rights Framework to ensure that people who are homeless in public places are treated appropriately and that their rights are respected.

### **Parameters for this Protocol**

Council powers to intervene are defined by the Local Government Act (LG Act) and the Environmental Planning and Assessment Act (EPA Act).

Where homeless people are concerned, the following clauses are the most relevant:

- Local Government Act, S124 (Giving of Orders)
- Local Government Act, S125 (Abatement of public nuisances)
- Local Government Act, S131 (Criteria to be considered before an Order is given)
- Environmental Planning and Assessment Act, S121G (Orders that make or are likely to make residents homeless)

Due to the complex nature of issuing Orders, particularly in relation to homeless people, this Protocol obliges Council Officers to consider the implications and practicalities of issuing Notices to homeless people, with particular consideration to S131 of the LG Act and S121G of the EPA Act.

These sections oblige Officers to act in the interests of homeless people before taking any action.

### Principles and Actions

This section lists a number of principles and the actions that can guide Council officers in the implementation of this protocol.

#### Principle 1

**All people, including homeless people, have a right to be in public places and enjoy participation in public activities or events**

#### ACTION:

All members of the community have the right to be in public places and will be left free to enjoy this unless they are causing a disturbance.

#### Principle 2

**A homeless person's right to privacy will be respected and they will be left undisturbed, unless they appear to be distressed or in need of assistance**

#### ACTION:

Everyone has the right to protection against arbitrary interference with their privacy.

However, if a homeless person is seen to be distressed or requests assistance, Council Officers are to approach them with care and respect, inquire as to their needs, assess the situation, and decide a course of action.

It is advised in cases of disturbance that may be caused by mental health and/or substance abuse issues that emergency or mental health services be contacted.

Council officers will be provided with copies of the Homeless Persons Information Centre (HPIC) card and a regional service information card. If crisis accommodation or refuge is needed, Council Officers are able to provide service information provided on the card and/or refer homeless people to HPIC.

The Council officer should use their discretion if they make a phone call on behalf of the homeless person.

In situations where Council Officers assess that community safety is potentially threatened by a disturbance created by a homeless person, they will advise community members to vacate the area and advise Police of the incident.

Homeless persons shall be treated as any other member of the community and Council officers are to contact the Police on (add station phone number) or the Access Mental Health Hotline (Sydney West Area Health Service Mental Health Emergency and Central Intake) on 1800 650 749

In the case where general security or safety has been breached, this includes if harm is done to a person or their property through an assault, affray, a riot, an unlawful assembly or other disturbance, the Council staff are to contact Emergency Services on 000.

**Principle 3**

**Council Officers (this includes Rangers, Swimming Pool, Library, Parks, Parking Patrol, Public Domain Officers as well as Council contracted security staff) working in areas that bring them in to contact with homeless people should feel competent in responding to the rights, needs and safety of homeless people.**

**ACTION:**

In partnership with the Regional Taskforce on Homelessness, Council will provide training on the implementation of this protocol and present an overview of the assistance support services and agencies can provide to ensure staff are competent in responding to homeless people and their needs.

**Principle 4**

**Council will ensure that a person who is homeless has access to information or resources if they need or request them**

**ACTION:**

Council Officers will have access to two information cards that list some services to provide to a homeless person requiring information and/or support.

The NSW Homeless Persons Information Centre Card provides a central contact phone number for those seeking accommodation and support as well other useful numbers such as Lifeline and the Domestic Violence Line.

A regional information card has been developed by Wentworth Community Housing's Project 40 and the Regional Taskforce on Homelessness. This regional information card provides contact numbers for services across Penrith, Blue Mountains, Hawkesbury and Blacktown and includes crisis accommodation services, caravan parks, health services, drug and alcohol services and support groups.

**Principle 5**

**A homeless person is entitled to carry with them and store his/her own belongings**

**ACTION:**

Unless the belongings of a homeless person impede access for others or are a threat to public health and safety, like all other citizens, their ownership rights will be respected.

In the event that the storage of a homeless person's personal items infringe upon community enjoyment of, or access to a public space, Council officers will courteously ask them to relocate their belongings.

If the person is not present with their belongings, their belongings will need to be impounded and kept at the Council Depot for 28 days unless a homelessness specialist service providers can provide an alternative collection point.

**Principle 6**

**In the case of a dispute, ensure the rights of homeless people are protected and they have ready access to an appeals mechanism**

**ACTION:**

Disputes may occur between a homeless person and other member/s of the community, such as retailers, employees or representatives from other organisations or businesses as well as the general public.

In the case of a dispute, Council officers will inform the homeless person of the Homeless Persons Legal Service on 8898 6545. The Council officer may contact this legal service on behalf of the homeless person if consent is given.

The Council Officer responding to the homeless person should refer this matter to Council's Community and Cultural Development Manager to support referral to homelessness specialist service provider.

**Principle 7**

**Information, Advocacy and Partnerships**

Council's Community Strategic Plan 2031 outlines a commitment to equitable access to services and facilities for residents. To achieve this, Council will provide information, create opportunities for community participation and respond to issues that have an impact on the community. Council will lead and engage in partnerships and strategies that build resilience and capacity in our communities.

Council will continue to prioritise homelessness as an issue and advocate in collaboration with other agencies and organisations for support and resources for homeless people.

Council is a signatory to the Regional Taskforce on Homelessness Memorandum of Understanding and will continue to be represented on the Taskforce as well as to allocate existing staff and other resources to assist in the development and implementation of a 10 Year Plan to address homelessness.

## **A GREEN CITY**

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



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## **A LIVEABLE CITY**

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

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## A VIBRANT CITY

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### **3 Penrith and St Marys Centres Management Review**

**Compiled by:** Terry Agar, Acting Centres Co-ordinator

**Authorised by:** Roger Nethercote, Group Manager - People and Places

<b>Objective</b>	<i>We build on our strengths, value our heritage, celebrate our cultural diversity, and foster creativity</i>
<b>Community Outcome</b>	<i>A City with people and places that are inclusive, foster creativity, and celebrate diversity (20)</i>
<b>Strategic Response</b>	<i>Encourage vibrant places in the City, and creativity, inclusivity and diversity in our communities (20.1)</i>

#### **Executive Summary**

Council at its Policy Review Committee Meeting of 13 September 2010 resolved to support the advancement of the review of the Penrith and St Marys Centres Management arrangements and a report be presented to Council for consideration following further discussions with the Associations on the details of the review process.

Further discussions have been undertaken with the Penrith City Centre Association (PCCA) and the St Marys Town Centre Association (SMTCA) and have led to improvements to the review brief. The report outlines the scope, objectives and key focus areas for the review and provides a modified funding arrangement to enable the review to proceed.

The report recommends that the review now be undertaken in accordance with the terms outlined in the report.

#### **Background**

Council considered a report on a proposed review of the management of the Penrith and St Marys centres on 13 September 2010. A case for the review of the management regime for the centres was presented to ensure that contemporary best practice is being implemented. A review by a suitably experienced independent consultant was considered to be the most transparent way to assess how the Penrith and St Marys centres should be managed in the future. The report also indicated that both associations supported the review, but only the St Marys Association was prepared to fund it. At that time, Council resolved to support the advancement of the review subject to further discussion with the associations on the nature of its scope, terms of reference and funding arrangements.

Subsequent discussions with the associations have resulted in a fine tuning of the consultant brief to guide the review process. A new funding arrangement has also been determined. An outline of what the review will entail, the study process and the funding arrangements are described in this report.

#### **Study Scope**

The Study will review the management arrangements for the Penrith and St Marys centres and make recommendations for the further development and implementation of a

contemporary management regime that achieves effective, “best value” outcomes which promotes the centres ongoing vitality and viability.

### **Study Objectives**

The Study will meet the following objectives:

- To engage with all relevant stakeholders in the review of the centres’ management;
- To review the performance of the current centres’ management model in comparison to other contemporary centre management structures;
- Clarify the best alignment with the key stakeholder groups and the means of delivering the adopted Penrith and St Marys centre strategies;
- To review the area of influence, return on investment, current resources and areas of responsibility of the centres’ Associations;
- To identify opportunities to enhance the relationships, administrative links and communication between Council and the centres’ management entities.

The review will involve wide ranging consultation with relevant stakeholders and briefings of Councillors and senior management on its progress and findings. Effective contemporary models for centre management will be researched and a comparison made with the current centres management arrangements. The review will investigate whether or not the expectations of property owners, business and the community are currently being met. The adequacy of the resources currently applied for the promotion and management of the centres will also be assessed and the current management regime compared with other identified centre models. A recommendation will be made by the review consultant on the type of management model that best addresses the performance and resources issues of the centres and a practical program for implementing change, where required, will be put forward.

### **Reference Group**

The Study process will involve consultation with key stakeholders in a Reference Group. The consultant will draw upon the experience of relevant stakeholders during the study process. The Reference Group will comprise representation from the following entities:

- Penrith City Centre Association (PCCA)
- St Marys Town Centre Association (SMTCA)
- Penrith Valley Chamber of Commerce
- Penrith City Council
- Penrith Business Alliance
- An independent person with an academic/public administration background

### **Support for Study**

Discussions over the review process have occurred with both associations who have indicated general support for the review advancing. Both associations have provided constructive suggestions on the scope and tasks to be included in the review and their feedback has led to a number of modifications to the consultant brief.

### **Funding Arrangements**

Funds for a review of the role and responsibilities of the associations are not currently included in Council's 2010-11 Operational Plan. Originally, funding was proposed on a proportional basis given the relative difference in size of the business subcategory rate levied on each centre. This would have resulted in a contribution of \$15,000 from the St Marys centre and \$20,000 from the Penrith centre.

This funding arrangement has been revisited following feedback from the PCCA which has requested that Council also commit funds to the review. This has been considered and it is now proposed that Council contribute funding towards the review with the Council and the associations each contributing an equal proportion of cost. Savings in the order of \$12,000 have been found in Council's operational budget to accommodate the Council contribution towards the review.

### **Conclusion**

A review of the management regime for the Penrith and St Marys centres is overdue and will lead to ensuring that contemporary, best practice, marketing, management and business stimulus initiatives are pursued and the centres are best placed to respond to future growth demands.

Discussions with both associations have identified support for the review advancing and the fine-tuning of the consultant brief. The funding arrangements outlined represent a reasonable and equitable distribution of the costs. It is recommended that Council now proceed with the review process as outlined in the report. Further discussion will be arranged with Councillors during the course of the review.

### **RECOMMENDATION**

That:

1. The information contained in the report on Penrith and St Marys Centres Management Review be received
2. The Penrith and St Marys Centres' Management Review be undertaken in accordance with the scope and objectives outlined in the report
3. The review be funded in accordance with the proposal outlined in the report.

### **ATTACHMENTS/APPENDICES**

There are no attachments for this report.