

17 September 2014

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 22 September 2014 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. LEAVE OF ABSENCE

2. APOLOGIES

3. CONFIRMATION OF MINUTES

Ordinary Meeting - 25 August 2014.

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 COUNCIL

6. MAYORAL MINUTES

7. NOTICES OF MOTION TO RESCIND A RESOLUTION

8. NOTICES OF MOTION AND QUESTIONS ON NOTICE

9. ADOPTION OF REPORTS AND RECOMMENDATION OF COMMITTEES

Access Committee Meeting - 13 August 2014.

Policy Review Committee Meeting - 8 September 2014.

10. DELIVERY PROGRAM REPORTS

11. REQUESTS FOR REPORTS AND MEMORANDUMS

12. URGENT BUSINESS

13. COMMITTEE OF THE WHOLE

ORDINARY MEETING
MONDAY 22 SEPTEMBER 2014
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ADVANCE AUSTRALIA FAIR

**Australians all let us rejoice,
For we are young and free;
We've golden soil and wealth for toil;
Our home is girt by sea;
Our land abounds in nature's gifts
Of beauty rich and rare;
In history's page, let every stage
Advance Australia Fair.**

**In joyful strains then let us sing,
Advance Australia Fair.**

**Beneath our radiant Southern Cross
We'll toil with hearts and hands;
To make this Commonwealth of ours
Renowned of all the lands;
For those who've come across the seas
We've boundless plains to share;
With courage let us all combine
To Advance Australia Fair.**

**In joyful strains then let us sing,
Advance Australia Fair.**

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

For members of the
public addressing
the meeting

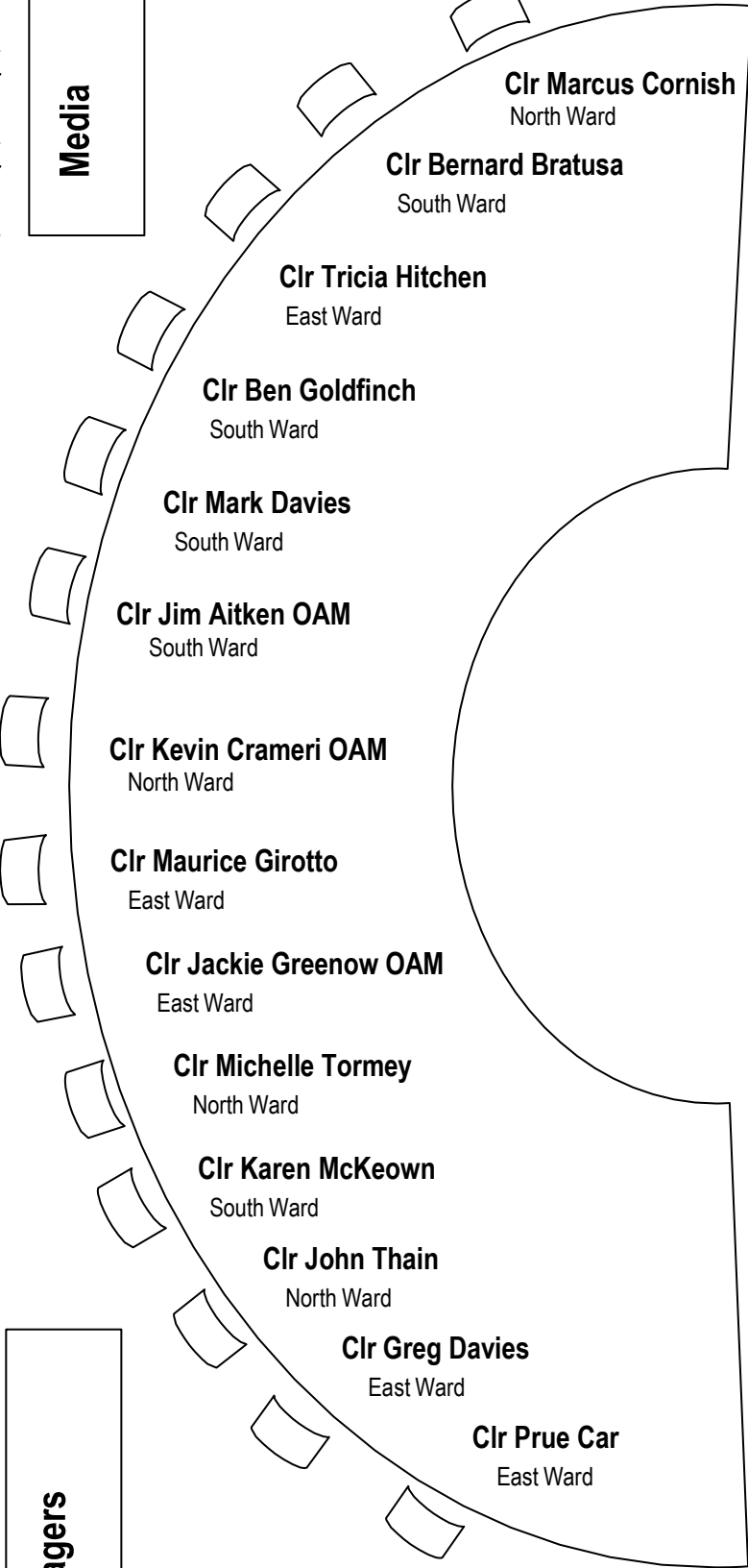
Lectern

Executive Managers

Media

Public Gallery

Managers



Assistant
General
Manager
Craig Butler

Assistant
General
Manager
Barry Husking

General
Manager
Alan Stoneham

His Worship
the Mayor
Councillor
Ross Fowler
OAM

Senior
Governance
Officer
Glenn Schuil

Minute Clerk

Executive Managers



2014 MEETING CALENDAR
January 2014 - December 2014

(adopted by Council on 25/11/13 and amended by Council on 26/5/14)

	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
Ordinary Council Meeting	7.30pm		3 24@	10& 24		28❖ 26#	23 * 28		25@	22 [^] ✓ (7.00pm) 29	27 [∞]	24#+	15 (7.00pm)
Policy Review Committee	7.00pm		10	10	14	12	30	14	11	8	13	10	8

- ❖ Meeting at which the draft corporate planning documents (Delivery Program and Operational Plan) are endorsed for exhibition
- * Meeting at which the draft corporate planning documents (Delivery Program and Operational Plan) are adopted
- # Meetings at which the Operational Plan quarterly reviews (March and September) are presented
- @ Meetings at which the Delivery Program progress reports (including the Operational Plan quarterly reviews for December and June) are presented
- ^ Election of Mayor/Deputy Mayor
- ✓ Meeting at which the 2013-2014 Annual Statements are presented
- ∞ Meeting at which any comments on the 2013-2014 Annual Statements are presented
- + Meeting at which the Annual Report is presented
- & Extraordinary Meeting
 - 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 ORDINARY MEETING OF PENRITH CITY COUNCIL HELD IN THE
COUNCIL CHAMBERS

ON MONDAY 25 AUGUST 2014 AT 7:33PM

NATIONAL ANTHEM

The meeting opened with the National Anthem.

STATEMENT OF RECOGNITION

His Worship the Mayor, Councillor Ross Fowler OAM 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 Ross Fowler OAM and Councillors Bernard Bratusa, Prue Car, Kevin Crameri OAM, Marcus Cornish, Mark Davies, Maurice Giroto, Ben Goldfinch, Jackie Greenow OAM, Tricia Hitchen, Karen McKeown, John Thain and Michelle Tormey.

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillors Greg Davies and Jim Aitken OAM for 25 August 2014.

APOLOGIES

There were no apologies.

CONFIRMATION OF MINUTES - Ordinary Meeting - 28 July 2014

219 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor John Thain that the minutes of the Ordinary Meeting of 28 July 2014 be confirmed.

DECLARATIONS OF INTEREST

Councillor Karen McKeown declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 2 – Development Application DA13/1432 Construction of a front fence, entry feature and filling works at Lot 122 DP 709303 (Nos. 41-47) Jolly Street, Castlereagh, Item – 3 Development Application DA14/0622 Retrospective approval for earthworks, construction of a shed and parking of 2 x truck vehicles (rigid truck and semi trailer) at Lot 122 DP 709303 (No.s 41-47) Jolly Street, Castlereagh and Item CW2 – Compliance action in relation to 41-47 Jolly Street, Castlereagh and associated truck related development activity*, as her son was employed by a company owned by the applicants for the development. Councillor McKeown stated that she would not participate in any debate of these matters and she would leave the meeting during consideration of these items.

Councillor Kevin Crameri OAM declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 8 – NSW Castlereagh Community (Quarantine) Fund approval for the Berkshire Park, Castlereagh, Llandilo and Londonderry Rural Fire Brigades*, as he is the

Deputy Captain of the Llandilo Rural Fire Brigade.

Councillor Mark Davies declared a Non-Pecuniary Conflict of Interest – Significant in *Item 4 – Development Application DA14/0704 Fernhill Picnic Races to be held on 18 October 2014 and one (1) day per calendar year from 2015 to 2018 including erection of associated temporary structures at (No 1041) Mulgoa Road, Mulgoa and Item 5 – Fernhill Races Special Event - Traffic Management Plan Endorsement*, as his wife is the Member for Mulgoa and the Development Application involves State Agencies. Councillor Mark Davies added that he had undertaken Mayoral duties when he was a Mayor on these matters and that to the interest of Council, he stated that he would not participate in any debate of these matters and he would leave the meeting during consideration of these items.

Councillor Ben Goldfinch declared a Non-Pecuniary Conflict of Interest - Less than Significant in *Item 4 – Development Application DA14/0704 Fernhill Picnic Races to be held on 18 October 2014 and one (1) day per calendar year from 2015 to 2018 including erection of associated temporary structures at (No 1041) Mulgoa Road, Mulgoa and Item 5 – Fernhill Races Special Event - Traffic Management Plan Endorsement*, as he is a resident of Mulgoa.

SUSPENSION OF STANDING ORDERS

220 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Jackie Greenow OAM that Standing Orders be suspended to allow members of the public to address the meeting, the time being 7:38pm.

Mr Greg Hall

Item 2 – Development Application DA13/1432 Construction of a front fence, entry feature and filling works at Lot 122 DP 709303 (Nos. 41-47) Jolly Street, Castlereagh

Mr Hall, the applicant's planning consultant, spoke in support of the recommendation and provided a background to the development application. He indicated that amendments have been undertaken to the development proposed to address drainage issues and issues raised by respondents. He requested that Council support the development application and make a determination on this matter.

Item – 3 Development Application DA14/0622 Retrospective approval for earthworks, construction of a shed and parking of 2 x truck vehicles (rigid truck and semi trailer) at Lot 122 DP 709303 (No.s 41-47) Jolly Street, Castlereagh

Mr Hall, the applicant's planning consultant, spoke in support of the recommendation and provided a background to the development application. He indicated that amendments to the development application have been made to address Council issues and those issues raised by respondents. Mr Hall stated that the visual impact issues have been addressed. He indicated that Council has had an opportunity to carry out a site inspection. He requested that Council support the development application and make a determination on this matter.

Ms Brenda Tripp

Item 4 – Development Application DA14/0704 Fernhill Picnic Races to be held on 18 October 2014 and one (1) day per calendar year from 2015 to 2018 including erection of associated temporary structures at (No 1041) Mulgoa Road, Mulgoa

Ms Tripp, the applicant, spoke in support of the recommendation and provided a background

to the Fernhill Picnic Races event last year. Ms Tripp indicated the success of various events held at the property. She expressed her thanks to Council for the opportunity to undertake events at Fernhill. She indicated that signature events at Fernhill such as the Fernhill Picnic Races promotes "The New West" Campaign and supports the local economy and the Council's tourism strategy and that the event has been nominated for a NSW Tourism Event.

Mr Thomas Lawson

Item 4 – Development Application DA14/0704 Fernhill Picnic Races to be held on 18 October 2014 and one (1) day per calendar year from 2015 to 2018 including erection of associated temporary structures at (No 1041) Mulgoa Road, Mulgoa

Mr Lawson, the applicant's spokesperson, spoke in support of the recommendation and provided a background to the event's success in the previous year. He addressed the issues regarding cigarette butts, accessibility issues and shade for patrons. He indicated that the Fernhill Picnic Races would be a signature event. Mr Lawson supported the annual review of the event. He indicated that the event will support Council's "Open for Business" campaign. He also indicated that the event promotes the Daily Telegraph's 'Fair Go for the West' campaign.

221 RESOLVED on the MOTION of Councillor Ben Goldfinch seconded Councillor Maurice Girotto that an extension of time be granted to enable the speaker to complete his address, the time being 8:00pm.

He indicated that the event meets all criteria to support the above campaigns and the relevant conditions of consent. Mr Lawson believed that the Fernhill Picnic Races would develop into a Western Sydney tradition.

Mr Peter Harvey

Item 4 – Development Application DA14/0704 Fernhill Picnic Races to be held on 18 October 2014 and one (1) day per calendar year from 2015 to 2018 including erection of associated temporary structures at (No 1041) Mulgoa Road, Mulgoa

Mr Harvey, spokesperson for the Mulgoa Progress Association, spoke in support of the recommendation and indicated his support for the Fernhill Picnic Races and the Country Style Event. He indicated that the event was a legitimate use of the property and would support with the upkeep of the property. Mr Harvey indicated that he was satisfied with the response to issues regarding the white running rails and the bushfire concern. He also raised concerns regarding putting in place proper contingency plans for wet weather/flooding and parking. He also raised the issue concerning the removal of trees. Mr Harvey concluded by stating that the Mulgoa Progress Association supports this worthy event.

Mrs Dallas Bennett

Item 12 – Emu Plains Library

Mrs Bennett, an interested citizen, spoke against the recommendation and indicated that this matter was a personal matter for her family and children. She requested that the Council consider different mechanisms to address cost and patronage issues. Mrs Bennett also raised concerns that the closure of the library will have a negative impact on the literacy of people in the community and will reduce learning opportunities. Mrs Bennett concluded by requesting that Council not close the Emu Plains Library.

RESUMPTION OF STANDING ORDERS

222 RESOLVED on the MOTION of Councillor Jackie Greenow OAM seconded Councillor Kevin Crameri OAM that Standing Orders be resumed, the time being 8:14pm.

Councillor Marcus Cornish left the meeting, the time being 8:14pm.

NOTICES OF MOTION

1 [Proposed Amendment to the City of Sydney Amendment \(Elections\) Bill 2014 and Consequential Provisions](#)

Councillor Marcus Cornish returned to the meeting, the time being 8:15pm.

223 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Prue Car that Penrith City Council submits a Motion to Local Government New South Wales (LGNSW) calling on LGNSW to support consultation with the community regarding the introduction into the NSW Parliament by The Hon Robert Borsak MLC of the NSW Shooters and Fishers Party of the City of Sydney Amendment (Elections) Bill 2014, and the potential extension of that Bill to other local government areas, prior to further consideration of the Bill.

REPORTS OF COMMITTEES

1 [Report and Recommendations of the Local Traffic Committee Meeting held on 4 August 2014](#)

224 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Jackie Greenow OAM that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 4 August, 2014 be adopted.

2 [Report and Recommendations of the Policy Review Committee Meeting held on 11 August 2014](#)

225 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Maurice Giroto that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 11 August, 2014 be adopted.

DELIVERY PROGRAM REPORTS

OUTCOME 1 - WE CAN WORK CLOSE TO HOME

1 [Property Matter - 21 - 25 Woodriff Street, Penrith](#)

226 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Mark Davies

That:

1. The information contained in the report on Property Matter - 21 - 25 Woodriff Street, Penrith be received.
2. Astina Apartments be shortlisted and issued a Request for Proposal.
3. Wentworth Community Housing be not shortlisted but be approached by Council about exploring other sites, partnerships, development solutions and

delivery models for delivering community and affordable housing.

4. A further report be presented to Council at the conclusion of the RFP stage.

OUTCOME 2 - WE PLAN FOR OUR FUTURE GROWTH

Having previously declared a Non-Pecuniary Conflict of Interest – Less than Significant in Items 2 and 3, Councillor Karen McKeown left the meeting, the time being 8:30pm.

2 [Development Application DA13/1432 Construction of a front fence, entry feature and filling works at Lot 122 DP 709303 \(Nos. 41-47\) Jolly Street, Castlereagh](#) Applicant: Mr & Mrs Gosling; Owner: ~Mr & Mrs Gosling

227 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Maurice Giroto

That:

1. The information contained in the report on Development Application DA13/1432 Construction of a front fence, entry feature and filling works at Lot 122 DP 709303 (Nos. 41-47) Jolly Street, Castlereagh be received.
2. Development Application No DA13/1432 be approved subject to the following proposed conditions:

Standard Conditions

A001 – Approved plans that are architecturally drawn

A019 – Occupation Certificate

A046 – Issue of Construction Certificate

B005 - Mud/Soil

D001 – Sedimentation and Erosion Controls

D002 - Spraygrass

D005 – No filling without prior approval

D009 – Covering Waste Storage area

D010 - Appropriate disposal of excavated or other waste

E001 - BCA compliance

H001 - Stamped plans & erection of site notice 1 (Class 2-9)

H002 - All forms of construction

H011 – Engineering plans & specifications

H041 – Hours of work

K208 - Stormwater Discharge – Minor Development

K502 – Works as Executed - General

L007 - Tree protection measures

L008 – Tree preservation order

Q001F – Notice of Commencement & Appointment of PCA

Special Conditions

- 2.1 The construction of entry opening feature for the second (eastern) driveway in the front fence is not approved as part of this consent. The front fence is to be constructed for the entire length of the front boundary without the second driveway opening unless separately approved by Council.
- 2.2 Open-style (pool type) fencing between masonry pillars shall be installed along the front property boundary. The base of the front fence must be of open style construction as amended in red on the approved plans so that it will not impede flow of water. Continuous solid construction of the base of the fence is not permitted.

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

For

Against

Councillor Prue Car
 Councillor John Thain
 Councillor Michelle Tormey
 Councillor Jackie Greenow OAM
 Councillor Maurice Giroto
 Councillor Kevin Crameri OAM
 Councillor Mark Davies
 Councillor Ben Goldfinch
 Councillor Tricia Hitchen
 Councillor Bernard Bratusa
 Councillor Marcus Cornish
 Councillor Ross Fowler OAM

- 3 [Development Application DA14/0622 Retrospective approval for earthworks, construction of a shed and parking of 2 x truck vehicles \(rigid truck and semi trailer\) at Lot 122 DP 709303 \(No.s 41-47\) Jolly Street, Castlereaugh](#) Applicant: Mr & Mrs Gosling; Owner: ~Mr & Mrs Gosling

228 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Marcus Cornish that consideration of this item be deferred to the next Ordinary meeting of Council with a further report to be presented on the appropriate position of the shed.

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

For

Against

Councillor Prue Car
 Councillor John Thain
 Councillor Michelle Tormey
 Councillor Jackie Greenow OAM
 Councillor Maurice Giroto
 Councillor Kevin Crameri OAM
 Councillor Mark Davies
 Councillor Ben Goldfinch
 Councillor Tricia Hitchen
 Councillor Bernard Bratusa

Councillor Marcus Cornish
Councillor Ross Fowler OAM

Councillor Karen McKeown returned to the meeting, the time being 8:47pm.

Procedural Motion

229 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Jackie Greenow OAM that Item 5 be considered before Item 4.

Having previously declared a Non-Pecuniary Conflict of Interest – Significant in Items 4 and 5, Councillor Mark Davies left the meeting, the time being 8:47pm.

OUTCOME 3 - WE CAN GET AROUND THE CITY

5 [Fernhill Races Special Event - Traffic Management Plan Endorsement](#)

230 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Tricia Hitchen

That:

1. The information contained in the report on Fernhill Races Special Event - Traffic Management Plan Endorsement be received.
2. The event applicant be advised that this is a Class 1 Event under the “*Guide to Traffic and Transport Management for Special Events*”, and that all conditions and requirements specified in the Guide must be complied with prior to the event.
3. The Traffic Management Plan submitted by the event applicant detailing the proposed traffic diversions for the event to be held on 18 October 2014 be endorsed. The subsequent Traffic Control Plans incorporating all traffic devices be implemented in accordance with the Traffic Management Plan.
4. A Transport Management Plan, including a Risk Management Plan, be lodged by the event applicant with the Roads and Maritime Services and the Transport for NSW Traffic Management Centre for concurrence, prior to the event. A copy of the Roads and Maritime Services and the Transport for NSW Traffic Management Centre’s approval must be submitted to Council prior to the event.
5. The event applicant obtain separate approval from the NSW Police and submit a Schedule 1 Form under the Summary Offences Act to the NSW Police prior to the event. A copy of the NSW Police approval must be submitted to Council prior to the event.
6. The applicant must submit to Council a copy of Public Liability Insurance (usually a Certificate of Currency) of minimum \$10 million, prior to the event. In addition, the applicant is to indemnify Council in writing against all claims for damage and injury which may result from the proposed event.
7. A detailed series of Traffic Control Plans shall be prepared by a qualified and certified professional and submitted to Council, the Roads and Maritime Services and NSW Police prior to the event.
8. The event applicant arrange to place barricades and traffic cones and provide Roads and Maritime Services accredited Traffic Controllers where required by the endorsed Traffic Management Plan. Where the Traffic Management and Traffic Control Plans indicate Traffic Controllers are to be

- used, all Traffic Controllers must have current Roads and Maritime Services certification.
9. The event applicant must provide advice to Council prior to the event that the event complies with the NSW Work Health & Safety Act 2012 and the NSW Work Health & Safety Regulations 2012.
 10. The event applicant advertise the proposed traffic diversions in local newspapers and other media as described in the Traffic Management Plan, a minimum of two weeks prior to the event.
 11. The event applicant notify ambulance and fire brigades (Fire & Rescue NSW and the NSW Rural Fire Service) and the NSW State Emergency Service of the proposed event, and submit a copy of the notification to Council prior to the event.
 12. The event applicant notify private bus companies and coach organisations and taxi companies of the proposed event and submit a copy of the notification to Council prior to the event.
 13. The event applicant shall ensure that noise control measures are in place as required by the Protection of the Environment Operations (Noise Control) Regulation 2000.
 14. All works as part of this approval are conducted at no cost to Council.
 15. The event applicant to ensure that foliage is cleared near both access driveways to Fernhill Estate in order to improve sight distances for exiting vehicles.
 16. The event applicant to ensure that railings within the existing fence be removed near the northern, secondary access driveway to Fernhill Estate in order to increase the access width for vehicles entering and exiting the site.
 17. The event applicant to ensure that access driveway aprons are sealed with asphaltic concrete (AC) or similar in order to minimise rubble spilling onto Mulgoa Road.
 18. The event applicant to ensure that a traffic controller is provided on Mulgoa Road, Mulgoa, in the vicinity of the southbound approach back of queue to provide feedback to traffic controllers and to warn approaching drivers of the queue.
 19. The event applicant to ensure that a traffic controller is provided at the intersection of St Thomas Road and Farm Road, Mulgoa to offer direction to motorists attending the event.
 20. The event applicant to ensure that a traffic controller is provided in Farm Road, Mulgoa to monitor and control driver and parking behaviour in the vicinity.
 21. The applicant be advised of Council's resolution.

OUTCOME 2 - WE PLAN FOR OUR FUTURE GROWTH

- 4 [Development Application DA14/0704 Fernhill Picnic Races to be held on 18 October 2014 and one \(1\) day per calendar year from 2015 to 2018 including erection of associated temporary structures at \(No 1041\) Mulgoa Road, Mulgoa](#) Applicant: Ae Design Partnership;
Owner: ~Owston Nominees No 2 Pty Ltd

231 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Bernard Bratusa

That:

1. The information contained in the report on Development Application DA14/0704 Fernhill Picnic Races to be held on 18 October 2014 and one (1) day per calendar year from 2015 to 2018 including erection of associated temporary structures at (No 1041) Mulgoa Road, Mulgoa be received.
2. Development Application 14/0704 seeking consent to Conduct a Picnic Horse Racing Event to be held on 18 October 2014 and one(1) day per calendar yard from 2015 to 2018 including the erection of temporary structures at 1041 – 1187 Mulgoa Road, Mulgoa be approved subject to the following conditions:
 - 2.01 The development must be implemented substantially in accordance with the stamped-approved plans issued by Penrith City Council, the application form and any supporting information received with the application and the documentation received by Council as required by condition No 3, except as may be amended in red on the attached plans and by the following conditions.
 - 2.02 This consent permits the running of the “Fernhill Picnic Horse Racing Event” on 18 October 2014 and one day per calendar year from 2015 to 2018. Any future events on the site would require a separate application for development approval, demonstrating compliance with all conditions of this consent, must be lodged, and approval obtained, prior to operation.
 - 2.03 The maximum number of tickets available for spectators involved in the “Fernhill Picnic Horse Racing” Event is limited to 10,000 people. Children under 14 are not included with the maximum spectator numbers. Evidence of compliance is to be provided to Penrith City Council **within four (4) weeks of each Picnic Racing event concluding.**
 - 2.04 The date of the Fernhill Picnic Races to be held from 2015 – 2018 is to be provided to Penrith Council a **minimum of four (4) months** prior to the event being held.

Residents that were notified of this Development Application will be provided with notification letter by Penrith Council advising of the intended date of the Picnic Races Event to be held in 2015 – 2018. Fees for the notification are to be paid, as detailed in Penrith City Council’s Fees and Charges, and will be invoiced accordingly.
 - 2.05 The “Bump In” period is limited to four (4) days prior to each event with the “Bump Out” period limited to two (2) days after each event.
 - 2.06 The “Draft Fernhill Picnic Race Day Event Management & Operational

Plan”, dated July 2014 is to be finalised to address all outstanding matters. The report is to be submitted to Council for consideration a **minimum of four (4) weeks before each event.**

The Event Management and Operation Plan, is to include, but is not limited to the following:

- Event Emergency Management Plan including First Aid and Medical Plan
- Emergency Access and Evacuation Plan
- Communications Plan detailing signage to be installed within the site
- Alcohol Management Plan
- Security Management Plan
- Adjoining Residents Action Plan
- Food and Beverage Management Plan
- Accessibility Compliance Plan
- Amenities
- Water Supply Management Plan
- Power Supply and Lighting Plan
- Horse Management Plan
- Access Report/ Statement
- Food and Beverage Management Plan
- Bushfire Management Strategy
- Environmental Management Plan.

The Environmental Management Plan is to be include, but not limited to the following:

- Soil and Water Management
- Dust Suppression
- Litter Control / Rubbish removal
- Noise Control
- Waste Management
- Management of toilet and water facilities to ensure cleanliness
- Environmental impacts of the construction, use and dismantling of temporary structures
- Wet weather considerations
- Emergency response and spill contingency.

2.07 Prior to the Picnic Racing Events to be held from 2015 – 2018, a revised Access Report is to be submitted to Council for consideration by the Penrith Council’s Access Committee. The revised Access Report is to be submitted a minimum of four (4) months before each annual event and is considered any matter that have arisen from the previous Picnic Racing events and solutions to be implemented to address these accessibility concerns.

2.08 All entertainment and trading including the operation of a Public Address and speaker system is to cease at 9.00pm on the day of

each event.

- 2.09 The development shall comply with the provisions of the Building Code of Australia at all times, with respect to smoke and flame index of materials, emergency lighting, exit signs and fire fighting facilities.
- 2.10 The event shall comply with all the requirements and undertakings given to and approved by the NSW Police.
- 2.11 All emergency services and key agencies involved in providing services for this event should also be provided with a copy of the completed "Fernhill Picnic Race Day Event Management & Operational Plan" at least two weeks prior to the event. This includes local Police, Fire, Ambulance, Hospital and transport providers.
- 2.12 Event organisers will be available at a mutually convenient time, at the invitation of Penrith City Council and/or Penrith Police, to discuss and action agreed Community Safety or Security issues in conjunction with other local Penrith stakeholders should the need arise.
- 2.13 Access to car parking area, spectator areas and sanitary facilities for persons with disabilities is to be provided and maintained in accordance with the requirements of the Building Code of Australia and AS 1428 "Design for Access and Mobility".
- A temporary accessible toilet is to be provided to each bank of portable toilet facilities
- A minimum of 5 accessible portable toilets and 4 ambulant portable toilets are to be provided and distributed evenly amongst the banks of toilets.
- Should ambulant facilities be unavailable, full accessible facilities are to be provided.
- 2.14 The temporary tent structures, stages and grandstands, when erected, are to fully comply with Part B1 and NSW Part H102 of Volume One of the Building Code of Australia. A Structural Engineer's Certificate is to be submitted to Council prior to the event, certifying the structural adequacy of the structures.
- The maximum number of patrons permitted within any part of the structures is to be clearly displayed in a prominent position on each structure.
- 2.15 The event structures are to be inspected by Penrith City Council at least 24 hours before each event operates for the public. Fees for the inspection are to be paid, as detailed in Penrith City Council's Fees and Charges, and will be invoiced accordingly.
- 2.16 The event shall be managed in accordance with the requirements of Schedule 3A - Places of Public Entertainment of the Environmental Planning and Assessment Regulation 2000.
- 2.17 Portable fire extinguishers shall be provided in all areas in accordance with Australian Standard AS 2444-2001 and BCA Part E1.6, with certification submitted to Council prior to the event.
- 2.18 Two NSW Rural Fire Service Category 1 fire truck shall be provided on the site for the race day.
- 2.19 Access to the site for the NSW Fire Brigades/ Rural Fire Service/ NSW Ambulance Service is to be made available at all times during

the operation of the event.

- 2.20 Helicopters are not to be used as a method of transporting people to and from the Fernhill Estate, except when responding to any medical emergencies.
- 2.21 In the event that a helicopter needs to attend the site for a medical emergency, instructions are to be provided that overhead power lines are within the site and due care is to be taken when responding to the emergency.
- 2.22 Bins are to be provided at Penrith Station, Penrith Paceway and Mulgoa Public School and removed at the conclusion of each event. The area utilized by the event at Penrith Station, Penrith Paceway and Mulgoa Public School is to be satisfactorily cleaned to that of pre-event conditions.
- 2.23 Appropriate place barriers are to be used to direct the pedestrians towards the bus entry point at Penrith Station.

TRANSPORT MANAGEMENT PLAN

- 2.24 The recommendations from the Local Traffic Committee Meeting are to be implemented in relation to the 2014 Picnic Races Event (Refer to Appendix 2 to the Notice of Determination).
- 2.25 Prior to the Picnic Racing Events to be held from 2015 – 2018, a revised Transport Management Plan is to be submitted to Council for consideration by the Local Traffic Committee. The revised Transport Management Plan is to be submitted a minimum of four (4) months before each annual event and is considered any matter that have arisen from the previous Picnic Racing events and recommended solutions to these matters.

Should a Traffic Management Plan not be approved prior to the staging of any subsequent Picnic Racing event that event **cannot** be undertaken.

POTABLE WATER SUPPLY

- 2.26 Potable Water Supply Management Plan and Quality Assurance Program is to be provided to Council at least 28 days before each event demonstrating how potable water will be supplied to all required fixtures including food stalls, bars, showers, hand wash basins and stations, and anywhere else where a potable supply is required.

The plan shall demonstrate how residual chlorine will be measured and recorded at the supply, delivery of water to storage tanks, and at the end use.

The plan should also include information on storage tanks, pumps and the distribution system, tank cleaning, location of storage tanks, and the security of tanks and the water supply.

The management plan and program must address the elements of the Framework for the Management of Drinking Water Quality, set out in the *Australian Drinking Water Guidelines 2011*.

The potable water supply shall be maintained in accordance with the *Australian Drinking Water Guidelines 2011* and the NSW Health *Private Water Supply Guidelines 2008*. A residual of 0.2 to 0.5 mg/L free chlorine must be maintained in the water supply at all times.

- 2.27 Any water carter providing potable water for each race day must have in place a Quality Assurance Program that has been approved by NSW Health as required under the Public Health Act 2010. Water carters must make available to Council, for inspection, before the event their water carts, cleaning records and logs, and chlorine testing equipment. The supply of water shall be completed in accordance with the *NSW Guidelines for Water Carters* (NSW Health & NSW Food Authority 2012) and the carter must have approval, or a license, from Sydney Water or other approved Water Authority to take water from their supply. Residual chlorine must be measured and recorded at the supply, delivery of water to storage tanks, and at the end use. Additional chlorine must be added if residuals cannot be maintained in accordance with NSW Health guidelines. Stored water shall be tested and results recorded a minimum of every 2 hours. Records must be available for Council's Environmental Health Officers to inspect at all times.

FOOD SAFETY

- 2.28 A detailed Food Management Plan is to be provided to Council at least 21 days before each annual event outlining all aspects of the food supply, storage, and delivery. The food management plan should cover all food supplied to staff and the public for this event. The plan, as a minimum, should include the following:

- Food suppliers
- Transport of the food to the event;
- Food storage
- Temperature control (cool rooms etc)
- Hand washing facilities and cleaning facilities
- Water, electricity and gas supplies
- Wastewater disposal
- Garbage bins and disposal
- Food display and fixtures
- Construction of stalls

The Food Management Plan must also list all proposed food vendors.

- 2.29 Penrith City Council requires all food businesses attending this event to apply to Council for an approval to sell food. This application must be submitted to Council a minimum of two weeks before the event to allow Council sufficient time to assess the applications. Late applications will not be considered or approved. Council will provide the event organiser with a list of approved food businesses prior to the event.

Application to sell food forms are available on Council's website:

www.penrithcity.nsw.gov.au

Note: A person selling food or operating stalls or mobile vans used for selling food for human consumption, including produce, fruit and vegetables, drinks, or pre-packaged food, is deemed to be a 'food business' under the Food Act 2003. This includes not-for-profit organisations.

- 2.30 Prior to the operation of the food business at this event all food businesses must notify the NSW Food Authority of their details including:

- Contact details for the food business, including the name and address of the business and the proprietor of the business.
- The nature of the food business.

- The location of any other food premises associated with the food business, within the jurisdiction of NSW Food Authority. Notification can be completed free of charge on the NSW Food Authority's Food Notify website at www.foodnotify.nsw.gov.au.
- 2.31 A Food Safety Supervisor, with a current Food Safety Supervisor Certificate recognised by the NSW Food Authority, must be appointed by each individual food business prior to each event. The certificate must be available at the day of the event for inspection by Council's Environmental Health Officers.
- 2.32 The proprietor of the food business shall ensure that the requirements of the following legislation, codes, and guidelines are met at all times:
 - NSW Food Act 2003
 - NSW Food Regulation 2010
 - The Australian and New Zealand Food Standards Code
 - Guidelines for Temporary Events (NSW Food Authority 2012), and
 - Mobile food vending vehicles: *Operation, construction and food handling guidelines* (NSW Food Authority 2009).
- 2.33 Coolrooms must be supplied by the event organisers for all food vendors and power must be maintained to these coolrooms. The event coordinator is to liaise with food businesses as to their coolroom and storage needs. Cool room temperatures must be routinely monitored and temperatures recorded. An alarm system must be provided to ensure correct temperatures are maintained at all times.
- 2.34 Toilets must be provided for all food handlers and maintained in a hygienic condition. These toilets must be separate to other event toilets and not available to the general public, employees or officials. The toilets must be located in the immediate vicinity of the food stalls and there should be sufficient toilets to cover the needs of all food handlers. Toilets shall be supplied with a hand washing facilities that provide warm water through a single outlet and be provided with soap and paper towels.

PETTING ZOO

- 2.35 Hand sanitiser must be readily available for people handling and coming into contact with animals. Signage must be provided directing people to the hand sanitiser and warning people of the risks associated with handling animals.

WASTE AND WASTEWATER

- 2.36 Temporary sanitary facilities shall be provided for each event in accordance with Table F2.3 of the Building Code of Australia.
- 2.37 The provisions of toilets for the event are to comply with Clause 34 of Chapter 5 in the Emergency Management Practice Manual, prepared by the Attorney General's Department.
- 2.38 All toilet and wastewater facilities are to be operated and located in a suitable location so not to cause water pollution either through direct flow into the dams, tributaries or through stormwater drainage system. In the event wastewater enters the dams, tributaries or stormwater system, immediate action is to be taken to minimise any environmental or public health impacts. In addition Council is to be notified of the incident within 24 hours.
Any wastewater discharge or spill is to be cleaned up immediately with the waste being disposed of by a licensed waste contractor.

- 2.39 All toilets and wastewater facilities are to be maintained in a clean manner for the duration of the event. The facilities are to be pumped out at a frequency deemed necessary to maintain cleanliness.
- 2.40 A wastewater discharge point is to be provided for food businesses by the event manager for all sullage, greywater and wastewater. No wastewater is to be discharged to the environment. All wastewater is to be transported and disposed off at a lawful and licensed facility by a NSW EPA licensed contractor. Copies of receipts are to be provided to Council.
- 2.41 Adequate waste and recycling facilities are to be located around the spectator area to cater for waste disposal. Separate waste and recycling facilities are to be provided for the food and refreshment business. Bins are to be located as to not cause pollution and are to be frequently emptied.
- 2.42 Any general waste located within the local road network affected by the local traffic diversions (St Thomas Road, Farm Road & Littlefields Road) is to be removed from these locations within one (1) week of each event being held.
- 2.43 Existing non-potable water taps that are accessible to the public or employees at the event must have warning signs that are clearly visible and readable stating:
 "The drinking water here is not monitored or treated. Water quality may not meet Health Guidelines."

NOISE

- 2.44 The monitoring proposed in the "Fernhill Estate Picnic Races Noise Management Plan" are to be implemented during the event. These locations cannot be changed without the prior consent of Council.

 The services of a suitably qualified consultant is to be engaged to conduct noise testing during the event and provide an Event Acoustic Report to be submitted to Penrith City Council within twenty eight (28) days of the event.

 The Event Acoustic Report is to comply with Australian Standard AS1055 Acoustics - Description of measurement of environmental noise and New South Wales Environment Protection Authority Industrial Noise Source Policy 2000.
- 2.45 Noise generated by the activity after 10pm is not to exceed the Sleep Disturbance Criteria provided in the Environmental Protection Authorities Industrial Noise Policy. In the event that the continuous noise monitoring detects any exceedance, the noise levels are to be reduced immediately.
- 2.46 A community contact hotline (landline and mobile) by the event organiser is to be made available to the surrounding area in case noise nuisance occurs. Any complaints are to be reported to the event manager and where necessary action is to be taken to resolve the noise nuisance. The event manager if so required by an authorised officer, the acoustic consultant or the NSW Police Force must have the authority to order the reduction of noise level produced.

 Fourteen (14) days prior to each event being held, details of the noise complaint hotline (including landline and mobile phone) are to be distributed to residents within 500m of the property boundaries of the site.

 A copy of the notification and details of the properties notified is to be

provided to Penrith City Council for our records.

ENVIRONMENTAL MANAGEMENT

- 2.47 Erosion and sediment control measures shall be installed prior to the commencement of works on site. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

(Note: To obtain a copy of the publication, you should contact Landcom on (02) 98418600).

The approved sediment and erosion control measures are to be installed prior to and maintained throughout the construction phase of the development until the land, that was subject to the works, have been stabilised and grass cover established. These measures shall ensure that mud and soil from vehicular movements to and from the site does not occur during the construction of the development.

- 2.48 No activities are to result in the pollution of waterways. All waterways located near the event sites (including the race track), whether ephemeral or otherwise, are to be appropriately protected with the use of sedimentation controls. No riparian or aquatic vegetation is to be removed as part of the event. The erosion and sedimentation controls are to be maintained until such time as any disturbed areas have been stabilised.
- 2.49 The "Draft Environmental Management Plan" as amended by Condition 6, is to be implemented and adhered to during the construction and operational phases of the event. The checklists included in Appendix B and Appendix C is to be completed as required by the Environmental Management Plan and submitted to Council **within twenty eight (28) days of the event**.
- 2.50 All waste generated by the horses associated with the event are to be disposed of in accordance with the existing Fernhill Estate waste management program, as outlined in the 'Fernhill Picnic Race Day Event Management and Operational Plan'.
- 2.51 The hosing out of the temporary horse stables/structures with water for cleaning purposes is not permitted. Stables are to be cleaned using predominantly dry methods that limit the use of water. Acceptable methods would include sweeping, mopping and manual collection and disposal of horse manure.
- 2.52 All wastewater generated by the use of the horse washbays is not to enter waterways. This wastewater is to be captured and disposed of to an appropriately licensed waste management facility.
- 2.53 No trees or other vegetation (including native understorey and grass species) are to be removed, ringbarked, cut, topped, lopped or wilfully destroyed without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order Policy. Tree protection measures may be required where vehicles or structures will be near trees.
- 2.54 No fill, machinery or materials are to be placed or stored within the drip-line of any tree, unless appropriate tree protection measures are in

place.

- 2.55 No fill material is to be imported to the site without the prior approval of Penrith City Council in accordance with Sydney Regional Environmental Plan No.20 (Hawkesbury- Nepean River) (No.2-1997). No recycling of material for use as fill material shall be carried out on the site without the prior approval of Council.
- 2.56 Dust suppression and minimisation strategies must be employed to manage potential dust nuisances within the site. This is to apply to parking areas, access roads and within the event site.
- 2.57 Mud and soil from vehicular movements to and from the site must not be deposited on the road.
- 2.58 All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.
- 2.59 All disturbed areas that have experienced loss of ground cover or other vegetation as a result of the event is to be rehabilitated using native seed (including when seed spraying) or plants suitable to the local community and is to be of local provenance (western Sydney) only. No exotic plants or grasses are to be used. A list of suitable species is to be sought from a suitably qualified ecologist.
- 2.60 All areas impacted by the discharge of oil associated with the parking of vehicles on the site are to be appropriately remediated.

SECURITY AND SAFETY

- 2.61 The applicant must provide a combination of security personnel and paid Policing for the duration of the event to response to any social behaviour and litter management within the Fernhill Estate and Farm Road. This includes the number of security guards on the site and Farm Road determined in conjunction with Penrith Police and agreed to by Penrith City Council **2 weeks prior to the event.**

DRUG AND ALCOHOL MANAGEMENT

- 2.62 The guidelines contained in the Security and Alcohol Plan must be adhered to by security and event staff to promote responsible consumption of alcohol and minimise opportunities for alcohol-related antisocial behaviour to occur.
- 2.63 Security personnel must be provided within the on-site car park and at each bar area for crowd control and to monitor intoxicated persons and minimise alcohol-related antisocial behaviour.
- 2.64 Glass containers must not be permitted, with plastic containers or cans to be used instead. All cans must be opened at the bar.
- 2.65 Bags shall be searched upon entry in accordance with the Security and Alcohol Plan.
- 2.66 Alcohol must not be brought in to the event, but must only be purchased on site from the licensed vendors. The consumption of alcohol within the car park on the site is not permitted.
- 2.67 Bar areas must comply with all RSA and legislative requirements

concerning the sale and service of alcohol.

- 2.68 Free water at an appropriate temperature must be provided at all bar areas and bottle refilling stations.

CROWD MANAGEMENT

- 2.69 The Crowd Control procedures provided in the “Fernhill Estate Race Day Security Planning Document” must be adhered to by security and event staff throughout each event.
- 2.70 Event organisers must be able to communicate with the crowd both for public announcements and in emergencies.

MAJOR AND MEDICAL INCIDENTS

- 2.71 The ‘First Aid Plan’ provided by the applicant must be followed by all event staff. Training should be provided to staff to ensure they are familiar with the plans and steps that should be followed in the event of an incident or emergency.
- 2.72 Records should be kept of all incidents at the event, and should include details such as the date, location and time of incident, description of incident, contact details of person involved, and action taken.

EMERGENCY RESPONSE PLAN

- 2.72 The ‘Emergency Response Plan’ provided by the applicant must be followed by all event staff and as indicated, circulated to key emergency services for comment. In addition to the plan, a scenario planning workshop has been scheduled and should be conducted annually prior to the event. It will provide an opportunity to consider logistics and the interplay of various operational teams – security, medical, event management, traffic and the police.

LIGHTING AND POWER

- 2.73 Adequate lighting is provided so as to enable Police, Security and Medical staff to monitor activities and respond where required during the event.
- 2.74 Lighting is to be provided within the car park at Penrith Station, Penrith Paceway and Mulgoa Public School for the duration of the event.
- 2.75 Lighting should be provided to clearly illuminate entry and exit points, food stalls, toilets, first aid areas and stage area.
- 2.76 Access to the main lighting or house lights is essential in case of an emergency. The location of the controls for these lights, and the operation of the controls, must be known to those on-site responsible for emergencies.

SIGNAGE

- 2.77 Clear signage should be displayed throughout the event to clearly indicate entry/exit points, public transport locations, emergency help points, toilets, first aid, stage locations, telephones, vendors and licensed/non-licensed areas.
- 2.78 All signage associated with the event shall be removed upon completion of each event.
- 2.79 Additional signage be displayed throughout the event to clearly mark Designated Smoking Areas and the need to properly dispose of cigarette butts into the correct bins in order to protect the heritage of

the premises.

CERTIFICATION

2.80 An Occupation Certificate is to be obtained from Penrith City Council upon completion of all relevant bump-in installation and prior to the opening of the event to its patrons.

The certificate shall not be issued if any condition of this consent, but not the conditions relating to the operation of the development are outstanding.

2.81 The rehabilitation works are to be inspected by Penrith City Council within one (1) weeks of the rehabilitation works being completed. Fees for the inspection are to be paid, as detailed in Penrith City Council's Fees and Charges, and will be invoiced accordingly.

3. An annual information report at the conclusion of the event every year be brought to a Councillor Briefing prior to the report being presented to a Policy Review Committee meeting.

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

For	Against
Councillor Prue Car	Councillor Karen McKeown
Councillor John Thain	Councillor Marcus Cornish
Councillor Michelle Tormey	
Councillor Jackie Greenow OAM	
Councillor Maurice Giroto	
Councillor Kevin Cramer OAM	
Councillor Ben Goldfinch	
Councillor Tricia Hitchen	
Councillor Bernard Bratusa	
Councillor Ross Fowler OAM	

Councillor Mark Davies returned to the meeting, the time being 9:04pm.

OUTCOME 3 - WE CAN GET AROUND THE CITY

6 [Roads and Maritime Services \(RMS\) 2014/15 Road Funding Grants](#)

232 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Maurice Giroto

That:

1. The information contained in the report on Roads and Maritime Services (RMS) 2014/15 Road Funding Grants be received.
2. The RMS 2014/15 Program Funding Block Grant of \$1,089,000 be accepted.
3. Council accept the grant of \$300,000, offered under the 2014/15 Roads and Maritime Services REPAIR Program, for the reconstruction of Russell Street, Emu Plains from Old Bathurst Road to Kite Street.
4. The Supplementary Road component be allocated to the resurfacing of Castlereagh Road, Castlereagh (Post Office Road to 300m north).
5. 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 2014/15”.

17 [2014/15 Traffic and Safety Management Programs - Offer of Funding for Shared-Use Paths, Emu Plains and St Marys](#)

Councillor Marcus Cornish left the meeting, the time being 9:11pm.

233 RESOLVED on the MOTION of Councillor Jackie Greenow OAM seconded Councillor Karen McKeown

That:

1. The information contained in the report on 2014/15 Traffic and Safety Management Programs - Offer of Funding for Shared-Use Paths, Emu Plains and St Marys be received.
2. Council accept the funding offer of \$2,500,000 from the Roads and Maritime Services for the 2014/15 Traffic Management Programs, subject to the following conditions:
 - a) Council’s acceptance of funding is for 2014/15 and any future funding associated agreements are separate and discrete from 2014/15 funding;
 - b) Council’s acceptance of 2014/15 project does not bind Council to acceptance of future funding/program agreements.
3. Council write to the Minister for Roads, Roads and Maritime Services and the Local Members expressing appreciation of the funding offer and of their continued support.

OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES

7 [Federal Government Grant Funding for Public Spaces CCTV Project](#)

Councillor Marcus Cornish returned to the meeting, the time being 9:13pm.

234 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Mark Davies

That:

1. The information contained in the report on Federal Government Grant Funding for Public Spaces CCTV Project be received.
2. Council endorse the acceptance of \$300,000 grant funding for installation of CCTV cameras at each of the identified locations.
3. A letter of thanks be forwarded to the Federal Minister for Justice, The Hon Michael Keenan MP.
4. A letter of thanks be forwarded to the Federal Member for Lindsay, Ms Fiona Scott MP.

18 [Tender Reference 14/15-03 Provision of All Age Health and Fitness Zone at Jamison Park](#)

235 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Marcus Cornish

That:

1. The information contained in the report on Tender Reference 14/15-03 Provision of All Age Health and Fitness Zone at Jamison Park be received.
2. Council not accept any tender and that new tenders are invited based on amended tender documentation.
3. All tenderers be advised of the decision and invited to participate in the new tender process.

OUTCOME 5 - WE CARE ABOUT OUR ENVIRONMENT

8 [NSW Castlereagh Community \(Quarantine\) Fund approval for the Berkshire Park, Castlereagh, Llandilo and Londonderry Rural Fire Brigades](#)

236 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Jackie Greenow OAM

That:

1. The information contained in the report on NSW Castlereagh Community (Quarantine) Fund approval for the Berkshire Park, Castlereagh, Llandilo and Londonderry Rural Fire Brigades be received.
2. Council endorse the auspicing of the \$198,595 ex GST grant funding to the Berkshire Park, Castlereagh, Llandilo and Londonderry Rural Fire Brigades for the purchase of fire fighting equipment and carrying out brigade station improvements.

9 [Invitation to nominate representatives for the Greater Sydney Local Land Services Local Government Advisory Group](#)

237 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Mark Davies

That:

1. The information contained in the report on Invitation to nominate representatives for the Greater Sydney Local Land Services Local Government Advisory Group be received.
2. Councillor Kevin Crameri OAM represent Council on the Greater Sydney Local Land Services Local Government Advisory Group with Councillor Marcus Cornish as the Alternate and the Environmental Health Coordinator as an alternative Council Staff representative if needed.

Councillor John Thain left the meeting, the time being 9:15pm.

10 [Grant funding for rehabilitation and revegetation at Castlereagh Reserve, Cranebrook](#)

238 RESOLVED on the MOTION of Councillor Michelle Tormey seconded Councillor Bernard Bratusa

That:

1. The information contained in the report on Grant funding for rehabilitation and revegetation at Castlereagh Reserve, Cranebrook be received.
2. Council accept the grant of \$10,000 and the relevant staff sign on behalf of Council.
3. Council write a letter of thanks to The Minister for Natural Resources, Lands and Water and Minister for Western NSW, The Hon Kevin Humphries MP.

11 [Kingswood Park Rehabilitation Project, North Penrith](#)

Councillor John Thain returned to the meeting, the time being 9:17pm.

239 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Michelle Tormey

That:

1. The information contained in the report on Kingswood Park Rehabilitation Project, North Penrith be received.
2. Council accept the grant of \$80,000 over three years.
3. Council agree to provide financial support of \$60,000 over three years (\$20,000 per year for the 2014-15, 2015-16, 2016-17 financial years) to contribute to the rehabilitation project.
4. Council write a letter of thanks to the Minister for the Environment, the Hon Rob Stokes MP.

OUTCOME 6 - WE'RE HEALTHY AND SHARE STRONG COMMUNITY SPIRIT

12 [Emu Plains Library](#)

Councillor Michelle Tormey left the meeting, the time being 9:28pm.

240 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Tricia Hitchen

That:

1. The information contained in the report on Emu Plains Library be received.
2. The necessary steps be taken to close the Emu Plains branch library, as outlined in the report.
3. The patrons of the Emu Plains Library be provided with information on the different options for accessing library services, including the home library service, and the broad range of electronic resources.

13 [Legal Rights and Obligations of Residents Hoarding on their Property](#)

Councillor Michelle Tormey returned to the meeting, the time being 9:31pm.

241 RESOLVED on the MOTION of Councillor Karen McKeown seconded Councillor Marcus Cornish

That:

1. The information contained in the report on Legal Rights and Obligations of Residents Hoarding on their Property be received.
2. Penrith City Council submits a Motion to Local Government New South Wales (LGNSW) for inclusion in the 2014 Local Government Conference Business Paper to further consider the legal rights and obligations of residents hoarding on their property.

OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

14 [Organisational Performance Report - June 2014](#)

Council's General Manager, Alan Stoneham briefly introduced the report and advised that he would make a presentation on this item at Council's next Policy Review Committee meeting.

242 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Karen McKeown

That:

1. The information contained in the report on Organisational Performance Report – June 2014 be received.
2. The *Organisational Performance Report – June 2014* as at 30 June 2014, including the revised estimates outlined in this report, and detailed in *the attached Organisational Performance Report*, be adopted.
3. Council revoke the works as detailed in the Recommended Revoted Works Lists, detailed in *the attached Organisational Performance Report June 2014* for inclusion in the 2014-15 Operational Plan.

15 [Audit Committee](#)

243 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor John Thain that the information contained in the report on Audit Committee be received.

16 [Summary of Investments & Banking for the period 1 July to 31 July 2014](#)

244 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor John Thain

That:

1. The information contained in the report on Summary of Investments & Banking for the period 1 July to 31 July 2014 be received.
2. The Certificate of the Responsible Accounting Officer and Summaries of Investments and Performance for the period 1 July 2014 to 31 July 2014 be

noted and accepted.

3. The graphical investment analysis as at 31 July 2014 be noted.

REQUESTS FOR REPORTS AND MEMORANDUMS

RR 1 Policy on Smoking in and on Council Property

Councillor Marcus Cornish requested a report to Council providing information as to whether Council has a policy on Smoking on Council Property including Council operated workplaces. Should such a policy exist, the report to Council should then detail the operations of the policy and provide information as to how often the policy is reviewed.

RR 2 Speeding Vehicles on Monfarville Street, St Marys

Councillor Bernard Bratusa requested that the matter of speeding vehicles on Monfarville Street, St Marys be referred to the Local Traffic Committee, with a view to investigating possible traffic calming measures in this area.

RR 3 Proposed Upgrade of Stony Creek Road

Councillor Bernard Bratusa requested a report to Council detailing the economics surrounding the proposed upgrading of Stony Creek Road. The report should detail the funding sources available and identify any potential impact on future major road initiatives as outlined by the respective State and Federal Governments.

RR 4 Lighting for Park in Denver Road, St Clair

Councillor Tricia Hitchen requested a memorandum regarding the possibility and costs of installing lights (including solar timed lighting) for the new Park in Denver Road, St Clair in light of graffiti and other damage, including the finding of needles.

RR 5 Increased traffic on Kingswood Road, Orchard Hills

Councillor Tricia Hitchen requested that the matter regarding the increased traffic at Kingswood Road, Orchard Hills, which has resulted in traffic safety issues at Kingswood Road and Homestead Road intersection and at Kingswood Road and Wentworth Road intersection, be referred to the Local Traffic Committee for review.

RR 6 Environmental Impact Statement for the Badgerys Creek Airport

Councillor Kevin Crameri OAM requested a memorandum to All Councillors concerning the status of the Environmental Impact Statement for the Badgerys Creek Airport.

RR 7 Litter Campaign for Cambridge Park and Across the Penrith LGA

Councillor Kevin Crameri OAM requested a memorandum concerning how Council can try and decrease littering in Cambridge Park. The memorandum should also include information relating to the possibility of having a Council wide Litter Campaign to address and curtail littering in the Penrith Local Government Area.

RR 8 Traffic and Flood Information for Stony Creek Causeway

Councillor Maurice Giroto requested a memorandum detailing the traffic count and flood event details for Stony Creek Causeway for the last five years.

RR 9 Footpath on Southern Side of Armstein Crescent, Werrington

Councillor Maurice Giroto requested a memorandum concerning the funding and priority for the provision of a footpath on the southern side of Armstein Crescent, Werrington especially along the length of street adjacent to the school.

RR 10 Fernhill Picnic Races Contingency Plans

Councillor Michelle Tormey requested a memorandum to all Councillors attaching a copy of the Fernhill Picnic Races contingency plan for wet and adverse weather, the memorandum should also include Council Officer commentary on these contingency plans.

RR 11 Waste Collection Service for Un-reported Rubbish

Councillor Michelle Tormey requested a memorandum to all Councillors concerning waste collection service for un-reported rubbish (not illegal dumping) in urban areas. The memorandum should detail the operations of the system and utilisation statistics by area.

RR 12 Impact of funding cuts to TAFE

Councillor Prue Car requested a report to Council addressing any impact that recent cuts to TAFE and increase in TAFE fees may have on Council's ability to attract and retain people for internships, traineeships and apprenticeships.

RR 13 Fire Station Closures

Councillor Prue Car requested a report to Council about the impact of the recent NSW Government practice of closing fire stations, in light of the fire at Kingswood on 1 August 2014. This report should also address the impact on response times. This is particularly relevant given that Local Government funds around 11% of the Fire and Rescue NSW Budget.

URGENT BUSINESS

UB 1 Staging of the Nepean Disability Expo

Councillor Bernard Bratusa requested that \$6,000 be allocated equally from each Ward's voted works to assist in the staging of the Nepean Disability Expo.

245 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Marcus Cornish that the matter be brought forward as a matter of urgency.

His Worship the Mayor, Councillor Ross Fowler OAM, ruled that the matter was urgent and should be dealt with at the meeting.

246 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Marcus Cornish that \$6,000 be allocated equally from each Ward's voted works to assist in the staging of the Nepean Disability Expo.

COMMITTEE OF THE WHOLE

Councillors Jackie Greenow OAM and Michelle Tormey left the meeting, the time being 9:56pm.

Councillor Michelle Tormey returned to the meeting, the time being 9:57pm.
Councillor Jackie Greenow OAM returned to the meeting, the time being 9:58pm.

247 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Tricia Hitchen that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 9:58pm.

1 Presence of the Public

CW1 RESOLVED on the motion of Councillor Mark Davies seconded Councillor Tricia Hitchen that the press and public be excluded from Committee of the Whole to deal with the following matters:

Outcome 5

2 [Compliance action in relation to 41-47 Jolly Street, Castlereagh and associated truck related development activity](#)

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.

Outcome 7

3 [Senior Staff Matters](#)

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

The meeting resumed at 10:41pm and the General Manager reported that the Committee of the Whole met at 9:58pm on 25 August 2014, the following being present

His Worship the Mayor, Councillor Ross Fowler OAM and Councillors Bernard Bratusa, Prue Car, Kevin Crameri OAM, Marcus Cornish, Greg Davies, Maurice Giroto, Ben Goldfinch, Jackie Greenow OAM, Tricia Hitchen, Karen McKeown, John Thain and Michelle Tormey.

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

Having previously declared a Non-Pecuniary Conflict of Interest – Less than Significant in Item CW2, Councillor Karen McKeown left the meeting, the time being 9:58pm.

2 [Compliance action in relation to 41-47 Jolly Street, Castlereagh and associated truck related development activity](#)

RECOMMENDED on the MOTION of Councillor John Thain seconded Councillor Tricia Hitchen

CW2 That:

1. The information contained in the report on Compliance action in relation to 41-47 Jolly Street, Castlereagh and associated truck related development activity be received.
2. The actions proposed within the report be endorsed.

Councillor Karen McKeown returned to the meeting, the time being 10:41pm.

3 [Senior Staff Matters](#)

RECOMMENDED on the MOTION of Councillor Mark Davies seconded Councillor John Thain

CW3 That:

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

ADOPTION OF COMMITTEE OF THE WHOLE

248 RESOLVED on the MOTION of Councillor Kevin Cramer OAM seconded Councillor Marcus Cornish that the recommendations contained in the Committee of the Whole and shown as CW1, CW2 and CW3 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 10:43pm.

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 persons who wish to address the Council are addressing a formal part of the Council Meeting. All persons addressing the Meeting should give consideration to their dress attire. Smart casual is a minimum that is thought to be appropriate when addressing such a forum.

It should be noted that speakers at meetings of the Council or Committee do not have absolute privilege (parliamentary privilege). A speaker who makes any potentially offensive or defamatory remarks about any other person may render themselves open to legal action.

Prior to addressing the meeting the person will be required to sign the following statement:

"I (name) understand that the meeting I intend to address on (date) is a public meeting. I also understand that should I say or present any material that is inappropriate, I may be subject to legal action. I also acknowledge that I have been informed to obtain my own legal advice about the appropriateness of the material that I intend to present at the above mentioned meeting".

Should a person fail to sign the above statement then permission to address either the Council or Committee will not be granted.

The Public Officer or Minute Clerk will speak to those people who have requested permission to address the meeting, prior to the meeting at 7.15pm.

It is up to the Council or Committee to decide if the request to address the meeting will be granted.

Where permission is to be granted the Council or Committee, at the appropriate time, will suspend only so much of the Standing Orders to allow the address to occur.

The Chairperson will then call the person up to the lectern or speaking area.

The person addressing the meeting needs to clearly indicate:

- Their name;
- Organisation or group they are representing (if applicable);
- Details of the issue to be addressed and the item number of the report in the Business Paper;
- Whether they are opposing or supporting the issue or matter (if applicable) and the action they would like the meeting to take;
- The interest of the speaker (e.g. affected person, neighbour, applicant, applicants spokesperson, interested citizen etc).

Each person then has five minutes to make their address. Those addressing Council will be required to speak to the written statement they have submitted. Permission to address Council is not to be taken as an opportunity to refute or otherwise the points made by previous speakers on the same issue.

The Council or Committee can extend this time if they consider it appropriate, however, everyone needs to work on the basis that the address will be for five minutes only.

Councillors may have questions about the address so people are asked to remain at the lectern or in the speaking area until the Chairperson has thanked them.

When this occurs, they should then return to their seat.

Glenn McCarthy
Public Officer
02 4732 7649

MAYORAL MINUTES

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4	<u>Year in Review</u>	5



Mayoral Minute

The Passing of Ron Mulock AO

It is with great sadness that I speak on the passing of former Penrith Mayor Ron Mulock AO. Ron was a devoted Christian and an iconic individual in our City who called Penrith home after moving here at the completion of his degree in law. A strong minded person who sought out many challenges, Ron would attend council meetings as an observer before later being elected to Council in 1965.

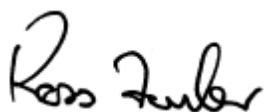
He served six years as an alderman between 1965 though until 1971 and was Mayor on three occasions. In 1971 he was elected to the State seat of Nepean serving no less than 10 portfolios which included Justice and Services, Housing, Transport, Highways, Cooperative Societies, Mineral Resources and Development, Technology, Education, Health and Attorney General.

Ron was sworn in as Deputy Premier in 1984 serving as deputy to Premiers Neville Wran and Barry Unsworth until 1988 when he retired from State Parliament. He was made an Officer of the Order of Australia in 1988.

A staunch Panthers supporter, he was awarded life membership of Panthers in 1989 and has served as Patron of the Panthers club. Such was his standing in the community, Ron was awarded the title of Honoured Citizen by Council in 2003 for his contributions to Penrith.

Ron and his wife Desley had five children and our sympathies go to Desley and to sons Mark and Paul, daughter Jane and extended families. The Penrith community holds Ron's work with the highest gratitude and is deeply saddened as we offer our condolences to his family.

He contributed immensely to the community and to public life. Ron Mulock will be missed greatly but the contributions he made will continue to stand as his legacy to the community which he loved so much and served so well.



Councillor Ross Fowler OAM
Mayor

RECOMMENDATION

That the Mayoral Minute on The Passing of Ron Mulock AO be received.

Mayoral Minute

The Passing of Dorothy Radford OAM

It is with great sadness that I note the passing of Dorothy Radford OAM.

Dorothy lived in St Marys for more than 60 years. She passed away on Wednesday 3 September, just days before the annual St Marys Spring Festival which she was instrumental in setting up 39 years ago.

As a founding member of the St Marys Development Committee, Dorothy made a lasting difference to her community. Such was her involvement she was affectionately known as Mrs St Marys.

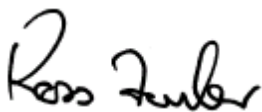
The Development Committee not only instigated and coordinated the Spring Festival for 38 years, it also ran the St Marys Fun Run and the Bands in the Park program. Dorothy was named as the first Spring Festival Citizen in 2001 for her contribution to the community.

Dorothy was also president of the RSL Women's Auxiliary and founded the St Marys Meals on Wheels Service. She volunteered at the St Marys Senior Citizens Club for 33 years and was involved with the Girl Guides movement for 38 years, including as a member of the Trefoil Guild.

In 2003 these efforts were recognised when Dorothy was awarded a Medal of the Order of Australia for her service to the community of Penrith, particularly through veteran, youth and aged care groups.

Her tireless work for the community was recognised when a park in St Clair was named in her honour – the Dorothy Radford Reserve.

Dorothy will be sadly missed by all who knew her. On behalf of my fellow Councillors, the many staff at Council who knew her and the broader community of Penrith, I'd like to offer deepest sympathy to Dorothy's husband Ray and her family.



Councillor Ross Fowler OAM
Mayor

RECOMMENDATION

That the Mayoral Minute on The Passing of Dorothy Radford OAM be received.

Mayoral Minute**Strategic Alliance between Penrith, Blue Mountains, Wollondilly and Hawkesbury Councils**

Strategy: *Diversify the region's economy and attract investment, particularly targeting new and emerging employment sectors*

Councillors will be aware of the NSW Government's announcements last week in response to the findings of a review that had been conducted into local government. No doubt we will hear more about this as further detail is known.

In our submission to the review we argued that the planning and governance of metropolitan Sydney were inherently linked and that improvement was required in both domains. Amongst other things, we said that a more unified and strategic voice was required from local government. Also, we argued that the scale of representation must be large and it must uniformly represent like communities of interest.

Recently, along with Council's General Manager and Assistant General Managers I had informal meetings with the Mayors and General Managers of Blue Mountains, Wollondilly and Hawkesbury Councils to compare whether there was a shared interest in our organisation's more profoundly shaping the destiny of both the planning and the governance of our cities and the broader region. The combined population of the Blue Mountains, Wollondilly, Hawkesbury and Penrith Local Government Areas will reach about 550,000 within the next 15 years.

It was apparent that we collectively confront the same big issues, and a strategic alliance could assist us in better dealing with these, and encouraging other levels of government to assist or better play their part. Some of the potential areas for collaboration include regional planning, increasing local jobs self-sufficiency, enhancing regional city infrastructure, tourism, improving transportation across the region and negotiating in a collective procurement style on behalf of our communities in areas such as energy.

The meetings were very positive and it was agreed that we consider the establishment of a Working Party of the Mayors, Deputy Mayors and Executive Staff from each Council. The Working Party will define the potential areas of opportunity which could arise from a formal strategic regional alliance. It will also canvas the various models for such an alliance. It is proposed that an application be made to the NSW Government's Office of Local Government for funding of the research that will be required.

It is important for me to say that this proposal for strategic regional alliance is not a proposal for amalgamation. It is however an opportunity to identify ways to strengthen our ability to deliver our key priorities and those of the broader region. Western Sydney can only benefit from more strategic and unified representation from local government and this is what we will be exploring.



Councillor Ross Fowler OAM
Mayor

RECOMMENDATION

That:

1. The Mayoral Minute on Strategic Alliance between Penrith, Blue Mountains, Wollondilly and Hawkesbury Councils be received.
2. Council endorse the actions taken to date.
3. Council agree to the establishment of a Working Party to oversee and progress a review of a strategic regional alliance.
4. Council endorse an application being made for funding from the Office of Local Government to develop the proposal.

Mayoral Minute

Year in Review

Strategy: *Provide opportunities for our community to participate in making decisions about the City's future*

This past 12 months has seen a number of highlights and achievements for our City, as well as some challenges. As Mayor I've had the privilege to witness the success that comes from the hard work and dedication of the community, my fellow Councillors and Council staff.

When my term began in September 2013, I reaffirmed Council's adopted key priorities for the road ahead. These included a continuation of the strategies already in place to improve financial stability and growth, as well as the need to strengthen further the focus on quality of living for our community, through local jobs and improved facilities.

I am pleased to see the announcement of multibillion dollar arterial and local road upgrades. Council has continued to advocate for an improved regional road network. The Federal Government's commitment to an airport in western Sydney, and the associated improvements to infrastructure, have already resulted in new investment in Penrith. It has also positioned our city as an important service and commercial hub.

The Prime Minister's announcement for major road infrastructure upgrades for Western Sydney over 10 years means a green light for the promised upgrades of Bringelly Road, Northern Road, Elizabeth Drive corridor and improved interchanges connecting Elizabeth Drive with arterial roads.

In June 2014 Council made a submission to the State Government's proposal to protect a public transport corridor for the South West Rail Link extension. Council will continue to work closely with both levels of government and the community to ensure the proposed infrastructure maximises the opportunities and benefits for the City and the region, while remaining sensitive to environmental impacts.

It's been wonderful to see government, community and business leaders coming together to be part of Penrith Progression. The Penrith Progression project was officially launched to more than 250 business people by the former Premier Barry O'Farrell on 7 February 2014.

We were excited to hold our first Penrith Progression community consultation session in May 2014. Inspired by presentations by futurist Mike McCallum and urban designer Mike Day, the session was an enthusiastic and worthwhile start to the joint Council and Penrith Business Alliance initiative. The most recent Ideas and Opportunities workshop uncovered Penrith's competitive advantage. In the next step the group will look at the economics around that and formulate the bigger picture plan to bring this to fruition.

I look forward to seeing their words put into action, their ideas turn into reality and watching the City Centre come alive in the next few years.

Shortly after the Penrith Progression launch, I led a business delegation to Council's international sister and friendship cities in Kunshan and Beijing China, and Gangseo-Gu, South Korea. We promoted Penrith Progression to investors, highlighting the City's many development opportunities, and met with Chambers of Commerce and leading government sectors to discuss investment opportunities in health, science and housing.

One of the projects discussed was the proposed Sydney Science Park at Luddenham, which will boost the local economy by providing an estimated 12,200 jobs, 10,000 university student placements and 3,400 dwellings. In July 2014, Council welcomed the Department of Planning and Environment's green light to move to the formal process of public consultation for the Sydney Science Park proposal. The proposal is a 280 hectare master planned centre for research, development and education in the food security, energy and health sectors. These are exciting times. The Science Park is set to attract the world's leading scientific professionals and organisations to Western Sydney, and alongside the major infrastructure commitments recently announced by the Federal and State Governments, it will be a catalyst for high quality development in the Broader Western Sydney Employment Area.

There has been no shortage of activity in Penrith. New developments at Thornton and Jordan Springs have been announced; the Werrington Park Corporate Centre, Penrith Panthers, the Penrith Health and Education Precinct are all underway.

Despite all this construction however, the City has never looked better with new parks, playgrounds and fitness equipment for people of all ages and abilities to enjoy and new facilities for them to use.

We've seen the reconstruction of the sprint track at Saunders Oval, St Clair and the playing fields at Parks Avenue Sporting Complex, Werrington, sealing of the car park at Mark Leece Oval, St Clair, flood lighting upgrade at Hunter Fields, Emu Plains, and an irrigation system installed at Peppertree Reserve, Erskine Park. There's also been a pathway installation at St Clair and Jamison Park, Penrith and a new Pathway Link at Jamison Park. Denver Road Reserve has had a new pathway and outdoor fitness equipment installed.

Playground upgrades continue to improve our City's suite of family facilities, with improvements at Nash Street, South Penrith and Phoenix Crescent, Erskine Park. There's also a new playground at Torquay Terrace, Glenmore Park.

Penrith's one-year trial (pop-up) park has been commended in the inaugural 2014 Place Leaders Asia Pacific Awards. The park, at Henry and High Streets, was officially opened in October 2013 after a little over two months of planning, including only six days of construction. Judges of the award said the project stood out, given the well orchestrated process of engaging the community directly in design.

The Our River Masterplan was endorsed by Council in November 2013. Its focus is on improving views and access to the river, improving health and amenity of the River and surrounding area, expanding Regatta Park into a flexible, multi-purpose events and festivals space, and upgrading Tench Reserve. The Sunday Siestas by the River continue to be a hit and have inspired our first Music by the River event. These events continue to add culture, colour and flavour to the river surrounds.

The Vegetation Management Plan (VMP) for the River, and updated Plans of Management for Council's river reserves, are on public exhibition until 26 September. The VMP includes maps, lists of plant species and other information that will guide Council and the community on how vegetation in different areas within the corridor should be managed to ensure the community desire for a healthy, accessible river can be achieved.

I look forward to seeing the VMP being implemented and seeing Council and the community find the balance between accessibility and natural beauty.

Although Council is currently in good financial shape, the challenge remains to do things better. An organisation wide Capacity Review has commenced and will continue until June 2015. It's a crucial step in assessing our priorities, assets, services, key business processes

and financial strategies. It will help Council focus resources to achieve the best outcomes for the community, and will help us prepare for the future and remain sustainable.

This process is essential to meet the basic needs of our growing population, with the same resources, allowing Council to remain both sustainable and proactive in its current operations and future planning.

In the 2013 Community Survey, Council received a strong community endorsement, with significant increases in resident satisfaction across a large number of services and facilities. Residents also indicated an increase in value for money for their rate dollar.

The priority is to maintain those endorsements and meet those expectations while 'future proofing', meeting Penrith's future growth challenges head-on with a productive and proactive approach.

There have been many examples of Council and community 'doing it better', and it's fitting these achievements are mentioned here.

The *Keep NSW Beautiful Sustainable Cities Awards* Program is the State's leading community and environmental awards program for metropolitan areas. Council's 'Green Bin Bloke' program won the *Waste Minimisation Award*, recognising our achievement in creating a character to engage with the local community to reduce contamination levels in recycling and organic waste. This forms part of Council's ongoing commitment to sustainability and providing residents with a leading waste service.

At a special ceremony in Parliament House on the 26 November 2013, Council was recognised in the 2013 National Disability Awards, winning the *Excellence in Improving Social Participation* award for the No Boundaries project.

Council also received the Heart Foundation *Healthy Communities Award* for three projects: Outdoor gyms at Glenmore Park including Glenmore Ridge launch, Healthy lunch box talks for parents of kindergarten children, and smoke free school entrances.

The *Wearing the Crown* project won the Youth Engagement Award at the Local Government Arts and Cultural Awards in June this year. *Wearing the Crown* gave young people the opportunity to actively participate in civic life through various creative means.

It's refreshing to see the ideas and aspirations of young participants were incorporated into the North St Marys and Werrington Neighbourhood Action Plans. These plans are policies of Council which inform work to be undertaken in these suburbs between 2014 and 2018.

While we look to the future, we are also proud of our past. I was fortunate during my term, to see the launch of 'Penrith: The Makings of a City' by Council's Information Librarian, Lorraine Stacker.

It has been invigorating to be part of the local events Council has organised with our community and government partners. These included 'Spicy Penrith' at the St Marys Community and Cultural Precinct, the 'We Are One We Are Pacific' Festival in Jamison Park, hosting of the inaugural White Ribbon Day River Walk event from Weir Reserve to Tench Reserve, Penrith, to raise community awareness regarding violence against women, and the NAIDOC family gathering at Jamison Park, which attracted approximately 5,000 community members.

I was privileged to be part of the National Apology Day event held in the Pop Up Park to commemorate the anniversary of the Federal Government's National Apology to the

Aboriginal Community. This anniversary attracted many participants including Councillors, Deerubbin Local Aboriginal Land Council, NSW Police force and members of community organisations and Aboriginal community members.

The launch and exhibition of “Queen Street Riches and Textures – Faces of St Marys Project” was held at Memorial Hall St Marys Corner on 20 November 2013. Also in November, at St Marys Community and Cultural Precinct, the Bunka No Hi -Japanese Cultural Day was held as a celebration of Japanese culture, arts and heritage. St Marys Corner also hosted the inaugural ‘art everyday’ in April, and St Marys Corner staff provided extensive support to the ARTS WEST- St Marys Art & Craft Exhibition in that same month, coordinated by St Marys Area Community Development Project.


Seniors Week concerts and events, the Australia Day event at the Regatta Centre, and the St Marys Spring Festival all attracted significant crowds and contributed to another great year for Penrith. In the sporting arena, I was thrilled to see our own Jessica Fox competing in the Canoe Slalom Junior and U23 World Championships in April this year, along with more than 350 athletes from 30 nations.

As this Mayoral term draws to a close, I’d like to thank the Deputy Mayor, my fellow Councillors and Council staff for their support over the past 12 months. It’s been a rewarding and productive year and I have enjoyed the challenges it presented.

During the major bushfire emergency in October 2013, Council supported the Regional Emergency Operations Controller and Blue Mountains City Council. This fire threatened urban areas within the Blue Mountains, Hawkesbury and Lithgow Local Government areas and a State of Emergency was declared. It was an opportunity for us to extend a helping hand. Council provided logistic and administrative support as well as traffic management, and mechanical services. Staff were loaned to Blue Mountains City Council for a period of up to seven months to assist the bushfire recovery by providing development assessment and undertaking building inspections.

In the past 12 months Penrith has cemented its place as an important regional city and emerged as the capital of the New West. I’ve enjoyed seeing Penrith take great steps in its growth and development, but revel equally in the life and colour its events, and – more importantly – its people, have brought to the City and region.

I look forward in continuing to work alongside my fellow Councillors in achieving our shared vision for the future of the City of Penrith.



Councillor Ross Fowler OAM
Mayor

RECOMMENDATION

That the Mayoral Minute on Year in Review be received.

REPORTS OF COMMITTEES

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2	<u>Report and Recommendations of the Policy Review Committee Meeting held on 8 September 2014</u>	7



**REPORT AND RECOMMENDATIONS OF THE
ACCESS COMMITTEE MEETING
HELD ON 13 AUGUST, 2014**

PRESENT

Councillor Jackie Greenow OAM (Chair), Councillor Michelle Tormey, Councillor Marcus Cornish, David Currie, Farah Madon, Denise Heath.

IN ATTENDANCE

Joe Ibbitson – Acting Community and Cultural Development Manager, Diane Boyde – Acting Community Programs Coordinator, Robyn Brookes – Disability Services Officer, Hans Meijer – City Works Manager, Colin Wood – Fire Safety and Certification Coordinator, Belinda Piggott – Ability Links NSW, Aimee Lee – Senior Environmental Planner, Kate Smith – Senior Environmental Planner (5.35pm), Belinda Borg – Senior Environmental Planner (6.08pm).

APOLOGIES

Apologies were accepted from Michael Morris, Emma Husar, Ben Felten, Erich Weller, Councillor Prue Car, Councillor Tricia Hitchen and Graham Howe.

CONFIRMATION OF MINUTES - Access Committee Meeting - 11 June 2014

The minutes of the Access Committee Meeting of 11 June 2014 were confirmed.

DELIVERY PROGRAM REPORTS

OUTCOME 6 - WE'RE HEALTHY AND SHARE STRONG COMMUNITY SPIRIT

4 [Ability Links NSW](#)

Councillor Jackie Greenow OAM introduced Belinda Piggott from Uniting Care Children, Young People and Families.

Belinda Piggott acknowledged the traditional owners before advising she is the new Uniting Care Ability Links NSW Coordinator. Belinda Piggott described the background of Ability Links NSW, the aims of the program, and the role of the Ability Linkers and provided the meeting with a presentation on the project which is primarily for people with a disability, their families or carers.

Issues discussed by the Committee included:

- The top age limit for Ability Links being 64 years
- People with disability linked with services, organisations or business in their community
- The process for Aboriginal linkers
- Differences between the focus of the Disability Inclusion Bill 2014 and the outcome
- Ability Links being funded for three years.

Councillor Jackie Greenow OAM thanked Belinda Piggott for her presentation.

RECOMMENDED

That:

1. The information contained in the report on Ability Links NSW be received.
2. Belinda Piggott be thanked for her presentation to the Access Committee on the Ability Links NSW program.

Joe Ibbitson introduced Diane Boyde, Community Development Officer Older People.

Kate Smith arrived at the meeting at 5.35pm.

Belinda Piggott left the meeting at 5.36pm.

DECLARATIONS OF INTEREST

Farah Madon declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 1 – Development Application DA14/0631 – Proposed Community Facility – Neighbourhood Park, Jordan Springs* as she has previously worked with the Access Consultant, Mark Relf.

Farah Madon declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 1 – Development Application DA13/0764 – Proposed Community Facility – Health Services Facility, Bringelly Road, Orchard Hills* as Dr Khan was a previous client.

OUTCOME 2 - WE PLAN FOR OUR FUTURE GROWTH

1 [Development Applications referred to Access Committee](#)

DA14/0631 Community Facility – construction and embellishment of neighbourhood park, Jordan Springs

Aimee Lee advised that the development application is for the proposed construction and embellishment of the neighbourhood park and associated earth works. The proposal comprises landscaping, a playspace including installation of a play maze, construction of picnic facilities with a shelter and an amphitheatre. The site will be regraded to provide a few platforms, a concrete pathway, and seating provided at 20m intervals.

Issues discussed by the Committee included:

- Drop off areas
- Stainless steel barbecues
- The number of barbecues
- Path linking to the barbecue area – 3m height difference
- Path linking to play equipment
- Every 15m requirement for a flat landing
- Parking
- All abilities play equipment.

It was agreed that these issues would be raised with the applicant.

Aimee Lee left the meeting at 5.55pm.

DA13/0764 Community Facility – Alterations and Additions to Health Services Facility, Orchard Hills

Kate Smith advised that the development application is for unauthorised fit out of a second storey addition to the health facility. The fit out is complete which makes this a retrospective DA.

The proposed development comprises seven bedrooms between two separate residential units, five bathrooms and two laundry rooms. Two offices were part of the original approval.

No accessibility report has been lodged with the application. Kate Smith identified issues with pedestrian access between the existing medical centre and the proposed development. Provision of a lift to the second level was also highlighted.

Issues discussed by the Committee included:

- Layout of the carpark
- Sealing of the carpark
- Compliance of bathrooms
- Hallways and circulation spaces
- The classification of the building
- Access from the carpark to the building
- Request for a BCA report or an access report.

It was agreed that these issues would be raised with the applicant.

Belinda Borg arrived at the meeting at 6.08pm.

Kate Smith left the meeting at 6.13pm.

DA14/0704 Fernhill Picnic Races

Belinda Borg presented the development application for Fernhill Picnic Races to be held on 18 October 2014 and on one day per calendar year from 2015 to 2018.

Belinda Borg explained what the proposed development would comprise and how the land would be used. A total of 10,000 tickets would be available for sale.

Onsite parking will be provided with 22 accessible parking spaces. Shuttle bus services will be provided from Penrith Station and Penrith Paceway.

Issues discussed by the Committee included:

- The provision of one accessible toilet within each of the nine banks of toilets
- Wording of the conditions in relation to the five year approval
- Provision of an ambulant facility within every second bank of toilets
- The location of the public amenities marquee
- Possibility of an accessibility report being provided for the event every 12 months.

It was agreed that these issues would be raised with the applicant.

RECOMMENDATION

AC23 RESOLVED on the MOTION of Farah Madon seconded Councillor Marcus Cornish

that the information contained in the report on Development Applications referred to Access Committee be received.

OUTCOME 6 - WE'RE HEALTHY AND SHARE STRONG COMMUNITY SPIRIT

2 Disability Access Improvement Program

Joe Ibbitson introduced the report on Council's Disability Access Improvement Program (DAIP). An increase in the DAIP annual budget to \$36,000 was secured in 2013/14.

Belinda Borg left the meeting at 6.40pm.

The report provides a brief description of the DAIP expenditure during 2013/14 and the proposed projects for 2014/15.

RECOMMENDED that the information contained in the report on Disability Access Improvement Program be received.

3 Government Policy and Programs - Update

Robyn Brookes presented the report which provides an update on the NSW Disability Inclusion Bill 2014. The report also provides information on a forum to support and prepare Councils for the developments in government policy and legislation.

The primary purpose of the Disability Inclusion Bill 2014 is to enhance protections and rights of people with disability into NSW Law during implementation of the National Disability Insurance Scheme (NDIS). The Bill requires Councils to have a Disability Action Plan and be focussed on developing accessible communities as part of that plan. Councils are also expected to report to the Minister annually on the implementation of the Action Plan.

Joe Ibbitson distributed information on the Disability Inclusion and Liveable Communities Forum to be held on 12 September 2014. Penrith Council has been asked to present on the Disability Access Improvement Program at the Forum.

RECOMMENDED that the information contained in the report on Government Policy and Programs - Update be received.

GENERAL BUSINESS

GB 1 St Dominic's Junior Rugby League

Joe Ibbitson advised that a letter was sent to the President of St Dominic's Junior Rugby League Club on behalf of the Access Committee commending them for establishing the Try Time football team.

GB 2 2014 Draft Report of the Review of the Disability Standards for Accessible Public Transport

Joe Ibbitson advised that comments were provided to Local Government NSW for the response to the 2014 Draft Report of the Review of the Disability Standards for Accessible Public Transport.

GB 3 Digital Economy Strategy Social Inclusion Policy Workshop

Joe Ibbitson advised that Council is holding a Digital Social Policy Workshop on 20 August 2014. This workshop follows on from the rollout of the National Broadband Network.

GB 4 Pram Ramps - Budget Allocation

Hans Meijer advised that he had received a budget allocation to install an additional 80 pram ramps at locations across the LGA where a path already existed and there was no pram ramp where the path met the kerb. As an example, there are eight locations along Oxford Street, Cambridge Park where the concrete path met the kerb but no ramps existed. Pram ramps are being constructed at these locations this financial year.

GB 5 Australian Human Rights Commission – Guidelines on use of Mobility Scooters in Registered Clubs

Farah Madon advised of new guidelines regarding the use of mobility scooters in registered clubs. See <https://www.humanrights.gov.au/mobility-scooters-registered-clubs>

GB 6 Benches in Westfield Penrith

Colin Wood referred to General Business item 6 in the 11 June 2014 minutes regarding seating in Westfield Penrith. Colin Wood met with Plaza representatives regarding seating, walked through the entire centre, and discussed preferred types of seating. Placing seats at regular intervals throughout the Plaza was also discussed. Westfield is undertaking to use an access consultant and consider all circulation spaces.

GB 7 Developers Forum

Colin Wood advised of the Developers Forum to be held at Council on 3 September 2014. Joe Ibbitson is speaking on the role of the Access Committee at the Forum. Colin Wood is speaking on the function of the Committee and Scott Steventon will be discussing the Panthers experience. Access Committee members will be invited to attend.

GB 8 EDAP Conference

Colin Wood advised that access has been placed on the agenda for the EDAP Conference to be held in April 2015. The Environmental Development and Allied Professionals Conference is for building supervisors, town planners and engineers.

GB 9 Colin Wood - Relocation

Colin Wood advised that as part of a Council restructure Compliance is moving to Waste and Community Services. Colin Wood will continue to participate in Access Committee meetings.

GB 10 Letter to Panthers regarding accessible toilets

Denise Heath advised that a letter had been forwarded to Panthers regarding issues with accessible toilets. She advised that the points raised had been taken on board by Panthers Maintenance Team.

GB 11 Walking track behind Melrose Hall

Councillor Marcus Cornish advised that the walking track behind Melrose Hall would be completed this financial year.

GB 12 Path along Emu Plains side of the Nepean River

Councillor Marcus Cornish advised there is reduced access from the top to the bottom path along the Emu Plains side of the Nepean River. In one section there are three flights of stairs whereas previously there were ramped sections.

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

RECOMMENDATION

That the recommendations contained in the Report and Recommendations of the Access Committee meeting held on 13 August, 2014 be adopted.

**REPORT AND RECOMMENDATIONS OF THE
POLICY REVIEW COMMITTEE MEETING
HELD ON 8 SEPTEMBER, 2014**

PRESENT

His Worship the Mayor, Councillor Ross Fowler OAM, Deputy Mayor, Councillor Jim Aitken OAM and Councillors Bernard Bratusa, Prue Car (arrived 7:07pm), Kevin Crameri OAM, Marcus Cornish, Greg Davies, Mark Davies, Maurice Giroto, Ben Goldfinch, Jackie Greenow OAM, Tricia Hitchen, Karen McKeown, John Thain and Michelle Tormey.

APOLOGIES

There were no apologies.

CONFIRMATION OF MINUTES - Policy Review Committee Meeting - 11 August 2014

The minutes of the Policy Review Committee Meeting of 11 August 2014 were confirmed.

DECLARATIONS OF INTEREST

His Worship the Mayor, Councillor Ross Fowler OAM declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 3 - Penrith CBD Corporation Business Plan 2014-15* as he is the Auditor of the Penrith CBD Corporation.

Councillor Bernard Bratusa, declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 3 - Penrith CBD Corporation Business Plan 2014-15* as he is a Board Member of the Penrith CBD Corporation.

DELIVERY PROGRAM REPORTS

OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES

3 [Penrith CBD Corporation Business Plan 2014-15](#)

Councillor Prue Car arrived at the meeting, the time being 7:07pm.

Place Manager, Jeni Pollard introduced the report and invited Owen Rogers, Chairman of the Penrith CBD Corporation to give a presentation.

Councillor Bernard Bratusa left the meeting, the time being 7:12pm

Councillor Bernard Bratusa returned to the meeting, the time being 7:14pm.

Councillor Mark Davies left the meeting, the time being 7:20pm.

Councillor Mark Davies returned to the meeting, the time being 7:25pm.

RECOMMENDED

That:

1. The information contained in the report on Penrith CBD Corporation Business Plan 2014-15 be received.
2. Council receive the Annual Operation Report 2013-14.
3. Council endorse the Triennial Business Plan (Year 2) 2014-15 for the Penrith CBD Corporation.
4. The Board and Management of the Penrith CBD Corporation be

congratulated for their efforts over the last 12 months.

5 [South Creek Historic Park Proposal](#)

Design and Projects Manager, Michael Jackson introduced the report and gave a presentation.

RECOMMENDED

That:

1. The information contained in the report on South Creek Historic Park Proposal be received.
2. The new wagon enclosure include broader St Marys Heritage interpretation signage.
3. The Recreation Trail remain in the PATHS strategy with an option to be considered to extend south from the M4 to Mamre Homestead.
4. The St Marys Historical Society be thanked for their contributions to this proposal.

OUTCOME 2 - WE PLAN FOR OUR FUTURE GROWTH

1 [Draft Penrith Development Control Plan 2014](#)

Executive Manager - City Planning & Community, Ruth Goldsmith introduced the report and gave a presentation.

RECOMMENDED

That:

1. The information contained in the report on Draft Penrith Development Control Plan 2014 be received.
2. Further changes be made to the draft Penrith Development Control Plan 2014 prior to exhibition, to ensure consistency with Council policy and Penrith LEP 2010 (Amendment 4).
3. Draft Penrith Development Control Plan 2014 be publicly exhibited, in accordance with the relevant provisions of the Environmental Planning and Assessment Act, 1979 and associated Regulations.
4. A further report be presented to Council following the Public Exhibition.

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

For	Against
Councillor Ross Fowler OAM	Councillor Greg Davies
Councillor Bernard Bratusa	
Councillor Jackie Greenow OAM	
Councillor Tricia Hitchen	
Councillor Karen McKeown	
Councillor John Thain	
Councillor Jim Aitken OAM	
Councillor Prue Car	
Councillor Marcus Cornish	
Councillor Mark Davies	
Councillor Kevin Crameri OAM	

Councillor Michelle Tormey
Councillor Maurice Giroto
Councillor Ben Goldfinch

2 [Heritage Program Update](#)

RECOMMENDED

That:

1. The information contained in the report on Heritage Program Update be received.
2. The 2014 – 2017 Penrith Heritage Program be adopted.
3. Dr Allen Barlow, Jennine Leonarder-Collins and Wendy Hearne be appointed as Community Representatives on Council's Heritage Advisory Committee for a term of two (2) years.

OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES

4 [Neighbourhood Renewal Program - Cambridge Park and Cranebrook Neighbourhood Action Plans](#)

Place Manager, Jeni Pollard introduced the report and invited Neighbourhood Renewal Coordinator, Heather Chaffey to give a presentation.

Councillor Marcus Cornish left the meeting, the time being 7:58pm

Councillor Marcus Cornish returned to the meeting, the time being 7:59pm.

Councillor Jim Aitken OAM left the meeting, the time being 8:10pm.

Councillor Kevin Crameri OAM left the meeting, the time being 8:12pm

Councillor Kevin Crameri OAM returned to the meeting, the time being 8:18pm.

Councillor Jim Aitken OAM returned to the meeting, the time being 8:21pm.

RECOMMENDED

That:

1. The information contained in the report on Neighbourhood Renewal Program - Cambridge Park and Cranebrook Neighbourhood Action Plans be received.
2. Council endorse the Cambridge Park Neighbourhood Action Plan 2014 and the Cranebrook Neighbourhood Action Plan 2014 as provided.
3. Council endorse that a proposal for a new model for Neighbourhood Renewal commence.
4. A further report be presented to the Local Traffic Committee concerning the potential to bring forward into the current year, identified traffic calming facilities in Calisto Drive, Cranebrook and the option of forward funding any planned traffic works required from the 2015-16 Budget.
5. A comprehensive package of information be prepared and provided to State and Federal Members detailing Council's neighbourhood renewal activities conducted over the last 12 months.
6. A further report be prepared for Council providing an update on Neighbourhood Renewal actions over recent years outlining those actions that may require further assistance for delivery.

7. A further report be prepared detailing information on the Digital Inclusion Strategy in relation to the provision of internet to areas.
8. Council congratulate the Neighbourhood Renewal team on their efforts with this program.

OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

6 [2013-14 Year in Review](#)

General Manager, Alan Stoneham introduced the report and gave a presentation. Mr Stoneham discussed seven focus areas: jobs, managing growth, transport, places, environment, health and confidence in our Council.

Councillor Michelle Tormey left the meeting, the time being 8:25pm.

Councillor Michelle Tormey returned to the meeting, the time being 8:27pm.

Councillor Jim Aitken OAM left the meeting, the time being 8:35pm.

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

Councillor Karen McKeown left the meeting, the time being 8:41pm.

Councillor Karen McKeown returned to the meeting, the time being 8:43pm.

Councillor John Thain left the meeting, the time being 8:53pm.

Councillor John Thain returned to the meeting, the time being 8:55pm.

RECOMMENDED that the information contained in the report on 2013-14 Year in Review be received.

REQUESTS FOR REPORTS AND MEMORANDUMS

RR 1 Signs Policy

Councillor Greg Davies requested a report to the Policy Review Committee providing details of Council's policy on signage and the enforcement of signs being erected.

URGENT BUSINESS

Executive Manager – City Assets, David Burns presented a verbal report concerning the ClubGRANTS scheme.

RECOMMENDED

That:

1. The information contained in the verbal report on ClubGRANTS scheme be received.
2. A memo providing further information concerning potential projects be provided to all Councillors.
3. The matter be listed on the agenda for the Councillors' Mid Term Review.

There being no further business the Chairperson declared the meeting closed the time being 9:32pm.

RECOMMENDATION

That the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 8 September, 2014 be adopted.

DELIVERY PROGRAM REPORTS

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OUTCOME 1 - WE CAN WORK CLOSE TO HOME

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OUTCOME 2 - WE PLAN FOR OUR FUTURE GROWTH

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

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OUTCOME 3 - WE CAN GET AROUND THE CITY

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

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OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES

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

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OUTCOME 5 - WE CARE ABOUT OUR ENVIRONMENT

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OUTCOME 6 - WE'RE HEALTHY AND SHARE STRONG COMMUNITY SPIRIT

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OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

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1 Election of Mayor

Compiled by: Adam Beggs, Governance Officer

Authorised by: Glenn Schuil, Senior Governance Officer

Outcome	<i>We have confidence in our Council</i>
Strategy	<i>Demonstrate transparency and ethical behaviour</i>
Service Activity	<i>Ensure that the organisation promotes ethical behaviour, risk management, transparent decision making and meets contemporary governance standards</i>

Executive Summary

Councillors are required by the Local Government Act 1993 to elect a Mayor during the month of September. Under the Act, the General Manager (Returning Officer) receives written nominations for the Office of Mayor up until the time the election is conducted.

In the event that more than one nomination is received for the Office of Mayor, an election is to be held and Council is to determine the method of voting – either ‘open voting’, ‘ordinary ballot’ or ‘preferential ballot’. The General Manager (Returning Officer) must declare the result of the election at this meeting.

Background

Section 290 of the Local Government Act, 1993 requires councils to elect a Mayor, if it is not the first election after an ordinary election of Councillors, during the month of September.

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 is 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 to be held in September 2015.

Ballot

If only one Councillor is nominated, that Councillor is elected as Mayor. However if more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by way of 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

Under Schedule 7 of the Local Government (General) Regulation 2005 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 Chief Executive of the Office of Local Government and to the President of Local Government NSW.

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.

2 Election of Deputy Mayor

Compiled by: Adam Beggs, Governance Officer

Authorised by: Glenn Schuil, Senior Governance Officer

Outcome	<i>We have confidence in our Council</i>
Strategy	<i>Demonstrate transparency and ethical behaviour</i>
Service Activity	<i>Ensure that the organisation promotes ethical behaviour, risk management, transparent decision making and meets contemporary governance standards</i>

Executive Summary

The purpose of this report is to advise the Council on 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 (the Act) 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 is 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 September 2015).

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 2014/2015 period be the same as the term of Office of the Mayor (until September 2015).

ATTACHMENTS/APPENDICES

There are no attachments for this report.

3 Councillor Fees

Compiled by: Adam Beggs, Governance Officer

Authorised by: Glenn Schuil, Senior Governance Officer

Outcome	<i>We have confidence in our Council</i>
Strategy	<i>Demonstrate transparency and ethical behaviour</i>
Service Activity	<i>Ensure that the organisation promotes ethical behaviour, risk management, transparent decision making and meets contemporary governance standards</i>

Executive Summary

Council is required by the Local Government Act 1993 to pay an annual fee to the Mayor, Deputy Mayor and other Councillors.

The Local Government Remuneration Tribunal fixes minimum and maximum fees each year for the Mayor and Councillors. Council is required to determine a fee within this range; otherwise the minimum fee must be paid.

Council resolved on 26 May 2014 to set the fees payable to the Mayor and Councillors for 2014/2015 at the maximum level permitted.

The report recommends that the information be received.

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;

