His Worship the Mayor, Councillor Ross Fowler OAM presenting at the Harmony Day event on 21 March 2019

Ordinary Meeting
29 April 2019
Dear Councillor,

In pursuance of the provisions of the Local Government Act, 1993 and the Regulations thereunder, notice is hereby given that an **ORDINARY MEETING** of Penrith City Council is to be held in the Council Chambers, Civic Centre, 601 High Street, Penrith on Monday 29 April 2019 at 7:00PM.

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

Yours faithfully

Warwick Winn
General Manager

**BUSINESS**

1. **LEAVE OF ABSENCE**
   Leave of absence has been granted to:
   

2. **APOLOGIES**

3. **CONFIRMATION OF MINUTES**

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**
   
   Local Traffic Committee Meeting - 1 April 2019.
   

10. **DELIVERY PROGRAM REPORTS**

11. **REQUESTS FOR REPORTS AND MEMORANDUMS**

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Enquiries regarding this Business Paper should be directed to the Governance Coordinator, Mr Adam Beggs on (02) 4732 7597
12. URGENT BUSINESS

13. COMMITTEE OF THE WHOLE
ORDINARY MEETING
MONDAY 29 APRIL 2019

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REPORT AND RECOMMENDATIONS OF COMMITTEES

DELIVERY PROGRAM REPORTS
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.
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.
“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.”
Oath of Office

I swear that I will undertake the duties of the office of Councillor in the best interests of the people of Penrith and the Penrith City Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Affirmation of Office

I solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of Penrith and the Penrith City Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

2016 General Election – taken/made at the Ordinary Meeting of Council on 26 September 2016, Minute Number 272

2018 By-Election – taken/made by Councillor Brian Cartwright on 17 May 2018 and Councillor Robin Cook on 21 May 2018 before the Chief Governance Officer, Stephen Britten, an Australian Legal Practitioner

Local Government Act 1993, Section 233A
# 2019 Meeting Calendar

**January 2019 - December 2019**

(Adopted by Council - 26 November 2018)

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<td><strong>Policy Review Committee</strong></td>
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❖ 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 2018-2019 Annual Statements are presented

∞ Meeting at which any comments on the 2018-2019 Annual Statements are adopted

+ Meeting at which the Annual Report is presented

> Briefing to consider Budget, draft fees & charges and corporate documents

- 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 Governance Coordinator, Adam Beggs on 4732 7597.
CONFIRMED MINUTES
OF THE ORDINARY MEETING OF PENRITH CITY COUNCIL HELD IN THE
COUNCIL CHAMBERS
ON MONDAY 25 MARCH 2019 AT 7:00PM

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.

Councillor Marcus Cornish left the meeting, the time being 7:04pm.

A minute’s silence was then observed in remembrance of the victims of the recent attacks in
Christchurch, New Zealand.

Councillor Marcus Cornish returned to the meeting, the time being 7:05pm.

PRESENT
His Worship the Mayor, Councillor Ross Fowler OAM, Deputy Mayor, Councillor Greg
Davies, and Councillors Bernard Bratusa, Todd Carney, Brian Cartwright, Robin Cook,
Marcus Cornish, Kevin Crameri OAM, Aaron Duke, Tricia Hitchen, Karen McKeown OAM,
Kath Presdee and John Thain.

APOLOGIES
40 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor
Tricia Hitchen that apologies be accepted for Councillors Jim Aitken OAM and Mark Davies.

CONFIRMATION OF MINUTES - Ordinary Meeting - 25 February 2019
41 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Greg
Davies that the minutes of the Ordinary Meeting of 25 February 2019 be confirmed.

DECLARATIONS OF INTEREST
There were no declarations of interest.

SUSPENSION OF STANDING ORDERS
42 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor
Brian Cartwright that Standing Orders be suspended to allow members of the public to
address the meeting, the time being 7:06pm.
Mr Ronald Johnston

Item 6 – Mulgoa Rural Fire Service Options for a site for a new Category 3C Station in Mulgoa

Mr Johnston, an affected person, spoke in opposition to the recommendation for the location of the new fire station in the northern end of Mulgoa Park. Mr Johnston cited three areas of concern regarding the proposed relocation of the Mulgoa Rural Fire Service station. Mr Johnston stated that, that during the cleaning of fire trucks, waste oils and chemicals would be washed into the water catchment drain on the corner of his residential property. He also raised concerns regarding the ambience of Mulgoa Park and that the rural look of the park and surrounding properties would be compromised, and also that the traffic point at the proposed position of the driveway leading onto Mulgoa Road would not be the safest due to the traffic speed zones in the area.

RESUMPTION OF STANDING ORDERS

43 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Kevin Crameri OAM that Standing Orders be resumed, the time being 7:12pm.

MAYORAL MINUTES

1 Retirement of Janet Keegan
Councillors Kath Presdee and John Thain spoke in support of the Mayoral Minute.

44 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Kath Presdee that the Mayoral Minute on Retirement of Janet Keegan be received.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Access Committee Meeting held on 13 February 2019
45 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Brian Cartwright that the recommendations contained in the Report and Recommendations of the Access Committee meeting held on 13 February, 2019 be adopted.

2 Report and Recommendations of the Local Traffic Committee Meeting held on 4 March 2019
46 RESOLVED on the MOTION of Councillor Marcus Cornish seconded Councillor Karen McKeown OAM that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 4 March, 2019 be adopted.
3  Report and Recommendations of the Resilience Committee Meeting held on 6 March 2019

47 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor Kath Presdee that the recommendations contained in the Report and Recommendations of the Resilience Committee meeting held on 6 March, 2019 be adopted, with the addition of apologies being recorded for Councillors Ross Fowler OAM and Greg Davies.

4  Report and Recommendations of the Policy Review Committee Meeting held on 11 March 2019

48 RESOLVED on the MOTION of Councillor Brian Cartwright seconded Councillor John Thain that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 11 March, 2019 be adopted, with Item 2 – Compliance and Enforcement Policy and Guidelines to now read:

“That:

1. The information contained in the report on Compliance and Enforcement Policy and Guidelines be received.

2. Council adopt the attached Compliance and Enforcement Policy, with the following words being inserted in place of the current words at Clause 19:

‘Compliance and enforcement matters are sensitive and easily susceptible to allegations of impropriety, bias or inconsistency. Gathering of evidence can be a matter that is complex and subject to information not being able to be admitted into evidence because of the way it was gathered.

In order to manage those risks, and consistent with the Council’s Code of Conduct, and Councillors/Staff Interaction Policy, Councillors should carefully consider their role and the provisions of the Code of Conduct and Local Government Act. Prior to any meeting on site where there is the potential for regulatory action, the Councillor should contact the Director Development and Regulatory Services or relevant manager to establish the situation.’"
DELIVERY PROGRAM REPORTS

OUTCOME 3 - WE CAN GET AROUND THE CITY


49 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Bernard Bratusa

That:


2. Council acknowledge acceptance of grant funding of $1,545,825 offered for the Safer Roads and Pedestrian Safety Projects shown in Tables 1 and 2 for the 2018/19 and 2019-20 financial year.

3. Council write to relevant State and Federal Members thanking them for their continued support of road safety improvements.

OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES

2 Funding Acceptance - Everyone Can Play program funding for Robin Wiles Park Stage 2 Upgrade

50 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Robin Cook

That:

1. The information contained in the report on Funding Acceptance - Everyone Can Play program funding for Robin Wiles Park Stage 2 Upgrade be received.

2. Council endorse the grant application for $50,000 to NSW Department of Planning and Environment in December 2018 for the Robin Wiles Park Stage 2 Upgrade.

3. Council write to relevant State Members thanking them for their funding support towards delivering inclusive play spaces.

3 Works on private land to facilitate placemaking on Parklawn Place, North St Marys

Councillor Marcus Cornish left the meeting, the time being 7:24pm.

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

That:

1. The information contained in the report on Works on private land to facilitate placemaking on Parklawn Place, North St Marys be received.

2. Council approve the scoping and delivery of public works on private land at no cost to the property owners as described in this report.
OUTCOME 5 - WE CARE ABOUT OUR ENVIRONMENT

Councillor Marcus Cornish returned to the meeting, the time being 7:26pm.

6 Mulgoa Rural Fire Service Options for a site for a new Category 3C Station in Mulgoa

52 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Brian Cartwright

That:

1. The information contained in the report on Mulgoa Rural Fire Service Options for a site for a new Category 3C Station in Mulgoa be received.

2. Council endorse the location of the new fire station in the northern end of Mulgoa Park as recommended by Council officers and the feedback from the Mulgoa Community.

3. Council staff progress the development application for the construction of the Mulgoa Rural Fire Brigade Station in the northern end of Mulgoa Park.

4 Recycling Processing Service RFT18/19-07

53 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kevin Crameri OAM

That:

1. The information contained in the report on Recycling Processing Service RFT18/19-07 be received

2. All tenders be rejected and Council enter into negotiations with market leaders for recycling processing services with the aim of entering into a contract, which represents the best value for money.

3. The reason for rejecting all tenders, negotiating and not calling fresh tenders is that Council has now called tenders on two occasions and it is not considered that a satisfactory result could be achieved from calling fresh tenders, given the changing commercial climate around commodity prices of the recycled material.

4. The Common Seal of the Council of the City of Penrith be placed on all documentation as necessary.

5. Council notify unsuccessful tenderers.
5 Acceptance of Grant Funding Offers - NSW Floodplain Management Program 2018/19

54 RESOLVED on the MOTION of Councillor Kevin Crameri OAM seconded Councillor Marcus Cornish

That:

1. The information contained in the report on Acceptance of Grant Funding Offers - NSW Floodplain Management Program 2018/19 be received.

2. Council accept the grant funding offers from the NSW Government for the following studies:
   a. College, Orth and Werrington Creeks Catchment Floodplain Risk Management Study and Plan - $236,000; and
   b. Little Creek Catchment Floodplain Risk Management Study and Plan – $154,000.

3. Council write to the Minister for the Environment, Local Members and the Office of Environment and Heritage, expressing appreciation of their continued support and funding towards Council’s Floodplain Management programs.

OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

7 2019 Australian Local Government Association (ALGA) National General Assembly

55 RESOLVED on the MOTION of Councillor Brian Cartwright seconded Councillor Marcus Cornish

That:

1. The information contained in the report on 2019 Australian Local Government Association (ALGA) National General Assembly be received.

2. The three motions outlined in tonight’s report with respect to the future of Australian Cities, big and small be endorsed for submission to the National General Assembly.

3. The motion regarding Implementation of a Nationwide approach to urban development that is responsive to local climates be endorsed.

8 Summary of Investments & Banking for the Period 1 February 2019 to 28 February 2019

56 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor Marcus Cornish

That:

1. The information contained in the report on Summary of Investments & Banking for the Period 1 February 2019 to 28 February 2019 be received.

2. The certificate of the Responsible Accounting Officer and Summary of Investments and Performance for the period 1 February 2019 to 28 February 2019 be noted and accepted.
3. The graphical investment analysis as at 28 February 2019 be noted.

REQUESTS FOR REPORTS AND MEMORANDUMS

RR 1 Settlement of New Immigrants
Councillor Marcus Cornish requested a memo to all Councillors outlining the effect on the Penrith Local Government Area of the proposed settlement of new immigrants into regional areas, and clarifying if this settlement is proposed for areas only outside the Sydney Basin.

RR 2 Path paving in Warwick Street, Penrith
Councillor Tricia Hitchen requested that footpaths in Warwick Street, Penrith be added to Council's path paving program as a matter of priority.

RR 3 Racecourse Road Site
Councillor Kevin Crameri OAM requested a report to Council outlining the history of ownership of the Racecourse Road site and electricity substation and whether this land is held in a bequest or trust to Council.

RR 4 NSW State Election held on 23 March 2019
Councillor John Thain requested that the Mayor write letters of congratulations to the local Members of Parliament in the Penrith area who were re-elected at the NSW State Election held on 23 March 2019 and also letter of congratulations to those candidates who participated in the election.

RR 5 Operation of Local Independent Hearing and Assessment Panels (IHAPs)
Councillor Karen McKeown OAM requested that, after 12 months of the local IHAPs being in operation, Councillors be provided with a report including a table of the decisions made by local IHAPs, including the Sydney Western City Planning Panel, as well as the amount of time the Panels have sat and the total dollar amount of payment for each meeting, and that this information be declared each quarter into the future.

RR 6 Banks Public School, St Clair
Councillor Greg Davies requested that Council investigate the remediation of paving outside the Banks Public School as well as the removal of a tree on the school grounds which is leaning onto the front fence and encroaching onto the footpath.

RR 7 Traffic Lights - Jane Street, Penrith
Councillor Kevin Crameri OAM requested that the tree branches in front of the traffic lights in Jane Street, located opposite Penrith Plaza be trimmed as they currently obscure those traffic lights.

COMMITTEE OF THE WHOLE

57 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kath Presdee that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 7:44pm.
1 Presence of the Public

CW1 RESOLVED on the motion of Councillor Greg Davies seconded Councillor Kath
Presdee that the press and public be excluded from Committee of the Whole to deal with the
following matter:

Outcome 2

2 Proposed Amendment to an Executed Voluntary Planning Agreement
Between Penrith City Council and Legacy Property for Caddens

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

The meeting resumed at 7:45pm and the General Manager reported that the Committee of
the Whole met at 7:44pm on 25 March 2019, the following being present

His Worship the Mayor, Councillor Ross Fowler OAM, Deputy Mayor, Councillor Greg
Davies, and Councillors Bernard Bratusa, Todd Carney, Brian Cartwright, Robin Cook,
Marcus Cornish, Kevin Crameri OAM, Aaron Duke, Tricia Hitchen, Karen McKeown OAM,
Kath Presdee and John Thain.

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

CONFIDENTIAL BUSINESS

2 Proposed Amendment to an Executed Voluntary Planning Agreement
Between Penrith City Council and Legacy Property for Caddens

RECOMMENDED on the MOTION of Councillor Greg Davies seconded Councillor Bernard
Bratusa

CW2 That:

1. The information contained in the report on Proposed Amendment to an
   Executed Voluntary Planning Agreement Between Penrith City Council and
   Legacy Property for Caddens be received.

2. The draft VPA be placed on public exhibition in accordance with the
   requirements of the Environmental Planning and Assessment Act and
   Regulations.

3. In the event that no submissions are received, Council authorise the General
   Manager and Mayor to sign the amended Voluntary Planning Agreement and
   the Common Seal of the Council of the City of Penrith be affixed to the
   Voluntary Planning Agreement.

4. In the event that submissions are received in response to the public exhibition
   period, the matter be reported back to Council post exhibition for further
5. A copy of the Voluntary Planning Agreement if executed, be provided to the Minister for Planning.

ADOPTION OF COMMITTEE OF THE WHOLE

58 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Tricia Hitchen that the recommendations contained in the Committee of the Whole and shown as CW1 and CW2 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 7:46pm.

I certify that these 9 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 25 March 2019.

____________________                ______________
Chairperson                                     Date
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 if 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
## REPORTS OF COMMITTEES

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<td>Report and Recommendations of the Local Traffic Committee Meeting held on 1 April 2019</td>
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<td>Report and Recommendations of the Policy Review Committee Meeting held on 8 April 2019</td>
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REPORT AND RECOMMENDATIONS OF THE
LOCAL TRAFFIC COMMITTEE MEETING
HELD ON 1 APRIL, 2019

PRESENT
Councillor Tricia Hitchen (Representative for the Member for Penrith), Wayne Mitchell – Director, Development and Regulatory Services (Chair), Brana Ravichelvan – Roads and Maritime Services (RMS), Senior Constable Stephen Page – Nepean PAC (Police Area Command).

IN ATTENDANCE

LEAVE OF ABSENCE
Leave of Absence was previously granted to Councillor Ross Fowler OAM for the period 30 March 2019 to 7 April 2019 inclusive.

APOLOGIES

CONFIRMATION OF MINUTES - Local Traffic Committee Meeting - 4 March 2019
The minutes of the Local Traffic Committee Meeting of 4 March 2019 were confirmed.

DECLARATIONS OF INTEREST
NIL.

DELIVERY PROGRAM REPORTS

OUTCOME 3 - WE CAN GET AROUND THE CITY

1 Jean Street and Lucy Street, Kingswood - Proposed Double Barrier Line Marking

RECOMMENDED

That:

1. The information contained in the report on Jean Street and Lucy Street, Kingswood - Proposed Double Barrier Line Marking be received.

2. Consultation be undertaken with affected residents regarding the proposed 28m double barrier line marking at the bend of Jean Street and Lucy Street, as shown in Appendix 1.

3. Subject to no substantial objections being received, 28m double barrier line marking be provided at the bend of Jean Street and Lucy Street, Kingswood, as shown in Appendix 1.

4. The resident who reported the matter be advised of Council’s resolution.
2 Edmondson Avenue, Cutler Avenue, Thompson Avenue and Kenny Avenue, St Marys - “No Stopping” Zones

RECOMMENDED

That:

1. The information contained in the report on Edmondson Avenue, Cutler Avenue, Thompson Avenue and Kenny Avenue, St Marys - "No Stopping" Zones be received.

2. Consultation be undertaken with affected residents regarding the provision of ‘No Stopping’ restrictions on Edmondson Avenue, Cutler Avenue, Thompson Avenue and Kenny Avenue, St Marys, as shown in Appendices 1, 2, 3 and 4.

3. Subject to no substantial objections being received, “No Stopping” restrictions on Edmondson Avenue, Cutler Avenue, Thompson Avenue and Kenny Avenue, St Marys be installed, as shown Appendices 1, 2, 3 and 4.

4. The resident who reported the matter be advised of Council’s resolution.

3 Cox Avenue, Kingswood - Proposed 'No Stopping' Restrictions

RECOMMENDED

That:

1. The information contained in the report on Cox Avenue, Kingswood - Proposed ‘No Stopping’ Restrictions be received.

2. ‘No Stopping’ restrictions be installed adjacent to the driveway of 56 Cox Avenue, Kingswood, as shown in Appendix 1.

3. Great Community Transport be advised of Council’s resolution.

4 Woodriff Gardens, Penrith - Stage 2 Car Park Design and Interim Car Park Design

RECOMMENDED

That:

1. The information contained in the report on Woodriff Gardens, Penrith - Stage 2 Car Park Design and Interim Car Park Design be received.

2. The Stage 2 Car Park Design Plan for Woodriff Gardens (Reference No: 30011928; RMS Registration No: DS2014/005572), dated 12 February 2019, and interim car park design be endorsed for construction in accordance with AS2890.1 and AS2890.6.

3. Both the Stage 2 and interim car parking areas (in Appendices 1 and 2) be signposted as “9P”, replicating the existing arrangement at the eastern end of the site.

4. Council note the information.
5  Ploughman Crescent, Werrington Downs - Proposed Double Barrier Line Marking

RECOMMENDED

That:

1. The information contained in the report on Ploughman Crescent, Werrington Downs - Proposed Double Barrier Line Marking be received.

2. Consultation be undertaken with affected residents regarding the provision of double barrier line marking for a length of 28 metres in Ploughman Crescent, Werrington Downs, as shown in Appendix 1.

3. Subject to no substantial objections being received, double barrier line marking be provided for a length of 28 metres on Ploughman Crescent, Werrington Downs, as shown in Appendix 1.

4. Councillor Tricia Hitchen and the resident who reported the matter be advised of Council’s resolution.

6  Queenshill Drive at Littlefields Road, Mulgoa - Provision of STOP Sign, Holding Line and Double Barrier Line Marking

RECOMMENDED

That:

1. The information contained in the report on Queenshill Drive at Littlefields Road, Mulgoa - Provision of STOP Sign, Holding Line and Double Barrier Line Marking be received.

2. A STOP sign, holding line, and double barrier line marking treatment be implemented at the intersection of Queenshill Drive and Littlefields Road, Mulgoa as shown in Appendix 1 & 2.

3. Council’s City Presentation department be advised of Council’s resolution.

7  Brooker Street, Colyton - Speed Humps

RECOMMENDED

That:

1. The information contained in the report on Brooker Street, Colyton - Speed Humps be received.

2. A project be entered into Council’s Traffic Facilities Prioritisation Program for the design and construction of appropriate speed hump traffic calming devices on Brooker Street, Colyton, as shown in Appendix 1.

3. When the project receives priority against other listed sites, Council’s Design Co-ordinator be requested to prepare a design for the facilities, with a further report submitted to the Local Traffic Committee for design plan finalisation and endorsement.

4. Councillor Tricia Hitchen and the resident be advised of Council’s resolution.
8 Lawson Street, Penrith - Endorsement of Design Plan AL 142

Steve Grady of Busways raised concerns about potential bus conflicts with the proposed raised platform on Lawson Street, Penrith. Steve Grady advised that when buses are turning from Belmore Street and heading southbound on Lawson Street, Penrith, buses may be on an angle when straddling the proposed raised platform and it may be problematic for passengers. Steve Grady enquired about the possibility of relocating the proposed raised platform further south on Lawson Street.

Daniel Davidson – Senior Traffic Engineer advised that Council is planning on converting the at-grade carpark on the corner of Belmore and Lawson Street into a multi-decked car park. Daniel Davidson advised that Council’s Officers have taken into account the proposed location of the entry / exit point to the multi-decked car park on Lawson Street and the current proposed location for the raised platform is viewed as the best location for the device.

RECOMMENDED

That:

1. The information contained in the report on Lawson Street, Penrith - Endorsement of Design Plan AL 142 be received.
2. Design Plan AL 142 dated March 2018 be endorsed for construction, with funding provided from the NSW 2018 / 19 Pedestrian Safety Program.
3. A street lighting assessment be conducted in accordance with Council’s Public Domain Lighting Policy (August 2004) to ensure compliance with the relevant lighting category.

9 Evan Street, Penrith - Endorsement of Design Plan AE 83

RECOMMENDED

That:

1. The information contained in the report on Evan Street, Penrith - Endorsement of Design Plan AE 83 be received.
2. Design Plan AE 83 dated March 2018 be endorsed for construction, with funding provided from the NSW 2018 / 19 Pedestrian Safety Program.
3. A street lighting assessment be conducted in accordance with Council’s Public Domain Lighting Policy (August 2004) to ensure compliance with the relevant lighting category.
10 Claremont Meadows Community Centre Car Park - Proposed Accessible Parking Space

RECOMMENDED
That:

1. The information contained in the report on Claremont Meadows Community Centre Car Park - Proposed Accessible Parking Space be received.

2. Consultation be undertaken with Penrith Council’s Community Facilities and Recreation Service regarding the proposed increase to accessible parking at the Claremont Meadows Community Centre Car Park, as shown in Appendix 1.

3. Subject to no substantial objections being received, the proposed accessible parking space be installed at the Claremont Meadows Community Centre Car Park, as shown in Appendix 1.

4. The resident who reported the matter be advised of Council’s resolution.

11 Bluestone Drive and Glenmore Ridge Drive, Glenmore Park - Proposed ‘No Stopping’ Restrictions

RECOMMENDED
That:

1. The information contained in the report on Bluestone Drive and Glenmore Ridge Drive, Glenmore Park - Proposed ‘No Stopping’ Restrictions be received.

2. Consultation be undertaken with affected residents.

3. Subject to no substantial objections being received, 10 metres of ‘No Stopping’ restrictions be implemented at the corner of Bluestone Drive and Glenmore Ridge Drive, Glenmore Park as shown in Appendix 1.

4. Council’s Rangers and the resident who reported the matter be advised of Council’s resolution.
GENERAL BUSINESS

GB 1 Factory Road, Regentville - Endorsement of ‘No Parking’ Signage

The purpose of this report is to consider the installation of No Parking restrictions at the frontage of 17-27 Factory Road, Regentville. The report recommends that the No Parking restrictions be endorsed for installation.

Background

DA16/1007 is an approved childcare centre development at 17-27 Factory Road, Regentville. As part of this approval, a condition was included that parking restrictions be provided along the property frontage from the eastern boundary to 10m past Loftus Street.

Current Situation

Council Officers have received a signage plan from the Foothills Church to address the condition as part of the approval for a childcare centre at 17-27 Factory Road, Regentville.

In summary, the plan proposes approximately 70m of ‘No Parking’ restrictions to be provided from the eastern boundary to 10m west of Loftus Street.

It was noted that the bus stop is located within the area of the proposed ‘No Parking’ restrictions. After consultation with Steve Grady from Busways, it was determined that a more appropriate location for the bus stop would be west of Loftus Street. As such, it is proposed to relocate the bus stop 35m west, opposite the property boundary of 24 and 26 Factory Road.

All costs associated with the installation of the No Parking restriction shall be funded by the applicant.

It should be noted that the relocated bus stop is still within the proposed site frontage and as such no additional consultation is necessary.

_________________________________________________________________________

Steve Grady of Busways advised the Committee that Busways are in support of relocating the Bus Stop on Factory Road, Regentville further west.

RECOMMENDED

That:

1. The information contained in the report on GB 1. Factory Road, Regentville – Endorsement of No Parking Signage be received.

2. The bus stop relocation and ‘No Parking’ restrictions fronting 17-27 Factory Road be endorsed for installation, as shown in Appendix 1.

3. All costs associated with the installation of the signage and line marking be funded by the applicant.

4. The development applicant be advised of Council’s resolution.
GB 2  Bennett Road and Coonawarra Drive, St Clair - Pedestrian Safety Concerns

Councillor Tricia Hitchen (Representative for the Member for Penrith) advised the Committee of concerns raised on behalf of residents in regards to pedestrian safety when trying to cross Bennett Road, St Clair at its intersection with Coonawarra Drive. Councillor Tricia Hitchen advised that the residents who raised the concerns are wheelchair bound and experience difficulty with crossing Bennett Road.

RECOMMENDED

That:

1. Council’s Traffic Officers investigate pedestrian safety at the intersection of Bennett Road and Coonawarra Drive, St Clair and conduct traffic volume and pedestrian counts.

2. Councillor Tricia Hitchen (Representative for the Member for Penrith) be advised of the outcome.

There being no further business the Chairperson declared the meeting closed and the time being 9:50am.

RECOMMENDATION

That the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 1 April, 2019 be adopted.
REPORT AND RECOMMENDATIONS OF THE POLICY REVIEW COMMITTEE MEETING HELD ON 8 APRIL, 2019

PRESENT
His Worship the Mayor, Councillor Ross Fowler OAM, Deputy Mayor, Councillor Greg Davies, and Councillors Jim Aitken OAM, Bernard Bratusa, Todd Carney, Brian Cartwright, Robin Cook, Kevin Crameri OAM, Mark Davies, Aaron Duke, Tricia Hitchen, Karen McKeown OAM (arrived 7:02pm), Kath Presdee and John Thain.

APOLOGIES
The apology from Councillor Marcus Cornish was accepted.

CONFIRMATION OF MINUTES - Policy Review Committee Meeting - 11 March 2019
The minutes of the Policy Review Committee Meeting of 11 March 2019 were confirmed.

DECLARATIONS OF INTEREST
There were no declarations of interest.

DELIVERY PROGRAM REPORTS

OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

1 Outdoor Dining Review
RECOMMENDED
That:

1. The information contained in the report on Outdoor Dining Review be received
2. The Outdoor Dining Policy, incorporating any feedback from the Policy Review Committee, be placed on Public Exhibition,
3. A further report be presented following the Public Exhibition to consider any submissions.
2 Model Code of Conduct and Procedures for the Administration of the Code of Conduct

Councillor Karen McKeown OAM arrived at the meeting, time being 7:02pm.

RECOMMENDED

That:

1. The information contained in the report on Model Code of Conduct and Procedures for the Administration of the Code of Conduct be received
2. Council adopt the Model Code of Conduct for NSW Councils as its Code of Conduct

3 Code of Meeting Practice

RECOMMENDED

That:

1. The information contained in the report on Code of Meeting Practice be received
2. The Draft Code of Meeting Practice be placed on public exhibition for 28 days.
3. The General Manager be authorised to make any minor administrative changes prior to exhibition.
4. The Council’s Code of Meeting Practice, once adopted be used for all Council Committee Meetings.

There being no further business the Chairperson declared the meeting closed the time being 8:00pm.

RECOMMENDATION

That the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 8 April, 2019 be adopted.
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<td>Additional Federal Roads to Recovery Funding for the period 2019/20 to 2023/24</td>
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<td><strong>OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES</strong></td>
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<td>RFT18/19-22 for the construction of Mulgoa Park Amenities</td>
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<tr>
<td><strong>OUTCOME 5 - WE CARE ABOUT OUR ENVIRONMENT</strong></td>
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<td>Recycling Processing Contract</td>
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<td>4</td>
<td>Peach Tree and Lower Surveyors Creeks Flood Study</td>
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<td><strong>OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL</strong></td>
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<td>5</td>
<td>Audit, Risk and Improvement Committee</td>
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<tr>
<td>6</td>
<td>Property History - Part 240-250 Racecourse Road, Jamisontown (Part Lot 1 DP 1057945)</td>
</tr>
<tr>
<td>7</td>
<td>Licence Agreement to Transport for NSW (Sydney Trains) for site compound purposes - 641 High Street, Penrith (Part Lot 90 DP 1176539)</td>
</tr>
<tr>
<td>8</td>
<td>Exhibition of Draft Delivery Program (2017-21) and Draft 2019-20 Operational Plan (including Draft 2019-20 Fees and Charges)</td>
</tr>
<tr>
<td>9</td>
<td>Summary of Investment &amp; Banking for the Period 1 March 2019 to 31 March 2019</td>
</tr>
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</table>
THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY
OUTCOME 1 - WE CAN WORK CLOSE TO HOME

There were no reports under this Delivery Program when the Business Paper was compiled.
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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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<td>Additional Federal Roads to Recovery Funding for the period 2019/20 to 2023/24</td>
<td>1</td>
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</table>
1 Additional Federal Roads to Recovery Funding for the period 2019/20 to 2023/24

Compiled by: Hans Meijer, City Assets Manager
Authorised by: Brian Steffen, Director - City Services

<table>
<thead>
<tr>
<th>Outcome</th>
<th>We can get around the City</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>Provide a safe and efficient road and pathway network</td>
</tr>
<tr>
<td>Service Activity</td>
<td>Maintain the City’s roads and pathways</td>
</tr>
</tbody>
</table>

Executive Summary
The report recommends that the information be received and that Council accepts the allocation of the additional $1,522,275 Roads to Recovery (R2R) Grant funding for the period 2019/20 to 2023/24.

Background
Council accepted Roads to Recovery (R2R) grant funding in the amount of $6,089,098 for the period 2019/20 to 2023/24 at the Ordinary meeting on 25 February 2019. The Federal Government has committed additional funding to the R2R Program at the release of its budget on 2 April 2019 under the recently announced ‘Local and State Government Road Safety Package’.

Council has received written advice than an additional $1,522,275 is being made available to Penrith City Council under the R2R program, increasing the total allocation during the 2019/20 to 2023/24 period to $7,611,373.

The program will continue to run under simple administrative arrangements with Councils free to decide the projects to be funded (within the formal funding conditions). To date these works have funded road resurfacing and road reconstruction works to improve ride quality and the condition of roads in poor condition resulting in improved road safety outcomes.

It is recommended that Council accept the additional funding.

RECOMMENDATION
That:
1. The information contained in the report on Additional Federal Roads to Recovery Funding for the period 2019/20 to 2023/24 be received
2. Council accept the allocation of $1,522,275 from the Australian Government under the Roads to Recovery Program over the 2019/20 to 2023/24 funding period
3. Council write to the Federal Government formally thanking them for the additional funding under the Roads to Recovery Program.

ATTACHMENTS/APPENDICES
There are no attachments for this report.
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<td>RFT18/19-22 for the construction of Mulgoa Park Amenities</td>
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</tr>
</tbody>
</table>
2 RFT18/19-22 for the construction of Mulgoa Park Amenities

Compiled by: Mitchell Sammut, Project Supervisor
Authorised by: Michael Jackson, Design and Projects Manager

<table>
<thead>
<tr>
<th>Outcome</th>
<th>We have safe, vibrant places</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>Make our public places safe and attractive</td>
</tr>
<tr>
<td>Service Activity</td>
<td>Implement the Public Amenity Replacement Program</td>
</tr>
</tbody>
</table>

Executive Summary

A tender for the construction of toilet amenities and associated works at Mulgoa Park, Mulgoa, was advertised on 14 February 2019 in the Western Weekender and 19 February 2019 in the Sydney Morning Herald, and closed on Wednesday 13 March 2019 at 11.00am.

This report advises Council of the outcome of the tender process, and recommends that the tender from Westco Building Consultants Pty Ltd, for the amount of $237,960 (excluding GST) be accepted for construction of toilet amenities and associated works at Mulgoa Park, Mulgoa.

Background

Extensive consultation has been undertaken with the Mulgoa community to guide park designs and improvements at Mulgoa Park. From these designs, and in line with the feedback received, a scope of work has been prioritised to deliver park improvements. Part of these works includes renewal of the public toilet. The funding is part of the public amenities replacement program that provides funding for a rolling program of amenities refurbishments, replacements and additions.

The works require a suitably experienced contractor for the construction of public toilet amenities (1 ambulant, 1 accessible and 2 x unisex), including the demolition of the existing toilet block and associated works. Tenderers were required to submit their tender on a standard pro forma sheet, which clearly defined the response required against each of the evaluation criteria.

Tender Evaluation Panel

The Tender Evaluation Panel consisted of Rosemarie Canales - Architectural Supervisor, Mitchell Sammut - Project Supervisor and was chaired by Michael Jackson - Design and Projects Manager. Allyce Langton from Council's Procurement team performed the role of tender administration and probity officer for this tender.

Tender Evaluation Criteria

The selection criteria advertised and used in selecting the successful tenderer were:

- Demonstrated Ability
- Methodology to Deliver the Project
- Technical Requirements
• Project Completion Times
• Financial Viability
• Company Structure and Employment Practices
• Quality Control
• Company Resources
• Cost/Price Category
• Work Health & Safety

Summary of Tenders Received
A total of seventeen (17) tenders were received by the closing date of the advertised tender, and are listed below in price order (ex GST).

<table>
<thead>
<tr>
<th>Company</th>
<th>Tendered Price</th>
<th>Company Address</th>
<th>Owners/Directors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil Mechanical Engineering Contractors Pty Ltd</td>
<td>$175,500.00</td>
<td>1 Flinders Street Port Kembla, NSW 2505</td>
<td>Paul Gallo</td>
</tr>
<tr>
<td>Westco Building Consultants Pty Ltd</td>
<td>$237,960.00</td>
<td>29/29 Coombes Drive Penrith, NSW 2750</td>
<td>John Cooper</td>
</tr>
<tr>
<td>Civil Engineered Construction</td>
<td>$242,800.00</td>
<td>1304-251 Oxford Street Bondi Junction, NSW 2022</td>
<td>Rahmy Hanna</td>
</tr>
<tr>
<td>API Commercial</td>
<td>$254,417.00</td>
<td>9 Pullman Place Emu Plains, NSW 2780</td>
<td>Mark Simpson, Ben Simpson &amp; Athol Simpson</td>
</tr>
<tr>
<td>Aria DDC</td>
<td>$258,400.00</td>
<td>2/397 Marrickville Road Dulwich Hill, NSW 2203</td>
<td>James Vodjdani</td>
</tr>
<tr>
<td>SDL Project Solutions Pty Ltd</td>
<td>$277,973.48</td>
<td>Unit 23 14 Loyalty Road North Rocks, NSW 2151</td>
<td>Seng Laphai</td>
</tr>
<tr>
<td>Cranebrook Constructions</td>
<td>$289,955.00</td>
<td>97 Taylor Rd Cranebrook, NSW 2749</td>
<td>Phil McNamara</td>
</tr>
<tr>
<td>Dezign Interiors</td>
<td>$307,100.00</td>
<td>19 John Street Lawson, NSW 3074</td>
<td>Timothy Pridham</td>
</tr>
<tr>
<td>Beacon Building Services Pty Ltd</td>
<td>$312,207.48</td>
<td>Level 3, 88 Phillip Street Parramatta, New South Wales 2150</td>
<td>Jarrod Sanfilippo</td>
</tr>
<tr>
<td>AlphaBuild Australia Pty Ltd</td>
<td>$322,657.00</td>
<td>28 Fragar Road, South Penrith, NSW 2750</td>
<td>Chris Rudduck, Matthew Sandstrom</td>
</tr>
<tr>
<td>Madic Constructions Pty Ltd</td>
<td>$341,914.95</td>
<td>122 Bossley Road Bossley Park, NSW 2176</td>
<td>Ivica Matekalo</td>
</tr>
</tbody>
</table>
Ordinary Meeting
29 April 2019

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Amount</th>
<th>Address</th>
<th>Contact Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aurick Pty Ltd</td>
<td>$361,836.88</td>
<td>14 401 Pacific Highway Artarmon, NSW 2064</td>
<td>Tim Holliday</td>
</tr>
<tr>
<td>Tigris Property Group Pty Ltd</td>
<td>$376,014.00</td>
<td>364 Woodpark Road Smithfield, NSW 2164</td>
<td>Manuel Benjamin</td>
</tr>
<tr>
<td>Kellyville Building Pty Ltd</td>
<td>$386,371.00</td>
<td>35 Fyfe Rd Kellyville Ridge, NSW 2155</td>
<td>Brad Bruton</td>
</tr>
<tr>
<td>Michael Mourad</td>
<td>$394,490.00</td>
<td>12a Gipps Street Bardwell Valley, Sydney NSW 2207</td>
<td>Mohamed Mourad</td>
</tr>
<tr>
<td>Matrix Group Co Pty Ltd</td>
<td>$418,850.69</td>
<td>54 Brenan Street Lilyfield, NSW 2040</td>
<td>Troy Loh</td>
</tr>
<tr>
<td>MW Civil Engineering &amp; Constructions PL</td>
<td>$603,350.00</td>
<td>1/235 Canley Vale Canley Heights, NSW 2176</td>
<td>Munir Toma</td>
</tr>
</tbody>
</table>

**Short Listed Tenderers**

Five tenders were initially shortlisted based on price (Civil Mechanical Engineering Contractors Pty Ltd, Westco Building Consultants Pty Ltd, Civil Engineered Construction, API Commercial and Aria DDC) and then assessed on the tender evaluation criteria. The remaining tenders were beyond the available budget so were not considered further.

**Evaluation of the Preferred Tender**

Although Civil Mechanical Engineering Contractors ranked as the lowest price, they did not demonstrate suitable skills, experience or understanding of building construction. The examples and references which were given were wholly Civil construction based and not relevant to building works.

Westco Building Consultants Pty Ltd are a Penrith based building firm that has undertaken a wide range of projects throughout Penrith and neighbouring LGAs for more than 20 years. Westco Building Consultants Pty Ltd scored highly on the evaluation criteria and are a suitably experienced contractor having completed numerous past projects of similar scope.

**Financial Services Manager’s Comment**

Included in the assessment of tenders was the commissioning of independent reference checks, financial analysis, and performance analysis on Westco Building Consultants Pty Ltd. These checks were completed by Equifax Australasia Credit Ratings Pty Ltd. Financial Services have reviewed the financial information provided by the tenderer and have not identified any reason why the contract should not be awarded. The report recommends acceptance of the tender by Westco Building Consultants Pty Ltd, with sufficient funds being available.

**Tender Advisory Group Comments**

The objective of the Tender Advisory Group (TAG) is to support the Council to achieve fair and equitable tender processes. The TAG, consisting of John Gordon – Acting Director City Services, Glenn McCarthy - Governance Manager and Matthew Saunders – Rates Coordinator were briefed by the Design & Projects team about the background and the process followed. The TAG considered the recommendations in relation to the tender for the
construction of toilet amenities and associated works at Mulgoa Park noting that, while the recommended tender was not the lowest price, the company has demonstrated their ability to meet Council’s requirements and their proposal was considered to be the most advantageous to Council. The TAG reviewed the evaluation process outlined within the report and is satisfied that the selection criteria have been correctly applied in making the recommendations.

Conclusion

Five tenders were shortlisted based on price (Civil Mechanical Engineering Contractors Pty Ltd, Westco Building Consultants Pty Ltd, Civil Engineered Construction, API Commercial and Aria DDC) and then evaluated on the tender evaluation criteria. On further assessment of the shortlisted tenders, based on the evaluation criteria Westco Building Consultants offered the best price that also meet the tender evaluation criteria to undertake the project.

It is recommended that the proposal and lump sum price from Westco Building Consultants Pty Ltd of $237,960 excluding GST be accepted for construction of toilet amenities and associated works at Mulgoa Park, Mulgoa.

RECOMMENDATION

That:

1. The information contained in the report on RFT18/19-22 for the construction of Mulgoa Park Amenities be received

2. The proposal and lump sum price from Westco Building Consultants Pty Ltd of $237,960 excluding GST be accepted for Construction of Toilet Amenities and Associated Works at Mulgoa Park, Mulgoa.

3. The Common Seal of the Council of the City of Penrith be placed on all documentation as necessary.

ATTACHMENTS/APPENDICES

There are no attachments for this report.
### OUTCOME 5 - WE CARE ABOUT OUR ENVIRONMENT

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<td>4</td>
<td>Peach Tree and Lower Surveyors Creeks Flood Study</td>
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</tbody>
</table>
3 Recycling Processing Contract

Compiled by: Tracy Chalk, Waste and Resource Recovery Manager
Authorised by: John Gordon, City Presentation Manager

<table>
<thead>
<tr>
<th>Outcome</th>
<th>We care for our environment</th>
</tr>
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<tbody>
<tr>
<td>Strategy</td>
<td>Support our community to use resources wisely</td>
</tr>
<tr>
<td>Service Activity</td>
<td>Manage resource recovery and waste collection services</td>
</tr>
</tbody>
</table>

Previous Items:
4- Recycling Processing Service RFT18/19-07- Ordinary Meeting- 25 Mar 2019 7:00PM
3- Status of Recycling Processing Services Tender - RFT18/19-07- Councillor Briefing- 04 Mar 2019 7:00PM
9- RFT17/18-07 (Waste and Resource Collection Services) and RFT 17/18-08 (Waste and Resource Processing/Disposal Services) Recommendation Report- Ordinary Meeting- 25 Jun 2018 7:00PM

Executive Summary

In November 2017, Council invited tenders through a public tender process for the waste disposal and processing services to commence on 1 July 2019 (RFT17/18-08).

As a result of market uncertainties (China Sword Policy and the Container Deposit Scheme), at the Ordinary Meeting of 25 June 2018 Council resolved to decline to accept any tender from the initial round. Council resolved to negotiate with Visy Paper Pty Ltd, Polytrade Pty Ltd and SUEZ Recycling and Recovery Pty Ltd to achieve an acceptable commercial agreement for the recycling processing services (Part B).

In accordance with Council’s resolution, negotiations were undertaken. This process became challenging and it was determined the best option was to call fresh tenders for Recycling Processing Services. Although this round was encouraging with additional players introduced into the market place. This round also led to the rejection of all tenders as outlined in the resolution below.

At the Ordinary Meeting of 25 March 2019 Council resolved:…..

2. All tenders be rejected and Council enter into negotiations with market leaders for recycling processing services with the aim of entering into a contract, which represents the best value for money.
3. The reason for rejecting all tenders, negotiating and not calling fresh tenders is that Council has now called tenders on two occasions and it is not considered that a satisfactory result could be achieved from calling fresh tenders, given the changing commercial climate around commodity prices of the recycled material.

The current state of the recyclable marketplace has led to a lengthy process. Council officers are now satisfied that the recommendation for the shorter term and the set gate fee as it minimises risk whilst giving certainty to the domestic waste charge.

This report will discuss and provide the outcome of most recent negotiations for recyclables processing in accordance with Council Resolution on March 25 2019.
Discussion

Although VISY’s collection service has been questioned on many occasions, it is recognised that VISY are the current market leader in recyclables processing in New South Wales. In the second round of tendering VISY’s tender was deemed non-conforming because a conforming tender was not submitted along with its non-conforming tender and could not be considered in the tender process. Negotiations were considered to be the most appropriate course given Council has called tenders twice and had an extensive knowledge of the marketplace.

Following on from Council resolution of 25 March 2019, negotiations were undertaken with VISY. VISY’s terms were consistent with their non-conforming offer regarding a lower fixed gate fee subject to the retention of CDS (Container Deposit Scheme). VISY’s pricing terms were submitted as "commercial in confidence" and will be provided in an all councillor memorandum.

This processing gate fee offer is in line with the projections made for the 2019/2020 domestic waste charge and accordingly will not have the effect of increasing the charge in 2019/20. Council officers are satisfied that the recommendation for the shorter term and set gate fee minimises risk whilst giving certainty to the domestic waste charge.

Previous evaluations had considered

- Confidence in the Tenderer (recyclables processing)
- Environmental Performance
- Facility and Plant.

These same criteria and Pricing were considered in the negotiation. Due to the current state of the recycling marketplace positive consideration has also been given to a shorter term. It is proposed to accept the four-year term with a 1-year extension at Council’s option.

VISY have also proposed that they do not provide a financial guarantee. VISY say this on the basis of their strong financial position and assets in the contract company.

Financial checks are currently being undertaken, however, the outcomes were not available at the time of writing this report. Details as to the outcome of such checks will be provided under separate cover to Council.

The latest negotiation has been subject to probity requirements and completes the suite of Contracts presented for Council consideration and determination for all Council managed waste and resource recovery services.

Financial Services Manager’s Comment

Council has commissioned an urgent independent reference check, financial analysis and performance analysis on Visy through Equifax Australasia Credit Ratings Pty Ltd as part of usual review practices, however the report is not available at the time this report was finalised. Unless the report returns some unexpected and unfavourable items, there are no reasons identified why the contract should not be awarded.

Conclusion

The negotiations undertaken were considered to be the most appropriate course given Council has called tenders twice and had an extensive knowledge of the marketplace.
In New South Wales, because of the position of the VISY plant and the pricing submitted in the previous two tender processes the only viable recyclables processing company for Penrith City Council available at this time is VISY.

It is anticipated that new players will enter this marketplace in the next few years and the stabilisation of the marketplace over time will provide a more competitive marketplace in future.

At this time Council officers are satisfied that the recommendation for the shorter term and the set gate fee minimises risk whilst giving certainty to recyclable processing charge component of the annual domestic waste charge.

RECOMMENDATION

That:

1. The information contained in the report on Recycling Processing Contract be received
2. The 4-year Contract offer with VISY Recycling for recyclables processing commencing July 1 2019 ending June 30 2023 (with a 1 year extension at Council's option) be accepted.
3. Final contractual terms and conditions be as agreed by the Chief Governance Officer and the Waste and Resource Recovery Manager
4. The Common Seal of the Council of the City of Penrith be placed on all necessary documentation.

ATTACHMENTS/APPENDICES

There are no attachments for this report.
4 Peach Tree and Lower Surveyors Creeks Flood Study

Compiled by: Amir Abbasnia, Senior Engineer - Stormwater
Ratnam Thilliyar, Engineering Stormwater Supervisor

Authorised by: Adam Wilkinson, Engineering Services Manager

<table>
<thead>
<tr>
<th>Outcome</th>
<th>We care for our environment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>Minimise risks to our community from natural disasters and a changing climate</td>
</tr>
<tr>
<td>Service Activity</td>
<td>Manage the risk to and impact on life and property from the existing and potential future use of the floodplain</td>
</tr>
</tbody>
</table>

Executive Summary

In accordance with the NSW Government’s Floodplain Development Manual (April 2005), Council has undertaken a detailed overland flow flood study for Peach Tree and Lower Surveyors Creeks Catchment.

The Final Draft Peach Tree and Lower Surveyors Creeks Flood Study November 2018 (the Study) was placed on public exhibition from 14 February to 21 March 2019 for public comment. The purpose of this report is to provide Council with the outcome of the public exhibition. The report recommends that the Study be adopted.

Background

The NSW Government’s Flood Policy is directed at providing solutions to existing flooding issues in developed areas and ensuring that new developments are compatible with the relevant flood hazard and do not create flooding problems in other areas. Under the Policy the management of flood prone land remains the responsibility of councils. The policy and floodplain management practices are defined in the NSW Government’s Floodplain Development Manual, April 2005. The State Government, under its policy, provides technical advice and in some instances financial support to councils to manage their floodplains.

In 2006, Council undertook an “Overland Flow Flood Overview Study” for the entire Penrith Local Government Area. This study identified all major overland flow paths, provisional flood hazard for properties at risk of flooding, and ranking of the catchment areas in terms of severity of flooding. This study assists Council in prioritising catchment areas to undertake detailed flood studies. The Peach Tree and Lower Surveyors Creek Catchment was identified as one of the priority catchments requiring a detailed overland flow flood study and a floodplain risk management plan to effectively manage overland flows.

The Peach Tree and Lower Surveyors Creeks Flood Study area comprises suburbs of Penrith (southern part), South Penrith and Jamisontown and is bound by the M4 to the south, The Northern Road to the east and Nepean River to the west. The study area is approximately 1,250 hectares (12.5 km²).

The Flood Study was undertaken by Engineering Consultancy firm, Catchment Simulation Solutions (CSS), on behalf of Council, with the technical guidance and financial assistance from the NSW Office of Environment and Heritage. The Study has been overseen by a Technical Working Group comprising members from Council, Consultants, the Office of Environment and Heritage and the NSW State Emergency Services.
The primary objective of this overland flood study is to define the flood behaviour under the existing floodplain conditions. The flood study produces information on flood extents, levels, depths, velocities, flows, hydraulic and hazard categories for a range of storm events including the Probable Maximum Flood (PMF). In addition, the study defined and mapped the flood planning area for the study area. The Study has been completed and the results of the Study were presented to the Floodplain Risk Management Committee on 3 December 2018.

Council resolved at its Ordinary Meeting on 17 December 2018 that:

1. The information contained in the report on Peach Tree and Lower Surveyors Creeks Flood Study – Public Exhibition be received.
2. The Final Draft Peach Tree and Lower Surveyors Creeks Flood Study, November 2018 be endorsed for public exhibition for a period of no less than 28 days.
3. A further report to be presented to Council on the results of the public exhibition of the Final Draft Peach Tree and Lower Surveyors Creeks Flood Study, November 2018 addressing any submissions received during the exhibition period.
4. Council’s Engineering Services Department staff be thanked for their dedication to the preparation of the Peach Tree and Lower Surveyors Creeks Flood Study.

Public Exhibition

The public exhibition of the Study (Volume 1, Volume 2 & Volume 3) was held from 14 February to 21 March 2019. The Flood Study documents were exhibited at the following locations:

2. Penrith Library and Civic Centre Office.

A Fact Sheet detailing the exhibition of the Study was prepared and distributed as part of the exhibition process.

Various approaches were used to inform the community about the public exhibition of the Study. These include:

- Letters and Fact Sheets sent to all the residents within the catchment (approximately 7650 letters were sent out);
- Newspaper advertisements were placed in the local paper “The Western Weekender” on 14 February and 21 February 2019;
- Council’s webpage was updated to provide details of the exhibition; and

To provide the community further access to the Study, one community drop-in session including a presentation from the Consultant was also held at Penrith Library (Theatrette Room), Penrith on 27 February 2019 between 6pm and 8pm. The consultant provided detailed presentations followed by questions and answers.

In total 20 residents attended the community drop-in sessions.

Analytical report data from the Council’s website shows that during the public exhibition period, a total of 302 viewers accessed the Study documents on-line where 248 viewers downloaded Volume 1 (Main report), 101 viewers downloaded Volume 2 (Figures) and 62 viewers downloaded Volume 3 (Appendixes) of the Study.
Council received eight (8) written submissions and nine (9) verbal enquiries (phone calls and over counter advice) during public exhibition period. The written submissions are summarised together with Council’s responses below. The verbal enquiries were to identify the status of their properties during the flood events and did not raise any concerns.

**Submissions**

**Submission 1**  
The writer needed some explanations about the Flood Study report. The writer's property is at Gymea Place, Jamisontown and not affected by flood planning area.

**Response to Submission 1**  
A replied email was sent to the writer, offering more direct discussions. We have not received a response from the writer.

**Submission 2**  
The writer from Kilkenny Road, South Penrith stated that in the past (since 1970 up to now) had different flood experiences which affected writer’s property (the last one was in 2010). The backyard was inundated by flood and the depth of water was at least 200mm. The swimming pool has been collapsed 3 times because of storm water. Writer has proposed to increase the size of storm water pipe system.

**Response to Submission 2**  
We have called the writer and explained about this flood study. The study did not identify a specific overland flow path. No further action is required.

**Submission 3**  
The writer has raised some concerns regarding evacuation problem especially in Jamisontown during the flood events. He also has raised this question that why Council approves high-rise apartments around Mulgoa Road which is a bottleneck during evacuation period.

**Response to Submission 3**  
This study is a detailed overland flow flood study to allow us to better understand the local overland flow characteristics and assess the adequacy of local and trunk drainage systems. Developments within this and other catchments are subject to a separate detailed assessment process through the development application. Flood mitigation options including evacuation plan will be investigated in the subsequent Floodplain Risk Management and Plan Study.

**Submission 4**  
By filling out the feedback sheet, writer requested flood level maps and evacuation routes during the flood events.

**Response to Submission 4**  
The writer was informed to refer to the Volume 2 of “Draft Peach Tree and Lower Surveyors Creeks Flood Study” and the “Penrith City Local Flood Plan” report provided by SES. (by an email)
Submission 5
By filling out the feedback sheet, writer thanked council for the opportunity to review the “Draft Peach Tree and Lower Surveyors Creeks Flood Study”.

Response to Submission 5
Information noted.

Submission 6
Writer has raised some concerns in regard to the new developments around Panthers area and Thornton area which can affect the stormwater behaviour.

Response to Submission 6
This study is a detailed overland flow flood study to allow us to better understanding the local overland flow characteristics and assess the adequacy of local and trunk drainage systems. Developments within this and other catchments are subjected to a separate detailed assessment process through the development application.

Submission 7
The writer from Wardell Drive, South Penrith requested to change her mailing address for all future correspondences from Council.

Response to Submission 7
The writer’s request was referred to Property Information Clerk, Financial Services.

Submission 8
Sydney Water have sent a letter and mentioned that they have no further comments to assist to the flood study.

Response to Submission 8
Information noted.

Amendments
In reviewing the draft report, some minor amendments were proposed through our internal stakeholders. The amendments made to the study documents are listed (summarised) in the “Schedule of Amendments” included as Appendix 1.

Key Implications
The adoption of the Peach Tree and Lower Surveyors Creeks Flood Study 2019 presents Council with contemporary flood information. This information necessitates a review of flood planning levels and associated property flood notations.

(a) Future Flood Planning Levels
Once the Peach Tree and Lower Surveyors Creeks Flood Study, April 2019 is adopted by Council, all future flood planning activities within Peach Tree and Lower Surveyors Creeks Catchment will be based on the results of this Flood Study. All flood information (flood levels and flood extents) based on previous study will be superseded by this Peach Tree and Lower Surveyors Creeks Flood Study, April 2019.
(b) **s10.7 Flood Planning Notations**

With the adoption of the Peach Tree and Lower Surveyors Creeks Flood Study 2019, the s10.7 (formerly s149) flood planning notations will need to be updated for all the properties affected by the flood planning area.

Presently, s10.7 flood planning notations were applied for some parts of the Peach Tree and Lower Surveyors Creeks Catchment based on various flood information including the Nepean River Flood Study 2018 and Penrith CBD Detailed Overland Flow Flood Study 2015. Based on (this Study) currently available flood information and in consultation with Council's Planning and Legal Departments, and during the period that the Study was placed on public exhibition, the s10.7 flood planning notations were added to 1,713 properties in addition to those already noted.

The Study also provides Council, with detailed flood information pertaining to a range of flood events up to the Probable Maximum Flood (PMF), however Council presently does not have a practice of noting PMF on property information.

(c) **Floodplain Risk Management Study and Plan**

The results of the Study will inform the (next stage) development of a Floodplain Risk Management Plan for the Peach Tree and Lower Surveyors Creeks Catchment to address the existing and future flood risks.

In accordance with the NSW Government's Floodplain Development Manual, it is planned to undertake a Floodplain Risk Management Study and to develop a Floodplain Risk Management Plan. For this purpose, Council has planned to apply for grant funding from the NSW Government under its Floodplain Management Program 2021/22.

**Conclusion**

The Final Draft Peach Tree and Lower Surveyors Creeks Flood Study November 2018, which was exhibited for public comment from 14 February to 21 March 2019, received eight (8) submissions. The majority of the submissions raised clarifications at a local level but generally raised no objection to the results of the Flood Study such as flood levels or flood extents. As a result of the public exhibition, only minor amendments to the flood study report exhibited were required, as listed in the Appendix 1 "Schedule of Amendments". The amended Flood Study is now titled as “Peach Tree and Lower Surveyors Creeks Flood Study, Final Report, April 2019”.

The Peach Tree and Lower Surveyors Creeks Flood Study Final Report, April 2019 (The Flood Study Report Volume 1, Volume 2 & Volume 3 were separately provided to Councillors and also were made available to the public on Council’s webpage) is now ready for the consideration by Council for formal adoption.

The Peach Tree and Lower Surveyors Creeks Flood Study Final Report April 2019 has been completed in accordance with the NSW Government’s Floodplain Development Manual. The information presented through the Study provides the most accurate and contemporary flood information to assist Council meet its floodplain management obligations. It is recommended that the Study be adopted.
RECOMMENDATION

That:

1. The information contained in the report on Peach Tree and Lower Surveyors Creeks Flood Study be received

2. The Peach Tree and Lower Surveyors Creeks Flood Study Final Report April 2019 be adopted.

3. The Peach Tree and Lower Surveyors Creeks Flood Study Final Report April 2019 be made available to the public through Council’s website.

4. Council write to those who made a submission advising of Council’s resolution.

ATTACHMENTS/APPENDICES

1. Peach Tree and Lower Surveyors Creeks Flood Study Final Report April 2019 - Schedule of Amendments 1 Appendix Page
### Schedule of Amendments

<table>
<thead>
<tr>
<th>Amendment Number</th>
<th>Location in the report</th>
<th>Final Draft Report</th>
<th>Proposed Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Caption of Figure 28.3, Volume 2</td>
<td>“Peak Water Levels for the 10% AEP Flood”</td>
<td>“Peak Water Levels for the 10% AEP Local Catchment Flood”</td>
</tr>
<tr>
<td>2</td>
<td>Captions of Figure 32.1, 32.2, 32.3, 32.4 and 32.5, Volume 2</td>
<td>“Peak Water Levels for the Local Catchment Flood”</td>
<td>“Peak Water Levels for the Local Catchment PMF”</td>
</tr>
<tr>
<td>3</td>
<td>Title of Volume 2</td>
<td>“Volume 2 of 2”</td>
<td>“Volume 2 of 3”</td>
</tr>
</tbody>
</table>
OUTCOME 6 - WE ARE HEALTHY AND SHARE STRONG COMMUNITY SPIRIT

There were no reports under this Delivery Program when the Business Paper was compiled.
## OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Audit, Risk and Improvement Committee</td>
<td>25</td>
</tr>
<tr>
<td>6</td>
<td>Property History - Part 240-250 Racecourse Road, Jamisontown (Part Lot 1 DP 1057945)</td>
<td>34</td>
</tr>
<tr>
<td>7</td>
<td>Licence Agreement to Transport for NSW (Sydney Trains) for site compound purposes - 641 High Street, Penrith (Part Lot 90 DP 1176539)</td>
<td>37</td>
</tr>
<tr>
<td>8</td>
<td>Exhibition of Draft Delivery Program (2017-21) and Draft 2019-20 Operational Plan (including Draft 2019-20 Fees and Charges)</td>
<td>41</td>
</tr>
<tr>
<td>9</td>
<td>Summary of Investment &amp; Banking for the Period 1 March 2019 to 31 March 2019</td>
<td>52</td>
</tr>
</tbody>
</table>
5 Audit, Risk and Improvement Committee

Compiled by: Stuart Benzie, Internal Audit and Policy Officer
Authorised by: Anthony Robinson, Risk and Audit Coordinator
Matthew Bullivant, Legal Services Manager

<table>
<thead>
<tr>
<th>Outcome</th>
<th>We have confidence in our Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>Be open and fair in our decisions and our dealings with people</td>
</tr>
<tr>
<td>Service Activity</td>
<td>Promote ethical behaviour and open and fair decision making</td>
</tr>
</tbody>
</table>

Executive Summary

This report provides information on the meeting of Council's Audit, Risk and Improvement Committee held on 27 March 2019. The draft Minutes of the Audit, Risk and Improvement Committee meeting 27 March 2019 are attached to this report.

Background

The Local Government Amendment (Governance and Planning) Bill 2016 (NSW) requires that Council must appoint an Audit, Risk and Improvement Committee (the ARIC). The ARIC must keep under review the following aspects of the Council's operations:

a) compliance  
b) risk management  
c) fraud control  
d) financial management  
e) governance  
f) implementation of the strategic plan, delivery program and strategies  
g) service reviews  
h) collection of performance measurement data by the Council, and  
i) any other matters prescribed by the regulations.

The ARIC must also provide information to the Council for the purpose of improving the Council's performance of its functions.

The ARIC operates under a Charter, most recently updated by Council resolution on 22 May 2017.

Current Situation

The ARIC met on 27 March 2019. This was the first meeting of the ARIC for the calendar year. The draft Minutes of the prior meeting, as provided to Council on 25 February 2019, were adopted without alteration.

A copy of the draft Minutes for the meeting of 27 March 2019 are attached to this report.

In keeping with the ARIC’s practice, the ARIC identified the following five key take-outs from the meeting:

1. Considered the **mid-year risk update** that indicates there is now a more structured approach to identifying and managing risk in Council, and embedding it in the organisation. The update also identified the key focus areas of risk management for
the next six months. The ARIC suggested the risk appetite statement be reviewed and updated to reflect its practical application.

2. Considered the results of a periodic review of Council’s fraud control framework. Current arrangements are strongest across three attributes - detection, notification and third-party management systems. Improvements are currently underway, focusing initially on updating the Fraud Control Policy, developing a comprehensive Fraud Control Plan, and identifying Fraud and Corruption Training needs. The ARIC will monitor progress.

3. Had a preliminary high-level discussion on the purpose, governance, risk, compliance, and financial arrangements for the six controlled and associated corporate entities that manage assets or activities on behalf of Council. The matter has been scheduled for a fuller discussion at the next ARIC meeting in June 2019 given the inherent reputational, compliance and financial risks, and potential for governance improvements.

4. Gained assurance on the adequacy and appropriateness of Council’s insurance arrangements through a presentation by the Executive Officer of Civic Risk Mutual (the discretionary mutual that facilitates insurance coverage). The ARIC has sought further information for consideration at its next meeting on how Civic Risk Mutual functions, in connecting with and supporting Council’s organisational processes for managing its insurances (and any proposed changes).

5. Recognised that continued improvements are being achieved across Council’s operations and activities, notably:
   a. A good reflection on Council’s commitment to the overall program of improvement is that 73% of 183 accepted internal audit recommendations raised since 2017 have been completed.
   b. All external audit recommendations from last year are expected to be completed by October 2019 with 3 completed to date and 8 underway (4 partially completed; 4 in progress); 5 of 8 open recommendations are tracking to be completed by June 2019.
   c. An independent external quality assessment review of the internal audit function (a requirement of auditing standards at least every five years) reported internal audit is ‘performing at a high level of effectiveness’, with ‘quite high’ overall compliance with auditing standards.
   d. An update on the innovative performance reflects the value provided to Council by the team and their Kaizen Blitz approach.

Next Meeting
The next ARIC meeting is scheduled for 12 June 2019.

RECOMMENDATION
That:
   1. The information contained in the report on Audit, Risk and Improvement Committee be received.

ATTACHMENTS/APPENDICES
1. Draft ARIC Meeting Minutes of 27 March 2019 Appendix
UNCONFIRMED MINUTES
OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING OF PENRITH CITY COUNCIL HELD IN THE PASSADENA ROOM, PENRITH
ON WEDNESDAY 27 MARCH 2019 AT 8:00AM

PRESENT
Bruce Turner AM (Chair), His Worship the Mayor Councillor Ross Fowler OAM, Councillor Kath Presdee, Darren Greentree and John Barbeler.

Karen Taylor (Director Financial Audit Services, Audit Office of NSW), (Stephen Britten (Chief Governance Officer), Neil Farquharson (Financial Services Manager), Daniel Moore (Operational Finance Coordinator), Matthew Bullivant (Legal Services Manager), Anthony Robinson (Risk and Audit Coordinator) and Stuart Benzie (Internal Audit and Policy Officer).

APOLOGIES
Elizabeth Gavey, Warwick Winn (General Manager) and Andrew Moore (Chief Financial Officer).

CONFIRMATION OF MINUTES - Audit, Risk and Improvement Committee Meeting - 12 December 2018
ARIC 51 RESOLVED on the motion of Darren Greentree seconded by John Barbeler that the minutes of the Audit, Risk and Improvement Committee Meeting of 12 December 2018 be confirmed.

DECLARATIONS OF INTEREST
Councillor Kath Presdee noted the report on Penrith City Council Corporate Entities and advised she is a current Councillor representative appointed to the Boards of the Penrith Performing and Visual Arts and the Penrith City Council Children’s Services Cooperative.

His Worship the Mayor Councillor Ross Fowler OAM advised he is a current Councillor representative appointed to the Boards for each of the entities.

DELIVERY PROGRAM REPORTS

OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

2 Update on Audit Office NSW Recommendations

Neil Farquharson spoke to the report.

Bruce Turner AM noted that Interim Management Letter - Issue 4 (Lack of Evidence of Review of General Journals) is marked as complete, however, the report indicates implementation is still occurring. Neil Farquharson is to review and report back to the ARIC, advising if there is any movement away from the original recommendation.

John Barbeler referred to Final Management Letter - Issue 5 (Change Management) and queried whether the October 2019 implementation target date is urgent enough. Neil Farquharson to consider and report back, including information on whether there are any interim controls.

This is Page No 1 of the Unconfirmed Minutes of the Audit, Risk and Improvement Committee Meeting of Penrith City Council held in the Passadena Room on Wednesday 27 March 2019
Audit, Risk and Improvement Committee Meeting  Wednesday 27 March 2019

John Barbeler referred to Final Management Letter - Issue 8 (IT Policies and Procedures) and queried whether all parts of the recommendation will be implemented. Neil Farquharson to report back.

RECOMMENDATION

ARIC 52 RESOLVED on the motion of John Barbeler seconded by Darren Greentree that the information contained in the report on Update on Audit Office NSW Recommendations be received.

Andrew Armitstead arrived at the meeting, the time being 8:11.

CivicRisk Mutual Presentation (no report)

Andrew Armitstead, Executive Officer CivicRisk Mutual, provided an overview of the insurance services provided by CivicRisk Mutual to its member Councils, which includes Penrith City Council.

Bruce Turner AM requested the ARIC be provided with information on whether any policies include clauses relating to the effectiveness of a Council’s fraud control practices. Stephen Britten to advise at the next meeting.

Andrew Armitstead left the meeting, the time being 8:52.

Bruce Turner AM requested that information be provided on Council’s operational processes for ensuring:

- it has appropriate insurance coverage
- the credit worthiness of insurers is monitored, and
- the right risks are being covered.

1 Audit Office of NSW Annual Engagement Plan

Karen Taylor spoke to the report. The Audit Office will be carrying out performance audits on credit cards and will advise if Penrith City Council is to be included.

The ARIC noted the Audit Office engagement fees.

RECOMMENDATION

ARIC 53 RESOLVED on the motion of John Barbeler seconded by Darren Greentree that the information contained in the report on Audit Office of NSW Annual Engagement Plan be received.

Councillor Ross Fowler OAM left the meeting, the time being 9:13.

3 Update on Procurement Audit Recommendations

Darren Greentree noted the adjustment to implementation target dates (to August 2019) and queried whether this is achievable taking into account end of Financial Years tasks. Neil Farquharson to consider target dates and advise early if changes are needed.

This is Page No 2 of the Unconfirmed Minutes of the Audit, Risk and Improvement Committee Meeting of Penrith City Council held in the Passadena Room on Wednesday 27 March 2019
Audit, Risk and Improvement Committee Meeting  Wednesday 27 March 2019

RECOMMENDATION

ARIC 54 RESOLVED on the motion of Councillor Kath Presdee seconded by Darren Greentree that the information contained in the report on Update on Procurement Audit Recommendations be received.

Neil Farquharson and Daniel Moore left the meeting, the time being 9:27.

4 Action Items

Bruce Turner AM noted the low staff turnover rate and queried whether Council uses a large number of contract employees. Stephen Britten to advise.

Bruce Turner AM queried the WHS Lost Time Injury Hours graph and requested that further information be provided on Council’s WHS processes and performance.

RECOMMENDATION

ARIC 55 RESOLVED on the motion of John Barbeler seconded by Councillor Kath Presdee that the information contained in the report on Action Items be received.

Tanya Jackson (Acting Innovative Performance Manager) arrived at the meeting, the time being 9:43.

7 Innovative Performance Project Update

Tanya Jackson spoke to the report.

The ARIC requested the next Innovative Performance update include tracking against financial goals by the team.

RECOMMENDATION

ARIC 56 RESOLVED on the motion of Darren Greentree seconded by Councillor Kath Presdee that the information contained in the report on Innovative Performance Project Update be received.

Tanya Jackson left the meeting, the time being 9:49.

5 Penrith City Council Corporate Entities

It was noted that this item was included in the Agenda for preliminary discussions only and that a fuller discussion will occur at the next meeting in June 2019.

Kath Presdee noted the PPVA had organised an assessment of the board community representatives in the previous year, but the Corporate Entities Report did not recognise this.

This is Page No 3 of the Unconfirmed Minutes of the Audit, Risk and Improvement Committee Meeting of Penrith City Council held in the Passadena Room on Wednesday 27 March 2019
Audit, Risk and Improvement Committee Meeting  Wednesday 27 March 2019

Matthew Bullivant clarified that the consultant’s review focused internally on Council’s oversight of the entities, as opposed to a review that involved consultation with the entities and their representatives. The fact that a formal assessment of board representatives was not available in Council’s records is an example of a governance failure.

Darren Greentree indicated the ARIC needs to understand the governance processes in place, such as those relating to transparency of information, conflicts of interest, managing reputational and financial risks, and ensuring directors understand their own liabilities.

Bruce Turner AM requested that information be provided on options for further analysis, including input from the entities and:

- details of direct and indirect subsidies provided by Council of the past 5-years
- details of any known frauds, corruption and thefts
- injury costs, including bullying and harassment
- penalties for compliance breaches
- details of any legal guarantees provided by Council
- the potential use of Council’s external auditors by all entities, and
- whether there have been any significant changes to governance arrangements.

RECOMMENDATION

ARIC 57 RESOLVED on the motion of Darren Greentree seconded by John Barbeler that the matter be deferred for consideration at the next ARIC meeting.

6 Mid-Year Risk Update

Anthony Robinson spoke to the report.

The ARIC suggested the risk appetite statement be reviewed and updated to reflect its practical application. Anthony Robinson advised this will occur before 30 June 2019.

RECOMMENDATION

ARIC 57 RESOLVED on the motion of John Barbeler seconded by Darren Greentree that the information contained in the report on Mid-Year Risk Update be received.

8 Internal Audit Status Report

Anthony Robinson spoke to the report.

Bruce Turner AM requested that a copy of the Internal Audit Quality Assurance and Improvement Program be provided to the next meeting.

Bruce Turner requested that the Fraud Control Policy takes account of the Statement of Business Ethics, the Charter of Rights, the Fraud Risk Survey previously provided to the ARIC and the consistency of sanctions.

Bruce Turner AM requested a copy of Council’s Fraud Control Plan be provided at the next meeting.
Audit, Risk and Improvement Committee Meeting  Wednesday 27 March 2019

RECOMMENDATION

ARIC 58 RESOLVED on the motion of Bruce Turner AM seconded by Darren Greentree that the information contained in the report on Internal Audit Status Report be received.

9 Progress in Implementing Internal Audit Recommendations

RECOMMENDATION

ARIC 59 RESOLVED on the motion of Bruce Turner AM seconded by Darren Greentree that the information contained in the report on Progress in Implementing Internal Audit Recommendations be received.

GENERAL BUSINESS

Matthew Bulivant requested that at the next meeting, the ARIC discuss the number of audits included in the Strategic Internal Audit Plan for 2019-20 and 2020-21.

Five Key Take-outs

In keeping with the ARIC’s practice, the ARIC identified the following five key take-outs from the meeting:

1. Considered the mid-year risk update that indicates there is now a more structured approach to identifying and managing risk in Council, and embedding it in the organisation. The update also identified the key focus areas of risk management for the next six months. The ARIC suggested the risk appetite statement be reviewed and updated to reflect its practical application.

2. Considered the results of a periodic review of Council’s fraud control framework. Current arrangements are strongest across three attributes - detection, notification and third-party management systems. Improvements are currently underway, focusing initially on updating the Fraud Control Policy, developing a comprehensive Fraud Control Plan, and identifying Fraud and Corruption Training needs. The ARIC will monitor progress.

3. Had a preliminary high-level discussion on the purpose, governance, risk, compliance, and financial arrangements for the six controlled and associated corporate entities that manage assets or activities on behalf of Council. The matter has been scheduled for a fuller discussion at the next ARIC meeting in June 2019 given the inherent reputational, compliance and financial risks, and potential for governance improvements.

4. Gained assurance on the adequacy and appropriateness of Council’s insurance arrangements through a presentation by the Executive Officer of Civic Risk Mutual (the discretionary mutual that facilitates insurance coverage). The ARIC has sought further information for consideration at its next meeting on how Civic Risk Mutual functions, in connecting with and supporting Council’s organisational processes for managing its insurances (and any proposed changes).

5. Recognised that continued improvements are being achieved across Council’s operations and activities, notably:
   a. A good reflection on Council’s commitment to the overall program of improvement is that 73% of 183 accepted internal audit recommendations raised since 2017 have been completed.
b. All external audit recommendations from last year are expected to be completed by October 2019 with 3 completed to date and 8 underway (4 partially completed; 4 in progress); 5 of 8 open recommendations are tracking to be completed by June 2019.

c. An independent external quality assessment review of the internal audit function (a requirement of auditing standards at least every five years) reported internal audit is 'performing at a high level of effectiveness', with 'quite high' overall compliance with auditing standards.

d. An update on the innovative performance reflects the value provided to Council by the team and their Kaizen Blitz approach.

There being no further business the Chairperson declared the meeting closed the time being 11:05.
6 Property History - Part 240-250 Racecourse Road, Jamisontown (Part Lot 1 DP 1057945)

Compiled by: Julie Connell, Property Portfolio Coordinator
Authorised by: Nathan Ritchie, Property Development Manager
Requested By: Councillor Kevin Crameri OAM

<table>
<thead>
<tr>
<th>Outcome</th>
<th>We have confidence in our Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>Be open and fair in our decisions and our dealings with people</td>
</tr>
<tr>
<td>Service Activity</td>
<td>Support the Councillors in meeting their obligations and roles as community representatives</td>
</tr>
</tbody>
</table>

Previous Items: 2- Compulsory Acquisition by Endeavour Energy for Zone Substation - Part 1/1057945 - 240-250 Jamison Road, South Penrith- Ordinary Meeting- 28 May 2018 7:00PM

Executive Summary

At the Ordinary Meeting of Council held 25 March 2019, Councillor Kevin Crameri OAM requested a report be provided to Council outlining the history of Council’s ownership of the Racecourse Road site that was the subject of compulsory acquisition by Endeavour Energy for a proposed zone electricity substation.

This report outlines Council’s acquisition of the site, known as part Lot 1 DP 1057945 – Racecourse Road, Jamisontown, along with details of the compulsory acquisition initiated by Endeavour Energy.

Acquisition History - Jamison Park

The site now known as part Jamison Park was acquired by the Cumberland County Council for the purposes of park and recreation. It was transferred to Penrith City Council on the 29 November 1959.

This site was acquired at the request of the Council as it was designated as county open space under the Cumberland Planning Scheme Ordinance. Cumberland County Council paid 27,750 pounds for the site along with associated costs, which once reviewed against like transactions represents market value at the time.

Upon registration of the transfer, a caveat was placed on the title reflecting that the property was purchased for park and recreation purposes and limiting Council dealing in the land. The land was directly transferred to Council and not a bequest or held by Council in trust.

The land transferred comprised an irregular shaped allotment that was bounded by Batt Street, Racecourse, Jamison and York Roads. An aerial of the previous allotment’s alignment is shown following: -
In the late 1970’s Racecourse Road was realigned to its present alignment. This resulted in part of the site being severed from Jamison Park. Resulting in the creation of the site the subject of this request as shown following:
The subject site since 1978 has not been considered to be an active part of Jamison Park and has operated as passive open space or road reserve. Given its proximity to the facilities of Jamison Park along with its proximity to Racecourse Road it has been considered to offer limited recreational benefit to the community. Future master planning for Jamison Park proposes to exclude this site.

**Endeavour Energy Acquisition**

In August 2017, Endeavour Energy identified the subject site as the only available and viable site for the new zone substation.

Endeavour advised Council that the criteria for selecting the subject site followed extensive research into the availability of suitable land that provides:

- a location central to service future load demands,
- minimal impact to the environment and surrounding development,
- the ability to run electrical feeders in and out of the proposed substation, and
- was not located within a flood zone.

Council officers worked with Endeavour to propose alternative sites, however investigation determined that the only suitable alternatives would require acquisition of existing properties and that these private acquisitions would further delay commissioning of the substation required to support network reliability. Endeavour also determined that the proposed Council site limited this impact, along with providing a buffer between residential development given the surrounding dedicated and physical roads on almost all boundaries.

In December 2017 Endeavour Energy notified Council of its intention to compulsory acquire the subject site for the purposes of the future zone substation. They requested for Council to consider compulsory acquisition by agreement.

An acquisition via agreement process enables Council the ability to obtain independent valuations and negotiate compensation for the site on a commercial value, in comparison to a determination by the Valuer Generals that may result in an uncertain and potentially inferior commercial outcomes.

Accordingly, Council considered Endeavour Energy’s request at its meeting of the 28 May 2018 and resolved to provide its agreement to the compulsory acquisition of the subject site. An agreement has been executed with Endeavour Energy.

**RECOMMENDATION**

That the information contained in the report on Property History - Part 240-250 Racecourse Road, Jamisontown (Part Lot 1 DP 1057945) be received.

**ATTACHMENTS/APPENDICES**

There are no attachments for this report.
Executive Summary

This report seeks Council’s approval to enter a Licence agreement with Transport for NSW – Sydney Trains over Council’s land at 641 High Street, Penrith ("the site"), for a temporary site compound in conjunction with the Penrith to Emu Plains overhead wiring modernisation upgrade.

Background

Transport for NSW (TfNSW) on behalf of Sydney Trains are undertaking upgrades to the Penrith to Emu Plains rail line as part of the overhead wiring modernisation upgrade. To facilitate these works, TfNSW have requested the utilisation of part of Council’s land located at 641 High Street, Penrith for the purposes of a site compound.

Although most of the works are proposed to occur within the rail corridor; this area provides insufficient space for the site compound required to complete the upgrade. Accordingly, TfNSW have identified a portion of Council’s land adjacent to the rail line for this purpose. A plan of the proposed compound is shown in appendix 1.

Council’s City Asset’s Directorate have reviewed the proposed request and considered the location acceptable with minimal disruption to surrounding land uses. Access is proposed from Bruce Neal Drive with traffic control on site to manage entry and exit. TfNSW will be responsible for satisfactory remediation of Council’s land. The proposed occupation does not impact on the current RMS Mulgoa Road and Jane Street upgrade project.

The subject site is classified community with licencing permissible under the Plan of Management. In accordance with Section 47A of the Local Government Act 1993 any licence agreement requires public advertising, notification to adjoining property owners and a public notice erected on site allowing the public 28 days for any submissions concerning this matter. Upon successful completion of this process and subject to no objections being received, it is proposed that a licence agreement be issued on the following terms and conditions:

<table>
<thead>
<tr>
<th>Title Reference</th>
<th>Part Lot 90 DP 1176539</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lessee:</td>
<td>Transport for NSW - Sydney Trains</td>
</tr>
<tr>
<td></td>
<td>ABN: 38 284 779 682</td>
</tr>
</tbody>
</table>
Address: 146-148 Manchester Road, AUBURN NSW 2144

**Description of Land**
Part - 641 High Street, Penrith NSW 2750

**Use of Premises**
Temporary site compound

**Licence Term**
Initial Two (2) week term
Weekly extensions subject to weather conditions.

**Licence Commencement Date**
20 May 2019

**Licence Termination Date**
31 May 2019

**Rent**
Nil

Transport for NSW – Sydney Trains are required to pay costs associated with application, site inspections, advertising and consultation on a cost recovery basis.

No licence fee is proposed given the present reciprocal arrangement whereby Council accesses Sydney Trains land for bridge maintenance, etc at nil cost.

**Special Conditions**
- Dilapidation Report to be submitted to Council prior to commencement of works with photo evidence of condition of Council Land (site inspections to be held with Council Asset Coordinator prior to commencement and after completion of works)
- Maintain the area within and adjoining the compound site and ensure the area is kept clean for the term of the Licence Agreement
- Remove compound and restore and remediate the land and surrounding infrastructure to its original condition at the end of the Licence period including remediation of all disturbed turfed areas
- Permitted hours of operation:
  - Monday to Friday: 07:00 – 16:00
  - Saturday to Sunday: 05:00hrs Saturday through to 23:00hrs Sunday night
- Maintain $20 million public liability insurance
- Infrastructure Bond (if applicable)

**RECOMMENDATION**

That:

1. The information contained in the report on Licence Agreement to Transport for NSW (Sydney Trains) for site compound purposes - 641 High Street, Penrith (Part Lot 90 DP 1176539) be received.

2. Subject to no objections being received, Council grant a licence to Transport for NSW – Sydney Trains on the terms and conditions detailed in this report.

3. Council resolve to affix the Common Seal of the Council of the City of
Penrith to any necessary documentation.

ATTACHMENTS/APPENDICES

1. Temporary Licence Agreement to Transport for NSW - Sydney Trains over part of 641 High Street Penrith for a Site Compound for the Upgrade of Overhead Wiring Project
Appendix 1 - Temporary Licence Agreement to Transport for NSW - Sydney Trains over part of 641 High Street Penrith for a Site Compound for the Upgrade of Overhead Wiring Project
Exhibition of Draft Delivery Program (2017-21) and Draft 2019-20 Operational Plan (including Draft 2019-20 Fees and Charges)

Compiled by: Geraldine Brown, Strategic Finance Coordinator
Allegra Zakis, Corporate Planning Coordinator

Authorised by: Neil Farquharson, Acting Director - Corporate Services

<table>
<thead>
<tr>
<th>Outcome</th>
<th>We have confidence in our Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>Manage our money and our assets to be sustainable now and into the future</td>
</tr>
<tr>
<td>Service Activity</td>
<td>Support financial sustainability through financial planning and budget management</td>
</tr>
</tbody>
</table>

Executive Summary

The Draft 2017-21 Delivery Program, including the Draft 2019-20 Operational Plan and Fees & Charges are being presented to Council tonight, seeking endorsement for the documents to be placed on public exhibition. Following the exhibition, details of all submissions received and how they have been responded to will be presented to the Ordinary Meeting of Council scheduled for 24 June 2019.

Penrith City Council has worked hard in recent years to establish the current financial platform that ensures we can maintain our long term financial sustainability. This will enable Council to catering for the increased populations within both the LGA, and the regional catchment that we service and respond to the increasing needs, expectations, aspirations and opportunities for our Community as our region undergoes transformation.

The preparation of the Draft 2019-20 Operational Plan has been undertaken with a focus on maintaining service delivery levels to the community and moving forward on the identified priorities of the 2017-21 Delivery Program. At this stage a Balanced Budget position is reported in the Draft 2019-20 Operational Plan. This means Council is living financially responsibly within its means by ensuring the annual Budget is balanced against available revenue.

It is proposed that the draft corporate planning documents be placed on public exhibition from Monday 6 May to Monday 3 June 2019 (inclusive). A report summarising the outcomes of the public exhibition and seeking Council’s adoption of the Draft Delivery Program (2017-21) including the 2019-20 Operational Plan and Fees & Charges (provided under separate cover), will be presented to Council at the Ordinary Meeting of 24 June 2019.

Adopted Corporate Planning Documents

The Integrated Planning and Reporting (IP&R) framework for local government came into force in 2009 as an amendment to the Local Government Act 1993. Council has had a long-term Community Strategic Plan, a Community Engagement Strategy, a Resourcing Strategy, a Delivery Program and Operational Plans in place since then. Together these documents guide Council’s operations to deliver the services and facilities our community needs, and improve Penrith as a place to live, work and visit. All documents include indicators to measure our progress, which are reported on in 6 monthly progress reports, the Annual Report and the End of Term Report.
The Community Plan and Delivery Program were revised in 2017 to reflect the priorities of the new Council and respond to community feedback about the complexity of the plans. This year the intent of these documents remains mostly unchanged, though changes have been made to the wording and alignment of several service activities to better reflect the structure of the organisation and simplify reporting. A summary has also been included at the beginning of each Outcome to improve community understanding of Council’s activities. The activities to be undertaken by Council to deliver on the Community Outcomes are consistent with previous years.

Changes have also been made to ensure the document reflects the current structure and responsibilities across the organisation. The document provided under separate cover includes all sections of the document that have been updated and all actions proposed for 2019-20. Some sections which remain unchanged are not in the separate cover provided, but will be included in the document for exhibition.

Council has included the annual Operational Plan as part of the Delivery Program since 2013-14. Each year new actions and new budget information is incorporated within the structure of the Delivery Program. Actions for 2019-20 highlight the specific activities or services that will be prioritised over the next 12 months, including the priority projects of the City Park, decked carpark, Gipps Street and Regatta Park.

The Delivery Program 2017-21 also sets out Council’s financial intentions for four years (2017-21) as well as more detailed financial information for 2019-20, including:

- A Funding Summary for 2017-21;
- Detailed financial information by Service for 2019-20;
- Graphs showing where the money will come from and where it will be spent;
- The basis for Council’s Rates and Domestic Waste Charges for 2019-20;
- Reserve movements for 2019-20;
- A detailed list of Capital and Operating projects (by Service) and Program of Works, and
- Special initiative programs.

The Draft Fees and Charges 2019-20 component provides full details of Council proposed fees and charges and is provided separately.

Budget Background

To achieve financial sustainability Council initiated a comprehensive Capacity Review, commencing with the Financial Capacity Review in early 2014 which ensured that we were well placed to respond to the NSW Government’s Fit for the Future (FFTF) reforms. The Financial Capacity Review represented the next stage of developing our financial strategy and included the 2016-17 Special Rate Variation (SRV). The SRV approved by IPART was for 9.09% in 2016-17 (including the renewal of Asset Renewal Established Area Strategy (AREAS)), in conjunction with an increase in the Minimum Rate in 2016-17 of 16%, followed by 5.0% in 2017-18, 5.2% in 2018-19 and 5.4% in 2019-20. The financial strategies developed rely not just on the 2016-17 SRV but also on reform within the organisation’s processes, systems, procedures, culture, and structure.

In the current financial year strong financial management of Council’s Budget has been maintained throughout the first half of 2018-19 with a surplus currently predicted after allocations to Reserves. This strategy provides capacity to support investments in our City, undertake projects that will provide productivity gains, continue improvements to technology, and meet the demands of continued development activity. The current 2018-19 Operational Plan will continue to be closely monitored for the remainder of the financial year, with
Council’s commitment to strong budgetary control ensuring that we are in the best available position to establish a Balanced Budget for 2019-20.

At this stage the Draft 2019-20 Budget presents a Balanced Budget. It is noted that a number of assumptions remain unresolved and that fine tuning will continue to occur during the exhibition period. In the event that the Budget is in a surplus position following the exhibition period it is proposed to retain this amount in Council’s internal reserves to provide for any significant movements that may arise in the current assumptions. Areas that may be affected include the Financial Assistance Grant (currently estimated to increase by 2.0% on the actual 2018-19 Grant), and Emergency Services Contributions. Once the 2019-20 Budget and associated assumptions have been confirmed, any remaining reserved funds will provide Council with capacity to respond to additional priorities that have been identified or emerge.

**Budget and Revenue Policy, Service Plans and Statutory Statements**

The Budget, Revenue Policy and Commentary are contained in the Draft 2019-20 Operational Plan. This section of the document includes information regarding Rating Income, Waste Management, Borrowings, Grants, Reserves, Employee Costs, Asset Replacement Programs, and Capital and Operating Projects.

The Draft 2019-20 Budget is summarised below:

<table>
<thead>
<tr>
<th>BUDGET- FUNDING SUMMARY</th>
<th>2018-19 Original Budget $'000</th>
<th>2019-20 Draft Budget $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Income</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rates</td>
<td>119,073</td>
<td>128,207</td>
</tr>
<tr>
<td>Fees &amp; Charges</td>
<td>83,635</td>
<td>83,074</td>
</tr>
<tr>
<td>Grants &amp; Contributions</td>
<td>69,612</td>
<td>55,208</td>
</tr>
<tr>
<td>Net Reserve Movements</td>
<td>(7,049)</td>
<td>(9,454)</td>
</tr>
<tr>
<td>Other Income</td>
<td>15,928</td>
<td>7,568</td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td>281,198</td>
<td>264,604</td>
</tr>
<tr>
<td><strong>Expenditure</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Costs</td>
<td>99,245</td>
<td>106,124</td>
</tr>
<tr>
<td>Materials, Contracts &amp; Other</td>
<td>111,376</td>
<td>105,877</td>
</tr>
<tr>
<td>Interest</td>
<td>2,201</td>
<td>1,460</td>
</tr>
<tr>
<td>Principal</td>
<td>11,220</td>
<td>10,183</td>
</tr>
<tr>
<td>Capital Works</td>
<td>57,156</td>
<td>40,960</td>
</tr>
<tr>
<td><strong>Total Expenditure</strong></td>
<td>281,198</td>
<td>264,604</td>
</tr>
<tr>
<td><strong>Net Budget Balanced Budget</strong></td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
Surplus/(Deficit)

Rates Income

2016-17 Special Rate Variation

- From 2011-12 onwards the responsibility for determining and announcing the Rate Peg has been transferred from the Minister for Local Government to IPART. Under this new regime IPART developed a Local Government Cost Index (LGC1). This index, less a productivity coefficient, now forms the annual rate peg announced in December each year for the following financial year (NB: The productivity coefficient has not been applied by IPART for a few years now). Council may decide how this total is shared between Business, Residential, and Farmland sectors. IPART announced the 2019-20 Rate peg as 2.7% on 11 September 2018. However Penrith City Council has an approved four year Special Rate Variation from 2016-17 to 2019-20 so the final SRV increase of 5.4% will apply in 2019-20 irrespective of the rate peg.

Ordinary Rates

Each year Council must determine a Rating Policy for the next financial year. The Local Government Act 1993 provides for a number of Rating Structures so councils have the flexibility to develop a structure that best provides equity for their Local Government Area. Council currently applies a Rate Structure in which rate assessments are based on property valuations (Ad Valorem) with a Minimum Amount. This means that rates are predominantly based on the land value of the property as determined by the NSW Valuer-General.

Council charges rates on three types of Land Categories:
  a. Residential
  b. Farmland
  c. Business – with the following sub-categories
     i. Penrith CBD
     ii. St Mary’s Town Centre

The present Rating Structure is based on an Ad Valorem Rate (ie. rate in the dollar) with a Minimum Amount. The differentiation between Rating Categories and Sub-categories is:
  - The rate in the dollar for all Residential properties are the same (subject to a Minimum Amount);
  - The Farmland rate is 50% of the Residential rate;
  - All Business Minimum Amounts are the same; and
  - Two Business rating sub-categories for Penrith CBD and St Mary’s Town Centre which have different Ad Valorem rates to the Ordinary Business category.

The maximum rate revenue for the next financial year is calculated by:
  a. Taking last year’s revenue and adding an inflation adjustment announced by IPART or an approved SRV amount; (NB: Approved SRV amount of 5.4% in 2019-20)
  b. Adding rates on new properties created by subdivision, and on new strata-titles; and
  c. Adding income lost due to valuation objections.

Council currently has 77,202 rateable properties contributing approximately 48% of Council’s total revenue. It is expected that both the Penrith CBD Corporation and the St Marys Town Centre Corporation will request a continuation of Business Sub-category rates to fund their respective activities. A total of $456,558 will be raised from Penrith CBD rates and $347,493 will be raised from St Marys Town Centre rates.
The Draft 2019-20 Budget includes initial estimates for rates income with a net increase of $9.1m for Rates Income over the original estimate for 2018-19 included. This includes the 5.4% increase which represents the final year of 4 years of increases incorporated in the 2016-17 SRV. Also factored into estimates is a prediction for growth of both Residential and Non-Residential rates.

**PROPOSED 2019-20 RATING INCOME**

<table>
<thead>
<tr>
<th>Rate Category</th>
<th>Ad Valorem Rate in $</th>
<th>MINIMUM RATE</th>
<th>Increase $</th>
<th>Total Anticipated Gross Revenue $'000s</th>
<th>Number of Properties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>0.00381716</td>
<td>1,114.60</td>
<td>55.25</td>
<td>102,284</td>
<td>73,335</td>
</tr>
<tr>
<td>Farmland</td>
<td>0.00190858</td>
<td>1,114.60</td>
<td>55.25</td>
<td>1,929</td>
<td>425</td>
</tr>
<tr>
<td>Business</td>
<td>0.006796</td>
<td>1,346.20</td>
<td>68.95</td>
<td>20,652</td>
<td>2,798</td>
</tr>
<tr>
<td>Business - Penrith CBD Rate</td>
<td>0.00771337</td>
<td>1,346.20</td>
<td>68.95</td>
<td>3,069</td>
<td>410</td>
</tr>
<tr>
<td>Business - St Marys Town Centre Rate</td>
<td>0.0104487</td>
<td>1,346.20</td>
<td>68.95</td>
<td>941</td>
<td>234</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$128,875</strong></td>
<td><strong>77,202</strong></td>
</tr>
</tbody>
</table>

*N.B. The revenues identified in this section represent the gross anticipated revenues from the Rates Levy prior to the application of Pensioner Subsidies, Provision for Doubtful debts, other subsidies and abandonments. These rates presented are indicative only and are subject to change due to supplementary valuations, categorisation changes and valuation objections processed to 30 June 2019.*

**Pensioner Subsidy**

Council provides a subsidy for eligible pensioners being a 50% rebate of rates and domestic waste charges to a maximum of $250. In addition, pensioners receive a 100% rebate towards their Stormwater Service Management Charge of $25 for a standard Residential property or $12.50 for a Strata Residential property.

**Stormwater Management Service Charge (SMSC)**

- In July 2012 Council replaced stormwater funding from an expiring Special Rate Variation, with a new annual charge for urban properties. The introduction of a Stormwater Management Service Charge (SMSC) ensures that programs are provided to deliver a wide range of stormwater management initiatives essential to the health of the catchment and responding to community expectations.
- Whilst the maximum charge for urban businesses is capped by legislation at $25.00 per 350 square metres of land area, Council’s levy for businesses is presently set at $22.80 per 350 square metres. When it was introduced, the SMSC contributed by Business properties was capped to match the level of revenue paid by businesses for the stormwater components prior to the Special Rate Variation expiring.
- The charge for urban residential properties is set at the maximum amount of $12.50 for Residential Strata properties and $25.00 for Non-strata Residential properties. Rural properties and vacant properties are exempt from the SMSC. Pensioners are given a rebate equal to the SMSC, so are effectively exempt also.
• The table below shows the number of properties subject to the proposed annual SMSC, and an estimate of the revenue to be generated.

### 2019-20 Estimated Stormwater Management Service Charge Revenue

<table>
<thead>
<tr>
<th>Stormwater Category</th>
<th>Annual Charge</th>
<th>No. of Properties</th>
<th>2019-20 Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>$25.00</td>
<td>44,528</td>
<td>$1,113,000</td>
</tr>
<tr>
<td>Residential (Strata)</td>
<td>$12.50</td>
<td>11,193</td>
<td>$140,000</td>
</tr>
<tr>
<td>Residential (Pensioner)</td>
<td>$25.00*</td>
<td>8,100</td>
<td>-</td>
</tr>
<tr>
<td>Residential (Strata - Pensioner)</td>
<td>$12.50*</td>
<td>1,100</td>
<td>-</td>
</tr>
<tr>
<td>Business</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Business</td>
<td>$22.80 plus an additional $22.80 for each 350 square metres or part of 350 square metres by which the area of parcel of land exceeds 350 square metres</td>
<td>3,055</td>
<td>$822,000</td>
</tr>
<tr>
<td>Total Revenue</td>
<td></td>
<td></td>
<td>$2,075,000</td>
</tr>
</tbody>
</table>

*Council's Policy has provided a 100% rebate for eligible pensioners.

### Reserves

Details of Council’s Reserves are also included in the Draft 2019-20 Operational Plan, these are amounts held for specific purposes. The Council’s Reserves are divided into Internal Reserves (set up to apply to Council policy) and External Reserves (required by law). Some Reserves are set up to ensure that Council’s policies with regard to a particular outcome are safeguarded, while others provide funds for a particular expressed purpose, sometime in the future.

### Voted Works

Also included in the Reserves is an allocation to ‘Voted Works’. Council Policy is that an amount of $53,000 is allocated to each of the three Wards each year. These funds are normally applied to particular purposes of an urgent nature, in one or more of the Wards, by resolution of Council. Voted Works also provides an opportunity to allow some discretionary funding for items that arise unexpectedly during the year, and when all other funding in the annual program has been allocated. It is Council policy that any unexpended amounts in Voted Works are revoted to the following year.

### Section 7.11 (formerly s94) Program of Works

A central feature of the Draft 2019-20 Operational Plan is the inclusion of the program of infrastructure works and community facilities, funded by Section 7.11 Contributions in 2019-
Ordinary Meeting

20. A summary of the proposed Section 7.11 Program Capital Works expenditure for 2019-20 under each relevant Plan is provided below. They have been included in the Capital and Operating Projects section of the draft documents.

## DRAFT 2019-20 S7.11 PROJECTS

### PLAN / PROJECT

<table>
<thead>
<tr>
<th></th>
<th>BUDGET ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Penrith City Local Open Space</strong></td>
<td></td>
</tr>
<tr>
<td>Local Open Space s7.11 Funded Capital Works</td>
<td>745,318</td>
</tr>
<tr>
<td>Robin Wiles Upgrade Project</td>
<td>245,190</td>
</tr>
<tr>
<td><strong>Total Penrith City Local Open Space</strong></td>
<td>990,508</td>
</tr>
<tr>
<td><strong>Penrith City District Open Space</strong></td>
<td></td>
</tr>
<tr>
<td>Kingsway Sporting Complex Construction</td>
<td>550,000</td>
</tr>
<tr>
<td><strong>Total Penrith City District Open Space</strong></td>
<td>550,000</td>
</tr>
<tr>
<td><strong>TOTAL DRAFT S7.11 PROJECTS</strong></td>
<td>1,540,508</td>
</tr>
</tbody>
</table>

### Fees and Charges

As part of the Draft 2019-20 Operational Plan process, Council's Fees and Charges have been reviewed with the proposed increases in the fees set generally in the vicinity of the estimated CPI increase. The Draft Fees and Charges section details a description of each item, the 2018-19 charge and the proposed 2019-20 charge.

Children's Services fees have been incorporated into the Fees and Charges document at the amounts recommended by the Board of the Penrith Children’s Services Co-operative. The Fees and Charges for the Controlled Entities are set and published by those organisations. Fees set by regulation are included at the current rates, but are subject to change when the regulations change.

The 2019-20 Domestic Waste Management Charge is calculated for full cost recovery. All waste charges are set by Council to cover the cost of domestic waste collection services, clean up, waste processing/disposal, landfill, education, communications, illegal dumping, provision for future waste service planning, new technologies and associated services. Council’s most popular “Sustainable Service” (i.e. over 42,000 services) has been able to maintain its prior year price of $399 due to the sorting efforts made by residents and improved costing.

The Fees and Charges section of the Draft 2019-20 Operational Plan provides for different Domestic Waste Service combinations. A summary of the main services expected to be utilised is summarised in the following table:

<table>
<thead>
<tr>
<th>Domestic Waste Service</th>
<th>Rate per Week $</th>
<th>Annual Charge $</th>
<th>Percentage Increase (decrease) %</th>
<th>Anticipated Revenue $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vacant Land</td>
<td>1.25</td>
<td>65.00</td>
<td>1.7</td>
<td>130,000</td>
</tr>
</tbody>
</table>
### 1 Waste Management Service

<table>
<thead>
<tr>
<th>Service Type</th>
<th>Units</th>
<th>2019-20</th>
<th>2018-19</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dom Waste – Sustainable Service</td>
<td>7.67</td>
<td>399.00</td>
<td>0</td>
<td>16,847,376</td>
</tr>
<tr>
<td>Dom Waste – War on Waste Service</td>
<td>5.75</td>
<td>299.00</td>
<td>0</td>
<td>29,900</td>
</tr>
<tr>
<td>Dom Waste – Large Service</td>
<td>9.31</td>
<td>484.00</td>
<td>2.5</td>
<td>6,903,292</td>
</tr>
<tr>
<td>Dom Waste – Weekly</td>
<td>11.50</td>
<td>598.00</td>
<td>2.6</td>
<td>4,915,560</td>
</tr>
<tr>
<td>Dom Waste – Large Weekly</td>
<td>14.90</td>
<td>775.00</td>
<td>2.5</td>
<td>1,122,200</td>
</tr>
<tr>
<td>Dom Waste – Collect and Return**</td>
<td>8.79</td>
<td>457.00</td>
<td>2.5</td>
<td>4,408,679</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>34,357,007</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* new service

**based on 2-bin kerbside presentation service changing to collect and return

Overall the average increase in fees and charges included in the Draft 2019-20 Fees and Charges is 3.59%. This category of income is estimated to be worth $83.1m, or 31% of Council’s total estimated revenue for 2019-20.

### Merchant Fee Recovery Removal

The Merchant Fee recovery surcharge of 0.5% was removed in 2018-19 to encourage online lodgement and payment. The impact of the trial removal has been reviewed to determine whether the desired outcome has been achieved. The success of this trial is demonstrated by the following:

1) On-line payments for Rates have increased
   - BPay payments - estimated additional 21,000 (up 8%; approximately.)
   - Credit Card Payments - estimated additional 3,500 (up 25%) transactions.

2) In-person payments have decreased
   - Australia Post payments (highest cost method) - 2,500 less transactions
   - Council Front counter payments - 4,000 less transactions.

As a result it is proposed that this surcharge be permanently removed and the Draft 2019-20 Budget has been adjusted accordingly.

### Entities

The Council subsidy for all entity budgets is currently being reviewed. The overall impact of the Controlled Entities on the proposed budget is discussed below.

Included in the Draft 2019-20 Budget at this stage are the following subsidies/contributions:

- **Penrith Aquatic and Leisure Ltd** – total of $1.055m (2018-19 - $1.055m).
  Early indications seem to point to an increase in subsidy due to increasing operational costs. The Board will advise Council of the Entity’s subsidy request for Council consideration. If approved this subsidy will be incorporated in the Final 2019-20 Budget.

- **Penrith Whitewater Stadium** – Nil (2018-19- Nil).
  A request for a subsidy of $120,000 for Plant and Equipment Capital items has been received for 2019-20 and is currently being considered. If approved this subsidy will be incorporated in the Final 2019-20 Budget.
• Penrith Performing and Visual Arts - total of $2.185m (2018-19 - $2.127m) has been assumed at this early stage, being the annual indexation of 2.7% for 2019-20.

• A contribution to the RID Squad of $73,000.

• A direct subsidy to the Children’s Services Co-operative of $120,000 ($90,000 reported to the Co-operative on 21 February) which assists with funding the cost of the Inclusion Development Fund (IDF) not met by government funding and now also reflects the new salary structure to be implemented from 1 July 2019.

The finalisation of Council’s new salary structure, to be implemented from 1 July 2019 has been incorporated in Councils’ budget to allow the Co-operative time to review their operational budgets and put in place appropriate measures prior to the development and consideration of the 2020-21 budget.

Detailed Program Information

Further details relating to Council’s 2016-17 Special Rate Variation, contributions to Controlled Entities, Reserve balances and proposed movements, and Capital and Operating Projects are provided in the Draft Delivery Program 2017-21 (incorporating the Draft one-year Operational Plan for 2019-20).

Long Term Financial Plan (LTFP)

As part of the Council Resourcing Strategy each Council must prepare a Long Term Financial Plan (LTFP) for a minimum of ten years which is to be updated at least annually as part of the development of the Annual Budget. The aim of the LTFP is to ensure that Council identifies financial issues at an early stage and reviews their effect on future activities. The LTFP must be reviewed in detail as part of the four yearly review of the Community Strategic Plan. The LTFP process involves four main elements:

- Planning Assumptions
- Revenue Forecasts
- Expenditure Forecasts
- Sensitivity Analysis.

The LTFP provides a key tool for the development and monitoring of Council’s Financial Strategy. The LTFP outlines Council’s capacity to manage assets and deliver services over the next ten years. Council has a responsibility to manage its resources and finances to ensure its long term sustainability. Recent actions by Council, including the 2016-17 SRV, have positioned the LTFP to demonstrate that Council has the capacity to manage its finances and deliver the services and programs identified in the Community Strategic Plan and Delivery Program.

Council’s LTFP is based on a set of assumptions which generally relate to those elements that are most likely to affect the overall outcome of the model. Future years’ forecasts are linked to the Operational Plan and provide a means of assessing the long-term financial implications of current year decisions. Assumptions made in the plan include long term forecasts of:

- Rating Revenue
- Development Growth
- Investment Returns
- Financial Assistance Grant
- Employee costs
- CPI or other agreed indexations
• Capital works and services programs  
• Anticipated Loan programs  
• Fees and Charges movements  
• Changes identified through ongoing improvement and review of services

It is important to keep in mind when projecting budgets over such a long period that estimates can alter significantly when assumptions are reviewed, particularly when the variances apply to larger items such as employee costs or rating income. However, the LTFP remains an important planning tool and is regularly updated with current data to ensure its usefulness in providing information for Council’s financial planning decisions.

Next steps

Section 405(3) of the Local Government Act 1993 requires Council to publicly exhibit, for not less than 28 days, its Draft Operational Plan. Subject to Council’s endorsement tonight, it is proposed to commence the Public Exhibition on Monday 6 May 2019, ending on Monday 3 June 2019.

Exhibition copies of the 2017-21 Delivery Program, including the Draft 2019-20 Operational Plan and Fees & Charges will be available at the Penrith Civic Centre, Queen Street, St Marys Centre and Council’s libraries, along with relevant supporting corporate documents. The Draft Plans will also be available for viewing or downloading on Council’s online engagement portal – www.yoursaypenrith.com.au. Public submissions can be submitted by completing the online feedback submission forms, email or letters. Specific extracted copies of the 2019-20 Fees & Charges will be made available at Council operated Childcare Centres. All submissions received on the draft documents will be individually acknowledged. This will be followed by a response that reflects Council’s established policy or Council’s determination of the particular issue.

Council must consider the matters outlined in all submissions. Depending on the nature and complexity of each submission, Council may choose to amend the Draft Delivery Program or Operational Plan, or consider a submission but defer changes until a subsequent period. A full report on public submissions will be provided to Council’s Ordinary Meeting held on 24 June 2019.

Following consideration of the information presented at tonight’s meeting, the key dates and next steps are:

<table>
<thead>
<tr>
<th>Key Dates</th>
<th>Action or Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 May – 3 June 2019</td>
<td>Public Exhibition of Draft 2017-21 Delivery Program (including the 2019-20 Operational Plan and Fees &amp; Charges)</td>
</tr>
<tr>
<td>24 June 2019</td>
<td>Report to Ordinary Meeting:</td>
</tr>
<tr>
<td></td>
<td>• Adoption of 2017-21 Delivery Program (including the 2019-20 Operational Plan and Fees &amp; Charges)</td>
</tr>
<tr>
<td></td>
<td>• Making of 2019-20 Rates and Charges</td>
</tr>
</tbody>
</table>

Conclusion

The Draft Delivery Program 2017-21, Draft 2019-20 Operational Plan and Fees & Charges have been developed to reflect the priorities and direction established through engagement with Councillors and our community. The Delivery Program reflects Council’s commitment to
effective service delivery and fiscal responsibility whilst managing growth in step with the community’s outcomes for the City captured in the Community Plan.

It is proposed that the Draft Delivery Program (incorporating the Draft one-year Operational Plan for 2019-20 and Draft Fees and Charges 2019-20) be placed on public exhibition for community comment. It is recommended that Council endorse public exhibition of the draft corporate planning documents as outlined in this report.

RECOMMENDATION

That:

1. The information contained in the report on Exhibition of Draft Delivery Program (2017-21) and Draft 2019-20 Operational Plan (including Draft 2019-20 Fees and Charges) be received.


3. The Public Exhibition arrangements are implemented as detailed in this report, and submissions from the community are invited.

ATTACHMENTS/APPENDICES

<table>
<thead>
<tr>
<th></th>
<th>Draft Operational Plan 2019-20</th>
<th>127 Pages</th>
<th>Attachments Included</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Draft Fees and Charges 2019-20</td>
<td>84 Pages</td>
<td>Attachments Included</td>
</tr>
</tbody>
</table>

*Under Separate Cover (Website)*
9 Summary of Investment & Banking for the Period 1 March 2019 to 31 March 2019

Compiled by: Cheryl Freeburn, Operational Project Accountant
Authorised by: Neil Farquharson, Financial Services Manager

<table>
<thead>
<tr>
<th>Outcome</th>
<th>We have confidence in our Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>Manage our money and our assets to be sustainable now and into the future</td>
</tr>
<tr>
<td>Service Activity</td>
<td>Provide accurate information to Council and the community on Council’s financial activities</td>
</tr>
</tbody>
</table>

Executive Summary

This report on the Summary of Investments & Banking for March 2019 is submitted for the purpose of financial accountability and to satisfy the investment reporting requirements of the Local Government (General) Regulation 2005 (clause 212), the Local Government Act 1993 (Section 625) and the Council’s Investment Policy.

The report certifies that the Council investments comply with the forms of investment made by order of the Minister under section 625(2) of the Local Government Act 1993. The current Ministerial Order was issued under Council Circular 11-01 on 17 February 2011.

The report provides a summary of investments for the period 1 March 2019 to 31 March 2019 and a reconciliation of invested funds as at 31 March 2019.

The investment returns versus the benchmark as a percentage for March 2019 are:

- Council portfolio current yield (including FRNs) 2.72%
- 90 day Bank Bill Swap rate (Benchmark) 1.84%

The report recommends that the information contained in the report be received.

Background

Attached to this report is a Summary of Investments including Economic Commentary for March 2019, Historical Investment Performance analysis tables and charts, a reconciliation of Invested Funds for March 2019 and various Investment Summary and Investment Portfolio analysis tables and charts.

CERTIFICATE OF RESPONSIBLE ACCOUNTING OFFICER

I hereby certify the following:

1. All investments have been made in accordance with Section 625 of the Local Government Act 1993, relevant regulations and Council’s Investment Policy.

2. Council’s Cash Book and Bank Statements have been reconciled as at 31 March 2019.
RECOMMENDATION

That:

1. The information contained in the report on Summary of Investment & Banking for the Period 1 March 2019 to 31 March 2019 be received.

2. The certificate of the Responsible Accounting Officer and Summary of Investments and Performance for the period 1 March 2019 to 31 March 2019 be noted and accepted.

3. The graphical investment analysis as at 31 March 2019 be noted.

ATTACHMENTS/APPENDICES

1. Investments and Banking March 2019 6 Pages Appendix
Commentary

The Reserve Bank of Australia (RBA) met on 2 April 2019 and decided to leave the Official Cash Rate remained unchanged at 1.5%. The RBA has not changed the Official Cash Rate since the meeting held on 3 August 2016. The lower interest rate is focused on supporting the Australian Economy, as it would be consistent with sustainable growth in the economy and achieving the inflation target over time. Long term bond yields have decreased over the past three months, previously averaging around 2.6% to a low of 1.99%. Short-term term deposit interest rates offered since January 2019 have decreased by approximately 0.25%, with banks predicting the Official Cash Rate to decrease later this year and factoring it in to investment rates offered now. Westpac is predicting the Reserve Bank to cut the Official Cash Rate by 25bps in both August and November this year.

Global inflation remains low with both CPI and Inflation at 1.9% due to the low growth in labour costs and strong competition in retailing. Economists forecast that inflation is likely to increase as the economy strengthens although this progress is likely to be gradual. The unemployment rate has decreased slightly in March 2019 at 4.9%. Wage rates remain low, which is likely to continue, although wage growth is expected to increase with the stronger economy.

Council’s portfolio once again outperformed the 90 Day Bank Bill Swap Rate (BBSW) benchmark during March. The 90 Day Bank Bill Swap Rate has decreased by 0.25% between January and March, which is in line with current rates being offered for term deposits. Investments will continue to be monitored closely to ensure returns are maximised as opportunities become available.

The investment returns versus the benchmark for March are:

<table>
<thead>
<tr>
<th>Investment</th>
<th>Return</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council portfolio current yield (including FRNs)</td>
<td>2.72%</td>
</tr>
<tr>
<td>90-day Bank Bill Swap Rate (Benchmark)</td>
<td>1.84%</td>
</tr>
</tbody>
</table>
**Table 1**

<table>
<thead>
<tr>
<th>Investment Type</th>
<th>Actual Portfolio</th>
<th>Benchmark (BBSW)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Portfolio Yield (including FRNs)</td>
<td>2.72%</td>
<td>1.84%</td>
</tr>
<tr>
<td>Past 12 Month Portfolio Performance</td>
<td>2.67%</td>
<td>1.98%</td>
</tr>
<tr>
<td>Portfolio Return for the Period</td>
<td>0.23%</td>
<td>0.15%</td>
</tr>
</tbody>
</table>

**Portfolio Yield (Actual Versus Benchmark)**

The weighted average income return on investments for the 12 months to March 2019 was 2.67%. This graph tracks performance over time and shows that the yield was between 2.57% and 2.74% for the past year, well above the BBSW over the same period. Weighted yield for March remains steady due to current term deposits invested at rates of between 2.34% and 2.81%.

**Graph 1**

![Graph 1](image)

**Annual Portfolio (Actual)**

This graph shows the value of invested funds for the last year.

**Graph 1.1**

![Graph 1.1](image)
Penrith City Council
Investment Summary by Asset Group and Monthly Movement

Table 1.1

<table>
<thead>
<tr>
<th>Asset Group</th>
<th>Closing Value (Face Value) 28 February 2019 $</th>
<th>Closing Value (Face Value) 31 March 2019 $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Cash on Call Group (excl bank balance)</td>
<td>6,687,377</td>
<td>3,195,257</td>
</tr>
<tr>
<td>Term Deposit Group</td>
<td>135,500,000</td>
<td>138,600,000</td>
</tr>
<tr>
<td>Floating Rate Notes</td>
<td>21,500,000</td>
<td>21,500,000</td>
</tr>
<tr>
<td>Mortgage Backed Securities*</td>
<td>2,191,370</td>
<td>2,191,370</td>
</tr>
<tr>
<td></td>
<td>165,878,747</td>
<td>165,386,627</td>
</tr>
<tr>
<td>General Fund Bank Balance</td>
<td>4,557,982</td>
<td>1,069,008</td>
</tr>
<tr>
<td>Total</td>
<td>170,436,729</td>
<td>166,455,635</td>
</tr>
</tbody>
</table>

* MBS Purchased in 2008/2007 prior to the current Ministerial Investment Order

MARCH 2019 INVESTMENTS % ALLOCATION BY ASSET GROUP

![Graph 1.2]

- Term Investment Group, 83.2%
- General Fund Bank Balance, 0.6%
- Floating Rate Note Investment Group, 12.9%
- Mortgage Backed Securities, 1.3%
- Current Cash on Call Group (excl bank balance), 1.9%
### Reconciliation of Invested Funds and Monthly Movement

#### Table 1.2

<table>
<thead>
<tr>
<th>Represented by</th>
<th>Period Ending 28 February 2019 $</th>
<th>Period Ending 31 March 2019 $</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Externally Restricted Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section 7.11 Developer Contributions</td>
<td>36,608,671</td>
<td>35,573,970</td>
</tr>
<tr>
<td>Restricted Contributions for Works</td>
<td>9,209,544</td>
<td>9,956,378</td>
</tr>
<tr>
<td>Unexpended Grants*</td>
<td>-546,294</td>
<td>-120,969</td>
</tr>
<tr>
<td>Unexpended Loan Funds</td>
<td>1,951,299</td>
<td>1,984,885</td>
</tr>
<tr>
<td>Other Externally Restricted</td>
<td>17,829,987</td>
<td>18,386,506</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>65,063,207</td>
<td>65,431,752</td>
</tr>
<tr>
<td><strong>Internally Restricted Assets for Funding of Operations</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Internal Reserves</td>
<td>75,499,394</td>
<td>72,339,813</td>
</tr>
<tr>
<td>Security Bonds and Deposits</td>
<td>11,368,411</td>
<td>11,990,770</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>86,867,805</td>
<td>84,330,583</td>
</tr>
<tr>
<td><strong>Restricted Assets Utilised in Operations</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unrestricted Invested Funds</td>
<td>18,505,717</td>
<td>16,753,301</td>
</tr>
<tr>
<td><strong>Total Invested Funds</strong></td>
<td>170,436,729</td>
<td>166,455,636</td>
</tr>
</tbody>
</table>

*Balance may be in deficit when funds are spent in advance of grant payment date to Council.

#### Graph 1.3

MARCH 2019 INVESTMENTS % ALLOCATION BY CASH RESERVE TYPE

- Unrestricted Invested Funds: 10.1%
- Section 7.11 Developer Contributions: 21.3%
- Security Bonds and Deposits: 7.2%
- Restricted Contributions for Works: 5.8%
- Unexpended Grants: -0.1%
- Unexpended Loan Funds: 1.2%
- Other Externally Restricted: 11.0%
- Internal Reserves: 43.5%
Ordinary Meeting  
Appendix 1 - Investments and Banking March 2019  

Table 1.3  

<table>
<thead>
<tr>
<th>Credit Exposure</th>
<th>Bank/Financial Institution</th>
<th>$ Utilised</th>
<th>% Portfolio</th>
<th>% Policy Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Short Term</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A-1+</td>
<td>CBA, NAB, Bankwest, Westpac, TCorp</td>
<td>110,195,257</td>
<td>66.65%</td>
<td>100% (25% per institution)</td>
</tr>
<tr>
<td>A-</td>
<td>Macquarie Bank, Suncorp Bank</td>
<td>31,500,000</td>
<td>19.05%</td>
<td>100% (20% per institution)</td>
</tr>
<tr>
<td><strong>Long Term</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AA-</td>
<td>Deposit Plus Flexible Security (CBA)</td>
<td>5,000,000</td>
<td>3.02%</td>
<td>100% (25% per institution)</td>
</tr>
<tr>
<td>A-</td>
<td>Mortgage Backed Securities (Barclays Capital)</td>
<td>2,191,370</td>
<td>1.32%</td>
<td>100% (20% per institution)</td>
</tr>
<tr>
<td>AA-</td>
<td>Floating Rate Note (CBA)</td>
<td>5,000,000</td>
<td>3.02%</td>
<td>100% (25% per institution)</td>
</tr>
<tr>
<td>AA-</td>
<td>Floating Rate Note (ANZ)</td>
<td>1,000,000</td>
<td>0.60%</td>
<td>100% (25% per institution)</td>
</tr>
<tr>
<td>AA-</td>
<td>Floating Rate Bonds (NAB)</td>
<td>1,000,000</td>
<td>0.60%</td>
<td>100% (25% per institution)</td>
</tr>
<tr>
<td>A+</td>
<td>Floating Rate Note (Suncorp Metway)</td>
<td>5,000,000</td>
<td>3.02%</td>
<td>100% (20% per institution)</td>
</tr>
<tr>
<td>BBB+</td>
<td>Floating Rate Note (Bank of Queensland)</td>
<td>4,500,000</td>
<td>2.72%</td>
<td>100% (20% per institution)</td>
</tr>
<tr>
<td><strong>Total Portfolio</strong></td>
<td></td>
<td><strong>165,386,627</strong></td>
<td><strong>100%</strong></td>
<td></td>
</tr>
</tbody>
</table>

*Downgraded to BBB+ Long term after investments placed*

Graph 1.4  

March 2019 Investments % Allocation By S&P Fund Rating  

Reflects Standard and Poor's fund ratings as % of the portfolio to show compliance with Council’s Investment Policy objectives of minimising risk.
### Diversification of Portfolio
(Graphed to reflect fund ratings as % of portfolio)

<table>
<thead>
<tr>
<th>Dealing Bank</th>
<th>Short Term</th>
<th>Long Term</th>
<th>Investment</th>
<th>% Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commonwealth Bank of Australia/ Bankwest</td>
<td>A-1+</td>
<td>AA-</td>
<td>38,400,000</td>
<td>23.23%</td>
</tr>
<tr>
<td>Barclays Bank</td>
<td>A-1</td>
<td>A+</td>
<td>2,191,370</td>
<td>1.32%</td>
</tr>
<tr>
<td>National Australia Bank</td>
<td>A-1+</td>
<td>AA-</td>
<td>39,900,000</td>
<td>24.13%</td>
</tr>
<tr>
<td>ANZ</td>
<td>A-1+</td>
<td>AA-</td>
<td>1,000,000</td>
<td>0.60%</td>
</tr>
<tr>
<td>NSW TCorp</td>
<td>A-1+</td>
<td>AAA</td>
<td>3,195,257</td>
<td>1.93%</td>
</tr>
<tr>
<td>Westpac Banking Corporation</td>
<td>A-1+</td>
<td>AA-</td>
<td>39,700,000</td>
<td>24.00%</td>
</tr>
<tr>
<td>Macquarie Bank</td>
<td>A-1</td>
<td>A</td>
<td>6,000,000</td>
<td>3.63%</td>
</tr>
<tr>
<td>Bank of Queensland *</td>
<td>A-2</td>
<td>BBB+</td>
<td>4,600,000</td>
<td>2.72%</td>
</tr>
<tr>
<td>Suncorp Metway</td>
<td>A-1</td>
<td>A+</td>
<td>30,500,000</td>
<td>18.44%</td>
</tr>
<tr>
<td>Total Investment</td>
<td></td>
<td></td>
<td>165,386,627</td>
<td>100%</td>
</tr>
</tbody>
</table>

* Downgraded to BBB+ Long term after investments placed

---

**MARCH 2019 INVESTMENTS % ALLOCATION BY S&P FINANCIAL INSTITUTIONS**

**Graph 1.5**

Reflects the spread of investments amongst various Financial Institutions to show portfolio diversification in accordance with Council’s Policy of risk aversion.
<table>
<thead>
<tr>
<th>Date of Meeting:</th>
<th>Delivery Program:</th>
<th>Outcome 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service:</td>
<td>Financial Services</td>
<td></td>
</tr>
<tr>
<td>Report Title:</td>
<td>2017-2018 Voted Works</td>
<td></td>
</tr>
</tbody>
</table>
# 2018-19 VOTED WORKS

as at 29 April 2019

<table>
<thead>
<tr>
<th>Meeting Approved</th>
<th>Ref</th>
<th>Description of Allocation</th>
<th>Amount</th>
<th>Expenditure</th>
<th>Manager Responsible</th>
</tr>
</thead>
</table>

## SOUTH WARD

### Amount Available for 2018-19
- Funds brought forward from 2017-18: 164,090
- 2018-19 Funds: 53,000

**Total Vote for 2018-19**: 217,090

### Amounts Allocated

<table>
<thead>
<tr>
<th>Date</th>
<th>Ref</th>
<th>Description of Allocation</th>
<th>Amount</th>
<th>Expenditure</th>
<th>Manager Responsible</th>
</tr>
</thead>
<tbody>
<tr>
<td>28-Aug-17</td>
<td>UB1</td>
<td>Nepean District Historical Society Wagon enclosure</td>
<td>5,000</td>
<td>-</td>
<td>FM</td>
</tr>
<tr>
<td>27-Nov-17</td>
<td>UB1</td>
<td>Tree Lopping Wallacia Hall</td>
<td>800</td>
<td>800</td>
<td>CPM</td>
</tr>
<tr>
<td>23-Jul-18</td>
<td>UB2</td>
<td>NADO Event - Harold Corr Hall</td>
<td>23</td>
<td>23</td>
<td>FM</td>
</tr>
<tr>
<td>27-Aug-18</td>
<td>5</td>
<td>Penrith Mayoral Challenge 2018 - Cook Park, St Marys</td>
<td>2,667</td>
<td>2,667</td>
<td>FM</td>
</tr>
<tr>
<td>27-Aug-18</td>
<td>UB2</td>
<td>Penrith CBD Corporation Celebration Events</td>
<td>5,000</td>
<td>5,000</td>
<td>CCDM</td>
</tr>
<tr>
<td>27-Aug-18</td>
<td>UB4</td>
<td>Donation to Charities</td>
<td>2,500</td>
<td>2,500</td>
<td>CCDM</td>
</tr>
<tr>
<td>27-Aug-18</td>
<td>COW7</td>
<td>Football Event Sponsorship</td>
<td>4,000</td>
<td>4,000</td>
<td>CCMF</td>
</tr>
<tr>
<td>24-Sep-18</td>
<td>UB2</td>
<td>Donation to &quot;Fiver for a Farmer&quot; Campaign</td>
<td>1,400</td>
<td>1,400</td>
<td>CCMF</td>
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<tr>
<td>29-Oct-18</td>
<td>UB2</td>
<td>White Ribbon Day Initiatives</td>
<td>1,167</td>
<td>1,167</td>
<td>CCMF</td>
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<tr>
<td>29-Oct-18</td>
<td>UB3</td>
<td>Jamison Park Indoor Sports Centre Feasability</td>
<td>5,000</td>
<td>5,000</td>
<td>FM</td>
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<tr>
<td>25-Feb-19</td>
<td>1</td>
<td>Hall Hire Leukaemia Foundation</td>
<td>326</td>
<td>326</td>
<td>FM</td>
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<td>25-Feb-19</td>
<td>UB2</td>
<td>Luddenham Show</td>
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<tr>
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<td>UB1</td>
<td>Orchard Hills Public School Honour Roll</td>
<td>250</td>
<td>250</td>
<td>FM</td>
</tr>
</tbody>
</table>

**Total Vote Committed**: 30,133

### TOTAL VOTE UNCOMMITTED FOR SOUTH WARD: 186,957

## NORTH WARD

### Amount Available for 2018-19
- Funds brought forward from 2017-18: 207,226
- 2018-19 Funds: 53,000

**Total Vote for 2018-19**: 260,226

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<tbody>
<tr>
<td>26-Jun-17</td>
<td>7</td>
<td>Cambridge Gardens Skate Park Investigations</td>
<td>13,250</td>
<td>9,817</td>
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**Total Vote Committed**: 40,333

### TOTAL VOTE UNCOMMITTED FOR NORTH WARD: 219,893

## EAST WARD

### Amount Available for 2018-19
- Funds brought forward from 2017-18: 200,028
- 2018-19 Funds: 53,000

**Total Vote for 2018-19**: 253,028

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**Total Vote Committed**: 27,331

### TOTAL VOTE UNCOMMITTED FOR EAST WARD: 225,697

### SUMMARY

- **Total Vote for 2018-19**: 730,344
- **Less Total Vote Committed**: 97,797
- **TOTAL VOTE UNCOMMITTED**: 632,547