His Worship the Mayor, Councillor Ross Fowler OAM and General Manager, Warwick Winn pictured with one of the new SUEZ trucks from the waste collection fleet. The new trucks are displaying Council’s support of White Ribbon with every driver signing the pledge to “stand up, speak out and act to prevent violence” against women.

Policy Review Committee Meeting
9 September 2019
Dear Councillor,

In pursuance of the provisions of the Local Government Act, 1993 and the Regulations thereunder, notice is hereby given that a POLICY REVIEW COMMITTEE MEETING of Penrith City Council is to be held in the Passadena Room, Civic Centre, 601 High Street, Penrith on Monday 9 September 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:
   Councillor Karen McKeown OAM
   Councillor Kevin Crameri OAM

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 THE MEETING

6. MAYORAL MINUTES

7. NOTICES OF MOTION TO RESCIND A RESOLUTION

8. NOTICES OF MOTION

9. DELIVERY PROGRAM REPORTS

10. REQUESTS FOR REPORTS AND MEMORANDUMS

11. URGENT BUSINESS

12. CONFIDENTIAL BUSINESS

Enquiries regarding this Business Paper should be directed to the Governance Coordinator, Mr Adam Beggs on (02) 4732 7597
POLICY REVIEW COMMITTEE MEETING
MONDAY 9 SEPTEMBER 2019

TABLE OF CONTENTS

MEETING CALENDAR

CONFIRMATION OF MINUTES

DELIVERY PROGRAM REPORTS
### 2019 MEETING CALENDAR

**January 2019 - December 2019**

(Adopted by Council - 26 November 2018, Amended 1 May, 28 May and 27 June 2019)

<table>
<thead>
<tr>
<th>TIME</th>
<th>JAN</th>
<th>FEB</th>
<th>MAR</th>
<th>APRIL</th>
<th>MAY</th>
<th>JUNE</th>
<th>JULY</th>
<th>AUG</th>
<th>SEPT</th>
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<tr>
<td>Ordinary Council Meeting</td>
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<td>25@</td>
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<td>29♦</td>
<td>27#</td>
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<td>26@</td>
<td>23✓</td>
<td>28∞</td>
<td>25#</td>
<td>16</td>
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<tr>
<td>Policy Review Committee</td>
<td>7.00pm</td>
<td>11</td>
<td>11</td>
<td>8</td>
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</tbody>
</table>

- 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.
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, Marcus Cornish, Kevin Crameri OAM, Mark Davies, Tricia Hitchen, Karen McKeown OAM and Kath Presdee.

APOLOGIES
PRC16 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor Brian Cartwright that the apologies from Councillors John Thain and Aaron Duke be accepted.

CONFIRMATION OF MINUTES - Policy Review Committee Meeting - 8 April 2019
PRC17 RESOLVED on the MOTION of Councillor Brian Cartwright seconded Councillor Marcus Cornish that the minutes of the Policy Review Committee Meeting of 8 April 2019 be confirmed.

DECLARATIONS OF INTEREST
Councillor Ross Fowler OAM declared a Pecuniary Conflict of Interest in Item 3 – Penrith CBD Corporation Annual Report 2018-2019 and Business Plan 2019-2020, as he is the Auditor of the Penrith CBD Corporation. Councillor Fowler OAM indicated he would leave the meeting during consideration of this Item.

Councillor Karen McKeown OAM declared a Pecuniary Conflict of Interest in Item 4 – Local Government NSW Annual Conference 2019, as she is on the Board of Local Government NSW and also sits on the Motion Review Committee for the LGNSW Conference. Councillor McKeown OAM indicated that she would leave the meeting during consideration of this Item.

Ms Sylvana De Filippis
Item 1 – Planning Proposal for the Australian Arms Hotel – 351 and 359 High Street, Penrith

Ms De Filippis spoke against the recommendation and expressed her concerns regarding the proposed height and floor space ratio and the potential negative impact on the heritage value of Penrith, the value of existing properties, obstruction to the view of the Blue Mountains and the impact on roads, infrastructure and noise pollution.
DELIVERY PROGRAM REPORTS

Having previously declared an interest in Item 3, His Worship the Mayor, Councillor Ross Fowler OAM left the meeting, the time being 7:12pm.

The Deputy Mayor, Councillor Greg Davies then took the Chair for consideration of Item 3.

OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES


PRC18 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Greg Davies

That:


His Worship the Mayor, Councillor Ross Fowler OAM returned to the meeting and retook the Chair, the time being 7:30pm.

OUTCOME 2 - WE PLAN FOR OUR FUTURE GROWTH

1 Planning Proposal for the Australian Arms Hotel - 351 and 359 High Street, Penrith

PRC19 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Mark Davies

That:

1. The information contained in the report on Planning Proposal for the Australian Arms Hotel - 351 and 359 High Street, Penrith be received
2. Council endorse the Planning Proposal for the Australian Arms Hotel - 351 and 359 High Street, Penrith provided in the separate enclosure to this report.
3. Council officers forward the Planning Proposal to Parliamentary Counsel for an opinion in accordance with the plan making process.
4. Council make the required amendment to Penrith Local Environmental Plan 2010.
5. Council authorise the General Manager to execute all necessary documents, and do all necessary things to give effect to the Council’s decision to make the amendment to the Penrith Local Environmental Plan.
6. The Department of Planning, Industry and Environment be provided with a copy of the amended plan for notification
In accordance with Section 375A of the Local Government Act 1993, a DIVISION was then called with the following result:

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Councillor Kath Presdee</td>
<td>Councillor Kevin Crameri OAM</td>
</tr>
<tr>
<td>Councillor Greg Davies</td>
<td>Councillor Karen McKeown OAM</td>
</tr>
<tr>
<td>Councillor Todd Carney</td>
<td>Councillor Robin Cook</td>
</tr>
<tr>
<td>Councillor Jim Aitken OAM</td>
<td></td>
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<tr>
<td>Councillor Mark Davies</td>
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<tr>
<td>Councillor Brian Cartwright</td>
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<tr>
<td>Councillor Bernard Bratusa</td>
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<tr>
<td>Councillor Ross Fowler OAM</td>
<td></td>
</tr>
<tr>
<td>Councillor Marcus Cornish</td>
<td></td>
</tr>
<tr>
<td>Councillor Tricia Hitchen</td>
<td></td>
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</tbody>
</table>

Councillor Mark Davies left the meeting, the time being 7:40pm.

Councillor Marcus Cornish left the meeting, the time being 7:42pm.

OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES

2 Draft Hoardings Policy

Councillor Mark Davies returned to the meeting, the time being 7:44pm.

Councillor Marcus Cornish returned to the meeting, the time being 7:47pm.

PRC20 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kath Presdee

That:

1. The information contained in the report on Draft Hoardings Policy be received

2. The Draft Hoardings Policy be adopted.

Councillor Karen McKeown OAM left the meeting, the time being 7:58pm.

OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

4 Local Government NSW Annual Conference 2019

PRC21 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Brian Cartwright

That:

1. The information contained in the report on Local Government NSW Annual Conference 2019 be received


3. Council write to neighbouring metropolitan councils, as well as local Members of Parliament advising of the Bill Posters motion and seeking support when the matter is considered at the LGNSW Conference in
There being no further business the Chairperson declared the meeting closed the time being 8:03pm.
DELIVERY PROGRAM REPORTS

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>OUTCOME 2 - WE PLAN FOR OUR FUTURE GROWTH</td>
<td></td>
</tr>
<tr>
<td>1. <strong>Annual Update Planning Proposal</strong>&lt;br&gt;Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.</td>
<td>1</td>
</tr>
<tr>
<td>2. <strong>Heritage Advisory Committee Constitution</strong></td>
<td>5</td>
</tr>
<tr>
<td>OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL</td>
<td></td>
</tr>
<tr>
<td>3. <strong>Draft Asset Management Policy</strong></td>
<td>25</td>
</tr>
</tbody>
</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.
## OUTCOME 2 - WE PLAN FOR OUR FUTURE GROWTH

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>Annual Update Planning Proposal</strong></td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td><strong>Heritage Advisory Committee Constitution</strong></td>
<td>5</td>
</tr>
</tbody>
</table>
1 Annual Update Planning Proposal

Compiled by: Joel Carson, Senior Planner
Authorised by: Natasha Borgia, City Planning Manager

<table>
<thead>
<tr>
<th>Outcome</th>
<th>We plan for our future growth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>Facilitate quality development in the City that considers the current and future needs of our community</td>
</tr>
<tr>
<td>Service Activity</td>
<td>Plan for and facilitate development in the City</td>
</tr>
</tbody>
</table>

Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.

Executive Summary

The purpose of this report is to present the outcomes of a public exhibition undertaken for the Annual Update Planning Proposal, which seeks changes to Penrith Local Environmental Plan 2010 (LEP 2010) to resolve several policy matters, contemporise certain elements and undertake minor changes.

It is recommended that Council endorses the Planning Proposal and that it then be forwarded to the Minister for Planning and Public Spaces and Parliamentary Counsel with a request to make the local environmental plan amendment.

Background

A Planning Proposal has been prepared which seeks changes to LEP 2010 to resolve several policy matters, contemporise certain elements and undertake minor changes. The various changes are proposed to be consolidated and progressed as a single amendment to LEP 2010, known as an Annual Update Planning Proposal.

Resolving these matters will provide a more accurate planning instrument and reduce the potential for delays, should development be proposed where the identified matters exist. The consolidation of these matters as a single set of proposed changes provides for a more efficient use of time and resources to amend LEP 2010 compared to proceeding with individual planning proposals for each individual change.

At its Policy Review Committee meeting of 4 June 2018, Council considered a report on the Planning Proposal and resolved to forward the Planning Proposal to the Minister for Planning with a request to issue a Gateway Determination. On 17 December 2018, a Gateway Determination was issued which advised that the Planning Proposal process may proceed to public exhibition subject to conditions specified in the Gateway.

The Planning Proposal

The preparation of a Planning Proposal is the first step in the Department of Planning, Industry and Environment’s (DPIE) Gateway Process for making or amending Local Environmental Plans (LEPs). Changes are recommended to the LEP 2010 written instrument and LEP 2010 map tiles.

There are 16 items in total proposed to be changed. The proposed changes may be grouped under the following categories:

- Policy changes – 6 items
• Minor changes – 10 items

A copy of the Planning Proposal has been provided to Councillors as a separate enclosure, is publicly-available on Council's website, and has been tabled tonight.

The proposed changes to LEP 2010 are listed in the table below:

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Title</th>
<th>Nature of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bus shelter advertising – introduce exempt development provisions</td>
<td>Policy</td>
</tr>
<tr>
<td>2</td>
<td>Penrith Panthers site - Minimum lot size control mapping anomaly</td>
<td>Minor</td>
</tr>
<tr>
<td>3</td>
<td>Captains Road, Nepean Avenue and Ladbury Avenue, Penrith – anomalies in mapped planning controls</td>
<td>Minor</td>
</tr>
<tr>
<td>4</td>
<td>Removal of ‘Canine council dwelling’ local heritage item 846, Orchard Hills – item no longer exists</td>
<td>Policy</td>
</tr>
<tr>
<td>5</td>
<td>Removal of ‘brick cottage’ local heritage item 830, Luddenham – item no longer exists</td>
<td>Policy</td>
</tr>
<tr>
<td>6</td>
<td>Local heritage item 878 (scarred tree and Aboriginal artefact scatter) at Bradley Street, Glenmore Park - anomaly in mapped heritage controls</td>
<td>Minor</td>
</tr>
<tr>
<td>7</td>
<td>Extension of the serviced apartments clause 8.6 to apply to land outside the Penrith City Centre</td>
<td>Policy</td>
</tr>
<tr>
<td>8</td>
<td>Update to land covered by Thornton Hall local heritage item 166, Penrith to correct an anomaly</td>
<td>Minor</td>
</tr>
<tr>
<td>9</td>
<td>Alignment of mapped planning controls with property boundaries at Bluestone Drive, Glenmore Park to correct an anomaly</td>
<td>Minor</td>
</tr>
<tr>
<td>10</td>
<td>Rezoning of part of Princess Mary Street, St Marys that has a zoning anomaly</td>
<td>Minor</td>
</tr>
<tr>
<td>11</td>
<td>Update land descriptions in Schedule 5 environmental heritage to address anomalies</td>
<td>Minor</td>
</tr>
<tr>
<td>12</td>
<td>119 Station Street, Penrith (Penrith swimming pool site) – anomaly in zoning controls</td>
<td>Minor</td>
</tr>
<tr>
<td>13</td>
<td>Expansion of additional permitted uses at 32-52 Harris Street, North St Marys</td>
<td>Policy</td>
</tr>
<tr>
<td>14</td>
<td>Land in the vicinity of Victoria Street, Werrington - anomaly in mapped planning controls</td>
<td>Minor</td>
</tr>
<tr>
<td>15</td>
<td>Western end of Glenmore Park Stage 2 - anomaly in mapped planning controls</td>
<td>Minor</td>
</tr>
<tr>
<td>16</td>
<td>Number 2-8 &amp; 10 Twin Creeks Drive, Luddenham – amendment to land zoning, lot size controls and additional permitted use provisions</td>
<td>Policy</td>
</tr>
</tbody>
</table>

Public exhibition and public authority consultation

The Planning Proposal was placed on public exhibition from 15 April to 27 May 2019 in accordance with legislative requirements and the conditions of the Gateway Determination. Notice of the exhibition was published in the Western Weekender newspaper throughout the exhibition period. The exhibition material was available on Council’s website, at the Penrith Civic Centre, Penrith Library, the St Marys Business Office and St Marys Library. Public authorities were notified in accordance with the requirements of the Gateway Determination.

A total of 3 submissions were received that are summarised below:
1. **Roads and Maritime Services (RMS):** The RMS submission raises no objection to the Planning Proposal. It offers comments on each of the 16 changes sought to LEP 2010, for Council consideration.

   In relation to the proposed changes to bus shelter advertising (see Item 1 in the above table of proposed changes) the RMS submission makes comment that “Any advertisements that would trigger a referral (concurrence or otherwise) to Roads and Maritime under State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64) should not be classified as exempt development”. In response, it is noted that clause 6(2) of SEPP 64 states that the provisions of SEPP 64 do not apply to signage which is exempt development under an environmental planning instrument. LEP 2010 is an environmental planning instrument, and this Planning Proposal seeks to introduce exempt development provisions relating to bus shelter advertising into LEP 2010. In this regard, the proposed LEP 2010 exempt provisions for bus shelter advertising would not require referral to or concurrence from RMS.

2. **Office of Environment and Heritage (OEH):** The OEH submission makes reference to the proposed changes relating to Number 2-8 & 10 Twin Creeks Drive, Luddenham (see Item 16 in the above table of proposed changes) and raises no objection to the proposed changes, given that the existing area in this location that is zoned E2 Environmental Conservation is to remain unchanged, and that the proposed changes are unlikely to impact biodiversity values or Aboriginal cultural heritage and will not exacerbate natural hazards.

3. **One public submission:** A public submission was received which requests the rezoning of several properties in Penrith to facilitate intensified residential development, and for this to be considered as part of Council’s residential strategy under preparation for the local government area. The submission does not relate to properties subject to the changes sought in the Annual Update Planning Proposal. Council officers have acknowledged the submission and will consider the matters raised in strategic land use planning being undertaken.

It is noted that the 3 submissions do not raise objection to the Planning Proposal. After consideration of the submissions Council officers have determined not to make any subsequent changes to the Planning Proposal.

**Next steps**

Should Council resolve to endorse the recommendations of this report the updated Planning Proposal will be finalised and forwarded to the Minister for Planning and Public Spaces and Parliamentary Counsel to make the local environmental plan amendment.

**Conclusion**

Council officers have prepared a Planning Proposal which seeks changes to LEP 2010 to resolve several policy matters, contemporise certain elements and undertake minor changes. The various changes are proposed to be consolidated and progressed as a single amendment to LEP 2010, known as an Annual Update Planning Proposal.

The Planning Proposal has been placed on public exhibition and undergone public authority consultation. No objections have been received in relation to the Planning Proposal. Should Council resolve to endorse the recommendations of this report the updated Planning Proposal will be finalised and forwarded to the Minister for Planning and Public Spaces and Parliamentary Counsel to make the local environmental plan amendment.
RECOMMENDATION

That:

1. The information contained in the report on Annual Update Planning Proposal be received

2. Council endorses the Planning Proposal presented in this report which has been provided to Councillors as a separate enclosure, is publicly-available on Council's website, and has been tabled tonight.

3. The General Manager be granted delegation to update and finalise the Planning Proposal referred to in resolution 2 prior to Council's submission of the Planning Proposal to the Minister for Planning and Public Spaces and Parliamentary Counsel.

4. Council officers forward the Planning Proposal to the Minister for Planning and Public Spaces and Parliamentary Counsel with a request to make the local environmental plan amendment.

ATTACHMENTS/APPENDICES

There are no attachments for this report
2 Heritage Advisory Committee Constitution

Compiled by: Kathryn Sprang, Development Assessment Planner
Authorised by: Peter Wood, Development Services Manager
Requested By: Councillor Marcus Cornish

<table>
<thead>
<tr>
<th>Outcome</th>
<th>We plan for our future growth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>Protect the City's natural areas, heritage and character</td>
</tr>
<tr>
<td>Service Activity</td>
<td>Guide quality development outcomes through provision of expert advice and quality customer service</td>
</tr>
</tbody>
</table>

Executive Summary

Penrith City Council continues to recognise local cultural heritage values and ensure community input through the Heritage Advisory Committee. The Heritage Advisory Committee provides ongoing advice and recommendations regarding listed heritage items, heritage funding grants, policies and procedures.

The current Heritage Advisory Committee Constitution was created over a decade ago and requires an update to reflect a more contemporary role of the Committee. This report addresses the Heritage Advisory Committee request for amendments to the constitution including formally reporting the Heritage Advisory Committee minutes to Council and changes to membership.

Background

It has been a theme of discussion over the last year in the Heritage Advisory Committee meetings that a review of the constitution is warranted, given the age of the current one and changing dynamics of the Committee. Upon review it is evident that how the Heritage Advisory Committee is currently operating and wanting to operate does not align with the current constitution. One of the more pressing matters raised has been that the constitution should stipulate that the minutes of the Heritage Advisory Committee meetings should be formally reported to Council.

Another proposed change to the constitution relates to the structure and membership. Currently at the Heritage Advisory Committee meetings approximately 6 to 7 members (including Councillors) are attending while the Committee consists of 11 representatives from various community groups. It is recommended in the draft constitution that the Committee should consist of 2 Councillors and 8 community members to reflect the changing dynamics of the membership over time. This proposed amendment is anticipated to capture a broader range of community members (including professionals who aren’t necessarily representing an organisation) while also retaining existing members.

Process

A draft Heritage Advisory Committee Constitution has been reported to Council’s Leadership Team and informed a draft Heritage Advisory Committee Constitution which was subsequently reported to the Heritage Advisory Committee on the 6 February 2019, for discussion and feedback.
The Committee requested changes and some re-wording of the draft constitution. The more significant amendments requested were:

- That the constitution be amended to state that the Committees’ role includes discussion and commentary on Development Applications, to inform assessments. The draft constitution reported to the Committee, at this time, stated that the Committees’ role shall exclude advice or recommendations relating to development applications; and
- That the constitution be amended to revert to 6 meetings per annum, rather than 4 per annum, suggested in the draft.

It was requested by the Committee that another amended draft constitution be bought back, reflecting the above feedback. This was reported to the Heritage Advisory Committee on the 17 April 2019. The Committee agreed that the amended draft constitution as presented was satisfactory and that the amended constitution should be reported to Council for endorsement.

Conclusion

The proposed new Heritage Advisory Committee Constitution is in response to calls for an update on the existing constitution. It is anticipated that the changes proposed could align the constitution with other Council’s Heritage Committee Constitutions, align with current practices and provide more detailed guidelines regarding structure, membership and procedures. This will help the Heritage Advisory Committee provide a more valuable contribution to the heritage of the City.

RECOMMENDATION

That:

1. The information contained in the report on Heritage Advisory Committee Constitution be received.

2. The Draft Heritage Advisory Committee Constitution at attachment 1 be adopted by Council.

ATTACHMENTS/APPENDICES

1. Proposed Draft Heritage Advisory Committee Constitution for Council endorsement (presented to the committee on 17 April 2019) 3 Pages
2. Current Penrith Council Heritage Committee Constitution 4 Pages
PROPOSED DRAFT PENRITH CITY COUNCIL
HERITAGE ADVISORY COMMITTEE CONSTITUTION

1. Name
The Advisory Committee, as appointed under the provisions of section 377 of the Local Government Act 1993, shall be known as the Penrith Heritage Advisory Committee, and is hereinafter referred to as the ‘Heritage Advisory Committee’.

2. Objectives
The Heritage Advisory Committee has been established to conserve and promote the heritage of the Penrith City Council area.

The objectives of the Committee shall be:

a) To assist Council by providing or sourcing background historic information of heritage or potential heritage sites
b) To advise on submissions for heritage assistance grant applications.
c) To provide advice on heritage programming, exhibitions, education and tourism events.
d) To advise on nominations of Heritage Listed items from the Local Environmental Plan (LEP) and to identify items of State significance, which should be included in the NSW heritage Office State Heritage Register or of National Significance.
e) To educate the community on the importance of heritage conservation.
f) Provide advice on the management and balanced treatment of heritage places forming the cultural heritage of the area by identifying places of cultural significance within Penrith Local Government Area and to encourage their ongoing conservation.
g) To work with and liaise with the community in the promotion, education, advocacy, encouragement, understanding and use of the cultural heritage of the city.
h) To be briefed on major development proposals relating to items of heritage significance, with a focus on major developments.

3. Authority
a) The Committee will have the authority to discuss matters and make recommendations to Council in accordance with the objectives of the constitution. Decisions cannot be made by the Committee on the Council’s behalf.
b) The Council retains responsibility for all budgetary considerations.
c) Any authorities conferred upon the Heritage Advisory Committee under this constitution may be varied by Council.
d) The General Manager (or his/her delegate) retains all responsibility for the direction of any staff member. Employees of the Council are not bound to the direction of the Heritage Advisory Committee or any of its members.

4. Term
The Heritage Advisory Committee members’ term shall be for four years. Heritage Advisory Committee members shall cease to hold office at the expiration of this period, however they will be eligible for re-appointment. Members shall not hold office for any longer than two terms, or 8 years.

Despite the above, this is subject to the condition that the Heritage Advisory Committee may be dissolved by Council at any time.
5. Structure and Membership

a) The structure and membership of the Heritage Advisory Committee shall be as follows, and all the undermentioned appointments will have voting rights:
   i. Two (2) Councillors of the Penrith City Council; and
   ii. Eight (8) community members, appointed by Council following the calling of applications as detailed in clause 6 of this Constitution;

b) A delegate/s from either Development Services and/or City Planning within Penrith City Council shall attend meetings to provide professional advice to the committee;

c) A delegate/s from Penrith City Library may attend meetings to advise the committee;

d) The Heritage Advisory Committee shall, at its first meeting following appointment, elect one by secret ballot of its members from those appointed under clause 5 (a. i.) of this constitution to be the Chairperson of the Heritage Advisory Committee, and one of its members appointed under the same clause to be Deputy Chairperson, who shall act in the absence of the Chairperson;

e) The position of Chairperson and Deputy-Chairperson shall not be held by the same person for any longer than four (4) consecutive years;

f) No staff member of Penrith City Council shall be elected as Chairperson or Deputy Chairperson of the Heritage Advisory Committee;

g) Each member of the Heritage Advisory Committee entitled to vote shall only have one vote except that of the casting vote of the Chairperson in case of equality of votes;

h) Members may only cast their vote in person at the Heritage Advisory Committee meeting;

i) The Heritage Advisory Committee may invite observers, specialists and/or representatives (for the purpose of clarifying matters) to meetings. Such observers, specialists of representatives shall not be permitted to vote.

6. Appointment and Election of Members

a) Two (2) Councillors shall be appointed to the Heritage Advisory Committee.

b) The Council shall in the month of July every four (4) years place advertisements in appropriate media forms inviting nominations from people within the community for membership to the Heritage Advisory Committee.

c) The Council shall select and appoint the community representatives to the Heritage Advisory Committee.

d) Membership criteria for the Heritage Advisory Committee shall include the following:
   i. Demonstrated interest and knowledge of the heritage and history in Penrith Local Government Area.
   ii. A willingness to commit time to be actively involved in the Heritage Advisory Committee and to perform tasks related to committee business.
   iii. Resident; ratepayer; relevant professional (i.e. architect, town planner, historian); or a strong proven association with or special interest in the Penrith Local Government Area.

e) Members of the Heritage Advisory Committee shall cease to hold office:
   i. If the Heritage Advisory Committee is dissolved by Council;
   ii. Upon written resignation or death;
   iii. If absent without prior approval of the Heritage Advisory Committee for three (3) consecutive meetings; or
   iv. If Council by resolution determines that a member/s has breached Penrith City Council's Code of Conduct during their term on the Committee.
7. Procedures and General

a) The delegate/s from Development Services (and/or City Planning) within Penrith City Council shall be the Executive Officer/s to the Heritage Advisory Committee and will be responsible for preparation of specialist reports and any correspondence associated with the Heritage Advisory Committee.

b) The Heritage Advisory Committee shall meet six (6) times a year. Additional meetings and/or special meetings may be convened at the discretion of the Executive Officer to the Heritage Advisory Committee.

c) The minutes of the Heritage Advisory Committee shall be reported to Council.

d) Agenda items requiring committee discussion are to be raised with the Executive Officer/s two (2) weeks prior to the Heritage Advisory Committee meeting for inclusion in the agenda.

e) No meeting of the Heritage Advisory Committee shall be held unless five (5) days’ notice has been given to all members.

f) Penrith City Council will provide a Minute Clerk for the purposes of recording the minutes of the Heritage Advisory Committee meetings and for the distribution of minutes following meetings of the Heritage Advisory Committee.

g) The Minute Clerk shall forward a copy of the minutes of each meeting to all committee members, as well as to Council, as soon as practicable following such committee meeting.

h) A quorum of the Heritage Advisory Committee shall be constituted by five (5) members being present at meetings.

i) In the absence of a quorum 20 minutes after the scheduled start of the meeting, the committee members present may choose to defer the agenda items till next meeting OR discuss the agenda items; although any recommendations made will not become formalised until the next committee meeting with the quorum present.

j) Any member, council staff, and or observers that have a pecuniary interest in any matters being discussed by the Heritage Advisory Committee shall declare such interest at the meeting and refrain from discussion or voting. At the discretion of the committee any individual with a declared pecuniary interest may be asked to leave the room when the declared interest is being discussed.

k) The committee’s role shall exclude advice or recommendations relating to development applications and Council development projects (this is necessary to avoid any perceived conflict). On less significant Development Applications, a list can be provided for information however not to enable detailed commentary (as this is not a role of the committee.)
CONSTITUTION

This constitution governs the operation of an advisory committee known as the Penrith City Council Heritage Advisory Committee to conserve and promote the heritage of the City of Penrith. The Committee is constituted under the provisions of Section 373 of the Local Government Act 1993.

1. Name

   The name of the Committee shall be "Penrith City Council Heritage Advisory Committee."

2. Purpose of the Committee

   The purpose of the Committee shall be:

   (i) To conserve and promote the heritage of the City of Penrith, and

   (ii) To provide advice to Council on heritage matters.

3. Objectives

   The objectives of the Committee shall be:

   - to educate the community on the importance of heritage conservation;

   - to comment on proposals affecting heritage items as determined by Council;

   - to assess advice on applications for financial support to care for items of heritage;

   - to advise on nominations for the inclusion or removal of items from the heritage list;

   - to advise on submissions to funding agencies for grants to conserve heritage items; and

   - to promote sound heritage and conservation practices.
4. **Authority**

The Committee will have the authority to discuss matters and make recommendations to Council in accordance with the purpose and objectives of the constitution. Decisions cannot be made by the Committee on the Council’s behalf.

5. **The Committee**

The Committee shall consist of thirteen (13) members, namely:

- 2 Councillors of the Council
- a representative from the National Trust
- 3 representatives from the community
- a representative from the Nepean District Historical Society
- a representative from the St Marys Historical Society
- a representative from the University of Western Sydney
- a representative from the Royal Australian Institute of Architects
- a representative from the National Parks & Wildlife Service
- a representative from the Nepean District Historical Archaeology Group
- a representative from the Nepean District Family Historical Society

Council’s Heritage Adviser and representatives from the Environmental Planning Department, Building Approvals and Environment Protection Department and Penrith City Library will be in attendance to advise the Committee.

6. **Membership**

The Councillor representatives shall be appointed by the Council. Representatives that cease to be Councillors may not continue to be members of the Committee.

The Community representatives shall be appointed by the Council for a period of up to 2 years.

Membership of the committee will cease for representatives of all other groups if the organisation concerned withdraws its support, in writing, for that representative.

7. **Quorum**

A majority of the Members shall constitute a quorum.

8. **Chairperson**

8.1 The position of Chairperson shall be a Councillor.
8.2 The Chairperson shall preside at each meeting of the Committee and shall be responsible for liaison with Council.

8.3 In the absence of both Councillors, the Committee shall elect a Chairperson for that meeting only.

9. Community representatives

Council shall advertise for nominees for the community representatives. The nominees shall not be affiliated or associated with any heritage, environment, business or community group, organisation or party.

10. Vacancy

In the event of a vacancy occurring on the Committee of a non-Council appointed member through resignation or default, the Committee shall request that a new member be nominated by the eligible organisation in accordance with clause 5.

The term “default” means absence from four (4) consecutive meetings of the Committee without leave of absence.

11. Minutes/Agenda

11.1 The preparation of the agendas for each meeting shall be the responsibility of the Chairperson and Council staff.

11.2 The distribution of agendas and minutes of the previous meeting, one week prior to a meeting, will be the responsibility of Council staff.

11.3 It is the responsibility of the Chairperson to ensure that the minutes are taken.

11.4 Secretarial services shall be provided by Council staff.

11.5 Following adoption by the Committee of the previous meeting’s minutes, the Chairperson for that meeting shall sign the minutes.

11.6 Copies of minutes from meetings shall be retained on Council’s file.

11.7 The Environmental Planning Manager shall report to Council on issues raised by the Committee and its progress on a needs basis.

12. Meetings

12.1 The Committee shall meet bi-monthly or as required.
12.2 Public meetings of the Committee may be held for a specific purpose and following a resolution of the full Committee to hold such a meeting, subject to notification of Council.

12.3 Each Committee member is entitled to vote on resolutions, if present at the meeting. Votes may only be cast in person.

13. **Dissolution**

13.1 Should the Committee be dissolved, all funds and equipment will become the property of Penrith City Council.

13.2 Dissolution of the Committee shall be at the discretion of Penrith City Council.
OUTCOME 3 - WE CAN GET AROUND THE CITY

There were no reports under this Delivery Program when the Business Paper was compiled
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OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES

There were no reports under this Delivery Program when the Business Paper was compiled.
OUTCOME 5 - WE CARE ABOUT OUR ENVIRONMENT

There were no reports under this Delivery Program when the Business Paper was compiled
OUTCOME 6 - WE ARE HEALTHY AND SHARE STRONG COMMUNITY SPIRIT

There were no reports under this Delivery Program when the Business Paper was compiled.
<table>
<thead>
<tr>
<th>Item</th>
<th>Draft Asset Management Policy</th>
</tr>
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| 3    |                             | 25
3 Draft Asset Management Policy

Compiled by:  
Hans Meijer, City Assets Manager  
Caroline Orde, Business Analyst

Authorised by:  
Brian Steffen, Director - City 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>Manage Council’s assets to minimise risk, reflect lifecycle costs and meet community needs</td>
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Executive Summary

The report recommends that Council adopt the draft Asset Management Policy (Appendix 1). As custodian of a large asset portfolio on behalf of the community, the purpose of asset management is to manage our assets through the lifecycle of acquisition, maintenance, renewal, upgrade and ultimately replacement or disposal.

Background

Under Integrated Planning & Reporting (IPR) requirements, Councils is required to adopt an Asset Management Policy.

The Asset Management Steering Committee and Asset Management Working Group are the governance bodies accountable for the effective implementation of strategic asset management across Council. They have been operating under the principles detailed in this Asset Management Policy, of managing assets to comply with all legislative requirements to ensure risks are managed and assets deliver the required level of service to the community. Councils endorsement of this policy formally recognises and commits to these principles.

Draft Policy Aims and Objectives

The aim of the policy is to outline how Council will apply asset lifecycle management principles and practices to deliver ongoing services to our community. This methodology will ensure a cost-effective approach that is sustainable into the future so that our assets continue to deliver the greatest benefit in terms of liveability to our communities. It also ensures an ongoing focus on continuous process improvement.

The objectives of the Asset Management Policy will provide the framework that will, with the Community Strategic Plan, Delivery Program and Resourcing Strategy, enable the implementation appropriate and legislatively compliant asset management practices.

Outline of Draft Policy

The draft policy includes foundation principles, scope and accountabilities for asset management within Council.

The Foundation Principles detail council’s approach to compliance, strategic planning, service levels, risk management and allocation of resources. The policy applies to assets owned and operated by council, associated with or managed by council owned entities and assets owned by Council for a commercial purpose. The policy outlines accountabilities for
ensuring its implementation, differentiating between assets owned on behalf of the community and assets owned for a commercial purpose.

Conclusion

The policy is appended for Council’s consideration.

RECOMMENDATION

That:

1. The information contained in the report on Draft Asset Management Policy be received

2. The Draft Asset Management Policy be adopted

ATTACHMENTS/APPENDICES

1. Draft Asset Management Policy  4 Pages  Appendix
## Draft Asset Management Policy

### Purpose
To own, maintain and update assets across the LGA to enhance and improve liveability in our city.

### Policy Statement
The Asset Management Policy provides the framework that with the Community Strategic Plan, Delivery Program and Resourcing Strategy enable the Asset Management Strategy and Asset Management Plans to be implemented. The Policy will:

- as custodians of public infrastructure, create a culture where all Councillors and employees are aware of the importance of their involvement in the provision of assets.

- undertake strategic asset planning that delivers customer focused services to maximise use and benefits of the Council’s assets.

- adopt a whole of lifecycle approach to asset acquisition, operation, maintenance and disposal that delivers fit for purpose, sustainable and reliable assets with clear visibility on all associated risks and costs.

- comply with all statutory and regulatory requirements.

- align with ISO 55001 standard in the management of assets over their lifecycle.
- continuously evolve and improve the Asset Management processes, systems, resources and capability to optimise the delivery and performance of Council assets and to provide safe, sustainable, effective and reliable services.

**Foundation Principles**

This policy will be delivered by implementing the following foundation principles:

**Compliance:**
- Comply with all relevant legislative requirements and standards. Ensure all political, economic, social and technological environments are considered in asset management decision making.
- Comply with LGA, IP&R and Risk Management/Governance requirements.

**Strategic asset planning:**
- Establish and maintain a framework to enable the development and application of sound asset management practice throughout the organisation.
- A consistent Asset Management Strategy must exist for implementing systematic asset management and appropriate asset management best-practice throughout all Departments of Council.
- Asset management principles will be integrated within existing planning and operational processes.
- Community needs, including gap analysis, will be considered for all significant decisions affecting infrastructure.
- Asset Management Plans will be developed for major service/asset categories. The plans will be informed by community consultation and financial planning and reporting.

**Service levels**
- Asset management plans and long-term financial plans will be updated over time to include service levels agreed with the community and Councillors. Service levels form the basis of annual budget estimates and define risk consequences.
- Asset renewal plans will be prioritised and implemented based on agreed service levels and the effectiveness of the current assets to provide that level of service.

**Risk management**
- The principles of risk management will be applied to Asset Management, in accordance with Council's Enterprise Risk Management Framework and applicable Standards (ISO 31000; ISO 55000).
- A risk-based approach provides a systematic, rational and defensible process for the use of limited resources to manage the magnitude of infrastructure assets within the Penrith LGA.

**Resource and funding allocation**
- Future life cycle costs will be reported and considered in all decisions relating to new services and assets and upgrading of existing services and assets.
- Councillors and relevant staff will be provided with information and (where necessary) training to ensure that there is enough awareness in key areas of the organisation to make informed decisions around asset management that are consistent with this policy.
Scope
This policy applies to all Councillors, Council employees and service providers.

This policy applies to assets owned and operated by council, associated with or managed by council owned entities and assets owned by Council for a commercial purpose as specified below.

Assets owned and operated by Council
Council will operate and maintain its own assets.

Assets associated with or managed by Council owned entities
Council will apply the provisions and principles of this policy to assets associated with or managed by Council owned entities with respect to maintenance (scheduled and unscheduled) and like for like replacement. Identification of the service levels required to meet the needs of users is the responsibility of the entity, however service levels for maintenance and like for like replacement must be agreed by Council. Upgrade of council owned assets will be considered through a business case.

Assets owned by Council for a commercial purpose
The Property Development Department is responsible for the management of assets owned by Council for a commercial purpose. The principles of this policy will apply to the extent necessary to ensure that these assets meet the needs of users, risks are appropriately managed, and the assets are able to meet the needs of Council with regard to income generation.

Accountabilities
1. Council is accountable for consideration of this policy in line with decision making.

2. The Property Development Manager, Director Corporate Services and General Manager are accountable for the management of assets owned by Council for a commercial purpose.

3. The General Manager and Director of City Services are accountable for the implementation and monitoring of this policy, for example ensuring systems are in place to:
   - develop and maintain, strategies and plans to support this policy
   - distribute this policy to all relevant persons in the organisation
   - ensure that any individuals or organisations that must adhere to this policy as a result of a contract or other agreement with the organisation are appropriately advised
   - monitor implementation and compliance
   - Assess whether Council meets Fit for the Future benchmarks for Asset Management including:
     - Building and Infrastructure Renewal ratio
     - Infrastructure Backlog Ratio
     - Asset Maintenance Ratio.
APPENDIX

Definitions:

For the purposes of this policy, the following definitions have been used:

**Asset** an item, thing or entity that has potential or actual value to the organisation. Assets include property, plant and equipment including infrastructure with benefits expected to last more than 12 months.

**Asset Management Plan (AMP)** documented information that specifies the activities and practices of an organisation to optimally and sustainably deliver on its objectives thought cost-effective life cycle management or assets.

**Asset renewal** any work carried out to restore an asset (or significant component, part or segment) to new or near new condition.

**Customer Focused** all aspects of council’s decision making and delivery of services are directed by the best interests of the community.

**IP&R** Integrated Planning and Reporting

**Service level** means the defined service quality for a service against which service performance may be measured. Service levels usually relate to quality, quantity, reliability, responsiveness, environmental, acceptability and cost.

**Significant Decision** in relation to any issue, proposal, decision or other matter that concerns or is before the Council, means the degree of importance of the issue, proposal or matter as assessed by the Council in terms of its likely impact and likely consequences for:

1. The current and future social, economic, environmental and cultural well-being of the City.
2. Any persons who are likely to be particularly affected by or interested in the issue, proposal, decision or matter.
3. The capacity of the Council to perform its role and the financial and other costs of doing so.

**Strategic Asset Management** Plan documented information that specifies how organisational objectives are to be converted into asset management objectives, the approach for developing asset management plans, and the role of the asset management system in supporting achievement of the asset management objectives.

**Life cycle cost** the total cost of an asset throughout it’s life including planning, design, construction, acquisition, operation, maintenance, rehabilitation and disposal costs. The Life Cycle Cost does not indicate the funds required to provide the service in a particular year.