His Worship the Mayor, Councillor Ross Fowler OAM and student leaders from St Marys North Public School at the celebration event for the Parklawn Place Makers Project held on 10 September 2019.

Policy Review Committee Meeting
11 November 2019
5 November 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 Pasadena Room, Civic Centre, 601 High Street, Penrith on Monday 11 November 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 Kevin Crameri OAM
   Councillor Marcus Cornish

2. APOLOGIES

3. CONFIRMATION OF MINUTES
   Policy Review Committee Meeting - 21 October 2019.

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 11 NOVEMBER 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 Mon</th>
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<th>MAR Mon</th>
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<td><strong>Ordinary Council Meeting</strong></td>
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<td><strong>Policy Review Committee</strong></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.
UNCONFORMED MINUTES
OF THE POLICY REVIEW COMMITTEE MEETING OF PENRITH CITY COUNCIL HELD
IN THE PASSADENA ROOM, PENRITH
ON MONDAY 21 OCTOBER 2019 AT 7:00PM

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

LEAVE OF ABSENCE
Leave of Absence was previously granted to Councillor Marcus Cornish for the period 14 October 2019 to 11 November 2019 inclusive.

APOLOGIES
PRC27 RESOLVED on the MOTION of Councillor Karen McKeown OAM seconded Councillor Tricia Hitchen that the apology from Councillor John Thain be accepted.

CONFIRMATION OF MINUTES - Policy Review Committee Meeting - 9 September 2019
PRC28 RESOLVED on the MOTION of Councillor Brian Cartwright seconded Councillor Jim Aitken OAM that the minutes of the Policy Review Committee Meeting of 9 September 2019 be confirmed.

DECLARATIONS OF INTEREST
Councillor Kevin Crameri OAM declared a Non-Pecuniary Conflict of Interest - Less Than Significant in Item 1 – Penrith City Children’s Services Cooperative Ltd, as his daughter-in-law works at a child care centre operated by Penrith City Council.

DELIVERY PROGRAM REPORTS
OUTCOME 1 - WE CAN WORK CLOSE TO HOME
1. Penrith City Children’s Services Cooperative Ltd

Councillor Mark Davies and Councillor Greg Davies arrived at the meeting, the time being 7:06pm.

Councillor Bernard Bratusa arrived at the meeting, the time being 7:20pm.

PRC29 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Greg Davies That:

1. The information contained in the report on Penrith City Children's Services Cooperative Ltd be received
2. Council underwrite the operations of the PCCSC Ltd until the presentation to Council of the Penrith City Children’s Services Cooperative Ltd Annual Report for 2020-21.
3. Council staff be thanked for their efforts and contributions in 100% of our services now exceeding or meeting the National Quality Standard.
OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES

3  St Marys Town Centre Annual Report 2018-2019 and Business Plan 2019-2020

Councillor Todd Carney left the meeting, the time being 7:25pm.
Councillor Todd Carney returned to the meeting, the time being 7:27pm.

PRC30 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Greg Davies that the information contained in the report on St Marys Town Centre Annual Report 2018-2019 and Business Plan 2019-2020 be received.

Councillor Greg Davies left the meeting, the time being 7:52pm.
Councillor Tricia Hitchen left the meeting, the time being 7:52pm.

OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL

6  ARIC Annual Report

Councillor Greg Davies returned to the meeting, the time being 7:54pm.
Councillor Tricia Hitchen returned to the meeting, the time being 7:54pm.

PRC31 RESOLVED on the MOTION of Councillor Kath Presdee seconded Councillor Brian Cartwright that the information contained in the report on ARIC Annual Report be received.

OUTCOME 2 - WE PLAN FOR OUR FUTURE GROWTH

2  Planning Proposal for 4 sites in Penrith and St Marys

PRC32 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Kevin Crameri OAM

That:

1. The information contained in the report on Planning Proposal for 4 sites in Penrith and St Marys be received.

2. Council endorse the Planning Proposal to Reclassify Council owned land from Community to Operational in St Marys and Penrith provided separately to Councillors as an enclosure and available on Council’s website.

3. The General Manager be granted delegation to make any necessary minor changes required to the Planning Proposal before submitting it to the Department of Planning, Industry and Environment.

4. Council officers forward the Planning Proposal to the Department of Planning, Industry and Environment seeking:

   i. that an application for the Governors approval to remove the public reserve status of 12A and 32A Champness Crescent and 110A Dunheved Circuit in St Marys be submitted and,

   ii. the necessary amendments to Penrith Local Environmental Plan 2010 be made to reclassify Council owned land on four sites in St Marys
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>
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<tbody>
<tr>
<td>Councillor Kath Presdee</td>
<td>Councillor Jim Aitken OAM</td>
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<td>Councillor Karen McKeown OAM</td>
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<td>Councillor Robin Cook</td>
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<td>Councillor Todd Carney</td>
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<td>Councillor Aaron Duke</td>
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<td>Councillor Kevin Cramer OAM</td>
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<td>Councillor Tricia Hitchen</td>
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<tr>
<td>Councillor Greg Davies</td>
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</tbody>
</table>

OUTCOME 4 - WE HAVE SAFE, VIBRANT PLACES

4 Kingswood Pedestrian Lighting Audit and Strategy

PRC33 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Karen McKeown OAM

That:

1. The information contained in the report on Kingswood Pedestrian Lighting Audit and Strategy be received
2. The draft Kingswood Pedestrian Lighting Strategy be adopted.

Councillor Greg Davies left the meeting, the time being 8:11pm.

Councillor Greg Davies returned to the meeting, the time being 8:13pm.

5 Draft CCTV Strategy 2019-22

PRC34 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Robin Cook

That:

1. The information contained in the report on Draft CCTV Strategy 2019-22 be received.

There being no further business the Chairperson declared the meeting closed the time being 8:13pm.
# DELIVERY PROGRAM REPORTS

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<tr>
<td>1</td>
<td>St Marys Night Time Economy Audit and Study</td>
<td>1</td>
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<tr>
<td>2</td>
<td>Draft Special Places Usage Policy (Penrith City Centre and St Marys Town Centre)</td>
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<tr>
<td><strong>OUTCOME 5 - WE CARE ABOUT OUR ENVIRONMENT</strong></td>
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<td>3</td>
<td>Regional Illegal Dumping Squad (RID) - EPA Project Agreement</td>
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<tr>
<td><strong>OUTCOME 7 - WE HAVE CONFIDENCE IN OUR COUNCIL</strong></td>
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<td>4</td>
<td>Draft Fraud and Corruption Prevention Policy</td>
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</tbody>
</table>
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

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OUTCOME 3 - WE CAN GET AROUND THE CITY

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

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<tr>
<th>Item</th>
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<td>St Marys Night Time Economy Audit and Study</td>
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<td>2</td>
<td>Draft Special Places Usage Policy (Penrith City Centre and St Marys Town Centre)</td>
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</tbody>
</table>
1  St Marys Night Time Economy Audit and Study

Compiled by: Rebekah Elliott, City Engagement Coordinator
Authorised by: Jeni Pollard, Place Manager

<table>
<thead>
<tr>
<th>Outcome</th>
<th>We have safe, vibrant places</th>
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</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>Help make our major centres and important community places safe and attractive</td>
</tr>
<tr>
<td>Service Activity</td>
<td>Support the revitalisation of Penrith City Centre and St Marys Town Centre</td>
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</tbody>
</table>

Executive Summary

St Marys is a key regional centre offering a strategic role and community focus to a significant catchment of residents, businesses and workers. St Marys Town Centre is poised for growth, with the North South Rail Link heralding the town centre as a place for significant residential development over the coming decade.

With residential growth comes a demand for a more diverse economy with a spread of activities that extends into the evening so that residents can confidently walk around the town centre on their way to meet friends, grab a meal or go to an entertainment venue. HillPDA Consulting was contracted by Council to describe and analyse the current night time economy (NTE) in the St Marys Town Centre and identify opportunities and strategies to enhance activity over time.

HillPDA worked with Council and key stakeholders to assess the current situation of the NTE with the compilation of key demographic and economic data, together with on the ground audits of what activities and destinations are already active along Queen Street in the evening. The study has identified insights into how the town centre functions ‘after sunset’ and providing a base for us to explore further collaboration with our partners such as the St Marys Town Centre Corporation.

In managing this growth, Council will be called upon to balance and maintain safety and amenity for all residents. Thus, the approach taken is one that recognises that we want to support existing businesses to stay open longer, developing an ‘afternoon’ economy whilst supporting a fledgling ‘evening’ economy.

Attached to this report is the documentation provided by HillPDA, the St Marys Night Time Economy Audit and Study (Attachment 1) including recommended actions to improve the short and medium term performance of the town centre in the evening.

This report recommends that Council endorse the St Marys Night Time Economy Audit and Study as a proactive approach to supporting a safe and vibrant St Marys Town Centre.

Background

To improve the performance of the evening economy it was necessary to understand the existing characteristics of the general town centre economy and the level of activity in the evenings. The St Marys Night Time Economy Audit and Study (Attachment 1) identified strengths in the existing economy and a range of areas where the growth and increased diversity could occur at night.
HillPDA consultants were engaged to describe and analyse the current situation in St Marys, compare it with other successful places and recommend key interventions to grow the night time economy. The consultants undertook a number of night time audits in the town centre to best understand and measure the current environment. This was followed up with a focus group and survey of stakeholders and individual businesses.

The Study encompasses five main components:

1. Description of the social and economic characteristics of the place
2. Night time audits
3. SWOT Analysis
4. Community consultation
5. Night Time Economy Opportunities

This report outlines the findings of the St Marys Night Time Economy Audit and Study. It describes the existing evening economy and recommends four key actions as part of an overall strategy which builds on the existing strengths of the night time economy and grows other supporting complementary elements.

Main Findings

The audit identified a number of challenges to the development of the NTE in St Marys. Firstly, through consultation and engagement with the stakeholders it recognised that there is still a perception about St Mary’s as an unsafe environment, particularly at night. This perception leads to a stigma that holds the Centre back and is unwarranted based on actual data. Implementing night time place making interventions to positively influence the perception of the Centre is encouraged through a strong collaboration strategy for the centre.

In general, the study found that the St Marys Town Centre has a range of strengths, including a dynamic takeaway food and beverage industry. The diverse economic base included businesses that currently brought people into the centre in the evening such as gyms, chemists and doctor’s surgeries that could be retained for longer by activations and the local food and beverage outlets.

The audit identified that presently there are limited spaces available in the centre that could support community events and they are not effectively linked with the existing retailers or transport links. Coachman’s Park is relatively well used as a community space during daylight hours but does not sit within any of the existing night time activity clusters. Defining a clear night time activation space that is well lit, has the infrastructure to support outdoor entertainment and has passive surveillance will be important.

Anticipated population growth in and around the town centre will continue to support the growth of the night time economy. The commencement of residential development projects in and close to the city centre are evidence of the future potential for the growth of night time business and people activity. A greater focus on the promotion and marketing of the St Marys Town Centre as a place of activity and interest for people will assist in making it a more desirable place to live and, in turn, encourage more residential development within the centre.

Night Time Economy Strategy

The St Marys Night Time Economy Audit and Study has four keys actions to foster grown and diversification of the existing night time economy. This includes:

1. Defining a night time activity cluster
Define the night time activity cluster can assist in enhancing activation, attracting business and managing community expectations. Activation in a more confined area increases vibrancy and activity.

2. Implementing night time place making interventions

Facilitate a diverse, active and interesting evening economy that establishes St Marys as an evening destination through interventions such as marketing, event activation program and creative lighting installations. An important element of the marketing will be challenging the perception of safety in the town centre.

3. Creating a destination within a walkable catchment

Encourage a balance of commercial and residential uses in the centre that support activation both during the day and night.

4. Activate street frontages

Facilitate active street frontages that can increase the perceived vibrancy of a centre, and optimise surveillance.

Implementation

The implementation of the Night Time Economy Audit and Study will take time and resources. The actions within the suggested actions in the Study will be implemented over the short, and medium term. Some of the actions already form part of existing projects in the town centre, including the work on the East West Corridor.

The Place Management Department will seek opportunities within Council and with external partners to find the necessary commitment and resources to implement the study recommendations over time. The key actions will be delivered in close partnership with the St Marys Town Centre Corporation. In the future, the success of the Study will be assessed, and review of its success and future direction will be made.

Conclusion

The St Marys Night Time Economy Audit and Strategy has been the first investigation into the structure and function of this emerging component of the town centre’s economy and social life. The study found that St Marys already had a significant night time economy and that it was focussed on food and beverage businesses.

The growth and diversification of the night time economy will be dependent on the promotion and marketing of night time businesses, events and entertainment and ongoing residential and commercial development in and near the city centre. The St Marys Night Time Economy Audit and Study makes recommendations to support this growth and diversification and is a significant first step in a balanced approach with a range of multi-faceted interventions designed to improve people and business activity in the town centre at night.

RECOMMENDATION

That:

1. The information contained in the report on St Marys Night Time Economy Audit and Study be received
2. Council endorse the St Marys Night Time Economy Study and Audit.

ATTACHMENTS/APPENDICES
1. St Marys Night Time Economy Audit and Study  52 Pages  Attachments Included
2 Draft Special Places Usage Policy (Penrith City Centre and St Marys Town Centre)

Compiled by: Rebekah Elliott, City Engagement Coordinator
Dimity Mullane, City Project Officer

Authorised by: Jeni Pollard, Place Manager

<table>
<thead>
<tr>
<th>Outcome</th>
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</table>

**Executive Summary**

Council has transformed and upgraded both Queen Street, St Marys and High Street, Penrith in two important city-shaping projects. These major city renewal programs have delivered benefit for residents, workers, visitors and local businesses. With Council’s significant investment in our public domain, it is timely to consider how we foster and manage opportunities for activation and enlivening our city centres.

As Council officers work with the Penrith City Centre and St Marys Town Centre Corporations and businesses to activate and market the centres these is an opportunity for Council to consider the development of guiding principles and decision-making criteria for the activation of identified city centre special places.

The aim of the policy will be to manage appropriate activities that add vibrancy whilst ensuring safety, compliance and positive impact in public spaces. By clarifying expectations, it will foster an environment that encourages and enables appropriate activations and programming in the identified special places.

The report recommends that Council endorse the attached draft Special Places Usage Policy (Attachment 1).

**Background**

The Penrith City Centre Public Domain Masterplan and the St Marys Streetscape Improvement Project lists a network of special places that have a unique offering or landmark to attract people to the places.

These ‘special places’ help to support the local economy and foster a more positive experience for the community in visiting the centres. In some cases they are a meeting point for people or in the case of the very long Queen Street streetscape, they offer an opportunity to navigate the street and create “landmarks”. The network of special places supports Council’s vision for the two centres to be places where people live, work and play in welcoming, vibrant and accessible environments.

**Rationale**

Currently there is no framework or guidelines to support the prioritising of the network of special places for the centres that balances small and large scale gatherings and active and passive activity. There is also no set of conditions on permissible and non-permissible
activities in the spaces including the suitability for commercial activity. Thus, the opportunity for groups, profit or non-profit to use these spaces is limited.

**Draft Policy Aims and Objectives**

The aim of the policy is to manage activities that add vibrancy and support Council’s aspirations to revitalise our city centre, whilst ensuring that safety and compliance in our special places.

The draft policy objectives are to ensure that activities and events undertaken on Council land are in accordance with the rules that protect the public interest and that these activities compliment and do not conflict with retail and commercial businesses in the city centres.

In addition, the draft policy will serve as an opportunity to encourage and promote positive activations in our public spaces, whilst contributing to the vibrancy, safety and appeal of our city centres. All the identified special places will be subject to change of usages as required from time to time.

**Outline of the Draft Policy**

The policy itself provides the framework, objectives, locations of the special places network, guiding principles and conditions of usage for a special place.

Attachment 1 of the policy specifies the hierarchy of the special places in the wider context of the area and their significance in the greater community. The hierarchy identifies where the special places sit in the context of the centres and Penrith Local Government Area. It defines their role as a mixture of passive and active spaces.

**Special Places Network**

The network of special places across the Penrith City Centre and St Marys Town Centre are outlined as follows. Maps of the locations can be found in Attachment 2.

**Penrith City Centre:**
- Future City Park
- Memory Park
- Triangle Park
- The Mondo
- Linear Plazas in High Street
- Woodriff Lane
- Chambers Court

**St Marys Town Centre:**
- Coachmans Park
- Highway Gateway
- King Street Bus Stop
- Library
- Crana Street Junction
- Post Office
- Baldo’s Laneway
- Mid Block Laneway
- Oxley Arcade
- Telstra Exchange
- Nariel Street
• Station Plaza

Partnerships

The Penrith City Centre Corporation and St Marys Town Centre Corporation, and the businesses surrounding the identified locations have been consulted regarding the development of the policy. As a result of the engagement process, there have been changes to the proposed activities and further changes are possible should there be compelling issues raised. Until the spaces begin to be used regularly any unintended outcomes may not be known.

It is anticipated that the policy will guide the work of the two corporations in their activations as well as giving location options for community or commercial ventures.

Conclusion

The Draft Special Places Usage Policy will support the growth of our city centres as vibrant and safe places. The proposed requirements of the policy will ensure that the public interest is protected and activity will take place in a safe and appropriate environment.

RECOMMENDATION

That:

1. The information contained in the report on Draft Special Places Usage Policy (Penrith City Centre and St Marys Town Centre) be received
2. Council endorse the Draft Special Places Usage Policy (Attachment 1).

ATTACHMENTS/APPENDICES

1. Draft Special Places Usage Policy 11 Pages Attachments Included
2. Location maps of Special Places 2 Pages Attachments Included
<table>
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<th>Item</th>
<th>Regional Illegal Dumping Squad (RID) - EPA Project Agreement</th>
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| 3    |                                                          | 11
3 Regional Illegal Dumping Squad (RID) - EPA Project Agreement

Compiled by: Greg McCarthy, Environmental Health and Compliance Manager
Authorised by: Wayne Mitchell, Director - Development and Regulatory Services

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<thead>
<tr>
<th>Outcome</th>
<th>We care for our environment</th>
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<tbody>
<tr>
<td>Strategy</td>
<td>Protect and improve the environment of our City</td>
</tr>
<tr>
<td>Service Activity</td>
<td>Collaboratively manage illegal dumping across Western Sydney (RID Squad)</td>
</tr>
</tbody>
</table>

Executive Summary

This report provides Council with information on the current status of the Western Sydney Regional Illegal Dumping (RID) Squad, and the Project Agreement 1 July 2017 – 30 June 2021 which has been endorsed by the Environmental Protection Authority (EPA).

Background

Councillors have responsibilities under the Protection of the Environment Operations Act 1997, the Local Government Act 1993 and the Environment Planning & Assessment Act 1979 with respect to the regulation of waste management in their local government areas.

The Environmental Protection Agency (EPA) carries out functions under the Waste Avoidance and Resource Recovery Act 2001 to develop, implement and/or coordinate programs for the prevention of litter and illegal dumping.

The EPA is leading the implementation of Waste Less, Recycle More which is a $802 million initiative to transform waste and recycling in NSW. A key action in tackling illegal dumping is the ongoing support and funding of Regional Illegal Dumping (RID) squads and programs.

The Western Sydney RID Squad was formed in 1999 as a response to the growing problem of the illegal dumping of waste. The RID Squad is a partnership between the EPA and local councils aimed at addressing the illegal dumping of waste material throughout Western Sydney. Current members of the RID Squad include:

- Blacktown City Council
- Fairfield City Council
- The Hills Shire Council
- Cumberland Council
- Blue Mountains City Council (12 month trial)
- Penrith City Council

Penrith City Council Penrith City Council has hosted the RID Squad since 1999, and includes managing the operations, budget and employment arrangements of the squad.

The RID Squad is funded through a co-contribution from the EPA and the Member Councils. The Host Council is responsible for the administration of each RID Squad and program, and a Strategic Alliance Agreement and an EPA Project Agreement set the framework and reporting requirements for the operation of the RID Squads and programs.
Under the Project Agreement the EPA provides significant funding to the project to offset operational costs (approximately 78,000 per Council).

**Current Situation**

The RID Squad is a deterrent program utilising a team of specialist investigators, targeting the illegal disposal of waste throughout Western Sydney. The Squad is unique in that staff employed by one Council operate across five local government areas, providing a service that would otherwise not be able to be afforded by a single Council.

Significant outcomes of the RID Squad include:

- It has provided member councils with a significant resource without all the inherent costs
- Each Council is provided with the ability to target a specific area or issue with all staff of the Squad
- The community has benefited from the reduction in illegal dumping
- The community has also benefited through the cost savings derived from the sharing of RID project and staff resources
- Illegally dumped waste that has been successfully tracked to a responsible person or company is required to be removed by that person or company, thereby saving the community the costs of removal and disposal of the waste
- In 2018/19, the RID Squad conducted 2,351 investigations and issued 129 Penalty Infringement Notices

The current RID squad has continued to provide an important function as part a regional approach to illegal dumping, using a strategic, coordinated approach to preventing illegal dumping within the region. They continue to meet their key objectives of identifying illegal dumping hotspots, investigating illegal dumping incidents and taking action against offenders. They also organise clean-ups, track down illegal landfills, identify changes and trends in illegal dumping across the region, deter and educate community members about illegal dumping and run joint compliance campaigns with the EPA, WorkCover, NSW Police and other regulatory authorities.

**Conclusion**

The Western Sydney Regional Illegal Dumping (RID) Squad is performing strongly under the terms of the EPA Project Agreement 2017 – 2021.

The current team are responding efficiently to illegal dumping in a prompt and efficient manner whilst delivering a service that is reflective of the EPA and member Council’s key objectives.

We are currently meeting other Western Sydney Councils and the EPA to discuss expanded membership of the Western Sydney RID Squad.

**RECOMMENDATION**

That the information contained in the report on Regional Illegal Dumping Squad (RID) - EPA Project Agreement be received.
ATTACHMENTS/APPENDICES
There are no attachments for this report.
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 Fraud and Corruption Prevention Policy</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Draft Fraud and Corruption Prevention Policy</td>
<td>19</td>
</tr>
</tbody>
</table>
4 Draft Fraud and Corruption Prevention Policy

Compiled by: Avanthi Fernando, Governance Officer
Adam Beggs, Governance Coordinator

Authorised by: Glenn McCarthy, Governance 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 through awareness and advice and manage investigations of alleged corruption, maladministration or breaches of the Code of Conduct</td>
</tr>
</tbody>
</table>

Executive Summary

The purpose of this report is to provide council with draft Fraud and Corruption Prevention Policy (the policy) consistent with recommendations made by Council’s Audit Risk and Improvement Committee (ARIC). The draft policy has been prepared in order to implement an integrity framework to eliminate and prevent internally and externally instigated fraud and corruption against Council. It is intended that the implementation of this policy will add to council’s suite of documents that contribute towards the creation of an ethical culture where Council addresses potential or actual occurrences of fraud and corruption and responds to them in a timely manner.

Background

Council’s Model Code of Conduct outlines that Council officials should ‘comply with standards of conduct expected of them, fulfil their statutory duty, and act in a way that enhances public confidence in local government’. Council expects all staff to promote Council values, commit to high standards of legal, ethical, and moral behaviour whilst carrying out their duties. Council maintains zero tolerance to acts of fraud and corruption within its work environment. Council also recognises the need for a comprehensive and up-to-date policy to establish Council’s position on fraud and corruption.

Grant Thornton Group conducted a review on Council’s fraud and corruption framework in January and February 2019 based on the 10 attributes of the NSW Audit Office Fraud Control Improvement Kit (2015). Number of Council staff including Chief Governance Officer, Legal Services Manager, Risk and Audit Coordinator, Governance Manager, Governance Coordinator, Corporate Planning Coordinator, Supply Coordinator, and Human Resources Coordinator were consulted during the review. The objectives of this review were to:

- Assess Council’s current fraud control,
- Develop a Fraud and Corruption Control Plan,
- Review and recommend any updates to the Council’s current Fraud and Corruption Policy as necessary, and
- Review Council’s training on fraud and corruption and prepare a training plan.

The detailed findings of the review identified that the current Fraud and Corruption Prevention Policy needed updating and that there were areas for improvement in terms of awareness for the organisation. The findings recommended 13 amendments to the current Fraud and Corruption Policy. Governance staff reviewed the recommendations and have largely incorporated them into the revised policy.
The draft Fraud and Corruption Prevention Policy now contains:

1. Principles of fraud and corruption and what is expected of Council staff whilst carrying out their duties.
2. Definitions of fraud and corruption.
3. Related legislation, policies, control and guidelines applicable to fraud and corruption.
4. Roles and responsibilities of Council staff, Managers, Legal and Governance managers, Disclosures Coordinator and Officers, Internal Audit, ARIC, and General Manager.
5. Fraud and corruption prevention and regular risk assessments to review changes to the risk environment.
6. Internal and external reporting mechanisms including who can report, what should be reported, and how to report.
7. Investigation protocols including feedback to reporters, maintaining confidentiality, protection against reprisal, available support, rights of the person who is the subject of the report and action.

Current Situation

The draft policy has been reviewed by Legal and Governance team and was submitted to the Audit, Risk and Improvement Committee (ARIC) on 04 September 2019 for review. Further observations and recommendations by the ARIC have been incorporated into the draft document for Council’s consideration tonight.

Risk Implications

Fraudulent and corrupt behaviour are identified as inevitable risks to Council given the nature of our business and interactions with external parties. Therefore, it is imperative to bring together measures to eliminate, prevent, detect and report such behaviour to maintain the integrity of the Council. The implementation of the policy is considered an important measure in mitigating the inherent risks that Council is exposed to.

Conclusion

The attached draft Fraud and Corruption Prevention Policy has been prepared over some time with input from both external agencies, the ARIC and governance staff. The policy adds to an existing suite of documents in place that mitigate risks to Council and contribute to the effective governance framework Council has implemented.

RECOMMENDATION

That:

1. The information contained in the report on Draft Fraud and Corruption Prevention Policy be received
2. Council adopt the Fraud and Corruption Prevention Policy as attached to the report.

ATTACHMENTS/APPENDICES

1. Draft Fraud and Corruption Prevention Policy  13 Pages  Attachments Included
Date of Meeting: Monday 11 November 2019
Report Title: St Marys Night Time Economy Audit and Study
Attachments: St Marys Night Time Economy Audit and Study
ST MARYS
Night Time Economy Audit and Study

Prepared by HillPDA for Penrith City Council

October 2019
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Quality Assurance

Report Contacts

Nicholas Hill
Senior Consultant
B. Science, M Human Geography,
Macquarie University (2012) M.A
Property Development, University of
Technology Sydney (2015)
Nick.Hill@hillpda.com

Supervisor

Adrian Hack
Principal, Urban and Retail Economics
M. Land Econ, B. Town Planning (Hons), MIPA
Adrian.Hack@hillpda.com

Quality Control

This document is for discussion purposes only unless signed and dated by a Principal of HillPDA.

Reviewer

Signature

Dated

10/10/19

Report Details

Job Number
C19030

Version
FINAL

File Name
St Marys night time economy audit and study

Date Printed
10/10/2019
EXECUTIVE SUMMARY

St Marys is a key regional centre offering a strategic role and community focus to a significant catchment of residents, businesses and workers. St Marys Town Centre is poised for growth, with the North South Rail Link heralding the town centre as a place for significant residential development over the coming decades.

With residential growth comes a demand for a more diverse economy with a spread of activities that extends into the evening so that residents can confidently walk around the town centre on their way to meet friends, grab a meal or go to an entertainment venue.

HillPDA was contracted by Penrith City Council (Council) to describe and analyse the current night time economy in the St Marys Town Centre and identify opportunities and strategies to enhance activity over time.

HillPDA worked with Council and key stakeholders to assess the current situation of the night time economy with the compilation of key demographic and economic data, together with "on the ground" audits of what activities and destinations are already active along Queen Street in the evening. The study has identified insights into how the town centre functions ‘after sunset’ and providing a base for us to explore further collaboration with our partners such as the St Marys Town Centre Corporation.

The St Marys Night Time Economy Audit and Study describes the existing evening economy and recommends four key actions as part of an overall strategy which builds on the existing strengths of the night time economy and grows other supporting complementary elements.

The Study encompasses five main components:

1. Description of the social and economic characteristics of the place
2. Night time audits
3. SWOT Analysis
4. Community consultation
5. Night Time Economy Opportunities.

In general, the study found that the St Marys Town Centre has a range of strengths, including a dynamic takeaway food and beverage industry. The diverse economic base included businesses that currently bring people into the centre in the evening such as gyms, chemists and doctor’s surgeries that could be retained for longer by activations and the local food and beverage outlets.

Four key opportunities in the night time economy for intervention by Council and partners to work towards in the short to medium term were identified and include:

1. Defining a night time activity cluster
2. Implementing night time place making interventions
3. Creating a destination within a walkable catchment
4. Activate street frontages.

The St Marys Night Time Economy Audit and Strategy has been the first investigation into the structure and function of this emerging component of the town centre’s economy and social life. The recommended strategies to support the growth and diversification in the town centre is a significant first step in a balanced approach, identifying a range of multi-faceted interventions designed to improve people and business activity in the town centre at night.
INTRODUCTION
1.0 INTRODUCTION

St Marys has been identified as a strategic centre in the Western City District Plan (District Plan). This status increases its role in providing for the retail, employment, recreational, cultural and educational needs of its surrounding resident, business, worker and visitor communities.

The North South Rail Link, connecting St Marys to Badgerys Creek Aerotropolis, via Western Sydney Airport, has the capacity to further enhance the centre’s strategic role. The proposed rail link will increase the centre’s profile for higher density housing options and associated supportive commercial, retail and social services.

Council recognised the potential of St Marys and commissioned HIPDA to undertake an audit to understand the current night time economy (NTE). The data collected from the audit is intended to inform the development of a strategy to explore what could be improved and the types of intervention possible to enhance the NTE.

The audit would also contribute to Council addressing actions identified in the District Plan for St Marys, these being:

- Support the role of St Marys as a centre, by enabling a mix of land uses, to encourage a diverse and active NTE.
- Facilitate the attraction of a range of uses that contribute to an active and vibrant place.

1.1 The night time economy

The NTE generally involves social, cultural and business activities that take place from 6pm-6am. It has been estimated that the NTE in Australia accounts for around 17% of all establishments. Collectively, these establishments employ more than 3.1 million people and generate sales turnover of around $661 billion, making up 26% of total employment and contributing 19% of total turnover.

As well as the economic contribution, a successful and vibrant NTE can improve social cohesion, raise a centre’s profile for increased investment and reduce anti-social behaviour through increased passive surveillance.

The NTE is driven by three key areas of business activity, these being:

5. Food (e.g. cafes and restaurants)
6. Entertainment (e.g. clubs, sports and performing arts)
7. Drink (e.g. pubs and bars).

1.2 Study methodology

To meet the requirements of the project brief this study undertook the following methodology:

1. A high-level review of socio-economic characteristics pertaining to the NTE in St Marys
2. Consultation with local businesses, including a focus group session, phone interview and online survey
3. An audit of businesses open on Thursday, Friday and Saturday night between 4pm to 9pm – including which businesses were open, numbers of people within, any anti-social behaviour or people congregating.

---

2 The Australian Night Time Economy 2015, Prepared for the National Local Government Drug and Alcohol Committee 2017
1.3 St Marys NTE audit study area

The study area for the audit primary relates to businesses fronting Queen Street. Queen Street is comprised of strip retailing consisting of mainly one to two story buildings.

St Marys has traditionally served as a local retail centre for the nearby residential areas of St Marys, Colyton, Odley Park, Claremont Meadows, Erskine Park and St Clair.

A survey undertaken by HillPDA in 2011 found that Queen Street provided around 22,000sqm of strip retailing. Of this around 25% was attributed to professional service providers such as banks, real estate agents, accountants, lawyers and health care professionals.

Figure 1: St Marys NTE audit study area

Source: HillPDA
2.0 SOCIO-ECONOMIC REVIEW

The following chapter undertakes a review of the existing socio-economic environment of St Marys centre with a particular focus on indicators pertainging to the NTE. The information in this Chapter has been sourced from the Australian Bureau of Statistics (ABS), Community/Economy ID and the Transport Performance Analytics (TPA).

The smallest geographical boundary that the ABS and TPA provide place of work employment data at is known as a Destination Zone (DZ) or Travel Zone (TZ). As such, analysis of employment data for St Marys has been undertaken at the DZ referred to as 115810007 (refer to Figure 2).

The DZ used for the employment analysis is referred to as the study area.

Figure 2: Economic analysis and audit boundary

2.1 Employment by industry

As of 2016, St Marys generated around 2,360 jobs, which was around 3% of all employment generated in Penrith LGA.

Employment by industries, which are closely linked to the NTE (accommodation and food services), are represented at a significantly greater proportion in St Marys, when compared to the wider LGA (12% and 7% respectively).

This high proportion of employment within these NTE linked industries, implies that there may be a number of existing businesses in St Marys that are either contributing to, or have the potential to contribute to, the NTE through such initiatives as extended trading hours.
### Table 1: Employment by industry

<table>
<thead>
<tr>
<th>Industry</th>
<th>Study area</th>
<th>Penrith</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture, Forestry and Fishing</td>
<td>0</td>
<td>718</td>
</tr>
<tr>
<td>Mining</td>
<td>0</td>
<td>164</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>95</td>
<td>5,616</td>
</tr>
<tr>
<td>Electricity, Gas, Water and Waste Services</td>
<td>0</td>
<td>542</td>
</tr>
<tr>
<td>Construction</td>
<td>41</td>
<td>6,426</td>
</tr>
<tr>
<td>Wholesale Trade</td>
<td>4</td>
<td>1,804</td>
</tr>
<tr>
<td>Retail Trade</td>
<td>471</td>
<td>8,634</td>
</tr>
<tr>
<td>Accommodation and Food Services</td>
<td>278</td>
<td>5,000</td>
</tr>
<tr>
<td>Transport, Postal and Warehousing</td>
<td>24</td>
<td>4,294</td>
</tr>
<tr>
<td>Information Media and Telecommunications</td>
<td>11</td>
<td>465</td>
</tr>
<tr>
<td>Financial and Insurance Services</td>
<td>86</td>
<td>955</td>
</tr>
<tr>
<td>Rental, Hiring and Real Estate Services</td>
<td>129</td>
<td>1,153</td>
</tr>
<tr>
<td>Professional, Scientific and Technical Services</td>
<td>120</td>
<td>2,315</td>
</tr>
<tr>
<td>Administrative and Support Services</td>
<td>11</td>
<td>1,748</td>
</tr>
<tr>
<td>Public Administration and Safety</td>
<td>273</td>
<td>4,873</td>
</tr>
<tr>
<td>Education and Training</td>
<td>174</td>
<td>6,943</td>
</tr>
<tr>
<td>Health Care and Social Assistance</td>
<td>340</td>
<td>9,767</td>
</tr>
<tr>
<td>Arts and Recreation Services</td>
<td>78</td>
<td>936</td>
</tr>
<tr>
<td>Other Services</td>
<td>99</td>
<td>2,624</td>
</tr>
<tr>
<td>Inadequately/not stated</td>
<td>113</td>
<td>1,016</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>2,359</td>
<td>68,597</td>
</tr>
</tbody>
</table>

Source: ABS 2016

A closer look at employment generated at the ANZIC 4 – Digit level, highlights that cafes and restaurants and takeaway food services comprise the majority of potential NTE related employment in St Marys (52%).

Compared to the wider LGA, St Marys contained a higher proportion of employment in the industries of cafes and restaurants; health and fitness centres and gymnasia operations; and clubs. Business operators in these sub-industries could form the basis for strengthening the centres NTE.

Please note, even though no employment was recorded in brothel keeping and prostitution services – there are a number of establishments present in the centre, as such employment in the NTE Industries is likely higher.

### Table 2: Employment by NTE linked industry (ABS 2016)

<table>
<thead>
<tr>
<th>Industry</th>
<th>Study area</th>
<th>Penrith</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation</td>
<td>3</td>
<td>160</td>
</tr>
<tr>
<td>Food and Beverage Services, rfd</td>
<td>4</td>
<td>84</td>
</tr>
<tr>
<td>Cafes, Restaurants and Takeaway Food Services, rfd</td>
<td>0</td>
<td>33</td>
</tr>
<tr>
<td>Cafes and Restaurants</td>
<td>110</td>
<td>1,442</td>
</tr>
<tr>
<td>Takeaway Food Services</td>
<td>73</td>
<td>2,047</td>
</tr>
<tr>
<td>Pubs, Taverns and Bars</td>
<td>20</td>
<td>365</td>
</tr>
<tr>
<td>Clubs (Hospitality)</td>
<td>60</td>
<td>771</td>
</tr>
<tr>
<td>Health and Fitness Centres and Gymnasia Operation</td>
<td>20</td>
<td>174</td>
</tr>
<tr>
<td>Other Gambling Activities</td>
<td>4</td>
<td>39</td>
</tr>
<tr>
<td>Brothel Keeping and Prostitution Services</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total NTE linked industries</strong></td>
<td>294</td>
<td>5,118</td>
</tr>
</tbody>
</table>
2.2 Number of businesses

There were around 178 businesses located in the St Marys study area, which was around 1.4% of all business located in Penrith LGA (over 13,030 businesses).

Although the industry of accommodation and food services was the fourth largest employment generator in the study area, by total number of businesses it ranked seventh.

This implies that business in this category had higher employment densities, that is, had a higher employment ratio per businesses when compared to other industries. An increase in the number of businesses within this industry would likely increase the total amount of people employed in St Marys, when compared to a similar increase in other industries.

The accommodation and food services industry was also more proportionally concentrated in the study area when compared to the LGA (7% compared to 3%) implying that a number of potential NTE businesses are currently present in the centre.

<table>
<thead>
<tr>
<th>Industry</th>
<th>Study area</th>
<th>Penrith LGA</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
</tr>
<tr>
<td>Agriculture, Forestry and Fishing</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Mining</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>3</td>
<td>2%</td>
</tr>
<tr>
<td>Electricity, Gas, Water and Waste Services</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Construction</td>
<td>13</td>
<td>7%</td>
</tr>
<tr>
<td>Wholesale Trade</td>
<td>3</td>
<td>2%</td>
</tr>
<tr>
<td>Retail Trade</td>
<td>33</td>
<td>19%</td>
</tr>
<tr>
<td>Accommodation and Food Services</td>
<td>13</td>
<td>7%</td>
</tr>
<tr>
<td>Transport, Postal and Warehousing</td>
<td>9</td>
<td>5%</td>
</tr>
<tr>
<td>Information Media and Telecommunications</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Financial and Insurance Services</td>
<td>4</td>
<td>2%</td>
</tr>
<tr>
<td>Rental, Hiring and Real Estate Services</td>
<td>17</td>
<td>10%</td>
</tr>
<tr>
<td>Professional, Scientific and Technical Services</td>
<td>16</td>
<td>9%</td>
</tr>
<tr>
<td>Administrative and Support Services</td>
<td>12</td>
<td>7%</td>
</tr>
<tr>
<td>Public Administration and Safety</td>
<td>3</td>
<td>2%</td>
</tr>
<tr>
<td>Education and Training</td>
<td>3</td>
<td>2%</td>
</tr>
<tr>
<td>Health Care and Social Assistance</td>
<td>23</td>
<td>13%</td>
</tr>
<tr>
<td>Arts and Recreation Services</td>
<td>3</td>
<td>2%</td>
</tr>
<tr>
<td>Other Services</td>
<td>23</td>
<td>13%</td>
</tr>
<tr>
<td><strong>Total Industries</strong></td>
<td>178</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source: Economy Id
2.3 Employment containment rates

Workers employed within accommodation and food services had a greater propensity to also live in Penrith LGA (71%). This proportion was significantly higher than that recorded for all industries combined (53%).

The high containment rates in the accommodation and food service industry imply that increased provision of NTE businesses would contribute to Penrith LGA meeting its employment targets, increasing the city’s overall employment containment rate and contribution to a 30-minute city.

Table 4: Employment containment rates – Penrith LGA

<table>
<thead>
<tr>
<th>Category</th>
<th>Accommodation &amp; food services</th>
<th>Total industries</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
</tr>
<tr>
<td>Live and work in the area</td>
<td>3,524</td>
<td>71%</td>
</tr>
<tr>
<td>Work in the area, but live outside</td>
<td>1,458</td>
<td>29%</td>
</tr>
<tr>
<td>Total workers in the area</td>
<td>4,982</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source: Economy ID

2.4 Tourism and visitor statistics

Over the last eight years, the proportion of international and domestic visitor nights in Penrith LGA has significantly increased (236% and 120%, respectively) when compared to that recorded across NSW (52% and 24%, respectively).

Continued strong growth in the number of tourists and visitors to Penrith LGA creates an opportunity for accommodation businesses to benefit and expand in St Marys and Penrith. Increased visitors to St Marys can also have beneficial flow-on effects to other NTE businesses in the centre, including those in the industries of:

- Cafes and restaurants
- Pubs and clubs
- Other night time associated services.

Table 5: Tourism and visitor nights

<table>
<thead>
<tr>
<th>Year</th>
<th>Penrith LGA</th>
<th>NSW</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>International Visitor Nights</td>
<td>Domestic Visitor Nights</td>
<td>International Visitor Nights</td>
<td>Domestic Visitor Nights</td>
</tr>
<tr>
<td>2009/10</td>
<td>188,777</td>
<td>435,967</td>
<td>60,886,548</td>
<td>77,083,697</td>
</tr>
<tr>
<td>2010/11</td>
<td>694,578</td>
<td>957,800</td>
<td>92,203,842</td>
<td>95,228,948</td>
</tr>
<tr>
<td>Change %</td>
<td>236%</td>
<td>120%</td>
<td>52%</td>
<td>24%</td>
</tr>
</tbody>
</table>

Source: Economy ID
2.5 Anti-social behaviour

The NTE can experience issues associated with anti-social behaviour, therefore it is important to consider any existing anti-social issues in the St Marys location. The presence of anti-social behaviour, actual or perceived, can deter local residents, workers and visitors from participating in the NTE of an area.

As seen in the figure below, the NSW Bureau of Crime Statistics (BOCSAR) data indicates that St Marys has a high frequency of recorded non-domestic assault incidents.

These incidents of non-domestic assaults are predominately concentrated in and around the railway station and just to the south of the Great Western Highway. As seen in the following maps the centre is also a reported hotspot for incidents related to malicious damage to property and robbery.

Increased active and passive surveillance would be required in and around St Marys to encourage positive community perception of the centre in the late hours and therefore increased night time activity and visitation.

Figure 3: Incidents of Assault (Non-domestic assault) - 2018

The below map shows that St Marys is also a hotspot area for reported incidents of malicious damage to property.
Figure 4: Reported incidents of malicious damage to property - 2018

Source: BOCSAR incidents recorded between October 2017 and September 2018.

The below map shows that St Marys is also a hotspot area for reported incidents of robbery.

Figure 5: Reported incidents of robbery - 2018

Source: BOCSAR incidents recorded between October 2017 and September 2018.
2.6 Key findings

- Proportionally, employment in NTE industries was more represented in St Marys when compared to the wider LGA. This implies that there may be a number of existing businesses in St Marys that either are contributing too or have the potential to enhance the NTE through such initiatives as extended trading hours.

- Compared to the wider LGA, St Marys contained a higher proportion of employment in the industries of cafes and restaurants; health and fitness centres and gymnasium operations; and clubs. Business operators in these sub-industries could form the base for strengthening the centres NTE.

- Although the industry of accommodation and food services was the fourth largest employment generator in the study area, by total number of businesses it ranked seventh. This implies that businesses in this category had higher employment densities when compared to other industries. An increase in the number of businesses within this industry would likely increase the total amount of people employed in St Marys when compared to a similar increase in other industries.

- The high containment rates in the accommodation and food service industry imply that increased provision of NTE businesses would contribute to the Penrith LGA meeting its employment targets; increasing its overall employment containment rate; and contribution to a 30-minute city.

- Continued strong growth in the number of tourists and visitors to Penrith LGA and St Marys would have beneficial flow-on effects to other NTE businesses in the centre.

- St Marys has a high frequency of recorded non-domestic assault, malicious damage to property and robbery incidents. Increased active and passive surveillance would be required in and around St Marys to encourage positive community perception of the centre in the late hours and therefore increased night time activity and visitation.
3.0 NIGHT TIME ECONOMY AUDIT

An audit of the NTE in St Marys was undertaken to assess the current level of activity, inform the SWOT analysis and provide baseline data for the development of a centre strategy for St Marys.

The survey recorded the type of business, the number of patrons within, if the premise was closed or open and anti-social behaviour. This audit did not include activity associated with internal businesses in the Station Street Plaza or Village shopping centres and was primarily focused on street activity along Queen Street.

The audit was undertaken on Thursday the 29th of November, Friday the 30th of November and Saturday the 1st of December between 4pm-10pm. A team of two HillPDA staff walked up and down Queen Street on the hour. During this time the number of patrons in each venue was counted and any anti-social behaviour was noted.

The figure below identifies the survey audit route.

Figure 6: St Marys NTE audit route

Source: HillPDA
3.1 St Marys NTE business activity

During our audit 53 businesses linked to the NTE were counted. Of these, almost a third (15 businesses) were categorised as a café/restaurant, one fifth (11 businesses) were speciality non-food and the third largest category were speciality food businesses with nine recorded.

Table 6: NTE audit by business category

<table>
<thead>
<tr>
<th>Business category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Café/Restaurant</td>
<td>15</td>
<td>28%</td>
</tr>
<tr>
<td>Speciality non food</td>
<td>11</td>
<td>21%</td>
</tr>
<tr>
<td>Speciality food</td>
<td>9</td>
<td>17%</td>
</tr>
<tr>
<td>Take away</td>
<td>7</td>
<td>13%</td>
</tr>
<tr>
<td>Fitness</td>
<td>2</td>
<td>4%</td>
</tr>
<tr>
<td>Supermarket/convenience</td>
<td>4</td>
<td>8%</td>
</tr>
<tr>
<td>Adult entertainment</td>
<td>2</td>
<td>4%</td>
</tr>
<tr>
<td>Community</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td>Commercial</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td>Hotel</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>53</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Source: HIPDPA 2018 audit

Of these businesses, the highest proportion was open during Friday evenings audit followed by Thursday and lastly Saturday evening.

**Figure 7: Proportion of businesses open versus closed during audit period (4pm to 10pm)**

- **Thursday**: 63% Open, 37% Closed
- **Friday**: 65% Open, 35% Closed
- **Saturday**: 49% Open, 51% Closed

Source: HIPDPA 2018 audit
A closer look reveals that over the three audit days the highest proportion of businesses were open around the 4pm to 6pm time period, with a steady decline in the proportion open post this period.

**Figure 8: Proportion of businesses open versus closed during audit by period**

- Thursday: 85% 83% 81% 69% 69% 60% 52% 42% 46% 40%
- Friday: 60% 56% 56% 60% 62% 40% 38% 38%
- Saturday: 50% 30% 30% 28% 28% 28% 28% 28% 28%

Source: HillPDA 2018 audit.

### 3.2 Patron activity

The table below presents the number of patrons recorded by business category type for each night of the audit.

From the audit we have observed:

- Over the three evenings around a total of 2,150 patrons were recorded inside the NTE business premises;
- Friday was the busiest evening with a total of around 789 patrons recorded over the period, followed by Saturday (712 patrons);
- Thursday was the quietest evening with a total of 647 patrons recorded over the period;
- Most patrons were visiting cafes and restaurants followed by the St Marys Hotel and fitness/gym premises (see Figure 9);
- Although Saturday recorded the lowest number/proportion of businesses open during the audit, it recorded the highest number of patrons dining out in cafes/restaurants.

<table>
<thead>
<tr>
<th>Category</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
<th>Combined</th>
</tr>
</thead>
<tbody>
<tr>
<td>alfresco/Restaurant</td>
<td>183</td>
<td>232</td>
<td>376</td>
<td>771</td>
</tr>
<tr>
<td>specialty non food</td>
<td>45</td>
<td>38</td>
<td>14</td>
<td>97</td>
</tr>
<tr>
<td>specialty food</td>
<td>38</td>
<td>41</td>
<td>31</td>
<td>110</td>
</tr>
<tr>
<td>take away</td>
<td>72</td>
<td>86</td>
<td>58</td>
<td>216</td>
</tr>
<tr>
<td>fitness</td>
<td>108</td>
<td>106</td>
<td>25</td>
<td>239</td>
</tr>
<tr>
<td>supermarket/convenience</td>
<td>19</td>
<td>8</td>
<td>9</td>
<td>36</td>
</tr>
<tr>
<td>community</td>
<td>23</td>
<td>6</td>
<td>6</td>
<td>35</td>
</tr>
<tr>
<td>commercial</td>
<td>33</td>
<td>57</td>
<td>65</td>
<td>155</td>
</tr>
<tr>
<td>total</td>
<td>146</td>
<td>215</td>
<td>128</td>
<td>489</td>
</tr>
</tbody>
</table>

| Total                     | 647      | 789    | 712      | 2,148    |

Source: HillPDA 2018 audit.

---

* Please note that given the difficulties recording patrons within adult entertainment premises, as discretion, security and privacy is highly valued/respected, patron numbers within these venues was difficult to recorded and as such excluded. We would recommend direct consultation with these businesses in the following St Marys strategy.

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The figure below shows total patron activity by business category and audit evening.

**Figure 9: Patron activity by business category and audit evening**

Source: HillPDA 2018 audit

The table below further breakdown total patron activity by business category and audit evening.

From the audit we have observed:

- Friday evenings audit, between 7-8pm, recorded the highest single patron level of the three evenings (176 patrons)
- Although the proportion of NTE businesses open post 7pm patronage steadily declines, during the Friday and Saturday audits the number of patrons remains relatively high
- During Saturday evening the number of patrons in café/restaurants post 7pm was highest over the three evenings, despite the evening having the lowest proportion of businesses open
- Café/restaurants significantly increase patron levels post 7pm and are the main NT activity in the centre
- Although the St Marys Hotel is a significant NTE activity, post 7pm the number of patrons decreases significantly.

**Table 8: Patron activity by time period, business category and audit evening**

<table>
<thead>
<tr>
<th>Category</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4pm-7pm</td>
<td>7pm-10pm</td>
<td>4pm-7pm</td>
</tr>
<tr>
<td>Cafe/Restaurant</td>
<td>42</td>
<td>121</td>
<td>27</td>
</tr>
<tr>
<td>Specialty non-food</td>
<td>34</td>
<td>11</td>
<td>25</td>
</tr>
<tr>
<td>Specialty food</td>
<td>30</td>
<td>8</td>
<td>31</td>
</tr>
<tr>
<td>Take away</td>
<td>28</td>
<td>44</td>
<td>36</td>
</tr>
<tr>
<td>Fitness</td>
<td>57</td>
<td>51</td>
<td>43</td>
</tr>
<tr>
<td>Supermarket/convenience</td>
<td>19</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Community</td>
<td>21</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>Commercial</td>
<td>25</td>
<td>8</td>
<td>42</td>
</tr>
<tr>
<td>Hotel</td>
<td>92</td>
<td>54</td>
<td>139</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>348</strong></td>
<td><strong>299</strong></td>
<td><strong>354</strong></td>
</tr>
</tbody>
</table>

Source: HillPDA 2018 audit
The figure below present a visual summary of patron activity recorded over the audit nights. The map shows that the key areas of activity were around St Marys Hotel, the area between Belar Street and Charles Hackett Drive and the western side of Queen Street - south of Crane Street.

Figure 10: Combined evening patron activity (4pm-10pm) – red circle, areas of high concentration

Source: HIPPDA 2018 audit
3.3 Observed anti-social behaviour

During the audit there was a number of anti-social behaviour incidents observed, these were:

- Drinking on the street, predominantly around St Marys Hotel and Coachmans Park
- Swearing in public
- One account of recreational drug use
- One account of road rage, involving swearing
- One account of law enforcement involving the stopping and questioning of a driver
- It must be noted that no incidents of anti-social behaviour were observed on Saturday night.

Figure 11: Anti-social behaviour audit

Source: HillPDA 2019 audit
3.4 Visible security systems

During the audit observed visible security systems were noted. These systems included CCTV, visible alarms and two premises with security guards including the library. The approximate location of these security systems can be seen in the figure below.

Figure 12: Visible security systems during audit

Source: HILLPDA 2018 audit
A significant number of businesses also had gates and security shutter/roller doors during their closed period. Some of these can be seen in the photos below.

**Figure 1B: Observed security shutter and roller doors**

Source: HillPDA 2018 audit
4.0 SWOT ANALYSIS

The SWOT analysis has been informed by the key findings in this report including, the on the ground observations of the NTE, the online business survey and consultation with businesses and key stakeholders associated with the St Mary's Town Centre. It is intended that the SWOT analysis can inform Council's future strategy development for St Mary's.

Table 9: SWOT analysis

<table>
<thead>
<tr>
<th>Strengths</th>
<th>Weaknesses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large established centre</td>
<td>Lighting and safety issues in some areas (car parks)</td>
</tr>
<tr>
<td>Appealing public domain treatments</td>
<td>Poor building aesthetics</td>
</tr>
<tr>
<td>Strong public transport connections</td>
<td>High vacancy and turnover in some locations</td>
</tr>
<tr>
<td>Friendliness of business owners</td>
<td>Limited NT retail offering</td>
</tr>
<tr>
<td>Established annual events calendar</td>
<td>Areas prone to antisocial behaviour</td>
</tr>
<tr>
<td>Culturally diverse centre</td>
<td>Limited surrounding higher density residential</td>
</tr>
<tr>
<td>Sufficient parking availability</td>
<td>Lack of integration across rail line</td>
</tr>
<tr>
<td>Established surrounding community.</td>
<td>Lacks a clear and appealing night time centre identity</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Opportunities</th>
<th>Threats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategic Centre status of St Marys</td>
<td>Further increases in vacancy rate distracting businesses</td>
</tr>
<tr>
<td>Opportunity with the new rail link</td>
<td>Strengthening of competing centres</td>
</tr>
<tr>
<td>New development could improve the quality of built form and deliver public benefits</td>
<td>Stigma for anti-social behaviour</td>
</tr>
<tr>
<td>Opportunity to encourage NTE business clusters</td>
<td>Possible larger retail centre in Werrington Campus</td>
</tr>
<tr>
<td>Potential for strong population growth in surrounding low density areas</td>
<td>Location and Integration of new railway station</td>
</tr>
<tr>
<td>Council owned assets in key locations could be leveraged to deliver improvements</td>
<td>Leakage of expenditure and demand to surrounding centres</td>
</tr>
<tr>
<td>Council's commitment to public works improvements</td>
<td></td>
</tr>
<tr>
<td>Strong café/restaurant activity on Saturday evenings</td>
<td></td>
</tr>
<tr>
<td>Extend business operating hours and number of businesses in the NTE</td>
<td></td>
</tr>
<tr>
<td>Consolidate NTE activity around station</td>
<td></td>
</tr>
<tr>
<td>Creation of specific NTE precincts (food / entertainment)</td>
<td></td>
</tr>
<tr>
<td>Improved connection between main street retailing and enclosed retail centres</td>
<td></td>
</tr>
<tr>
<td>More outdoor dining and footpath activation would enhance vibrancy of centre.</td>
<td></td>
</tr>
</tbody>
</table>
5.0 NIGHT TIME ECONOMY OPPORTUNITIES

Vibrant NTE’s create new business opportunities and increase social cohesion. When vibrant streetscapes with imaginative lighting and events are created, cafes, restaurants and entertainment venues will be encouraged to extend their usual 9am to 5pm trading period into the late evening. This increased business growth, trading hours and pedestrian traffic will also result in a safer environment.

At the start of 2019, the NSW Government released a number of initiatives around the NTE in NSW including:

- **Promoting the night-time economy**
  - $1.5 million to support the NTE through Create NSW and Office of Responsible Gambling – live music events
  - $15,000 to support local initiatives that will bring positive improvements to public safety and amenity in and around licensed premises and in other public and private spaces
  - Supporting small bars to open and operate – including increasing capacity from 50 to 100 persons and relaxation on the type of drinks that small bars can serve after midnight.

- **Making it easier to run a night-time business**
  - Easier liquor licensing application process through two web-based tools
  - Implementing licensing improvements and red tape reductions to make it easier for restaurants and cafes to start-up and operate across NSW.

There may be opportunities for Penrith City Council to access funding to support some NTE initiatives.

Literature also establishes that a mix of uses provides the opportunity for retail markets to capitalise on pedestrian activity during the day and at night from residents, workers and visitors. Leveraging off existing events, creating street art and installing WiFi hot spots can support a distinctive identity and a sense of belonging that strengthens activity centres. A younger apartment-dwelling demographic with high annual retail expenditure is the ideal customer base for night-time businesses like bars and restaurants. A stronger night economy also supports local business services such as transport, cleaning and maintenance.

Below are some initiatives to support the delivering of a stronger NTE.
Initiative 1: Define a night time activity cluster

Supporting the growth of both day and night time activity levels creates a more vibrant and safe environment. Extending trading hours past the standard '9-5' concept enhances consumer access to goods and services and the trading opportunity for businesses.

According to the business survey findings, hours of operation in St Mary's are relatively standard with a small number of businesses open for extended hours or during the evening. When businesses are open, they are generally distributed along the extent of the street, with no clear or defined area to encourage night time activities.

Defining a night time activity cluster can assist in enhancing activation, attracting particular businesses and managing community expectations. While it is important to maintain flexibility to accommodate the changing needs of businesses, establishing character statements can be helpful.

As identified in the workshop and through the business survey, the concept of a 'twilight' economy was favourable, creating opportunities for small bars, restaurants, dessert bars and cultural venues at St Mary's. It was recognised that the most appropriate location for the night time activity cluster was towards the station, where there are some existing evening establishments and more accessible public transport linkages.

Strengthening the streetscape appeal and integration of the space around the station would encourage activation with a pleasant street environment and improved amenity, generally more conducive to outdoor dining or events. Incorporating night time events in public spaces, community facilities and a broader mix of uses may also encourage families and customers that would otherwise not visit the centre. Hosting markets or other free events in the centre after hours can also be conducive to enhancing activity. At present, there are limited spaces available in the centre that could support community events and they are not effectively linked with the existing retailers or transport links. Defining a clear night time activation space that is well lit, has the infrastructure to support outdoor entertainment and has passive surveillance, will be important.

Figure 14: Night time activity cluster
### Objective of initiative
Cluster twilight activation in a more confined area to increase vibrancy and activity and leverage connections to public transport.

### Recommendations
- Define a clear night time activity “core area” to focus night to activation and events. Consider concessions to planning controls if night time uses are delivered/provided.
- Work with the private sector to facilitate the delivery of more outdoor dining, small bars and live music venues to create a point of difference.
- Encourage a diversity of uses with extended hours of operation, exploring concessions for businesses that positively contribute to the NTE.
- Consider partnerships with the private sector to deliver events such as regular weekend markets, outdoor cinema, outdoor music performances etc. that encourage people to visit the centre.
- Investigate opportunities to upgrade the public plaza near the rail station to make it an attractive space for people and better integrate it with the main street.
Case study: Edwards Street, Reservoir, Melbourne

Figure 15: Reservoir Major Activity Area Framework Plan

The Reservoir area is located 14 kilometres north of the CBD and approximately 10km south of Melbourne’s northern growth corridor. The South Morang rail line and two arterial roads pass through the Reservoir town centre and intersect at the station. The area saw substantial growth during the 1920s, and is characterised by detached houses and single story shops along Edwards Street. Reservoir is ranked as disadvantaged on the SEIFA index, and is less affluent than State averages. Prior to the release and implementation of the Reservoir Structure Plan, the station’s surrounds were characterised by underutilised retail space and a lack of safety or activity during the night. Traditionally, the area’s NTE had consisted of small takeaway food parlours and international food restaurants. A masterplan process was part of Council’s response to the State Government identifying Reservoir as a major activity area in the city’s metropolitan plan.

Council developed planning controls to encourage the consolidation of allotments while ensuring a fine grain pattern of development facing Edwards Street. They implemented streetscape upgrades that allowed for outdoor dining to occur within footpaths and kerb extension areas, and on short term they undertook a series of small four cost improvements to the area such as weeding of garden beds and high pressure cleaning of footpaths. As part of a community strategy ‘Libraries After Dark’, the Reservoir Library had its opening hours increased until 8pm and focused on a series of night-time events such as author talks, craft workshops and discussions. Concurrently, several other shops nearby have extended opening hours including the Coles and the SUPA IGA. These changes have been supported by residential infill development happening on land surrounding the train station.

In 2015, the council worked with local real estate agents, landlords and local business to implement the ‘Active Spaces in Darebin’ project in vacant shops through the activity centre. The temporary retail offers provided a sense of discovery and attracting visitors to a more diverse retail offering. These Council-led actions have effectively initiated a night-time economy for small retail and community uses in the short to medium term. When the area increases in mixed use intensity as part of a State Government activity centre strategy, a younger demographic is expected to support bars, nightlife and a later night economy.
**Intervention 2: Governance and regulation**

Governance and regulation are not only about matters of control, but also planning and design that will enable a centre’s night-time economy to diversify in terms of spaces, activities and participants.

The audit identified that there is still a stigma about St Mary’s as an unsafe environment, particularly in the evening and at night. There is evidence of anti-social behaviour around some establishments and a police presence in the centre. Implementing night time place making interventions to positively influence the perception of the centre would be encouraged through a strong governance strategy.

Ensuring there is a clear vision and intent for the area and specifying desired outcomes for the night-time economy is important in establishing a clear direction. St Mary’s has an active Chamber of Commerce that seeks to enhance the vibrancy and potential of the centre. The Chamber would be suitable in facilitating ongoing events for the centre, however, funding and resourcing would likely be an issue. In collaboration with Penrith City Council, there is an opportunity to apply for state government grants to further improve the safety of the centre and unlock local NTE initiatives. It is likely that Penrith City Council would need to take an active role, in collaboration with the chamber, to facilitate initial catalyst events, rebranding and development incentives.

Businesses should be encouraged to extend their operating hours to 10pm. Extending the trading hours will not necessarily make shops open later. Businesses may raise concerns regarding additional costs to businesses or the lack of customers during extended hours. Therefore, there is a need to simultaneously market the area as a night time precinct to advertise businesses are open and customers can visit in the evening.

<table>
<thead>
<tr>
<th>Objective of intervention</th>
<th>Intervention considerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facilitate a diverse, active and interesting evening economy that establishes St Mary’s as an evening destination.</td>
<td>▪ Undertake a re-branding and marketing exercise to promote St Mary’s as a safe, vibrant and attractive location for families, couples and friends to meet and socialise</td>
</tr>
<tr>
<td></td>
<td>▪ Explore applying a ‘change of use’ exemption to allow small bars to operate in restaurants and cafes without a development application</td>
</tr>
<tr>
<td></td>
<td>▪ Enable shops and local businesses to extend their trading hours to 7am to 10pm without an approval. Consider the exemption for grocery stores, clothing stores, bookshops, news agencies, pharmacies, gyms, hairdressers, beauty salons, dry cleaners, travel agents and banks</td>
</tr>
<tr>
<td></td>
<td>▪ Explore family friendly events including night time markets, night time cinemas, music events that are held in public spaces. Make these regular so people know that if they go to the location there will be something on</td>
</tr>
<tr>
<td></td>
<td>▪ Utilise existing Council facilities and land to catalyse night time activities, such as ‘Libraries after dark’ for author talks, book signings etc.</td>
</tr>
<tr>
<td></td>
<td>▪ Encourage empty shop-fronts to be utilised as pop-up art galleries, restaurant, music venues etc. to activate the street and drive more creative and cultural opportunities.</td>
</tr>
<tr>
<td></td>
<td>▪ Where development occurs around the station or in the night time activity cluster, encourage developers to contribute floorspace that support night time activation.</td>
</tr>
</tbody>
</table>

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8 University of Western Sydney, 2008 “The City After Dark - Cultural Planning and Governance of the night-time economy in Parramatta” Centre for Cultural Research

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East Atlantic Avenue, Delray Beach, Florida

Figure 16: Atlantic Avenue, Delray Beach, Florida

Delray Beach is a city located in the greater Miami metropolitan area. It has been working since 1983 to overturn its reputation as a dangerous town with a dying cultural industry. In the 1980s, Delray Beach was considered dark, unkempt and dangerous. The campaign, led by the Downtown Joint Venture (DIV), divided the city into eight zones, each of which were assigned their own strategy according to their unique needs, one of which was the East Atlantic Avenue area.

The Downtown Joint Venture was a conglomerate of the City of Delray Beach, several merchant groups and two development authorities in the municipality. Established in the early 1990s, the DIV began by convening an alliance of key nightlife stakeholder groups in Delray Beach including government agencies, business districts, hospitality businesses, neighbourhood organisations and academic institutions. They organised a procedural system to document data on crime, traffic injuries, disorderly conduct, density of social occupancy, infrastructure (e.g. sidewalk width), parking and transportation services, demographic trends and the economic impact of nightlife. This evidence base and long-term timeframe allowed the Council to change and to create rules to discipline developers as property value rose.

The DIV consulted with the City of Delray Beach to streamline permitting and licensing which increased compliance with regulations and reform licensing. They reformed these licensing changes in tandem with a redevelopment of the East Atlantic Avenue, a stretch of road which in 1993 had 80% vacancy rates. The Council implemented streetscape upgrades including street trees, footpath widening, more bins, and bike racks. They enforced a fifteen metre height limit and large setback requirements along East Atlantic Avenue to maintain a smaller-scale streetscape with plenty of natural light. With support from the merchant groups and tenants, the DIV led a marketing strategy to attract people to the restaurants and bars. Enjoying afternoon meals and sunset drinks along the Avenue has become popular for the older demographic in the northern Miami area. The process of renewal took over 20 years.
Case study: Eat Street Markets

Eat Street Markets aim to promote local food produce, local artists and the artisan food industry by providing a space and curating a regular event to promote all things local. Eat Street Northshore was originally a temporary installation to promote those who are passionate about the food they produce, however, has since become a permanent installation open Thursday to Sunday. Entry is $3 or free for children under 12 years of age.

Food stalls are set up in shipping containers or food trucks on a designated site. Live music and performance stages are then distributed throughout the location providing a festival type atmosphere. The market has become a popular destination for local and visitors and has assisted in the formal launch of a number of companies.

Considering the number of substantial surface car parks located behind Queen Street, there is significant opportunity to curate a regular event, such as an eat street market, that draws people in to the centre on weekends.
Intervention 3: Density within a walkable catchment

Centre performance is intrinsically linked to the density within the trade catchment. Increasing the residential and commercial density of a walkable catchment can enhance the vitality and viability of retail and reduce the reliance of private vehicle trips. A balance of both commercial and residential within the catchment can extend centre activation both during the day and into the evening.

Encouraging a balance of commercial and residential uses in the centre can enhance activation both during the day and night. Workers are imperative to the vitality of the centre during the daytime and early evening hours, where residents increase activation after hours and weekends.

The population of Penrith LGA is projected to increase by around 28.2 per cent over the next 20 years (forecast id). A portion of this growth may be accommodated in or around the study area. Providing increased residential density in locations with strong access to public transport and employment opportunities is encouraged by all levels of government. Increasingly, people are choosing to live in or in close proximity to centres as a lifestyle choice due to the enhanced access to services. There is merit in enabling further infill residential development in or on the fringe of St Mary’s main street. New development would also enhance the amenity and feel of the location, particularly if coupled with ground floor active uses that contribute to the day and evening economy.

Increasing the permanent population of residents and workers within the 400-metre catchment of Queen Street would boost centre vitality. It would also enable more people to live closer to jobs if additional commercial floor space is also delivered in the catchment.

Further opportunities to expand and grow the centre in line with future population projections and associated residential and commercial demand would benefit the centre, contributing to a lively and active place. Provisioning a variety of housing types including affordable options for key workers would encourage greater diversity.

<table>
<thead>
<tr>
<th>The objective of intervention:</th>
<th>Planning considerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase the worker and residential population within the trade catchment.</td>
<td>▪ Consider allowing a greater density of residential and office space within the walkable catchment to support centre activation.</td>
</tr>
<tr>
<td></td>
<td>▪ The large car parks behind the main street provide a real opportunity for Council to encourage and deliver high quality residential or mixed use outcomes increasing both NTE businesses and residential densities.</td>
</tr>
<tr>
<td></td>
<td>▪ Provision for a mix of housing (including affordable housing) to cater to a diversity of age groups and incomes.</td>
</tr>
</tbody>
</table>
Intervention 4: Active street frontages

Active street frontages can increase the perceived vibrancy of a centre and optimise surveillance. Where commercial floor space is under delivered, however, tenancies can be left vacant, having the opposite effect.

As per the Standard Instrument Model Clause active frontages provide:

Continuous business or retail land uses that open directly to the footpath provide active, people-oriented street frontages. It enhances public security and passive surveillance and improves the amenity to the public domain by encouraging pedestrian activity. It can also assist in supporting the economic viability of the centre.

Encouraging outdoor dining along street frontages can enhance the activation of streets and encourage community interaction. The visibility of outdoor dining invites and attracts passing trade, benefiting not only the restaurant but the surrounding retail precinct.

Stakeholder engagement identified that many restaurants in the area were not inclined to have outdoor dining despite the recent streetscape upgrade. Stakeholders identified that this may be due to poor amenity, instances of anti-social behaviour and climate. It was also identified that businesses that were not open in the evening, generally closed roller doors, which further depreciated from the aesthetics of the environment. Street trees and awnings can also create a sense of human scale and intimacy in the environment, providing protection from the weather and improving amenity. Although a number of street trees have been planted, they are yet to reach full maturity and do not have the same aesthetic appeal for the environment. As these trees grow, they will positively contribute to streetscape amenity.

Uses that have higher levels of customer interaction, such as retail and dining, should be encouraged along the main pedestrian thoroughfares, where amenity is stronger. These uses are encouraged to maximise their hours of operation to facilitate vibrant pedestrian thoroughfares for longer periods. Encouraging entertainment uses, bars, restaurants, art galleries and late night shopping that operate after hours can also create more vibrant NTE and contribute to safer environments. More passive service uses such as banks, real estate agencies, showrooms etc. are more appropriate for secondary pedestrian thoroughfares or outside the night time activity cluster. These businesses generally benefit from enhanced business exposure and can activate frontages without taking up premium retail space.

Council can assist in the facilitation of an active street frontage through a number of initiatives.

<table>
<thead>
<tr>
<th>Objective of intervention</th>
<th>Planning considerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Encourage active and dynamic frontages along the main pedestrian thoroughfares.</td>
<td>■ Optimise activation by encouraging more active uses such as retail and dining along the high pedestrian thoroughfares with strong amenity. Uses that do not generate active trade should be encouraged to locate above ground level. ■ Encourage busking and street performances to add to the vibrancy of the centre. ■ Offer incentives for outdoor dining or reducing the cost of footpath permits. ■ Street art and lighting installations.</td>
</tr>
</tbody>
</table>

4 NSW government—Model Local Clauses for Standard Instrument LPS—viewed at: www.planning.nsw.gov.au
Central Fremantle, Perth

Figure 17: Fremantle High Street

An evening and NTE is a key strength of the Fremantle City. Situated 19km south-west of Perth, Fremantle is an old port city experiencing unprecedented levels of investment and urban renewal, with a pipeline of about $1.3 billion. Fremantle’s centre hosts a mix of uses, with a strong retail and tourism element, as well as a connection with Notre Dame University.

The assets that have facilitated Fremantle’s NTE include:

- Efficient and convenient public transport links
- Diverse and well attended events
- Diverse retail offering that caters for a wider range of budgets
- Attractive heritage market-place hosting speciality night-markets
- Offices in the area help support after-work drinks

The City of Fremantle owns a number of historic buildings in the area, which they have renovated to catalyse strategic projects. An example is the renovation of heritage buildings to establish the Walalup Aboriginal Cultural Centre and the Vidoce ArtHouse in accordance with their arts and culture strategy. This brought early evening activity in the western end of High Street Fremantle, with more pedestrian traffic in the later hours, especially on weekends. The City of Fremantle pedestrianised some areas along High Street, converted a length to red tarmac and brought in a street artist to design a landmark artwork across several buildings.

These public works established a better pedestrian realm to connect the office and arts buildings in the west end with the central core of Fremantle that already hosted a thriving NTE.

A strong relationship between the University of Notre Dame and the City of Fremantle has been important for supporting local businesses. Notre Dame has expanded its night-school classes, extended library open hours. The University and its residential colleges constitute a large portion of floor space in the western end of Fremantle, and their population supports local pubs, shops and eateries during weekdays.

Undertaking public realm upgrades, committing expenditure to heritage restoration and arts projects has contributed to Fremantle’s NTE.

Today, while mid-rise apartment buildings are being steadily approved in the surrounding area (often redevelopments of old car parks), East Atlantic Avenue remains a quaint sanctuary and the NTE is thriving because of the initial plans and ground rules put in place decades prior.
5.1 Key findings from case studies

- Advocating state government agencies to provide more public transport for extended hours can increase activity in the area later at night
- Collaborating with non-government agencies and the police to help deliver services in the late night can be helpful for reducing harm or crime
- Small scale public works and community initiatives can help facilitate an evening activity in the short to long term
- An improved public realm supports on-street evening and night time dining opportunities
- Council-owned facilities can act as land use anchors for night time activities (e.g. library, arts and culture centre)
- A greater intensity of residential, commercial and retail is crucial for establishing a NTE
- Engagement with retail owners or groups is important for securing interest and understanding issues
- Street art, wayfinding and re-painting buildings can be a fast and cost-effective way of place-making
- Establishing a NTE is a long term process, and early-stage master planning is important to direct growth and encourage retail.
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5. Due care has been taken to prepare the attached financial models from available information at the time of writing, however no responsibility can be or is accepted for errors or inaccuracies that may have occurred either in the programming or the resultant financial projections and their assumptions.

6. This report does not constitute a valuation of any property or interest in property. In preparing this report HillPDA has relied upon information concerning the subject property and/or proposed development provided by the Client and HillPDA has not independently verified this information except where noted in this report.

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APPENDIX A: CONSULTATION SUMMARY

On Wednesday the 5th of December businesses, stakeholders and the Chamber of Commerce in the St Mary’s Town Centre were given an opportunity to participate in a two hour workshop and focus group session regarding the NTE. All businesses in the centre were invited to attend through a letter mailed by Council.

The workshop involved three exercises as outlined below.

1. Brainstorming strengths, weaknesses, opportunities and threats as a group.
2. Mapping answers to the following three questions:
   a. Where does night time activity currently occur?
   b. What are the barriers to night time activity?
   c. What initiatives could be done to improve night time activity/patronage?
3. Defining three words or statements that define St Mary’s NTE now and three words of how participants would like to see St Mary’s NTE in the future.

A.1 SWOT analysis activity

<table>
<thead>
<tr>
<th>Strengths</th>
<th>Weaknesses</th>
<th>Opportunity</th>
<th>Threat</th>
</tr>
</thead>
<tbody>
<tr>
<td>CCTV</td>
<td>Perception of anti-social activities</td>
<td>Encourage a more diverse offering of night time uses</td>
<td>Takes a long time to encourage change and upgrade of shopfronts</td>
</tr>
<tr>
<td>Pedestrian lighting</td>
<td>Chemists do ‘take-aways’</td>
<td>More and larger bars in the street</td>
<td>Difficult to shift perception</td>
</tr>
<tr>
<td>Strong public domain / street cleanliness</td>
<td>Needs more diversity of uses</td>
<td>Family atmosphere at beginning of night</td>
<td>Anti-social behaviour including assaults, drugs, domestic violence is a deterrent</td>
</tr>
<tr>
<td>Wide footpaths</td>
<td>Social housing in new development may incur more anti-social behaviour</td>
<td>Greater diversity – encourage bars, ice cream shops, restaurants</td>
<td>The centre has a stigma (attached to the former club) that is hard to get rid of</td>
</tr>
<tr>
<td>Good presence of banks</td>
<td>Shop frontages are fairly poor aesthetically</td>
<td>Increase density in the walkable catchment</td>
<td>Lack of funding</td>
</tr>
<tr>
<td>New development with ground floor retail</td>
<td>Trees are gone / new growth which exposes the poor frontages</td>
<td>Encourage new development in town to renew old shop fronts</td>
<td>Village is no longer 24/7</td>
</tr>
<tr>
<td>Greater options for floor plates</td>
<td>Car park near station is known for anti-social behaviour</td>
<td>Create opportunities for families to move to the centre</td>
<td>Investors who own shopfronts don’t live / work in centre</td>
</tr>
<tr>
<td>New business investment</td>
<td>Formalities of the shop fronts is poor</td>
<td>Night time markets</td>
<td>Competition from surrounding centres including Penrith, Paramatta</td>
</tr>
<tr>
<td>Financial assistance program for shop front improvement has been established</td>
<td>Not marketing the restaurants adequately</td>
<td>More convenience stores</td>
<td>Parking is at the back (perception of safety)</td>
</tr>
<tr>
<td>Food is tasty</td>
<td>More lighting and foot traffic needed</td>
<td>Create gateway to the centre at both ends</td>
<td>Safety</td>
</tr>
<tr>
<td>Strong take-away economy</td>
<td>Bus shelter doesn’t have weather protection</td>
<td>Encourage large function space or bigger restaurants</td>
<td>Local people don’t speak highly of St Mary’s</td>
</tr>
<tr>
<td>感性</td>
<td>Floor plates don’t allow big restaurants / entertainment</td>
<td>Close to universities – target students as a market</td>
<td>Attitude is not supportive</td>
</tr>
<tr>
<td></td>
<td>Centre lacks ‘overall experience’</td>
<td>Breakdown barriers with land lords</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Surrounding catchment has lower levels of disposable income.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
A.2 Mapping exercise

Figure 18: Where does night time activity currently occur?
Figure 19: What are the barriers to night time activity?
Figure 20: What initiatives could be done to improve night time activity/patronage?
A.3  St Mary’s now and in the future

<table>
<thead>
<tr>
<th>Now</th>
<th>Future</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not attracting visitors due to poor visual appearance</td>
<td>More employment</td>
</tr>
<tr>
<td>Quiet</td>
<td>More attractive to Investment</td>
</tr>
<tr>
<td>Unsafe</td>
<td>Increased development</td>
</tr>
<tr>
<td>No reason to come into St Marys</td>
<td>Variety</td>
</tr>
<tr>
<td>Rundown</td>
<td>Atmosphere</td>
</tr>
<tr>
<td>Unsafe perception</td>
<td>Safety</td>
</tr>
<tr>
<td>Lacks variety / Interest</td>
<td>Vibrant</td>
</tr>
<tr>
<td>On the brink</td>
<td>Creative hub</td>
</tr>
<tr>
<td>Opportunity</td>
<td>More residents</td>
</tr>
<tr>
<td>Safe and clean</td>
<td>Destination</td>
</tr>
<tr>
<td>Unique</td>
<td>Vibrant</td>
</tr>
<tr>
<td>Small</td>
<td>Trendy</td>
</tr>
<tr>
<td>Shops</td>
<td>Diverse</td>
</tr>
<tr>
<td>Quiet</td>
<td>Transport hub</td>
</tr>
<tr>
<td>Old school</td>
<td></td>
</tr>
</tbody>
</table>

A.4  General discussion items

- **General comments**
  - The construction works to upgrade the streetscape was said to cause a decline in foot traffic.
  - If there was higher foot traffic in the evenings, there is anecdotal evidence that more businesses would stay open.
  - Competing centres are seen as Mt Druitt, Penrith and Warrington.
  - Lack of entertainment facilities for families/family attractors.

- **Current initiatives**
  - Four community events are held each year at Christmas, Spring, Halloween and Easter. These events have reasonably high patronage with some businesses benefitting and others not.
  - Shop front upgrade program already established.

- **Opportunities**
  - Improve the connection between the town centre and surrounding business areas to create a symbiotic relationship.
  - Consider a possible bonus initiative to encourage ground floor NTE tenants.
  - Encourage the clustering of night time activities, at the moment they are too spread out.
  - The main street needs to strengthen its community related events/offering on a more regular basis. Investigate the opportunity for night markets.
  - Opportunity to do multi-storey development over car parks to increase density within the walkable catchment.
  - Encourage more outdoor dining, particularly considering the width of the footpaths.
  - Deter more adult entertainment establishments from establishing in the town centre, particularly when in proximity to premises that serve alcohol.
APPENDIX B: ONLINE BUSINESS SURVEY

To capture a wider number of businesses or those that could not attend the focus group session, an online business survey was developed as part of the consultation process. Each business in the centre was provided with a link to the online survey via a letter mailed out by Council.

In total, 22 businesses completed the survey, with the following being a summary of their responses to the seven questions asked. The results of this survey have been used to inform the SWOT analysis.

The location and type of businesses that responded is provided in the figure below. Please note that there was an additional café respondent, however, they did not provide an address.

![Figure 21: Location and business type of online respondents](source: HillPDA)
B.1 What time is your business open until, on the following days

Across the days provided in this question, the rates of businesses that responded ranged between 17 to 22. Of the respondents, the following can be observed:

- Except for Thursday, the majority of businesses closed before 6pm
- Thursday had the highest proportion of businesses open into the evening/late night
- Thursday and Friday had the highest proportion of businesses open between 6pm and 9pm
- Although Sunday had a high portion of businesses open until 9pm (29%), overall it had the lowest proportion of businesses open into the evening/late night.

A closer look at businesses linked to the NTE (cafes, restaurants and gym) identified the following:

- An increase in the proportion of businesses closing between 7:30pm and 10:30pm
- A slight increase in the proportion of businesses still open past 9pm on Sunday.
B.2 What types of night time activities currently occur in the centre?

All 22 businesses responded to this question. The majority indicated that cafes and restaurants were the main night time activity occurring in the centre (55% and 32% of respondents, respectively). Adult entertainment was also indicated as a major night time activity (32% of respondents).

Responses in the other category included: supermarket; shopping; takeaways; and chemists.

![Bar chart showing the distribution of night time activities](image)

B.3 What are the barriers to night time activity

All 22 businesses responded to this question. The majority indicated that the main barriers to night time activity were the lack of night time events (55% of respondents), followed by safety in the centre (50% of respondents) and business mix.

Responses in the other category included: lack of CCTV surveillance; the area and people; anti-social behaviour including theft, verbal abuse and public drug use; and the ingrained negative stigma of the centre.

![Bar chart showing the distribution of barriers](image)

A closer look at businesses linked to the NTE (cafes, restaurants and gym) highlights that the lack of night time activation was identified as being the greatest barrier to night time activity. This was followed by the perceived
safety in the centre and business mix. Responses in the other category consisted of the village nature of the centre and “people”.

B.4 What initiatives do you think could be implemented to improve the actual or perceived safety of St Marys in the evening/night time to encourage patronage?

Twenty-one of the businesses responded to this question. Of the responses, there were five main themes, these being:

- Increased security (CCTV, lighting and police presence)
- Increased awareness of security
- Increased number and diversity of cafes and restaurants
- Increased lighting in car parks
- Increased outdoor dining.
APPENDIX C: LAND USE AUDIT MAPS

An audit of the NTE in St Marys was undertaken to assess both the current level of activity, inform the SWOT analysis and provide baseline data for the development of a centre strategy for St Marys.

The map below shows the location and broad type of businesses recorded.

Figure 32: St Marys business audit by category

Source: HillPDA 2018 audit
The figure below presents a visual summary of patron activity recorded on Thursday evening. The map shows that the key areas of activity were around St Mary's Hotel, the area between Belair Street and Charles Hackett Drive and the western side of Queen Street - south of Crano Street.

Figure 28: Thursday evening patron activity (4pm-10pm)
The figure below presents a visual summary of patron activity recorded on Friday evening. The map shows that the key areas of activity were around St Marys Hotel, the area between Belair Street and Charles Hackett Drive and the western side of Queen Street - south of Crana Street.

Figure 24: Friday evening patron activity (4pm-10pm)
The figure below present a visual summary of patron activity recorded on Saturday evening. The map shows that the key areas of activity were around St Marys Hotel, the area between Belar Street and Charles Hackett Drive and the western side of Queen Street - south of Crana Street.

Figure 25: Saturday evening patron activity (6pm-10pm)
The following maps show and detail anti-social behaviour incidents observed during the land use audit. Please note that no anti-social behaviour incidents were observed during the Saturday evening audit.

Figure 26: Thursday observed anti-social incidents

Legend
- Study area
- On-street drinking
- Police activity
- Swearing
- Road rage

Source: HillPDA 2018 audit.
Figure 27: Thursday observed anti-social incidents

Source: HillPDA 2018 audit
Date of Meeting: Monday 11 November 2019

Report Title: Draft Special Places Usage Policy (Penrith City Centre and St Marys Town Centre)

Attachments: Draft Special Places Usage Policy
Location maps of Special Places
SPECIAL PLACES USAGE POLICY
(PENRITH CITY CENTRE AND ST MARYS TOWN CENTRE)

Adopted
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SPECIAL PLACES USAGE POLICY

1. TITLE
   This Policy ("the Policy") is called the Special Places Usage Policy.

2. PURPOSE
   Penrith City Centre and St Marys Town Centre provide vibrant and dynamic retail, hospitality and mixed-use opportunities, with distinctive landscapes and public spaces in both centres.

   The primary purpose of this policy is to provide a framework of guiding principles of decision-making criteria for the designated special places in the Penrith City Centre and St Marys Town Centre. By clarifying expectations, the aim is to foster an environment that encourages and enables appropriate activations in these important public spaces.

   The network of Special Places delivers a mixture of passive and active spaces in our centres. The bigger places, due to their size and flexibility, such as Triangle Park in Penrith and Coachmans Park in St Marys attract a wider range of people and cater for several different activities. Whereas the smaller ones such as the Linear Plazas in Penrith and the Crana Street Junction in St Marys, have the ability to passively improve their perceptions of convenience and safety in the city, improving wayfinding and reinforcing a unique identity.

3. BACKGROUND
   The Penrith City Centre Public Domain Masterplan and the St Marys Streetscape Improvement Project lists a network of special places that have a unique offering in order to attract people to the centre improving the economy, community and perception of safety. The vision is for the city to be a place where people live, work and play in welcoming, vibrant and accessible spaces.

   Both strategic documents aim to greatly increase the number and variety of these special places creating a centre of multiplicity and diversity rather than repetition and homogeneity, in order to attract more people to the centre, improving the economy, community feel and perception of safety.

   Council has range of existing policies and guidelines that impact the usage of Special Places that should be considered in conjunction with this Policy when considering an activity. The documents include, Alcohol Free Public Spaces, Outdoor Dining, Smoke Free Outdoor Areas, Street Performers, Fees and Charges and Sustainable Events Policy.

4. DEFINITIONS
   Authorised person: An appropriately delegated employee of the Penrith City Council or a police officer.

   Council: Means Penrith City Council.

   Designated area: A designated area is defined as an area of public land approved by an authorised person.

   Hierarchy: A summary of the hierarchy of the Special Places in the wider context of the area and their significance to the greater community.
Place Attribute: The urban design attributes that will help guide the activity and experiences in the Special Places.

Place Character: The proposed place character of the Special Places that expresses the desired personality of the place.

Public Space: Spaces that are generally open and accessible to people. Including the pavement, public squares, parks and open spaces.

5. OBJECTIVES
The Policy aims to:

(a) Create a unique city centre identity and sense of place that enhances the connection between people and place.
(b) Minimise any potential adverse impacts on nearby businesses, properties or community members.
(c) Provide a clear and transparent framework of guiding principles for the special places.
(d) Encourage city activation programs both large and small scale and specific to the vision for the public space.
(e) To provide a single approval pathway for people intending to undertake activities on public lands.
(f) To ensure that Council fulfills its obligations to the community in relation to public safety and amenity and the public interest generally.
(g) To provide clear guidance to people intending to undertake activities on public land of Council's requirements
(h) Ensure that activation does not unduly interfere with pedestrian traffic, conduct of business, community safety and public amenity.

6. COMMENCEMENT DATE
The Policy was adopted by Council on X XX XXXX and will come into operation on X XX XXXX.

7. SCOPE
This policy provides the framework for appropriate activity within the city centres Special Places network, while acknowledging that in a mixed-use environment, that activity must be carefully managed for equity and fairness to all. This policy does not apply to public spaces not listed below. A summary of the networks and their locations are as follows:

a) Penrith City Centre Network:
- Future City Park
- Memory Park
- Triangle Park
- Mondo
- Woodriff Lane
- Chambers Court
- Linear Plazas
b) St Marys Town Centre Network:
   - Coachmans Park
   - Highway gateway
   - King Street Bus Stop
   - Library
   - Crana Street Junction
   - Post Office
   - Baldo's Laneway
   - Mid Block Laneway
   - Oxley Arcade
   - Telstra Exchange
   - Nariel Street
   - Station Plaza
8. HIERARCHY OF SPECIAL PLACES

A summary of the hierarchy of the Special Places in the wider context of the area and their significance to the greater community is provided in Appendix 1.

The hierarchy identifies where the Special Places sit in the context of the centres and Penrith Local Government Area. It defines their role as a mixture of passive and active spaces. The hierarchy identifies the following roles of the spaces:

- Regional/District Attraction – Increase social and economic activation
- District/Local Attraction – Establish and reinforce a unique town centre identity
- People Places – Improves pedestrian amenity, wayfinding and comfort

9. SPECIAL PLACES GUIDING PRINCIPLES

The following guiding principles will be taken into consideration when assessing a request to hire a Special Place in the Penrith City Centre and St Marys Town Centre.

a) Appropriate activity
   Council seeks to encourage activity that promote economic growth, cultural benefits and social integration, while understanding the needs of local businesses.

b) Attractive and High Quality
   The activity must be considered to be suitable and acceptable for presentation in the public domain.

c) Authentic, Diverse and Engaging
   Council encourages new and interesting ideas and activities that add life and colour to streetscape.

d) Safety and Accessibility
   Activities should be delivered without compromising the safety of people nor disrupt the communities’ engagement with the local businesses ie. Compromise pedestrian access, use of street furniture and building entrances.

e) Management and Operations
   A person or organisation intending to undertake an activity, event or temporary use of land owned or managed by Council must obtain prior approval in writing from Council.

   Council encourages activities that demonstrate sound management practices, such as planning, timeliness, reliability and professionalism. Proposed activities should consider basic logistical matters such as safety, traffic, noise, waste and access before, during and after the activity. Evidence of how this is addressed will be required and used to assess suitability.

   Park activity applications should provide evidence of current public liability insurance with a minimum cover of $20,000,000. Council reserves the right to waive this requirement when appropriate.

10. CONDITIONS OF USE OF SPECIAL PLACES

All applications for hire of a Special Place must comply with the Council’s Terms and Conditions and specific operational guidelines where available for hire as well as the
below specific conditions. All the identified special places will be subject to change of usages as required.

Applications for use of identified special places will not be considered for the following activities:

a) Activities or events that directly contravene existing Council policy.

b) Activities or events that do not align with Council’s Community Strategic Plan.

c) General fundraising and spruiking activities.

d) Activities or events that support political activities or activities that could be perceived as benefiting a political party or political campaign.

e) Activities or events that support religious activities that could be perceived as divisive within the community.

f) Activities or events that support activities that deliberately exclude any individuals or groups from participating or attending.

11. ENFORCEMENT OF THE POLICY

Council will consider the criteria outlined in this Policy and current Terms and Conditions for hire when determining bookings for any of the special places identified in this Policy.

Failure to obtain written approval for the use of land owned or managed by Council or failing to comply with the terms of any approval issued under this policy will result in action in accordance with Council’s adopted Enforcement Policy.

Unless specifically varied by a condition of approval or a direction of an authorised person, the relevant provisions set out in this Policy and Appendix 1 must be satisfied when undertaking an event or activity within one of the defined Special Places.
# APPENDIX 1: PLACES HIERARCHY

The following table defines the network of Special Places across the city. The Special Places network provides a framework for future activities and creative programs in our centres.

## Penrith City Centre Network

<table>
<thead>
<tr>
<th>Special Place</th>
<th>Location</th>
<th>Place Character</th>
<th>Place attributes</th>
<th>Amenity &amp; facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Future City Park</td>
<td>Station Street</td>
<td>Central Heart Green Grand</td>
<td>Active Civic Gathering</td>
<td>The proposed area with the land bound by Station Street, Henry Street, Allen Place and Woodriff Street. The vision is to create a contemporary green space in the heart of our city.</td>
</tr>
<tr>
<td>Memory Park</td>
<td>High Street, Eastern end</td>
<td>Ceremony Community Formal</td>
<td>Passive Historic Commemorative</td>
<td>ANZAC Memorial and Honour roll, paved area for gathering, fixed seating, grass area and decorative garden beds. Limited activity that respects and reflects the memorial nature of the public space.</td>
</tr>
</tbody>
</table>

## Hierarchy – District Local Attraction

<table>
<thead>
<tr>
<th>Special Place</th>
<th>Location</th>
<th>Place Character</th>
<th>Place attributes</th>
<th>Amenity &amp; facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Triangle Park</td>
<td>High Street, Western end</td>
<td>Landscaped Breakout Relaxed</td>
<td>Relaxed Pedestrian Gathering</td>
<td>Seating, grassed area, timber stage, pergola, interactive splash pad, water refill bubbler, garbage bins, creative lighting and adjacent commercial outdoor dining. Commercial opportunities including markets, trade fairs and music activations on stage. Approved Street Performers location. Venue capacity: 1,200</td>
</tr>
<tr>
<td><strong>The Mondo</strong></td>
<td><strong>The outdoor area between the western end of Westfield Plaza, The Joan Sutherland Performing Arts Centre and Penrith Civic Centre</strong></td>
<td><strong>Civic Arts Precinct Green Movement</strong></td>
<td><strong>Informal Break out Unprogrammed Relaxed</strong></td>
<td><strong>Shade, seating, giant chess set, water refill station and bubbler, artificial grass and grass area with garden beds. Venue capacity: 850</strong></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
</tbody>
</table>

**Hierarchy – People Places**

<table>
<thead>
<tr>
<th><strong>Woodriff Lane</strong></th>
<th>Woodriff Street North</th>
<th><strong>Playful Connected Active</strong></th>
<th><strong>Lively Pedestrian</strong></th>
<th><strong>Outdoor pedestrian laneway connecting High Street to Allen Place carpark and the future City Park. Approved Street Performers location.</strong></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>Chambers Court</strong></th>
<th>Station Street located in the front of the old council chambers</th>
<th><strong>Informal Intimate</strong></th>
<th><strong>Gathering Pedestrian</strong></th>
<th><strong>Quality public domain on the northern edge of the future City Park. Approved Street Performers location.</strong></th>
</tr>
</thead>
</table>

| **Linear Plazas** | High Street between Stations Street and Woodriff | **Informal Lively Flexible** | **Informal Relaxed Contained** | **Choice of fixed bench seating, integrated and open areas for outdoor dining, power, garden beds, shade trees, and interactive light bollards.** |
### St Marys Town Centre Network

<table>
<thead>
<tr>
<th>Special Place</th>
<th>Location</th>
<th>Place Character</th>
<th>Place attributes</th>
<th>Amenity &amp; facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coachmans Park</td>
<td>Queen Street</td>
<td>Central Heart</td>
<td>Active</td>
<td>Seating, grassed area, stage, pergola, tables, public art, garbage bins, lighting and adjacent commercial outdoor dining.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Paved</td>
<td>Gathering</td>
<td>Commercial opportunities including markets, trade fairs and music activations on stage.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Landmark</td>
<td>Open</td>
<td>Approved Street Performers location.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Civic</td>
<td>Venue capacity: 1,500</td>
</tr>
</tbody>
</table>

**Hierarchy - Regional/ District Attraction**

**Hierarchy – People Places**

<table>
<thead>
<tr>
<th></th>
<th>Location</th>
<th>Place Character</th>
<th>Place attributes</th>
<th>Amenity &amp; facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highway Gateway</td>
<td>Corner Great Western HWY and Queen Street</td>
<td>Gateway Movement</td>
<td>Active Gathering</td>
<td>Arrival place, celebrating the history and heritage of St Marys including bespoke public seating, public art, paving overlays and planting.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Approved Street Performers location.</td>
</tr>
<tr>
<td>Library</td>
<td>Queen Street</td>
<td>Connected Safe</td>
<td>Gathering Formal</td>
<td>Community meeting space celebrating the rich history of the place featuring bespoke tables and seating, planting, paving overlays and creative lighting inset to ground at the Library entrance.</td>
</tr>
<tr>
<td>Station Plaza</td>
<td>Queen Street – located at St Mary’s Train Station</td>
<td>Gateway Gritty Bold</td>
<td>Active Urban Gathering</td>
<td>This is the transport gateway that caters to a transiting audience and encourages a safe, passive respite spot. Features bespoke seating, public art, paving overlays, planter boxes and garden beds.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Approved Street Performers location.</td>
</tr>
<tr>
<td>Special Place</td>
<td>Location</td>
<td>Place Character</td>
<td>Place attributes</td>
<td>Amenity &amp; facilities</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------------------</td>
<td>-----------------</td>
<td>------------------</td>
<td>-------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>King Street bus Stop</td>
<td>Queen Street</td>
<td>Pedestrian</td>
<td>Gathering</td>
<td>Sheltered bespoke bus stop with public seating, planting and paving.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Safe</td>
<td>Relaxed</td>
<td></td>
</tr>
<tr>
<td>Crana Street Junction</td>
<td>Queen Street</td>
<td>Connected</td>
<td>Gathering</td>
<td>Generous and comfortable gathering environment with bespoke public seating, paving and planting.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Safe</td>
<td>Relaxed</td>
<td>Approved Street Performers location.</td>
</tr>
<tr>
<td>Post Office</td>
<td>Queen Street</td>
<td>Connected</td>
<td>Gathering</td>
<td>Children's play element, paving, planting and bespoke seating.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Safe</td>
<td>Interactive</td>
<td></td>
</tr>
<tr>
<td>Baldo's Laneway</td>
<td>Queen Street</td>
<td>Connected</td>
<td>Pedestrian</td>
<td>Promotes a use of laneway access, featuring a bespoke sheltered bus stop incorporating lighting with paving and public seating.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pedestrian</td>
<td>Flexible</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Safe</td>
<td>Relaxed</td>
<td></td>
</tr>
<tr>
<td>Mid-block</td>
<td>Queen Street</td>
<td>Connected</td>
<td>Relaxed</td>
<td>Smaller bespoke public seating, paving and planting.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Safe</td>
<td>Intimate</td>
<td></td>
</tr>
<tr>
<td>Oxley Arcade</td>
<td>Queen Street</td>
<td>Connected</td>
<td>Gathering</td>
<td>Promote arcade connection to parking and a northern meeting place. Features bespoke public seating, planting, paving.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pedestrian</td>
<td>Relaxed</td>
<td></td>
</tr>
<tr>
<td>Telstra Exchange</td>
<td>Queen Street</td>
<td>Pedestrian</td>
<td>Gathering</td>
<td>Bespoke public seating with raised planting, paving and public art.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Safe</td>
<td>Relaxed</td>
<td></td>
</tr>
<tr>
<td>Nariel Street</td>
<td>Queen Street</td>
<td>Pedestrian</td>
<td>Gathering</td>
<td>Smaller bespoke public seating, paving and planting.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Safe</td>
<td>Relaxed</td>
<td></td>
</tr>
</tbody>
</table>
Attachment 2 - Locations of Special Places

Penrith City Centre Network:
- Future City Park
- Memory Park
- Triangle Park
- Mondo
- Woodriff Lane
- Chambers Court
- Linear Plazas

Figure 1 - Penrith City Centre Special Places
St Marys Town Centre Network:
- Coachmans Park
- Highway gateway
- King Street Bus Stop
- Library
- Crana Street Junction
- Post Office
- Baldo’s Laneway
- Mid Block Laneway
- Oxley Arcade
- Telstra Exchange
- Narel Street
- Station Plaza

Figure 2 - St Marys Town Centre Special Places
Date of Meeting: Monday 11 November 2019
Report Title: Draft Fraud and Corruption Prevention Policy
Attachments: Draft Fraud and Corruption Prevention Policy
Purpose

Penrith City Council’s aim is to ensure that it has a healthy and sustainable ethical culture. To this end, it is important to implement an integrity framework including preventative methods to eliminate and prevent internally and externally instigated fraud and corruption against Council.

Fraudulent and corrupt behaviour are inevitable risks to any organisation including Penrith City Council and can have detrimental consequences such as:

- Financial loss,
- Waste of resources,
- Reputational damage,
- Impact on staff morale, productivity & management strategies, and
- Loss of community confidence in the integrity of the system.

In cases where such preventative methods fail it is important to detect instances of fraud and corruption through constant monitoring, risk assessment, and a confidential reporting management system (internal and external). Responding to these in a timely manner will uphold Council’s reputation, minimise financial losses, instil confidence amongst staff, councillors and the community on the integrity of Council.

Policy Statement

This policy is committed to protecting Penrith City Council’s revenue, expenditure and assets and reputation through awareness, prevention, detection, investigation and action of any occurrence of fraud and corruption within Council’s work environment. This policy complements the NSW government legislation and guidelines of Public Interest Disclosures Act 1994 No. 92.

Penrith City Council has adopted values that reflect on who we are, what we do and what we promote as an organisation.
• **Respect** – Responsible to others’ experiences, perspectives, values and beliefs, listening to other’s viewpoint, be open, and work to understand the perspectives of others.

• **Accountable** – Behave in an honest, ethical and professional way, identify and follow legislation, rules, policies, guidelines and code of conduct, speaks out against misconduct, illegal and inappropriate behaviour, and work and lead by example

• **Innovation** – Be open to new ideas and change, offer own opinion, ask questions and make suggestions, adapt well to new situations, and not giving up easily.

**Scope**

This policy applies to councillors, staff, contractors and any other person who performs official functions on behalf of the Council, such as volunteers.
1. Principles

1.1. Fraud and Corruption control is one of the integral parts of the Council’s integrity framework. The existence of a comprehensive and up-to-date fraud and corruption policy is critical to clearly establish Penrith City Council’s position on fraud and corruption. As per the Model Code of Conduct adopted by the Council, Council is committed to maintaining high standards of legal, ethical, moral behaviour and has zero tolerance to fraud and corruption within Council’s work environment. Council officials should ‘comply with standards of conduct expected of them, fulfil their statutory duty, and act in a way that enhances public confidence in local government’. Any act of fraud or corrupt behaviour will be dealt with accordingly by the Council and disciplinary action may be taken against anyone who engages in such activity.

1.2. The Council’s principles and frameworks established to control fraud and corruption are intended to achieve:
- Staff awareness,
- Prevention and deterrence,
- Detection mechanisms to monitor fraud and corruption and an easily accessible/confidential reporting system (internal & external),
- Response and report approach through investigations and actions taken, and
- Instil confidence in the integrity of the Council.

1.3. Whilst fraud and corruption can occur anywhere or at any time, identified high risk areas include:
- Financial operations,
- Property & resources,
- Customer interactions,
- Staffing, and
- Information.

1.4. Council officials are expected to complete and maintain accurate records of all business dealings and ensure they are recorded in the Information Management System, use Council resources in an acceptable manner, maintain transparency and act with probity and accountability during procurement of goods or services, declare conflicts of interest in order to manage them appropriately, respect confidentiality, and use information/Council resources for work related purposes only.

1.5. All staff, councillors, consultants, contractors or volunteers working for Council have a responsibility to refrain from any form of fraudulent and corrupt behaviour and also to report any such activity, if detected within the Council premises or outside (if relates to Council business).
2. Definitions

2.1 For the purpose of this policy Fraud is defined in AS 8001-2008 Fraud and Corruption Control, 2008 as:

“Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity where deception is used at the time, immediately before or immediately following the activity.

This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit”.

“The theft of property belonging to an entity by a person or persons internal to the entity but where deception is not used is also considered ‘fraud’ for the purposes of this Standard.

NOTE: The concept of fraud within the meaning of this Standard can involve fraudulent or corrupt conduct by internal or external parties targeting the entity or fraudulent or corrupt conduct by the entity itself targeting external parties”

2.2 For the purpose of this policy Corruption is defined in AS 8001-2008 Fraud and Corruption Control, 2008 as:

“Dishonest activity in which a director, executive, manager, employer or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity. The concept of ‘corruption’ within this standard can also involve corrupt conduct by the entity, or a person purporting to act on behalf of and in the interests of the entity, in order to secure some form of improper advantage for the entity either directly or indirectly”

3. Related Legislation, Policies, Controls and Guidelines

- Local Government Act 1893 No. 30
- Local Government Amendment (Governance and Planning) Act 2016
- Public Interest Disclosures Act 1994 No.92
- Independent Commission Against Corruption Act 1988 No. 35
- AS 8001-2008 Fraud and Corruption Control
- NSW Audit Office Fraud Control Improvement Kit, 2015
- Model Code of Conduct
- Public Interest Disclosures Internal Reporting Systems Policy
- ICT Policy
- Corporate Credit Card Policy
- Recruitment and Selection Policy
- Interaction between Councillors and Staff Policy
- Probity Management Policy
- Procurement Policy
- Business Ethics Statement
- Disciplinary Policy
4. Roles and Responsibilities

4.1 All Employees/ Councillors and Council staff

a. The Code of Conduct is the Cornerstone of establishing an ethical framework whereby staff acknowledge and adhere to the Code at all times by acting ‘lawfully and honestly and exercise a reasonable degree of care and diligence in carrying out functions’ (Section 439 of the Local Government Act).

b. It is the responsibility of all employees to adhere to this policy and execute their work with probity, accountability and transparency in order to prevent incidences of fraud and corruption in areas within their workplace. This will promote awareness amongst other colleagues as such and will consequently act as a deterrence.

c. It is also the responsibility of all employees to report any alleged or actual incidences of fraud and corrupt behaviour using relevant mechanisms in accordance with Public Interest Disclosures Internal Reporting Systems Policy. The mechanisms through which the employees can report fraud and corrupt behaviour will be discussed in the ‘Reporting Mechanisms’ section of this policy.

d. All employees must ensure they undertake any relevant training relating to prevention, detection and action on fraud and corruption. Training is provided to staff as onboarding (eLearning), refresher (eLearning), ongoing fraud and corruption awareness especially to staff working in high risk areas such as procurement, payroll, accounts, planning.

4.2 Managers

Managers are responsible for implementing Code of Conduct and ensuring prevention of fraud and corruption in areas within their control. This must be achieved through:

a. Completing training as and when required,

b. Promoting awareness of ethical conduct,

c. Leading by example,

d. Providing guidance and support to staff as necessary,

e. Ensuring access to relevant policies and procedures,

f. Ensuring reports of fraud and corruption are referred appropriately without any delay;

g. Maintaining confidentiality in accordance with Public Interest Disclosures Act 1994,

h. Ensuring staff who report are protected from reprisal, and

i. Complying with actions taken by or required by investigating parties

4.3 Governance Manager

Governance Manager together with Audit Risk and Improvement Committee (ARIC) are responsible for ensuring the fraud and corruption resources work collectively, effectively coordinated, and fraud and corruption control outcomes are delivered. Other responsibilities include:
a. Implementing, reviewing, maintaining, and updating policies on fraud and corruption,
b. Development of resources,
c. Investigations of alleged or actual fraud and corruptions, and
d. Ongoing monitoring and improvement.

4.4 Disclosures Coordinator and Disclosures Officers

The Disclosures Coordinator has a central role in the Council’s internal reporting system. The Disclosures Coordinator can receive and assess reports and is the primary point of contact in the Council for the reporter. The Disclosures Coordinator has a responsibility to:

a. Assess reports to determine whether or not a report should be treated as a public interest disclosure, and to decide how each report will be dealt with (either under delegation or in consultation with the general manager),
b. Deal with reports made under the Council’s code of conduct,
c. Coordinate the Council’s response to a report,
d. Acknowledge reports and provide updates and feedback to the reporter,
e. Assess whether it is possible and appropriate to keep the reporter’s identity confidential,
f. Assess the risk of reprisal and workplace conflict related to or likely to arise out of a report, and develop strategies to manage any risk identified,
g. Where required, provide or coordinate support to staff involved in the reporting or investigation process, including protecting the interests of any officer who is the subject of a report,
h. Provide advice to Disclosures Officer(s), where the reporter has opted for the Disclosures Officer(s) to be the point of contact
i. Ensure the Council complies with the PID Act
j. Provide any required reports in accordance with section 6CA of the PID Act.

Disclosures Officers are additional points of contact within the internal reporting system. They can provide advice about the system and the internal reporting policy, receive reports of wrongdoing and assist staff and councillors in making reports.

Disclosures Officers have a responsibility to:

a. Document in writing any reports received verbally, and have the document signed and dated by the reporter,
b. Make arrangements to ensure reporters can make reports privately and discreetly when requested, if necessary, away from the workplace,
c. Discuss with the reporter any concerns they may have about reprisal or workplace conflict,
d. Carry out preliminary assessment and forward reports to the Disclosures Coordinator or General Manager for full assessment, and
e. Remain the point of contact for the reporter, should the reporter so request.
4.5 Internal Audit

While fraud and corruption control is a management responsibility, the Internal Audit act as an effective part identifying the indicators of fraud and corruption using systematic and disciplined approach including:

a. Evaluating the potential for the occurrence of fraud and how the Council manages fraud and corruption risks, and

b. Keeping the General Manager and the Audit, Risk and Improvement Committee (ARIC) informed on any significant matters relating to potential occurrences of fraud and corruption, how can such risks be managed within Council and its external entities, and any investigations into suspected fraudulent or corrupt behaviour.

In instances where fraud or corruption is detected, the Internal Auditor and line management will reassess the control measures in place to identify adequacy and effectiveness of such control measures. Internal Auditor will then consider whether improvements are required and ensure suggested recommendations are implemented as soon as possible and reported back to the Audit, Risk and Improvement Committee.

4.6 Audit, Risk and Improvement Committee (ARIC)

As set out in the Audit, Risk and Improvement Committee Charter (2017) the objective of the Committee is to promote good corporate governance at Penrith City Council. This is achieved by ensuring the services provided to people of Penrith are executed effectively, efficiently and delivered with integrity.

Fraud and corruption prevention is one of the key areas for which the Committee provides independent assurance and assistance to Council in accordance with the Local Government Amendment Act 1993. The Committee oversees at a high level the Council’s fraud and corruption prevention arrangements.

4.7 General Manager

Under Section 11 of the Independent Commission Against Corruption Act (1988) the General Manager is “under a duty to report to the Commission any matter that the person suspects on reasonable grounds concerns or may concern corrupt conduct”.

It is also the responsibility of the General Manager to:

a. Encourage ethical culture by promoting zero tolerance to any form of fraudulent and corrupt behaviour,

b. Endorse policies, strategies and procedures pertaining to prevention of fraud and corruption,

c. Maintain legislative and regulatory compliance,

d. Have oversight of the risk assessments and mitigations,

e. Represent Council values and image, and

f. Respond to Stakeholders on behalf of the Council.

5. Fraud & Corruption Prevention and Regular Risk Assessments
Whilst internal controls such as policies and procedures act as the first line of defence in preventing fraud and corruption, regular risk assessments will act as second line of defence.

Penrith City Council regularly monitors and review changes to the risk environment to identify any risks challenging the effectiveness and efficiencies of the control measures currently in place.

Council also ensures robust risk assessments are conducted/ coordinated by Internal Audit on a six-monthly basis where fraud and corruption risks together with other risks are identified and addressed promptly.

6. Reporting Mechanisms

6.1 Internal reporting system

Any fraudulent or corrupt act whether alleged or actual must be reported immediately in accordance with Code of Conduct and provisions of Public Interest Disclosures Internal Reporting Systems Policy.

An internal reporting system has been set up under the Public Interest Disclosures Internal Reporting System Policy in accordance with Public Interest Disclosures Act 1994 (PID Act) for staff and councillors to report any alleged or actual wrongdoing without fear of reprisal. The policy provides information on the purpose and context, who can make a report, Council’s complaint handling mechanisms, what will be dealt under this policy, and any exceptions.

6.2 Who can Report?

The Public Interest Disclosures Internal Reporting Systems Policy applies to:

a. Council staff
b. Councillors
c. Consultants
d. Contractors working for Council
e. Employees of contractors working from Council
f. Volunteers and
g. Public officials of another Council or public authority

6.3 What should be reported?

There are five categories of actual and alleged wrongdoing that can be reported

a. Serious misconduct or corrupt conduct
b. Maladministration
c. Serious and substantial waste of public money
d. Breach of the Government Information (Public Access) Act (GIPA Act) and
e. Local government pecuniary interest contravention

All other complaints that do not fall under the above category should be reported to your Supervisor in order to be dealt with relevant internal policies and procedures.
6.4 How to report?

Unlike general complaints that can be reported to your Supervisor, reports of allege or actual fraudulent or corrupt behaviour must be reported to the General Manager, Mayor (for reports about the General Manager only), the designated Disclosures Coordinator or Disclosures Officers. Staff are encouraged to report such behaviour using the Public Interest Disclosure Internal Reporting Form (available on iConnect). Details of Disclosures Coordinator and Disclosures Officers and other methods (outlined below) of disclosing can be found on iConnect.

a. Verbal reports.

b. By email.

c. By Phone.

d. Anonymous reports. In situations where the reporter decides to remain anonymous, reports can still be submitted. Although these reports will still be dealt accordingly it is suggested that staff or councillors identify themselves in order to provide necessary protection and support under the PID Act.

7. Investigation Protocols

Penrith City Council is committed to acting promptly and has policies and procedures to deal with fraud and corrupt behaviour either by detection mechanisms or reporting. Once identified the primary objective is to assess the allegations, establish an investigation plan and make recommendations in accordance with the procedures under the Model Code of Conduct or any other Council policy such as a disciplinary policy. Further objectives may include:

a. Identifying fraud and corruption vulnerabilities and initiate corrective action, and

b. If necessary, initiate recovery action through insurance or through criminal courts on behalf of Council.

Investigations are conducted by qualified and experienced staff and at times may result in council engaging external resources.

The Fraud and corruption register captures all detections and reports of wrongdoing, progress of investigations, outcomes, and actions taken. This register is maintained by Governance and information will be submitted to the ARIC.

Council’s Conduct and Disciplinary policies can be found on council’s iConnect portal.

7.1 Feedback to Staff and Councillors who report

Staff and Councillors who report allege or actual fraudulent or corrupt behaviour will be provided with an acknowledgement within ten business days by the Disclosures Coordinator or Designated Officer. If the report fits the criteria of a public interest disclosure, then the statutory time frames under that legislation will be adhered too.

During the investigation process, a discloser/reporter will be updated on the progress of the investigation or any other inquiries as frequently as is appropriate.
Once the matter has been finalised the reporter/discloser will be provided with an outcome and feedback on the action(s) taken or proposed.

7.2 Maintaining Confidentiality
The identity of the person who is making a public interest disclosure will be dealt with confidentially and will be protected where possible during and after an investigation to any matter disclosed by that person. Where possible these same protections will be provided to any reporter/discloser of fraud and corruption regardless if the matter is considered a public interest disclosure.

It is therefore imperative the person making a report of fraudulent and corrupt behaviour under public interest disclosure only report such information to the designated bodies.

7.3 Protection against reprisal and detrimental action
It is an offence under the PID Act 1994 to take “detrimental action by a person against another person that is substantially in reprisal for making a public interest disclosure” and is guilty of engaging in conduct that “constitutes misconduct in the performance of the duties as public official”.

Such offence(s) will result in:
- a. Disciplinary action taken against any public official who takes detrimental action against another person.
- b. Compensation for reprisal, and
- c. Injunctions to prevent reprisals.

Additionally, staff and councillors will not be made liable for “making a public interest disclosure and no action, claim or demand may be taken or made” against a person making a disclosure under the PID Act. This protection extends to any person making a disclosure despite any confidentiality or any other restrictions applicable to staff and councillors (section 21 of PID Act).

7.4 Support for those reporting
In addition to protection from reprisal and detrimental action staff and councillors who report actual or allege fraudulent or corrupt behaviour will also have access to any professional support if in need. These options can be discussed with the Disclosures Coordinator or Disclosures Officers at any stage of the investigation process.

Staff and Councillors can also seek support from Council’s Employee Assistance Program (EAP) through Access EAP on 1800 818 728. Access EAP provides free and confidential counselling to all staff.

7.5 Rights of the persons who are the subject of a report
Council is committed to extend fair and reasonable treatment to those who are subjects of reports of actual and allege fraudulent or corrupt behaviour. This includes maintaining confidentiality of any person or report where appropriate and applicable.

Any public official who is a subject of a report will be advised of:
- a. The details of the allegations made,
b. The rights and obligations under relevant policies and procedures,
c. Progress during an investigation,
d. Reasonable opportunity to respond to allegations,
e. Outcomes to any investigation including decision, and
f. Further action if necessary

7.6 Actions
Council will ensure the reports are handled and investigated according to *Public Interest Disclosure Internal Reporting Systems Policy* and *PID Act* and in accordance with the procedures of the Code of Conduct. If the allegations are substantiated or evidence of fraud is detected, Council has the power to discipline staff (including summary dismissal).

Furthermore, Penrith City Council will initiate recovery action where necessary and there is clear evidence of fraud or corruption and benefits obtained.

More serious matters will also be reported to relevant regulatory bodies such as Independent Commission Against Corruption (ICAC), NSW Ombudsman, Office of the Local Government (OLG), NSW Audit Office, and Information Commissioner. Substantial fraudulent or corrupt acts that also constitute criminal behaviour will be reported to police and any other regulatory body.

8. External reporting
Whilst the above listed reporting mechanisms are internal in nature, anyone can report alleged/actual fraudulent or corrupt behaviour to below external investigation agencies.

a. **Independent Commission Against Corruption (ICAC)**

   Section 10 of the *ICAC Act* states that "Any person may make a complaint to the Commission about a matter that concerns or may concern corrupt conduct".

   Furthermore, according to section 11 of the Act the General Manager is under a duty to report to the Commission of suspected corrupt conduct.

b. **NSW Ombudsman** has jurisdiction over local councils, councillors and council staff to:

   a. Look into the conduct of councillors and council employees and the administrative conduct of the Council
   b. Promote awareness of PID Act and monitor its operations
   c. Provide advice and guidance to public sector staff who are contemplating reporting maladministration.

c. **Office of the Local Government** has authority to examine:

   a. Complaints on breaches of the pecuniary interest provisions within the *Local Government Act 1993*
   b. Public interest disclosures made to the General Manager under the *Public Interest Disclosures Act 1994*, and
c. Complaints of alleged misconduct by Councillors

d. NSW Audit Office has the power to investigate disclosures made under 
   PID Act by a public official regarding serious and substantial waste of 
   public money

e. Information Commissioner can look into non-compliance with the 
   Government Information (Public Access) Act (GIPA Act)

f. Members of Parliament or Journalist

Staff and Councillors can make a public interest disclosure to a member of Parliament or 
the public interest disclosure to a member of Parliament or a journalist only in limited circumstances outlined in the PID Internal Reporting System 
Policy and PID Act.
Contact details of external reporting agencies

**Independent Commissioner Against Corruption**
- **Email:** icac@icac.nsw.gov.au
- **Post:** GPO Box 500 Sydney NSW 2000
- **Phone:** 02 8281 6999 or freecall 1800 483 909
- **Web:** www.icac.nsw.gov.au

**NSW Ombudsman**
- **Complete ‘Online Complaint Form’**
- **Email:** newomb@omb.nsw.gov.au
- **Phone:** 02 9286 1000 or 1800 451 524
- **Post:** NSW Ombudsman, Level 24, 580 George Street, NSW 2000
- **Web:** www.omb.nsw.gov.au

**Office of the Local Government**
- **Email:** olg@olg.nsw.gov.au
- **Post:** Locked Bag 3015, Nowra NSW 2541
- **Email:** olg@olg.nsw.gov.au
- **Phone:** 02 4428 4100
- **Web:** www.olg.nsw.gov.au

**NSW Audit Office**
- **Complete ‘Public official Reporting Form’ and submit by:**
- **Email:** governance@audit.nsw.gov.au
- **Post:** Audit Office of New South Wales, GPO Box 12, Sydney NSW 2001
  - addressed to the Auditor-General of NSW, the Disclosures Coordinator, or other disclosures officers.
- **Phone:** 02 9275 7100

**Information Commissioner**
- **Phone:** 1800 472 679
- **Post:** GPO Box 7011, Sydney NSW 2001
- **Email:** ipcinfo@ipc.nsw.gov.au
- **Web:** www.ipc.nsw.gov.au

9. Document Control

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