

BUSINESS PAPER



His Worship the Mayor, Councillor Todd Carney (centre) was joined by past and present Councillors in bestowing the title of Honoured Citizen of the City of Penrith to Alan Stoneham at an event held on Friday 2 August 2024. Alan worked with Penrith City Council from 1972-2018, ten of those years were as General Manager before returning in August 2022 to April 2023 to act as the interim General Manager while Council undertook recruitment of a new General Manager.

Ordinary Meeting 26 August 2024

22 August 2024

Dear Councillor,

In pursuance of the provisions of the Local Government Act, 1993 and the Regulations thereunder, notice is hereby given that an **ORDINARY MEETING** of Penrith City Council is to be held remotely using audio visual links, audio streamed and in the Council Chambers, Civic Centre, 601 High Street, Penrith on Monday 26 August 2024 at 7:00PM.

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

Yours faithfully

Andrew Moore
General Manager

BUSINESS

1. LEAVE OF ABSENCE

Leave of absence has been granted to:

Councillor Karen McKeown OAM – 12 August 2024 to 9 September 2024 inclusive.

2. APOLOGIES

3. CONFIRMATION OF MINUTES

Ordinary Meeting - 12 August 2024.

4. DECLARATIONS OF INTEREST

Pecuniary Interest (The Act requires Councillors who declare a pecuniary interest in an item to leave the meeting during discussion of that item)

Non-Pecuniary Conflict of Interest – Significant and Less than Significant
(The Code of Conduct requires Councillors who declare a significant non-pecuniary conflict of interest in an item to leave the meeting during discussion of that item)

5. ADDRESSING COUNCIL

6. MAYORAL MINUTES

Passing of Barney Allam.

Recognising Penrith's Paralympians.

End of Term – Acknowledgment of Councillor Service.

7. NOTICES OF MOTION TO RESCIND A RESOLUTION

8. NOTICES OF MOTION AND QUESTIONS ON NOTICE

9. ADOPTION OF REPORTS AND RECOMMENDATION OF COMMITTEES

Penrith Community Safety Partnership Meeting - 27 June 2024.

Access Committee Meeting - 24 July 2024.

10. DELIVERY PROGRAM REPORTS

11. URGENT BUSINESS

12. COMMITTEE OF THE WHOLE

**ORDINARY MEETING
MONDAY 26 AUGUST 2024
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ADVANCE AUSTRALIA FAIR

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

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

WEBCASTING NOTICE

Please note that tonight's meeting other than the confidential sessions are being recorded and will be placed on Council's website. All in attendance should refrain from making defamatory statements. Council takes all care when maintaining privacy, however members of the public gallery and those addressing Council should be aware that you may be recorded.



Acknowledgement of Country

We acknowledge and pay respect to the Darug and Gundungarra people who are the traditional owners in which Penrith Local Government Area is situated.

We also pay our respect to elders past, present and emerging, and to the First Nations people living in our community today.



PRAYER

“Sovereign God, tonight as we gather together as a Council we affirm that you are the giver and sustainer of life. We come together as representatives of our community to make decisions that will benefit this city and the people within it.

We come not in a spirit of competition, not as adversaries, but as colleagues. Help us to treat each other with respect, with dignity, with interest and with honesty. Help us not just to hear the words we say, but also to hear each others hearts. We seek to be wise in all that we say and do.

As we meet, our concern is for this city. Grant us wisdom, courage and strength.

Lord, help us. We pray this in the name of Jesus Christ our Lord. Amen.”



Council Chambers
Seating Arrangements

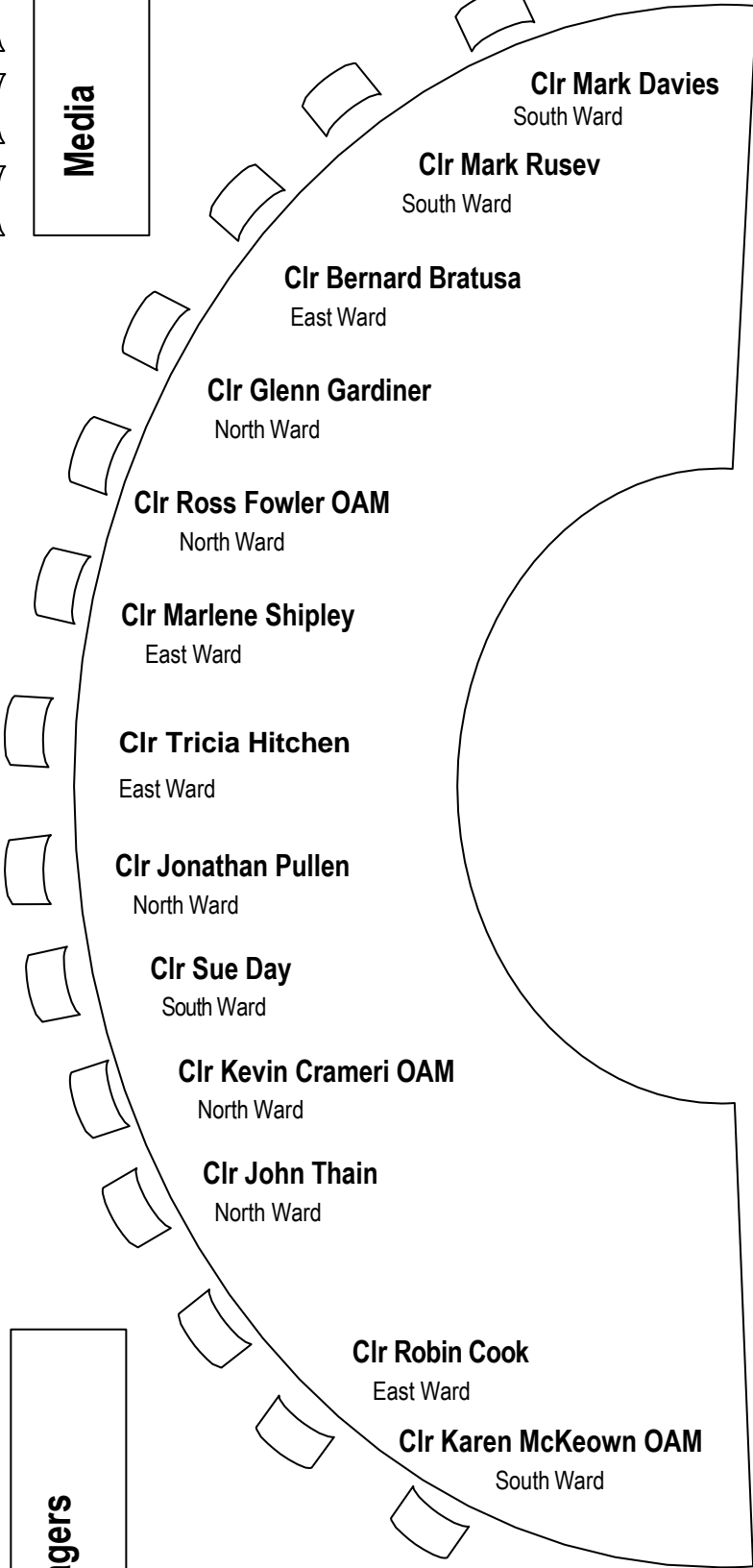
For members of the
public addressing
the meeting

Lectern

Directors

Media

Public Gallery



General Manager
Andrew Moore

His Worship
the Mayor
Councillor Todd
Carney

Head of
Governance
Adam Beggs

Minute Clerk

Managers

Directors

Oath of Office

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

Affirmation of Office

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

2024 MEETING CALENDAR

January 2024 - December 2024

(proposed to be adopted by Council – 20 November 2023)

	TIME	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
		Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon
Ordinary Council Meeting	7:00pm	29	12 26@	25	29 -	27 #	24*	22	26@		28✓	25∞#+	9
Policy Review Committee	7:00pm		12				3		12		14		2

- 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 and/or Deputy Mayor
 - ✓ Meeting at which the 2023-24 Annual Statements are presented
 - ∞ Meeting at which any comments on the 2023-24 Annual Statements are adopted
 - + Meeting at which the Annual Report is presented
 - > Briefing to consider Budget, draft fees & charges and corporate document
-
- Extraordinary Meetings are held as required.
 - Members of the public are invited to observe meetings of the Council (Ordinary and Policy Review Committee, Councillor Briefings are confidential sessions). Should you wish to address Council, please contact the Head of Governance, Adam Beggs on 4732 7597.

**UNCONFIRMED MINUTES
OF THE ORDINARY MEETING OF PENRITH CITY COUNCIL
HELD REMOTELY USING AUDIO VISUAL LINKS, AUDIO STREAMED ON THE
COUNCIL WEBSITE AND IN THE COUNCIL CHAMBERS
ON MONDAY 12 AUGUST 2024 AT 7:00 PM**

NATIONAL ANTHEM

The meeting opened with the National Anthem.

WEBCASTING STATEMENT

His Worship the Mayor, Councillor Todd Carney read a statement advising that Council Meetings are recorded and webcast.

ACKNOWLEDGEMENT OF COUNTRY

His Worship the Mayor, Councillor Todd Carney read an Acknowledgement of Country.

PRAYER

The Council Prayer was read by the Head of Governance, Adam Beggs.

PRESENT – IN PERSON

His Worship the Mayor, Councillor Todd Carney, Deputy Mayor, Councillor Mark Davies and Councillors Bernard Bratusa, Robin Cook, Kevin Crameri OAM, Sue Day, Ross Fowler OAM, Glenn Gardiner, Tricia Hitchen, Marlene Shipley and John Thain.

PRESENT – ATTENDED REMOTELY

Councillor Jonathan Pullen.

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Karen McKeown OAM for the period 12 August to 9 September 2024 inclusive.

APOLOGIES

196 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor John Thain that the apologies for Councillor Mark Rusev be accepted.

CONFIRMATION OF MINUTES - Ordinary Meeting - 22 July 2024

197 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Sue Day that the minutes of the Ordinary Meeting of 22 July 2024 be confirmed.

DECLARATIONS OF INTEREST

Councillor Tricia Hitchen declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 6 – RFT 22/23-018 Electrical Maintenance*, as she has a family member who works for one of the tendering companies. Councillor Tricia Hitchen stated she would leave the meeting during consideration of this item and would not take part in voting or discussion on this issue.

Councillor Tricia Hitchen declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Committee of the Whole Item 4 – Council as Crown Land Manager – Lease Negotiations – 143 Station Street Penrith*, as she is a Director on the Panthers Board. Councillor Tricia Hitchen stated she would leave the meeting during consideration of this item and would not take part in voting or discussion on this issue.

MAYORAL MINUTES

1 Mayor's end-of-term retrospective

Councillors Mark Davies, John Thain, Ross Fowler OAM and Tricia Hitchen spoke in support of the Mayoral Minute.

198 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Mark Davies that the Mayoral Minute on Mayor's end-of-term retrospective be received.

2 Retirement of Eric Wright from Nepean Community College

Councillors Mark Davies, Glenn Gardiner, John Thain, Ross Fowler OAM and Bernard Bratusa spoke in support of the Mayoral Minute.

199 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Mark Davies that the Mayoral Minute on Retirement of Eric Wright from Nepean Community College be received.

3 Celebrating and Honouring Jessica Fox OAM

Councillors Mark Davies, John Thain, Ross Fowler OAM and Kevin Crameri OAM spoke in support of the Mayoral Minute.

200 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Mark Davies that the Mayoral Minute on Celebrating and Honouring Jessica Fox OAM be received.

QUESTIONS ON NOTICE

1 Jordan Springs

Councillor Kevin Crameri OAM ASKED:

With respect to the filling in Jordan Springs of 700,000T:

- Did it come to council and when? If not why not?
- Did council have any input?
- How many trees have to be removed?
- Did they have to pay an environmental levy for the swift parrot and the orchid and how much ?
- What and how much area does it cover?
- Can we ask the government how much flood storage has been lost to South Creek

with Marsden Park and St Mary's Road ADI etc what is the cumulative effect?

- Is it below the PMF when finished?
- Is it in the original release area?

Note from Officers:

A memo response to all Councillors was prepared and distributed responding to the questions and tabled at the Council Meeting..

REPORTS OF COMMITTEES

1 Report and Recommendations of the Local Traffic Committee Meeting held on 5 August 2024

201 RESOLVED on the MOTION of Councillor Marlene Shipley seconded Councillor John Thain that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 5 August 2024 be adopted.

DELIVERY PROGRAM REPORTS

OUTCOME 2 - WE ARE WELCOMING, HEALTHY, HAPPY AND CONNECTED

1 Youth Week 2024

202 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Ross Fowler OAM that the information contained in the report on Youth Week 2024 be received.

Councillor Kevin Crameri OAM left the meeting, the time being 7:47pm.

2 Requests for Community Events Sponsorship

203 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on Requests for Community Events Sponsorship be received.
2. Council endorse sponsorship of \$1,000 (exc. GST) to Barnardos Australia in support of the 2024 Christmas Carols in Cranebrook event.
3. Council endorse sponsorship of \$1,000 (exc. GST) to Elevated Culture in support of the Elevated Culture Showcase event.

OUTCOME 3 - WE PLAN AND SHAPE OUR GROWING CITY

3 Planning Proposal to amend Part 8 Penrith City Centre of Penrith LEP and amendments to the Community Infrastructure Policy

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

That:

1. The information contained in the report on Planning Proposal to amend

Part 8 Penrith City Centre of Penrith LEP and amendments to the Community Infrastructure Policy be received.

2. Council endorses the PP (provided under separate cover) to proceed through the Department of Planning, Housing and Infrastructure's Gateway process for Local Environmental Plan amendments.
3. Council officers forward the PP to the Minister for Planning and Public Spaces with a request to issue a Gateway Determination. The submission will include a request to issue Council with Delegation for plan making authority.
4. The General Manager be granted delegation to make any necessary minor changes to the PP referred to in resolution 2 before and after submitting it to the Gateway.

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

For**Against**

Councillor Todd Carney
Councillor Tricia Hitchen
Councillor Robin Cook
Councillor John Thain
Councillor Sue Day
Councillor Marlene Shipley
Councillor Glenn Gardiner
Councillor Mark Davies
Councillor Bernard Bratusa
Councillor Ross Fowler OAM

4 The Quarter Penrith Health and Education Precinct - Terms of Reference and Heads of Agreement

205 RESOLVED on the MOTION of Councillor Glenn Gardiner seconded Councillor Marlene Shipley

That:

1. The information contained in this report on The Quarter Penrith Health and Education precinct is received and noted.
2. Council agrees to become a member of The Quarter Penrith Steering Committee in accordance with the Heads of Agreement and Terms of Reference as attached to this report.
3. Council acts as the host organisation to the Steering Committee in accordance with the Heads of Agreement and Terms of Reference as attached to this report.
4. The General Manager be delegated authority to sign and execute any required documents associated with Council joining The Quarter Penrith Steering Committee, including the Heads of Agreement.
5. The General Manager is authorised to make minor amendments to the governance documents as required.

5 Fire Safety Update

206 RESOLVED on the MOTION of Councillor Glenn Gardiner seconded Councillor Marlene Shipley

That:

1. The information contained in the report on Fire Safety Update be received.
2. Council proceed to issue Fire Safety Orders for 481 High Street, Penrith and 483 High St, Penrith subject to further investigation and should the fire safety issues not be addressed in response to notice from, and to the satisfaction of, Council's Building Certification and Fire Safety Co-ordinator.
3. Council continues to monitor all premises as part of its Fire Safety Program.

Having previously declared an interest, Councillor Tricia Hitchen left the meeting, the time being 7:49pm.

OUTCOME 4 - WE MANAGE AND IMPROVE OUR BUILT ENVIRONMENT

6 RFT 22/23-018 Electrical Maintenance

207 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Bernard Bratusa

That:

1. The information contained in the report on RFT 22/23-018 Electrical Maintenance be received.
2. A new 3 year contract with the option to extend for a further two (2) x one (1) year periods (subject to satisfactory performance) and subject to the execution of a formal agreement be awarded to the following companies for the specified services in accordance with the terms and conditions of the Tender:
 - a. Hix Group Pty Limited as primary electrical contractor to complete all scheduled maintenance work, and reactive maintenance work up to \$50,000 inclusive of GST
 - b. Hix Group Pty Limited, BGL Electrical Pty Limited and Mirila Electrical Group Pty Ltd to form the panel of approved electrical contractors to competitively quote and undertake reactive maintenance work greater than \$50,000 inclusive of GST, Electrical project work and electrical design work
3. Variations and amendments that do not materially alter the original scope of the contract be managed under the existing Penrith City Council financial delegations within the approved budgets.
4. The General Manager be authorised to sign all necessary legal documents in relation to this matter.

Councillor Tricia Hitchen returned to the meeting, the time being 7:50pm.

**7 NSW Government 'Safe Speed Program' 2024-25 Financial Year:
Acceptance of Grant Funds**

208 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on NSW Government 'Safe Speed Program' 2024-25 Financial Year: Acceptance of Grant Funds be received.
2. Council acknowledge acceptance of grant funding of \$896,900 from the TfNSW Safe Speeds in High Pedestrian Activity and Local Areas Program 2024/25.
3. Council write to the Local State Members thanking them for their ongoing support and continued funding of active transport and road safety initiatives.

**8 RFT 23/24-019 Supply, Installation and Repair of various Types of
Fencing**

209 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on RFT 23/24-019 Supply, Installation and Repair of various Types of Fencing be received.
2. A new 3 year contract with the option to extend for a further two (2) x one (1) year periods (subject to satisfactory performance) be awarded to the following companies for the specified services in accordance with the terms and conditions of the Tender:
 - a) Supply & Installation of Chain Wire Boundary Fencing be awarded to Metal Fencing Specialists Pty Ltd as the primary contractor and Northern Fencing Specialists Pty Ltd as the secondary contractor
 - b) Supply & Installation of Post and Rail Fencing be awarded to Metal Fencing Specialists Pty Ltd.
 - c) Supply & Installation of RMS Boundary Fencing be awarded to Metal Fencing Specialists Pty Ltd as the primary contractor and Northern Fencing Specialists Pty Ltd as the secondary contractor.
 - d) Supply & Installation of Balustrade Fencing be awarded to Metal Fencing Specialists Pty Ltd.
 - e) Supply & Installation of Coloured Steel Fencing be awarded to Metal Fencing Specialists Pty Ltd as the primary contractor and Northern Fencing Specialists Pty Ltd as the secondary contractor.
 - f) Supply & Installation of Guard Rail Barrier Fencing be awarded to Metal Fencing Specialists Pty Ltd.

- g) Supply & Installation of Wire Type Barrier Fencing be awarded to Metal Fencing Specialists Pty Ltd as the primary contractor and Northern Fencing Specialists Pty Ltd as the secondary contractor.
 - h) The repair of existing Fencing and Barriers be awarded to Metal Fencing Specialists Pty Ltd as the primary contractor and Northern Fencing Specialists Pty Ltd as the secondary contractor.
 3. Variations and amendments that do not materially alter the original scope of the contract be managed under the existing Penrith City Council financial delegations within the approved budgets.
 4. The General Manager be authorised to sign all necessary legal documents in relation to this matter.

OUTCOME 5 - WE HAVE OPEN AND COLLABORATIVE LEADERSHIP

Procedural Motion

210 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Ross Fowler OAM that *Item 10 - PCC2024-86 Business Systems Transformation: Finance Procurement, Property & Rating and Asset Management* be deferred until after Committee of the Whole for consideration.

14 PWA funded St Marys Flood Levee Repair and Maintenance Project

211 RESOLVED on the MOTION of Councillor Marlene Shipley seconded Councillor Sue Day

That:

1. The information contained in the report on PWA funded St Marys Flood Levee Repair and Maintenance Project be received.
2. Council accept the offer from PWA to complete repairs to the St Marys Levee up to a value of \$1,071,225.
3. Council write to PWA thanking them for the offer to undertake repairs to the St Marys Levee.

9 Local Government NSW Annual Conference 2024

2102 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Tricia Hitchen

That:

1. The information contained in the report on Local Government NSW Annual Conference 2024 be received.
2. Council nominate ten (10) Councillor as its voting delegates for motions to attend the 2024 LGNSW Conference being held at Tamworth Regional Entertainment and Conference Centre from 17 - 19 November 2024.
3. Council consider the nomination of observers to attend the 2024 LGNSW Annual Conference.
4. Leave of absence be granted as appropriate for those Councillors attending the conference.

5. Council motions as outlined in the report be endorsed and forwarded to LGNSW.
6. The names of the nominated ten (10) Councillors to attend the conference be determined after the Local Government elections.

Councillor Kevin Crameri OAM returned to the meeting, the time being 7:53pm.

11 Acceptance of Grant Funding - Roads to Recovery Program 2024-2029

213 RESOLVED on the MOTION of Councillor Glenn Gardiner seconded Councillor Marlene Shipley

That:

1. The information contained in the report on Acceptance of Grant Funding - Roads to Recovery Program 2024-2029 be received.
2. Council accept the allocation of \$13,396,064 from the Australian Government under the Roads to Recovery Program over the 1 July 2024 to 30 June 2029 funding period.
3. Council write to the Federal Members and Federal Government, formally thanking them for the generous allocation of additional funding under the 2024-29 Roads to Recovery Program.

12 Model Code of Meeting Practice - Councillor Attendance at Public Meetings

2114 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Tricia Hitchen

That:

1. The information contained in the report on Model Code of Meeting Practice - Councillor Attendance at Public Meetings be received.
2. The attached draft Code of Meeting Practice with amendments made to clauses 5.18 - 5.21 be adopted.
3. Council authorise the General Manager to make minor administrative amendments to the Code when and where required.

13 Acceptance of Grant Funding - Natural Disaster Relief Assistance

2125 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Sue Day

That:

1. The information contained in the report on Acceptance of Grant Funding - Natural Disaster Relief Assistance be received.
2. Council accept the total allocation of \$1,089,876 (\$861,440.25 + \$228,435.75) from NSW Public Works.
3. Council fund the 25% co-contribution cost of \$363,292 to complete the repairs.
4. \$25,000 be donated from each Ward's voted works to make up for the

shortfall in funding.

URGENT BUSINESS

UB 1 One Community Many Abilities

Councillor Tricia Hitchen requested that an amount of \$1430 from each Ward's voted works be donated to the One Community Many Abilities Council project to fund the voice-over to the video campaign to make it accessible to all.

216 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Robin Cook that the matter be brought forward and dealt with as a matter of urgency.

His Worship the Mayor, Councillor Todd Carney ruled that the matter was urgent and should be dealt with at the meeting.

217 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Robin Cook that the amount of \$1430 from each Ward's voted works be donated to the One Community Many Abilities Council project to fund the voice-over on the video campaign to make it accessible for all.

UB 2 Memorial Plaque in Honour of John Boccanfuso

Councillor Marlene Shipley requested that an amount of \$800 from each Ward's voted works be donated to fund the installation of a memorial plaque in honour of John Boccanfuso.

218 RESOLVED on the MOTION of Councillor Marlene Shipley seconded Bernard Bratusa that the matter be brought forward and dealt with as a matter of urgency.

His Worship the Mayor, Councillor Todd Carney ruled that the matter was urgent and should be dealt with at the meeting.

219 RESOLVED on the MOTION of Councillor Marlene Shipley seconded Bernard Bratusa that the amount of \$800 be donated from each Ward's voted works to fund the installation of a memorial plaque in honour of John Boccanfuso in the garden outside Westfield Penrith.

COMMITTEE OF THE WHOLE

220 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Glenn Gardiner that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 8:01pm.

1 Presence of the Public

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

Outcome 5**2 Crown Land Manager Relinquishment**

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

3 Business Systems Transformation: Finance Procurement, Property & Rating and Asset Management

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

4 Council as Crown Land Manager - Lease Negotiations - 143 Station Street Penrith

This item has been referred to Committee of the Whole as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

The meeting resumed at 8:05pm and the General Manager reported that the Committee of the Whole met at 8:01pm on Monday, 12 August 2024 the following being present

His Worship the Mayor, Councillor Todd Carney, Deputy Mayor, Councillor Mark Davies and Councillors Bernard Bratusa, Robin Cook, Kevin Crameri OAM, Sue Day, Ross Fowler OAM, Glenn Gardiner, Tricia Hitchen, Jonathan Pullen, Marlene Shipley and John Thain.

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

CONFIDENTIAL BUSINESS

2 Crown Land Manager Relinquishment

221 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Robin Cook

CW2 That:

1. The information contained in the report on Crown Land Manager Relinquishment be received.
2. Council endorse the recommendations in the report in relation to 143 Station Street Penrith.
3. Council make an application to Minister for Lands and Property that on any appointment of a new Crown Land Manager for the property, Council's rights under the lease to the Club should not be transferred to the new Crown Land Manager.
4. The Common Seal of the Council of the City of Penrith be affixed to all documents as required, and the General Manager (or his delegate) be authorised to further negotiate and sign all necessary legal or other documents in relation to this matter.

3 Business Systems Transformation: Finance Procurement, Property & Rating and Asset Management

222 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Robin Cook

CW3 That:

1. The information contained in the report on Business Systems Transformation: Finance Procurement, Property & Rating and Asset Management be received.
2. The recommendations in the body of the report on Business Systems Transformation: Finance Procurement, Property & Rating and Asset Management be adopted.

Having previously declared an interest, Councillor Tricia Hitchen left the meeting, the time being 8:03pm.

4 Council as Crown Land Manager - Lease Negotiations - 143 Station Street Penrith

223 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Mark Davies

CW4 That:

1. The information contained in the report on Council as Crown Land Manager

- Lease Negotiations - 143 Station Street Penrith be received.
- 2. Council endorse the recommendations in the report in relation to 143 Station Street Penrith.
- 3. The Common Seal of the Council of the City of Penrith be affixed to all documents as required, and the General Manager (or his delegate) be authorised to further negotiate and sign all necessary legal documents in relation to this matter.

Councillor Tricia Hitchen returned to the meeting, the time being 8:05pm.

ADOPTION OF COMMITTEE OF THE WHOLE

224 RESOLVED on the MOTION of Councillor Sue Day seconded John Thain that the recommendations contained in the Committee of the Whole and shown as CW1, CW2, CW3, CW4 be adopted.

10 PCC2024-86 Business Systems Transformation: Finance Procurement, Property & Rating and Asset Management

225 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Glenn Gardiner

That:

1. The information contained in the report on PCC2024-86 Business Systems Transformation: Finance Procurement, Property & Rating and Asset Management be received.
2. After considering the responses to the PCC2024-86 Business Systems Transformation: Finance Procurement, Property & Rating and Asset Management Select Tender and in accordance with clause 178(1)(b) of the Local Government (General) Regulation 2021 (the Regulation), Council decline to accept any of the tenders.
3. In accordance with clause 178(3)(e) of the Regulation, Council authorise the General Manager to enter into negotiations with TechnologyOne Limited with a view to entering into a contract in relation to the subject matter of the tender.
4. Pursuant to clause 178(4)(a) of the Regulation, the Council's reasons for declining to invite fresh tenders are:
 - a. Given the extensive Expression of Interest and Select Tender process already conducted inviting fresh tenders would unlikely result in a significant different or improved outcome for Council.
 - b. The complexity of the proposal will require extensive negotiation on the contract terms which a fresh tender process won't alter.
 - c. Direct negotiation will enable Council to achieve optimal value for money.
5. Pursuant to clause 178(4)(b) of the Regulation, the Council's reasons for determining to enter into negotiations with TechnologyOne Limited are:
 - a. The TechnologyOne Limited tender satisfactorily demonstrates the capability and capacity to undertake the scope of works and based on the evaluation was determined to be the preferred tenderer.
 - b. To reach an agreement on the appropriate software to be included and

subsequent licencing fees.

- c. To allow for discussion and clarification on contract terms, conditions and length.
6. Council authorises the General Manager to enter into a contract with TechnologyOne Limited following a satisfactory outcome of the Negotiations subject to the negotiation terms included in the Committee of the Whole Report titled Business Systems Transformation: Finance Procurement, Property & Rating and Asset Management.
7. An information only report be provided on the outcome of the negotiations.

There being no further business the Chairperson declared the meeting closed the time being 8:07pm.

PENRITH CITY COUNCIL

Procedure for Addressing Meetings

Anyone can request permission to address a meeting, providing that the number of speakers is limited to three in support of any proposal and three against.

Any request about an issue or matter on the Agenda for the meeting can be lodged with the General Manager or Public Officer up until 12 noon on the day of the meeting.

Prior to the meeting the person who has requested permission to address the meeting will need to provide the Public Officer with a written statement of the points to be covered during the address in sufficient detail so as to inform the Councillors of the substance of the address and a written copy of any questions to be asked of the Council in order that responses to those questions can be provided in due course.

In addition, prior to addressing the meeting a person addressing Council or Committee will be informed that they do not enjoy any privilege and that permission to speak may be withdrawn should they make inappropriate comments.

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

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

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

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

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

The Public Officer or Minute Clerk will speak to those people who have requested permission to address the meeting, prior to the meeting at 6.45pm.

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

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

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

The person addressing the meeting needs to clearly indicate:

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

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

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

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

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

Adam Beggs
Public Officer
02 4732 7597

MAYORAL MINUTES

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Mayoral Minute

Passing of Barney Allam

It is with great sadness to hear of the passing of Barney Allam OAM. Barney founded Allam Property Group in 1991 and was behind the building of dozens of communities in NSW and Victoria. Barney's vision for the business was driven by his strong belief that buying a home should be a happy, easy and above all positive experience.

Within 10 years, Allam Property Group was named one of the top five builders in Sydney. Under Barney's leadership and guidance, the company continued to grow, supporting the careers of many employees and securing more than \$3 billion in sales.

In 2004, Barney was honoured with the Order of Australia for his service to the community through Wesley Mission and his extensive contributions to the building and property industry. Being a long-time partner and sponsor of the Penrith Panthers, his involvement showed his passion for the team sharing the same values on teamwork, innovation and a strong commitment to the Penrith community.

Barney was an inspiration to all, helping many people from all walks of life to create places people could call home. His legacy will continue through Allam Homes as his passion, leadership, wisdom and kindness has left a lasting impact on the building industry that will never be forgotten. He was not only a great leader, but a mentor and friend to many.

Barney is survived by his four children and four grandchildren. I extend my thoughts to Barney's family, friends and colleagues. He will be dearly missed in our community.



Councillor Todd Carney
Mayor of Penrith

RECOMMENDATION

That the Mayoral Minute on Passing of Barney Allam be received.

Mayoral Minute

Recognising Penrith's Paralympians

Go Australia! The 2024 Paris Paralympics are commencing on Wednesday 28 August and we are excited to cheer on some of Penrith's most inspirational athletes. Either through birth, residency or school they will represent Penrith proudly on the world stage.

Para-archery was a natural fit for Jonathon Milne, who could never imagine he would be the one to win Australia's first Paralympic medal in Para-archery in 32 years. Jonathon, born in Penrith, represented Australia in the 2016 Paralympics (winning bronze) and the 2020 Tokyo Paralympics, and he is looking to write himself in the history books by winning gold – good luck Jonathon!

James Turner, born in Penrith, made his Paralympic debut at the Rio 2016 Paralympic Games in the men's 800m T36 event which earned him the title of Paralympics Australia's 2016 Rookie of the Year. As an athlete with cerebral palsy, James is hoping to go back to back gold (winning the 400m T36 in Tokyo) and defend his Paralympic record. Good luck James!

Ella Jones, who has cerebral palsy which affects her movement and posture, was born in Penrith and began to swim competitively when she was 15. Her story serves as an inspiration to aspiring athletes everywhere. She will be making Penrith proud at the Paris Paralympics - good luck Ella!

Amanda Reid is a two-time Paralympian and proud Indigenous woman who's a Para-cyclist and won a silver medal at 2016 Paralympic Games. Amanda is immensely proud of her Indigenous heritage and Penrith upbringing, stemming from the Wemba Wemba and Guringgai Aboriginal people. Good luck Amanda!

Born in Penrith and having attended St Paul's Grammar School in Cranebrook, Paige Leonhardt represented Australia at the 2016 Rio Paralympics and the 2020 Tokyo Paralympics (securing a silver medal in the women's 100m butterfly S14). Paige is looking to secure herself another medal in the pool – good luck Paige!

Congratulations to our Penrith Paralympians, you are all champions in our eyes.



Councillor Todd Carney
Mayor of Penrith

RECOMMENDATION

That the Mayoral Minute on Recognising Penrith's Paralympians be received.

Mayoral Minute**End of Term – Acknowledgment of Councillor Service**

I would like to take this opportunity, at our last meeting before the upcoming local government election, to recognise the long service of our outgoing Councillors and the outstanding contribution they have made to our City over their many years of service.

Deputy Mayor Mark Davies, Councillor Mark Rusev, Councillor Bernard Bratusa and Councillor Marlene Shipley – this is not something I was expecting to do, nor is it the way it should have happened, but I would like to take this opportunity to thank all of you for your service to local government. The partnership we have fostered not just during this Council term, but over many years has greatly contributed to your roles and the insights you have brought to this Council. I have found the collaboration of Councillors to be the driving force behind the success of our city's transformation into a vibrant and liveable city.

Deputy Mayor, Councillor Mark Davies, has 20 years of service to local government and was first elected to Council in 2004. Mark has always been passionate about attracting jobs and investment to the City. He was Mayor from 2012-13 and, at that time, initiated the development of the Our River Masterplan. Mark has continued to be a strong advocate for the precinct, which has seen \$150 million of public and private investment. In his Mayoral term, Mark also initiated and drove changes to Council's Property Investment Strategy to diversify our income base. As a result, Council now has a total property portfolio of \$83 million. Alongside these significant economic projects, Mark also called for the introduction of a policy to ensure shade in all playgrounds, which saw trees planted and shade structures installed across 90 local playgrounds over three years, and ensured all future playgrounds planned will include shade. Mark, I commend the passion you've brought to your role as Councillor, Mayor and Deputy Mayor. Thank you for your dedication to achieving the best possible outcomes for Penrith and our community. We wish you all the very best for the future.

Cr Bernard Bratusa was first elected to Council in 2012. Supporting local businesses, creating employment, respecting our heritage, and protecting our rural villages were his key priorities and was our 'unofficial' Councillor for Sport. Bernard, you have contributed greatly to our City during your tenure and given everything you had over the past 12 years. Thank you.

Cr Mark Rusev was elected to Council in December 2021, serving his first term on Council. Cr Rusev represents Council as a board member of the Penrith CBD Corporation and is also a member of Council's Heritage Advisory Committee, Resilience Committee, Library Services Working Party, Multicultural Working Party, Recreation Working Party, and serves as a Penrith City Council Sustainability and Resilience Champion. We wish you well for the future.

Cr Marlene Shipley was elected as Councillor in December 2021, serving her first term. Cr Shipley volunteers her time on several boards, including the St Marys Town Centre Management Corporation, and previously as the Chairperson of ClubGrants. She represented Council on the Floodplain Risk Management Committee and she had also previously served on the Board of the Penrith Whitewater Stadium Ltd. Despite your short tenure, you have made huge contributions to the City of Penrith and I thoroughly enjoyed working with you for the people of East Ward.

Tonight, we are also saying goodbye to Councillor Karen McKeown OAM, Councillor Tricia Hitchen and Councillor Jonathan Pullen who did not choose to seek re-election. To work with such wonderful and influential people on Council and in the community has been an honour.

Cr Karen McKeown OAM was elected to Council in 2004, 2008, 2012 and 2016, served as Mayor in 2015-2016 and again from September 2020 until December 2021. She also served as Deputy Mayor in 2006-2007 and in 2019-2020. In March 2023, Cr McKeown was elected as Member for Penrith. She has previously served as a member of the Penrith CBD Corporation Board and is also one of Council's Sustainability Champions and represents Council and the City on environmental topics. She is passionate about ending homelessness and providing a voice for our growing multicultural community. It has been a privilege to work alongside you and represent the community at both a local and state level. I wish you all the best in your position as Member for Penrith.

Cr Tricia Hitchen has been on Council since 2012 and served as Mayor in 2022-23. She was elected as Deputy Mayor in September 2016 and 2017, and again in September 2020. Tricia has been an active member of Council's Access Committee for 10 years, including as Chair for 5 years. She is also a member of the Local Traffic Committee (representing the Member for Penrith), the Penrith Performing and Visual Arts Limited (PP&VA) Board, and the St Marys Town Centre Board. I thank you for your support and guidance during my Deputy Mayoral term and wish you the best of luck with your future endeavours.

Cr Jonathan Pullen was elected as Councillor in December 2021, serving his first term on Council. Jonathan was proud to oversee the city's development with a commitment to progress, quality of life and growth opportunities for business. We wish you the all the very best for the future.

To those Councillors who are re-contesting at the election on 14 September: Councillor Cook, Councillor Crameri OAM, Councillor Day, Councillor Fowler OAM, Councillor Gardiner and Councillor Thain - I also thank you for your service and wish you all the very best.

I trust that the Councillor collaboration experienced during this last term, continues for the good of Penrith with the next Council term. The experience each of you can take away from being a Councillor for the City of Penrith is a momentous achievement and something for which our City is indebted to each of you - I wish you all well.



Councillor Todd Carney
Mayor of Penrith

RECOMMENDATION

That the Mayoral Minute on End of Term – Acknowledgment of Councillor Service be received.

REPORTS OF COMMITTEES

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**REPORT AND RECOMMENDATIONS OF THE
PENRITH COMMUNITY SAFETY PARTNERSHIP MEETING
HELD ON 27 JUNE, 2024**

PRESENT

Tim Stubbs, Nepean Police Area Command; Marcela Hart, Penrith City Council; Samantha Anderson, The Haven; Jo Tomic, St Marys Town Centre; Jeni Pollard, Penrith City Council; Heather Chaffey, Penrith City Council; Olivia Kidon, Penrith City Council; Vanessa Donald Smith, DV West; Luca Chudleigh, Penrith City Council; Julie Page, Nepean Blue Mountains Local Health District – Needle and Syringe Program; Erin Davidson, Penrith City Council.

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor John Thain for the period 5 June 2024 to 5 July 2024 inclusive.

His Worship the Mayor, Councillor Todd Carney, Deputy Mayor, Councillor Mark Davies and Councillors Bernard Bratusa, Robin Cook, Kevin Cramer OAM, Sue Day, Ross Fowler OAM, Glenn Gardiner, Tricia Hitchen, Karen McKeown OAM, Jonathan Pullen, Mark Rusev, Marlene Shipley and John Thain.

APOLOGIES

His Worship the Mayor, Councillor Todd Carney, Gai Hawthorn, Penrith CBD Corporation; Colin Mitchell, Nepean Police Area Command; Reg Singh, Nepean Police Area Command; Eloise Milthorpe, Nepean Blue Mountains Local Health District - Population Health; Samantha, The Haven; Laura Sardo, Nepean Multicultural Access; Stacey Randell, Penrith Valley Chamber of Commerce; Karen Arblaster, Nepean Blue Mountains Local Health District; Jane Townsend, Platform Youth Services; Angie Gehle, Women's Domestic Violence Court Advocacy Service; Alex Faapoi, Westfield Penrith.

CONFIRMATION OF MINUTES - Penrith Community Safety Partnership Meeting - 28 March 2024

That the minutes of the Penrith Community Safety Partnership Meeting of 28 March 2024 be confirmed.

DECLARATIONS OF INTEREST

NIL.

DELIVERY PROGRAM REPORTS

OUTCOME 2 - WE ARE WELCOMING, HEALTHY, HAPPY AND CONNECTED

**1 Implementation Update: Penrith Community Safety Plan 2023-2027
Nepean Blue Mountains Domestic & Family Violence Forum**

Olivia Kidon provided an update on the delivery of the Nepean Blue Mountains Domestic & Family Violence Forum. The Forum was held in the Joan Sutherland Performing Arts

Centre on Thursday 23 May 2024. 75-80 participants from local services attended to focus on the theme of 'Collaborating Effectively'. The day was hosted and moderated by Lisa Finn Powell.

The Forum was led by Penrith Women's Health Centre and supported by project partners DV West, Nepean Community Neighbourhood Services, Nepean Blue Mountains Women's Domestic Violence Court Advocacy Services, Blue Mountain's Women's Health and Resource Centre, Community Restorative Centre, Odyssey House NSW and Penrith City Council.

Feedback received from the event was positive.

The Nepean Domestic Violence Network will build on this work through the planning and delivery of the Nepean Services Connect Expo – Domestic and Family Violence. The Expo is an opportunity for non-specialist services to learn about domestic & family violence programs that support women and children.

Community Funding Program – Safe Communities: Domestic and Family Violence Grant

Luca Chudleigh updated the Partnership on Council's recently updated Community Funding Program. The Community Funding Policy and Grant Guidelines were on public exhibition from 28 May to 25 June 2024.

The draft Community Funding Program consists of three (3) streams and 5 grant opportunities:

Stream 1 Stronger Communities

Supports local organisations and community groups to deliver activities and programs that improve the overall wellbeing of residents and strengthens the community of Penrith.

- **Thriving Communities** – Activities that enhance the health, social capital and safety of the community.
- **Safe Communities Domestic & Family Violence Grant** – Primary prevention projects that target the underlying drivers of domestic & family violence.

Stream 2 Creative Communities

Supports local organisations, community groups and artists to deliver creative placemaking and artistic initiatives and projects that strengthen cultural or creative outcomes for our local community.

- **Magnetic Places** – Creative arts projects that magnify resident stories, provide opportunity for creative expression and activate locations across key neighbourhoods.
- **Local Creativity** – Activities that provide the Penrith community opportunities to participate in local arts, creative and cultural experiences.

Stream 3 Vibrant Communities

Events developed and delivered locally that support social cohesion and community wellbeing.

- **Local Events** – Events that support social cohesion and community wellbeing.

The Safe Communities Domestic and Family Violence Grant, is a new grant and is a pilot program proposed to run for a three (3) year period up to June 2027.

This grant also aligns with action 1.2.b of the Community Safety Plan, which recommends the development of a small grants program to support initiatives which reduce domestic and family violence.

16 Days of Action Against Gender Based Violence Campaign 2024

Olivia explained that the 16 Days of Activism Against Gender Based Violence is a global campaign led annually by UN Women from November 25 to December 10.

Last year Council returned to the popular river walk after a number of years interrupted by COVID restrictions, flood events and construction works.

The walk commenced at Nepean Ave, near the blue tree, with speeches by the Mayor, Cllr Todd Carney, Superintendent Trent King - Nepean Police Area Command, as well as a representative from the Nepean Domestic Violence Network, Jodie from Relationships Australia.

The walk followed the walking path along Mulberry Tree Lane and concluded at Tench Reserve where participants enjoyed a free breakfast BBQ, supported by the Penrith and Nepean Blue Mountains Rotary Clubs, free coffee and live music.

Zonta Club Nepean Valley had a shoe display which represented the lives of women and children lost to domestic and family violence during the year.

A yarn bombing installation was displayed along Mulberry Tree Lane during the 16 Days which served as a conversation piece to build community awareness around domestic and family violence. This was supported by a social media campaign that brought awareness to all campaign elements and included actions for community members to take to help end violence against women.

Planning for the 2024 campaign is underway that will build on previous years, including a social marketing approach and an enhanced Walk Against Violence event. A steering group will be established to guide the program and representation from the Partnership is invited.

Activities for consideration in this year's social marketing campaign include:

- Stories of lived experience which highlight that domestic and family violence does not discriminate.
- Community champions and voices to tell the stories and experiences of women.
- School engagement/art competition
- 16 Days calendar to highlight and promote activities and events throughout the 16 days across the region.

Additional activities for consideration:

- Expanding the walk to incorporate a fun run earlier in the morning prior to the walk to engage sporting groups and those that use the Great River Walk for fitness activities.

- Explore alternative display options of Zonta's shoe display to enhance the visual impact.
- Establish a satellite yarn bombing event (or similar) at Coachmans Park, St Marys to raise awareness of domestic and family violence in the community.

The Nepean Domestic Violence Network will also be delivering a capacity building event in the lead up to the 16 Days on Thursday 21 November with the Nepean Services Connect Expo – Domestic and Family Violence. This event is aimed at non specialist services to learn about programs that support women experiencing domestic and family violence.

Members of the Partnership expressed interest in partnering in the 16 Days of Action campaign. Heather advised that the Community Safety team will be sending an invitation out to participate on the working group with further details.

Responding to Homelessness

Olivia updated the Partnership on Council's response to homeless people in and around The Mondo area.

There has been an increase in the number of homeless people camping and storing items in The Mondo and notifications have been received from many staff across internal Council departments.

Staff from the Community Resilience team have been working together with the Assertive Outreach team at Link Wentworth and the Department of Communities and Justice to make contact with those residing in the space to provide support, make referrals and provide case management.

Homelessness can impact on wellbeing and can create a number of challenges and health and safety issues for users of the space. Council is actively managing this space and has issued clean up notices for the removal of items.

Additionally, signage will be installed to further assist in the management of homelessness in The Mondo. This will be installed to deter people from using the space for unauthorised activity and give Police and Council greater capacity to remove items and ask people to move on from the location. This work is done with the support of local service providers to ensure that the needs and dignity of people is actively managed.

Olivia invited members of the Partnership to share their observations.

Jo shared that there is a gentleman in Queen Street, St Marys that is causing distress to business owners as he displays antisocial behaviour and aggression when engaged with. Businesses are unsure where to refer him or how to respond. Community Safety staff have received correspondence from a business owner along Queen Street regarding this person and have referred them to the Assertive Outreach Team.

RECOMMENDED

That the information contained in the report on Implementation Update: Penrith Community Safety Plan 2023-2027 be received.

REGULAR ITEMS

Nepean Police Area Command Update

Tim Stubbs provided a brief update on crime categories in Colin Mitchell's absence.

Under the Aboriginal portfolio, Tim has been working with young people, strengthening relationships with all schools in the LGA.

All referrals for First Nations domestic and family violence offenders are referred to a men's behaviour change program with Baptist Care or Relationships Australia.

Nepean Police Area Command will be at this year's NAIDOC event at Jamison Park. Highway Patrol will be using their lidar sensor to detect how fast participants are running in races. They will also have their trailer that contains X-boxes, games and beer goggles that replicate the experience of what it feels like to be intoxicated.

Nepean Domestic Violence Network (NDVN) Update

Erin Davidson advised that services are reporting that they are struggling with capacity to take on clients. Many services have had their books closed for months and when they do re open to accept new clients, they are promptly closed, sometimes within hours.

DV West have had their books closed for 12 months. Their capacity only allows them to take on First Nations clients, women that self-refer or women that are identified as high risk.

To help address capacity issues within the sector, the NDVN are working to deliver a Nepean Services Connect Expo in November which will provide an opportunity for organisations to promote programs and services that support women experiencing domestic and family violence.

An expression of interest will be going out shortly inviting services to participate in showcasing their programs.

GENERAL BUSINESS

GB1 – Transition to reusable plastic containers - Needle and Syringe program

Julie Page advised that the Needle and Syringe Program (NSP) at Nepean Hospital will no longer be providing personal yellow disposable sharps containers to clients of the NSP. Clients will be encouraged to reuse hard plastic containers they may have at home such as protein containers, laundry detergent bottles, bleach and shampoo bottles.

Julie asked if anyone has any empty containers they would like to donate, please let her know and she will come and collect them directly.

There being no further business the Chairperson declared the meeting closed the time being 5:00pm.

RECOMMENDATION

That the recommendations contained in the Report and Recommendations of the Penrith Community Safety Partnership meeting held on 27 June, 2024 be adopted.

**REPORT AND RECOMMENDATIONS OF THE
ACCESS COMMITTEE MEETING
HELD ON 24 JULY, 2024**

PRESENT

Jeni Pollard (Chair) (Head of Future Directions and Resilience), Councillor Robin Cook, Councillor Tricia Hitchen, Farah Madon, Matthew Roger, Anthony Mulholland, Allan Windley, Carole Grayson, Dianne Brooks, Karen McIntyre, Heather Chaffey (Community Resilience Program Manager), Marcela Hart (Community Capacity Lead).

PRESENTERS

Dr Christina Kirsch (Transport for NSW), Beau Reid (Place and Activations Program Manager), Nikki Akbar (Events Lead), Angela Dwyer (Senior Events Producer), Patricia Gonzalez (Social Strategy Program Manager)

APOLOGIES

Mayor, Councillor Todd Carney, Josephine Dambudzo (Community Capacity Officer), Stacey Rossetto (City Marketing Coordinator), Josh Staines (Senior Policy Officer – Aboriginal)

CONFIRMATION OF MINUTES - Access Committee Meeting - 14 February 2024

That the minutes of the Access Committee Meeting of 14 February 2024 be confirmed.

DECLARATIONS OF INTEREST

Nil.

DELIVERY PROGRAM REPORTS

OUTCOME 2 - WE ARE WELCOMING, HEALTHY, HAPPY AND CONNECTED

1 Disability Inclusion Action Plan 2022-2026: Implementation Update

Inclusive Tourism – Photo Image Library Project

Marcela Hart presented on the Photo Image Library Project on behalf of the Marketing team. The project was funded by the Disability Access Improvement Program Fund to increase the diversity of Council's library of images to include photos of people with disability living and experiencing our city. This project is in line with the Disability Inclusion Action Plan Action 2.2 promote diversity and inclusion through marketing campaigns and positive use of Council imagery as appropriate.

The images will be used in the promotion of Penrith as a destination for all, promoting Penrith as an inclusive visitor destination.

Acoustic Vehicle Alerting System (AVAS) technology – Dr Christina Kirsch

Dr Christina Kirsch, Senior Human Factors Specialist at Transport for NSW presented on the Acoustic Vehicle Alerting System (AVAS) for buses. The project aims to develop a standard acoustic warning system for low-noise vehicles to ensure vulnerable road users, especially vision-impaired people can hear and identify an approaching electric bus.

REAL Festival – Beau Reid, Nikki Akbar, Angela Dwyer

Beau Reid, Nikki Akbar and Angela Dwyer presented on the upcoming REAL Festival 2024 to be held at Tench Reserve on 20 and 21 September 2024.

The team have been working to address the key learnings from and concerns for attendees in 2023 which included site access and integrity, parking and traffic management.

Key inclusions for 2024 include:

- Outdoor roller rink (free 30 min booked sessions)
- Open air arcade
- Largescale, Immersive art installations
- Food vendors of various cuisines sweet savoury, GF, Halal, V and VG
- Market stalls with various offerings including art, food and jeweller
- Hands on workshops, Including first nations and craft
- Free on water activities
- Performers, acoustic, DJ's and roving
- Pop up bar

Access and Inclusion in Greenfield Developments – Patricia Gonzalez

Patricia Gonzalez presented on the Access and Inclusion in Greenfield Developments. The DIAP action states (8.7) Develop resources that support implementation of access and inclusion outcomes in Greenfield developments. This will be a living document which identifies unique opportunities to design inclusive and accessible spaces from the outset and improve the quality of life of all who live, work and play in our city. It will let planners and developers know what is important in developing greenfield developments for access and inclusion. A draft of the document should be completed by end July 2024 and the final draft presented to Access Committee for input at the end of August 2024.

First Nations Disability Discussion Paper – Patricia Gonzalez

Patricia Gonzalez presented on the First Nations Disability Discussion Paper. The DIAP action states (2.4) Prepare a study into the impact and needs of people living with disability who identify as Aboriginal and Torres Strait Islander or coming from a culturally diverse background. The aim of this document is to guide future support, and advocacy needs of our First Nations people.

The discussion paper includes:

- Census and national disability insurance scheme (NDIS) data
- Findings / outcomes of interviews and workshops
- Key issues including:
- Families, forced removal and criminalisation – intergenerational trauma
- Lived experiences of systemic racism
- Pedestrian safety and accessibility of transport
- Need for greenspace
- Access to employment

One Community Many Abilities – Marcela Hart

Marcela Hart presented on the reach of the 'One Community Many Abilities' campaign, which has been the best performing social media campaign for Penrith Council including above industry average performance in a number of metrics. The success includes:

- Reaching over 1.5 million people
- Social media engagement rate of 2.56%
- Ads referred over 3000 people to the webpage
- Webpage engagement rate of 85%
- Average view duration of 55%
- Average view per video 2,248

RECOMMENDED

That the information contained in the report on Disability Inclusion Action Plan 2022-2026: Implementation Update be received.

GENERAL BUSINESS

GB 1 International Day of Persons with Disabilities

Matt Rogers in his capacity as a co-chair of the Nepean Hospital Development Consumer Group asked for any suggestions from committee members for opportunities to co-host celebrations across the LGA for International Day of People with Disability on 3 December 2024.

GB 2 MLAK Keys for Accessible Toilets in Westfield

Councillor Hitchen requested that Council contact Westfield to suggest that MLAK locks be added to the accessible toilets in Westfield to ensure that the facilities are used appropriately.

There being no further business the Chairperson declared the meeting closed the time being 7:07pm.

RECOMMENDATION

That the recommendations contained in the Report and Recommendations of the Access Committee meeting held on 24 July, 2024 be adopted.

DELIVERY PROGRAM REPORTS

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**OUTCOME 1 - WE PROTECT AND ENHANCE AN ECOLOGICALLY
SUSTAINABLE ENVIRONMENT**

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

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OUTCOME 2 - WE ARE WELCOMING, HEALTHY, HAPPY AND CONNECTED

Item

Page

1 [Penrith Mayoral Challenge - Monfarville Reserve](#)

1



1 Penrith Mayoral Challenge - Monfarville Reserve

Compiled by: John Le, Cultural Engagement Officer - Neighbourhood Renewal
 Natalie Wadwell, Neighbourhood Renewal Lead
 Heather Chaffey, Community Resilience Program Manager

Authorised by: Marcella Kelshaw, Head of City Activation, Community and Place
 Sandy Davies, Director Community Connection

Outcome	<i>We are welcoming, healthy, happy, creative and connected</i>
Strategy	<i>Build and support community resilience to adapt to changing circumstances</i>
Principal Activity	<i>Work with local communities to identify priority issues in their area and build local resilience</i>

Executive Summary

This report provides Council with an update on the Penrith Mayoral Challenge (PMC). To support Council’s Sport and Recreation Strategy, this longstanding program identifies one playspace each year and engages local children in the design process. PMC is limited to playspaces within key neighbourhoods which are the focus of the Council’s Neighbourhood Renewal Program. Through a series of workshops, participants learn about local government, civic participation and decision making, and are involved in designing playspaces. This report includes an overview of the engagement process and the concept design for a new play space at Monfarville Reserve, St Marys.

This report recommends that Council receive the information on the Penrith Mayoral Challenge at Monfarville Reserve, St Marys, and endorse the playspace concept design (Appendix 1).

Students from St Marys South Public School will present the report to Council at the meeting on 26 August 2024.

Background

The Penrith Mayoral Challenge evolved from the success of the Callisto Playspace Renewal Project in Cranebrook in 2014. The then Mayor, Councillor Ross Fowler OAM, challenged young people to design a new playspace for their neighbourhood. This project delivered a high-quality playspace for the Cranebrook community and produced several unexpected outcomes. Notably, it increased young people’s understanding of local government and interest in civic participation.

Following the success of the project in Cranebrook, Council endorsed the Penrith Mayoral Challenge as a three-year pilot project across three sites: Barr and Bass Reserve in Colyton, Chapman Gardens in Kingswood, and Lincoln Park in Cambridge Park. The three-year pilot of the Penrith Mayoral Challenge proved to be highly successful.

Drawing on the success of the Challenge, in 2017, The Parkitects Project was developed in response to rapid development in Oxley Park where young people had the opportunity to design a playspace on Brisbane Street.

On 11 September 2017, the Policy Review Committee received a report on the ongoing delivery of the Penrith Mayoral Challenge in Neighbourhood Renewal Areas. Council committed to continue giving young people a leading voice in designing improvements to public space on behalf of their community.

Current Situation

Locations for the Penrith Mayoral Challenge are identified in alignment with the Sport and Recreation Strategy. In 2023, Monfarville Reserve was identified as the next site suitable for PMC.

The playspace site is Monfarville Reserve, corner of Margaret Street and Collins Street, St Marys. The reserve is within the Cumberland Plains Woodland and sits adjacent to Byrnes Creek which flows into Wianamatta (South) Creek.

Process

Council engaged St Marys South Public School to participate in the Challenge. A cohort of twenty-four Year 5 and 6 students participated in seven workshops from May to July 2024. Students engaged in interactive learning experiences to gain deeper knowledge and skills to inform playspace design, with topics such as:

- Environment and Sustainability
- Caring for Country
- Community Statistics and Engagement
- Leadership
- Inclusive Design
- Government and Civic Engagement
- Decision making

The students rose to the challenge; they were attentive and curious through each workshop. Students worked with subject matter experts from across Council to reflect community aspirations in the concept design. Several outcomes were achieved, including:

Broader knowledge of their community - Students gained a strong understanding of the local community and its diverse needs and aspirations, leading to deeper reflection that facilitated their decision-making and prioritisation.

Broader knowledge of local government - Students learned about local government and their role as active citizens to participate effectively in civic activities.

Built stronger leadership - The program enhanced students' leadership capabilities, demonstrated through student led activities and student presentations.

Proactive contribution to the overall team environment - Students demonstrated initiative and active participation in team activities which enhanced the collaborative process.



Students working together on a prototype playspace



Students presenting their prototype design



Students presenting their prototype design



Students participating in a mock voting activity

Broader community engagement

Council also conducted a broader community engagement. A total of 284 community contributions (including Penrith Mayoral Challenge participants) were received across engagement activities which included:

- Online survey
- Online vision board
- Social media
- In-person workshops.

Participating students played a significant role in engaging the broader community and ensuring community aspirations are reflected in the final design concept (Appendix 1).

All community engagement was centred around the types of play community members wanted to experience and elements that support recreation more broadly. Key themes included:

- Priority play elements were jumping, swinging, spinning and climbing.
- Parents and carers commented on other infrastructure, including shade, water play, pathways, seating, tables, and fencing.

These aspirations for the playspace and infrastructure supports recreational use more broadly.

Design Outcomes

Students considered community feedback and priorities and the perspectives of Council staff as subject matter experts. The resulting concept design is a thoughtfully designed playspace that reflects community aspiration, represents unique characteristics of St Marys and works within the constraints of budget and site. Key elements of the concept design which respond to community feedback include:

- Park entry includes signage, bike racks and drinking fountain
- Picnic shelter with accessible picnic seating
- Play equipment includes Swinging, Climbing, Sliding and Jumping elements
- Accessible seating with companion space for pram or wheelchair
- Additional trees for shade, cooling and habitat
- Shade structure

Future Funding Opportunities

Monfarville Reserve is a large green space, creating opportunities for future elements should additional funding become available. High priority elements that have been identified include:

- Pathway along Margaret Street to connect to the pram ramp (Estimated \$15,000)
- Entryway with placemaking elements (Estimated \$10,000 - \$15,000)
- Nature Play, Yarning and Sharing Circle (Estimated \$20,000 - \$25,000)

These items are outside the scope of the project budget. Council staff will monitor funding opportunities to deliver on recreational aspirations for Monfarville Reserve more broadly.

Financial Implications

The Penrith Mayoral Challenge is delivered by a cross functional team of Council staff with funds allocated through the Sport & Recreation Reserve, Parks Asset Renewal, LOS 7.11 and Neighbourhood Renewal Capital's budget. Trees and cooling elements are funded through Greening Our Cities. Funding of \$300,000 for Monfarville Reserve Playspace is currently available within the existing budgets.

Operational budget savings and external grant funding opportunities will be sought to fund future high priority elements identified in this report.

Risk Implications

The shape and size of the new playspace equipment shown on the concept design is indicative. The form of the new playspace may change subject to supplier availability and meeting Council's procurement requirements.

There are no other risk implications associated with this report. The playspace has been designed in accordance with:

- Australian Standards for playspaces including soft fall and surfacing.
- NSW Government's Everyone Can Play Guidelines for inclusion and accessibility.

Conclusion

The Penrith Mayoral Challenge has successfully engaged children from St Marys in design of a playspace at Monfarville Reserve in St Marys. 24 students from St Marys South Public School were actively involved in a series of workshops on local government, civic participation and design considerations. Overall, 284 people from the broader community and school shared their aspirations for the playspace. Students worked with Council staff to consider the feedback and a concept design has been developed. The concept design works within existing resources, with three high priority items identified should additional funding become available.

This report has presented findings from community engagement, information regarding funding for the project and has noted opportunities to enhance the project pending Council efforts to seek further funding.

The Penrith Mayoral Challenge is a strong example of the outcomes of community engagement in place making and particularly the positive outcomes of supporting children and young people to better understand the positive impact of their civic participation.

RECOMMENDATION

That the information contained in the report on Penrith Mayoral Challenge - Monfarville Reserve be received.

ATTACHMENTS/APPENDICES

1. DRAFT Concept Design (Monfarville Reserve) 3 Pages Appendix

MONFARVILLE RESERVE NEW PLAYSPACE - CONCEPT DESIGN



LEGEND

- 1 Park entry - with signage, bike racks and drinking fountain
- 2 Picnic shelter with accessible picnic setting
- 3 Swinging
- 4 Shade structure
- 5 Jumping
- 6 Climbing & Sliding
- 7 Nature play
- 8 Yarning and sharing circle
- 9 Future footpath to St Marys South Public School

- Existing trees - retain & protect.
- New trees for shade and habitat
- Rocks & boulders for sitting & play
- Sandstone logs for sitting & edges
- Seats with back and armrests

Penrith Mayoral
Challenge 2024

Monfarville Reserve New
Playspace

Design and Projects

Date: July 2024
Drawn: VP
Revision: A



Everyone can play can I get there? can I play? can I stay?



MONFARVILLE RESERVE NEW PLAYSPACE - BUDGET PRIORITIES

- 1** PRIORITY #1: MAIN PLAYSPACE:
*New play equipment installed on bark chip softfall with rubber softfall used in areas of high wear and for ease of access.



CLIMBING & SLIDING
Multi-play piece with a variety of climbing & sliding elements for all ages. Must include elements that are accessible to toddlers including a shop front. Opportunity to include roofs over platforms for shade + bushland theme.



SWINGING
Large swingset with a variety of seat types so that people of all ages & abilities can play side by side.



JUMPING
2 x single trampolines so kids of all ages can play side by side.



TODDLER PLAY
Opportunity for Cumberland plain themed springers and toddler play



SHADE
Large shade structure combined with new tree planting for built and natural shade across the space.



PICNIC FACILITIES
Picnic shelter & accessible picnic setting



ACCESSIBLE SEATING
New seating with back & armrests + companion space for pram or wheelchair



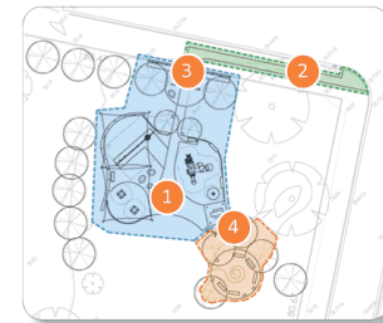
ACCESSIBLE DRINKING FOUNTAIN
With bottle refill and dog bowl - located 10m min. from playspace.

- 2** PRIORITY #2: FOOTPATH CONNECTION ALONG MARGARET STREET



1.5m wide concrete footpath connecting to existing pram ramp on Collins Street

LEGEND



- 1** PRIORITY #1: MAIN PLAYSPACE
- 2** PRIORITY #2: FOOTPATH CONNECTION
- 3** PRIORITY #3: ENTRY PLACEMAKING
- 4** PRIORITY #4: NATURE PLAY AND YARNING CIRCLE



MONFARVILLE RESERVE NEW PLAYSPACE - BUDGET PRIORITIES

3 PRIORITY #3: ENTRY ARTWORK and PLACEMAKING ELEMENTS
*Pending available funds / for future consideration



PARK ENTRY FEATURE + PLACEMAKING

Opportunity to create a unique park entrance and include placemaking features such as imprints & engravings in pavements and surfaces, and totems. Consider how local Darug language can be used in wayfinding and interpretation, working with local Darug language groups to inform and guide this work.

4 PRIORITY #4: NATURE PLAY and YARNING & SHARING CIRCLE
*Pending available funds / for future consideration



NATURE PLAY

Opportunity to embed Connection to Country, nature and nature play into the new playspace through the use of natural materials**, native plantings and Cumberland Plains Woodland themes and Darug language interpretation. (** materials selected to be durable and low maintenance)



YARNING & SHARING CIRCLE

Consider providing a yarning & sharing circle, creating a space for the local community to gather and connect. Opportunity for use by local schools as part of the outdoor classroom & learning experience.



LEGEND



- 1** PRIORITY #1: MAIN PLAYSPACE
- 2** PRIORITY #2: FOOTPATH CONNECTION
- 3** PRIORITY #3: ENTRY PLACEMAKING
- 4** PRIORITY #4: NATURE PLAY AND YARNING CIRCLE



OUTCOME 3 - WE PLAN AND SHAPE OUR GROWING CITY

Item	Page
2 VPA for the delivery of road widening and upgrade works for Aldington Road, Kemps Creek Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.	11
3 Re-setting of Road Levels Under Roads Act for Abbotts Road and Aldington Road, Kemps Creek	20



2 VPA for the delivery of road widening and upgrade works for Aldington Road, Kemps Creek

Compiled by: Kathryn Sprang, Senior Planner
 Natalie Stanowski, Principal Planner

Authorised by: Christine Gough, Head of City Planning
 Andrew Jackson, Director Planning and Regulatory Services
 Matthew Bullivant, Director Corporate Services

Outcome	<i>We plan and shape our growing City</i>
Strategy	<i>Undertake strategic planning that will ensure balanced growth and liveability</i>
Principal Activity	<i>Ensure services, facilities and infrastructure meet the needs of a growing population through the contributions framework</i>

Previous Items: 3- VPA for the Delivery of Aldington and Abbotts road widening-
 Councillor Briefing- 16 Oct 2023 7:00PM
 5- VPA for the delivery of road widening and upgrade works for
 Abbotts Road and part of Aldington Road, Kemps Creek-
 Ordinary Meeting- 22 Jul 2024 7:00PM
 3- Re-setting of Road Levels Under Roads Act for Abbotts Road
 and Aldington Road, Kemps Creek- Ordinary Meeting- 26 Aug
 2024 7:00PM

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

Landowners:

- Stockland Fife Kemps Creek Pty Ltd
- Stockland Development Pty Ltd
- Australand C&I Land Holdings Pty Ltd
- FPI Developments NSW Pty Limited

Proponent: Mamre Road Precinct Landowners Group – North-East (LOG-NE)

Executive Summary

The purpose of this report is to seek council's endorsement to negotiate and finalise terms for a Voluntary Planning Agreement (VPA) between Council and LOG-NE (Landowners Group North-East) for the delivery of road upgrade and widening works to Aldington Road, Kemps Creek, consistent with a submitted a letter of offer (Offer) provided by LOG-NE.

Currently, Aldington Road is a rural road that is in poor condition. The road requires significant and urgent upgrades to facilitate employment-generating development and improve road safety conditions. A significant amount of development is proposed to occur along Aldington and Abbotts Roads that will require suitable transport infrastructure for servicing. Development approvals to date along Aldington Road contain conditions of consent that require upgrade works to sections of Aldington Road and Abbotts Roads to be completed before the industrial uses become operational.

The land acquisition, upgrade and widening of the full length of this road is identified within the Mamre Road Precinct Development Contributions Plan 2022 (Mamre Precinct CP) and the Mamre Road Precinct Development Control Plan (2021). The total value of the proposed roadworks is approximately \$50 million and land dedication is approximately \$13 million.

LOG- NE is seeking, through a future VPA, to obtain contributions offsets for the delivery of these works and land dedication, to partly satisfy development contributions obligations under Mamre Precinct CP.

The works proposed by LOG-NE will integrate with works proposed to Abbots Road and part of Aldington Road considered in a draft VPA with ESR, which was endorsed by Council at its Ordinary Meeting of 22 July 2024.

To facilitate the urgent upgrades required to Aldington Road, this report seeks endorsement to progress negotiations and finalise terms on a draft VPA and where this is consistent with the offer, and other recommendations, proposed in this report.

The report also seeks to progress the draft VPA to publicly notify and execute a VPA.

It is also recommended that Council request certain conditions of consent be issued by the Department of Planning, Infrastructure and Environment (DPHI) on development applications with which the VPA is made in connection with, to facilitate the VPA.

Background

Mamre Road Precinct Development Contributions Plan 2022

The land is subject to the Mamre Road Precinct Development Contributions Plan 2022 (Mamre Precinct CP), as shown outlined in red in Figure 1. The Mamre Road Precinct was

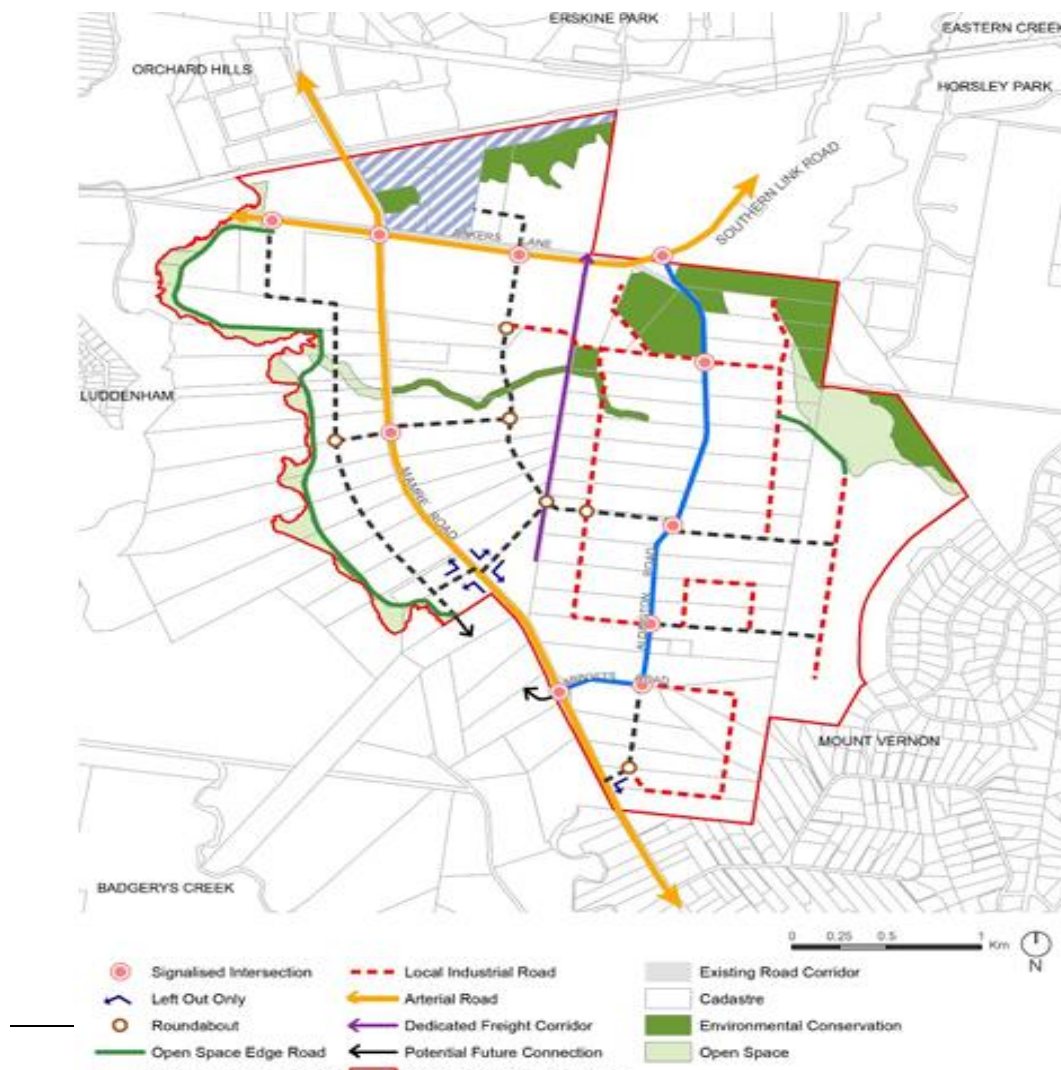


Figure 1

rezoned by DPHI from rural to industrial in 2020, to provide more jobs in Western Sydney and to support the nearby Aerotropolis.

The Mamre Precinct CP came into force on 4 April 2022 and facilitates the delivery of transport and open space infrastructure to support development in the precinct.

Following the rezoning of the Mamre Road Precinct, DPHI finalised a precinct wide Development Control Plan (DCP) which set the road hierarchy for the precinct (as shown in figure 1). Aldington Road was identified in the DCP as a 'Distributor Industrial Road', coloured blue in Figure 1 and funding for its delivery is provided in the Mamre Precinct CP.

Abbotts and Aldington Roads

The Abbotts and Aldington Roads are a combined length of approximately 3.6km and will accommodate 5 signalised intersections, at least 4 travelling lanes, tree lined median, shared path and verges to accommodate services and trees. Indicative costs of the road and land acquisition required is approximately \$85 million.

Currently, Abbotts and Aldington Road are rural roads, and as such the current condition of the roads requires significant and urgent upgrades, including road widening to facilitate the development proposed. Lots presenting onto the subject roads are fragmented and in multiple ownership and represent a transition of rural land holdings to future employment lands.

The construction and widening of Aldington Road will open up significant employment land uses, and this needs to be undertaken in a coordinated approach to ensure that it is done in an orderly and cost-effective manner. Delivery of the road is considered urgent, due to the number of SSDA's and Development Applications approved and under consideration.

The approvals to date contain conditions of consent that require upgrade works to sections of Aldington Road and Abbotts Roads to be completed before the industrial uses become operational.

Current Road Condition

Construction works are well underway on the State Significant Development (SSD) application sites already approved on Aldington and Abbotts Road. This has resulted in substantial construction traffic along these roads, which is resulting in safety concerns, non-compliance with SSD conditions of consent regarding vehicle movements, and concerns about the current state of the roads.

Council has completed partial pavement stabilisation works to Aldington Road in September 2022, to ensure the road can adequately function in its current capacity.

The commitment to recognise credits for works already commenced, subject to a future VPA, is crucial to facilitate road works that will prevent the need for any further interim road works on the current rural road.

Accelerated Infrastructure Fund

The necessary and urgent road upgrades required to Abbotts and Aldington Road to become a distributor industrial road are substantial, costly and will require land acquisition from multiple parties.

Council was successful in obtaining \$23.3 million in funding for part of the Abbotts and Aldington Road works through the NSW State Accelerated Infrastructure Fund (AIF). Round 2 of the AIF was allocated to NSW Local Council projects in high growth areas and recognises that the upgrade of Abbotts and Aldington Road from rural to distributor industrial

road will unlock 420 hectares of employment land and create local jobs. This matter was reported to Council's Ordinary meetings of 25 October 2021 and 28 March 2022.

The AIF funding is in addition to monetary contributions collected from the Mamre Precinct CP, any future VPAs for land dedication/road works for Abbots and Aldington Roads and will deliver the ultimate form of the Distributor Industrial Road.

Rezoning of Abbots and Aldington Road

To facilitate the widening of Abbots and Aldington Roads, DPHI has proposed an amendment to State Environmental Planning Policy (Industry and Employment) 2021 (Industry & Employment SEPP), to rezone the roads and nominate Council as the acquisition authority for the land required to widen these roads. This amendment will ensure Council has adequate authority to acquire land required for the timely delivery of these roads.

The Explanation of Intended Effects (EIE) in relation to this matter was exhibited by DPHI between 22 February and 21 March 2024. This matter was reported to Council's Ordinary meeting of 25 March 2024.

Any future VPA relating to Aldington or Abbots Roads relies on the amendment to the SEPP to facilitate the works. As such, any future draft VPA will not be executed until such time as the amendment is gazetted by DPHI. It is anticipated that DPHI will finalise this SEPP amendment imminently.

Roads Act Approval

Due to the substantial upgrades required to both Abbots and Aldington Roads, the vertical alignment (road level) of the roads needs to change, to allow delivery of the road with gradients to current standards. Under the Roads Act 1993, Council, as the roads authority, is required to publicly notify the proposed level changes and set new road levels. This matter was reported to Council's Ordinary meeting of 12 December 2022. Council resolved to adopt the associated plans and to publicly exhibit the proposed road levels and realignment.

Since that time, further changes have been made to the road levels, which require further public notification. This is the subject of a separate report presented at tonight's Ordinary meeting.

To support a VPA, the new road levels will require gazettal, and this will be undertaken prior to the execution of a future VPA.

VPA Offer

A letter of offer (Offer) to enter into a VPA has been provided as Attachment 1. The offer proposed is a multi-party agreement with LOG-NE, consisting of the following parties:

- Stockland Fife Kemps Creek Pty Ltd
- Stockland Development Ltd
- Australand C&I Land Holdings Pty Ltd
- FPI Developments NSW Pty Limited

The parties are subject to the following development applications that are currently under assessment:

- SSD-10479 (MOD 3)

- SSD-17552047
- DA22/530
- DA24/0268

In summary, the Offer seeks to:

1. Recognise that LOG-NE parties are seeking development consent that will provide a material public benefit by way of proposing roadworks to part of Aldington Road and dedicating land (free of cost) to facilitate the proposed road widening.
2. Establish a mechanism for the consideration of offsets against obligations for the payment of development contributions under the Mamre Precinct CP enforced on development consents.

Figure 2 shows the span of the works subject to the draft VPA (in dark blue). The works shown in red are not part of the draft VPA. The works shown in orange are subject to a State VPA and also are not part of the draft VPA.



Figure 2

Assessment of Offer

Penrith Developer Infrastructure Agreements Policy guides Council, developers and the community on matters to consider when assessing and accepting a VPA. The Offer has also been reviewed by Council’s Legal Services Team. Consideration of risk elements of the draft VPA are discussed below.

The matter has been reported multiple times to Council’s Local Infrastructure Contributions Working Group (LICWG). The proposed terms of the offer are considered acceptable. It is noted that the offer is generally consistent with the offer that underpinned the Draft VPA with ESR.

Road Design

The design and alignment of the reconstruction of Aldington Road has been a collaboration between Council, DPHI and LOG-NE. Given that LOG-NE are not delivering the entirety of the road upgrades, a staged approach is proposed, to detail the ultimate and the interim works that are intended to be delivered as per the draft VPA. LOG-NE has detailed how their works tie into existing site levels and how access for other landowners is still achieved despite the upgrade works.

The interim works plan acknowledges that there will be additional work required to deliver the ultimate design of the Aldington Road upgrade works. Council staff have worked closely with LOG-NE on the interim design elements.

The interim works plan proposes works on third-party land to facilitate the interim road design. This includes road batter works and construction of driveway access. LOG-NE have advised that they have obtained landowner's consent to undertake these works. Where landowners consent is not available, LOG-NE may need to amend or modify their development consents.

No works are proposed on land at 287 Aldington Road, Kemp Creek (known as 'The Castle' and associated fence). Any works on this site will be subject to future discussions and is also reliant on the gazettal of the road alignment. The current road design and VPA negotiations are reliant on the road widening being gazetted by the Minister for Planning generally in accordance with exhibited plans. Should this change, then the road will need to be redesigned and the VPA renegotiated.

Works Approval

The offer indicates the works are to be delivered in accordance with any development consent or other approval that applies to the works.

Council will need to be satisfied that at least two of the developers that are party to the VPA have obtained development consent for the works with the relevant land owners consent. It is proposed that Council provide in-principle support to enter into a VPA on that basis where it is satisfied of the above being met.

This conditional acceptance is proposed in order to manage any potential risks with respect to validity concerns that may result in partial road construction with no ability to continue the road works. LOG-NE has accepted this recommendation.

Offsets

LOG-NE are seeking contribution offsets for in part satisfaction of development contribution obligations.

It is considered acceptable that offsets may be considered by Council, where the developers are acting consistent with the relevant provisions of the Environmental Planning and Assessment Act, 1979 (The Act) and are offering a material public benefit (i.e. road works) and/or land dedication (free of cost) through their relevant development applications.

To ensure that offsets are only delivered for the ultimate works, once the works are completed, plans and workings will be required to be submitted to Council to substantiate the request for credits. Offsets will not be provided for any interim works. Contribution credit rates have been determined based on a rate for works delivering the pavement of the road and works delivering the verge of the road. This ensures that the development contributions plan will be able to support future parties, including Council, delivering other parts of the road. These rates are consistent with the rates proposed by ESR in their draft VPA.

Multiple Parties

Council will work with LOG-NE to effectively manage the risk associated with multiple parties. Mechanisms to achieve this will include:

- The LOG-NE members are jointly liable to deliver the works.

- A single contractor will be engaged to carry out the works. Additionally, a single project manager will be engaged to liaise with Council.
- Restriction on titles, to ensure Council's interests in the subject properties are protected.
- Security in the amount of 125% of the cost of works to be provided.

Tendering

LOG-NE are proposing to carry out works on Council land, which as per the Mamre Precinct CP, Council was expecting to have carried out itself. As such, it is considered that if this Draft VPA is to be executed, that it could be considered a contract to carry out the work, which under the Local Government Act 1993, Council must invite tenders for the work.

Council's lawyers have reviewed this matter and advised that having regard to the fact that there is a condition of consent which requires the developer to carry out the road upgrade works (on Council land) in their SSD approval, it provides reasonable grounds for Council to resolve not to call for tenders pursuant to s55(3)(i) of the Local Government Act 1993.

Conditions of consent to enter into VPA

To ensure that a VPA will be entered into, consistent with the Offer and that the recognition of offsets may occur, consistent with the Act, it is recommended that Council ask DPHI to impose a condition on the relevant applications to require a planning agreement to be entered into as a condition of consent in the terms consistent with the offer.

Financial Implications

A future VPA seeks to dedicate and deliver the road upgrade works required for Aldington Road. LOG-NE will be responsible for the cost of the works associated with the VPA and has agreed to pay the Council's costs in relation to the preparation and notification of the Offer and VPA.

The draft VPA does not have the effect of excluding the application of Sections 7.11, 7.12, 7.1 and 7.24 of the Environmental Planning and Assessment Act 1979 in relation to any development application associated with the planning proposal therefore the LOG-NE members are seeking to obtain contribution offsets against their contribution obligations under the Mamre Precinct Contributions Plan.

This VPA is considered to be an accelerated way to deliver a crucial portion of the distributor industrial road while limiting the financial risk to Council.

Risk Implications

There is already a significant amount of construction work occurring within the precinct, resulting in large trucks using the current rural roads and construction traffic. The longer the delivery of the road upgrade works takes, there is a public safety risk to road users on Abbots and Aldington Road. Additionally, until the road works are delivered the industrial development is delayed, as development is contingent on the road delivery, per conditions of consent. The upgrade works are needed to occur without further delay to improve road safety and unlock employment lands.

An identified risk to Council is with respect to the VPA being related to a development consent that may become invalid and the ability for the road works to continue. In order to

manage this risk, it is proposed that a VPA is not executed until such time that Council is provided with evidence that two developers have sought development consent for the works and land owners consent has been received.

Further risk management measures are proposed including that Council will not accept infrastructure or recognise offsets for works that do not meet the required standards for works, security will be provided covering 125% of the cost of work, and a completion date for the works will be included in the agreement.

To provide certainty and to limit risk to Council, it is imperative that a VPA is not executed until such time as Abbots and Aldington Road are rezoned by DPHI and Council is nominated as the land acquisition authority.

Next Steps

Should Council seek to endorse the Offer, it is recommended that delegation is provided to the General Manager to negotiate and finalise the terms of a draft VPA, consistent with the offer being made.

Further to this, it is recommended that where a draft VPA is prepared consistent with the offer, that the draft VPA be placed on public notification for 28 days in accordance with the *Environmental Planning and Assessment Regulation 2021* and the Penrith Development Infrastructure Agreements Policy. Notification will include publishing the draft VPA on Council's Your Say page and the DPHI Planning Portal, along with a newspaper advertisement in the Western Weekender.

Following the notification period of the VPA, if any submissions are received in response to VPA matters, a further report will be prepared for Council. This report will provide details of submissions received and seek the endorsement of the execution of the draft VPA, where any issues raised have been addressed. Where no submissions are received or where a submission does not relate directly to specific matters negotiated for the VPA, the draft VPA will be executed.

Conclusion

The delivery of a substantive portion of Aldington Road upgrade works represents a benefit to Council, as Council would be unable to fund the land acquisition and delivery of the road upgrade works until funds from the Mamre Precinct CP became available. The delivery of the road is considered critical to unlock employment land, deliver a high priority transport link and improve road safety.

The Offer provided by LOG-NE has been reviewed by Council Officers and Councils Legal team and is considered acceptable to progress to the negotiation and finalisation of the draft VPA, consistent with the offer.

RECOMMENDATION

That:

1. The information contained in the report on VPA for the delivery of road widening and upgrade works for Aldington Road, Kemps Creek be received.
2. The offer provided by LOG-NE to enter into a Voluntary Planning Agreement (VPA) with Council, as listed in Attachment 1, be accepted in principle.
 - a. The in principle acceptance is on the basis that:

- i. at least two of the developers have sought development consent for the Works.
 - ii. evidence of owners consent for the Works will be provided to Council before the VPA is executed. That delegation be provided to the General Manager to negotiate and finalise terms of a Voluntary Planning Agreement with LOG-NE, consistent with the offer being made.
3. Council request the DPHI impose a condition of consent, on the development applications which the VPA is made in connection with, that require the entering into of a planning agreement in the terms consistent with the Offer.
4. That delegation be provided to the General Manager to negotiate and finalise terms of a Voluntary Planning Agreement with LOG-NE, consistent with the offer being made.
5. Council endorse for notification the draft Voluntary Planning Agreement with LOG-NE, as prepared under the delegation of the General Manager.
6. A further report be prepared for Council following public notification of the draft VPA, if submissions that relate directly to specific matters negotiated for the VPA are received and/or amendments to the draft VPA are proposed that change the nature and terms of the draft VPA.
7. Council endorses the draft VPA for Aldington Road for execution, where no submissions are received or submissions received do not relate to specific matters negotiated in the draft VPA, during the public notification period or no amendments are proposed that change the nature and terms of the draft VPA.
8. That following the notice, and subject to there being no submissions opposing the VPA (as amended or not) that:
 - a. Council is provided with evidence that at least two developers have sought development consent for the Works with owners consent for those Works.
 - b. Council resolves that it will not invite tenders in respect of this VPA in accordance with the provisions of s 55(3)(i) of the Local Government Act by reason of extenuating circumstances namely, the requirement of the developer by virtue of the conditions of the development consents granted in respect of SSD-10479, SSD-17552047, DA22/0530, and DA24/0268 referred to therein, to carry out road works on Council land which are provided for in the Mamre Road Precinct Development Contributions Plan.
9. If the draft VPA is to be executed, Council authorise the General Manager to finalise and sign the VPA and make any minor amendments where necessary (e.g. typographic errors, incorrect clause references, dates, and the like), subject to the above items being satisfied.
10. The Common Seal of the Council of the City of Penrith be affixed to all documents as required, and the General Manager (or their delegate) be authorised to sign all necessary legal documents in relation to this matter.

ATTACHMENTS/APPENDICES

1. Letter of Offer- LOG-NE 12 Pages Attachments Included

3 Re-setting of Road Levels Under Roads Act for Abbotts Road and Aldington Road, Kemps Creek

Compiled by: Stephen Masters, Senior Engineer - Major Developments
Authorised by: Joshua Hull, Acting Head of Engineering Services
 Andrew Jackson, Director Planning and Regulatory Services

Outcome	<i>We plan and shape our growing City</i>
Strategy	<i>Work with partners to develop plans that support the needs and interests of our community</i>
Principal Activity	<i>Certify future public assets being delivered as part of development</i>

Executive Summary

This report seeks to inform Council of the proposed changes in road levels for Abbotts Road and Aldington Road, Kemps Creek that are proposed due to the design changes, and of the legislative requirements under the Roads Act 1993 to renotify.

At the Ordinary Meeting held on 12 December 2022, Council considered a report for the setting of road levels under the Roads Act for Aldington Road and Abbotts Road, Kemps Creek.

Under the Roads Act 1993 (Part 3 Division 3 Road Levels), Council is required to advertise and gazette such level changes to an existing public road.

This report seeks Council's endorsement to renotify and gazette the revised road levels for Abbotts Road and Aldington Road as required under Part 3 Division 3 of the Roads Act 1993 due to design changes.

Background

Following the previous report to Council, a detailed design review of the road levels and drainage system for Abbotts Road and Aldington Road was necessitated as major industrial development adjoining Aldington Road was approved by the Department of Planning, Housing and Infrastructure. The vertical alignment of Abbotts Road and Aldington Road was altered from the previously reported levels to achieve a harmonious interface between the approved building pad levels, road batters and local road intersections along both Abbots and Aldington Roads.

Current Situation

The subsequent redesign of Abbotts Road and Aldington Road will result in changes to the centreline grading and levels of the roadway to comply with the standards of an industrial distributor road and to match approved building levels. The road network hierarchy for this precinct is shown in Appendix 1. Under Part 3 Division 3 of the Roads Act 1993, Council, as the Roads Authority, is required to publicly notify the proposed level changes.

Extract of Division 3 Road Levels of the Roads Act 1993:

1. *A roads authority may prepare a proposal—*
 - a) *to fix the levels of a public road, or*
 - b) *to vary the existing levels of a public road.*

2. *Before making an order to give effect to the plan, the roads authority must cause notice of the proposal—*
 - a) *to be published in a local newspaper, and*
 - b) *to be conspicuously displayed at regular intervals along the road concerned.*

3. *The notice—*
 - a) *must indicate the place at which, and the times during which, a plan of the proposed levels is available for inspection by members of the public, and*
 - b) *must state that adjoining landowners are entitled to make submissions to the roads authority with respect to the proposal, and*
 - c) *must indicate the manner in which, and the period (being at least 28 days) within which, any such submission should be made.*

4. *The roads authority must ensure that copies of the plan of proposed levels are available for inspection by members of the public at the place, and during the times, specified in the notice.*

In accordance with the requirements of the Road Act 1993, re-notification of the proposed changes in the road levels will be undertaken in accordance with the legislation. The proposal to vary the levels along Abbots Road and Aldington Road is to be placed on public exhibition for a period of 28 days, inviting comments from adjoining landowners affected by the proposed changes. Following consideration of any submissions, Council may give effect to the proposed road levels by means of an order published in the Gazette. Council must ensure that access is maintained and restored to individual properties.

Subsequently property access to all land adjoining the proposal has been maintained for all properties when considering their vertical alignment.

It is expected that the road levels currently proposed for Abbots and Aldington Road will be the final road levels, however it is possible that future changes to development along Abbots and Aldington Road, together with levels being set by Transport for NSW (TfNSW) at Mamre Road may necessitate further changes as the precinct develops. As such this report seeks Council's resolution to notify the current proposed and any future road level changes as required by the Roads Act.

Financial Implications

There are no financial implications for Council associated with this report.

Risk Implications

There are no risk implications for Council associated with this report.

Conclusion

The zoned industrial lands within the Mamre Road Precinct warrant the significant upgrade to Abbots Road and Aldington Road. The detailed road design of Abbots Road and Aldington Road require changes to the levels of the existing public roads in order to meet

design parameters for an industrial distributor road. Detailed designs have been prepared, and in accordance with the Roads Act and Council (as the Roads Authority) must re-initiate the process to set the revised road levels. Should road levels change in the future a further report to Council is not proposed, rather renotification will proceed.

RECOMMENDATION

That:

1. The information contained in the report on Re-setting of Road Levels Under Roads Act for Abbots Road and Aldington Road, Kemps Creek be received.
2. Council undertake a public exhibition process of the setting of road levels for a period of 28 days.
3. Council advise all adjoining property owners along Abbots Road and Aldington Road of the proposal and of the associated exhibition period.
4. Subject to no objections regarding the centreline levels as they relate to the road's vertical alignment, Council place a notice in the Government Gazette in accordance with the Roads Act which will fix revised levels for Abbots Road and Aldington Road, Kemps Creek.

ATTACHMENTS/APPENDICES

1. Extract of Mamre Road Precinct DCP – Road Network Hierarchy 1 Page Appendix

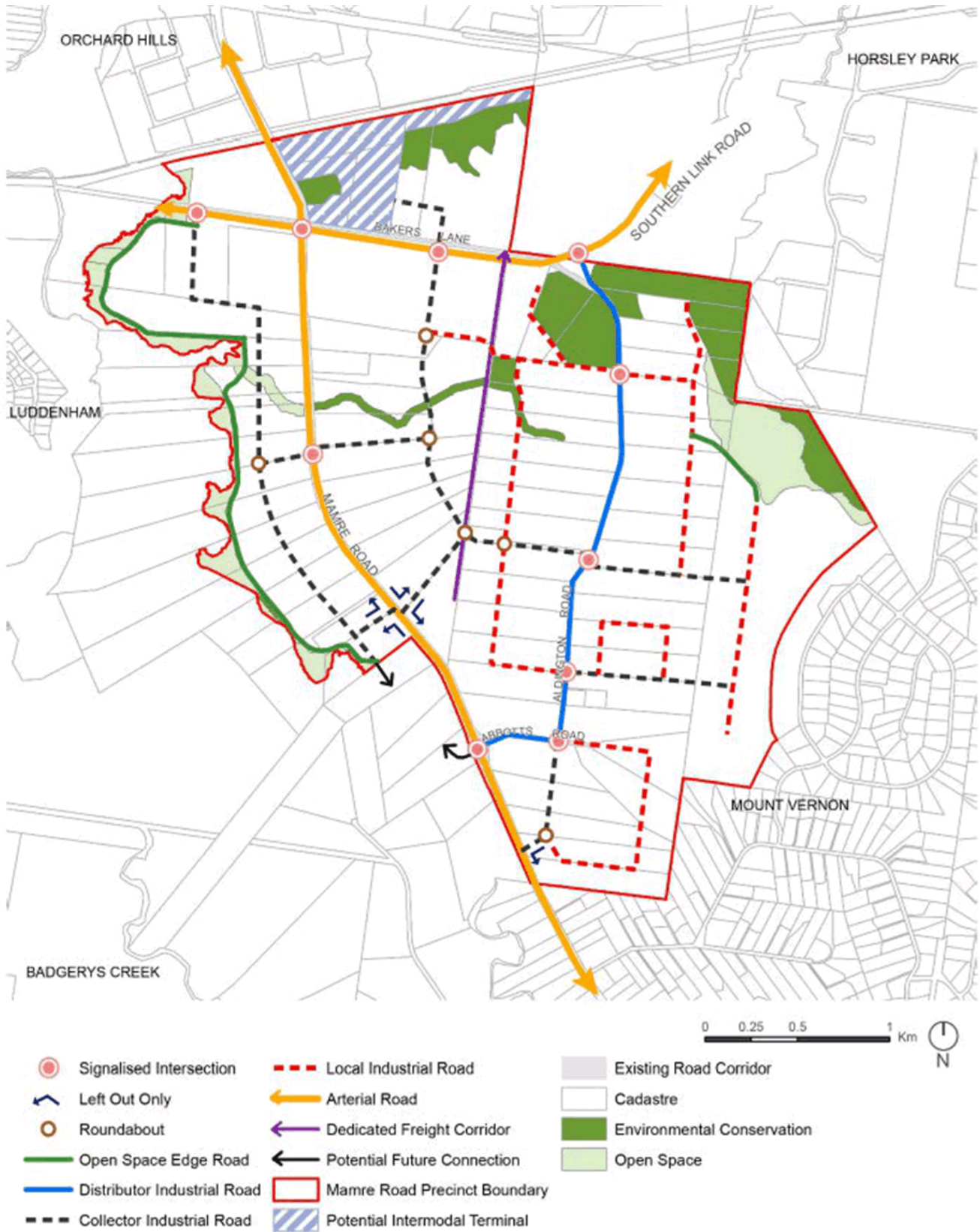


Figure 12. Road network hierarchy in the Mamre Road Precinct.

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OUTCOME 4 - WE MANAGE AND IMPROVE OUR BUILT ENVIRONMENT

Item		Page
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6	Status report - Gipps Street Recreation Precinct	35



4 PCC2024-137 Kingsway Field Resurfacing

Compiled by: Mitchell Sammut, Project Lead

Authorised by: James Symonds, Capital Projects Director

Outcome	<i>We manage and improve our built environment</i>
Strategy	<i>Plan for and maintain accessible, safe and high quality infrastructure</i>
Principal Activity	<i>Design and deliver Council’s major capital projects</i>

Executive Summary

A tender for the resurfacing playing field of four Oztag/Touch North Kingsway works at Werrington, was advertised on Tuesday 11 June 2024 on VendorPanel website and closed on Wednesday 10 July 2024.

This report advises the Council of the outcome of the tender process and recommends that the tender from Romba Civil & Landscape, for the amount of \$260,114.50 (excluding GST) be accepted for Kingsway Field Resurfacing, Werrington.

Background

The Kingsway North play Fields, Werrington requires four fields to be resurfaced. These four fields are located west of the current amenities that is under construction. The project aims to enhance the overall quality, playability, and longevity of the fields through surface reconstruction to better meet the requirements of users and ensure long term lifecycle of the asset. Specifications and a scope were produced for resurfacing works to meet the current and future community requirements, site requirements, standards, and codes.

Funding for the project is through Special Rate Variation Reserve.

The tender was sent calling for suitably qualified contractors who have the experience in sport field construction projects. The works require the contractor to.

- Erect temporary site fencing to secure the work area.
- Eradication of existing vegetation (predominantly Kikuyu).
- Minor plumbing works for the protection and operation of existing irrigation system.
- Earthworks and amendments to improve soil profile and achieve desirable levels.
- Installation and successful establishment of new turf variety (Santa Ana Couch).
- Establishment maintenance.
- Protection of surrounding fields and infrastructure during works.

Council requested tenders to provide two prices, one with an option to use instant rolled turf and an alternative tender to provide sprigging. Sprigging involves cuts crowns and roots from turf which is spread at intervals to take which eventually spread and cover the field. It is a more cost-effective but, time consuming establishment period.

Tender Evaluation Panel

The Tender Evaluation Panel consisted of Project Supervisor Bryce Roney, Asset Coordinator - Parks and Open Space Adam Lowe, Community Facilities and Recreation

Project Officer Ryan Dowling and was chaired by Project Lead Mitchell Sammut. Allyce Langton from Council's Procurement team performed the role of tender administration and probity officer for this tender.

Evaluation Criteria

Tenders for the project were required to submit their tender using the VendorPanel tendering software, which clearly defined the response required against each of the evaluation criteria.

The tenders received were assessed using the advertised evaluation criteria of:

- Company Profile
- Conformance, Acceptance and Declaration
- Business References
- Completion of Forms Tender Price submitted
- Compliance Statement
- Works Method and Program
- Local Business Preference
- Demonstrated Ability
- Employment Policies
- Quality Assurance Systems
- Environmental Management Systems
- Work Health and Safety
- Financials

Summary of Quotes Received

A total of ten (10) tenders were received by the closing date of the advertised tender and are listed below in price order, excl GST (lowest to highest).

Company	Tendered Price Turf Rolls	Alternative Tendered Price Sprigging	Company Address	Owners/Directors
Romba Civil & Landscape	\$361,980.85	\$260,114.50	3/17 Bromley Rd, Emu Plains NSW 2750	Darryl Burgmann Therise Burgmann
Green Options PTY Limited	\$365,378.75	\$259,286.50	30 Cranbrook Street, Botany, NSW 2019	Chris Criddle Joshua Constantinis Anthony Herman Wayne Mulherin
Hawkesbury Valley Irrigation Pty Ltd	\$381,697.00	\$233,765.00	Suite 103 Level 1, 845 Pacific Hwy	Neole Bruce Tweedie Kerrie Lyn

				Tweedie
Lamond Contracting Pty Ltd	Non-conforming		120 Wilton Road, Wilton NSW 2571	Peter Bowmer
Gilba Solutions Pty Ltd	Non-conforming		21 Thompson Street, Bowral NSW 2576	Jerry Spencer
Elite Turf Projects Pty Ltd	Non-conforming		4 Harford Street, Jamisontown NSW 2750	Jason Roberts
Marksmen Group Pty Ltd	Non-conforming		Culverston Av Denham Court, New South Wales 2565	Mahmoud Saddik
Sports Turf Services	Non-conforming		8 Court Avenue North Brightview QLD 4311	Michael Munday
Flemming Group	Non-conforming		65 Cattai Road, Pitt Town, NSW 2756	Kirk Flemming Heath Flemming

Evaluation of the Preferred Tender

Lamond Contracting Pty Ltd, Elite Turf Projects Pty Ltd, Gilba Solutions Pty Ltd, and Marksmen Group Pty Ltd were non-conforming as they failed to provide responses to the mandatory evaluation criteria of Environmental Management Systems and Works Method and Program.

Sports Turf Services and Flemming Group were non-conforming as they failed to provide responses to the mandatory evaluation criteria of Work Health and Safety.

All three remaining tenders were assessed against the evaluation criteria and including considering the alternative option of sprigging provided.

The panel determined that Romba Civil & Landscape Ltd Alternative Sprigging Tender submission provided the best overall value to Council despite not being the lowest price. The panel determined this upon assessment of the submissions, when considering both price and responses to the assessment criteria, clearly demonstrating their suitability to undertake the project. Green Options Pty Limited and Hawkesbury Valley Irrigation Pty Ltd with a lower alternative tendered price than Romba didn't score as highly when considering both responses to the assessment criteria and price.

Romba Civil & Landscape have completed several sports field projects for Council including.

- Parker Street Field, irrigation and field reconstruction, total value \$571,965.50
- The Kingsway Western Fields, Construction of 3 full size Sports Fields, total Value \$1,800,000.00

- Ridge Park and Rance Oval, Penrith City Council Installation of automated irrigation system, total value \$249,547.00

The recommended company, Romba Civil & Landscape was selected based on their:

1. Compliance with the tender evaluation criteria,
2. Demonstrated ability to meet Council's requirements; and
3. Competitive price for the services offered.

The pricing from Romba Civil & Landscape is in a range consistent with tendered rates for opinion of probable costs when factoring in escalation of market prices in recent tenders.

Financial Implications

Assessment of the tenderers was commissioned; this included independent reference checks, financial analysis, and performance analysis on Romba Civil & Landscape. These checks were completed by Equifax Australasia Credit Ratings Pty Ltd. Financial Services have reviewed the financial information provided by the tenderer and have not identified any reason why the contract should not be awarded.

The recommended tender cost is within budget and is funded under Special Rate Variation Reserve.

The estimated maintenance and operational cost requirements for this project starts at \$8,000 per annum. Council's future asset maintenance budgets and asset renewal programs will be adjusted as per Council's Budget Guidelines at completion of the project.

Tender Advisory Group Comments

The objective of the Tender Advisory Group (TAG) is to support the Council to achieve fair and equitable tender processes. The TAG, consisting of James Symonds – Capital Projects Director, Adam Beggs – Head of Governance and Neil Farquharson – Chief Financial Officer were briefed by the Design and Projects team about the background and the process followed.

The TAG considered the recommendations in relation to the tender Kingsway Field Resurfacing noting that the recommended tenderer was not the lowest price. The company has demonstrated their ability to meet Council's requirements, and their proposal was considered to be the most advantageous to Council for the scale of this project. The TAG reviewed the evaluation process outlined within the report and is satisfied that the selection criteria have been correctly applied in making the recommendations.

Risk Implications

The tender process outlined in this report includes controls regarding probity and ensuring value for Council, overseen by the Tender Advisory Group. The works will be undertaken in accordance with Work Health & Safety systems. This project will resurface the with public safety a key part of the construction methodology and project plan.

The alternative option of sprigging provided was made by the panel due the available budget ensuring suitable contingency for the project.

The current issues experienced and being managed at the Parker Street site are not related to the recommended tenderer.

Conclusion

Five tenders were assessed against the evaluation criteria. Romba Civil & Landscape provided the best price that also met the tender evaluation criteria to undertake the project. It is recommended that the proposal and lump sum price from Romba Civil & Landscape, for \$260,114.50 (excluding GST) be accepted for the resurfacing of four playing fields Oztog/Touch North Kingsway works at Werrington.

RECOMMENDATION

That:

1. The information contained in the report on PCC2024-137 Kingsway Field Resurfacing be received.
2. The tender from Romba Civil & Landscape, for \$260,114.50 (excluding GST) be accepted for Kingsway Field Resurfacing, Werrington.
3. Variations and amendments that do not materially alter the original scope of the contract be managed under the existing Penrith City Council financial delegations within the approved budgets.
4. The General Manager be authorised to sign all necessary legal documents in relation to this matter.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

5 Australian Government Black Spot Program 2024/25 Funding Acceptance

Compiled by: Isaac Mann, Senior Traffic Engineer
 Kablan Mowad, Acting Traffic Engineering Coordinator

Authorised by: Michael Alderton, Development Engineering Coordinator
 Andrew Jackson, Director Planning and Regulatory Services

Outcome	<i>We manage and improve our built environment</i>
Strategy	<i>Plan and manage sustainable transport infrastructure and networks to meet current and future community needs</i>
Principal Activity	<i>Work with relevant authorities to ensure adequate arterial road infrastructure and public transport services</i>

Executive Summary

The purpose of this report is to advise Council of funding offered under the 2024/25 Australian Government Black Spot Program for the design and construction of road safety improvement projects including:

1. Luddenham Road, Orchard Hills – Vehicle activated sign and safety barriers (\$225,000)
2. Christie Street and Lee Holm Road, St Marys – STOP control and advanced holding lines (\$62,500)
3. Atchison Street and Hall Street, St Marys – Lighting and traffic calming upgrades (\$135,000)

The report recommends that Council accept the grant funding.

Background

Council has been very successful in obtaining funding for life and injury saving protection measures across its road network for many years. In the past five years, Council has secured over \$5,000,000 in funding for Black Spot and Safer Roads projects, which are in turn delivering road safety and community savings right across the network.

This funding complements our success in other funding streams, including the School Stimulus, Get NSW Active and Safe Speeds, delivering significant social benefit for the community.

The Black Spot Program is part of the commitment to reduce crashes on Australian roads and targets those road locations where crashes are occurring. By funding road safety measures such as traffic calming measures, traffic signals and roundabouts at dangerous locations, the program reduces the risk of crashes. Programs of this type can reduce road trauma and are very effective, saving the community many times the cost of the relatively minor road improvements that are implemented.

The Black Spot Program makes an important contribution in reducing the national road toll under the National Road Safety Strategy and Action Plan. The Australian Government has provided \$1.0 billion to the Black Spot Program across the state from the 2013/14 financial year to the 2023/24 financial year, with an ongoing commitment of \$110 million annually.

The Government announced in the 2024/25 budget, that this funding will increase progressively to \$150 million annually over coming years.

Current Situation

Council has recently received confirmation of funding offers obtained under the Black Spot Program for 2024/25.

In September 2023, both regional and local road projects were submitted to the Black Spot Consultative Panel for consideration for 100% funding under the 2024/25 Black Spot Program. The Consultative Panel has now assessed Penrith City Council’s projects under the program and advised that three projects have been approved and funded under the 2024/25 program to the value of \$422,500. These are listed in Table 1 below.

Table 1: Projects Approved under the 2024/25 Black Spot Program

Location	Project Description	Funding
Luddenham Road, Orchard Hills from 175m to 270m west of Mamre Road.	Install vehicle activated sign (VAS) and flexible road side barrier.	\$225,000
Christie Street and Lee Holm Road, St Marys	Upgrade intersection from give-way to STOP and move the holding line forward using kerb extensions.	\$62,500
Atchison Street and Hall Street, St Marys	Install street lighting and slow point, and mark edge lines.	\$135,000

Financial Implications

The projects that have been approved under the 2024/25 Black Spot Program will be 100% funded by the grant, thus require no financial contribution from Council.

Risk Implications

There are minor (acceptable) risk implications to Council in terms of delivery timeframe for the 2024/25 funded projects, however we believe the delivery target of 30 June 2025 can be achieved. The program provides for 100% funding, hence there are limited risk implications as Council has a proven track record of over 15 years now in delivery of high-quality projects under these grants.

Conclusion

Funding of \$422,500 for the 2024/25 Black Spot Program should be recognised as a noteworthy achievement for Council. It is expected that the resulting accident remediation treatments will result in improved levels of traffic safety and a reduction in accidents on local and regional roads within the Local Government Area.

This funding will help realise the Australian Government’s National Road Safety Strategy, and NSW Towards Zero strategy, which commits Federal, State and Territory Governments to completely eliminate deaths and serious injuries from road trauma by 2056.

RECOMMENDATION

That:

1. The information contained in the report on Australian Government Black Spot Program 2024/25 Funding Acceptance be received.
2. Council acknowledge acceptance of grant funding of \$422,500 under the 2024/25 Black Spot Program for the projects listed in Table 1.
3. Council write to the Local Federal and State Members thanking them for their ongoing support and continued funding of road safety initiatives.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

6 Status report - Gipps Street Recreation Precinct

Compiled by: Matthew Buckley, Major Projects Coordinator

Authorised by: James Symonds, Capital Projects Director

Outcome	<i>We manage and improve our built environment</i>
Strategy	<i>Plan for and maintain accessible, safe and high quality infrastructure</i>
Principal Activity	<i>Design and deliver Council's major capital projects</i>

Previous Items: **8- Status Report - Major Projects Regatta Park and Gipps Street, Emu Plains- Ordinary Meeting- 29 Apr 2024 7:00PM**

Executive Summary

This report provides an update on the status of the Gipps Street Recreation Precinct. The project program is on track with the formal opening scheduled for 31 August 2024.

The project is now in its final stage and is forecast to require additional budget to address additional costs that have emerged. These items are detailed further in this report. Since the commencement of the project, the project has experienced many challenges related to latent site conditions, occurrences of inclement weather and rise and fall of materials and labour during the course of the project. Most of the issues and challenges required additional time and cost to be managed effectively and to maintain the project's critical path milestones. This budget request has been identified as a result of ongoing scrutiny and commercial negotiations with the project team, being standard practice during project close out discussions with the managing contractor and upon final assessment of all project variations leading to project completion. This has allowed the project team to understand the final costs at project completion.

As detailed later in this report, the forecast cost to completion has identified that a further budget allocation of \$735,000 is recommended, and that that be funded by an allocation of available funds from Council's Financial Management Reserve.

Background

The delivery of this project has continued to experience testing and unprecedented challenges, which has continued to affect budget, critical paths and timelines. Regular updates are provided to the Major Projects Working Party, with the identification of further impacts emerging for these projects, including the impact of latent conditions resulting in further financial impact to project.

This report advises the project progress to date, future works, timing, and budget challenges, including recommended budget adjustments to ensure the successful finalisation of this project.

Current Situation

Construction works on Council's long-term strategy to transform this former waste and landfill facility into a sport and recreation destination commenced in July 2022. Significant progress has been achieved on the project's construction delivery, with the majority of components complete and remaining construction works underway. The projects program is on track with the formal opening on 31 August 2024. Minor landscaping and any remaining works that are rain affected will continue post opening.

When complete, the Gipps Street Recreation Precinct will incorporate both active and passive sport and recreation spaces.

At the April 2024 Ordinary meeting, a shared contingency with Regatta Park, Emu Plains, was endorsed. Additional construction costs and latent condition costs have been encountered since that time, which will exceed the available contingency.

Works complete to date:

- Legacy waste remediation and utilities provision;
- Sportsfields, including turf, irrigation and lighting;
- Skatepark and sports courts, including surrounding landscaping;
- Inclusive playspace and splashpad;
- Amenities building - structure and roof.
- Amenities building servicing and fit out;
- Internal roadworks, carparks and pedestrian paths;
- Nature trail / nature play area;
- Precinct vehicular entry landscape;
- Dog park.

Planned works for completion:

- Final furniture installation and soft landscaping.
- Trade cleaning, testing and defect rectification
- Pedestrian entry works at the northwest corner to be completed post opening.
- The dog park is complete, however could stay closed for up to 6 weeks to allow sufficient time for turf establishment.

Challenges:

- Continuing to manage latent conditions, drainage issues, site contamination including asbestos finds, as they have arisen. Additional asbestos finds were encountered in February and July 2024, with remediation undertaken across three separate areas.
- Progressive design developments throughout the project lifecycle has affected final cost. Some design changes were necessary to reduce the extent and cost of latent conditions, such as relocating the nature trail.
- The projects staged funding approvals resulting in escalation due to increases in construction and supply costs.

Remediation of additional asbestos finds encountered in February and July 2024 have now been finalised with a combined additional cost of \$217,531. Other latent conditions due to poor ground conditions costing a further \$120,118 have also been resolved.

The head construction contract contained a mechanism subject to Council's WestInvest application being successful, to enable additional scope contained in the application to be awarded after the contract had commenced. This was subject to a market conditions clause (rise and fall). Commercial negotiation has now settled on a final value of \$590,000 for these project related escalation costs relating to these elements.

The below table details the recent variations, along with the recommended additional budget.

Description	Additional project costs
Remediation of asbestos finds encountered in February and July 2024	\$217,531
New latent conditions due to poor and failing ground conditions	\$120,118
Additional works for nature trail / nature play area to avoid further impacts of latent conditions	\$108,990
Additional topsoil variation and other adjustments to meet specifications and standards	\$363,361
Project related escalation costs (contract rise and fall allowance).	\$590,000
Total	\$1,400,000
Funding proposed:	
Available shared Gipps Street/ Regatta contingency	\$545,000
Domestic Waste Reserve	\$120,000
Proposed budget allocation (from Financial Management Reserve)	\$735,000

Financial Implications

As a result of the aforementioned Gipps Street project challenges, the budgetary funding implications are a shortfall of \$1.4m. The additional costs for the Gipps Street project (outlined above), are proposed to be funded from the Domestic Waste Reserve (\$120,000) and from the shared Gipps Street/Regatta project contingency (\$545,000; contingency resolved by Council on the 29 April 2024). To support the completion of the Gipps Street project, the recommendation to the Council is that the net shortfall of \$735,000 be funded from Council's Financial Management Reserve.

It should be noted that Council is in caretaker mode prior to the local government election. This means that Council cannot enter into any contract or undertaking involving expenditure

or receipt by the Council of an amount equal to or greater than \$150,000 or 1% of council's revenue from rates in the preceding financial year (whichever is larger). 1% of Council's rates revenue last year was equal to \$1,281,340. This means that the total of \$735,000 recommended in this report does not breach the Caretaker Provisions.

Risk Implications

In assessing the potential costs to the Tier 1 projects, such as Gipps St, the project team factors financial risk associated with the remaining works on each project. The majority of risks to date relate to further unknown latent conditions on site or weather conditions that tend to have a greater impact on civil works projects, leading to both additional costs, delays and time-related costs.

With the project in its final weeks of construction, the likelihood of new latent risks are continually diminishing. Any remaining variations have now been submitted by the main contractor, so that final construction cost is accounted for.

Conclusion

The delivery of this project has experienced unprecedented environmental and financial challenges. While most delivery milestones are met, budget, in particular has been affected. This report has highlighted key influences and financial matters arising which require consideration and support for the successful and timely completion of this project.

RECOMMENDATION

That:

1. The information contained in the report on Status report - Gipps Street Recreation Precinct be received.
2. Council allocates \$735,000 to the Gipps Street Recreation Precinct project budget in accordance with the information contained in the body of the report.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

OUTCOME 5 - WE HAVE OPEN AND COLLABORATIVE LEADERSHIP

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7	Organisational Performance and Financial Review - June 2024	41
8	Summary of Investments & Banking for the period 1 July 2024 - 31 July 2024	46



7 Organisational Performance and Financial Review - June 2024

Compiled by: Neil Farquharson, Chief Financial Officer
 Ben Collins, Strategic Finance Coordinator
 Craig Shepherd, Corporate Planning and Performance Lead
 Jeni Pollard, Head of Future Directions and Resilience

Authorised by: Matthew Bullivant, Director Corporate Services
 Kylie Powell, Director Futures and Strategy

Outcome	<i>We have open and collaborative leadership</i>
Strategy	<i>Deliver an efficient, transparent and accountable service to the community</i>
Principal Activity	<i>Support financial sustainability through financial planning and budget management and provide accurate reporting to the community</i>

Executive Summary

This report outlines Council’s progress towards implementing its four-year Delivery Program 2022-26 and annual 2023-24 Operational Plan and focuses on the period of 1 January 2024 to 30 June 2024. The report should be read in conjunction with the *Organisational Report – June 2024* (separately enclosed), which records significant Variations, Reserve Movements, proposed Revotes, Contracts, Consultancies and Legal Expenses, Cash and Investments position, Income and Expenses by Program and our progress in completing the organisation’s Operating and Capital projects for the final quarter of 2023-24.

As at 30 June 2024, 88% of Council’s 123 reportable projects were completed or progressing to schedule, and 82% of Council’s 135 Operational Plan actions were completed.

Council projected a balanced Budget in the adoption of the original 2023-24 Operational Plan. The year-end result for the 30 June 2024 Quarter Review is a balanced position after a proposed allocation to the Financial Management Reserve of \$2.6m to provide Council with the capacity to respond to emerging priorities in 2024-25 onwards. The most notable variations in this review that impact upon the Budget position include: Building Asset Maintenance expenditure (-\$1.5m), Interest Income (\$1.2m), and Salary Savings (\$2.9m).

All actual figures are subject to end-of-year adjustment, external audit checking and confirmation. Once finalised the Draft 2023-24 Financial Statements will be presented to the Ordinary Meeting of the Council on 28 October 2024 for signing and forwarding to the auditors. The audited Financial Statements will be presented on the 25 November 2024 Ordinary Meeting of the Council, which will include a detailed explanation of Council’s audited financial position.

Details of all proposed major variations are provided in the *Organisational Report – June 2024*.

This report recommends that the Organisational Performance and Financial Review Report – June 2024 be received, and that the revised Budget estimates identified in the report and detailed in the *Organisational Report – June 2024* be adopted.

Organisational Performance Summary

The *Organisational Performance Report* provides information on Council’s progress, achievements and challenges for the six-month period between 1 January 2024 to 30 June 2024.

Table 1 provides a performance summary of our reportable capital and operational projects and 2023-24 Operational Plan Actions.

Table 1

	Completed		On-Going		Delayed		Not Proceeding	
	Number	%	Number	%	Number	%	Number	%
Actions	111	82%	13	10%	8	7%	2	1%
Projects	69	56%	40	32%	13	11%	1	1%

Organisational Highlights

Council has continued to deliver on programs and services during the reporting period. Some of the highlights were:

- Over 240 trees were adopted by residents through the Adopt-A-Tree Program to plant on private land, increasing tree canopy and cooling the Penrith LGA
- Delivered 15 Village Café events with a satisfaction level of 80%
- Council’s One Community, Many Abilities social marketing campaign was borne out of rigorous feedback from people with lived experience of disability in Penrith, with the social media attached to the campaign achieving 1.5 million views.
- Delivered the St Marys Lights Up event, attended by 15,000 people.
- Council finalised its review of its Statement of Recognition and endorsed an Acknowledgment of Country Policy.
- Penrith City Council is in the top 10 Councils for Development Application (DA) determination timeframes.
- Successful opening of the synthetic athletics track at Harold Corr Oval.
- Completing five playspace upgrades at: Goldmark Crescent, Cranebrook; Illawong Reserve, Kingswood Park; Explorers Way, St. Clair; Wilson Park, Llandilo and Ridgeview Park, Erskine Park.
- We have continued to achieve a high level of Customer Service for the 2023-24 financial year by meeting or exceeding all of our service standards.
- Delivering a number of digital transformation projects.

Financial Position for the June 2024 Quarter

The financial position of Council for the quarter is expressed by providing information in compliance with Quarterly Budget Review Statement (QBRs) requirements on:

- Budget position (whether balanced/surplus/deficit)
- Significant Variations
- Identified Revotes
- Funding summary
- Reserve movements for the Quarter
- Capital and Operating Budget Projects list for the quarter
- Key Performance Indicators
- Income and Expenses
- Capital Budget

- Cash and Investments
- Contracts and Other Expenses
- Consultancy and Legal expenses

Budget Position

	\$'000s
Original Budget Position	0
September 2023 Quarter Variations Adopted by Council	0
December 2023 Quarter Variations Adopted by Council	0
March 2024 Quarter Variations Adopted by Council	0
June 2024 Quarter Review Proposed Variations	2,588
Sub-total year-end Budget surplus	2,588
Less: Transfer to Financial Management Reserve	(2,588)
Revised balanced Budget Position June 2024	0

The predicted cumulative result for the year as at June 2024 is a balanced Budget after the recommended variations for the quarter, and the proposed allocation to Financial Management Reserve. Further details including significant proposed variations, variations with no impact on available funds, and reserve movements, are detailed in the separately enclosed *Organisational Report – June 2024*.

Other variations with no impact on Available Funds and Proposed Revotes

A number of other variations, proposed as part of this review, do not have an impact on the available funds. Details of these adjustments are provided in the *Organisational Report – June 2024*.

In addition to the aforementioned variations, a total of \$36.2 m of planned Capital and Operating projects are proposed for revote this quarter. The total value of revotes for the year to date is \$47.4m (including the proposed June Quarter revotes) compared to \$43.1m for the same period in 2022-23. A full list of Revotes is included in the *Organisational Report – June 2024*. The most significant revotes for 2023-24 include the Dunheved Rd upgrade (\$4.7m) and Correen Avenue intersection upgrade (\$12.7m) projects which are both in early stages and have required additional time to facilitate thorough Design and Consultation to ensure the best outcome can be achieved with available funds.

New Grants

In accordance with Council’s Grant Applications Policy (adopted 30 May 2022) Appendix 1 highlights a list of grants that have been incorporated into the budget as part of the June 2024 Quarterly Review. As per the Policy, these grants have a value below \$250,000, do not require matching funding from Council, have no ongoing costs, and as such did not require a separate Council report.

Financial Implications

Adopting the recommendations within this report will result in Council’s presenting a balanced position for 2023-24. Further details of the financial implications are contained within the separately enclosed *Organisational Report – June 2024*.

Risk Implications

Clause 203 of the Local Government Regulation requires that the Budget Review Statements and a revision of estimates must be reported to the Council within two months after the end of each quarter (except the June quarter). This Quarterly Review incorporates a comprehensive analysis of Actuals vs Budgets across all areas of the organisation, and also proposes variations to the annual budget to be approved by the Council.

The Long-Term Financial Plan is updated on a regular basis in line with the reviews to ensure that forward projections reflect the most current assumptions. This review process, and long-term forecasting, minimise financial risk by supporting financial sustainability, transparency, and accountability.

Conclusion

This report, and the more detailed *Organisational Performance Report – June 2024*, demonstrates that Council has made significant progress over the past six months. The pre-audit end of year result is a good outcome and Council's financial position remains sound with a surplus achieved in 2023-24 that has allowed Council the ability to transfer funds into Reserve to assist with addressing emerging priorities and future challenges identified in our Long-Term Financial Plan, resulting in a balanced Budget position for June 2024. This Review, and the proposed allocations, continue to demonstrate Council's commitment to strong financial management.

It should be noted that the Council does (as with most councils) have a longer term financial challenge in managing its adopted Long Term Financial Plan that projects Operating Result deficits before capital grants and contributions. The challenge is predominantly due to depreciation of Council's significant asset portfolio's asset maintenance and renewal requirements.

The *Organisational Report – June 2024* will be placed on Council's website and will be available in hard copy on request.

RECOMMENDATION

That:

1. The information contained in the report on Organisational Performance and Financial Review - June 2024 be received.
2. The Organisational and Financial Review as at 30 June 2024, including the revised estimates outlined in this report and detailed in the *Organisational Report – June 2024*, be adopted.
3. Council revoke the works as detailed in the Recommended Revoted Works Lists, detailed in the *Organisational Report – June 2024* for inclusion in the 2024-25 Operational Plan.
4. The fourth quarter surplus of \$2,588,190 be transferred to the Financial Management Reserve as detailed in the *Organisational Report – June 2024*.

ATTACHMENTS/APPENDICES

1. Grant Funding Applications Accepted 1 Page Appendix

GRANT FUNDING APPLICATIONS ACCEPTED

as at June 2024

Description	Funding Authority	Capital or Operational	Total Grant Funding (\$)	Council Contribution (\$)	Total Project (\$)
STRATEGY ASSET MANAGEMENT					
RFS LED Lighting Upgrades	NSW Rural Fire Service	Capital	72,423	-	72,423
Council received a funding allocation from NSW Rural Fire Service to upgrade the lighting to Council's current standard for LED lighting in the Council buildings being used by their brigades. The LED upgrade project funding is additional to the original list of projects funded from the NSW Rural Fire Fighting Fund 2023-24 that was reported to Council on 29 January 2024. There is no requirement for Council to provide matching funds to the funding offered. The maintenance and operational requirements of the projects will be reflected in Council's future asset maintenance budgets and asset renewal programs in accordance with Council's Budget Guidelines. This grant funding provides an opportunity to upgrade the lighting in these building assets at no cost to Council.					
TOTAL STRATEGY ASSET MANAGEMENT			72,423	-	72,423
WASTE & RESOURCE RECOVERY					
Textile and Bicycle Drop off event	NSW Environment Protection Authority	Op	115,000	40,000	66,000
Council's Waste and Resource Recovery Team will promote circular economy concepts by organising events for textile recovery, reuse and/or recycling and bicycle repair and/or recycling that may otherwise go to landfill. The goal is to upskill residents and change Council's Waste and Resource Recovery Team will promote circular economy concepts by organising events for textile recovery, reuse and/or recycling and bicycle repair and/or recycling that may otherwise go to landfill. The goal is to upskill residents and change the community's perception of these items, from being considered waste to being recognised as valuable resources that can have their life extended by repair.					
			115,000	40,000	155,000

**8 Summary of Investments & Banking for the period 1 July 2024
- 31 July 2024**

Compiled by: James Legarse, Treasury and Operations Accountant

Authorised by: Neil Farquharson, Chief Financial Officer
Matthew Bullivant, Director Corporate Services

Outcome	<i>We have open and collaborative leadership</i>
Strategy	<i>Deliver an efficient, transparent and accountable service to the community</i>
Principal Activity	<i>Support financial sustainability through financial planning and budget management and provide accurate reporting to the community</i>

Executive Summary

This report on the Summary of Investments & Banking for July 2024 is submitted for the purpose of financial accountability and to satisfy the investment reporting requirements of the Local Government (General) Regulation 2005 (clause 212), the Local Government Act 1993 (the Act) (Section 625) and the Council’s Investment Policy.

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

The report provides a summary of investments for the period 1 July 2024 to 31 July 2024 and a reconciliation of invested funds as at 31 July 2024.

The investment returns versus the benchmark as a percentage for July 2024 are:

- Council portfolio current month’s yield 5.06%
- Council portfolio annualised yield to date 4.90%
- 90-day Bank Bill Swap Rate (Benchmark) 4.46%
- Enhanced 90-day Bank Bill Swap Rate (Benchmark – BBSW + 30bps) 4.76%
- Original budget estimated return (2024/25 Financial Year) 4.90%

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

Current Situation

A Summary of Investments is shown in Appendix 1, including Economic Commentary for July 2024, Historical Investment Performance Analysis tables and charts, a reconciliation of Invested Funds for July 2024 and various Investment Summary and Investment Portfolio analysis tables and charts.

The Reserve Bank of Australia (RBA) met on 6 August 2024 and the Board decided to keep the Cash Rate to 4.35%. The inflation rate had fallen significantly since its peak in 2022, but it is still above the RBA’s target point of 2 to 3 per cent range. The Board deems the current cash rate level is appropriate for balancing of the inflation and employment rate objectives in Australia. The RBA further disclosed that there is a considerable uncertainty towards the economic outlook, as the risk remains high with the inflation rate lingering above target. The Board is adamant in bringing the inflation rate back to the target range of 2 to 3 per cent; hence a potential further Cash Rate increase(s) is not completely out of the picture.

Financial Implications

Adopting the recommendations of this report confirms Council's investment returns are favourably exceeding the Original Budget, as well as outperforming the benchmark for the month. More detailed Financial Implications are contained in Appendix 1.

Risk Implications

The Council's investments have been placed in accordance with Section 625 of the Local Government Act 1993, relevant regulations, and the Council's adopted Investment Policy. The Council's Investment Policy has objectives to preserve capital, ensure liquidity of funds to meet cash flow requirements and achieve an acceptable rate of return having reference to the Council's risk tolerance.

Conclusion

This report confirms that the Council's investments have been placed in accordance with relevant legislation/regulations, the Council's Investment Policy and highlights the Council's investment performance for July 2024. Additionally, the report assures the Council that Council's Cash Book and Bank Statements have been reconciled.

Certificate of Responsible Accounting Officer

I hereby certify the following:

1. All investments have been made in accordance with Section 625 of the Local Government Act 1993, relevant regulations, and Council's Investment Policy.
2. The Council's Cash Book and Bank Statements have been reconciled as at 31 July 2024.



Neil Farquharson

RECOMMENDATION

That:

1. The information contained in the report on Summary of Investments & Banking for the period 1 July 2024 - 31 July 2024 be received.
2. The Council's Cash Book and Bank Statements have been reconciled as at 31 July 2024.

ATTACHMENTS/APPENDICES

1. Investment Report as at 31 July 2024 6 Pages Appendix

Penrith City Council
Summary of Investments
31 July 2024

Commentary

The Reserve Bank of Australia (RBA) met on 6 August 2024 and the Board decided to keep the Cash Rate to 4.35%. The inflation rate had fallen significantly since its peak in 2022, but it is still above the RBA's target point of 2 to 3 per cent range. The Board deems the current cash rate level is appropriate for balancing of the inflation and employment rate objectives in Australia. The RBA further disclosed that there is a considerable uncertainty towards the economic outlook, as the risk remains high with the inflation rate lingering above target. The Board is adamant in bringing the inflation rate back to the target range of 2 to 3 per cent; hence a potential further Cash Rate increase(s) is not completely out of the picture.

It is to be noted, as illustrated in Graph 1 of this report, both Council's benchmarks of BBSW monthly return and Enhanced BBSW have been surpassed in July 2024, showing the impact of the continued improvements in interest rates being invested. The Council remains proactive in securing the best interest rates on offer at the time the funds are invested.

Australia's Long-term government bond yields have been steadily growing, consistent with several countries. Bank funding costs in Australia have also declined, with money-market spreads having fully reversed the increases that took place during the height of the pandemic. Borrowing rates for both businesses and households have continued to rise, consistent with the RBA cash rate increase outlook. The Australian dollar is at the low end of its narrow range of recent times.

The inflation rate at the second quarter of 2024 (April-June 2024), being the most recent quarterly result, has marginally increased to 3.8% from 3.6% in the previous quarter - in both headline and underlying terms. The June 2024 unemployment rate was 4.1%, an increase of 0.1% on the previous month's result of 4.0%. As at writing of this report, the July 2024 Unemployment Rate result has yet to be released and published.

The investment returns versus the benchmark and annual budget as a percentage for July 2024 are:

Council portfolio current month's yield	5.06%
Council portfolio annualised yield to date	4.90%
90-day Bank Bill Swap Rate (Benchmark)	4.46%
Enhanced 90-day Bank Bill Swap Rate (Benchmark – BBSW + 30bps)	4.76%
Original budget estimated return (2024/25 Financial Year)	4.90%

Penrith City Council
Historical Investment Performance

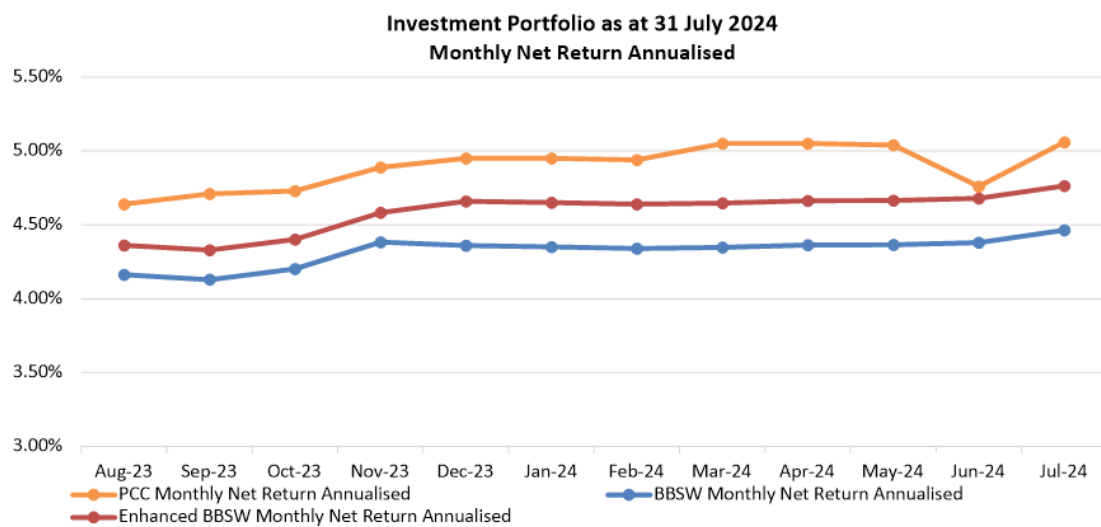
Table 1

	Actual Portfolio Monthly Return	Benchmark (BBSW)	Enhanced Benchmark (BBSW+30bps)
Current Portfolio Yield (including FRNs)	5.06%	4.46%	4.76%
Past 12 Month Portfolio Performance	4.90%	4.32%	4.64%
Portfolio Return for the Period	0.42%	0.37%	0.40%

Portfolio Yield (Actual Versus Benchmark)

The annual weighted average income return on investments to 31 July 2024, was 4.90%. This graph tracks performance over time and shows that the yield has ranged between a low of 4.64% and a high of 5.06% over the last 12 months. The reportable month's result has surpassed the BBSW monthly return benchmark.

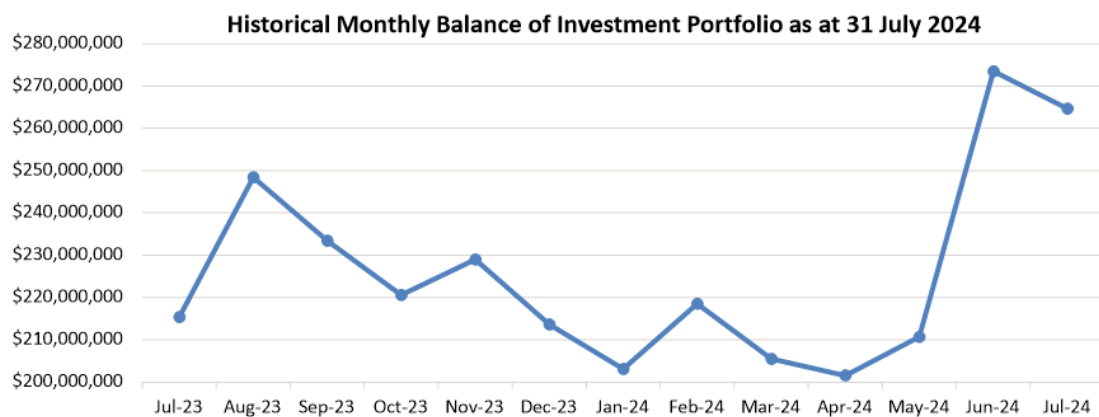
Graph 1



Annual Portfolio (Actual)

The graph below illustrates the annual trend of the Council's monthly Investment Portfolio balances.

Graph 1.1



Note: Significant increase to Council's Investment Portfolio Balance, in the month of June 2024, due to sale proceeds of Old Bathurst Road (ROCLA) property and early distribution of Financial Assistance Grant from OLG.

Penrith City Council

Investment Summary by Asset Group and Monthly Movement

Table 1.1

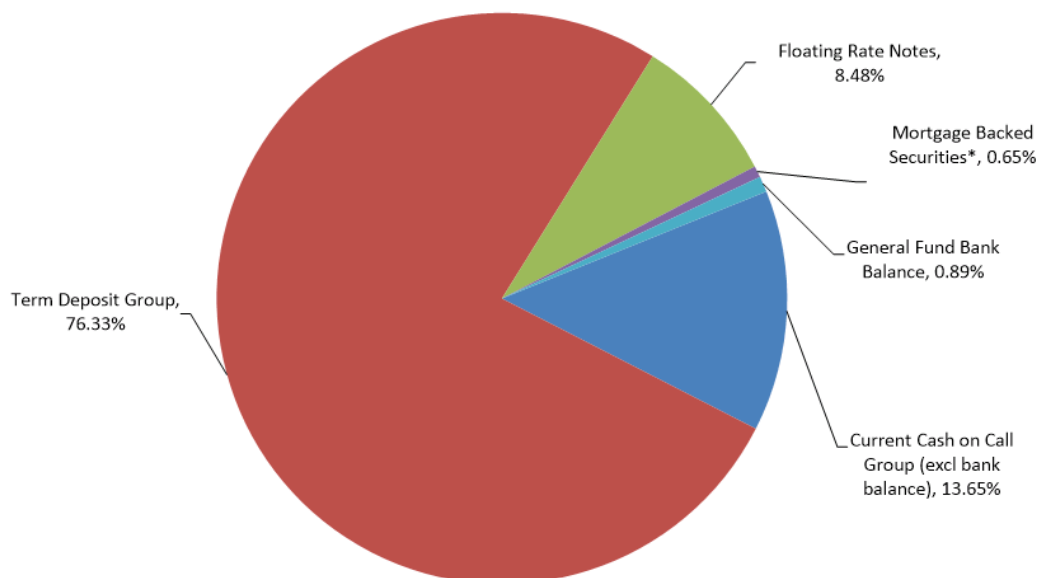
Asset Group	Closing Value (Face Value) 30 June 2024		Closing Value (Face Value) 31 July 2024	
	\$	%	\$	%
Current Cash on Call Group (excl General Fund balance)	75,163,641	27.48%	36,123,000	13.65%
Term Deposit Group	162,000,000	59.23%	202,000,000	76.33%
Floating Rate Notes	22,450,000	8.21%	22,450,000	8.48%
Mortgage Backed Securities*	1,721,171	0.63%	1,721,171	0.65%
Sub-Total	261,334,812		262,294,171	
General Fund Bank Balance	12,169,525	4.45%	2,360,609	0.89%
Total	273,504,337	100%	264,654,780	100%

* MBS Purchased in 2006/2007 prior to the current Ministerial Investment Order. This product is being 'Grandfathered' – i.e., the Council will continue to actively manage these investments within the portfolio. However, the Council is not permitted to place further funds in this bank, due to its credit rating.

July 2024 Investments % Allocation by Asset Groups

The graph below illustrates the dissection of the Council's Portfolio per investment products or categories.

Graph 1.2



Penrith City Council

Reconciliation of Invested Funds and Monthly Movement

Table 1.2

	Period Ending 30 June 2024 \$	Period Ending 31 July 2024 \$
Represented by:		
Externally Restricted Assets		
Section 7.11 Developer Contributions	93,361,702	94,406,526
Restricted Contributions for Works	5,684,989	4,816,722
Unexpended Grants*	29,239,309	25,207,758
Unexpended Loan Funds	14,770,890	14,756,598
Other Externally Restricted	7,132,807	10,951,733
Sub-Total	150,189,697	150,139,337
Internally Restricted Assets - Funding of Operations		
Internal Reserves	46,545,776	83,028,893
Security Bonds and Deposits	21,567,554	22,080,520
Sub-Total	68,113,330	105,109,413
Restricted Assets Utilised in Operations		
Unrestricted Invested Funds	55,201,310	9,406,030
Total Cash and Investments	273,504,337	264,654,780

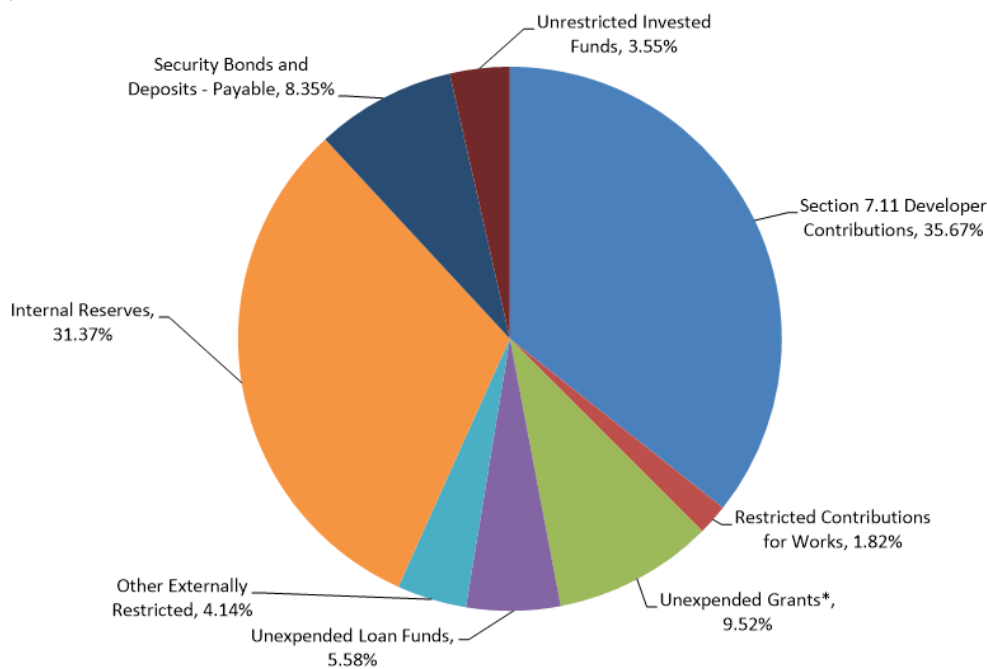
*Balance may be in deficit when funds are spent in advance of grant payment date to the Council.

NOTE: The above figures have been prepared under cash basis accounting.

July 2024 Investments % Allocation by Cash Reserve Type

This graph demonstrates the allocation of the Council's cash reserves.

Graph 1.3



Penrith City Council

Investment Summary

(Graphed to reflect fund ratings as % of portfolio)

Table 1.3

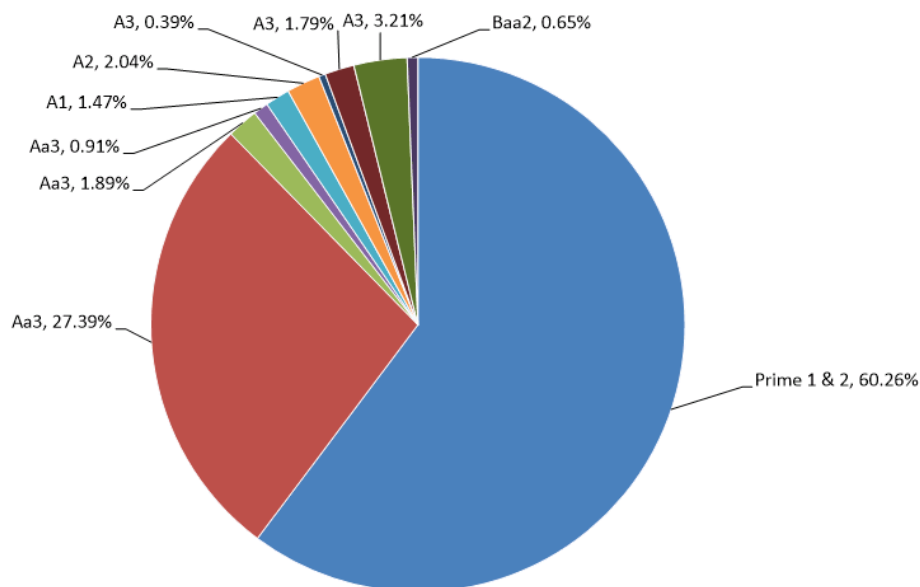
Credit Rating (per Moody's)	Bank/Financial Institution -	31 July 2024		Policy Maximum %
		Utilised \$	Portfolio %	
Short Term				
Prime 1	CBA, NAB & Westpac	153,983,609	58.18%	100% (40% per institution)
Prime 2	AMP Bank & ING Bank	5,500,000	2.08%	5% (10% per institution)
Prime 1 & 2		159,483,609	60.26%	
Long Term				
Aa3	Term Deposit (CBA,WBC & NAB)	72,500,000	27.39%	100% (40% per institution)
Aa3	Floating Rate Note (WBC)	5,000,000	1.89%	100% (40% per institution)
Aa3	Floating Rate Note (NAB)	2,400,000	0.91%	100% (40% per institution)
A1	Floating Rate Note (Suncorp)	3,900,000	1.47%	40% (25% per institution)
A1	Floating Rate Note (Macquarie Bank)	5,400,000	2.04%	40% (20% per institution)
A3	Floating Rate Note (ING Bank)	1,000,000	0.39%	20% (10% per institution)
A3	Floating Rate Note (Bank of Queensland)	4,750,000	1.79%	20% (10% per institution)
A3	Term Deposit (ING Bank)	8,500,000	3.21%	20% (10% per institution)
Baa2	Mortgage Backed Securities (Barclays Capital)*	1,721,171	0.65%	Grandfathered
Total Portfolio		264,654,780	100.00%	

*Investments placed prior to current Ministerial Order. This product is being 'Grandfathered' – i.e., the Council will continue to actively manage these investments within the portfolio. However, the Council is not permitted to place further funds in this bank, due to its credit rating.

July 2024 Investments % Allocation by Moody's Fund Rating

Reflects Moody's fund ratings as percentage (%) of the portfolio, to show compliance with the Council's Investment Policy objectives of minimising risk.

Graph 1.4



Penrith City Council
Diversification of Portfolio
(Graphed to reflect fund ratings as % of portfolio)

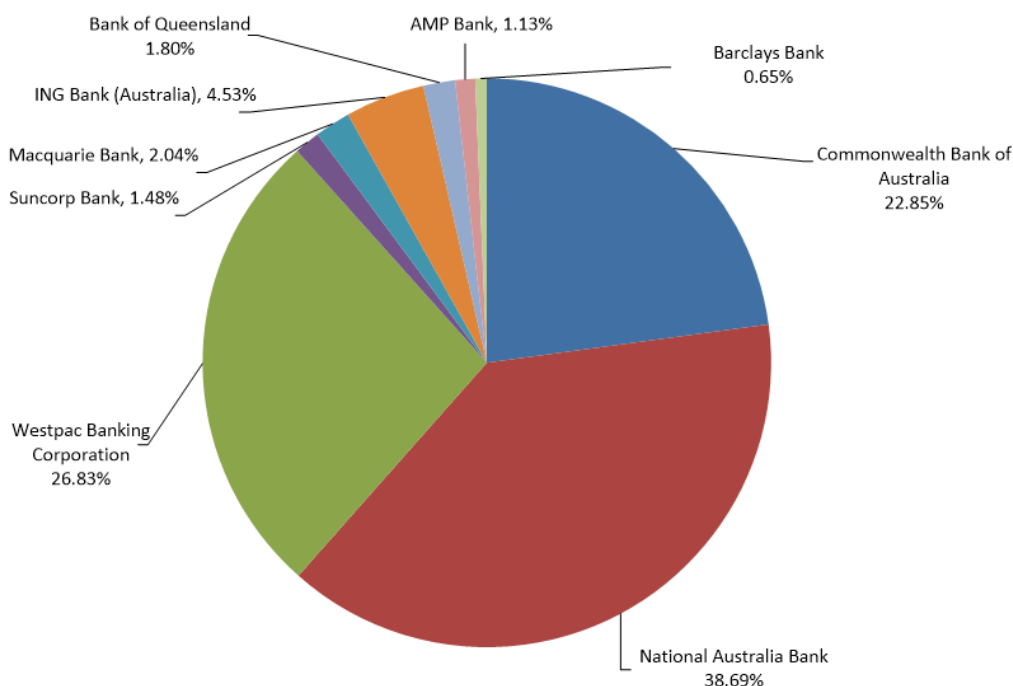
Table 1.4

Dealing Bank	Short Term	Long Term	31 July 2024	
			Investment (\$)	Allocation (%)
Commonwealth Bank of Australia	Prime 1	Aa3	60,483,609	22.85%
National Australia Bank	Prime 1	Aa3	102,400,000	38.69%
Westpac Banking Corporation	Prime 1	Aa3	71,000,000	26.83%
Suncorp Bank	Prime 1	A1	3,900,000	1.48%
Macquarie Bank	Prime 1	A1	5,400,000	2.04%
ING Bank (Australia)	Prime 2	A3	12,000,000	4.53%
Bank of Queensland	Prime 2	A3	4,750,000	1.80%
AMP Bank	Prime 2	Baa2	3,000,000	1.13%
Barclays Bank	Prime 2	Baa2	1,721,171	0.65%
Total Investment			264,654,780	100.00%

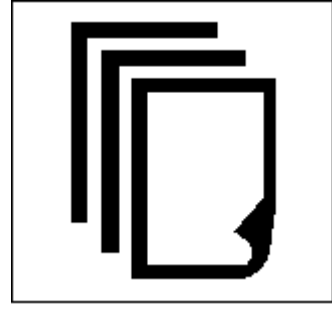
July 2024 Investment % Allocation by Financial Institutions (per Moody's Credit Ratings)

Reflects the spread of investments amongst various Financial Institutions to show portfolio diversification in accordance with the Council's Policy of risk aversion.

Graph 1.5



ATTACHMENTS



Date of Meeting: Monday 26 August 2024

Report Title: VPA for the delivery of road widening and upgrade works for Aldington Road, Kemps Creek

Attachments: Letter of Offer- LOG-NE

FIFECAPITAL



21 August 2024

Mr Andrew Moore
General Manager
Penrith City Council
PO Box 60
Penrith NSW 2751

Attn: Natalie Stanowski, Principal Planner

Dear Sir

**LOG-NE Aldington Road Upgrade, Kemps Creek
Letter of Offer to enter into a Voluntary Planning Agreement**

The Land Owners Group, North East (**LOG-NE**), being owners and/or developers of land within the Mamre Road Precinct, wish to submit an offer to enter into a planning agreement with Penrith City Council (**Council**).

This letter (**VPA Offer**) constitutes an offer by the LOG-NE, in accordance with Subdivision 2 of Division 7.1 of the *Environmental Planning and Assessment Act 1979*, to enter into a planning agreement with Council (**VPA**) on the terms as outlined in this letter.

The VPA Offer relates to the provision of a material public benefit comprising the delivery of works (being part of 'DR1 Distributor Road (Aldington Road) incl. Intersections' identified in the Mamre Road Section 7.11 Plan Background Report and the Mamre Road Precinct Development Contributions Plan 2022 (**Contributions Plan**)), and the dedication of land necessary to deliver those works, in partial satisfaction of the obligation to pay contributions pursuant to the Contributions Plan.

This VPA Offer supersedes any other offer made by the LOG-NE to enter into a VPA with Council.

In summary, the terms of the VPA are proposed as outlined below.

Item	Terms
Parties	Penrith City Council (ABN 43 794 422 563) (Council) The LOG-NE entities comprising: (a) Stockland Fife Kemps Creek Pty Limited (ACN 628 770 141) in its capacity as trustee of Stockland Fife Kemps Creek Trust (ABN 47 273 439 938) (SFKC);

3451-6831-5951v6

Item	Terms
	<p>(b) Stockland Development Pty Limited (ACN 000 064 835) and Fife Land 3 Pty Limited (ACN 654 088 838) in its capacity as trustee of the Fife Land 3 Trust (ABN 64 318 343 693) (SFL3);</p> <p>(c) Stockland Development Pty Limited (ACN 000 064 835) and Fife Land 2 Pty Limited (ACN 651 694 790) in its capacity as trustee for Fife Land 2 Trust (ABN 89 561 962 630) (SFL2);</p> <p>(d) Australand C & I Land Holdings Pty Ltd (ACN 107 356 641) in its capacity as trustee of the Frasers Property C&I Land Holdings (Kemps Creek No. 2) Trust (ABN 58 649 084 762) (Frasers Landowner); and</p> <p>(e) FPI Developments NSW Pty Limited (ACN 648 326 676) (Frasers).</p> <p>The LOG-NE entities will be variously defined in the VPA as</p> <p>(a) “Road Developer”, being SFKC, SFL3 and Frasers;</p> <p>(b) “Landowner”, being SFKC, SFL3, SFL2 and the Frasers Landowner; and</p> <p>(c) “Developer”, being Frasers, SFKC, SFL3 and SFL2, who have made or propose to make development applications for the subdivision and development of industrial warehouses on the Land, as are identified below,</p> <p>to reflect the different capacities and obligations of the LOG-NE entities.</p>
Description of the land (s 7.4(3)(a))	See Annexure A.

Item	Terms
<p>Description of the development to which the planning agreement applies (s 7.4(3)(b)(ii))</p>	<p>The VPA Offer is made by the Developer in connection with the development of the Land under current and future development applications (Development), including:</p> <ul style="list-style-type: none"> (a) modification application MOD 3 to modify SSD-10479 for the staged development of the SFKC Land to deliver the Works (SFKC MOD3 Application); (b) SSD-17552047 for the staged development of the Frasers Southern Land; (c) DA22/0530 for the subdivision of the SFL3 Land; and (d) DA24/0268 for the subdivision of the SFL2 Land. <p>As part of each Developer’s development application(s) or modification application(s) for its respective part of the Development, it will indicate that it has offered to enter into/has entered into the VPA and will request that any consent granted to the Developer be granted subject to a condition requiring entry into the VPA on the terms outlined in this VPA Offer/the provision of contributions in accordance with the VPA (depending on the timing of the relevant application or consent).</p>
<p>Nature and extent of the provision to be made by the developer, and the time(s) and manner by which the provision is to be made (s 7.4(3)(c))</p>	<p>Works</p> <p>The Works are to be delivered as indicatively shown shaded green in the plan at Annexure B, in accordance with any development consent or other approval that applies to the Works including an approval of the SFKC MOD 3 Application.</p> <p>Landowners consent to the lodgement of SFKC MOD 3 Application has been obtained from all entities whose land is the subject of the Works.</p> <p>The Works are to be delivered:</p> <ul style="list-style-type: none"> (a) On a staged basis, with the portion from TC 208.678 to and including intersection 3 to be delivered prior to the issue of the first Occupation Certificate for SFKC’s development and Fraser’s development on its southern land. The balance of the Works will be delivered prior to the issue of any subsequent Occupation Certificate for any part of the Development; and (b) Within 18 months of the VPA or the date all necessary approvals for the Works are received, whichever is later, unless otherwise extended by mutual agreement between the parties. <p>Land dedication</p> <p>Land, as indicatively shown in the plan at Annexure C, is to be dedicated or transferred to Council by the respective Landowner, at no cost to Council, prior to the issue of Occupation Certificates.</p>

Item	Terms
	<p>The dedication or transfer can occur prior to the issue of a certificate of practical completion for the final stage of the Works (consistent with ESR's VPA).</p> <p>In connection with a development application for its respective part of the Development, each Developer will request a condition of consent be imposed that requires the dedication or transfer of the land required for the Works.</p> <p>Monetary contribution</p> <p>It is anticipated that the following section 7.11 monetary contributions (not indexed) would be payable by each Developer in connection with that Developer's respective part of the Development:</p> <ul style="list-style-type: none"> (a) SFKC - \$39,836,478; (b) Frasers - \$42,329,973; (c) SFL3 - \$8,299,266; and (d) SFL2 - \$11,577,027. <p>Consistent with the Contributions Plan, it is proposed that Council accept the Works and dedication or transfer of land required for the Works be provided to partially offset the section 7.11 contributions otherwise payable by each Developer.</p> <p>The final mechanics of the offsets are to be negotiated between the parties based on the following agreed values:</p> <ul style="list-style-type: none"> (a) \$485.53/m² for pavement areas (excluding abortive works); (b) \$406.45/m² for verge areas (excluding abortive works); (c) \$750,000 per intersection; and (d) \$575/m² land dedicated or transferred. <p>Any outstanding section 7.11 monetary contributions that have not been offset against the value of the Works and land dedication/transfer will be payable prior to the issue of Occupation Certificates, excluding the first Occupation Certificate issued for Development on the SFKC Land and Frasers Southern Land.</p> <p>The LOG-NE will pay the plan administration contribution of \$3,128/ha of NDA of the Developer's respective part of the Land, prior to the issue of an Occupation Certificate for that Developer's part of the Development.</p> <p>Any internal collector roads required to be delivered as part of the Development are not to be offset under the VPA.</p>

Item	Terms
Application of sections 7.11, 7.12, 7.24 and new Division 7.1, Subdivision 4 (s 7.4(3)(d))	Sections 7.11 and 7.12 are not excluded as they apply to the Development. Division 7.1, Subdivision 4 is not excluded as it applies to the Development.
Whether benefits are to be taken into consideration in determining a development contribution under s 7.11 (s 7.4(3)(e))	Yes. The VPA will contain a mechanism to offset the section 7.11 contributions that would otherwise be payable by each Developer in connection with their respective part of the Development. The allocation of Works offsets between the respective Road Developer entities is to be agreed with Council.
Mechanisms for resolution of disputes (s 7.4(3)(f))	Conventional dispute resolution mechanisms including mediation and expert determination consistent with the terms of Council's template VPA.
Enforcement of the agreement by a suitable means (s 7.4(3)(g))	The VPA will include the following security measures consistent with the terms of Council's template VPA.
Other provisions	The VPA will include provisions that: (a) the LOG-NE will pay on demand Council's legal costs and disbursements in connection with the negotiation, preparation, execution, stamping, and release and discharge of the VPA, including the reasonable costs incurred by the Council in obtaining any advice about the agreement or the value of land or works to be delivered under the agreement; (b) if a development consent or other approval for the Works is declared by a Court to be invalid, the LOG-NE must endeavour to obtain a new development consent or approval (as may be required); (c) the VPA does not limit or fetter Council's discretion; and (d) reflect the trustee limitation of liability requirements of SFKC, SFL3, SFL2 and Frasers Landowner, as these parties will enter into the VPA in their capacity as trustees. The VPA will also include other administrative provisions reflecting Council's VPA template.

We look forward to receiving Council's response to the VPA Offer as a priority so that, if accepted, it can be the subject of a Council resolution at the meeting scheduled on 26 August

2024 approving delegation to an appropriate Council officer(s) to agree and exhibit a VPA in the above terms.

If you have any queries in relation to this matter, please contact Richard Harris on (02) 9251 2777 or Richard.harris@fifecapital.com.au, or the undersigned.

Yours faithfully,



Michael Wiseman
Project Director

FIFECAPITAL



Roland Martin
General Manager – NSW



Craig Lenarduzzi
Head of Logistics Development



Annexure A – Land

Landowner	Relevant Land Titles	Development Application(s)
Stockland Fife Kemps Creek Pty Ltd (ACN 628 770 141) in its capacity as trustee of Fife Kemps Creek Trust (ABN 47 273 439 938) (' SFKC ')	200/1285691 (SFKC Land)	<ul style="list-style-type: none"> SSD-10479 for a concept proposal for subdivision and staged development of an industrial estate and Stage 1 development; and any subsequent DAs made in accordance with SSD-10479 (including but not limited to SSD-64583708, SSD-64589711 and SSD-61212208).
Stockland Development Pty Ltd (ACN 000 064 835); and Fife Land 3 Pty Ltd (ACN 654 088 838) in its capacity as trustee of the Fife Land 3 Trust (ABN 64 318 343 693) (together ' SFL3 ')	90/1289463 (SFL3 Land)	<ul style="list-style-type: none"> DA22/0530 for subdivision and subdivision works; and proposed future development applications for subdivision and/or industrial development.
Australand C&I Land Holdings Pty Ltd (ACN 107 356 641) in its capacity as trustee of the Frasers Property C&I Land Holdings (Kemps Creek No. 2) Trust (ABN 58 649 084 762) (Frasers Landowner)	10/253503 24/255560 25/255560 26/255560 27/255660 28/255660 33/258949 (Frasers Southern Land)	SSD-17552047 for subdivision and construction and operational use of a Warehouse and Logistics Hub. The applicant for this development application is FPI Developments NSW Pty Limited (ABN 89 648 326 676) (Frasers).
Frasers Landowner	37/258949 (Frasers Northern Land)	Proposed future development application(s) for subdivision and/or industrial development.

Landowner	Relevant Land Titles	Development Application(s)
Stockland Development Pty Ltd (ACN 000 064 835); and Fife Land 2 Pty Limited (ACN 651 694 790) in its capacity as trustee for Fife Land 2 Trust (ABN 89 561 962 630) (together 'SFL2')	16/ 253503 17/253503 (SFL2 Land)	<ul style="list-style-type: none">• DA24/0268 for subdivision and subdivision works; and• proposed future development applications for subdivision and/or industrial development.

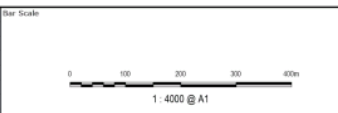
Annexure B – Phase 2 Scope of Works



CONCEPT

NOTE:
SUBJECT TO AUTHORITY APPROVAL OF DETAILED DESIGN AND SURVEY.

Issue	Description	Date
P1	FOR INFORMATION	26.08.2023



THIS DRAWING CANNOT BE COPIED OR REPRODUCED IN ANY FORM OR USED FOR ANY OTHER PURPOSE OTHER THAN THAT ORIGINALLY INTENDED WITHOUT THE WRITTEN PERMISSION OF AT&L

Client

Scale	1 : 4000	Drawn	SK
Grid	GDA2020	Checked	AL
Height Datum	AHD	Approved	AL

Project
ALDINGTON AND ABBOTTS ROAD UPGRADE (AARU)

Title
ALDINGTON AND ABBOTTS ROAD PHASE 1 & 2 PERMANENT ROAD RESERVE AREAS

Civil Engineers and Project Managers

Level 7, 153 Walker Street
North Sydney NSW 2060
ABN 96 150 882 425
Tel: 02 9438 1777
Fax: 02 9623 1555
www.atl.net.au
enquiries@atl.net.au

Status: **FOR INFORMATION NOT TO BE ISSUED FOR CONSTRUCTION**

Project - Drawing No. **21-843-SKC242**

Issue	A1
Issue	P1

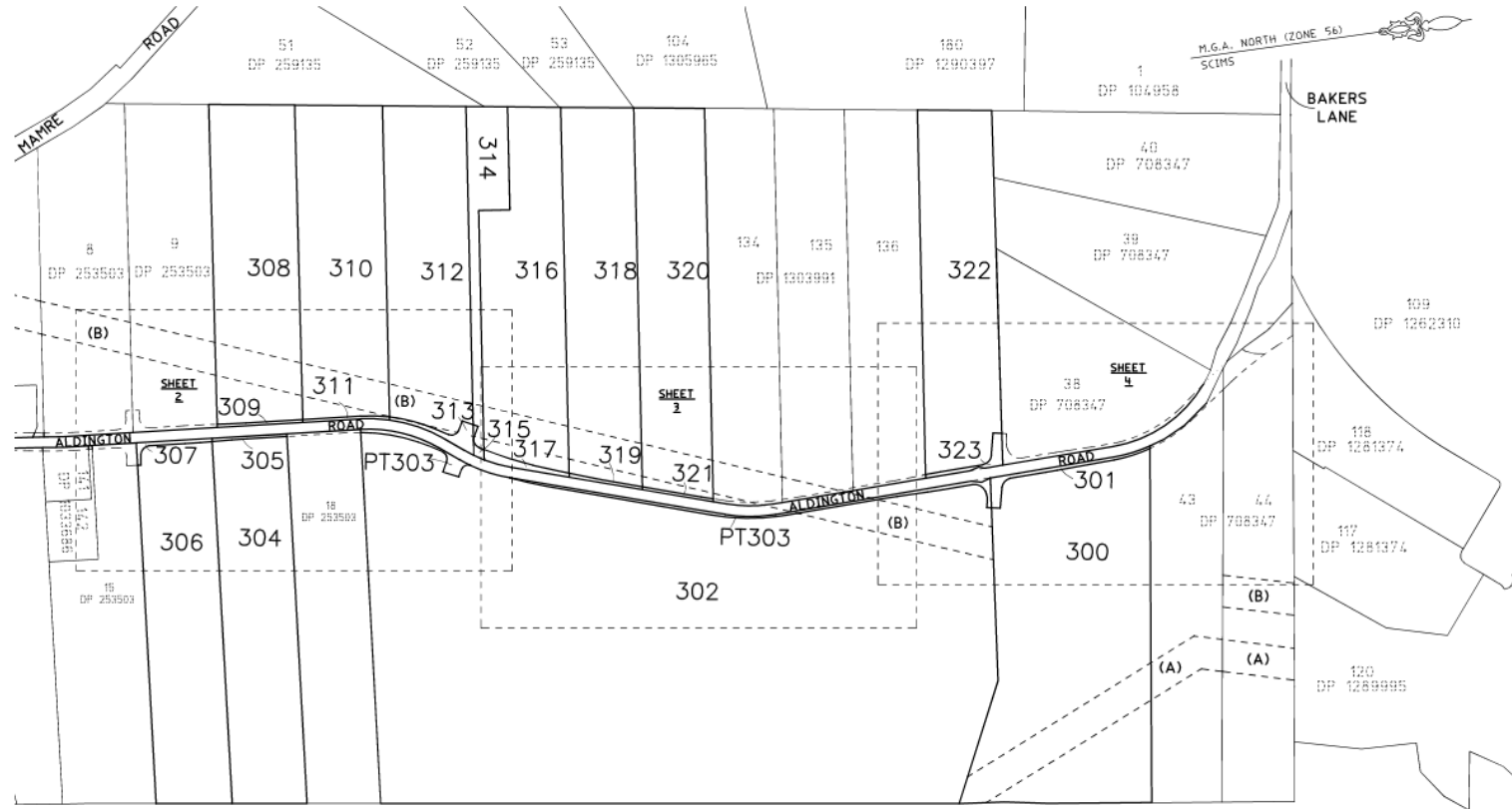
P:\21-843 Aldington Road Design\0_Drps\Civil\Sketches\21-843-SKC242 - ALDINGTON AND ABBOTTS ROAD - PHASE 1 AND 2 PERMANENT ROAD RESERVE AREA.dwg

Annexure C – Dedication Land Plan

PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 01 of 04 sheets



LOTS 301 & 300

LOT 30, DP 1288463
C.T. 93/258943

LOTS 303 & 302

LOT 200, DP 12885681
C.T. 200/285681

LOTS 305 & 304

LOT 17, DP 253503
C.T. 17/253503

LOTS 307 & 306

LOT 16, DP 253503
C.T. 16/253503

LOTS 309 & 308

LOT 10, DP 253503
C.T. 10/253503

LOTS 311 & 310

LOT 24, DP 255560
C.T. 24/255560

LOTS 313 & 312

LOT 25, DP 255560
C.T. 25/255560

LOTS 315 & 314

LOT 26, DP 255560
C.T. 26/255560

LOTS 317 & 316

LOT 27, DP 255560
C.T. 27/255560

LOTS 319 & 318

LOT 28, DP 255560
C.T. 28/255560

LOTS 321 & 320

LOT 23, DP 258949
C.T. 93/258949

LOTS 323 & 322

LOT 37, DP 258949
C.T. 93/258949

(A) EASEMENT FOR TRANSMISSION LINE 60.9% WIDE
VIDE GAZ. 14-10-64 FOL'S 3201, 3204 & 3205
(B) EASEMENT FOR TRANSMISSION LINE 60.9% WIDE
VIDE GAZ. 14-08-63 FOL'S 2397, 2398 & 2399

Surveyor: LUKE P HAAVISTO
LandPartners PTY LTD
PO BOX 1144 DUNDAS 2117
Date of Survey: -
Surveyor's Ref: SY075647.01B.1

PROPOSED PLAN OF LAND TO BE DEDICATED FOR ROAD
WIDENING
**DISCLAIMER:-
ALL DIMENSIONS SHOWN HEREON ARE APPROXIMATE AND
SUBJECT TO FINAL SURVEY**

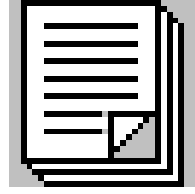
LGA: PENRITH
Locality: KEMPS CREEK
Subdivision No: N/A
Lengths are in metres. Reduction Ratio 1:6000

Registered

DRAFT

10 20 30 40 50 Table of mm 90 100 110 120 130 140

ATTACHMENT



Date of Meeting: 26 August 2024

Delivery Program: Outcome 5

Service: Financial Services

Report Title: 2024-2025 Voted Works

2024-25 VOTED WORKS

as at 26 August 2024

Meeting Approved	Ref	Description of Allocation	Amount \$	Expenditure	Manager Responsible
SOUTH WARD					
		Amount Available for 2024-25			
		Funds brought forward from 2023-24*	229,600		
		2024-25 Funds	53,000		
		Total Vote for 2024-25	282,600		
		Amounts Allocated			
27-Jun-22	7	Disability Inclusion Action Plan Stretch Events**	8,333	694	CACP
11-Dec-23	UB1	Nepean Potter's Society Inc**	5,000	-	CACP
29-Apr-24	2	Nighttime Live Performance Partnerships	5,000	-	CACP
22-Jul-24	UB1	Royces Big Walk	1,000	-	CACP
22-Jul-24	UB4	Memorial Plaque in Honour of John Boccanfuso	800	-	CACP
22-Jul-24	UB2	Thornton Community Centre	577	577	CACP
12-Aug-24	UB1	One Community Many Abilities Voice Over Video	1,430		CACP
		Total Vote Committed	22,140		
TOTAL VOTE UNCOMMITTED FOR SOUTH WARD			260,460		
NORTH WARD					
		Amount Available for 2024-25			
		Funds brought forward from 2023-24*	318,606		
		2024-25 Funds	53,000		
		Total Vote for 2024-25	371,606		
		Amounts Allocated			
27-Jun-22	7	Disability Inclusion Action Plan Stretch Events**	8,333	694	CACP
11-Dec-23	UB1	Nepean Potter's Society Inc**	5,000	-	CACP
29-Apr-24	2	Nighttime Live Performance Partnerships	5,000	-	CACP
22-Jul-24	UB1	Royces Big Walk	1,000	-	CACP
22-Jul-24	UB4	Memorial Plaque in Honour of John Boccanfuso	800	-	CACP
22-Jul-24	UB2	Thornton Community Centre	577	577	CACP
12-Aug-24	UB1	One Community Many Abilities Voice Over Video	1,430		CACP
		Total Vote Committed	22,140		
TOTAL VOTE UNCOMMITTED FOR NORTH WARD			349,466		
EAST WARD					
		Amount Available for 2024-25			
		Funds brought forward from 2023-24*	227,812		
		2024-25 Funds	53,000		
		Total Vote for 2023-24	280,812		
		Amounts Allocated			
27-Jun-22	7	Disability Inclusion Action Plan Stretch Events**	8,334	694	CACP
11-Dec-23	UB1	Nepean Potter's Society Inc**	5,000	-	CACP
29-Apr-24	2	Nighttime Live Performance Partnerships	5,000	-	CACP
22-Jul-24	UB1	Royces Big Walk	1,000	-	CACP
22-Jul-24	UB4	Memorial Plaque in Honour of John Boccanfuso	800	-	CACP
22-Jul-24	UB2	Thornton Community Centre	577	577	CACP
12-Aug-24	UB1	One Community Many Abilities Voice Over Video	1,430		CACP
		Total Vote Committed	22,141		
TOTAL VOTE UNCOMMITTED FOR EAST WARD			258,671		
SUMMARY					
		Total Vote for 2024-25	935,018		
		Less Total Vote Committed	66,420		
		TOTAL VOTE UNCOMMITTED	868,598		
* Funds bought forward from 2023-24 are subject to finalisation of accounts for 2023-24					
** Proposed June Quarter Revote					