

PENRITH CITY COUNCIL

INFORMATION GUIDE





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INTRODUCTION

Penrith City Council has adopted this Information Guide in accordance with section 21 of the *Government Information (Public Access) Act 2009* (NSW) (**GIPA Act**).

The Information Guide describes Council's functions, responsibilities and organisational structure. It also describes the various types of information held by Council, how that information can be accessed and how members of the public can participate in the Council's decision-making processes.

ABOUT COUNCIL

Penrith City Council is the local government authority for the Penrith Local Government Area.

Council's roles and responsibilities are wide-ranging.

We are responsible for providing strategic leadership and sustainable future planning, while also delivering a range of infrastructure and services needed for a growing city.

Councils in NSW operate under the Local Government Act 1993. This Act directs the way Council functions and the activities and services we provide to our local community. Section 8 of this Act Outlines Council's charter and sets out what we need to consider when carrying out our activities. Council's responsibilities under the charter include to:

- exercise community leadership
- provide appropriate services and facilities for the community
- properly manage and conserve the local environment
- involve and engage with our communities
- keep the local community informed about our activities
- ensure that provided services are managed efficiently and effectively
- have regard for the long-term effects of our decisions, and
- be a responsible employer.

More than 135 other pieces of legislation also influence and affect the work of councils including the Environmental Planning and Assessment Act 1979, the Roads Act 1993,

Rural Fires Act 1997, Companion Animals Act 1998, and the Work Health and Safety Act 2011.

OUR MISSION

We will:

- Deliver the services, facilities and infrastructure that our community needs
- Maintain our long-term financial sustainability
- Work with our community and partners to achieve more than we can alone
- Provide an excellent customer experience to everyone who contacts us
- Value and engage our staff

Our Values

Are:

- We show respect
- We are accountable
- We encourage innovation

Our Customer Promise

Our Customer Promise puts our customers at the heart of everything we do. It's our declaration that we will be proactive, keep it simple, build respectful relationships and listen and respond when serving each other and the public Council's Customer Promise is available on Council's website.

Council always welcomes feedback from our customers and suggestions on how we can improve our service standards. Comments and suggestions can be made by contacting Council using any of the contact details on page 19 of this Guide.

STRUCTURE AND FUNCTIONS OF COUNCIL

Mayor and Councillors

The City of Penrith is divided into three Wards. Five councillors are elected for each Ward.

Councillors are elected for a period of four years. As an elected person the role of a Councillor is to:

- represent the interests of the residents and ratepayers
- facilitate communication between the community and the Council.

The Mayor is elected each year by the Councillors from among their number. The role of the Mayor is to:

- exercise, in cases of necessity, the policy making functions of the governing body of the Council between meetings of the Council
- exercise such other functions of the Council as the Council determines
- preside at meetings of the Council, and
- carry out the civic and ceremonial functions of the Mayoral Office.

General Manager

The General Manager is responsible for the efficient and effective operation of the Council's organisation (including the day to day management of the Council) and for ensuring the implementation of decisions of the Council.

Programs and Services

Penrith City Council's corporate structure includes the following groups and associated programs. Directors are responsible for the day to day operational requirements and service delivery of each of the groups. The following shows Council's corporate structure.

GENERAL MANAGER – Warwick Winn

Departments

Executive Services

CHIEF GOVERNANCE OFFICER - Stephen Britten

Departments

Governance

Legal Services

DIRECTOR OF CITY FUTURES - Kylie Powell

Departments

City Planning

Economic Initiatives

Place Management

Community and Cultural Development

City Deal

DIRECTOR DEVELOPMENT & REGULATORY SERVICES - Wayne Mitchell

Departments

Development Services

Environmental Health & Compliance

Engineering Services

DIRECTOR OF CITY SERVICES – Brian Steffen

Departments

Community Facilities & Recreation

Asset Management

City Presentation

Design & Projects

Waste & Resource Recovery

Ripples

Divisional Assurance

DIRECTOR OF COMMUNITY AND PEOPLES - Sandy Davies

Departments

Library Services
Customer Experience
People & Children

DIRECTOR OF CORPORATE SERVICES - Andrew Moore

Departments

Financial Services
Property Development & Management
Information & Communications Technology
Business Transformation
Communications

The groups are responsible for the following service functions:

Governance	City Futures	Development & Regulatory Services	City Services	Community & People	Corporate Services
Council & Corporate Governance	City Planning	Development applications	Cemeteries	Libraries	Financial Services
Information Management	Economic Initiatives	Fire Safety & Certification	Community Facilities & Recreation Planning	Customer Experience	Purchasing & Supply
Legal Services	Marketing	Environmental Health	Community Facilities & Recreation Operations	Children Services	Property Development & Management
Risk Management, Insurance	Community Safety	Development Compliance	Security & Emergency Services Management	Workforce & Organisational Development	GIS & Mapping
Internal Audit	City Renewal	Rangers & Animal Services	Strategic Asset Management & Planning		Information Technology
	Neighbourhood Renewal	Regional Illegal Dumping	Civil Maintenance, Renewal & Construction		Corporate Planning & Reporting
	Community Events	Development Engineering	Fleet & Plant Management		Innovative Performance
	Community & Cultural Developments	Floodplain & Stormwater Management	Public Space Maintenance (cross city) & (city services)		Sustainability
	City Deal	Traffic Management & Road Safety			Business Systems
					Corporate Communications
					Civic & Organisational Events

			Design & Projects Waste Avoidance & Resource Recovery Penrith City Council Aquatic & Hydrotherapy Services Divisional Assurance		
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DECISION MAKING FUNCTIONS OF COUNCIL

The *Local Government Act 1993* (NSW) (the Act) guides the decision-making functions of all NSW councils. The main functions of Council may be grouped into the following categories:

ADMINISTRATIVE FUNCTIONS	ENFORCEMENT FUNCTIONS	REGULATORY FUNCTIONS	REVENUE FUNCTIONS	SERVICE FUNCTIONS
Employment of staff	Prosecution of Offences	Approvals	Rates	Civil Infrastructure
Strategic Planning	Powers of entry and inspection	Orders	Charges	Environmental Protection
Operational Planning	Proceedings for breaches of the Act	Certificates	Fees	Community Health and Services
Financial Reporting			Borrowings	Recreation Services
Annual Reporting			Investments	Waste removal and disposal
Governance				Economic Development

Councils also have powers under other Acts including:

- Planning functions as consent authority - *Community Land Development Act 1989 (NSW)*
- Companion animal registration and control - *Companion Animals Act 1998 (NSW)*
- Placing covenants on Council land – *Conveyancing Act 1919 (NSW)*
- Environmental Planning and Consent Authority – *Environmental Planning and Assessment Act 1979 (NSW)*
- Payment of contributions to fire brigade costs and furnishing of returns – *Fire Brigades Act 1989 (NSW)*
- Inspection of food and food premises – *Food Act 2003 (NSW)*
- Impounding of animals and articles – *Impounding Act 1993 (NSW)*
- Library services – *Library Act 1939 (NSW)*
- Pollution control – *Protection of the Environment Operations Act 1997 (NSW)*
- Inspections of systems for purposes of microbial control – *Public Health Act 1991 (NSW)*
- Restricting use of recreation vehicles – *Recreation Vehicles Act 1983 (NSW)*
- Roads – *Roads Act 1993 (NSW)*
- Issue of permits to light fires during bush fire danger periods – *Rural Fires Act 1997 (NSW)*
- Requiring the furnishing of information to the Rural Fire Service Advisory Council and its Co-ordinating Committee – *Rural Fires Act 1997 (NSW)*

- Recommending appointment of local controller – *State Emergency Service Act 1989 (NSW)*
- Approval of strata plans – *Strata Schemes Freehold Development Act 1973 (NSW)*
- Approval of leasehold strata plans – *Strata Schemes Leasehold Development Act 1986 (NSW)*.
- Ensuring restriction of access to swimming pools – *Swimming Pools Act 1992 (NSW)*
- Access to Information – *Government Information Public Access Act 2009 (NSW)*

Decisions made by the Council can directly impact the City's property owners, residents, business owners and visitors. Major strategic, planning, policy and financial decisions are considered and made by the Councillors at meetings of the Council.

Other decisions regarding day to day operational requirements and service delivery are made under delegated authority by the General Manager, Directors, Managers and staff. Decisions are made in accordance with relevant legislation, Council policy and/or procedures, and consideration of financial implications.



HOW MEMBERS OF THE PUBLIC CAN PARTICIPATE IN COUNCIL'S POLICY

DEVELOPMENT AND EXERCISE OF FUNCTIONS

Penrith City Council looks to engage communities, organisations and stakeholders in decision making processes through structured consultation practices. Opportunities to allow members of the public to participate in the formulation of Council's policies and the exercise of Council's functions include:

Public exhibition and submissions

Major policies, planning matters and development applications are advertised, and submissions are invited during the exhibition periods. Submissions received in response to the public exhibition processes are considered prior to the adoption of recommendations.

Council Meetings and Committee Meetings

All meetings of the Council and Committees of the Council (of which all members are councillors) are open to the public. Anyone can request permission to address a meeting of the Council or Committee of the Council by making a request to the General Manager, Public Officer or Executive Officer either in writing, verbally or by other electronic means.

It is at the absolute discretion of the Council (or the Committee) to determine whether permission to address the meeting will be granted. Council's Code of Meeting Practice sets out the manner in which meetings are to be conducted. The Code of Meeting Practice is available on Council's website.

Strategic Planning Documents

Council has developed a strategic planning framework that reinforces our commitment to a sustainable future for our City and its communities. Council has an integrated suite of documents that outline the actions that the Council and our communities will need to take over time. This includes the:

- Community Plan
- 4 Year Delivery Program
- 1 Year Operational Plan
- Community Engagement Strategy
- Resourcing Strategy
- City Strategy

The Community Strategic Plan identifies the long-term aspirations our communities want to see delivered in the City. The 4-year Delivery Program links the 'planning' in the long-term Strategic Plan with the 'implementing' in the annual Operational Plan. It is the Strategic document that guides the organisation's work program over the Councillor's 4-year term. The annual Operational Plan is the 'implementing' part of Council's key strategic documents. It outlines all of Council's services, and a range of ongoing service activities and specific tasks to be undertaken in the year ahead.

The Community Engagement Strategy outlines how Council will engage with its communities and relevant stakeholders in developing and finalising the Community

Strategic Plan. The Resource Strategy Outlines Council's capacity to manage assets and deliver services over the next ten years.

Although Council seeks community participation in the development of these documents, it also welcomes comments at any time. The documents are available online or through the Customer Service Centres. Comment can be received:

- in writing to the General Manager, Penrith City Council PO Box 60, Penrith NSW 2751
- by email pencit@penrithcity.nsw.gov.au, or
- by phone 4732 7777 or fax Council on 4732 7958

COUNCIL COMMITTEES AND ENTITIES

Council has delegated functions to the following committees and entities in accordance with section 377 of the Local Government Act 1993 and they are authorised to exercise the delegated functions under s355 of the Local Government Act 1993 or by way of a Licence Agreement in the case of other entities.

The committees/entities are as follows:

COMMITTEES

Jamison Park Netball Complex Management
Penrith Schools Boatshed Management
Ray Morphett Pavilion Management
Penrith Valley Senior Citizens' Centre Management
Andromeda Neighbourhood Centre
Nepean Community and Neighbourhood Services
Community Junction Incorporated
Arms Australia Inn
Penrith International Friendship
Western Sydney Regional Committee for Illegal Dumping
Access Committee (Advisory)
Heritage Advisory Committee (Advisory)
Senior Staff Recruitment / Review Committee
Policy Review Committee Standing Council Committee Functional
Audit, Risk & Improvement Committee
Penrith Valley Community Safety Partnership
Resilience Committee
Regional Strategic Alliance with Blue Mountains City Council and Hawkesbury City Council
Floodplain Risk Management
Property Development Advisory Panel

Council has also established several consultative forums and advisory committees, task forces and working parties to advise it on specific issues, usually involving representatives of the community, Councillors and Council staff.

During the previous 12-months Council also had delegates or directors elected/appointed to the Boards and/or the Committees of the following organisations:

- Australian Local Government Women's Association
- Penrith Aquatic and Leisure Ltd.
- The Penrith Performing and Visual Arts Ltd.
- The Penrith Whitewater Stadium Ltd.
- Penrith CBD Corporation Ltd.
- St Marys Town Centre Ltd.
- Hawkesbury River County Council
- Sydney West Planning Panel
- CivicRisk Mutual
- CivicRisk West
- Western Sydney Academy of Sport Advisory Forum
- Western Sydney Academy of Sport Advisory Board
- Western Sydney Regional Organisation of Councils Limited (WSROC Ltd)
- National Growth Areas Alliance
- Western Sydney Regional Committee for Illegal Dumping
- Local Government NSW
- Local Government Super
- Council Ambassador to Lachlan Shire Council
- Penrith Valley Regional Sports Centre Ltd
- Penrith Valley Sports Foundation

Council also had representation on the following incorporated associations:

- The Penrith City Children's Services Co-operative Ltd.

PATRONAGE AND MEMBERSHIPS

Council is also a Patron to various community' orientated organisations and Councillors and Council Officers are also members of various organisations, which enable them to participate in discussions and forums on issues that are important to the communities of Penrith.

EXTERNAL BODIES EXERCISING COUNCIL FUNCTIONS

The Hawkesbury River County Council exercises delegated functions on behalf of Council to control noxious weeds on public land and waterways in Penrith City.

PARTNERSHIPS, CO-OPERATIVES AND JOINT VENTURES INVOLVING COUNCIL

Council is a member of CivicRisk West which is a joint initiative, established by councils in Western Sydney to give cost effective civil liability protection insurance. Council also contributes towards a Regional Illegal Dumping (RID) Squad initiative along with several other Western Sydney councils.

COMPANIES IN WHICH COUNCIL HELD A CONTROLLING INTEREST

Companies in which Council held a controlling interest during the previous 12-months

- Penrith Aquatic and Leisure Ltd
- Penrith Performing and Visual Arts Ltd
- Penrith Whitewater Stadium Ltd
- Penrith CBD Corporation Ltd
- St Marys Town Centre Ltd
- Penrith City Children's Services Co-operative Ltd (including 21 advisory committees)

TYPES OF INFORMATION HELD BY COUNCIL

Council holds various types of Government Information including:

POLICY DOCUMENTS				
CITY SERVICES	CORPORATE SERVICES	ENVIRONMENT & REGULATORY SERVICES	CITY FUTURES	LEGAL GOVERNANCE
Concrete Footpaving	Grant Applications by Council Staff	Road Naming Policy	Provision of Child Care Centres	Organisational Communications Policy
Erection of Bunting	Rates or Accounts Written Off	Smoke Free Outdoor Areas	Child Care Services	Brand Policy
Kerb, Guttering & Footpath	Sustainability Policy	Keeping of animals local orders policy	Child Care Centres	Code of Conduct
Charges for places of Worship	Acquisition of Property		Disability Inclusion Action Plan 2017-2021	Public Interest Disclosures Act 1994
Signs Leading to Public Facilities			Statement of Aboriginal and Torres Strait Islander Recognition	Negotiation & Consensus Policy
Keying System			Community Assistance Program	Code of Meeting Practice
Cemeteries Policy			Subsidies to Performance Groups Program Policy	Decision Making Arrangements During Council's Christmas Recess
Alcohol Free Public Spaces			Homelessness Support & Services	Payment of Expenses & Provision of Facilities to Mayor, Deputy Mayor & Councillors
Public Domain Lighting Policy			Community Plan	
Neighbourhood Facilities Management Policy				

Code of Meeting Practice			Community Engagement Strategy	Advertising on Council Premises
Roadside Memorial			Resourcing Strategy	
Naming of Parks and Reserves			Delivery Program 2017 – 201-21	
Road Naming Policy			City Strategy	
Donations to Amateur Sportsperson Policy				
Placement of Memorial Trees & Park Furniture Policy				

INFORMATION ABOUT COUNCIL

- Community Strategic Plan
- Delivery Program
- Operational Plan
- Resource Strategy
- Community Engagement Strategy
- 4 Year End of Term Report
- Annual Report (includes State of the Environment Report every 4 years)
- 6 monthly Delivery Program Progress Report
- Quarterly Operational Plan Report
- Annual Financial Reports
- Auditors Report
- EEO Management Plan
- Annual Reports of bodies exercising functions delegated by the Council
- Codes referred to in the Local Government Act 1993
- Returns of the interest of Councillors, designated persons & delegates
- Agendas and Business Papers for Meetings of the Council and Committees of the Council
- Minutes of Meetings of the Council and Committees of the Council
- Departmental Representative reports under section 433 of the *Local Government Act 1993* (NSW)
- Land Register
- Register of Investments
- Register of Delegations
- Register of graffiti removal work kept in accordance with section 13 of the *Graffiti Control Act 2008* (NSW)
- Register of current declarations of disclosures of political donations kept in accordance with section 328A of the *Local Government Act 1993* (NSW)
- Register of voting on planning matters kept in accordance with section 375A of the *Local Government Act 1993* (NSW)

PLANS AND POLICIES

- Local policies adopted by the Council concerning approvals and orders
- Plans of management for community land
- Environmental Planning Instruments
- Development Control Plans
- Contribution Plans

INFORMATION ABOUT DEVELOPMENT APPLICATIONS

- Development Applications
- Homes Warranty Insurance Documents
- Construction Certificates
- Occupational Certificates
- Structural Certification Documents
- Town Planner Reports
- Submissions received on Development Applications
- Heritage Consultant Reports
- Tree Inspection Consultant Reports
- Acoustics Consultant Reports
- Land Contamination Consultant Reports
- Records on decisions on Decisions on Development Applications

APPROVALS, ORDERS & OTHER DOCUMENTS

- Applications for approvals under Part 1 of Chapter 7 of the *Local Government Act 1993* (NSW) and any associated documents received in relation to such an application
- Applications for approvals under any other Act and any associated documents received in relation to such an application
- Records of approvals granted or refused, any variation from local policies with reasons for the variation, and decisions made on appeals concerning approvals
- Orders given under Part 2 of Chapter 7 of the *Local Government Act*, and any reasons given under section 136 of the *Local Government Act 1993* (NSW)
- Orders given under the authority of any other Act
- Records of building certificates under the *Environmental Planning and Assessment Act 1979* (NSW)
- Plans of land proposed to be compulsorily acquired by the Council
- Compulsory acquisition notices
- Leases and licences for use of public land classified as community land

OTHER INFORMATION THAT MAY BE CONTAINED IN A RECORD HELD BY COUNCIL

Council's records may also contain a range of information regarding:

- Assets and infrastructure, including plant and equipment
- City of Penrith Regional Indoor Aquatic and Recreation Centre
- Commercial activities
- Community grants
- Community services activities
- Companion animals (pets)
- Council owned and controlled properties
- Council's children's services
- Council's finances
- Council's own internal operations
- Design and construction
- Energy supply and telecommunications
- Engineering works
- Flooding and stormwater surge
- General property information
- Infrastructure under the care, control and management of the Council
- Legal matters and disputes
- Library services
- Local businesses and industries
- Marketing
- Penrith Performing and Visual Arts
- Penrith Whitewater Stadium
- Recreation activities and facilities
- Service providers
- Sporting activities and sporting clubs
- Submissions and complaints
- Tourism
- Traffic infringement
- Waste services

Some of the above records may contain information that Council considers to be against the public's interest to disclose. When responding to requests for access to information, Council will take into account the public interest considerations provided by the *Government Information Public Access Act 2009 (NSW)* to determine whether access can be provided.

HOW TO ACCESS GOVERNMENT INFORMATION

The *Government Information Public Access Act 2009 (GIPA Act)* establishes four ways in which the public can access government information:

Open Access Information

- Through the mandatory disclosure of open access information (see above, Information Held by Council) – where practicable, this information will be made available free of charge on Council’s website. Where it is not practicable for Council to provide open access information on the website, the information will be made available free of charge in at least one other format.
- To access information that is not currently available on Council’s website, please contact Council on (02) 4732 7777.

Proactive Release of Information

- Through the proactive release of as much information as possible – this information will be made available free of charge, or at the lowest reasonable cost.

Informal Access Requests

- In response to an informal request (without the need for a formal application, unless there are good reasons to require one) – this information will be made available free of charge, subject to any reasonable conditions that may be imposed by Council. Council may require a written record of an informal request to access information.

Formal Access Applications

- In response to a formal access application (for information that Council does not provide proactively or informally) – application fees and processing charges apply as per the GIPA Act.
- The GIPA Act sets out the procedure for making and dealing with formal access applications. An application for information that is not already available by other means must be made on the “Formal Access Application” form, which is available on Council’s website and at Council’s customer service counters.
- A formal application is not a valid application unless it is accompanied by an application fee of \$30. The application fee counts as payment of the first hour of any processing charge that may be payable by the applicant. Processing charges for dealing with formal access applications are charged at a rate of \$30 per hour for each hour of processing time.
- Enquiries regarding formal access applications should be made to Council’s Right to Information Officer on (02) 4732 7732.

How to obtain information from Council

- Search Council's website to see if it is already available.
- Contact Council and ask for the information. We will decide whether the information:
 1. is open access information that is readily available. If it is, we will tell you how you can get the information
 2. can be provided to you through an informal release (without the need for a formal access application, or
 3. requires a formal access application.



OUR CONTACT DETAILS

Visit our offices:

- Penrith: 601 High St, Penrith NSW 2750 (Civic Centre), or
- St Marys: 207 – 209 Queen St, St Marys NSW 2760
- Opening hours: Monday to Friday 8:30am – 4:00pm

Enquiries Phone: (02) 4732 7777

- Right to Information Officer (formal access applications): (02) 4732 7732
- Website: www.penrithcity.nsw.gov.au
- E-mail: council@penrithcity
- Fax: (02) 4732 7958
- Mail: PO Box 60 Penrith NSW 2751





OTHER GOVERNMENT BODIES

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER (IPC)

For further advice and assistance regarding access to government information, applicants may wish to contact the IPC by telephone on 1800 472 679 or email ipcinfo@ipc.nsw.gov.au. The website address for the IPC is www.ipc.nsw.gov.au.

DATA.NSW

Data.NSW is a program of work occurring across NSW government aimed at increasing the safe use of data across NSW government. It will grow and evolve over time.

Data.NSW includes Platforms, including the CKAN open data portal, spatial data portals, agency data hubs and secure data sharing environments that enable people to find and use data.

The website address is www.data.nsw.gov.au.