

**CONFIRMED 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 28 APRIL 2025 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 Rev Christine Bayliss-Kelly.

PRESENT

His Worship the Mayor, Councillor Todd Carney, Deputy Mayor, Councillor Ross Fowler OAM and Councillors Kirstie Boerst, Robin Cook, Sue Day, Glenn Gardiner, Sabbie Kaur, Hollie McLean, Reece Nuttall, Vanessa Pollak, Faithe Skinner, Garion Thain and John Thain.

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Libby Austin for the period 6 April 2025 to 30 April 2025 inclusive.

APOLOGIES

75 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Ross Fowler OAM that the apologies for Councillor Edwin Mifsud be accepted.

CONFIRMATION OF MINUTES - Ordinary Meeting - 31 March 2025

76 RESOLVED on the MOTION of Councillor Sue Day seconded Councillor Sabbie Kaur that the minutes of the Ordinary Meeting of 31 March 2025 be confirmed.

DECLARATIONS OF INTEREST

Councillor John Thain declared a Pecuniary Interest in *Committee of the Whole Item 3 - Council Property - New Lease - 8-10 Carinya Avenue, St Marys*, as he works for an organisation that partners with the community in the NDIS. Councillor John Thain stated that he would leave the meeting during consideration of this item and would not take part in voting or discussion on this issue.

Councillor Glenn Gardiner declared a Pecuniary Interest in *Committee of the Whole Item 3 - Council Property - New Lease - 8-10 Carinya Avenue, St Marys*, as he is the Chairman of SEE Foundation. Councillor Glenn Gardiner stated that he would leave the meeting during consideration of this item and would not take part in voting or discussion on this issue.

MAYORAL MINUTES

1 Council congratulates Gina Field and Nepean Regional Security

Deputy Mayor Ross Fowler OAM and Councillors John Thain, Garion Thain and Reece Nuttall spoke in support of this Mayoral Minute.

77 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Ross Fowler OAM that the Mayoral Minute on Council congratulates Gina Field and Nepean Regional Security be received.

2 Update on Penrith City Council's Advocacy

Deputy Mayor Ross Fowler OAM and Councillors John Thain, Reece Nuttall and Garion Thain spoke in support of this Mayoral Minute.

78 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Ross Fowler OAM that the Mayoral Minute on Update on Penrith City Council's Advocacy be received.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Access Committee Meeting held on 5 March 2025

79 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor Sabbie Kaur that the recommendations contained in the Report and Recommendations of the Access Committee meeting held on 5 March, 2025 be adopted.

2 Report and Recommendations of the Local Traffic Committee Meeting held on 3 March 2025

80 RESOLVED on the MOTION of Councillor Robin Cook seconded Councillor Reece Nuttall that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 3 March, 2025 be adopted.

3 Report and Recommendations of the Local Traffic Committee Meeting held on 7 April 2025

81 RESOLVED on the MOTION of Councillor Robin Cook seconded Councillor Reece Nuttall that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 7 April, 2025 be adopted.

4 Report and Recommendations of the Policy Review Committee Meeting held on 14 April 2025

82 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Ross Fowler OAM that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 14 April, 2025 be adopted.

Note

Councillor John Thain clarified that while he declared a Pecuniary Conflict of Interest in Item 1 - Children's Services Cooperative Board Annual Report, that he wish it to be noted after receiving further information that the interest was intended to be a Non-Pecuniary Conflict of Interest – Less than Significant for this item.

DELIVERY PROGRAM REPORTS

OUTCOME 1 - WE PROTECT AND ENHANCE AN ECOLOGICALLY SUSTAINABLE ENVIRONMENT

1 Acceptance of Grant Funding Offer - NSW Floodplain Management Program 2024/25

83 RESOLVED on the MOTION of Councillor Glenn Gardiner seconded Councillor Reece Nuttall

That:

1. The information contained in the report on Acceptance of Grant Funding Offer - NSW Floodplain Management Program 2024/25 be received.
2. Council accept the grant funding offers from the NSW Government for the following projects:
 - a. Cambridge Park Catchment Flood Study - \$191,600; and
 - b. Penrith LGA Wide Flood Risk Data Compilation – \$119,667
3. Council write to Local Members and the Department of Climate Change Energy, the Environment and Water, expressing appreciation of their continued support and funding towards Council's Floodplain Management programs.

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

4 Request For Major Event Sponsorship - Rowing New South Wales Incorporated

84 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Reece Nuttall

That:

1. The information contained in the report on Request for Major Event Sponsorship - Rowing New South Wales Incorporated be received.
2. Council endorse sponsorship funding of \$2,500 (plus GST) to Rowing New South Wales Incorporated in support of the 2025 Australian Masters Rowing Championships.
3. Council endorse sponsorship funding of \$2,500 (plus GST) to Rowing New South Wales Incorporated in support of the 2025 NSW All Schools Championships.

2 Re-establishment of Alcohol-Free Zones and Alcohol Prohibited Areas 2025-2029

85 RESOLVED on the MOTION of Councillor Vanessa Pollak seconded Councillor Faithe Skinner

That:

1. The information contained in the report on Re-establishment of Alcohol-Free Zones and Alcohol Prohibited Areas 2025-2029 be received.
2. Council endorses the re-establishment of Alcohol-Free Zones and Alcohol Prohibited Areas at the designated locations in appendix 1 - AFZ & APA

Locations 2025-2029 effective for the four-year period from 1 July 2025 to 30 June 2029.

3. Alcohol-Free signage be updated at relevant locations as required.
4. Consideration of this matter be deferred and brought back to 26 May Ordinary Meeting so that further information can be provided with respect to Alcohol Prohibited Areas and specific time restrictions on some of the identified locations.

3 Works on Private Lane to deliver placemaking improvements in St Marys Town Centre

86 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Kirstie Boerst

That:

1. The information contained in the report on Works on Private Lane to deliver placemaking improvements in St Marys Town Centre be received
2. Council approves the scoping and delivery of public works on private land at no cost to the property owners of 91 Queen Street St Marys and 100 Queen Street St Marys as described in this report

5 Draft Penrith & St Marys 24-hour Economy Strategy 2025-2029 - Endorsement for Public Exhibition

87 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Reece Nuttall

That:

1. The information contained in the report on Draft Penrith & St Marys 24-hour Economy Strategy 2025-2029 - Endorsement for Public Exhibition be received.
2. Council endorse the draft Penrith and St Marys 24-hour Economy Strategy to be publicly exhibited for 6 weeks from Monday 5 May to Friday 13 May 2025.
3. The General Manager be delegated authority to make minor changes to the draft Penrith and St Marys 24-hour Economy Strategy document to correct any typographical errors and minor updates before the exhibition commences.

OUTCOME 3 - WE PLAN AND SHAPE OUR GROWING CITY

6 Finalisation and adoption of draft St Marys Town Centre Development Contributions Plan 2025

88 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Reece Nuttall

That:

1. The information contained in this report on Finalisation and adoption of draft St Marys Town Centre Development Contributions Plan 2025 be received
2. Council adopt the St Marys Town Centre (Section 7.12) Development Contributions Plan 2025 with a fixed-rate levy of 4.24% and the associated background report
3. A formal request is made to the Minister of Planning and Public Spaces seeking approval of a higher fixed-rate levy of 4.24% for the St Marys Town Centre Development Contributions Plan 2025 via an amendment of the EP&A Regulation
4. Notice of Council's decision is published on Council's website within 28 days, the notice shall specify the day in which the plan comes into effect as the day the amendment to the EP&A Regulations is made
5. Council provide the General Manager delegation to amend minor typographic or mapping errors in the Plan, should they exist
6. The St Marys Town Centre (Section 7.11) Development Contributions Plan 1993 be repealed on the date when the St Marys Town Centre (Section 7.12) Development Contributions Plan 2025 comes into effect in accordance with Section 215 of the Environmental Planning and Assessment Regulation 2021
7. Council endorse the transfer of unexpended funds collected under the repealed plan into the new St Marys Town Centre (Section 7.12) Development Contributions Plan 2025
8. All submitters be notified of Council's decision

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 Ross Fowler OAM
Councillors Kirstie Boerst
Councillor Robin Cook
Councillor Sue Day
Councillor Glenn Gardiner
Councillor Sabbie Kaur
Councillor Hollie McLean
Councillor John Thain
Councillor Reece Nuttall
Councillor Vanessa Pollak

Councillor Faithe Skinner
Councillor Garion Thain

8 Amendments to Mamre Road Section 7.11 Development Contributions Plan

8953 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Reece Nuttall

That:

1. The information contained in the report on Amendments to Mamre Road Section 7.11 Development Contributions Plan be received.
2. The *Mamre Road Precinct Development Contributions Plan 2022 – Amendment 1* as provided at Attachment 1, be placed on public exhibition in accordance with Council's *Community Participation Plan* and the *Environmental Planning and Assessment Regulation 2021*.
3. A further report be prepared for Council following public exhibition of the draft amendments, if submissions are received, for Council to consider those submissions.
4. If no submissions are received during the public exhibition period, and no amendments, apart from minor amendments, are proposed, that Council authorise the General Manager to adopt the draft CP Amendments.
5. Council authorise the General Manager make any minor amendments where necessary (e.g. typographic errors, incorrect clause references, dates, and the like), to the draft CP.

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 Ross Fowler OAM
Councillors Kirstie Boerst
Councillor Robin Cook
Councillor Sue Day
Councillor Glenn Gardiner
Councillor Sabbie Kaur
Councillor Hollie McLean
Councillor John Thain
Councillor Reece Nuttall
Councillor Vanessa Pollak
Councillor Faithe Skinner
Councillor Garion Thain

9 Finalisation of Orchard Hills North Section 7.11 Development Contribution Plan

90 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Reece Nuttall

That:

1. The information contained in the report on Finalisation of Orchard Hills North Section 7.11 Development Contribution Plan be received.
2. Council endorses the draft Orchard Hills North Section 7.11 Development Contribution Plan for adoption.
3. A notice is to be published on Council's website within 28 days after the Orchard Hills North Section 7.11 Development Contribution Plan has been adopted by Council, in accordance with legislative requirements under the Environmental Planning and Assessment Regulation 2021.

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 Ross Fowler OAM
Councillors Kirstie Boerst
Councillor Robin Cook
Councillor Sue Day
Councillor Glenn Gardiner
Councillor Sabbie Kaur
Councillor Hollie McLean
Councillor John Thain
Councillor Reece Nuttall
Councillor Vanessa Pollak
Councillor Faithe Skinner
Councillor Garion Thain

10 Amendment to Penrith Development Control Plan 2014 - 5.2 Child Care Centres and other Housekeeping Matters

91 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Reece Nuttall

That:

1. The information contained in the report on Amendment to Penrith Development Control Plan 2014 - 5.2 Child Care Centres and other Housekeeping Matters be received.
2. Council endorse the Draft Penrith Development Control Plan 2014 Chapter 5 Other Land Uses - 5.2 Child Care Centres; Chapter E7 Glenmore Park Stage 3; and Chapter E17 Orchard Hills North for public exhibition
3. The General Manager be granted delegation to make any minor changes to the draft amendments prior to exhibition in accordance with Council's endorsed policy.
4. The draft amendments be publicly exhibited, in accordance with the relevant provisions of the Environmental Planning and Assessment Act, 1979 and associated Regulations and Councils Community Participation Plan.
5. A further report be presented to Council following the public exhibition.

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 Ross Fowler OAM
Councillors Kirstie Boerst
Councillor Robin Cook
Councillor Sue Day
Councillor Glenn Gardiner
Councillor Sabbie Kaur
Councillor Hollie McLean
Councillor John Thain
Councillor Reece Nuttall
Councillor Vanessa Pollak
Councillor Faithe Skinner
Councillor Garion Thain

11 Draft VPA for Stage 1 and 2 of Legacy Property development in Orchard Hills North

92 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Reece Nuttall

That:

1. The information contained in the report on Draft VPA for Stage 1 and 2 of Legacy Property development in Orchard Hills North be received.
2. Council endorse for notification, the draft Voluntary Planning Agreement for Orchard Hills North, provided as a separate enclosure to this report.
3. The value of infrastructure and land in the VPA be updated following notification to reflect the values identified in the finalised CP once adopted.
4. A further report be prepared for Council following public notification of the draft VPA, if submissions are received that relate directly to specific matters negotiated for the VPA are received and amendments to the draft VPA are proposed.
5. Council endorses the Draft VPA for Stage 1 and 2 of Legacy Property development in Orchard Hills North 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.
6. If the draft VPA is to be executed, Council authorises 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).
7. A further report be prepared for Council for future amendments to the VPA as Legacy's ownership within the precinct grows.
8. 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

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 Ross Fowler OAM
Councillors Kirstie Boerst
Councillor Robin Cook
Councillor Sue Day
Councillor Glenn Gardiner
Councillor Sabbie Kaur
Councillor Hollie McLean
Councillor John Thain
Councillor Reece Nuttall
Councillor Vanessa Pollak
Councillor Faithe Skinner
Councillor Garion Thain

7 Outcomes of public exhibition and finalisation of amendment to Penrith Development Control Plan 2014 for St Marys Town Centre

93 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Reece Nuttall

That:

1. The information contained in the report on Outcomes of public exhibition and finalisation of amendment to Penrith Development Control Plan 2014 for St Marys Town Centre be received
2. Council endorse the draft amendment to Chapter E15- St Marys Town Centre of Penrith Development Control Plan 2014 (Attachment 1).
3. The General Manager is granted delegation to make any necessary changes to the draft amendment to Chapter E15-St Marys Town Centre of Penrith Development Control Plan 2014 if necessary, ahead of commencement.
4. A notice is to be published on Council's website within 28 days after the proposed amendment to Penrith Development Control Plan 2014 for St Marys Town Centre (DCP amendment) has been endorsed by Council in accordance with legislative requirements under the Environmental Planning and Assessment Regulation 2021 and that:
 - a. The notice is to specify that the DCP amendment will come into effect when the amendment to Penrith Local Environmental Plan 2010 (St Marys Town Centre) comes into force.
5. All submitters are notified of Councils decision.

OUTCOME 4 - WE MANAGE AND IMPROVE OUR BUILT ENVIRONMENT

12 PCC2025-234 Nepean Riverbank Rehabilitation

94 RESOLVED on the MOTION of Councillor Robin Cook seconded Councillor Sue Day

That:

1. The information contained in the report on PCC2025-234 Nepean Riverbank Rehabilitation be received
2. The tender from Budget Demolition & Excavation Pty Ltd, for the amount of \$595,515.75 (excluding GST) be accepted to undertake Nepean Riverbank Rehabilitation, Penrith.
3. The General Manager be authorised to sign all necessary legal documents in relation to this matter.
4. 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.

13 PCC2025-266 Strauss Road Childcare Refurbishment

95 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor Sue Day

That:

1. The information contained in the report on PCC2025-266 Strauss Road Childcare Refurbishment be received.
2. Council decline to accept any tenders received for PCC2025-266 Strauss Road Childcare Refurbishment.

14 Naming of Reserve - Dorothy Radford Reserve, St Clair

96 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Sabbie Kaur

That:

1. The information contained in the report on Naming of Reserve - Dorothy Radford Reserve, St Clair be received.
2. Council endorse the naming of the reserve at 7 Daniel Parade, St Clair, Lots 67/DP255903, 6&7/DP701992, 105/DP811555, 56/DP260495, 400/DP261488, 1/DP773512 & 2230/DP872682, as Dorothy Radford Reserve and advice be provided to the Geographical Names Board in this regard to enable the official gazetting.
3. A sign denoting the reserve name be installed.

OUTCOME 5 - WE HAVE OPEN AND COLLABORATIVE LEADERSHIP**16 River Road, Emu Plains Low Level Footpath Grant Funding - Great River Walk**

97 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Reece Nuttall

That:

1. The information contained in the report on River Road, Emu Plains Low Level Footpath Grant Funding - Great River Walk be received

2. Council accepts the funding offer of \$4,806,456.37 from NSW Public Works noting the full project cost of \$5,049,148.76
3. Council funds the co-contribution cost of \$242,692.39 to complete the repairs.

17 Pecuniary Interest First Returns - Designated Persons

98 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Reece Nuttall

That:

1. The information contained in the report on Pecuniary Interest First Returns - Designated Persons be received.
2. All Pecuniary Interest First Returns lodged be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009* subject to appropriate redactions.

18 Engagement of independent reviewer to facilitate General Manager's performance reviews 2025-29

99 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Reece Nuttall

That:

1. The information contained in the report on Engagement of independent reviewer to facilitate General Manager's performance reviews 2025-29 be received.
2. Council agree to appoint an external independent consultant to facilitate the General Manager's performance review process for the 2025-26, 2026-27, 2027-28 and 2028-29 years, subject to the appropriate procurement process being carried out in accordance with Council's procurement guidelines.
3. Council delegate to the Mayor, in consultation with the Recruitment and Performance Review Panel, selection of the independent consultant.
4. Council delegate to the Recruitment and Performance Review full responsibility for the General Manager's performance management, including discussions about performance, any actions that should be taken and the determination of annual performance agreements.

19 Proposed Easements and other encumbrances- Erskine Park Urban Reinvestment Project Sites

100 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Reece Nuttall

That:

1. The information contained in the report on Proposed Easements and other encumbrances- Erskine Park Urban Reinvestment Project Sites be received,
2. Council resolves to create the encumbrances in accordance with the terms outlined in this report to Lot 35 DP 812241, Lot 148 DP 703879, Lot 2174

DP 776426, Lot 1106 & 1107 DP 709078 & Lot 102 & 104 DP 717532, Lot 3280 DP 786811, Lot 1444 DP 788282 and road dedication for road widening in accordance with the terms outlined in this report to Lot 2174 DP 776426,

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 sign all necessary legal documents in relation to this matter.

20 Amendment to the Council's 2025 Meeting Calendar

101 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Reece Nuttall

That:

1. The information contained in the report on Amendment to the Council's 2025 Meeting Calendar be received.
2. The Council's Meeting Calendar be amended to move the 23 June Ordinary meeting to the 30 June 2025.

21 Summary of Investments and Banking for the period 1 March 2025 - 31 March 2025

102 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Reece Nuttall

That:

1. The information contained in the report on Summary of Investments and Banking for the period 1 March 2025 - 31 March 2025 be received.
2. The Council's Cash Book and Bank Statements have been reconciled as at 31 March 2025.

15 Public Exhibition of Integrated Planning and Reporting Documents

103 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Reece Nuttall

That:

1. The information contained in the report on Public Exhibition of Integrated Planning and Reporting Documents be received
2. In accordance with the Local Government Act 1993 and Local Government (General) Regulation 2021, the Draft Penrith 2041+ Community Strategic Plan, Draft 2025-35 Resourcing Strategy, Draft 2025-29 Delivery Program incorporating the Draft 2025-26 Operational Plan and Draft 2025-26 Fees and Charges be placed on Public Exhibition for 28 days commencing on Thursday 1 May 2025, ending on Wednesday 28 May 2025 (inclusive).
3. The Public Exhibition arrangements are implemented as detailed in this report, and submissions from the community are invited.

URGENT BUSINESS

UB 1 Nepean Historical Society

Councillor Hollie McLean requested that an amount of \$537.50 in total be donated from voted works, to be split equally from the North and South Ward to support the cost of hiring Melrose Hall for the Nepean Historical Society's Anzac Day morning tea.

104 RESOLVED on the MOTION of Councillor Hollie McLean seconded Sue Day 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.

105 RESOLVED on the MOTION of Councillor Hollie McLean seconded Sue Day that an amount of \$537.50 in total be donated from voted works, to be split equally from the North and South Ward to support the cost of hiring Melrose Hall for the Nepean Historical Society's Anzac Day morning tea.

UB 2 Hoa Tek Chiem and Kim Heang Gau - Buzzy Bee's Burger House

Councillor Reece Nuttall requested that a total amount of \$2000 be donated from North Ward voted works, to support the funding of a memorial plaque and stone in a suitable location, to commemorate the lives of Hoa Tek Chiem and Kim Heang Gau and recognise their contribution and service to the community through their business.

106 RESOLVED on the MOTION of Councillor Reece Nuttall seconded John Thain 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.

107 RESOLVED on the MOTION of Councillor Reece Nuttall seconded John Thain that that an amount of \$2000 in total be donated from North Ward voted works, to support the funding of a memorial plaque and stone in a suitable location, to commemorate the lives of Hoa Tek Chiem and Kim Heang Gau and recognise their contribution and service to the community through their business.

Councillor John Thain left the meeting, the time being 8:13pm and did not return to the meeting.

COMMITTEE OF THE WHOLE

108 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Hollie McLean that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 8:13pm.

1 Presence of the Public

CW1 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Hollie McLean that the press and public be excluded from Committee of the Whole to deal with the following matters:

Outcome 5

2 Proposed Drainage Easement over Council Land- Lakeside Parade, Jordan Springs

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.

Having previously declared a Pecuniary Interest in *Committee of the Whole Item 3*, Councillor Glenn Gardiner left the meeting, the time being 8:15pm.

3 Council Property - New Lease - 8-10 Carinya Avenue, St Marys

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.

Councillor Glenn Gardiner returned to the meeting, the time being 8:16pm.

The meeting resumed at 8:16pm and the General Manager reported that the Committee of the Whole met at 8:13pm on Monday 28 April 2025, the following being present

His Worship the Mayor, Councillor Todd Carney, Deputy Mayor, Councillor Ross Fowler OAM and Councillors Kirstie Boerst, Robin Cook, Sue Day, Glenn Gardiner, Sabbie Kaur, Hollie McLean, Reece Nuttall, Vanessa Pollak, Faithe Skinner and Garion Thain.

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

CONFIDENTIAL BUSINESS

2 Proposed Drainage Easement over Council Land- Lakeside Parade, Jordan Springs

109 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Faithe Skinner

CW2 That:

1. The information contained in the report on Proposed Drainage Easement over Council Land- Lakeside Parade, Jordan Springs be received.
2. Council resolves to create the easement in accordance with the terms of this report to lot 20 DP1255848 74 Lakeside Parade and Lot 18 DP1255096 126 Lakeside Parade Jordan Springs and that 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 sign all necessary legal documents in relation to this matter.
3. The financial compensation received to be allocated to the Property Reserve.

3 Council Property - New Lease - 8-10 Carinya Avenue, St Marys

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

CW3 That:

1. The information contained in the report on Council Property - New Lease - 8-10 Carinya Avenue, St Marys be received
2. Council enters the proposed lease over 8-10 Carinya Avenue, St Marys on the terms and conditions detailed within this report.
3. All funds received from the lease be allocated to the Property Reserve.
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 sign all necessary legal documents in relation to this matter.

ADOPTION OF COMMITTEE OF THE WHOLE

111 RESOLVED on the MOTION of Councillor Sue Day seconded Garion Thain that the recommendation contained in the Committee of the Whole and shown as CW1, CW2 and CW3 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 8:18pm.

I certify that these 15 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 28 April 2025.

Chairperson

Date

