

**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 26 MAY 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, Edwin Mifsud, Reece Nuttall, Vanessa Pollak, Faithe Skinner, Garion Thain and John Thain.

APOLOGIES

112 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Garion Thain that the apologies for Councillor Libby Austin be accepted.

CONFIRMATION OF MINUTES - Ordinary Meeting - 28 April 2025

113 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor Faithe Skinner that the minutes of the Ordinary Meeting of 28 April 2025 be confirmed.

DECLARATIONS OF INTEREST

There were no declarations of interest.

REPORTS OF COMMITTEES

**1 Reports and Recommendations of the Heritage Advisory Committee
Meeting held on 23 April 2025**

114 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Ross Fowler OAM that the recommendations contained in the Report and Recommendations of the Heritage Advisory Committee meeting held on 23 April, 2025 be adopted.

**2 Report and Recommendations of the Local Traffic Committee
Meeting held on 5 May 2025**

115 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Ross Fowler OAM that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 5 May, 2025 be adopted.

DELIVERY PROGRAM REPORTS

OUTCOME 1 - WE PROTECT AND ENHANCE AN ECOLOGICALLY SUSTAINABLE ENVIRONMENT

1 PCC 2025-303 Jerry's Creek Biodiversity Restoration Project

116 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Hollie McLean

That:

1. The information contained in the report on RFT2025-303 Jerry's Creek Biodiversity Restoration Project be received.
2. The successful company being Blue Tongue Eco-systems Pty Ltd As Trustee For Reynolds Family Trust be awarded the tender and accepted as the approved contractor for the Jerry's Creek Biodiversity Restoration Project.
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 2 - WE ARE WELCOMING, HEALTHY, HAPPY AND CONNECTED

2 Request for Major Event Sponsorship - NSW Netball Association Limited (t/a Netball NSW)

117 RESOLVED on the MOTION of Councillor Reece Nuttall seconded Councillor Robin Cook

That:

1. The information contained in the report on Request For Major Event Sponsorship - The New South Wales Netball Association Ltd be received.
2. Council endorse an investment to the total value of \$16,250 in the form of \$10,000 (exc. GST) in direct financial sponsorship plus \$6,250 (exc. GST) of in-kind services to New South Wales Netball Association Ltd for the 2025 HART Junior State Titles.

3 Request for Major Event Sponsorship - USM Events Pty Ltd (t/a IRONMAN Australia)

118 RESOLVED on the MOTION of Councillor Reece Nuttall seconded Councillor Robin Cook

That:

1. The information contained in the report on Request for Major Event Sponsorship - USM Events Pty Ltd (t/a IRONMAN Australia) be received.
2. Council endorse sponsorship funding of \$6,200 (exc. GST) comprising \$5,000 (exc. GST) in cash and \$1,200 (exc. GST) of in-kind services to USM Events Pty Ltd (t/a IRONMAN Australia) in support of the 2025 IRONMAN 70.3 Western Sydney event.

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

119 RESOLVED on the MOTION of Councillor Reece Nuttall seconded Councillor Robin Cook

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. Council note that the following current Alcohol Prohibited Areas locations are still under review:
 - Open space and sporting ovals bounded by Oxford Street, Barry Street, Eton Road and College Street, Cambridge Park.
 - Poplar Park, Poplar Street, North St Marys.
 - The public space known as 'Werrington Creek Park' surrounded by Victoria Street, Cottage Street, Burton Street, Herbert Street and Shaw Street, including Werrington Lake, Harold Corr Oval and Shaw Park, Werrington.
4. Alcohol-Free signage be updated at relevant locations as required.

OUTCOME 3 - WE PLAN AND SHAPE OUR GROWING CITY

5 Finalisation of S.7.11 Development Contributions Plan for Glenmore Park Stage 3

120 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor Sabbie Kaur

That:

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

4. Council endorses the *Glenmore Park Stage 3 S.7.11 Contributions Plan (Amendment 1)* as provided at Attachment 2, be placed on public exhibition in accordance with Council's *Community Participation Plan* and the *Environmental Planning and Assessment Regulation 2021*.
5. A further report be prepared for Council following public exhibition of the draft amendments, if submissions are received, for Council to consider those submissions
6. Council authorise the General Manager make any minor amendments (e.g. typographic errors, incorrect clause references, incorrect dates, incorrect table references, and the like) to the draft CP prior to exhibition, where necessary.

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 Edwin Mifsud
Councillor Reece Nuttall
Councillor Vanessa Pollak
Councillor Faithe Skinner
Councillor Garion Thain

OUTCOME 4 - WE MANAGE AND IMPROVE OUR BUILT ENVIRONMENT**6 PCC2025-155 Security Trade and Technology Tender**

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

That:

1. The information contained in the report on PCC2025-155 Security Trade and Technology Tender be received.
2. Council endorse a panel of security trade and technology providers as outlined in this report, those being:
 - Piekar Comm Services Pty Ltd [ABN: 26 618 736 299]
 - ARA Security Services Pty Ltd [ABN: 23 063 676 415]
 - Wilson Security Pty Ltd [ABN: 90 127 406 295]
3. This panel will operate as follows:
 - Piekar Comm Services Pty Ltd to be provided first opportunity for all works less than \$20,000 (inc GST) in value and emergency works.
 - All panel members will be provided an opportunity for works between the value of \$20,000 and \$250,000 (inc GST).

- Any works over \$250,000 (inc GST) will be subject to legislative requirements and may include a separate tender process of a selective tendering process.
 - The contract period will be three years with a one year + one year extension option.
4. That 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
 5. The General Manager be authorised to sign all necessary legal documents in relation to this matter.

7 PCC2025-259 Uneven Terrain Mowing and Clearing

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

That:

1. The information contained in the report on PCC2025-259 Uneven Terrain Mowing and Clearing be received.
2. Envirocivil Pty Ltd be appointed as the preferred contractor for the provision of Uneven Terrain Mowing and Clearing services for a period of three (3) years with an option to extend two (2) x one (1) year periods, by mutual agreement, subject to satisfactory performance and allowing for rise and fall provisions.
3. Asplundh Tree Expert (Australia) Pty Ltd T/A Summit Open Space Services be appointed as the secondary contractor, to be engaged in the event that the preferred contractor is unable to provide the required service.
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.
5. The General Manager be authorised to sign all necessary legal documents in relation to this matter.

OUTCOME 5 - WE HAVE OPEN AND COLLABORATIVE LEADERSHIP

8 Organisational Financial Review - March 2025

123 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Sabbie Kaur

That:

1. The information contained in the report on Organisational Financial Review - March 2025 be received.
2. The Organisational and Financial Review as at 31 March 2025, including the revised estimates outlined in this report and detailed in the *Organisational Report – March 2025*, be adopted.
3. Council revoke the works as detailed in the Recommended Revoted Works Lists, detailed in the *Organisational Report – March 2025* for inclusion in the 2025-26 Operational Plan.

4. The third quarter surplus of \$517,230 be transferred to the Financial Management Reserve as detailed in the *Organisational Report – March 2025*.

9 PCC2025-300 Telecommunication Portfolio Management

124 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Sabbie Kaur

That:

1. The information contained in the report on PCC2025-300 Telecommunication Portfolio Management be received.
2. The tender from Total Site Solutions Pty Ltd be accepted for PCC2025-300 Telecommunication Portfolio Management.
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.

10 Debt Write off Report

125 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Sabbie Kaur

That:

1. The information contained in the report on Debt Write off Report be received.
2. The four accounts totalling \$16,084.06 as outlined in the table in the Debt Write off Report at the Ordinary Meeting on 26 May 2025 be written off as irrecoverable.

11 The Local Government Remuneration Tribunal Determination for Mayor and Councillors for 2025-2026

126 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Sabbie Kaur

That:

1. The information contained in the report on The Local Government Remuneration Tribunal Determination for Mayor and Councillors for 2025-2026 be received.
2. The fees payable to the Mayor and Councillors for 2025-26 be set at the maximum level permitted as determined by the Local Government Remuneration Tribunal.

12 PCC2025-236 GPS Telematics Monitoring Services

127 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Sabbie Kaur

That:

1. The information contained in the report on PCC2025-236 GPS Telematics Monitoring Services be received.
2. A new five (5) year contract, with an option to extend for a further two (2) x one (1) year periods (subject to satisfactory performance), be awarded to Netstar Australia Pty Ltd for the provision of GPS Telematics Monitoring Services in accordance with the terms and conditions of the Tender.
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.

13 Audit Risk & Improvement Committee

128 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Sabbie Kaur that the information contained in the report on Audit Risk & Improvement Committee be received.

14 Summary of Investments and Banking for the period 1 April 2025 - 30 April 2025

129 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Sabbie Kaur

That:

1. The information contained in the report on Summary of Investments and Banking for the period 1 April 2025 - 30 April 2025 be received.
2. The Council's Cash Book and Bank Statements have been reconciled as at 30 April 2025.

URGENT BUSINESS

UB 1 Nepean Business Network Annual Event

Reece Nuttall requested that \$1,000 out of each wards Voted Works (with a total of \$3,000) to go directly to The Haven to support NBN's annual event to raise money for this important charity.

130 RESOLVED on the MOTION of Councillor Reece Nuttall seconded Councillor 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.

131 RESOLVED on the MOTION of Councillor Reece Nuttall seconded Councillor John Thain that \$1,000 out of each wards Voted Works (with a total of \$3,000) to go directly to The Haven to support NBN's annual event to raise money for this important charity.

UB 2 Metro

Councillor John Thain requested that a report be brought back to Council regarding the need for an express service from the proposed metro station in St Marys to the Blue Mountains and to the city.

132 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Sabbie Kaur that this 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.

133 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Sabbie Kaur that a report be brought back to Council regarding the need for an express service from the proposed metro station in St Marys to the Blue Mountains and to the city.

UB 3 City of Aberdeen, Scotland

Councillor John Thain requested that Council write to the Aberdeen City Council to give congratulations for their success in winning the Scottish Cup.

134 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Garion Thain that this 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.

135 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Garion Thain that Council write to the Aberdeen City Council to give congratulations for their success in winning the Scottish Cup.

COMMITTEE OF THE WHOLE

136 RESOLVED on the MOTION of Councillor Glenn Gardiner seconded Councillor Faithe Skinner that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 7:12pm.

1 Presence of the Public

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

Outcome 5**2 Council Property - New Lease - 118-120 Henry 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.

3 Proposed sale of Council owned land located in Werrington

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.

4 Partial Extinguishment of Drainage Easement Cook Park, Wilson Street 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.

5 Proposed Partial Land Acquisitions and Dedications for the Coreen Avenue Intersection Upgrade Project

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.

6 Compulsory Acquisition of Council Land - Mulgoa Road Upgrade Stage 2

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.

7 Debt Write off Report - 8 Donohoes Avenue Mulgoa

This item has been referred to Committee of the Whole as the report refers to discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

The meeting resumed at 7:37pm and the General Manager reported that the Committee of the Whole met at 7:12pm on Monday 26 May, 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, Edwin Mifsud, Reece Nuttall, Vanessa Pollak, Faithe Skinner, Garion Thain 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

Councillor Robin Cook left the meeting, the time being 7:28pm, and returned at 7:33pm.

2 Council Property - New Lease - 118-120 Henry Street, Penrith

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

CW2 That:

1. The information contained in the report on Council Property - New Lease - 118-120 Henry Street, Penrith be received.
2. Council enters the proposed lease over 118-120 Henry Street, Penrith 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.

3 Proposed sale of Council owned land located in Werrington

138 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain

CW3 That:

1. The information contained in the report on Proposed sale of Council owned land located in Werrington be received.
2. Council approves the sale as per the terms and conditions listed within this report.
3. 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.

4 Partial Extinguishment of Drainage Easement Cook Park, Wilson Street St Marys.

139 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Ross Fowler OAM

CW4 That:

1. The information contained in the report be received.
2. The Council consent to the partial extinguishment of the drainage easement over Council land at Lot 102 DP 618270, known as part of Cook Park, Wilson Street, St Marys as outlined in this report.
3. The extinguishment be undertaken in accordance with the terms of this report, and that the Common Seal of the Council of the City of Penrith be affixed to all required documents
4. The General Manager (or their delegate) be authorised to sign all necessary legal documents in relation to this matter.

5 Proposed Partial Land Acquisitions and Dedications for the Coreen Avenue Intersection Upgrade Project

140 RESOLVED on the MOTION of Councillor Robin Cook seconded Councillor Sabbie Kaur

CW5 That:

1. The information contained in the report on Proposed Land Acquisitions and Dedication - Coreen Avenue Intersection Upgrades Project be received.
2. Council endorses the commencement of discussions with affected landowners in relation to the Coreen Avenue Upgrade project and required partial land acquisition affecting their property.
3. Council dedicates the parts of Lot 1 DP 242543 on DP 1316795 and Lot 50 DP1115528 on DP1295619 as identified within this report as public road in accordance with Section 47F (2) (a) of the Local Government Act and Section 9 of the Roads Act.
4. The Common Seal of the Council of the City of Penrith be affixed to all documents as required, and the General Manager be authorised to sign all necessary legal documents in relation to this matter.

6 Compulsory Acquisition of Council Land - Mulgoa Road Upgrade Stage 2

141 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Ross Fowler OAM

CW6 That:

1. The information contained in the report on Compulsory Acquisition of Council Land - Mulgoa Road Upgrade Stage 2 be received.
2. Council provides concurrence to the Compulsory Acquisition of the land as detailed within this report under the Land Acquisition (Just Terms Compensation) Act 1991.
3. Council accepts the offer of compensation as outlined in this report.
4. The proceeds from the acquisition be retained in the Property Reserve to fund future property projects.
5. 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.

7 Debt Write off Report - 8 Donohoes Avenue Mulgoa

142 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Hollie McLean

CW7 That:

1. The information contained in the report on Debt Write off Report - 8 Donohoes Avenue Mulgoa be received.
2. Council write off \$17,500 from the Rates Account 632926 for Stanley J McCann & Eunice R McCann & Richard J McCann at 8 Donohoes Avenue Mulgoa as outlined in this report.

ADOPTION OF COMMITTEE OF THE WHOLE

143 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor Sabbie Kaur that the recommendation contained in the Committee of the Whole and shown as CW1, CW2, CW3, CW4, CW5, CW6 and CW7 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 7:44pm.

I certify that these 12 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 26 May 2025.

Chairperson

Date