

**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 30 JUNE 2025 AT 7:00PM**

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 – IN PERSON

His Worship the Mayor, Councillor Todd Carney, Deputy Mayor, Councillor Ross Fowler OAM and Councillors Libby Austin, 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

There were no apologies.

CONFIRMATION OF MINUTES - Ordinary Meeting - 26 May 2025

79 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor Reece Nuttall that the minutes of the Ordinary Meeting of 26 May 2025 be confirmed.

DECLARATIONS OF INTEREST

Councillor Hollie McLean declared a Pecuniary Conflict of Interest in *Item 4 - PP-2025-356 Harvey Norman Penrith Homemaker Centre*, as she has a family member who works in management at one of the tenant organisations. Councillor Hollie McLean stated that she would leave the meeting during consideration of this item and would not take part in voting or discussion on this matter.

Councillor Ross Fowler OAM declared a Pecuniary Conflict of Interest in *Item 5 - Penrith CBD Corporation and St Marys Town Centre Corporation - 2025-2026 Business Plan*, as he is the auditor for Penrith CBD Corporation. Councillor Ross Fowler stated that he would leave the meeting during consideration of this item and would not take part in voting or discussion on this matter.

Councillor Glenn Gardiner declared a Pecuniary Conflict of Interest in *Item 2 - Draft Rickabys Creek Catchment Flood Study for Public Exhibition*, as he owns land in the affected area. Councillor Glenn Gardiner submitted a form of special disclosure for Pecuniary Interests as the land in question is his principal place of residence.

Councillor Garion Thain declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 5 - Penrith CBD Corporation and St Marys Town Centre Corporation - 2025-2026 Business Plans*, as he is on the St Marys Town Centre Board as Council's Representative. Councillor Garion Thain stated that he would not take part in voting or discussion on this matter.

Councillor Reece Nuttall declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 5 - Penrith CBD Corporation and St Marys Town Centre Corporation - 2025-2026 Business Plans*, as he is on the Penrith CBD Centre Board as Council's Representative.

MAYORAL MINUTES

1 Council receives awards for excellence

Deputy Mayor Ross Fowler OAM and Councillors John Thain and Hollie McLean spoke in support of this Mayoral Minute.

145 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Ross Fowler OAM that the Mayoral Minute on Council receives awards for excellence be received.

2 Locals recognised in King's Birthday Honours List

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

146 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Ross Fowler OAM that the Mayoral Minute on Locals recognised in King's Birthday Honours List be received.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Local Traffic Committee Meeting held on 2 June 2025

147 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 2 June, 2025 be adopted.

2 Report and Recommendations of the Access Committee Meeting held on 4 June 2025

148 RESOLVED on the MOTION of Councillor Faithe Skinner seconded Councillor Libby Austin that the recommendations contained in the Report and Recommendations of the Access Committee meeting held on 4 June, 2025 be adopted.

DELIVERY PROGRAM REPORTS

OUTCOME 1 - WE PROTECT AND ENHANCE AN ECOLOGICALLY SUSTAINABLE ENVIRONMENT

1 Peach Tree and Lower Surveyors Creeks Catchment Floodplain Risk Management Study and Plan

149 RESOLVED on the MOTION of Councillor Glenn Gardiner seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on Peach Tree and Lower Surveyors Creeks Catchment Floodplain Risk Management Study and Plan be received.
2. The Peach Tree and Lower Surveyors Creeks Catchment Floodplain Risk Management Study and Plan, May 2025 (Final) be adopted.
3. The Peach Tree and Lower Surveyors Creeks Catchment Floodplain Risk Management Study and Plan, May 2025 (Final) be published and made available on Council's website.
4. Council further consider the recommended mitigation works in the Peach Tree and Lower Surveyors Creeks Catchment Floodplain Risk Management Study and Plan, May 2025 (Final) for inclusion in future Capital Works Programs and for grant funding applications.
5. Council write to those who made submissions during the public exhibition period advising of Council's resolution.
6. Council write to relevant State and Federal Members of Parliament advising them of the adoption of the Peach Tree and Lower Surveyors Creeks Catchment Floodplain Risk Management Study and Plan, May 2025 and thanking them for their continued support of Council's Floodplain Management program.

2 Draft Rickabys Creek Catchment Flood Study for Public Exhibition

150 RESOLVED on the MOTION of Councillor Glenn Gardiner seconded Councillor Libby Austin

That:

1. The information contained in the report on Draft Rickabys Creek Catchment Flood Study for Public Exhibition be received.
2. The draft Rickabys Creek Catchment Flood Study, June 2025 be endorsed to be placed on exhibition for public comment.
3. A further report be presented to Council on the results of the public exhibition addressing any submissions received during the exhibition period.

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

3 Re-establishment of reviewed Alcohol Prohibited Areas

151 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Libby Austin

That:

1. The information contained in the report on Re-establishment of reviewed Alcohol Prohibited Areas be received.
2. Council endorses the change in time-restrictions to 10.00pm – 8.00am of the below Alcohol Prohibited Areas effective for the four-year period from 1 July 2025 to 30 June 2029.
 - a. Open space and sporting ovals bounded by Oxford Street, Barry Street, Eton Road and College Street, Cambridge Park.
 - b. Poplar Park, Poplar Street, North St Marys.
 - c. 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.
3. Alcohol-Free signage be updated at relevant locations as required.

Having previously declared a Pecuniary Conflict of Interest, Councillor Hollie McLean left the meeting, the time being 7:33pm.

OUTCOME 3 - WE PLAN AND SHAPE OUR GROWING CITY

4 PP-2025-356 Harvey Norman Penrith Homemaker Centre

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

That:

1. The information contained in the report on PP-2025-356 Harvey Norman Penrith Homemaker Centre be received.
2. Council endorse the Planning Proposal and its supporting Appendices provided as enclosures to this report to be forwarded to the Minister for Planning with a request to issue a Gateway Determination. The submission will include a request to issue Council with Delegation for plan making authority.
3. The General Manager be granted delegation to make any necessary changes to the Planning Proposal referred to in resolution 2:
 - prior to Council's submission of the Planning Proposal to the Minister for Planning to request a Gateway Determination;
 - as a result of negotiated changes sought by the Department of Planning, Housing and Infrastructure in the lead up to issuing a Gateway Determination; and
 - prior to public exhibition in response to the conditions of the Gateway Determination or negotiation with State agencies.
4. Council publicly exhibits the Planning Proposal for a period specified in the Gateway Determination and in accordance with the community consultation requirements of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.
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
Councillor Libby Austin
Councillor Kirstie Boerst
Councillor Robin Cook
Councillor Glenn Gardiner
Councillor Sabbie Kaur
Councillor John Thain
Councillor Edwin Mifsud
Councillor Reece Nuttall
Councillor Vanessa Pollak
Councillor Faithe Skinner
Councillor Garion Thain
Councillor Sue Day

Councillor Hollie McLean returned to the meeting, the time being 7:35pm.

Having previously declared a Pecuniary Conflict of Interest, Councillor Ross Fowler OAM left the meeting, the time being 7:35pm.

5 Penrith CBD Corporation and St Marys Town Centre Corporation - 2025-2026 Business Plans

153 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Robin Cook that the information contained in the report on Penrith CBD Corporation and St Marys Town Centre Corporation - 2025-2026 Business Plans be received.

Councillor Ross Fowler OAM returned to the meeting, the time being 7:36pm.

6 Request for Major Event Sponsorship - NSW State Band Championships 2025

154 RESOLVED on the MOTION of Councillor Reece Nuttall seconded Councillor Faithe Skinner

That:

1. The information contained in the report on Request for Major Event Sponsorship - NSW State Band Championships 2025 be received.
2. Council endorse sponsorship of \$9,000 (exc. GST) to the Band Association of NSW Incorporated in support of the 2025 NSW State Band Championships.

7 Advocacy for existing Blue Mountains and City express train services to stop at St Marys

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

That:

1. The information contained in the report on Advocacy for existing Blue Mountains and City express train services to stop at St Marys be received.
2. The Mayor write to the following, emphasising the urgency and importance of adding a stop at St Marys to existing Blue Mountains and City express services, and seeking their commitment to collaborate with Council on this matter:
 - i. The Deputy Premier the Hon. Prue Car MP in her capacity as Member for Londonderry,
 - ii. The Acting Minister for Western Sydney, the Hon. Courtney Houssos MLC,
 - iii. The Minister for Transport, the Hon. John Graham MLC, and
 - iv. the Opposition counterparts and Federal Ministers.

OUTCOME 4 - WE MANAGE AND IMPROVE OUR BUILT ENVIRONMENT

8 Extend existing contract - InEight Software Licence

156 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Libby Austin

That:

1. The information contained in the report on Extending existing contract – InEight software licence be received.
2. In accordance with section 55(3)(i) of the Local Government Act 1993 NSW, Council resolve that a satisfactory result would not be achieved by inviting fresh tenders due to extenuating circumstances.
3. Council award the contract extension to InEight Pty Ltd for a period of two years with a possible one-year extension.
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.

9 NSW Government 'Get NSW Active' 2025-26 Financial Year and 'Safe Speeds Program' - Acceptance of Grant Funds

157 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Libby Austin

That:

1. The information contained in the report on NSW Government 'Get NSW Active' 2025-26 Financial Year and 'Safe Speeds Program' - Acceptance of Grant Funds be received.
2. Council acknowledge acceptance of grant funding of up to \$1,160,200 offered under the Get NSW Active Program 2025/26, as listed in Table 1 of this report.
3. Council acknowledge acceptance of an additional \$250,000 in grant funding to cover an expanded scope of works for the Thornton project,

offered under the State Government's Safe Speeds in High Pedestrian Activity Areas Program.

4. Council write to the Local State Members thanking them for their ongoing support and continued funding of active transport and road safety initiatives.

OUTCOME 5 - WE HAVE OPEN AND COLLABORATIVE LEADERSHIP

11 Draft Councillor Expenses and Facilities Policy

158 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Faithe Skinner

That:

1. The information contained in the report on Draft Councillor Expenses and Facilities Policy be received.
2. Council publicly exhibit the draft Councillor Expenses and Facilities Policy, providing a minimum period of 28 days for community consultation and submissions.
3. A further report be presented to an Ordinary Meeting of Council at the conclusion of the exhibition period.

12 Summary of Investments and Banking for the period 1 May 2025 - 31 May 2025

159 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Faithe Skinner

That:

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

10 Adoption of the Penrith 2041+ Community Strategic Plan, the 2025-29 Delivery Program incorporating the 2025-26 Operational Plan, the 2025-26 Fees and Charges and the 2025-35 Resourcing Strategy

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

That:

1. The information contained in the report on the Adoption of the Penrith 2041+ Community Strategic Plan, the 2025-29 Delivery Program incorporating the 2025-26 Operational Plan, the 2025-26 Fees and Charges and the 2025-35 Resourcing Strategy be received.
2. In accordance with the Local Government Act 1993 Sections 402-406 and the Local Government (General) Regulation 2021, Council endorse the *Penrith 2041+ Community Strategic Plan*, and adoption of the *2025-35 Resourcing Strategy, 2025-29 Delivery Program and 2025-26 Operational*

Plan (Including 2025-26 Fees & Charges), including proposed changes outlined in this report, and any amendments made at tonight's meeting.

3. Council adopt the following to make the Rates, Charges and Pensioner Rebates for 2025-26:
 - a. **Ordinary Rate:** Council make its Residential, Business and Farmland rates for 2025-26 in accordance with Section 535 of the Local Government Act 1993 as follows:

Category	Minimum Amount	Ad Valorem
Residential	\$1,305.00	0.002196
Residential – Rural Area <i>(A Residential sub-category to apply to any property categorised as Residential, and located within the suburbs of Agnes Banks, Badgerys Creek, Berkshire Park, Castlereagh, Kemps Creek, Llandilo, Londonderry, Luddenham, Mount Vernon, Mulgoa, Orchard Hills, Wallacia)</i>	\$1,305.00	0.0015372
Residential – Rural Residential 2 to 40 Hectares <i>(A Residential sub-category to apply to any property categorised as Residential, between 2 and 40 hectares in size, contains a dwelling and is zoned for non-urban purposes)</i>	\$1,305.00	0.0015372
Farmland	\$1,305.00	0.001098
Business	\$1,630.45	0.002839
Business – Penrith CBD	\$1,630.45	0.00461
Business – St Marys Town Centre	\$1,630.45	0.004236

- b. **Stormwater Charges:** Council make its Stormwater Management Service charge to be applied on all urban residential and urban business land as outlined in the report.
- c. **Domestic Waste Charges:** Council make its Domestic Waste Service charge in accordance with Section 496 of the Local Government Act 1993 and the 2025-26 Operational Plan and 2025-26 Fees & Charges.
- d. **Effluent Charges:** Council make its annual charge for effluent removal services as outlined in the report and the 2025-26 Operational Plan and 2025-26 Fees & Charges.

- e. **Pensioner Rebates:** Council will provide a mandatory pension rebate to a maximum of \$250 for eligible pensioners in accordance with Section 575 of the Local Government Act 1993. In addition to the mandatory pensioner rebate, Council will continue a voluntary rebate under Section 582 of the Local Government Act 1993. The voluntary rebate will be equivalent to the annual stormwater charge applicable to the property. Properties that do not receive a Stormwater Management Service Charge will not receive a voluntary rebate. Pro-rata calculations will be applied to rebates that start or cease within the financial year according to Sections 575 and 584 of the Local Government Act 1993.
- f. **Service of Rate Notices:** The General Manager be authorised to prepare and serve Rates and Charges Notices for and on behalf of Council.
- g. **Hardship assistance:** Council will allow hardship assistance where a private (non-company) ratepayer with a Farmland or Residential property who receives a rates increase greater than 20% and greater than \$1,000 as a result of their valuation increase, and where they can demonstrate hardship as a result of the increase. The assistance will allow the ratepayer to apply to defer payment of the increased amount (above what they paid in 2024-25) for a period of up to two years. The deferment applies to the first year increase only with payment of the deferred amount to be paid by 30 June 2027 or upon settlement if the property is sold within this time. Additionally, any interest that accrues on the deferred amount will be waived until 30 June 2027.

URGENT BUSINESS

UB 1 Leave of Absence

Councillor Kirstie Boerst requested a Leave of Absence from 28 July to 1 August 2025 inclusive.

161 RESOLVED on the MOTION of Councillor Kirstie Boerst seconded Hollie McLean 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.

162 RESOLVED on the MOTION of Councillor Kirstie Boerst seconded Hollie McLean that Councillor Kirstie Boerst be granted Leave of Absence from 28 July to 1 August inclusive.

UB 2 Commercial Matter

Councillor Hollie McLean stated that she had a matter of urgent business to raise and requested that it be referred to Committee of the Whole as it 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.

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

UB 3 Our Community Cares - High Tea Fundraiser

Councillor Robin Cook requested that an amount of \$450 be split equally from each ward's Voted Works to purchase a table of ten at the Our Community Cares High Tea Fundraiser.

163 RESOLVED on the MOTION of Councillor Robin Cook 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.

164 RESOLVED on the MOTION of Councillor Robin Cook seconded Sue Day that an amount of \$450 be split equally from each wards Voted Works to purchase a table of ten at the Our Community Cares High Tea Fundraiser.

UB 4 Marquee and Trestle Tables - Team Colyton

Councillor Garion Thain requested that an amount of \$1693 from East Wards Voted Works be donated to fund marquee and trestle tables for Team Colyton's Local Community Group.

165 RESOLVED on the MOTION of Councillor Garion Thain seconded Libby Austin that the matter was urgent and should be dealt with at the meeting.

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

166 RESOLVED on the MOTION of Councillor Garion Thain seconded Libby Austin that an amount of \$1693 from East Wards Voted Works be donated to fund marquee and trestle tables for Team Colyton's Local Community Group.

COMMITTEE OF THE WHOLE

167 RESOLVED on the MOTION of Councillor Libby Austin seconded Councillor Faithe Skinner that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 8:00pm.

1 Presence of the Public

CW1 RESOLVED on the MOTION of Councillor Libby Austin 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 - 42 Bruce Neale Drive, 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 Council Property - New Lease - Regatta Park Kiosk

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 8:18pm and the General Manager reported that the Committee of the Whole met at 8:00pm on Monday 30 June 2025, the following being present

His Worship the Mayor, Councillor Todd Carney, Deputy Mayor, Councillor Ross Fowler OAM and Councillors Libby Austin, 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

2 Council Property - New Lease - 42 Bruce Neale Drive, Penrith

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

CW2 That Council defer consideration of the matter, pending a further report to Council.

3 Council Property - New Lease - Regatta Park Kiosk

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

CW3 That:

1. The information contained in the report on Council Property - New Lease - Regatta Park Kiosk be received
2. Council commence the advertising process for a new 5-year lease over 34 Great Western Highway, Emu Plains in accordance with Section 47A of the Local Government Act 1993.
3. Upon completion of the advertising process, Council enters the proposed lease over 34 Great Western Highway, Emu Plains on the terms and conditions detailed within this report
4. All funds received from the lease be allocated to the Property Reserve.
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.

ADOPTION OF COMMITTEE OF THE WHOLE

170 RESOLVED on the MOTION of Councillor Libby Austin seconded Councillor Sue Day 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 8:21pm.

I certify that these 12 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 30 June 2025.

Chairperson

Date