

**CONFIRMED MINUTES
OF THE ORDINARY MEETING OF PENRITH CITY COUNCIL
HELD REMOTELY USING AUDIO VISUAL LINKS, VIDEO STREAMED ON THE
COUNCIL WEBSITE AND IN THE COUNCIL CHAMBERS
ON MONDAY 21 JULY 2025 AT 7:00 PM**

NATIONAL ANTHEM

The meeting opened with the National Anthem.

WEBCASTING STATEMENT

Deputy Mayor, Councillor Ross Fowler OAM read a statement advising that Council Meetings are recorded and webcast.

ACKNOWLEDGEMENT OF COUNTRY

Deputy Mayor, Councillor Ross Fowler OAM read an Acknowledgement of Country.

PRAYER

The Council Prayer was read by Rev Christine Bayliss-Kelly.

LEAVE OF ABSENCE

172 RESOLVED on the MOTION of Councillor Faithe Skinner seconded Councillor John Thain that Councillor Sue Day be granted leave of absence for the 11 August Policy Review Committee Meeting.

PRESENT

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

173 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Garion Thain that the apologies for Councillor Todd Carney be accepted.

CONFIRMATION OF MINUTES - Ordinary Meeting - 30 June 2025

174 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor Sabbie Kaur that the minutes of the Ordinary Meeting of 30 June 2025 be confirmed.

DECLARATIONS OF INTEREST

Councillor Ross Fowler OAM declared a Non-Pecuniary Conflict of Interest – Significant in *Item 1 - PP&VA Annual Report 2023-24 and Update*, as he is on the Penrith Performing & Visual Arts Board as Council's Representative. Councillor Ross Fowler OAM stated that he would leave the meeting during consideration of this item and would not take part in voting or discussion on this item.

Councillor Robin Cook declared a Non-Pecuniary Conflict of Interest – Significant in *Item 1 - PP&VA Annual Report 2023-24 and Update*, as she is on the Penrith Performing & Visual Arts Board as Council's Representative. Councillor Robin Cook stated that she would leave the meeting during consideration of this item and would not take part in voting or discussion on this item.

Councillor Kirstie Boerst declared a Non-Pecuniary Conflict of Interest – Significant in *Item 1 - PP&VA Annual Report 2023-24 and Update*, as she is on the Penrith Performing & Visual Arts Board as Council's Representative. Councillor Kirstie Boerst stated that she would leave the meeting during consideration of this item and would not take part in voting or discussion on this item.

MAYORAL MINUTES

1 Passing of Greg Evans

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

175 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain that the Mayoral Minute on Passing of Greg Evans be received.

SUSPENSION OF STANDING ORDERS

176 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Garion Thain that Standing Orders be suspended to allow members of the public to address the meeting, the time being 7:10pm.

Mr Bernard Bratusa

Mayoral Minute Item 1 - Passing of Greg Evans

Former Councillor Bernard Bratusa responded to the Mayoral Minute.

RESUMPTION OF STANDING ORDERS

177 RESOLVED on the MOTION of Councillor Glenn Gardiner seconded Councillor Sue Day that Standing Orders be resumed, the time being 7:14pm.

2 Resignation of Lachlan Shire Council's General Manager, Greg Tory

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

178 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain that the Mayoral Minute on Resignation of Lachlan Shire Council's General Manager, Greg Tory be received.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Policy Review Committee held on 23 June 2025

179 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor Sue Day that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 23 June, 2025 be adopted.

**2 Report and Recommendations of the Local Traffic Committee
Meeting held on 7 July 2025**

180 RESOLVED on the MOTION of Councillor Robin Cook seconded Councillor Sabbie Kaur that the recommendations contained in the Report and Recommendations of the Local Traffic Committee meeting held on 7 July, 2025 be adopted.

**3 Report and Recommendations of the Heritage Advisory Committee
Meeting held on 18 June 2025**

181 RESOLVED on the MOTION of Councillor Libby Austin seconded Councillor Garion Thain that the recommendations contained in the Report and Recommendations of the Heritage Advisory Committee meeting held on 18 June, 2025 be adopted.

DELIVERY PROGRAM REPORTS

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

Having previously declared a Non-Pecuniary Conflict of Interest – Significant in Item 1, Councillors Robin Cook and Kirstie Boerst left the meeting, the time being 7:20pm.

Having previously declared a Non-Pecuniary Conflict of Interest – Significant in Item 1, Deputy Mayor Ross Fowler OAM called for nominations for a Chairperson.

Councillor John Thain was nominated to Chair the meeting for consideration of Item 1.

Procedural Motion

182 RESOLVED on the MOTION of Councillor Sue Day seconded Councillor Hollie McLean that Councillor John Thain take the Chair for consideration of Item 1.

Deputy Mayor, Councillor Ross Fowler OAM vacated the Chair and left the meeting, the time being 7:20pm.

Councillor John Thain took the Chair, the time being 7:20pm.

1 PP&VA Constitution

183 RESOLVED on the MOTION of Councillor Faithe Skinner seconded Councillor Libby Austin

That:

1. The information contained in the report on PP&VA Constitution be received.
2. Council resolves to approve the PP&VA Constitution in Attachment 1, subject to any minor editorial amendments.
3. Council delegates responsibility to the General Manager to finalise amendments to the PP&VA Constitution.
4. Council resolves to accept the transfer of title of all artwork in the Penrith Regional Gallery and the Lewers Bequest Collection acquired by the PP&VA.
5. The General Manager be authorised to finalise the terms of and execute a deed for the transfer of the artwork referred to in the body of this report.

Councillors Robin Cook and Kirstie Boerst returned to the meeting, the time being 7:21pm.

Councillor John Thain then vacated the Chair and Deputy Mayor, Councillor Ross Fowler OAM returned to the meeting and retook Chair, the time being 7:21pm.

2 Works on Private Land - Lot 2 DP 30354 - 66-76 Tench Avenue, Jamisontown

184 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor Reece Nuttall

That:

1. The information contained in the report on Works on Private Land - Lot 2 DP 30354 - 66-76 Tench Avenue, Jamisontown be received.
2. Council agree to the work to be undertaken on private property in accordance with the terms in the report, and that no charge be made to the owners of Lot 2 DP30354, 66-76 Tench Avenue, Jamisontown.
3. Council endorse a licence agreement between the landowners of Lot 2 DP30354, 66-76 Tench Avenue, Jamisontown and Council for the use of private land and associated works in accordance with the terms in the report, and the General Manager be delegated authority to enter into the licence agreement.

OUTCOME 3 - WE PLAN AND SHAPE OUR GROWING CITY

3 Results of Public Exhibition - Amendment to Penrith Development Control Plan 2014 - 5.2 Child Care Centres and other Housekeeping Matters

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

That:

1. The information contained in this report on Results of Public Exhibition - Amendment to Penrith Development Control Plan 2014 - 5.2 Child Care Centres and other Housekeeping Matters be received.
2. That Council adopt the draft DCP amendments to child care centres (Attachment 1), and housekeeping amendments to Chapter E7 Glenmore Park Stage 3 (Attachment 2) and Chapter E17 Orchard Hills North (Attachment 3).
3. Notice of Council's decision will be published on Council's website
4. A date for commencement of the draft amendments and specified savings provision be published on Council's website and within Part A, Section 1.8 of Penrith DCP 2024 (Attachment 4).
5. Council notifies submitters of Council's decision.
6. The General Manager be granted delegation to make any minor changes to the draft amendments to fix any errors or to make typographical corrections.

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

For	Against
Councillor Ross Fowler OAM	
Councillors Kirstie Boerst	
Councillor Robin Cook	
Councillor Sue Day	
Councillor Libby Austin	
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	

4 Planning Proposal Employment Zones Review - Results of Public Exhibition

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

That:

1. The information contained in the report on Planning Proposal Employment Zones Review - Results of Public Exhibition be received.
2. Council endorse the Planning Proposal and its supporting Appendices attached to this report as Attachment 1 and Attachment 2.
3. Council adopts the relevant amendments to Penrith Local Environmental Plan 2010 as discussed in this report and the attached Planning Proposal.
4. Council forwards the Planning Proposal and its supporting Appendices to the Minister for Planning and Public Spaces and Parliamentary Counsel's Office with a request to make the LEP amendment in accordance with the Gateway determination and under s 3.34(6) of the Act.
5. The General Manager is granted delegation to:
 - a. make any necessary minor changes to the Planning Proposal
 - b. execute all necessary documents and actions to give effect to Council's decision to make the LEP amendment.

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

For	Against
Councillor Ross Fowler OAM	
Councillors Kirstie Boerst	
Councillor Robin Cook	
Councillor Sue Day	
Councillor Libby Austin	
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

5 Affordable Rental Housing Contributions Scheme for St Marys Town Centre

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

That:

1. The information contained in the report on Affordable Rental Housing Contributions Scheme for St Marys Town Centre be received
2. That Council adopt the amended Affordable Housing Contribution Scheme at Attachment 1 and that it comes into effect when it is published on Council's website.

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

For

Against

Councillor Ross Fowler OAM
Councillors Kirstie Boerst
Councillor Robin Cook
Councillor Sue Day
Councillor Libby Austin
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 PCC2025-268 Blaxland Crossing Reserve

189 RESOLVED on the MOTION of Councillor Faithe Skinner seconded Councillor Libby Austin

That:

1. The information contained in the report on PCC2025-268 Blaxland Crossing Reserve be received
2. The tender from Axial Construction Pty Ltd for \$272,217.60 (excluding GST), be accepted to undertake the Blaxland Crossing Reserve Rehabilitation, Wallacia.

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.

7 Update - Indoor Multi-Sport Arena Project

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

That:

1. The information contained in the report on Update - Indoor Multi-Sport Arena Project be received.
2. Council resolves the engagement of NSW Public Works Advisory as the strategic delivery partner under Section 55(3)(b) of the Local Government Act 1993 for Stage 1 with the option to engage stage 2 delivery model.
3. The Contract be funded through professional Services Fees in accordance with the WSIG Funding Deed.
4. Council delegate authority to the General Manager, or their representative, to enter into the Major Consultancy Contract with NSW Public Works.

OUTCOME 5 - WE HAVE OPEN AND COLLABORATIVE LEADERSHIP

8 Summary of Investments and Banking for the period 1 June 2025 - 30 June 2025

191 RESOLVED on the MOTION of Councillor Glenn Gardiner seconded Councillor Sue Day

That:

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

URGENT BUSINESS

There was no Urgent Business.

COMMITTEE OF THE WHOLE

192 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor Libby Austin that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 7:41pm.

1 Presence of the Public

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

Outcome 5**2 Proposed Property Acquisition - 1**

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 Property Acquisition - 2

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.

Outcome 4**4 St Marys Central Park - Funding and Delivery Strategy**

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.

Outcome 5**5 Determination of Organisational Structure**

This item has been referred to Committee of the Whole as the report refers to personnel matters concerning particular individuals and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

6 General Manager's Annual Performance Review 2024-25 and Performance Measures 2025-26

This item has been referred to Committee of the Whole as the report refers to personnel matters concerning particular individuals and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

The meeting resumed at 8:05pm and the General Manager reported that the Committee of the Whole met at 7:41pm on Monday 21 July 2025, the following being present

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 Proposed Property Acquisition - 1

193 RESOLVED on the MOTION of Councillor Glenn Gardiner seconded Councillor Hollie McLean

CW2 That:

1. The information contained in the report on Proposed Property Acquisition - 1 be received.
2. Council resolves to adopt the recommendations as listed within the body of this report.

3 Proposed Property Acquisition - 2

194 RESOLVED on the MOTION of Councillor Faithe Skinner seconded Councillor Libby Austin

CW3 That:

1. The information contained in the report on Proposed Property Acquisition - 2 be received
2. Council resolve to adopt the recommendations as listed within the body of this report.

4 St Marys Central Park - Funding and Delivery Strategy

195 RESOLVED on the MOTION of Councillor Libby Austin seconded Councillor Sabbie Kaur

CW4 That:

1. The information contained in the report on St Marys Central Park - Funding and Delivery Strategy be received.
2. The recommendations in the body of this report be adopted.

5 Determination of Organisational Structure

196 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Glenn Gardiner

CW5 That

1. The information contained in the report on Determination of Organisational Structure be received.
2. Council endorses the organisational structure attached as Appendix 1 to this report.

6 General Manager's Annual Performance Review 2024-25 and Performance Measures 2025-26

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

CW6 That:

1. The information contained in the report on General Manager's Annual Performance Review 2024-25 and Performance Measures 2025-26 be received.
2. The outcomes of the General Manager's Annual Performance Review conducted on 19 June 2025 by the Recruitment and Performance Review Panel be endorsed, noting that the Panel rated the performance of the General Manager for the 2024-25 period 8 out of 10.
3. For the reasons in the preceding paragraph and in accordance with the Recruitment and Performance Review Panel's determination, the General Manager's Total Remuneration Package (TRP) be increased, pursuant to clause 8.3 of the General Manager's contract of employment, by 5% ongoing from 24 April 2025, inclusive of any 2025-26 SOORT determination (up to 5%) that would otherwise apply.

ADOPTION OF COMMITTEE OF THE WHOLE

198 RESOLVED on the MOTION of Councillor Glenn Gardiner seconded Reece Nuttall that the recommendation contained in the Committee of the Whole and shown as CW1, CW2, CW3, CW4, CW5 and CW6 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 8:10pm.

I certify that these 10 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 21 July 2025.

Chairperson

Date