**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 27 OCTOBER 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 – IN PERSON

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

His Worship the Mayor, Councillor Todd Carney acknowledged the recent passing of former Councillor, Kevin Crameri OAM. Deputy Mayor, Councillor Garion Thain and Councillors Sue Day, Glenn Gardiner, John Thain and Ross Fowler OAM also expressed their condolences.

APOLOGIES

278 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Faithe Skinner that apologies for Councillors Hollie McLean and Libby Austin be received.

CONFIRMATION OF MINUTES - Ordinary Meeting - 22 September 2025

279 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Sabbie Kaur that the minutes of the Ordinary Meeting of 22 September 2025 be confirmed.

DECLARATIONS OF INTEREST

There were no declarations of interest.

MAYORAL MINUTES

1 ICF Canoe Slalom World Championships make a splash in Penrith

Councillors Garion Thain and Ross Fowler OAM spoke in support of the Mayoral Minute.

280 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Garion Thain that the Mayoral Minute on ICF Canoe Slalom World Championships make a splash in Penrith be received.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Policy Review Committee Meeting held on 13 October 2025

281 RESOLVED on the MOTION of Councillor Robin Cook seconded Councillor Sabbie Kaur that the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 13 October, 2025 be adopted.

DELIVERY PROGRAM REPORTS

STRATEGIC DIRECTION 1 - NURTURE OUR ENVIRONMENT

1 Biodiversity Strategy

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

That:

1. The information contained in the report on draft Penrith Biodiversity Strategy 2026-2036 be received.
2. The draft Penrith Biodiversity Strategy 2026-2036 (separately enclosed) be put on public exhibition for 28 days.
3. The draft Penrith Biodiversity Strategy 2026-2036 be brough back to Council following a period of public exhibition to consider adoption.

STRATEGIC DIRECTION 3 - SHAPE OUR GROWING CITY

2 Amendment to Voluntary Planning Agreement for Orchard Hills North - Legacy Property

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

That:

1. The information contained in the report on Amendment to Voluntary Planning Agreement for Orchard Hills North - Legacy Property be received.
2. Council endorse for notification the draft deed of variation to the voluntary planning agreement for Orchard Hills North provided as Attachment 1 to this report.
3. A further report be prepared for Council following the notification of the draft deed of variation, if submissions are received that relate directly to specific matters negotiated for the VPA and amendments to the draft amendment are proposed.
4. Council endorses the draft deed of variation for execution, where no submissions are received or submissions received do not relate to specific

matters negotiated in the draft amendment, during the notification period or no amendments are proposed.

5. If the draft deed of variation is to be executed, Council authorises the General Manager to finalise and sign the deed of variation and make any minor amendments where necessary (e.g. typographic errors, incorrect clause references, dates, and the like).
6. 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 Kirstie Boerst	
Councillor Robin Cook	
Councillor Sue Day	
Councillor Sabbie Kaur	
Councillor John Thain	
Councillor Reece Nuttall	
Councillor Garion Thain	
Councillor Glenn Gardiner	
Councillor Vanessa Pollak	
Councillor Faithe Skinner	
Councillor Ross Fowler OAM	
Councillor Edwin Mifsud	

3 Planning Proposal for Alspec Industrial Business Park

284 RESOLVED on the MOTION of Councillor Reece Nuttall seconded Councillor Sabbie Kaur

That:

1. The information contained in the report on Planning Proposal for Alspec Industrial Business Park
2. Council endorse the Planning Proposal (separately enclosed) of 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 to be the local plan making authority.
3. The General Manager be granted delegation to make any necessary changes to the Planning Proposal referred to in Item 2:
   - prior to Council's submission of the Planning Proposal to the Minister for Planning and Public Spaces 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 Kirstie Boerst	
Councillor Robin Cook	
Councillor Sue Day	
Councillor Sabbie Kaur	
Councillor John Thain	
Councillor Reece Nuttall	
Councillor Garion Thain	
Councillor Glenn Gardiner	
Councillor Vanessa Pollak	
Councillor Faithe Skinner	
Councillor Ross Fowler OAM	
Councillor Edwin Mifsud	

4 Works in Kind Agreement - 155-251 Aldington Road, Kemps Creek (The Edge Estate - Frasers)

285 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Kirstie Boerst

That:

1. The information contained in the report on Works in Kind Agreement - 155-251 Aldington Road, Kemps Creek (The Edge Estate - Frasers) be received.
2. Council endorses the works in kind agreement for 155-251 Aldington Road, Kemps Creek for execution, as attached.
3. Council authorises the General Manager (or their delegate) to finalise and sign the works in kind agreement and make and minor amendments where necessary (e.g. typographic errors, incorrect clause references, dates and the like).

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 Kirstie Boerst	
Councillor Robin Cook	
Councillor Sue Day	

Councillor Sabbie Kaur
Councillor John Thain
Councillor Reece Nuttall
Councillor Garion Thain
Councillor Glenn Gardiner
Councillor Vanessa Pollak
Councillor Faithe Skinner
Councillor Ross Fowler OAM
Councillor Edwin Mifsud

5 Land Transfer for Local Open Space within Jordan Springs East (Central Precinct)

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

That:

1. The information contained in the report on Land Transfer for Local Open Space within Jordan Springs East (Central Precinct) be received.
2. Council agrees to the transfer of land and hand over / dedication of landscaping works in accordance with Development Consent Number 16/104.

6 Australian Government Black Spot Program 2026/27 and 2026/27 - 2028/29 Towards Zero Safer Roads Program (TZSRP) Funding Nominations

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

That:

1. The information contained in the report on Australian Government Black Spot Program 2026/27 and 2026/27 - 2028/29 Towards Zero Safer Roads Program (TZSRP) Funding Nominations be received.
2. Council provide in-principle support for the Jordan Springs High Pedestrian Activity Area project to be included for application to Transport for NSW under the HPAA Sub-Program.
3. Funding applications be made to Transport for NSW for the six (6) projects listed in Table 1 of this report.

7 Letter of Offer for a Voluntary Planning Agreement - Westfield Penrith Planning Proposal

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

That:

1. The information contained in the report on Letter of Offer for a Voluntary Planning Agreement - Westfield Penrith Planning Proposal be received.
2. Council publicly exhibits the Letter of Offer in Appendix 1, in conjunction with the planning proposal, and in accordance with the community consultation requirements in the *Environmental Planning and Assessment*

Act 1979, *Environmental Planning and Assessment Regulation 2021* and *Penrith Developer Infrastructure Agreements Policy*.

3. A further report be presented to Council following the public exhibition of the planning proposal.
4. That delegation be provided to the General Manager to negotiate and finalise the terms of a draft VPA, consistent with the Letter of Offer.
5. Council endorse the draft VPA for public notification, as prepared under the delegation of the General Manager.
6. A further report be prepared for Council following public notification of the draft VPA, if submissions that relate directly to specific matters negotiated for the VPA are received and/or amendments to the draft VPA are proposed that change the nature and terms of the draft VPA.
7. Council endorses the draft VPA for execution, where no submissions are received or submissions received do not relate to specific matters negotiated in the draft VPA.
8. If the draft VPA is to be executed, Council authorise the General Manager to finalise and sign the VPA and make minor amendments where necessary (e.g. typographic errors, incorrect clause references, dates, and the like).
9. 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 Kirstie Boerst	
Councillor Robin Cook	
Councillor Sue Day	
Councillor Sabbie Kaur	
Councillor John Thain	
Councillor Reece Nuttall	
Councillor Garion Thain	
Councillor Glenn Gardiner	
Councillor Vanessa Pollak	
Councillor Faithe Skinner	
Councillor Ross Fowler OAM	
Councillor Edwin Mifsud	

8 Draft Voluntary Planning Agreement - 262 Caddens Road Claremont Meadows (DA22/0835)

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

That:

1. The information contained in the report on Draft Voluntary Planning Agreement - 262 Caddens Road Claremont Meadows (DA22/0835) be received.
2. Council endorse for notification, the Draft Voluntary Planning Agreement - 262 Caddens Road Claremont Meadows (DA22/0835) provided as a separate enclosure to this report.
3. 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 and amendments to the draft VPA are proposed.
4. Council endorses the Draft Voluntary Planning Agreement - 262 Caddens Road Claremont Meadows (DA22/0835) 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.
5. 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, indexation, dates, and the like).
6. 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 Kirstie Boerst	
Councillor Robin Cook	
Councillor Sue Day	
Councillor Sabbie Kaur	
Councillor John Thain	
Councillor Reece Nuttall	
Councillor Garion Thain	
Councillor Glenn Gardiner	
Councillor Vanessa Pollak	
Councillor Faithe Skinner	
Councillor Ross Fowler OAM	
Councillor Edwin Mifsud	

STRATEGIC DIRECTION 4 - PROVIDE FOR OUR LIFESTYLE

9 Proposed Transition from Local Traffic Committee to Local Transport Forum

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

That:

1. The information contained in the report on Proposed Transition from Local Traffic Committee to Local Transport Forum be received.
2. The Penrith Local Transport Forum be formed in accordance with the terms of reference provided in Appendix 2.
3. Council confirm membership with representatives of the Local Transport Forum and write to local State Members of Parliament to reconfirm nominees.
4. Sub-delegation under the new 2025 Authorisation and Delegation Instrument be granted to the Director Planning and Regulatory Services, Head of Engineering Services and Traffic and Transport Engineering Coordinator.

STRATEGIC DIRECTION 5 - WORK TOGETHER

10 Summary of Investments and Banking for the period 1 September 2025 - 30 September 2025

291 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 September 2025 - 30 September 2025 be received.
2. The Council's Cash Book and Bank Statements have been reconciled as at 30 September 2025.

11 Annual Pecuniary Interest Returns 2024 -2025

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

That:

1. The information contained in the report on Annual Pecuniary Interest Returns 2024 -2025 be received.
2. All annual Pecuniary Interest Returns lodged be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009* subject to appropriate redactions.

12 Draft Financial Statements 2024-25

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

That:

1. The information contained in the report on Draft Financial Statements 2024-25 be received.
2. Pursuant to s413(2)(c) it is the Council's opinion that:
    a. The Financial Statements and schedules have been drawn up in accordance with the Local Government Act 1993 and Regulations, the Local Government Code of Accounting Practice and Financial

Reporting, the Local Government Australian Infrastructure Management Guidelines, and Australian Accounting Standards. The Statements comply with Australian Statements of Accounting Concepts.

b. The Financial Statements present fairly the Council's financial position as at 30 June 2025 and the operating result for the year then ended.

c. The statements are in accord with Council's accounting and other records.

3. Pursuant to the Local Government Code of Accounting Practice and Financial Reporting and Section 215 of the Local Government (General) Regulation 2005 it is the Council's opinion that:

    a. The accompanying Special Purpose Financial Report has been drawn up in accordance with the Local Government Act 1993 and Regulations, the Local Government Code of Accounting Practice and Financial Reporting and the requirements of National Competition Policy. The Code requires the inclusion of various charges and subsidies which are not actually paid or payable.

    b. The Special Purpose Financial Report is a special purpose report and is not required to comply with Australian Accounting Standards. The above legislative requirements differ from Australian Accounting Standards and hence the report does not comply with Australian Accounting Standards.

    c. The Special Purpose Financial Statements present a modelled scenario for comparative purposes. They do not report an actual result.

4. The Statements be forwarded to Council's Auditors for completion of the audit.

5. The Financial Statements be placed on public exhibition following the completion of the audit.

6. A further report be presented to Council following the public exhibition period.

13 Debt Write Off Report

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

That:

1. The information contained in the report on Debt Write Off Report be received.

2. The two accounts totalling $13,596 (excluding GST) as outlined in the Debt Write Off report be written off as irrecoverable.

14 Disaster Recovery Grant Funding Acceptance - Drainage asset restoration works at River Road, Leonay and Riverside Road, Emu Heights

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

That:

1. The information contained in the report on Disaster Recovery Grant Funding Acceptance - Drainage asset restoration works at River Road, Leonay and Riverside Road, Emu Heights be received.
2. Council accepts the funding offer of up to $2,772,873 from NSW Public Works.
3. Council funds the co-contribution cost of up to $924,291 to complete the repairs from the Stormwater management Service Charge.

15 Exhibition and Public Hearing of Plans of Management

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

That:

1. The information contained in the report on Exhibition and Public Hearing of Plans of Management be received.
2. Council endorses the Four (4) Draft Generic Plans of Management, and the Draft Gipps Street Plan of Management, for the purpose of Exhibition and to conduct a Public Hearing.

16 Audit Risk & Improvement Committee and 2025 - 2028 Strategic Internal Audit Program

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

That:

1. The information contained in the report on Audit Risk & Improvement Committee and 2025 - 2028 Strategic Internal Audit Program be received.
2. The Council adopts the Strategic Internal Audit Program 2025/26 – 2027/28.

URGENT BUSINESS

UB 1 Leave of Absence

Councillor Sue Day requested a Leave of Absence for the Extraordinary Meeting on 3 November 2025.

298 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Faithe Skinner 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.
299 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Faithe Skinner that Councillor Sue Day be granted Leave of Absence for the Extraordinary Meeting on 3 November 2025.

UB 2 Thornton Community Language Group

Councillor Robin Cook requested that an amount of $1,940 in total be allocated from North Ward's voted works to support the Thornton Community Language Group in facilitating English Language classes and assist with hall hire and the purchasing of visual aids.

300 RESOLVED on the MOTION of Councillor Robin Cook seconded Councillor Sabbie Kaur 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.
301 RESOLVED on the MOTION of Councillor Robin Cook seconded Councillor Sabbie Kaur that an amount of $1,940 in total be allocated from North Ward's voted works to support the Thornton Community Language Group in facilitating English Language classes and assist with hall hire and the purchasing of visual aids.

UB 3 Emu Plains Girl Guides

Councillor Vanessa Pollak requested that an amount of $200 in total be allocated from South Ward's voted works to support the Emu Plains Girl Guide's bush tucker and community garden and pantry project.

302 RESOLVED on the MOTION of Councillor Vanessa Pollak seconded Councillor Faithe Skinner 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.
303 RESOLVED on the MOTION of Councillor Vanessa Pollak seconded Councillor Faithe Skinner that an amount of $200 in total be allocated from South Ward's voted works to support the Emu Plains Girl Guide's bush tucker and community garden and pantry project.

UB 4 TOTS Blanket Charity

Councillor Faithe Skinner requested that an amount of $670 be allocated from each Ward's voted works to support the TOTS blanket charity and contribute towards printing and procurement.

304 RESOLVED on the MOTION of Councillor Faithe Skinner seconded Councillor 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.
305 RESOLVED on the MOTION of Councillor Faithe Skinner seconded Councillor Sue Day that an amount of $670 be allocated from each Ward's voted works to support the TOTS blanket charity and contribute towards printing and procurement.

UB 5 Sales Park, Luddenham

Councillor Hollie McLean requested that an amount of $1,620 in total be allocated from South Ward's voted works for the installation of trial barriers to prevent trail bike and quadbike access to Sales Park, Luddenham.

306 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor 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.
307 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Sue Day that a total amount of $1,620 be allocated from South Ward's voted works for the installation of trial barriers to prevent trail bike and quadbike access to Sales Park, Luddenham.

There being no further business the Chairperson declared the meeting closed the time being 7:31pm.

I certify that these 12 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 27 October 2025. ______________________ Chairperson ________________ Date