

BUSINESS PAPER



Season's Greetings from Penrith City Council

Ordinary Meeting 8 December 2025

2 December 2025

Dear Councillor,

In pursuance of the provisions of the Local Government Act, 1993 and the Regulations thereunder, notice is hereby given that an **ORDINARY MEETING** of Penrith City Council is to be held remotely using audio visual links, video streamed and in the Council Chambers, Civic Centre, 601 High Street, Penrith on Monday 8 December 2025 at 7:00 PM.

Attention is directed to the statement accompanying this notice of the business proposed to be transacted at the meeting.

Yours faithfully

Andrew Moore
General Manager

BUSINESS

1. LEAVE OF ABSENCE

2. APOLOGIES

3. CONFIRMATION OF MINUTES

Ordinary Meeting - 17 November 2025.

4. DECLARATIONS OF INTEREST

Pecuniary Interest (The Act requires Councillors who declare a pecuniary interest in an item to leave the meeting during discussion of that item)

Non-Pecuniary Conflict of Interest – Significant and Less than Significant
(The Code of Conduct requires Councillors who declare a significant non-pecuniary conflict of interest in an item to leave the meeting during discussion of that item)

5. ADDRESSING COUNCIL

6. MAYORAL MINUTES

Vale Kevin Crameri OAM.

Passing of Penrith Panthers icon John Farragher OAM.

Council remembers Emeritus Mayor Pat Sheehy AM.

7. NOTICES OF MOTION TO RESCIND A RESOLUTION

8. NOTICES OF MOTION AND QUESTIONS ON NOTICE

9. ADOPTION OF REPORTS AND RECOMMENDATION OF COMMITTEES

Local Transport Forum - 1 December 2025.

Policy Review Committee Meeting - 1 December 2025.

10. DELIVERY PROGRAM REPORTS

11. URGENT BUSINESS

12. COMMITTEE OF THE WHOLE

ORDINARY MEETING
MONDAY 8 DECEMBER 2025
TABLE OF CONTENTS

ADVANCE AUSTRALIA FAIR

WEBCASTING NOTICE

ACKNOWLEDGEMENT OF COUNTRY

PRAYER

COUNCIL CHAMBER SEATING ARRANGEMENTS

MEETING CALENDAR

CONFIRMATION OF MINUTES

PROCEDURE FOR ADDRESSING COUNCIL MEETING

MAYORAL MINUTES

REPORT AND RECOMMENDATIONS OF COMMITTEES

DELIVERY PROGRAM REPORTS

ADVANCE AUSTRALIA FAIR

**Australians all let us rejoice,
For we are one and free;
We've golden soil and wealth for toil;
Our home is girt by sea;
Our land abounds in nature's gifts
Of beauty rich and rare;
In history's page, let every stage
Advance Australia Fair.**

**In joyful strains then let us sing,
Advance Australia Fair.**

WEBCASTING NOTICE

Please note that tonight's meeting other than the confidential sessions are being recorded and will be placed on Council's website. All in attendance should refrain from making defamatory statements. Council takes all care when maintaining privacy, however members of the public gallery and those addressing Council should be aware that you may be recorded.



Acknowledgement of Country

We acknowledge and pay respect to the Darug and Gundungarra people who are the traditional owners in which Penrith Local Government Area is situated.

We also pay our respect to elders past, present and emerging, and to the First Nations people living in our community today.



PRAYER

“Sovereign God, tonight as we gather together as a Council we affirm that you are the giver and sustainer of life. We come together as representatives of our community to make decisions that will benefit this city and the people within it.

We come not in a spirit of competition, not as adversaries, but as colleagues. Help us to treat each other with respect, with dignity, with interest and with honesty. Help us not just to hear the words we say, but also to hear each others hearts. We seek to be wise in all that we say and do.

As we meet, our concern is for this city. Grant us wisdom, courage and strength.

Lord, help us. We pray this in the name of Jesus Christ our Lord. Amen.”



Council Chambers
Seating Arrangements

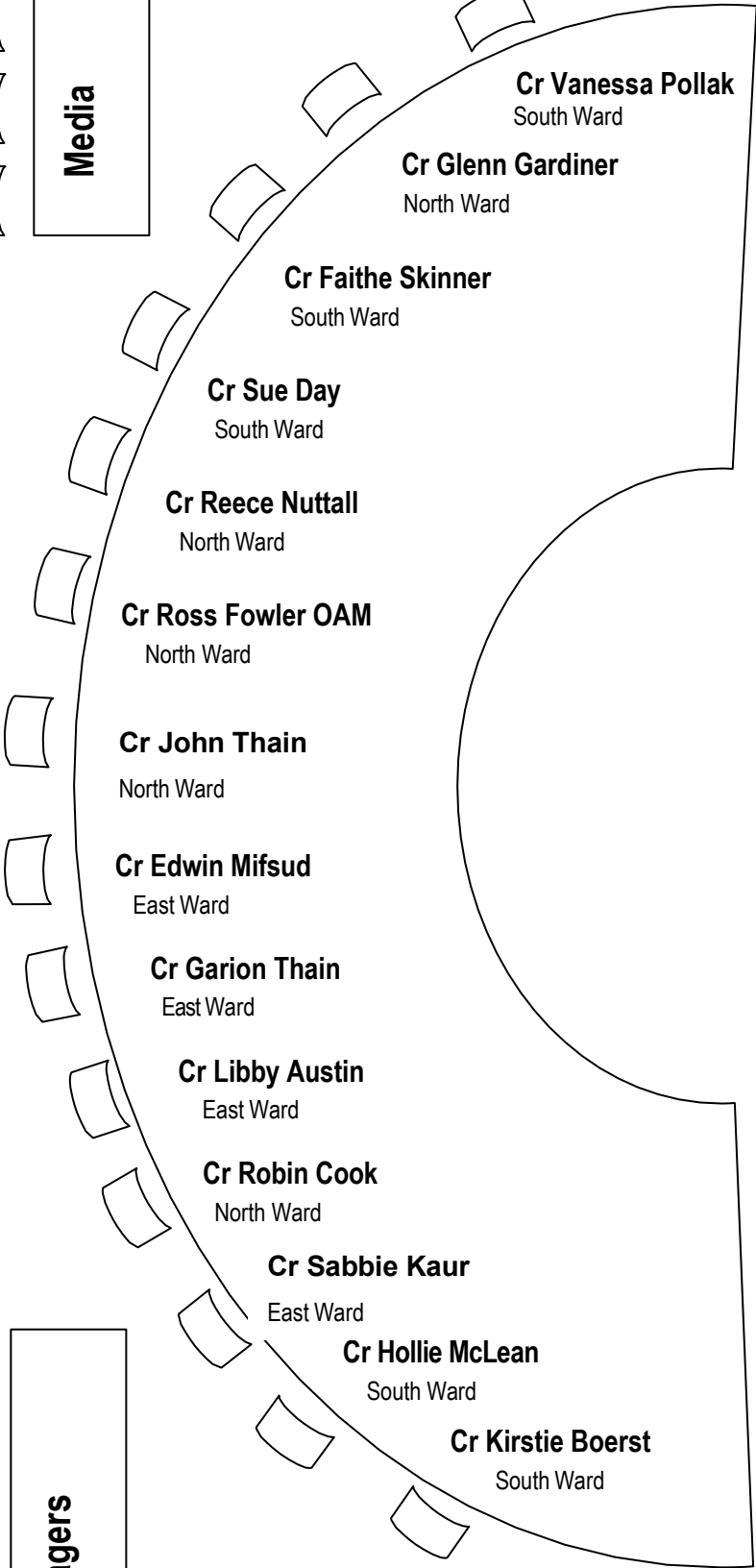
Public Gallery

For members of the
public addressing
the meeting

Lectern

Directors

Media



General Manager
Andrew Moore

His Worship
the Mayor
Councillor Todd
Carney

Head of
Governance
Adam Beggs

Minute Clerk

Managers

Directors

Oath of Office

I swear that I will undertake the duties of the office of Councillor in the best interests of the people of Penrith and the Penrith City Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Affirmation of Office

I solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of Penrith and the Penrith City Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

2025 MEETING CALENDAR

January 2025 - December 2025

(proposed to be adopted by Council – 28 April 2025)

	TIME	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
		Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon
Ordinary Council Meeting	7:00pm		10@	3 31	28 -	26 #	30*	21	25@	15 22^	27✓	17∞#+	8 15
Policy Review Committee	7:00pm		17		14		23		11		13		1

- Meeting at which the draft corporate planning documents (Delivery Program and Operational Plan) are endorsed for exhibition
 - * Meeting at which the draft corporate planning documents (Delivery Program and Operational Plan) are adopted
 - # Meetings at which the Operational Plan quarterly reviews (March and September) are presented
 - @ Meetings at which the Delivery Program progress reports (including the Operational Plan quarterly reviews for December and June) are presented
 - ^ Election of Mayor and/or Deputy Mayor
 - ✓ Meeting at which the 2024-25 Annual Statements are presented
 - ∞ Meeting at which any comments on the 2024-25 Annual Statements are adopted
 - + Meeting at which the Annual Report is presented
-
- Extraordinary Meetings are held as required.
 - Members of the public are invited to observe meetings of the Council (Ordinary and Policy Review Committee, Councillor Briefings are confidential sessions). Should you wish to address Council, please contact the Head of Governance, Adam Beggs on 4732 7597.

**UNCONFIRMED 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 17 NOVEMBER 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 Garion Thain and Councillors Libby Austin, Kirstie Boerst, Robin Cook, Sue Day, Ross Fowler OAM, Glenn Gardiner, Sabbie Kaur, Hollie McLean, Edwin Mifsud, Reece Nuttall, Vanessa Pollak, Faithe Skinner and John Thain.

APOLOGIES

There were no apologies.

CONFIRMATION OF MINUTES - Ordinary Meeting - 27 October 2025

308 RESOLVED on the MOTION of Councillor Vanessa Pollak seconded Councillor Sabbie Kaur that the minutes of the Ordinary Meeting of 27 October 2025 be confirmed.

DECLARATIONS OF INTEREST

Councillor Robin Cook declared a Non-Pecuniary Conflict of Interest – Significant in *Item 1 - Appointment of PP&VA Directors*, 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 - Appointment of PP&VA Directors*, 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.

Councillor Ross Fowler OAM declared a Non-Pecuniary Conflict of Interest – Significant in *Item 1 - Appointment of PP&VA Directors*, 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.

SUSPENSION OF STANDING ORDERS

309 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Sue Day that Standing Orders be suspended to allow members of the public to address the meeting, the time being 7:06pm.

Director, Reiky Jiang and Associate Director, Robert Hayek from Financial Audit, AONSW provided a presentation on Penrith City Council's Audit Work Program and Report on the Conduct of the Audit.

RESUMPTION OF STANDING ORDERS

310 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Libby Austin that Standing Orders be resumed, the time being 7:19pm.

Procedural Motion

311 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain that *Item 12 - Finalisation of the 2024-25 Financial Statements (post audit)* now be brought forward for consideration.

12 Finalisation of the 2024-25 Financial Statements (post audit)

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

That:

1. The information contained in the report on Finalisation of the 2024-25 Financial Statements (post audit) be received.
2. Council notes the completion of the public exhibition process for Council's 2024-25 Financial Statements and that Council has submitted its Financial Statements for the year ended 30 June 2025 to the Office of Local Government.

MAYORAL MINUTES

1 Penrith's Award-Winning Sustainability Initiatives

Deputy Mayor Garion Thain and Councillor Sabbie Kaur spoke in support of this Mayoral Minute.

313 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Garion Thain that the Mayoral Minute on Penrith's Award-Winning Sustainability Initiatives be received.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Heritage Advisory Committee Meeting held on 5 November 2025

314 RESOLVED on the MOTION of Councillor Robin Cook seconded Councillor Libby Austin that the recommendations contained in the Report and Recommendations of the

Heritage Advisory Committee meeting held on 22 October 2025 be adopted.

Having previously declared an Interest, Councillors Ross Fowler OAM, Kirstie Boerst and Robin Cook left the meeting, the time being 7:26pm.

DELIVERY PROGRAM REPORTS

STRATEGIC DIRECTION 2 - SUPPORT OUR WELLBEING

1 Appointment of PP&VA Directors

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

That:

1. The information contained in the report on Appointment of PP&VA Directors be received.
2. That Ms Melissa Matheson, Ms Augusta Supple and Dr Ann-Marie Moodie be endorsed by Council as Community Directors to the PP&VA Board for four-year terms from October 2025 to October 2029.

Councillors Ross Fowler OAM, Kirstie Boerst and Robin Cook returned to the meeting, the time being 7:27pm.

2 Access Committee and Multicultural Working Party Reviewed Terms of Reference

316 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor Faithe Skinner

That:

1. The information contained in the report on Access Committee and Multicultural Working Party Reviewed Terms of Reference be received.
2. That Council adopt the updated Terms of Reference for the Access Committee in Attachment 2 and approve the recruitment of new community members to the committee.
3. That Council adopt the updated Terms of Reference for the Multicultural Working Party in Attachment 2 and approve the recruitment of new community members to the working party.

Councillor Libby Austin left the meeting, the time being 7:28pm.

STRATEGIC DIRECTION 3 - SHAPE OUR GROWING CITY

3 Works In Kind Agreement - 106-228 Aldington Road, Kemps Creek - Stockland Fife Kemps Creek Pty Limited

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

That:

1. The information contained in the report on Works In Kind Agreement - 106-228 Aldington Road, Kemps Creek - Stockland Fife Kemps Creek Pty

Limited be received.

2. Council endorse the proposed Works in Kind Agreement for 106-228 Aldington Road, Kemps Creek between Penrith City Council and Stockland Fife Kemps Creek Pty Limited for execution as per the separate enclosure.
3. Council authorise 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 Ross Fowler OAM
Councillors Kirstie Boerst
Councillor Robin Cook
Councillor Todd Carney
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
Councillor Edwin Mifsud

4 Voluntary Planning Agreement - Westlink Stage 2 - ESR KECT (Australia) Pty Limited and ESR Developments (Australia) Pty Limited

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

That:

1. The information contained in the report on Voluntary Planning Agreement - Westlink Stage 2 - ESR KECT (Australia) Pty Limited and ESR Developments (Australia) Pty Limited be received
2. Council endorse for notification the draft Voluntary Planning Agreement for Westlink Stage 2 between Penrith City Council, ESR KECT (Australia) Pty Limited and ESR Developments (Australia) Pty Limited, as attached.
3. Council resolves that it will not invite tenders in respect of this Agreement in accordance with the provisions of s55(3)(i) of the Local Government Act by reason of extenuating circumstances namely, the requirement of the developer by virtue of SSD-46983729 to carry out road works on Council land which are provided for in the Mamre Road Precinct Development Contributions Plan.
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 and amendments to the draft VPA are proposed.

5. Council endorse the draft VPA for Westlink Stage 2 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 authorise 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. 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 Ross Fowler OAM
Councillors Kirstie Boerst
Councillor Robin Cook
Councillor Todd Carney
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
Councillor Edwin Mifsud

5 OPEN: Penrith and St Marys 24 Hour Economy Strategy 2025-2029 for Endorsement

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

That:

1. The information contained in the report on OPEN: Penrith and St Marys 24 Hour Economy Strategy 2025-2029 for Endorsement be received.
2. Council endorses the OPEN: Penrith and St Marys 24 Hour Economy Strategy 2025-2029.

Councillor Libby Austin returned to the meeting, the time being 7:31pm.

6 Planning Proposal for Harvey Norman Penrith Homemaker Centre (PP-2025-356) - Results of Public Exhibition

320 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Faithe

Skinner

That:

1. The information contained in the report on Planning Proposal for Harvey Norman Penrith Homemaker Centre (PP-2025-356) - Results of Public Exhibition be received.
2. Council endorse the Planning Proposal and its supporting appendices, provided as separate enclosures to this report.
3. Council adopts the relevant amendments to Penrith Local Environmental Plan 2010 as outlined in this report and the attached Planning Proposal.
4. The General Manager is granted delegation to:
 - a. make any necessary minor changes to the Planning Proposal.
 - b. exercise the functions of the local plan-making authority under section 3.36(2) of the *Environmental Planning and Assessment Act 1979* to 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 Todd Carney
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
Councillor Edwin Mifsud
Councillor Libby Austin

7 Fire Safety Update

321 RESOLVED on the MOTION of Councillor Glenn Gardiner seconded Councillor Robin Cook

That:

1. The information contained in the report on Fire Safety Update be received.
2. Council proceed to issue Fire Safety Orders for 13-23 Pattys Place, Jamisontown and 241 Mulgoa Road, Penrith subject to responses to Notice of Intention to Serve Orders, further inspections and should the fire safety issues not be addressed to the satisfaction of Council's Building Certification and Fire Safety Coordinator.
3. Council continue to monitor all premises as part of its Fire Safety Program.

STRATEGIC DIRECTION 4 - PROVIDE FOR OUR LIFESTYLE

8 Invitation to Apply for 2025 Major and Local Community Infrastructure Program

322 RESOLVED on the MOTION of Councillor Faithe Skinner seconded Councillor Glenn Gardiner

That:

1. The information contained in the report on Invitation to Apply for 2025 Major and Local Community Infrastructure Program be received.
2. Council endorses the applications be prepared and submitted for MLCIP:
 - \$2,250,000 Upgrade at Leonay Sports Oval
 - \$1,100,000 Upgrades to Emu Plains and Emu Heights Play and Recreation Facilities
 - \$4,000,000 Jamison Park Netball Facilities Upgrades.
3. Council endorses a funding contribution of \$919,000 from the Building Asset Renewal Program to be included in the Jamison Park Netball Amenities grant application.
4. That \$919,000 is included in Council's 2027/2028 Building Asset Renewal Program budget for the Penrith Netball Amenities building in Jamison Park and, should the MLCIP grant application be successful, this budget will contribute to the Jamison Park Amenities Upgrade project and only be expended prior to 2027/2028 if budget is required to progress the project.

STRATEGIC DIRECTION 5 - WORK TOGETHER

9 2024-25 Penrith City Council Annual Report

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

That:

1. The information contained in the report on 2024-25 Penrith City Council Annual Report be received
2. The 2024-25 Penrith City Council Annual Report be endorsed for submission to the NSW Office of Local Government by 30 November 2025, subject to minor amendments and design enhancements.

10 Property Acquisition - EPMAC Emu Plains Footbridge (Mackellar Street) (TfNSW)

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

That:

1. The information contained in the report on Property Acquisition - EPMAC Emu Plains Footbridge (Mackellar Street) (TfNSW) be received
2. Council provides concurrence to the Compulsory Acquisition of the road

parcels as detailed within this report under the Land Acquisition (Just Terms Compensation) Act 1991.

3. Council proceeds with a compulsory acquisition by agreement as outlined in this report.
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.

13 Land Classification - Lot 1 DP1317507, 242-246 Bridge Street, West Tamworth

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

That:

1. The information contained in the report on Land Classification - Lot 1 DP1317507, 242-246 Bridge Street, West Tamworth be received.
2. Lot 1 DP 1317507, being 242-246 Bridge St, West Tamworth be classified as operational land.

14 Proposed Easement over Council land Lot 2 DP 808684 - 27 Cassola Place Penrith

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

That:

1. The information contained in the report on Proposed Easement over Council land Lot 2 DP 808684 - 27 Cassola Place Penrith be received.
2. The creation of the easement be undertaken in accordance with the terms of this report.
3. The easement compensation 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 their delegate) be authorised to sign all necessary legal documents in relation to this matter.

15 Appointment of independent ARIC member and Chairperson

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

That:

1. The information contained in the report on Appointment of independent ARIC member and Chairperson be received;
2. Mr Darren Greentree be appointed as an independent member of the Penrith City Council Audit, Risk and Improvement Committee, for a term of 4 years;
3. Mr Darren Greentree be appointed as the Chairperson of the Penrith City Council Audit, Risk and Improvement Committee, for a term of 4 years;

4. The Chairperson of the Audit, Risk and Improvement Committee be remunerated in accordance with *NSW Treasury: Prequalification Scheme: Audit & Risk Committee Independent Chairs & Members*.

16 Summary of Investments and Banking for the period 1 October 2025 - 31 October 2025

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

That:

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

11 Organisational Financial Review - September 2025

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

That:

1. The information contained in the report on Organisational Financial Review - September 2025 be received.
2. The Organisational and Financial Review as at 30 September 2025, including the revised estimates outlined in this report and detailed in the *Organisational Report – September 2025*, be adopted.

URGENT BUSINESS

UB 1 120th Annual Luddenham Show

Councillor Hollie McLean requested that an amount of \$6000 in total, to be shared equally across each Ward's voted works, be allocated to support the 120th Annual Luddenham Show.

330 RESOLVED on the MOTION of Councillor Hollie McLean 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.

331 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor Sue Day that an amount of \$6000 total, be shared equally across each Ward's voted works, be allocated to support the 120th Annual Luddenham Show.

UB 1 RAW Penrith

Councillor Kirstie Boerst requested that an amount of \$1050 in total, to be shared equally across each Ward's voted works, be allocated to cover the cost of a portable BBQ and equipment to allow the NDO to take their walking groups and activities out-on-country around the LGA, removing key challenges of limited facilities in some of the locations where they are gathering.

332 RESOLVED on the MOTION of Councillor Kirstie Boerst seconded Councillor Robin

Cook 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.

333 RESOLVED on the MOTION of Councillor Kirstie Boerst seconded Councillor Robin Cook that an amount of \$1050 in total, be shared equally across each Ward's voted works, be allocated to cover the cost of a portable BBQ and equipment to allow the NDO to take their walking groups and activities out-on-country around the LGA, removing key challenges of limited facilities in some of the locations where they are gathering.

COMMITTEE OF THE WHOLE

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

Strategic Direction 5

2 Proposed Acquisition

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.

The meeting resumed at 8:04pm and the General Manager reported that the Committee of the Whole met at 8:00pm on Monday 17 November 2025, the following being present

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

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

CW2 That:

1. The information contained in the report on Proposed Acquisition be received.
2. Council resolves to acquire the property referred to in the report for a purchase price that is up to the maximum purchase price identified in the report.
3. Council resolves to enter into a lease of the property on the terms and conditions referred to in the report.
4. The property is classified as operational land in accordance with section 31 Local Government Act 1993.
5. The acquisition be funded from the Property Reserve.
6. All funds received from the lease be allocated to the Property Reserve.
7. Council delegate authority to the General Manager to enter into the Contract for Sale up to the maximum purchase price.
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 documents in relation to this matter.

ADOPTION OF COMMITTEE OF THE WHOLE

336 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Reece Nuttall that the recommendation contained in the Committee of the Whole and shown as CW1 and CW2 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 8:06pm.

PENRITH CITY COUNCIL

Procedure for Addressing Meetings

Anyone can request permission to address a meeting, providing that the number of speakers is limited to three in support of any proposal and three against.

Any request about an issue or matter on the Agenda for the meeting can be lodged with the General Manager or Public Officer up until 12 noon on the day of the meeting.

Prior to the meeting the person who has requested permission to address the meeting will need to provide the Public Officer with a written statement of the points to be covered during the address in sufficient detail so as to inform the Councillors of the substance of the address and a written copy of any questions to be asked of the Council in order that responses to those questions can be provided in due course.

In addition, prior to addressing the meeting a person addressing Council or Committee will be informed that they do not enjoy any privilege and that permission to speak may be withdrawn should they make inappropriate comments.

It should be noted that persons who wish to address the Council are addressing a formal part of the Council Meeting. All persons addressing the Meeting should give consideration to their dress attire. Smart casual is a minimum that is thought to be appropriate when addressing such a forum.

It should be noted that speakers at meetings of the Council or Committee do not have absolute privilege (parliamentary privilege). A speaker who makes any potentially offensive or defamatory remarks about any other person may render themselves open to legal action.

Prior to addressing the meeting the person will be required to sign the following statement:

"I (name) understand that the meeting I intend to address on (date) is a public meeting. I also understand that should I say or present any material that is inappropriate, I may be subject to legal action. I also acknowledge that I have been informed to obtain my own legal advice about the appropriateness of the material that I intend to present at the above mentioned meeting".

Should a person fail to sign the above statement then permission to address either the Council or Committee will not be granted.

The Public Officer or Minute Clerk will speak to those people who have requested permission to address the meeting, prior to the meeting at 6.45pm.

It is up to the Council or Committee to decide if the request to address the meeting will be granted.

Where permission is to be granted the Council or Committee, at the appropriate time, will suspend only so much of the Standing Orders to allow the address to occur.

The Chairperson will then call the person up to the lectern or speaking area.

The person addressing the meeting needs to clearly indicate:

- Their name;
- Organisation or group they are representing (if applicable);
- Details of the issue to be addressed and the item number of the report in the Business Paper;
- Whether they are opposing or supporting the issue or matter (if applicable) and the action they would like the meeting to take;
- The interest of the speaker (e.g. affected person, neighbour, applicant, applicants spokesperson, interested citizen etc).

Each person then has five minutes to make their address. Those addressing Council will be required to speak to the written statement they have submitted. Permission to address Council is not to be taken as an opportunity to refute or otherwise the points made by previous speakers on the same issue.

The Council or Committee can extend this time if they consider it appropriate, however, everyone needs to work on the basis that the address will be for five minutes only.

Councillors may have questions about the address so people are asked to remain at the lectern or in the speaking area until the Chairperson has thanked them.

When this occurs, they should then return to their seat.

Adam Beggs
Public Officer
02 4732 7597

MAYORAL MINUTES

Item		Page
1	Vale Kevin Crameri OAM	1
2	Passing of Penrith Panthers icon John Farragher OAM	3
3	Council remembers Emeritus Mayor Pat Sheehy AM	4



Mayoral Minute

Vale Kevin Crameri OAM

I was very sad to hear of the passing of former Mayor and Councillor Kevin Crameri OAM last month.

Kevin was elected to Council in 1974 and spent decades advocating for the people of this City. He served as Mayor in 1996-1997, 2009-2011, and he was Deputy Mayor in 1988-89.

Kevin bravely battled cancer in recent years. Despite his illness, Kevin showed immense dedication to his role as councillor until his retirement last year.

A proud Llandilo resident since the age of 6, Kevin was passionate about the rural pockets of our City. He was vocal about ensuring everyone in our community has equal access to services, infrastructure upgrades and opportunities.

Kevin played a significant role in getting the Penrith Whitewater Stadium built for the 2000 Sydney Olympic Games. The venue continues to operate as a world-class facility and tourism drawcard for our City.

Kevin cared about the safety of the community and preservation of the natural environment. This was evident in his advocacy for floodplain research and management, black spot upgrades, drainage issues and weed control.

He served on many committees, including the Floodplain Risk Management Committee, Cumberland Rural Fire Service Zone Liaison Committee, Hawkesbury River County Council, and Greater Sydney Services Local Government Advisory Group.

Steadfast and detail-oriented in his approach to local issues, Kevin's devotion to the community stretched beyond Council. In 1999, he was awarded the Order of the Medal of Australia for his service to local government and the community of Penrith as a longtime firefighter with the NSW Rural Fire Service – Llandilo Brigade. He also received the prestigious Centenary Medal.

A Life Member, Kevin devoted more than 60 years of service to Llandilo Brigade and held many roles, including 14 years as Deputy Captain.

Kevin was also a life member of Llandilo Public School P&C, member of the Nepean District Historical Society and President of Cranebrook High School P&C for 6 years. He was a qualified fitter and machinist by trade.

Above all, he was a loving family man. Kevin and his wife, Eileen, raised four children and are proud grandparents.

It was a privilege to recognise Kevin's service to the community with a Mayoral Minute presentation in late 2024. I feel honoured to have served with Kevin. I admired his passion and commitment, which continued after his retirement from Council last year.

Kevin has been part of the evolution of this wonderful City. While his absence will be felt deeply, Kevin's legacy lives on. It will benefit the generations to come as Penrith continues to grow and thrive.

On behalf of my colleagues and all of Council, I extend my sincere condolences to Kevin's family and many friends in the community.

A handwritten signature in black ink, appearing to read 'Cr Todd Carney', with a stylized flourish at the end.

Cr Todd Carney
Mayor of Penrith

RECOMMENDATION

That the Mayoral Minute on Vale Kevin Crameri OAM be received.

Mayoral Minute

Passing of Penrith Panthers icon John Farragher OAM

Penrith City Council and our community was shocked by the sad news that a local icon, John Farragher OAM, had passed away last month.

John was a Panthers legend - a familiar, friendly face that greeted members and guests at the front door of the leagues club for decades.

Born John Wayne Farragher in Gilgandra in 1957, he joined the Penrith Panthers in 1977 and made his NRL debut as a prop the following year.

On a fateful day in May 1978 at Henson Park, a scrum collapsed on John during his seventh first grade game. The tragic accident ended his playing career and left him a quadriplegic.

But John turned tragedy into triumph. After years of rehabilitation, he was back at the Panthers in 1982 in a public relations role that saw him develop lifelong friendships in Penrith and become an icon.

In 2016, John was awarded the Medal of the Order of Australia for his outstanding service to rugby league and the community. He continued to inspire the game after joining the Panthers Board as a Director in 2022.

Every year since 1979, the John Farragher Award for Courage and Determination shines a light on the story of Panther number 149.

Council is especially grateful for John's advice and insights through lived experience that he shared with us during his time on Penrith's Access Committee from 2008-10.

Whether we knew him as a friend, through the club, or in the community, John will be remembered as a resilient, courageous, well-respected and genuine guy who was equally loved by patrons and the players.

On behalf of Council and my fellow councillors, I send my heartfelt condolences to John's family - his son Jacob and grandson Alfred – and friends.

He will be missed by the Penrith community.



Cr Todd Carney
Mayor of Penrith

RECOMMENDATION

That the Mayoral Minute on Passing of Penrith Panthers icon John Farragher OAM be received.

Mayoral Minute

Council remembers Emeritus Mayor Pat Sheehy AM

Tonight, I would like to pay respects to an incredible former Mayor, Councillor and friend, Patrick Sheehy AM, who passed away last month.

Pat was elected to Penrith City Council in 1987 – the first year that Penrith had 15 councillors. He served as Mayor three times; in 1994-95, 2001-02, and 2006-07.

In 2005, Pat received the Member of the Order of Australia (AM) for his service to local government and to the community of Western Sydney, through his work in education and health services.

He became an Emeritus Mayor in 2008, when he was named on the Local Government NSW Outstanding Service Award Honour Roll for his 21 years of service to Council.

Pat was a brilliant leader and mentor to many councillors, and a true advocate for everyone in this City.

The passion for learning, progress and justice that Pat showed during his career as a popular school principal and teacher in the Penrith Local Government Area carried over to his political career.

Among his many achievements on Council, Pat brought the Victor Chang Cardiac Research Institute School Science Awards to Penrith in 2004.

These awards were named in honour of the late Victor Chang, a pioneering cardiac surgeon and visionary of modern heart transplantation. Through Pat's contribution, these annual awards continue to recognise exceptional local science students and inspire the next generation of innovators.

Pat was a supporter of the arts, having served on the Board of Penrith Performing and Visual Arts. He played a significant role in the expansion of The Joan Sutherland Performing Arts Centre in 2005 to include the Q Theatre, the extended Conservatorium facilities and a large atrium foyer.

Pat also proudly promoted cultural diversity in the community. He was instrumental in the establishment of the Read Philippines Penrith Project – a collaboration between Council, the Sydney Consulate General of the Philippines, and the Philippine Language and Cultural Association of Australia (PLCAA).

The project saw books and videos on Philippine heritage donated to Penrith City Library, as well as bilingual children's picture books written in Tagalog and English, to increase cultural awareness and celebrate diversity.

While Pat retired in 2008, Council has enjoyed welcoming him back to the Civic Centre and as a VIP at many important community events in recent years.

We acknowledge and remember Pat for his unwavering commitment to Penrith City and send our condolences to Pat's wife, Lorraine, and the rest of the family.



Cr Todd Carney
Mayor of Penrith

RECOMMENDATION

That the Mayoral Minute on Council remembers Emeritus Mayor Pat Sheehy AM be received.

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REPORTS OF COMMITTEES

Item		Page
1	<u>Report and Recommendations of the Local Transport Forum held on 1 December 2025</u>	1
2	<u>Report and Recommendations of the Policy Review Committee Meeting held on 1 December 2025</u>	8



**REPORT AND RECOMMENDATIONS OF THE
LOCAL TRANSPORT FORUM
HELD ON 1 DECEMBER, 2025**

PRESENT

Councillor Reece Nuttall (Council Representative), Councillor Robin Cook (Representative for the Member for Penrith), Mark Rusev (Representative for the Member for Badgerys Creek), Siva Balasubramaniam – Transport for NSW (TfNSW) and Sergeant Stephen Page – Nepean Police Area Command (PAC).

IN ATTENDANCE

Joshua Hull – Head of Engineering Services (Chair), Kablan Mowad – Traffic and Transport Engineering Coordinator, Phil Saverimuttu – Senior Traffic Engineer, Daniel Davidson – Senior Traffic Engineer, Karl Magistrado – Senior Traffic Engineer, Lalaine Malaluan – Senior Transport Engineer, Dennis Anthonysamy – Senior Transport Engineer, Michael Meijer – Transport Engineer, Josh Creamer – Traffic Engineer, Suzan Mehmet – Road Safety Officer, Krystie Race - Sustainability Research Planner, Kiera Murphy – Ranger and Animal Services Coordinator, Krystie Race - Sustainability Research Planner, Chloe Lammers – Engineering Services Secretary, Ashleigh Markowski – Business Administration Trainee (Engineering), Ben Cantor – Busways, Paul Bottomley – Blue Mountains Transit (CDC NSW) and James Duguid – Transit Systems.

APOLOGIES

Deputy Mayor, Councillor Garion Thain.

OPENING

Joshua Hull – Head of Engineering Services (Chair) welcomed attendees to the first meeting of the Local Transport Forum (LTF) following implementation of the new 2025 Authorisation and Delegation Instrument, which took effect on 1 August 2025.

Joshua advised that the process for considering items will remain largely consistent with previous Local Traffic Committee practices, noting the main change is that there will be no voting on items. Instead, the LTF will operate as an advisory forum, incorporating feedback raised by members to inform recommendations presented to Council for formal endorsement. Joshua also noted that Council's adopted Terms of Reference for the LTF are included in the business paper for reference.

DECLARATIONS OF INTEREST

NIL.

DELIVERY PROGRAM REPORTS

STRATEGIC DIRECTION 4 - PROVIDE FOR OUR LIFESTYLE

1 Local Transport Forum - Proposed Meeting Dates for 2026

RECOMMENDATION

LTF 1 That:

1. The information contained in the report on Local Transport Forum - Proposed Meeting Dates for 2026 be received.
2. The listed dates for Local Transport Forum meetings be confirmed for 2026.

2 Queen Street, St Marys - Endorsement of Global Transport Management Plan and Culture Fusion Event

Ben Cantor – Busways queried whether the proposed event would require a full two-day road closure. Karl Magistrado – Senior Traffic Engineer confirmed that the closure would be in place for the full two-day duration of the event. Ben Cantor also raised a concern about the temporary bus interchange relocation associated with the Sydney Metro project affecting the TMP for future events. Kablan Mowad – Traffic and Transport Engineering Coordinator advised that all future events will require specific event management plans and consultation with relevant stakeholders.

Ben Cantor also raised a query regarding Carinya Avenue being shown as two-way traffic flow in the TMP. Joshua Hull (Chair) advised that the recommendations will be amended to ensure that Carinya Avenue is amended to show one-way northbound traffic flow.

RECOMMENDATION

LTF 2 That:

1. The information contained in the report on Queen Street, St Marys - Endorsement of Global Transport Management Plan and Culture Fusion Event be received.
2. Any future applicant that will use the Global TMP be advised that the document is to be used for a Class 2 event under the “*Guide to Traffic and Transport Management for Special Events*”, and that all conditions and requirements specified must be complied with prior to the event.
3. Council endorse the use of the global TMP subject to the TGS for Carinya Avenue be amended to show one-way northbound traffic flow, to implement temporary closures of the following streets for future events:

Full Road Closure
Queen Street, between Belar Street and King Street
Charles Hacket Drive, between West Lane and Queen Street
West Lane, between Charles Hackett Drive and southern edge of Coachman's Park
Crana Street, between West Lane and Queen Street
Chapel Street, between East Lane and Queen Street

Partial Road Closure
West lane, between Crana Street and southern edge of

Coachman's Park
Chapel Street, between East Lane and Queen Street.

This would be subject to an event specific EMP, TGS and other supporting documents being presented for consideration by the Local Transport Forum for new events.

4. The Global Traffic Management Plan for St Marys be endorsed, subject to the following conditions:
 - a) The Global Traffic Management Plan, modified TGS and other supporting documents for the modification if applicable and a Risk Management Plan is to be lodged by the future event applicant with Transport for NSW and Traffic Management Centre for approval, prior to the event. A copy of the Transport for NSW approval must be submitted to Council prior to the event.
 - b) The future event applicant to liaise with NSW Police and obtain any approvals if required.
 - c) The future event applicant to arrange an information letterbox drop and personal communication to all business proprietors, property owners/tenants, residents and other occupants in the affected streets two weeks prior to the event. Any concerns or requirements must be resolved by the applicant.
 - d) The future event applicant to submit to Council a copy of Public Liability Insurance (usually a Certificate of Currency) of minimum \$20 million, 30 days prior to the event. In addition, the event applicant indemnifies Council, in writing, against all claims for damage and injury which may result from the proposed event.
 - e) For variations on the road closures, a detailed Traffic Guidance Scheme be prepared by a qualified and certified professional and submitted to Council, Transport for NSW and NSW Police prior to the event. The Traffic Guidance Scheme shall detail how a minimum 4.0m emergency lane is maintained at all times during the event.
 - f) The future event applicant to arrange to place barricades and provide Safe Works NSW accredited Traffic Controllers where required by the approved Traffic Management Plan. Where the Traffic Management and Traffic Guidance Schemes indicate Traffic Controllers are to be used, all Traffic Controllers must have current Safe Work NSW certification.
 - g) The future event applicant to provide advice to Council prior to the event that the event complies with the NSW Work Health and Safety Act 2011 and Work Health and Safety Regulations 2017.
 - h) The future event applicant to advertise the proposed temporary road closures in local newspapers a minimum of two weeks prior to the event and provide variable message signs (VMS) in appropriate locations a minimum of two weeks prior to the event, with the locations of the VMS boards submitted to Council for endorsement prior to their erection. VMS boards should be located in accordance with the Transport for NSW Technical Direction TDT2002/11c.

- i) The future event applicant to notify the Ambulance Service of NSW, fire brigades (Fire & Rescue NSW and NSW Rural Fire Service) and NSW State Emergency Service of the proposed event and submits a copy of the notification to Council prior to the event.
 - j) The future event applicant to notify bus companies of the proposed event and submits a copy of the notification to Council prior to the event. Bus companies shall be requested to advertise any changed route for affected buses at least four weeks prior to, and during, the event.
 - k) Should the consultation process resolve to temporarily relocate bus stops or bus routes that were not indicated in the original Traffic Management Plan, a further report be required to be submitted to the next available Local Transport Forum.
 - l) The future event applicant to ensure that noise control measures are in place as required by the Protection of the Environment Operations (Noise Control) Regulations 2017.
5. Any proposed speed limit reductions are subject to the separate approval of Transport for NSW.
 6. As a requirement of the TfNSW *"Guide to Traffic and Transport Management for Special Events 2024"* this approval endorsing the Traffic Management Plan be considered as Council's authorisation to regulate traffic on Council's roads.
 7. Council's Traffic and Transport Engineering team enter the road closures associated with future events into the Live Traffic NSW system.
 8. The new Culture Fusion event to be held on Saturday 21 February 2026 to Monday 23 February 2026 be endorsed to use the global TMP, subject to the development of satisfactory event-specific TGSs and an Event Management Plan.
 9. Council's Events team and the applicant be advised of Council's resolution.

3 Proposed Conversion of Parking Spaces across the Penrith Local Government Area into EV-Only Bays

RECOMMENDATION

LTF 3 That:

1. The information contained in the report on Proposed Conversion of Parking Spaces across the Penrith Local Government Area into EV-Only Bays be received.
2. Community consultation be undertaken with affected local residents and businesses at the proposed locations of the EV-only bays as shown in Attachment 1.
3. Subject to no substantial objections being received, the proposed EV-only bays as shown in Attachment 1 be endorsed for installation subject to any further changes required by Council officers being incorporated into the

designs.

4. Council's Asset Management section be advised of Council's resolution for updating of Council's asset register.

4 Patons Lane, Orchard Hills - Endorsement of Signage and Line Marking Plan

RECOMMENDATION

LTF 4 That:

1. The information contained in the report on Patons Lane, Orchard Hills - Endorsement of Signage and Line Marking Plan be received.
2. The signage and line marking plans prepared by Sydney Metro (Plan No.'s SMWSASSM-PLD-OHE-SKT-100001, Revision A) as shown in the separate enclosure, be endorsed for installation.
3. All works associated with the installation of the signage and line marking shall be undertaken by the applicant and at no cost to Council.
4. Council's Asset Management section be advised of Council's resolution for updating of Council's asset register.
5. Council's Ranger Services department be advised of Council's resolution.

5 Notification of Works Implemented Under Sub-Delegation

Ben Cantor – Busways raised that a B-pole would need to be relocated for works on Blackwell Avenue, St Clair. Kablan Mowad – Traffic and Transport Engineering Coordinator confirmed that Council will liaise with Busways to coordinate any required works.

RECOMMENDATION

LTF 5 That:

1. The information contained in the report on Notification of Works Implemented Under Sub-Delegation be received.
2. The list of recent works be noted as follows:
 - a. Aldington Road, Kemps Creek - 200 Aldington Road (new roundabout and the new circulating road)
 - b. Mamre Road, Kemps Creek - The Yards Industrial Estate (Collector and Local Industrial Road)
 - c. Abbots Road, Kemps Creek - ESR Westlink Stage 1 (Abbots Road and Private Access Road)
 - d. Banks Drive, St Clair - Relocation of "No Stopping" signage at pedestrian refuge fronting 160 Banks Drive, St Clair
 - e. Blackwell Avenue, St Clair - Relocation of bus zone and associated signage
 - f. Anne Street, St Marys - Relocation of "No Stopping" sign at intersection of Power Street

- g. Thurston Street, Penrith - "Bus Zone" and "No Stopping" signage along Thurston Street, Penrith
- h. Castlereagh Street, Penrith - Signage and Line Marking Plan for Waste Collection Bay at 29-31 Castlereagh Street

6 Aldington Road, Kemps Creek - Proposed Temporary Road Closure

Ben Cantor – Busways requested that applicants provide formal notification to bus operators at least 28 days prior to works commencing that affect bus services.

Joshua Hull (Chair) acknowledged the request, confirming that Council will facilitate communication between the developer and affected operators, including Busways and Transit Systems to ensure proper notification and coordination.

RECOMMENDATION

LTF 6 That:

1. The information contained in the report on Aldington Road, Kemps Creek - Proposed Temporary Road Closure be received.
2. Council endorses the proposed temporary full road closure on Aldington Road, Kemps Creek from the northern end of the frontage of 230 Aldington Road to the northern end of the frontage of 90 Aldington Road, as shown in Separate Enclosure 2 and 3, for 45 weeks subject to any further changes required by Council officers being incorporated into the CTMP as shown in Separate Enclosure 1 prior to commencement of works.
3. Council's Development Engineers and the applicant be advised of Council's resolution and required to prepare and undertake a comprehensive communications strategy regarding the proposed temporary road closure.
4. Works be funded by the developer at no cost to Council.

GENERAL BUSINESS

GB 1 Traffic Congestion in Glenmore Park

Mark Rusev (Representative for the Member for Badgerys Creek) raised concerns on behalf of a constituent regarding traffic congestion during peak times around schools in Glenmore Park. Concerns were also raised regarding traffic congestion on Glenmore Parkway approaching Mulgoa Road during peak times and weekends.

Joshua Hull (Chair) acknowledged the school-related congestion and advised that Council investigations have been undertaken, particularly around Bethany Catholic Primary School, to implement parking management schemes. Council is also working with schools to encourage walking and improve traffic flow, acknowledging that peak congestion around schools is typically short-duration.

Joshua also advised that Transport for NSW is currently upgrading Mulgoa Road which is temporarily impacting access in and out of Glenmore Park. The current upgrade works are expected to be completed in 2026.

Mark Rusev confirmed no further representations were required following Joshua Hull's response.

RECOMMENDATION:

LTF 7 That Council receive the information.

GB 2 Swallow Drive and Sennar Road, Erskine Park

Mark Rusev (Representative for the Member for Badgerys Creek) raised concerns on behalf of a constituent regarding vehicles parking close to the intersection of Swallow Drive and Sennar Road, affecting sightline visibility. The matter has previously been reported to Council and Rangers attended the location, however no vehicles were parked there during the time of inspection. Joshua Hull (Chair) suggested that formal representations be made regarding the matter so that further investigations could be undertaken and a response provided.

RECOMMENDATION:

LTF 8 That Council investigate the matter following representations being made by the Member for Badgerys Creek.

Councillor Reece Nuttall left the meeting at 9:31 AM.

There being no further business the Chairperson declared the meeting closed the time being 9:40 AM.

**REPORT AND RECOMMENDATIONS OF THE
POLICY REVIEW COMMITTEE MEETING
HELD ON 1 DECEMBER, 2025**

WEBCASTING STATEMENT

His Worship the Mayor, Councillor Todd Carney read a statement advising that Council Meetings are recorded and webcast.

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.

APOLOGIES

The apologies received from Councillor Libby Austin and Councillor Hollie McLean were accepted.

CONFIRMATION OF MINUTES - Policy Review Committee Meeting - 13 October 2025

The minutes of the Policy Review Committee Meeting of 13 October 2025 were confirmed.

DECLARATIONS OF INTEREST

Councillor Sue Day declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 2 - Children's Services Cooperative*, as she is on the Children's Services Cooperative Board as Council's representative. Councillor Sue Day 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 – Less than Significant in *Item 1 - PP&VA Annual Report 2024-25 and update*, as she is on the Penrith Performing and 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.

Councillor Robin Cook declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 1 - PP&VA Annual Report 2024-25 and update*, as she is on the Penrith Performing and 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 Ross Fowler OAM declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 1 - PP&VA Annual Report 2024-25 and update*, as he is on the Penrith Performing and 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 Ross Fowler OAM declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 2 - Children's Services Cooperative*, as he is on the Children's Services

Cooperative 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 Vanessa Pollak declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 2 - Children's Services Cooperative*, as she is on the Children's Services Cooperative Board as Council's representative. Councillor Vanessa Pollak stated that she would leave the meeting during consideration of this item and would not take part in voting or discussion on this item.

DELIVERY PROGRAM REPORTS

Having previously declared a Non-Pecuniary Conflict of Interest – Less than Significant in Item 1, Councillors Robin Cook, Kirstie Boerst and Ross Fowler OAM left the meeting, the time being 7:03pm.

STRATEGIC DIRECTION 2 - SUPPORT OUR WELLBEING

1 PP&VA Annual Report 2024-25 and update

RECOMMENDED

That:

1. The information contained in the report on PP&VA Annual Report 2024-25 and update be received.
2. Council continues to underwrite the operations of Penrith Performing and Visual Arts Ltd up to the presentation of their 2027-28 Annual Report.

Councillors Robin Cook and Kirstie Boerst returned to the meeting, the time being 7:30pm.

Having previously declared a Non-Pecuniary Conflict of Interest – Less than Significant in Item 2, Councillors Vanessa Pollak and Sue Day left the meeting, the time being 7:31pm.

2 Children's Services Cooperative

RECOMMENDED

That:

1. The information contained in the report on Penrith City Council Children's Services Cooperative Ltd be received.
2. Council underwrites the operations of the Penrith City Council Children's Services Cooperative Ltd until the presentation to Council of the Penrith City Children's Services Cooperative Ltd Annual Report for 2025-26.

Councillors Vanessa Pollak, Sue Day and Ross Fowler OAM returned to the meeting, the time being 7:49pm.

There being no further business the Chairperson declared the meeting closed the time being 7:50pm.

RECOMMENDATION

That the recommendations contained in the Report and Recommendations of the Policy Review Committee meeting held on 1 December, 2025 be adopted.

DELIVERY PROGRAM REPORTS

Item		Page
STRATEGIC DIRECTION 1 - NURTURE OUR ENVIRONMENT		
1	Rickabys Creek Catchment Flood Study	1
STRATEGIC DIRECTION 3 - SHAPE OUR GROWING CITY		
2	Proposed Amendment to Penrith Development Control Plan 2014 Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.	21
3	Planning Proposal - Amendment to Penrith Local Environmental Plan 2010 Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.	28
STRATEGIC DIRECTION 4 - PROVIDE FOR OUR LIFESTYLE		
4	PCC24/25-128 Concrete Maintenance Works	41
5	Penrith City Centre Parking Implementation Plan 2025-2030	49
6	PCC2025-280 Community Facilities Grounds Maintenance	52
7	Penrith Valley Regional Sports Centre Update	57
STRATEGIC DIRECTION 5 - WORK TOGETHER		
8	Summary of Investments and Banking for the period 1 November 2025 - 30 November 2025 (23 November 2025 due to early December Ordinary Meeting)	66
9	2026 Proposed Meeting Calendar	75
10	Technology and Digital Strategy "Technology for Tomorrows Penrith" - 2025 - 2029 - Draft Strategy Endorsement	79
11	Code of Conduct - Report on Complaints Statistics	83
12	Corporate Website Redevelopment Project	85
13	Annual Pecuniary Interest Returns 2024 -2025	95
14	UDIA National Congress 2026	97
15	Draft Code of Meeting Practice	99



STRATEGIC DIRECTION 1 - NURTURE OUR ENVIRONMENT

Item		Page
1	Rickabys Creek Catchment Flood Study	1



1 Rickabys Creek Catchment Flood Study

Compiled by: Janahan Jivajirajah, Senior Engineer - Stormwater
Mylvaganam Senthilvasan, Floodplain Engineering Coordinator

Authorised by: Joshua Hull, Head of Engineering Services
Andrew Jackson, Director Planning and Regulatory Services

Outcome	<i>Nurture our environment</i>
Strategy	<i>Advance climate resilience and mitigate urban heat</i>
Principal Activity	<i>Mitigate risks and impacts on life and property arising from current and future floodplain utilisation</i>

Executive Summary

In alignment with the NSW Flood Risk Management Manual, June 2023, Council has undertaken a Flood Study for the Rickabys Creek Catchment. The Draft Rickabys Creek Catchment Flood Study dated June 2025 was made available for public exhibition from 17 July 2025 to 14 August 2025 to seek public feedback. Council received twenty (20) written submissions from residents, businesses and stakeholders. This report aims to present the outcomes of the public exhibition to Council.

The study area is approximately 74 square kilometres and encompasses the suburbs of Agnes Banks, Londonderry, Castlereagh, the western side of Berkshire Park, the northern side of Cranebrook and a small part of Llandilo. The lower parts of the study are particularly impacted by backwater flows from the Hawkesbury River, which can inundate the lower reaches of Rickabys Creek and Torkington Creek.

The study was undertaken by the engineering consultancy firm Catchment Simulation Solutions on behalf of Council, with technical guidance from the Department of Climate Change, Energy, the Environment and Water (DCCEEW). The study offers a comprehensive analysis of current flood risks and flood information including flood mapping, and that would be used by Council for the flood planning for the study area and development assessment purposes.

Following the completion of the flood study, updates to section 10.7 flood planning notations are required for all properties within the designated flood planning area (defined as the 100-year flood level plus a 0.5m freeboard). To fulfill Council's obligations during the public exhibition period, the section 10.7 flood planning notations were revised in accordance with the draft Rickabys Creek Catchment Flood Study (June 2025). These revisions involved removing 241 previously applied flood notations, modifying notations for 175 properties, and adding 181 new flood notations.

Importantly, the issues raised during the public exhibition did not result in any material changes to the draft Flood Study. Accordingly, the report recommends that the Rickabys Creek Catchment Flood Study be formally adopted by Council.

Background

The NSW Government's Flood Policy aims to address existing flooding issues in developed areas and ensure that new developments are compatible with relevant flood hazards, preventing the creation of flooding problems in other areas. Under this policy, the

management of flood-prone land is the responsibility of local councils. The policy and floodplain management practices are outlined in the NSW Government's Flood Risk Management Manual, June 2023. This Manual prescribes a staged process that councils must follow, including data collection, a flood study, a floodplain risk management study and plan, and the implementation of the plan, as illustrated in Figure 1 below.

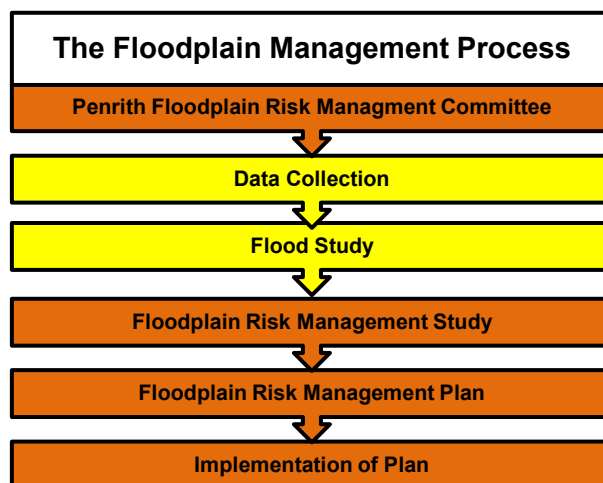


Figure 1 – Floodplain Management Process

The State Government provides technical advice and, in some instances, financial support to councils for managing their floodplains. The Rickabys Creek Catchment Flood Study is jointly funded by Council and grant funding from the NSW Government through DCCEEW.

The Flood Study was undertaken by the engineering consultancy firm Catchment Simulation Solutions on behalf of Council, with technical guidance from DCCEEW. The Flood Study was overseen by the Council's Floodplain Risk Management Committee and supported by a Technical Working Group comprising members from Council, the consultant, DCCEEW and the NSW State Emergency Services (SES).

In 2006, Council undertook an Overland Flow Flood Overview Study (2006 Flood Study) for the entire Penrith Local Government Area. The 2006 Flood Study identified all major overland flow paths, provisional flood hazard for properties at risk of flooding, and ranking of the catchment areas in terms of severity of flooding. The 2006 Flood Study assists Council in prioritising catchment areas to undertake detailed flood studies. The Rickabys Creek catchment was identified as one of the priority catchment requiring a detailed flood study and a floodplain risk management plan to effectively manage the flooding.

The study area (Appendix 1) is approximately 74 square kilometres and encompasses the suburbs of Agnes Banks, Londonderry, Castlereagh, the western side of Berkshire Park, the northern side of Cranebrook and a small part of Llandilo. The lower parts of the study are particularly impacted by backwater flows from the Nepean River, which can inundate the lower reaches of Rickabys Creek and Torkington Creek.

The primary objective of this flood study is to define the flood behaviour under the existing floodplain conditions. The flood study produces information on flood extents, levels, depths, velocities, flows, hydraulic and hazard categories for a range of storm events including the Probable Maximum Flood (PMF). In addition, the study defines the flood planning area for the study area.

On 2 June 2025, the draft Rickabys Creek Catchment Flood Study was presented to the Floodplain Risk Management Committee. The Committee endorsed the draft Flood Study report for the purpose of public exhibition.

Subsequently, on 30 June 2025, Council considered a report regarding the public exhibition of the draft Rickabys Catchment Flood Study and resolved 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”.*

Public Exhibition

As resolved by Council on 30 June 2025, the draft Rickabys Creek Catchment Flood Study, June 2025 (**Volume 1, Volume 2 and Summary Report**) was placed on public exhibition from 17 July 2025 until 15 August 2025. The exhibition process included direct contact to the property owners through the study area via letters and public notification of the exhibition period through various media formats. The following tasks were undertaken as part of the public exhibition:

- Advertisements (17 and 24 July 2025) were placed in the local newspaper “The Western Weekender” inviting residents, ratepayers and business owners to review the draft Flood Study reports and make submissions.
- A Community Information Sheet (Factsheet) was prepared, detailing the flood management process and the steps involved in preparing a flood study. This was also made available through Council’s website.
- A letter, along with the Community Information Sheet, was sent to all property owners (approximately 3,150 letters) within the study area, informing them about the public exhibition and requesting them to review the draft reports and make submissions.
- Printed study documents were placed at the Civic Centre and Council libraries at the Civic Centre and St Marys for public viewing.
- Council’s webpage was updated to provide details of the exhibition and arrangements made for online submissions.
- Council’s social media outlets such as Facebook, Instagram and Twitter were used to inform about the public exhibition.
- A community meeting was held in the Andromeda Community Centre at Cranebrook on Wednesday 30 July 2025 from 6pm – 8pm allowing the public to discuss the Flood Study directly with staff and the consultant. During the meeting, a short presentation was given outlining the purpose of the Flood Study. The session allowed participants to ask questions about the relevant documents and discuss matters as required. Fifty-three residents and business owners registered attendance for the session; however, some extra attendees were noted.

The online response to the public exhibition attracted 528 visitors. In total, Council received twenty (20) written submissions during the public exhibition period. These submissions are summarised, along with Council’s responses, in Appendix 2.

The consultant and Council staff reviewed the submissions and investigated the concerns raised in the submissions and referred the matters raised, particularly drainage maintenance, to the relevant Council’s Departments for action.

The key themes of the public exhibition feedback can be summarised as follows:

- **Local Drainage Concerns:** Multiple submissions highlighted issues with local drainage maintenance, suggesting that inadequate maintenance contributed to flooding in their areas.
- **Dams on Private Properties:** Some property owners requested that dams located on their land not be classified as sources of flooding within the Flood Study.
- **General Support:** Aside from these points, there were no other objections to the Flood Study.

This public exhibition feedback process demonstrates that while there were some local concerns, mainly about drainage and property-specific issues, the overall methodology and findings of the Flood Study were broadly accepted by the community. Council's review of submissions confirmed that only minor or clarifying amendments were needed, and the core findings of the study remained valid. The only required amendments are to reflect the completion of the public exhibition and to correct a typo. The proposed amendments are listed below.

Amendments to the Flood Study reports

1. Typographical correction to page 7 of the Rickabys Creek Catchment Flood Study Summary Report. The word "exiting" will be updated to "existing".
2. Section '2.9 - Community Consultation' was updated to include the public exhibition process.

With the above amendments the Flood Study report is now titled as "**Rickabys Creek Catchment Flood Study Final Report, December 2025**".

Endorsement of the floodplain Risk Management Committee

On 1 December 2025, the outcomes of the draft Rickabys Creek Catchment Flood Study (June 2025) public exhibition was presented to the Floodplain Risk Management Committee.

The Committee resolved that:

1. *"The information contained in the report on Rickabys Creek Catchment Flood Study be received.*
2. *The Rickabys Creek Catchment Flood Study Final Report November 2025 be endorsed by the Committee and recommended through to Council for adoption".*

Key Implications

The Rickabys Creek Catchment Flood Study presents Council with contemporary flood information for the catchment. This information necessitated a review of flood planning levels and associated property flood notations.

(a) Future Flood Planning Levels

Once the Rickabys Creek Catchment Flood Study is adopted by Council, all future flood planning activities within the study area will be based on the results of this Flood Study together with other relevant flood information such as studies relating to the Hawkesbury-

Nepean River. All flood information (e.g.: flood levels and flood extents) based on previous studies will be superseded by the Rickabys Creek Catchment Flood Study, December 2025.

(b) s10.7 Flood Planning Notations

With the completion of the Rickabys Creek Catchment Flood Study, the section 10.7 flood planning notations will need to be updated for all the properties affected by the flood planning area (100-year flood level plus 0.5m freeboard). At the time of the public exhibition, based on the draft Rickabys Creek Catchment Flood Study, June 2025 Council has updated the section 10.7 flood planning notations. This included the removal of 241 previously applied flood notations, amendment to previously applied flood notations to 175 properties and addition of 181 flood notations.

As part of the review of public exhibition submissions flood planning notations were further reviewed. The flood planning notation to one property has been removed while the remaining are valid and will be retained on those properties following the formal adoption of the Study.

(c) Floodplain Risk Management Study and Plan

The results of the Flood Study will inform the development of a future Floodplain Risk Management Plan (next stage, subject to availability of grant funding) for the catchment to address the existing and future flood risks.

In accordance with the NSW Government's Flood Risk Management Manual, June 2023, Council will undertake a Floodplain Risk Management Study and to develop a Floodplain Risk Management Plan subject to funds (grants and Council funds) being made available.

Financial Implications

The Rickaby's Creek Catchment Flood Study has an approved budget of \$329,002. Funding for the project is sourced from two streams: one-third from the Stormwater Management Service Charge Reserve and two-thirds from the NSW Department of Climate Change, Energy, the Environment and Water under the Floodplain Management Program. As such, all costs associated with the publication of the study documents are already accounted for within the allocated project budget.

Risk Implications

Adoption of the Rickabys Creek Catchment Flood Study, December 2025 meets Council's obligations under the NSW Flood Risk Management Manual, June 2023 and good faith provision under the Local Government Act 1993.

Conclusion

The Rickabys Creek Catchment Flood Study represents a major step forward in Council's commitment to responsible floodplain management. Developed in line with the NSW Flood Risk Management Manual (June 2023), this Flood Study delivers the most current and comprehensive assessment of flood risks across the Rickabys Creek Catchment. The process was marked by strong collaboration between Council, technical consultants, state agencies and the local community, ensuring the study's findings are both technically robust and locally relevant.

The public exhibition phase was transparent and inclusive, engaging residents, businesses and stakeholders through direct communication, community meeting and online platforms.

Feedback received primarily concerning local drainage and property-specific issues were carefully reviewed. Importantly, Council's review of submissions confirmed that only minor or clarifying amendments were needed, and the core findings of the study remained valid.

With the adoption of the Rickabys Creek Catchment Flood Study Final Report, December 2025, Council fulfills its obligations under NSW State Flood Policy and sets the stage for the next phase in developing a Floodplain Risk Management Plan, subject to available funding.

The Rickabys Creek Catchment Flood Study, Final Report, December 2025 (***The Flood Study Report Volume 1 & Volume 2 and Summary Report were separately provided to Councillors and were made available to the public on Council's webpage***) is now ready for the consideration by Council for formal adoption.

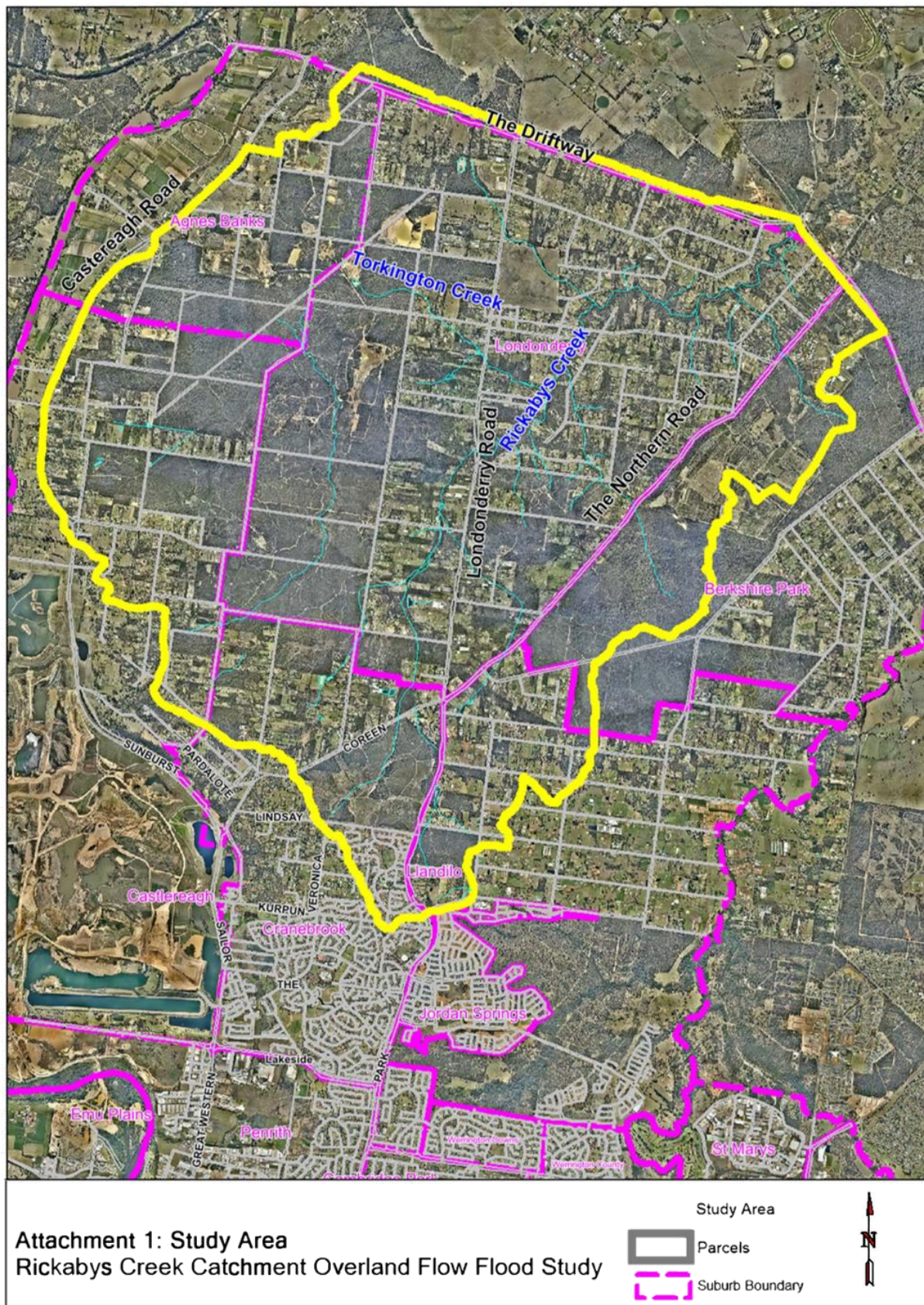
RECOMMENDATION

That:

1. The information contained in the report on Rickabys Creek Catchment Flood Study be received.
2. The Rickabys Creek Catchment Flood Study Final Report, December 2025 be adopted.
3. The Rickabys Creek Catchment Flood Study Final Report, December 2025 be made available to the public through Council's website.
4. Council write to those who made submissions advising of Council's resolution.
5. Council write to relevant State and Federal Members of Parliament advising them of the adoption of the Rickabys Creek Catchment Flood Study, December 2025 and thanking them for their continued support of Council's Floodplain Management Program.

ATTACHMENTS/APPENDICES

- | | | |
|--|---------|----------|
| 1. Study Area - Rickabys Creek Catchment Flood Study | 1 Page | Appendix |
| 2. Rickabys Creek Catchment Flood Study Public Exhibition - Summary of Submissions and Council Responses | 8 Pages | Appendix |



Attachment 2:**Rickabys Creek Catchment Flood Study- Summary of Public Submissions and Council Responses**

Submission 1

The owner of a property on Tadmor Road, Cranebrook, has requested that the farm dam located at the rear of their property be excluded from the identified floodwater paths of the Flood Study. Drawing on extensive local experience and the unique characteristics of the site, the owner believes these areas are not actually subject to flooding as indicated in the study and should therefore be omitted from the mapped flood extents.

Response to Submission 1

A review of the site determined that it is only subject to inundation during the Probable Maximum Flood (PMF) event. However, the Flood Planning Area (FPA) does extend over the south-western corner of the property. The extent of the FPA in this location has been assessed as reasonable and will remain unchanged.

Submission 2

The second submission from Tadmor Road, Cranebrook, requests the removal of the property from the Flood Planning Area identified in the flood study. The writer contends that the property's inclusion is solely due to the presence of a farm dam and maintains that there is no meaningful link between the dam and creek-related flooding.

Response to Submission 2

The Rickabys Creek catchment includes flooding from both within the creek itself and along flow paths that lead toward the creek system. An overland flow path exists on the northern side of the property where the dam is located. The extent of inundation and flooding in this area is considered appropriate, so the Flood Planning Area (FPA) will remain unchanged.

Submission 3

The submission, made on behalf of the Richmond Race Club, expresses support for the Flood Study and endorses proposals aimed at enhancing dam water release capacity to improve access to roads and properties. The writer also supports the introduction of retention basins in the area, provided that residents are consulted to address any historical concerns. Additionally, the submission highlights the club's willingness to offer its site as an evacuation centre for residents and their animals affected by flooding. The submission expressed support for the Flood Study.

Response to Submission 3

The submission references the management of Warragamba Dam in relation to dam water releases and expresses support for future floodplain risk management initiatives, such as the introduction of retention basins. The flood study did not investigate flood management measures and that would form part of the future floodplain Risk Management study for the catchment. Decisions regarding dam water releases fall under the authority of the NSW Government and are not within Council's scope.

As the writer did not object to the draft flood study itself, no further action is required at this stage.

Submission 4

A resident of Wilshire Road, Londonderry, suggests that rezoning the land for residential development and subdivisions could help mitigate flooding, arguing that the primary issue is inadequate stormwater drainage rather than low-lying land. The resident also proposes that property developers and their contractors could implement flood infrastructure improvements as part of future development in the area.

Response to Submission 4

The suggestion to rezone land is a complex issue that falls outside the immediate scope of the current flood study. However, this matter can be considered as part of the future floodplain risk management study and plan, with input from Council's Planning Team. As the writer did not object to the draft flood study itself, no further action is required at this stage.

Submission 5

The representative from the Department of Education requested that the flood study incorporate both a Probable Maximum Flood (PMF) analysis and a detailed Flood Hazard Threshold Map to support comprehensive planning for the study area. The requested Hazard Map should clearly identify all six thresholds of hazardous conditions.

Response to Submission 5

The writer's request has already been addressed in the flood study. Both the Probable Maximum Flood (PMF) analysis and hazard mapping with six thresholds (H1 to H6 hazard classifications, based on the Australian Rainfall and Runoff guidelines) are included in Volume 2 of the report.

Submission 6

The owner of a property on Sheredan Road, Castlereagh, has requested that a farm dam and isolated sections at the rear of their property be excluded from the designated flood planning area. Drawing on long-term local knowledge and the specific characteristics of the site, the owner asserts that these areas are not subject to flooding and are not connected to the overland flood paths identified in the study. The writer suggests that the submission could be used to assist Council in refining flood mapping and planning controls to more accurately target flood-prone areas.

Response to Submission 6

Following a review, the dam is not included in the flood planning for this catchment. However, the areas at the rear of the property are identified as part of an overland flow path. The inundation in this section is considered reasonable and remains part of the overall flood planning for the catchment. As a result, the Flood Planning Area (FPA) will be retained.

Submission 7

A submission was received from a writer who did not specify their location within the study area, raising concerns about the complexity of the flood study and the lack of clear communication about its implications for individual properties. The writer observed that their property only began experiencing flooding during the last two major events, attributing this to inadequate maintenance of the creek and surrounding areas, as well as unauthorised

modifications to neighbouring properties that have altered flood behaviour. The writer requested a simplified summary outlining creek clean-up efforts and clarification on how the study may affect land value and insurance.

Response to Submission 7

The flood study is a comprehensive assessment conducted in accordance with the NSW Flood Risk Management Manual (June 2023). Regarding concerns about creek maintenance and clean-up efforts near the writer's property, the writer will need to contact Council so that Council's Asset Team can investigate and take appropriate action.

It should be noted that individual property values are based on many factors, and the impact of flood development controls varies from one property to another, it is impossible to predict whether a flood study or a flood planning notation will affect property value.

Regarding insurance premiums it should be noted that Insurance companies use a variety of sources to calculate risks and premiums, including the National Flood Information Database, which is funded by insurance companies through the Insurance Council. The insurance industry also uses its own estimates for flood risk assessment and its own definitions for flooding. These may differ from Council's information.

Submission 8

The third submission from Tadmore Road, Cranebrook, seeks to have a farm dam and isolated rear portions of the property excluded from the designated flood planning area. The writer, drawing on more than twenty years of local experience, asserts that these sections are not susceptible to flooding and should therefore not be included in the flood planning area.

Response to Submission 8

A deep channel has been identified along the southern boundary, originating from street inundation and directing flow within the property. Due to this channel, Flood Planning Area (FPA) be retained.

Submission 9

The fourth submission from Tadmore Road, Cranebrook, expresses concerns about the inclusion of the rear portion of the property within the Flood Planning Area. The writer provided an image illustrating what they believe to be an inaccurate flood extent, noting that the mapped Flood Planning Area overstates the actual width of water flow during rainfall events. According to the writer, water flow is restricted to a narrow, deep channel along the west side of a neighbouring property, which they believe is sufficient to manage flood events. The submission requests that the mapping be reconsidered.

Response to Submission 9

The submission refers to the Flood Planning Area, not the 100-year flood extent as assumed by the writer. The 100-year flood extent is limited to the north-west corner of the property. After careful consideration, both the 100-year extent and the Flood Planning Area across the rear of the property are considered realistic, and as such, the Flood Planning Area will be retained in this area.

Submission 10

A submission was received from a writer who did not specify their location within the flood study catchment, highlighting a typographical error on page 7 of the draft summary report.

Response to Submission 10

The typo error has now been corrected.

Submission 11

The owner of a property on Hinxman Road, Castlereagh, expressed general agreement with the flood study findings for several extended family members' properties. However, they raised concerns regarding their own property, specifically the area between their dwelling and shed. The owner noted that the flooding depicted in the study does not reflect actual conditions, describing it as shallow nuisance water that dissipates quickly. They have requested a review and rectification of the study's findings for their property.

Response to Submission 11

A review of the property confirmed that inundation between the dwelling and shed may reach depths of up to 300mm during a 100-year (1%AEP) flood event. The terrain information was also assessed and found to be reasonably represented. As a result, the 100-year (1%AEP) flood extent and Flood Planning Area (FPA) will be retained.

Submission 12

A resident of Kenmare Road, Londonderry, submitted photographs showing illegal fill being placed on a neighbouring property in August 2023, which may be affecting overland flows. Additionally, a separate submission from an owner of properties on Kenmare Road and Londonderry Road, Londonderry, also reported illegal filling on the same adjacent property.

Response to Submission 12

The flood model terrain used for the flood study is based on 2019 LiDAR data, which is the most recent data available for the study area. As a result, the model does not account for any illegal filling that has occurred since then. The matter related to the illegal filling has been referred to Council's Compliance section for investigation and further advice.

Submission 13

The writer, a resident of Nutt Road, Londonderry, provided constructive feedback on the community information session, highlighting issues with the number of chairs (seating), presentation setup, and communication. The writer commended the chairperson's management of challenging speakers but recommended clearer messaging in future sessions. Additionally, the writer raised concerns about flood runoff north of The Driftway, located in the Hawkesbury City Council Local Government Area, and expressed a desire for more visible Council action on local land use matters such as illegal occupancy and filling.

Response to Submission 13

The community information session experienced higher than anticipated attendance, which led to an insufficient number of chairs being available. Other feedback provided by the writer regarding the session will be considered for future community information sessions. As the writer did not object to the draft flood study itself, no further action is required.

Submission 14

The owner of a property on Howell Road, Londonderry, stated that their property should not be classified as a flood control lot, as the study has not accounted for recent drainage improvements near the property. They noted that following the drainage works, water is now being directed to their side of the road.

Response to Submission 14

Following a review, the consultant confirmed that the writer had previously inquired about the inclusion of recent drainage improvements in the flood study prior to the public exhibition. While these improvements were not initially incorporated, they were included when other minor updates were made to the flood model. As a result, any inundation and the associated Flood Planning Area (FPA) mapping remain valid and will be retained.

Submission 15

The resident (writer), who did not specify their exact location within the catchment, raised numerous concerns about the flood study results, and that are summarised below:

- a) The resident and their neighbour object to the Rickaby Creek flood study results, claiming their feedback provided during the Stage 1 community consultation were misrepresented, leading to misleading conclusions about floodwater on Clark Road and Reynolds Road.
- b) Both properties have flood planning notation (subject to flood related development controls) which has significant negative impacts, despite previous objections and claims that "overland water flow" is a more accurate description. The resident advocates for redefining "flood water" as "overland water flow" in council correspondence and studies.
- c) The resident highlights a lack of council maintenance on road drainage systems since 2017, despite promises of funding (\$60,000) to address the issue. Council workers avoid vegetation removal due to environmental concerns, contributing to poor drainage. And many local properties experience water issues due to poor drainage and flat terrain, but not actual flooding that inundates habitable buildings. Ongoing concerns about lack of regular council maintenance in drains, easements, and drainage pipes in the Londonderry electorate.
- d) The resident disputes the accuracy of government surveys (2006, 2017), citing a statement from a state minister that their property does not flood.
- e) Concerns are raised about the use of AI-generated information in flood studies, which may still be subject to human error and misrepresentation.
- f) The community meeting on 30th July 2025 was confusing, especially regarding property insurance and council staff statements about insurance company practices. Insurance companies reportedly rely on council flood reports, not independent studies, affecting residents' ability to obtain insurance.
- g) The resident questions why a new home is being built at a lower elevation with a flood causeway, while their property is classified as flood prone.
- h) The resident notes conflicting statements from council engineers about maintenance practices and the reliability of flood studies.
- i) The submission concludes with a call for Council not to adopt the current Rickaby Creek flood study due to perceived inaccuracies and misrepresentations.

Response to Submission 15

- a) Feedback from the stage 1 community consultation was instrumental in calibrating and verifying the flood model. Historical flood event data were compared with community-provided observations of actual flood levels from those events. All historical flood data gathered through community feedback was thoroughly reviewed and accurately incorporated into the flood study, ensuring it was not misinterpreted.
- b) The writer appears to suggest that flooding is limited to mainstream events originating from rivers or creeks and resulting in widespread, deep inundation. However, overland flow is also recognised as a form of flooding in the NSW Flood Risk Management Manual and is considered equally when assessing flood affectation, alongside mainstream flooding.
- c) These concerns will be referred to the Drainage Asset Team for review and appropriate action.
- d) The writer is referencing the LGA-wide flood study conducted in 2006, with flood notations applied in 2017 following Council approval. Regarding the minister's statement mentioned by the writer, it is assumed that the statement pertains to mainstream flooding (Nepean River flooding). The flood planning notation applied in 2017 was based on the 2006 study, which has since been superseded by the Rickabys Creek Catchment Flood Study.
- e) No AI-generated information has been used in this flood study.
- f) Insurance companies use a variety of sources to calculate risks and premiums, including the National Flood Information Database, which is funded by insurance companies through the Insurance Council. The insurance industry also uses its own estimates for flood risk assessment and its own definitions for flooding. These may differ from Council's information.
- g) It is difficult to provide specific comments without knowing which property is being referenced. However, given the large lot sizes in the area, it is possible that a dwelling may be located on a flood-affected lot, while the building footprint itself could be outside the designated Flood Planning Area. If the dwelling is situated outside the Flood Planning Area, flood related controls would not apply to the building.
- h) Maintenance of creeks and drainage systems is managed by other departments within Council. As a result, flood engineers are unable to comment on the extent of maintenance activities.
- i) The flood study process is thorough and follows the guidelines established in the Flood Risk Management Manual, June 2023, and the Australian Rainfall and Runoff national standards. The study is conducted in stages, with regular meetings involving a technical working group made up of members from various disciplines, as well as sessions with the flood committee. Additionally, the process is overseen by a representative from the state government. The flood study is contemporary, and its results are accurate, relevant, and accepted by the technical working group.

Submission 16

The writer, who did not specify their location within the catchment, states that clearing obstructions from natural watercourses would reduce water backup and, as a result, lessen the severity of flooding.

Response to Submission 16

As part of the flood study modelling process, factors such as dense creek vegetation and blockages are considered in drainage systems to reflect real-world conditions. Since the writer did not object to the draft flood study itself, no further action is required.

Submission 17

The writer, who did not specify their location within the catchment, requests that Council allocate funds to clear blockages from waterways to enable faster water flow.

Response to Submission 17

Funding concerns related to clearing blockages in the area have been forwarded to the Drainage Asset Team for review and recommendations. As the submission does not object to the draft flood study, no further action is required.

Submission 18

The owner of a property on Taylor Road, Cranebrook expressed confidence that their land remains unaffected by flooding. They observed that any water accumulation is limited to the council verge adjacent to their property, resulting from drainage pipe blockages. According to the owner, any surface water present is minor and is attributed to council infrastructure issues rather than natural flooding.

Response to Submission 18

Assessment of the property indicates that it is a negligible area impacted by the Flood Planning Area and is located near the start of an overland flow path. As a result, the property will no longer be classified as affected by Flood Planning Area.

The matters regarding drainage system blockages have been referred to the Asset Team for investigation and further recommendations.

Submission 19

A long-term resident of Berkshire Park raised concerns about the maintenance of the stormwater drain along Llandilo Road. While the drain initially operated effectively, the resident observed that maintenance has declined over time, with overgrown vegetation and dumped rubbish frequently causing blockages. The resident noted that inadequate upkeep is resulting in overflow onto Llandilo Road, which serves as a designated flood evacuation route, and called for more consistent and proactive action from Council.

Response to Submission 19

The writer expressed concern regarding the maintenance of a roadside drain. The matters related to blockages within the drainage system has been referred to the Drainage Asset Team for investigation and advice. As the submission does not object to the draft flood study, no further action is required in relation to the study itself.

Submission 20

The submission from the NSW SES requests that specific information be incorporated into the report and that relevant data be provided directly to their organisation. Their requests include the provision of spatial mapping data, particularly a Flood Emergency Response Classification, to support emergency management planning. Additionally, they ask for a table or list detailing buildings and facilities affected by the design modelled events. The

submission also seeks a table showing variations in flood rainfall levels and corresponding critical flood levels for the modelled events, as well as a table outlining warning times and the associated design model events for the study area.

Response to Submission 20

The Flood Emergency Response Classification mapping has already been completed and will be supplied to the SES for their use. The identification of buildings impacted by each event falls outside the scope of the current Flood Study and will be more appropriately addressed in the future Floodplain Risk Management Study and Plan, where floor level surveys will provide greater accuracy. The requested table comparing rainfall depth to AEP, with critical durations highlighted, will not be part of the Flood Study however will be separately prepared and shared with the SES. Peak flood levels for the design flood events are already included in Appendix J, while Appendix K contains comprehensive information on warning times.

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STRATEGIC DIRECTION 2 - SUPPORT OUR WELLBEING

There were no reports under this Delivery Program when the Business Paper was compiled

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STRATEGIC DIRECTION 3 - SHAPE OUR GROWING CITY

Item		Page
2	<u>Proposed Amendment to Penrith Development Control Plan 2014</u> Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.	21
3	<u>Planning Proposal - Amendment to Penrith Local Environmental Plan 2010</u> Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.	28



2 Proposed Amendment to Penrith Development Control Plan 2014

Compiled by: Wendy Connell, Senior Environmental Planner
Brooke Levingston, City Planning Coordinator
Danielle Fox, Senior Planner
Lucy Goldstein, Senior Planner

Authorised by: Christine Gough, Head of City Planning
Andrew Jackson, Director Planning and Regulatory Services

Outcome	<i>Shape our growing city</i>
Strategy	<i>Navigate balanced growth and plan strategically</i>
Principal Activity	<i>Ensure our strategic framework and vision are contemporary and guide land use planning to meet the needs of our community and growing population</i>

Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.

Executive Summary

This purpose of this report is to seek Council's endorsement to publicly exhibit a draft amendment to Penrith Development Control Plan 2014 (DCP 2014).

The draft amendment introduces a new structure and format to improve the readability and useability of the document and includes updated references, corrects typographical errors, and other administrative updates. The amendment also includes minor amendments to the Waste Management chapter and supporting Waste Management Guidelines (WMG) and to the Luddenham Business Park chapter.

The proposed amendment includes:

- new structure and format, as well as updated references to legislation, policy, government agencies and cross-references within the DCP
- typographical corrections and other minor administrative changes
- amendment to Chapter C5 Waste Management and supporting WMG
- amendment to Chapter E18 Luddenham Road Industrial Business Park
- removal of Chapter E16 Sydney Science Park as it is superseded and captured in the State-led Aerotropolis DCP.

This report recommends that Council endorse the draft amendment to DCP 2014 (separately enclosed) for public exhibition.

Background

LEP 2010 is a statutory planning instrument that guides land use and development outcomes in Penrith Local Government Area (LGA). It sets out zoning and land uses, as well as built form, minimum subdivision lot sizes, environmental provisions, heritage protection, maps and overlays.

DCP 2014 is a non-statutory document that provides detailed provisions that support the implementation of LEP 2010. For example, it includes controls for design and built form (setbacks, bulk and scale), development in rural zones, landscaping and urban heat

management, public domain and safety, environmental management (vegetation, water and flood management), car parking and road design, waste management, and other controls for specific land uses (residential dwelling types, childcare centres, places of worship, restricted premises).

Development control plans should be reviewed periodically to ensure they remain accurate, user-friendly, to correct errors or remove obsolete provisions. Council is guided by provisions in *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021* in the preparation, exhibition and the adoption of a development control plan.

It is noted that Council staff have also commenced a comprehensive review of DCP 2014. This involves a more thorough review of the existing planning controls to ensure they:

- are consistent with Council's Local Strategic Planning Statement (LSPS) and other strategic documents.
- are compatible and complimentary to the LEP and the concurrent review that is being undertaken of this statutory document.
- are contemporary and reflect the community's needs.
- are consistent with recent legislative and standardisation changes.

The proposed draft amendment to DCP 2014 (the subject of this report), and the comprehensive review of DCP 2014 will continue to occur concurrently with further updates to be provided to Councillors as both projects progress.

Current situation

The draft amendment consists of primarily administrative and non-policy updates. The amendment is needed to ensure the DCP 2014 is accurate, user friendly and responds to legislation and the community's needs. Proposed amendments to DCP 2014 are summarised in the table below.

Amendment	Description and purpose of amendment	Current provision
Introduce a new structure and format	<p>A new structure and format is proposed to improve readability, useability and consistency across the document. The new structure includes 5 parts, which are summarised below:</p> <ul style="list-style-type: none"> • Part A Introduction: This purpose of this part is to introduce the DCP, where it applies, its relationship to other plans and policies and how to use the DCP. Current Parts A and B have been consolidated. • Part B City wide controls: The new structure will group chapters that should be considered early when preparing a development application across most development proposals. Certain chapters have been consolidated where the controls are related or similar in theme. For example, all environmental chapters have been consolidated into one chapter rather than having several standalone chapters (water and 	<p>All chapters</p> <ul style="list-style-type: none"> • Part A and B Introductory material and overarching DCP Principles • Part C-City wide controls

Amendment	Description and purpose of amendment	Current provision
	<p>land management, noise, urban heat, landscape design and site planning).</p> <p>Certain sections of existing chapters have been made standalone chapters to acknowledge their importance and assist users of the DCP. For example, Access and Adaptability, and Safety and Security.</p> <ul style="list-style-type: none"> • Part C Land Use Controls: The chapters in this part prescribe controls for specific development types within specific zones, including rural, residential, employment (including industrial), and child care centres, educational establishments and places of public worship. • Part D Key Precincts: This part includes additional requirements relating to specific sites or areas in the Penrith LGA. Minor amendments are proposed to this section, apart from the removal of E16 Sydney Science Park chapter, as this area is captured by the State-led Aerotropolis DCP. • Part E: Appendices: This part contains resources to assist DCP users to prepare their development application including definitions and technical information. It is proposed to combine the existing appendices into one standalone chapter, rather than four separate chapters. Otherwise, only minor amendments are proposed to this section. <p>It is anticipated that further refinements to the structure, chapter headings, formatting and the addition of new chapters will be required as we progress further into the DCP Review. This new structure will streamline the DCP and facilitate a more orderly future review process.</p> <p>A copy of the proposed structure is separately enclosed.</p>	<ul style="list-style-type: none"> • Part D Land Use Controls • Part E Key Precincts • Part F Other Relevant Information
Remove obsolete controls and references, update cross	A preliminary 'health check' of each chapter has been undertaken to ensure that references to legislation, policy, or other Government agencies are current, as well as cross-references to other chapters of the DCP are correct having regard to	All chapters

Amendment	Description and purpose of amendment	Current provision
references and typographical corrections.	<p>the new structure and format. Duplications and outdated provisions have been removed as well as other minor corrections.</p> <p>There are occasions within chapters where some references have not been updated. This has occurred where updating the reference would materially impact controls and is not a straightforward or administrative update. As the comprehensive review of the DCP is progressed, these occurrences will be captured and updated.</p>	
Remove/repeal the Sydney Science Park chapter	The State-led Aerotropolis DCP includes the Sydney Science Park site. This means the E16 chapter has now been superseded, and, therefore, it is appropriate to remove this chapter from the DCP 2014. The numbering of chapters has been adjusted to ensure it remains consecutive.	Chapter E16 Sydney Science Park
Additional controls relating to Luddenham Road Industrial Business Park	<p>Chapter E18 commenced on 20 May 2024 to support a rezoning of land in Orchard Hills from rural to industrial. Proposed amendments to the E18 chapter include:</p> <ul style="list-style-type: none"> • amend chapter title from E18 to D16. • new DCP provisions relating to lot yield to support LEP Clause 7.24 that requires at least 40 lots to be delivered in Area 5 and 60 lots in Area 6. This is consistent with the Master Plan that has already been endorsed by Council at the Planning Proposal stage and will ensure appropriate distribution of the allotments across the site. • minor amendments to fix drafting errors relating to road cross section diagrams. • a requirement to demonstrate compliance with an estate wide cumulative noise assessment, provided as an appendix to the chapter. 	Chapter E18 Luddenham Road Industrial Business Park
Amendments to the Waste Management chapter and Waste Management Guidelines (WMG)	<p>Amendments to Chapter C5 are proposed to provide greater clarity of existing controls and introduce contemporary information on policy and legislative changes. Proposed amendments include:</p> <ul style="list-style-type: none"> • introduce information on the <i>NSW Protection of the Environment Legislation Amendment (FOGO Recycling) Act 2025</i> which mandates the collection of Food Organics and Garden Organics from residential development from 1 July 2030 and certain non-residential developments from 1 July 2026, 1 July 2028 and 1 July 2030 (depending on the weekly waste capacity of a 	C5 Waste Management Chapter and supporting WMG

Amendment	Description and purpose of amendment	Current provision
	<p>development).</p> <ul style="list-style-type: none"> introduce principles of circular economy, which seeks to minimise waste and encourage re-use and recycling. clarify controls that apply to group homes, boarding houses, co-living housing and manor houses. consolidation of the existing 5 WMG's into one to improve useability and other minor amendments. It is noted that this report does not seek Council's endorsement to exhibit the WMG, as the WMG is a non-statutory document and is not required to be exhibited under legislation or Council's Community Participation Plan. It is anticipated that the WMG will form part of the exhibition material as supporting information only. Minor clarifying amendments. 	
Expand existing savings provisions applying to the Child care centre chapter	<p>Part A of DCP 2014 includes a savings provision that exempts six development applications (as listed in Part A) from applying the updated child care centre controls in Chapter D5, Section 5.2 that came into force on 29 July 2025. The savings provisions clause allows for these six development applications to be assessed under the controls that were in effect at the time the applications were lodged.</p> <p>The current amendment (subject of this report) seeks to expand the savings provision to capture all development applications lodged prior to the commencement date of Chapter D5, Section 5.2, being 29 July 2025 to ensure a consistent approach.</p>	Part A Introduction

Financial Implications

There are no financial implications for Council associated with this report.

Risk Implications

There is no risk implications for Council associated with this report.

Next steps

Should Council endorse the recommendations of this report, the next steps include:

1. The draft amendment to Penrith DCP 2014 (provided as an enclosure to this report) will be placed on public exhibition.

2. Public exhibition will be undertaken for a minimum of 28 days in accordance with the community consultation requirements of the *Environmental Planning and Assessment Act 1979* (the Act) and *Environmental Planning and Assessment Regulation 2021* (Regulations), and Council's Community Participation Plan.
3. It is intended to exhibit the draft amendment to Penrith DCP 2014 at the same time as the Planning Proposal – LEP Review (also being reported at this meeting) for community feedback.

It is noted that alignment of the LEP and DCP exhibition will depend on a timely Gateway Determination from the Department of Planning, Housing and Infrastructure (DPHI) for the Planning Proposal. The target timeframe for exhibition is February-March 2026. Should there be a delay in the Gateway determination, the DCP exhibition will progress.

4. Submissions received in response to the public exhibition will be reviewed and recommendations prepared for Council's consideration.
5. A further report will be presented to Council detailing the results of the exhibition and recommendations, including whether to adopt the draft amendments.

Conclusion

Council officers have prepared a draft amendment to DCP 2014 that seeks to make updates to improve useability and readability, address outdated references and cross references, make administrative and minor changes. In addition, interim amendments to the waste management chapter and guidelines are proposed to provide contemporary guidance to applicants and respond to new legislation.

A comprehensive review of DCP 2014 has also commenced. This review involves a more thorough review of the existing planning controls that will be aligned to the Penrith Local Environmental Plan 2010 controls and State policy. The proposed draft amendment to DCP 2014 (the subject of this report), and the comprehensive review of DCP 2014 will continue to occur concurrently, with further updates to be provided to Councillors as both projects progress.

Should Council endorse the recommendations of this report, the draft amendment to DCP 2014 will be placed on public exhibition in accordance with legislative requirements and Council's Community Participation Plan.

RECOMMENDATION

That:

1. The information contained in the report on Proposed Amendment to Penrith Development Control Plan 2014 be received.
2. Council endorse the draft amendment to Penrith Development Control Plan 2014 (separately enclosed) for public exhibition.
3. The General Manager be granted delegation to make any minor changes to the draft amendment to Penrith Development Control Plan 2014 prior to public exhibition (e.g. to address typographic errors, incorrect references, formatting and the like).

4. The draft amendment to Penrith Development Control Plan 2014 be publicly exhibited in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979*, *Environmental Planning and Assessment Regulations 2021* and Council's Community Participation Plan.
5. A further report be prepared for Council following public exhibition.

ATTACHMENTS/APPENDICES

There are no attachments for this report

3 Planning Proposal - Amendment to Penrith Local Environmental Plan 2010

Compiled by: Prudence Hudson, Senior Planner
Wendy Connell, Senior Environmental Planner

Authorised by: Christine Gough, Head of City Planning
Andrew Jackson, Director Planning and Regulatory Services

Outcome	<i>Shape our growing city</i>
Strategy	<i>Navigate balanced growth and plan strategically</i>
Principal Activity	<i>Ensure our strategic framework and vision are contemporary and guide land use planning to meet the needs of our community and growing population</i>

Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.

Executive Summary

Council has initiated a Planning Proposal that seeks to make mostly administrative, non-policy amendments to Penrith Local Environmental Plan 2010 (LEP 2010) to correct errors, remove outdated or duplicate provisions, improve clarity and to respond to legislative changes. The proposed amendments will ensure LEP 2010 is accurate and remains fit-for-purpose.

The proposed amendments are summarised in this report and presented in detail within the Planning Proposal (separately enclosed).

The Planning Proposal is consistent with all relevant strategic plans and ministerial directions. The Planning Proposal is also supported by the Local Planning Panel (LPP).

This report recommends that Council endorse the Planning Proposal to be forwarded to the Minister for Planning and Public Spaces with a request to issue a Gateway determination.

Background

LEP 2010 is a statutory planning instrument that guides land use and development outcomes in the Penrith Local Government Area (LGA). It sets out zoning and land uses, as well as built form and design controls (e.g. building heights and floor space controls), minimum subdivision lot sizes, environmental provisions, heritage protection, and maps and overlays.

LEPs should be reviewed periodically to ensure they remain current, effective and are aligned with strategic policy and legislation.

Council officers have undertaken a review of LEP 2010 and identified several anomalies and/or outdated provisions within the LEP written instrument and associated LEP maps which must be addressed to ensure it remains fit-for-purpose and accurate. This includes correcting errors, removing duplicate controls and amending other obsolete provisions. Additionally, some changes to residential controls are required to respond to recent changes to legislation.

It is noted that a more detailed review of LEP 2010 has commenced to ensure the existing provisions are consistent with local and strategic policy, reflect the community's needs and are consistent with other legislative and standardisation changes. This will include a more

thorough review of the land use table, residential and non-residential controls and investigating introduction of local character controls and will have a greater focus on policy, rather than administrative changes and will also tie in with a comprehensive review of Council's Development Controls Plan 2014. This review will provide a holistic review of all controls and ensure they are feasible, implementable and generally fit for purpose.

Current Situation

The Planning Proposal comprises mostly administrative, non-policy changes and includes limited amendments to residential controls, updates to the Additional Permitted Use provisions, updates to the heritage register, rezoning land owned by NSW Government agencies, updates to Land Reservation Acquisition maps, and other corrections and updates.

The Planning Proposal recommends amendments to the LEP written instrument and map tiles. It has been provided to Councillors separate to this report in an enclosure.

The proposed amendments are presented in detail within the Planning Proposal and summarised in the table below.

PROPOSED AMENDMENT	RATIONALE
Changes to Residential Controls	
<p>Introduce a minimum lot size control for the parent lot of semi-detached dwellings, consistent with the existing controls for dual occupancy development in LEP 2010.</p> <p>An amendment to the LEP Land Use Table may also be undertaken to permit semi-detached dwellings in R2 Low Density Residential zones, to support clarity.</p>	<p>A recent amendment to <i>State Environmental Planning Policy (Housing) 2021</i> made semi-detached dwellings permissible in the R2 Low Density Residential zone. This was subsequently amended to only apply to the low and mid rise housing areas, which only applies within an 800m radius of Penrith CBD.</p> <p>It is proposed to align lot size controls for semi-detached dwellings with dual occupancy development as these building forms are similar in size and scale.</p> <p>This shall be reviewed in consultation with the Department of Planning, Housing and Infrastructure (the Department). No changes to the minimum lot size provisions are proposed for dual occupancies.</p>
Changes to Schedule 1 – Additional Permitted Uses (APU)	
<p>Amend Schedule 1 and associated mapping to ensure provisions are accurate and up to date.</p>	<p>Changes include:</p> <ul style="list-style-type: none"> • Deleting provisions where land is developed and an APU is no longer required. • Removing and/or consolidating duplicate provisions. • Deleting provisions where land use table for the applicable zone already permits the specified land use. • Updating and/or correcting property descriptions.
Changes to Schedule 5 – Environmental Heritage	
<p>Amend Schedule 5 and associated mapping to ensure Council's heritage</p>	<p>Amend property address, descriptions and/or maps for 9 heritage items to:</p> <ul style="list-style-type: none"> • Ensure heritage items are properly identified and

PROPOSED AMENDMENT	RATIONALE
register is up to date.	<p>locations are clear.</p> <ul style="list-style-type: none"> To remove a listing if a heritage item no longer exists.
Rezoning of Land Owned by NSW Government agencies	
<p>Transport for NSW and NSW National Parks and Wildlife Services have requested that some of their landholdings be rezoned.</p>	<ul style="list-style-type: none"> Transport for NSW requested that two properties be rezoned as these sites are no longer required for public infrastructure. This request is pursuant to Ministerial Direction 5.2 Reserving Land for Public Purposes. <ul style="list-style-type: none"> <u>64 Gough Street, Emu Plains</u>: rezone from SP2 Infrastructure to R2 Low Density Residential, apply minimum lot size control of 550m² and 8.5m building height control (consistent with adjoining land to the north and west). <u>Land at the Great Western Highway Lot 3 DP261871</u>: rezone from SP2 Infrastructure to R3 Medium Density Residential and apply 8.5m building height control (consistent with adjoining and surrounding properties). NSW National Parks and Wildlife Service requested that land at 90b Forestwood Drive, Glenmore Park (part of Mulgoa Nature Reserve) be rezoned from C2 Environmental Conservation to C1 National Parks and Nature Reserves as this zoning reflects its use as a national park. <p>These are both considered to have strategic and site specific merit.</p>
Changes to Land Reservation Acquisition Map	
<p>Update Land Reservation Acquisition maps for seven properties.</p>	<p>The proposed amendment is needed to correct anomalies and remove properties where land acquisition has been completed. Some of these amendments also include associated changes to the land zoning, building height and minimum lot size maps.</p>
Other amendments	
<p>Delete Clause 7.20 Orchard Hills</p>	<p>Clause 7.20 of LEP 2010 prescribes noise and flood controls for residential development in Orchard Hills. These provisions were originally derived from <i>Sydney Regional Environmental Plan No 25—Orchard Hills</i> (SREP 25) but were moved into LEP 2010 when SREP 25 was repealed.</p> <p>The noise and flood provisions within this clause are now out of date. Penrith Development Control Plan 2014 (DCP 2014) contains requirements for noise and vibration (including road noise). Residential development must also comply with the <i>NSW Road Noise Policy, Development near Rail Corridors, Busy Roads Interim Guideline</i>.</p>

PROPOSED AMENDMENT	RATIONALE
	LEP 2010 and DCP 2014 also contain appropriate provisions for addressing flood planning matters.
Amend zoning of 207 Bennett Road, St Clair (Council-owned site)	<p>The property is Council-owned and contains a Children's Learning Centre. The majority of the property is zoned RE1 Public Recreation, with a small portion on the southern boundary zoned R2 Low Density Residential.</p> <p>It is proposed to extend the RE1 Public Recreation zoning across the entire site to achieve a consistent zoning.</p> <p>The land is already classified as 'Operational'.</p>
Introduce a minimum subdivision lot size control to properties where none is currently applied	<p>This amendment is required to fix mapping anomalies ensure consistency with adjoining land. The amendment will impact four properties:</p> <ul style="list-style-type: none"> • <u>58 Smith Street, Kingswood</u>: Apply lot size control of 550sqm, consistent with southern portion of the property and adjoining properties. • <u>209a, 209b and 209c Bennett Road, St Clair</u>: Apply a lot size control of 550sqm, consistent with adjoining R2 Low Density Residential zoned properties.
Amend building height controls for certain properties in Caddens to reflect confirmed location of water management facilities and residential development	<p>A 5m building height control was applied to certain land in Caddens to delineate the location of proposed water management facilities associated with the Werrington Creek catchment. These were indicative locations.</p> <p>The water management facilities have now been developed in Caddens and their boundaries are now definite. Accordingly, it is proposed to:</p> <ul style="list-style-type: none"> • Apply a 9m height control to land which is no longer earmarked for infrastructure, and apply a consistent zoning. • Apply a 5m height control to land to align with the areas utilised for the delivery of the water management facilities.

Justification

Strategic merit

The Planning Proposal is the result of an officer review of LEP 2010 and is required to fix anomalies, improve clarity, delete obsolete or outdated provisions and to respond to recent legislative changes. The proposed amendments will ensure LEP 2010 remains current and effective.

The Planning Proposal is the best means of achieving the objectives and outcomes of the officer review and is required to progress the proposed amendments to LEP 2010, as per the Department's LEP Making Guideline.

Relationship to strategic planning framework

The Planning Proposal is consistent with all applicable Ministerial Directions, and, as the Planning Proposal includes mostly non-policy amendments, is not expected to contravene or contradict any applicable State, regional or local policies.

A limited number of amendments are proposed to residential controls to respond to changes to State policy.

Other impacts

The Planning Proposal is not expected to have any adverse environmental, social or economic impacts. Further, the Planning Proposal is not expected to impact existing or planned infrastructure.

Local Planning Panel

The Planning Proposal was presented to the LPP on 22 October 2025 for advice. The LPP considered the Planning Proposal and recommended that it be progressed through to Gateway stage.

The LPP also noted that further strategic planning work may be required to refine minimum lot sizes for future semi-detached dwellings and manor houses, depending on development outcomes in the interim. This was Council's original intention and will be facilitated through public exhibition and, if needed, further refinement as part of the detailed review of LEP 2010 and Development Control Plan 2014.

A copy of the LPP report and panel advice is provided at Appendix 1.

Financial Implications

There are no financial implications for Council associated with this report.

Risk Implications

There are no risk implications associated with this report.

Next steps

Should Council endorse the recommendations in this report, the Planning Proposal will be forwarded to the Minister for Planning and Public Spaces with a request for a Gateway determination.

The Planning Proposal will be assessed by delegated officers from the Department who will then issue a Gateway determination which indicates whether the proposal can proceed or not.

If the Gateway determination allows the Planning Proposal to proceed, Council will publicly exhibit the proposal in accordance with the timeframes and conditions 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*.

Following public exhibition, a further report will be presented to Council on the outcomes of the public exhibition and any submissions received, along with any changes required as a result of the public exhibition.

Conclusion

Council has initiated a Planning Proposal that seeks to make mostly administrative, non-policy amendments to LEP 2010 to correct errors, remove outdated or duplicate provisions, improve clarity and to respond to legislative changes. The proposed amendments will ensure LEP 2010 is accurate and remains fit-for-purpose.

The Planning Proposal is consistent with all relevant strategic plans and ministerial directions. The Planning Proposal is also supported by the Local Planning Panel (LPP).

This is the first stage in a holistic update to both the LEP 2010 and Development Control Plan 2014. This first stage has been initiated to correct anomalies and streamline the process for subsequent amendments.

This report recommends that Council endorse the Planning Proposal to be forwarded to the Minister for Planning and Public Spaces with a request for a Gateway determination.

RECOMMENDATION

That:

1. The information contained in the report on Planning Proposal - Amendment to Penrith Local Environmental Plan 2010 be received.
2. Council endorse the Planning Proposal (separately enclosed) of this report to be forwarded to the Minister for Planning and Public Spaces 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*, the *Environmental Planning and Assessment Regulation 2000* and Council's Community Participation Plan.

It is intended to exhibit the Planning Proposal at the same time as draft amendments to Penrith DCP 2014 (also being reported at this meeting) for community feedback. It is noted that alignment of the LEP and DCP exhibition will depend on a timely Gateway Determination from the Department of Planning, Housing and Infrastructure (DPHI) for the Planning Proposal. The target timeframe for exhibition is Feb-March 2026. Should there be a delay in the Gateway determination the DCP exhibition will progress.

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

ATTACHMENTS/APPENDICES

1. LPP Report and Panel Advice 5 Pages Appendix

Penrith Local Planning Panel Advice

22 October 2025

PLANNING PROPOSAL REF	None
PLANNING PROPOSAL DESCRIPTION	Council-led Planning Proposal - Amendments to Penrith Local Environmental Plan 2010
DATE OF LPP MEETING	22 October 2025
PANEL MEMBERS	Donna Rygate (Chair) Kate Bartlett (Expert) Christopher Young (Expert) Laura Howard (Community Rep)
APOLOGY	
DECLARATIONS OF INTEREST	

Executive Summary

This report seeks advice from the Local Planning Panel regarding a Council-led Planning Proposal. The Planning Proposal seeks to amend Penrith Local Environmental Plan 2010 (LEP 2010) to undertake mostly administrative, non-policy amendments to fix anomalies, improve clarity, remove duplication, delete obsolete provisions and respond to legislative changes.

The proposed amendments are summarised in this report and presented in detail within the Planning Proposal (provided at Attachment 1).

Following this meeting, the Planning Proposal will be reported to a future Council meeting with a recommendation to forward the Planning Proposal to the Minister for Planning and Public Spaces to request a Gateway determination. A Gateway determination will allow public exhibition and community and agency consultation to occur once any Gateway conditions are met.

Background

LEP 2010 is a statutory planning instrument that guides land use and development outcomes in the Penrith Local Government Area (LGA). It sets out zoning and land uses, as well as built form and design controls (e.g. building heights and floor space controls), minimum subdivision lot sizes, environmental provisions, heritage protection, and maps and overlays.

LEPs must be reviewed periodically to ensure they remain current, effective and are aligned with strategic policy and legislation.

Council officers have undertaken a review of LEP 2010 and identified several anomalies and/or outdated provisions within the LEP written instrument and associated LEP maps which must be addressed to ensure it remains fit-for-purpose and accurate. This includes correcting errors, removing duplicate controls and amending other obsolete provisions.

Additionally, some changes to residential controls are required to respond to recent amendments to State policy.

Current situation

The Planning Proposal comprises mostly administrative, non-policy changes and includes limited amendments to residential controls, updates to the Additional Permitted Use provisions, updates to the heritage register, rezoning land owned by NSW Government agencies, correcting properties descriptions, updated mapping and other anomalies and corrections.

The Planning Proposal recommends amendments to the LEP written instrument and map tiles.

The proposed amendments are summarised in the table below and are also presented in detail within the Planning Proposal at Attachment 1.

Table 1: Summary of proposed amendments to LEP 2010

PROPOSED AMENDMENTS
Changes to residential controls
Introduce a minimum lot size control for semi-detached dwellings (parent lot). The intention is to align the lot size control with existing provisions for dual occupancy development in LEP 2010. This amendment may also include an amendment to the LEP Land Use Table to permit semi-detached dwellings in R2 zoned, if necessary.
Introduce a minimum lot size control for manor houses. The intention is to align the lot size control with existing provisions for residential flat buildings in LEP 2010.
Apply Clause 4.1AA (Minimum subdivision lot size for community title schemes) to R2 and R3 zoned land.
Remove minimum 2-hectare lot size requirement for dwelling houses on certain land in Castlereagh.
Changes to Schedule 1 – Additional Permitted Uses (APU)
<ul style="list-style-type: none"> Delete provisions where land is developed and APU is no longer required. Remove/consolidate duplicate provisions. Delete provisions where land use table for the applicable zone already permits the specified land use. Update property descriptions.
Changes to Schedule 5 - Environmental Heritage
Amend heritage register to: <ul style="list-style-type: none"> Update property descriptions and/or locations on the heritage map. Reflect that a heritage item no longer exists.
Rezoning of Land Owned by NSW Government agencies
Rezone land owned by Transport for NSW that is no longer required for public infrastructure: <ul style="list-style-type: none"> <u>64 Gough Street, Emu Plains</u>: rezone to R2, apply minimum lot size control of 550m2 and 8.5m building height control (consistent with adjoining land to the north and west). <u>Land at the Great Western Highway Lot 3 DP261871</u>: rezone to R3 and apply 8.5m building height control (consistent with adjoining and surrounding properties).
<u>90b Forestwood Drive, Glenmore Park</u> : rezone to C1 National Parks and Nature Reserves, as requested by NSW National Parks and Wildlife Service.
Other changes
Update Land Reservation Acquisition maps to correct anomalies and remove properties where land acquisition has been completed. Some of these amendments also include associated changes to the land zoning, building height and minimum lot size maps.

Penrith Local Planning Panel Advice

22 October 2025

PROPOSED AMENDMENTS
Delete Clause 7.20 Orchard Hills – the noise and flooding provisions within this clause are outdated and are no longer required.
Amend zoning of 207 Bennett Road, St Clair. An R2 zoning will be applied across entire site. A small part of site is currently zoned RE1, but a consistent R2 zoning is considered more appropriate. Site is Council-owned and contains a Children's Learning Centre.
Introduce a minimum subdivision lot size control where none is currently applied: <ul style="list-style-type: none">• <u>58 Smith Street, Kingswood</u>: Apply lot size control of 550sqm, consistent with southern portion of the property.• <u>209a, 209b and 209c Bennett Road, St Clair</u>: Apply a lot size control of 550sqm, consistent with adjoining R2 zoned properties.
Amend building height controls for certain properties in Caddens. A 9m height limit will be applied to residential zoned land and a 5m height limit will be applied to the confirmed properties where water management facilities are located.
Amend Schedule 4 Classification and Reclassification of Public Land to update property descriptions for certain land at St Marys Town Centre.

Justification

Strategic merit

The Planning Proposal is the result of an officer review of LEP 2010 and is required to fix anomalies, improve clarity, delete obsolete or outdated provisions and to respond to recent legislative changes. The proposed amendments will ensure LEP 2010 remains current and effective.

The Planning Proposal is the best means of achieving the objectives and outcomes of the officer review and is required to progress the proposed amendments to LEP 2010, as per Department of Planning, Housing and Infrastructure's LEP Making Guideline.

Relationship to strategic planning framework

The Planning Proposal is consistent with all applicable Ministerial Directions, and, as the Planning Proposal includes mostly non-policy amendments, is not expected to contravene or contradict any applicable State, regional or local policies.

A limited number of amendments are proposed to residential controls to respond to changes to State policy.

Other impacts

The Planning Proposal is not expected to have any adverse environmental, social or economic impacts. Further, the Planning Proposal is not expected to impact existing or planned infrastructure.

Next steps

Following consideration by the Local Planning Panel, the Planning Proposal will be reported to a future Council meeting with a recommendation to forward the Planning Proposal to the Minister for Planning and Public Spaces with a request to issue a Gateway determination. The Local Planning Panel's advice will be attached to the Council report.

Penrith Local Planning Panel Advice

22 October 2025

Conclusion

This report seeks advice from the Local Planning Panel on a Council-led Planning Proposal. The Planning Proposal seeks to amend LEP 2010 to undertake mostly administrative, non-policy amendments to fix anomalies, improve clarity, delete obsolete provisions and respond to legislative changes. The changes are summarised within this report and are described in the Planning Proposal at Attachment 1.

ATTACHMENTS

1. Planning Proposal – Review of LEP 2010

Penrith Local Planning Panel Advice

22 October 2025

Council-led Planning Proposal - Amendments to Penrith Local Environmental Plan 2010

Local Planning Panel Advice provided, pursuant to Section 2.19 of the Environmental Planning and Assessment Act 1979.

The Panel has considered the Planning Proposal presented by Council officers and provides the following advice:

1. The Planning Proposal is generally supported as it will:
 - a) Correct anomalies, improve clarity and remove outdated provisions
 - b) Ensure LEP 2010 is fit-for-purpose and responds to recent legislative amendments
2. It is recommended that the Planning Proposal be progressed through the Gateway process.
3. The Panel noted that further strategic planning work may be required to refine minimum lot sizes for future semi-detached dwellings and manor houses depending on development outcomes in the interim.

Donna Rygate (Chair) 	Kate Bartlett (Expert) 
Chris Young (Expert) 	Laura Howard (Community Representative) 

STRATEGIC DIRECTION 4 - PROVIDE FOR OUR LIFESTYLE

Item		Page
4	<u>PCC24/25-128 Concrete Maintenance Works</u>	41
5	<u>Penrith City Centre Parking Implementation Plan 2025-2030</u>	49
6	<u>PCC2025-280 Community Facilities Grounds Maintenance</u>	52
7	<u>Penrith Valley Regional Sports Centre Update</u>	57



4 PCC24/25-128 Concrete Maintenance Works

Compiled by: Gowry Gowrythasan, Civil Operations Engineer

Authorised by: Linda Ross, Head of City Presentation
Adam Wilkinson, Director Asset Services

Outcome	<i>Provide for our lifestyle</i>
Strategy	<i>Facilitate easy travel through well-planned and high-quality infrastructure and networks</i>
Principal Activity	<i>Maintain and improve the City's roads, pathways and drainage infrastructure</i>

Executive Summary

The purpose of this report is to present the outcome of a tender process for the provision of concrete maintenance works across the Penrith Local Government Area (LGA).

A tender for the provision of Concrete Maintenance Works within the Penrith LGA for an initial period of three (3) years, with an option to extend for a further two (2) x one (1) year periods, was advertised on 19 August 2025 and closed on 16 September 2025.

The report recommends that the tender from Del Rocchio Concreting Pty Ltd be accepted as a preferred contractor, KK Civil Engineering be accepted as a secondary contractor and State Civil Pty Ltd as a tertiary contractor for the provision of Concrete Maintenance Works for a period of three (3) years, with an option to extend for a further two (2) by one (1) year periods by mutual agreement, subject to satisfactory performance and allowing for rise and fall provisions.

Background

The purpose of this tender is to establish a panel of contractors with the proven ability to provide concrete maintenance works, to undertake reconstruction of concrete paths and kerb & gutters, and other various road and parks concrete infrastructure works, on an 'as required' basis throughout the term of the agreement, anywhere within the Penrith Local Government Area.

It was proposed in the tender documents that the highest ranked supplier (preferred contractor) would be given first preference to carry out the works. In the event that they are unavailable or do not have the capacity to perform the work the second ranked supplier will be requested to carry out the work and so on. It is intended to continue with a 3-panel model for the next contractual cycle as this system ensures that work can proceed without delays by always having a backup contractor with capacity and capability.

Current Situation

The current panel contract arrangement, comprising three (3) contractors (NSW Kerbing Pty Ltd, Del Rocchio Concreting Pty Ltd and Statewide Civil Pty Ltd), for this service expired on 30 September 2025 and is currently operating under the extension provisions pending the establishment of a new contract.

Tender Evaluation Panel

The Tender Evaluation Panel consisted of Gowry Gowrythasan (Civil Operations Engineer), Steven Nixon (Acting Works Coordinator-Contracts), Nada Karunakaran (Senior Project

Engineer), Rup Gurung (Project Engineer) and an evaluation of Work Health and Safety compliance was conducted by Dragina Beckdache (Work Health and Safety Business Partner). Allyce Langton from Council's Procurement team performed the role of Tender Administration and Probity Officer for this Tender.

Tender Evaluation Criteria

The Tender evaluation criteria, listed below, was advertised and used in assessing the tenders received:

Compliance Criteria

- Statement of Conformance
- Current Insurance Policies
- Quality Management System
- WHS Management System, Heavy Vehicle National Law and Modern Slavery Laws
- Environmental Management System
- Compliance and Conflicts of Interest
- Tenderer's Workplace Relations Information

Weighted Qualitative Criteria

- Lump Sum Tender Price (Schedule of Rates)
- Capacity to Perform the Work:
 - History of the organisation
 - Local Supplier to the Penrith LGA
 - Previous Similar Works
 - Tenderer's Resourcing
 - Plant and Equipment
 - Key Personnel and Experience
 - Subcontractors

Summary of Tenders Received

A total of forty-two (42) submissions were received by the closing date of the advertised Tender and are listed below in alphabetical order.

Tenderer's Name	Location of the Business	Names of Business Owners and/or the Board of Directors
Ally Infrastructure Pty Ltd	327-329 Woodpark Road, Smithfield NSW 2164	David Baker, Assad Noun, Romy Eldahr
Anr Engineering Pty Ltd	13 Silvester Way, Gledswood Hills NSW 2557	Aram Ruman
Axial Construction Pty Ltd	78 Belmore Road, Bringelly NSW 2556	Jay Stanford
Build Hack	10A Medlow Dr, Quakers Hill NSW 2763	Anza Mansoor Damanpreet Singh
C. W. Concrete Pty. Limited	8 Broughton Street, Camden NSW 2570	Chad Merlino Francoise Rivalland
Citywide Civil Works	473 Malabar Road, Maroubra NSW 2035	Jennifer Al Saleh
South Syd Concrete Pty Ltd t/a Civil Domain	4 Realm Street, Arncliffe NSW 2205	Mervat Hijazi
Civil Tech Services Pty Ltd	79 Cranbourne St, Riverstone NSW 2765	Syed Taha Jamil
Civotek Pty Ltd	65 Coachwood Crescent, Alfords Point NSW 2234	Rawi Sader

Consolidated Civil & Construction Pty Ltd	34 Lachal Ave, Kogarah NSW 2217	Ahmad El Ammar
Convil Group Pty Ltd	4 Vicars Pl, Wetherill Park NSW 2164	Naseem Hana
Del Rocchio Concreting Pty Ltd	1/72 Doonmore St, Penrith NSW 2750	Giuseppe Rocchio, Heidi Rocchio
Dowsing (NSW) Pty Ltd	101 Russell St, Emu Plains NSW 2750	Bohdan Dowsing
Dxcore Pty Ltd	421 The Boulevard, Kirrawee NSW 2232	John Augoustis
EBCON Pty Ltd	226 St Marys Rd, Berkshire Park NSW 2765	Mr Elia Babi
Gaits Constructions	14 Barlow St, Cambridge Park NSW 2747	Dionyssios Gaitanidis
Georgievski Bros Pty Ltd	Level 6, 91 George Street, Parramatta NSW 2150	Stojan Georgievski
High End Civil (Aust) Pty Ltd	7/72 Canterbury Rd, Canterbury NSW 2193	Ibrahim Zaraket
J&G Asphalt & Civil Contractors Pty Ltd	43 Owen St Glendenning, NSW 2761	Jordan Bartolo Aaron Bartolo
Kelbon Project Services Pty Ltd	32 Smith Street, Parramatta NSW 2125	Richard Johnston
KK Consultants Pty Ltd t/s KK Civil Engineering	36 Riverside Rd, Chipping Norton NSW 2170	Koda Kassira
Knight Civil Pty Ltd	1/14 Cunningham St, Moorebank NSW 2170	Clayton William East
Mack Civil Pty Ltd	5/113 Boundary Road, Peakhurst NSW 2210	Karim Mahmoud
MAK Construction (AUST) Pty Ltd t/s MAK Urban Group	64 Bryant St, Padstow NSW 2211	Mohammad Hammoud Ali El Khochen
Mansour Paving (Aust) Pty Ltd	18 Bermill St, Rockdale NSW 2216	Mohammed Mansour Zena Mansour
Masport Pty Ltd	16 Hinchinbrook Dr, Hinchinbrook NSW 2168	Zeid Elmasri
Master Finish Civil Pty Ltd	33 Lynwen Cres, Banksia NSW 2216	Ahmad Harb
MSA Civil and Communications Pty Ltd	10 Loftus St, Turrella NSW 2205	Mouhamad Jomaa
North Shore Paving Co. Pty Ltd	16 Moore Ave, Lindfield NSW 2070	Ivan Tarjan, Rosie Tarjan, Philippa Tarjan
NSW Building and Civil Pty Ltd	11 Loftus St, Turrella NSW 2205	Youssef Arbid
Optimal Civil Pty Ltd	28 Edward St, Turrella NSW 2205	Natalie Fardous
Planet Civil Pty Ltd	178 Princes Hwy, Arncliffe NSW 2205	Mohamad El Najjar
Prime Civil & Traffic	50 Carnavon Cres, Georges Hall NSW 2198	Not Provided by tenderer
Resco Civil Pty Ltd	30 George St, Clyde NSW 2142	Khoder Reslan
RMA Contracting Pty Ltd	12/6-20 Braidwood St, Strathfield South NSW 2136	Ross Mitchell, George Jabbour, Andrew Mayes

Roadworx Surfacing Pty Ltd	6-8 Herbert Street, St Leonards NSW 2065	Stephen Gillies
Roundwood Engineering & Civil Pty Ltd	12/113 Queenscliff Rd, Queenscliff NSW 2096	Ruairi McMahon
Sydney Civil Communications Pty Ltd t/a SC Comms & Utilities	284 Belgrave Esplanade, Sylvania Waters NSW 2224	Andrew Smith
State Civil Pty Ltd	21 Sackville St, Bardwell Valley NSW 2207	Wedyan Tehfe
Sustainable Precast Company Pty Ltd	100 Bandon Road, Vineyard NSW 2765	Aniruddha Sawant, Joseph Furey
UID Pty Ltd	194 Deepfields Rd, Catherine Field NSW 2557	Mohamed Toubé
Victory Civil Pty Ltd	50 The Cascades, Mount Annan NSW 2567	ALMustafa Kamil

Compliance Criteria Evaluation

As part of the initial stage of the evaluation process, all tender submissions were reviewed against the established compliance criteria. The submissions from the following six (6) tenderers were found to be non-conforming and were consequently eliminated from further evaluation. The reasons for non-compliance are outlined below:

The following three (3) tenderers failed to provide the required tender documents:

- Build Hack
- Prime Civil & Traffic
- Roundwood Engineering & Civil Pty Ltd

The following three (3) tenderers failed to complete and provide supporting documents for Quality Assurance, WHS Management System, Environmental Management System and Employment Policy:

- Gaits Constructions
- Master Finish Civil Pty Ltd
- UID Pty Ltd

Weighted Qualitative Criteria Evaluation

The next stage of the evaluation process involved assessing all tenderers against the non-price weighted criteria and the annualised price weighted criteria within the Tender. Each company was required to demonstrate non-price weighted qualitative criteria. The Tender documents also provided tenderers with indicative quantities for concrete maintenance works, and each Tenderer was asked to submit a unit rate for the specified items.

The unit rates submitted by each of the Tenderers were annualised based on the usage figures specified in the Tender and evaluated against the qualitative assessment outcomes. The table below presents the annualised prices submitted by each Tenderer, listed from the lowest to the highest.

	Tenderer's Name	Annualised Price \$ (excl.GST)
1	Knight Civil Pty Ltd	1,501,914.20
2	Citywide Civil Works	1,621,315.00
3	Consolidated Civil & Construction Pty Ltd	1,655,075.00
4	Planet Civil Pty Ltd	1,759,232.16
5	Civotek Pty Ltd	1,794,420.00

6	Highend Civil (Aust) Pty Ltd	1,871,900.00
7	Mansour Paving (Aust) Pty Ltd	1,872,555.00
8	Resco Civil Pty Ltd	1,891,530.09
9	Del Rocchio Concreting Pty Ltd	1,899,743.50
10	Victory Civil Pty Ltd	1,991,482.50
11	NSW Building and Civil Pty Ltd	1,993,055.00
12	State Civil Pty Ltd	1,999,440.00
13	Optimal Civil Pty Ltd	2,015,850.00
14	Civil Domain	2,099,945.00
15	KK Civil Engineering	2,159,985.00
16	MSA Civil and Communications Pty Ltd	2,208,907.50
17	Convil Group Pty Ltd	2,255,029.88
18	Masport Pty Ltd	2,435,615.00
19	ANR Engineering Pty Ltd	2,669,365.00
20	C.W. Concrete Pty Ltd	2,901,877.50
21	Dxcore Pty Ltd	3,166,640.00
22	Axial Construction Pty Ltd	3,203,854.06
23	J&G Asphalt & Civil Contractors Pty Ltd	3,257,327.00
24	Ebcon Pty Ltd	3,276,755.28
25	Kelbon Projects Services Pty Ltd	3,429,280.00
26	Mack Civil Pty Ltd	4,081,070.95
27	Ally Infrastructure Pty Ltd	4,195,841.00
28	Dowsing (NSW) Pty Ltd	4,432,990.98
29	RMA Contracting Pty Ltd	4,511,361.50
30	Roadworx Surfacing Pty Ltd	5,083,980.00
31	Georgievski Bros Pty Ltd	5,245,510.00
32	SC Comms & Utilities	5,397,949.75
33	MAK Urban Group	5,503,445.00
34	North Shore Paving Co. Pty Ltd	7,513,315.00
35	Sustainable Precast Company Pty Ltd	14,743,509.80
36	Civil Tech Services Pty Ltd	18,593,079.80

Following the evaluation of the Weighted Qualitative Criteria, the non-price and annualised price weighted scores were combined to determine the preferred panel of contractors that represent the best overall value for money to Council for the provision of Concrete Maintenance Works.

The five (5) highest-scoring tenderers, listed in order of their combined consensus scores from highest to lowest, are as follows:

	Tenderer's Name	Annualised Price \$ (excl.GST)
1	Del Rocchio Concreting Pty Ltd	1,899,743.50
2	Knight Civil Pty Ltd	1,501,914.20
3	KK Civil Engineering	2,159,985.00
4	State Civil Pty Ltd	1,999,440.00
5	NSW Building and Civil Pty Ltd	1,993,055.00

The panel discussed concerns regarding the relatively low pricing submitted by Knight Civil Pty Ltd. As part of the evaluation, the panel reviewed the pricing provided by the top five tenderers. This review confirmed that the rates submitted by Knight Civil Pty Ltd were significantly lower than industry average.

Council subsequently issued a clarification to all five tenderers to confirm the accuracy of their quoted rates, with particular emphasis on the inclusion of plant opening fees in their after-hours rates as specified in the scope of works. In response, Knight Civil Pty Ltd outlined several assumptions and methodologies for delivering smaller quantities of work. However, these assumptions did not sufficiently demonstrate (to Council's satisfaction) the contractor's capability to effectively deliver the required services over the contract term.

These concerns, together with the response received from Knight Civil Pty Ltd, present a significant risk should Council proceed to contract works with this contractor. Based on this risk, the panel determined not to progress Knight Civil Pty Ltd and will continue evaluation with the remaining four (4) shortlisted tenderers.

Rank	Tenderer's Name
1	Del Rocchio Concreting Pty Ltd
2	KK Civil Engineering
3	State Civil Pty Ltd
4	NSW Building and Civil Pty Ltd

The above four (4) shortlisted tenderers have been progressed to the final stage for financial and performance analysis by Equifax Australasia Credit Ratings Pty Ltd.

Financial Implications

An independent financial and performance analysis was completed by Equifax Australasia Credit Ratings Pty Ltd. The Council's Financial Services team have reviewed the financial information provided by the Tenderer's and have not identified any reason why the contract should not be awarded to Del Rocchio Concreting Pty Ltd as the preferred tender, with the other recommended contractors to be engaged in the event that the preferred tenderer is unable to provide the required services.

Risk Implications

Establishing a preferred list of contractors capable of delivering the specified concrete maintenance works will support Council operations by ensuring timely completion of maintenance activities. This approach also helps mitigate risks arising from existing asset conditions and reduces the likelihood of potential insurance claims.

Tender Advisory Group Comment

The objective of the Tender Advisory Group (TAG) is to support the Council to achieve fair and equitable tender processes. The TAG, consisting of Adam Wilkinson – Director Asset Services, Adam Beggs – Head of Governance and Neil Farquharson – Chief Financial Officer, were briefed by the Civil Operations team about the background and the process followed.

The TAG reviewed the evaluation process outlined within the report and is satisfied that the selection criteria have been correctly applied in making the recommendations. In particular, the TAG noted the concerns raised in relation to potential risk of accepting the lowest quoted prices supplied through the Tender submitted by Knight Civil Pty Ltd.

Conclusion

Based on the compliance assessment, weighted qualitative consensus score, and the financial and performance evaluations, the Tender Evaluation Panel is of the view that Del Rocchio Concreting Pty Ltd has demonstrated the capability to deliver the specified services and has submitted rates that represent the best overall value for money to Council in accordance with the tender requirements.

Del Rocchio Concreting Pty Ltd is a local supplier and has been Council's contractor for the past five (5) years, during which they have delivered satisfactory performance under the existing contract. Accordingly, Del Rocchio Concreting Pty Ltd is recommended as the preferred contractor.

KK Civil Engineering is recommended as the secondary contractor, to be engaged in the event that the preferred contractor is unable to deliver the required services.

State Civil Pty Ltd is recommended as the tertiary contractor, to be engaged in the event that the preferred and secondary contractors are unable to provide the required services.

Over the past five (5) years, Del Rocchio Concreting Pty Ltd has consistently demonstrated the ability to deliver the specified services on time and to a satisfactory standard. It is therefore recommended that only the secondary and tertiary contractors be appointed to the panel; to be engaged should the preferred contractor be unable to perform the required services.

RECOMMENDATION

That:

1. The information contained in the report on PCC24/25-128 Concrete Maintenance Works be received.
2. Del Rocchio Concreting Pty Ltd be appointed as the preferred contractor for the provision of Concrete Maintenance Works for a period of three (3) years, with an option to extend for two (2) by one (1) year periods by mutual agreement, subject to satisfactory performance, allowing for rise and fall provisions.
3. KK Civil Engineering be appointed as the secondary contractor, to be engaged in the event that the preferred contractor is unable to deliver the required services.
4. State Civil Pty Ltd be appointed as the tertiary contractor, to be engaged in the event that the above two contractors are unable to deliver the required services.

5. 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.
6. The General Manager be authorised to sign all necessary legal documents in relation to this matter.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

5 Penrith City Centre Parking Implementation Plan 2025-2030

Compiled by: Lalaine Malaluan, Senior Transport Engineer
Joshua Hull, Head of Engineering Services

Authorised by: Andrew Jackson, Director Planning and Regulatory Services

Outcome	<i>Provide for our lifestyle</i>
Strategy	<i>Facilitate easy travel through well-planned and high-quality infrastructure and networks</i>
Principal Activity	<i>Strategically plan and manage current and future traffic flow, active transport provision and parking of the City</i>

Executive Summary

The purpose of this report is to seek adoption of the Penrith City Centre Parking Implementation Plan 2025-2030 (the Implementation Plan). The Implementation Plan identifies the short and medium-term actions that could be implemented over the next five (5) years and beyond to make the existing parking stock within the Penrith CBD 'work harder' and ensure it is being efficiently utilised.

Since the pandemic, Council officers have continued to monitor parking conditions within the Penrith CBD and changes in parking behaviour. Whilst there is a clear need to increase parking supplying into the future in line with growth, there are several effective means by which to manage parking supply/demand presently.

The Implementation Plan will ensure that the existing parking supply in the CBD can be appropriately managed ahead of increasing supply into the future.

Background

Car parking within the Penrith CBD has long been a contentious issue with tension between supply and demand, and the conflicting expectations of shoppers, workers and commuters.

In 2011, Council adopted the Penrith City Centre Car Parking Strategy (2011 Strategy) which was developed around the following key principles:

1. Short-Term
Provide optimum utilisation of existing parking provisions.
2. Medium-Term
Provide parking and sustainable transport opportunities to manage the parking demand of a growing city.
3. Long-Term
Provide a comprehensive, integrated transport and parking system as a critical element in achieving the City's Vision.

These principles and timeframes were aligned and driven by the investment and growth of the CBD. The focus of the 2011 Strategy was on the future transport needs of the city being met not only by cars, but also by a substantive increase in public transport usage and

alternate transport modes, to reduce the reliance on private motor vehicles and thus reducing the pressures on parking and road congestion.

Since the adoption of the 2011 Strategy, Council has delivered on several impactful strategies/actions to date, including rollout of in-ground parking sensors across the CBD, line marking of on-street parking spaces, allocation of an increased number of accessible parking spaces in off-street car parks and provision of additional car parking at the North Street and Woodriff Gardens sites. Work is also ongoing as we address CPTED (Crime Prevention Through Environmental Design) issues throughout the CBD including footpaths, lighting safety and wayfinding.

In 2023 (following the pandemic), Council commissioned a car parking study to understand the current parking data, supply and demand pressures within the CBD. The study also looked at proposed management strategies that could be implemented both present and in the near future to continue to optimise the usage of parking provisions.

The analysis found that there is currently a surplus of parking available within the CBD and therefore increasing supply now would be premature. However, there are a number of potential 'levers' (or actions) that could be implemented in the short to medium-term to manage supply and demand pressures more appropriately.

Current Situation

The Penrith City Centre Parking Implementation Plan 2025-2030 has been prepared, as shown in Attachment 1. The recommended actions listed in the Implementation are grouped into seven (7) key parking management objectives:

1. Understand existing parking issues, opportunities and constraints with the Penrith City Centre
2. Optimise parking demand monitoring and enforcement
3. More efficient use of existing parking facilities
4. Reduce car parking demand
5. Ensure development parking controls are contemporary and effective
6. Generate funding to support parking management measures and future cost associated with additional parking supply
7. Increase car park supply

The Implementation Plan establishes a list of proposed actions that build on the 2011 Strategy and parking initiatives implemented within the CBD to date.

The Implementation Plan is not intended to be final or absolute in the sequencing or ultimate delivery of actions. Delivery of parking management initiatives requires ongoing monitoring and evaluation to ensure effective implementation.

Financial Implications

The actions listed in the Implementation Plan include projects and tasks that are currently unfunded although most are business as usual initiatives. Those actions that require additional resources and/or funding to carry forward will be considered alongside other city-wide priorities for funding consideration.

It is noted that some of the recommended actions have the potential to generate additional revenue, which could in turn be utilised to fund parking management and facility improvements outlined in the Implementation Plan.

Risk Implications

There are no risk implications identified associated with this report. However, it is acknowledged that risks associated with each delivery action proposed in the Implementation Plan have to be assessed and considered on a merit basis.

Conclusion

The Penrith City Centre Parking Implementation Plan 2025-2030 provides a contemporary framework and list of proposed actions to optimise utilisation of existing parking provisions. It is recommended that Council adopt the Implementation Plan which will be used to guide parking management within the CBD over the next five (5) years and beyond.

RECOMMENDATION

That:

1. The information contained in the report on Penrith City Centre Parking Implementation Plan 2025-2030 be received.
2. The Penrith City Centre Parking Implementation Plan be adopted and published on Council's website.

ATTACHMENTS/APPENDICES

1. Penrith City Centre Parking Implementation Plan 2025-2030	21 Pages	Attachments Included
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6 PCC2025-280 Community Facilities Grounds Maintenance

Compiled by: Brittany Hughes, Community Facilities and Recreation Project Officer
David Fowler, Community Facilities and Recreation Coordinator

Authorised by: Andrew Robinson, Head of Community Facilities and Recreation
Sandy Davies, Director Community Connection

Outcome	<i>Provide for our lifestyle</i>
Strategy	<i>Ensure public spaces and facilities are pleasant and fit for diverse needs and uses</i>
Principal Activity	<i>Manage and facilitate the use of community, sport, recreation, play and open space facilities</i>

Executive Summary

A tender for Community Facilities Grounds Maintenance was advertised on Wednesday 23 July 2025 and closed on Wednesday 13 August 2025. A total of twenty-two (22) tenderers provided submissions.

Five (5) submissions were excluded from progressing to the next review stage due to non-conformance, specifically for the absence of multiple mandatory documents. The remaining seventeen (17) tenders were evaluated through Vendor Panel under Council's standard procurement process.

This report advises Council of the outcome of the tender and recommends that the tender from SureGreen Pty Ltd for \$215,040.00 (excluding GST) be accepted to undertake the contract for community facilities grounds maintenance.

This contract is for an initial two (2) year period, with the option (by mutual agreement) to extend by a further two (2) x one (1) year extension options.

Background

Council has previously engaged a contractor for the grounds maintenance of 28 of its community facilities. Council Officers commenced a review of the grounds maintenance contract, during which period, the contractor provided advice that the business was no longer going to continue operations.

Council Officers have developed a detailed specification for grounds maintenance and subsequently initiated a tender process.

Current Situation

Council Officers sought responses from suitably experienced and qualified contractors to provide services within the Penrith Local Government Area in relation to grounds maintenance and mowing to the grounds of 28 Community Facilities.

Since the previous contractor ceased operations, the grounds maintenance at Council's Community Facilities is currently operating under an interim grounds maintenance contract which was established through a Request for Quotation process. These works are currently being undertaken by SureGreen Pty Ltd.

Tender Evaluation Panel

The Tender Evaluation Panel consisted of David Fowler (Community Facilities and Recreation Coordinator), Warren Grech (Field Coordinator Public Spaces Maintenance), Kirsten Locke (Work Health and Safety Business Partner), and was chaired by Brittany Hughes (Community Facilities and Recreation Operations Officer). Nicole Fahy (Procurement Business Partner) performed the role of Tender Administration and Probity Officer for this tender.

Tender Evaluation Criteria

The tender evaluation criteria, listed below, was advertised and used in assessing the tenders received.

Compliance Criteria:

- Statement of Conformance
- Current Insurance Policies
- Qualifications, Accreditations or Licences
- Quality Management System
- WHS Management System
- Environment Management System
- Tenderer's Workplace Relations Information
- Compliance and Conflicts of Interest
- Registration to Conserve

Weighted Qualitative Criteria:

- Lump Sum Tender Price Breakdown/Schedule of Rates and prices
- Previous Similar Work by the Tenderer
- Provision of Services and Proposed Program
- Service Delivery and Contingency Planning
- Local Supplier

Summary of Tenders received

A total of twenty-two (22) submissions were received by the closing date of the advertised tender with seventeen (17) of those progressing to the evaluation stage. The seventeen (17) that progressed are listed below.

Tenderer's name	Location of the business	Estimated total contract value (Excl GST)	Owners/Directors
Tailormade Project Pty Ltd	20 Stubbs St, Silverwater NSW 2128	\$2,343,638.40	Hye Sung Jun
New Start Australia Pty Ltd	Level 5 / 383-385 George St, Sydney NSW 2000	\$762,921.12	Daniel Phillips
Green Design and Construct	5-7 Hepher Rd, Campbelltown NSW 2560	\$744,152.00	Curtis Williams
Urban Grounds & Gardens Pty Ltd	Gladstone Rd Castle Hill, New South Wales 2154	\$693,840.00	Matt Morgan

RCC Facility Management Pty Ltd	30 Bell Are Ave, Northgate QLD 4013	\$663,339.16	Sandra Clark, Peter Clark, Cameron Clark
Australian Facilities Landscapes Pty Ltd	Unit 2, 2 Jindalee Place, Riverwood NSW 2210	\$622,080.00	Peter McDonnell, Guy Considine
Envirocivil NSW Pty Ltd	50 Tattersall Road, Kings Park NSW 2148	\$639,240.00	Peter Day
Programmed Property Services Pty Ltd	Suite C/255 Rawson St, Auburn NSW 2144	\$590,304.00	Stephen Leach, Charles Arundel, Mohammad Shah Bin Ismail Abdul Rahman
The Trustee for GLG Greenlife Group Unit Trust	23 Demand Ave, Arundel QLD 4214	\$487,107.28	Troy Mansel
VDG Pty Ltd	Unit 22/31 Gov Macquarie Dr, Chipping Norton NSW 2170	\$486,480.00	Dean Graoroski
Summit Open Space services	547 Great Western Hwy, Werrington NSW 2747	\$418,879.28	Greg Fitzgerald, Bradley Howell
Pinnacle Mowing Pty Ltd	51 Cawley Cct, Ropes Crossing NSW 2760	\$412,800.00	Wellington Digwa
Allied Integrated Management Group Pty Ltd	19 / 55-61 Pine Road, Yennora NSW 2161	\$344,611.44	Amer Awad
Marsupial Landscape Management Pty Ltd	Level 1 / 7-9 Orion Rd, Lane Cove West NSW 2066	\$316,400.00	Shane Herring
Star Property Maintenance (NSW) Pty Ltd	449A Victoria St, Wetherill Park NSW 2164	\$308,480.00	Steven Khalil, Fathi Khalil
SureGreen Pty Ltd	28/32 Abel St, Jamisontown NSW 2750	\$215,040.00	Nick Conroy, Pamela Moore
Waratah Group Services	Unit 1, 3 Bosci Rd, Ingleburn NSW 2565	\$172,084.00	Geoff Timpson

Criteria Evaluation

Seventeen (17) tenderers satisfied the compliance criteria as outlined in the tender and progressed to the qualitative evaluation stage.

The Tender Evaluation Panel scored each submission in accordance with the evaluation methodology. The lump sum price for each tenderer was also factored into the overall weighting and value for money equation.

Waratah Group Services was initially identified as offering the best value for money based on their lump sum pricing; however, concerns arose regarding inconsistencies in their "Price per Site" figures, which did not align with the updated scope of works. Waratah Group

Services also provided pricing based on an earlier version of the costing spreadsheet, which did not reflect recent changes to the total sqm of 3 sites, despite the addendum being acknowledged.

This anomaly raised risks of future contract variations, and as a result, the panel initiated a detailed review of the second ranked tenderer, SureGreen Pty Ltd.

SureGreen Pty Ltd is currently fulfilling the responsibilities of this contract under an interim arrangement and has successfully delivered the grounds maintenance program over the past seven (7) months.

Therefore, SureGreen Pty Ltd is recommended as the preferred contractor to provide the service for a period of two (2) years with an option to extend for a further two (2) by one (1) year periods, by mutual agreement and subject to satisfactory performance.

Financial Implications

The recommended tender, valued at \$215,040.00 (excluding GST), accounts for an initial two-year term, and the option to extend for an additional two years. The anticipated annual cost of \$53,760.00 (excluding GST), is fully funded within Council's Community Facilities Maintenance Budget.

Tender Advisory Group Comments

The objective of the Tender Advisory Group (TAG) is to support the Council to achieve fair and equitable tender processes. The TAG, consisting of Sandy Davies – Director Community Connection, Adam Beggs – Head of Governance and Neil Farquharson – Chief Financial Officer were briefed by the Community Facilities and Recreation team about the background and the process followed.

The TAG considered the recommendations in relation to the tender. The TAG reviewed the evaluation process outlined within the report and is satisfied that the selection criteria has been correctly applied in making the recommendations.

Risk Implications

The tender process was conducted in accordance with Council's procurement policy, mitigating risks related to compliance, Modern Slavery Act 2018 (NSW), service delivery, and financial exposure. Ongoing contract management will ensure performance standards are met, and risks are monitored.

Conclusion

Awarding the grounds maintenance contract to SureGreen Pty Ltd supports Council's strategic goals of maintaining public assets and enhancing community amenity. The decision reflects a commitment to quality, sustainability, and financial responsibility.

RECOMMENDATION

That:

1. The information contained in the report on PCC2025-280 Community Facilities Grounds Maintenance be received.
2. Council endorses the appointment of SureGreen Pty Ltd as the preferred contractor for a total contract value of \$215,040.00, to provide the specified services over a two (2) year term, with the option to extend for a further two (2) by one (1) year periods.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

7 Penrith Valley Regional Sports Centre Update

Compiled by: Andrew Robinson, Head of Community Facilities and Recreation
Neil Farquharson, Chief Financial Officer

Authorised by: Sandy Davies, Director Community Connection
Matthew Bullivant, Director Corporate Services

Outcome	<i>Provide for our lifestyle</i>
Strategy	<i>Ensure public spaces and facilities are pleasant and fit for diverse needs and uses</i>
Principal Activity	<i>Manage and facilitate the use of community, sport, recreation, play and open space facilities</i>

Previous Items: 13- Penrith Valley Regional Sports Centre (PVRSC) Repairs- Ordinary Meeting- 25 Sep 2023 7:00PM
19- Penrith Valley Regional Sports Centre (PVRSC) Repair Works- Ordinary Meeting- 29 May 2023 7:00PM

Executive Summary

The purpose of this report is to advise Councillors of three requests, received from the Penrith Valley Regional Sports Centre Ltd (PVRSC) in letters and emails dated 20 October 2025, 21 October 2025, and 17 November 2025, respectively. The requests from PVRSC are for the Council to:

1. Convert the \$1,638,398 (ex GST) loan to the PVRSC to a grant in its entirety (Note: A loan principal amount of \$1,638,398 was endorsed by the Council at the 25 September 2023 Ordinary Meeting however only \$1,598,882 was drawn down by PVRSC);
2. Nominate a representative of Penrith City Council as a suitable replacement member to the Board of PVRSC; and
3. Approve a maximum \$400,000 controlled line of credit or an extension to the repayment date of the abovementioned loan to stabilise PVRSC's cash flow (PVRSC do not specify how long the extension they are seeking).

Council Officers have reviewed these requests and have assessed PVRSC's historical performance and current financial position. Financial details regarding PVRSC's financial position are included in a Committee of the Whole (COW) report included in this Business Paper. These details are being reported to Committee of the Whole as it outlines the commercial position of PVRSC which has been conveyed in confidential letters, and if disclosed would prejudice the commercial position of the PVRSC (s.10A(2)(d) of the Local Government Act). The information provided includes reference to PVRSC's 2024 financial statements, and the company's financial position.

The review by Council Officers has assessed that PVRSC has not demonstrated the development or implementation of strategies to mitigate its financial liabilities and therefore the report recommends that:

- Council rejects the request from Penrith Valley Regional Sports Centre to convert the \$1,638,398 (ex GST) loan to the PVRSC to a grant in its entirety.

- Council rejects the request from Penrith Valley Regional Sports Centre to nominate a representative of Penrith City Council as a suitable replacement member to the Board of PVRSC.
- Council rejects the request from Penrith Valley Regional Sports Centre for a \$400,000 line of credit or an extension to the repayment date of the abovementioned loan to stabilise PVRSC's cash flow.

Background

Lease

PVRSC Limited is a public company limited by guarantee meaning that the members liability is limited to a nominal value in the event the company is wound up. PVRSC occupies premises that are owned by Council (operational land) at 30 Herbert Street, Cambridge Park.

The land occupied by PVRSC is leased from Council on a 99-year lease. The lease commenced on 10 October 1988 and expires on 10 October 2087. The lease fee has been \$2,353.45 per annum since 2004. By its very nature, the lease provides rights to use and occupy the premises to the exclusion of all others. The uses authorised by the lease include basketball and other associated activities consistent with the objects of PVRSC, which includes other indoor sports.

The lease requires PVRSC to be responsible for all operating costs, maintenance costs, asset renewal, fire safety, and water infrastructure on site. PVRSC receives all revenue generated from the site operations.

The PVRSC has complied with the essential terms of the lease, and as such the PVRSC is entitled to rely upon the terms of the lease to operate the facility with exclusive possession.

Board Representation

The Constitution of the PVRSC indicates that the Board is to consist of up to 7 Directors. The Constitution of the PVRSC provides that one member of the Board shall be a representative of Penrith City Council. Despite this, Council is not obliged to nominate a representative and the Constitution of the PVRSC provides for mechanisms where that nominee shall cease to be a member of the company and the company can otherwise still operate.

It is noted that records from the Australian Securities and Investment Commission register, 4 Directors have recently resigned effective on 16 July 2025, 20, 21 and 23 October 2025. The Board currently consists of 3 Directors, which meets the required statutory minimum number for a public company limited by guarantee. A new director was appointed to the Board on 4 November 2025 to make up the 3 Directors. There is no longer a Penrith City Council related representative on the PVRSC Board.

For the avoidance of doubt, PVRSC is a separate legal entity and the Constitution of the PVRSC is a contractual document between its members and the entity itself. Any Director appointed to the PVRSC has an overriding duty, in accordance with the Corporations Act, to act in the best interests of PVRSC and is not there to represent the interests of any other entity.

Penrith District Basketball

It is understood that Penrith District Basketball Association (PDBA) also ran its operations from offices on the site (up until 10 October 2025) and operated under a different model to other users of the centre. Any arrangement between PVRSC and PDBA regarding the use and occupancy of the facility by PDBA and its members have been subject to agreements between the parties, and not Council.

Financial Assistance

Council has received several reports in the last five years in respect of PVRSC operations, including arrangements for the provision of loans, predominantly to enable PVRSC to realise required facility repair and renewal works.

The following provides a brief summary of the reports considered in past years by Council in relation to the PVRSC operations:

Ordinary Meeting 15 December 2008

Council resolved to allocate \$850,000 from the 2009-2010 Building Asset Renewal Program to PVRSC subject to a funding agreement being signed with PVRSC. PVRSC had made a request for financial assistance to enable the implementation of facility maintenance and renewal for the purpose of meeting Building Code of Australia regulations.

Ordinary Meeting 27 July 2020

Council resolved to provide PVRSC with a letter of guarantee for a loan with Westpac Banking Corporation to enable the completion of building works. At this meeting, Council approved this request and provided a letter of guarantee for a new loan to a maximum amount of \$542,000 over a maximum term of 10 years. The Deed of Guarantee was executed for \$542,000 in October 2020 on advice from Westpac Banking Corporation and PVRSC that the guarantee needed to consolidate the existing PVRSC loan facility (2014). This PVRSC external loan with Westpac has an indicative/current outstanding balance of around \$455,000 as advised by the General Manager of PVRSC in August 2025.

Ordinary Meeting 28 September 2020

Council resolved to provide a \$1,091,686 (plus GST) loan to PVRSC to enable essential compliance works to bring their site up to contemporary fire safety compliance standards. PVRSC continue to maintain their loan repayment commitments on this loan from Council. The details for this loan are as follows –

- Loan commenced in November 2020 (last payment due is 1 July 2034)
- The term of this loan is 13 years
- Interest rate is 2.99%
- Repayments were \$7,500 per month until 30 April 2023, when the monthly loan repayments increased to \$8,500
- Balloon payment at the end of the term (\$255k)

Ordinary Meeting 26 July 2021

Council resolved to approve a pause in loan repayments following PVRSC's August 2021 repayment. This was for a period that extended for three months past the date of the lifting of the then NSW Greater Sydney COVID-19 Public Health Order (PHO), that had resulted in

the temporary closure of the Centre. Repayments recommenced in January 2022.

Further, in response to a written request from the PVRSC dated 23 October 2022, Senior Council Officers met with the Board of PVRSC on 10 November 2022 to further discuss the matters raised in the letter including:

- current financial position
- current business and operational model
- unsustainable ongoing operations with current business model
- options to improve the organisation's financial viability
- seeking endorsement to continue to support PVRSC while determining a sustainable operating model going forward, which would run alongside the proposed Multi sport arena to be developed by Council

Ordinary Meeting 29 May 2023

Council resolved to provide public notice of the proposal to grant financial assistance to the PVRSC for the repair of Courts 5 and 6. There were no submissions received in response to the public notice.

Ordinary Meeting 25 September 2023

The report further outlined the request from the PVRSC seeking financial assistance by way of a loan to facilitate the replacement of the wooden floors on basketball courts numbers 5 and 6 due to an infestation of termites that had weakened the sub-structure of the floor space.

PVRSC gave Council assurances inclusive of financial projections, that they entered this arrangement on the understanding that it could continue to meet all its operational costs and financial obligations including this latest loan request.

At that time, it was resolved that Council provide a loan to the PVRSC to the value of \$1,638,398 (ex GST, subject to conditions) and that Council engage an independent facility management consultant to review the current operating structure of the facility, benchmark with like facilities and advise the Council, and PVRSC, of operational structures that could better support PVRSC's long term financial sustainability.

The details for this 2023 loan are as follows –

- Loan principal amount drawn down by PVRSC \$1,598,882 (versus loan principal amount resolved by the Council \$1,638,398; or \$1,706,150 loan principal plus accrued interest outstanding as at 30 June 2025)
- Loan commenced on 13 October 2023 (interest accruing from loan commencement date)
- First loan repayment due date is the earlier of 2 years from the operational date of the renewed Courts 5 and 6 (i.e. 31 August 2026) or 30 June 2026, therefore the latter; Last loan repayment due date is 31 October 2038
- The term of this loan is 15 years
- Variable Interest rate is RBA published cash rate (4.1% indicatively in October 2023) plus 0.55% margin
- Repayments are \$15,000 per month
- Balloon payment at the end of the term (Indicatively \$220,692)

Current Situation

It is understood that the PVRSC and PDBA have been attempting to negotiate arrangements to merge the entities over the past 12-18 months, which was consistent with the findings of the independent review outlined above. While they could not reach an agreement on the issue of a merger, it is understood they attempted to negotiate a commercial agreement with alternate financial arrangements between them. To date they have not been able to reach agreement on those matters.

On 20 and 21 October 2025, PVRSC wrote to Council with two requests, that Council:

- Converts the \$1,638,398 (ex GST) loan to the PVRSC (endorsed by the Council at 25 September 2023 Ordinary Meeting) to a grant in its entirety; (Note: Loan principal amount drawn down by PVRSC is \$1,598,882 and Loan principal plus accrued interest outstanding as at 30 June 2025 is \$1,706,150); and
- Nominate a representative of Penrith City Council as a suitable replacement member to the Board of PVRSC.

On 17 November 2025, PVRSC wrote to Council requesting that Council:

- Approve a maximum \$400,000 controlled line of credit or loan extension to stabilise PVRSC's cash flow. This funding request is specifically intended to cover PVRSC's financial gap resulting from the withdrawal of Penrith District Basketball Association (PDBA) business.

Council Officers have assessed these requests and are not supportive of them. This is based on several factors which are outlined in the Committee of the Whole report on the basis those reasons disclose the confidential information that is referred to earlier in this report.

If Council is of a mind to grant PVRSC's two funding related requests (i.e. to convert the \$1,638,398 (ex GST) loan to the PVRSC to a grant and/or the more recent request for a \$400,000 line of credit), then pursuant to s.356 of the Local Government Act 1993, Council needs to provide 28 days' public notice of the Council's proposal to pass the necessary resolution. This means that the Council would need to pass a resolution at this evening's meeting proposing to pass such a resolution at the first Ordinary Meeting of February 2026.

In relation to the second request relating to nominating a Council representative to the Board, this is considered a significant risk to any new Director seeking to be appointed. The basis for this risk is also outlined in the Committee of the Whole report due to the confidential nature of the information referred to above in this report.

Financial Implications

There are no immediate financial implications to Council should the recommendations of this report be adopted. However, should the PVRSC not be able to meet their financial obligations (including two unsecured loans with Council and one secured loan with Westpac) then there are various financial implications that are included in the Committee of a Whole report that outlines the financial position of the PVRSC as has been conveyed in confidential letters to Council and includes reference to their 2024 financial statements, and the company's financial position.

Risk Implications

The risk implications could include:

- Ongoing operational and financial pressures to PVRSC and thereby expose Council to risk of not being able to recover the funds that were loaned to PVRSC and may expose

Council to repaying the balance of the PVRSC's loan to Westpac.

- Impact to community sport (including PDBA and other user groups who have made bookings scheduled for 2026). This appears to be the case whether or not the request in relation to converting the loan to a grant is supported.

Conclusion

Penrith Valley Regional Sports Centre Board of Directors have submitted requests in a letters and emails dated 20 October 2025 and 21 October 2025, and 17 November 2025. The requests are for the Council to convert the \$1,638,398 (ex GST) loan to the PVRSC to a grant in its entirety (Note: Loan principal amount drawn down by PVRSC is \$1,598,882 and Loan principal plus accrued interest outstanding as at 30 June 2025 is \$1,706,150); to nominate a representative of Penrith City Council as a suitable replacement to the Board of PVRSC and for the Council to approve a maximum \$400,000 controlled line of credit or an extension to the repayment date of the abovementioned loan to stabilise PVRSC's cash flow.

Based on the reasons outlined in this report, Council Officers recommend that each of these requests be rejected.

RECOMMENDATION

That:

1. The information contained in the report on Penrith Valley Regional Sports Centre Update be received.
2. Council rejects the request from Penrith Valley Regional Sports Centre to convert the \$1,638,398 (ex GST) loan to the PVRSC to a grant in its entirety.
3. Council rejects the request from Penrith Valley Regional Sports Centre to nominate a representative of Penrith City Council as a suitable replacement member to the Board of PVRSC.
4. Council rejects the request from Penrith Valley Regional Sports Centre for a \$400,000 line of credit or an extension to the repayment date of the Council \$1,638,398 (ex GST) loan.

ATTACHMENTS/APPENDICES

There are no attachments for this report

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STRATEGIC DIRECTION 5 - WORK TOGETHER

Item		Page
8	<u>Summary of Investments and Banking for the period 1 November 2025 - 30 November 2025 (23 November 2025 due to early December Ordinary Meeting)</u>	66
9	<u>2026 Proposed Meeting Calendar</u>	75
10	<u>Technology and Digital Strategy "Technology for Tomorrows Penrith" - 2025 - 2029 - Draft Strategy Endorsement</u>	79
11	<u>Code of Conduct - Report on Complaints Statistics</u>	83
12	<u>Corporate Website Redevelopment Project</u>	85
13	<u>Annual Pecuniary Interest Returns 2024 -2025</u>	95
14	<u>UDIA National Congress 2026</u>	97
15	<u>Draft Code of Meeting Practice</u>	99



8 Summary of Investments and Banking for the period 1 November 2025 - 30 November 2025 (23 November 2025 due to early December Ordinary Meeting)

Compiled by: James Legarse, Treasury and Operations Accountant

Authorised by: Neil Farquharson, Chief Financial Officer
Matthew Bullivant, Director Corporate Services

Outcome	<i>Work together</i>
Strategy	<i>Manage resources sustainably for current and future generations</i>
Principal Activity	<i>Ensure the organisation's sustainability through effective integrated planning and reporting including strategic finance, asset, workforce and project management</i>

Executive Summary

This report on the Summary of Investments & Banking for November 2025 is submitted for the purpose of financial accountability and to satisfy the investment reporting requirements of the Local Government (General) Regulation 2005 (clause 212), the Local Government Act 1993 (the Act) (Section 625) and the Council's Investment Policy.

The report certifies that the Council investments comply with the forms of investment made by order of the Minister under section 625(2) of the Local Government Act 1993. The current Ministerial Order was issued under Council Circular 11-01 on 17 February 2011.

The report provides a summary of investments for the period 1 November 2025 to 23 November 2025 and a reconciliation of invested funds for November 2025, as at 23 November 2025. Due to earlier than usual scheduled Ordinary Council Meeting, this month-end report has been prepared and reconciled as of 23 November 2025.

The investment returns versus the benchmark as a percentage for November 2025 are:

- Council portfolio current month's yield 4.72%
- Council portfolio annualised yield to date 4.87%
- 90-day Bank Bill Swap Rate (Benchmark) 3.64%
- Enhanced 90-day Bank Bill Swap Rate (Benchmark – BBSW + 30bps) 3.94%
- Original Budget estimated return (2025/26 Financial Year) 4.25%

The report recommends that the information contained in the report be received.

Current Situation

A Summary of Investments is shown in Appendix 1, including Economic Commentary for November 2025, Historical Investment Performance Analysis tables and charts, a reconciliation of Invested Funds for November 2025 and various Investment Summary and Investment Portfolio analysis tables and charts.

The Reserve Bank of Australia (RBA) met on 4 November 2025, and the Board decided to keep the Cash Rate at 3.6%. Inflation has eased significantly since its 2022 peak, but recent data show a renewed uptick, with trimmed mean inflation rising to 3.0% annually and headline inflation at 3.2% in the September quarter - partly due to the end of electricity rebates. While some of this increase reflects temporary factors, underlying inflation is

expected to remain above 3% in the near term before gradually declining to 2.6% by 2027.

Private demand and housing activity are strengthening, supported by earlier rate cuts, while labour market conditions remain tight despite a slight rise in unemployment to 4.5%. Risks to the outlook stem from domestic demand trends, global economic uncertainty, and persistent cost pressures. Given these factors and the need for caution, the Board unanimously decided to maintain the current cash rate, reaffirming its commitment to price stability and full employment while closely monitoring evolving conditions.

Financial Implications

Adopting the recommendations of this report confirms Council's investment returns are favourably exceeding the Original Budget, as well as outperforming the benchmark for the month. Having said that, we will need to continue to monitor the returns against the budget over the remaining 7 months of the financial year, as the monetary policy position of the RBA change.

More detailed Financial Implications are contained in Appendix 1.

Risk Implications

The Council's investments have been placed in accordance with Section 625 of the Local Government Act 1993, relevant regulations, and the Council's adopted Investment Policy. The Council's Investment Policy has objectives to preserve capital, ensure liquidity of funds to meet cash flow requirements and achieve an acceptable rate of return having reference to the Council's risk tolerance.

Conclusion

This report confirms that the Council's investments have been placed in accordance with relevant legislation/regulations, the Council's Investment Policy and highlights the Council's investment performance for November 2025. Additionally, the report assures the Council that Council's Cash Book and Bank Statements have been reconciled.

Certificate of Responsible Accounting Officer

I hereby certify the following:

1. All investments have been made in accordance with Section 625 of the Local Government Act 1993, relevant regulations, and Council's Investment Policy.
2. The Council's Cash Book and Bank Statements have been reconciled for November 2025, as at 23 November 2025.



Neil Farquharson

RECOMMENDATION

That:

1. The information contained in the report on Summary of Investments and Banking for the period 1 November 2025 - 30 November 2025 (23 November 2025 due to early December Ordinary Meeting) be received.
2. The Council's Cash Book and Bank Statements have been reconciled for November 2025, as at 23 November 2025.

ATTACHMENTS/APPENDICES

1. Investment Report for November 2025 - as at 23 November 2025 6 Pages Appendix

Penrith City Council

Summary of Investments for November 2025
(as at 23 November 2025)

Commentary

The Reserve Bank of Australia (RBA) met on 4 November 2025, and the Board decided to keep the Cash Rate at 3.6%. Inflation has eased significantly since its 2022 peak, but recent data show a renewed uptick, with trimmed mean inflation rising to 3.0% annually and headline inflation at 3.2% in the September quarter - partly due to the end of electricity rebates. While some of this increase reflects temporary factors, underlying inflation is expected to remain above 3% in the near term before gradually declining to 2.6% by 2027. Private demand and housing activity are strengthening, supported by earlier rate cuts, while labour market conditions remain tight despite a slight rise in unemployment to 4.5%. Risks to the outlook stem from domestic demand trends, global economic uncertainty, and persistent cost pressures. Given these factors and the need for caution, the Board unanimously decided to maintain the current cash rate, reaffirming its commitment to price stability and full employment while closely monitoring evolving conditions.

Due to early scheduled Ordinary Council Meeting, this month-end report has been prepared and reconciled as of 23 November 2025.

It is to be noted, as illustrated in Graph 1 of this report, both Council's benchmarks of BBSW monthly return and Enhanced BBSW have been surpassed in November 2025, showing the impact of the continued improvements in interest rates being invested. To ensure consistency and accuracy in calculating the Council Investment Portfolio's month-end return, the monthly rate of return for TCorp's Long-term Growth Fund has been revised to align with the fund's 1-year return, as reported in TCorp's monthly Performance Summary, rather than the monthly return. This change will smooth out fluctuations and has been backdated to the month when the Council initially invested in the Long-term Growth Fund (March 2025). As a result of this update, the Council's Monthly Net Return (Annualised) has shown a significantly wider deviation from the benchmark figures. The Council remains proactive in securing the best interest rates on offer at the time the funds are invested.

Australia's 10-year government bond yield hovered near 4.46%, close to its highest level in six months, after the Reserve Bank issued cautious guidance. Borrowing rates for both businesses and households is easing, consistent with the RBA cash rate and Bank Bill Swap Rate. The Australian dollar is at the low end of its narrow range of recent times.

The annualised inflation rate at the third quarter of 2025 (July-September 2025), being the most recent quarterly result, increased to 3.2%, 110 basis points higher than the previous quarter, in both headline and underlying terms. The October 2025 unemployment rate declined to 4.3% - 2 basis points lower than previous month's result. The November 2025 unemployment rate has not been released upon completion of this report.

The investment returns versus the benchmark and annual budget as a percentage for November 2025 are:

Council portfolio current month's yield	4.72%
Council portfolio annualised yield to date	4.87%
90-day Bank Bill Swap Rate (Benchmark)	3.64%
Enhanced 90-day Bank Bill Swap Rate (Benchmark – BBSW + 30bps)	3.94%
Original budget estimated return (2025/26 Financial Year)	4.25%

Penrith City Council

Historical Investment Performance

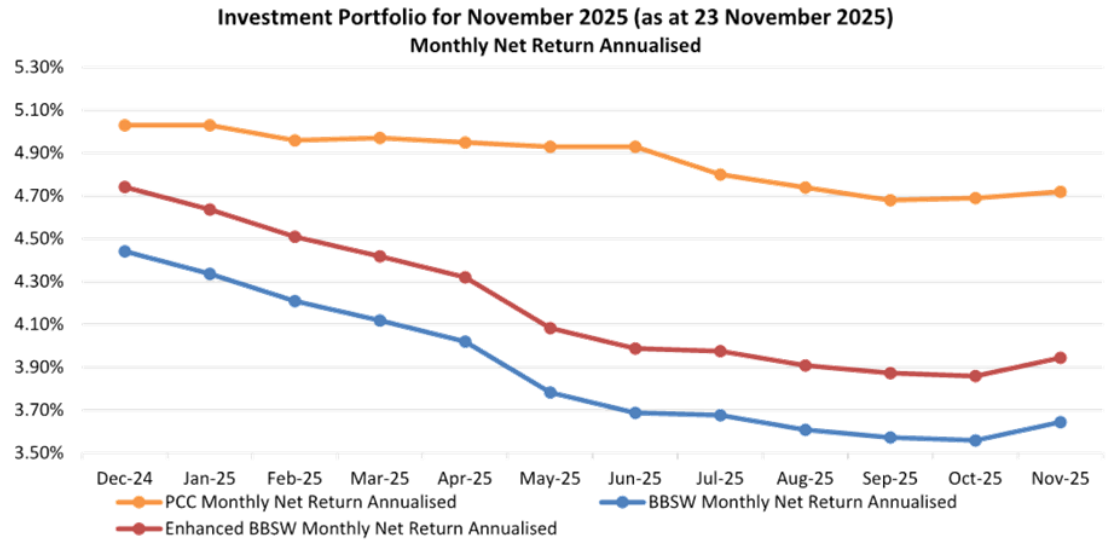
Table 1

	Actual Portfolio Monthly Return	Benchmark (BBSW)	Enhanced Benchmark (BBSW+30bps)
Current Portfolio Yield (including FRNs)	4.72%	3.64%	3.94%
Past 12 Month Portfolio Performance	4.87%	3.89%	4.09%
Portfolio Return for the Period	0.39%	0.30%	0.33%

Portfolio Yield (Actual Versus Benchmark)

The annual weighted average income return on investment for November 2025, as at 23 November 2025, was 4.87%. This graph tracks performance over time and shows that the yield has ranged between a low of 4.68% and a high of 5.03% over the last 12 months. The reportable month’s result has surpassed the BBSW monthly return benchmark.

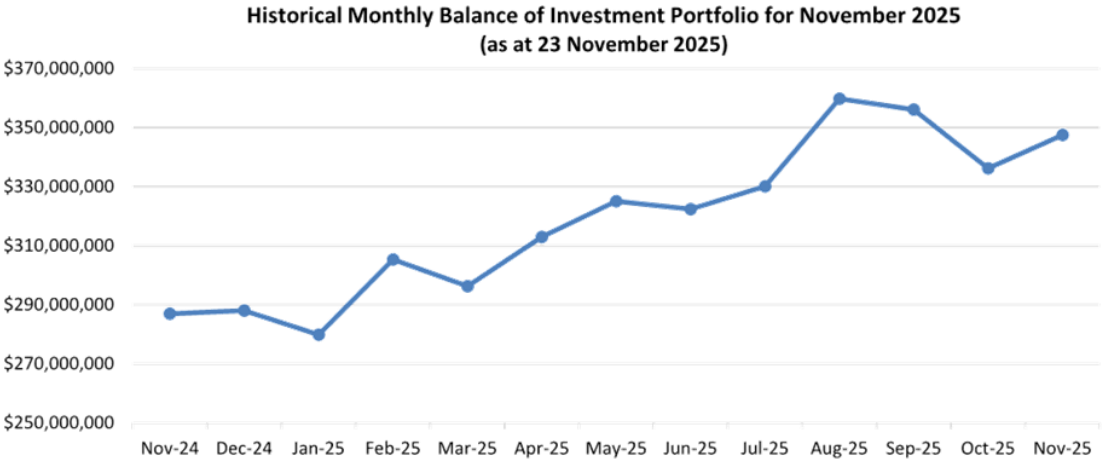
Graph 1



Annual Portfolio (Actual)

The graph below illustrates the annual trend of the Council’s monthly Investment Portfolio balances.

Graph 1.1



Penrith City Council

Investment Summary by Asset Group and Monthly Movement

Table 1.1

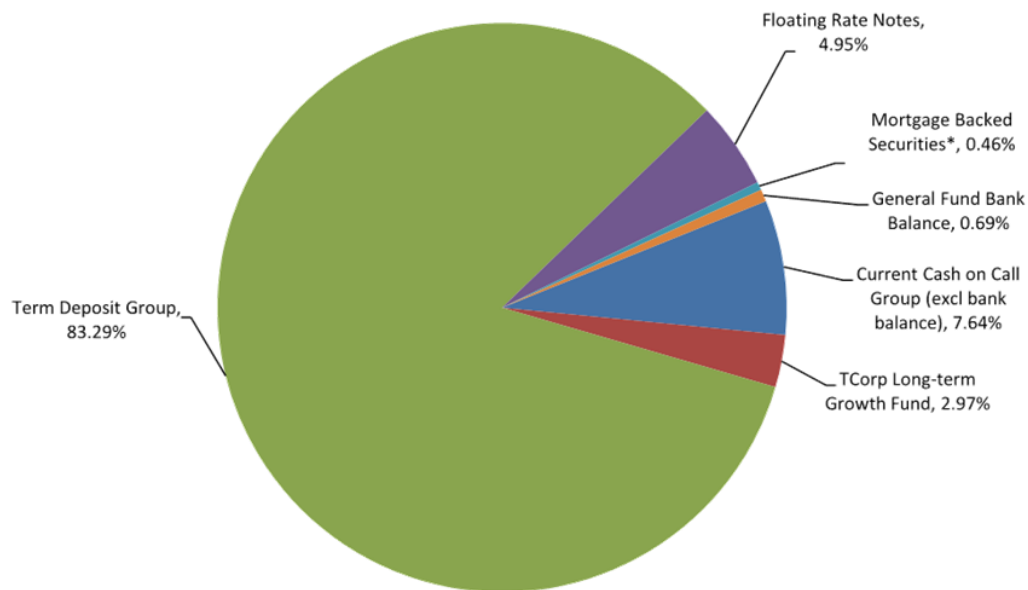
Asset Group	Closing Value (Face Value) 31 October 2025		Closing Value (Face Value) 30 November 2025	
	\$	%	\$	%
Current Cash on Call Group (excl General Fund balance)	29,060,720	8.64%	26,564,553	7.64%
TCorp Long-term Growth Fund	10,325,725	3.08%	10,325,725	2.97%
Term Deposit Group	277,000,000	82.38%	289,500,000	83.29%
Floating Rate Notes	17,200,000	5.11%	17,200,000	4.95%
Mortgage Backed Securities*	1,628,550	0.48%	1,610,319	0.46%
Sub-Total	335,214,995		345,200,597	
General Fund Bank Balance	1,053,018	0.31%	2,367,520	0.69%
Total	336,268,013	100%	347,568,117	100%

*MBS Purchased in 2006/2007 prior to the current Ministerial Investment Order. This product is being 'Grandfathered' – i.e., the Council will continue to actively manage these investments within the portfolio. However, the Council is not permitted to place further funds in this bank, due to its credit rating.

November 2025 Investments % Allocation by Asset Groups

The graph below illustrates the dissection of the Council's Portfolio per investment products or categories.

Graph 1.2



Penrith City Council
Reconciliation of Invested Funds and Monthly Movement

Table 1.2

	Period Ending 31 October 2025 \$	Period Ending 30 November 2025 \$
Represented by:		
Externally Restricted Assets		
Section 7.11 Developer Contributions	116,475,617	116,745,088
Restricted Contributions for Works	5,324,448	5,805,378
Unexpended Grants*	45,572,985	44,695,947
Unexpended Loan Funds	13,472,018	13,423,832
Other Externally Restricted	13,426,897	22,124,898
Sub-Total	194,271,965	202,795,143
Internally Restricted Assets - Funding of Operations		
Internal Reserves	114,077,541	109,608,718
Security Bonds and Deposits	24,867,538	25,782,497
Sub-Total	138,945,079	135,391,215
Restricted Assets Utilised in Operations		
Unrestricted Invested Funds	3,050,969	9,381,759
Total Cash and Investments	336,268,013	347,568,117

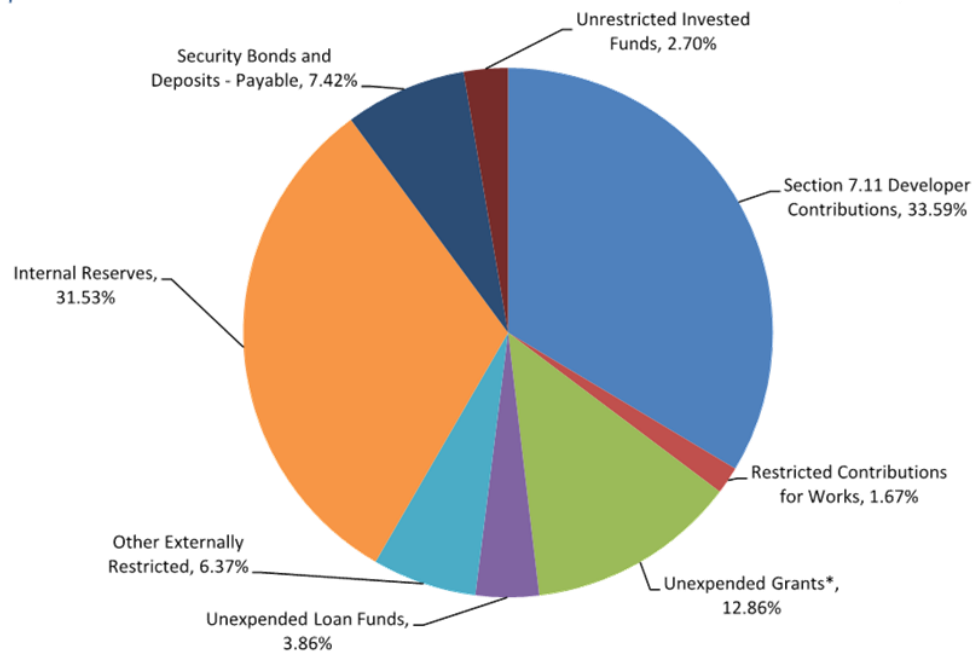
*Balance may be in deficit when funds are spent in advance of grant payment date to the Council.

NOTE: The above figures have been prepared under cash basis accounting.

November 2025 Investments % Allocation by Cash Reserve Type

This graph demonstrates the allocation of the Council's cash reserves.

Graph 1.3



Penrith City Council
Investment Summary
(Graphed to reflect fund ratings as % of portfolio)

Table 1.3

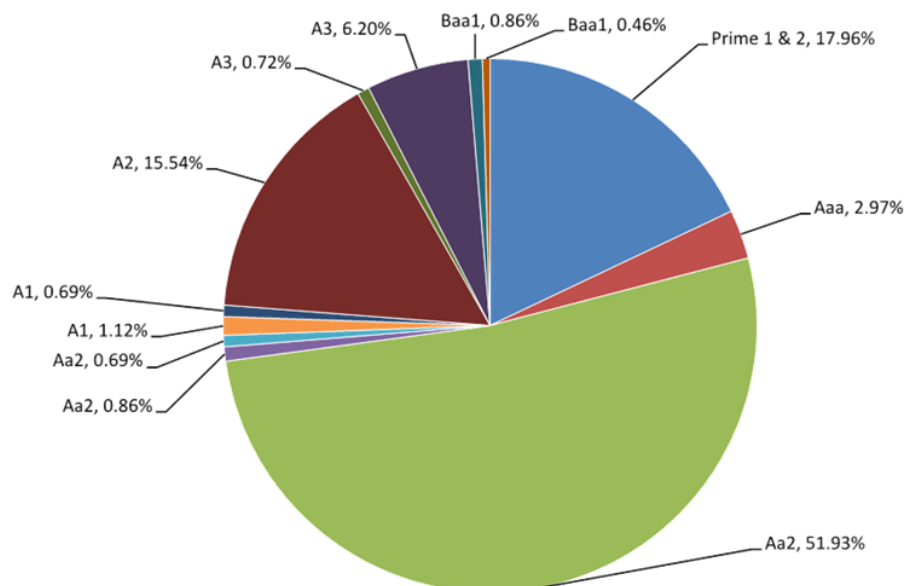
		30 November 2025		
Credit Rating (per Moody's)	Bank/Financial Institution -	Utilised \$	Portfolio %	Policy Maximum %
Short Term				
Prime 1	CBA, NAB & Westpac	48,432,073	13.93%	100% (40% per institution)
Prime 2	AMP Bank, BOQ & ING Bank	14,000,000	4.03%	5% (10% per institution)
Prime 1 & 2		62,432,073	17.96%	
Long Term				
Aaa	TCorp Long-term Growth Fund	10,325,725	2.97%	100% (40% per institution)
Aa2	Term Deposit (CBA, WBC & NAB)	180,500,000	51.93%	100% (40% per institution)
Aa2	Floating Rate Note (WBC)	3,000,000	0.86%	100% (40% per institution)
Aa2	Floating Rate Note (NAB)	2,400,000	0.69%	100% (40% per institution)
A1	Floating Rate Note (Suncorp)	3,900,000	1.12%	40% (25% per institution)
A1	Floating Rate Note (Macquarie Bank)	2,400,000	0.69%	40% (25% per institution)
A2	Term Deposit (Rabobank Australia Ltd)	54,000,000	15.54%	40% (20% per institution)
A3	Floating Rate Note (ING Bank)	2,500,000	0.72%	20% (10% per institution)
A3	Term Deposit (ING Bank)	21,500,000	6.20%	20% (10% per institution)
Baa1	Floating Rate Note (Bank of Queensland)	3,000,000	0.86%	Grandfathered
Baa1	Mortgage Backed Securities (Barclays Capital)*	1,610,319	0.46%	Grandfathered
Sub-Total		285,136,044	82.04%	
Total Portfolio		347,568,117	100.00%	

*Investments placed prior to current Ministerial Order and/or financial institution's change in credit rating by Moody's. The product(s) is/are being 'Grandfathered' – i.e., the Council will continue to actively manage these investments within the portfolio. However, the Council is not permitted to place further funds in the bank(s), due to its/their credit rating.

November 2025 Investments % Allocation by Moody's Fund Rating

Reflects Moody's fund ratings as percentage (%) of the portfolio, to show compliance with the Council's Investment Policy objectives of minimising risk.

Graph 1.4



Penrith City Council
Diversification of Portfolio
(Graphed to reflect fund ratings as % of portfolio)

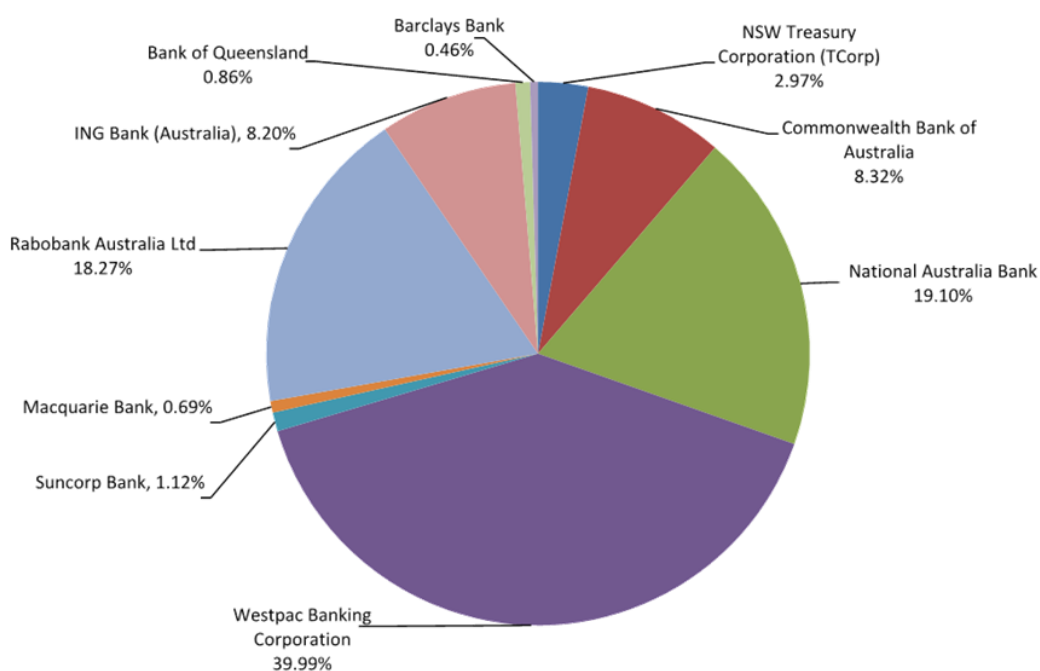
Table 1.4

Dealing Bank	Short Term	Long Term	30 November 2025	
			Investment (\$)	Allocation (%)
NSW Treasury Corporation (TCorp)	Prime 1	Aaa	10,325,725	2.97%
Commonwealth Bank of Australia	Prime 1	Aa3	28,932,073	8.32%
National Australia Bank	Prime 1	Aa3	66,400,000	19.10%
Westpac Banking Corporation	Prime 1	Aa3	139,000,000	39.99%
Suncorp Bank	Prime 1	A1	3,900,000	1.12%
Macquarie Bank	Prime 1	A1	2,400,000	0.69%
Rabobank Australia Ltd	Prime 2	A2	63,500,000	18.27%
ING Bank (Australia)	Prime 2	A3	28,500,000	8.20%
Bank of Queensland	Prime 2	Baa1	3,000,000	0.86%
Barclays Bank	Prime 2	Baa1	1,610,319	0.46%
Total Investment			347,568,117	100.00%

November 2025 Investment % Allocation by Financial Institutions (per Moody's Credit Ratings)

Reflects the spread of investments amongst various Financial Institutions to show portfolio diversification in accordance with the Council's Policy of risk aversion.

Graph 1.5



9 2026 Proposed Meeting Calendar

Compiled by: **Sasha Abela, Governance Support Officer**

Authorised by: **Adam Beggs, Head of Governance**

Outcome	<i>Work together</i>
Strategy	<i>Act with integrity, transparency and accountability</i>
Principal Activity	<i>Lead the organisation's excellence efforts to ensure it is operating effectively, efficiently, transparently and compliant to manage risks and continuously improve</i>

Executive Summary

The purpose of this report is to propose and adopt a Meeting Calendar for 2026. The report recommends that the draft Meeting Calendar for 2026 be adopted. If adopted, Council will have 12 Ordinary Council Meetings, 11 Policy and Strategy Meetings and several other meetings, including Councillor Information Sessions/Workshops, Working Parties and Committees.

In preparing the draft Meeting Calendar, staff have taken into consideration several statutory deadlines where certain reports have to be presented to Council, in addition to public holidays and other known commitments, including significant conferences.

Background

Section 365 of the Local Government Act 1993 states that the Council is required to meet at least 10 times each year, each time in a different month.

In response to the new Model Code of Meeting Practice requirements, particularly in relation to the prohibition of Councillor Briefings a comprehensive review of the meeting structure has been undertaken.

The outcome of that review has meant the quantum of meetings has reduced, with Councillor Briefings replaced by less frequent Information Sessions that meet the requirements of the Model Code of Meeting Practice and increase in frequency of Policy and Strategy Review Committee meetings (former Policy Review Committee)

This approach is considered to best meet the needs of the Council in receiving information and making decisions in a timely and transparent manner, it also allows flexibility for Council to call on additional meetings if required on the Monday evenings that aren't already scheduled.

Current Position

In 2025, the Council will have met for 13 Ordinary meetings, 6 Policy Review Committee (PRC) meetings, 24 Councillor Briefings (5 held after PRC meetings and 2 held after Ordinary Meetings) which represents a total of 36 (not including the 5 Briefings held after PRC and 2 held after Ordinary Meetings) meetings for the year.

It is proposed in 2026 that the Meeting Calendar will be based (where possible) around holding 1 Ordinary meeting and 1 Policy & Strategy Committee Meeting and 1 Councillor

Information Session/Workshop each month. It is proposed that other Mondays where there is no public holiday, will be kept free or utilised for Working Parties, Professional Development sessions and additional other meetings as required. All meetings will continue to commence at 7:00pm.

For 2026 it is proposed to have a total of 32 meetings including Councillor Information Sessions/Workshops.

Draft 2026 Meeting Calendar

A draft Meeting Calendar has been prepared for 2026 and is based on the following assumptions:

- at least one of each meeting being held each month.
- Mayor/Deputy Mayoral Election being held in September
- alternating meetings where possible
- the public meeting cycle commencing with an Ordinary Meeting on 2 February 2026 to reduce the time between the last Council meeting in 2025 and first in 2026
- the meeting cycle concluding with an Ordinary Council Meeting on the second Monday in December – 14 December 2026.

The draft calendar has been discussed with the relevant staff and all statutory and operating obligations are able to be met, including adherence to key dates for consideration of the various corporate planning documents. It is because of some of these key dates that the meetings do not fall on their normal week.

In compiling the Calendar, consideration has been given to:

1. Public Holidays
 - Monday, 26 January 2026 – Australia Day
 - Friday, 3 April 2026 – Good Friday
 - Monday, 6 April 2026 – Easter Monday
 - Anzac Day – Saturday, 25 April 2026
 - Monday, 8 June 2026 – King's Birthday
 - Monday, 5 October 2026 – Labour Day
2. Other known likely commitments such as:
 - Local Government NSW (LGNSW) Annual Conference, Wollongong (22 – 24 November 2026)
 - ALGA Conference (Canberra 23 – 25 June 2026)
 - UDIA National Congress, Adelaide (16 – 18 March 2026)
 - Floodplain Management Conference, Brisbane (21 – 24 April 2026)
 - ALGWA Conference, Blacktown (26 – 28 March 2026)
3. The following dates have been kept vacant:
 - 2 March 2026
 - 16 March 2026
 - 27 April 2026
 - 4 May 2026
 - 29 June 2026
 - 6 July 2026
 - 3 August 2026
 - 31 August 2026
 - 7 September 2026

- 2 November 2026

Financial Implications

There are no financial implications for Council associated with this report.

Risk Implications

There are no risks associated with this report.

Conclusion

The draft Meeting Calendar for 2026 (as shown in Appendix 1) has been prepared in accordance with the Local Government Act 1993. It incorporates at least one Ordinary Council Meeting for the months from February through to December as required.

It is proposed that 12 Ordinary Council meetings and 11 Policy and Strategy Committee meetings will be held in 2026 in addition to several other forums such as Councillor Information Sessions/Workshops, Working Parties, Professional Development Sessions and Committees.

RECOMMENDATION

That:

1. The information contained in the report on 2026 Proposed Meeting Calendar be received.
2. The draft Council Meeting Calendar for 2026 be adopted.

ATTACHMENTS/APPENDICES

- | | | |
|---|-----------|----------|
| 1. Proposed 2026 Council Meeting Calendar - Ordinary Meetings, Policy and Strategy Meetings & Councillor Information Sessions/Workshops | 1
Page | Appendix |
|---|-----------|----------|



2026 MEETING CALENDAR

January 2026 - December 2026

(proposed to be adopted by Council – 8 December 2025)

	TIME	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
		Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon	Mon
Ordinary Council Meeting	7:00pm		2 23@	23	20 -	25 #	22*	27	24@	28^	26✓	30∞#+	14
Policy & Strategy Committee	7:00pm		9	9>	13	11	1	13	10	14	12	9	7
Councillor Information/Workshop	7:00pm		16	30		18	15	20	17	21	19	16	

- Meeting at which the draft corporate planning documents (Delivery Program and Operational Plan) are endorsed for exhibition
- * Meeting at which the draft corporate planning documents (Delivery Program and Operational Plan) are adopted
- # Meetings at which the Operational Plan quarterly reviews (March and September) are presented
- @ Meetings at which the Delivery Program progress reports (including the Operational Plan quarterly reviews for December and June) are presented
- ^ Election of Mayor and/or Deputy Mayor
- ✓ Meeting at which the 2025-26 Financial Statements are signed and referred to auditors
- ∞ Meeting at which the 2025-26 Financial Statements are presented
- + Meeting at which the Annual Report is presented
- > To consider Budget, draft fees & charges and corporate document
- Δ
- Extraordinary Meetings are held as required.
- Members of the public are invited to observe meetings of the Council (Ordinary and Policy & Strategy Committee). Councillor Information Sessions are not public. Should you wish to address Council, please contact the Head of Governance, Adam Beggs on 4732 7597.

10 Technology and Digital Strategy "Technology for Tomorrows Penrith" - 2025 - 2029 - Draft Strategy Endorsement

Compiled by: Jane Howard, Chief Information Officer

Authorised by: Matthew Bullivant, Director Corporate Services

Outcome	<i>Work together</i>
Strategy	<i>Act with integrity, transparency and accountability</i>
Principal Activity	<i>Ensure the Council's information technology, business systems and data are contemporary and secure, meeting the needs of both the organisation and the community</i>

Executive Summary

Penrith City Council's Technology and Digital Strategy "Technology for Tomorrows Penrith" 2025–2029; sets the vision for leveraging technology to deliver better services and experiences for customers, employees, and partners. The strategy is underpinned by core values such as innovation, automation, data-driven decision-making, seamless 24/7 services, digital leadership, flexible work environments, and robust cyber security. Developed in consultation with staff and leadership, the strategy outlines a roadmap for embracing AI, automation, and future technologies, while ensuring that technology adoption is people-centric and aligned with the Council's broader goals for sustainable city growth, community wellbeing, and operational excellence.

The strategy is structured around five key themes: Customer Promise, AI and Emerging Technology, Cyber Security, Digital by Design, and Data and Analytics. Each theme is supported by targeted objectives and measurable outcomes, such as improving customer satisfaction, increasing operational efficiency, enhancing cyber resilience, and fostering a culture of innovation. Implementation will be guided by an annually reviewed roadmap, with progress tracked through regular reporting. The Council's approach emphasises collaboration with employees, industry and the community, ensuring that technology investments are responsive, inclusive, and future-ready.

Background

The strategy was developed through extensive consultation with Penrith City Council staff and leadership. Their insights on strengths, challenges, and future opportunities for technology and digital initiatives were critical inputs, ensuring the strategy reflects the collective vision of those working within the Council. The process included leveraging feedback from key stakeholders to shape the strategic values and objectives, and benchmarking against other large councils.

Additionally, the Council recognised the inherently collaborative nature of technology and digital transformation. The strategy affirms ongoing engagement and partnership with a broad range of stakeholders, including the Penrith community, internal business functions surrounding councils, the NSW and Federal Governments, technology providers, vendor partners and industry associations. This collaborative approach ensures the strategy is both locally relevant and aligned with broader government and industry directions.

The Draft Technology and Digital Strategy is attached.

Current Situation

Current ICT Strategy

Penrith's original ICT Strategy, adopted in 2015 and reviewed in 2020 has guided Penrith Council into a position of leadership through early cloud adoption, the ability to work, anytime, from anywhere on any device and the Customer Experience Transformation Program.

By implementing the strategy alongside comprehensive business roadmaps that detail the necessary projects, council has improved organisation efficiency and customer interactions. As an example, over 1 million requests have been actioned for customers in our Customer Relationship Management system, with 40% of these being raised through the customer portal at any time of the day.

Updated – Technology and Digital Strategy “Technology for Tomorrows Penrith 2025-2029

Technology and digital landscapes change at a rapid pace, and it is essential to review our strategic objectives and ensure alignment with business goals.

The Strategy reaffirms our commitment of using digital and technology to drive better services and digital experience for our customers and employees.

The proposed strategy will look to provide further direction for:

- Where appropriate utilise technology to support and enhance all business operations.
- Drive cost-effective operations, streamlining processes to lower overheads.
- Recognise data as an asset for improvement and innovation.
- Enhance employee and customer experience and engagement.
- Support AI adoption and actively engage and upskill our people to lead and shape the journey.
- Continued focus on Cyber Security

Penrith City Council's new Technology and Digital Strategy is built around six strategic themes. Each theme has a clear objective and set of strategies to guide investment and activity:

1. Customer Promise

We aim to leverage technology and digital to provide personalised, responsive, and inclusive services, improving customer satisfaction and guiding excellence in all customer interactions.

- Key Strategies:
 - Omni-channel services for diverse needs
 - 24/7 access to most services
 - CRM-driven personalised engagement
 - Streamlined customer interfaces
 - AI agents for proactive communication
 - Inclusive digital service design

2. Digital by Design

Embrace technology and digital design thinking to improve operational efficiency and service

delivery, aligning technology, skills, and culture for transformation.

- Key Strategies:
 - Robotic process automation (RPA) and AI for repetitive tasks
 - AI and digital in business cases and procurement
 - Integrated systems for end-to-end processes
 - Digital engagement optimisation
 - Infrastructure for remote/mobile work
 - Cross-functional innovation teams
 - AI in CRM and other systems
 - B2B/B2C digital solutions

3. AI and Future Tech

Use AI and next-generation technology to improve decision-making, drive operational efficiency, and encourage innovative service delivery and leadership.

- Key Strategies:
 - Predictive analytics for forecasting and optimisation
 - Smart and sustainable technology (green tech, smart energy)
 - Cyber-physical systems and Internet of Things networks
 - AI-augmented safety systems
 - AI skills programs for staff
 - Experimentation with emerging technologies
 - Partnerships for technology trials

4. Data and Analytics

Apply quality data to support robust, data-driven decisions and integrate insights in real-time and high-value ways across the organisation.

- Key Strategies:
 - Data-driven culture and education
 - Enhanced analytics and real-time reporting
 - Data integration in business processes
 - Organisation-wide data literacy training
 - Data modelling for asset planning
 - Improved data management practices
 - Capacity for public data sharing

5. Cyber Security

Employ robust systems and ethical management practices to protect privacy, maintain information security, and build trust with customers and employees.

- Key Strategies:
 - Continuous monitoring and improvement of cyber controls
 - Building Essential 8 cyber maturity
 - Safe, ethical adoption of AI
 - Cyber security awareness and education for staff

Emerging Technologies and Trends

Penrith Council has actively pursued the practical application of AI in Local Government and is a key strategic pillar in the new strategy.

To date this has included the adoption of Microsoft Copilot and Microsoft Copilot Chat across the organisation, to facilitate the safe and effective adoption of AI technologies, while also prioritising the growth and development of staff skills in this area.

Other initiatives include the pilot of an AI Employee Benefit Assistant, which connects to the Local Government Award and councils HR and payroll policies answering common questions that a staff member may have.

Council also participated in a joint program with Wollondilly Shire Council – Housing Support Program, developing a prototype system utilising MyLot AI in Development Assessment. The project aimed to leverage AI technologies to analyse planning schemes, identify relevant controls, and generate custom assessment report templates based on site- and proposal-specific requirements.

The tool is intended to significantly reduce the time and effort expended by assessing officers in setting up and maintaining assessment templates without sacrificing the quality of the assessment report template.

Financial Implications

Actions to be implemented as part of the Strategy are funded through the ICT or individual business function budgets.

Risk Implications

There is no risk implications for Council associated with this report.

RECOMMENDATION

That:

1. The information contained in the report on Technology and Digital Strategy "Technology for Tomorrows Penrith" - 2025 - 2029 - Draft Strategy Endorsement; be received.
2. That the draft Digital and Technology Strategy be endorsed.

ATTACHMENTS/APPENDICES

1. Technology and Digital Strategy 2025-2029 28 Pages Attachments Included

11 Code of Conduct - Report on Complaints Statistics

Compiled by: Avanthi Fernando, Governance Officer
Stuart Benzie, Governance Manager

Authorised by: Adam Beggs, Head of Governance

Outcome	<i>Work together</i>
Strategy	<i>Act with integrity, transparency and accountability</i>
Principal Activity	<i>Lead the organisation's excellence efforts to ensure it is operating effectively, efficiently, transparently and compliant to manage risks and continuously improve</i>

Executive Summary

Under the Model Code of Conduct Procedures, Council's Complaints Coordinator must, within three months of the end of September each year, report on a range of complaints statistics to Council and the Office of Local Government (OLG).

This report provides Council with complaints statistics as required under clause 11.1 of the *Procedures for the Administration of The Model Code of Conduct for Local Councils in NSW* before being forwarded to the OLG. This year's report records nil Code of Conduct complaints concerning Councillors and/or the General Manager.

Background

Council has adopted Code of Conduct Procedures, consistent with the Model Code of Conduct Procedures which incorporates the requirement to provide the OLG with statistics on the code of conduct complaints received during the 12-month reporting period (1 September 2024 – 31 August 2025).

Current Situation

Under Section 11.1 and 11.2 of the Model Code of Conduct Procedures, Council's Complaints Coordinator must arrange for a range of statistics to be reported to Council and subsequently be forwarded to the OLG. The Procedures require that all Code of Conduct complaints and the management and investigation of them must be treated as confidential, unless specifically required under the Procedures. Accordingly, it is not appropriate to share the details within this report or otherwise.

The tables below provide the statistics for the period commencing 1 September 2024 through to 31 August 2025.

Table 1

Code of Conduct Statistics	Totals/Outcomes
Complaints made about Councillors and the General Manager*	0
Complaints referred to a conduct reviewer	0
Complaints finalised by a conduct reviewer at the preliminary assessment stage	0
The outcome of complaints finalised at the preliminary assessment stage	0
The number/outcome of Complaints investigated by a conduct reviewer	0
The number/outcome of Complaints investigated by a conduct review committee	0

The number/outcome of matters reviewed by the OLG	0
The number of Complaints finalised by a Conduct Reviewer	0

*Complaints concerning staff, other than the General Manager, are dealt with by the General Manager and do not form a part of this reporting requirement.

Table 2

Total cost of dealing with complaints during the period (including staff costs)	0
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Financial Implications

There are no financial implications for Council associated with this report.

Risk Implications

There are no specific risks associated with compliance with the recommendations of this report.

Conclusion

This report provides Council with the statistics and costs in relation to complaints received under the Council's Code of Conduct for the period 1 September 2024 to 31 August 2025.

RECOMMENDATION

That:

1. The information contained in the report on Code of Conduct - Report on Complaints Statistics be received.
2. A copy of this report along with complaints statistics provided in accordance with 11.2 of the Model Code Procedures be forwarded to the Office of Local Government.

ATTACHMENTS/APPENDICES

There are no attachments for this report

12 RFT PCC24/25-101 Corporate Website Redevelopment Project

Compiled by: Belinda Zammit, Head of Communications

Authorised by: Kylie Powell, Director Futures and Strategy

Outcome	<i>Work together</i>
Strategy	<i>Communicate and engage effectively</i>
Principal Activity	<i>Provide inclusive communications that reflect and involve the diverse audience groups within our City</i>

Executive Summary

An open tender for the Corporate Website (and subsites) Redevelopment was advertised online through the VendorPanel website on 23 July 2025 and closed on 21 August 2025 at 11.00am.

This report advises Council of the outcome of the tender process and recommends that the tender from **Squiz Australia Pty Ltd** for \$2,160,000 (excluding GST) over 10 years be accepted, noting there is an optional two-by-two year extension to the six year contract.

Background

Penrith City Council's website is a critical platform for engaging with the community, providing access to essential services and facilitating communication. Currently, the website attracts over 2 million visitors annually. However, it is based on an outdated design from 2014, with limited updates to its navigation, accessibility features, content management system and cyber security controls. Given the rapid advancements in technology and evolving user expectations, it is essential that the website undergoes a comprehensive redevelopment to ensure it meets both modern digital standards and the growing needs of our community.

Council undertook a tender process to source and engage an appropriate vendor for the development and implementation of the new corporate website, five subsites and a Content Management System (CMS) as per the requirements.

The redevelopment will focus on improving user experience, accessibility, operational efficiency and resilience, aligning with Council's broader online strategy. This project will modernise the website to a fully responsive, cloud-based platform that is user-friendly, secure and capable of adapting to future requirements. The project will also ensure compliance with the WCAG 2.2 AA accessibility standards (as required by current legislation), further enhancing usability for all visitors including those in the community living with disability.

The corporate website redevelopment has been listed as a Tier 1 Project in the current Draft 2025-2029 Delivery Program.

Current Situation

This section of the report provides details of the Open Tender Evaluation Review and CMS Solution Demonstration Assessment that has been completed.

Open Tender Evaluation Process

Open tenderers for the project were required to submit their tender using the VendorPanel tendering software. The Tender pre-assessment criteria and evaluation criteria, listed below, was advertised and used in assessing the tenders received:

Pre-Assessment Criteria:

- Tender Offer Form
- Key Information
- Schedule of Fees
- Statement of Conformance
- Insurance Details
- Qualifications, Accreditations or Licences
- Quality Assurance
- WHS Contract Assessment Form
- Company Information
- Declaration of Compliance and Conflicts of Interest
- Website Requirements Matrix
- ICT Requirements
- Pricing Schedule

Evaluation Criteria:

- Capacity to Perform the Services
 - History of the organisation
 - Services and Years of Operation
 - Organisation structure, ownership and location of key personnel
 - Local Government Experience
 - Previous Similar Work by the Tenderer
 - References
 - Key personnel
 - Subcontractors
 - Tenderers Support and Maintenance

- Tenderers Solution Capabilities
- Tenderers Performance metrics that are used to measure the effectiveness of your solution.
- Tenderers Reporting Capabilities
- Tenderers Cyber Security Information
- Provision of Service and Program
 - Method and Approach
 - Provision of Services and staging
- ICT Requirements and Website Requirements Traceability Matrix (RTM)
 - Response to ICT Requirements
 - Response to Website RTM
- Qualifications, Accreditations or Licences
 - Compliance with WCAG 2.2 Level AA standards
 - Compliance with ICT Data Security regulations
- Quality Assurance
- Cost – Schedule of Fees and Value for Money
- Local Supplier Preference
- WHS Management Capability

A total of twenty-one (21) compliant tender responses and quotations were received by the closing date of the advertised tender and are listed in the table below (ex GST). Tenders are listed in order of the total cost over a potential 10 year contract.

Company	Setup, configuration & implementation (including integration, accepted add ons, data migration and training)	Total Tendered Price for 6 years	Total Tendered Price for 10 years (6 years + optional 2 x 2 years) Additional cost will be by mutual agreement by both parties	Company Address	Owners/ Directors
Digital Garden Pty Ltd	\$366,288.00	\$616,788.00	\$817,188.00	Suite 101 / 360 Pacific Hwy, Crows Nest, New South Wales 2065	Abby Breakwell Position: Managing Director
Pansoft Technologies	\$180,750.00	\$588,250.00	\$914,250.00	47 Ashmore Rd, Bundall,	Hasanul Bunna

Pty Ltd				Queensland 4217	Khan Position: Business Development Manager
Today Group Pty Ltd	\$560,221.18	\$728,941.18	\$918,637.18	Level 8/54 Wellington St, Collingwood, Victoria 3066	Emma Vasavan Position: Partnerships Manager
Jaywing Pty Ltd	\$687,049.00	\$960,649.00	\$1,179,529.00	36 Hickson Rd Millers Point, New South Wales 2000	Nicole Geekie Position: Head of Studio
Bliss Digital	\$578,195.00	\$1,012,170.00	\$1,359,350.00	suite 703/198 Harbour Esplanade, Docklands, Victoria 3008	Christopher Lachowicz Position: Director
Spark Interact	\$677,000.00	\$1,067,000.00	\$1,379,000.00	84 Pitt St, Sydney, New South Wales 2000	Carol Lobo Position: Director
Ping Works Pty Ltd	\$1,016,280.00	\$1,233,780.00	\$1,407,780.00	7 Albion Place, Sydney, NSW 2000	Richard Hauer & Tim Stokoe
NOW Digital	\$794,300.00	\$1,325,300.00	\$1,750,100.00	Level 8, 45 William St, Melbourne, Victoria 3000	Michael Hill Position: CEO
The Trustee For Jcb Trust	\$825,520.00	\$1,370,120.00	\$1,805,800.00	suite 1/403 High St, Penrith, New South Wales 2750	Jeremy Bentvelzen Position: Director
Mo Works Creative Agency	\$512,800.00	\$1,309,800.00	\$1,947,400.00	7/677 La Trobe St, Melbourne, Victoria 3004	Mo Hamdouna Position: Managing Director
Atech Services Pty Ltd	\$439,260.00	\$1,329,960.00	\$2,042,520.00	39 Lacey Rd, Carseldine, Queensland 4034	Sarah-Jane Peterschlingmann Position: Director
Squiz Australia Pty	\$585,000.00	\$1,460,000.00	\$2,160,000.00	435A Kent St, Sydney, New	Edward Braddock

Ltd	(includes an added AI search function cost of \$60,000)			South Wales 2000	Position: Chief Customer Officer
Centelon Pty Ltd	\$787,566.00	\$1,595,646.00	\$2,242,110.00	Level 13, 200 Queen Street, Melbourne VIC 3000	Ajit Stephen Position: Chief Executive Officer
Doghouse Agency	\$766,400.00	\$1,588,400.00	\$2,246,000.00	35 Bourke St Melbourne, Victoria 3000	Simon Shackleton Position: Director
Granicus Australia Pty Ltd	\$491,545.00	\$1,682,158.86	\$2,517,012.51	1999 Broadway, Denver, Colorado 80202	David Shutan Position: Proposal Manager
Ddsn Net Pty Ltd	\$710,702.50	\$1,938,902.50	\$2,919,062.50	Level 5/111 Cecil St, South Melbourne, Victoria 3205	Danielle Kennedy Position: Portfolio Manager
Mtp Services Pty. Ltd.	\$1,080,680.00	\$2,180,680.00	\$3,060,680.00	3/26 Ipswich Street, Fyshwick, ACT 2609	York Stanham
Intuji Pty Ltd	\$1,687,000.00	\$2,907,000.00	\$3,927,000.00	Level 14, 197 St Georges Terrace Perth, WA 6000	Julian Wallis Position: Chief Executive Officer
Orchard Marketing Pty. Ltd.	\$1,309,536.00	\$3,584,046.00	\$5,403,654.00	Level 2/100 Harris St, Pyrmont, New South Wales 2009	Andrew Killey Position: Practice Lead
ZenityAI	\$1,804,900.00	\$3,829,900.00	\$5,449,900.00	Level 11, 66 Clarence St Sydney NSW 2000	Directors, Akshita Khurana and Raj Sharma.
Lumine Solutions Pty Ltd	\$1,476,300.00	\$3,865,300.00	\$5,776,500.00	3 / 15 Vista Street Penrith, NSW, 2750	Efren Sampaga Gia Bao Tran (Billy)

CMS Solution Demonstration Assessment

The four (4) respondents below were invited to demonstrate to the Tender Evaluation Panel how their CMS solution operates and could improve the website CMS function and user experience, for Council's employees and customers.

- Squiz Australia Pty Ltd
- Granicus Australia Pty Ltd
- Doghouse Agency
- Bliss Digital

These four respondents were ranked in the top six of submissions, when the total score ranking was calculated for all evaluation criteria. Cost was allocated 15% of the total score allocation. These respondents not only demonstrated how their CMS solutions would deliver the tender requirements, but also deliver beyond that to:

- **Ensure ongoing compliance with legislative requirements and industry standards**, including WCAG 2.2 AA accessibility compliance and ICT data security regulations.
- **Improve user experience and accessibility for community members**, including those living with disability;
- **Streamline content management processes for Council officers** through an intuitive and flexible Content Management System, to be more efficient over time;
- **Support long-term operational efficiency and adaptability** through a scalable, cloud-based infrastructure;
- **Enhance website performance, resilience and integration** with existing systems; and
- **Enable third party integration so further functionality** can be added to the corporate website, for the benefit of users.

All four (4) vendors were invited to provide a system demonstration on the dates outlined below:

- Bliss Digital – 27 October 2025
- Doghouse Agency – 28 October 2025
- Squiz Australia Pty Ltd – 29 October 2025
- Granicus Australia Pty Ltd – 29 October 2025

Vendors were invited to provide a demonstration that showcased:

- **History of the organisation**
 - a) the type(s) of Services you provide and years in operation.
 - b) Organisation Structure, ownership and location of key personnel
- **Local government experience**
Describe your Organisation's experience in working with Local Government clients. Describe your experience delivering website redevelopment projects for

Local Government clients, particularly involving multiple microsites or satellite sites. Include any examples of accessibility compliance work aligned with WCAG 2.2 AA standards and any long-term hosting or SLA support arrangement you've provided.

- **Previous Similar Work by the Tenderer**
Provide details of the works completed by the Tenderer, highlighting recent performance in delivering services similar to the Scope of Requirements outlined in this RFT including examples of how the Tenderer's services have benefited other clients.
- **Tenderers Solution Capabilities -**
The tenderer is to provide details on:
 - a) How the Tenderer proposes to satisfactorily perform all of the specified Services (Method and Approach).
 - b) How scalable the solution is that being presented.
- **ICT Requirements**
How the tenderer maintains data security and complies with relevant regulations. Provide details of any accreditation to ISO or other relevant certification and supporting evidence.
- **Proposed Project Management and Collaboration Model**
- **Proposed Timeline**
- **Proposed Service level Agreement and Support Services Options**
- **Schedule of Fees**

Tender Evaluation Panel

The Tender Evaluation Panel listed (below) met on 26 September 2025 to review and evaluate the tender responses. All panel members attended the four (4) shortlisted respondent demonstrations held between 27-29 October 2025.

- Belinda Zammit – Head of Communications
- Jane Howard – Chief Information Officer
- David Parry – Head of Customer Service
- Cecealia Dalgairns – Digital & Design Program Manager
- Shivani Chand – ICT Business Solutions Manager
- Teela Griffin – Digital Communications Officer

Following each respondent demonstration, the Tender Evaluation Panel were provided with the presentation documents (PDFs) and recorded videos to review and assess their preferred CMS solution.

Council's Procurement service members performed and fulfilled the roles of tender administration and probity officers for this tender.

Evaluation Outcome

The Tender Evaluation Panel assessed the capability of each CMS solutions, based on the demonstrations and full tender submissions, to determine which was the most capable (and offered the best value for cost over 10 years) to deliver on current and future requirements of

the corporate website.

Panel members were subsequently requested to submit their recommended preferred supplier via email to Council's Procurement Team to confirm collective agreement on the preferred respondent.

The Tender Evaluation Panel unanimously determined that the submission from **Squiz Australia Pty Ltd** most effectively met Council's requirements and demonstrated the capability to deliver a robust and future-ready CMS solution. Squiz Australia Pty Ltd's proposal addressed all mandatory criteria and provided clear evidence of technical competence, strong experience in delivering large-scale local government websites, and proven success in implementing secure, scalable and accessible digital platforms.

The **Squiz Digital Experience Platform (DXP)** provides a competitive (value for money) low-code Content Management System that enables greater self-sufficiency and improved business efficiency, by reducing external developer reliance. It also provides extensive features that were extensions to the base requirements asked for in the tender, including:

- **Built-in easy-to-use accessibility, style and SEO checks** – to ensure content is fit-for-purpose and maintains an appropriate standard of quality.
- **AI-enhanced search functionality** that intuitively assists users to navigate a website, plus meet Customer Service requirements to provide automated conversational responses to common Council queries.
- **Advanced online form functionality** to cater to the broad needs of Council.
- **Advanced personalisation features** that assist users who visit the council website regularly, plus enables the creation of bespoke content areas for targeted campaigns.
- **Seamless third-party integrations** that improve functionality and accessibility for users.
- **Tools to migrate large amounts of content** from the existing website, and options for how this could be presented on the new website in an easy-to-read format.
- Plus, **support for performance insights, along with long term digital road-mapping (including investment in AI)** to ensure ongoing functionality improvements for users.

Based on the comprehensive evaluation of all twenty-one (21) tenders and the demonstration assessments of the four (4) shortlisted vendors, the Tender Evaluation Panel concluded that **Squiz Australia Pty Ltd** represents the best overall value for money and the lowest risk to Council in achieving the desired project outcomes.

Accordingly, the Tender Evaluation Panel recommends **Squiz Australia Pty Ltd** as the preferred supplier for the design, development, implementation and ongoing hosting and support of Council's new corporate website and Content Management System (CMS).

Financial Implications

The redevelopment of Council's corporate website and associated subsites is fully funded. Council adopted the budget for 25-26 which included the costs for the redevelopment of the

website, ensuring both the initial implementation and ongoing support costs are budgeted for over the projected 10 year life of the contract - noting the last 4 years of the proposed contract are subject to exercising 2 x 2 year options.

To further strengthen financial sustainability and best practice, Council will propose entering a product + service contract with the selected vendor. This contract model will combine the provision of the website platform (product) with ongoing support, maintenance and updates (service), ensuring predictable costs, streamlined vendor management and alignment with Councils financial management principles. This approach supports long-term value for money and reduces financial risk by embedding ongoing service obligations within the contract structure as well allows for future modules to be added as services.

Chief Information Officer's Comment

ICT staff were an integral part of the tender formulation and evaluation process. Specific ICT requirements in conjunction with business requirements were included and evaluated to ensure alignment with Council's ICT Strategy. Based on the evaluation and tender responses, ICT endorse the decision to recommend that **Squiz Australia Pty Ltd** be approved as the preferred tenderer.

Tender Advisory Group Comments

The objective of the Tender Advisory Group (TAG) is to support the Council to achieve fair and equitable tender processes. The TAG consisting of Kylie Powell – Director Futures and Strategy/Deputy General Manager (and Project Sponsor), Adam Beggs – Head of Governance, and Neil Farquharson – Chief Financial Officer were presented with details of this tender on 21 November 2025.

The TAG considered the recommendation in relation to RFT PCC24/25-101 and was satisfied with the evaluation process and recommendations outlined within the report.

Risk Implications

The risk incurred by Council in accepting the tender from Squiz Australia Pty Ltd is considered low, given its 28-year history of providing digital solutions to government in Australia. Squiz has created hundreds of local government websites in Australia and New Zealand.

Without an updated website solution, Council will be unable to ensure compliance with WCAG 2.2 AA accessibility standards, optimise usability and efficiency for customers and staff, enable strong data security and a solution that grows with our community's future needs.

Conclusion

Based on the detailed evaluation of the tenders received, analysis of compliance to requirements and costs, the Tender Evaluation Committee recommends that Council approve **Squiz Australia Pty Ltd** as the preferred tenderer subject to execution of a formal agreement.

In alignment with the tender requirements the contract will be for a period of six (6) years, with an option to extend for a further two (2) + two (2) year periods, subject to satisfactory performance and in accordance with this report.

RECOMMENDATION

That:

1. The information contained in the report on RFT PCC24/25-101 be received.
2. The tender from Squiz Australia Pty Ltd for \$2,160,000 (excluding GST) over 10 years, should Council choose to exercise the optional two-by-two-year extensions to the six year contract. Costs associated with any optional extension periods would be subject to mutual agreement by both parties.
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.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

13 Annual Pecuniary Interest Returns 2024 -2025

Compiled by: **Avanthi Fernando, Governance Officer**
Stuart Benzie, Governance Manager

Authorised by: **Adam Beggs, Head of Governance**

Outcome	<i>Work together</i>
Strategy	<i>Act with integrity, transparency and accountability</i>
Principal Activity	<i>Lead the organisation's excellence efforts to ensure it is operating effectively, efficiently, transparently and compliant to manage risks and continuously improve</i>

Previous Items: **11- Annual Pecuniary Interest Returns 2024 -2025- Ordinary Meeting- 27 Oct 2025 7:00 PM**

Executive Summary

According to *clause 4.17 of the Code of Conduct for Local Planning Panels 2020* Local Planning Panel members are required to “*make and lodge with the panel chair a return in the form set out in schedule 2 to the Code, disclosing interests as specified in schedule 1 to the Code within one (1) month after becoming a panel member, 30 June each year and the panel member becoming aware of an interest they are required to disclose under Schedule 1 that has not been previously disclosed*”.

As prescribed under the *Code of Conduct for Local Councils* and *Code of Conduct for Local Planning Panels 2020*, a report was tabled at the Ordinary meeting on 27 October 2025. This meeting was the first held after the statutory deadline for lodging annual returns (30 September). All returns by Councillors, Designated persons and Local Planning Panel members were completed and lodged by the due date, with the exception of one Local Planning Panel member who, due to ill health, did not submit their return despite follow-up attempts by council staff. This member was not scheduled to attend any panel meetings until the return was received.

The outstanding annual return was subsequently lodged on 5 November 2025. This report provides details of the disclosure submitted by the Local Planning Panel member.

Current Situation

Schedule 2 of the Code of Conduct for Local Planning Panels prescribes that:

- the information collected on the returns form to be kept by the General Manager in a register of returns.
- the General Manager is required to table all returns at a council meeting, and
- information contained in the returns form will be published on the council's website.

The following *Clause 4.17(b)* annual return under the Code of Conduct for Local Planning Panels has been lodged:

Name	Position Title	Start date	Date Lodged
Michael Evesson	Expert Member	01 July 2024 – 30 June 2025	5 November 2025

Financial Implications

There are no financial implications for Council associated with this report.

Risk Implications

Local Planning Panel members are required to disclose pecuniary interests in accordance with *clause 4.17* of the Code of Conduct for Local Planning Panels. The disclosures of pecuniary interests are expected to uphold Planning Panel members' honest and responsible conduct while executing their duties and to minimise possible breaches of pecuniary interest obligations set out in the Code. The management of Council's pecuniary interest returns is one of a series of measures implemented to manage risks associated with decision making throughout the organisation.

Conclusion

All returns by Councillors, Designated persons and Local Planning Panel members were completed and lodged by the due date, with the exception of one Local Planning Panel member who, due to ill health, did not submit their return despite follow-up attempts by Council staff. This member was not scheduled to attend any panel meetings until the return was received.

The outstanding annual return was subsequently lodged on 5 November 2025. This report provides details of the disclosure submitted by the Local Planning Panel member.

The annual return will be available on Council's website subject to redaction, where permitted in accordance with public interest principles and applicable guidelines.

RECOMMENDATION

That:

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

ATTACHMENTS/APPENDICES

There are no attachments for this report

14 UDIA National Congress 2026**Compiled by:** Marie Maher, Executive Assistant**Authorised by:** Stephen Britten, Director Business Operations

Outcome	<i>Work together</i>
Strategy	<i>Act with integrity, transparency and accountability</i>
Principal Activity	<i>Lead the organisation's excellence efforts to ensure it is operating effectively, efficiently, transparently and compliant to manage risks and continuously improve</i>

Executive Summary

This report seeks Councillor nominations to attend the Urban Development Institute of Australia (UDIA) National Congress 2026 which will be held in Adelaide, South Australia from 16-18 March 2026. The annual UDIA National Congress provides a platform for members to hear from high-profile speakers and international case studies, build professional networks and visit award-winning projects across Adelaide.

Early bird tickets are available until 31 December 2025.

Attendance to the Congress by Councillors is optional and can be funded from the Councillor conference budget in accordance with the *Councillor Expenses and Facilities Policy*.

Background

The UDIA is a leading development industry body, representing more than 2,500 member companies and agencies across the public and private sector. Council is a member of the NSW Division of the UDIA.

The UDIA aims to secure the economic prosperity and future of the development industry in Australia, recognising that national prosperity is dependent on the success of housing communities and building and rebuilding cities for future generations.

A National Congress is held each year. The 2026 Congress webpage and program is accessible online: <https://udiacongress.com/>.

Current Situation

The UDIA National Congress is Australia's premier annual property development conference. The 2026 Congress is scheduled from Monday 16 March to Wednesday 18 March 2026 and is being held at the Adelaide Convention Centre.

The annual UDIA National Congress provides a platform for members to hear from high-profile speakers focusing on the urban development industry in Australia, international case studies and what's next for the industry in terms of innovation and market demand.

The Congress also provides an opportunity to visit award winning projects across Adelaide, build professional networks and establish new business contacts. This event showcases top finalists from all over Australia and culminates in awarding the 2026 winners during the Annual UDIA National Awards for Excellence Gala Dinner.

Financial Implications

Early bird registrations are available until 31 December 2025, at a cost of \$2,944 per person (including the optional Awards for Excellence Gala Dinner), plus associated travel expenses. This cost rises to \$3,164 per person if booked after the early bird period.

A budget has been established for Councillor conference costs in the Operational Plan which funds attendance at various conferences throughout the financial year. Participation in the UDIA National Congress can be accommodated within this budget.

In line with the *Councillor Expenses and Facilities Policy*, the Congress registration fees and associated travel expenses will form part of each Councillor's maximum per term provision for conferences and seminars.

This report seeks confirmation of attendees at the Congress prior to 31 December to secure reduced early bird promotional rates.

Risk Implications

There are no risk implications identified.

Conclusion

Attendance at the UDIA National Congress 2026 being held in Adelaide from 16-18 March 2026 is optional. Attendees to the Congress can expect to hear from high-profile speakers focusing on the urban development industry in Australia, international case studies and what's next for the industry in terms of innovation and market demand.

It is intended for attendees to be confirmed at the December Ordinary meeting to enable Council staff to secure early bird registrations.

RECOMMENDATION

That:

1. The information contained in the report on UDIA National Congress 2026 be received.
2. Council nominate attendees for the UDIA National Congress in Adelaide on 16-18 March 2026.
3. Leave of absence be granted as appropriate for those Councillors attending the Congress for the period 16-18 March.

ATTACHMENTS/APPENDICES

There are no attachments for this report.

15 Draft Code of Meeting Practice

Compiled by: Cathy Krimmer, Governance Advisor
Stuart Benzie, Governance Manager
Avanthi Fernando, Governance Officer

Authorised by: Adam Beggs, Head of Governance

Outcome	<i>Work together</i>
Strategy	<i>Act with integrity, transparency and accountability</i>
Principal Activity	<i>Lead the organisation's excellence efforts to ensure it is operating effectively, efficiently, transparently and compliant to manage risks and continuously improve</i>

Executive Summary

A new Model Code of Meeting Practice for Local Councils in NSW (the 2025 Model Meeting Code) has been prescribed and is now effective. The 2025 Model Meeting Code sets out the mandatory and recommended procedures for the conduct of council and committee meetings. The 2025 Model Meeting Code aims to ensure transparency, accountability, inclusiveness, and effective governance in local councils. It introduces several significant changes, notably a prohibition of pre-meeting Councillor Briefings and limitations to remote meeting attendance by Councillors.

Council must adopt a Code of Meeting Practice that incorporates the mandatory provisions of the 2025 Model Meeting Code.

This report recommends that Council resolve to publicly exhibit the attached Draft Code of Meeting Practice, for a minimum period of 28 days and provide members of the community at least 42 days to comment, before being brought back to Council for adoption.

Following the public exhibition period, Council officers will review any submissions received. A subsequent report, incorporating feedback and any proposed amendments, will be presented to the Ordinary Council Meeting in February 2026 for consideration and adoption.

Background

Clear, consistent, and lawful meeting practices contribute to effective governance in local councils. The 2025 Model Meeting Code provides a framework for councils to conduct meetings that are open, transparent, and accountable to the community. Councils are required to adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code, with the option to include non-mandatory and supplementary provisions provided they are not inconsistent with the mandatory provisions. Councils are required to comply with the mandatory provisions from 1 January 2026.

Prescribed under section 360 of the Local Government Act (NSW) 1993 and the Local Government (General) Regulation 2021, the 2025 Model Meeting Code follows an earlier review and consultation process conducted by the Office of Local Government.

Council participated in the earlier consultation process by providing a submission to the OLG in February 2025 in response to its Discussion Paper "A new model code of meeting practice". Councillors were consulted on the proposed submission at the Councillor Briefing of 24 February 2025. Although supporting many of the proposed amendments at the time, Council's submission opposed and only partially supported a number of the suggested changes.

Following the OLG's release of the 2025 Model Meeting Code on 29 August 2025, Councillors have been provided the following:

- an update by email on 8 September 2025 which included a copy of the 2025 Model Meeting Code
- a further update by email on 12 September 2025 which included the OLG's FAQ on the 2025 Model Meeting Code and a comparison table showing the 2025 Model Meeting Code against Council's current adopted Code of Meeting Practice
- a memo on 3 October 2025 alerting Councillors to the OLG webinar for Councillors and officers on 16 October 2025, and
- consultation on the 2025 Model Meeting Code and proposed Penrith-specific additions.

Current Situation

Councils must adopt a Code of Meeting Practice that incorporates the mandatory provisions of the 2025 Model Meeting Code by 31 December 2025. Transitional provisions provide that if a council does not adopt a code of meeting practice that incorporates the mandatory provisions by that date, then from 1 January 2026 any provision of the council's existing meeting code that is inconsistent with 2025 Model Meeting Code will not apply. In effect, because Council will not have adopted its Code by the new year, the Model Code will apply temporarily. Officers consider this will have minimal impact given our Code will be largely consistent with the Model Code, and it is expected Council will adopt its Code at the first Council meeting in February.

Attached to the report is a marked up version of the 2025 Model Meeting Code and a Draft PCC Code of Meeting Practice. In drafting the Code of Meeting Practice, the following are the non-mandatory provisions that Council will need to make decisions on. The column on the right contains the proposed inclusion.

Clauses requiring Council's decision	Proposed inclusion
3.1 Frequency, time and date of meetings	Council sets the time, date and frequency of its meetings by resolution. There is a separate report within the Business Paper titled "2026 Proposed Meeting Calendar" for this purpose.
3.10 Timeframe for notices of motion	For a notice of motion to be included on the agenda of the meeting it is proposed that the notice of motion must be in writing and must be submitted by close of business 7 business days before the meeting is to be held. This proposal is slightly longer than the current Code and consistent with our commitment to get business papers distributed earlier to Councillors.
4.1 and 4.2 Rules for the conduct of public forums	<p>Council may determine the rules under which public forums are to be conducted and when they are to be held. This would be a replacement of Council's current addressing the meeting process.</p> <p>Simply put, members of the public would no longer be allowed to address the Council meeting once it has commenced but can make oral submissions on items of business to be considered at the meeting during a public forum immediately before the meeting.</p>

Clauses requiring Council's decision	Proposed inclusion
	<p>The OLG is developing Public Forum Guidelines which are not yet available. The OLG has indicated that public forums should be:</p> <ul style="list-style-type: none"> • conducted before the meeting • only on items that are on the agenda • chaired by the Mayor, and • livestreamed and published on Council's website. <p>It is the understanding of Council officers that Councillors are not required to attend public forums but are encouraged to do so.</p> <p>It is proposed that Council deal with applications to address public forums in a similar manner to which it currently deals with addressing the meeting applications. It is also proposed that public forums will be scheduled to commence at 7:00pm before Ordinary meetings and run for up to 30 minutes. If time is not needed, the meeting will commence at 7:00pm or as soon as the public forum finishes. It is acknowledged that this new approach may need review, however officers are attempting to be efficient in the use of councillor, staff and community members' time by keeping public forums on the same night as meetings. A copy the Draft Public Forum Application Form and Procedure is attached to the report.</p>
5.2 Standard of dress for Councillors	<p>This is a new provision. Council has not previously determined a standard of dress for Councillors at meetings. It is proposed that business-like attire should be worn by Councillors when attending meetings, both in person and by audiovisual link.</p>
5.34, 15.15 and 15.16 Powers of expulsion from meetings	<p>Council may if it chooses, authorise the person presiding at the meeting (generally the Mayor or in the Mayor's absence the Deputy Mayor) to exercise the power to expel a person (whether a councillor or another person) from a meeting. An alternative is that a person may be expelled from the meeting by a resolution of the meeting. It is proposed to provide the person presiding at a meeting with the power of expulsion.</p>
8.1 Order of business (by Council resolution	<p>It is proposed that the order of business will remain consistent with Council's current Meeting Code, with the addition of "Remote Attendance" and a slight amendment to the process for moving into confidential business. This change would be to remove the need for Council to resolve itself into Committee of the Whole to consider confidential matters and would be consistent with the practice of many other councils.</p>
14.12 Process on applications to deal with matters in closed parts of the meeting	<p>The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be</p>

Clauses requiring Council's decision	Proposed inclusion
	<p>closed. Members of the public must first make an application to the council in a manner determined by the council.</p> <p>It is proposed that applications must be made in writing to the General Manager and received by 4.00pm on the day of the meeting at which the matter is to be considered. The General Manager (or delegate) may refuse an application made under this clause. The General Manager or delegate must give reasons in writing for a decision to refuse an application.</p>

Remote attendance at meetings

The 2025 Model Meeting Code provides that Councillors may attend and participate in meetings of the Council and committees of the Council by audio-visual link with the approval of the Council or the relevant committee where they are prevented from attending the meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities. The OLG has advised that councils are not permitted to extend the reasons for remote attendance beyond what is included in the Model Code, as this would be considered inconsistent with the Model Code.

Prohibition of pre-meeting briefing sessions

A significant change within the 2025 Model Meeting Code is a ban on Councillor Briefing sessions (Briefings). Operationally and strategically, this is a complex change for councils as Briefings are common practice and provide valuable opportunities for staff to keep Councillors informed on matters, and to consult during the development of policies, strategies and other works prior to public release.

The language within the 2025 Model Meeting Code prohibiting Briefings is somewhat ambiguous and open to different interpretations. However, the outcomes intended by the Minister for Local Government (and consequently the OLG) are clear. That is, that business should be conducted openly and transparently at formal meetings that can be accessed by the public. According to the OLG, pre-meeting briefing sessions are inconsistent with the principles of transparency, accountability and public participation, and have the potential to undermine confidence in the proper and lawful decision-making processes of the council.

Further, the 2025 Model Meeting Code requires that a councillor can request information from the General Manager about a matter to be considered at a meeting, provided the information is also made available to the public. Information requested under this clause must be provided in a way that does not involve any discussion of the information. The organisation will need to decide on a formal mechanism for this to occur and while the details for this are yet to be determined.

To address these changes, Council officers have created a meeting schedule that is proposed to be both compliant and practical. The meeting schedule enables the governing body to fulfill its role under section 223 (1)(e) of the *Local Government Act 1993* (NSW) which is to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council.

Financial Implications

There are no financial implications for Council associated with this report.

Risk Implications

As a matter of compliance Council is required to adopt a Code of Meeting Practice. Additionally, failure to properly consider and adopt a Code of Meeting Practice puts at risk the effective operation of Council's public meetings and decision-making processes.

Conclusion

It is recommended that the attached Draft Code of Meeting Practice be placed on public exhibition for 28 days, with a 42-day community feedback period. It is intended that after consideration of any public feedback received, Council's endorsement of a revised Code of Meeting Practice would be sought in February 2026. Should Council hold meetings in February 2026 prior to adopting a revised Meeting Code, it must comply with the mandatory provisions of the 2025 Model Meeting Code.

RECOMMENDATION

That:

1. The information contained in the report on Draft Code of Meeting Practice be received.
2. Subject to any amendments required by the Council, the attached Draft Code of Meeting Practice be placed on public exhibition for 28 days and provide members of the community at least 42 days to comment, before being brought back to Council for adoption.

ATTACHMENTS/APPENDICES

1. Draft Public Forum Application and Procedure	2 Pages	Attachments Included
2. Model Code of Meeting Practice for Local Councils in NSW (PCC Markup)	42 Pages	Attachments Included
3. Draft Code of Meeting Practice	40 Pages	Attachments Included

Committee of the Whole
DELIVERY PROGRAM REPORTS
CONTENTS

Pecuniary Interests

Other Interests

Monday December 8 2025

Item		Page
1	Presence of the Public	1
2	<u>Road Lease - Part Chatsworth Road St Clair</u>	2
3	<u>Road Closure & Sale - Part Abbots Road Kemps Creek</u>	2
4	<u>Compulsory Acquisition - Endeavour Community Battery Project</u>	2
5	<u>Penrith Valley Regional Sports Centre Financial Position</u>	2

1 Presence of the Public

Everyone is entitled to attend a meeting of the Council and those of its Committees of which all members are Councillors, except as provided by Section 10 of the Local Government Act, 1993.

A Council, or a Committee of the Council of which all the members are Councillors, may close to the public so much of its meeting as comprises:

- (a) the discussion of any of the matters listed below; or
- (b) the receipt or discussion of any of the information so listed.

The matters and information are the following:

- (a) personnel matters concerning particular individuals;
- (b) the personal hardship of any resident or ratepayers;
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business;
- (d) commercial information of a confidential nature that would, if disclosed:
 - prejudice the commercial position of the person who supplied it; or
 - confer a commercial advantage on a competitor of the Council; or
 - reveal a trade secret.
- (e) information that would, if disclosed, prejudice the maintenance of the law;
- (f) matters affecting the security of the Council, Councillors, Council staff or Council property;
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.

The grounds must specify the following:

- (a) the relevant provision of section 10A(2);
- (b) the matter that is to be discussed during the closed part of the meeting;
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in open meeting would be, on balance, contrary to the public interest.

Members of the public may make representations at a Council or Committee Meeting as to whether a part of a meeting should be closed to the public

The process which should be followed is:

- a motion, based on the recommendation below, is moved and seconded
- the Chairperson then asks if any member/s of the public would like to make representations as to whether a part of the meeting is closed to the public
- if a member/s of the public wish to make representations, the Chairperson invites them to speak before the Committee makes its decision on whether to close the part of the meeting or not to the public.
- if no member/s of the public wish to make representations the Chairperson can then put the motion to close the meeting to the public.

The first action is for a motion to be moved and seconded based on the recommendation below.

RECOMMENDATION

That:

Strategic Direction 5

2 [Road Lease - Part Chatsworth Road St Clair](#)

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.

3 [Road Closure & Sale - Part Abbots Road Kemps Creek](#)

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.

4 [Compulsory Acquisition - Endeavour Community Battery Project](#)

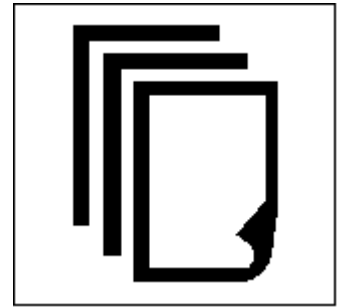
This item has been referred to Committee of the Whole as the report refers to commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

5 [Penrith Valley Regional Sports Centre Financial Position](#)

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.



ATTACHMENTS



Date of Meeting: Monday 8 December 2025

Report Title: Penrith City Centre Parking
Implementation Plan 2025-2030

Attachments: Penrith City Centre Parking
Implementation Plan 2025-2030

Penrith City Centre Parking Implementation Plan 2025-2030

Penrith City Centre Parking Implementation Plan 2025-2030

Version 1.3



Penrith City Centre Parking Implementation Plan 2025-2030

Revisions

Version	Date	Prepared by	Reviewed by	Changes
1.0	20/05/2025	Lalaine Malaluan	Joshua Hull	Draft
1.1	30/09/2025	Lalaine Malaluan	Joshua Hull	Updated draft following ELT feedback
1.2	27/10/2025	Lalaine Malaluan	Joshua Hull	Updated following Council stakeholder consultation
1.3	13/11/2025	Lalaine Malaluan	Joshua Hull	Updated following Council Briefing

Table of Contents

1

Introduction.....

1

1.1

Background.....

1

1.2

Previous Parking Studies and Strategies

3

1.3

Key Findings from Penrith Central Business District: Car Parking Demand Analysis Report (2024).....

4

2

Implementation Plan.....

7

2.1

Key Parking Management Objectives

7

2.2

Delivery of Actions.....

11

2.3

Interdependencies of Actions.....

17

3

Monitoring and Evaluation.....

18

Figure 1.1: Penrith City Centre Public Car Parking Map

3

Figure 2.1: Interdependencies of Parking Management Actions.....

17

Table 1.1: Penrith City Centre Parking Supply

2

Table 1.2: Recommended Actions from *Penrith Central Business District: Car Parking Demand Analysis Report (2024)*.....

6

Table 2.1: Implementation Plan.....

12

Penrith City Centre Parking Implementation Plan 2025-2030

1 Introduction

The *Penrith City Centre Parking Implementation Plan 2025-2030* (Implementation Plan) outlines the actions to support the growing and evolving parking needs of Penrith City Centre over the next five (5) years (2025 to 2030) and beyond.

The actions identified in this Implementation Plan are in line with the short-term and medium-term measures recommended in the *Penrith Central Business District: Car Parking Demand Analysis Report (2024)* prepared by Bitzios Consulting. These short-term and medium-term measures mainly aim to maximise the performance of existing parking supply in the City Centre by implementing more progressive parking management tools and providing a logical and balanced supply of parking. Thus, giving all users equitable access to goods, services, recreation and places of work, with additional parking supply to only be implemented in the long-term after consideration of all parking management tools.

Overall, the objectives of this Implementation Plan are as follows:

- Implement progressive parking management tools in the short-term and medium-term to make existing parking within the City Centre 'work harder', prior to the addition of any new parking supply.
- Discuss the parking management guiding principles that support the proposed actions.
- Provide timeframe for delivery (i.e. short-term and/or medium-term).
- Present guidance for next steps including monitoring and evaluation of the Implementation Plan, as well as consideration for future long-term actions.

1.1 Background

Penrith City Centre is one of Metropolitan Sydney's major urban centres and is located about 35km from Parramatta CBD and 57km from Sydney CBD. The City Centre is well connected by rail and road infrastructure, with Penrith Railway Station serviced by the T1 North Shore & Western Line and BMT Blue Mountains Line. Main arterial roads such as Great Western Highway, Mulgoa Road, Castlereagh Road, The Northern Road and the M4 Western Motorway are easily accessible from the City Centre.

Land use within the Penrith City Centre is comprised primarily of non-residential developments, with some 170,000m² of commercial office space and 220,000m² of retail floor space¹.

¹ Penrith City Centre Parking Strategy: Technical Advice 1 (2019), Bitzios Consulting

Penrith City Centre Parking Implementation Plan 2025–2030

With the presence of key places of interest such as High Street shopping strip, Westfield Shopping Centre, Nepean Village Shopping Centre, the Joan Sutherland Performing Arts Centre and Ripples Penrith Leisure Centre, the City Centre not only serves Penrith LGA but also the broader Western Sydney district. Penrith City Centre also supports cultural, recreational, educational and tourism industries with its strong connections to Nepean River, Penrith Lakes, Penrith TAFE, Nepean Health Precinct, Western Sydney University and future Western Sydney International Airport.

A mix of public and private parking options are available throughout Penrith City Centre. Overall, the City Centre is comprised of approximately 12,000 car parking spaces with 50% private parking, 41% off-street public parking and 9% on-street public parking as summarised in Table 1.1.

Table 1.1: Penrith City Centre Parking Supply

Parking Category	Approximate Supply (car spaces)	Assumptions	Data Source
Private Parking	6,361	Based on Gross Floor Area (GFA) & DCP estimates as well as survey counts of the major car parks	Penrith City Centre Parking Strategy: Technical Advice 1 (2019)
Public Off-street parking	5,222*	Park&Ride / commuter parking: 2,393 spaces (Jane Street Car Park, Penrith Station Commuter Car Park and Penrith Railway Station Car Park); Assumes 100 car spaces for Reserve Street temporary car park (unmarked)	Penrith City Centre Parking Map (obtained January 2025*)
Public On-street parking	1,118		2017 Parking Survey Data - Penrith City Centre Parking Strategy: Technical Advice 1 (2019)

Source: 'Penrith Central Business District: Car Parking Demand Analysis Report' (2024), Bitzios Consulting

*Updated numbers from latest Penrith City Centre Parking Map (obtained January 2025)

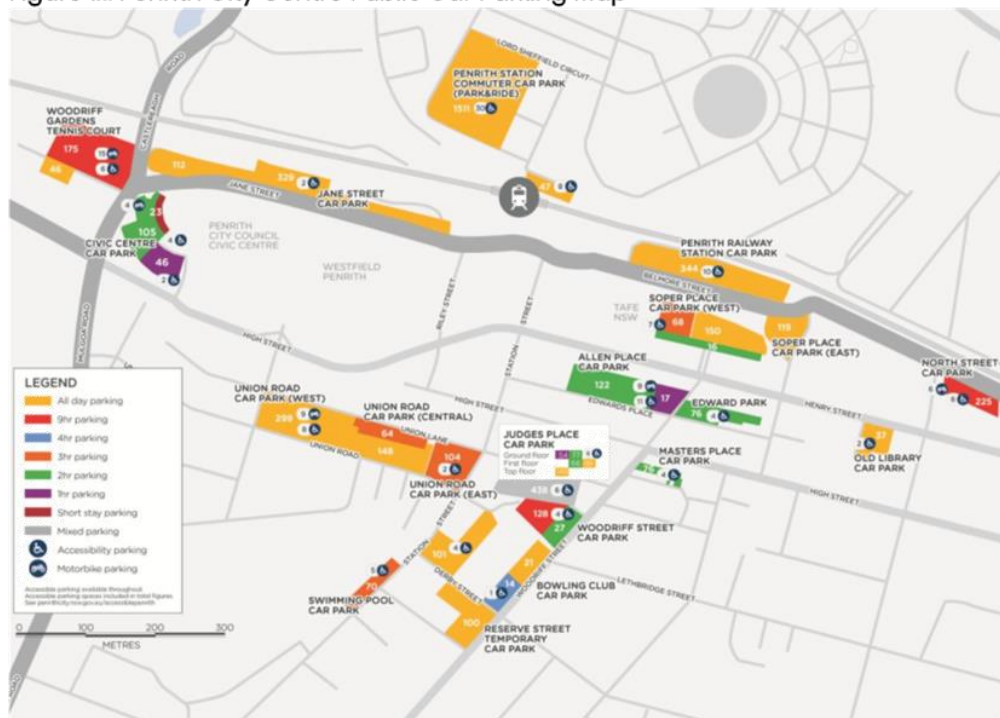
The existing off-street public parking areas including Park&Ride facilities within the City Centre are shown in Figure 1.1.

Penrith City Centre Parking Implementation Plan 2025–2030

The current parking allocation within the City Centre generally comprises the following:

- Most on-street parking is short stay (less than 2P)
- Off-street parking is 2P and above, with a portion of 'All Day' parking
- Council off-street parking is short stay 2P and 1P with permit parking for Council staff
- Soper Place parking is 3P and above
- High Street parking is P30 or less

Figure 1.1: Penrith City Centre Public Car Parking Map



Source: Penrith City Centre Parking Map (<https://www.penrithcity.nsw.gov.au/services/other-services/parking/penrith-city-centre-parking-map>) (sourced January 2025)

1.2 Previous Parking Studies and Strategies

In 2011, Council adopted the *Penrith City Centre Car Parking Strategy* (2011 Strategy). The 2011 Strategy was developed in line with Step 7 of the *Penrith City Strategy* (2006), which focused on “Managing Parking and Improving Access”. The document included a range of short, medium and long-term actions that could be investigated and implemented to ensure appropriate management of Council’s car parking facilities within a 15 year horizon.

Penrith City Centre Parking Implementation Plan 2025-2030

One of the recommendations presented in the 2011 Strategy is to introduce an on-street and off-street paid parking scheme. In response to the recommended action, Council commissioned a *Paid Parking Feasibility Study Part 1 – Detailed Investigation* (Feasibility Study) in 2016 to determine whether there would be a benefit of introducing paid parking, and if so, inform Council of the most appropriate methodology of introducing a paid parking scheme to the Penrith City Centre.

Based on the findings of the Feasibility Study, there is a need to introduce some level of paid parking such as implementation of gated or ticketed parking systems to selected off-street Council car parks. It was proposed that parking users would be able to access three (3) hours of free parking, with fees applied for extended stay. By charging commuters for parking, the opportunity cost of each space is equitably passed onto the lower priority parking users and additional revenue can be reinvested into the precinct. However, Council's decision at that time was not to proceed with the further stages of the study.

In 2019, Council commissioned an updated *Penrith City Centre Parking Strategy: Technical Advice 1* (2019 Strategy). The 2019 Strategy developed technical advice and an options assessment to inform the parking elements of a wider Planning Strategy for Penrith City Centre by limiting car parking supply, imposing restrictions on CBD parking and encouraging alternate transport options. The recommended strategy included updating the Development Control Plan car parking rates and provision of additional public off-street car parks by implementing new multi-deck parking at Soper Place, Union Road and Judges Place car parking areas.

1.3 Key Findings from Penrith Central Business District: Car Parking Demand Analysis Report (2024)

Council has been progressively implementing the recommended actions identified in the previous car parking studies presented in Section 1.2 to manage the parking demand and supply within the City Centre. To date, the following actions have been implemented:

- Delivered an additional 231 car spaces at North Street Car Park
- Delivered an additional 182 car spaces at Woodriff Gardens Car Park
- Roll out of parking sensors (circa 1,500) and productivity improvements
- Line marking refurbishment of parking bays
- Review of time restrictions
- Enforcement productivities
- Increased accessible parking spaces

Penrith City Centre Parking Implementation Plan 2025–2030

- Crime Prevention Through Environmental Design (CPTED) improvements (lighting, pathways, landscaping etc)

However, recent observations and community engagement still identify car parking availability within the Penrith City Centre as one of the key issues experienced by the community. It is also noted that long-term recommendations such as implementation of a paid parking scheme and provision of a new multi-deck car park have not yet been realised.

In 2023, a parking supply and demand analysis for the Penrith City Centre was undertaken with the main objective to determine the timing for implementation of a new multi-deck car park.

The *Penrith Central Business District: Car Parking Demand Analysis Report (2024 Report)* comprised of two distinct parts as follows:

- Tranche A: Existing CBD Parking Situation
- Tranche B: Parking Demand Analysis and Management Strategies.

The 2024 Report utilised more recent parking sensor data to review existing parking usage within the City Centre. The report also considered impacts of COVID-19 to travel and parking behaviours as a result of increased working from home arrangements.

The following key findings were noted in Tranche A of the report:

- Inner CBD parking nears capacity before 9:00am with a notable decrease at 6:00pm – attributed to long stay staff/worker parking in the off-street core
- Outer CBD currently has capacity throughout the day
- On-street parking through central High Street has high turnover
- There is a high demand for all-day parking within the CBD and close to Penrith Railway Station (as rail commuters first choice)

Key findings from the study recommended that Council needs to address the uneven distribution of parking availability within the CBD and implement progressive parking management tools in the short-term to correct travel behaviours, prior to the addition of any new parking supply. In order to achieve these goals, the following recommendations were developed, with indicative timeframes for actions summarised in Table 1.2.

- Long stay city centre parking to be reallocated to short stay parking
- Optimise levels of enforcement to reduce overstay parking

Penrith City Centre Parking Implementation Plan 2025-2030

- Investigate options for paid parking i.e. within existing off-street facilities such as Union Road
- Making existing parking 'work harder' through effective parking regulations, which pushes long stay (staff/worker) parking to the outer CBD
- Ensure new supply within the City Centre is in accordance with CBD parking objectives and timed to meet demand

Table 1.2: Recommended Actions from *Penrith Central Business District: Car Parking Demand Analysis Report (2024)*

Scenario	Recommendation
Short Term (1 – 3 Years)	<ol style="list-style-type: none"> 1. Upgrade and expand sensor data network to improve parking demand monitoring 2. Make existing supply work harder through implementation of management levers <ol style="list-style-type: none"> a. Review CBD parking hierarchy and change parking restrictions b. Optimise parking compliance 3. Review parking rates and contributions 4. Resolve any impact emerging from Hawkesbury-Nepean Floodplain 5. Undertake feasibility of new decked car park (timing scope, location, finances)
Medium Term (3 – 5 Years)	<ol style="list-style-type: none"> 1. Further augment parking supply (time restrictions) 2. Investigate and implement paid parking
Long Term (5 Years Plus)	<ol style="list-style-type: none"> 1. Implement new decked car park 2. Investigate strategies that support alternative mode use (public transport)

Penrith City Centre Parking Implementation Plan 2025–2030

2 Implementation Plan

This Implementation Plan provides clear guidance to deliver the recommended short to medium-term actions presented in Table 1.2. These short to medium-term actions aim to maximise the performance of existing parking supply in the City Centre prior to addition of any new parking supply, as well as supporting the future financial implications associated with the additional parking management measures and implementation of a new decked car park. Whilst this Implementation Plan only focuses on short-term and medium-term actions, it also includes recommendations to deliver the long-term objectives for Council's future consideration.

2.1 Key Parking Management Objectives

The recommended actions outlined in Table 1.2 are further refined and are grouped into seven (7) key parking management objectives as discussed in the following sections.

Objective 1: Understand existing parking issues, opportunities and constraints within Penrith City Centre

It is important to engage with relevant stakeholders to identify existing parking issues, opportunities and constraints within Penrith City Centre in addition to the findings presented in Tranche A of the 2024 Report. Key factors that could influence realisation and delivery timing of actions such as impacts from the Hawkesbury–Nepean Floodplain need to be identified and considered.

This objective also considers how the recommended actions in this Implementation Plan are to be embedded into various Council resourcing, delivery and operational plans.

Input from external stakeholders could be obtained through targeted consultation and/or workshops with key groups, including Transport for NSW, The Chamber of Commerce, businesses and community groups.

Objective 2: Optimise parking demand monitoring and enforcement

Optimising enforcement is a necessary component of any parking management system as restrictions are put in place to support parking objectives and correct travel behaviours. Parking enforcement would also result in more efficient use of parking as users would be more mindful of short-term parking restrictions thus minimising overstay use and increasing parking turnover.

Penrith City Centre Parking Implementation Plan 2025-2030

In-ground parking sensors were previously installed throughout the City Centre which significantly assisted in monitoring parking demand and enforcement. However, it is recognised that these parking sensors are due for renewal in the upcoming years thus there is an opportunity to review more updated technology to further improve parking demand monitoring and enforcement efficiency. Currently, parking sensors are not present in some parking areas within the City Centre including Union Road Car Park, Woodriff Gardens Car Park, North Street Car Park and some sections of Soper Place Car Park.

Objective 3: More efficient use of existing parking facilities

The balance between long and short stay parking is crucial to the sustainability of the City Centre. Allocation of timed parking restrictions must consider surrounding land uses and should ensure that the implemented time restrictions encourage the right users in the right place (i.e. parking restriction needs adjacent to a local shop differ to residential areas adjacent to a park).

Time restrictions above 3 hours within high demand areas should be avoided to allow for business turnover. Conversely, medium and long-stay restrictions may benefit areas where residential on-street demand is high.

Current observations indicate that there is an imbalance in use of Council's off-street parking facilities. Union Road and Soper Place car parks have high parking demand likely due to their provision of unrestricted parking and centralised locations, whilst other off-street car parks such as Woodriff Gardens and North Street car parks are underutilised despite providing long-term parking spaces. These underutilised car parks as well as the Transport for NSW Commuter Car Park should further be promoted to reallocate long-term parking users (i.e. staff and commuters) and allow for more centrally located parking areas to be used by short-term users (i.e. visitors) who would bring the most value to the businesses that operate in the commercial core.

The review of existing parking allocations also presents opportunity to identify suitable locations for additional accessible parking. This will improve access for the City Centre's more vulnerable parking users.

Concurrently, efficient use of existing parking facilities requires better walking conditions between parking facilities and the destinations they may serve. This includes improvements to footpaths, public domain, tree coverage, wayfinding and public information campaigns.

Penrith City Centre Parking Implementation Plan 2025–2030

With the uptake of electric vehicle (EV) use, there is an opportunity to investigate provision of additional EV charging stations within existing car parks. At present, EV charging stations within the City Centre are available at Jane Street Commuter Car Park and Nepean Village Shopping Centre. Locations of future EV charging stations are to be carefully assessed to maximise use and efficiency without creating adverse impacts to existing parking supply.

Objective 4: Reduce car parking demand

Contemporary parking planning gives priority to more efficient and sustainable travel modes (i.e. walking, cycling, car sharing and public transport) particularly under congested conditions such as within the City Centre, before increasing car parking supply.

This objective could be achieved by further improving pedestrian and cyclist connections to, from and within the City Centre and by continuing to advocate for additional public transport services. Public transport and active transport infrastructure in the City Centre should be developed prior or concurrently with any improvements to private car facilities to maintain or improve Penrith's transport modal split and avoid induced private car travel demand.

Provision of additional secure, adequate and accessible storage for bikes, e-bikes and micromobility devices, including end-of-trip facilities, within new and existing car parks could also be considered to encourage cycling trips to and from the City Centre.

Objective 5: Ensure development parking controls are contemporary and effective

Development yield is the biggest driver of parking demand in urban centres. The 2019 Strategy reviewed the existing and projected development yield in the City Centre and provided recommended parking rates.

In line with Objective 4 in reducing parking demand, this objective also aims to support more progressive outcomes in providing balance in parking supply. This objective could be achieved through introduction of the following recommended levers:

- Review of Penrith's DCP parking rates to ensure that the requirements remain aligned with policy and development drivers. Recently, the NSW Government published the new "Guide to Transport Impact Assessment" (2024) which provides contemporary methodology in calculating parking requirements for developments. The DCP parking rates could be reviewed against the recommended methodology in the new Guide to TIA. This includes review of

Penrith City Centre Parking Implementation Plan 2025-2030

- controls for ancillary parking requirements such as bicycle parking, end-of-trip facilities and emerging technologies (e.g. EV charging).
- Flexible requirements that allow reductions on minimum parking rates in return for developer agreements to support public or active transport where feasible.
- Shared and reciprocal parking for mixed-use development which would specify how to calculate minimum parking requirements for different combinations of land uses in consideration of peak parking demand of each land use that occur at different times. This method seeks to reduce underutilised parking spaces as parking could be shared (e.g. shared parking for retail during the day and for restaurants in the evening, or a church which uses its parking bays in the evenings and on weekends but allows its long-term parking to be used by the public during weekdays).
- Review development contributions through update of Council's Local Contributions Plan. The Environmental Planning and Assessment Act 1979 (EP&A Act) empowers councils in NSW to require the payment of local infrastructure contributions from developers for services and amenities including creating parking facilities and parking management.
- Regular review of DCP parking rates.

Objective 6: Generate funding to support parking management measures and future cost associated with additional parking supply

Many of the actions outlined in this Implementation Plan come with associated additional costs to be implemented. Development contributions and paid parking are ways for Council to build revenue to fund parking management and facility improvements through other infrastructure investments (e.g. re-seal roads, line marking, footpaths, lighting, security etc) and resources to make existing parking use more efficient (e.g. hiring of additional Rangers for optimised enforcement and installation of additional parking sensors).

In the context of Penrith, the introduction of paid parking could also help build revenue to finance a new multi-deck car park.

Objective 7: Increase car park supply

Parking demand forecasts indicate that Penrith City Centre would ultimately need additional parking supply based on current GFA growth projections. Provision of additional parking supply can therefore be a costly exercise and should be considered carefully.

Penrith City Centre Parking Implementation Plan 2025-2030

The estimated cost of providing a new multi-deck car park is up to about \$120,000 per space based on 2025 costings. As such, Council's objective is to implement progressive parking management tools in the short to medium-term, prior to addition of new parking supply.

Delayed introduction of new parking supply also presents benefits including:

- Promoting better utilisation of existing parking assets
- Setting a strong foundation of sustainable travel behaviours to the City Centre
- Generating more funds to deliver better parking supply later (i.e. larger multi-deck)
- Council land available for other strategic planning projects

2.2 Delivery of Actions

Table 2.1 outlines the proposed actions that could be implemented within the next five (5) years, including its alignment with the key parking management outcomes. Whilst the focus of this Implementation Plan is to provide clear guidance on short-term and medium-term actions only, the following table also provides recommended actions to be considered in the long-term.

It is noted that some actions are currently unfunded although most of the actions are business as usual initiatives. Those actions that require additional resources and/or funding to carry forward will be considered alongside other city-wide priorities for funding consideration.

Penrith City Centre Parking Implementation Plan 2025-2030

Table 2.1: Implementation Plan

Key Objective	Short-Term (1-2 years)	Medium Term (3-5 years)	Long Term (5+ years)
1. Understand existing parking issues, opportunities and constraints within Penrith CBD	Identify and discuss matters that have influence upon or are influenced by parking management throughout Penrith CBD	Monitor and respond to changes to Hawkesbury – Nepean Floodplain policy, as they relate to Penrith CBD and parking matters.	
	Undertake consultation with key external stakeholders (e.g. Transport for NSW, The Chamber of Commerce, businesses and community groups) to determine existing issues, parking demand and community expectations		
	Publish Stakeholder Engagement Report to summarise results from internal and external stakeholders' consultation		
	Monitor and respond to changes to Hawkesbury – Nepean Floodplain policy, as they relate to Penrith CBD and parking matters.		

Penrith City Centre Parking Implementation Plan 2025-2030

Key Objective	Short-Term (1-2 years)	Medium Term (3-5 years)	Long Term (5+ years)
2. Optimise parking demand monitoring and enforcement	Optimise Council Rangers enforcement services	Optimise Council Rangers enforcement services	Optimise Council Rangers enforcement services
	Optimise monitoring and reporting of parking demand and compliance	Replace existing parking sensors reaching end-of-life	
	Review functionality and condition of existing parking sensors	Install additional parking sensors to include long-term and after-hours parking demand and expand sensor data network	
	Renew contract with parking sensor supplier or change supplier		
3. More efficient use of existing parking facilities	Improve wayfinding to increase uptake of underutilised peripheral car parks (e.g. Woodriff Gardens Tennis Court, North Street)	Review existing timed parking restrictions for off-street and on-street parking	
	Promote 'ParkPenrith' mobile app and investigate further improvements	Install real-time parking vacancy signage similar to Judges Place Car Park	
	Improve parking information on Council's website	Reallocate timed parking restrictions	

Penrith City Centre Parking Implementation Plan 2025-2030

Key Objective	Short-Term (1-2 years)	Medium Term (3-5 years)	Long Term (5+ years)
	Review existing timed parking restrictions for off-street and on-street parking	Improve public domain and tree coverage to encourage use of peripheral car parks and longer walking distances within CBD	
	Increase accessible parking by reallocating existing parking bays	Undertake civil works to facilitate better accessible parking provision	
	Promote TfNSW Commuter Car Park (Park&Ride) on Council's website and online platforms	Investigate opportunities for additional EV charging stations	
4. Reduce car parking demand	Continue advocating to NSW Government to improve public transport accessibility to, from and within the City Centre	Continue advocating to NSW Government to improve public transport accessibility to, from and within the City Centre	Continue advocating to NSW Government to improve public transport accessibility to, from and within the City Centre
	Promote active and public transport to/from the City Centre through public awareness campaigns	Further improve pedestrian and cyclist connectivity to/from/within the City Centre by constructing footpath/cycling paths, increased tree coverage along active transport links and improve public domain	

Penrith City Centre Parking Implementation Plan 2025-2030

Key Objective	Short-Term (1-2 years)	Medium Term (3-5 years)	Long Term (5+ years)
	Install additional bike storage and end-of-trip facilities	Investigate opportunities for car share programs within the City Centre	
		Install additional bike storage and end-of-trip facilities	
5. Ensure development parking controls are contemporary and effective	Review Council policies on development parking controls and end of trip facilities	Review Council policies on development parking controls and end of trip facilities	Review parking deficiency and investigate updating development contributions
	Review recommended parking rates from 'Penrith City Centre Parking Study' (2019)	Review recommended parking rates from 'Penrith City Centre Parking Study' (2019)	Prepare Penrith City Centre Master Plan including amended DCP parking rates
			Adopt amended Council DCP parking rates for Penrith City Centre
			Require/encourage developers to incorporate initiatives that promote sustainable transport modes (e.g. increased bike parking and end-of-trip facilities, inclusion of car share spaces, implementation of Green Travel Plans)
			Update Council's Local Contributions Plan for Penrith City Centre

Penrith City Centre Parking Implementation Plan 2025-2030

Key Objective	Short-Term (1-2 years)	Medium Term (3-5 years)	Long Term (5+ years)
6. Generate funding to support parking management measures and future cost associated with additional parking supply	Undertake Paid Parking Investigation Study	TBC (Subject to Council consideration of the <i>Paid Parking Investigation Study</i>)	TBC (Subject to Council consideration of the <i>Paid Parking Investigation Study</i>)
	Report to Council the recommendations of <i>Paid Parking Investigation Study</i> for consideration		
7. Increase car park supply	Undertake strategic feasibility to determine preferred location for new decked car park		Implement new decked car park
	Undertake detailed feasibility study for the preferred new decked car park		

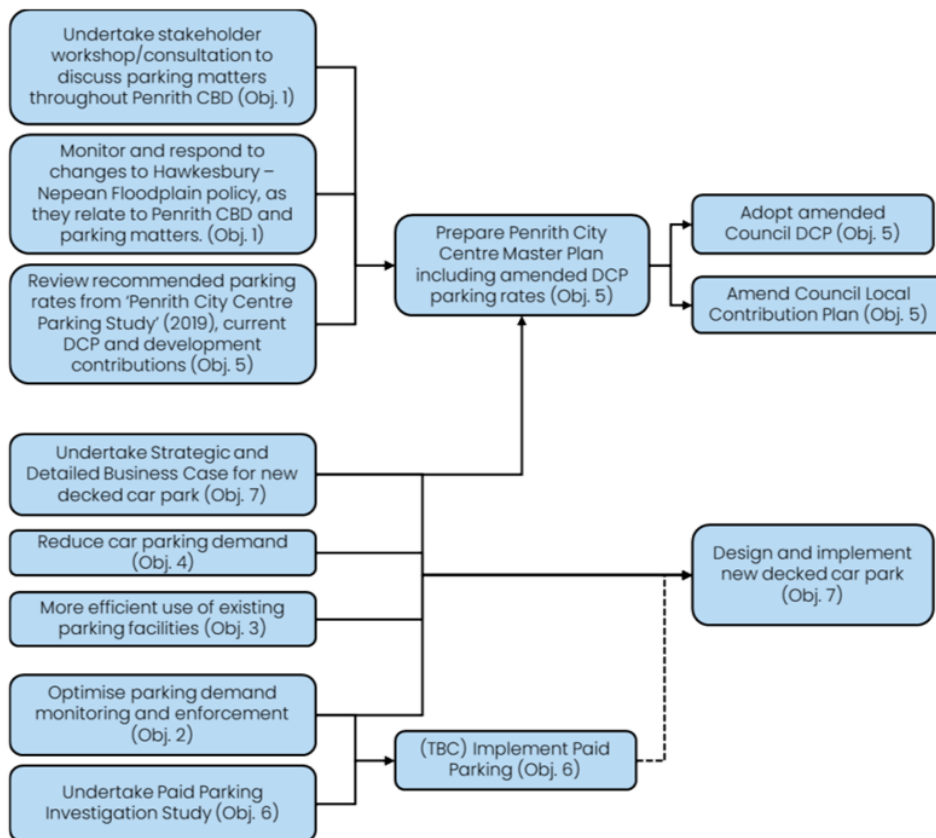
Penrith City Centre Parking Implementation Plan 2025-2030

2.3 Interdependencies of Actions

It is acknowledged that some actions outlined in Table 2.1 depend on the delivery of other tasks. Whilst Appendix 1 provides guidance on the indicative delivery timeframe for each action, the actual delivery could be impacted dependency on another task. It is important to know how actions relate with each other to assist Council in developing a timely and effective decision-making process and resource allocation.

Figure 2.1 illustrates the actions that are required to be delivered prior to undertaking the succeeding action. It is understood that responsibilities between interdependent actions are across different Council teams. As such, effective communication between Council teams is critical to realise the objectives outlined in this Implementation Plan.

Figure 2.1: Interdependencies of Parking Management Actions



Note: "Obj" = Key Objective

Penrith City Centre Parking Implementation Plan 2025-2030

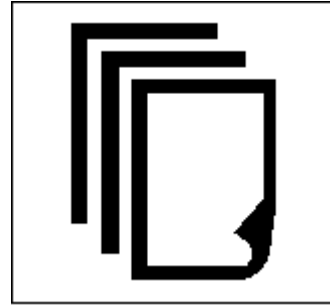
3 Monitoring and Evaluation

There are several factors that influence delivery of parking management actions that are outlined in this Implementation Plan. These include changes in travel behaviours, community expectations, land use development, environmental impacts (e.g. flooding), financial priorities and action interdependencies. Parking management measures are continually changing and evolving throughout the years and therefore have to be regularly monitored and updated.

It is also acknowledged that some of the outlined actions in this Implementation Plan may not be delivered as intended due to the abovementioned factors.

It is recommended that this Implementation Plan be regularly reviewed which will determine the effectivity of implemented actions and consider the need for further parking management measures that would be carried over in the succeeding years prior to delivering the long-term actions.

ATTACHMENTS



Date of Meeting: Monday 8 December 2025

Report Title: Technology and Digital Strategy "Technology for Tomorrows Penrith" - 2025 - 2029 - Draft Strategy Endorsement

Attachments: Technology and Digital Strategy 2025-2029



Technology and Digital Strategy

2025-2029

DRAFT

TECHNOLOGY FOR
TOMORROW'S
PENRITH



Acknowledgement of Country

We acknowledge and pay respect to the Darug and Gundungarra people who are the traditional owners in which Penrith Local Government Area is situated. We also pay our respect to elders past, present and emerging, and to the First Nations people living in our community today.



Contents

Executive Summary	4
Introduction	7
Technology for Tomorrow's Penrith	8
Strategic Context	9
Successes to Date	10
Benchmarking Insights	11
Stakeholder Insights	12
Emerging Technologies & Trends	14
Technology and Digital Strategy	16
Technology and Digital Strategic Values	16
Technology and Digital Strategic Themes	17
Customer Promise	18
Digital By Design	19
AI and Future Tech	20
Data and Analytics	21
Cyber Security	22
Implementation	23
Measuring Success	23
Appendix A - Strategic Roadmap	24
Glossary	27

Executive Summary








This Technology and Digital Strategy (Strategy) outlines Penrith City Council's strategic approach to technology and digital over the next five years.

At its core, this Strategy reaffirms our commitment to using digital and technology to drive better services and digital experiences for our customers, employees, and partners. It also reflects a bold new vision for Council to embrace AI-driven digital transformation, to ensure we remain dynamic, resilient, and future-ready to meet the needs of our customers and adapt with emerging technology.

Underpinning this Strategy are our strategic values, which reflect the core of our technology and digital aspirations and will drive us forward.

Strategic Value

What does this look like?

	Innovation and automation	Automation and AI enable our employees to work smarter, focusing on value-add activities such as creative problem-solving and innovation.
	Lead with digital	We are a digital first Council, and lead the sector in digital and technological innovation.
	Driven with data	Data is a strategic asset, enabling adaptive decision making, innovation and continuous improvements across digital and operational domains.
	Work anywhere	We provide a modern technology and digital environment that enables our employees to work anywhere, anytime, on any device.
	Seamless services 24/7	Our customers have 24/7 access to services that are tailored, responsive, and unified.
	Fast, easy, integrated	Well-integrated systems allow our employees to quickly and easily access the digital tools and information they need to do their work.
	Security assured	We guarantee the privacy and trust of our customers and employees through robust cyber security environment and risk controls.



Our technology and digital activity will be focused in five strategic themes as we work towards our objectives:

Strategic Theme

What are we working towards?

	Customer Promise
	Digital by Design
	AI and Future Tech
	Data and Analytics
	Cyber Security

We leverage technology and digital to provide personalised, responsive, and inclusive services, improving customer satisfaction and guiding us to excellence in all customer interactions.

We embrace technology and digital design thinking that improves operational efficiency and service delivery, aligning technology, skills and culture to drive this transformation forward.

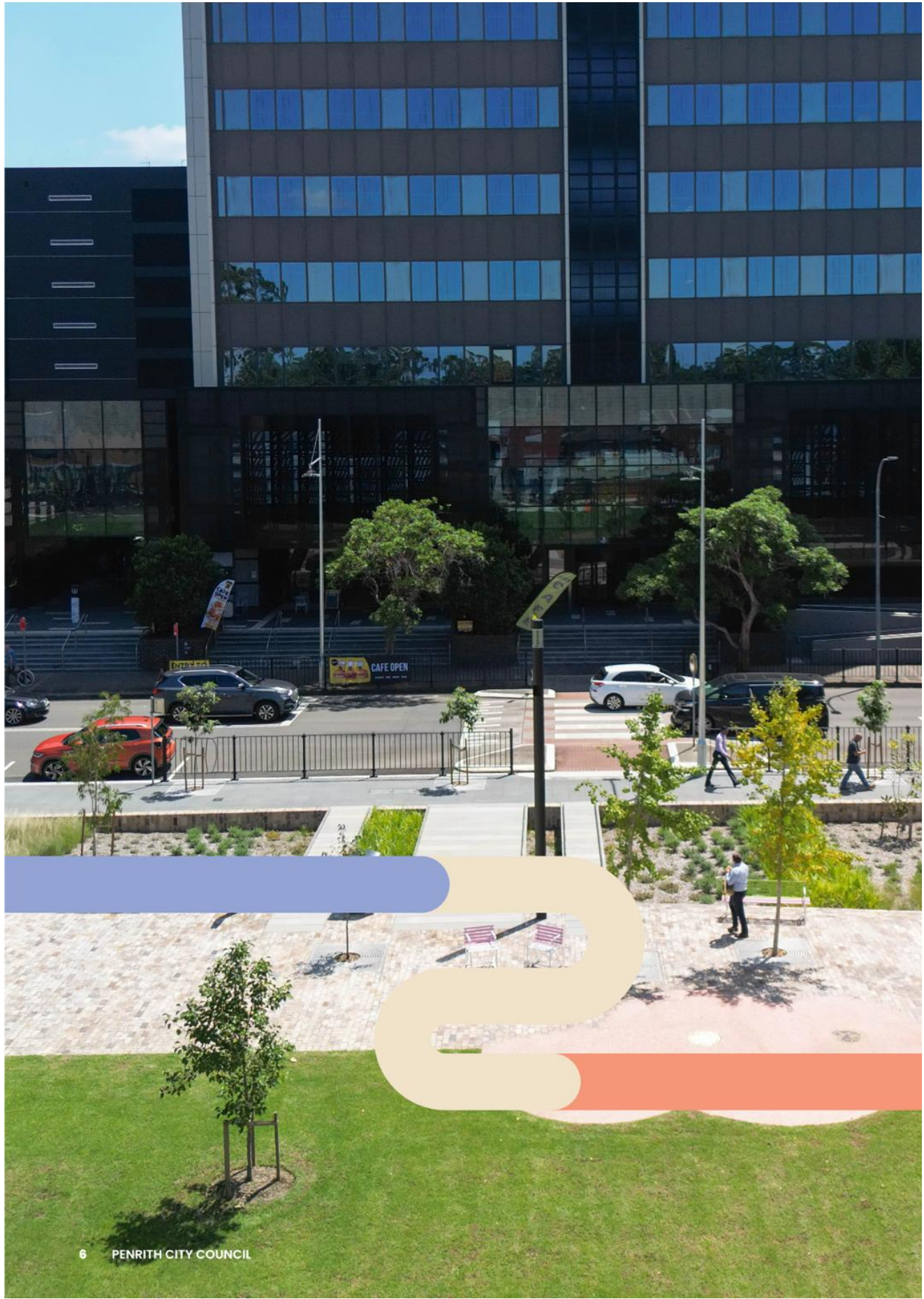
We use AI and next generation technology as tools that improve decision-making, and drive operational efficiency, and encourage innovative service delivery and leadership.

We apply quality data to support robust, data-driven decisions, and integrate insights in real-time and high-value ways across the organisation.

We employ robust systems and ethical management practices to protect individual privacy, maintain security of information, and build trust of our customers and employees.

We developed our Strategy in consultation with our staff and leadership, leveraging their insights on strengths, challenges, and future opportunities for technology and digital Penrith City Council. Our strategic values and objectives reflect their vision.

This Strategy is accompanied by our Strategic Roadmap, outlining key technology and digital projects and initiatives that we will deliver over the next five years as we work towards our objectives. We will measure and monitor our progress against Operational Plan activities and review our Strategic Roadmap annually to ensure we remain accountable, agile and responsive.





Introduction

Penrith City Council is committed to providing modern services that put people at the heart of technology adoption and digital transformation.

In the last five years, Council has made significant digital progress through delivery of the ICT Strategic Plan 2020 – 2024, laying the foundations for future growth. Now, Penrith City Council (Council) is renewing its commitment through our Technology and Digital Strategy (the Strategy).

The imperative for digital transformation is increasing. Penrith City Council is a growing Local Government Area (LGA) and organisation. We must advance alongside this growth and the evolving expectations of our customers, employees, and partners to deliver valuable, responsive, and effective services.

Through this Strategy, we are aspiring to a new level of digital sophistication and sharpness.

Developed in consultation with our staff and leadership, this document outlines our strategic approach for technology and digital over the next five years. It includes strategic values and objectives that will guide the design, delivery, and management of technology and digital activity.

Digital is becoming ubiquitous in operations and processes across the business and organisation. While the Strategy will be owned and led by the Information and Communications Technology (ICT) Team, employees across the organisation will play a role in setting the Strategy via shared ownership, communication, and collaboration.

Our Technology and Digital Strategy will be delivered through an accompanying Strategic Roadmap, outlining specific projects and initiatives through which we will achieve our objectives.

Technology for Tomorrow's Penrith

We acknowledge the increasingly critical role technology and digital must play in the future of both Penrith as a City and Council as an organisation.

Our community has entrusted Council to deliver our shared vision for Penrith – a vision that embraces aspiration and prosperity.

That means we must plan responsibly to deliver and maintain the facilities, infrastructure and services that our City and our people expect and deserve – now and as our City grows and changes in the years ahead.

From to innovative service delivery to data-driven insights, our Technology and Digital Strategy will support us as we look ahead to the challenges and opportunities of tomorrow's Penrith.



We need to Nurture our environment, aiming for sustainable, thoughtful and innovative city growth while collaborating and adapting to a changing climate.



We need to Support our wellbeing, ensuring a safe, welcoming and resilient community that has access to the services and spaces it needs.



Shape our growing city, with strategic planning and collaboration continuing to improve the liveability and connectivity of our City ensuring balanced growth respecting our unique local character that delivers choice in homes and jobs for our diverse community.



Provide for our lifestyle, with our City having well-planned and maintained appropriate infrastructure that we can access easily and is appropriate to our needs.



and Work Together, continuing Council's strong relationship with our community, built on trust and communication. Governing our City responsibly with active community engagement; balancing current and future needs.

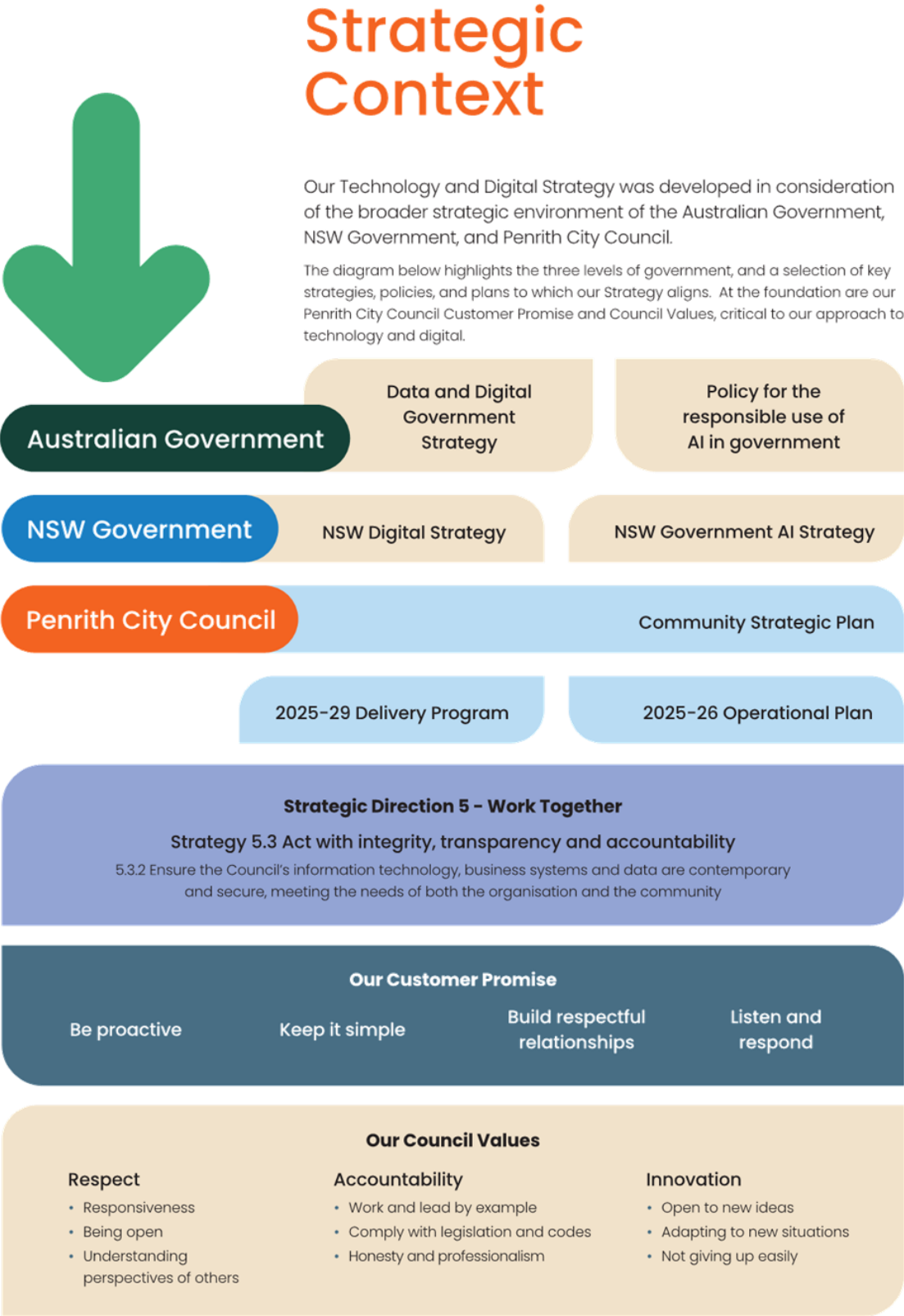
Adopting a strategic approach will ensure we continue integrating technology and digital across our organisation in ways that take advantage of opportunities and help meet the future needs and demands of our Community and Council.



Partnerships and Collaboration

Council recognises technology and digital is an inherently collaborative space, involving a range of stakeholders, partners, and networks. To this end, Council affirms its ongoing commitment to proactive and meaningful collaboration, including with:

- Surrounding councils
- NSW Government
- Federal Government
- Technology providers and Vendor Partners
- Industry Associations
- Penrith community, and
- Internal Stakeholders and Business Functions



Successes to Date

We have made significant technology and digital achievements across the last five years, supported by our strategic planning and investment. Some of our key successes are highlighted below.

	Efficient transition to remote work	A smooth transition to remote working during Covid-19 enabled operating efficiency of over 75% immediately for most services. This was due to significant investment in Cloud first technology and enabling infrastructure, alongside a robust remote working policy.
	Customer Facing Focus – CRM implementation	The implementation of Customer Connect through a Customer Relationship Management (CRM) implementation has increased connectivity of customer services to council with the ability to raise requests online from anywhere and any device 24 X 7. This has also resulted in many Service efficiencies, particularly within Waste Services with Business to Business (B2B) connectivity directly to our Waste Services provider. A full customers interaction history is now available.
	Field staff Mobility	Our City Presentation field maintenance crews were mobile enabled, enhancing our digital customer focus and streamlining work schedule planning. Digitising remote workers improves responsiveness, supports safer operations, enables smarter resource use, and drives continuous service improvement through real-time data
	Adoption of emerging technologies	We are taking advantage of emerging technologies including AI and automation through projects such as Microsoft 365 Copilot deployment and other application embedded AI technologies available in the CRM and Marketing platforms. Further exploration and experimentation into other available and emerging AI tools is underway.
	ERP Strategy and Business Case development	We employed a comprehensive and robust process to develop our Enterprise Resource Planning (ERP) Strategy and business case, focusing on business needs, which has laid the foundation for successful ERP implementation.
	Process improvements	Our ICT Team has been driving improvements in business processes across the organisation through various technology enabled Project initiatives including a new booking and venue management system, and solutions to improve processes for Council assets.
	Better reporting capabilities	Implementation of Power BI and digital systems that capture data has improved organisational reporting capabilities, generating insights that are supporting more data-driven decision making.
	Digitally-enabled	Implementation of robust digital and technology systems has allowed staff greater mobility and flexibility across in-field, in office, and remote settings. Penrith City Council was an early adopter in this space and has reaped the benefits.
	Innovation with GIS	In a significant effort of collaboration, we have successfully integrated NSW Government spatial datasets within Council's GIS, facilitating and expediting the planning and subdivision process.

Benchmarking Insights

In 2024, Council participated in a digital and IT Benchmarking study with fifteen other large Council organisations from NSW, Victoria, and Queensland.¹

Conducted by Abela Advisory, the study looked at a diverse cross section of the industry regarding organisation size, services mix, and geographical location.

A snapshot of key results is provided below.

Cyber Security

Where councils used a single cyber framework, Penrith City Council is amongst the majority who have adopted the Australian Securities Directorate Essential 8 (ASD E8).

Cyber Maturity

Penrith City Council scored above average amongst its peers who use ASD E8, scoring 1.5 rating compared to the average of 1. Council also had an ambitious cyber maturity target of 3 compared to its peers, for which the average target was approximately 1.8.

Digital Strategy Priorities

‘ERP Refresh’, ‘Artificial Intelligence’, and ‘CX / Single view of customer’ were among the **top digital strategic priorities** for the next 3 – 5 years across councils.

Overall Satisfaction with Systems and Spending Ratios

Each council was asked to rate their overall satisfaction with corporate systems and applications. Penrith City Council indicated a high overall satisfaction score for many of its systems, particularly in Value for Money category with the majority of systems scoring ‘Highly Satisfied’ or ‘Satisfied’. Where it rated low were it’s core systems, which are currently being replaced as part of the ERP Project.

Across all spending ratios; % of Revenue, Opex spend per Employee, User, Citizen and Rateable Property and Project spend Penrith City Council was lower than most other councils.



¹ The study defined large councils as those with an LGA population greater than 100,000.

Stakeholder Insights

We developed our Technology and Digital Strategy based on engagement with our staff and leaders.

As key stakeholders, their insights and strategic aspirations for technology and digital at Council were critical inputs to the Strategy. A summary of stakeholder insights is provided below, captured into strengths, challenges and opportunities for technology and digital at Council.



Strengths

Proven capability to adopt emerging technologies and scale up across the organisation

Modern technology stack including cloud infrastructure

Clear strategic direction including customer focus that continues to drive digital and technology successes

Flexible and mobile work environment supported by robust technology and systems

Demonstrated digital leadership including partnerships with other governments to trial AI tools

Willingness to innovate and embrace technology of staff and leadership across the organisation



Challenges

Maintaining cyber security as Council's digital platform grows

Building digital literacy and maturity to ensure distribution of skills across the organisation

Integrating systems as seamlessly as possible as upgrades or replacements are required

Upskilling and reskilling workforce alongside adoption of AI and emerging technology

Managing resistance to AI and emerging technology from community and customers

Balancing innovation with pragmatism to demonstrate value of digital investments to stakeholders



Opportunities

Leverage CRM capabilities to provide personalised, responsive services and increase customer engagement

Increase integration of real-time data and insights into reporting to improve business intelligence and processes

Explore streamlined customer portal to improve the seamlessness of customer experience

Leverage AI and automation to reduce manual tasks and increase opportunities for value-add work

Employ end-to-end business processes through ERP implementation, new business processes and integration between applications

Encourage innovation through experimentation with AI and emerging technologies



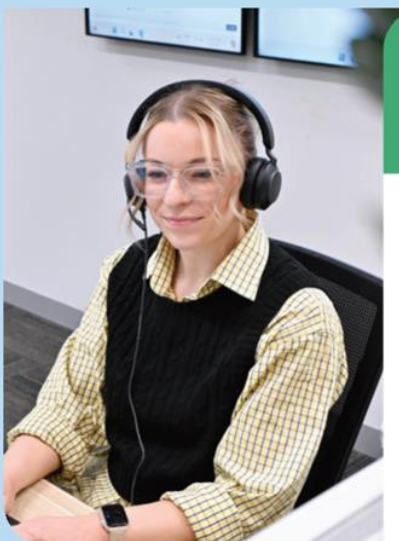
Emerging Technologies and Trends

New and innovative technologies are delivering benefit to local, state, and federal governments across Australia and the world.

The global scan of emerging technologies, highlighted through the trends and case studies below demonstrates the various ways that technology and digital can be applied to deliver benefit at Council.

Trend Agentic AI

Agentic AI has the potential to transform how local governments operate and engage with communities. Unlike traditional automation, agentic AI anticipates, adapts, and collaborates. It can optimise complex processes, improve decision-making, and proactively resolve issues, leading to smarter, more responsive, and more inclusive systems and services.



Case Study AI administrative assistant

Generative AI assistants, are now either in use or being piloted by many Australian Councils - supporting everyday tasks across diverse services, speeding up tasks including meeting summaries, drafting emails, and preparing reports. Results indicated users were saved an average of 26 minutes per day.



Trend Advanced voice navigation

Voice navigation is undergoing a significant transformation with advancements in Natural Language Processing (NLP) and AI, with applications in local government. Users will be able to interact with digital tools such as chatbots through voice commands, providing 24/7 support in multiple languages.

Technology Geospatial AI models

AI models analyse historical and real-time spatial data to predict events such as flood risks, or detect patterns in roads, buildings or vegetation, enabling proactive decision making.



Case Study AI-enabled service kiosk

Currently being trialled by Sunshine Coast Council, AI-enabled kiosks are trained using diverse datasets and can be programmed to answer general Council enquiries with multilingual capability, supporting reduced customer wait times and accessibility.



Case Study High-tech drones in environmental management

Specialised drones are being used to environmental and wildlife management at Redland City Council. Thermal-imaging features are increasing the accuracy of wildlife surveys, improving efficiency and effectiveness of conservation activities.



Trend Predictive analytics

Local governments are leveraging predicting analytics to be more efficient and responsive to community needs. Using data analysis, machine learning, and AI, predictive analysis forecasts future trends and events allowing governments to improve resource allocation, proactively address issues, and deliver initiatives targeted to diverse community needs.

Technology Autonomous intelligent vehicles

Rapidly evolving autonomous vehicle technology that combines sensors, self-navigation, and AI and machine learning.










Case Study Roadside monitoring and maintenance with AI

Councils in NSW are leveraging dash-mounted cameras with AI to transform road asset maintenance and operations. NSW Government's Asset AI enables the early detection of road defects, streamlining and accelerating of road maintenance, and improved safety of road users.

Technology and Digital Strategy

Strategic Values

Our strategic values reflect the core of our technology and digital aspirations as a Council. They are the guiding principles that we will use to make decisions and shape activity around technology and digital.

Strategic Value	What does this look like?
 Innovation and automation	Automation and AI enable our employees to work smarter, focusing on value-add activities such as creative problem-solving and innovation.
 Lead with digital	We are a digital first Council, and lead the sector in digital and technological innovation.
 Driven with data	Data is a strategic asset, enabling adaptive decision making, innovation and continuous improvements across digital and operational domains.
 Work anywhere	We provide a modern technology and digital environment that enables our employees to work anywhere, anytime, on any device.
 Seamless services 24/7	Our customers have 24/7 access to services that are tailored, responsive, and unified.
 Fast, easy, integrated	Well-integrated systems allow our employees to quickly and easily access the digital tools and information they need to do their work.
 Security assured	We guarantee the privacy and trust of our customers and employees through robust cyber security environment and risk controls.

Strategic Themes

Our strategic themes are the six key focus areas for our technology and digital activity in the next five years.

Customer Promise

Digital by Design

AI and Future Tech

Data and Analytics

Cyber Security

Each strategic theme has an accompanying objective set of strategies to guide investment and activity in that focus area.

Strategic Theme

Customer Promise

While Council aspires to be a sector leader in technological innovation, we retain a customer-first focus. Technology and Digital supports our Customer Promise, to put our customers at the heart of everything we do.

Objective

We leverage technology and digital to provide personalised, responsive, and inclusive services, improving customer satisfaction and guiding us to excellence in all customer interactions.

Strategies

Provide omni-channel services that cater to diverse customer needs

Enable 24/7 access for majority of services provided to community

Leverage CRM capabilities including user data for personalised engagement and retention strategies

Explore streamlining customer interfaces into a single access management platform to provide convenient, seamless customer experience

Leverage AI agents to proactively communicate with customers and increase responsiveness to customer request

Embrace AI and new technology to improve inclusiveness of digital service design (e.g., natural language processing to enhance services for non-English speakers)

Technology for Growth

Delivering on our Customer Promise, being connected and inclusive as more people choose to call Penrith home.

Strategic Theme

Digital by Design

Our community and customers continue to expect modernised, more connected services. We are boldly embracing a digital by design approach to meet and exceed these expectations, embedding AI and digital into the way we operate, collaborate, and deliver services as a Council.

Objective

We embrace technology and digital design thinking that improves operational efficiency and service delivery, aligning technology, skills and culture to drive this transformation forward.

Strategies

Continue embracing robotic process automation (RPA) and AI tools that streamline repetitive tasks and allows our skilled staff to undertake value-add work

Build AI and digital considerations into business case development and procurement processes

Provide an integrated systems environment that facilitates end-to-end business processes and long-term scalability

Optimise services for digital engagement, where possible converting processes and transactions to digital to improve consistency and efficiency

Continue investing in enabling infrastructure to increase remote and mobile working capabilities, including in-field

Create cross-functional digital innovation teams to support proactive and regular innovation of policies and processes

Leverage AI capabilities in CRM and other systems to enable process improvement

Explore technology and digital solutions to improve business to business (B2B) and business to customer (B2C) interactions

A Layered Approach to Digital

Digital by design is about more than just technology. It means using the best possible digital tools, but with a modern, evolved, smart process or system underlying it. We take this layered, sophisticated approach through our Technology and Digital Strategy.

Strategic Theme

AI and Future Tech

With a strong foundation for technology and digital in place, Council is continuing to take advantage of emerging and new technologies. This includes the increasing integration of artificial intelligence (AI) in business-as-usual, and to encourage innovation.

Objective

We use AI and next generation technology as tools that improve decision-making, and drive operational efficiency, and encourage innovative service delivery and leadership.

Strategies

Embrace AI and machine learning for predictive analytics to forecast usage trends, optimise service delivery, and schedule maintenance proactively

Invest in smart and sustainable technology, including green tech and smart energy systems to support sustainability targets and reduce operational costs

Expand use of cyber-physical systems and internet of things (IoT) networks such as remote monitoring to improve operational efficiency

Explore AI-augmented safety systems to improve real-time decision-making and safety outcomes

Implement AI skills program across the organisation to build literacy and identify new skills, training and re-training

Facilitate targeted testing and experimentation with AI and emerging technologies to encourage innovation and idea generation

Partner with other governments and organisations to trial emerging technologies aligned to business needs

AI and Human Expertise

AI can support decision making to provide better outcomes for customers, however it cannot do this alone. While some AI applications can function with minimal human oversight, many AI systems require human expertise and skills to make complex decisions, navigate ethical considerations, and mitigate biases.

AI will not replace humans, however humans using AI is becoming a fundamental part of the modern organisation. Penrith City Council is committed to upskilling our workforce, and will continue to collaborate with our staff so we respond proactively to the changing nature of work, and the jobs of the future.

Strategic Theme

Data and Analytics

We are on an ongoing journey to enhance the use of data and intelligent insights in decision-making, process improvement, and other high-value ways across Council. This means continuing to improve the ways we manage, share, and value data as an organisation.

Objective

We use quality data to support robust, data-driven decisions, and integrate insights in real-time and high-value ways across the organisation.

Strategies

- Foster data-driven culture and mindset through awareness and education building across the organisation
- Enhance analytics, business intelligence and real-time reporting capability to support adaptive, evidence-based decision-making
- Increase integration of data into business processes in high-value ways
- Invest in organisation-wide data and digital skills literacy training to build data capability of all employees
- Explore data modelling and digital tools to improve long-term asset planning and capital investment decisions (digital twins)
- Review data management practices to improve data access and quality
- Build capacity for data sharing to provide the public with valuable data

Data and AI

Data is the foundational element that makes AI so powerful. It is the fuel that AI systems use to learn, adapt and make decisions. Good data management and quality data is therefore critical to the effectiveness of AI systems. Together, quality data and AI have the potential to create significant value in informing design and delivery of services for better customer outcomes.

Strategic Theme

Cyber Security

Cyber security continues to be a priority at Council. As Penrith city grows and the sensitive data we store and maintain as a Council grows alongside it, the security of our technology and digital infrastructure is as critical now as ever.

Objective

We employ robust systems and ethical management practices to protect individual privacy, maintain security of information, and build trust of our customers and employees.

Strategies

Continue monitoring and bridging gaps in cyber security controls and environment against industry best practice

Build Essential 8 cyber maturity through targeted initiatives and practices

Develop process for adopting AI technologies in safe, ethical and responsible way

Continue integration of cyber security policies and practices across broader organisational processes, systems and activities

Enhance investment in cyber security awareness and education across all levels of staff

Cyber – Locking our Digital Door

Staying Secure means staying ahead good, strong Cyber hygiene is essential for digital survival

Implementation

This Strategy will be delivered through the accompanying Strategic Roadmap, outlining specific technology and digital projects, programs, and initiatives linked to our objectives.

The Strategic Roadmap will be reviewed annually, to ensure we remain agile and responsive to customer needs and evolving technologies.

Implementation will also be supported by:






- Detailed business cases and project plans including funding and resources
- A phased change management approach that addresses digital maturity and skills, data and information management, and resourcing and capacity
- A clear communication schedule to support uptake of technology and digital projects and initiatives, and drive employee buy-in across the organisation
- A risk management plan that addresses cyber threats, disaster resilience, and community perspectives of technology

Measuring Success

We will review, measure and monitor the progress of our objectives against the below indicators on a regular (quarterly) basis, leveraging this data to adapt and improve implementation of digital and technology projects and initiatives.




Strategic Theme	Objective	Key Performance Indicator/s (KPIs)
Customer Promise	We leverage technology and digital to provide personalised, responsive, and inclusive services, improving customer satisfaction and guiding us to excellence in all customer interactions.	<ul style="list-style-type: none"> • Customer satisfaction score • Customer engagement in digital and technology initiatives • Employee Satisfaction Score
Digital by Design	We embrace technology and digital design thinking that improves operational efficiency and service delivery, aligning technology, skills and culture to drive this transformation forward.	<ul style="list-style-type: none"> • Service delivery efficiency • Digital service adoption rate • Staff digital confidence • Number of processes transformed through ERP projects • Efficiency metrics realised through ERP projects
AI and Future Technology	We use AI and next generation technology as tools that improve decision-making, and drive operational efficiency, and encourage innovative service delivery and leadership.	<ul style="list-style-type: none"> • AI tools and systems adoption rate • Innovation of processes, practices, policies, or standards
Data and Analytics	We apply quality data to support robust, data-driven decisions, and integrate insights in real-time and high-value ways across the organisation.	<ul style="list-style-type: none"> • Performance in line with data management framework • Staff data and analytics confidence
Cyber Security	We employ robust systems and ethical management practices to protect individual privacy, maintain security of information, and build trust of our customers and employees.	<ul style="list-style-type: none"> • Essential 8 maturity scale • Cybersecurity incident rates

Appendix A – Strategic Roadmap – Key Project Alignment

Item	Description	Strategic Values	Detail	Budgeted	Position
1.	ERP – Finance & Assets		Implementation <ul style="list-style-type: none"> Integration Data Migration Cross Functional\ End 2 End Technology solutions RPA and System Automations 	Yes	In Progress
2.	ERP – HR & Payroll & Time and Attendance		Implementation <ul style="list-style-type: none"> Integration Data Migration Cross Functional\ End 2 End Technology solutions RPA and System Automations 	Yes	In Progress
3.	ERP – WHS		Implementation <ul style="list-style-type: none"> Integration Data Migration Cross Functional\ End 2 End Technology solutions RPA and System Automations 	Yes	In Progress
4.	ERP – Property & Rating		Implementation <ul style="list-style-type: none"> Integration Data Migration Cross Functional\ End 2 End Technology solutions RPA and System Automations 	Yes	2027
5.	ERP – Development Compliance		Implementation <ul style="list-style-type: none"> Integration Data Migration Cross Functional\ End 2 End Technology solutions RPA and System Automations 	Yes	2027


















Strategic Values



Item	Description	Strategic Values	Detail	Budgeted	Position
6.	Data and Visualization		<ul style="list-style-type: none"> Data & Visualisation Strategy enablement Purview Master Data Management Data Custodians Catalogue & Dictionary Improved BI Usage Power BI Focus Group 	Yes (ERP Budget & ICT Resource)	In Progress
7.	Spatial \ GIS		<ul style="list-style-type: none"> Public Facing GIS Further B2B Integrations <ul style="list-style-type: none"> Dept of Planning – LEP Nearmap Layers for trending and analytics 3DModelling and VR 	Yes Yes – 1 st Year 25/26 No	In Progress
8.	Customer Experience Transformation Program		<p>Continue delivery of CRM and other customer focussed initiatives and capability through Council</p> <ul style="list-style-type: none"> Booking & Venue Management Corporate Website replacement OMNI Channel Customer Digital Identity AI Agents and Online Chat Telephony License expiry 	Yes No if product changed and implementation funding required	In Progress
9.	Cyber Security		<ul style="list-style-type: none"> Essential8 \ Cyber Security Guidelines Penetration testing Cyber Security Policies Cyber Security Awareness Campaign Security Information & Event Management (SIEM) Audits and ARIC AI Opportunities 	Yes	Ongoing


Strategic Values




Item	Description	Strategic Values	Detail	Budgeted	Position
10.	Emerging Technologies & AI	  	<ul style="list-style-type: none"> • Generative AI – Copilot expansion • AI Assistants <ul style="list-style-type: none"> – Employees – Customer Experience – Service Desk • Incubator \ Ideation • IOT \ Sensors • Sustainability • Autonomous • LowCode\No Code Development • MyLot Planning Assistants 	No No No No No No No Yes	In Progress
11.	Other Technology enabled Projects	     	<ul style="list-style-type: none"> • Children's Services Forms • InfoCouncil Business Paper Replacement • Program Committee -Shared Calendar • Bond Refund Process • EH&S Mobility & Applications 	Yes Yes Yes Yes No	In Progress In Progress In Progress In Progress
12.	Infrastructure & Networking	  	<ul style="list-style-type: none"> • Private Cloud Tender and implementation • Continue decommissions and replacement. • Core Network tender • Data Growth 	Yes Yes Yes Yes	In Progress
13.	Service Delivery Enhancement	  	<ul style="list-style-type: none"> • Printer Tender and Implementation 	Yes	In Progress
14.	Collaboration and Meetings	 	<ul style="list-style-type: none"> • Collaboration and Video • Devices – F2F and virtual mix • Audio Visual Support Tender and Asset refresh plan 	No No No	

Strategic Values


 Innovation and automation

 Lead with digital

 Driven with data

 Work anywhere

 Seamless services 24/7

 Fast, easy, integrated

 Security assured

Glossary

Artificial Intelligence

The use of machines and systems to complete tasks normally requiring human intelligence such as learning, reasoning and speech.

Automation

The use of technology or other automatic equipment to perform tasks with minimal human intervention.

Business Intelligence (BI)

A set of strategies, processes, and technologies used by an organisation to turn data and information into insights.

Customer Relationship Management (CRM)

The combination of technologies, practices, and strategies used by an organisation to manage interactions and build relationships with customers.

Cybersecurity

The practice of protecting computers, mobile devices, and electronic systems against unauthorised or criminal activity.

Data Analytics

A computer process that examines data patterns, extracting meaning and drawing conclusions about data sets.

Data-Driven

A process or system activity that uses data and analysis to drive planning and decision making.

Machine Learning

A subfield of artificial intelligence that focuses on enabling computers to learn from and imitate humans without specific programming.

Data Management

The practice of collecting, organising, accessing, and storing an organisation's data to enable effective analysis and use in decision-making.

Digital Literacy

The skills and capabilities to effectively use digital technology.

Digital Design Thinking

A people-centric approach to applying digital technology that focuses on generating solutions to user problems.

Digital Services

City services that can be accessed and completed via digital technology.

Digital Platform

Online systems that facilitate the development, delivery and communication of digital content services.

Enterprise Resource Planning (ERP)

Software that supports the integrated management of core business functions.

Emerging Technology

New or continued development of existing technology.

Essential 8 Maturity Model

The Australian Signals Directorate (ASD) mitigation strategy for cyber threats to organisation's internet-connected IT networks.

Information and Communications Technology (ICT)

A broad field of tools and resources to create, transmit and store communications.

Machine Learning

A subfield of artificial intelligence that focuses on enabling computers to learn from and imitate humans without specific programming.

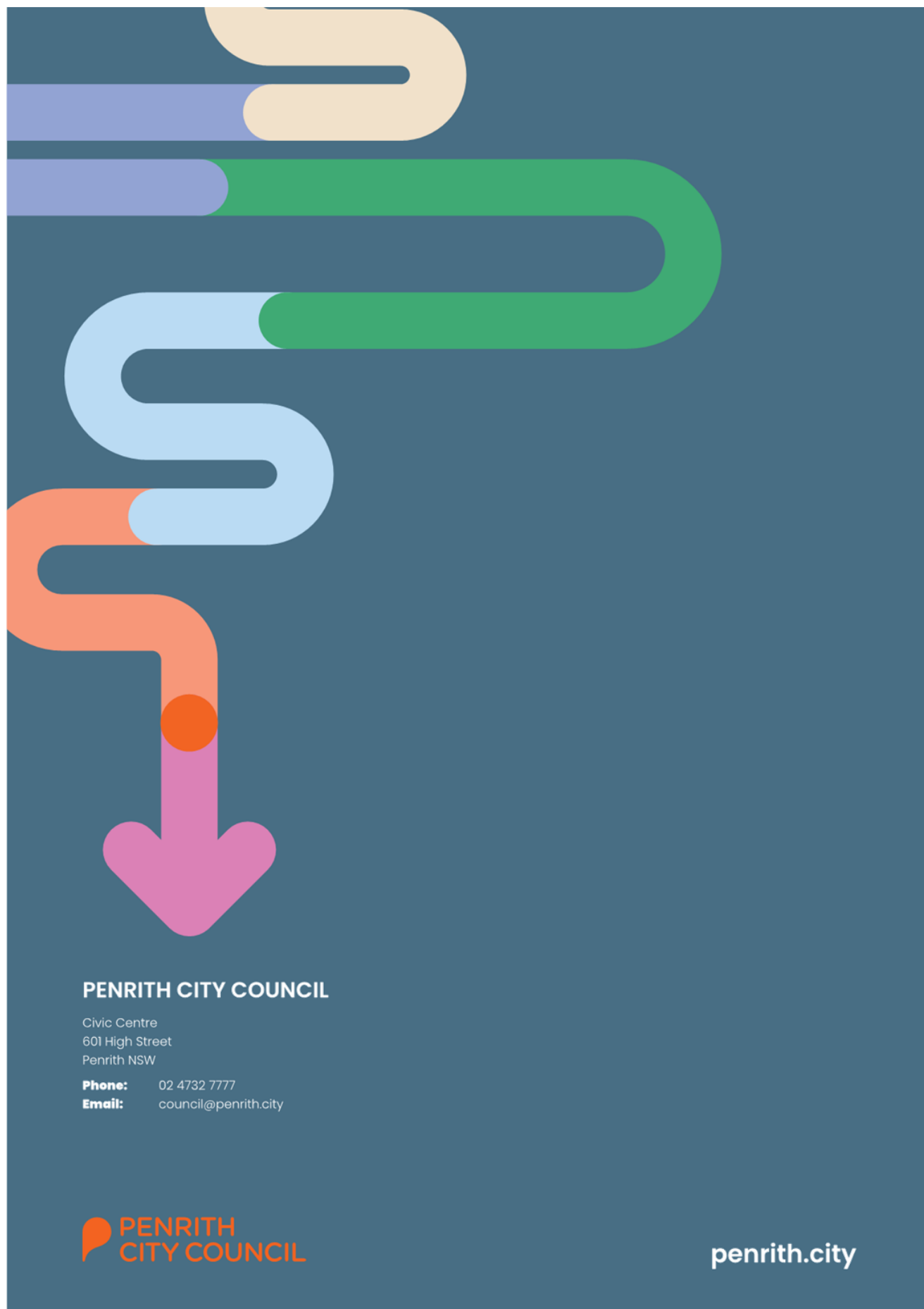
Open Data

Data that is freely available to use to enhance transparency, innovation, and community outcomes.

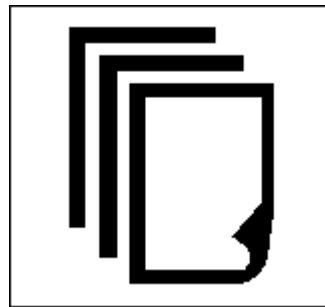
Smart Technology

Digital networks, sensors and systems that support delivery of smart services and assets.

Source: Delos Delta



ATTACHMENTS



Date of Meeting: Monday 8 December 2025

Report Title: Draft Code of Meeting Practice

Attachments: Draft Public Forum Application and Procedure
Model Code of Meeting Practice for Local
Councils in NSW (PCC Markup)
Draft Code of Meeting Practice

PUBLIC FORUM APPLICATION FORM AND PROCEDURE

OVERVIEW

Council holds Public Forums prior to Ordinary Meetings of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting, as per Part 4 of the Model Code of Meeting Practice 2025.

Public Forums will be held at 7pm on the day of an Ordinary Meeting of Council, immediately prior to the commencement of an Ordinary Meeting.

Anyone can request permission to speak on any issue or matter on the agenda for that meeting. Approval of speakers is limited to 3 speakers in support of any particular agenda item or matter and 3 speakers against the item or matter. Where more than three applications have been received for or against an item, inclusion is determined by the order that applications received, with earlier submissions given preference.

How can I address the Public Forum?

The following requirements apply:

- all parts of this application form must be completed, including the agenda item being spoken on, a statement about the points to be covered and whether the applicant is broadly speaking in favour, or against the item or matter, and a verifiable email address or phone number;
- the form must be lodged prior to 12 noon on the day of the relevant Ordinary Meeting;
- the applicant will receive confirmation by 2pm on the day of the Ordinary Meeting as to whether they will be provided opportunity to speak.

Please note that:

- It is at the discretion of the General Manager or delegate to accept or decline the application to speak at the Public Forum.
- Each speaker has 5 minutes to address the Public Forum.
- A councillor may, through the chairperson, ask a question of a speaker. Answers by the speaker are limited to one minute to each question.
- Speakers are not permitted to ask questions of the Council, councillors or council staff.
- Smart casual dress is the minimum dress standard acceptable.
- The Public Forum is livestreamed and a recording of the Forum is published on the Council website. This is a requirement under the Model Code of Meeting Practice. By completing this form, you give consent for yourself to be included in the livestream and recording.
- Speakers do not have absolute privilege (parliamentary privilege). A speaker who makes any potentially offensive or defamatory remarks about any other person may render themselves open to legal action. Permission to speak may be withdrawn if inappropriate comments are made.

What is the procedure for speaking at the Public Forum?

- Approximately 15 minutes before the meeting start time, a Governance officer or delegate will speak to each person who is to speak at the meeting.
- The Chair will call a speaker to the lectern or speaking area. When at the lectern/speaking area, the speaker should indicate:
 - their name
 - the organisation or group they are representing (if applicable)
 - the issue they will address and the item number of the relevant report in the Business Paper
 - whether they are opposing or supporting the issue/matter (if applicable) and the action they would like Council to take, and
 - their interest in the matter, for example if they are affected person, neighbour, applicant, applicant's spokesperson, interested citizen etc).
- The speaker then has five minutes to speak on the item as per the written statement they have submitted. The speaker should use this as opportunity to refute or support points made by previous speakers on the same issue.
- The Chair will indicate if Council has questions for the speaker.
- The speaker should return to a seat in the audience once the Chair has thanked them.

PUBLIC FORUM APPLICATION

Please provide the following details to seek permission to address Council:

Date of meeting:

Item number in the Business Paper:

Title of item in the Business Paper:

I support the recommendation

I oppose the recommendation

My interest in this matter is: (eg. affected person, neighbour, applicant, applicant's spokesperson, interested citizen):

PERSONAL DETAILS

First name

Surname

Address

Street No.

Street name

Suburb

Post code

Contact phone number

Email address

I understand that should I say anything inappropriate or present any material that is inappropriate, I may be subject to legal action. I acknowledge that I have been advised to obtain my own legal advice about the appropriateness of the material I intend to present at the meeting.

I will cover the following points in my address (a separate document may be attached):

**MODEL CODE OF MEETING PRACTICE
FOR LOCAL COUNCILS IN NSW (PCC
Markup)**

2025

Table of Contents

1	INTRODUCTION	3
2	MEETING PRINCIPLES	3
3	BEFORE THE MEETING.....	4
4	PUBLIC FORUMS.....	8
5	COMING TOGETHER.....	9
6	THE CHAIRPERSON.....	14
7	MODES OF ADDRESS.....	15
8	ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS	16
9	CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS.....	16
10	RULES OF DEBATE.....	18
11	VOTING.....	21
12	COMMITTEE OF THE WHOLE.....	22
13	DEALING WITH ITEMS BY EXCEPTION.....	23
14	CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC	24
15	KEEPING ORDER AT MEETINGS.....	27
16	CONFLICTS OF INTEREST.....	31
17	DECISIONS OF THE COUNCIL	32
18	TIME LIMITS ON COUNCIL MEETINGS	34
19	AFTER THE MEETING	35
20	COUNCIL COMMITTEES	36
21	IRREGULARITIES	39
22	DEFINITIONS	41

1 INTRODUCTION

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Model Meeting Code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

The provisions of the Model Meeting Code that are not mandatory are indicated in **red font**.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

In adopting the Model Meeting Code, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

In adopting the Model Meeting Code, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

Note: The Office of Local Government has issued a guideline on free speech in local government in NSW. The Guideline provides practical guidance to councils on what free speech means in the context of NSW local government, including in relation to council meetings. The Guidelines have been issued under section 23A of the Act meaning councils must consider them when exercising their functions at meetings.

3 BEFORE THE MEETING

Timing of ordinary council meetings

- 3.1 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

Note: Under section 396 of the Act, county councils are required to meet at least four (4) times each year.

Note: Under section 400T of the Act, boards of joint organisations are required to meet at least four (4) times each year, each time in a different quarter of the year.

Note: Under clause 13 of Schedule 11 of the Act, councils that have been designated as a rural and remote council under the Regulation are required to meet at least four (4) times each year, each time in a different quarter of the year.

Extraordinary meetings

- 3.2 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.2 reflects section 366 of the Act.

- 3.3 The mayor may call an extraordinary meeting without the need to obtain the signature of two (2) councillors.

Notice to the public of council meetings

- 3.4 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings, and of each meeting of committees of the council.

Note: Clause 3.4 reflects section 9(1) of the Act.

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council must be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.
- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

- 3.7 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.7 reflects section 367(1) of the Act.

- 3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, unless the council determines otherwise, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.8 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

- 3.9 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.9 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted within such reasonable time before the meeting is to be held as determined by the council. The notice of motion must be in writing and must be submitted seven (7) business days before the meeting is to be held.
- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

Questions with notice

- 3.12 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- 3.13 A councillor is not permitted to ask a question with notice under clause 3.12 that would constitute an act of disorder.
- 3.14 The general manager or their nominee may respond to a question with notice submitted under clause 3.12 by way of a report included in the business papers for the relevant meeting of the council.

Agenda and business papers for ordinary meetings

- 3.15 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.16 The general manager must ensure that the agenda for an ordinary meeting of the council states:
 - (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.17 Nothing in clause 3.16 limits the powers of the mayor to put a mayoral minute to a meeting without notice under clause 9.7.
- 3.18 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.19 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
 - (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.19 reflects section 9(2A)(a) of the Act.

- 3.20 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Availability of the agenda and business papers to the public

- 3.21 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.21 reflects section 9(2) and (4) of the Act.

- 3.22 Clause 3.21 does not apply to the business papers for items of business identified under clause 3.19 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.22 reflects section 9(2A)(b) of the Act.

- 3.23 For the purposes of clause 3.21, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.23 reflects section 9(3) of the Act.

- 3.24 A copy of an agenda, or of an associated business paper made available under clause 3.21, may in addition be given or made available in electronic form unless the council determines otherwise.

Note: Clause 3.24 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.25 The council must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.26 Nothing in clause 3.25 limits the powers of the mayor to put a mayoral minute to an extraordinary meeting without notice under clause 9.7.
- 3.27 Despite clause 3.25, business may be considered at an extraordinary meeting of the council at which all councillors are present, even though due notice has not been given of the business, if the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before

the next scheduled ordinary meeting of the council. A resolution adopted under this clause must state the reasons for the urgency.

- 3.28 A motion moved under clause 3.27 can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with. Despite any other provision of this code, only the mover of a motion moved under clause 3.27, and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 3.29 If all councillors are not present at the extraordinary meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 3.27 and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 3.30 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.29 on whether a matter is urgent.

Prohibition of pre-meeting briefing sessions

- 3.31 Briefing sessions must not be held to brief councillors on business listed on the agenda for meetings of the council or committees of the council.

Note: The prohibition on the holding of briefing sessions under clause 3.31 reflects the intent of Chapter 4, Part 1 of the Act which requires business of the council to be conducted openly and transparently at a formal meeting of which due notice has been given and to which the public has access. Pre-meeting briefing sessions are inconsistent with the principles of transparency, accountability and public participation and have the potential to undermine confidence in the proper and lawful decision-making processes of the council.

- 3.32 Nothing in clause 3.31 prevents a councillor from requesting information from the general manager about a matter to be considered at a meeting, provided the information is also available to the public. Information requested under this clause must be provided in a way that does not involve any discussion of the information.

4 PUBLIC FORUMS

- 4.1 The council may hold a public forum prior to meetings of the council and committees of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to meetings of other committees of the council.
- 4.2 The council may determine the rules under which public forums are to be conducted and when they are to be held. A Public Forum will be held immediately preceding Council's Ordinary meetings if applications are received. Public forums will be scheduled to commence at 7:00pm before Ordinary meetings and run for up to 30 minutes. If time is not needed, the

meeting will commence at 7:00pm or as soon as the public forum finishes. The process for receiving and dealing with applications shall be in accordance with Council's Public Forum Application Form and Procedure. It is at the discretion of the General Manager or delegate to accept or decline the application.

- 4.3 The provisions of this code requiring the livestreaming of meetings also apply to public forums.

5 COMING TOGETHER

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 The council may determine standards of dress for councillors when attending meetings. The council has determined that business like attire should be worn by councillors when attending meetings (both in person and by audiovisual link).

- 5.3 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.

5.4 Deleted clause. Only applicable to joint organisations and county councils

- 5.5 Where a councillor is unable to attend one or more meetings of the council or committees of the council, the councillor should submit an apology for the meetings they are unable to attend, state the reasons for their absence from the meetings and request that the council grant them a leave of absence from the relevant meetings.

- 5.6 The council must not act unreasonably when considering whether to grant a councillor's request for a leave of absence.

- 5.7 Where a councillor makes an apology under clause 5.5, the council must determine by resolution whether to grant the councillor a leave of absence for the meeting for the purposes of section 234(1)(d) of the Act. If the council resolves not to grant a leave of absence for the meeting, it must state the reasons for its decision in its resolution.

- 5.8 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned,

unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.8 reflects section 234(1)(d) of the Act.

The quorum for a meeting

- 5.9 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Note: Clause 5.9 reflects section 368(1) of the Act.

- 5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.10 reflects section 368(2) of the Act.

- 5.11 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.
- 5.12 In either case, the meeting must be adjourned to a time, date, and place fixed:
- (a) by the chairperson, or
 - (b) in the chairperson's absence, by the majority of the councillors present, or
 - (c) failing that, by the general manager.
- 5.13 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency, the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at

the next ordinary meeting of the council or at an extraordinary meeting called by the mayor under clause 3.3.

Meetings held by audio-visual link

- 5.16 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.
- 5.17 Where the mayor determines under clause 5.16 that a meeting is to be held by audio-visual link, the general manager must:
- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
 - (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
 - (c) cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.
- 5.18 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

Note: Where a council holds a meeting by audio-visual link under clause 5.16, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by councillors at meetings by audio-visual link

- 5.19 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee where they are prevented from attending the meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.
- 5.20 Clause 5.19 does not apply to meetings at which a mayoral election is to be held.
- 5.21 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.22 Councillors may request approval to attend more than one meeting by audio-

visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.21.

- 5.23 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.
- 5.24 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.25 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state the meetings the resolution applies to.
- 5.26 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.27 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link.
- 5.28 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.29 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.30 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.
- 5.31 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

- 5.32 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.32 reflects section 10(1) of the Act.

- 5.33 Clause 5.32 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

- 5.34 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.34 reflects section 10(2) of the Act.

- 5.35 On the adoption of this code and at the commencement of each council term, the council must determine whether to authorise the person presiding at a meeting to exercise a power of expulsion.

~~**Note: If adopted, clauses 15.15 and 15.16 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.15 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.16 authorises chairpersons to expel persons other than councillors from a council or committee meeting.**~~

Livestreaming of meetings

- 5.36 Each meeting of the council or a committee of the council is to be recorded by means of an audio-visual device.

- 5.37 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:

- (a) the meeting is being recorded and made publicly available on the council's website, and
- (b) persons attending the meeting should refrain from making any defamatory statements.

- 5.38 The recording of a meeting is to be made publicly available on the council's website at the same time as the meeting is taking place.

5.39 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting or for the balance of the council's term, whichever is the longer period.

5.40 Clauses 5.36 - 5.39 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

Note: Clauses 5.36 – 5.40 reflect section 236 of the Regulation.

5.41 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the general manager and other staff at meetings

5.42 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

Note: Clause 5.42 reflects section 376(1) of the Act.

5.43 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

Note: Clause 5.43 reflects section 376(2) of the Act.

5.44 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

Note: Clause 5.44 reflects section 376(3) of the Act.

5.45 The attendance of other council staff at a meeting, (other than as members of the public) shall be determined by the general manager in consultation with the mayor.

6 THE CHAIRPERSON

The chairperson at meetings

6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects section 369(1) of the Act.

6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.
- 6.4 The election of a chairperson must be conducted:
 - (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
 - (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.
- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- 6.6 For the purposes of clause 6.5, the person conducting the election must:
 - (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
 - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:
 - (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
 - (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

7 MODES OF ADDRESS

- 7.1 Where physically able to, councillors and staff should stand when the mayor enters the chamber and when addressing the meeting.
- 7.2 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor', 'Madam Mayor' or 'Mayor'.
- 7.3 If the chairperson is the deputy mayor, they are to be addressed as 'Mr Deputy Mayor', or 'Madam Deputy Mayor' or 'Deputy Mayor'.

- 7.4 Where the chairperson is not the mayor or deputy mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson' or 'Chair'.
- 7.5 A councillor is to be addressed as 'Councillor [surname]'.
- 7.6 A council officer is to be addressed by their official designation or as Mr/Ms/Mx [surname].

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

- 8.1 At a meeting of the council, the general order of business is as fixed by resolution of the council. The general order of business for an ordinary meeting of the council shall be:

Opening meeting
Statement of Recognition
Prayer
Leave of Absence
Apologies and applications for a leave of absence
Remote attendance
Confirmation of minutes
Disclosures of interests
Addressing Council
Mayoral minute(s)
Notices of motions/Questions with notice
Reports of committees
Reports to council
Urgent Business
Confidential matters/Committee of the Whole
Conclusion of the meeting

- 8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: If adopted, Part 13 allows council to deal with items of business by exception.

- 8.3 Despite any other provision of this code, only the mover of a motion referred to in clause 8.2 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.

9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and

- (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.

9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:

- (a) is already before, or directly relates to, a matter that is already before the council, or
- (b) is the election of a chairperson to preside at the meeting, or
- (c) is a matter or topic put to the meeting by way of a mayoral minute, or
- (d) is a motion for the adoption of recommendations of a committee of the council.

9.3 Despite clause 9.1, business may be considered at a meeting of the council at which all councillors are present even though due notice has not been given of the business to councillors, if the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting. A resolution adopted under this clause must state the reasons for the urgency.

9.4 A motion moved under clause 9.3 can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 9.3 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.

9.5 If all councillors are not present at a meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 9.3, and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.

9.6 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.5.

Mayoral minutes

9.7 The mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that the mayor determines should be considered at the meeting.

9.8 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The mayor may move the adoption of a mayoral minute without the motion being seconded.

9.9 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.

Staff reports

9.10 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

- 9.11 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.12 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.13 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.12, unless the council determines otherwise in accordance with this code.
- 9.14 A councillor may, through the chairperson, ask another councillor about a matter on the agenda.
- 9.15 A councillor may, through the mayor, ask the general manager about a matter on the agenda. The general manager may request another council employee to answer the question.
- 9.16 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.17 Councillors must ask questions directly, succinctly, and without argument.
- 9.18 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

10 RULES OF DEBATE

Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it, they may request its withdrawal at any time. If the notice of motion is withdrawn after the agenda and business paper for the meeting at

which it is to be considered have been sent to councillors, the chairperson is to note the withdrawal of the notice of motion at the meeting unless the council determines to consider the notice of motion at the meeting.

- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.

Amendments to motions

- 10.8 An amendment to a motion must be moved and seconded before it can be debated.
- 10.9 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.10 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.11 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.12 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.13 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.

- 10.14 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Limitations on the number and duration of speeches

- 10.15 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.16 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.17 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.18 Despite clause 10.17, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.19 Despite clauses 10.15 and 10.16, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.20 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.19. A seconder is not required for such a motion.
- 10.21 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.15.
- 10.22 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.23 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.24 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

- 10.25 Clause 10.24 does not prevent a further motion from being moved on the same item of business where the original motion is lost provided the motion is not substantially the same as the one that is lost.

11 VOTING

Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.

Note: Clause 11.1 reflects section 370(1) of the Act.

- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

Note: Clause 11.2 reflects section 370(2) of the Act.

- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

- 11.4 *Deleted clause. Only applicable to joint organisations and county councils*

Voting at council meetings

- 11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

- 11.6 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.

- 11.7 The decision of the chairperson as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.

- 11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.

- 11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.

- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

~~11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment (including the use of the casting vote) being recorded.~~

Note: If clause 11.11 is adopted, clauses 11.6—11.9 and clause 11.15 may be omitted.

Voting on planning decisions

- 11.12 The council or a council committee must not make a final planning decision without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.
- 11.13 Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.
- 11.14 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.15 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.16 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.17 Clauses 11.14–11.16 apply also to meetings that are closed to the public.

Note: Clauses 11.14–11.17 reflect section 375A of the Act.

Note: The requirements of clause 11.14 may be satisfied by maintaining a register of the minutes of each planning decision.

12 COMMITTEE OF THE WHOLE

- 12.1 The council may resolve itself into a committee to consider any matter before the council.
- Note: Clause 12.1 reflects section 373 of the Act.**
- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches and encouraging councillors and staff to stand when addressing

the meeting.

Note: Clauses 10.15 – 10.25 limit the number and duration of speeches.

Note: Clause 7.1 encourages councillors and staff to stand when addressing the meeting where they can.

- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution where it considers it necessary to expedite the consideration of business at a meeting.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.2.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1.

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

- (a) personnel matters concerning particular individuals (other than councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) 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,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice,
- (c) are fully discussed in that advice, and
- (d) are subject to legal professional privilege.

Note: Clause 14.4 reflects section 10B(2) of the Act.

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

- 14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.19 as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
- (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Despite clauses 14.9 and 14.10, the council may resolve to close the meeting to the public in accordance with this Part to hear a representation from a member of the public as to whether the meeting should be closed to consider an item of business where the representation involves the disclosure of information relating to a matter referred to in clause 14.1.
- 14.12 Where the matter has been identified in the agenda of the meeting under clause 3.19 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in a manner determined by the council. Applications shall be in accordance with Council's Application Form and Procedure on making Representations on the Closure of Council Meetings to the Public. Applications must be made in writing to the General Manager and received by 4.00pm on the day of the meeting at which the matter is to be considered. The General Manager (or delegate) may refuse an application made under this clause. The General Manager or delegate must give reasons in writing for a decision to refuse an application.

Expulsion of non-councillors from meetings closed to the public

- 14.13 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.14 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

Obligations of councillors attending meetings by audio-visual link

- 14.15 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

- 14.16 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.16 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.17 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.18 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.17 during a part of the meeting that is livestreamed where practicable.
- 14.19 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 14.20 The general manager must consult with the council and any other affected persons before publishing information on the council's website under clause 14.19 and provide reasons for why the information has ceased to be confidential.

15 KEEPING ORDER AT MEETINGS

Points of order

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.

- 15.2 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

- 15.3 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.4 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.5 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.6 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.7 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.8 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.9 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.10 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act, the Regulation or this code, or
 - (b) assaults or threatens to assault another councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
 - (d) uses offensive or disorderly words, or

- (e) makes gestures or otherwise behaves in a way that is sexist, racist, homophobic or otherwise discriminatory, or, if the behaviour occurred in the Legislative Assembly, would be considered disorderly, or
- (f) imputes improper motives to or unfavourably personally reflects upon any other council official, or a person present at the meeting, except by a motion, or
- (g) says or does anything that would promote disorder at the meeting or is otherwise inconsistent with maintaining order at the meeting.

Note: Clause 15.10 reflects section 182 of the Regulation.

Note: The Legislative Assembly's Speaker's Guidelines state that "Members are not to use language, make gestures, or behave in any way in the Chamber that is sexist, racist, homophobic or otherwise exclusionary or discriminatory. Such conduct may be considered offensive and disorderly, in accordance with Standing Order 74".

15.11 The chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.10(a), (b), (d), (e), or (g), or
- (b) to withdraw a motion or an amendment referred to in clause 15.10(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.10(d), (e), (f) or (g).

Note: Clause 15.11 reflects section 233 of the Regulation.

15.12 A failure to comply with a requirement under clause 15.11 constitutes a fresh act of disorder for the purposes of clause 15.10.

15.13 Where a councillor fails to take action in response to a requirement by the chairperson to remedy an act of disorder under clause 15.11 at the meeting at which the act of disorder occurred, the chairperson may require the councillor to take that action at each subsequent meeting until such time as the councillor complies with the requirement. If the councillor fails to remedy the act of disorder at a subsequent meeting, they may be expelled from the meeting under clause 15.18.

How disorder at a meeting may be dealt with

15.14 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

15.15 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.

~~15.16 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.~~

Note: ~~Councils may use either clause 15.15 or clause 15.16.~~

15.17 Clause [15.15/15.16] ~~[delete whichever is not applicable]~~, does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

15.18 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.11 or clause 15.13. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.18 reflects section 233(2) of the Regulation.

15.19 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

15.20 Members of the public attending a meeting of the council:

- (a) must remain silent during the meeting unless invited by the chairperson to speak,
- (b) must not bring flags, signs or protest symbols to the meeting, and
- (c) must not disrupt the meeting.

15.21 Without limiting clause 15.19, a contravention of clause 15.20 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Members of the public may, as provided by section 10(2) of the Act, be expelled from a meeting for a breach of clause 15.20.

15.22 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

15.23 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

How disorder by councillors attending meetings by audio-visual link may be dealt with

- 15.24 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.
- 15.25 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.26 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.27 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.28 Without limiting clause 15.19, a contravention of clause 15.27 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Any person who contravenes or attempts to contravene clause 15.27, may, as provided for under section 10(2) of the Act, be expelled from the meeting.
- 15.29 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

16 CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage conflicts of interest they have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest must be recorded in the minutes of the meeting at which the declaration was made.

- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

17 DECISIONS OF THE COUNCIL

Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: Clause 17.1 reflects section 371 of the Act in the case of councils and section 400T(8) in the case of joint organisations.

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given in accordance with this code.

Note: Clause 17.3 reflects section 372(1) of the Act.

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with this code.

Note: Clause 17.5 reflects section 372(3) of the Act.

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

- ~~17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than 1 day after the meeting at which the resolution was adopted.~~

- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.11 reflects section 372(6) of the Act.

- ~~17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:~~

- ~~(a) a notice of motion signed by three councillors is submitted to the chairperson at the meeting, and~~
- ~~(b) the council resolves to deal with the motion at the meeting on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council.~~

- ~~17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 17.12(b) and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.~~

- ~~17.14 A resolution adopted under clause 17.12(b) must state the reasons for the urgency.~~

Recommitting resolutions to correct an error

- ~~17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:~~

- ~~(a) to correct any error, ambiguity or imprecision in the council's resolution,~~

- or
- (b) to confirm the voting on the resolution.

- 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.
- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 17.15 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18—TIME LIMITS ON COUNCIL MEETINGS

- ~~18.1 Meetings of the council and committees of the council are to conclude at a time the council may from time to time determine.~~
- ~~18.2 If the business of the meeting is unfinished at the time the council has determined, and the council does not resolve to extend the meeting, the chairperson must either:

 - ~~(a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or~~
 - ~~(b) adjourn the meeting to a time, date and place fixed by the chairperson.~~~~
- ~~18.3 Clause 18.2 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.~~
- ~~18.4 Where a meeting is adjourned under clause 18.2 or 18.3, the general manager must:

 - ~~(a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and~~
 - ~~(b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.~~~~

19 AFTER THE MEETING

Minutes of meetings

- 19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Note: Clause 19.1 reflects section 375(1) of the Act.

- 19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- (a) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a council meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

- 19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

Note: Clause 19.3 reflects section 375(2) of the Act.

- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

- 19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

- 19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20 COUNCIL COMMITTEES

Application of this Part

- 20.1 This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
 - (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

- 20.5 The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

Notice of committee meetings

- 20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
 - (b) the business proposed to be considered at the meeting.
- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Non-members entitled to attend committee meetings

- 20.8 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting, or
 - (b) to move or second a motion at the meeting, or
 - (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

- 20.9 The chairperson of each committee of the council must be:
- (a) the mayor, or
 - (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
 - (c) if the council does not elect such a member, a member of the committee elected by the committee.
- 20.10 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.11 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 20.12 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting. If neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

- 20.13 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council.

- 20.14 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.13.

| 20.15 Deleted clause. Only applicable to joint organisations and county councils

- 20.16 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Mayoral minutes

- 20.17 The provisions of this code relating to mayoral minutes also apply to meetings of committees of the council in the same way they apply to meetings of the council.

Closure of committee meetings to the public

- 20.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 20.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.19 during a part of the meeting that is livestreamed where practicable.
- 20.21 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 20.22 The general manager must consult with the committee and any other affected persons before publishing information on the council's website under clause 20.21 and provide reasons for why the information has ceased to be confidential.

Disorder in committee meetings

- 20.23 The provisions of the Act, the Regulation, and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way they apply to meetings of the council.

Minutes of council committee meetings

- 20.24 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
 - (b) details of each motion moved at a meeting and of any amendments moved to it,
 - (c) the names of the mover and seconder of the motion or amendment,
 - (d) whether the motion or amendment was passed or lost, and
 - (e) such other matters specifically required under this code.
- ~~20.25 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.~~
- 20.26 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.27 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.28 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.
- 20.29 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.30 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21 IRREGULARITIES

- 21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:
- (a) a vacancy in a civic office, or
 - (b) a failure to give notice of the meeting to any councillor or committee member, or
 - (c) any defect in the election or appointment of a councillor or committee member, or
 - (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance

- (e) with the council's code of conduct, or
a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.10 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.9 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and any other person exercising functions on behalf of the council
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
livestream	a video broadcast of a meeting transmitted across the internet concurrently with the meeting
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan, a planning agreement or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act

performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
year	means the period beginning 1 July and ending the following 30 June

DRAFT CODE OF MEETING PRACTICE

2025

Table of Contents

1	INTRODUCTION	3
2	MEETING PRINCIPLES	3
3	BEFORE THE MEETING.....	4
4	PUBLIC FORUMS.....	8
5	COMING TOGETHER.....	9
6	THE CHAIRPERSON.....	14
7	MODES OF ADDRESS.....	15
8	ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS	15
9	CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS.....	16
10	RULES OF DEBATE.....	18
11	VOTING.....	20
12	COMMITTEE OF THE WHOLE.....	22
13	DEALING WITH ITEMS BY EXCEPTION.....	22
14	CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC	23
15	KEEPING ORDER AT MEETINGS.....	27
16	CONFLICTS OF INTEREST.....	30
17	DECISIONS OF THE COUNCIL	31
18	AFTER THE MEETING.....	33
19	COUNCIL COMMITTEES	34
20	IRREGULARITIES	37
21	DEFINITIONS	39

1 INTRODUCTION

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Model Meeting Code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

The provisions of the Model Meeting Code that are not mandatory are indicated in **red font**.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

In adopting the Model Meeting Code, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

In adopting the Model Meeting Code, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

Note: The Office of Local Government has issued a guideline on free speech in local government in NSW. The Guideline provides practical guidance to councils on what free speech means in the context of NSW local government, including in relation to council meetings. The Guidelines have been issued under section 23A of the Act meaning councils must consider them when exercising their functions at meetings.

3 BEFORE THE MEETING

Timing of ordinary council meetings

- 3.1 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

Note: Under section 396 of the Act, county councils are required to meet at least four (4) times each year.

Note: Under section 400T of the Act, boards of joint organisations are required to meet at least four (4) times each year, each time in a different quarter of the year.

Note: Under clause 13 of Schedule 11 of the Act, councils that have been designated as a rural and remote council under the Regulation are required to meet at least four (4) times each year, each time in a different quarter of the year.

Extraordinary meetings

- 3.2 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.2 reflects section 366 of the Act.

- 3.3 The mayor may call an extraordinary meeting without the need to obtain the signature of two (2) councillors.

Notice to the public of council meetings

- 3.4 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings, and of each meeting of committees of the council.

Note: Clause 3.4 reflects section 9(1) of the Act.

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council must be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.
- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

- 3.7 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.7 reflects section 367(1) of the Act.

- 3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, unless the council determines otherwise, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.8 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

- 3.9 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.9 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted within such reasonable time before the meeting is to be held as determined by the council. The notice of motion must be in writing and must be submitted seven (7) business days before the meeting is to be held.
- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

Questions with notice

- 3.12 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- 3.13 A councillor is not permitted to ask a question with notice under clause 3.12 that would constitute an act of disorder.
- 3.14 The general manager or their nominee may respond to a question with notice submitted under clause 3.12 by way of a report included in the business papers for the relevant meeting of the council.

Agenda and business papers for ordinary meetings

- 3.15 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.16 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.17 Nothing in clause 3.16 limits the powers of the mayor to put a mayoral minute to a meeting without notice under clause 9.7.
- 3.18 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.19 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.19 reflects section 9(2A)(a) of the Act.

- 3.20 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Availability of the agenda and business papers to the public

- 3.21 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.21 reflects section 9(2) and (4) of the Act.

- 3.22 Clause 3.21 does not apply to the business papers for items of business identified under clause 3.19 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.22 reflects section 9(2A)(b) of the Act.

- 3.23 For the purposes of clause 3.21, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.23 reflects section 9(3) of the Act.

- 3.24 A copy of an agenda, or of an associated business paper made available under clause 3.21, may in addition be given or made available in electronic form unless the council determines otherwise.

Note: Clause 3.24 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.25 The council must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.26 Nothing in clause 3.25 limits the powers of the mayor to put a mayoral minute to an extraordinary meeting without notice under clause 9.7.
- 3.27 Despite clause 3.25, business may be considered at an extraordinary meeting of the council at which all councillors are present, even though due notice has not been given of the business, if the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council. A resolution adopted under this clause must state the reasons for the urgency.

- 3.28 A motion moved under clause 3.27 can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with. Despite any other provision of this code, only the mover of a motion moved under clause 3.27, and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 3.29 If all councillors are not present at the extraordinary meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 3.27 and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 3.30 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.29 on whether a matter is urgent.

Prohibition of pre-meeting briefing sessions

- 3.31 Briefing sessions must not be held to brief councillors on business listed on the agenda for meetings of the council or committees of the council.

Note: The prohibition on the holding of briefing sessions under clause 3.31 reflects the intent of Chapter 4, Part 1 of the Act which requires business of the council to be conducted openly and transparently at a formal meeting of which due notice has been given and to which the public has access. Pre-meeting briefing sessions are inconsistent with the principles of transparency, accountability and public participation and have the potential to undermine confidence in the proper and lawful decision-making processes of the council.

- 3.32 Nothing in clause 3.31 prevents a councillor from requesting information from the general manager about a matter to be considered at a meeting, provided the information is also available to the public. Information requested under this clause must be provided in a way that does not involve any discussion of the information.

4 PUBLIC FORUMS

- 4.1 The council may hold a public forum prior to meetings of the council and committees of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to meetings of other committees of the council.
- 4.2 The council may determine the rules under which public forums are to be conducted and when they are to be held. A Public Forum will be held immediately preceding Council's Ordinary meetings if applications are received. Public forums will be scheduled to commence at 7:00pm before Ordinary meetings and run for up to 30 minutes. If time is not needed, the meeting will commence at 7:00pm or as soon as the public forum finishes. The process for receiving and dealing with applications shall be in accordance with Council's Public Forum Application Form and Procedure. It is at the discretion of the General Manager or delegate to accept or decline the application.

- 4.3 The provisions of this code requiring the livestreaming of meetings also apply to public forums.

5 COMING TOGETHER

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 The council may determine standards of dress for councillors when attending meetings. The council has determined that business like attire should be worn by councillors when attending meetings (both in person and by audiovisual link).
- 5.3 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.
- 5.4 Where a councillor is unable to attend one or more meetings of the council or committees of the council, the councillor should submit an apology for the meetings they are unable to attend, state the reasons for their absence from the meetings and request that the council grant them a leave of absence from the relevant meetings.
- 5.5 The council must not act unreasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.6 Where a councillor makes an apology under clause 5.4, the council must determine by resolution whether to grant the councillor a leave of absence for the meeting for the purposes of section 234(1)(d) of the Act. If the council resolves not to grant a leave of absence for the meeting, it must state the reasons for its decision in its resolution.
- 5.7 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.7 reflects section 234(1)(d) of the Act.

The quorum for a meeting

- 5.8 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Note: Clause 5.8 reflects section 368(1) of the Act.

- 5.9 Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.9 reflects section 368(2) of the Act.

- 5.10 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.
- 5.11 In either case, the meeting must be adjourned to a time, date, and place fixed:
- (a) by the chairperson, or
 - (b) in the chairperson's absence, by the majority of the councillors present, or
 - (c) failing that, by the general manager.
- 5.12 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency, the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.14 Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called by the mayor under clause 3.3.

Meetings held by audio-visual link

- 5.15 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by

audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.

- 5.16 Where the mayor determines under clause 5.15 that a meeting is to be held by audio-visual link, the general manager must:
- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
 - (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
 - (c) cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.
- 5.17 This code applies to a meeting held by audio-visual link under clause 5.15 in the same way it would if the meeting was held in person.

Note: Where a council holds a meeting by audio-visual link under clause 5.15, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by councillors at meetings by audio-visual link

- 5.18 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee where they are prevented from attending the meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.
- 5.19 Clause 5.18 does not apply to meetings at which a mayoral election is to be held.
- 5.20 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.21 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.20.
- 5.22 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.

- 5.23 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.24 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state the meetings the resolution applies to.
- 5.25 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.26 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link.
- 5.27 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.28 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.29 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.
- 5.30 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

- 5.31 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.31 reflects section 10(1) of the Act.

- 5.32 Clause 5.31 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 5.33 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:
- (a) by a resolution of the meeting, or
 - (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.33 reflects section 10(2) of the Act.

- 5.34 On the adoption of this code and at the commencement of each council term, the council must determine whether to authorise the person presiding at a meeting to exercise a power of expulsion.

Livestreaming of meetings

- 5.35 Each meeting of the council or a committee of the council is to be recorded by means of an audio-visual device.
- 5.36 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:
- (a) the meeting is being recorded and made publicly available on the council's website, and
 - (b) persons attending the meeting should refrain from making any defamatory statements.
- 5.37 The recording of a meeting is to be made publicly available on the council's website at the same time as the meeting is taking place.
- 5.38 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting or for the balance of the council's term, whichever is the longer period.
- 5.39 Clauses 5.35 - 5.38 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

Note: Clauses 5.35 – 5.39 reflect section 236 of the Regulation.

- 5.40 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the general manager and other staff at meetings

- 5.41 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

Note: Clause 5.41 reflects section 376(1) of the Act.

- 5.42 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

Note: Clause 5.42 reflects section 376(2) of the Act.

- 5.43 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

Note: Clause 5.43 reflects section 376(3) of the Act.

- 5.44 The attendance of other council staff at a meeting, (other than as members of the public) shall be determined by the general manager in consultation with the mayor.

6 THE CHAIRPERSON

The chairperson at meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects section 369(1) of the Act.

- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

- 6.4 The election of a chairperson must be conducted:

- (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

- 6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
 - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:
 - (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
 - (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

7 MODES OF ADDRESS

- 7.1 Where physically able to, councillors and staff should stand when the mayor enters the chamber and when addressing the meeting.
- 7.2 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor', 'Madam Mayor' or 'Mayor'.
- 7.3 If the chairperson is the deputy mayor, they are to be addressed as 'Mr Deputy Mayor', or 'Madam Deputy Mayor' or 'Deputy Mayor'.
- 7.4 Where the chairperson is not the mayor or deputy mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson' or 'Chair'.
- 7.5 A councillor is to be addressed as 'Councillor [surname]'.
- 7.6 A council officer is to be addressed by their official designation or as Mr/Ms/Mx [surname].

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

- 8.1 At a meeting of the council, the general order of business is as fixed by resolution of the council. The general order of business for an ordinary meeting of the council shall be:

Opening meeting
Statement of Recognition
Prayer
~~Leave of Absence~~
Apologies and applications for a leave of absence
Remote attendance

Confirmation of minutes
Disclosures of interests
~~Addressing Council~~
Mayoral minute(s)
Notices of motions/Questions with notice
Reports of committees
Reports to council
Urgent Business
~~Confidential matters/Committee of the Whole~~
Conclusion of the meeting

- 8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.
- 8.3 Despite any other provision of this code, only the mover of a motion referred to in clause 8.2 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.

9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
 - (b) is the election of a chairperson to preside at the meeting, or
 - (c) is a matter or topic put to the meeting by way of a mayoral minute, or
 - (d) is a motion for the adoption of recommendations of a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council at which all councillors are present even though due notice has not been given of the business to councillors, if the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting. A resolution adopted under this clause must state the reasons for the urgency.
- 9.4 A motion moved under clause 9.3 can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 9.3 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.

- 9.5 If all councillors are not present at a meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 9.3, and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 9.6 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.5.

Mayoral minutes

- 9.7 The mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that the mayor determines should be considered at the meeting.
- 9.8 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The mayor may move the adoption of a mayoral minute without the motion being seconded.
- 9.9 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.

Staff reports

- 9.10 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

- 9.11 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.12 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.13 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.12, unless the council determines otherwise in accordance with this code.
- 9.14 A councillor may, through the chairperson, ask another councillor about a matter on the agenda.
- 9.15 A councillor may, through the mayor, ask the general manager about a matter on the agenda. The general manager may request another council employee to answer the question.
- 9.16 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a

councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.

- 9.17 Councillors must ask questions directly, succinctly, and without argument.
- 9.18 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

10 RULES OF DEBATE

Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it, they may request its withdrawal at any time. If the notice of motion is withdrawn after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the chairperson is to note the withdrawal of the notice of motion at the meeting unless the council determines to consider the notice of motion at the meeting.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
 - (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.

Amendments to motions

- 10.8 An amendment to a motion must be moved and seconded before it can be debated.
- 10.9 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.10 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.11 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.12 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.13 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.14 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Limitations on the number and duration of speeches

- 10.15 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.16 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.17 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.18 Despite clause 10.17, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.19 Despite clauses 10.15 and 10.16, a councillor may move that a motion or an amendment be now put:

- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.20 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.19. A seconder is not required for such a motion.
- 10.21 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.15.
- 10.22 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.23 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.24 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.
- 10.25 Clause 10.24 does not prevent a further motion from being moved on the same item of business where the original motion is lost provided the motion is not substantially the same as the one that is lost.

11 VOTING

Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.

Note: Clause 11.1 reflects section 370(1) of the Act.

- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

Note: Clause 11.2 reflects section 370(2) of the Act.

- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Voting at council meetings

- 11.4 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

- 11.5 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.
- 11.6 The decision of the chairperson as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.
- 11.7 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.8 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.4 of this code.
- 11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

Voting on planning decisions

- 11.10 The council or a council committee must not make a final planning decision without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.
- 11.11 Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.
- 11.12 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.13 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.

Note: Clauses 11.12–11.15 reflect section 375A of the Act.

Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.

12 COMMITTEE OF THE WHOLE

- 12.1 The council may resolve itself into a committee to consider any matter before the council.

Note: Clause 12.1 reflects section 373 of the Act.

- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches and encouraging councillors and staff to stand when addressing the meeting.

Note: Clauses 10.15 – 10.25 limit the number and duration of speeches.

Note: Clause 7.1 encourages councillors and staff to stand when addressing the meeting where they can.

- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution where it considers it necessary to expedite the consideration of business at a meeting.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.2.

- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1.

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
 - (d) 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,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the council, councillors, council staff or council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
 - (i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice,
- (c) are fully discussed in that advice, and
- (d) are subject to legal professional privilege.

Note: Clause 14.4 reflects section 10B(2) of the Act.

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

- 14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.19 as a matter

that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
- (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Despite clauses 14.9 and 14.10, the council may resolve to close the meeting to the public in accordance with this Part to hear a representation from a member of the public as to whether the meeting should be closed to consider an item of business where the representation involves the disclosure of information relating to a matter referred to in clause 14.1.
- 14.12 Where the matter has been identified in the agenda of the meeting under clause 3.19 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in a manner determined by the council. Applications shall be in accordance with Council's Application Form and Procedure on making Representations on the Closure of Council Meetings to the Public. Applications must be made in writing to the General Manager and received by 4.00pm on the day of the meeting at which the matter is to be considered. The General Manager (or delegate) may refuse an application made under this clause. The General Manager or delegate must give reasons in writing for a decision to refuse an application.

Expulsion of non-councillors from meetings closed to the public

- 14.13 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.14 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary,

remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

Obligations of councillors attending meetings by audio-visual link

- 14.15 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

- 14.16 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.16 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.17 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.18 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.17 during a part of the meeting that is livestreamed where practicable.
- 14.19 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 14.20 The general manager must consult with the council and any other affected persons before publishing information on the council's website under clause 14.19 and provide reasons for why the information has ceased to be confidential.

15 KEEPING ORDER AT MEETINGS

Points of order

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

- 15.3 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.4 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.5 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.6 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.7 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.8 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.9 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.10 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act, the Regulation or this code, or

- (b) assaults or threatens to assault another councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
- (d) uses offensive or disorderly words, or
- (e) makes gestures or otherwise behaves in a way that is sexist, racist, homophobic or otherwise discriminatory, or, if the behaviour occurred in the Legislative Assembly, would be considered disorderly, or
- (f) imputes improper motives to or unfavourably personally reflects upon any other council official, or a person present at the meeting, except by a motion, or
- (g) says or does anything that would promote disorder at the meeting or is otherwise inconsistent with maintaining order at the meeting.

Note: Clause 15.10 reflects section 182 of the Regulation.

Note: The Legislative Assembly's Speaker's Guidelines state that "Members are not to use language, make gestures, or behave in any way in the Chamber that is sexist, racist, homophobic or otherwise exclusionary or discriminatory. Such conduct may be considered offensive and disorderly, in accordance with Standing Order 74".

15.11 The chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.10(a), (b), (d), (e), or (g), or
- (b) to withdraw a motion or an amendment referred to in clause 15.10(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.10(d), (e), (f) or (g).

Note: Clause 15.11 reflects section 233 of the Regulation.

15.12 A failure to comply with a requirement under clause 15.11 constitutes a fresh act of disorder for the purposes of clause 15.10.

15.13 Where a councillor fails to take action in response to a requirement by the chairperson to remedy an act of disorder under clause 15.11 at the meeting at which the act of disorder occurred, the chairperson may require the councillor to take that action at each subsequent meeting until such time as the councillor complies with the requirement. If the councillor fails to remedy the act of disorder at a subsequent meeting, they may be expelled from the meeting under clause 15.18.

How disorder at a meeting may be dealt with

15.14 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not.

This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

- 15.15 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.
- 15.16 Clause 15.15 does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.
- 15.17 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.11 or clause 15.13. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.17 reflects section 233(2) of the Regulation.

- 15.18 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.19 Members of the public attending a meeting of the council:
- (a) must remain silent during the meeting unless invited by the chairperson to speak,
 - (b) must not bring flags, signs or protest symbols to the meeting, and
 - (c) must not disrupt the meeting.
- 15.20 Without limiting clause 15.18, a contravention of clause 15.19 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.18. Members of the public may, as provided by section 10(2) of the Act, be expelled from a meeting for a breach of clause 15.19.
- 15.21 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.22 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

How disorder by councillors attending meetings by audio-visual link may be dealt with

- 15.23 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.
- 15.24 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.25 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.26 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.27 Without limiting clause 15.18, a contravention of clause 15.26 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.18. Any person who contravenes or attempts to contravene clause 15.26, may, as provided for under section 10(2) of the Act, be expelled from the meeting.
- 15.28 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

16 CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage conflicts of interest they have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated

and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

17 DECISIONS OF THE COUNCIL

Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: Clause 17.1 reflects section 371 of the Act in the case of councils and section 400T(8) in the case of joint organisations.

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given in accordance with this code.

Note: Clause 17.3 reflects section 372(1) of the Act.

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with this code.

Note: Clause 17.5 reflects section 372(3) of the Act.

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.
- 17.10 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.10 reflects section 372(6) of the Act.

- 17.11 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:
- (a) a notice of motion signed by three councillors is submitted to the chairperson at the meeting, and
 - (b) the council resolves to deal with the motion at the meeting on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council.
- 17.12 A motion moved under clause 17.11(b) can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 17.11(b) and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 17.13 A resolution adopted under clause 17.11(b) must state the reasons for the urgency.

Recommitting resolutions to correct an error

- 17.14 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:
- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
 - (b) to confirm the voting on the resolution.
- 17.15 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.14(a), the councillor is to propose alternative wording for the resolution.
- 17.16 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.14(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

- 17.17 A motion moved under clause 17.14 can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 17.14 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 17.18 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.14.
- 17.19 A motion moved under clause 17.14 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18 AFTER THE MEETING

Minutes of meetings

- 18.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Note: Clause 18.1 reflects section 375(1) of the Act.

- 18.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- (a) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a council meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

- 18.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

Note: Clause 18.3 reflects section 375(2) of the Act.

- 18.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 18.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 18.5 reflects section 375(2) of the Act.

- 18.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

- 18.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 18.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 18.8 reflects section 11(1) of the Act.

- 18.9 Clause 18.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 18.9 reflects section 11(2) of the Act.

- 18.10 Clause 18.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 18.10 reflects section 11(3) of the Act.

- 18.11 Correspondence or reports to which clauses 18.9 and 18.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

- 18.12 The general manager is to implement, without undue delay, lawful decisions of the council.

Note: Clause 18.12 reflects section 335(b) of the Act.

19 COUNCIL COMMITTEES

Application of this Part

- 19.1 This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

- 19.2 The council may, by resolution, establish such committees as it considers necessary.

- 19.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.

- 19.4 The quorum for a meeting of a committee of the council is to be:

(a) such number of members as the council decides, or

- (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

- 19.5 The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

Notice of committee meetings

- 19.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

- 19.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Non-members entitled to attend committee meetings

- 19.8 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

- 19.9 The chairperson of each committee of the council must be:

- (a) the mayor, or
- (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
- (c) if the council does not elect such a member, a member of the committee elected by the committee.

- 19.10 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.

- 19.11 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.

- 19.12 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting. If neither the chairperson nor the deputy chairperson

is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

- 19.13 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council.
- 19.14 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 19.13.
- 19.15 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Mayoral minutes

- 19.16 The provisions of this code relating to mayoral minutes also apply to meetings of committees of the council in the same way they apply to meetings of the council.

Closure of committee meetings to the public

- 19.17 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 19.18 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 19.19 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 19.19 during a part of the meeting that is livestreamed where practicable.
- 19.20 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 19.21 The general manager must consult with the committee and any other affected persons before publishing information on the council's website under clause 19.20 and provide reasons for why the information has ceased to be confidential.

Disorder in committee meetings

- 19.22 The provisions of the Act, the Regulation, and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way they apply to meetings of the council.

Minutes of council committee meetings

- 19.23 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
 - (b) details of each motion moved at a meeting and of any amendments moved to it,
 - (c) the names of the mover and seconder of the motion or amendment,
 - (d) whether the motion or amendment was passed or lost, and
 - (e) such other matters specifically required under this code.
- 19.24 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 19.25 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 19.26 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.
- 19.27 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 19.28 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

20 IRREGULARITIES

- 20.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:
- (a) a vacancy in a civic office, or
 - (b) a failure to give notice of the meeting to any councillor or committee member, or
 - (c) any defect in the election or appointment of a councillor or committee member, or
 - (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on,

- the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e) a failure to comply with this code.

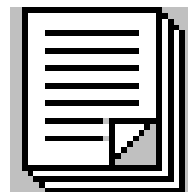
Note: Clause 20.1 reflects section 374 of the Act.

21 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.10 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.9 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and any other person exercising functions on behalf of the council
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
livestream	a video broadcast of a meeting transmitted across the internet concurrently with the meeting
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan, a planning agreement or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act

quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
year	means the period beginning 1 July and ending the following 30 June

ATTACHMENT



Date of Meeting: 8 December 2025

Delivery Program: Outcome 5

Service: Financial Services

Report Title: 2025-2026 Voted Works

2025-26 VOTED WORKS
as at December 2025

Meeting Approved	Ref	Description of Allocation	Amount \$	Expenditure	Manager Responsible
SOUTH WARD					
		Amount Available for 2025-26			
		Funds brought forward from 2024-25	246,140		
		2025-26 Funds	53,000		
		Total Vote for 2025-26	299,140		
		Amounts Allocated			
29-Apr-24	2	Nighttime Live Performance Partnerships**	5,000	-	CACP
12-Aug-24	13	Acceptance of Grant Funding - Natural Disaster Relief Assistance*	25,000	9,189	D&P
26-Aug-24	1	Penrith Mayoral Challenge - Monfarville Reserve*	15,000	62	D&P
26-May-25	UB1	Nepean Business Network Annual Event	1,000	1,000	CACP
25-Aug-25	NM3	Vegetation Clearing - Communications Plan	4,000	373	Communications
25-Aug-25	UB3	Nepean Evening View Club	305	305	CACP
25-Aug-25	UB2	The Haven - Fridge Replacement	433	433	CACP
25-Aug-25	UB1	Penrith Rotary Club - Annual Duck Race	1,667	1,667	CACP
27-Oct-25	UB5	Sales Park, Luddenham Installation of Trial Barriers	1,620	-	CFR
27-Oct-25	UB3	Emu Plains Girl Guides Bush Tucker Community Garden & Pantry Project	200	-	CACP
27-Oct-25	UB4	TOTS Blanket Charity	670	670	CACP
17-Nov-25	UB1	120th Annual Luddenham Show	2,000	-	CACP
17-Nov-25	UB2	RAW Penrith	350	-	CACP
			57,244		
TOTAL VOTE UNCOMMITTED FOR SOUTH WARD			241,896		
NORTH WARD					
		Amount Available for 2025-26			
		Funds brought forward from 2024-25	335,647		
		2025-26 Funds	53,000		
		Total Vote for 2025-26	388,647		
		Amounts Allocated			
29-Apr-24	2	Nighttime Live Performance Partnerships**	5,000	-	CACP
12-Aug-24	13	Acceptance of Grant Funding - Natural Disaster Relief Assistance*	25,000	9,189	D&P
26-Aug-24	1	Penrith Mayoral Challenge - Monfarville Reserve*	15,000	62	D&P
28-Apr-25	UB2	Hoa Tek Chiem and Kim Heang Gau - Buzzy Bee's Burger House***	931	931	CACP
26-May-25	UB1	Nepean Business Network Annual Event	1,000	1,000	CACP
25-Aug-25	NM3	Vegetation Clearing - Communications Plan	4,000	373	Communications
25-Aug-25	UB3	Nepean Evening View Club	305	305	CACP
25-Aug-25	UB2	The Haven - Fridge Replacement	433	433	CACP
25-Aug-25	UB1	Penrith Rotary Club - Annual Duck Race	1,667	1,667	CACP
27-Oct-25	UB4	TOTS Blanket Charity	670	670	CACP
27-Oct-25	UB2	Thornton Community Language Group	1,940	1,940	CACP
17-Nov-25	UB1	120th Annual Luddenham Show	2,000	-	CACP
17-Nov-25	UB2	RAW Penrith	350	-	CACP
		Total Vote Committed	58,295		
TOTAL VOTE UNCOMMITTED FOR NORTH WARD			330,352		
EAST WARD					
		Amount Available for 2025-26			
		Funds brought forward from 2024-25	245,095		
		2025-26 Funds	53,000		
		Total Vote for 2025-26	298,095		
		Amounts Allocated			
29-Apr-24	2	Nighttime Live Performance Partnerships**	5,000	-	CACP
12-Aug-24	13	Acceptance of Grant Funding - Natural Disaster Relief Assistance*	25,000	9,189	D&P
26-Aug-24	1	Penrith Mayoral Challenge - Monfarville Reserve*	15,000	62	D&P
26-May-25	UB1	Nepean Business Network Annual Event	1,000	1,000	CACP
30-Jun-25	UB4	Marquee and Trestle Tables - Team Colyton	1,693	1,693	CACP
25-Aug-25	NM3	Vegetation Clearing - Communications Plan	4,000	373	Communications
25-Aug-25	UB3	Nepean Evening View Club	304	304	CACP
25-Aug-25	UB2	The Haven - Fridge Replacement	433	433	CACP
25-Aug-25	UB1	Penrith Rotary Club - Annual Duck Race	1,666	1,666	CACP
27-Oct-25	UB4	TOTS Blanket Charity	670	670	CACP
17-Nov-25	UB1	120th Annual Luddenham Show	2,000	-	CACP
17-Nov-25	UB2	RAW Penrith	350	-	CACP
		Total Vote Committed	57,116		
TOTAL VOTE UNCOMMITTED FOR EAST WARD			240,979		
SUMMARY					
		Total Vote for 2025-26	985,882		
		Less Total Vote Committed	172,656		
		TOTAL VOTE UNCOMMITTED	813,226		
		* Adopted March 2025 Quarter Revote			
		** Annual allocation for four years			
		*** Adopted June 2025 Quarter Revote			