

# BUSINESS PAPER



His Worship the Mayor, Councillor Todd Carney was joined by Member for Penrith Karen McKeown MP OAM as they inspected the progress of the work being carried out at Andromeda Drive Reserve, Cranebrook. The reserve is being upgraded thanks to grant funding received by the NSW Government through the Western Sydney Infrastructure Grants Program.

## Ordinary Meeting 2 February 2026

27 January 2026

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 2 February 2026 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**

**Leave of absence has been granted to:**  
*Councillor Kirstie Boerst - 2 February 2026.*

**2. APOLOGIES**

**3. CONFIRMATION OF MINUTES**

*Ordinary Meeting - 15 December 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 PUBLIC FORUMS**

**6. MAYORAL MINUTES**

*Penrith wins Transition to a Circular Economy Award.*  
*The passing of Warren Smith OAM.*  
*Australia Day Honours 2026.*

**7. NOTICES OF MOTION TO RESCIND A RESOLUTION**

**8. NOTICES OF MOTION AND QUESTIONS ON NOTICE**

**9. ADOPTION OF REPORTS AND RECOMMENDATION OF COMMITTEES**

**10. DELIVERY PROGRAM REPORTS**

**11. URGENT BUSINESS**

**12. COMMITTEE OF THE WHOLE**



**ORDINARY MEETING**  
**MONDAY 2 FEBRUARY 2026**  
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## **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.

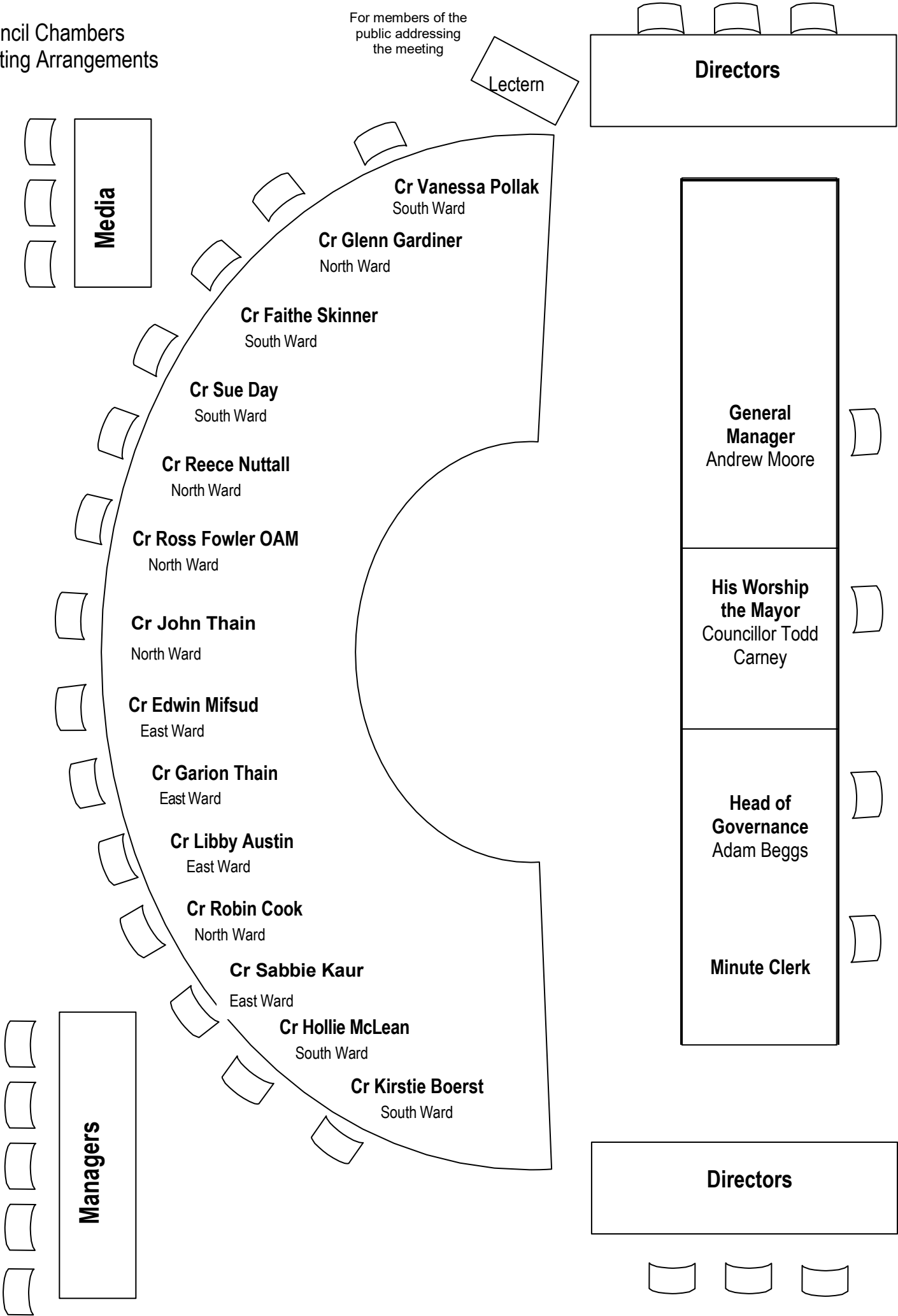
As we meet, our concern is for this city. Grant us wisdom, courage and strength.

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



Council Chambers  
Seating Arrangements

Public Gallery







## **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.*

# 2026 MEETING CALENDAR

January 2026 - December 2026

(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

- 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).
  - 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 15 DECEMBER 2025 AT 6:30 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 Head of Governance, Adam Beggs.

**PRESENT**

His Worship the Mayor, Councillor Todd Carney 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 and Faithe Skinner.

**LEAVE OF ABSENCE**

Leave of Absence was previously granted to Councillor Garion Thain for the period 15 December 2025 inclusive.

**APOLOGIES**

375 RESOLVED on the MOTION of Councillor Sue Day seconded Councillor Hollie McLean that the apology from Councillor John Thain be accepted.

**CONFIRMATION OF MINUTES - Ordinary Meeting - 8 December 2025**

376 RESOLVED on the MOTION of Councillor Sabbie Kaur seconded Councillor Edwin Mifsud that the minutes of the Ordinary Meeting of 8 December 2025 be confirmed.

**DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**MAYORAL MINUTES**

**1 Bondi Beach Terror Attack**

Mayor Todd Carney and Councillors Ross Fowler, Reece Nuttall, Hollie McLean and Sabbie Kaur spoke in support of this Mayoral Minute.

377 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Ross



Fowler OAM that the Mayoral Minute on Bondi Beach Terror Attack be received.

## **NOTICES OF MOTION**

### **1 Waterside Estate**

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

That:

1. Council prepare a comprehensive report/memo as part of the 2026-27 budget development outlining the current situation and addressing the planning background that established the Waterside Estate and detailing the asset ownership and maintenance responsibilities, including details relating to the funding of these activities from ordinary rates and the stormwater management service charge.
2. A separate report be brought to council on Waterside Lakes' impacts on water quality at Penrith Lakes and identified causes and rectification measures for the presence of faecal matter in the Waterside Lake system.

## **DELIVERY PROGRAM REPORTS**

### **STRATEGIC DIRECTION 4 - PROVIDE FOR OUR LIFESTYLE**

#### **1 RFT-2009319 - Principal Design Consultant for Penrith Indoor Multi-Sport Arena - Tender Recommendation**

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

That:

1. The information contained in the report on RFT-2009319 - Principal Design Consultant for Penrith Indoor Multi-Sport Arena - Tender Recommendation be received.
2. The tender from AJC Architects Pty Ltd, for the lump sum amount of \$4,489,242.80 (excluding GST), be accepted for the provision of Principal Design Consultant services for the Penrith Indoor Multi-Sports Arena.
3. Variations and amendments that do not materially alter the original scope of the contract be managed under existing financial delegations within approved budgets.
4. The General Manager or their delegate be authorised to sign all necessary legal documents in relation to this matter.

## **URGENT BUSINESS**

**UB 1 Love Bites Senior and Love Bites Junior Program**

Councillor Todd Carney requested that a total of \$6000 comprising of \$2000 from each Ward's voted works, be allocated to go towards the funding of the Love Bites Senior and Love Bites Junior program.

380 RESOLVED on the MOTION of Councillor Todd Carney seconded Ross Fowler OAM that 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.

381 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Ross Fowler OAM that a total amount of \$6000 comprising of \$2000 from each Ward's voted works, be allocated to go towards the funding of the Love Bites Senior and Love Bites Junior program.

**UB 2 Leave of Absence**

Councillor Kirstie Boerst requested a Leave of Absence for the Ordinary Meeting on 2 February 2026.

382 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.

383 RESOLVED on the MOTION of Councillor Kirstie Boerst seconded Councillor Robin Cook that Councillor Kirstie Boerst be granted Leave of Absence for the Ordinary Meeting on 2 February 2026.

There being no further business the Chairperson declared the meeting closed the time being 7:00pm.



# **PENRITH CITY COUNCIL**

## **Procedure for Addressing Public Forums**

Anyone can request permission to participate in a public forum on a matter listed on the agenda of an ordinary or extraordinary meeting. Council will accept written submissions in this form up until midday on the day of the meeting.

All requests are subject to approval, and there is a limit to 3 speakers for and 3 speakers against each item on the agenda. It is at the discretion of the General Manager or delegate to accept or decline the application to speak at the Public Forum. Each accepted speaker will be allowed 5 minutes to address the Public Forum.

Applicants will receive confirmation by 2pm on the day of the Ordinary Meeting as to whether they will be provided opportunity to speak.

Public Forums are held at 7pm on the day of an prior to the Ordinary Meeting, when applications from members of the public have been received and accepted. Smart casual dress is the minimum appropriate standard of dress when addressing such a forum.

Speakers at Public Forums are reminded that the forum is livestreamed, and a recording will be made publicly available on the council's website, and that they should refrain from making any defamatory statements. 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 should a person make inappropriate comments.

Prior to addressing the public forum, the person will be required to sign the following statement: "I (name) understand that the forum I intend to address on (date) is a public forum. 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 forum".

Should a person fail to sign the above statement, then permission to address the forum will not be granted.

### **Procedure for Addressing a Public Forum**

- Approximately 15 minutes before the forum start time, a Governance officer or delegate will speak to each person who is to speak at the forum.
- 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 the matter impacts them directly, indirectly or if they are a spokesperson for others impacted.

- The speaker then has five minutes to speak on the item as per the written statement they have submitted. The speaker should not use this as opportunity to refute or support points made by previous speakers on the same issue.
- The Chair will indicate if Councillors have questions for the speaker.
- The speaker should return to a seat in the audience once the Chair has thanked them.

Adam Beggs  
**Public Officer**  
02 4732 7597

## MAYORAL MINUTES

Item		Page
1	<a href="#">Penrith wins Transition to a Circular Economy Award</a>	1
2	<a href="#">The passing of Warren Smith OAM</a>	2





## Mayoral Minute

### Penrith wins Transition to a Circular Economy Award

Penrith City Council has again been recognised for leadership in sustainability and responsible waste management.

We won the Transition to a Circular Economy category at the Local Government NSW Environment Awards, held in December. Council received the same honour in 2024.

We earned the 2025 award for our Threads and Treads initiative. This is a forward-thinking textile and bicycle recycling and repair project. We hosted events like bike drop-off and recycling days, repair and tune workshops, vacation care education sessions, a clothes swap, pop-up stall and stitching workshops.

Events like these aim to connect and educate the community to become more resource conscious and consider how they can re-use materials.

The project directly responds to waste management challenges as textiles and bicycles cannot be recovered through kerbside waste streams. This fantastic initiative has diverted more than 9.2 tonnes of material from landfill.

Congratulations to all staff involved in the project.



Cr Todd Carney  
**Mayor of Penrith**

## RECOMMENDATION

That the Mayoral Minute on Penrith wins Transition to a Circular Economy Award be received.

## Mayoral Minute

### The passing of Warren Smith OAM

I was deeply saddened to hear of the passing of long-time rugby league administrator, Warren Smith OAM, in December.

Warren served as St Marys Rugby League Club's President for an incredible 35 years. He was a club stalwart with a genuine love for this City. His passing is a big loss for our community.

Warren was a player, coach, trainer and mentor. He was appointed Secretary of the St Marys Junior Rugby League Committee in 1985, when the club had 14 sides and no sponsors.

Warren threw out the old jerseys and secured sponsorships for all sides on the iconic green and white jerseys. Under his remarkable stewardship, the club has grown to one of the country's largest and provided pathways for the community.

When he retired from the Board of Directors in 2024, the club fielded 56 teams in the Penrith and District Competition, with premierships in the higher-tier Ron Massey Cup and Sydney Shield competitions.

Warren had an impact off the field, too. He led transformational projects like St Marys Leagues Stadium, Holiday Inn St Marys, and the multi-million-dollar Western Foyer, Saints Sports Bar and Events Centre developments.

He cared about the next generation and was heavily involved in the sponsorships of local schools and sporting groups. Warren often travelled to Condobolin, Gundagai and Moss Vale to support their teams with sporting gear. He took jerseys and socks to local villages in Fiji over countless trips. He also drove the club's colourful car in the Variety Club Bash for 20 years to raise money for the children's charity.

Warren earned many accolades and in 2017, received the Medal of the Order of Australia for his incredible service to rugby league.

Penrith City Council will remember Warren as a gentleman with an unwavering commitment to St Marys and this City. We send our condolences to Warren's family and many friends in the community.



Cr Todd Carney  
**Mayor of Penrith**

## RECOMMENDATION

That the Mayoral Minute on The passing of Warren Smith OAM be received.

## DELIVERY PROGRAM REPORTS

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<b>STRATEGIC DIRECTION 3 - SHAPE OUR GROWING CITY</b>		
1	<a href="#"><u>Section 3.22 Expedited Amendments to Penrith Local Environmental Plan 2010 (Glenmore Park Stage 3 and Orchard Hills North)</u></a> <b>Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.</b>	1
2	<a href="#"><u>Results of Public Exhibition - Planning Proposal for Alspec Industrial Business Park (PP-2025-1360)</u></a>	8
3	<a href="#"><u>Fire Safety Update</u></a>	16
<b>STRATEGIC DIRECTION 4 - PROVIDE FOR OUR LIFESTYLE</b>		
4	<a href="#"><u>Australian Government Black Spot Program 2025/26 Funding Acceptance</u></a>	31
5	<a href="#"><u>PCC25/26-27 Blair Oval Amenities &amp; Mavis Harris Renewal</u></a>	34
6	<a href="#"><u>PCC2025-267 St Marys Central Park</u></a>	40
<b>STRATEGIC DIRECTION 5 - WORK TOGETHER</b>		
7	<a href="#"><u>Summary of Investments and Banking for the period 1 December 2025 - 31 December 2025</u></a>	49
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## **STRATEGIC DIRECTION 1 - NURTURE OUR ENVIRONMENT**

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



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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
1	<a href="#"><u>Section 3.22 Expedited Amendments to Penrith Local Environmental Plan 2010 (Glenmore Park Stage 3 and Orchard Hills North)</u></a> <b>Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.</b>	1
2	<a href="#"><u>Results of Public Exhibition - Planning Proposal for Alspeck Industrial Business Park (PP-2025-1360)</u></a>	8
3	<a href="#"><u>Fire Safety Update</u></a>	16





**1           Section 3.22 Expedited Amendments to Penrith Local Environmental Plan 2010 (Glenmore Park Stage 3 and Orchard Hills North)**

**Compiled by:**           **Lucy Goldstein, Senior Planner**  
                                  **Wendy Connell, City Planning Coordinator**

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

<b>Outcome</b>	<i>Shape our growing city</i>
<b>Strategy</b>	<i>Navigate balanced growth and plan strategically</i>
<b>Principal Activity</b>	<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**

The purpose of this report is to seek Council's endorsement to forward two requests for expedited amendments to Penrith Local Environmental Plan 2010 (LEP) to the Department of Planning, Infrastructure and Housing (the Department) under Section 3.22 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

Section 3.22 of the EP&A Act allows certain low risk and minor amendments to be made to environmental planning instruments (LEPs) without preparing a Planning Proposal and following the plan-making procedures under Part 3 of the EP&A Act.

Amendments are proposed to four LEP maps relating to Glenmore Park Stage 3 and Orchard Hills North (OHN). The map amendments are minor in nature and meet the criteria under Section 3.22. The amendments are needed to facilitate orderly development, respond to survey adjustments, and respond to refinements made to the GP3 structure plan layout during the development application design stage. The amendments will not materially change the planned outcomes for GP3 and OHN and will not have any significant impact on the environment or adjoining land.

A copy of the draft amended maps are provided in Attachment 1. This report recommends that Council endorse the requests for expedited amendments that are provided in Attachment 2 for submission to the Department.

### **Background**

#### Expedited amendments of environmental planning instruments

Section 3.22 of the EP&A Act allows certain low risk and minor amendments to be made to environmental planning instruments (LEPs) without following the plan-making procedures under Part 3 of the EP&A Act. Typically, these types of amendments are initiated by councils, however they can also be initiated by the Department at the request of an authority or government agency. Under Section 3.22, an LEP may be amended to:

- correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a

grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error, or

- address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature, or
- deal with matters that the Minister of Planning considers do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land.

The key difference is that amendments made under Section 3.22 are not required to be publicly exhibited under the EP&A Act or Council's Community Participation Plan. Public notification occurs via the amendment being published on the NSW Legislation website.

### Glenmore Park Stage 3

An LEP amendment for the GP3 Planning Proposal was gazetted and came into effect on 30 June 2023. The Planning Proposal rezoned 206ha of land known as GP3 to allow urban development for 2,330 dwellings. The Planning Proposal was supported by the preparation of the Glenmore Park Stage 3 Development Contributions Plan (CP) which was adopted by Council on 26 May 2025 and came into effect on 4 June 2025. A subsequent amendment to the CP was endorsed on 25 August 2025, which came into effect on 1 September 2025.

The main developers of the precinct are Mirvac and Vianello Holdings. Currently, Council is in receipt of several development applications from the main developers of the precinct for the initial stages of development in GP3. Relevant to the proposed map amendments, a development consent was granted on 25 July 2025 for Stage 1 of Mirvac's development (DA23/0955), which approved design refinements to the structure plan layout for Mirvac's development. The design refinements were in large to provide an improved response to the topography of the land. This largely requires minor changes to the boundary between the land zoned R2 Low Density Residential and R3 Medium Density Residential. It will not increase or impact dwelling yields within the precinct.

As part of the refined design response, an open space area (known as Linear Park 4) was removed and relocated to the large district park at the centre of Mirvac's site (known as District Park 4). The relocated open space provides for like-for-like area and is secured by a Letter of Offer to enter into a VPA. The proposed amendment seeks to zone the relocated open space area from Residential to RE1 Public Recreation to facilitate the intended use within District Park 4. Linear Park 4 is not reflected in the Penrith LEP zoning map and is solely a provision under the GP3 structure Plan and Indicative Open Space Concept Plan within Penrith Development Control Plan 2014. Therefore, a zoning amendment for land nominated as Linear Park 4 is not required and the map only amendment will ensure the zoning maps reflect the approved development outcomes.

### Orchard Hills North

An LEP amendment for the Orchard Hills North (OHN) Planning Proposal was gazetted on 30 June 2023 and came into effect on 1 October 2023. The Planning Proposal rezoned 151 hectares of land located at Caddens Road, Kingswood Road and Castle Road in Orchard Hills, to enable delivery of new housing, a village centre, open space, roads and other supporting infrastructure. The main developer of the precinct is Legacy Property. Currently, Council is in receipt of several development applications from the main developer of the precinct for the development of OHN.

The area in the south-eastern corner of Lot 1 in DP86334, shown in Figure 2, is 1.11 hectares of vacant rural land zoned RU4 Primary Production Small Lots. The existing 1000-hectare minimum lot size control, retained under the OHN Planning Proposal, prevents subdivision needed to deliver the OHN structure plan and planned precinct outcomes.

Reducing the lot size to 1 hectare will enable subdivision and facilitate dedication of adjoining C2 and RE1 land for riparian corridor, bushland, drainage, and open space purposes.

### Current Situation

Amendments are proposed to four LEP maps, including:

- land zoning map (GP3)
- lot size map (GP3)
- height of building map (GP3)
- lot size map for (OHN)

The amendments are minor in nature to facilitate orderly development, respond to adjustment in surveys, and respond to refinements made to the GP3 structure plan layout at the development application stage. The amendments will not materially change the planned outcomes for GP3 and OHN and will not have any significant impact on the environment or adjoining land. A comparison of the existing maps and draft amended maps is provided at Attachment 1.

The land subject of the amendments is identified in Figures 1 and 2 below.



Figure 1: Land in GP3 that is subject of the amendments (areas shaded in dark blue)

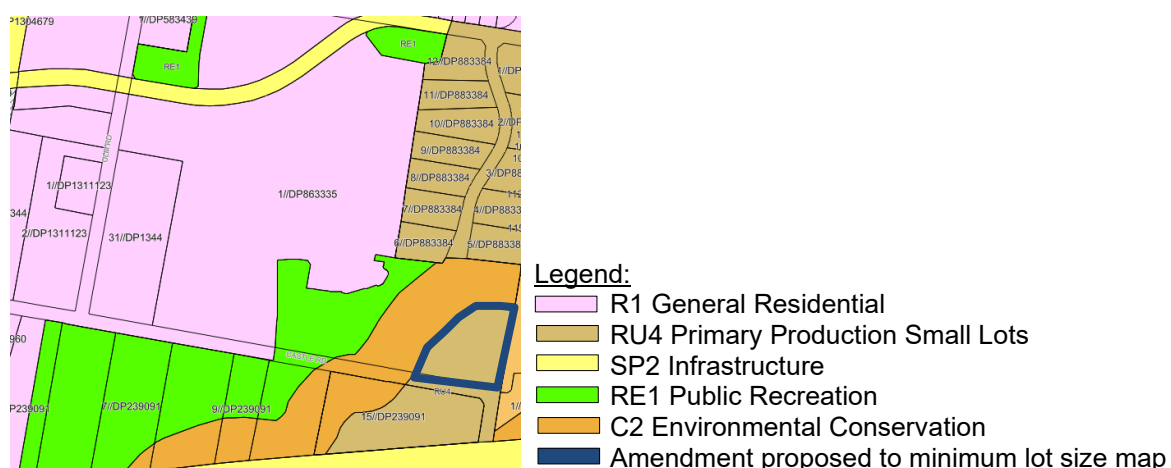


Figure 2: Land in OHN that is subject of the amendments (area encircled in dark blue)

A summary of the amendments is provided in the table below:



Area	Map	Proposed amendment	Reason for amendment
GP3	<b>Land Zoning- LZN-007</b>	<p>Minor amendments are proposed to the zoning map to align the zoning boundaries to the refined subdivision layout approved via Development Consent DA23/0955 and respond to survey adjustments.</p> <p>Proposed amendments include:</p> <ul style="list-style-type: none"> <li>• Realignment of R2 and R3 boundaries to align with the subdivision blocks and road layouts defined during the DA stage.</li> <li>• Expand the RE1 zone in the eastern corner of the large central park (known as district park 4).</li> <li>• Rezone two small pockets of C4 Environmental Living land to R2 Low Density Residential.</li> </ul>	<p>The amendments are proposed to:</p> <ul style="list-style-type: none"> <li>• Respond to the amended structure plan layout, which was refined during the development application design stage.</li> <li>• Eliminate split zonings or incongruous zonings of future lots and enable orderly development.</li> <li>• The expansion of the RE1 zoning will facilitate the dedication of land to Council for open space in line with the developer's (Mirvac) Letter of Offer to enter into a VPA.</li> <li>• During the Planning Proposal for GP3 the alignment of the C4 zoning was designed with consideration to sale agreements options between Mirvac and private landholders, noting that certain landholders sought agreement options that enabled existing dwellings on the land to be retained. This resulted in irregularities in the C4 zoning along the northern edge of Chain O Ponds Road.</li> </ul> <p>The current amendment proposes to rezone two small pockets of C4 land to R2 to reflect changes to a sale agreement option, noting that settlement of the land has occurred. The proposed amendment will resolve irregularities in the C4 zoning and create a regular zoning pattern.</p> <p>The zoning changes will not have material impact on the planned outcomes for the precinct and will not limit or restrict the ability to comply with the dwelling cap requirements under Clause 7.16A of Penrith LEP 2010.</p>
GP3	<b>Lot Size- LSZ-007</b>	<ul style="list-style-type: none"> <li>• Minor amendments to the lot size map are proposed to ensure consistency with the zoning map. Where changes are proposed to the zoning map (as outlined above) the minimum lot size map has been updated accordingly to reflect the existing lot size requirements for R2 and R3 zoned land of: <ul style="list-style-type: none"> <li>○ 180sqm in the R2 zone</li> <li>○ 300sqm in the R3 zone</li> </ul> </li> </ul>	<p>The amendments are needed to ensure consistency with the zoning map, and to respond to the amended structure plan layout.</p> <p>It is appropriate to remove the minimum lot size control for the additional RE1 land, as the land will be used for open space and dedicated to Council via a Voluntary Planning Agreement. As such, a minimum lot size control is unnecessary.</p>

		<ul style="list-style-type: none"> <li>Remove the minimum lot size requirement from a small portion of proposed additional RE1 land, forming part of the large central park (referred to as district park 4).</li> </ul>	
GP3	<b>Height of Building-HOB-007</b>	<ul style="list-style-type: none"> <li>Remove the building height requirement for a small portion of additional RE1 land proposed in the eastern corner of District Park 4.</li> </ul>	<p>The amendment is needed to ensure consistency with the zoning map and to respond to the amended structure plan layout.</p> <p>As outlined above, changes are proposed to the zoning to map to provide for additional RE1. The additional RE1 land will be used for public open space, and therefore a building height control is not required and is appropriate to be removed.</p>
OHN	<b>Lot Size-LSZ-0013</b>	<ul style="list-style-type: none"> <li>Amend the minimum lot size control applying to the south-eastern corner of Lot 1 DP863335 from 1000ha to 1ha. Figure 2 in this report shows the area where the minimum lot size is proposed to change.</li> </ul> <p>The area is rural land, zoned RU4 Primary Production Small Lots and is currently vacant.</p>	<p>Lot 1 DP863335 (Lot 1) is a large super lot that needs to be further subdivided to enable the OHN structure plan to be delivered and for the planned outcomes for the precinct to be realised.</p> <p>The OHN Planning Proposal did not change the minimum lot size control applying to the south-eastern corner of Lot 1. The existing lot size control of 1000ha (which originally applied to the whole of Lot 1 before the gazettal of the Planning Proposal) was retained.</p> <p>The existing lot size control does not allow for the land to be subdivided. The area is 1.11ha in size and therefore cannot comply with the 1000ha lot size control. The adjoining land is zoned C2 and RE1, and is planned to be dedicated to Council as riparian corridor, bushland, drainage and open space.</p> <p>The reduced lot size of 1ha would enable the land to be subdivided and facilitate the dedication of adjoining C2 and RE1 land to Council for public purposes. The proposed change will not alter the planned outcome for the site.</p>

### Financial implications

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

## Risk implications

The proposed map amendments are needed to facilitate the orderly development of Glenmore Park Stage 3 and Orchard Hills North. There are no other risks to Council associated with this report.

## Next steps

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

1. The Section 3.22 submission forms provided in Attachment 2 and supporting LEP maps are forwarded to the Department via the NSW Planning Portal.
2. The Department will consider Council's requests and confirm if the matters are considered appropriate for amendment under Section 3.22. As relevant, the Department's legal team arranges preparation of the draft amendments.
3. If the Department recommends progressing the amendments, the amended maps and submission forms will be forwarded to the Minister of Planning. The Minister (or delegate) will decide whether to make the amendment under Section 3.36(2) of the EP&A Act and in accordance with Section 3.22.
4. If the Minister (or delegate) makes the amendment, public notification will occur through the publication of the amendment on the NSW Legislation website.

## Conclusion

Section 3.22 of the EP&A Act allows certain low risk and minor amendments to be made to environmental planning instruments (LEPs) without following the usual plan-making procedures under Part 3 of the EP&A Act. Minor amendments are proposed under Section 3.22 to four LEP maps relating to GP3 and OHN.

Should Council endorse the requests for expedited amendments which are shown in Attachment 2, they will be forwarded to the Department. If the Minister (or delegate) makes the amendments, public notification will occur through the publication of the amendment on the NSW Legislation website.

## RECOMMENDATION

That:

1. The information contained in the report on Section 3.22 Expedited Amendments to Penrith Local Environmental Plan 2010 (Glenmore Park Stage 3 and Orchard Hills North) be received.
2. Council endorses the two requests to amend Penrith Local Environmental Plan 2010 under Section 3.22 of the Environmental Planning and Assessment Act 1979 (EP&A Act) contained in Attachment 2 to be forwarded to the Department of Planning, Housing and Infrastructure.
3. Council staff complete all subsequent necessary actions as determined by the Department of Planning, Housing and Infrastructure to progress the requests to amend Penrith Local Environmental Plan 2010 under Section 3.22 of the EP&A Act contained in Attachment 2.

## ATTACHMENTS/APPENDICES

- |                                  |          |                      |
|----------------------------------|----------|----------------------|
| 1. Draft LEP Maps                | 5 Pages  | Attachments Included |
| 2. Section 3.22 Submission Forms | 12 Pages | Attachments Included |



## 2 Results of Public Exhibition - Planning Proposal for Alspeg Industrial Business Park (PP-2025-1360)

**Compiled by:** Zac Scott, Planner  
Wendy Connell, City Planning Coordinator

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

<b>Outcome</b>	<i>Shape our growing city</i>
<b>Strategy</b>	<i>Navigate balanced growth and plan strategically</i>
<b>Principal Activity</b>	<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>

**Previous Items:** 3- Planning Proposal for Alspeg Industrial Business Park- Ordinary Meeting- 27 Oct 2025 7:00 PM

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

**Proponent:** HB & B Property Pty Ltd

**Subject Land:** 221-235 Luddenham Road, Orchard Hills

### Executive Summary

The purpose of this report is to present the outcomes of the public exhibition for a Planning Proposal (PP-2025-1360) for Alspeg Industrial Business Park (AIBP) at 221-235 Luddenham Road, Orchard Hills. The Planning Proposal seeks to amend Penrith Local Environmental Plan 2010 (LEP 2010) to increase the Height of Building (HOB) control on a portion of the site, known as Lot 11, from 24 metres to 40 metres. The proposal will enable high bay warehousing development on this lot within the AIBP. The proposed amendment to the HOB control will enable the progression of a concurrent SSDA (SSD-81434988) which has been lodged with the Department of Planning, Housing and Infrastructure (the Department).

The Planning Proposal was placed on public exhibition from Thursday 27 November 2025 to Wednesday 14 January 2026. Two written submissions were received during the public exhibition period and raised no objection to the height variation.

Having considered the submissions received, this report recommends that Council endorse the Planning Proposal, as exhibited, and submit a request for a map only amendment to be prepared for Council's execution and finalisation, as outlined in this report.

### Background

Council received a Planning Proposal from HB&B Property Ltd for the AIBP at 221-235 Luddenham Road, Orchard Hills. A Planning Proposal seeks to amend the HOB Map in LEP 2010 to increase the HOB control on a portion of the subject site from 24 metres to 40 metres. The map amendment is only proposed to apply to the western portion of 'Lot 11'. No other changes to LEP 2010 are sought.

The proposed amendment to the HOB control will enable the progression of a concurrent SSDA (SSD-81434988) which has been lodged with the Department. The SSDA seeks consent for the construction and operation of a new storage and distribution warehouse, which includes a high bay warehouse component. The high bay component will not result in additional gross floor area (GFA) but will utilise tall storage racks to maximise storage capacity. The proposed LEP amendment will enable progression of the SSDA by ensuring the building height is compliant with LEP 2010.

Council at its Ordinary Meeting of 27 October 2025, endorsed:

- the Planning Proposal to be forwarded to the Department to seek a Gateway Determination, and
- the public exhibition of the Planning Proposal in accordance with the Gateway Determination conditions and relevant legislation.

On 14 November 2025, the Department forwarded Council the Gateway Determination (provided as Appendix 1) that:

- allows the Planning Proposal to proceed to public exhibition, with no requirement for consultation with public authorities or government agencies, and
- allows Council to exercise local plan-making authority functions.

### Public Exhibition

The Planning Proposal was publicly exhibited from 27 November 2025 to 14 January 2026. The public exhibition was undertaken in accordance with the Gateway Determination, community consultation requirements of the *Environmental Planning and Assessment Act 1979* (the Act), the *Environmental Planning and Assessment Regulation 2021*, and Council's Community Participation Plan.

Exhibition materials were made available on Council's YourSay page, the NSW Planning Portal, Penrith Civic Centre, and Penrith and St Marys libraries. Newspaper advertisements were placed in the Western Weekender throughout the exhibition period.

Notification letters were sent to landowners and occupiers of properties zoned E4 General Industrial in the Luddenham Road Industrial Business Park. Notification letters were also sent to landowners and occupiers of properties in the vicinity of Luddenham Road Industrial Business Park.

### Submissions

Two submissions were received during the public exhibition period.

The first submission was lodged by Endeavour Energy. The submission referenced electrical infrastructure located on adjoining land to the site subject to the Planning Proposal. The submission did not raise any objection to the proposed height variation. The submission noted the need to consider appropriate avoidance measures for any sensitive development in proximity to electrical infrastructure.

As outlined above, development of the site is subject to a concurrent SSDA for the construction and operation of a new storage and distribution warehouse. Endeavour Energy made an identical submission as part of the public exhibition of the SSDA. The matter raised in the submission will be addressed and assessed under the SSDA process.

A second submission was received by a nearby landowner. The submission did not raise any objection and overall supported the height variation, but noted the potential for a future

connection from the subject site to adjoining land. This is not related to the subject planning proposal.

Gateway Determination did not require any consultation with public authorities or government agencies.

A copy of the Gateway Determination 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 resolve to endorse the recommendations in this report, the next steps are:

- The amended HOB map (HOB\_006) will be submitted to the Department via the NSW Planning Portal.
- If the Department is satisfied with the draft map, a request for a map-only instrument change will be submitted to the Department's legal team. The Department's legal team will then provide a final instrument for Council's execution as local plan-making authority.
- Once executed, notification of the LEP amendment will be included in the NSW Government Gazette.

### **Conclusion**

The public exhibition for the Planning Proposal for AIBP ended on 14 January 2026. No objections to the proposal were received. There were no post-exhibition changes proposed as part of this Planning Proposal.

.

This report recommends that Council endorse the Planning Proposal for finalisation and that Council forward the Planning Proposal to with a request to make the map-only amendment.

### **RECOMMENDATION**

That:

1. The information contained in the report on Results of Public Exhibition - Planning Proposal for Alspeck Industrial Business Park (PP-2025-1360) be received.
2. Council endorse the Planning Proposal and its supporting Appendices, provided under separate enclosure to this report.
3. Council adopt the relevant amendments to the Penrith Local Environmental Plan 2010 as outlined in this report and the separately enclosed 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.

**ATTACHMENTS/APPENDICES**

- 1. Letter to Council and Gateway Determination 4 Pages Appendix



Department of Planning, Housing and Infrastructure



Our ref: PP-2025-1360 (IRF25/2487)

Mr Andrew Moore  
General Manager  
Penrith City Council  
PO Box 60  
Penrith NSW 2751

Via e-mail: [zac.scott@penrith.city](mailto:zac.scott@penrith.city)  
[council@penrith.city](mailto:council@penrith.city)

14 November 2025

Subject: PP-2025-1360 to amend Penrith Local Environmental Plan 2010 - Part of Lot 1 DP 1293805, 221-235 Luddenham Road, Orchard Hills (Alspec Industrial Business Park)

Dear Mr Moore

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to increase the maximum building height from 24 metres to 40 metres for part of Lot 1 DP 1293805, 221-235 Luddenham Road, Orchard Hills (Alspec Industrial Business Park).

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act, 1.4 Site Specific Provisions is justified in accordance with the terms of the Direction.

No further approval is required in relation to the Directions.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 26 June 2026. Council should aim to commence the exhibition of the planning proposal as soon as possible.

Parliamentary Counsel's Office is not responsible for the drafting of map-only amendments to LEPs. Requests for legal drafting for map-only amendments must instead be sent to [mapinstrument.drafting@dpie.nsw.gov.au](mailto:mapinstrument.drafting@dpie.nsw.gov.au). The relevant Department of Planning, Housing and Infrastructure team contact should be copied into the request. The request must include the drafting instruction template, planning proposal and gateway determination.

4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150  
Locked Bag 5022, Parramatta NSW 2124

[www.dphi.nsw.gov.au](http://www.dphi.nsw.gov.au) 1

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Chris Faley to assist you. Mr Faley can be contacted on (02) 5778 1404.

Yours sincerely



**Tina Chappell**  
**Director, Local Planning and Council Support**  
**Central, West and South**

Encl: Gateway determination



Department of Planning, Housing and Infrastructure

## Gateway Determination

**Planning proposal (Department Ref: PP-2025-1360):** To increase the maximum building height from 24 metres to 40 metres for part of the Alspeck Industrial Business Park.

I, the Director, Local Planning and Council Support, Central, West and South, at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Penrith Local Environmental Plan 2010 to increase the maximum building height from 24 metres to 40 metres for part of Lot 1 DP 1293805, 221-235 Luddenham Road, Orchard Hills (Alspeck Industrial Business Park) should proceed subject to the following:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 26 June 2026.

### Gateway Conditions

1. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
2. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 14 November 2025



**Tina Chappell**  
**Director, Local Planning and Council**  
**Support**  
**Central, West and South**  
**Department of Planning, Housing and**  
**Infrastructure**

**Delegate of the Minister for Planning and**  
**Public Spaces**

PP-2025-1360 (IRF25/2487)

### 3 Fire Safety Update

**Compiled by:** Craig Squires, Building Certification and Fire Safety Co-ordinator

**Authorised by:** Peter Wood, Head of Development Services  
Andrew Jackson, Director Planning and Regulatory Services

<b>Outcome</b>	<i>Shape our growing city</i>
<b>Strategy</b>	<i>Navigate balanced growth and plan strategically</i>
<b>Principal Activity</b>	<i>Assess, certify and guide sustainable quality development outcomes for the community</i>

#### Executive Summary

Council is in receipt of inspection reports from Fire and Rescue NSW (FRNSW) concerning fire safety issues at three properties in the Penrith Local Government Area. FRNSW inspect sites as part of their duties either routinely or on request. The premises highlighted in this report were inspected by FRNSW following complaints received.

Schedule 5, Part 8, Clause 17 of the Environmental Planning and Assessment Act 1979 (the Act) requires a FRNSW report to Council resulting from their inspection to be reported to a Council meeting for a decision on whether or not to issue a Fire Safety Order. Council officers have inspected all premises to confirm relevant matters identified and have brought them to the attention of the relevant property owners/managers. One premises has had issues rectified upon re-inspection. The extent of outstanding matters for a second premises at Christie Street, St Marys, warrants a Notice of Intention to Serve an Order (NISO) and potentially an Order subject to further investigations and where matters are not rectified in response to the NISO. The property managers of the third premises subject of a more recent complaint received by Council are currently addressing matters and will not require any further action subject to reinspection when complete.

It is recommended that Council advise FRNSW of its decision not to take any further action at present for the two properties rectifying issues however proceed to issue a NISO and Order pending responses to the NISO issued and further investigations for the Christie Street property.

#### Fire and Rescue Reporting

The fire safety upgrading provisions are contained in Fire Safety Orders 1, 2 and 3 of Schedule 5, Part 2 of the Act. These matters have arisen from a circumstance where FRNSW have prepared an inspection report advising Council of fire safety issues and requested Council to determine the matter. Copies of the inspection reports are provided in the appendices.

Under Section 9.32 of the Act, FRNSW can inspect any premises of shared accommodation or any other premises when requested by the Council, a person who is the owner, lessee or occupier of the building, or when they receive a complaint in writing. In most instances, the inspection is initiated by a complaint and in these circumstances the complainant is rarely disclosed to Council.

When Council receives advice from FRNSW that they have inspected a premises, under Schedule 5, Part 8, Clause 17 of the Act, the matter must be reported to a meeting of the Council to determine whether it will exercise its powers under the Act to issue an Order to

rectify the situation. Council must also give notice of its determination to the Commissioner of FRNSW.

The predominant order issued by Council is Fire Safety Order No.1 which is to do or stop doing things for the purposes of ensuring or promoting adequate fire safety or fire safety awareness when the current provision is inadequate. It is served to the owner of the premises. The details of FRNSW and Council inspections and communication are summarised in the following tables.

**Table 1: Details of inspection reports for matters that have been resolved**

Premises	FRNSW comments	Status / Actions
Distribution Centre 34-42 Tyrone Place, Erskine Park	FRNSW inspected the premises after concerns were raised by a member of the public regarding issues relating to exits and firefighting equipment. The following was identified: <ul style="list-style-type: none"> <li>Access to large bore suction connections to the sprinkler booster were blocked by a generator and fence</li> </ul>	An inspection was undertaken by Council officers with a representative of the owner of the building and the outstanding items identified by FRNSW officers had been rectified.  <b>No further action required.</b>

**Table 2: Details of inspection reports for matters that remain outstanding**

Premises	FRNSW comments	Status / Actions
Waste Management Facility 40 Christie Street, St Marys	FRNSW inspected the premises after concerns were raised by a member of the public regarding fire alarms being activated weekly. The following was identified: <ul style="list-style-type: none"> <li>Temporary laminated signage attached to fire hydrant booster non-compliant</li> <li>Sprinkler Foam Water Deluge System not commissioned.</li> </ul>	An inspection was undertaken by Council officers with a representative of the owner of the building and the outstanding items identified by FRNSW officers were confirmed.  The site is currently not operational and will remain closed until rectification works have been completed. Permanent signage which complies with AS2419 has been organised but is expected to be installed in early 2026. The Foam Water Deluge System will be commissioned prior to the site becoming operational in 2026.  <b>NISO recommended to be issued with a reinspection to be completed by Council officers prior to the site becoming operational in 2026.</b>

Premises	FRNSW comments	Status / Actions
Residential Units 38 Hope Street, Penrith	<p>FRNSW inspected the premises after concerns were raised by a member of the public regarding the 'configuration' of the Hydrant Booster system. The following was identified:</p> <ul style="list-style-type: none"> <li>Both feed hydrants and large bore suction connections have been provided at the booster. Connection to the feed hydrants may result in insufficient flow for the system design and present a safety risk to firefighters.</li> <li>FRNSW recommend additional signage be installed at the Feed fire hydrants and Attack fire hydrants.</li> <li>A warning sign has been installed at the booster stating in part, that the booster is connected in 'PARALLEL' with the fixed on-site pump. FRNSW recommend removing the warning signage.</li> <li>The smoke alarms not connected to activate a building occupant warning system contrary to the requirements of E2D8 and Specification 20 of the National Construction Code 2022, Volume 1 Building Code of Australia (NCC).</li> <li>An Annual Fire Safety Statement (AFSS) was not prominently displayed at the premises</li> <li>The building has a rise in stories of more than 4 and has not been provided with a sprinkler system, contrary to the requirements of Clause E1D4 and E1D6 of the NCC.</li> </ul>	<p>Inspection undertaken by Council Officer and relevant matters raised with the Property Manager being addressed as follows:</p> <ul style="list-style-type: none"> <li>Additional signage relating to the hydrants ordered with existing warning signage appropriate.</li> <li>Written verification from an accredited Fire Safety Practitioner has been provided in relation to the smoke alarm and building occupant warning system.</li> <li>AFSS confirmed by inspection to be prominently displayed.</li> <li>Sprinkler system not required by the NCC at the time of construction in 2017.</li> </ul> <p><b>No further action required</b> subject to a satisfactory inspection upon installation of the additional signage.</p> <p>Where further action is required warranting a NISO, this would be subject of a separate report and recommendation to Council.</p>

## Financial Implications

There are no financial implications associated with this report.

## Risk Implications

There is no risk implications associated with this report subject to the recommendations.

## Conclusion

All fire safety issues identified by FRNSW have been responded to by Council officers to ensure that they are addressed by the owners of the premises. It is recommended that Council continue to monitor these properties as part of its Fire Safety Program and proceed to Orders if required subject to the outcome of responses to the NISO recommended to be issued and reinspection.

## RECOMMENDATION

1. The information contained in the report on Fire Safety Update be received.
2. Council proceed to issue a Notice of Intention to Serve a Fire Safety Order for 40 Christie Street, St Marys and proceed to issue an Order should the fire safety issues not be addressed to the satisfaction of Council's Building Certification and Fire Safety Coordinator upon re-inspection.
3. Council continue to monitor these premises as part of its Fire Safety Program.

## ATTACHMENTS/APPENDICES

1. Letter Out from FRNSW – Fire report Fire Safety Concern Received - 40 Christie Street St Marys - Penrith City Council	2 Pages	Appendix
2. Letter Out from FRNSW - 9_32 Inspection Report - 34 Tyrone Place Erskine Park - Likewze - Penrith City Council	3 Pages	Appendix
3. NSW Fire & Rescue Inspection Report- 38 Hope St Penrith	4 Pages	Appendix



OFFICIAL



File Ref. No: FRN16/1077 - BFS25/7376 - 8000045912  
TRIM Ref. No: D2025/140017  
Contact: Senior Firefighter Scott Zucchetto

25 November 2025

General Manager  
Penrith City Council  
PO Box 60  
Penrith NSW 2751

Email: [council@penrith.city](mailto:council@penrith.city)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT  
CLEANAWAY  
40 CHRISTIE STREET ST MARYS ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *The booster assembly immediately behind the hydrant booster has no signage and was not used.*

*No block plan was present at the booster and there was difficulty identifying what these boosters were connected to. Subsequently, a block plan was located on the housing to a fire pump however this was not obvious on the occasion of the fire.*

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW) inspected 'the premises' on 29 October 2025. On behalf of the Commissioner of FRNSW, the comments in this report are provided under Section 9.32(4).

The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02) 9742 7483

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

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- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

**COMMENTS**

At the time of inspection, the premises was undergoing major works as part of a fire earlier in the year.

**Provisions for Fire Safety**

Fire Hydrant System

1. Temporary laminated signage attached to the fire hydrant booster assembly and additional signage was found on the concrete plinth and is not affixed to the booster contrary to Clause 7.10 of Australian Standard (AS) 2419.
2. New works have been undertaken to the hydrant system following the fire.

Fire Sprinkler System

3. FRNSW notes that a Sprinkler *Foam Water Deluge* System was installed in 2017. The sprinkler system has not been commissioned.
4. FRNSW have requested that during the period of construction works, temporary signage and obscuration of the sprinkler boost inlets be installed to assist in firefighting operations.

**Generally**

5. FRNSW are aware that a Complying Development (Private) has been issued at the premises for works on the main building. FRNSW could not determine if the two structures (previously erected) on the south-west corner of the premises formed part of the application.

Please do not hesitate to contact Senior Firefighter Scott Zucchetto of FRNSW's Fire Safety Compliance Unit at [FireSafety@fire.nsw.gov.au](mailto:FireSafety@fire.nsw.gov.au) or call (02) 9742 7434 if you have any questions or concerns regarding the above matters. Please refer to file reference FRN16/1077 - BFS25/7376 - 8000045912 for any future correspondence concerning this matter.

Yours faithfully



Paul Scott  
Team Leader  
Fire Safety Compliance Unit

OFFICIAL



File Ref. No: FRN15/410 - BFS24/6486 - 8000038505  
TRIM Ref. No: D2025/120752  
Contact: Matthew Warbrick

3 November 2025

General Manager  
Penrith City Council  
PO Box 60  
PENRITH NSW 2751

Email: [council@penrith.city](mailto:council@penrith.city)

Attention: Manager Compliance/Fire Safety

Dear Sir Madam,

**Re: 9.32 INSPECTION REPORT  
LIKEWISE  
34 – 42 TYRONE PLACE ERSKINE PARK (“the premises”)**

Fire and Rescue NSW (FRNSW) received correspondence concerning the adequacy of the provision for fire safety in connection with ‘the premises’.

The correspondence stated in part that:

- *Access to both large bore suction connections are blocked. The first connection has had a large high security fence installed in front of it. The second point has large generator installed directly in front of it. It is a large commercial property with that stores and repairs lithium batteries for mobile devices*

Pursuant to Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW inspected ‘the premises’ on 6 August 2025.

On behalf of the Commissioner of FRNSW, the comments in this report are provided under Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

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[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

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- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

**COMMENTS**

The following items were identified in relation to the provisions for fire safety:

**Firefighting services and equipment**

1. Fire sprinkler system

- a. The premises contains two (2) large bore suction connections to enable fire brigade boosting of the fire sprinkler system to the intent of Australian Standard (AS) 2419.1-2005.

Observations at the time of the inspection found:

- i. A large generator has been positioned within a marked "Fire Brigade Parking" space on the southern side of the pumproom. A representative of LIKWIZE explained to Authorised Officers of FRNSW that positioning the generator in the observed location had a direct impact on one (1) of the existing large bore connections. As a result, the large bore suction connection had been relocated to the eastern side of the fire pumproom by the fire service contractor.
- ii. A large automatic security gate was observed at the southeastern corner of the premises. Existing sprinkler suction/booster signage, sprinkler block plan and boost/test pressure signage was also observed at the rear wall at the southeastern corner of the building. In this regard, Authorised Officers of FRNSW are of the opinion that the large bore suction connection located at the southeast corner of the premises may have been repositioned to accommodate installation of the security fence and gate.

In regard to items above:

- iii. The orientation of both large-bore suction connections towards the eastern boundary does not permit the connection of semi-rigid suction hose to a fire brigade pumping appliance in the restricted space. FRNSW fire safety guideline, [Access of Fire Brigade Vehicles and Firefighters](#), details the hardstand requirements for fire brigade vehicles. Part 8.1.5, Part 8.2.2 and Figure 15 of the fire safety guideline details requirements for fire brigade suction connections for a rear-mounted pump.
- iv. The repositioning of the large-bore suction connection on the eastern side of the pumproom required the suction pipe to be installed to run over the pumproom door frame. As such, it is unlikely that the full effective capacity of the tank can be used for fire-fighting operations.

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FRNSW believes that there are inadequate provisions for fire safety within the building.

**RECOMMENDATIONS**

FRNSW recommends that Council:

- a. Review items 1 of this report and conduct an inspection.
- b. Review the construction approval for the building in relation to fire sprinkler large bore suction connections and ensure suitable hardstand areas are provided for the positioned of fire brigade appliances in accordance with FRNSW, Fire Safety Guideline – [Access for fire brigade vehicles and fire fighters](#)
- c. Address any other deficiencies identified on “the premises”.

Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting. This matter is referred to Council as the appropriate regulatory authority. FRNSW awaits the Council's advice regarding its determination under Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Please do not hesitate to contact Matthew Warbrick of FRNSW's Fire Safety Compliance Unit at [FireSafety@fire.nsw.gov.au](mailto:FireSafety@fire.nsw.gov.au) or call (02) 9742 7434 if there are any questions or concerns about the above matters. Please refer to file reference FRN15/410 - BFS24/6486 - 8000038505 regarding any correspondence concerning this matter.

Yours faithfully



Ryan Maestri  
Senior Building Surveyor  
Fire Safety Compliance Unit



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File Ref. No: FRN18/1241 - BFS25/5280 - 8000044243  
TRIM Ref. No: D25/116460  
Contact: Station Officer David Weekes

30 December 2025

General Manager  
Penrith City Council  
PO Box 60  
PENRITH NSW 2751

Email: [council@penrith.city](mailto:council@penrith.city)

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT  
RESIDENTIAL UNITS  
38 HOPE STREET PENRITH ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 1 August 2025 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated in part that:

- *Configuration of Hydrant booster system looks concerning. Unable to confirm if setup would function normally*

Pursuant to Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW inspected 'the premises' on 13 August 2025.

On behalf of the Commissioner of FRNSW, the comments in this report are provided under Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02) 9742 7483

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

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- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

COMMENTS

The following items were identified during the inspection:

Provisions for Fire Safety

Fire Hydrant System

1. FRNSW note the following regarding the fire hydrant booster that could present issues for firefighting operations:
  - i. Both feed hydrants and large bore suction connections have been provided at the booster. FRNSW is of the opinion that the on-site water storage and large bore suction may have been installed on site due to the town mains not having the required flow to meet the system demand. Connection to the feed hydrants may result in insufficient flow for the system design and present a safety risk to firefighters.

FRNSW recommend additional signage be installed at the,

- Feed fire hydrants (See *Figures 1 & 2*), minimum size A5, in text contrasting that of the background stating,

FEED HYDRANT	Minimum size text of 40mm
FRNSW CONNECT TO LARGE-BORE SUCTION WHEN INADEQUATE FLOW FROM FEED HYDRANT	Minimum size text of 25mm

- Attack fire hydrants (See *Figure 1*), minimum size A5, in text contrasting that of the background stating,

ATTACK FIRE HYDRANT – minimum size text of 40mm

- ii. A warning sign has been installed at the booster stating in part, that the booster is connected in 'PARALLEL' with the fixed on-site pump. FRNSW recommend removing the warning signage (See *Figure 3*)

Smoke Detection and Alarm System (SDAS)

2. The smoke alarms installed within the public corridors and other internal public spaces were not connected to activate a building occupant warning system contrary to the requirements of E2D8 and Specification 20 of the

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National Construction Code 2022, Volume 1 Building Code of Australia (NCC).

Documentation

3. An Annual Fire Safety Statement (AFSS) was not prominently displayed at the premises in accordance with Section 89 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR21).

Other Findings

4. The building has a rise in stories of more than 4 and has not been provided with a sprinkler system, contrary to the requirements of Clause E1D4 and E1D6 of the NCC.

FRNSW believes that there are inadequate provisions for fire safety within the building.

**RECOMMENDATIONS**

FRNSW recommends that Council:

- a. Review items 1 to 4 of this report and conduct an inspection.
- b. Address any other deficiencies identified on "the premises".

Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting. This matter is referred to Council as the appropriate regulatory authority. FRNSW awaits the Council's advice regarding its determination under Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Please do not hesitate to contact Station Officer David Weekes of FRNSW's Fire Safety Compliance Unit at [FireSafety@fire.nsw.gov.au](mailto:FireSafety@fire.nsw.gov.au) or call (02) 9742 7434 if there are any questions or concerns about the above matters. Please refer to file reference FRN18/1241 - BFS25/5280 - 8000044243 regarding any correspondence concerning this matter.

Yours faithfully



David Weekes  
Acting Team Leader  
Fire Safety Compliance Unit



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Figure 1



Figure 2



Figure 3

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## STRATEGIC DIRECTION 4 - PROVIDE FOR OUR LIFESTYLE

Item		Page
4	<a href="#">Australian Government Black Spot Program 2025/26 Funding Acceptance</a>	31
5	<a href="#">PCC25/26-27 Blair Oval Amenities &amp; Mavis Harris Renewal</a>	34
6	<a href="#">PCC2025-267 St Marys Central Park</a>	40





#### 4 Australian Government Black Spot Program 2025/26 Funding Acceptance

**Compiled by:** Michael Meijer, Transport Engineer

**Authorised by:** Stephen Masters, Acting Head of Engineering Services  
Andrew Jackson, Director Planning and Regulatory Services

<b>Outcome</b>	<i>Provide for our lifestyle</i>
<b>Strategy</b>	<i>Facilitate easy travel through well-planned and high-quality infrastructure and networks</i>
<b>Principal Activity</b>	<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 advise Council of funding offered under the 2025/26 Australian Government Black Spot Program for the design and construction of road safety improvement projects including:

1. Hobart Street and Melbourne Street intersection, Oxley Park – lighting, traffic calming upgrades and installation of flexible barrier (\$245,000)
2. Lethbridge Street, Penrith – lighting, raised pedestrian crossing at Doonmore Street, and traffic calming upgrades at Evan Street and Colless Street (\$500,000)
3. Seventh Avenue and Terrybrook Road intersection, Llandilo – raised traffic islands with STOP treatment, lighting, installation of flexible barrier and upgrade to non-skid road seal (\$462,500)
4. Greygums Road and Laycock Street intersection, Cranebrook – roundabout, including lighting, pedestrian refuge and traffic calming upgrades (\$850,000)
5. Victoria Street, between Burton Street and Lethbridge Avenue, Werrington – lighting, traffic calming upgrades and installation of flexible barrier (\$305,600)

Projects funded under the 2025/26 Program have a target delivery date of 30 June 2028.

The report recommends that Council accept the grant funding.

#### Background

Council has been very successful in obtaining funding for life and injury saving protection measures across its road network for many years. In the past five years, Council has secured over \$5,000,000 in funding for Black Spot and Safer Roads projects, which are in turn delivering road safety and community savings right across the network.

This funding complements our success in other funding streams, including the School Stimulus, Get NSW Active and Safe Speeds, delivering significant social benefit for the community.

The Black Spot Program is part of the commitment to reduce crashes on Australian roads and targets those road locations where crashes are occurring. By funding road safety measures such as traffic calming measures, traffic signals and roundabouts at dangerous locations, the program reduces the risk of crashes. Programs of this type can reduce road

trauma and are very effective, saving the community many times the cost of the relatively minor road improvements that are implemented.

The Black Spot Program makes an important contribution in reducing the national road toll under the National Road Safety Strategy and Action Plan. The Australian Government has provided \$1.0 billion to the Black Spot Program across the state from the 2013/14 financial year to the 2023/24 financial year, with an ongoing commitment of \$110 million annually. The Government announced in the 2025/26 budget, that this funding will increase progressively to \$150 million annually over coming years.

### Current Situation

Council has recently received confirmation of funding offers obtained under the Black Spot Program for 2025/26.

In December 2024, local road projects were submitted to the Black Spot Consultative Panel for consideration for 100% funding under the 2025/26 Black Spot Program. The Consultative Panel has now assessed Penrith City Council's projects under the program and advised that five projects have been approved and funded under the 2025/26 program to the value of \$2,363,100. These are listed in Table 1 below.

**Table 1: Projects Approved under the 2025/26 Black Spot Program**

Location	Project Description	Funding
Hobart Street and Melbourne Street intersection, Oxley Park	Lighting, traffic calming upgrades and installation of flexible barrier	\$245,000
Lethbridge Street, Penrith	Lighting, raised pedestrian crossing at Doonmore Street, and traffic calming upgrades at Evan Street and Colless Street	\$500,000
Seventh Avenue and Terrybrook Road intersection, Llandilo	Raised traffic islands with STOP treatment, lighting, installation of flexible barrier and upgrade to non-skid road seal	\$462,500
Greygums Road and Laycock Street intersection, Cranebrook	Roundabout, including lighting, pedestrian refuge and traffic calming upgrades	\$850,000
Victoria Street, between Burton Street and Lethbridge Avenue, Werrington	Lighting, traffic calming upgrades and installation of flexible barrier	\$305,600

### Financial Implications

The projects that have been approved under the 2025/26 Black Spot Program will be 100% funded by the grant, thus require no financial contribution from Council.

## Risk Implications

There are minor (acceptable) risk implications to Council in terms of delivery timeframe for the 2025/26 funded projects, however we believe the delivery target of 30 June 2028 can be achieved. The program provides for 100% funding, hence there are limited risk implications as Council has a proven track record of over 15 years now in delivery of high-quality projects under these grants.

## Conclusion

Funding of \$2,363,100 for the 2025/26 Black Spot Program should be recognised as a noteworthy achievement for Council. It is expected that the resulting accident remediation treatments will result in improved levels of traffic safety and a reduction in accidents on local and regional roads within the Local Government Area.

This funding will help realise the Australian Government's National Road Safety Strategy, and NSW Towards Zero strategy, which commits Federal, State and Territory Governments to completely eliminate deaths and serious injuries from road trauma by 2056.

## RECOMMENDATION

That:

1. The information contained in the report on Australian Government Black Spot Program 2025/26 Funding Acceptance be received.
2. Council acknowledge acceptance of grant funding of \$2,363,100 under the 2025/26 Black Spot Program for the projects listed in Table 1.
3. Council write to the Local Federal and State Members thanking them for their ongoing support and continued funding of road safety initiatives.

## ATTACHMENTS/APPENDICES

There are no attachments for this report

## 5 PCC25/26-27 Blair Oval Amenities & Mavis Harris Renewal

Compiled by: Mitchell Sammut, Project Lead

Authorised by: Tariq Rasheed, Head of Projects  
Adam Wilkinson, Director Asset Services

<b>Outcome</b>	<i>Provide for our lifestyle</i>
<b>Strategy</b>	<i>Ensure public spaces and facilities are pleasant and fit for diverse needs and uses</i>
<b>Principal Activity</b>	<i>Plan and implement Council's major public space, community, and recreation projects to enhance the City's liveability</i>

### Executive Summary

A tender for Blair Oval Amenities Renewal & Mavis Harris Clubhouse Renewal, St Marys was advertised on 17 October 2025, on the Vendor Panel website through Council's select Building Maintenance and Minor Construction Works Panel. The submissions closed on Friday 7 November 2025.

This report advises Council of the outcome of the tender process and recommends that the Tender from Acron Building Services Pty Limited for \$471,721.68 (excluding GST), be accepted to undertake Blair Oval Amenities Renewal & Mavis Harris Clubhouse Renewal, St Marys.

### Background

Blair Oval Amenities and Mavis Harris Clubhouse are both located in the South Creek Park Precinct, St Marys and form part of the amenities that support the Blair Oval Athletics Track and Field which Nepean Little Athletics Centre uses. The work involves the combination of several internal and external works which will combine to improve the functionality and overall appearance of the buildings. The Tender was called through Council's endorsed Building Maintenance and Minor Construction Works Panel RFT22/23-017.

The scope of works for the Blair Oval Amenities, required as part of the Tender includes;

- Site preparation and establishment including temporary fencing, tree protection, WHS signage etc
- Strip out, demolition and rubbish removal
- Plumbing and hydraulic works - all supply and installation works
- Electrical works
- Painting including roof and concrete floors
- New mini orb ceiling soffits
- Supply and fit doors, FC sheet soffits
- New window/opening Crim safe screens
- Roof works
- Bathroom signage, bathroom mirrors, access grab rails and all door hardware
- Tiling
- Communications and security system including smoke detection

- Minor external works - landscape rectification etc

The scope of works for Mavis Harris Clubhouse, required as part of the Tender includes;

- Site preparation and establishment including temporary fencing, tree protection, WHS signage etc
- Strip out, demolition and rubbish removal
- Plumbing and hydraulic works
- Electrical works
- Painting
- Kitchenette supply and install
- Carpet tile supply and install
- External Colorbond cladding installation
- Doors, FC sheet soffits, stair balustrade, other miscellaneous works as noted
- Supply and install new Windows
- Internal window coverings
- Install of Crim Safe screens
- Re-sheet works and cornice
- Roof works
- Roller door supply and Install
- Bathroom signage, bathroom mirrors, access grab rails and door hardware
- Security gate supply and install
- Tiling
- Portable fire equipment
- Communications and security system including smoke detection
- Minor external works - landscape rectification and concrete repairs

Both projects are funded under Council's Building Asset Renewal Fund.

### **Tender Evaluation Panel**

The Tender Evaluation Panel consisted of Council Officers - Project Supervisor Greg Bretherton, Building Asset Coordinator Christopher Hill, and was chaired by Project Lead Mitchell Sammut. Rajesh Sachdeva from Council's Procurement team performed the role of tender administration and probity officer for this Tender.

### **Evaluation Criteria**

Contractors for the project were required to submit their Tender using the Vendor Panel tendering software, which clearly defined the response required against each of the evaluation criteria.

The quotes received were assessed using the advertised evaluation criteria of:

- Company Profile



- Conformance, Acceptance and Declaration
- Business References
- Completion of Forms Tender Price
- Compliance Statement
- Demonstrated Ability
- Works Method and Program
- Local Business Preference
- Quality Assurance Systems
- Environmental Management Systems
- Financials

The following was not assessed as it was previously assessed in the RFT22/23-017 Building Maintenance and Minor Construction Works:

- Employment Policies
- Work Health and Safety

### Summary of Tenders Received

A total of four (4) Tenders were received by the advertised closing date and are listed below in price order, excl GST (lowest to highest based).

Company	Lump Sum for Price	Company Address	Owners/Directors
Sudiro Constructions Pty Ltd	\$400,285.30	Unit 37 / 1 Talavera Rd, Macquarie Park NSW 2113	Anthony Sudiro
Acron Building Services Pty Limited	\$471,721.68	7/20 Tucks Road Seven Hills, NSW, 2147	Greg Clark
Chips Property Trade Services	\$543,954.16	Unit 1, 442 Victoria St Wetherill Park NSW 2164	Paul Giordano, James Axiak
Westbury Constructions Pty Ltd	\$598,072.00	Unit 6, 16 Rob Place, Vineyard NSW 2765	Darren Price

## Evaluation of the Preferred Tender

All four tenders were assessed against the assessment criteria to determine the tender submission that, having regard to all the criteria and scope, would be the most advantageous to Council. The following provides key information on the outcomes of that assessment.

Sudiro Constructions Pty Ltd provided a lower submitted tender than Acron Building Services Pty Limited however, scored lower overall factoring in price and responses. Specifically, Sudiro Constructions scored lower than Acron Building Services Pty Limited in the areas of Key Personnel, Subcontractors, and Construction Methodology and Programme.

The panel determined that Acron Building Services Pty Limited provided the best overall value to Council based on price and responses to the assessment criteria, clearly demonstrating their suitability to undertake the project.

Acron Building Services Pty Limited are a part of Council's Building Maintenance and Minor Construction Works and provide for the services of building contractors who have experience in building and refurbishment works. They have completed the following recent works for Council:

- Penrith Library and Civic Toilets refurbishment
- Civic Centre Office Renewal
- Joan Sutherland Performing Arts Centre Carpet Replacement
- Werrianda Children's Centre Repairs
- Lewers Gallery Office Gallery refurbishment

The recommended company, Acron Building Services Pty Limited was selected based on their:

1. Compliance with the tender evaluation criteria,
2. Demonstrated ability to meet Council's requirements; and
3. Competitive price for the services offered.

The pricing from Acron Building Services Pty Limited is in a range consistent with opinion of probable costs when factoring in escalation of market prices in recent tenders.

## Financial Implications

Assessment of the tenderers was commissioned; this included independent reference checks, financial analysis, and performance analysis on Acron Building Services Pty. These checks were completed by Equifax Australasia Credit Ratings Pty Ltd. Financial Services have reviewed the financial information provided by the tenderer and have not identified any reason why the contract should not be awarded.

The recommended tender cost is within budget and is funded under Council's Building Asset Renewal Fund.

The estimated maintenance and operational cost requirements for the project starts at \$15,625 per annum. Council's future asset maintenance budgets and asset renewal programs will be adjusted per Council's Budget Guidelines at completion of the project.

### **Tender Advisory Group Comments**

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

The TAG considered the recommendations in relation to the tender PCC25/26-27 Blair Oval Amenities Renewal & Mavis Harris Clubhouse Renewal Improvements noting that the recommended tender was not the lowest price, however, the company (Acron Building Services Pty Limited) has demonstrated their ability to meet Council's requirements, and their proposal was considered to be the most advantageous to Council for the scale of this project. 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 outlined in this report includes controls regarding probity and ensuring value for Council, overseen by the Tender Advisory Group. The works will be undertaken in accordance with Work Health & Safety systems. This project will improve the Blair Oval Amenities & Mavis Harris Clubhouse, with public safety being a key part of the construction methodology and project plan.

### **Conclusion**

Four tenders were assessed against the evaluation criteria. Acron Building Services Pty Limited provided the best overall submission and also met the tender evaluation criteria to undertake the project. It is recommended that the tender from Acron Building Services Pty Limited for \$471,721.68 (excluding GST), be accepted to undertake Blair Oval Amenities Renewal & Mavis Harris Clubhouse Renewal, St Marys.

### **RECOMMENDATION**

That:

1. The information contained in the report on PCC25/26-27 Blair Oval Amenities & Mavis Harris Renewal be received.
2. The Tender from Acron Building Services Pty Limited for \$471,721.68 (excluding GST), be accepted to undertake Blair Oval Amenities Renewal & Mavis Harris Clubhouse Renewal, St Marys.
3. The General Manager be authorised to sign all necessary legal documents in relation to this matter.
4. Variations and amendments that do not materially alter the original scope of the contract be managed under the existing Penrith City Council financial delegations within the approved budgets.

**ATTACHMENTS/APPENDICES**

There are no attachments for this report.

## 6 PCC2025-267 St Marys Central Park

**Compiled by:** Sajjad Zaheer, Major Projects Coordinator (Westinvest)

**Authorised by:** Tariq Rasheed, Head of Projects  
Adam Wilkinson, Director Asset Services

<b>Outcome</b>	<i>Provide for our lifestyle</i>
<b>Strategy</b>	<i>Ensure public spaces and facilities are pleasant and fit for diverse needs and uses</i>
<b>Principal Activity</b>	<i>Plan and implement Council's major public space, community, and recreation projects to enhance the City's liveability</i>

### Executive Summary

The St Marys Central Park project represents a landmark public domain investment and a priority action of the St Marys Town Centre Master Plan. The plan identified the need for a centrally located Civic Heart to anchor renewal of the town centre. The park is critical to achieving Council's long-term vision for a vibrant and inclusive strategic centre that offers accessible green space, recreation and cultural activity for a growing community.

The procurement of the Design and Construct (D&C) contractor for St Marys Central Park was undertaken in two stages, an Expression of Interest (EOI), followed by a Request for Tender (RFT).

#### Stage 1: The Expression of Interest (EOI)

The public Expression of Interest for the design and construction of St Marys Central Park was finalised following Council approval on 11 November 2024. Seven of the fourteen respondents were assessed as suitable and shortlisted to proceed to Stage 2.

#### Stage 2: The Request for Tender (RFT)

The Request for Tender was issued to the shortlisted EOI panel on 18 September 2025 and closed on 27 November 2025.

This report outlines the outcome of the Request for Tender (RFT) process and recommends the appointment of Regal Innovations Pty Ltd (ABN 79 002 411 814) as the Principal Contractor to deliver the design and construction of the St Marys Central Park project.

### Background

The St Marys Central Park project is the result of a multi-stage planning and engagement journey that reflects Council's long-standing commitment to the renewal of the St Marys Town Centre. The project was first identified in the St Marys Town Centre Structure Plan, endorsed by Council in November 2022, which laid the groundwork for a more connected, vibrant and resilient centre that could support expected population growth, new housing and employment and an improved public realm. The Structure Plan identified the concept of a 'Civic Heart', a central, green and flexible open space designed to serve as the town centre social anchor. It positioned this civic open space as essential infrastructure to support St Marys evolution into a metropolitan strategic centre.

To translate this long-term vision into tangible outcomes, Council endorsed the St Marys Town Centre Master Plan in March 2025, and the St Marys Town Centre Place Plan was endorsed in April 2024. These documents provide both the spatial and tactical framework to

guide coordinated investment, prioritise delivery and ensure that high-impact, community-focused projects are sequenced and scoped for success. The Central Park project is a priority action in both plans, positioned as a catalyst for transformation, unlocking private investment, improving access and amenity and reinforcing Queen Street as the town centre's civic and commercial spine. Located adjacent to several key development sites and within walking distance of the train station, the park has been strategically sited to serve as the Civic Heart.

In responding to the opportunities identified in the Master Plan, the Central Park project has been shaped to deliver a more ambitious and integrated public space, one that establishes a true Civic Heart for St Marys. The design builds on existing green space to create a larger, more cohesive parkland that strengthens pedestrian connections, supports diverse community uses, and anchors future development. This approach positions the park not just as an upgrade, but as essential civic infrastructure that reflects the scale, identity the future needs of the town centre.

Council endorsed the commencement of an Expression of Interest process in November 2024 to establish a qualified panel of contractors for the St Marys Central Park project. The process sought experienced landscape and civil construction contractors with a proven record in delivering complex public domain projects. The EOI aimed to confirm capability, capacity, safety performance, financial standing and relevant experience.

Council invited submissions through an open process. Fourteen submissions were received. Council officers assessed each submission against the criteria adopted by Council. The assessment considered demonstrated experience in major open space projects, understanding of design intent, quality management systems and the ability to meet program requirements.

Seven respondents met the required capability thresholds and were shortlisted to form an approved panel. Council endorsed the establishment of this panel. A Request for Tender (RFT) was subsequently issued to the established panel for the St Marys central park project, consistent with the procurement approach endorsed by Council.

## Current Situation

The 80% detailed design for St Marys Central Park has been completed and reviewed by Council's internal Design Advisory Group and Project Control Group, both of which provide technical input throughout the design process. An external Quantity Surveyor worked with the Lead Designer to confirm the design can be delivered within the approved budget. Further design development is on hold until a Principal Contractor is appointed, who will progress the design from 80% to 100% and issue for construction documentation, with the Lead Designer's team, to be novated to the Principal Contractor upon award of the Contract.

## Procurement Process

### 1. Request for Tender (RFT)

In Stage 2, Council invited the following shortlisted respondents from the Stage 1 Expression of Interest (EOI), to submit tenders through the VendorPanel website for the design and construction of the St Marys Central Park project.

Rank	Respondents
1	Glascott Landscape and Civil Pty Ltd

Rank	Respondents
2	Solutions Built Australia Pty Ltd (Landscape Solutions Australia)
3	Greater West Landscapes Pty Ltd
4	Regal Innovations Pty Ltd
5	Arenco (NSW) Pty Limited
6	Stephen Edwards Constructions Pty Ltd
7	Ford Civil Contracting Pty Ltd

The Request for Tender (RFT) was issued on 18 September 2025 and closed on 27 November 2025. The original closing date of 30 October 2025 was extended twice, each by two weeks, in response to requests from respondents. The first extension was to allow additional time following the release of the 80% design documentation. The second extension was issued due to the number of requests from multiple respondents.

All the Respondents were requested to make submissions to meet all the mandatory selection criteria and demonstrate their competency against each of the weighted criteria. Selection in this RFT procurement process was based on 60% Non-Price Criteria and 40% Price Criteria.

To support early commencement of the tender process, initially 50% design documentation was issued at the time of RFT release. The 80% design documentation was subsequently issued to all respondents on 2 October 2025.

A total of 15 addendums were issued to respond to 25 requests for information (RFIs) from the Respondents.

## 2. Submissions Received

Two (2) submissions were received out of the seven (7) short listed contractors who were invited to participate in the RFT process. The table below reflects the submissions received;

	Respondents	Submitted Tender Price Ex GST	Company Address	Owner/Director
1	Regal Innovations Pty Ltd	\$16,388,832.80	Unit 2 / 30 Park Road, Mulgrave NSW 2756	Robert Stanton – Managing Director  Hiroaki Okamoto – Director  Ashley Wayne Pincham -

	Respondents	Submitted Tender Price Ex GST	Company Address	Owner/Director
				Director
2	Greater West Landscapes Pty Ltd	\$20,798,074.70	100 Martin Road, Badgerys Creek NSW  2555	Simon Coco - Director  Glen McMaster - Director  Peter Adcock - Director

The following five tenderers did not submit tenders due to a variety of reasons. Whilst not common to all, reasons included constraints at the year end, commitments to other projects, and the time required to prepare a responses.

1. Glascott Landscape and Civil Pty Ltd
2. Solutions Built Australia Pty Ltd (Landscape Solutions Australia)
3. Arenco (Nsw) Pty Limited
4. Stephen Edwards Constructions Pty Ltd
5. Ford Civil Contracting Pty Ltd

### 3. Non-Confirming Submissions

There were no non-conforming submissions received.

### 4. Tenders Evaluation

#### 1. Tender Evaluation Panel

The Evaluation Panel reviewed the submissions through analysis and response to pre-populated questions and assignment of scores within the VendorPanel platform. The procurement process was managed and controlled by:

- Lana Axford – PCC Procurement and Strategic Supply Manager
- Rosanne Taraia – PCC Procurement Business Partner

The Evaluation Panel consisted of:

- Sajjad Zaheer (Major Projects Coordinator)
- Rebekah Elliott (St Marys Place Manager)



- David Forward (Design Facilitator)
- Matthew Buckley (Major Projects Coordinator)
- Ezekiel Meares (Project Coordinator - Capital Works)

## 2. Tender Evaluation Criteria

A comprehensive assessment of the submissions was undertaken by the Evaluation Panel. The assessment process was undertaken in accordance with the provisions of the Local Government Act 1993 and Tendering Regulation 2005 and based on the conditions and evaluation criteria as provided in the Request for Tender (RFT) documents.

### Qualitative Evaluation Criteria

Criteria Number	Qualitative Evaluation Criteria
1	Lump Sum Tender Price Breakdown/Schedule of Rates and Prices
2	Key Personnel & Availability
3	Methodology and Program
4	Resourcing, Capability and Capacity
5	Demonstrated Capability for Quality Assurance and Environmental Management.
6	Value Engineering (VE) Items
7	WHS Management System, Heavy Vehicle National Law
8	Quality Management System
9	Environment Management System

## 3. Evaluation Process and Outcome

### • Evaluation Process

Following receipt of two (2) tender submissions, the Procurement Team reviewed all responses to confirm compliance with the tender requirements. Once compliance was confirmed, the non-price submissions were issued to the evaluation panel for assessment and scoring through VendorPanel.

After all panel members completed the non-price assessments, the price submissions were released ahead of the consensus meeting. Subject Matter Experts, including design, work health and safety, cost and operations specialists, reviewed relevant aspects of the submissions and provided advice to support the evaluation panel's assessment.

### • Evaluation Outcome

In accordance with the evaluation criteria, the two respondents demonstrating their capability and experience against each evaluation criteria. Each submission

was independently assessed by all evaluation panel members against the weighted qualitative criteria.

The VendorPanel system calculated overall scores based on the individual assessments, which were used to rank the respondents. A consensus meeting, facilitated by the Procurement Team, was then held to review the assessments and agree on final scores for each criteria.

Following this process, Regal Innovations Pty Ltd was identified as the preferred respondent for the Design and Construction works for St Marys Central Park. It was determined that Regal Innovations Pty Ltd provided a Tender submission that was the most advantageous to Council.

### **Tender Advisory Group Comments**

The objective of the Tender Advisory Group (TAG) is to support the Council to achieve a fair and equitable tender processes. The TAG consisting of Adam Wilkinson – Director Asset Services, Cathy Krimmer, Acting Governance Manager and Cheryl Freeburn – Acting Chief Financial Officer were briefed on the project and tender assessment process.

The TAG considered the recommendation of the Tender Evaluation Panel. It was noted that the shortlisted respondent is competent and capable of delivering the Design and Construction works for St Marys Central Park, as demonstrated through their submissions and confirmed through a thorough assessment by the evaluation panel.

The TAG reviewed the evaluation process and is satisfied that the selection criteria has been correctly applied.

### **Financial Implications**

The tender price of the recommended tenderer, Regal Innovations Pty Ltd is within the approved budget of the project. There is sufficient contingency to accommodate the risk associated with the complexity and scale of the project. Therefore, there is no Financial Implication to Council for this project.

An independent financial check has been undertaken which confirmed strong outcome for Regal Innovations Pty Ltd, demonstrating sufficient financial capacity to deliver the contract as proposed.

The project is funded by NSW State Government under Western Sydney Infrastructure Grants (WSIG) program. Additionally, Council adopted the Funding and Delivery Strategy for St Marys Central Park and approved supplementary funding to ensure the program could accommodate contingencies associated with the complexity of the site and the scale of the project. This proactive measure reflects Council's commitment to mitigating unforeseen challenges and maintaining project momentum.

The financial implications of this contract are within the approved budget.

### **Risk Implications**

The RFT and assessment process has been undertaken in accordance with the provisions of the Local Government Act 1993 and Tendering Regulation 2005 and overseen by the Tender Advisory Group.

A comprehensive risk assessment has been undertaken for the project. While the project carries a higher level of risk due to its value, site contamination, and impacts on the community and nearby businesses, appropriate mitigation measures have been put in place and are regularly reviewed and updated.

In addition, Council has approved additional funding (if required) to ensure the program could accommodate risks associated with the complexity and scale of the project.

### **Conclusion**

The evaluation panel undertook a thorough review of all the submissions, with each member independently assessing and scoring the responses. VendorPanel then calculated the overall rankings of both the respondents' submissions.

The evaluation results show that Regal Innovations Pty Ltd achieved the highest score across the weighted qualitative and cost criteria.

Regal Innovations Pty Ltd has recently delivered the Penrith City Park project for Council, demonstrating strong performance.

Accordingly, the evaluation panel recommends that Regal Innovations Pty Ltd be appointed as the Principal Contractor and award the Design and Construction contract for the St Marys Central Park project, with a contract value of \$16,388,832.80 (excl. GST).

### **RECOMMENDATION**

That:

1. The information contained in the report on PCC2025-267 St Marys Central Park Project (RFT PCC2025-267) be received.
2. The tender from Regal Innovations Pty Ltd for \$16,388,832.80 (excl. GST) be accepted to undertake the Design & Construction of the St Marys Central Park project.
3. Variations and amendments that do not materially alter the original scope of the contract be managed under the existing Penrith City Council financial delegations within the approved budget.
4. The General Manager be authorised to sign all the necessary legal documents in relation to this matter.

### **ATTACHMENTS/APPENDICES**

There are no attachments for this report.

## STRATEGIC DIRECTION 5 - WORK TOGETHER

Item		Page
7	<a href="#"><u>Summary of Investments and Banking for the period 1 December 2025 - 31 December 2025</u></a>	49
8	<a href="#"><u>2026 Australian Local Government Association (ALGA) - National General Assembly (NGA)</u></a>	59
9	<a href="#"><u>Proposed Amendment to 2026 Meeting Calendar</u></a>	62
10	<a href="#"><u>Draft Code of Meeting Practice</u></a>	65





**7 Summary of Investments and Banking for the period 1 December 2025 - 31 December 2025**

**Compiled by:** James Legarse, Treasury and Operations Accountant  
Cheryl Freeburn, Acting Chief Financial Officer

**Authorised by:** Neil Farquharson, Acting Director Corporate Services

<b>Outcome</b>	<i>Work together</i>
<b>Strategy</b>	<i>Manage resources sustainably for current and future generations</i>
<b>Principal Activity</b>	<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 December 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 December 2025 to 31 December 2025 and a reconciliation of invested funds as at 31 December 2025.

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

- Council portfolio current month's yield 4.61%
- Council portfolio annualised yield to date 4.83%
- 90-day Bank Bill Swap Rate (Benchmark) 3.76%
- Enhanced 90-day Bank Bill Swap Rate (Benchmark – BBSW + 30bps) 4.06%
- 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 December 2025, Historical Investment Performance Analysis tables and charts, a reconciliation of Invested Funds for December 2025 and various Investment Summary and Investment Portfolio analysis tables and charts.

The Reserve Bank of Australia (RBA) met on 9 December 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 headline inflation at 4.7% in the December quarter. 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 unchanged with the Unemployment rate from October to

November standing at 4.3%, below expectations of 4.4% (December figures are not published at the time of writing this report).

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 6 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.

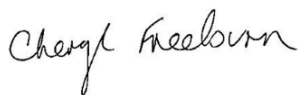
### Conclusion

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 December 2025. Additionally, the report assures the Council that Council's Cash Book and Bank Statements have been reconciled.

### Certificate of Responsible Accounting Officer (Acting)

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 as at 31 December 2025.



Cheryl Freeburn

### RECOMMENDATION

That:

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

**ATTACHMENTS/APPENDICES**

1. Investment report as at 31 December 2025 7 Pages Appendix



Penrith City Council  
Summary of Investments for December 2025

Commentary

The Reserve Bank of Australia (RBA) last met on 9 December 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.

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 December 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 fourth quarter of 2025 (October - December 2025), being the most recent quarterly result, increased to 4.7%, 150 basis points higher than the previous quarter, in both headline and underlying terms. The November 2025 unemployment rate was 4.3%, unchanged from October (December figures are not published at the time of writing this report).

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

Council portfolio current month's yield	4.61%
Council portfolio annualised yield to date	4.83%
90-day Bank Bill Swap Rate (Benchmark)	3.76%
Enhanced 90-day Bank Bill Swap Rate (Benchmark – BBSW + 30bps)	4.06%
Original budget estimated return (2025/26 Financial Year)	4.25%

Historical Investment Performance

Table 1

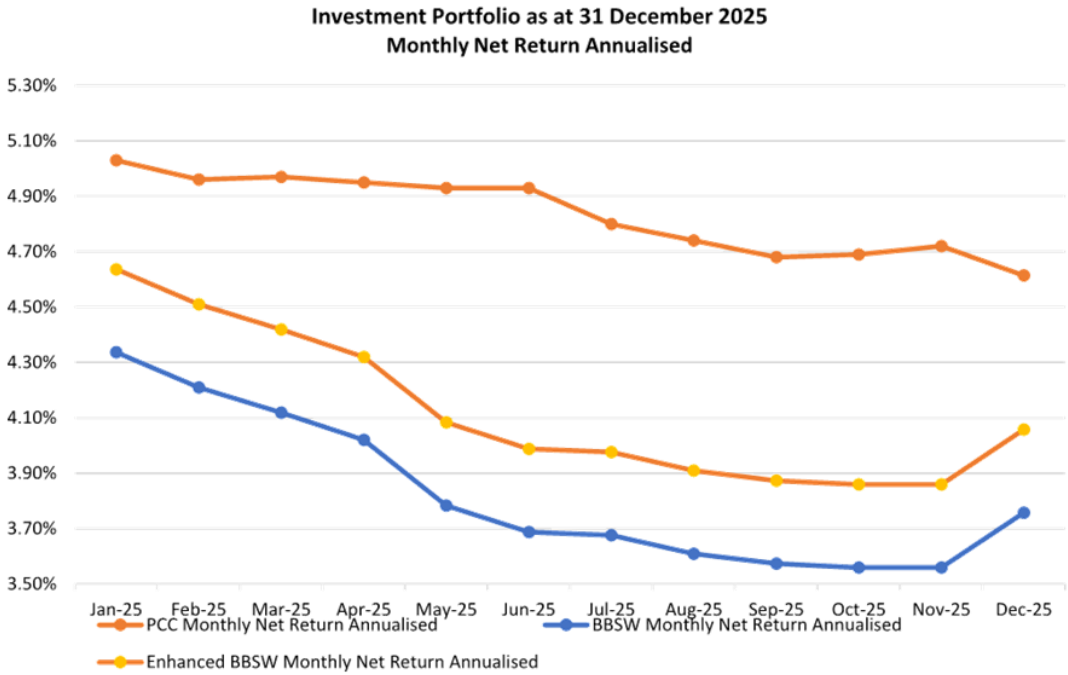
	Actual Portfolio Monthly Return	Benchmark (BBSW)	Enhanced Benchmark (BBSW+30bps)
Current Portfolio Yield (including FRNs)	4.61%	3.76%	4.06%
Past 12 Month Portfolio Performance	4.83%	3.82%	4.03%
Portfolio Return for the Period	0.38%	0.31%	0.34%

Portfolio Yield (Actual Versus Benchmark)

The annual weighted average income return on investment for December 2025 was 4.83%. This graph tracks performance over time and shows that the yield has ranged between a high of 5.03% and a low of 4.61% over the last 12 months. The reportable month's result has surpassed the BBSW monthly return benchmark.

Penrith City Council

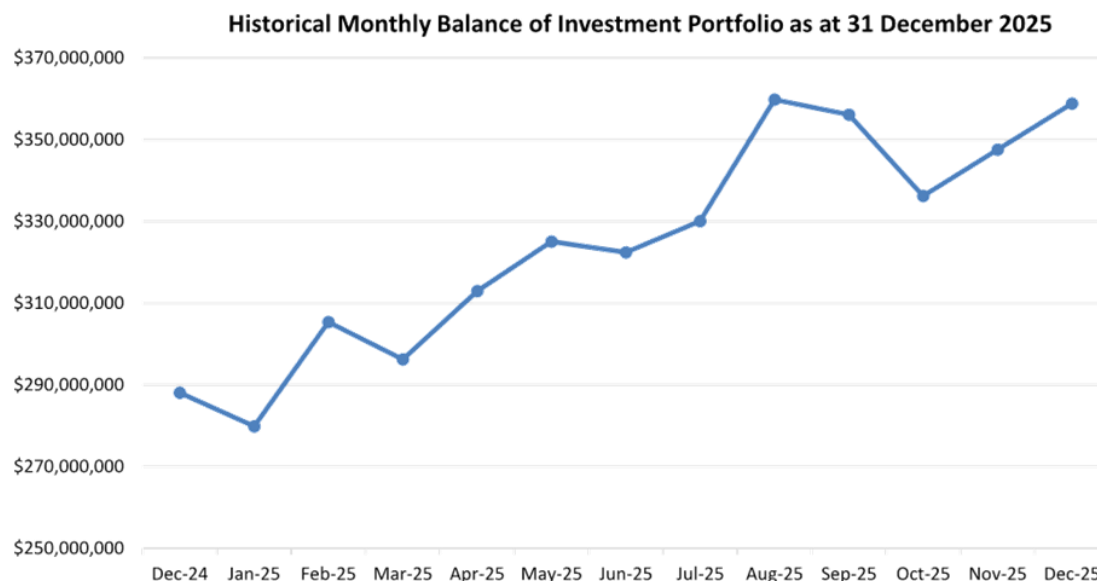
Graph 1



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

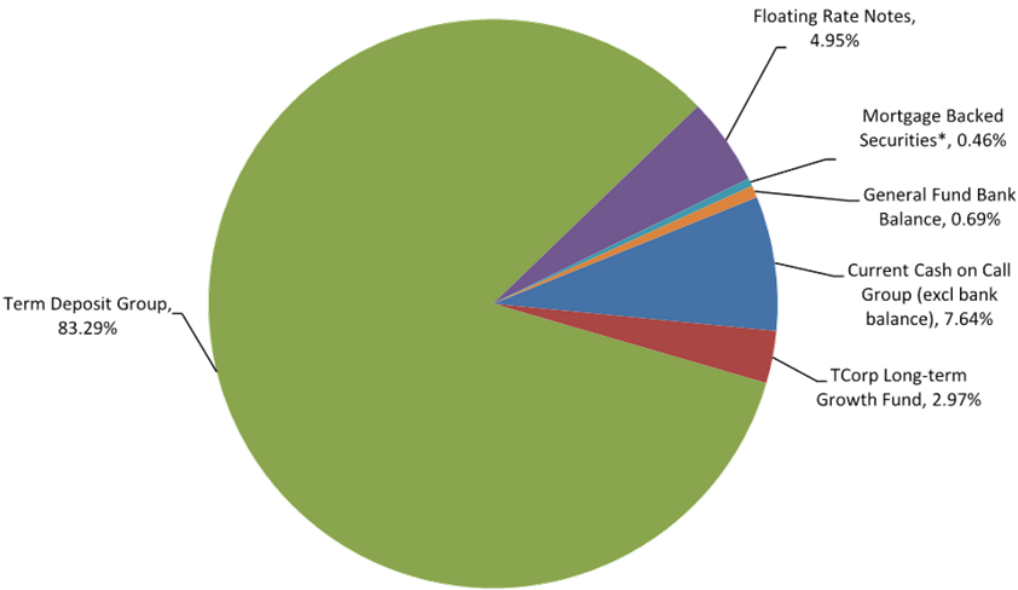
Asset Group	Closing Value (Face Value) 30 November 2025		Closing Value (Face Value) 31 December 2025	
	\$	%	\$	%
Current Cash on Call Group (excl bank balance)	26,964,553	7.59%	27,094,038	8.64%
TCorp Long-term Growth Fund	10,293,131	2.89%	10,328,923	3.08%
Term Deposit Group	294,500,000	82.83%	301,000,000	82.38%
Floating Rate Notes	17,200,000	4.84%	17,200,000	5.11%
Mortgage Backed Securities*	1,610,319	0.45%	1,610,319	0.48%
<b>Sub-Total</b>	<b>350,568,003</b>		<b>357,233,280</b>	
General Fund Bank Balance	4,991,823	1.40%	1,638,625	0.31%
<b>Total</b>	<b>355,559,826</b>	<b>100%</b>	<b>358,871,905</b>	<b>100%</b>

\*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.

### December 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 30 November 2025		Period Ending 31 December 2025	
	\$	%	\$	%
Represented by:				
<b>Externally Restricted Assets</b>				
Section 7.11 Developer Contributions	116,775,331	32.85%	123,127,324	34.31%
Restricted Contributions for Works	5,805,378	1.63%	6,140,695	1.71%
Unexpended Grants*	45,450,234	12.78%	44,636,355	12.44%
Unexpended Loan Funds	13,423,832	3.78%	13,492,670	3.76%
Other Externally Restricted	22,124,898	6.22%	17,103,349	4.77%
<b>Total</b>	<b>203,579,673</b>		<b>204,500,393</b>	
<b>Internally Restricted Assets - Funding of Operations</b>				
Internal Reserves	109,693,542	30.85%	108,948,973	30.36%
Security Bonds and Deposits - Payable	25,613,621	7.20%	26,103,046	7.27%
<b>Total</b>	<b>135,307,163</b>		<b>135,052,019</b>	
<b>Restricted Assets Utilised in Operations</b>				
Unrestricted Invested Funds	16,672,990	4.69%	19,319,493	5.38%
<b>Total Invested Funds</b>	<b>355,559,826</b>	<b>100.00%</b>	<b>358,871,905</b>	<b>100.00%</b>

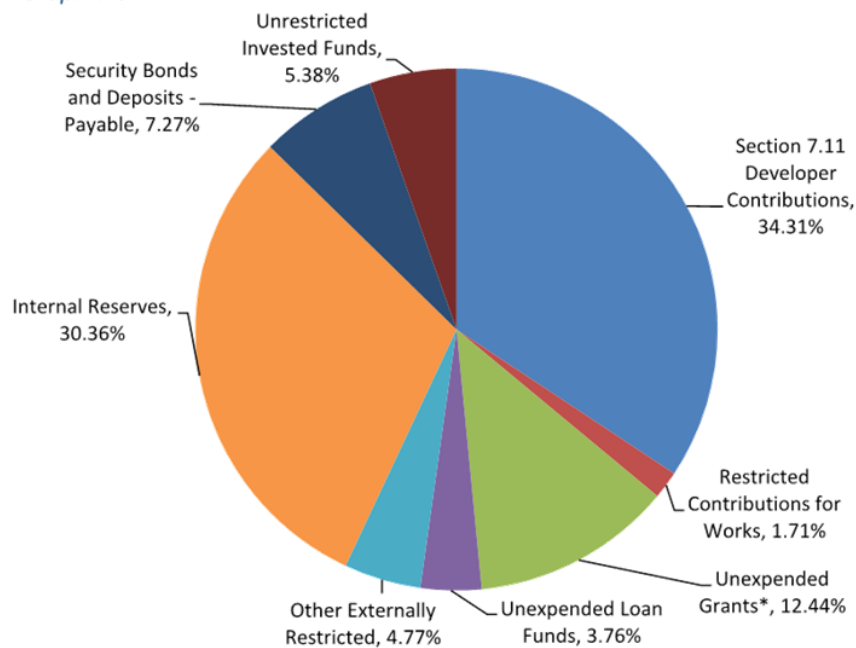
\*Balance may be in deficit when funds are spent in advance of grant payment date to the Council.

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

December 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

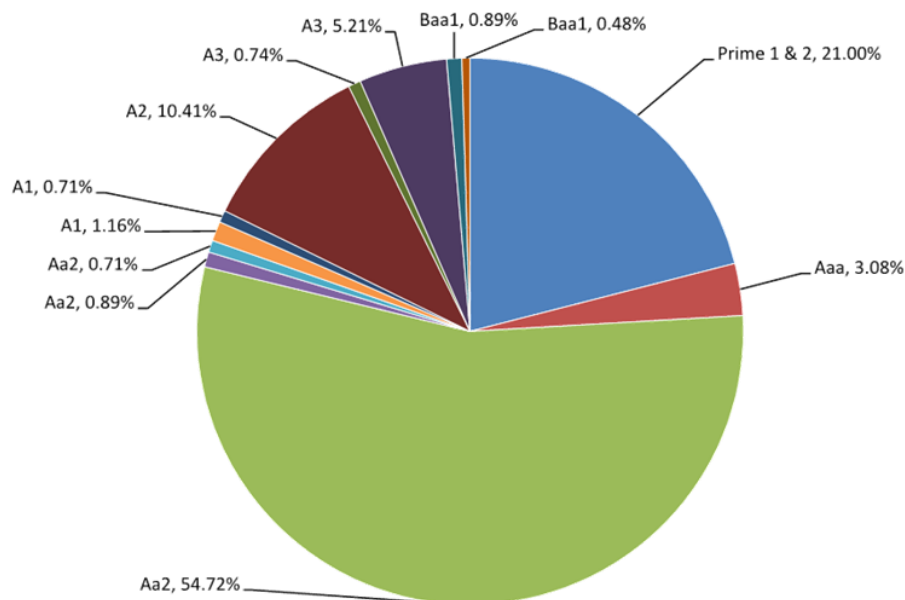
		31 December 2025		
Credit Exposure	Bank/Financial Institution	\$ Utilised	% Portfolio	% Policy Maximum
<b>Short Term</b>				
Prime 1	CBA, NAB & Westpac	45,232,663	16.39%	100% (40% per institution)
Prime 2	AMP Bank, BOQ ING Bank & Rabobank	14,000,000	4.61%	5% (10% per institution)
<b>Prime 1 &amp; 2</b>		<b>59,232,663</b>	<b>21.00%</b>	
<b>Long Term</b>				
Aaa	TCorp Long-term Growth Fund	10,328,923	3.08%	100% (40% per institution)
Aa2	Term Deposit (CBA,WBC & NAB)	186,500,000	54.72%	100% (40% per institution)
Aa2	Floating Rate Note (WBC)	3,000,000	0.89%	100% (40% per institution)
Aa2	Floating Rate Note (NAB)	2,400,000	0.71%	100% (40% per institution)
A1	Floating Rate Note (Suncorp)	3,900,000	1.16%	40% (25% per institution)
A1	Floating Rate Note (Macquarie Bank)	2,400,000	0.71%	40% (25% per institution)
A2	Term Deposit (Rabobank Australia Ltd)	63,000,000	10.41%	40% (20% per institution)
A3	Floating Rate Note (ING Bank)	2,500,000	0.74%	20% (10% per institution)
A3	Term Deposit (ING Bank)	21,000,000	5.21%	20% (10% per institution)
Baa1	Floating Rate Note (Bank of Queensland)	3,000,000	0.89%	Grandfathered
Baa1	Mortgage Backed Securities (Barclays Capital) *	1,610,319	0.48%	Grandfathered
<b>Sub-Total</b>		<b>297,639,242</b>	<b>79.00%</b>	
<b>Total</b>		<b>358,871,905</b>	<b>100.00%</b>	

\*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.

**December 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)

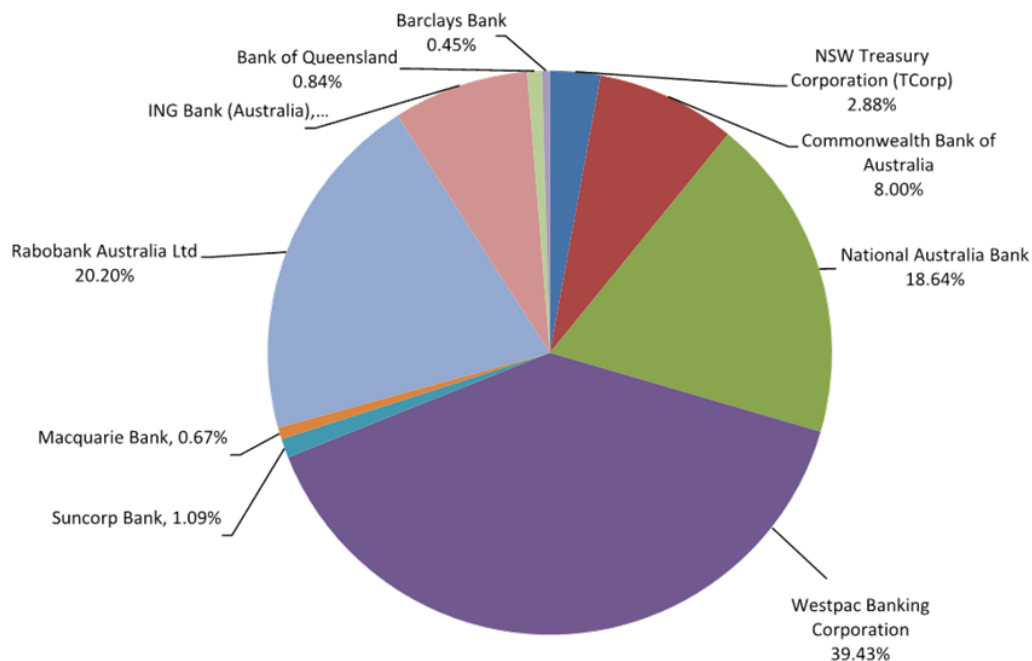
Table 1.4

Dealing Bank	Short Term	Long Term	31 December 2025	
			Investment	% Allocation
NSW Treasury Corporation (TCorp)	Prime 1	Aaa	10,328,923	2.88%
Commonwealth Bank of Australia	Prime 1	Aa3	28,732,664	8.00%
National Australia Bank	Prime 1	Aa3	66,900,000	18.64%
Westpac Banking Corporation	Prime 1	Aa3	141,500,000	39.43%
Suncorp Bank	Prime 1	A1	3,900,000	1.09%
Macquarie Bank	Prime 1	A2	2,400,000	0.67%
Rabobank Australia Ltd	Prime 2	A2	72,500,000	20.20%
ING Bank (Australia)	Prime 2	A3	28,000,000	7.80%
Bank of Queensland	Prime 2	Baa1	3,000,000	0.84%
Barclays Bank	Prime 2	Baa1	1,610,319	0.45%
<b>Total Investment</b>			<b>358,871,905</b>	<b>100.00%</b>

**December 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





## 8 2026 Australian Local Government Association (ALGA) - National General Assembly (NGA)

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

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

<b>Outcome</b>	<i>We have open and collaborative leadership</i>
<b>Strategy</b>	<i>Corporate Enablers</i>
<b>Principal Activity</b>	<i>Participate in reviews and forums and make submissions that affect the community in respect to local government governance</i>

### Executive Summary

The 2026 Australian Local Government Association (ALGA), National General Assembly of Local Government will be held in June 2026. Council is required to nominate its voting delegate, as well as any councillors who wish to attend the Assembly as observers.

The National General Assembly is calling for motions to be submitted for consideration at the Assembly. Councillors are invited to propose any motions at tonight's meeting. Council officers are currently developing draft motions around national housing strategy, Commonwealth enabling infrastructure programs, and motions seeking the Commonwealth's consideration on issues relating to data centres. These motions including any motions suggested by councillors at tonight's meeting will be presented for formal endorsement at the next Ordinary Meeting on 23 February 2026, ahead of ALGA's submission deadline of 27 February 2026.

ALGA has prepared a discussion paper to assist councils when submitting motions. A copy of the discussion paper is attached to this report.

This report recommends that Council nominate a voting delegate and any councillors who wish to attend as observers and that motions be prepared and reported to the 23 February 2026 Ordinary Meeting.

### Background

The Australian Local Government Association is the national voice of local government, representing 537 councils across the country with a mission to achieve outcomes for local government through advocacy with impact, and maximise the economic, environmental and social wellbeing of councils and communities.

The National General Assembly is an important opportunity for councils to influence the national policy agenda.

### Current Situation

The 2026 National General Assembly of Local Government will be held in Canberra at the National Convention Centre from 23-25 June 2026.

All motions must be submitted to ALGA no later than Friday 27 February 2026. The theme for this year's conference is *Stronger Together: Resilient, Productive, United* and motions



can be prepared responding to the issues identified in the discussion paper prepared by ALGA.

Council officers are currently developing draft motions around national housing strategy, Commonwealth enabling infrastructure programs, and motions seeking the Commonwealth's consideration on issues relating to data centres.

Suggested motions by councillors at tonight's meeting will be developed by staff and will be presented to councillors to be formally resolved and endorsed at the next Ordinary meeting on 23 February 2026.

### **Delegates**

Each council is entitled to have one delegate at each plenary session. In addition to selecting its voting delegate, it is open to council to send additional councillors as observers.

Council must nominate its voting delegate to attend this year's Assembly and any observers who wish to attend. It is appropriate for Council to grant leave of absence to councillors who are attending.

### **Submitting Motions**

This year's call for motions focusses on 10 priority areas:

1. Climate Change
  2. Closing the Gap
  3. Cyber Security
  4. Emergency Management
  5. Environment
  6. Financial Sustainability
  7. Housing and Planning
  8. Intergovernmental Relations
  9. Jobs and Skills
  10. Roads and Infrastructure
- Other Issues

To be eligible for debate at the National General Assembly (NGA), the motions must meet the following criteria:

- submit a new motion that has not been debated at an NGA in the preceding two years.
- ensure motions are relevant to the work of local government across the nation, not focused on a specific location or region, unless the project has national implications.
- align motions with the policy objectives of the state and territory local government association.
- propose a clear action and outcome on a single issue, calling on the Australian Government to take action. Motions covering more than one issue will not be accepted.
- ensure the motion does not seek to advantage one or a few councils at the expense of others.
- avoid being prescriptive in directing how the matter should be pursued.

### **Financial Implications**

A budget has been established for Councillor Conference Costs in the 2025-26 Operational Plan which funds attendance at various conferences throughout the financial year.

Participation in the 2026 ALGA Annual General Assembly can be accommodated within this budget.

**Risk Implications**

There are no unacceptable risk implications associated with this report.

**Conclusion**

Council should nominate its voting delegate and any observers to attend the 2026 National General Assembly of Local Government.

Motions will be developed and presented for formal endorsement at the next Ordinary Meeting on 23 February 2026, ahead of ALGA's submission deadline of 27 February 2026.

**RECOMMENDATION**

That:

1. The information contained in the report on 2026 Australian Local Government Association (ALGA) - National General Assembly (NGA) be received.
2. Council nominate its voting delegate for the 2026 National General Assembly of Local Government.
3. Council nominate any councillors who wish to attend as observers at the 2026 National General Assembly of Local Government.
4. Leave of absence be granted to all councillors attending the 2026 National General Assembly of Local Government.
5. Motions developed by officers and any further motions proposed by councillors be prepared and submitted to Council's Ordinary Meeting on 23 February 2026.

**ATTACHMENTS/APPENDICES**

- |   |          |                      |
|---|----------|----------------------|
| 1. ALGA National General Assembly 2026 - Discussion Paper | 22 Pages | Attachments Included |
|---|----------|----------------------|

## 9 Proposed Amendment to 2026 Meeting Calendar

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

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

<b>Outcome</b>	<i>Work together</i>
<b>Strategy</b>	<i>Act with integrity, transparency and accountability</i>
<b>Principal Activity</b>	<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 an amendment and adopt the updated Meeting Calendar for 2026. The report recommends that the draft amendment to the 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 previously 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.

The 2026 Council Meeting calendar was initially adopted by Council at the Ordinary Meeting held on Monday, 8 December 2025.

### Current Situation

Following the endorsement of the 2026 Council Meeting calendar, a conflict has arisen which has resulted in an amendment to the meeting dates.

The Australian Local Government Association (ALGA) recently released the dates of the National General Assembly of Local Government (NGA) to be held in Canberra from Tuesday, 23 June to Thursday, 25 June and all Councillors are invited to attend.

This conference date conflicts with the Ordinary Meeting that was initially scheduled on Monday, 22 June 2026. As a result, it is proposed that this Ordinary Meeting be rescheduled to Monday, 29 June 2026. This date was originally left vacant for all Councillors and had no meetings scheduled. The rescheduling of this Ordinary Meeting will allow sufficient travel time for Councillors who will be in attendance at the National General Assembly of Local Government (NGA) in Canberra.

### Financial Implications

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

**Risk Implications**

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

**Conclusion**

The amended 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.

**RECOMMENDATION**

That:

1. The information contained in the report on Proposed Amendment to 2026 Meeting Calendar be received.
2. The amended Council Meeting calendar for 2026 be adopted.

**ATTACHMENTS/APPENDICES**

- |  |           |          |
|--|-----------|----------|
| 1. 2026 Meeting Calendar - Ordinary Meetings, Policy and Strategy<br>Committee Meetings & Councillor Information/Workshop Sessions | 1<br>Page | Appendix |
|--|-----------|----------|



## 2026 MEETING CALENDAR

January 2026 - December 2026

(proposed to be adopted by Council – 2 February 2026)

	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* 29*	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 Draft Code of Meeting Practice

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

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

<b>Outcome</b>	<i>Work together</i>
<b>Strategy</b>	<i>Act with integrity, transparency and accountability</i>
<b>Principal Activity</b>	<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:** 15- Draft Code of Meeting Practice- Ordinary Meeting- 08 Dec 2025 7:00 PM

### Executive Summary

As required under the Local Government Act 1993 (NSW), the draft Code of Meeting Practice (Meeting Code) was placed on public exhibition on 10 December 2025 for a period of 28 days, providing members of the community with 42 days to make submissions. The exhibition period has now concluded and no submissions were received from members of the community.

During the exhibition period, feedback was received from a councillor regarding the proposed increase to the timeframe for submitting a notice of motion. The Model Code of Meeting Practice for Local Councils in NSW (2025 Model Meeting Code) prescribes that a notice of motion must be in writing and submitted within a reasonable time as determined by the council. The current Meeting Code requires notice of motion to be submitted within 5 business days. The exhibited draft Meeting Code proposed increasing this to 7 business days.

This report recommends that Council adopt the attached draft Meeting Code. The draft Meeting Code incorporates all mandatory provisions and other non-mandatory provisions of the 2025 Model Code of Meeting Practice, and other allowable supplementary provisions.

### Background

The 2025 Model Meeting Code came into effect on 1 January 2026. Councils are required to adopt a Code of Meeting Practice that contains all mandatory provisions of the Model Meeting Code. Councils may also include non-mandatory and supplementary provisions, provided they are not inconsistent with the mandatory requirements. Significant changes to the 2025 Model Meeting Code include the prohibition of pre-meeting Councillor Briefings, limitations to remote meeting attendance by councillors, and updated procedural requirements to support transparency and good governance.

A report to Council's Ordinary Meeting on 8 December 2025, outlined the objectives of the 2025 Model Meeting Code, identified key changes, and presented a draft Meeting Code for Council's consideration. Council resolved to place the draft Meeting Code on public exhibition for 28 days, allowing a 42-day submission period, before being brought back to Council for adoption.

## Current Situation

The public exhibition period has now concluded and no submissions were received from members of the community. One item of feedback was received from a councillor concerning the proposed change to the notice of motion submission timeframe.

With respect to the Notice of Motion timeframe the proposed additional two business days would assist with the timely provision of business papers to Councillors and members of the public. It is the officers view that allowing additional time to read the business paper is a valuable trade-off for a slight increase in the timeframe for notice of motions.

It is noted that Council's requirements for submission of notices of motion even with the additional days are shorter or equal in timeframe than many neighbouring councils.

- Camden CC                      7 Business Days
- Fairfield CC                    5 Business days
- Wollongong                    13 Calendar days
- Blue Mountains               22 Days before the meeting
- Campbelltown                8 days before the meeting

Council's adoption of the draft Meeting Code will ensure compliance with the 2025 Model Meeting Code and provide clear guidance for the conduct of Council and Committee meetings.

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

## Conclusion

The Draft Code of Meeting Practice was published on Council's website for 28 days, providing community members 42 days to make submissions. This exhibition period has now concluded.

The draft Meeting Code incorporates all mandatory provisions and other non-mandatory provisions of the 2025 Model Code of Meeting Practice, and other allowable supplementary provisions permitted.

## RECOMMENDATION

That:

1. The information contained in the report on Draft Code of Meeting Practice be received.
2. The draft Code of Meeting Practice be adopted as Council's Code of Meeting Practice.

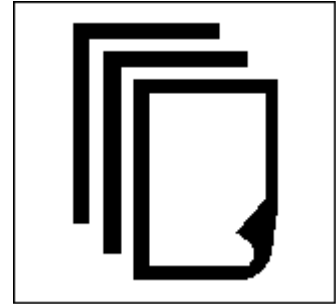
**ATTACHMENTS/APPENDICES**

1. Draft Code of Meeting Practice 42 Pages Attachments Included





# ATTACHMENTS



Date of Meeting: Monday 2 February 2026

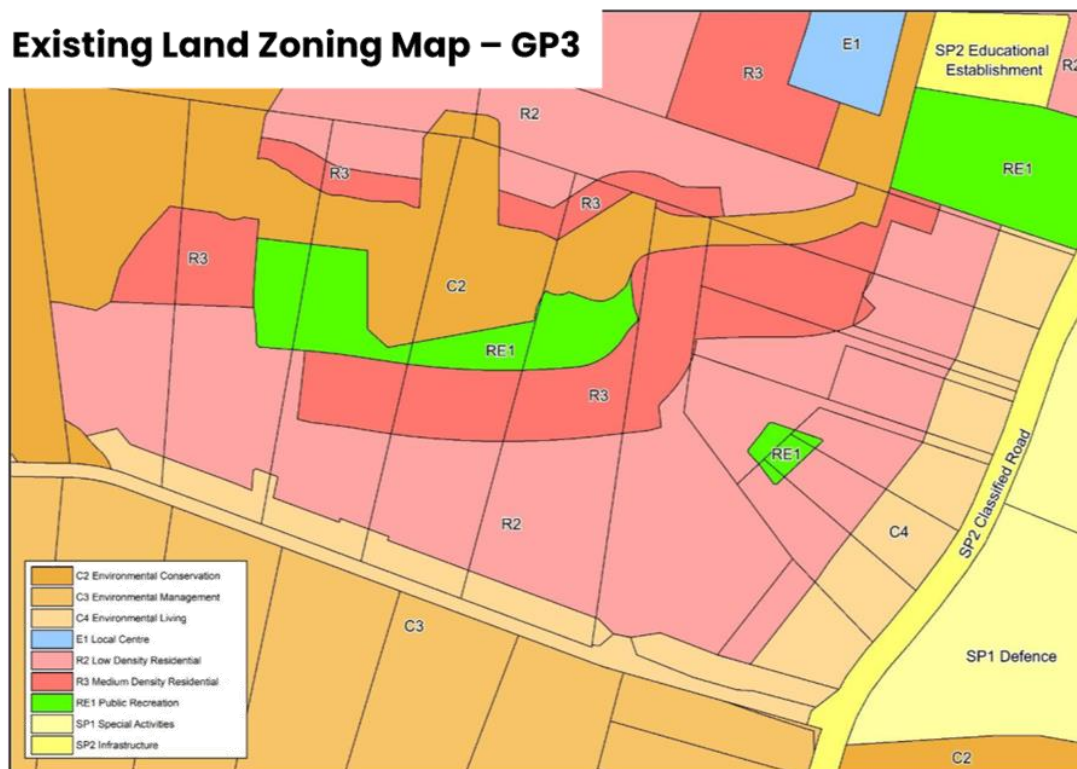
Report Title: Section 3.22 Expedited Amendments to  
Penrith Local Environmental Plan 2010  
(Glenmore Park Stage 3 and Orchard  
Hills North)

Attachments: Draft LEP Maps  
Section 3.22 Submission Forms

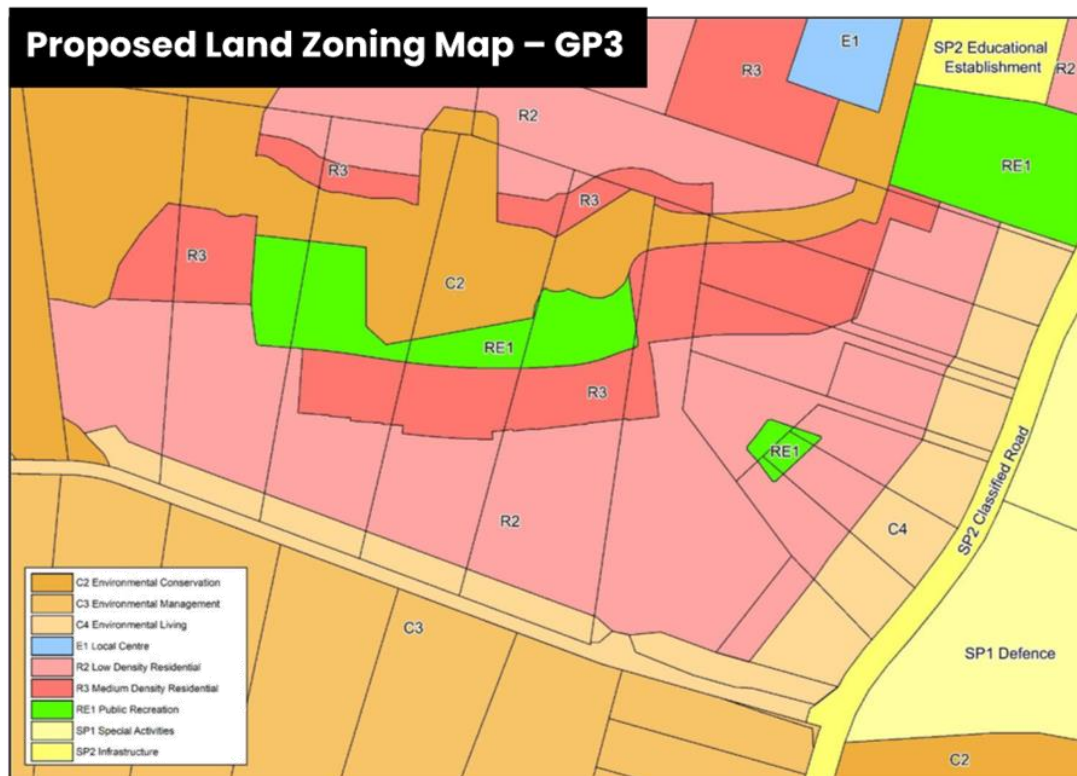


# **Attachment 1 – Proposed Draft LEP Maps**

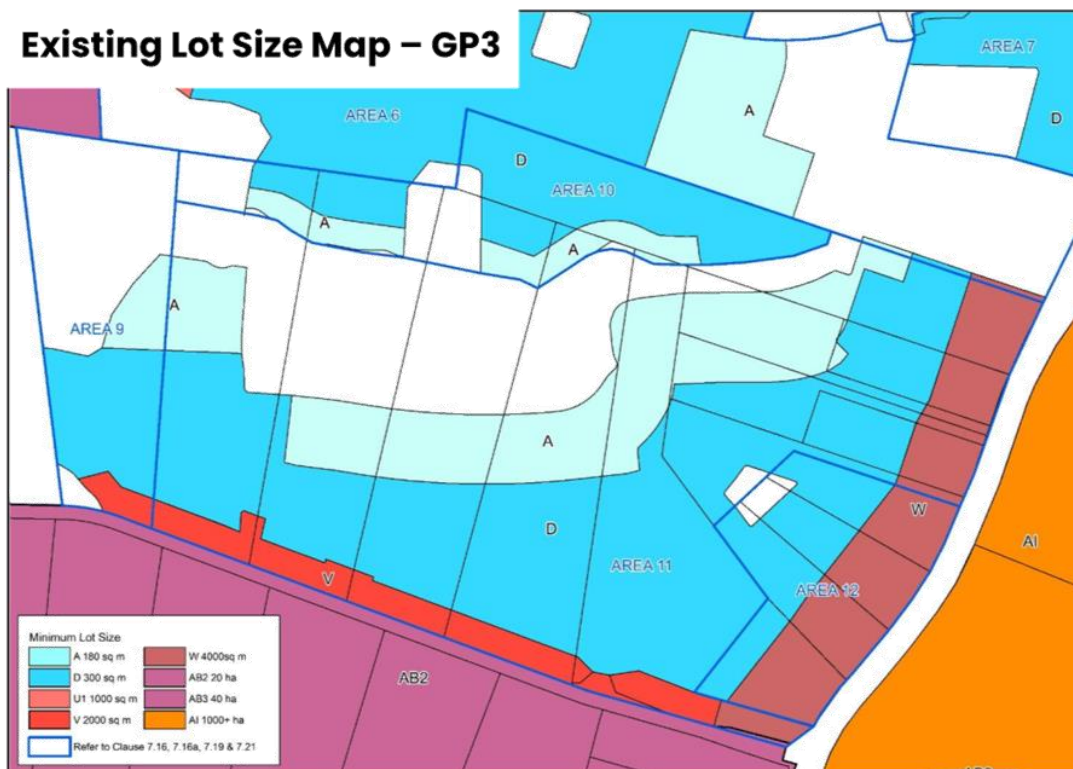
**Existing Land Zoning Map – GP3**



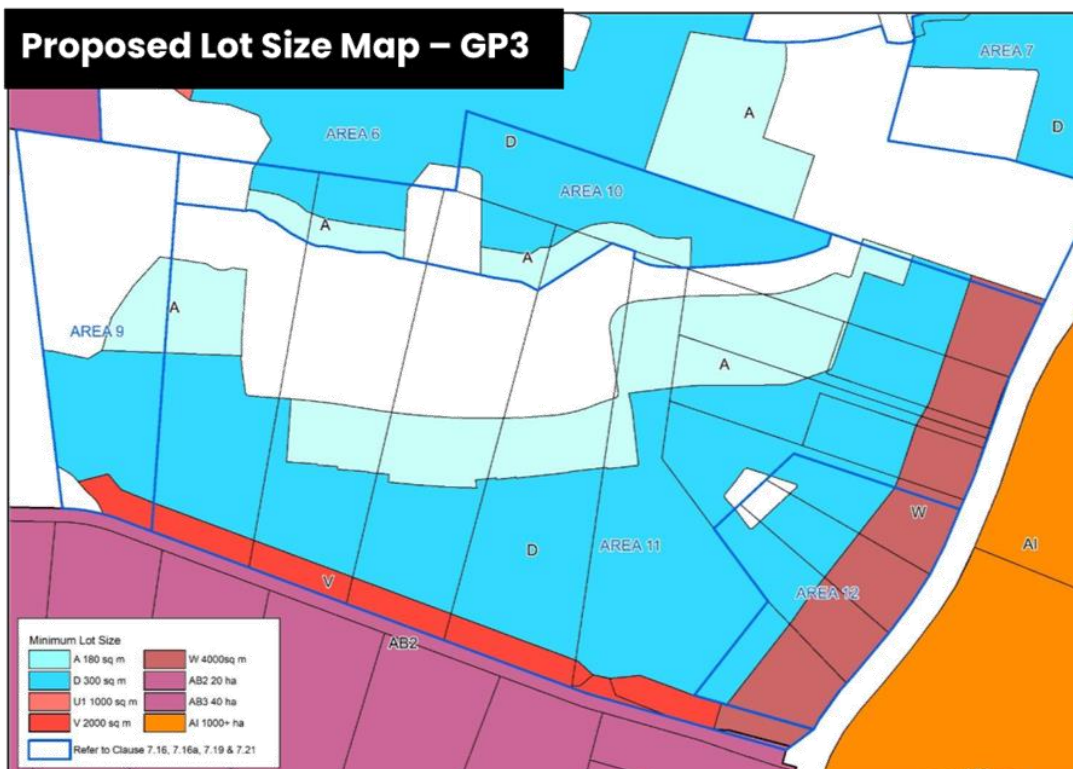
**Proposed Land Zoning Map – GP3**



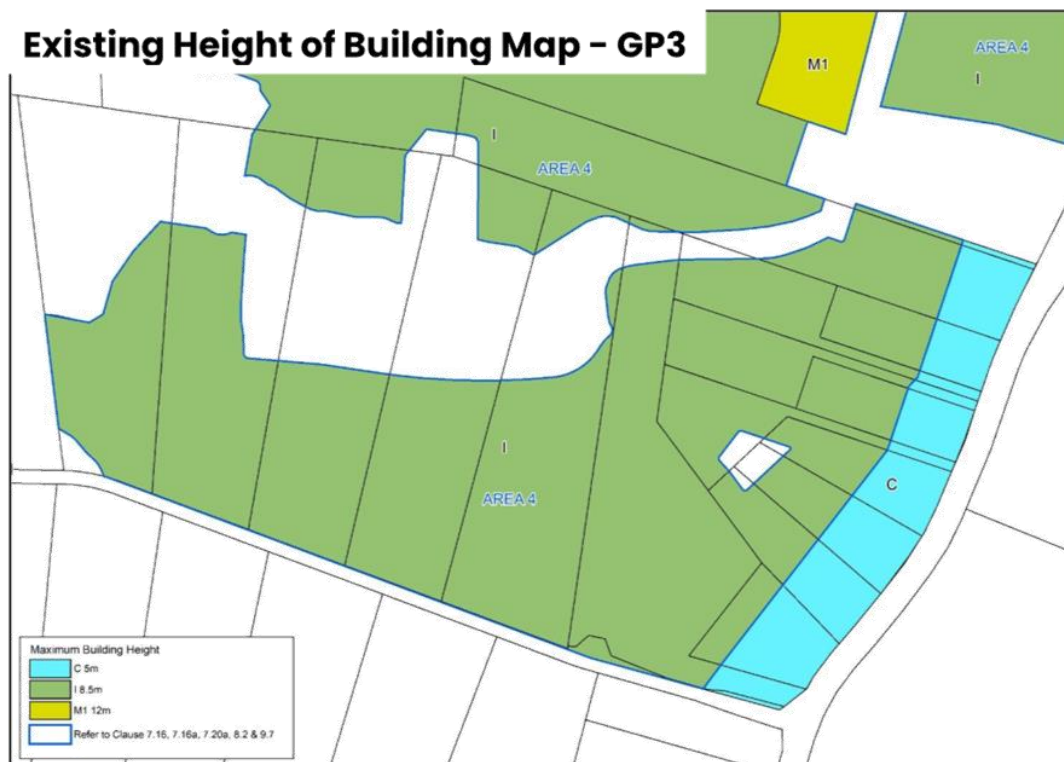
**Existing Lot Size Map – GP3**



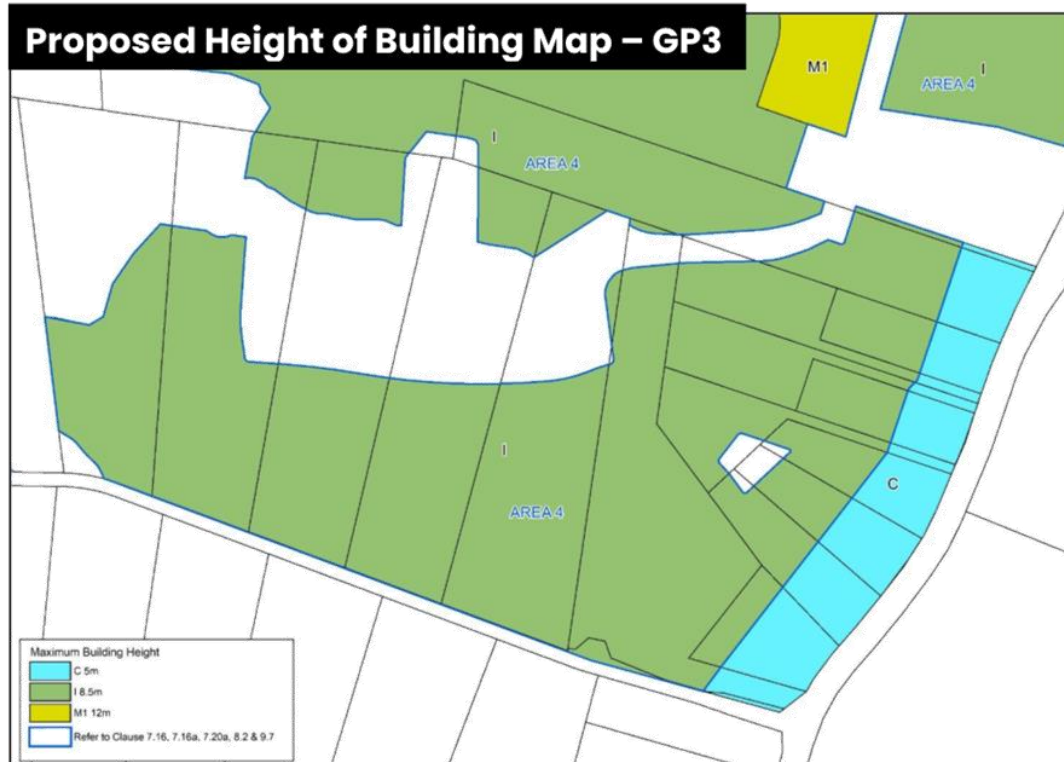
**Proposed Lot Size Map – GP3**



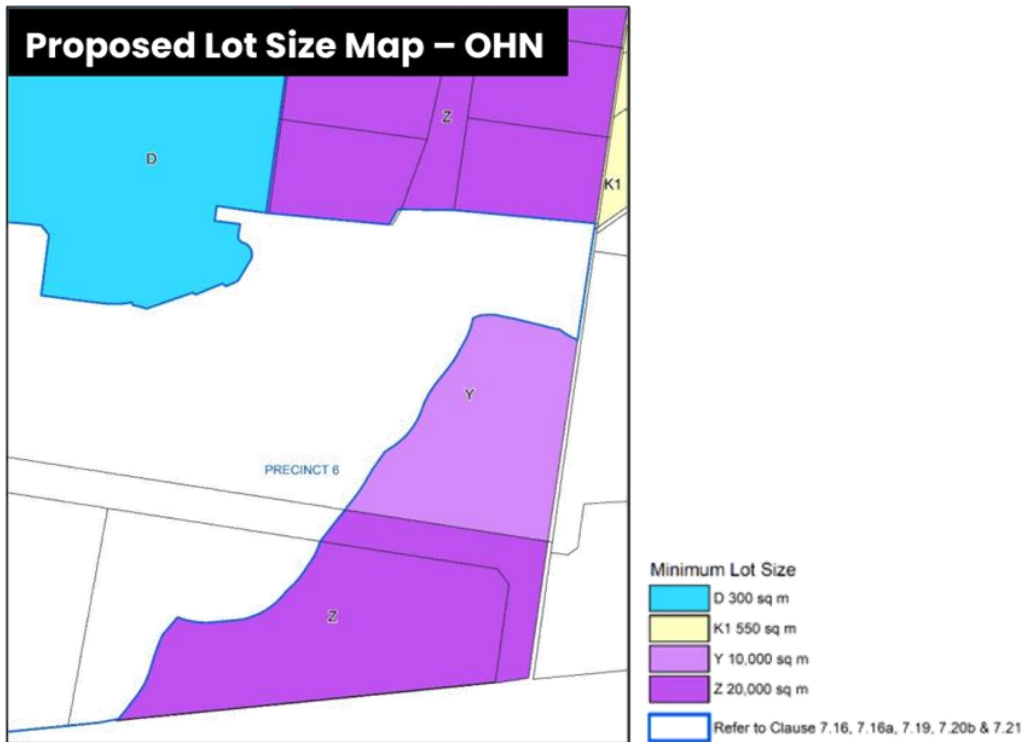
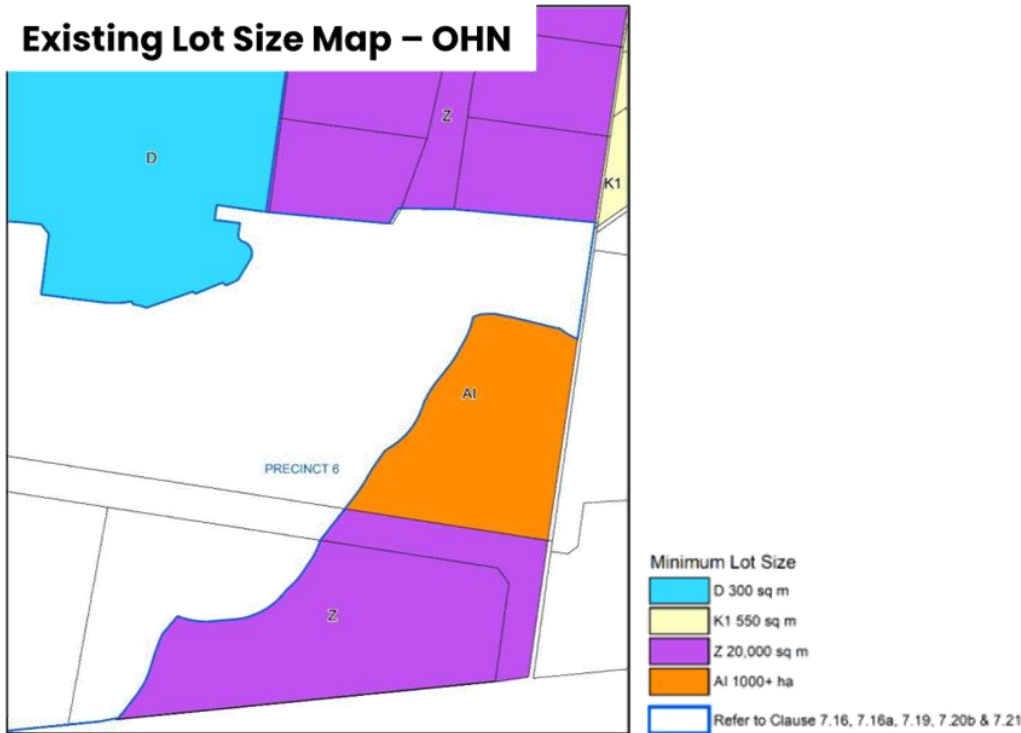
### Existing Height of Building Map – GP3



### Proposed Height of Building Map – GP3









Attachment: Department of Planning, Industry and Environment planning system circular PS 21-014



Planning,  
Industry &  
Environment

DPE file no:

## Section 3.22 EP&A Act submission

### Part A. Council to complete

#### Subject:

**Penrith Local Environmental Plan 2010 (Map Amendment No. xx)**

.....  
(Insert name of amending LEP)

Report requesting the making of an amending local environmental plan under sections 3.22 and 3.36(2) of the *Environmental Planning and Assessment Act 1979*.

#### Background:

**Penrith City Council**..... (Insert name of council) resolved on **xx xx 2026**....., to amend **Penrith Local Environmental Plan 2010** ..... (Insert name of LEP) and to request that the Minister for Planning and Public Spaces make the plan under sections 3.22 and 3.36(2) of the *Environmental Planning and Assessment Act 1979*. The draft amending plan is attached. The land to which this amendment applies is **Glenmore Park Stage 3 (GP3). Refer to attached maps**

(Specify area. Attach map if appropriate)

#### Why there is a need for the amendment:

There is a need for this expedited map amendment to address matters that have arisen since the finalisation of the GP3 Planning Proposal, including:

- to respond to survey adjustments
- to respond to refinements made to the GP3 Structure Plan layout during the DA design stage
- to eliminate split zonings or incongruous zonings of future lots and facilitate orderly development
- to facilitate the dedication of additional RE1 land as public open space in accordance with the developer's Letter of Offer to enter into a Voluntary Planning Agreement.
- to respond to changes in sale agreement options and address irregularities in the C4 zoning.

(Please attach a separate sheet if necessary)

Department of Planning, Industry and Environment – Planning Circular PS 21-014

**What the amendment does:**

Minor amendments are proposed to 3 LEP maps, including:

- **Land Zoning Map LZN-007**
  - Realignment of R2 and R3 boundaries to align with the subdivision blocks and road layouts defined during the DA stage.
  - Expand the RE1 zone in the eastern corner of the large central park (District Park 4).
  - Rezone two small pockets of C4 Environmental Living land to R2 Low Density Residential. The C4 zoning was initially designed with consideration to sale agreements options between Mirvac and private landholders, noting that certain landholders sought agreement options that enabled existing dwellings on the land to be retained. This resulted in irregularities in the C4 zoning along the northern edge of Chain O Ponds Road. The amendment reflects changes to a sale agreement option, and resolves irregularities in the C4 zoning.
- **Lot Size Map LSZ-007**
  - Minor amendments to the lot size map are proposed to ensure consistency with the zoning map. Where changes are proposed to the zoning map (as outlined above) the minimum lot size map has been updated accordingly to reflect the existing lot size requirements for R2 and R3 zoned land of 180sqm in the R2 zone and 300sqm in the R3 zone
  - Remove the minimum lot size requirement from a small portion of proposed additional RE1 land, forming part of the large central park (District Park 4).
- **Height of Building Map HOB-007**
  - Remove the building height requirement for a small portion of additional RE1 land proposed in the eastern corner of the large central park. (District Park 4)

(Please attach a separate sheet if necessary)

**Why the amending plan is suitable to be made in accordance with section 3.22:**

The amendments are minor in nature and will not have an adverse impact on the environment or adjoining lands. The changes will not have material impact on the planned outcomes for the precinct and will not limit or restrict the ability to comply with the dwelling cap requirements under Clause 7.16A of Penrith LEP 2010. The proposed map amendments are needed to facilitate the orderly development of Glenmore Park Stage 3

(Please attach a separate sheet if necessary)

The council requests that the Minister agree to make draft **Penrith Local Environmental Plan 2010 (Map Amendment No. xx)** (Name of amending LEP)

Signed: ..... Date: xx xx 2026.....

Name: ..... Position: .....

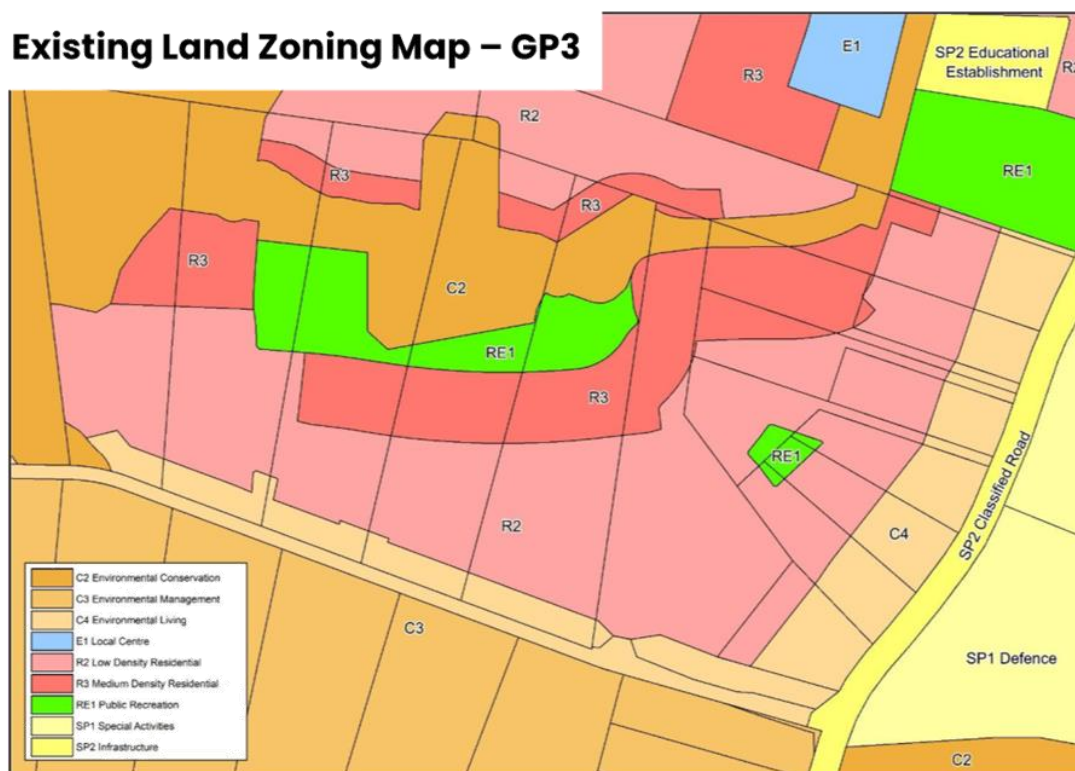
On behalf of: **Penrith City Council** (Name of council)

Part B. Department use only
Date deemed adequate or returned to Council as inadequate:
Department position:
Opinion that instrument may be legally made:
Recommendation:

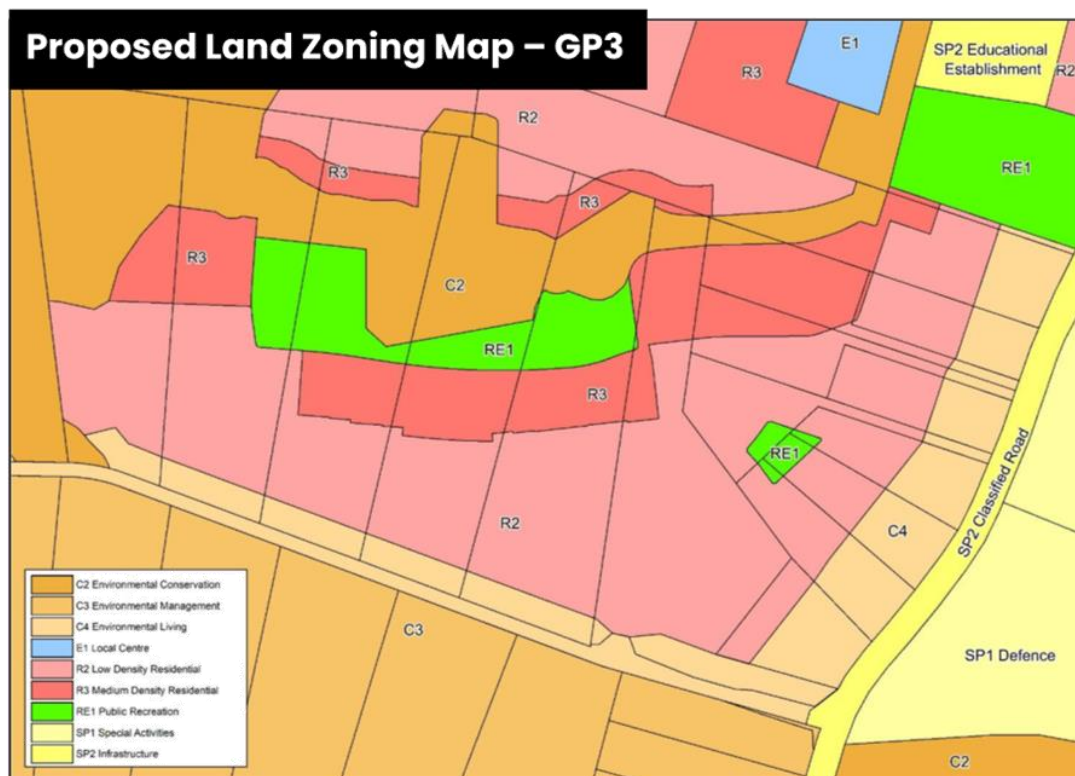
Date:
Signed:
Name:

# **Attachment 1 – Proposed Draft LEP Maps**

**Existing Land Zoning Map – GP3**

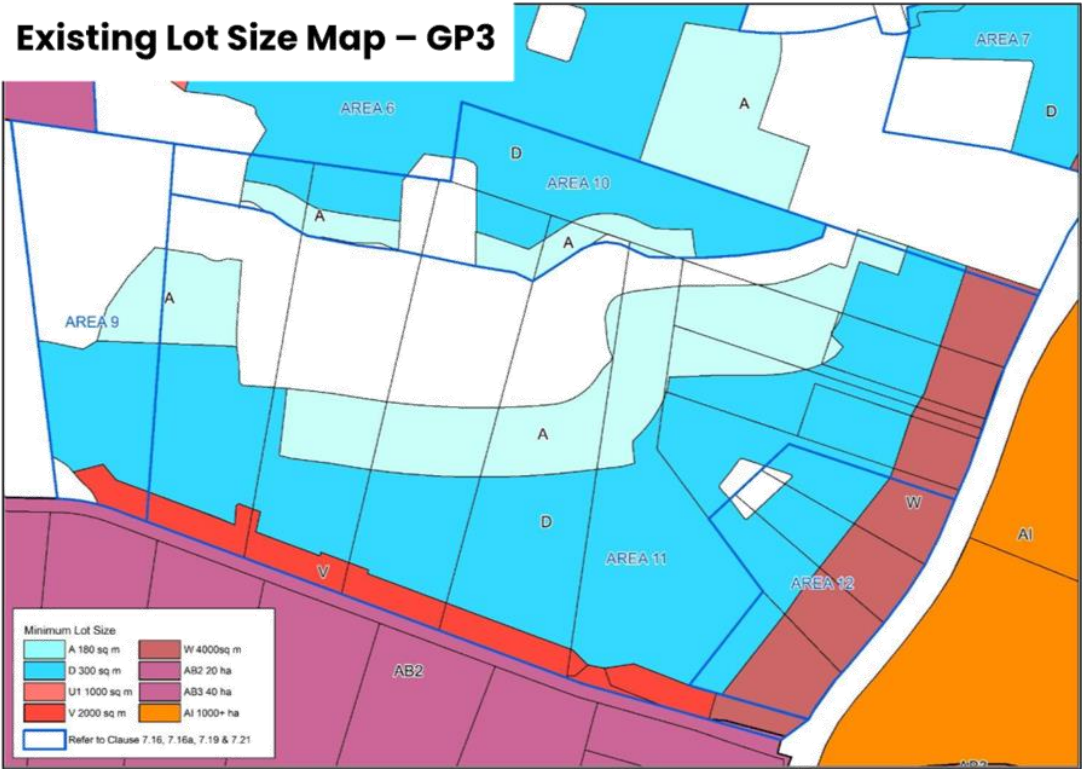


**Proposed Land Zoning Map – GP3**

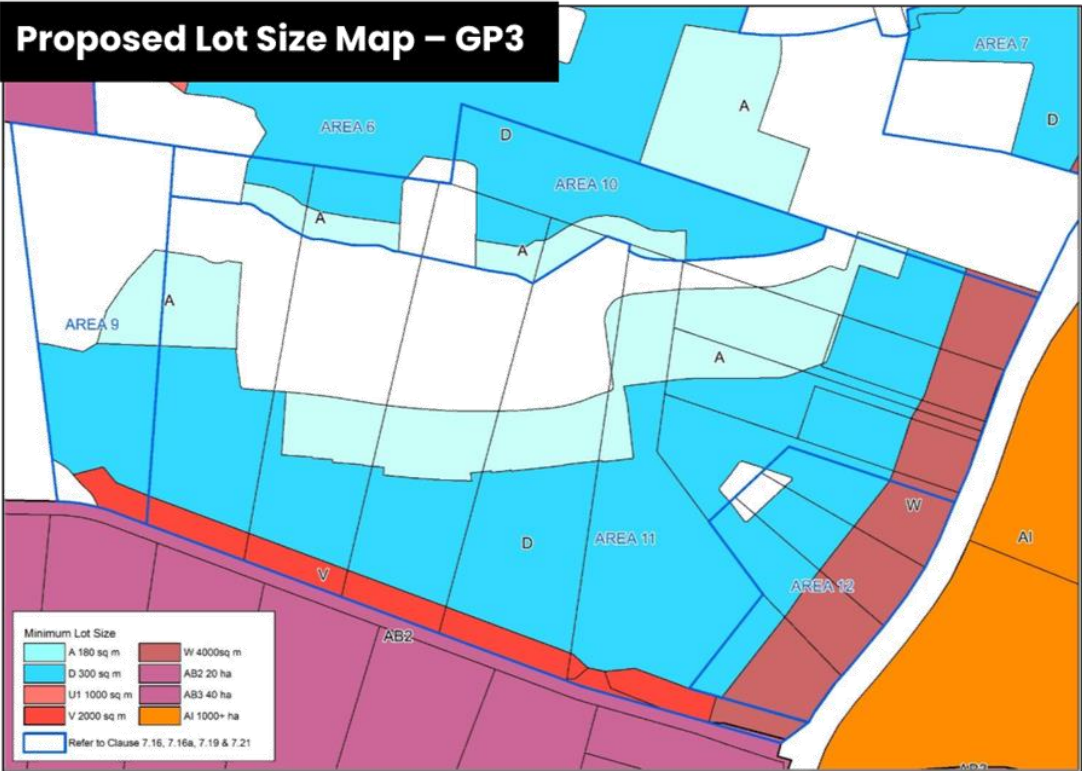




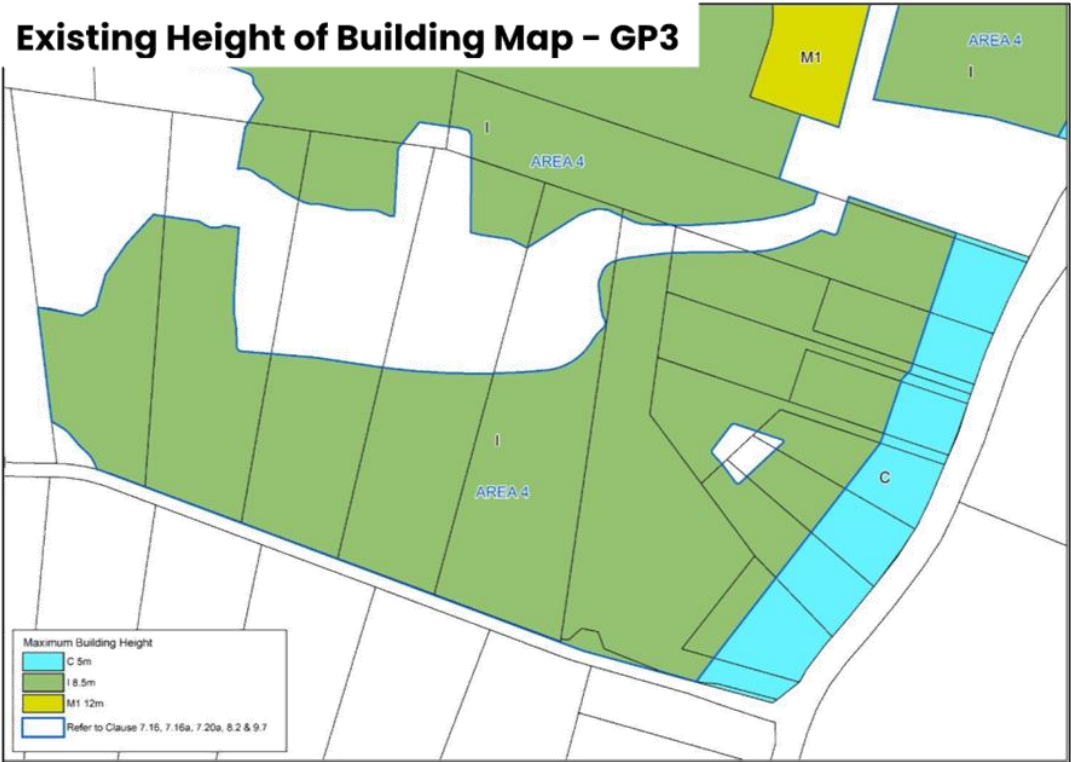
Existing Lot Size Map – GP3



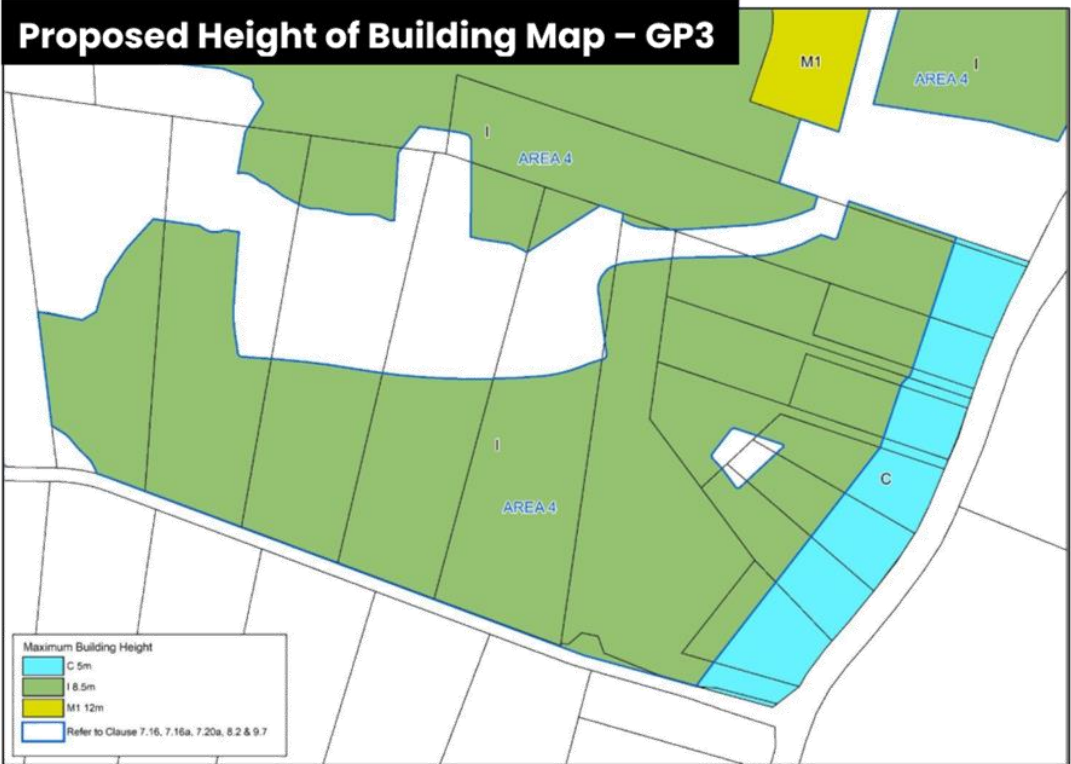
Proposed Lot Size Map – GP3

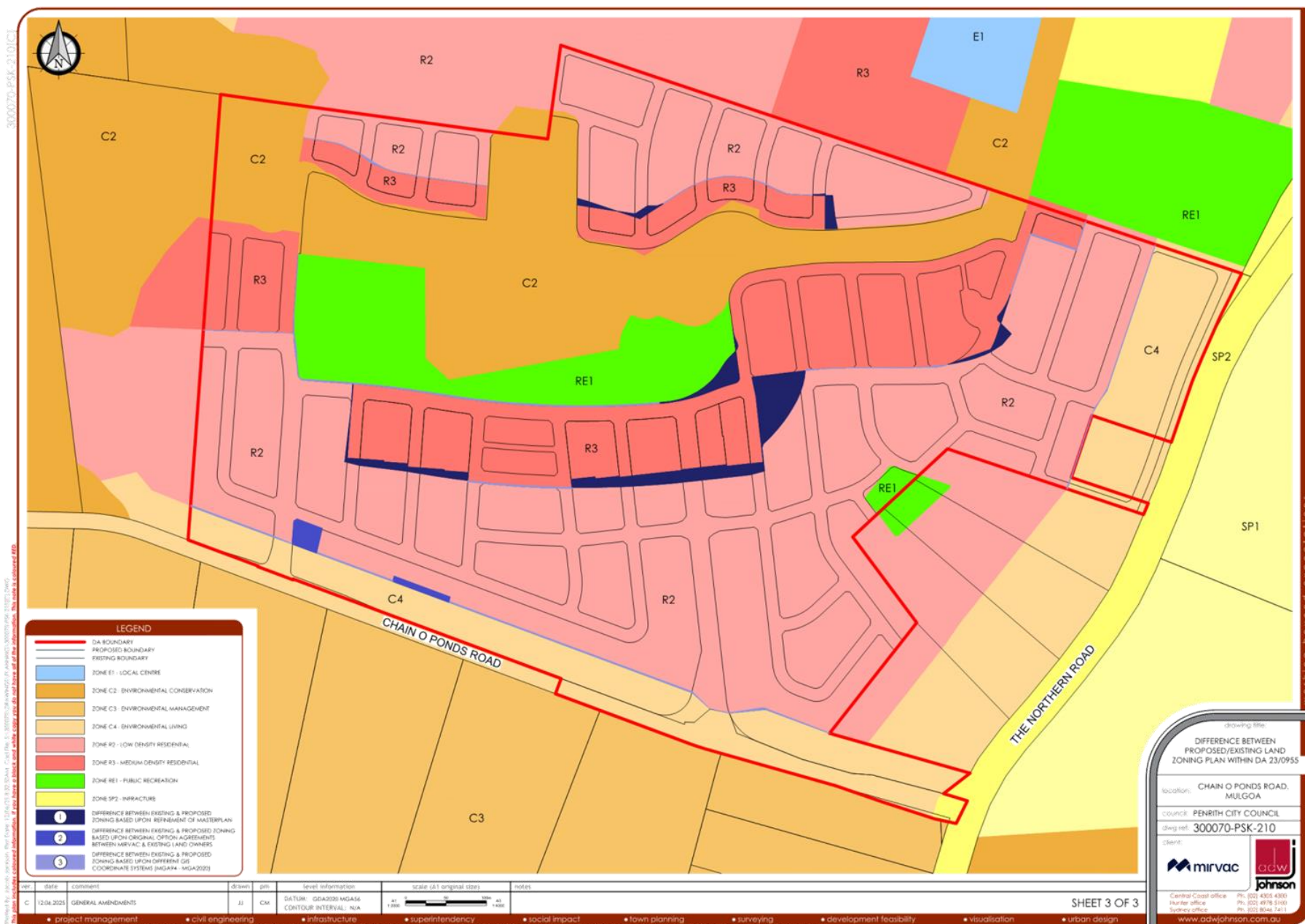


**Existing Height of Building Map – GP3**



**Proposed Height of Building Map – GP3**







Attachment: Department of Planning, Industry and Environment planning system circular PS 21-014



Planning,  
Industry &  
Environment

DPE file no:

## Section 3.22 EP&A Act submission

### Part A. Council to complete

#### Subject:

**Penrith Local Environmental Plan 2010 (Map Amendment No. xx)**

.....  
(Insert name of amending LEP)

Report requesting the making of an amending local environmental plan under sections 3.22 and 3.36(2) of the *Environmental Planning and Assessment Act 1979*.

#### Background:

**Penrith City Council**..... (Insert name of council) resolved on **xx xx 2026**....., to amend **Penrith Local Environmental Plan 2010** ..... (Insert name of LEP) and to request that the Minister for Planning and Public Spaces make the plan under sections 3.22 and 3.36(2) of the *Environmental Planning and Assessment Act 1979*. The draft amending plan is attached. The land to which this amendment applies is **Lot 1 DP863335, 190-226 Caddens Road, Orchard Hills North (OHN). Refer to attached map.**  
(Specify area. Attach map if appropriate)

#### Why there is a need for the amendment:

This expedited amendment to the minimum lot size map for OHN is needed for the following reasons:

- to facilitate orderly development: Lot 1 DP863335 (Lot 1) is a large super lot that needs to be further subdivided to enable the OHN structure plan to be delivered and for the planned outcomes for the OHN precinct to be realised. The existing lot size control does not allow for the land to be subdivided. The subject area is 1.11ha in size and therefore cannot comply with the 1000ha lot size control.
- to facilitate the dedication of land to Council for public purposes: the adjoining land is zoned C2 and RE1 and is planned to be dedicated to Council as riparian corridor, bushland, drainage and open space. The subdivision of Lot 1 is needed to facilitate this dedication.

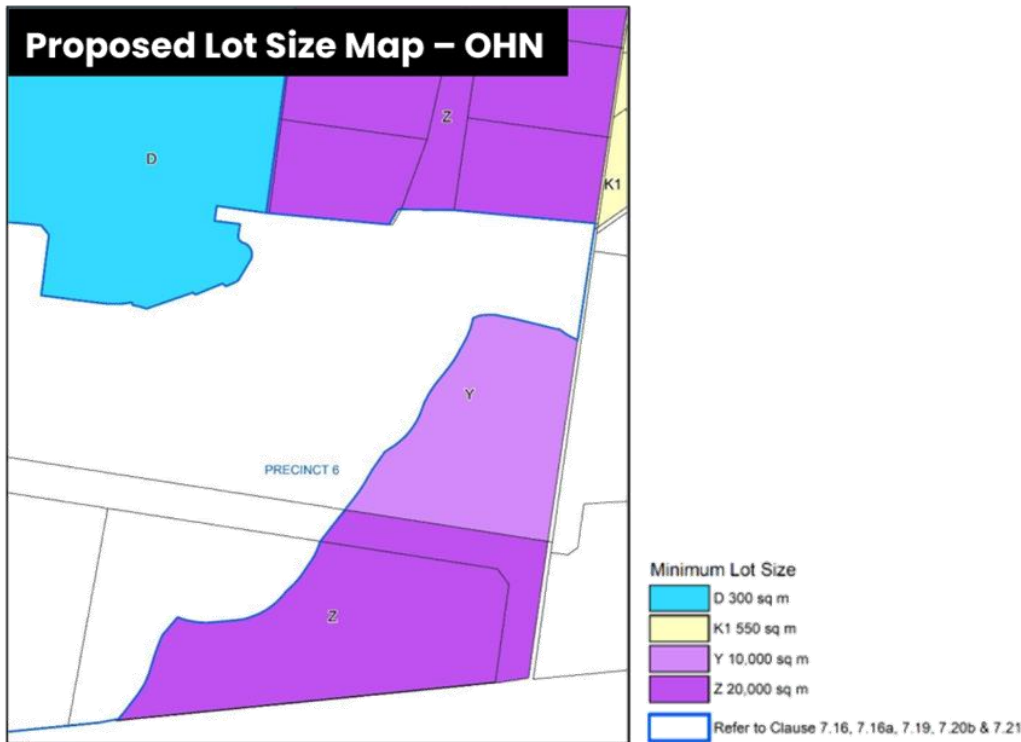
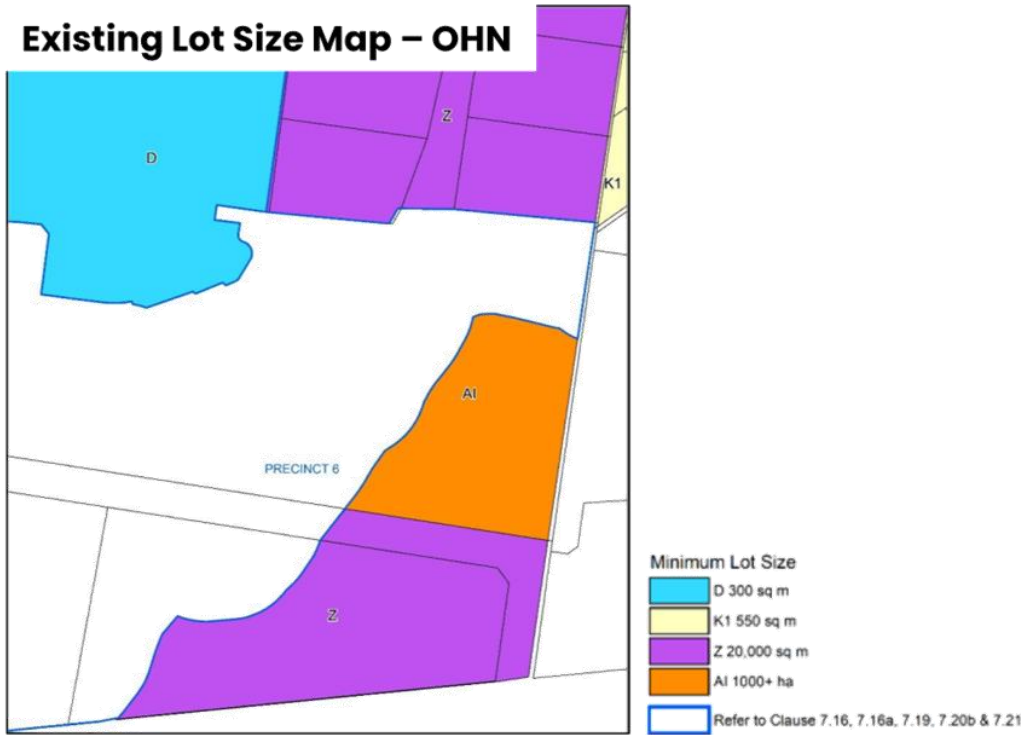
(Please attach a separate sheet if necessary)

Department of Planning, Industry and Environment – Planning Circular PS 21-014

<p><b>What the amendment does:</b></p> <p>It is proposed to amend the Lot Size Map (LSZ-0013) applying to Orchard Hills North to:</p> <ul style="list-style-type: none"><li>• amend the minimum lot size from 1000ha to <u>1ha</u> in the south-eastern corner of Lot 1. Refer to attached draft map.</li></ul> <p>It is noted that the OHN Planning Proposal did not change the lot size control applying to the south-eastern corner of Lot 1. Prior to the gazettal of the Planning Proposal, a 1000ha lot size applied to the whole of Lot 1. The Planning Proposal retained the 1000ha lot size (as well as RU4 zoning) in the south-eastern corner of Lot 1.</p> <p>(Please attach a separate sheet if necessary)</p>
<p><b>Why the amending plan is suitable to be made in accordance with section 3.22:</b></p> <p>The amendment is minor in nature and will not have an adverse impact on the environment or adjoining lands. The change will not have material impact on the planned outcomes for the precinct and will not affect dwelling cap requirements under Clause 7.20B of Penrith LEP 2010. The map amendment is needed to facilitate the orderly development of Orchard Hills North.</p> <p>(Please attach a separate sheet if necessary)</p>
<p>The council requests that the Minister agree to make draft <b>Penrith Local Environmental Plan 2010 (Map Amendment No. xx)</b> (Name of amending LEP)</p>  <p>Signed: ..... Date: <b>xx xx</b> 2026.....</p> <p>Name: ..... Position: .....</p> <p>On behalf of: <b>Penrith City Council</b> (Name of council)</p>
<p><b>Part B. Department use only</b></p>
<p><b>Date deemed adequate or returned to Council as inadequate:</b></p>
<p><b>Department position:</b></p>
<p><b>Opinion that instrument may be legally made:</b></p>
<p><b>Recommendation:</b></p>

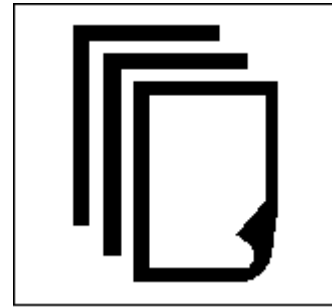
<p>Date:</p>  <p>Signed:</p>  <p>Name:</p>
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# **Attachment 1 – Proposed Draft LEP Map**





# ATTACHMENTS



Date of Meeting: Monday 2 February 2026

Report Title: 2026 Australian Local Government Association (ALGA) - National General Assembly (NGA)

Attachments: ALGA National General Assembly 2026 - Discussion Paper



**Stronger Together:  
Resilient. Productive. United**

**2026  
National  
General  
Assembly  
Discussion Paper**

National Convention Centre Canberra



**ALGA**  
Australian Local  
Government Association



The Australian Local Government Association (ALGA) is pleased to convene the 32nd National General Assembly of Local Government (NGA), to be held in Canberra in June 2026.

As convenor of the NGA, the ALGA Board warmly invites all councils to send representatives to this important national event.

The NGA is the premier national gathering of local governments. It gives councils a chance to come together, share ideas, debate motions, and strengthen the relationship between local government and the Australian Government.

This discussion paper contains essential information for Australian councils considering submitting motions for debate at the 2026 National General Assembly of Local Government (NGA).

It is recommended that all councils and delegates intending to attend the 2026 NGA familiarise themselves with the guidelines for motions contained in this paper.

## **KEY DATES**

24 October 2025 | Opening of Call for Motions

27 February 2026 | Acceptance of Motions closes

## **TO SUBMIT YOUR MOTION**

**VISIT: [ALGA.COM.AU](https://alga.com.au)**

## **ALGA AND THE NGA – WORKING FOR YOU**

Established 1947, ALGA is a federation of member state and territory associations. Its mission is to achieve outcomes for local government through advocacy with impact, and maximise the economic, environmental and social wellbeing of councils and our communities.

Since 1994, the NGA has raised the profile of local government on the national stage, showcasing the value of councils and demonstrating – particularly to the Australian Government – the strength and value of working with local government to deliver on national priorities.

Debate on motions was introduced to the NGA as a vehicle for councils from across the nation to canvas ideas. Outcomes of these debates (NGA Resolutions) can be used by councils to inform their own policies and priorities, as well as their advocacy when dealing with federal politicians.

At the same time, they help ALGA and its member state and territory associations gain valuable insight into council priorities, emerging national issues, and the level of need and support for new policy and program initiatives.

Given ALGA's structure, Constitution, and resources, the NGA resolutions do not bind ALGA. However, NGA resolutions are carefully considered by the Board to determine ALGA's policies, priorities and strategies to advance local governments within the national agenda.

This is your NGA, and ALGA is pleased to act as the convenor. ALGA's policies and priorities will continue to be determined by the ALGA Board in the interests of all councils.

We encourage councils to consider the topics and guidance in this paper as you develop your motions.

**The ALGA Board thanks all councils for attending the NGA 2026 and those who submit motions for debate.**

## SUBMITTING MOTIONS

The National General Assembly of Local Government (NGA) gives you and your council an important opportunity to influence the national policy agenda.

The Australian Local Government Association (ALGA) Secretariat has prepared this short discussion paper to help you identify motions that address the NGA 2026 theme of “Stronger Together: Resilient. Productive. United.” This theme encourages debate on how councils across Australia can become more resilient, contribute to the nation’s productivity agenda, and present a united voice to the federal government on key issues in the national sphere.

We encourage you to read all the sections of the paper. We have included guiding questions to assist in developing your motion, but you do not have to respond to every question. You can address one or more of the issues identified in the discussion paper with your motion.

Your NGA motion should focus on how local governments can work in partnership with the Australian Government to address the challenges our communities face or seize the opportunities that are national priorities.

Each year the Secretariat receives a high volume of motions. Councils are encouraged to submit only their highest-priority motions and ensure it meets the criteria below. Multiple motions on a similar topic may be re-written into a single strategic motion, and councils will be invited by the Secretariat to put their council name to the proposal.

## HOW TO SUBMIT

- Each motion requires a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of your council.
- You can lodge motions electronically using the online portal available at [www.alga.asn.au](http://www.alga.asn.au)
- **Motions should be received no later than 11:59 pm AEST on Friday 27 February 2026.**

## WHO CAN SUBMIT A MOTION

- Any council that is a financial member of their state or territory local government association can submit a motion.
- We will not accept motions submitted on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

## CRITERIA FOR MOTIONS

To be eligible for inclusion in the NGA Business Papers, and debate it on the floor of the NGA, you must meet the following criteria:

- > Submit a new motion that has not been debated at an NGA in the preceding two years as found in previous business papers on the ALGA website.
- > Ensure your motion is relevant to the work of local government across the nation, not focused on a specific location or region, unless the project has national implications.
- > Align your motion with the policy objectives of your state and territory local government association.
- > Propose a clear action and outcome on a single issue, calling on the Australian Government to take action. Motions covering more than one issue will not be accepted.
- > Ensure the motion does not seek to advantage one or a few councils at the expense of others.
- > Avoid being prescriptive in directing how the matter should be pursued.

## WRITING TIPS

Motions should seek the NGA's support for a particular action or policy change at the federal level which will assist local governments to meet local community needs.

- > Start with: "This National General Assembly calls on the Australian Government to...".  
Be concise, clearly worded, and unambiguous.
- > Use the background section of the form to help delegates understand your issue.
- > Keep your motion to 100 words, the national objective to 100 words, and the key arguments to 150 words.

## PROCESS OF SELECTION

The ALGA Secretariat will review motions for quality control and consistency with the criteria.

- > With the agreement of the relevant council, we may edit motions to ensure consistency.
- > If we have any questions about the substance or intent of a motion, we will raise these with the nominated contact officer.
- > Where there are multiple motions on a similar issue, the Secretariat may combine them into a single overarching strategic motion and invite the council to attach their name to the strategic motion.
- > Motions that reflect existing ALGA policy will be noted in the Business papers—but will not be included for debate, as they have already been covered in existing ALGA advocacy and policy positions.

The ALGA Board provides final decision on which motions are included in the Business paper.

- > The ALGA Board and state and territory local government associations will review all submitted motions to determine their eligibility.
- > The ALGA Board will consider the importance and relevance of the issue to local government and whether the motions meet all the criteria.
- > The ALGA Board will refer any motion primarily concerned with local or state issues to the relevant state or territory local government association and it will not include it in the NGA Business Papers.

## WHO WILL SPEAK TO THE MOTION AT NGA?

We expect any council that submits a motion to be present at the National General Assembly to move and speak to the motion. The decision on the speaker is at the discretion of the council.

## AFTER THE NGA

The resolutions of the NGA will be referred to the relevant federal Minister as an outcome of the NGA.

Resolutions passed at the NGA do not become binding policy on ALGA, with policy positions to remain at the discretion of the ALGA Board.

All NGA resolutions will be published on [www.NGA26.com.au](http://www.NGA26.com.au).

As the host of the NGA, ALGA will communicate resolutions to the relevant Australian Government Minister and publish Ministerial responses as they are received on the ALGA website.



## **OTHER THINGS TO CONSIDER**

- > It is important to complete the background section of the submission form. Do not assume NGA delegates will know the background of the proposal. This section helps all delegates to understand your motion and informs decision making. Please note, motions should not be prescriptive in directing how the matter should be pursued.
- > Keep motions practical, focussed and can be implemented. This ensures that relevant Australian Government Ministers can respond thoughtfully and promptly. Avoid complex motions with multiple points that require cross-portfolio implementation.
- > If there are any questions about a motion, ALGA will contact the nominated officer. With the council's agreement, these motions may be edited before being included in the NGA Business Papers.
- > Debate will follow the rules published in the Business Papers and will focus on the strategic motions.



## SETTING THE SCENE

In the face of evolving challenges and opportunities, local governments around Australia stand at the forefront of driving resilience and productivity. Local governments know we are stronger together and the importance of unity across all levels of government. The theme for this year's NGA, **Stronger Together: Resilient. Productive. United**, underscores the pivotal role councils play in shaping the nation's future and delivering national priorities.

As the backbone of local communities, councils are uniquely positioned to implement place-based solutions that address both local needs and national priorities. This year's NGA encourages debate on how councils can enhance their resilience, contribute meaningfully to the nation's productivity agenda, and present a cohesive voice to the federal government on critical issues.

By fostering collaboration and innovation, local governments can lead the way in creating sustainable and thriving communities.

The 2026 NGA provides you - the elected representatives of Australia's local councils and communities - with the opportunity to engage with the Federal Government and key Ministers, ensuring that the voices of local communities are heard at the national level.

In this context, this year's call for motion focusses on ten priority areas:

- Financial sustainability
- Emergency management
- Housing and planning
- Roads and infrastructure
- Closing the Gap
- Jobs and skills
- Environment
- Cyber security
- Climate change
- Intergovernmental relations.



# 1. FINANCIAL SUSTAINABILITY

Financial sustainability is the biggest challenge facing Australia's local governments which is why it remains one of ALGA's top priorities. Sustainably funded, councils can play a key role delivering local solutions to national priorities.

The 2025 Parliamentary inquiry interim report into local government sustainability confirmed that the role of councils has evolved and expanded over time, putting significant pressure on local government budgets. It is critical the Federal Government reinstates and finalises the Parliamentary inquiry into local government sustainability.

For almost one in four councils, federal Financial Assistance Grants make up at least 20 per cent of their annual operating revenue. This funding is untied, meaning it can be used to address local priorities.

Over the past 30 years, the value of Financial Assistance Grants as a percentage of Commonwealth taxation revenue has dropped from 1% in 1996 to just 0.5% today. To address this, ALGA is advocating for a **return to 1% of Commonwealth taxation revenue for local government over the next three years.**

ALGA also proposes five new, untied funding streams to be distributed to all councils on a formula basis, including:

- \$1.1 billion per year for enabling infrastructure to unlock housing supply,
- \$500 million per year for community infrastructure,
- \$600 million per year for safer local roads,
- \$900 million per year for increased local government emergency management capability and capacity, and
- \$400 million per year for climate adaptation.

Additionally ALGA advocates for permanent, full membership of National Cabinet, the Council on Federal Financial Relations and the Local Government Ministers' Forum to ensure local perspectives are considered in national decision making.

*What are the opportunities to address financial sustainability across councils, and support their capacity to deliver local solutions to national priorities?*

*Are there improvements to be made to existing federal funding programs and arrangements that would support improved local government financial sustainability?*



## 2. EMERGENCY MANAGEMENT

The frequency, duration, and severity of natural disasters in Australia are a major concern for local governments.

Between 2019 and 2023, 434 of Australia's 537 councils faced natural disasters. Since 2020, 346 councils have dealt with at least two or more natural disasters. These numbers highlight that Australia will likely face more frequent and severe climate-driven disasters in the future, as noted by the 2025 Australian National Climate Risk Assessment (NCRA). Regional communities, which have the least capacity to plan and respond to natural disasters, are often hit the hardest. However, the NCRA also warns that even areas that have never experienced disasters will face one at some point as the climate continues to warm.

More frequent disasters will further strain emergency services and disaster response and recovery efforts at all levels of government. Natural disasters currently cost Australia \$38 billion per year in direct physical damage, economic disruption, and social impacts, affecting millions of people. This figure is forecast to rise to approximately \$73 billion by 2060.

Councils are crucial in supporting their communities during and after disasters, but do not have enough funding to carry out these functions. They are already stretched thin, with many councils facing financial instability, and the increasing frequency of disasters has a cumulative financial impact.

Investing more in disaster prevention and resilience, as well as boosting local government emergency management response funding, will save money in the long run and better protect lives, homes, and businesses. Every dollar spent on reducing the impact of climate-related disasters saves the government up to \$8 in the long term.

ALGA is asking for \$900 million per year to help councils improve their disaster response and resilience. They also want the Commonwealth to fully implement the recommendations from the Royal Commission into National Natural Disaster Arrangements and other major reviews, including the Independent Review of National Natural Disaster Governance Arrangements (the Glasser Review) and the Independent Review of Commonwealth Disaster Funding (the Colvin Review)

The Independent Reviews by Colvin and Glasser support a strategic shift towards disaster risk reduction and resilience. The Colvin Review recommended a major capacity uplift for local government and an enhanced national training and exercise regime which tests and builds local government capability. However, while ALGA notes the need to invest in risk-reduction and resilience-building initiatives, embedding recovery at all points along the emergency management continuum, should always be at the front of mind for all levels of government. ALGA's response to these Reviews reiterated the need for a sustainable funding model for disasters through a non-competitive pathway, and dedicated funding for local government.

Councils are encouraged to draw on their practical experience of the improvements that could be made to better support them in preparing, responding to, and recovering from, natural disasters.

Please note that many aspects of emergency management are state or territory responsibilities, and your motions should focus on how the Australian Government could assist.

*What new programs, or improvements to existing programs, could the Australian Government develop to partner with local government to improve the current natural disaster management systems to further assist in recovery and build resilience?*

*How can the Government best support Australian councils to prepare for, respond to and recover from natural disasters?*

### 3. HOUSING AND PLANNING

Australia is experiencing an affordable housing crisis, with a lack of housing supply impacting on homeowners and renters.

The crisis is leading to more people experiencing homelessness and struggling with housing insecurity and affordability.

In many jurisdictions, local government performs a key role in zoning and approving housing and delivering enabling infrastructure. However, councils are often unfairly blamed for delays in housing approvals when most applications that meet the requirements are processed quickly and efficiently.

One of the biggest barriers to building more homes is a lack of funding for enabling infrastructure, including the roads, power and water connections necessary for new developments.

The National Housing Accord – which ALGA is a signatory to on behalf of local government – sets an ambitious national target of 1.2 million new, well-located homes over the next five years. According to ALGA's research, it will cost at least \$5.7 billion to build the infrastructure needed to meet the national housing target. This is in addition to the existing funding gaps for local government infrastructure, which is estimated to be between \$50-\$55 billion for replacing infrastructure in poor condition (2024 National State of the Assets Report).

The 2024 Addressing the Housing Crisis: Unlocking Local Government's Contribution Report by Equity Economics found that 40% of surveyed local governments have reduced new infrastructure developments due to insufficient funding for enabling infrastructure required to support new housing, further exacerbating the housing crisis.

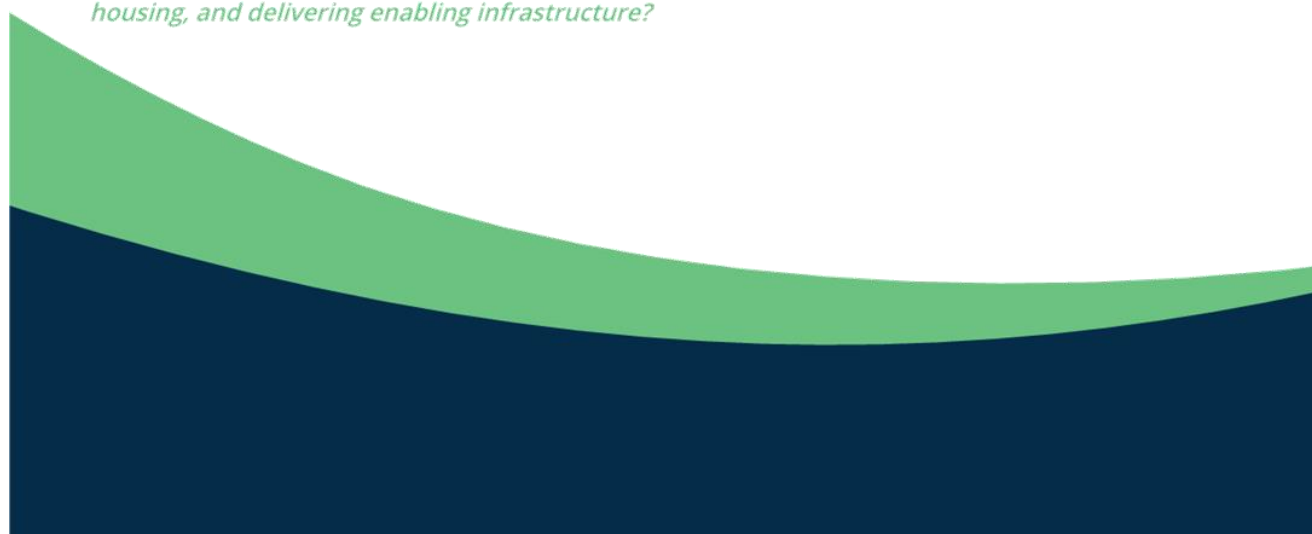
ALGA is calling for a new five-year, \$1.1 billion annual fund that would be provided to all councils to get the foundations right for increasing Australia's housing supply.

We are advocating for local governments to be provided with \$500 million per year for critical and community infrastructure and assets that will help create more liveable communities.

ALGA is also seeking a seat at the table for national discussions on housing policy, including full membership of National Cabinet and the Housing and Homelessness Ministerial Council.

*What new programs and policies could the Australian Government develop to partner with local government to support the provision of more affordable housing?*

*How can local governments be better supported in their role in planning and approving housing, and delivering enabling infrastructure?*



## 4. ROADS AND INFRASTRUCTURE

Local governments are responsible for about one-third of Australia's public infrastructure, including local roads, buildings, facilities, airports, water and land.

According to ALGA's 2024 National State of the Assets report, Australia's councils manage over \$600 billion worth of assets and infrastructure, which is about ten times their annual revenue.

This makes local governments the most asset-intensive level of government. Councils manage local roads, which make up around 75% of the national road network, totalling more than 650,000 km. These roads serve every Australian and business daily, and are key to Australia's productivity.

### Safer roads

The unacceptable number of deaths and serious injuries on Australian roads has continued to rise every year since 2020.

Tragically, around half of all fatal road crashes occur on local roads in regional areas. During the 12 months ending August 2025 there were 1,353 road deaths, 4.3% higher than the same time in the previous year, according to national road safety data.

Effectively funding the maintenance and necessary safety upgrades of Australia's local road network is a big challenge, and despite recent increases in the federal Roads to Recovery funding, there is still a \$500 million per year shortfall, according to the 2023 Grattan Institute's Potholes and Pitfalls report.

ALGA is calling for \$600 million per year safer roads fund – with \$500 million for infrastructure improvements and \$100 million for road safety programs – to support all councils to play a more effective role reducing deaths on Australian roads.

### Community infrastructure

Local government libraries, playgrounds, bike paths and community centres are vital to the wellbeing and liveability of communities. However, many of these facilities need significant attention and upgrades.

According to ALGA's 2024 National State of the Assets report, around \$8.3 billion of local government buildings and facilities and \$2.9 billion of parks and recreation assets are in poor condition.

On a positive note, since 2021, the amount of local government buildings and facilities in poor condition has fallen from 10 per cent to eight per cent. This is the result of increased federal investment through the Local Roads and Community Infrastructure program, from both the Coalition and Labor governments since 2020.

Unfortunately, this program has ceased and there is an urgent need for ongoing and significant community infrastructure. ALGA is proposing a \$500 million per year community infrastructure fund – to be provided to all councils – to build, (and importantly), maintain and upgrade the local facilities that make communities great.

*Are there new programs or initiatives that the Australian Government could adopt to improve the long-term sustainability of local government roads and community infrastructure?*

*Are there programs or initiatives that the Australian Government could provide to improve the sector's capacity to manage local government infrastructure and to integrate these plans into long-term financial plans?*

*Are there opportunities for the Australian Government to support councils to invest in local infrastructure that will help address national priorities?*

## 5. CLOSING THE GAP

Local governments play a crucial role in closing the gap between Indigenous and non-Indigenous Australians. ALGA is a signatory to the National Agreement on Closing the Gap Partnership, which focuses on four priority reform targets and 19 socio-economic targets in areas like education, employment, health, justice, safety, housing, land and waters, and Aboriginal and Torres Strait Islander languages.

Local governments are uniquely positioned to support partnerships that address long-term service gaps and ensure their delivery. However, the Productivity Commission Review of the National Agreement on Closing the Gap found that Federal and state governments are not adequately supporting or involving local governments in these reforms.

ALGA is calling for more resourcing and funding for local government, to support place-based initiatives or broader programs to enable councils to better facilitate and meet Closing the Gap objectives in their communities.

ALGA is also advocating for the Commonwealth to:

- Establish a national framework/set of protocols outlining which Federal Government departments/agencies should engage with local government in place-based initiatives, and planning for community-level projects or expenditure.
- Seek greater local government input in programs that impact on Closing the Gap targets to better shape programs with local knowledge and the needs of specific communities.
- Develop programs, with state and territory governments, to include funded support positions for local government coordination and partnership efforts (including member associations).
- Recognise councils with majority or all Aboriginal-elected members as key service delivery bodies in policy and program development.

*Are there programs or initiatives that the Australian Government could adopt to assist local government to advance reconciliation and close the gap?*

*Are there practical programs or initiatives that local government and the Australian Government could introduce to maintain, build and strengthen the level of trust between Aboriginal and Torres Strait Islanders and governments?*





## 6. JOBS AND SKILLS

Australia's jobs and skills crisis is significantly impacting local governments, which employ around 213,000 people nationwide. ALGA's 2022 Local Government Workforce Skills and Capability Survey found that nine out of ten Australian councils face jobs and skills shortages, hindering project and service delivery.

Town planners, building surveyors, and engineers are the most in-demand professions. These roles are crucial for supporting and enabling communities to become more resilient and to help boost local economic growth and national productivity. National priorities, such as increasing housing supply, cannot be achieved without local government support and the right professionals to undertake this work.

Several factors drive these skill shortages, including difficulty attracting young people to local government jobs, lack of available training courses, wage competition, and insufficient resources to upskill the current workforce. This includes access to training facilities for rural and remote councils, workplace supervisors, subject matter experts, and contextualized training resources.

Councils urgently need more federal funding to invest in workforce development and training programs, attract workers to regional areas, and address broader skills shortages in the national economy. ALGA is calling for the Federal Government's National Skills Plan to acknowledge the vital role of local governments as employers in training and skills development. ALGA also seeks funding opportunities for council employees to access training for identified skills shortage areas, especially in regional and remote communities.

Additionally, it is important for the Commonwealth to undertake a national audit of institutions offering urban and land use planning, building surveyors, and engineering qualifications, and to identify more readily available pathways for regional and remote study.

*Are there programs or initiatives that the Australian Government could implement that would enhance local government's capacity to attract and retain appropriately skilled staff now and into the future?*

*Are there programs or changes to existing programs that would increase local government's ability to employ apprentices and trainees?*

*Are there other initiatives that the Australian Government could provide to improve the sector's ability to plan and develop skills fit for the future?*

## 7. ENVIRONMENT

Local governments play a crucial role in protecting our local environment including places, flora and fauna.

Councils spend more money on environmental protection than any other level of government. According to SGS Economics and Planning, councils spent \$6.75 billion in 2021-22 on biodiversity, biosecurity, water management, and waste management. By comparison, states and territories spent \$6.62 billion, and the Commonwealth allocated \$6.7 billion over the same period.

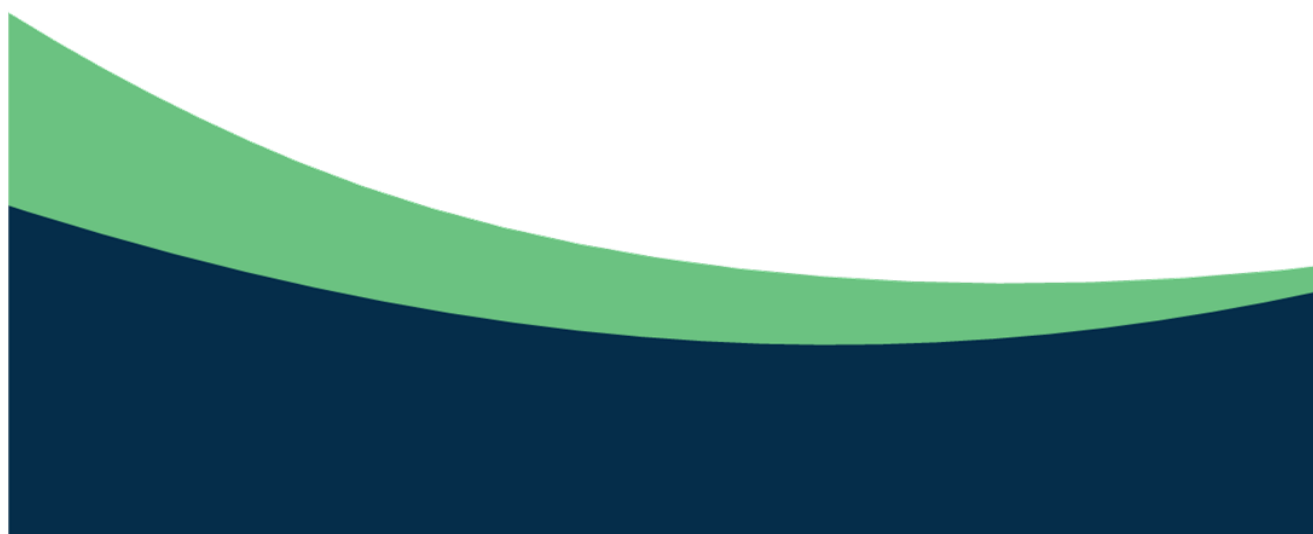
Local government is also key in improving waste management and resource recovery to reduce pollution, maintain communities and keep people healthy. However, as the Australian Government recently reported, we are running out of viable landfill space and circular economy solutions are required.

Local governments are ideal partners for on-the-ground action to deliver environmental priorities and outcomes, but they need better funding and support.

Councils bring a local, community-based and integrated approach to managing environmental issues, including weed and pest management, monitoring and protecting threatened species, contributing to water security and enhancing biodiversity.

ALGA is calling on the Federal Government to:

- Fund councils to support the delivery of national environmental outcomes. This includes outcomes stipulated in international conventions, threatened species action plans, matters of national, state, and local environmental significance, and any new obligations/expectations under reforms to the Environmental Protection and Biodiversity Conservation (EPBC) Act.
- Fund local governments to manage environmental threats, including pests, weeds, and biosecurity threats.
- Ensure local government is appropriately recognised and engaged through environmental law reform processes.
- Seek agreement, under the National Water Initiative, on the overarching social, cultural, economic and environmental outcomes and goals for water on a national and holistic basis, and action planning and funding and achieve these outcomes and goals.



Waste management and resource recovery

Collecting, treating, and disposing of waste costs local governments an estimated \$3.5 billion annually.

The 2022 National Waste report revealed waste generation has increased 20 per cent over the last 15 years (8.3 per cent coming from municipal waste). Although, recycling and recovery of Australia's core waste has increased by 57 per cent since 2006-07, Australia still has one of the lowest rates of recycling among OCED countries.

The responsibility and cost for waste reduction in Australia should be borne by industry, and not local governments.

Implementing mandatory product stewardship, including payments to local governments for any residual resource recovery services, would ensure producer responsibility is operationalised and reduce the cost and risk burden on councils.

ALGA is advocating for the Federal Government to:

- Establish a mandatory product stewardship approach for waste materials and ensure product stewardship schemes include, and are effective, in regional and remote areas.
- Ban the importation and manufacturing of products containing identified contaminants.
- Prioritise national policy attention to waste streams with the highest potential to improve environmental outcomes, reduce costs to local government, and create economic opportunity.
- Introduce a 'local government impact assessment' into national waste policy and reform processes to ensure council interests are systematically incorporated into policy design.

*How could the Australian Government partner with local government to strengthen Australia's environmental services and infrastructure?*

*What new programs could the Australian Government partner with local government in to progress local regional and national objectives?*

*What actions and investments should the Australian Government prioritise to improve resource recovery rates?*

*What initiatives and approaches should the Australian Government take to improve waste, recycling and resource recovery in regional, rural and remote LGAs?*

*What are the most significant opportunities in the circular economy and how can the Australian Government engage with local governments to leverage these opportunities?*

## 8. CYBER SECURITY

Cyber security is a growing risk for all Australian governments and businesses, and councils are not immune. However many local governments are under-resourced and struggle to deal with increasingly sophisticated cyber threats and attacks.

Local governments manage large amounts of sensitive data about communities and community members, including private information from the aged care, health, and social services they deliver. Furthermore, most councils are responsible for managing critical infrastructure, including water, waste, power networks, and transport systems.

Councils need greater support to strengthen their cyber security preparedness and response capability, and protect valuable data.

ALGA is calling for greater funding and support from the federal government to improve cyber security capability and capacity across the local government sector.

*Drawing upon your council's experience, and your knowledge of other councils within your state or territory, are there programs and initiatives that the Australian Government could implement to help local government develop its digital technology services and infrastructure?*

*Are there actions the Australian Government could take to improve cyber security within the local government sector?*



## 9. CLIMATE CHANGE

The impacts of climate change – including from more frequent and severe natural disasters, coastal erosion and rising temperatures – are being felt right across every community.

Councils, being the closest government to communities, are crucial in creating a sustainable future and helping the Federal Government achieve net zero emissions by 2050. However, they need support to manage these impacts.

### Climate adaptation

Local governments are on the frontline of climate adaptation. They build public swimming pools to keep people cool, plant trees for shade, and upgrade stormwater systems to handle heavy rains. With their local knowledge and leadership, they play a vital role in addressing climate risks and seizing new opportunities from new industries and achieving national climate adaptation objectives.

Councils are already investing significantly in climate adaptation, but they need more support to match the scale of the challenges. ALGA's modelling shows that councils deliver \$0.8 to \$3.1 in benefits for every \$1 invested. A \$2 billion investment by 2030 could benefit local communities by \$2.2 to \$4.7 billion.

ALGA is calling for a new \$400 million per year climate adaptation fund, to be distributed across all councils to provide local, place-based solutions to Australia's changing climate.

We are also asking the Federal Government to:

- Streamline and make it easier for local governments to undertake climate risk management. This should involve implementing a voluntary climate risk framework for local government which supports consistent climate risk assessment, reporting, decision making and expenditure.
- Develop, operate and maintain an information and data suite designed specifically for local government adaptation use (on an opt-in basis).

### Emissions reduction

The Australian Local Government Climate Review 2024 found that 86% of councils (out of 120 respondents) had an emissions inventory. However, they face barriers in reducing corporate emissions, such as internal resourcing (69%), funding (64%), and staff capability (40%).

While councils are committed to reducing emissions locally, they need more funding to avoid burdening ratepayers and to allow communities to benefit from low-emissions technologies sooner.



ALGA is asking the Federal Government to:

- Collaborate with local governments as part of a multi-level governance approach (per the Australian Government's pledge to the Coalition for High Ambition Multilevel Partnerships) to undertake strategic planning and prioritisation of net zero projects, infrastructure and service needs on a regional level.
- Fund emissions reduction plans with local governments across states and territories to facilitate a place-based approach to achieving net zero communities.
- Expand, and make more accessible, existing funding programs which enable local governments to reduce emissions and support community emissions reduction.
- Provide councils with accessible and nationally harmonised tools to maintain pace with trends in emissions measurement and reporting.
- Ensure local governments are compensated where emissions reduction processes place additional pressure on services and infrastructure (e.g, heavier EV truck impact on maintenance/standards of roads/bridges).

#### Renewable energy transition

Local governments are crucial partners in the transition to net zero. They engage with project proponents, negotiate community benefits, provide trusted information to residents, and manage the impacts of large projects on roads, housing, and local skills.

Councils strive to create a positive long-term legacy while balancing the immediate risks and impacts of the transition.

ALGA is asking the Federal Government to:

- Create a program of work dedicated to understanding local government experiences with renewable energy transition in their local area and region and develop specific supports for local governments.
- Establish a national approach and mechanism for cost recovery to local governments for the role of brokering benefits between project proponents and their communities, benefitting all Australians.
- Develop and maintain regional plans and a national map demonstrating zoning for prospective and proposed renewable energy projects and transmission corridors.

*Noting the Australian Government's approach to reducing emissions, are there partnerships, programs, and initiatives that local government and the Australian Government can form to achieve Australia's 2050 net zero emissions target?*

*What are the opportunities to support councils to increase community resilience to the impacts of climate change?*

*What support do councils need to ensure that renewable energy projects deliver lasting benefits to the communities that house them?*

*What are the most significant climate risks being faced by local governments and what approach should the Australian Government take to supporting councils?*

*What roles and responsibilities for emissions reduction and climate risk management is your council shouldering that should be primarily managed by other levels of government? How should this responsibility be shared or rebalanced?*

*What are the most significant emissions reduction opportunities for your council and what could the Commonwealth provide to enable you to implement these opportunities?*

## 10. INTERGOVERNMENTAL RELATIONS

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ALGA has unique access and insight into government decision-making in Australia.

We represent local government at Ministerial Councils and forums on a range of key issues including transport, emergency management, energy, climate, environment, planning, culture and Closing the Gap.

At these meetings, ALGA's leaders provide a powerful and strong voice for councils and communities, and ensure local perspectives are considered in national policy development.

However, ALGA does not have a permanent voice on National Cabinet – the main forum linking all governments across the nation.

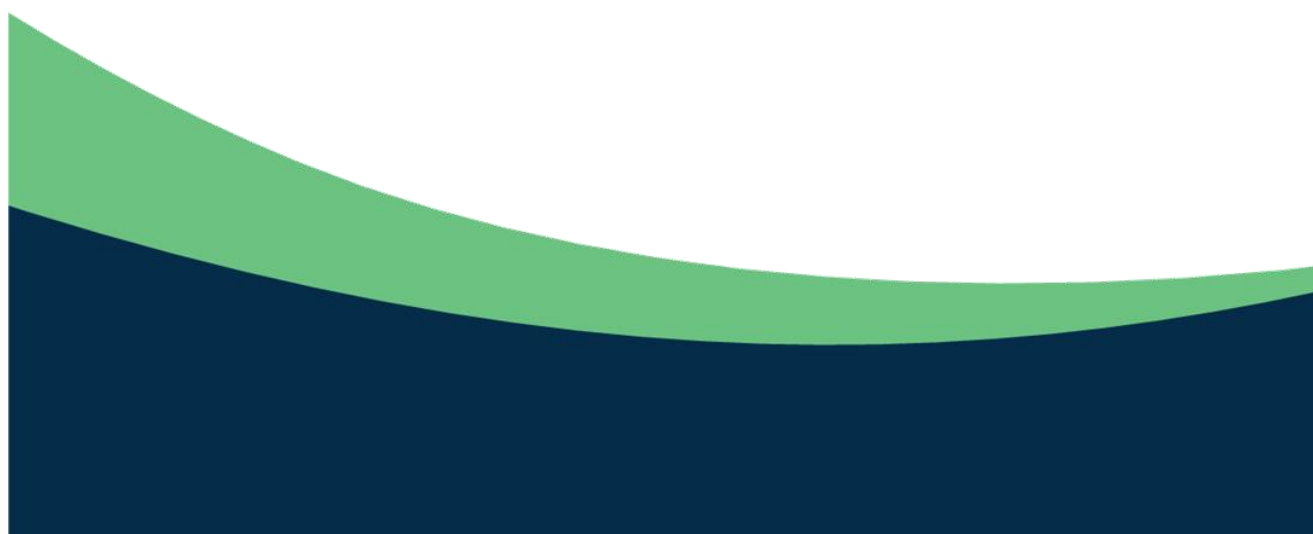
For almost 30 years, ALGA was a valued member and contributor to the Council of Australian Governments (COAG). However, ALGA's membership did not carry over when COAG transitioned to National Cabinet in 2020, and ALGA now only attends one meeting each year as an observer. ALGA is also invited to attend one meeting per year of the Council on Federal Financial Relations.

ALGA is calling on the Federal Government to return ALGA as a full member of National Cabinet with ongoing membership and voting rights. This will enable local government leaders to provide local perspectives on national decision making and ensure the views of Australian communities are understood and considered.

We are also seeking full membership of the Local Government Ministers' Forum, which ALGA currently attends in an ex-officio capacity.

*Given the important role councils play delivering local solutions to national priorities, how can intergovernmental arrangements be further improved in Australia?*

*Are there new initiatives and programs that could be adopted to improve the level of cooperation and collaboration between the Australian Government and local government?*



## CONCLUSION

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Thank you for taking the time to read this discussion paper and your support for the 2026 National General Assembly of Local Government.

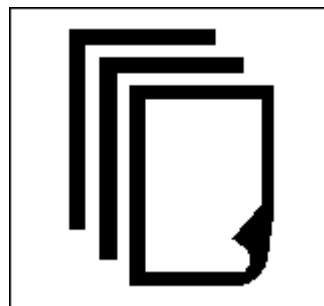
A final reminder:

- Motions should be lodged electronically at [www.alga.com.au](http://www.alga.com.au) and received no later than **11.59pm AEST on 27 February 2026**.
- Motions must meet the criteria published in this paper.
- Motions should commence with the following wording: *'This National General Assembly calls on the Australian Government to...'*
- Motions should not be prescriptive in directing how the matter should be pursued.
- Motions should be practical, focussed and relatively simple.
- It is important to complete the background section on the form.
- Motions must not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
- When your council submits a motion there is an expectation that a council representative will be present at the 2026 National General Assembly to move and speak to that motion if required.
- Resolutions of the National General Assembly do not automatically become ALGA's national policy positions. The resolutions are used by the ALGA Board to inform policies, priorities and strategies to advance local governments within the national agenda.

**We look forward to hearing from you and seeing you at the 2026 National General Assembly in Canberra.**



# ATTACHMENTS



Date of Meeting: Monday 2 February 2026

Report Title: Draft Code of Meeting Practice

Attachments: Draft Code of Meeting Practice



# **DRAFT CODE OF MEETING PRACTICE**

**2025**



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## 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 19.18 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.**

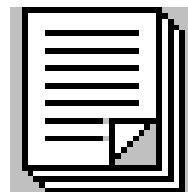
## 21 DEFINITIONS

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 19.9 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 19.2 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. 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: 2 February 2026

Delivery Program: Outcome 5

Service: Financial Services

Report Title: 2025-2026 Voted Works

**2025-26 VOTED WORKS**  
as at 02 February 2026

Meeting Approved	Ref	Description of Allocation	Amount \$	Expenditure	Manager Responsible
<b>SOUTH WARD</b>					
		<b>Amount Available for 2025-26</b>			
		Funds brought forward from 2024-25	246,140		
		2025-26 Funds	53,000		
		<b>Total Vote for 2025-26</b>	<b>299,140</b>		
		<b>Amounts Allocated</b>			
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	11,677	D&P
26-Aug-24	1	Penrith Mayoral Challenge - Monfarville Reserve*	15,000	891	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	2,000	CACP
17-Nov-25	UB2	RAW Penrith	350	350	CACP
8-Dec-25	UB1	WFUNA International Model United Nations 2026	100	100	CACP
15-Dec-25	UB1	Love Bites Senior and Love Bites Junior Program	2,000	-	CACP
			<b>59,344</b>		
<b>TOTAL VOTE UNCOMMITTED FOR SOUTH WARD</b>			<b>239,796</b>		
<b>NORTH WARD</b>					
		<b>Amount Available for 2025-26</b>			
		Funds brought forward from 2024-25	335,647		
		2025-26 Funds	53,000		
		<b>Total Vote for 2025-26</b>	<b>388,647</b>		
		<b>Amounts Allocated</b>			
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	11,677	D&P
26-Aug-24	1	Penrith Mayoral Challenge - Monfarville Reserve*	15,000	891	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	2,000	CACP
17-Nov-25	UB2	RAW Penrith	350	350	CACP
8-Dec-25	UB1	WFUNA International Model United Nations 2026	100	100	CACP
15-Dec-25	UB1	Love Bites Senior and Love Bites Junior Program	2,000	-	CACP
		<b>Total Vote Committed</b>	<b>60,395</b>		
<b>TOTAL VOTE UNCOMMITTED FOR NORTH WARD</b>			<b>328,252</b>		
<b>EAST WARD</b>					
		<b>Amount Available for 2025-26</b>			
		Funds brought forward from 2024-25	245,095		
		2025-26 Funds	53,000		
		<b>Total Vote for 2025-26</b>	<b>298,095</b>		
		<b>Amounts Allocated</b>			
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	11,677	D&P
26-Aug-24	1	Penrith Mayoral Challenge - Monfarville Reserve*	15,000	891	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	2,000	CACP
17-Nov-25	UB2	RAW Penrith	350	350	CACP
8-Dec-25	UB1	WFUNA International Model United Nations 2026	100	100	CACP
15-Dec-25	UB1	Love Bites Senior and Love Bites Junior Program	2,000	-	CACP
		<b>Total Vote Committed</b>	<b>59,216</b>		
<b>TOTAL VOTE UNCOMMITTED FOR EAST WARD</b>			<b>238,879</b>		
<b>SUMMARY</b>					
		<b>Total Vote for 2025-26</b>	<b>985,882</b>		
		<b>Less Total Vote Committed</b>	<b>178,956</b>		
		<b>TOTAL VOTE UNCOMMITTED</b>	<b>806,926</b>		
		* Adopted March 2025 Quarter Revote			
		** Annual allocation for four years			
		*** Adopted June 2025 Quarter Revote			