

**CONFIRMED MINUTES
OF THE ORDINARY MEETING OF PENRITH CITY COUNCIL
HELD REMOTELY USING AUDIO VISUAL LINKS, VIDEO STREAMED
ON THE COUNCIL WEBSITE AND IN THE COUNCIL CHAMBERS
ON MONDAY 23 FEBRUARY 2026 AT 7:00 PM**

NATIONAL ANTHEM

The meeting opened with the National Anthem.

WEBCASTING STATEMENT

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

ACKNOWLEDGEMENT OF COUNTRY

His Worship the Mayor, Councillor Todd Carney read an Acknowledgement of Country.

PRAYER

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

PRESENT

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

LEAVE OF ABSENCE

24 RESOLVED on the MOTION of Councillor Faithe Skinner seconded Councillor Vanessa Pollak that Councillor Sue Day be granted Leave of Absence for the period 23 March 2026 to 28 March 2026 inclusive.

25 RESOLVED on the MOTION of Councillor Libby Austin seconded Councillor Robin Cook that Councillor Garion Thain be granted Leave of Absence for the period 1 April 2026 to 21 April 2026 inclusive.

APOLOGIES

There were no apologies.

CONFIRMATION OF MINUTES - Ordinary Meeting - 2 February 2026

26 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Libby Austin that the minutes of the Ordinary Meeting of 2 February 2026 be confirmed, subject to the following corrections:

- On pages 16 and 17, Edward Mifsud be amended to Edwin Mifsud,
- On page 20, Pruce Car be amended to Prue Car, and Workshop be amended to Worship.

DECLARATIONS OF INTEREST

Councillor Sue Day declared a Non-Pecuniary Conflict of Interest – Significant in *Item 4 - Children's Services Management Agreement* and *Confidential Business Item 3 - Review of*

Children Services Centres, as she is on the Children's Services Cooperative Board as Council's representative. Councillor Sue Day stated that she would leave the meeting during consideration of this item and would not take part in voting or discussion on this item.

Councillor Vanessa Pollak declared a Non-Pecuniary Conflict of Interest – Significant in *Item 4 - Children's Services Management Agreement* and *Confidential Business Item 3 - Review of Children Services Centres*, as she is on the Children's Services Cooperative Board as Council's representative. Councillor Vanessa Pollak stated that she would leave the meeting during consideration of this item and would not take part in voting or discussion on this item.

Councillor Ross Fowler OAM declared a Non-Pecuniary Conflict of Interest – Significant in *Item 4 - Children's Services Management Agreement* and *Confidential Business Item 3 - Review of Children Services Centres*, as he is on the Children's Services Cooperative Board as Council's representative. Councillor Ross Fowler OAM stated that he would leave the meeting during consideration of this item and would not take part in voting or discussion on this item.

Procedural Motion

27 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Libby Austin that *Item 4 - Children's Services Management Agreement* and *Item 6 - PCC2025-299 Safety System Software*, be dealt with after Confidential Business.

MAYORAL MINUTES

1 Vale Norma Thorburn OAM

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

28 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Ross Fowler OAM that the Mayoral Minute on Vale Norma Thorburn OAM be received.

NOTICES OF MOTION

1 Support for Penrith Panthers 2026

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

That:

1. For the period inclusive Monday, 2 March to Sunday, 15 March (with the exception of Saturday, 7 and Sunday, 8 March), that Council light up the Civic Centre with the Penrith Panthers team colours, in celebration of their upcoming NRL season and in support of the team during their first away game in Brisbane.
2. Further, if the motion is successfully adopted, that Council send a letter to Penrith Panthers from the Mayor and Deputy Mayor informing them of the contents of the motion and wishing them luck for the 2026 NRL season.

2 International Women's Day

30 RESOLVED on the MOTION of Councillor Libby Austin seconded Councillor Hollie McLean that the Civic Centre be lit up purple for International Women's Day over the weekend of the 8 March 2026 inclusive.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Local Transport Forum held on 2 February 2026

31 RESOLVED on the MOTION of Councillor Reece Nuttall seconded Councillor Robin Cook that the recommendations contained in the Report and Recommendations of the Local Transport Forum held on 2 February, 2026 be adopted.

2 Report and Recommendations of the Policy and Strategy Committee Meeting held on 9 February 2026

32 RESOLVED on the MOTION of Councillor Reece Nuttall seconded Councillor Libby Austin that the recommendations contained in the Report and Recommendations of the Policy and Strategy Committee meeting held on 9 February, 2026 be adopted.

DELIVERY PROGRAM REPORTS

STRATEGIC DIRECTION 1 - NURTURE OUR ENVIRONMENT

1 Emu Plains Floodplain Risk Management Study and Plan

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

That:

1. The information contained in the report on Emu Plains Floodplain Risk Management Study and Plan be received.
2. The draft Emu Plains Floodplain Risk Management Study and Plan, November 2025 be endorsed for public exhibition for a period of no less than 28 days.
3. A further report be presented to Council on the results of the public exhibition of the draft Emu Plains Floodplain Risk Management Study and Plan, November 2025 addressing any submissions received during the exhibition period.

STRATEGIC DIRECTION 2 - SUPPORT OUR WELLBEING

2 Public Exhibition: Draft Cranebrook Neighbourhood Action Plan

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

That:

1. The information contained in the report on Public Exhibition: Draft Cranebrook Neighbourhood Action Plan be received.

2. Endorse the Draft Cranebrook Neighbourhood Action Plan to progress to Public Exhibition.

3 Penrith Community Safety Partnership

35 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor John Thain

That:

1. The information contained in the report on Penrith Community Safety Partnership be received.
2. Council dissolves the Penrith Community Safety Partnership, noting the ongoing relationship and collaboration with the Community Safety Precinct Committee.

STRATEGIC DIRECTION 3 - SHAPE OUR GROWING CITY

5 Fire Safety Update

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

That:

1. The information contained in the report on Fire Safety Update be received.
2. Council proceed to issue a Notice of Intention to Serve an Order for 2115-2131 Castlereagh Road, Penrith.
3. Council Officers continue to investigate and inspect the premises to ensure Fire Safety requirements are met.
4. FRNSW be advised of Council's decision.

STRATEGIC DIRECTION 5 - WORK TOGETHER

7 Organisational Performance and Financial Review - December 2025

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

That:

1. The information contained in the report on Organisational Performance and Financial Review - December 2025 be received
2. The Organisational and Financial Review as at 31 December 2025, including the revised budget estimates outlined in this report and detailed in the *Organisational Report – December 2025*, be adopted.
3. Council revoke the works as detailed in the Recommended Revoted Works Lists, detailed in the *Organisational Report - December 2025* for inclusion in the 2026-27 Operational Plan.
4. It be noted that on page 46 there is an error where the report stated "Werrington and Werrington" and should reflect "Werrington and Kingswood."

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

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

That:

1. The information contained in the report on 2026 Australian Local Government Association (ALGA) - National General Assembly (NGA) be received.
2. Council endorse the suggested motions set out in this report to the National General Assembly 2026.
3. Leave of absence be granted to the councillors attending the 2026 National General Assembly of Local Government from 23-25 June 2026.

9 2026 Australian Local Government Women's Association NSW Annual Conference

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

That:

1. The information contained in the report on 2026 Australian Local Government Women's Association NSW Annual Conference be received.
2. Council nominates Councillor Sabbie Kaur and any other interested councillors as attendees for the 2026 ALGWA NSW Annual Conference, to be held in Blacktown from Thursday, 26 March to Saturday 28 March 2026.
3. Leave of absence be granted as appropriate for those councillors attending the conference for the period 26-28 March 2026 inclusive.

10 Minutes of the Audit Risk & Improvement Committee (10 December 2025)

40 RESOLVED on the MOTION of Councillor Libby Austin seconded Councillor Hollie McLean that the information contained in the report on Minutes of the Audit Risk & Improvement Committee (10 December 2025) be received.

11 Summary of Investments and Banking for the period 1 January 2026 - 31 January 2026

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

That:

1. The information contained in the report on Summary of Investments and Banking for the period 1 January 2026 - 31 January 2026 be received.
2. The Council's Cash Book and Bank Statements have been reconciled as at 31 January 2026.

URGENT BUSINESS

UB 1 Kingswood High School - "Celebrating Our Seniors"

Councillor Garion Thain requested that an amount of \$500 in total, be divided evenly between each Ward's voted works, to go to Kingswood High School, for their "Celebrating Our Seniors" event in 2026.

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

43 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Ross Fowler OAM that an amount of \$500 in total, be divided evenly between each Ward's voted works, go to Kingswood High School, for their "Celebrating Our Seniors" event in 2026.

UB 2 Nepean Research Foundation

Councillor John Thain requested that an amount of \$2000 in total, to be shared equally across each Ward's voted works, be donated to the Nepean Research Foundation ahead of their involvement in the International Women's Day Luncheon at St Marys Diggers.

44 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Sue Day that the matter be brought forward and dealt with as a matter of urgency.

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

45 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Sue Day that an amount of \$2000 in total, to be shared equally across each Ward's voted works, be donated to the Nepean Research Foundation ahead of their involvement in the International Women's Day Luncheon at St Marys Diggers on 6 March 2026.

UB 3 Emu Plains ANZAC Day Service

Councillor Todd Carney requested that an amount of \$1376.25 in total, be split between each Ward's voted works, to cover the costs to hire the hall for the Emu Plains ANZAC Day ceremony.

46 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Garion Thain 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.

47 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Garion Thain that an amount of \$1376.25 in total, be split between each Ward's voted works, to cover the costs to hire the hall for the Emu Plains ANZAC Day ceremony.

UB 4 Purple Roadside Markers

Councillor Ross Fowler OAM requested that a report be brought back to Council covering the following matters:

- What is the adopted policy of Council in relation to the placing of purple markers on the road verge in the rural areas
- When was this policy (assuming there is one) adopted by Council
- Provide a copy of the resolution of Council regarding the adoption of the policy

- What, if any, risk assessments are made before the purple markers are put in place
- What, if any, is the liability that may attach to Council given the placement of markers effectively prevents pedestrian access and can and does result in pedestrians walking on the road
- What are the requirements to maintain vegetation directly underneath powerlines

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

49 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Glenn Gardiner that a report be brought back to Council covering the following matters:

- What is the adopted policy of Council in relation to the placing of purple markers on the road verge in the rural areas
- When was this policy (assuming there is one) adopted by Council
- Provide a copy of the resolution of Council regarding the adoption of the policy
- What, if any, risk assessments are made before the purple markers are put in place
- What, if any, is the liability that may attach to Council given the placement of markers effectively prevents pedestrian access and can and does result in pedestrians walking on the road
- What are the requirements to maintain vegetation directly underneath powerlines

Deputy Mayor Garion Thain acknowledged the success of Culture Fusion held over the weekend in St Marys and provided thanks to all staff involved for the successful event. Councillor Reece Nuttall also spoke in support.

CONFIDENTIAL BUSINESS

50 RESOLVED on the MOTION of Councillor Garion Thain seconded Hollie McLean that the meeting adjourn to Confidential Business to deal with the following matters, the time being 8:04pm.

1 Presence of the Public

CB1 RESOLVED on the MOTION of Councillor Garion Thain seconded Councillor Hollie McLean that the press and public be excluded from Confidential Business to deal with the following matters:

Strategic Direction 5

2 Negotiation Parameters - PCC2025-299 Safety System Software

This item has been referred to Confidential Business as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in open meeting would be, on balance, contrary to the public interest.

Strategic Direction 2

3 Review of Children Services Centres

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

The meeting resumed at 8:10pm and the General Manager reported that the Council met at 8:04pm on Monday 23 February 2026, for Confidential Business, the following being present

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

and the Council excluded the press and public from the meeting for the reasons set out in CB1 and that the Council resolved that

CONFIDENTIAL BUSINESS

2 Negotiation Parameters - PCC2025-299 Safety System Software

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

CB2 That:

1. The information contained in the report on Negotiation Parameters - PCC2025-299 Safety System Software be received.
2. Council authorises Council officers to negotiate with EcoPortal Australia Pty Ltd within the parameters and up to the approved budget allocation set out in the body of this report.

Having previously declared an Interest, Councillors Sue Day, Vanessa Pollak and Ross Fowler OAM left the meeting, the time being 8:07pm.

3 Review of Children Services Centres

52 RESOLVED on the MOTION of Councillor Reece Nuttall seconded Councillor Libby Austin

CB3 That:

1. The information contained in the report on Review of Children Services Centres be received.
2. Council endorse the recommended consolidation of services.
3. The report cease to be confidential once all impacted parties have been notified.

4 Children's Services Management Agreement

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

That:

1. The information contained in the report on Children's Services Management Agreement be received.
2. Adopt the attached Draft Management Agreement 2026–2030, effective from February 2026.
3. Authorise the General Manager and or Mayor under seal, to execute the Agreement on behalf of Penrith City Council.
4. It be noted that on page 16 there is an error where the report stated "National Disability Inclusion Scheme" and should reflect "National Disability Insurance Scheme."

Councillors Sue Day, Vanessa Pollak and Ross Fowler OAM returned to the meeting, the time being 8:12pm.

6 PCC2025-299 Safety System Software

54 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor Ross Fowler OAM

That:

1. The information contained in the report on PCC2025-299 Safety System Software be received.

2. After considering the responses to the PCC 2025-299 Safety System Software Tender and in accordance with section 178(1)(b) of the Local Government (General) Regulation 2021 (“the Regulation”), Council declines to accept any of the tenders.

3. Pursuant to clause 178(4)(a) of the Regulation, the Council’s reason for declining to invite fresh tenders are:
 - a. Given the extensive Expression of Interest and Select Tender process already conducted, inviting fresh tenders would unlikely result in a significantly different or improved outcome for Council.
 - b. The complexity of the proposal will require extensive negotiation on the contract terms which a fresh tender process won’t alter.
 - c. Direct negotiations the preferred tenderer will enable Council to achieve optimal value for money.

4. Pursuant to clause 178(4)(b) of the Regulation, the Council’s reasons for determining to enter into negotiations with EcoPortal Australia Pty Ltd are:
 - a. The EcoPortal Australia Pty Ltd tender satisfactorily demonstrates the capabilities and capacity to undertake the scope of works and based on the evaluation was determined to be the most advantageous outcome for Council.
 - b. To reach an agreement on the terms of payment.
 - c. To allow for a scoping workshop to finalise system scope and workflow requirements.

5. In accordance with sections 178(3)(e) of the Regulation, Council authorises the General Manager to enter into a contract with EcoPortal Australia Pty Ltd following a satisfactory outcome of the Negotiations, subject to the negotiation terms included in the Confidential Business Report titled “Negotiation Parameters – PCC2025-299 Safety System Software”.

There being no further business the Chairperson declared the meeting closed the time being 8:14pm.

I certify that these 10 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 23 February 2026.

Chairperson

Date