

**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 20 APRIL 2026 AT 7:26 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 Pastor Mitchell Varlow.

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, Faithe Skinner and John Thain.

LEAVE OF ABSENCE

Leave of Absence was previously granted to Councillor Garion Thain for the period 1 April 2026 to 21 April 2026 inclusive.

APOLOGIES

There were no apologies.

CONFIRMATION OF MINUTES - Ordinary Meeting - 23 March 2026

75 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor Libby Austin that the minutes of the Ordinary Meeting of 23 March 2026 be confirmed.

DECLARATIONS OF INTEREST

Councillor Sue Day declared a Non-Pecuniary Conflict of Interest – Significant in *Confidential Business Item 2 - Development proposal 114-116 Henry St, Penrith*, as she is a Council representative on the Penrith City Council Children’s Services Cooperative Board. 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 the issue.

Councillor John Thain declared a Non-Pecuniary Conflict of Interest – Significant in *Item 6 - Penrith Valley Regional Sports Centre Business Plan Review* and *Confidential Business Item 3 - Penrith Valley Regional Sports Centre Operations*, as he is a former Director as Council’s Representative on the Board of the Penrith Valley Regional Sports Centre. Councillor John Thain stated that he would leave the meeting during consideration of these items and would not take part in voting or discussion on the issues.

Councillor Ross Fowler OAM declared a Pecuniary Conflict of Interest – Significant in *Item 6 - Penrith Valley Regional Sports Centre Business Plan Review* and *Confidential Business Item 3 - Penrith Valley Regional Sports Centre Operations*, as he is an Auditor of the Penrith Valley Regional Sports Centre. Councillor Ross Fowler OAM stated that he would leave the meeting during consideration of these items and would not take part in voting or discussion on the issues.

Councillor Ross Fowler OAM declared a Non-Pecuniary Conflict of Interest – Significant in *Confidential Business Item 2 - Development proposal 114-116 Henry St, Penrith*, as he is a Director of the organisation subject to the report. 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 the issue.

Councillor Reece Nuttall declared a Non-Pecuniary Conflict of Interest – Significant in *Item 6 - Penrith Valley Regional Sports Centre Business Plan Review* and *Confidential Business Item 3 - Penrith Valley Regional Sports Centre Operations*, as he is an employed by the legal firm that acted for the Penrith & Districts Basketball Association. Councillor Reece Nuttall stated that he would leave the meeting during consideration of these items and would not take part in voting or discussion on the issues.

Councillor Vanessa Pollak declared a Non-Pecuniary Conflict of Interest – Significant in *Item 6 - Penrith Valley Regional Sports Centre Business Plan Review* and *Confidential Business Item 3 - Penrith Valley Regional Sports Centre Operations*, as her employer is a supplier for Penrith Valley Regional Sports Centre, her son is a member and player for PDBA and her husband currently works with former Basketball NSW CEO's spouse. Councillor Vanessa Pollak stated that she would leave the meeting during consideration of these items and would not take part in voting or discussion on the issues.

Councillor Vanessa Pollak declared a Non-Pecuniary Conflict of Interest – Significant in *Confidential Business Item 2 - Development proposal 114-116 Henry St, Penrith*, as she is a current member on the Board of the Penrith City Council Children's Services Cooperative. 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 the issue.

MAYORAL MINUTES

1 Sustainability Scholarship continues to inspire staff

Councillor John Thain spoke in support of the Mayoral Minute.

76 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor John Thain that the Mayoral Minute on Sustainability Scholarship continues to inspire staff be received.

2 Continued Advocacy for Penrith's Future

Councillors Hollie McLean, Libby Austin, John Thain and Reece Nuttall spoke in support of the Mayoral Minute.

77 RESOLVED on the MOTION of Councillor Todd Carney seconded Councillor Hollie McLean that the Mayoral Minute on Continued advocacy for Penrith's future be received.

REPORTS OF COMMITTEES

1 Report and Recommendations of the Access Committee Meeting held on 26 November 2025

78 RESOLVED on the MOTION of Councillor Sue Day seconded Councillor Faithe Skinner that the recommendations contained in the Report and Recommendations of the Access Committee meeting held on 26 November, 2025 be adopted.

2 Report and Recommendations of the Policy and Strategy Committee Meeting held on 13 April 2026

79 RESOLVED on the MOTION of Councillor Ross Fowler OAM seconded Councillor John Thain that the recommendations contained in the Report and Recommendations of the Policy And Strategy Committee meeting held on 13 April, 2026 be adopted.

3 Report and Recommendations of the Local Transport Forum held on 13 April 2026

80 RESOLVED on the MOTION of Councillor Robin Cook seconded Councillor Hollie McLean that the recommendations contained in the Report and Recommendations of the Local Transport Forum held on 13 April, 2026 be adopted.

DELIVERY PROGRAM REPORTS

Procedural Motion

81 RESOLVED on the MOTION of Councillor Libby Austin seconded Councillor Sue Day that *Item 6 - Penrith Valley Regional Sports Centre Business Plan Review and Confidential Business Item 3 - Penrith Valley Regional Sports Centre Operations*, now be brought forward for consideration.

Having previously declared an interest, Councillors John Thain, Ross Fowler OAM, Vanessa Pollak and Reece Nuttall left the meeting, the time being 7:51pm.

STRATEGIC DIRECTION 4 - PROVIDE FOR OUR LIFESTYLE

6 Penrith Valley Regional Sports Centre Business Plan Review

82 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor Glenn Gardiner that the information contained in the report on Penrith Valley Regional Sports Centre Business Plan Review be received.

MOVE INTO CLOSED SESSION

Note: Prior to moving into Closed Session, the Mayor asked Governance if any objections had been received from the public regarding the closed session. Governance confirmed that no objections were received.

Procedural Motion

83 RESOLVED on the MOTION of Councillor Libby Austin seconded Councillor Faithe Skinner that the meeting move into Closed Session to consider Confidential Business as listed in the Business Paper, the time being 7:58pm.

1 Presence of the Public

Accordingly, members of the press and public were excluded from the Chamber and the livestream ceased for the duration of Confidential Business to deal with the following matters:

Strategic Direction 4

3 Penrith Valley Regional Sports Centre Operations

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

RETURN TO OPEN SESSION

Procedural Motion

RESOLVED on the MOTION of Councillor Glenn Gardiner seconded Councillor Sue Day that Council return to Open Session, the time being 8:50pm.

The meeting resumed at 8:50pm and Governance reported that the Council met at 7:58pm on Monday 20 April 2026, for Confidential Business

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

3 Penrith Valley Regional Sports Centre Operations

A MOTION was MOVED by Councillor Glenn Gardiner seconded Faithe Skinner

CB3 That:

1. The information contained in the report Penrith Valley Regional Sports Centre Operations be received.
2. The request from Penrith Valley Regional Sports Centre for deferring the loan repayments to Council be rejected.
3. The request from Penrith Valley Regional Sports Centre for \$400,000 transitional support from Council be rejected.

The MOTION was PUT.

The MOTION was LOST.

A further MOTION was PUT.

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

CB3 That:

1. The information contained in the report Penrith Valley Regional Sports Centre Operations be received.
2. Council supports the deferring of the \$1,638,398 loan until 31 January 2027 based on:
 - a) PVRSC and Penrith District Basketball Association agreeing in writing (no later than 28 April 2026) to mediation in good faith (at Council's expense) and coming to an agreement to resolve the issues to operate from the PVRSC venue; and
 - b) PVRSC addressing key omissions and data required in the existing Business Case and Financial model, identified by Otium Planning – to be provided by 31 August 2026.
3. Council allocate up to \$50,000 for the purposes of conducting the mediation, and that any surplus is returned to the Financial Management Reserve.
4. Should a commercial agreement not be reached following mediation between Penrith Valley Regional Sports Centre Ltd and the Penrith District Basketball Association repayments of the \$1,638,398 loan will commence on 31 January 2027.
5. The request from Penrith Valley Regional Sports Centre for \$400,000 transitional support from Council be rejected.
6. A further report to Council be provided following the mediation between the PVRSC and PDBA by no later than the November Ordinary Meeting of Council outlining a clear successful pathway forward, including PDBA returning to the centre and which may outline any further extensions if required.

Councillors John Thain, Ross Fowler OAM, Vanessa Pollak and Reece Nuttall returned to the meeting, the time being 8:51pm.

STRATEGIC DIRECTION 1 - NURTURE OUR ENVIRONMENT

1 Acceptance of Grant Funding Offer - 2025/26 NSW Floodplain Management Program and 2025/26 Flood Recovery and Resilience Program

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

That:

1. The information contained in the report on Acceptance of Grant Funding Offer - 2025/26 NSW Floodplain Management Program and 2025/26 Flood Recovery and Resilience Program be received.

2. Council accept the grant funding offers from the Australian Government and NSW Government for the following projects:
 - a. Cranebrook Catchment Floodplain Risk Management Study and Plan – \$242,000
 - b. Review of Flood Risk Management Plans and Climate Change Impacts, - \$150,000
 - c. Penrith CBD Flood Mitigation Works – Investigation and detailed Design - \$252,000
 - d. Oxley Park Basin Upgrade - Investigation and Detail Design - \$248,000
3. Council write to Local Members and the Department of Climate Change Energy, the Environment and Water, expressing appreciation of their continued support and funding towards Council's Floodplain Management programs.

2 Purple Roadside Markers

A MOTION was MOVED by Councillor Glenn Gardiner seconded Councillor Reece Nuttall

That:

1. The information contained in the report on Purple Roadside Markers be received.
2. The Roadside Vegetation Management Plan be implemented only where the Department of Climate Change, Energy, the Environment and Water has declared the area to be of high biodiversity value and included in the Biodiversity Values Map.
3. Council remove existing purple poles in areas that are not mapped on the Biodiversity Values Map and notify residents of the removal.

The MOTION was PUT.

The MOTION was LOST.

Councillor Reece Nuttall called for a DIVISION.

For

Councillor Ross Fowler OAM
Councillor Reece Nuttall
Councillor Faithe Skinner
Councillor Glenn Gardiner
Councillor Edwin Mifsud
Councillor Vanessa Pollak

Against

Councillor Kirstie Boerst
Councillor Hollie McLean
Councillor Sabbie Kaur
Councillor Robin Cook
Councillor Libby Austin
Councillor John Thain
Councillor Sue Day
Councillor Todd Carney

86 A further MOTION was MOVED Councillor Hollie McLean seconded Councillor Libby Austin that the information contained in the report on Purple Roadside Markers be received.

The MOTION was PUT and CARRIED.

STRATEGIC DIRECTION 4 - PROVIDE FOR OUR LIFESTYLE

3 Penrith CBD Multi-Deck Car Park - Strategic Business Case

87 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Libby Austin

That:

1. The information contained in the report on Penrith CBD Multi-Deck Car Park - Strategic Business Case be received.
2. Council proceed with the Union Road with paid parking option.

5 PCC24/25-114 Project Feasibility, Quantity Surveying, Estimating, Cost Plan Management Services

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

That:

1. The information contained in the report on PCC24/25-114 Project Feasibility, Quantity Surveying, Estimating, Cost Plan Management Services be received
2. The tenders from, Wilde & Woollard Pacific Pty. Limited, TCubed Consulting Pty Ltd, HMC Quantity Surveyors, and Currie & Brown (Australia) Pty Ltd be accepted to form a panel for Quantity Surveying, Estimating, Cost Plan Management Services for 3 years with an option of 2 x 2-year extension options.
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.

STRATEGIC DIRECTION 5 - WORK TOGETHER

8 PCC2025-178 - Business Paper System Tender

89 RESOLVED on the MOTION of Councillor Reece Nuttall seconded Councillor Robin Cook

That:

1. The information contained in the report on PCC2025-178 - Business Paper System Tender be received.
2. The tender from Harbour Software for \$203,500 (excluding GST) over a period of 5 years, with an option for an additional 2 years, be accepted to implement Council's Business Paper System.
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.

9 Minutes of the Audit, Risk and Improvement Committee (4 March 2026)

90 RESOLVED on the MOTION of Councillor Reece Nuttall seconded Councillor Robin Cook that the information contained in the report on Minutes of the Audit, Risk and Improvement Committee (4 March 2026) be received.

10 Summary of Investments and Banking for the period 1 March 2026 - 31 March 2026

91 RESOLVED on the MOTION of Councillor Reece Nuttall seconded Councillor Robin Cook

That:

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

7 Public Exhibition of Integrated Planning and Reporting Documents

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

That:

1. The information contained in the report on Public Exhibition of Integrated Planning and Reporting Documents be received
2. In accordance with the Local Government Act 1993 and Local Government (General) Regulation 2021, Draft 2025-29 Delivery Program incorporating the Draft 2026-27 Operational Plan and Draft 2026-27 Fees and Charges be placed on Public Exhibition for 28 days commencing on Monday 27 April 2026, ending on Monday 25 May 2026 (inclusive).
3. The Public Exhibition arrangements are implemented as detailed in this report, and submissions from the community are invited.
4. Council amend funding allocations in the Operational Plan as follows:
 - a) Increase Rural Roads Drainage Program by \$300,000.
 - b) Reduce Roads Maintenance Budgets by \$200,000.
 - c) Reduce Road Reconstruction by \$100,000.

MOVE INTO CLOSED SESSION

Note: Prior to moving into Closed Session, the Mayor asked Governance if any objections had been received from the public regarding the closed session. Governance confirmed that no objections were received.

Procedural Motion

93 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor Sue

Day that the meeting move into Closed Session to consider Confidential Business as listed in the Business Paper, the time being 9:26pm.

1 Presence of the Public

Accordingly, members of the press and public were excluded from the Chamber and the livestream ceased for the duration of Confidential Business to deal with the following matters:

Strategic Direction 5

2 Development proposal 114-116 Henry St, Penrith

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

4 PCC2025-325 Cook Park Precinct Upgrade

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

RETURN TO OPEN SESSION

Procedural Motion

RESOLVED on the MOTION of Councillor John Thain seconded Councillor Edwin Mifsud that Council return to Open Session, the time being 9:37pm.

The meeting resumed at 9:37pm and Governance reported that the Council met at 9:26pm on Monday 20 April 2026, for Confidential Business

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

CONFIDENTIAL BUSINESS

Having previously declared an interest, Councillors Vanessa Pollak, Ross Fowler OAM and Sue Day left the meeting, the time being 9:27pm.

2 Development proposal 114-116 Henry St, Penrith

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

CB2 That:

1. The information contained in the report on Development proposal 114-116 Henry St, Penrith be received.
2. A further report be brought back to a future Policy and Strategy Committee Meeting with additional information about the proposal.

Councillors Vanessa Pollak, Ross Fowler OAM and Sue Day returned to the meeting, the time being 9:36pm.

4 PCC2025-325 Cook Park Precinct Upgrade

95 RESOLVED on the MOTION of Councillor Sue Day seconded Councillor John Thain

CB4 That:

1. The information contained in the report on Cook Park Precinct Project be received.
2. Council authorises Council officers to negotiate with Glascott Landscape and Civil Pty Ltd within the parameters and up to the approved budget allocation set out in the body of this report.

DELIVERY PROGRAM REPORTS

STRATEGIC DIRECTION 4 - PROVIDE FOR OUR LIFESTYLE

4 PCC2025-325 Cook Park Precinct Upgrade

96 RESOLVED on the MOTION of Councillor Hollie McLean seconded Councillor Robin Cook

That:

1. The information contained in the report on PCC2025-325 Cook Park Precinct Upgrade be received.
2. After considering the responses to the Design and Contract (D&C) 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 tender submissions.
3. In accordance with sections 178(3)(e) and 178(4) of the Regulation Council resolve:
 - a. Pursuant to 178(4)(b) of the Regulation, Council's reasons for determining to enter negotiations with Glascott Landscape and Civil Pty Ltd is because
 - i. Following the procurement process, having regard to all the criteria and scope, Glascott Landscape and Civil Pty Ltd submitted the tender that most closely met Council's responses to the assessment criteria, demonstrating their suitability to undertake the project and was assessed as being the most advantageous overall outcome when compared with other respondents.
 - b. Pursuant to 178(4)(a) of the Regulation, the Council's reasons for declining to invite fresh tenders are:

- i. the negotiation process aligns with the tender process already undertaken, including the scope of works and commercial proposition submitted to the market, and therefore a further open market tender is not required at this time;
 - ii. the extensive tender process to date has identified appropriate supplier with the requisite skill, capacity and experience, however the tenderer has not accepted Council's proposal without deviations to the contract and commercial risk to Council. A call for fresh tenders is unlikely to result in a significantly different or improved outcome; and
 - iii. while not recommended for acceptance given the current contract departures and issues, Council considers that it could be possible to negotiate an acceptable outcome with the shortlisted tenderer.
4. Council authorises the General Manager to conduct negotiations within the negotiation parameters listed in the confidential report with Glascott Landscape and Civil Pty Ltd in relation to Cook Park Precinct, enter into a contract should the negotiations reach a satisfactory outcome, and be authorised to sign all necessary legal documents associated with this matter.
5. The General Manager provide an information report to Council on the outcome of the negotiations at a future Council meeting.
6. 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.

URGENT BUSINESS

UB 1 Police Officer of the Year Award Ceremony

Councillor John Thain requested that an amount of \$520 in total, be shared equally across each Ward's voted works to purchase a table of 8 tickets to attend the Police Officer of the Year Award ceremony on Wednesday, 3 June 2026 at Penrith RSL.

97 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Reece Nuttall 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.

98 RESOLVED on the MOTION of Councillor John Thain seconded Councillor Reece Nuttall that an amount of \$520 in total, be shared equally across each Ward's voted works to purchase a table of 8 tickets to attend the Police Officer of the Year Award ceremony on Wednesday, 3 June 2026 at Penrith RSL.

UB 2 Our Community Cares High Tea

Councillor Sue Day requested that an amount of \$450 in total, be shared equally across each Ward's voted works to purchase a table to attend the Our Community Cares High Tea on Saturday, 6 June 2026 at St Marys Rugby Leagues Club.

99 RESOLVED on the MOTION of Councillor Sue Day seconded Councillor Faithe

Skinner that the matter be brought forward and dealt with as a matter of urgency. His Worship the Mayor, Councillor Todd Carney ruled that the matter was urgent and should be dealt with at the meeting.

100 RESOLVED on the MOTION of Councillor Sue Day seconded Councillor Faithe Skinner that an amount of \$450 in total, be shared equally across each Ward's voted works to purchase a table to attend the Our Community Cares High Tea on Saturday, 6 June 2026 at St Marys Rugby Leagues Club.

There being no further business the Chairperson declared the meeting closed the time being 9:41pm.

I certify that these 12 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 20 April 2026.

Chairperson

Date