

**CONFIRMED MINUTES OF THE ORDINARY MEETING
OF PENRITH CITY COUNCIL HELD REMOTELY USING AUDIO VISUAL LINKS, AUDIO
STREAMED ON THE COUNCIL WEBSITE AND IN THE PASSADENA ROOM ON
MONDAY 12 FEBRUARY 2024 AT THE CONCLUSION OF THE COUNCILLOR BRIEFING
(SPECIAL)**

WEBCASTING STATEMENT

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

PRESENT – IN PERSON

His Worship the Mayor, Councillor Todd Carney, Deputy Mayor, Councillor Mark Davies and Councillors Bernard Bratusa, Sue Day, Ross Fowler OAM, Mark Rusev and Marlene Shipley.

PRESENT – ATTENDED REMOTELY

Councillors Robin Cook, Kevin Crameri OAM, Karen McKeown OAM, Jonathan Pullen and John Thain.

LEAVE OF ABSENCE

Leave of Absence was previously granted to Tricia Hitchen.

APOLOGIES

25 RESOLVED on the MOTION of Councillor Sue Day seconded Councillor Marlene Shipley that the apologies received from Councillor Glenn Gardiner be accepted.

CONFIRMATION OF MINUTES - Ordinary Meeting - 29 January 2024

26 RESOLVED on the MOTION of Councillor Mark Rusev seconded Councillor Marlene Shipley that the minutes of the Ordinary Meeting of 29 January 2024 be confirmed, subject to correction on Councillor Mark Rusev declared a Pecuniary Conflict of Interest – Significant in *Item 4 - Western Sydney International Airport - Draft Environmental Impact Statement on the Preliminary Flight Paths*, that it be amended to read owning and residing a property in St Clair.

DECLARATIONS OF INTEREST

Councillor Sue Day declared a Non-Pecuniary Conflict of Interest – Less than Significant in *Item 2 - Update 158-164 Old Bathurst Road, Emu Plains* because one of the businesses subject to the report (Astina) has had previous business dealings with her employer. Councillor Sue Day indicated she would stay in the meeting for consideration of the matter.

COMMITTEE OF THE WHOLE

27 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor Jonathan Pullen that the meeting adjourn to the Committee of the Whole to deal with the following matters, the time being 8:22.

1 Presence of the Public

CW1 RESOLVED on the motion of Councillor Mark Davies seconded Councillor Jonathan Pullen that the press and public be excluded from Committee of the Whole to deal with the following matters:

Outcome 5**2 Update 158-164 Old Bathurst Road, Emu Plains**

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

The meeting resumed at 8:27pm and the General Manager reported that the Committee of the Whole met at 8.22pm on Monday, 12 February 2024, the following being present

His Worship the Mayor, Councillor Todd Carney, Deputy Mayor, Councillor Mark Davies and Councillors Bernard Bratusa, Robin Cook, Kevin Crameri OAM, Sue Day, Ross Fowler OAM, Karen McKeown OAM, Jonathan Pullen, Mark Rusev, Marlene Shipley and John Thain.

and the Committee of the Whole excluded the press and public from the meeting for the reasons set out in CW1 and that the Committee of the Whole submitted the following recommendations to Council.

CONFIDENTIAL BUSINESS**2 Update 158-164 Old Bathurst Road, Emu Plains**

28 RESOLVED on the MOTION of Councillor Mark Davies seconded Councillor John Thain

CW2 That:

1. The information contained in the report on Update 158-164 Old Bathurst Road, Emu Plains be received.
2. The Council adopt the preferred recommendation referred to in the body of the report as amended by memorandum dated 12 February 2024.

ADOPTION OF COMMITTEE OF THE WHOLE

29 RESOLVED on the MOTION of Councillor Mark Davies seconded Sue Day that the recommendation contained in the Committee of the Whole and shown as CW1 and CW2 be adopted.

There being no further business the Chairperson declared the meeting closed the time being 8:29pm.

I certify that these 3 pages are the Confirmed Minutes of the Ordinary Meeting of Penrith City Council held on 12 February 2024.

Chairperson

Date