

MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON TUESDAY, 19 AUGUST 2025

- Present: The Mayor, Councillor Christine Kay (Chairperson)
Councillors M Devlin & J Pettett (Comenarra Ward)
Councillors I Balachandran & B Ward (Gordon Ward)
Councillors S Ngai & A Taylor (Roseville Ward)
Councillor M Smith (St Ives Ward)
Councillors C Spencer & K Wheatley (Wahroonga Ward)
- Staff Present: General Manager (David Marshall)
Director Community (Janice Bevan)
Director Corporate (Angela Apostol)
Director Development & Regulation (Michael Miocic)
Director Operations (Peter Lichaa)
Director Strategy & Environment (Andrew Watson)
Corporate Lawyer (Jamie Taylor)
Acting Manager Corporate Communications (Sally Williams)
Manager Governance and Corporate Strategy (Christopher M Jones)
Governance Support Officer (Eliza Gilbank-Heim)
- Others Present: Manager Community Development (Danny Houseas)
Manager Infrastructure Services (Matthew Drago)

The Meeting commenced at 7:04 PM

The Mayor offered the Acknowledgement of Country and Prayer

131 **APOLOGIES**

File: S02194

The Mayor, Councillor Kay advised that Councillor Wheatley is running late but will be attending the meeting.

There were no apologies.

DECLARATIONS OF INTEREST

The Mayor referred to the necessity for Councillors and staff to declare a Pecuniary Interest/Conflict of Interest in any item on the Business Paper.

Councillor Taylor declared a special disclosure of pecuniary interest in GB.16 as his principal place of residence may be impacted by the proposed planning controls.

Councillor Taylor tabled a special disclosure of pecuniary interest under clause 4.36(c) of the Code of Conduct and will remain in Chambers during this debate.

Councillor Ward declared a special disclosure of pecuniary interest in GB.16. Councillor Ward tabled a special disclosure of pecuniary interest under clause 4.36(c) of the Code of Conduct and will remain in Chambers during this debate.

Councillor Balachandran declared a special disclosure of pecuniary interest in GB.16 as both her principal place of residence and her parents principal place of residence may be impacted by the proposed planning controls. Councillor Balachandran tabled a special disclosure of pecuniary interest under clause 4.36(c) of the Code of Conduct and will remain in Chambers during this debate.

Councillor Devlin declared a special disclosure of pecuniary interest in GB.16 due to his interest in his parents residence that may be impacted by the proposed planning controls. Councillor Devlin tabled a special disclosure of pecuniary interest under clause 4.36(c) of the Code of Conduct and will remain in Chambers during this debate.

The Mayor, Councillor Kay declared a non-significant, non-pecuniary interest in GB.5 as she is a member of the St Ives Rotary Club which is involved with a grant recipient, being the St Ives Multicultural Food and Wine Festival. The Mayor, Councillor Kay will remain in Chambers as she has not been involved with the board or committee of the Festival for some time.

DOCUMENTS CIRCULATED TO COUNCILLORS

The Mayor referred to the documents circulated in the Councillors' papers and advised that the following matters would be dealt with at the appropriate time during the meeting:

Late Items: **MM.1 - An update on planning for new housing in Ku-ring-gai** - Report by The Mayor, Councillor Kay dated 19 August 2025.

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CONFIRMATION OF REPORTS AND ATTACHMENTS TO BE CONSIDERED IN CLOSED MEETING

File: S02499/9

Resolved:

(Moved: Councillors Taylor/Balachandran)

That in accordance with the provisions of Section 10 of the Local Government Act 1993, all officers' reports be released to the press and public, with the exception of confidential attachments to the following General Business Reports:

GB.13 RFT57-2024 Main Carpark Upgrade St Ives Showground

In accordance with 10A(2)(d)(i):

Attachment A2: RFT57-2024 Main Carpark Upgrade - St Ives Showground - List of Submitters

Attachment A3: RFT57-2024 Main Carpark Upgrade - St Ives Showground- Tender Evaluation Report August OMC.PDF – signed

GB.14 RFT8-2025 – Playspace Upgrade - Comenarra Playing Field

In accordance with 10A(2)(d)(i):

Attachment A2: RFT8-2025 Playspace Upgrade Comenarra Play Field - List of Submitters

Attachment A3: RFT8-2025 Playspace Upgrade Comenarra Playing Field - Tender Evaluation Report.PDF – signed

CARRIED UNANIMOUSLY

CONFIRMATION OF MINUTES

133

Minutes of Ordinary Meeting of Council

File: EM00046/6

Meeting held 22 July 2025

Minutes numbered 107 to 130

Resolved:

(Moved: Councillors Balachandran/Ward)

That Minutes numbered 107 to 130 circulated to Councillors were taken as read and confirmed as an accurate record of the proceedings of the Meeting.

CARRIED UNANIMOUSLY

MINUTES FROM THE MAYOR

134

An update on planning for new housing in Ku-ring-gai

File: S14428

Vide: MM.1

The purpose of this Mayoral Minute is to provide an update to our community on progress in implementing a planning regime for new housing in Ku-ring-gai.

As many residents would be aware, the NSW Government's transport-oriented development (TOD) planning policy came into effect in May 2024.

Under this policy, the railway station precincts of Gordon, Killara, Lindfield and Roseville were rezoned for substantial increases in new housing.

The main changes that applied to properties within 400m of these railway stations were a 22 metres height for residential flat buildings and a maximum height of 24 metres for buildings containing shop top housing; a maximum floor space ratio of 2.5:1 allowing for buildings of up to 6 storeys and the introduction of a minimum lot width of 21 metres and no minimum lot size. The height and floor space ratio may be increased by up to 30% with provision of affordable housing.

During November and December 2024 Ku-ring-gai Council publicly exhibited four alternatives to the NSW Government's TOD policy, with the intention to offer better protection for heritage and tree canopy and improved planning outcomes in the areas affected by the TOD.

The result of that extended period of consultation with our community was a preferred alternative to the TOD that was publicly exhibited in April this year.

On 5 June 2025, Council adopted this alternate plan to the TOD and subsequently submitted it to the NSW Department of Planning Housing and Infrastructure (DPHI) for approval. On 13 June 2025 DPHI turned off the TOD for new development applications and State Significant Development Applications (SSDAs).

Timeframe for gazettal of Council's alternate housing plan

DPHI is now reviewing Council's alternate housing plan before providing advice to the Planning Minister about replacing the TOD.

DPHI has previously advised Council that the timeline for finalising Council's alternate plan would be three to four months after being adopted by Council and submitted to DPHI, and that they would explore opportunities to expedite this process.

Council has today received a letter (copy attached) from the Deputy Secretary, Land Use Strategy, Housing and Infrastructure at DPHI that commits to recommending that the Minister take steps to give effect to a final alternative scheme with amendments to Council's Local Environmental Plan on or before 30 November 2025. The latter date would be five and a half months after Council submitted the alternate plan to DPHI.

It is noted that Council's legal challenge to the TOD has been listed for hearing in the Land and Environment Court on 25, 26 and 27 November 2025. Relevantly, the letter from DPHI of today's date makes the following request:

"With these commitments on next steps and so that Council and the Department can implement these changes for Ku-ring-gai together collaboratively and to avoid any further unnecessary legal expenses, I invite Council to discontinue the current legal action against the State."

The letter from DPHI also describes a number of proposed amendments the Department intends to make to Council's alternate scheme. Council staff provided

DPHI with a response to a number of issues previously raised, including those referred to in the Deputy Secretary's letter of today's date, on 11 August. The intention was to clarify and possibly reduce the number of outstanding issues before reporting any remaining issues that had policy implications to Council for consideration. Council has not yet received a response to this submission.

As there has not been adequate time for Council to digest and consider the letter from DPHI received today, it is recommended that it be reported back to Council for consideration at a future meeting.

Listed Local Heritage Items

The TOD allowed for multi storey buildings adjacent to individually listed local heritage items, while leaving the planning controls for these heritage items unchanged. The heritage items are not able to be developed and may be considered "stranded". To address this, Council in its alternate plan has provided local heritage items with the same controls as per neighbouring properties while maintaining heritage listings. This provides the opportunity for heritage items to be incorporated into neighbouring developments. However, development applications already in the system based on the TOD controls do not have this provision.

At the Council meeting on 5 June 2025, Council resolved as follows (in part):

That as part of consideration of Council's Preferred TOD Alternative, the Minister for Planning be requested to work collaboratively with Council to develop a process and solutions for current owners of listed local heritage items "stranded" as a consequence of the TOD planning controls, Council's alternate option to those controls, and SSDAs, on a case by case basis. Council has sought advice on whether the DPHI will consider bulk de-listings of heritage-listed properties in response to heightened concerns from residents. The DPHI has advised that unjustified de-listings will not be considered and that the process for Council or the Department to unilaterally delist heritage items requires a justified position through a full planning proposal process.

I wrote to the Minister for Planning to communicate the above and recently met with senior staff from DPHI to discuss the issues, along with Council staff.

DPHI confirmed that they do not support a process to bulk de-list local heritage items without merit justification. Rather, DPHI advised that the same approach should be taken to delist a heritage item as is required to list a heritage item, which is via a planning proposal as required by the Environmental Planning and Assessment Act.

DPHI have also advised that they are investigating amendments to the Housing SEPP to resolve the issue of isolated sites as a result of developments using the TOD SEPP controls. It is understood that this may involve an approach that is similar to that put forward by Council in its alternate plan. That is, to provide uplift to planning controls for heritage items to encourage incorporation, while retaining the heritage listing.

Some owners of listed local heritage items have expressed an interest in de-listing

their properties. As mentioned above, there is no shortcut available for de-listing and the legislative requirements must be met.

The process for de-listing requires a planning proposal and is explained on Council's website here <https://www.krg.nsw.gov.au/Planning-and-development/Heritage/Listing-heritage>.

The first step in this process is to submit a heritage assessment in accordance with NSW Heritage Council and Heritage NSW guidelines as part of a mandatory pre-lodgement meeting with Council staff. The fee for this is \$1,761 and provides for staff to discuss the proposal with a proponent and the proponent's heritage consultant, identify key issues and provide written feedback. It is recommended that this fee for a pre-lodgement meeting be waived for listed local heritage items directly impacted by the TOD planning controls, Council's alternate planning controls, or SSDAs.

State Significant Development Applications

There is deep concern within the community about SSDAs that are inconsistent with Council's alternate housing scheme.

At the meeting with myself and Council staff, DPHI provided assurance that their assessments team is following a rigorous process that considers all applications on merit, taking into account the character of Ku-ring-gai, setbacks, landscaping, topography, location, submissions, other relevant criteria and also having regard to Council's alternate housing scheme.

DPHI are arranging a further meeting for the Mayor and staff to discuss the matter of SSDAs with the Deputy Secretary, Development Assessment and Sustainability.

Housing Development Authority

To accelerate the delivery of homes, the NSW Government has established the Housing Delivery Authority (HDA) — a panel that considers whether major residential projects should be treated as SSDs.

The HDA provides a fast-track pathway into the SSD system, even for projects that don't meet all the standard SSD criteria. However, the HDA does not approve development applications. Its role is to recommend whether a project should be declared an SSD. A project only becomes an SSD if the Minister for Planning agrees and makes a formal declaration.

To be eligible for the HDA pathway, projects must generally have an Estimated Development Cost (EDC) of \$60 million or more in Greater Sydney, or \$30 million or more in regional NSW.

Unlike the standard SSD process, the HDA can also support concurrent rezonings, enabling projects to progress more quickly without requiring a separate, and often lengthy, rezoning process.

Council does not decide on proposals considered by the Housing Delivery Authority (HDA). If the Minister declares a project as an SSD, it enters the same assessment process as other SSDs. This means Council is notified and invited to comment

during the public exhibition stage and may also be consulted on any related rezoning matters. While Council's input is considered as part of the assessment, the final decision is made by the Minister for Planning or the Independent Planning Commission, not Council.

Council has listed and mapped known Expressions of Interest for consideration by the HDA on its website here <https://www.krg.nsw.gov.au/Planning-and-development/State-Significant-Development-and-Transport-Oriented-Development-DAs>. This information has been interpreted for residents based on publicly available information from DPHI. A direct link to the HDAs webpage is here <https://www.planning.nsw.gov.au/policy-and-legislation/housing/housing-delivery-authority>.

Resolved:

(Moved: The Mayor, Councillor Kay)

- A. That this Mayoral Minute be received and noted.
- B. That the letter from DPHI dated 19 August 2025 be tabled and reported back to Council for consideration at a future meeting.
- C. That the Council fee of \$1,761 for a pre-lodgement meeting to de-list local heritage items be waived for those properties directly impacted by the TOD planning controls, Council's alternate planning controls, or SSDAs.

CARRIED UNANIMOUSLY

PETITIONS

Nil.

GENERAL BUSINESS

135 **Multicultural Advisory Committee - Minutes of Meeting 18 June 2025**

File: S04141
Vide: GB.1

To provide Council with the minutes from the Multicultural Advisory Committee meeting held on 18 June 2025.

Resolved:

(Moved: Councillor Taylor)

That Council endorse the minutes of the Multicultural Advisory Committee meeting held on 18 June 2025.

CARRIED UNANIMOUSLY

136 **Smart Transport Advisory Committee Meeting Minutes of 2 July 2025**

File: S02696

Vide: GB.2

To consider the minutes of the Smart Transport Advisory Committee (STAC) meeting held on 2 July 2025.

Resolved:

(Moved: Councillor Taylor)

That Council notes the recommendations of the Smart Transport Advisory Committee meeting held on 2 July 2025 including:

- A. That the Code of Conduct overview be given at the next meeting of the Smart Transport Advisory Committee.
- B. That the controls for on-site car share provision in R4 and mixed-use residential development be revised in the next update of the Ku-ring-gai DCP.
- C. That expressions of interest/request for proposals from car share providers be sought for fixed space car share operation in the LGA.
- D. That future concept designs for Public Domain projects be referred to the Smart Transport Advisory Committee.

CARRIED UNANIMOUSLY

137 **Review of Code of Conduct and Procedures for the Administration of the Code of Conduct**

File: S11192-1

Vide: GB.3

To review and re-adopt Ku-ring-gai Council's *Code of Conduct* and *Procedures for the Administration of the Code of Conduct*.

Resolved:

(Moved: Councillor Taylor)

Council re-adopts the current versions of the *Code of Conduct* and *Procedures for the Administration of the Code of Conduct*.

CARRIED UNANIMOUSLY

138

Ku-ring-gai Council Community Grants Program 2025

File: FY00432/16

Vide: GB.4

To advise Council of applications received for the 2025 Ku-ring-gai Council Community Grants Program, and to recommend funding for community and cultural groups.

Resolved:

(Moved: Councillor Taylor)

That the following community and cultural groups receive the recommended funding amounts from Council in 2025:

CATEGORY 1: Small Equipment

Name of Organisation	Amount Recommended
Lifestart Disability Services Ltd	\$1,550.00
Lindfield Bowling Club	\$1,550.00
Ku-ring-gai Community Workshop "The Shed" Inc.	\$1,550.00
The Uniting Church in Australia Property Trust (NSW) on behalf of UCA Gordon-Pymble Uniting Church	\$1,550.00
Hornsby Ku-ring-gai Community Transport	\$1,550.00
Probus Club of Barra Brui Inc	\$1,550.00
Gordon East Public School P&C	\$450.00
Chinese Early Childhood Educators Association	\$1,550.00
Christ Church St Ives	\$1,400.00
Sydney United Sports Club Incorporated	\$1,550.00
Ku-ring-gai Male Choir Inc	\$759.00
Ku-ring-gai Netball Association	\$1,550.00

Lindfield Football Club	\$1,280.00
Chabad North Shore	\$1,550.00
West Pymble Scout Group	\$1,550.00
Pymble Turrumurra Pre-School Inc	\$1,550.00
Probus Club of Warrawee Inc.	\$1,550.00
Dance of Love Incorporated	\$549.00
Ku Ring Gai Little Athletics Inc	\$1,550.00
The North Shore Synagogue	\$1,550.00
2 nd /3 rd Lindfield Scout Group	\$1,550.00
Total	\$29,238.00

CATEGORY 2: Community Development

Name of Organisation	Amount Recommended
Lifestart Disability Services Ltd	\$2,700.00
Empowering Parents In Crisis Pty Ltd (EPIC)	\$3,500.00
AASHA Australia Foundation	\$2,500.00
Hornsby Ku-ring-gai Women's Shelter	\$3,000.00
Early Education (EarlyEd) Inc	\$2,930.00
Sydney Upper North Shore Special Olympics	\$3,500.00
Hornsby Ku-ring-gai Community College	\$3,500.00
Pitch Club Pty Limited	\$2,000.00
St Lucy's School	\$3,136.00
Gordon FC	\$2,643.00
Dae Hahn Culture School	\$1,400.00
CASS Care Ltd	\$2,900.00
Ku-ring-gai Chamber of Commerce Incorporated	\$2,500.00
Streetwork Australia Limited	\$2,600.00
Total	\$38,809.00

CATEGORY 3: Arts & Cultural

Name of Organisation	Amount Recommended
AASHA Australia Foundation	\$3,000.00
St Ives High School Parents and Citizens Association Incorporated	\$3,000.00
The Cathedral Singers Incorporated	\$1,275.00
CASS Care Ltd	\$3,000.00
Edmund Rice Flexible Schools Ltd Trading as St Edmund's College Wahroonga	\$978.00
Chabad North Shore	\$3,000.00
Kuringai Youth Orchestra Incorporated	\$1,400.00
Marian Street Theatre for Young People (MSTYP)	\$1,500.00
Dae Hahn Culture School	\$2,500.00
Streetwork Australia Limited	\$3,000.00
Multicultural Integration Community Support Inc	\$3,000.00
Total	\$25,653.00

CARRIED UNANIMOUSLY

139

Ku-ring-gai Council Sponsorship Program 2025

File: FY00275/18

Vide: GB.5

To advise Council of applications received for the 2025 Ku-ring-gai Council Sponsorship Program, and to provide recommendations for Sponsorship funding.

Resolved:

(Moved: Councillor Taylor)

That Council approve the following funding for the Events, Arts and Cultural and General Sponsorship applications:

Events Sponsorship over \$5,000	Amount recommended
Pymble Open Day	\$400

Wahroonga Food and Wine Festival	\$6,000
Wahroonga Village Fair	\$6,000
Social Local Collective	\$400
The Sales Strategy and Shift Mastermind	\$0
Sparkling Wahroonga	\$2,000
St Ives Multicultural Food and Wine Festival	\$4,000
Pymble Fun Run	\$1,000
Bobbin Head Cycle Classic	\$7,000
Special Olympics Ku-ring-gai Chase Fun Run	\$4,000
Challenge Works Bare Creek Trail Run	\$4,000
Events Sponsorship under \$5,000	
Ku-ring-gai Shield	\$1,500
Ravenswood Wood School for Girls Australian Women's Art Prize	\$1,800
Ku-ring-gai Art Society Exhibition	\$2,000
St Ives Pre-School and Kindergarten	\$400
180 Cadence (Naak) – Sydney Backyard Ultra	\$400
Arts and Cultural Sponsorship	
Marian Street Theatre for Young People	\$25,000
Ku-ring-gai Philharmonic Orchestra	\$25,000
General Sponsorship	
Welcome basket	\$3,000
Total value of sponsorship requests received	\$93,900

CARRIED UNANIMOUSLY

140

Investment Report as at 31 July 2025

File: FY00623/8

Vide: GB.8

To present Council's investment portfolio performance for July 2025.

Resolved:

(Moved: Councillor Taylor)

That:

- A. The summary of investments and performance for July 2025 be received and noted.
- B. The Certificate of the Responsible Accounting Officer be noted and the report adopted.

CARRIED UNANIMOUSLY

141 **2025 LGNSW Annual Conference: Call for Motions**

File: S14000/2

Vide: GB.11

To advise Council that registrations are now open for the Local Government NSW (LGNSW) Annual Conference, the criteria and deadline for the submission of motions, and for Council to determine its voting delegates at the Conference.

Resolved:

(Moved: Councillor Taylor)

That:

- A. Councillors interested in attending and/or being a voting delegate to notify the General Manager by 29 August 2025.
- B. Councillors to provide any proposed motions for submission to the General Manager by 5 September.
- C. A report providing details of any proposed motions be referred to Council at its meeting on 23 September for approval prior to submission to LGNSW.

CARRIED UNANIMOUSLY

142 **Delivery Program and Operational Plan: June 2025 Biannual Report**

File: FY00382/16

Vide: GB.12

To report to Council on progress of the Delivery Program 2022-2026 and Operational Plan 2024-25 for the period January to June 2025.

Resolved:

(Moved: Councillor Taylor)

That the draft June biannual report on the Delivery Program 2022-2026 and Operational Plan 2024-2025 be received and noted.

CARRIED UNANIMOUSLY

143

RFT8-2025 – Playspace Upgrade - Comenarra Playing Field

File: RFT8-2025/R

Vide: GB.14

To consider the tenders received for RFT8-2025 Playspace Upgrade Comenarra Playing Field and to appoint the preferred tenderer.

Resolved:

(Moved: Councillor Taylor)

That:

- A. Council accepts the tender submission from Tenderer A to carry out the Playspace Upgrade Comenarra Playing Field.
- B. The Mayor and General Manager be delegated authority to execute all tender documents on Council's behalf in relation to the contract.
- C. The Seal of Council be affixed to all necessary documents.
- D. All tenderers be advised of Council's decision in accordance with Clause 178 of the Local Government Tendering Regulation 2021.

CARRIED UNANIMOUSLY

144

Heritage Housekeeping Planning Proposal

File: S14986

Vide: GB.17

For Council to consider a Planning Proposal to correct five (5) local heritage listings in the suburbs of Turramurra and Wahroonga. The proposed corrections will apply to Ku-ring-gai Local Environmental Plan 2015 (KLEP 2015) Schedule 5 Environmental Heritage - Part 1 Heritage Items and the associated heritage maps.

Resolved:

(Moved: Councillor Taylor)

- A. That the Planning Proposal be submitted to the Department of Planning, Housing and Infrastructure for a Gateway Determination in accordance with the provisions of the EP&A Act 1979 and Regulations.
- B. That Council requests the plan making delegation under Section 3.36 of the EP&A Act 1979 and Regulations.
- C. That upon receipt of a Gateway Determination, exhibition and consultation be carried out in accordance with the requirements of the EP&A Act 1979 and with the Gateway Determination requirements.
- D. That a report be brought back to Council at the conclusion of the exhibition period.

CARRIED UNANIMOUSLY

145 **Submission to the NSW Net Zero Commission Consultation**

File: S13127
Vide: GB.19

The purpose of this report is to table the submission to the NSW Net Zero Commission public consultation for endorsement by Council.

Resolved:

(Moved: Councillor Taylor)

The submission to the NSW Net Zero Commission public consultation (**Attachment A1**) be endorsed by Council.

CARRIED UNANIMOUSLY

Councillor Wheatley arrived in Chambers during debate on the following item.

146 **Ku-ring-gai Pickleball Action Plan**

File: FY00430/17
Vide: GB.6

To provide Council with a draft Pickleball Action Plan identifying opportunities to establish pickleball courts in Ku-ring-gai.

MOTION:

(Moved: Councillors Devlin/Balachandran)

That Council:

- A. Note the draft Pickleball Action Plan as the guiding framework for staged pickleball facility development in Ku-ring-gai;
- B. Approve the marking of pickleball lines at the five sites identified as being of readiness and undertake further planning and assessment for the medium-readiness site at Regimental Park as a dedicated pickleball facility;
- C. Undertake further consultation with relevant stakeholders, including sporting groups and the community, to support implementation of the Action Plan and to address any operational or amenity concerns; and,
- D. Align pickleball court fees with existing tennis court fees and charges for 2025/26, with pickleball usage incorporated into the next annual review of Council's Fees and Charges following evaluation of trial data.

CARRIED UNANIMOUSLY

Resolved:

(Moved: Councillors Devlin/Balachandran)

That Council:

- A. Note the draft Pickleball Action Plan as the guiding framework for staged pickleball facility development in Ku-ring-gai;
- B. Approve the marking of pickleball lines at the five sites identified as being of readiness and undertake further planning and assessment for the medium-readiness site at Regimental Park as a dedicated pickleball facility;
- C. Undertake further consultation with relevant stakeholders, including sporting groups and the community, to support implementation of the Action Plan and to address any operational or amenity concerns; and,
- D. Align pickleball court fees with existing tennis court fees and charges for 2025/26, with pickleball usage incorporated into the next annual review of Council's Fees and Charges following evaluation of trial data.

CARRIED UNANIMOUSLY

147

Draft Night-time Economy Action Plan

File: S09438

Vide: GB.7

To provide Council with a draft Night-time Economy Action Plan for Ku-ring-gai, developed to establish a framework for building a vibrant and inclusive evening economy across the local government area.

MOTION:

(Moved: Councillors Balachandran/Taylor)

That:

- A. Council endorses the draft Night-time Economy Action Plan and approve the actions therein
- B. Council provides \$50K of funding to commence actions outlined in the draft Night-time Economy Action Plan
- C. Council and the Taskforce to investigate and implement appropriate pilot activation projects within the town centres of Lindfield, Gordon and Turramurra in 2026.
- D. Council provide a progress report on the outcomes of implementation of Year 1 of the Action Plan in November 2026.

CARRIED UNANIMOUSLY

Resolved:

(Moved: Councillors Balachandran/Taylor)

That:

- A. Council endorses the draft Night-time Economy Action Plan and approve the actions therein
- B. Council provides \$50K of funding to commence actions outlined in the draft Night-time Economy Action Plan
- C. Council and the Taskforce to investigate and implement appropriate pilot activation projects within the town centres of Lindfield, Gordon and Turramurra in 2026.
- D. Council provide a progress report on the outcomes of implementation of Year 1 of the Action Plan in November 2026.

CARRIED UNANIMOUSLY

148

Analysis of Land and Environment Court Costs - 4th Quarter 2024 to 2025

File: FY00623/8

Vide: GB.9

To report legal costs in relation to development appeal matters in the Land and

Environment Court for the year ended 30 June 2025.

Resolved:

(Moved: Councillors Ward/Taylor)

That the analysis of Land and Environment Court costs for the period ended 31 March 2025 be received and noted.

CARRIED UNANIMOUSLY

149 **Carried Forward Projects Expenditure - 2024/25**

File: FY00701/1

Vide: GB. 10

To seek endorsement from Council to carry forward the attached list of 2024/25 projects into the current financial year.

Resolved:

(Moved: Councillors Balachandran/Ward)

That Council approve the attached list of carried forward expenditure from 2024/25 to the current financial year.

CARRIED UNANIMOUSLY

150 **RFT57-2024 Main Carpark Upgrade St Ives Showground**

File: RFT57-2024/R

Vide: GB. 13

The purpose of this report is for Council to consider the tenders received for RFT57-2024 Main Carpark Upgrade St Ives Showground and to appoint the preferred tenderer for construction.

MOTION:

(Moved: Councillors Taylor/Smith)

That Council defer this business item to September pending a notice of motion from Councillors.

CARRIED UNANIMOUSLY

Resolved:

(Moved: Councillors Taylor/Smith)

That Council defer this business item to September pending a notice of motion from Councillors.

CARRIED UNANIMOUSLY

151

Ku-ring-gai Affordable Housing Contribution Scheme and amended Affordable Housing Policy

File: S12314

Vide: GB. 15

For Council to consider the draft Ku-ring-gai Affordable Housing Contribution Scheme prepared by Atlas Economics and GLN and the amended Ku-ring-gai Affordable Housing Policy for public exhibition.

Resolved:

(Moved: Councillors Balachandran/Ward)

- A. That Council endorse the Draft Ku-ring-gai Affordable Housing Scheme (**Attachment A1**) for public exhibition.
- B. The amendments to the policy positions relating to contribution preference, ownership and use of funds in the Affordable Housing Policy be noted, and that Council endorse the amended Ku-ring-gai Affordable Housing Policy (**Attachment A2**) for public exhibition.
- C. That the Draft Ku-ring-gai Affordable Housing Scheme and the amended Affordable Housing Policy be placed on public exhibition for a period of 28 days. Following the exhibition, a report on the submissions received be reported to Council for consideration.

For the Resolution:

The Mayor, Councillor Kay, Councillors Balachandran, Devlin, Ngai, Smith, Taylor, Ward and Wheatley

Against the Resolution:

Councillors Pettett and Spencer

CARRIED

The Mayor noted that Councillor Smith declared a special disclosure of pecuniary interest in GB.16 and tabled a special disclosure of pecuniary interest under clause 4.36(c) of the Code of Conduct and will remain in Chambers during this debate.

152 **Planning Proposal - Dual Occupancy Floor Space Ratio (FSR) standard**

File: S14848

Vide: GB.16

To inform Council of the Planning Proposal amending the *Ku-ring-gai Local Environmental Plan 2015* to apply a Floor Space Ratio (FSR) to dual occupancy development with a minimum 1015 sqm lot size.

Resolved:

(Moved: Councillors Balachandran/Taylor)

- A. That Council support the proposed FSR for dual occupancy as outlined in this report and progress the Planning Proposal to the Department of Planning, Housing and Infrastructure for a Gateway Determination to enable its exhibition and public consultation.
- B. That Council seek the authority to finalise the Planning Proposal under delegation.

CARRIED UNANIMOUSLY

Councillor Wheatley declared a non-significant, non-pecuniary interest in GB.18 as she has previously worked with Evie Networks. Councillor Wheatley will remain in Chambers for this debate.

153 **Application to Seek the Minister's Consent to Grant a Licence over Community Land**

File: S14827

Vide: GB.18

To seek a resolution to apply for Minister's consent to proceed with the granting of the licence to Fast Cities Australia Pty Limited (Evie Networks). The licence is for a public electric vehicle (EV) charger to be installed and operated at 2 Lord Street, Roseville.

MOTION:

(Moved: Councillors Taylor/Ngai)

That:

- A. Council make an application to the Minister for Local Government for

consent to proceed with grant the proposed licence as noted within this report.

- B. Subject to Ministerial approval, that Council authorises the General Manager or his delegate authority to execute the licence and any documentation to give effect to this resolution.
- C. Noting comments in the report from the community about creating a community space at the Lord St car park and the term of the EV agreements, a high-level report be brought back to Council this financial year on the timing for delivery of the Roseville Village Green.

CARRIED UNANIMOUSLY

Resolved:

(Moved: Councillors Taylor/Ngai)

That:

- A. Council make an application to the Minister for Local Government for consent to proceed with grant the proposed licence as noted within this report.
- B. Subject to Ministerial approval, that Council authorises the General Manager or his delegate authority to execute the licence and any documentation to give effect to this resolution.
- C. Noting comments in the report from the community about creating a community space at the Lord St car park and the term of the EV agreements, a high-level report be brought back to Council this financial year on the timing for delivery of the Roseville Village Green.

CARRIED UNANIMOUSLY

BUSINESS WITHOUT NOTICE – SUBJECT TO CLAUSE 9.3 OF CODE OF MEETING PRACTICE

Nil

QUESTIONS WITH NOTICE

Nil.

INSPECTIONS– SETTING OF TIME, DATE AND RENDEZVOUS

Nil.

The Meeting closed at 8:01pm.

The Minutes of the Ordinary Meeting of Council held on 19 August 2025 (Pages 1 - 22) were confirmed as a full and accurate record of proceedings on <Insert confirmation date ...>.

General Manager

Mayor / Chairperson

SCHEDULE 3: FORM OF SPECIAL DISCLOSURE OF PECUNIARY INTEREST SUBMITTED UNDER CLAUSE 4.39

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Controlled Document – Code of Conduct

Version 5 – 16 November 2022

Special disclosure of pecuniary interests by Cr Alec Taylor

in the matter of GB.16 Planning Proposal - Dual Occupancy FSR Standard (KLEP 2015 & DCP)

which is to be considered at a meeting of the [name of council or council committee (as the case requires)] Ordinary Meeting of Council

to be held on the 19 August 2025

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	[REDACTED]
Relationship of identified land to the councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> The councillor has an interest in the land [e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise]. <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest ¹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ² [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	R2 Low Density Residential or Low & Mid-rise Housing SEPP or Council's alternative TOD plan

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² A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Code of Conduct has a proprietary interest.

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Controlled Document – Code of Conduct

Version 5 – 16 November 2022

Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Maximum FSR of $((200 + (0.3 \times \text{site area})) / \text{site area}):1$
Effect of proposed change of zone/planning control on councillor or associated person [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	Unlikely to affect the value of the property as other over-riding planning controls are applicable

(If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.)

Councillor's signature



Date 19/8/2025

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

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SCHEDULE 3: FORM OF SPECIAL DISCLOSURE OF PECUNIARY INTEREST SUBMITTED UNDER CLAUSE 4.39

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Controlled Document – Code of Conduct

Version 5 – 16 November 2022

Special disclosure of pecuniary interests by *Barbara Christine Ward*

in the matter of [REDACTED]

which is to be considered at a meeting of the [name of council or council committee (as the case requires)] Ordinary Meeting of Council

to be held on the *19 August 2025*

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	[REDACTED]
Relationship of identified land to the councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest ¹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ² [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	<i>R2 LOW DENSITY</i>

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Controlled Document – Code of Conduct

Version 5 – 16 November 2022

Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	R2 Zone RLEP
Effect of proposed change of zone/planning control on councillor or associated person [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	appreciable financial gain ✓ ✓ ders

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's signature



Date

19/10/2025

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

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Controlled Document – Code of Conduct

Version 5 – 16 November 2022

Special disclosure of pecuniary interests by Indu Balachandranin the matter of Dual occupancy lot size , KLEP 2015which is to be considered at a meeting of the [name of council or council committee (as the case requires)] Ordinary Meeting of Councilto be held on the 19/8/25

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	[REDACTED]
Relationship of identified land to the councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest ¹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ² [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	<u>R2, KLEP 2015</u> <u>Heritage item KLEP 2015</u> <u>H2AC23 KLEP 2015</u>

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Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	Dual occupancy lot size KLEP 2015
Effect of proposed change of zone/planning control on councillor or associated person <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	Financial loss/gain - unknown as TOD has not been gazetted

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's signature



Date

17/8/25

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Controlled Document – Code of Conduct

Version 5 – 16 November 2022

Special disclosure of pecuniary interests by Indu Balachandranin the matter of dual occupancy lot size, KLEP 2015which is to be considered at a meeting of the [name of council or council committee (as the case requires)] Ordinary Meeting of Council

to be held on the

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	[REDACTED]
Relationship of identified land to the councillor [Tick or cross one box.]	<input type="checkbox"/> The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input checked="" type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest ¹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ² [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	<u>R2 - KLEP 2015</u> <u>Heritage item - KLEP 2015</u> <u>H/CAC23 - KLEP 2015</u>

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Version 5 – 16 November 2022

Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Dual occ lot size KLEP 2015
Effect of proposed change of zone/planning control on councillor or associated person [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	Financial gain/loss unknown as TOD not gazetted.

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's signature



Date

17/8/25

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

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Controlled Document – Code of Conduct

Version 5 – 16 November 2022

Special disclosure of pecuniary interests by CR MARTIN SMITHin the matter of Dual OCCUPANCYwhich is to be considered at a meeting of the [name of council or council committee (as the case requires)] Ordinary Meeting of Councilto be held on the 14th AUGUST 2025

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	[REDACTED]
Relationship of identified land to the councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest ¹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ² [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	<u>R2 LOW DENSITY RESIDENTIAL (ULEP 2015)</u>

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Version 5 – 16 November 2022

Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	SEPA (EXEMPT COMPLIANCE DEVELOPMENT CODES) STATE ENVIRONMENTAL PLANNING POLICY (HOUSING 2021) CHAPTER 6 LOW AND MEDIUM RISE HOUSING
Effect of proposed change of zone/planning control on councillor or associated person [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	UNKNOWN FINANCIAL GAIN OR LOSS

[If more than one interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's signature

Date 19/08/2025

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Controlled Document – Code of Conduct

Version 5 – 16 November 2022

Special disclosure of pecuniary interests by Cr Matt Devlin

in the matter of Planning Proposal - Dual Occupancy Floor Space Ratio (FSR) standard

which is to be considered at a meeting of the *[name of council or council committee (as the case requires)]* Ordinary Meeting of Council

to be held on the 19th August 2025

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	
Relationship of identified land to the councillor <i>[Tick or cross one box.]</i>	<input type="checkbox"/> The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input checked="" type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest ¹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ² <i>[Tick or cross one box]</i>	<input type="checkbox"/> The identified land. <input checked="" type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	This property does is not impacted as a sole concern, however, should the property be amalgamated with other sites, there could be a potential for the aforementioned planning instrument to impact the property.

¹ Clause 4.1 of the Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Code of Conduct.

² A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Code of Conduct has a proprietary interest.

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Controlled Document – Code of Conduct

Version 5 – 16 November 2022

Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	This property does is not impacted as a sole concern, however, should the property be amalgamated with other sites, there could be a potential for the aforementioned planning instrument to impact the property.
Effect of proposed change of zone/planning control on councillor or associated person <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	This property does is not impacted as a sole concern, however, should the property be amalgamated with other sites, there could be a potential for the aforementioned planning instrument to impact the property.

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's signature



Date 19th August 2025

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

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