

MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON TUESDAY, 18 FEBRUARY 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)
Manager Corporate Communications (Virginia Leafe)
Manager Governance and Corporate Strategy (Christopher M Jones)
Governance Support Officer (Eliza Gilbank-Heim)

The Meeting commenced at 7:01PM

The Mayor offered the Acknowledgement of Country and Prayer.

APOLOGIES

File: S02194

Nil.

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.

The General Manager declared a significant, pecuniary interest in MM.4 General Manager performance review panel members as it directly relates to his performance review. The General Manager will be leaving the room during debate on this item.

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.5 - Establishment of Ku-ring-gai Council Women's Leadership and Inspiration Award 2025** - Report by the Mayor, Councillor Kay dated 17 February 2025.

Memorandums: An explanatory memorandum for item GB.11 **Draft Submission - IPART Discussion Paper: Review of our approach to assessing contributions plans** from the Manager of Urban & Heritage Planning was circulated to the Mayor and Councillors on 18 February 2025.

CONFIRMATION OF MINUTES

01 **Minutes of Ordinary Meeting of Council**

File: EM00043/11/1

Meeting held 17 December 2024

Minutes numbered 233 to 249

Resolved:

(Moved: Councillors Wheatley/Balachandran)

That Minutes numbered 233 to 249 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

01 **2025 Australia Day Honours and Citizen of the Year Awards**

File: CY00785/4

Vide: MM.1

I am pleased to inform you that two members of the Ku-ring-gai community, through their outstanding achievements and services to the community, have been awarded 2025 Australia Day Honours.

We are very proud to have these dedicated and talented Australians as members of the Ku-ring-gai community.

I would like to read to you the names of these Australia Day Honours recipients

and, on behalf of Council, congratulate them on their excellent contributions to Australian society.

Mrs Jennifer Gai ANDERSON OAM, for service to the community of Ku-ring-gai
Mrs Jennifer Anderson OAM was a longstanding Ku-ring-gai Mayor and a Councillor between 2006 and 2021. In 2021 she became Ku-ring-gai's longest serving mayor, holding the position from 2011 to 2012, 2013 to 2015 and consecutive terms during 2016-2017, 2017-2019 and 2019-2021. In 2017 she was presented with the NSW Ministers' Award for Women in Local Government for her service to the Council. She is recognised as an Emeritus Mayor of Ku-ring-gai by the NSW Local Government Association and received the Excellence Award from Local Government NSW in 2021.

In addition to her contribution to local government, Mrs Anderson has a distinguished and wide-ranging record of service to numerous community organisations. She has served as a board member of the Hornsby Ku-ring-gai Women's Shelter; the Ku-ring-gai Youth Development Service; Ku-ring-gai Meals on Wheels; Eryldene Historic House; Tulkiyan Historic House; the NSW Parents Council and the NSW Federation of Parents' and Citizens' Association.

Mrs Anderson has been a Company Director of Ku-ring-gai Financial Services (Lindfield Community Bank) since 2023. She is a current Patron of the Hornsby Ku-ring-gai Women's Shelter, the Ku-ring-gai Historical Society and the Ku-ring-gai division of St John's Ambulance Brigade. She is also a former Patron of the Ku-ring-gai Horticultural Society, Gordon District Cricket Club and the Ku-ring-gai Amateur Swimming Club.

Mr Samuel Stuart CLARK AM AFSM, for distinguished service as a member of an Australian fire service

Mr Samuel Stuart Clark AM joined the Elouera Rural Fire Brigade in 1973 and has since served as a member of the Ku-ring-gai, Killara and Hornsby Communications brigades. He served as the Communications Brigade captain from 2017 to 2024 and is currently the Killara Brigade deputy captain and president.

Mr Clark has played a key role in the Killara Brigade's establishment, engaging both state and local governments to secure land and build a brigade station, delivering enhanced local firefighting capability. A respected senior member, he has given his time and legal expertise freely for the betterment of the NSW Rural Fire Service (NSW RFS), contributing to projects including the development of the Code of Conduct and Ethics, disciplinary processes, Brigade Constitutional reform and the Brigade Management Handbook.

Mr Clark has played an integral role in the establishment of the modern NSW RFS, mentoring generations of leaders and contributing to the professionalism for which the agency is now known. As the architect of the service's organisational structure, he worked with successive commissioners to implement necessary legislative and corporate changes to shape the service. The NSW RFS is indebted to Mr Clark for his unwavering commitment.

I also congratulate Ku-ring-gai Citizen of the Year winners for 2025:

Citizen of the Year

– **Madeleine Steel**

- Young Citizen of the Year – **Matthew Hayes**
- Environmental Citizen of the Year – **Sofia Zvolanek**
- Mayor's Award for an Outstanding Contribution by a Community Group – **Hornsby Ku-ring-gai Women's Shelter**

On behalf of Council, I congratulate all these award winners on their outstanding achievements.

Ku-ring-gai should be proud that it has citizens being recognised at the highest level for their selfless dedication, commitment and contribution to local, national and international communities.

Resolved:

(Moved: The Mayor Councillor Kay)

- A. That Council acknowledge the outstanding contribution made by these recipients of 2025 Australia Day Honours to the Ku-ring-gai community and to the well-being of our society.
- B. That the Mayor write to the recipients on behalf of Council to congratulate them on receiving their award, including a copy of this Mayoral Minute

CARRIED UNANIMOUSLY

02

Vale Geoffrey Bassar, An Inspirational Mentor For Youth

File: CY00455/13

Vide: MM.2

It is my sad duty to inform Council and our community of the passing of a much-loved mentor and passionate advocate for youth, Geoffrey Bassar.

Geoffrey passed away last month at the age of 95. During his long life he never stopped pursuing ways to support and encourage young people.

Born in Lithgow, Geoffrey became interested in community service at a young age, joining the APEX organisation in 1947.

He continued participating in APEX when he moved to Sydney for work and then joined Rotary.

Through his involvement with the Lindfield Rotary Club in the early 2000s, Geoffrey helped establish the KYDS youth counselling service in Lindfield.

From its inception KYDS fulfilled a deep need for youth-based mental health

support, long before it was funded by various government agencies.

Thanks to Geoffrey's pioneering leadership, KYDS now provides a range of free counselling services to support young people aged 10-18 without the need for referrals, a health plan or even a Medicare card.

In Port Stephens where he eventually retired, he also pioneered the creation of a free youth mental health counselling service known as Jupiter.

Geoffrey's obituary had the words 'We thought he'd live forever', a testament to his energy, selflessness and inspirational presence in his family and the Port Stephens and Ku-ring-gai communities.

On behalf of Council and our residents, I extend our deepest condolences to his widow Nanette and sister Barbara, his children Ian, Elise, Susan and Pru and his nine grandchildren. Rest in peace Geoffrey, you will be missed.

Resolved:

(Moved: The Mayor Councillor Kay)

- A. That the Mayoral Minute be received and noted
- B. That we stand for a minute's silence to honour Geoffrey Basser
- C. That the Mayor write to Geoffrey Basser's family and encloses a copy of the Mayoral Minute

CARRIED UNANIMOUSLY

03

Memorandum of Understanding between Ku-ring-gai Council and the Ku-ring-gai Chamber of Commerce

File: S09435

Vide: MM.3

This Mayoral Minute seeks Council's endorsement of a draft Memorandum of Understanding (MOU) between Ku-ring-gai Council and the Ku-ring-gai Chamber of Commerce.

The intent of the MOU is to establish a formal collaborative relationship between Council and the Chamber, in the interests of stimulating local economic growth and assisting small to medium local businesses.

Since 2009 the Ku-ring-gai Chamber of Commerce has played a vital role in supporting local small businesses through networking opportunities and providing advocacy within the Ku-ring-gai area.

The Council has developed its own program of business support, delivering training programs, events, networking and professional development opportunities and

providing information on other business support available through government agencies and associated organisations.

Council and the Chamber share a fundamental goal of fostering a thriving local business community and supporting a strong local economy. Given the complementary nature of their activities and shared goals, establishing a formal collaborative framework through an MOU presents a logical step forward.

The proposed MOU aims to:

- A. Provide a structured approach to strengthening connections and mutual collaboration
- B. Leverage the distinct strengths and resources of both organisations
- C. Heighten support for the local business community and raise awareness of the support available
- D. Foster stronger working relationships between the parties
- E. Establish clear protocols for collaboration

Similar arrangements are already established in neighbouring council areas, with Willoughby City Council and Hornsby Council having implemented MOUs with their respective Chambers of Commerce.

Such agreements facilitate collaboration while maintaining open channels for feedback and ideas.

As Mayor, I believe that strengthening relationships with organisations such as the Ku-ring-gai Chamber of Commerce will play an important role in promoting local businesses. It is a view that I am sure my Council colleagues also share.

Resolved:

(Moved: The Mayor, Councillor Kay)

- A. That Council endorse the draft Memorandum of Understanding between Ku-ring-gai Council and Ku-ring-gai Chamber of Commerce
- B. That the Mayor and General Manager are authorised to execute the MOU on behalf of Council
- C. That the General Manager or his delegate are to implement the collaborative framework outlined in the MOU

CARRIED UNANIMOUSLY

After declaring an interest in MM.4, the General Manager withdrew from Chambers during discussion.

04

General Manager performance review panel members

File: EM00046/1

Vide: MM.4

At the 17 October 2023 Council meeting, Council resolved to establish a selection panel to oversee the recruitment of a new General Manager with the assistance of an independent recruitment consultant. It was also agreed that the panel be comprised of the Mayor (then Councillor Sam Ngai), Deputy Mayor (then myself) and two other Councillors. Following a vote, Councillors Alec Taylor and Kim Wheatley were appointed to the panel.

Following the successful appointment of the General Manager, the selection panel reconvened to work with the external consultant and GM to develop a comprehensive performance agreement.

Under the Office of Local Government (OLG) Guidelines for the Appointment and Oversight of General Managers (**Attachment A1**), the governing body must establish a panel to undertake the General Manager's performance reviews. The guidelines state that "performance review panels should comprise of the mayor, the deputy mayor, another councillor nominated by council and a councillor nominated by the general manager". The General Manager has advised that he does not wish to nominate a panel member.

Performance must be reviewed at least annually against the agreed criteria for the position. The Guidelines recommend that full responsibility for performance management be delegated to the panel, including discussions about performance, any actions that should be taken and the determination of a new performance agreement.

Following the local government elections in September last year, I would like to provide new and returning Councillors with the opportunity to express an interest in joining myself and the Deputy Mayor on the panel.

As outlined in the Guidelines, all Councillors will be able to contribute to the review process by providing feedback on the General Manager's performance against the agreed performance criteria. The panel will report back to Council in a closed session on the findings and recommendations of the performance review, and further information about the process and timeframes will be communicated separately.

MOTION:

(Moved: The Mayor, Councillor Kay)

That Council:

- A. Delegate the review of the General Manager's performance to the panel comprised of the Mayor, Deputy Mayor and two Councillors
- B. Engage the independent external consultant to support the review
- C. Appoint Councillors Sam Ngai and Alec Taylor to the performance review panel.

AMENDMENT:

(Moved: Councillors Ngai/Spencer)

That Council:

- A. Delegate the review of the General Manager's performance to the panel comprised of the Mayor, Deputy Mayor and two Councillors
- B. Engage the independent external consultant to support the review
- C. Appoint Councillors Sam Ngai and Barbara Ward to the performance review panel.

The Amendment was put and declared **CARRIED UNANIMOUSLY**.

The Motion was put and declared **CARRIED UNANIMOUSLY**.

Resolved:

(Moved: Councillors Ngai/Spencer)

That Council:

- A. Delegate the review of the General Manager's performance to the panel comprised of the Mayor, Deputy Mayor and two Councillors
- B. Engage the independent external consultant to support the review
- C. Appoint Councillors Sam Ngai and Barbara Ward to the performance review panel.

CARRIED UNANIMOUSLY

The General Manager returned to Chambers.

05

Establishment of Ku-ring-gai Council Women's Leadership and Inspiration Award 2025

File: CY00074/17

Vide: MM.5

Council support is sought for the establishment of the Ku-ring-gai Council Women's Leadership and Inspiration Award 2025, aimed at recognising, and celebrating outstanding women in our community who demonstrate leadership, advocacy, and a commitment to advancing gender equality.

International Women's Day (IWD) provides an important opportunity to acknowledge and celebrate the contributions of women who make a meaningful impact in our community. Consistent with Ku-ring-gai Council's commitment to gender equality and women's empowerment, this award will highlight the

achievements of local women who are dedicated to fostering positive change. This initiative aligns with the objectives of Council's Prevention of Violence Against Women Plan and broader national and state gender equality strategies. The establishment of this award reinforces Council's role in promoting gender equity and encouraging women's participation in leadership and community development.

The Ku-ring-gai Council Women's Leadership and Inspiration Award will recognise women aged 18 years or older who reside within the Ku-ring-gai Local Government Area and demonstrate exceptional leadership, advocacy, and dedication to advancing gender equality. Nominees must have made meaningful contributions in one or more of the following areas: addressing systemic barriers, supporting women in underrepresented fields, or empowering vulnerable women and girls. Sitting Local, State, or Federal politicians, current vice-regal officers, and current Council employees will not be eligible. A selection panel, chaired by the Mayor and comprising members of the Status of Women Advisory Committee and relevant staff, will assess nominations against clear criteria focused on leadership, advocacy, and community impact. Nomination guidelines and selection criteria will be developed to ensure a transparent and fair assessment process. Final eligibility assessment will include a referee check to ensure the integrity of the process.

The recipient will be recognised at the Council's International Women's Day celebration, with their achievements promoted throughout the year via Council's communication channels. This year, due to timing considerations the award will be aligned with another significant day related to women's causes. Nomination forms and supporting documentation will be required to provide a clear understanding of the nominee's contributions. The award will celebrate not only the recipient's accomplishments but also their role in inspiring others and fostering gender equity in the community.

At the Status of Women Advisory Committee meeting on Tuesday, 11 February, members strongly endorsed the proposal to establish the Ku-ring-gai Council Women's Leadership and Inspiration Award 2025. The establishment of this award represents a meaningful step in fostering gender equality and celebrating the contributions of women in our community. By providing recognition and a platform to amplify their work, the award will empower recipients and inspire future generations of women leaders. This initiative underscores Council's commitment to inclusivity, representation, and the advancement of women in leadership roles across various sectors.

Resolved:

(Moved: The Mayor, Councillor Kay)

That Council:

- A. Endorse the establishment of the Ku-ring-gai Council Women's Leadership and Inspiration Award, to be launched in 2025 and awarded annually at the International Women's Day celebration or another significant day aligned with women's causes, as appropriate.
- B. Authorise the development of nomination guidelines and selection criteria

to ensure a transparent and fair assessment process, to be reported back to Council for endorsement.

- C. Promote the award through Council's communication channels to maximise community engagement and recognition of outstanding women leaders.

CARRIED UNANIMOUSLY

PETITIONS

06 **Petition to add more parking spots on Robert Street and stop the installation of a wombat crossing**

File: TM4/17

Vide: PT.1

Petition to Ku-ring-gai Council
Principal petitioner: The Wyatt

We, the undersigned customers and community members, are writing to express our deep concern regarding the proposed installation of a wombat crossing on Robert Street, directly adjacent to The Wyatt cafe, located opposite the Gordon train station. While we appreciate the council's efforts to improve pedestrian safety, we believe the current plan will have significant negative impacts on the local businesses and community.

The Wyatt is a vital part of our community, serving local guests in their daily lives and providing a welcoming space for social connection. As a local community cafe, it plays an essential role in supporting neighbourhood engagement and small business vitality. The proposed loss of car parking spaces would further strain our ability to operate effectively and serve our customers.

The implementation of the wombat crossing as proposed will result in the loss of at least 2 vital car parking spaces in an area that already suffers from severe parking shortages (from the previous upgrade of the kerb blister, we lost 2 car spaces already). This issue has been a long-standing challenge for customers visiting local businesses, including The Wyatt. The further reduction of parking will:

- Make it increasingly difficult for local customers to find parking, discouraging them from visiting our establishments.
- Adversely impact our customer service and community engagement, as convenient access is essential for quick visits.
- Potentially cause a decline in customer footfall, negatively affecting our business viability and the livelihoods of staff.

We respectfully request the council reconsider the proposed wombat crossing placement and explore alternative solutions that balance safety improvements with local business needs. Specifically, we propose:

1. Evaluating other locations for the wombat crossing where it may cause less disruption to parking.
2. Adding 6 additional 1/2 P car parking spaces on Robert Street to compensate for the parking loss and better serve the community and local businesses.
3. Allocating some of the available funding to improve cleanliness and maintenance of public areas, including cleaning and upkeep of outdoor seating barriers (concert-style fencing) and other shared spaces that enhance the local environment and customer experience

While we recognize that this project is being funded by the NSW Government, we hope that the council will allocate the funding in a more reasonable and considerate manner that prioritizes both pedestrian safety and the accessibility needs of local businesses.

We believe these suggestions will enhance both pedestrian safety and accessibility without compromising the vitality of the local business community. We trust the Council will give due consideration to our concerns and suggestions. Thank you for your attention to this matter. We look forward to your prompt response and a collaborative resolution that benefits all stakeholders.

(99 signatures)

Resolved:

(Moved: Councillors Ward/Balachandran)

That the petition be received and referred to the appropriate Officer of Council for attention.

CARRIED UNANIMOUSLY

GENERAL BUSINESS

07

Minutes of Audit, Risk & Improvement Committee meeting held on 12 December 2024

File: CY00458/13

Vide: GB.1

To provide Council with the minutes from the Audit, Risk & Improvement Committee meeting held on 12 December 2024 for adoption.

Resolved:

(Moved: Councillors Taylor/Ward)

That the minutes from the Audit, Risk & Improvement Committee meeting held on 12 December 2024 be adopted.

CARRIED UNANIMOUSLY**08 Audit, Risk & Improvement Committee - Extension of Appointment: Independent Chair and Independent Member**

File: CY00458/12

Vide: GB.2

To consider offering an extension of appointment to the current Independent Chair and an Independent Member of Council's Audit, Risk & Improvement Committee.

Resolved:

(Moved: Councillors Taylor/Ward)

It is recommended that:

- A. The current Independent Chair of the Audit, Risk & Improvement Committee, is offered an extension of appointment for a period of 2 years commencing from 2 March 2025.
- B. The subject Independent Member of the Audit, Risk & Improvement Committee, is offered an extension of appointment for a period of 1 year commencing from 2 March 2025.

CARRIED UNANIMOUSLY**09 Status of Women's Advisory Committee meeting minutes of 27 November 2024**

File: S13683

Vide: GB.3

To provide Council with the minutes from the Status of Women's Advisory Committee meeting held on 27 November 2024.

Resolved:

(Moved: Councillors Taylor/Ward)

That Council:

- A. Consider and endorse the minutes of the Status of Women's Advisory Committee meeting held on 27 November 2024.

- B. Acknowledge the resignation of Rhonda Smyth from the Status of Women's Advisory Committee.
- C. Endorse the appointment of Leanne Fry to the Status of Women's Advisory Committee.

CARRIED UNANIMOUSLY

10 **Heritage Reference Committee meeting minutes of 5 December 2024**

File: CY00413/12

Vide: GB.4

To have Council consider the minutes from previous Heritage Reference Committee ('HRC') meeting held on 5 December 2024.

Resolved:

(Moved: Councillors Taylor/Ward)

That Council receive and note the HRC minutes from the meeting held on 5 December 2024.

CARRIED UNANIMOUSLY

11 **2024 - 2025 Budget Review - 2nd Quarter ended December 2024**

File: EM00046/1

Vide: GB.5

To inform Council of the results of the second quarter budget review of 2024/25 and proposed adjustments to the annual budget based on the actual financial performance and trend for the period 1 July 2024 to 31 December 2024.

Resolved:

(Moved: Councillors Taylor/Ward)

That the December 2024 Quarterly Budget Review and the recommended changes be received and noted.

CARRIED UNANIMOUSLY

12 **Analysis of Land and Environment Court Costs - 2nd Quarter 2024 to 2025**

File: FY00623/7

Vide: GB.6

To report legal costs in relation to development control matters in the Land and Environment Court for the quarter ended 31 December 2024.

Resolved:

(Moved: Councillors Taylor/Ward)

That the analysis of Land and Environment Court costs for the period ended 31 December 2024 be received and noted.

CARRIED UNANIMOUSLY

13 **Investment Report as at 31 December 2024**

File: FY00623/7

Vide: GB.7

To present Council's investment portfolio performance for December 2024.

Resolved:

(Moved: Councillors Taylor/Ward)

That:

- A. The summary of investments and performance for December 2024 be received and noted.
- B. The Certificate of the Responsible Accounting Officer be noted and the report adopted.

CARRIED UNANIMOUSLY

14 **Investment Report as at 31 January 2025**

File: FY00623/7

Vide: GB.8

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

Resolved:

(Moved: Councillors Taylor/Ward)

That:

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

CARRIED UNANIMOUSLY

15 **Disclosures of Interest Returns Register**

File: EM00046/1

Vide: GB.9

To table Council's Clause 4.23 Disclosure of Interest Returns Register inclusive of the Returns made by Councillor Balachandran and Councillor Devlin in accordance with Schedule 1 of the Ku-ring-gai Council Code of Conduct (the Code).

Resolved:

(Moved: Councillors Taylor/Ward)

That the updated Disclosure of Interest Returns Register be noted.

CARRIED UNANIMOUSLY

16 **Submission on the Office of Local Government's Proposed Amendments to the Model Code of Meeting Practice**

File: EM00046/1

Vide: GB.10

To approve a submission to the Office of Local Government's (OLG) consultation on the proposed amendments to the Model Code of Meeting Practice.

Resolved:

(Moved: Councillors Taylor/Ward)

That Council approve the draft submission to the OLG's consultation on the proposed amendments to the Model Code of Meeting Practice, at **Attachment A2**.

CARRIED UNANIMOUSLY

17 **Alternative Scenarios to the TOD SEPP - Project Update**

File: S14427

Vide: GB.12

To provide Council with an update on the development of alternative scenarios to the TOD SEPP.

Resolved:

(Moved: Councillors Taylor/Ward)

That Council receive and note the update report on planning for alternative scenarios to the TOD SEPP.

CARRIED UNANIMOUSLY

18 **Draft Submission - IPART Discussion Paper: Review of our approach to assessing contributions plans**

File: S12758

Vide: GB.11

The purpose of this report is to put the draft response prepared by staff in response to IPART's invitation for submissions to Council for consideration.

Resolved:

(Moved: Councillors Balachandran/Wheatley)

- A. That Council resolve to forward the final draft submission to IPART as a formal submission ahead of the revised deadline for submissions of 21 February 2025.
- B. That the General Manager be authorised to make minor changes to the submission where they are of a minor or editorial nature and otherwise progress the interests of Council consistent within this matter.

CARRIED UNANIMOUSLY**MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**19 **Norman Griffiths Oval Upgrade Project Update**

File: S13191

Vide: NM.1

Notice of Motion from Councillors Pettett and Devlin dated 31 January 2025

The Norman Griffiths Oval at West Pymble is currently undergoing a major upgrade. Council resolved in March 2023 to proceed with the project as planned. Acknowledging that there was some concern, the broader community was excited that this project was finally underway after many years in the pipeline. The Oval upgrade includes a new all-weather synthetic surface, new lighting and pathways, an electronic scoreboard and an improved drainage system, catering for environmental factors.

The initial total cost of the upgrade was estimated at \$3.3m, (later revised estimated budget is \$4.77m as of April 2024) with local football clubs contributing around \$1m in club funds and government grants. The current estimated budget of this upgrade as of January 2025 is yet to be advised. The latest update (Council's eNews 29th November 2024) has an estimated completion in mid-2025. The community is concerned about the significant budget blowout and substantial time-delays in completing this project.

Given the delays, cost and heightened community concern, it is prudent that Council provide greater transparency and understanding of the project management, and progress status of the upgrade works for Councillors and the community.

We, therefore, move:

That Council staff provide a detailed report to the Ordinary Meeting of Council in March 2025 about the cost and time to completion of the Norman Griffiths upgrade. The report to include, but not limited to, the following, some of which may include confidential information:

- A. Current cost versus budgeted cost;
- B. The nature of current variations under contention and associated costs. Including a forecast cost of completion;
- C. The status of the negotiations pertaining to aforementioned variations;
- D. Updated scope of works, specifying responsibilities for both Council and contractors;

- E. The timeframe in place to complete remaining works, including handover date and return to public use;
- F. The details of – if any – dealings with NSW Environmental Protection Agency;
- G. The details of – if any – dealings with Sydney Water;
- H. Full breakdown of all environmental protection provisions incorporated into the project, differentiating what was included in the initial design and what have been additional inclusions since construction began;
- I. Full breakdown of delays, detailing responsible party and cause; and but not limited to,
- J. The point at which – if necessary – that Council may need to decide to terminate the existing contract and pursue completion of works with other parties.

Resolved:

(Moved: Councillors Pettett/Devlin)

That the above Notice of Motion as printed be adopted.

CARRIED UNANIMOUSLY

20

Vernon Street Dog Park Lighting

File: S03670

Vide: NM.2

Notice of Motion from Councillors Pettett and Devlin dated 31 January 2025

The dog park on Vernon Street, South Turramurra, is well-used and is an integral open space for the secluded South Turramurra community. This park is allowing dogs to play and exercise safely in an off-leash area, as well as allowing residents to meet-up, socialise and support their physical and mental wellbeing.

This off-leash area requires appropriate lighting to allow usage in the evenings. As the days become shorter in the cooler months, and after day-light-savings ends, there are less hours available for dogs to be exercised as there is no lighting at this location. In winter there is no option to utilise the off-leash area after hours for those that come home from work after 5:00pm. This causes access and safety risks for the community. The off-leash area at Lofberg Oval West Pymble, for example, is well utilised after hours because of the installation of appropriate cost-effective lighting which is on a timer.

MOTION:

(Moved: Councillors Devlin/Pettett)

- A. That Council install cost effective lighting in the Vernon Street South Turramurra dog off-leash area, with a report outlining a project timeline for completion to the Ordinary Meeting of Council in March 2025.
- B. That the report outlines how proposed minor works are collated, considered and prioritised, including a schedule for FY26 that ensures allocation of Council's resources is transparent and equitable across all Council areas.

The Motion was put and declared **CARRIED UNANIMOUSLY**.

Resolved:

(Moved: Councillors Devlin/Pettett)

- A. That Council install cost effective lighting in the Vernon Street South Turramurra dog off-leash area, with a report outlining a project timeline for completion to the Ordinary Meeting of Council in March 2025.
- B. That the report outlines how proposed minor works are collated, considered and prioritised, including a schedule for FY26 that ensures allocation of Council's resources is transparent and equitable across all Council areas.

CARRIED UNANIMOUSLY

21 Auluba Oval Facilities Upgrade Project

File: S02811

Vide: NM.3

Notice of Motion from Councillors Pettett and Devlin dated 31 January 2025

Council staff have been working with the Kissing Point Sporting Club since 2022 to upgrade the existing outdated change rooms and toilet amenities. The change rooms are used for both winter and summer sports, with the toilets also used by the public. Noting that there are no separate public toilets at the South Turramurra shopping village precinct. These facilities are no longer fit for purpose and require a much-needed upgrade.

To date, several design configurations have been drafted by staff and explored with the football club. Each configuration had an approximate budget. Since 2022 building costs have escalated, and Councillors and the community need to be informed of the current status of this project, including estimated costs, the program of works – noting a date for the resumption of public use, as well as the planning project responsibilities of Council and any contractor.

As we are now in early-2025, it is time to refocus efforts on this project, with a focus on delivery before the end of 2026.

We, therefore, move:

Council staff to provide a report to the Ordinary Meeting of Council in April 2025, which includes the following; but not limited to,

- A. Current plans for the upgrade;
- B. Budget estimates for the current proposal, and the funding source and any funding gap;
- C. The timeframe for the tender process, intended works program, and commencement and handover dates.

Resolved:

(Moved: Councillors Pettett/Devlin)

That the above Notice of Motion as printed be adopted.

CARRIED UNANIMOUSLY

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

Nil.

QUESTIONS WITH NOTICE

Norman Griffiths Oval

File: EM00046/1

Vide: QN.1

QUESTIONS:

Questions from The Mayor, Councillor Kay dated 31 January 2025

1. What are the potential legal risks and liabilities of proceeding with the proposed work without obtaining an independent flood study that includes Probable Maximum Flood (PMF) assessment (as required by Regulation 171A of the EPA regulations), especially important in the event of continued flooding, water pollution or damaging environmental impact?

2. Has an independent expert provided any written confirmation or formal "sign-off" that the design will actually work as a 2.4 million litre detention tank?
3. Has a formal written opinion of the cost to completion of the current design, including a financial risk analysis quantifying additional cost blowouts, been obtained? If so, what are these projected cost?
4. What would be the cost of installing a natural turf surface at Norman Griffiths Oval given the works already completed, and would it lower the financial and environmental risks associated with the project?
5. Has a pollutant load analysis been undertaken for the oval?
6. Has council examined the environmental impact of any changes to groundwater seepage associated with the aquifer referred to in ecologist Roger Lembits report sent to council staff and councillors in 2023?
7. Has Council conducted a survey of Quarry Creek's water path to establish a benchmark for assessing future flood impacts on water flow?

Answer by the General Manager:

There will be a written response for these questions on the Agenda for the March Ordinary Meeting of Council.

INSPECTIONS– SETTING OF TIME, DATE AND RENDEZVOUS

Nil.

The Meeting closed at 7:51

The Minutes of the Ordinary Meeting of Council held on 18 February 2025 (Pages 1 - 21) were confirmed as a full and accurate record of proceedings on <Insert confirmation date ...>.

General Manager

Mayor / Chairperson