

## MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON TUESDAY, 15 APRIL 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 (online) (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)  
Acting Director Strategy & Environment (Jacob Sife)  
Corporate Lawyer (Jamie Taylor)  
Manager Corporate Communications (Virginia Leafe)  
Manager Governance and Corporate Strategy (Christopher M Jones)  
Governance Support Officer (Eliza Gilbank-Heim)
- Others Present: Manager Urban and Heritage Planning (Antony Fabbro)  
Head of Project Design (William Birt)  
Team Leader Urban Planning (Craig Wyse)

*The Meeting commenced at 7:00 PM*

*The Mayor offered the Acknowledgement of Country and Prayer*

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### **APOLOGIES**

File: S02194

The General Manager advised of an apology from the Director of Strategy & Environment, Andrew Watson, due to being on leave with Jacob Sife acting as Director of Strategy & Environment.

### **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 non-significant, non-pecuniary interest in GB.8 as a close relative is currently contracting for a not-for-profit community housing provider. Councillor Taylor will remain in Chambers during debate on this item.

Councillor Spencer declared a non-significant, non-pecuniary interest in NM.2.  
Councillor Spencer will leave the Chambers during debate on this item.

Councillor Pettett declared a non-significant, non-pecuniary interest in NM.2.  
Councillor Pettett will leave Chambers 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:

**Memorandums:**      **A Memorandum for GB.1 Draft Community Strategic Plan, Resourcing Strategy, Delivery Program and Operational Plan** from the Manager of Governance & Corporate Strategy was circulated to the Mayor and Councillors on 14 April 2025.

**A Confidential Memorandum for NM.2 Norman Griffiths Oval - A Way Forward with Regards to Cost, Value and Risk** from the Director of Operations was circulated to the Mayor and Councillors on 14 April 2025.

**Councillors Information:**      **A List of Submissions from the Public Exhibition of the Draft Affordable Housing Policy in relation to item GB.8** from the Director of Strategy & Environment was circulated to the Mayor and Councillors on 8 April 2025.

**Late Confidential Items:**      **C.1 - Acquisition of Land for Open Space Purposes -** Report by Acting Director Strategy & Environment dated 9 April 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:

### C.1 Acquisition of Land for Open Space Purposes

#### **GB.5 Report back on EOIs for the Smart Transport and Environment Committees**

In accordance with 10A(2)(a):

Attachment A1: Smart Transport Advisory Committee nominee evaluation and recommendations

Attachment A2: Environment Advisory Committee nominee evaluation and recommendations

**CARRIED UNANIMOUSLY**

## **CONFIRMATION OF MINUTES**

49

### **Minutes of Ordinary Meeting of Council**

File: EM00046/2

Meeting held 18 March 2025

Minutes numbered 24 to 44

#### **Resolved:**

*(Moved: Councillors Taylor/Ward)*

That Minutes numbered 24 to 44 circulated to Councillors were taken as read and confirmed as an accurate record of the proceedings of the Meeting.

**CARRIED UNANIMOUSLY**

50

### **Minutes of Extraordinary Meeting**

File: EM00047/1

Meeting held 31 March 2025

Minutes numbered 45 to 46

#### **Resolved:**

*(Moved: Councillors Taylor/Ward)*

That Minutes numbered 45 to 46 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**

Nil.

## **PETITIONS**

51

### **Petition to Ku-ring-gai Council - Lamond Drive Footpath**

File: EM00046/3

*Vide: PT.1*

Petition to Ku-ring-gai Council

Principal petitioner: Justin Dorward

We, the undersigned residents of Lamond Drive, Turramurra, petition Ku-ring-gai Council to budget, plan and install a footpath along the eastern side of Lamond Drive (coloured red in image 1), from the Pacific Highway to the cul-de-sac, as a local priority.

### Background

The developer of 4 Lamond Drive was able to complete construction without having to cater to pedestrians by installing a footpath. An oversight at the time, which now presents a risk to residents that utilise the sealed road instead of muddy and slippery native strip on the eastern side of the street. At present, vehicles are regularly semi-parked on the native strip, restricting pedestrian access to walk along the native strip (image 2).





Image 2

(11 signatures)

**Resolved:**

*(Moved: Councillors Devlin/Wheatley)*

That the petition be tabled and forwarded to the relevant officer for appropriate action.

**CARRIED UNANIMOUSLY**

**GENERAL BUSINESS**

52

**Change of meeting dates for the June 2025 Ordinary Meeting of Council and Public Forum**

File: EM00046/3

*Vide: GB.3*

To amend the date of the June 2025 Ordinary Meeting of Council (OMC) from 24 June 2025 to 17 June 2025 and to amend the date of the June Public Forum from 17 June 2025 to 10 June 2025.

**Resolved:**

*(Moved: Councillors Taylor/Wheatley)*

That the June Public Forum be held on 10 June 2025, and the Ordinary Meeting of

Council be held on 17 June 2025.

**CARRIED UNANIMOUSLY**

53 **Project Status Report - March 2025**

File: FY00621/7

*Vide: GB.4*

To provide Council with the Project Status Report for December 2024 to end of March 2025.

**Resolved:**

*(Moved: Councillors Taylor/Wheatley)*

- A. That Council receive and note the Project Status Report for the period December 2024 to end March 2025.
- B. That the Project Status Report be placed on Council's website.

**CARRIED UNANIMOUSLY**

54 **Urban Forest Policy Updates**

File: S12227

*Vide: GB.6*

To update Council's Urban Forest Policy.

**Resolved:**

*(Moved: Councillors Taylor/Wheatley)*

That Council adopt the updated Urban Forest Policy as attached to this report.

**CARRIED UNANIMOUSLY**

55 **Acquisition of Land for Open Space Purposes**

File: CY00854/2

*Vide: C.1*

In accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*, in the opinion of the General Manager, the following

business is of a kind as referred to in section 10A(2)(c), of the Act, and should be dealt with in a part of the meeting closed to the public.

Section 10A(2)(c) of the Act permits the meeting to be closed to the public in respect of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

The matter is classified confidential because it deals with the proposed acquisition and/or disposal of property.

It is not in the public interest to release this information as it would prejudice Council's ability to acquire and/or dispose of the property on appropriate terms and conditions.

Report by Acting Director Strategy & Environment dated 9 April 2025

**Resolved:**

*(Moved: Councillors Taylor/Wheatley)*

That Council adopt recommendations 1 to 4 in this report.

**CARRIED UNANIMOUSLY**

56

**Draft Community Strategic Plan, Resourcing Strategy, Delivery Program and Operational Plan**

File: S14569

*Vide: GB.1*

To obtain Council's endorsement to place the draft Community Strategic Plan 2035, Resourcing Strategy 2025-2035, draft Delivery Program 2025-2029 and draft Operational Plan 2025-2026 (incorporating the budget, capital works and fees and charges for 2025-2026) on public exhibition.

**MOTION:**

*(Moved: Councillors Taylor/Ngai)*

That Council:

- A. Endorse the draft Community Strategic Plan 2035 (Our Ku-ring-gai: Growing Together) for public exhibition for 28 days (subject to minor corrections and design) including the recommended changes outlined in the associated memo to Councillors on 14 April 2025.
- B. Subject to part C, endorse the draft Resourcing Strategy 2025-2035, draft Delivery Program 2025-2029 and draft Operational Plan 2025-2026 (including Fees and Charges 2025-2026) for public exhibition for 28 days (subject to minor corrections and design)

- C. Change the Scenarios for a special rates variation to be as per the following table:

Proposed Scenarios	Annual SRV Amount (\$'000)	SRV % above Rate Peg	SRV per Ratepayer (\$)	Allocation							
				Buildings	Drainage	Footpaths	Recreational Facilities	Recreational Facilities* (St Ives Sports Centre)	Footpaths Acceleration (New)	Infrastructure Upgrades	Marian Street Theatre*
Base Case (Rate Peg only)											
Scenario 1 Renew Infrastructure	16,500	19%	355	6,700	5,900	940	1,500	1,460			
Scenario 1.5 Renew and Enhance Infrastructure	22,600	26%	486	6,700	5,900	1,160	2,100	1,460	3,580	1,700	
Scenario 2 Renew, Enhance and Expand Infrastructure	27,800	32%	598	6,700	5,900	1,160	2,100	1,460	4,000	1,980	4,500

\* Loan Repayments until expiry, with future funding reinvested in infrastructure renewal

- D. Note that a report will be provided to Council in June 2025 for consideration of any submissions and adoption of the plans.

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

*For the Motion:*

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

*Against the Motion:*

*Councillors Balachandran, Pettett, Spencer and Ward*

## **Resolved:**

*(Moved: Councillors Taylor/Ngai)*

That Council:

- Endorse the draft Community Strategic Plan 2035 (Our Ku-ring-gai: Growing Together) for public exhibition for 28 days (subject to minor corrections and design) including the recommended changes outlined in the associated memo to Councillors on 14 April 2025.
- Subject to part C, endorse the draft Resourcing Strategy 2025-2035, draft Delivery Program 2025-2029 and draft Operational Plan 2025-2026 (including Fees and Charges 2025-2026) for public exhibition for 28 days (subject to minor corrections and design)
- Change the Scenarios for a special rates variation to be as per the following table:



Proposed Scenarios	Annual SRV Amount (\$'000)	SRV % above Rate Peg	SRV per Ratepayer (\$)	Allocation							
				Buildings	Drainage	Footpaths	Recreational Facilities	Recreational Facilities* (St Ives Sports Centre)	Footpaths Acceleration (New)	Infrastructure Upgrades	Marian Street Theatre*
Base Case (Rate Peg only)											
Scenario 1 Renew Infrastructure	16,500	19%	355	6,700	5,900	940	1,500	1,460			
Scenario 1.5 Renew and Enhance Infrastructure	22,600	26%	486	6,700	5,900	1,160	2,100	1,460	3,580	1,700	
Scenario 2 Renew, Enhance and Expand Infrastructure	27,800	32%	598	6,700	5,900	1,160	2,100	1,460	4,000	1,980	4,500

\* Loan Repayments until expiry, with future funding reinvested in infrastructure renewal

- D. Note that a report will be provided to Council in June 2025 for consideration of any submissions and adoption of the plans.

*For the Resolution:*

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

*Against the Resolution:*

*Councillors Balachandran, Pettett, Spencer and Ward*

**CARRIED**

## 57 Investment Report as at 28 March 2025

File: FY00623/7

*Vide: GB.2*

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

### Resolved:

*(Moved: Councillors Ward/Balachandran)*

That:

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

**CARRIED UNANIMOUSLY**

## 58 Report back on the EOIs for the Smart Transport and Environment Committees

File: S14696

*Vide: GB.5*

For Council to appoint a Chairperson and Deputy Chairperson and community representatives to the Smart Transport Advisory Committee and the Environment Advisory Committee.

**MOTION:**

*Moved: Councillors Balachandran/Ward)*

That Council:

- A. appoint Councillor Alec Taylor as Chair and Councillor Kim Wheatley as Deputy Chair of the Environment Advisory Committee for the remainder of the 2024-26 Mayoral term.
- B. appoint Councillor Sam Ngai as Chair and Councillor Matt Devlin as Deputy Chair of the Smart Transport Advisory Committee for the remainder of the 2024-26 Mayoral term.
- C. appoint the recommended community members to each of these committee for the 2024-28 Council term
- D. amend the Terms of Reference for each of these committees to include provision for an eligibility list to fill vacancies, with members appointed in the order recommended by the assessment panel.

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

**Resolved:**

*(Moved: Councillors Balachandran/Ward)*

That Council:

- A. appoint Councillor Alec Taylor as Chair and Councillor Kim Wheatley as Deputy Chair of the Environment Advisory Committee for the remainder of the 2024-26 Mayoral term.
- B. appoint Councillor Sam Ngai as Chair and Councillor Matt Devlin as Deputy Chair of the Smart Transport Advisory Committee for the remainder of the 2024-26 Mayoral term.
- C. appoint the recommended community members to each of these committee for the 2024-28 Council term.
- D. amend the Terms of Reference for each of these committees to include provision for an eligibility list to fill vacancies, with members appointed in the order recommended by the assessment panel.

**CARRIED UNANIMOUSLY**

59 **Bushfire Management Policy - Exhibition**

File: S05914

*Vide: GB.7*

To seek Council's approval to place the draft *Bushfire Management Policy 2025* on public exhibition.

**MOTION:**

*(Moved: Councillors Devlin/Taylor)*

That the Bushfire Management Policy 2025 be exhibited for at least 28 days, and if any submissions are received the matter be reported back to Council. If no submissions are received, that Council adopt the policy.

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

**Resolved:**

*(Moved: Councillors Devlin/Taylor)*

That the Bushfire Management Policy 2025 be exhibited for at least 28 days, and if any submissions are received the matter be reported back to Council. If no submissions are received, that Council adopt the policy.

**CARRIED UNANIMOUSLY**

60 **Post Exhibition Consideration of Submissions - Draft Affordable Housing Policy**

File: S14785

*Vide: GB.8*

For Council to consider submissions received during the exhibition of the Draft Ku-ring-gai Affordable Housing Policy.

**MOTION:**

*(Moved: Councillors Kay/Balachandran)*

- A. That Council adopt the Ku-ring-gai Affordable Housing Policy.

- B. That people who made a submission be notified of Council's decision.
- C. That the Affordable Housing Policy be reviewed and brought back to Council within 2 years.

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

*For the Resolution:*                      *The Mayor, Councillor Kay, Councillors  
Balachandran, Devlin, Ngai, Smith,  
Taylor, Ward and Wheatley*

*Against the Resolution:*              *Councillors Pettett and Spencer*

**Resolved:**

*(Moved: Councillors Kay/Balachandran)*

- A. That Council adopt the Ku-ring-gai Affordable Housing Policy.
- B. That people who made a submission be notified of Council's decision.
- C. That the Affordable Housing Policy be reviewed and brought back to Council within 2 years.

*For the Resolution:*                      *The Mayor, Councillor Kay, Councillors  
Balachandran, Devlin, Ngai, Smith,  
Taylor, Ward and Wheatley*

*Against the Resolution:*              *Councillors Pettett and Spencer*

**CARRIED**

61

**Planning Proposal for 77 Kulgoa Road Pymble**

File: S14501

*Vide: GB.9*

For Council to consider the private Planning Proposal for 77 Kulgoa Road, Pymble.

**Resolved:**

*(Moved: Councillors Balachandran/Wheatley)*

- A. The Planning Proposal, amended as per the Table of Amendments **Attachment A1**, be submitted to the Department of Planning, Housing and Infrastructure for a Gateway Determination.
- B. That Council requests the plan making delegation under Section 3.36(2) of

the Environmental Planning and Assessment Act 1979 for this Planning Proposal

- C. That Council authorise the Director of Strategy and Environment to correct any minor anomalies of an administrative nature that might arise during the plan making process.

*For the Resolution:*                      *The Mayor, Councillor Kay, Councillors Balachandran, Devlin, Ngai, Pettett, Smith, Spencer, Ward and Wheatley*

*Against the Resolution:*              *Councillor Taylor*

**CARRIED**

## **MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**

62

### **Pickleball**

File: S13467

*Vide: NM.1*

#### **Notice of Motion from Councillors Kay and Devlin dated 28 March 2025**

Pickleball is one of the fastest-growing sports in the world and has seen rapid growth in New South Wales, particularly in Northern Sydney. The sport is accessible to people of all ages and promotes physical activity, wellness, and social interaction. A key benefit of pickleball is its minimal infrastructure requirements, as up to four pickleball courts can be marked on a single tennis/netball/basketball court, allowing for efficient use of existing recreational spaces.

The NSW governing body, Pickleball NSW, has experienced membership growth of 130% through 2024 from 2,500 to 5,800 (Jan-24 to Jan-25). Membership numbers through the first quarter of 2025 indicate this growth trajectory will continue. This demand underscores the need for additional facilities to support the current demand and sustain future growth. Importantly, close to 50% of the State's total growth through 2024 has been driven by associations in Ku-ring-gai's neighbouring LGAs, Northern Beaches and Willoughby, where the respective councils have made concerted efforts to create both dedicated and shared purpose facilities suitable for both night and daytime play.

A local Pickleball association focused on Ku-ring-gai and Hornsby was established in late 2024 to support the growth of Pickleball in the local area. Within their first four months the association has amassed 350 social members and 130 financial members. Being Ku-ring-gai residents, these participants have otherwise been travelling to neighbouring LGAs, Northern Beaches or Willoughby, to play given the absence of facilities locally.

The local association is currently using temporary tape and portable nets to provide close to 200 player sessions per week, supporting the local demand. This approach,

however, puts significant strain on volunteers to mark courts and is limiting the ability to provide further playing opportunities to residents.

Consistent with Council's Recreation Needs Study, there is a recognition of the importance of supporting emerging sports like pickleball. In response, Council has initiated discussions with the Department of Education to include pickleball line markings at the St Ives High Sports Centre and is awaiting a response. While this presents an opportunity to increase facility utilisation, it is equally important for Council to explore other local venues to meet the growing demand for pickleball.

We propose that Council investigate potential venues across the local government area to accommodate pickleball.

We, therefore, move:

- A. That Council conduct a review across the local government area of its public spaces and recreational facilities to identify opportunities to accommodate both daytime and nighttime Pickleball;
- B. That subject to agreement with the Department of Education, Pickleball line markings be included at the St Ives High Sports Centre and where other appropriate shared user agreements are in place; and,
- C. That a report be brought back to Council in July 2025 with an action plan to provide Pickleball play spaces in Ku-ring-gai.

**Resolved:**

*(Moved: Councillors Devlin/Kay)*

That the above Notice of Motion as printed be adopted.

**CARRIED UNANIMOUSLY**

*After having declared an interest in item NM.2, Councillors Pettett and Spencer withdrew from the meeting during discussion and did not vote on the following matter.*

*Council resolved itself into Closed Meeting  
with the Press and Public Excluded to deal with the following item  
after a Motion moved by Councillors Wheatley and Ward  
was CARRIED UNANIMOUSLY.*

63

**Norman Griffiths Oval - A Way Forward with Regards to Cost, Value and Risk**

File: S13191

*Vide: NM.2*

**Notice of Motion from Councillors Balachandran and Devlin dated 28 March 2025**

The Normal Griffiths Oval upgrade to all-weather has been marked by financial, time extensions and environmental issues since its inception. A decision needs to be made urgently on the way ahead for this project that delivers the best financial and social value to ratepayers, with the most manageable risk parameters.

Cost has increased from a budget of \$3.3M in 2021 to \$6.9M in 2025, with possible escalation. \$5.4M has been expended to February 2025, though Council may also have claims against the contractor.

The original completion date submitted was for August 2022. The latest completion date provided by the contractor is July 2025, almost three years late. Based on the amount of work remaining, this completion date also seems unlikely.

A Review of Environmental Factors was delivered in parallel for design, with sections of the community dissatisfied with the process and content.

We, therefore, move:

That Council give further consideration to the advice received regarding the Norman Griffiths Oval project (resulting from NM.1 February OMC Pettett/Devlin, and GB.14 March OMC) and decide on a way forward that delivers the best financial and social value to ratepayers, with the most manageable risk parameters.

**Resolved:**

*(Moved: Councillors Balachandran/Taylor)*

That Council endorses the actions in the note signed by the Mayor and witnessed by a Councillor on the 15 April 2025.

**CARRIED UNANIMOUSLY**

*Councillors Pettett and Spencer returned to the meeting.*

*Council resolved to return to Open Council which was moved by Councillors Taylor and Wheatley and 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 8:26pm.*

The Minutes of the Ordinary Meeting of Council held on 15 April 2025 (Pages 1 - 16) were confirmed as a full and accurate record of proceedings on <Insert confirmation date ...>.

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General Manager

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Mayor / Chairperson