



# ORDINARY MEETING OF COUNCIL

## Agenda

Tuesday, 14 April 2015 at 7:00 pm

## **CONFLICTS OF INTEREST**

A conflict of interest arises when Councillors or Council staff are influenced, or are seen to be influenced, in carrying out their duties by personal interests. Conflicts of interest can be pecuniary or non-pecuniary in nature.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of a financial gain.

A non-pecuniary interest can arise as a result of a private or personal interest which does not relate to money. Examples include friendship, membership of an association or involvement or interest in an activity.

Any councillor or staff member who considers they may have a conflict of interest should read Council's Code of Conduct policy.

The responsibility of determining whether or not a Councillor or Council employee has a pecuniary or non-pecuniary interest in a matter, is the responsibility of that individual. It is not the role of Council's Mayor, General Manager, nor other Councillor nor another Council employee to determine whether or not a person may have a conflict of interest.

Should you be unsure as to whether or not you have a conflict of interest you should err on the side of caution and either declare a conflict of interest or, you should seek the advice of the Director General of Local Government. The contact number for the Director General of Local Government is 02 4428 4100.

## **COUNCIL CODE OF CONDUCT**

The Council Code of Conduct is a requirement of section 440 of the Local Government Act 1993. The Code of Conduct sets the minimum requirements of conduct for council officials in carrying out their functions.

The Code of Conduct has been developed to assist council officials to:

- understand the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in the integrity of local government.

Councillors, administrators, members of staff of council, independent conduct reviewers, members of council committees including the conduct review committee and delegates of the council must comply with the applicable provisions of council's code of conduct in carrying out their functions as council officials. It is the personal responsibility of council officials to comply with the standards in the code and regularly review their personal circumstances with this in mind.

Failure by a councillor to comply with the standards of conduct prescribed under this code constitutes misconduct for the purposes of the Act. The Act provides for a range of penalties that may be imposed on councillors for misconduct, including suspension or disqualification from civic office.

Council's Code of Conduct is available for viewing on Council's website.

## STAFF RESPONSIBILITY AND REPORT AUTHOR CODES

### **REPORT AUTHORS**

<b>POSITION</b>	<b>NAME</b>	<b>CODES</b>
General Manager	Brett Stonestreet	GM
Manager Executive Services	Shireen Donaldson	MES
Public Officer/Right to Information Officer	Shireen Donaldson	MES
Director Business, Cultural & Financial Services	Max Turner	DBCF
Director Utilities	Graham Gordon	DU
Director Infrastructure and Operations	Dallas Bibby	DIO
Director Sustainable Development	Neil Southorn	DSD
Governance Coordinator	Wendy Krzus	GC
Compliance Coordinator	Michael Toohey	CC
Finance Manager	Vanessa Edwards	FM
Tourism & Economic Development Manager	Greg Lawrence	TEDM
Engineering Design & Approvals Manager	Joe Rizzo	EDAM
Planning & Environment Manager	Carel Potgieter	PEM
Coordinator Landuse Planning and Compliance	Kelly McNicol	LPC
Senior Development Assessment Planner	Stephen Parisotto	SDAP
Principal Planner (UDSP)	Peter Badenhorst	PPUDSP
Development Assessment Planner	Linden Foster	DAP
Building Certification Coordinator	Vacant	BCC
Environment, Health & Sustainability Coordinator	Fiona de Wit	EHSC
Environment Planner	Joanne Tarbit	EP
Corporate Property Officer	Daphne Bruce	CPO
Parks & Gardens Manager	Peter Craig	PGM
Works Manager - Maintenance	Manjit Chugha	WMM
Works Manager - Construction	Shree Shrestha	WMC
Senior W&S Engineer - Operations	Steven Oosthuysen	SWSE
Asset Management Coordinator	Andrew Keith	AMC
Library Manager	Pam Young	LM1
Library Manager	Christine Del Gigante	LM2
Griffith Regional Theatre & Art Gallery Manager	Sarah Boon	GRTAG
Data Information Officer	Wendy Vaccari	DIO
Economic Development Coordinator	Nicola James	EDC
Fleet & Depot Manager	Steve Croxon	FDM

**QUESTION TIME**

**33. Questions may be put to Councillors and Council employees**

**33.1 A Councillor:**

- (a) may, through the Chairperson, put a question to another Councillor; and
- (b) may, through the Chairperson and the General Manager, put a question to a Council employee.

**33.2** However, a Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents.

**33.3** The Councillor must put every such question directly, succinctly and without argument.

**33.4** The Chairperson must not permit discussion on any reply or refusal to reply to a question put to a Councillor or Council employee under this clause

**33.5** Normally if a person to whom a question is put does not answer the questions at that meeting or during that meeting, they should do so at the next meeting, or alternatively via direct communication (e.g. letter, e-mail, telephone call etc) with the person asking the question. The Councillors will be provided with a copy of the response via Council's information sheet.

**33.6** No resolutions are to be put at the meeting as a result of the questions raised unless the matter is raised under the provisions of Subclause 34.1 - Questions without Notice

**33.7** Nothing in this subclause effects questions being asked, with the leave of the Chairperson, relevant to any matter under discussion at a meeting.

**PUBLIC PARTICIPATION AT MEETINGS**

**70. Public Participation at Meetings**

**70.1** Questions or addresses from the public gallery:

- (a) Must be in respect to matters on the meeting agenda
- (b) Must have prior approval from the Mayor

**70.2** Members of the public can request to address the Council on matters on the Agenda. Notice of this must be given no later than 12.00 noon on the day of the meeting.

**70.3** Any requests for detailed information regarding an item on the Council meeting agenda must be submitted by 12.00 noon of the day of the meeting.

**70.4** If approval is granted by the Chairperson, the applicant (or one person representing a group or organisation); or if there are opposing views, up to two speakers representing each viewpoint, are permitted to address that meeting at the time specified by the Chairperson; except that the Chairperson, at their discretion, may permit the immediate consideration by the Council or the Committee in relation to an urgent matter.

**70.5** When addressing the Council, any person is required to observe the same standards required by a Councillor. Specifically, he or she must:

- (a) Obey the direction of the Chairperson
- (b) Not use any behaviour or language inconsistent with good order and decorum
- (c) Not make personal reflections or impute improper motives to councillors or staff.



**ORDINARY MEETING OF GRIFFITH CITY COUNCIL  
TO BE HELD IN THE COUNCIL CHAMBERS, GRIFFITH ON  
14 APRIL 2015 AT 7.00 PM**

Griffith City Council  
PO Box 485  
GRIFFITH NSW 2680

Mayor and Councillors:

**NOTICE OF MEETING**

I have to inform you that an **ORDINARY MEETING** of the Council will be held in the **Council Chambers, Griffith** at **7.00 pm** on **Tuesday, 14 April 2015**.

The agenda for the meeting is:

- 1 Acknowledgement and Council Prayer
- 2 Apologies
- 3 Confirmation of Minutes
- 4 Matters Arising from the Minutes
- 5 Declarations of Interest
- 6 Presentations
- 7 Mayoral Minutes
- 8 General Manager's Report
- CL01 p10 DA 16/2014 - Section 96(1A) Modification of Consent for Wholesale Food Distribution, a Shop and a Refreshment Room
- CL02 p25 Approval to Release a Restrictive Covenant - Farm 64 Bringagee Road, Warrawidgee
- CL03 p35 Naming of Roadway- Bagtown Cemetery Drive
- CL04 p38 Investments at 28 February 2015
- CL05 p42 Community Grant Program
- 9 Information Reports
- 10 Adoption of Committee Minutes

- p46 Minutes of the Griffith Community Private Hospital Committee Meeting held on 24 February 2015
- p48 Minutes of the Griffith Community Private Hospital Committee Meeting held on 24 March 2015
- p50 Minutes of the Business Development and Major Projects Committee Meeting held on 16 March 2015
- p56 Minutes of the Tourism and Events Committee Meeting held on 19 March 2015
- p60 Minutes of the Utilities Committee Meeting held on 26 March 2015
- 11 Business with Notice - Rescissions Motions
- 12 Business with Notice - Other Motions
- 13 Question Time
- 14 Outstanding Action Report
- 15 Matters to be dealt with by Closed Council
- CC01 p72 Former Area News Building - Commercial Advantage 10A(2)(d)

Yours faithfully

**BRETT STONESTREET**  
**GENERAL MANAGER**



**MINUTES OF THE EXTRAORDINARY MEETING HELD IN THE COUNCIL CHAMBERS, GRIFFITH ON 26 MARCH 2015 COMMENCING AT 7.00 PM**

**PRESENT**

The Mayor, John Dal Broi in the Chair; Councillors, Alison Balind, Pat Cox, Doug Curran, Bill Lancaster, Anne Napoli, Paul Rossetto, Christine Stead, Leon Thorpe and Dino Zappacosta.

**STAFF PRESENT**

General Manager, Brett Stonestreet; Director Infrastructure, Dallas Bibby; Director Sustainable Development, Neil Southorn; Director Utilities, Graham Gordon; Director Business, Cultural & Financial Services, Max Turner; Manager Executive Services, Shireen Donaldson (Minute Taker)

The Meeting opened with Councillor Cox reading the Council prayer and the Acknowledgment of Country.

**PROCEDURAL MATTERS**

**APOLOGIES**

15/078

**RESOLVED** on the motion of Councillors Stead and Curran that apologies be received from Councillors Simon Croce and Mike Neville and a leave of absence be granted.

**CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD 24 MARCH 2015**

15/079

**RESOLVED** on the motion of Councillors Thorpe and Stead that the minutes of the Ordinary Meeting of Council held in the Council Chambers, Griffith on 24 March 2015 having first been circulated amongst all members of Council, be confirmed.

**BUSINESS ARISING FROM THE ORDINARY MEETING OF COUNCIL HELD 24 MARCH 2015**

**Clause 04 - Crime Prevention Strategy - Draft for Consideration**

15/080

**RESOLVED** on the motion of Councillors Zappacosta and Rossetto that:

- (a) a report on the number of graffiti incidents during January 2015 and the cost to Council to remove be prepared and submitted to Council, and
- (b) the community be reminded of Council's 'Vandalism - Reward for Information Policy' in relation to the reporting graffiti incidents.

### **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

### **CLOSED COUNCIL**

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

Set out below is Section 10A(2) of the Local Government Act 1993 in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councillors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) the matter concerned alleged contraventions of any code of conduct requirements applicable under section 440 of the Local Government Act 1993. (Section 10A(2)(i)).

### **CC01 ST VINCENT'S PRIVATE COMMUNITY HOSPITAL GRIFFITH TENDER RECOMMENDATION REPORT**

#### **Commercial Advantage 10A(2)(d)**

The Committee resolved that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerned commercial information of a confidential nature that would, if disclosed,



- (i) prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i)).
- (ii) confer a commercial advantage on a competitor of the Council (Section 10A(2)(d)(ii)).
- (iii) reveal a trade secret (Section 10A(2)(d)(iii)).

15/081

**RESOLVED** on the motion of Councillors Stead and Thorpe that:

- (a) Council resolve into closed council to consider business identified, together with any late reports tabled at the meeting.
- (b) That pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provision of section 10A(2) as outlined above.
- (c) That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

Council closed its meeting at 7.10 pm. The public and media left the chamber.

Councillor Balind entered the chamber, the time being 7.15 pm

15/082

**RESOLVED** on the motion of Councillors Napoli and Stead that open Council be resumed. Open Council resumed at 7.40 pm.

Upon resuming open Council the Mayor reported that the Closed Council had made the following resolutions.

## MATTERS DEALT WITH IN CLOSED COUNCIL

### **CC01 ST VINCENT'S PRIVATE COMMUNITY HOSPITAL GRIFFITH TENDER RECOMMENDATION REPORT** (DBCF)

15/083

**RESOLVED** on the motion of Councillors Balind and Thorpe that:

- (a) Council accept the tender proposal of Joss Construction for the construction of St Vincent's Private Community Hospital Griffith & Murrumbidgee Clinical Teaching & Learning Centre.
- (b) Council proceed to finalise the contract documentation for the project with Joss Construction and authorise the Mayor and General Manager to sign and seal that contract under delegated authority.

There being no further business the meeting terminated at 7.44 pm.

Confirmed: .....  
CHAIRPERSON

## **GRIFFITH CITY COUNCIL** **REPORT**

**CL01**

<b>PROPOSAL:</b>	<b>DA 16/2014 - SECTION 96(1A) MODIFICATION OF CONSENT FOR WHOLESALE FOOD DISTRIBUTION, A SHOP AND A REFRESHMENT ROOM</b>
<b>PROPERTY:</b>	Lot 1 DP 847205
<b>LOCATION:</b>	South-eastern corner of Blumer Avenue and Wakaden Street
<b>ZONING:</b>	B7 Business Park
<b>APPLICABLE PLANNING INSTRUMENT:</b>	Griffith Local Environmental Plan 2014
<b>EXISTING DEVELOPMENT:</b>	Shop, refreshment room and wholesale food distributor
<b>APPLICANT:</b>	BJ Young
<b>OWNER:</b>	BJ & PA Young
<b>DIRECTORS OF COMPANY (IF APPLICABLE)</b>	N/A
<b>APPLICATION DATE:</b>	3 February 2015
<b>REASON FOR REFERRAL:</b>	Public Interest
<b>FROM:</b>	Steven Parisotto, Senior Development Assessment Planner
<b>FILE:</b>	DA 16/2014(2)

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### **SUMMARY**

The proposed development involves the modification of DA 16/2014 which was for the partial demolition and refurbishment of an existing building, erection of a new cool room/freezer and part use for wholesale food distribution, a shop (supermarket) and a refreshment room (coffee shop) on Lot 1 DP 847205 (120 Wakaden Street), Griffith.

The original application was approved by Council on 13 May 2014 and the modification involves the retention of part of the building which was originally identified on the approved plans to be demolished.

The original application was determined under the provisions of Griffith LEP 2002, however with the gazettal of Griffith Local Environmental Plan 2014 the provisions of this environmental planning instrument apply to the modification. It should be noted that under the provisions of GLEP 2014, the proposed development (shop component) is prohibited and that the development may only proceed on the basis of existing use rights.

Notwithstanding the prohibition, Council has prepared draft Griffith Local Environmental Plan 2014 (Amendment No.1) which affects the subject site and proposes to make shops permissible.

Council received three (3) objections to the original development and these objectors were notified of the proposed modification. Only one (1) submission was received objecting to the modification prior to the close of submissions on 25 February 2015.

The application has been referred to Council for determination due to the objection received and the history of the site.

It is recommended that the application be approved based on the details contained in this report.

## **RECOMMENDATION**

**(a) Council pursuant to the provisions of Sections 80(1)(a) and Section 96(1A) of the Environmental Planning and Assessment Act, 1979, modify Development Consent 16/2014 for partial demolition and refurbishment of an existing building, erection of a new cool room/freezer and part use for wholesale food distribution, a shop (supermarket) and a refreshment room (coffee shop) at Lot 1 DP 847205, 120 Wakaden Street, Griffith in the following way:**

- (i) Deletion of Condition B(1) and replacement with the following:

The Development must be implemented substantially in accordance with Development Application No. 16/2014 received by Council on 30 January 2014 and on 8 April 2014 and with the modification application received on 3 February 2015, the below mentioned plans and/or documents, except where amended in red on the attached plans or modified by the conditions of this consent.

<b>Drawing Document</b>	<b>No. or</b>	<b>Date Received by Council</b>	<b>Prepared or Drawn By</b>
Job No. 1401 Drawing No 1 - Site Plan Dated 2 February 2015		3 February 2015	Budd & Partners Architects
Job No. 1401 Drawing No 2 - Floor Plan Dated 3 April 2014		8 April 2014	Budd & Partners Architects
Drawing No. 3 - Elevations Dated 30 January 2014		30 January 2014	Budd & Partners Architects

### **(Modified on 14 April 2015)**

- (ii) Deletion of Condition B(5) and replacement with the following:

Development consent is granted for relocation of cool rooms/freezers, internal refurbishment of an existing fire damage building and fit out for use as a warehouse for wholesale food distribution, a shop (supermarket) and a refreshment room (café) at Lot 1 DP 847205, 120 Wakaden Street, Griffith.

### **(Modified on 14 April 2015)**

- (iii) Deletion of Condition N(1) and replacement with

### **(Deleted on 14 April 2015)**

- (iv) Deletion of Condition N(2) and replacement with

**(Deleted on 14 April 2015)**

- (v) Deletion of Condition N(3) and replacement with

**(Deleted on 14 April 2015)**

- (vi) Deletion of Condition N(4) and replacement with

**(Deleted on 14 April 2015)**

- (b) The application be delegated to the Director of Sustainable Development for the issue of the Notice of Determination.**

In accordance with the Local Government Act (section 375A - Recording of voting on planning matters) Council must record the Councillor's vote in relation to this matter.

<b>Councillor</b>	<b>For</b>	<b>Against</b>
Cr Dal Broi		
Cr Napoli		
Cr Lancaster		
Cr Thorpe		
Cr Balind		
Cr Zappacosta		
Cr Neville		
Cr Croce		
Cr Curran		
Cr Cox		
Cr Rossetto		
Cr Stead		

### **PROPOSAL IN DETAIL**

The application to modify development consent 16/2014 was lodged with Council on 3 February 2015 and seeks to retain that part of the building that was originally identified to be demolished.

The applicant has indicated that additional floor area (approximately 160m<sup>2</sup>) will be used for warehouse/storage purposes and provide an all-weather loading area of 53m<sup>2</sup>.

The applicant has also provided six (6) additional parking spaces and a second accessible toilet.

The modification application will result in the following:

- a) Modification of Condition B(1) to reference the new plans;
- b) Modification of Condition B(5) to remove reference to demolition; and
- c) Deletion of Conditions N(1), N(2), N(3) & N(4) relating to demolition management.

The original notice of determination can be found in Attachment 'A'.

The plans and information submitted for consideration form part of Attachment 'B'.

## **BACKGROUND**

### **Site Description and Locality**

The site is located on the southern side of Wakaden Street at its intersection with Blumer Avenue.

The site comprises of a single parcel of land, which can be legally described as Lot 1 DP847205. It has an area of approximately 5254m<sup>2</sup> with frontages to both Blumer Avenue and the Wakaden Street service lanes of 76.1 and 54.2 metres respectively.

The site is occupied by a large single level building occupied by two separate tenancies, including Dobija World (a light industrial use involving printing) and Ferraro Food Distributors.

The modification application only relates to that part of the site occupied by Ferraro Food Distributors.

Part of the existing car parking is located within Council's road reserve.

The locality is primarily industrial in nature however a number of non-industrial land uses are present including a gymnasium and bulky goods retailing.

### **Development History of Site**

The development history of the subject site has been established following research of Council's electronic data management system and research of Council's physical archives and the following is deemed relevant to the modification application:

- DA 16/2014 for the partial demolition and refurbishment of an existing building, erection of a new cool room/freezer and part use for wholesale food distribution, a shop (supermarket) and a refreshment room (coffee shop) was approved by Council on 13 May 2014
- Council resolved on 27 May 2014 to amend Griffith Local Environmental Plan 2014 to permit shops in the B7 Business Park zone. Draft GLEP 2014 (Amendment No. 1) was publically exhibited and is currently with the Department of Planning & Environment pending gazettal.

### **Compliance and Enforcement**

On 12 March 2015 Council received a complaint that trucks making deliveries to the premises were being unloaded from the kerb in front of Ferraro Foods. Council investigated this matter and the owner admitted that whilst this had occurred, it was only a temporary situation as concreting works to approved loading and manoeuvring areas were being completed. Notwithstanding the explanation provided by the owner, Council issued a Notice of Intention to Serve and Order for non-compliance with development consent.

## **ASSESSMENT UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

In determining a development application, a consent authority is to take into consideration Section 79C and Section 96 of the Environmental Planning and

Assessment Act 1979. The following matters are of relevance to the development the subject of the development application.

### **SECTION 96(1A) Modifications involving minimal environmental impact**

Section 96 of the Environmental Planning & Assessment Act, 1979 sets down matters the consent authority must take into consideration when assessing applications which seek modifications to development consents.

With regard to Section 96(1A) the Environmental Planning & Assessment Act, 1979 states that a consent authority may modify the consent if:

*(a) it is satisfied that the proposed modification is of minimal environmental impact*

Following assessment of the application it is considered that the proposal, will have minimal environmental impact and therefore satisfies the threshold test of Section 96(1A)(a) of the Environmental Planning and Assessment Act, 1979.

*(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all).*

In considering the above, Council is drawn to the matter of *Moto Projects (No. 2) Pty Ltd v North Sydney Council [1999] NSWLEC 280*. In that matter, Bignold J, states that:

*"55. The requisite factual finding obviously requires a comparison between the development, as currently approved, and the development as proposed to be modified. The result of the comparison must be a finding that the modified development is "essentially or materially" the same as the (currently) approved development.*

*56. The comparative task does not merely involve a comparison of the physical features or components of the development as currently approved and modified where that comparative exercise is undertaken in some type of sterile vacuum. Rather, the comparison involves an appreciation, qualitative, as well as quantitative, of the developments being compared in their proper contexts (including the circumstances in which the development consent was granted). "*

In comparing the original development with the development as proposed to be modified, the comparative difference is that the original development proposed to demolish part of the structure whereas the modified proposal seeks to retain that part of the building which was to be demolished.

The use of the land remains unchanged, in that the site is to be used in part for wholesale food distribution, a shop (supermarket) and a refreshment room (coffee shop). In this regard it can be argued that the modified development is essentially and materially the same as the development as originally approved.

Council in assessing the original application granted consent on the basis of the submitted plans put before it which included partial demolition. While Council accepted the applicant's submission, Council's decision to approve the development wasn't predicated on the building being partially demolished or being retained. In this instance the key material difference is not so much the retention of the building but rather the warehousing/storage capacity has been increased and the question is whether or not

this would have altered the context in which the original application was approved. In this instance, the answer is no as the factors that need to be appreciated in both the terms of the original approval and the proposed modification relate to the operations of the premises; the means of entry and exit to the site and manoeuvring; and car parking. In both circumstances, there is no change to the way the business operates nor are there any changes to the site's access arrangements. In terms of on site parking the applicant has provided additional parking however it must be noted that there was no requirement to do so as the number of parking spaces approved as part of the original development exceeded the requirement of Development Control Plan No. 20: Car Parking (2011). Numerically the required parking for the modified development is an additional 0.5 of a space.

It is considered that the proposed modification is substantially the same development as consent was originally granted and therefore satisfies Section 96(1A)(b) of the Environmental Planning and Assessment Act, 1979.

*(c) it has notified the application in accordance with:*

- (i) the regulations, if the regulations so require, or*
- (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent,*

Development Control Plan 25 - Public Notification of Development Applications sets down the obligations of Council when it comes to notifying modification applications lodged pursuant to the provisions of Section 96(1A) of the Environmental Planning and Assessment Act, 1979. With regard to Clause 6.2 of DCP 25 notification of the subject modification application is required as there were objections to the original development application. In accordance with the DCP Council notified those persons who objected to the original development application.

Council also referred the modification to the NSW Roads & Maritime Service as they provided comments on the original application.

In this regard Council has satisfied its obligations in terms of Section 96(c) of the Act.

*(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

The application was referred to the NSW Roads & Maritime Service who advise that they have no objections to the retention of the existing building (see Attachment 'C').

One (1) submission (see Attachment 'D') was received raising the following concerns:

#### Parking and Manoeuvring Areas for Heavy Vehicles

The objector raises matters relating to car parking and the movement of heavy vehicles on the site stating:

- *"Additional car parking is a questionable statement, as the entire area without the proposed retention of the building forms part of the approved car parking plan.*

Comment: The objector's concerns are unfounded as parking spaces numbered 22-26 on the original plans were located behind the eastern wall of the building. Although the



number of spaces has been reduced in this area to facilitate the retention of an existing door these spaces (now numbered 28-31) are in the same location.

It should be noted that the total number of parking spaces to be provided by the applicant is now 31 spaces, which exceeds Council's parking requirements under Development Control Plan No. 20: Carparking (2011)

- *"...heavy articulated vehicles... would not be able to access the site as the physical amount of manoeuvring space is not available"*

Comment: The physical space available for delivery vehicles, including heavy articulated vehicles, has not altered from the original approval.

- *"Councillors also have observed heavy vehicles being recently unloaded from the road reserve in Blumer Avenue...[which is] clearly evident that access could not be achieved in the current proposal of operation with the building still standing"*

Comment: Council Planning Compliance and Enforcement Officer has been made aware of the breaches of the consent, One incident did not relate to the day-to-day operations of the business but was attributed to the construction and fit-out process and the most recent example resulted in Council serving a Notice of Intention to Serve an Order. In the later case, the non-compliance was as a result of the applicant carrying out works to seal the manoeuvring areas on site in accordance with the original consent.

#### **SECTION 79C(1)(a)(i) any environmental planning instrument. Griffith Local Environmental Plan 2014**

##### **(a) Permissibility**

The subject land is zoned B7 Business Park and under Part 2 Land Use Table of Griffith Local Environmental Plan 2014 a *shop* is prohibited development. On this basis the proposed development the development can only proceed if existing use rights pursuant to Section 106 of the Environmental Planning and Assessment Act can be established.

Section 106 of the Environmental Planning and Assessment Act, 1979 describes an existing use as:

*(a) the use of a building, work or land for a lawful purpose immediately before the coming into force of an environmental planning instrument which would, but for Division 4 of this Part, have the effect of prohibiting that use, and*

*(b) the use of a building, work or land:*

*(i) for which development consent was granted before the commencement of a provision of an environmental planning instrument having the effect of prohibiting the use, and*

*(ii) that has been carried out, within one year after the date on which that provision commenced, in accordance with the terms of the consent and to such an extent as to ensure (apart from that provision) that the development consent would not lapse.*

In order to demonstrate that existing use rights benefit the subject site, 120 Wakaden Street, the following needs to be established:

- *Whether the use of the site 120 Wakaden Street was relevantly prohibited by the Griffith Local Environmental Plan 2014 within the meaning of section 106(a) of the Act?*

Griffith Local Environmental Plan 2014 was gazetted on 21 March 2014 which is the



relevant date for establishing existing use rights and shops are prohibited within the B7 Business Park zone under the Land Use Table of the Plan which in part states:

#### **4 Prohibited**

*Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Group homes; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Residential accommodation; Resource recovery facilities; Restricted premises; Roadside stalls; Sewage treatment plants; **Shops**; Tourist and visitor accommodation; Veterinary hospitals; Waste disposal facilities; Water recreation structures; Water treatment facilities; Wharf or boating facilities*

It is evident that 120 Wakaden Street was used as a service station and that this use is prohibited within the B7 Business Park zone.

- *Whether the use of the building as a shop has been; (a) lawfully commenced and (b) has lawfully continued?*

Development Application 16/2014 for the use of the premises a warehouse, a shop (supermarket) and a refreshment room(café) was approved Council on 13 May 2014. From the report presented to Council the determination was made on the basis of the savings provisions set down in clause 1.8A of Griffith Local Environmental Plan 2014 which states:

*"If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced."*

The original development application was lodged on 30 January 2014. The effect of Clause 1.8A is that assessment of the original development application was considered and determined under the provisions of Griffith Local Environmental Plan 2002.

An extract from the report presented to the Council meeting on the 13 May 2014 reads:

*"On the basis that neither the use of the premises as a shop, a warehouse and a refreshment room are specifically listed as prohibited development, the development therefore is allowed only with the consent of Council. On this basis the development is considered permissible."*

The evidence of previous approvals and the issue of an Interim Occupation Certificate on 28 November 2014 demonstrates that the use of the premises has been lawfully commenced.

As to whether the use has lawfully continued as required in Section 106 of the Act, a site inspection carried out suggests that the use of the building as a warehouse, shop and refreshment room has commenced and that this is sufficient to establish continuance.

Council can be satisfied that before the coming into force of Griffith Local Environmental Plan 2014 that the development which includes a shop was lawfully commenced, and that there is no evidence to suggest that this use has subsequently ceased.

The provisions of section 107 provides that *"nothing in the Act, nor within an environmental planning instrument can prevent the continuance of an existing use"* with Clause 41(1) of the Environmental Planning and Assessment Regulation, 2000 enabling Council to consider the enlargement, expansion or intensification of an existing use

Therefore based on existing use rights having been established and that the use is still continuing, Council may consider the modification of the proposed development.

*(b) Aims and Objectives*

The proposed development has been considered with regard to the aims of Griffith Local Environmental Plan 2014 as set down in Part 1, clause 1.2(2) which states:

- *To provide a range of office and light industrial uses.*
- *To encourage employment opportunities*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*

In terms of the first objective it is considered that the proposed development does not sterilise opportunities for office and light industrial uses. Furthermore it is considered that the current use provides employment opportunities within the City of Griffith and is a land use which provides facilities and services to meet the needs of workers in the area.

It is considered that the proposed development accords with the zone objectives set down in Clause 1.2(2) of Griffith LEP 2014.

*(c) Additional Local Provisions*

*(i) Flood Planning*

The objectives of Griffith Local Environmental Plan 2014 in respect to flood planning are as follows:

- (a) to minimise the flood risk to life and property associated with the use of land,*
- (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,*
- (c) to avoid significant adverse impacts on flood behaviour and the environment.*

As the subject site is mapped as being above the flood planning level, the provisions of clause 7.2 do not apply.

*(ii) Essential services*

Clause 7.10 states that development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are

essential for the development are available or that adequate arrangements have been made to make them available when required:

- (a) the supply of water,*
- (b) the supply of electricity,*
- (c) the disposal and management of sewage,*
- (d) stormwater drainage or on-site conservation,*
- (e) suitable vehicular access.*

No amplification of services are required and the existing means of access to the site are deemed satisfactory.

### **State Environmental Planning Policies**

The following State Environmental Planning Policies apply to the Griffith City Council area and are relevant to the subject development proposal.

#### *(i) State Environmental Planning Policy (Infrastructure) 2007*

The development application was referred to the NSW Roads and Maritime Service under the provisions of clause 104 and Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007.

In their response, the Roads and Maritime Services have advised that they have no objections to the modification. The submission from the NSW RMS is contained in Attachment 'C'.

### **SECTION 79C(1)(a)(ii) any draft environmental planning instrument.**

At the time the development application was lodged, Council had resolved to make draft Griffith Local Environmental Plan 2014 (Amendment No.1) and at that time the draft environmental planning instrument was with the Department of Planning and Environment pending gazettal.

One of the effects of draft Griffith LEP 2014 (Amendment No. 1) is to allow shops as a permissible use within the B7 Business Park zone.

### **SECTION 79C(1)(a)(iii) any development control plan.**

The following development control plans that apply to the Griffith City Council area have been taken into consideration.

#### *(i) Development Control Plan No. 3: Industrial Development*

The controls set down are primarily for the construction of new buildings, including controls in terms of landscaping, building design, setbacks and parking.

The scope of works associated with the modification are essentially internal and as such has no impact on the that part of the existing building to be retained.

Council can be satisfied that the development is consistent with DCP No. 3.

#### *(i) Development Control Plan No. 20 – Off Street Parking (2011)*

The proposed development falls within a number of categories including a business premises (retail premises), food and drink premises and a warehouse and is located

outside the CBD. In accordance with Table 1.7.1 of DCP20 parking is to be provided at the following ratios:

- Retail premises (including shops): 1 space per 40m<sup>2</sup>
- Take away food and drink premises (including cafes): 1 space per 10m<sup>2</sup> or 1 space per four seats where on site dining is provided, whichever is the greater
- Warehouse or distribution centre: 1 space per 300m<sup>2</sup>

Based on the information provided by the applicant and the submitted plans, the floor area can be split up as follows:

- Shop (incl. office and amenities) = 489m<sup>2</sup>
- Cafe = 36m<sup>2</sup> (8 seats)
- Warehouse (incl. cool rooms) 575m<sup>2</sup>

Based on the applicable ratios and the proposed floor area, parking is to be provided as follows:

- Shop = 12.2 spaces (no change from approved development)
- Café = 3.6 spaces (no change from approved development)
- Warehouse = 1.9 spaces (increase of approx 0.5 of a space).

In total 17.7 spaces are required. As the fraction is greater than 0.5, the figure is to be rounded up to 18 spaces.

It is noted that in the original assessment Council gave consideration to a scenario where the entire floor area was classified as a retail premises. In applying the circumstances to the modification, a building with a floor area of approximately 1100m<sup>2</sup> would require 27.5 spaces.

The modified plans show 27 marked spaces at the front of the premises and four (4) additional spaces at the rear providing 31 spaces in total.

The parking provided satisfies the numerical provisions of the DCP.

#### **SECTION 79C(1)(a)(iiia) any planning agreement.**

There are no planning agreements applying to the development.

#### **SECTION 79C(1)(a) (iv) the regulations.**

Section 79C(1)(a)(iv) requires Council to take into consideration the provisions of clauses 92-94 of the Environmental Planning and Assessment Regulation 2000.

Clause 92(1)(b) of the Environmental Planning & Assessment Regulation 2000 requires the consent authority to consider the provisions of Australian Standard AS 2601-1991: The Demolition of Structures. As no demolition is proposed, conditions relevant to the demolition of the building may be removed.

Clauses 93 and 94 of the Environmental Planning and Assessment Regulation 2000 requires that Council take into consideration fire safety provisions. In approving the original development application it was considered that a fire safety upgrade was required of the entire building and that a fire safety certificate was provided prior to the issue of an occupation certificate.

### **SECTION 79C(1)(b) the likely impacts of the development.**

In taking into consideration section 79C(1)(b) of the Environmental Planning and Assessment Act, 1979 Council must evaluate the likely impacts of the development on both the natural and built environments, and the social and economic impacts in the locality.

The subject site is located within an urbanised area and as such the proposed works and subsequent use of the premises is not likely to have any detrimental impact on the natural environment.

In considering the impacts on the built environment the following assessment of the application has been made:

- The built form remains relatively unchanged and the existing building is of a scale, form and character that is in keeping with the locality.
- The proposed development is a traffic generating development however the traffic generated by the proposed development is unlikely to have a detrimental impact on the capacity of the local and arterial road network.

The proposed development is not likely to result in any adverse social impacts on the locality.

Council considered the likely social and economic impacts when assessing the original development application and the modification of the development does not raise any further issues for assessment.

### **SECTION 79C (1) (d) any submissions made in accordance with the Act or the Regulation**

This matter has been addressed under a previous heading when considering the provisions of Section 96.

### **SECTION 79C (1) (e) the public interest**

The provisions of section 79C(1)(e) of the Environmental Planning and Assessment Act, 1979 provides an overarching requirement to take into account the public interest. It is considered that the public interest is best served by the consistent application of the requirements of the relevant Commonwealth and State government legislation, environmental planning instruments, development control plan, Council policy, and by Council ensuring that any adverse effects on the surrounding area and the environment are avoided.

On the basis that the proposed development may be lawfully continued under the provisions of Section 107 of the Environmental Planning and Assessment Act and that draft Griffith Local Environmental Plan 2014 (Amendment No.1) once gazetted would render the use of the premises as a shop as permissible and the use is deemed acceptable in terms of the relevant development control plans or policies and Land and Environment Court Planning Principles, it is therefore unlikely to raise any issues that are contrary to the public interest.

### **OPTIONS**

Option 1:

- (a) Council pursuant to the provisions of Sections 80(1)(a) and Section 96(1A) of the

Environmental Planning and Assessment Act, 1979, modify Development Consent 16/2014 for partial demolition and refurbishment of an existing building, erection of a new cool room/freezer and part use for wholesale food distribution, a shop (supermarket) and a refreshment room (coffee shop) at Lot 1 DP 847205, 120 Wakaden Street, Griffith in the following way:

(i) Deletion of Condition B(1) and replacement with the following:

The Development must be implemented substantially in accordance with Development Application No. 16/2014 received by Council on 30 January 2014 and on 8 April 2014 and with the modification application received on 3 February 2015, the below mentioned plans and/or documents, except where amended in red on the attached plans or modified by the conditions of this consent.

Drawing No. or Document	Date Received by Council	Prepared or Drawn By
Job No. 1401 Drawing No 1 - Site Plan Dated 2 February 2015	3 February 2015	Budd & Partners Architects
Job No. 1401 Drawing No 2 - Floor Plan Dated 3 April 2014	8 April 2015	Budd & Partners Architects
Drawing No. 3 - Elevations Dated 30 January 2014	30 January 2014	Budd & Partners Architects

(Modified on 14 April 2015)

(ii) Deletion of Condition B(5) and replacement with the following:

Development consent is granted for relocation of cool rooms/freezers, internal refurbishment of an existing fire damage building and fit out for use as a warehouse for wholesale food distribution, a shop (supermarket) and a refreshment room (café) at Lot 1 DP 847205, 120 Wakaden Street, Griffith.

(Modified on 14 April 2015)

(iii) Deletion of Condition N(1) and replacement with

(Deleted on 14 April 2015)

(iv) Deletion of Condition N(2) and replacement with

(Deleted on 14 April 2015)

(v) Deletion of Condition N(3) and replacement with

(Deleted on 14 April 2015)

(vi) Deletion of Condition N(4) and replacement with

(Deleted on 14 April 2015)

(b) The application be delegated to the Director of Sustainable Development for the issue of the Notice of Determination.

Option 2:

(a) Council pursuant to the provisions of Sections 80(1)(a) and Section 96(1A) of the Environmental Planning and Assessment Act, 1979, refuse the modification of Development Consent 16/2014 for partial demolition and refurbishment of an existing building, erection of a new cool room/freezer and part use for wholesale food distribution, a shop (supermarket) and a refreshment room (coffee shop) at Lot 1 DP 847205, 120 Wakaden Street, Griffith for reasons determined by Council.

(b) The application be delegated to the Director of Sustainable Development for the issue of the Notice of Determination.

Option 3:

(a) Any other resolution of Council.

### **STATUTORY IMPLICATIONS**

#### **a) Policy Implications**

Not Applicable

#### **b) Financial Implications**

Not Applicable

#### **c) Legal/Statutory Implications**

The applicant if dissatisfied with the determination may lodge an appeal to the NSW Land and Environment Court.

### **CONSULTATION**

Senior Management Team; Director Sustainable Development; Planning & Compliance coordinator; NSW RMS

### **STRATEGIC LINKS**

#### **a) Growth Strategy Plan**

Not Applicable

#### **b) Corporate/Business Plan**

Not Applicable

## **ATTACHMENTS**

UNDER SEPARATE COVER

- (a) Applicant's submission
- (b) Notice of Determination
- (c) RMS submission
- (d) Objection



## **GRIFFITH CITY COUNCIL** **REPORT**

**CL02**

**SUBJECT: APPROVAL TO RELEASE A RESTRICTIVE COVENANT - FARM 64  
BRINGAGEE ROAD, WARRAWIDGEE**  
**FROM: Kelly McNicol, Coordinator Landuse, Planning & Compliance**

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### **SUMMARY**

Murrumbidgee Irrigation (MI) are in the process of selling a portion of land to an adjacent landowner at Lot 1 and 2 DP 1089896 (64 Bringagee Road, Warrawidgee) (refer to Attachment 'A'). MI originally pursued planting the lots with trees and establishing a forest which has not been pursued and the lot is presently vacant. A restrictive covenant on the land was established when MI subdivided the lots into one 150 Ha parcel and one 180 Ha parcel requiring one of the lots to be used as a forest (refer to Attachment 'B'). MI and the new owner seek to remove this restriction so the lands can be farmed.

### **RECOMMENDATION**

**Council consent to the removal of the restrictive covenant and that the Mayor and General Manager sign the "Deed of Release of Covenant" affixing the Common Seal of Griffith City Council.**

### **BACKGROUND**

The restriction was originally placed on the lands as MI intended to use the lands which were previously used for farming as a plantation. However, MI has subsequently abandoned the lands and has no intention of maintaining the forest. A review of the Notice of Determination relating to the subdivision (S15/2000) indicates that there are no conditions of consent requiring the covenant. Also, the current owner wishes to use the lands for agriculture. As 'Agriculture' is permitted in the RU 1 – Primary Production zoning without the consent of Council, the only restriction stopping this use on these under-utilised lands is provided for in the 88B Instrument (refer to Attachment 'B').

Considering the plantation is in a poor state and has been abandoned by MI and to ensure the lands are utilised to the highest and best use (agriculture) it is recommended that Council consent to removing the restriction on the lands contained in the 88B Instrument for Lots 1 and 2 DP 1089896 which states that the lots must be utilised as a forest (refer to "Deed of Release of Covenant in Attachment 'C').

### **OPTIONS**

Option 1

Council consent to the removal of the restrictive covenant and that the General Manager and the Mayor sign the "Deed of Release of Covenant" affixing the Common Seal of Griffith City Council.

Option 2

Any other resolution of Council.

### **STATUTORY IMPLICATIONS**

#### **a) Policy Implications**

Not Applicable

#### **b) Financial Implications**

Not Applicable

#### **c) Legal/Statutory Implications**

Not Applicable

### **CONSULTATION**

Senior Management Team

### **STRATEGIC LINKS**

#### **a) Growth Strategy Plan**

Not Applicable

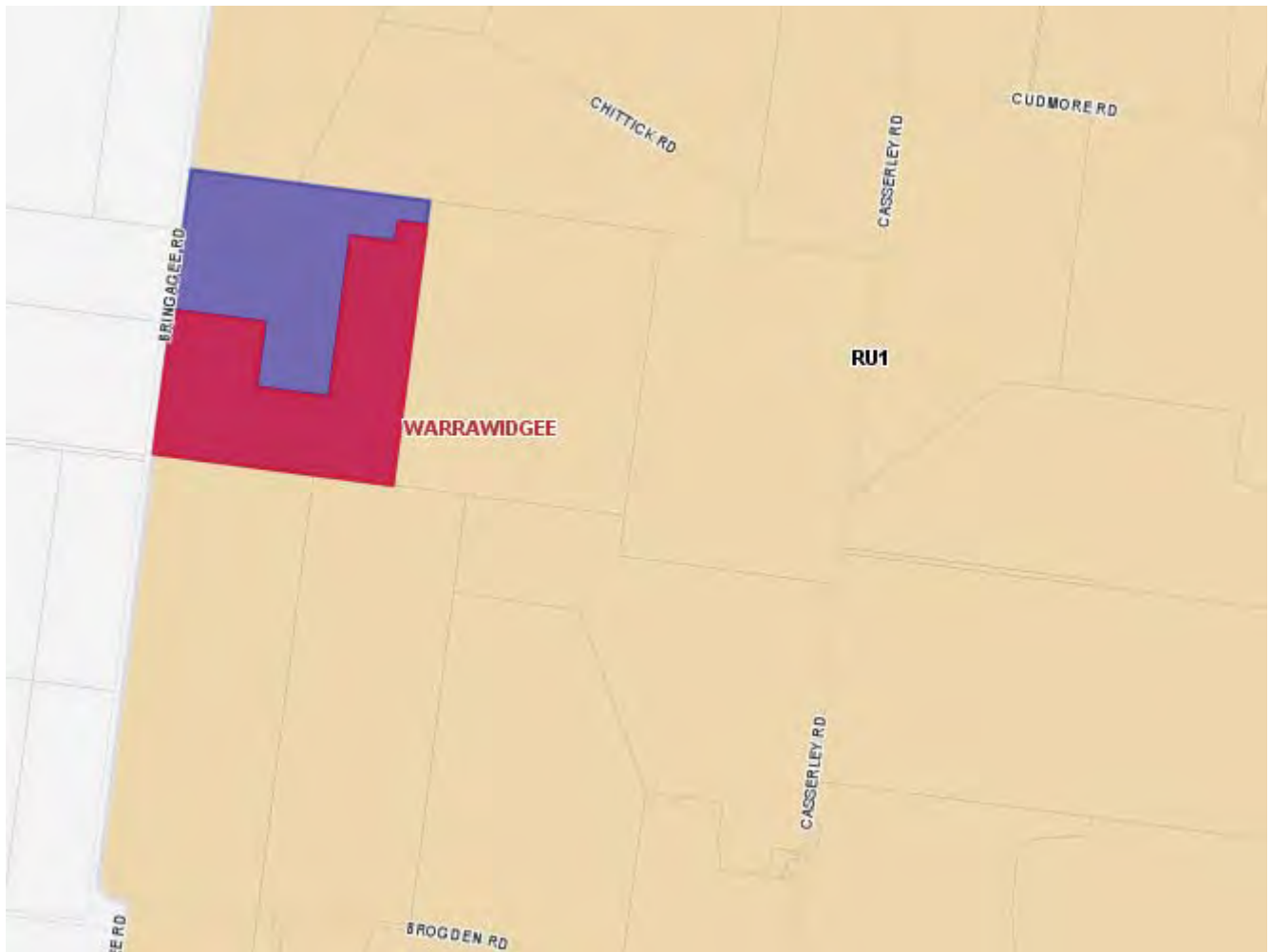
#### **b) Corporate/Business Plan**

Not Applicable

### **ATTACHMENTS**

- (a) Property Location
- (b) Instrument Setting Out Terms of Easements and Restriction on Use to be Created Pursuant to Section 88B of the Conveyancing ACT, 1919
- (c) Deed of Release of Covenant

## Attachment A – Property Location



SIGNATURE AND SEALS ONLY:

ON BEHALF OF THE  
SIGNED FOR AND  
WATER ADMINISTRATION  
MINISTERIAL CORPORATION  
PAUL PERCIVAL  
GENERAL MANAGER  
LEGAL & COMPLIANCE

Parent	
Lot 5 Dp 756054 Prop: 104043 64 Bringaege Road Val No: 568657	
Children	
Lot 1 Dp 1089896 Prop: 302809 RN Bringaege Road Val No: 3212762	
Lot 2 Dp 1089896 Prop: 302810 64 Bringaege Road Val No: 3212763	
App: 10.2000.30000015.1 Workflow: 1033905 Created: 071205	

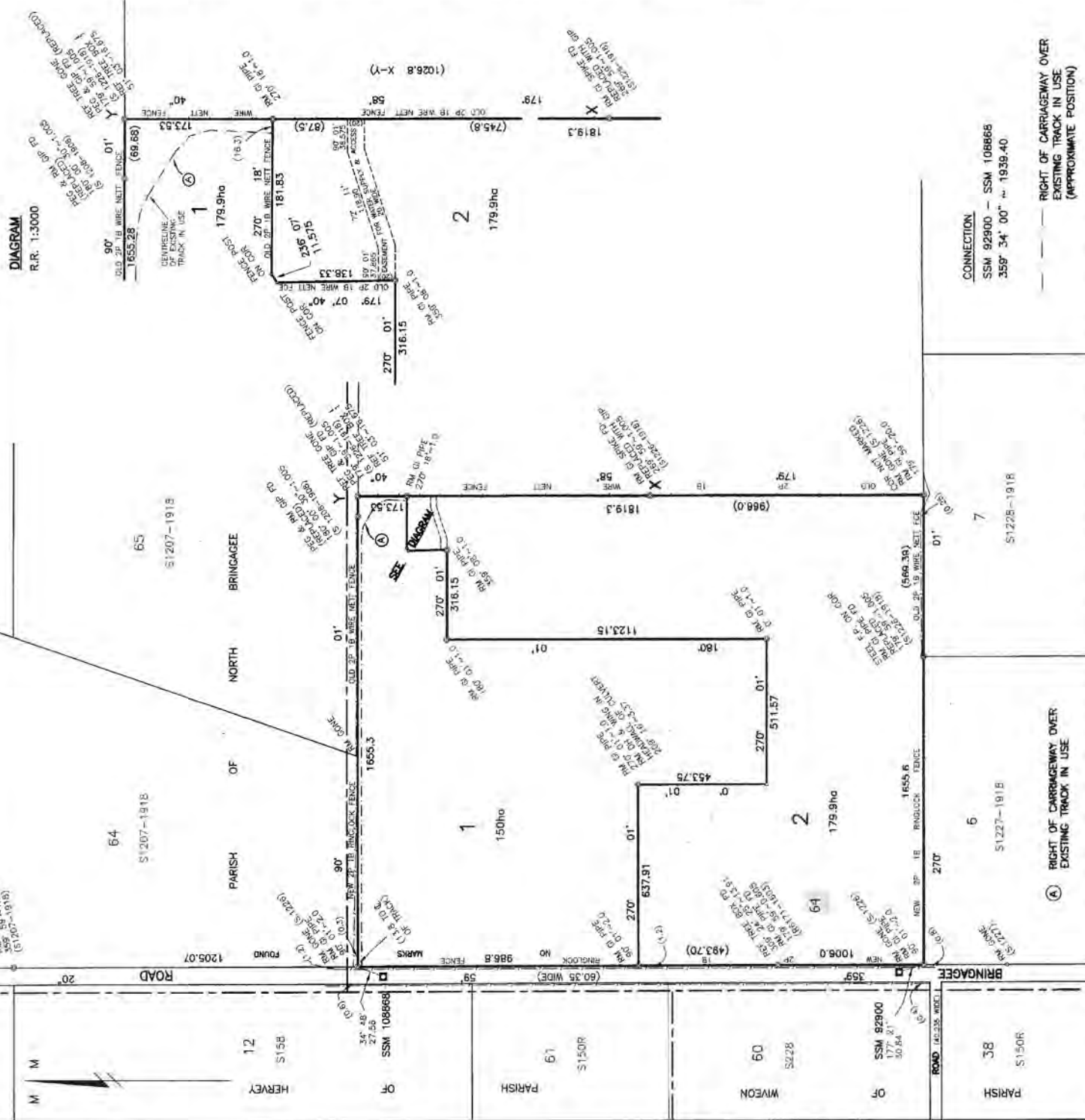
Crown Lands Office Approval

I certify that the provisions of s. 1054 of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to:

\* The submission is for your purpose in accordance with 2.2.01 of the Compendium 2001.  
 (Print: Address of the User)  
 National Project Group Manager/Headmaster-Captain  
 District Authority: GRIFFIN CITY COUNCIL  
 Date of Expiry: 18 DECEMBER 2001  
 Accreditation No: SCC 910  
 Submission Certificate No: SCC 910  
 Fee No: 515/2000

**Notes:** When the plan is to be lodged electronically in the Land Titles Office, it should include a signature in an electronic or digital format.

LIBRARY OF THE  
BUREAU OF THE  
REVENUE : R.P. 8193



**WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION**

1

1

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTION ON  
USE TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING  
ACT, 1919.**

Lengths are in metres

Sheet 1 of 3 sheets

**DP1089896**

**PART 1**

PLAN OF SUBDIVISION OF  
LOTS DEPOSITED PLAN  
No. 756054  
COUNCIL SUBDIVISION  
CERTIFICATE No. SCCA10

**Full name and address of  
Proprietor of land**

Water Administration Ministerial  
Corporation  
10 Valentine Avenue, Parramatta

- 1. IDENTITY OF EASEMENT  
FIRSTLY REFERRED TO IN  
THE PLAN.**

Right of carriageway over existing  
track in use.

**Schedule of Lots affected**

**Lot burdened**  
1

**Lot benefited**  
2

- 2 IDENTITY OF EASEMENT  
SECONDLY REFERRED TO  
IN THE PLAN**

Easement for water supply and  
access 20 wide.

**Schedule of Lots affected**

**Lot burdened**  
2

**Lot benefited**  
1

- 3 IDENTITY OF RESTRICTION  
THIRDLY REFERRED TO IN  
THE PLAN**

Restriction on the use of land.

**Schedule of lots or Authority affected**

**Lot burdened**  
1

**Authority benefited**  
Griffith City Council

- 4 IDENTITY OF POSITIVE  
COVENANT FOURTHLY  
REFERRED TO IN THE PLAN**

Positive Covenant

**Schedule of lots or Authority affected**

**Lot burdened**  
1

**Authority benefited**  
Griffith City Council



**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTION ON  
USE TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING  
ACT, 1919**

(Sheet 2 of 3 sheets)

**Plan: DP1089896**

- 5 IDENTITY OF POSITIVE COVENANT FIFTHLY REFERRED TO IN THE PLAN** Positive covenant

**Schedule of lots or Authority affected**

Lot burdened  
2

Authority benefited  
Griffith City Council

**PART 2**

- 2. Terms of easement for water supply and access 20 wide and secondly referred to in the plan.**

Full and free right and liberty for the registered proprietor of Lot 1 in whose favour the easement is created, their officers servants and agents and all other persons authorised by them from time to time and at all times to pass and repass with or without horses, carts, motor cars or other vehicles laden or unladen over and along the said of right of way for the purpose of maintaining, repairing and any other ancillary items required to keep the water flowing within the channel.

- 3. Terms of Restriction on the Use of land thirdly referred to in the plan**

Not to erect or suffer to permit any building or structure on the whole or in part of the land hereby burdened.

- 4 Terms of Positive Covenant fourthly referred to in the plan.**

The proprietor of the land hereby burdened shall at all times maintain the land as a forest.

- 5 Terms of Positive Covenant fifthly referred to in the plan**

The proprietor of the land burdened shall maintain a buffer zone 20 metres wide around the perimeter for plantation purposes.

**Name of authority empowered to release, vary or modify restriction, and positive covenant thirdly, fourthly and fifthly referred to in the plan.**

Griffith City Council



**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTION ON  
USE TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING  
ACT, 1919**

(Sheet 3 of 3 sheets)

Plan: **DP1089896**

Signed in my presence by  
Who is personally known to me

.....*B. Waters*.....  
Signature of witness

.....**BRIAN WATERS**.....  
Name of Witness (BLOCK LETTERS)

**119 HAWKESBURY ROAD**  
**WESTMEAD, NSW 2115**  
Address & occupation of witness.

Signed by me .....  
as delegate of the Water Administration  
Ministerial Corporation and I hereby  
certify that I have no notice of the  
revocation of such delegation.

Signed by *Satwinder Sandhu*  
as a authorised person of  
Griffith City Council.



## DEED OF RELEASE OF COVENANT

DEED made the 12<sup>th</sup> day of February 2015

BETWEEN MURRUMBIDGEE IRRIGATION LIMITED ACN 084 943 037 of Hanwood, New South Wales

AND THE COUNCIL OF THE CITY OF GRIFFITH (called "Griffith City Council") of Griffith, New South Wales

### RECITALS

- A. By Section 88B Instrument registered with Deposited Plan 1089896 Murrumbidgee Irrigation Limited created a restrictive covenant in favour of Griffith City Council and Positive Covenants in favour of Griffith City Council over Lots 1 and 2 Deposited Plan 1089896;
- B. The parties, being the registered proprietors of the Dominant Land and Servient Land and Griffith City Council in whose favour the covenants are given, have agreed to release the restrictive covenant and positive covenants;

### OPERATIVE PART

- 1. The parties agree to release and extinguish the covenants set out in the Schedule hereto.
- 2. The parties agree to execute the instrument(s) (called "the Instruments of Release") required by the Land and Property Information Office, Sydney in order to release the covenants set out in the Schedule hereto.
- 3. The Instrument(s) of Release will be prepared by the Solicitors for Murrumbidgee Irrigation Limited.



### SCHEDULE

1. Certificate of Title Identifier 1/1089896:

- (a) Restriction on the Use of Land referred to and numbered thirdly in the Section 88B Instrument registered with Deposited Plan 1089896;
- (b) Positive Covenant referred to and numbered fourthly in the Section 88B Instrument registered with Deposited Plan 1089896.

2. Certificate of Title Identifier 2/1089896:

- (a) Positive Covenant referred to and numbered fifthly in the Section 88B Instrument registered with Deposited Plan 1089896.

DATED:

*12<sup>th</sup> February*

2015

Executed by )  
MURRUMBIDGEE IRRIGATION LIMITED )  
ACN 084 943 037 pursuant to Section 127 )  
of the Corporations Act 2001 )

*Dorian Rague*

Name: *DORIAN RAGUE*  
Office: Director SECRETARY

*Peter Barrons*

Name: *PETER BARRONS*  
Office: Director

The Common Seal of THE COUNCIL OF )  
THE CITY OF GRIFFITH was hereunto )  
affixed in the presence of: )

\_\_\_\_\_  
(Signature of Authorised Person)

Name:

Position:

\_\_\_\_\_  
(Signature of Authorised Person)

Name:

Position:

## **GRIFFITH CITY COUNCIL** **REPORT**

**CL03**

**SUBJECT: NAMING OF ROADWAY- BAGTOWN CEMETERY DRIVE**  
**FROM: Wendy Vaccari, Data Information Officer**

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### **SUMMARY**

The purpose of this report is to formally name the roadway entering the site of the Bagtown Cemetery.

### **RECOMMENDATION**

**Council approve the use of Bagtown Cemetery Drive as the name for the dedicated roadway and entrance to the Bagtown Cemetery.**

### **BACKGROUND**

The entrance roadway to the site of the Bagtown Cemetery was gazetted as a dedicated road on 7 February 1930 although has never been named. The use of local history themes is compliant and favourable as an acceptable road name by the Geographical Names Board and with NSW Addressing Principles. The formal naming of the road will assist Council and other service providers with the capture of electronic data for identification purposes.

### **OPTIONS**

- (a) No action
- (b) Council approve the name of Bagtown Cemetery Drive.

### **STATUTORY IMPLICATIONS**

#### **a) Policy Implications**

Policy ICT-CP-201 Roads & Parks - Naming & Renaming sets the procedure for the naming of roads and parks.

#### **b) Financial Implications**

Not Applicable

#### **c) Legal/Statutory Implications**

Not Applicable

### **CONSULTATION**

Senior Management Team

## **STRATEGIC LINKS**

### **a) Growth Strategy Plan**

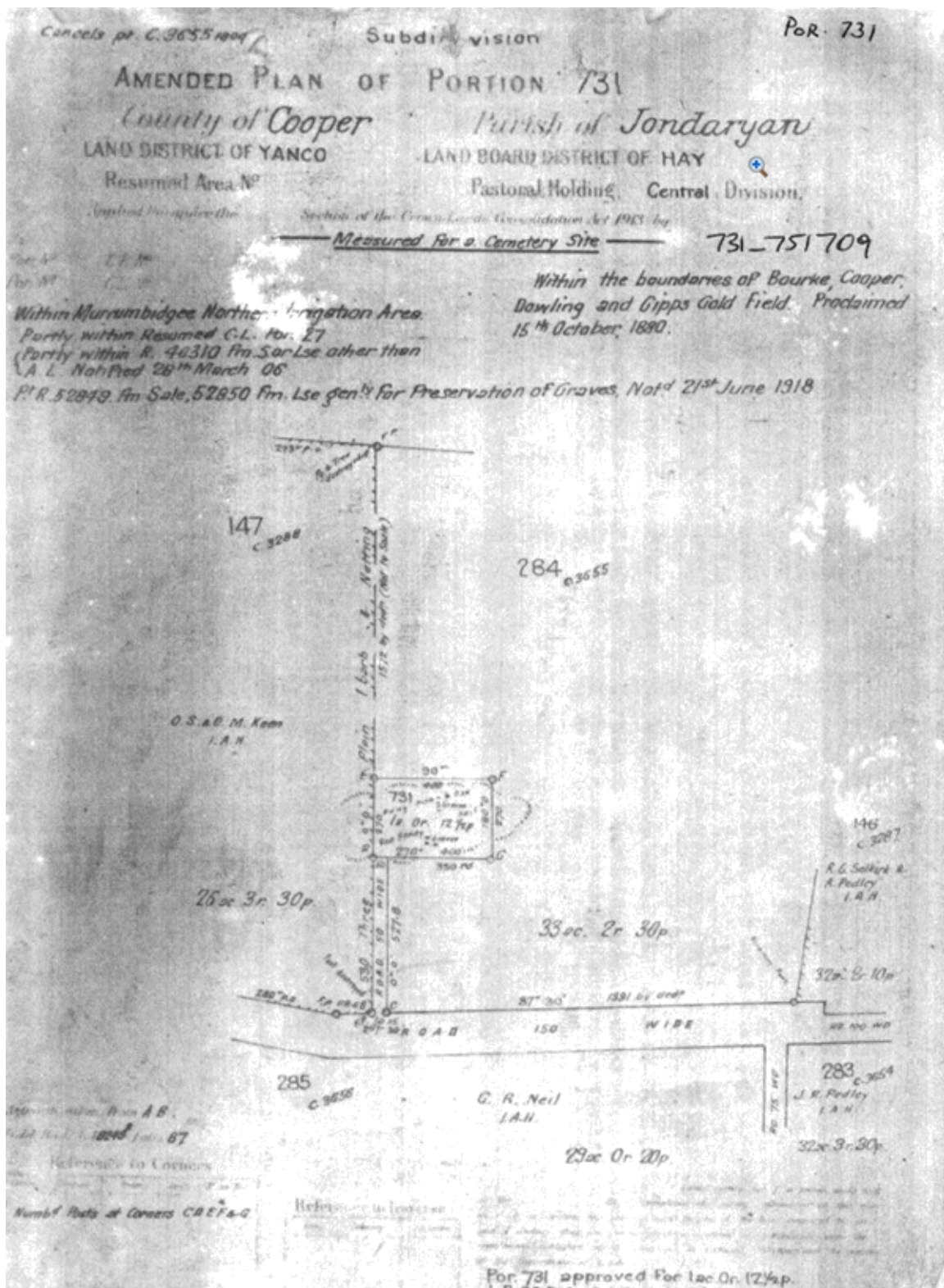
Not Applicable

### **b) Corporate/Business Plan**

Growing Griffith 2030: D4 - Maintain and develop public roads, paths, cycleways and transport corridors.

## **ATTACHMENTS**

(a) Survey Plan - Bagtown Cemetery Site and Dedicated Roadway



## **GRIFFITH CITY COUNCIL** **REPORT**

**CL04**

**SUBJECT: INVESTMENTS AT 28 FEBRUARY 2015**  
**FROM: Vanessa Edwards, Finance Manager**

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### **SUMMARY**

This report details Council's investments for the month of February 2015.

### **RECOMMENDATION**

**Council note the investment report at the end of February 2015.**

### **BACKGROUND**

In accordance with Section 212 of the Local Government (General) Regulation, 2005 it is hereby certified that the investments detailed in the attached schedules have been made in accordance with Section 625 of the Local Government Act, 1993, its regulations and Council's current investment policy and strategy which were amended and adopted on 27 January 2015.

Management is striving to continue to build up cash and investment returns to provide ongoing financial stability and liquidity into the future.

### **OPTIONS**

Not applicable

### **STATUTORY IMPLICATIONS**

#### **a) Policy Implications**

The actions taken comply with Council's current investment policy and strategy, and the Ministerial Order as provided by the NSW Office of Local Government.

#### **b) Financial Implications**

As at the 28 February 2015 Council had received a total of \$497,944 in interest coupon payments and a further \$46,956 interest from its ordinary trading account, giving a total cash received of \$544,900 YTD.

The overall net interest income recognised (when combining both interest received and mark-to-market entries) at the 28 February 2015 was \$815,770 against a YTD budget of \$762,664.

In the current restrictive and very low interest rate environment, it is proving to be difficult to obtain better yields on investments. Council's investments are diversified across primarily term deposits, fixed income bonds and floating rate notes which are largely determined by the restrictions in place by the Ministers Order. Council's investments are all highly rated and of high quality.

**c) Legal/Statutory Implications**

Section 212 of the Local Government (General) Regulation, 2005.

**(d) Environmental Implications**

Not Applicable.

**(e) Community Implications**

Not Applicable.

**CONSULTATION**

Senior Management Team

**STRATEGIC LINKS**

**a) Growth Strategy Plan**

Not Applicable

**b) Corporate/Business Plan**

FINANCE AND MANAGEMENT:

To employ sound financial and other management practices so as to optimise use of Council's resources and ensure that the recipients of Council's services receive value and contribute on an equitable basis.

**ATTACHMENTS**

(a) Statement of Funds at 28 February 2015

(b) Investments Returns Analysis 12 Month Annualised Yields



(a) Statement of Funds at 28 February, 2015

**GRIFFITH CITY COUNCIL**  
**Statement of Funds Invested under Section 625 of the Local Government Act, 1993**  
**28 February, 2015**

INVESTMENTS

Annualised Return %	Type	Valuation Balance as at 28 February, 2015	Cash Flows for February, 2015	Non-Cash Valuation Adj's February, 2015	Fund as a Percentage of Total Investments
<b>Cash/Managed Funds</b>					
0.00%	BT Institutional Managed Cash	0.80			0.00%
3.52%	BT Institutional Enhanced Cash Fund	6,799.78		14.67	0.04%
4.52%	Perpetual Credit Income Fund	733,764.40		2,684.83	3.86%
41.33%	NSW Treasury Corp -Hourglass Growth Facility	1,506,928.63		51,728.97	7.93%
1.62%	UBS Cash Management Trust Account	60,828.04	(133.91)		0.32%
N/A	ANZ Premium Buisness Saver Account	7,857.45	3.85		0.04%
<b>Term Deposits</b>					
3.60%	Bendigo Bank Local Term Deposit 12 months Maturity 23/03/15	1,044,000.00	3,089.09		5.49%
4.46%	St George 762 Day Term Deposit Maturity 04/05/15	2,000,000.00	6,842.74		10.52%
4.10%	Westpac Bank 48 Month Term Deposit Maturity 29/08/18	1,000,000.00	3,416.67		5.26%
5.10%	BOQ 5 Yr Term Deposit Maturity 5/12/18	1,000,000.00	4,250.00		5.26%
5.15%	ME Bank 5 Yr Term Deposit Maturity 5/12/18	500,000.00	2,145.83		2.63%
5.10%	ING 5 Yr Term Deposit Maturity 5/12/18	1,500,000.00	6,375.00		7.89%
<b>Bank Bonds/Floating Rate Notes</b>					
3.96%	Credit Union Australia Floating Rate Note Maturity 20/03/17	2,004,460.00		(240.00)	10.55%
3.84%	Police Bank Floating Rate Note Maturity 21/08/14	997,660.00	9,876.43	(30.00)	5.25%
4.50%	CBA 5 Year Bank Bonds Maturity 31/10/18	2,087,380.00		7,000.00	10.98%
3.79%	Bank of Queensland Floating Rate Note Maturity 24/06/19	2,000,620.00		-	10.53%
3.78%	Members Equity Bank Floating Rate Note Maturity 17/11/17	1,498,035.00	14,272.60	(1,755.00)	7.88%
7.25%	Heritage Bank Bonds	1,058,500.00		-	5.57%
<b>Total</b>		<b>19,006,834.10</b>	<b>50,138.30</b>	<b>59,403.47</b>	<b>100%</b>

Balance of Griffith City Council Trading Bank Account	3,978,624.80
Griffith Health Facilities Limited Bank Account Balances	6,180,629.68

**Total Cash & Investments at 28/2/15** **29,166,088.58**

INTEREST

Interest Analysis	Actual
Accumulated Interest Brought Forward	578,837.51
Interest YTD received on Griffith Health Facilities Limited Bank Accounts	124,928.67
Investment Interest for the month of February	109,541.77
Current Bank Account Interest for the month of February	2,461.61
<b>Total interest at 28 February, 2015</b>	<b>815,769.56</b>
<b>Original Estimated Investment Income YTD @ February, 2015</b>	<b>762,664.00</b>
Over (Under) Original Estimate	53,105.56
Percentage of Original Estimate Raised	106.96%
Percentage of Year at Report Date	66.67%

Fund	Original Estimate YTD	Actual YTD
Ordinary Fund	326,672.00	474,654.59
Water Fund	266,664.00	217,326.31
Sewerage Fund	146,664.00	103,201.08
Waste Fund	20,000.00	18,390.52
Western Riverina Library	2,664.00	2,197.06
<b>Total</b>	<b>762,664.00</b>	<b>815,769.56</b>
Percentage of Year at Report Date		<b>66.67%</b>

In accordance with Section 212 of the Local Government (General) Regulation 2005, I hereby certify that the investments detailed above are made in accordance with the Local Government Act, its regulations and Council's investment policy adopted on 27 January, 2015.



RESPONSIBLE ACCOUNTING OFFICER



**(b) Investments Returns Analysis - 12 month Annualised Yields**

<b>INVESTMENT RETURNS ANALYSIS - 12 MONTH ANNUALISED YIELDS</b>			
<b>Month</b>	<b>Average Funds Invested for the month</b>	<b>Interest Earned</b>	<b>Yield %</b>
Mar-14	\$16,762,652	\$74,100	0.44%
Apr-14	\$17,798,908	\$95,513	0.54%
May-14	\$18,086,207	\$97,521	0.54%
Jun-14	\$18,367,603	\$39,736	0.22%
Jul-14	\$16,848,413	\$65,669	0.39%
Aug-14	\$17,335,843	\$30,942	0.18%
Sep-14	\$18,316,084	\$61,180	0.33%
Oct-14	\$17,298,278	\$44,767	0.26%
Nov-14	\$18,080,005	\$81,612	0.45%
Dec-14	\$18,873,764	\$125,474	0.66%
Jan-15	\$18,921,138	\$79,699	0.42%
Feb-15	\$18,977,197	\$109,542	0.58%
<b>12 Month Annualised Performance</b>			<b>5.01%</b>
<b>Current Year Performance Jul 14 - Feb 15</b>			<b>3.28%</b>
<b>(Cash basis only, net of fees)</b>			

## **GRIFFITH CITY COUNCIL** **REPORT**

**CL05**

**SUBJECT: COMMUNITY GRANT PROGRAM**

**FROM:** Peta Dummett, Community Services Development Coordinator

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### **SUMMARY**

The spirit of the Community Grant Program is to efficiently support organisations, groups or individuals whose applications address the needs of the community as articulated in Council's Community Strategic Plan and Growing Griffith 2030. The Community Grant Program supports new initiatives, activities and projects, increase capacity to address unmet needs, improve community well-being and harmony and reduce isolation of disadvantaged groups.

Funds available for the second round of grants total \$21,651 with \$10,450 being recommended for this round.

### **RECOMMENDATION**

**Council fund the second round of the 2015 Community Grants Program applications in accordance with the table in Attachment (a).**

### **BACKGROUND**

The second round of the Community Grants Program for this financial year closed on Friday 27 March 2015. Community Development staff conducted a review of the twelve (12) applications received and assessed each application as per the Community Grant Assessment Tool.

Input from members of the Communities Committee has been sought and the final recommendations as outlined in this report were determined in conjunction with a Councillor Workshop. Assessment of each application was conducted in accordance with the Community Grant Program policy. It is recommended that four (4) applications be deemed ineligible and five (5) applications be approved with payment being made upon receipt of invoices by Council.

An application to support a young person excelling in Archery to attend the World Youth Archery Championships is recommended to be referred to the Griffith Sports Council for assessment and recommendation. If recommendation is favourable, this will be subject of a future Council report.

Further details are contained in Attachment (a).

### **OPTIONS**

- (a) As per recommendation
- (b) Any other resolution as determined by Council

## **STATUTORY IMPLICATIONS**

### **a) Policy Implications**

All applications have been assessed in accordance with Policy FS-CP-601 Community Grant Program.

### **b) Financial Implications**

The awarding of the grants as recommended is within Council budget for the Community Grant Program.

### **c) Legal/Statutory Implications**

Not applicable

## **CONSULTATION**

Communities Committee  
Councillor Workshop  
Senior Management Team

## **STRATEGIC LINKS**

### **a) Growth Strategy Plan**

Not Applicable

### **b) Corporate/Business Plan**

Growing Griffith 2030

L8- Acknowledge and be responsive to issues which have an impact upon the community's well-being and harmony

L8-1 Maintain and build on current programs being delivered by local agencies and Council

## **ATTACHMENTS**

(a) Community Grant Application Summary

## 2014/15 Community Grants Program - Round 2 (March 2015)

<b>Committee Ranking</b>	<b>Applicant</b>	<b>Purpose</b>	<b>Grant Requested</b>	<b>Funds Recommended</b>	<b>GG2030 Need Y/N</b>	<b>Previous Council Assistance in Last 3 years</b>	<b>Staff Recommendation</b>
<b>Medium</b>	Griffith Prostate Cancer Support Group	Awareness of Prostate Cancer - Guest Speaker	\$1,500	\$1,500	N	N	Project details has merit and address community need
<b>High</b>	Lifesource Church Griffith	Man up - Rites of Passage Program	\$950	\$950	Y	2011 \$852 BBQ Pioneer	Strong community benefit for adolescent males
<b>Reference</b>	Bronwyn Rossiter	World Youth Archery Championships	\$500		N	N	Refer to Sports Council for recommendation
<b>High</b>	Salvation Army	Winter Warmth	\$1,500	\$1,500	N	N	Men's Shelter for blankets etc. for use at local shelter this winter.
<b>Ineligible</b>	Lara Jean Association Inc.	Movie Mayhem	\$2,400	\$0	N	N	Fundraising group - doesn't specify & not local
<b>Medium</b>	Griffith Scout Group (2nd)	Purchase of new canoe(s) for scout group	\$1,400	\$1,000	Y	N	Require quotes for canoes
<b>High</b>	Argyle Community Housing Ltd	Community Forum Drugs and Alcohol	\$1,500	\$1,500	Y	N	Community forum to address AOD misuse
<b>Medium</b>	Keven Bradford	My Choice Matters	\$2,500	\$1,500	Y/N	N	Community awareness project about motorised scooters. Council to pay accounts on invoice

## 2014/15 Community Grants Program - Round 2 (March 2015)

<b>Ineligible</b>	First Friday Live	Outdoor Concert December 2015	\$1,485	\$0	Y/N	N	INELIGIBLE (alcohol sales and entry fees)
<b>Ineligible</b>	Meals on Wheels	Containers	\$1,500		y	y	INELIGIBLE previous funding in 1st round of this financial year
<b>Ineligible</b>	Carevan	Plastic ware	\$1,380		y	y	INELIGIBLE reoccurring funding request for resources
<b>Travel only</b>	Rostrum	Youth Voice	\$1,500	\$500	y/n	n	Sponsorship for local competition winner to attend NSW State competition
<b>Medium</b>	Griffith North Public School P&C	Bringing Nature back to Play	\$2,000	\$2,000	y	n	Partnership funding, sustainable environment, detailed planning. Payment on invoice
	<b>TOTAL</b>		<b>\$ 20,115</b>	<b>\$ 10,450</b>			



**MINUTES OF THE GRIFFITH COMMUNITY PRIVATE HOSPITAL COMMITTEE  
MEETING HELD IN THE MURRAY ROOM, GRIFFITH ON TUESDAY 24 FEBRUARY  
2015 COMMENCING AT 6.24 PM**

**PRESENT**

Councillor John Dal Broi (Chairperson) & Councillor Anne Napoli

**STAFF PRESENT**

General Manager, Brett Stonestreet, Director Sustainable Development, Neil Southorn & Corporate Communications Officer, Naomi Brugger (Minute Taker)

**CL01 APOLOGIES**

**RECOMMENDED** on the motion of Councillors Napoli and Dal Broi that apologies be accepted from Councillor Mike Neville, Director Business, Cultural & Financial Services, Max Turner and Executive Services Manager, Shireen Donaldson.

**CL02 CONFIRMATION OF PREVIOUS MINUTES**

**RECOMMENDED** on the motion of Councillors Dal Broi and Napoli that the Minutes of the previous meeting held on 20 January 2015, having first been circulated amongst all members, be confirmed.

**CL03 BUSINESS ARISING**

**3.1 Meeting of 20 January 2015 - Pt 6.1 Walkway**

Mr Stonestreet advised he would be asking the Minister for Health for funds to complete the walkway.

**3.1 Meeting of 20 January 2015 - Pt 6.2 Student Accommodation**

Councillor Napoli asked if there is any indication of when the Student Accommodation construction would begin with Mr Stonestreet advising a decision would not be made until the funding is reviewed.

Councillor Napoli added she was fielding questions from the community re: if the target has been met, why is there ongoing fundraising.

**CL04 DECLARATIONS OF INTEREST**

There were no Declarations of Interest received.

**CL05 GRIFFITH COMMUNITY PRIVATE HOSPITAL UPDATE REPORT**

**Construction Tender**

Mr Stonestreet advised that Director Business, Cultural & Financial Services, Mr Max Turner was to travel to Sydney to meet with TSA and St Vincent's regarding the tenders received. Mr Stonestreet further advised this would then go before the Project Control Group before coming to Council, possibly in March.

**Sod Turning**

Mr Stonestreet advised that the Sod Turning/Ground Blessing Ceremony would be held on March 1 with a run sheet to be distributed in the coming days. There would be 4 shovels, one of which would be displayed at St Vincent's in Darlinghurst and another to be displayed in Griffith.

**CL06 GENERAL BUSINESS**

**Petition**

Councillor Napoli tabled a petition regarding St Vincent's Private Community Hospital. A press release is to be sent out in the coming weeks with the positives surrounding the construction and operation of the hospital for Griffith and surrounds.

**CL07 NEXT MEETING**

The next meeting to be held Tuesday 24 March 2015, 6.00 pm.

There being no further business, the meeting closed at 6.40 pm.



**MINUTES OF THE GRIFFITH COMMUNITY PRIVATE HOSPITAL COMMITTEE  
MEETING HELD IN THE MURRAY ROOM, GRIFFITH ON TUESDAY 24 MARCH  
2015 COMMENCING AT 6.20 PM**

**PRESENT**

Councillor John Dal Broi (Chairperson) & Councillor Anne Napoli

**STAFF PRESENT**

General Manager, Brett Stonestreet; Director Business, Cultural & Financial Services, Max Turner; Director Sustainable Development, Neil Southorn & Governance Coordinator, Wendy Krzus (Minute Taker)  
Quorum = 2

**CL01 APOLOGIES**

**RECOMMENDED** on the motion of Councillors Napoli and Dal Broi that apologies be accepted from Councillor Mike Neville and Executive Services Manager, Shireen Donaldson.

**CL02 CONFIRMATION OF PREVIOUS MINUTES**

**RECOMMENDED** on the motion of Councillors Napoli and Dal Broi that the Minutes of the previous meeting held on 24 February 2015, having first been circulated amongst all members, be confirmed.

**CL03 BUSINESS ARISING**

**3.1 Business Arising - Pt 3.1 Walkway**

Mr Turner advised that the walkway is only required to be constructed from the Private Hospital entry to the boundary. Mr Turner further advised that the budget will allow only the partial construction of the walkway, connecting the Private Hospital to the Base Hospital. The intended walkway comprises a concrete base and a covered roof, the concept does not include enclosed sides, however this will need further clarification.

**3.2 Meeting of 24 February 2015 - Clause 05 - Griffith Community Private Hospital Update Report - Sod Turning**

Mr Turner advised that two additional ceremonial shovels created for the sod turning ceremony have arrived at Council. These are the shovels ordered for presentation to the Casella/Spagnolo families. Discussion took place on suitable sites to display the shovels following the completion of the Private Hospital.



**CL04 DECLARATIONS OF INTEREST**

There were no Declarations of Interest received.

**CL05 GRIFFITH COMMUNITY PRIVATE HOSPITAL UPDATE REPORT**

Mr Turner provided an update on the Griffith Community Private Hospital Project, in summary:

- Extra Ordinary Meeting of Council to be held on Thursday, 26 March 2015 to consider tender recommendation and to recommend the appointment of a construction contractor.
- Final draft Agreement for Lease for the student accommodation has been reviewed and will be finalised shortly.
- Nominated builders for student accommodation have been contacted to negotiate on final design of units and to provide updated construction costs.
- The latest monthly Project report (February 2015) has been lodged with HHF without any issues.
- Next PCG meeting is scheduled for today (24 March 2015)
- Sod turning ceremony went well and was well attended.

**CL06 GENERAL BUSINESS**

Nil

**CL07 NEXT MEETING**

The next meeting is to be held on Tuesday, 28 April 2015 at 6.00 pm.

There being no further business, the meeting closed at 6.37 pm.



**MINUTES OF THE BUSINESS DEVELOPMENT AND MAJOR PROJECTS  
COMMITTEE MEETING HELD IN THE MURRAY ROOM, GRIFFITH ON  
16 MARCH 2015 COMMENCING AT 5.34 PM**

**PRESENT**

Councillor John Dal Broi (Chair), Councillor Christine Stead, Paul Snaidero (Community), Peter Bonaventura (Stakeholder), Paul Pierotti (Stakeholder), Marilyn Green (Community alternate)

**STAFF PRESENT**

Director Sustainable Development, Neil Southorn; Fleet & Depot Manager, Steve Croxon; Project Planner, Nathan Farnell; Minute Secretary, Leanne Austin  
Quorum = 5

Councillor Stead assumed the Chair in the absence of Councillor John Dal Broi.

**CL01 APOLOGIES**

**RECOMMENDED** on the motion of Paul Snaidero and Peter Bonaventura that apologies be received from Councillors Anne Napoli, Paul Rossetto and Leon Thorpe; Brett Stonestreet, Nicola James and Greg Lawrence.

**CL02 CONFIRMATION OF PREVIOUS MINUTES**

**RECOMMENDED** on the motion of Peter Bonaventura and Paul Pierotti that the minutes of the previous meeting held on 19 January 2015, having first been circulated amongst members, be confirmed.

**CL03 BUSINESS ARISING**

**3.1 Telephone Presentation by Phil Townsend, MDBA**

Mr Southorn invited members of the Committee to raise any issues they would like discussed during the telephone presentation by Mr Townsend. Mr Pierotti stated his concerns that the figures and statistics Mr Townsend is analysing seem to be narrowly applied to the Griffith LGA and not broad enough.

*The Mayor entered the meeting the time being 5:40 pm and assumed the Chair.*

### **3.2 Advertising of Development Review Panel**

Mr Southorn advised no enquiries had been received as yet.

### **3.3 Advertising of Committee members to replace two vacancies**

Mr Southorn advised that two community members had submitted applications to join the Committee.

### **3.4 Building and Planning Forum 19 February 2015**

Mr Southorn advised the forum had been held in February and had been a successful initiative.

### **3.5 Letter to Michael McCormack Requesting Meeting - NBN**

Mr Southorn advised correspondence sent to Mr McCormack, inviting the Minister to Griffith, was attached to the Agenda for the information of the Committee. No response has been received.

### **3.6 General Business - Correctional Centres**

Mr Southorn advised Council had been approached by a private company in relation to a concept for a community based correctional centre.

### **3.7 Availability of Residential Land**

Mr Southorn advised some interest has been received regarding availability of land for residential development.

## **CL04 DECLARATIONS OF INTEREST**

Nil.

Clause 06 was brought forward at this point of the meeting as Mr Townsend was not able to be contacted for the telephone presentation.

## **CL06 MECHANICAL SERVICES CONTRACT**

The Committee considered a report regarding the results of a benchmarking exercise undertaken on the provision of mechanical services. The exercise incorporated six Council plant items and commenced on 1 April 2014. Mr Croxon said the results indicated that it is generally more expensive to service equipment utilising external providers. Furthermore there are cost penalties in lost time due to external businesses not being open as early as Council's commencement time and in transporting plant to and from Council's depot.

Mr Bonaventura asked if Council could look into service providers coming to the Council depot to provide services. Mr Croxon advised most contractors prefer to work on the plant items at their own premises.

Mr Snaidero commented that the issue of service providers not opening early enough is a management issue and this could be offset by the fact that they may remain open later. Mr Croxon responded that the picking up of the plant item early in the morning is more of a concern.

Mr Snaidero queried the depreciation rate provided in the report and requested the Committee recommend that external consultants be engaged for a thorough review.

Councillor Dal Broi stated that Council is currently in the process of engaging consultants to review the Works department operations and that the Workshop operations could be considered at a later date.

Mr Southorn advised the Committee's comments would be discussed with staff and senior staff and reported back to the next meeting. Mr Croxon will clarify the depreciation rate and rounding off of some budget items in relation to maintenance costs.

**RECOMMENDED on the motion of Councillor Stead and Paul Snaidero that the Committee note the report for information and that depreciation and rounding up of financial figures be checked and reported back to next meeting.**

*Mr Croxon left the meeting the time being 6:01 pm.*

#### **CL05 SKYPE PRESENTATION - PHIL TOWNSEND - MDBA SOCIO ECONOMIC UNIT Q&A**

Telephone contact with Mr Phil Townsend was made at 6:03 pm.

Mr Townsend outlined his role within the Murray Darling Basin Authority. Mr Townsend stated that the Griffith economy appears to be holding up well compared to other basin communities.

Mr Southorn raised the issue of the scale of the study. Mr Townsend advised the study is using information from Griffith, Leeton, Narrandera, Carrathool, Murrumbidgee and Hay. Bland Shire is not currently being included however Mr Townsend was happy to include this if the Committee felt it was warranted. Mr Pierotti requested that Bland be included in the study.

Mr Townsend advised that Griffith is experiencing an expanding number of jobs. There have been significant job losses in the agricultural area however this has been offset by an increase in the number of industrial type jobs. Mr Townsend stated that employment improvement in the Riverina is a positive sign for the local economy. Mr Bonaventura enquired what sectors are experiencing growth? Mr Townsend advised he would provide further information in relation to this to the Committee.

Mr Townsend stated there had been a 16% drop in farm labour in 2003 as a result of the drought and that these jobs have not been recovered. There has been a decline in the agricultural sector in Griffith, approx 36% between 2001 - 2011. Councillor Dal Broi stated that the lack of water has directly contributed to the lack of financial ability to employ people. Mr Townsend stated that reduced water availability is affecting profits especially with smaller farmers who are currently trying to work out how to adjust to the current situation.

Mr Pierotti stated there has been a \$3 billion loss of productivity in the local area since the buybacks had been introduced. The cost of delivery and cost of entitlement have increased dramatically. Mr Pierotti said that banks are very reluctant to lend to business owners which is hindering the ability to grow business.

Mr Townsend advised he would be looking at temporary and permanent water markets and would like to follow up with smaller scale irrigators.

Mr Southorn thanked Mr Townsend and invited him to attend Griffith for an informal meeting. The telephone presentation closed the time being 6:26 pm.

Mr Pierotti gave an overview of a meeting being held next Friday at the Yoogali Club in relation to the MDB Plan. Mr Pierotti advised he will be requesting a moratorium on buy backs and calling for an enquiry into the scheme.

#### **CL07    GRIFFITH CBD STRATEGY**

Nathan Farnell addressed the Committee the time being 6:42 pm.

The Committee considered the revised draft Griffith CBD Strategy. Mr Farnell invited Committee members to provide any feedback or suggestions.

Mr Bonaventura enquired what funding streams are going to fund the recommendations in the strategy. Mr Farnell advised grant funding would be applied for and recommendations would be considered during Council's budget process.

**RECOMMENDED on the motion of Paul Snaidero and Peter Bonaventura that the draft Griffith CBD Strategy be adopted by Council and placed on public exhibition.**

*Mr Farnell left the meeting the time being 6:50 pm.*

#### **CL08    POLICY FOR STRATEGIC PROPERTY ACQUISITION AND DISPOSAL**

The Committee considered the benefits of Council having an underlying strategy to underpin Council's property portfolio. The policy would apply to both disposal and acquisition of property.

Mr Snaidero suggested Council should budget and put money aside for future property purchases. Mr Pierotti enquired why the Committee wasn't consulted on the purchase of The Clock property. Councillor Dal Broi advised it was a Council decision and it is sometimes difficult to maintain confidentiality when dealing in such matters.

*Mr Farnell entered the meeting the time being 6:52 pm.*

Mr Southorn advised there is the potential for compromise in this matter whereby Council business is protected as well as the interest of the community. Having a policy in place will assist in this process.

**RECOMMENDED on the motion of Paul Pierotti and Peter Bonaventura that Council prepare a draft policy for Strategic Property Acquisition and Disposal for consideration of the Committee.**

#### **CL09    CULTURAL PRECINCT DEVELOPMENT AND FUTURE USES OF THE CLOCK BUILDING**

The recent acquisition by Council of The Clock building has elevated the need to develop a cultural precinct centred on the Regional Gallery, Library, The Clock building and State Bank House. Consultation on the development of this precinct is to commence. Mr Southorn invited the Committee to make initial suggestions. Councillor Dal Broi advised Council had resolved to call for EOIs for anyone wishing to lease the building initially.

Mr Pierotti stated Council needs to analyse the community assets, facility efficiencies, viability, long term projections, future needs, challenges, issues and audit all services/activities to be able to give consideration to the best way forward.

#### **CL10 2015 BUSINESS AUDIT**

The Committee considered the Business Audit February 2015 prepared by Council's Tourism and Economic Development Officer.

Mr Pierotti enquired why businesses are closing. If rents are too high there are opportunities to encourage shop owners to relocate to cheaper rents. Mr Pierotti requested that Council's Economic Development staff talk to shop owners to encourage them to stay in Griffith.

*Mr Farnell left the meeting the time being 7.20 pm.*

Mr Southorn asked Committee members if there was an appetite to convert shops in main street to residential? Mr Pierotti responded this would be at a last resort. Landlords should be encouraged to be more flexible, for example shop sizes and layouts.

Mr Southorn suggested the Economic Development team could use the survey results to steer the conversation with landlords. Mr Pierotti advised that landlords need to look at realistic returns in the current market.

Action: A forum is to be held inviting businesses and landlords to discuss this issue further.

#### **CL11 2013/14 DEVELOPMENT ASSESSMENT PERFORMANCE MONITORING**

Each year, the Department of Planning and Environment publishes a performance report on all NSW Councils focussing on the number and value of development applications and the time it takes to make a determination. The latest report for the 2013/14 financial year has just been published with Griffith City Council maintaining excellent performance scores. Councillor Dal Broi thanked staff for their efforts in achieving an excellent result.

#### **CL12 ACTION REPORT**

##### **Resignation of Committee Members**

The Committee discussed the applications for Committee membership received.

**RECOMMENDED on the motion of Paul Pierotti and Paul Snaidero that Domenic Guglielmino and Bruno Guidolin be appointed to the Committee.**

##### **Development Review Panel**

Action: The EOI for Development Review Panel is to be re-advertised along with a press release.

**CL13 GENERAL BUSINESS**

Nil.

**CL14 NEXT MEETING**

The next meeting of the Business Development and Major Projects Committee is to be held on 18 May 2015 at 5.30 pm.

There being no further business the meeting closed the time being 7.40 pm.



**MINUTES OF THE TOURISM AND EVENTS COMMITTEE MEETING HELD IN THE  
COUNCIL CHAMBERS, GRIFFITH ON THURSDAY 19 MARCH 2015  
COMMENCING AT 5.30 PM**

**PRESENT**

Councillor Christine Stead (Chairperson), Councillor Alison Balind, Councillor Leon Thorpe, Linda Pasquetti (Community), Allan Bennett (Stakeholder) & Susanna Sternberg (Stakeholder).

**STAFF PRESENT**

Director Sustainable Development, Neil Southorn; Tourism and Economic Development Manager, Greg Lawrence; Marketing & Promotions Officer, Paige Campbell & Minute Secretary, Jennifer O'Donnell-Priest.

Quorum = 5

**CL01 APOLOGIES**

**RECOMMENDED** on the motion of Linda Pasquetti and Alison Balind that apologies be received from Councillor Paul Rossetto, Amanda Quarisa (Community), Councillor Dino Zappacosta and Senior Tourism Officer, Mirella Guidolin.

**CL02 CONFIRMATION OF PREVIOUS MINUTES**

**RECOMMENDED** on the motion of Linda Pasquetti and Councillor Balind that the minutes of the previous meeting held on 13 November 2014, having first been circulated amongst members, be confirmed with the following amendments:

**Paige Campbell** be removed from the staff present list as she was an apology and **Susanna Sternberg** be removed from the apologies list as she was present.

**CL03 BUSINESS ARISING**

**3.1 2016 Centenary Celebrations Update**

Ms Campbell spoke on the flagship event for the 2016 Centenary, that being the Sculpture Symposium. Mr Lawrence advised that a prospectus was being prepared and the Committee was continuing to source funding and sponsorship for the event.

**CL04 DECLARATIONS OF INTEREST**

There were no declarations of interests.



**CL05 RIVERINA REGIONAL TOURISM PRESENTATION**

Prior to the procedural matters of the meeting, Councillor Stead invited Sonia Casanova from Riverina Regional Tourism (RRT) to address the Committee.

Ms Casanova gave a presentation on Riverina Regional Tourism's focus, strategies and marketing proposals for the Riverina. The presentation is summarised as follows:

**Purpose 1 - Focus**

- Focus is on Agritourism in the Riverina
- Not just food & wine but holistic experiential visits
- 2015 Marketing activities explained
- Riverina now identified as a region
- Destination NSW (DNSW) involvement and funding
- Inclusion in the DNSW Regional Guide
- Promotion of Griffith with exciting/interesting tourist attraction proposals

**Purpose 2 - Create Engagement**

- RRT currently running a 'localist campaign'
- Encourage members of the public to 'become a localist' through Facebook which then connects to the RRT website with a very simple registration process
- Capitalise on the Taste Riverina Festival
- New online registration process for operators
- Ticket sales and registrations are a good measurement tool for substantiating DNSW funding
- Taste Riverina Festival programs to be professionally printed
- DNSW Flagship funding received
- Product led revolution in 2015
- Encourage and development of Tourism trails
- Australian Tourist Data Warehouse (ATDW) integration vital

**Purpose 3 - Increase Conversion**

- Conversion is critical for success
- RRT are undertaking WOTIF campaigns
- Off peak season selected as best timing
- Operator participation vital
- Production of a quality bundle product to encourage conversion
- Reporting and tracking from Wotif is vital to meet DNSW KPI's.

**RECOMMENDED on the motion of Councillors Thorpe and Balind that Council be requested to place a reciprocal link to the Riverina Regional Tourism web page from Griffith City Council's front page.**

- 'Come on home campaign' is also being promoted through RRT
- Target Audience - locals across the Riverina
- Encourage locals to organise reunion events
- Timing (draft) 1 June - 31 October 2015
- 'Money can't buy experience' - incentive to register (quantifiable data)
- Supported with promo and advertising strategy

*Ms Casanova finished her presentation and vacated the chamber, the time being 6.06 pm.*

**CL06 REMOVAL OF THE PONTOON - LAKE WYANGAN - CAMPING AREA**

Members of the Committee reviewed the report and discussed the proposal to replace the pontoon from the Lake Wyangan Camping Area. Concern was raised on whether there would be a replacement jetty.

**RECOMMENDED on the motion of Councillors Balind and Thorpe that the report be noted.**

**RECOMMENDED on the motion of Allan Bennett and Councillor Balind that after Council's Parks & Gardens representatives meet with Griffith Southside Leagues Club (as per report) that a further report be forthcoming to the Committee with proposal to replace the jetty at the Lake Wyangan camping area.**

At this point of the meeting, Councillor Balind requiring to leave asked whether a general business item could be discussed. The Chair agreed and Councillor Balind requested that the Committee review meeting frequency and months that they fall. Discussion took place on Council Committee structure whereas recommendations from working groups cannot be approved until they come through the Tourism & Events Committee and then to Council.

**RECOMMENDED on the motion of Allan Bennett and Councillor Balind that the Tourism & Events Committee meetings remain bimonthly, and if there is foreknowledge of quorum failure that the meeting not be postponed to the next scheduled meeting but be rescheduled the following week or nearest date suitable.**

NB: Upcoming dates for the year are to be 16 April, 18 June, 20 August and 15 October 2015.

*Councillor Balind left the meeting, the time being 6.32 pm.*

**CL07 LOCAL GOVERNMENT TOURISM CONFERENCE**

Mr Lawrence spoke to the item of attendance of the LG Tourism Conference and advised that he spoke on three topics at the conference which was an opportunity to promote Griffith.

Councillor Stead advised that she had spoken to a potential performer that would be interested in coming to Griffith. Mr Lawrence requested that Councillor Stead forward on contact details of the performer to him.

**CL08 GRIFFITH EASTER PARTY**

Ms Campbell spoke to the Griffith Easter Party item and advised that a collaborative marketing campaign was undertaken with contribution of \$10,000 from La Festa, \$2,000 from the Wine Grapes Marketing Board and \$4,000 from Griffith City Council Tourism. A printed program has been compiled to support the campaign as well as website presence and social media.

**CL09 TOURISM SOCIAL NIGHTS**

Mr Lawrence tabled flyers for the Tourism Social Night. No further discussion was held.

**CL10 KIDMAN WAY TOURING GUIDE**

Committee members requested an update on the Kidman Way Touring Guide. Ms Campbell stated that it was progressing and should be finalised within the month.

**CL11 FESTIVAL OF GARDENS MINUTES**

**RECOMMENDED** on the motion of Allan Bennett and Councillor Thorpe that the Minutes of the Festival of Gardens be noted.

**CL12 2016 CENTENARY WORKING PARTY MINUTES**

**RECOMMENDED** on the motion of Allan Bennett and Councillor Thorpe that the Minutes of the 2016 Centenary Working Party be accepted.

**CL13 AUSTRALIA DAY WORKING GROUP MINUTES**

**RECOMMENDED** on the motion of Allan Bennett and Councillor Thorpe that the Minutes of the Australia Day Working Group be accepted.

**CL14 LA FESTA COMMITTEE MINUTES**

**RECOMMENDED** on the motion of Allan Bennett and Councillor Thorpe that the Minutes of the La Festa Committee be noted.

**CL15 GENERAL BUSINESS**

No general business was raised.

**CL16 ACTION REPORT**

The Action Report was not reviewed.

**CL17 NEXT MEETING**

The next meeting of the Tourism and Events Committee is to be held 16 April 2015 at 5.30 pm in the Council Chambers.

There being no further business the meeting closed the time being 7:01 pm.



**MINUTES OF THE UTILITIES COMMITTEE MEETING HELD IN THE COUNCIL  
CHAMBERS, GRIFFITH ON 26 MARCH 2015  
COMMENCING AT 1.00 PM**

**PRESENT**

Councillor Dino Zappacosta (Chair), Councillor Pat Cox (alternate), Councillor Paul Rossetto, Chris Green (Community), Russell Rowley (Community) Virginia Tropeano (Community)

**STAFF PRESENT**

Director Utilities, Graham Gordon; Waste Operations Manager, John Roser;  
Minute Secretary, Kathleen Calabria.  
Quorum = 5

**CL01 APOLOGIES**

**RECOMMENDED** on the motion of Christopher Green and Russell Rowley that apologies be received from Councillor Mike Neville, Pat Pittavino, Matthew Curley and Fiona De Wit.

**CL02 CONFIRMATION OF PREVIOUS MINUTES**

**RECOMMENDED** on the motion of Councillor Rossetto and Russell Rowley that the minutes of the previous meeting held on 18 December 2014, having first been circulated amongst members, be confirmed.

**CL03 BUSINESS ARISING**

**3.1 CL10 10.1 Sulo Bins in Yenda**

Waste Operations Manager advised all bins have been replaced & relocated as requested by Yenda Progress Association (YPA). Councillor Rossetto enquired about replacing the one near Yenda School. John Roser advised that when the new bin stands are ordered then Waste Operations Manager will contact YPA for a location. Waste Operations Manager replied to Kay Pellizzer's email with the same information.

**CL04 DECLARATIONS OF INTEREST**

Nil

**CL05 GRIFFITH CITY COUNCIL WATER SUPPLY ALLOCATION - TEMPORARY TRADE**

Graham Gordon gave a brief history on the water allocation supply and advised that in the past Griffith City Council (GCC) has not used their full allocation and are keeping a good buffer when in need.

Graham advised that the Office of Water have no objection to this trade but Murrumbidgee Irrigation must complete the application and present it to the Murrumbidgee Irrigation Board for approval.

In previous years Council has only traded High Security Water as part of the allocation attached to the farms owned by Griffith City Council at Lake Wyangan.

The Committee raised the below issues:

- Our allocation is protected - if the water is not used and sold can the Government take this allocation from us?;
- We need to maintain enough water for our town requirements;
- The water is to be used locally for MIA farmers;
- Is the profit to be utilised for the community?. Graham Gordon advised the money would not go into the water fund but would be put into the General Fund for certain community projects;
- Will there be any restrictions on this trade?
- Are there any Third Party impacts on this trade?
- What is the timing of this trade?

**RECOMMENDED on the motion of Councillor Paul Rossetto and Virginia Tropeano:**

**(a) Council support in principle the annual temporary trade of part of Council's City water supply.**

**(b) Griffith City Council write to Murrumbidgee Irrigation Ltd requesting them to make application, on behalf of Council, to the NSW Office of Water, to temporarily trade part of Council's annual water allocation.**

**(c) Subject to MI concurrence to (b) above, the General Manager have delegated authority to commence temporary trade of part of Griffith City Council water supply to be traded only within the MIA area.**

**(d) Subject to the Utilities Committee and Council adopting (a), (b) and (c) that a report regarding this matter be presented to the Utilities Committee before any action is taken.**

**CL06 WATER USAGE, SALES & QUALITY**

Graham Gordon advised that Raw Water figures will be included in the next report.

**RECOMMENDED on the motion of Councillors Paul Rossetto and Pat Cox that the Committee noted the information in the report.**

**CL07 YENDA POTABLE WATER QUALITY - FLUSHING OF MAINS**

Graham Gordon advised that there are test points on Council's potable reticulation water mains to check the water quality. The mains are regularly flushed to drag fresh water through them and to keep a high water quality in our system.

**RECOMMENDED on the motion of Councillor Pat Cox and Virginia Tropeano that the Committee noted the information in the report.**

**CL08 GWRP - ODOUR UPDATE / ISSUES**

Graham Gordon gave a brief history on how the treatment process works and advised it is working well with just a mild odour occasionally. Council has now received Biosolids classification at the Landfill and if there is a problem with odours at the Griffith Water Reclamation Plant the biosolids can be taken to the Landfill for disposal. Graham Gordon also advised that Council is looking at other ways to move the biosolids.

**RECOMMENDED on the motion of Chris Green and Russell Rowley that the Committee note the information in the report.**

**CL09 COMBINED PENSIONERS & SUPERANNUANTS ASSOCIATION OF NSW INC.**

The letter from the Combined Pensioners and Superannuants Association of NSW Inc. was presented to the Committee. John Roser advised that the two free slips were in use before the 'Tip for Free' came into effect but were not cost effective and so were cancelled.

John Roser will write to the Combined Pensioners and Superannuants Association of NSW Inc. to advise of the success of the 'Tip for Free' day and advise it will continue bi-annually, and to let them know that rotary clubs are also able to help them dispose of their waste.

**RECOMMENDED on the motion of Councillors Pat Cox and Paul Rossetto that the Committee endorses the current 'Tip for Free' weekend arrangement and how successful this has been. Waste Operations Manager to write to Combined Pensioners & Superannuants Association explaining the initiative of involving community groups to assist the elderly and disabled to dispose rubbish to landfill.**

**CL10 GENERAL BUSINESS****10.1 'Tip for Free' to be held on the weekend of the 21 and 22 March 2015.**

John Roser advised the 'Tip for Free' was held last weekend and the figures showed:

	<u>2015</u>
Tharbogang	980 vehicles
Yenda	240 vehicles

Waste Operations Manager advised the Committee that Griffith East Rotary and Yenda Rotary provided collections and disposal services for the elderly and disabled.

A total of 7 households booked this service in Griffith. This information was presented onto

Griffith East Rotary. Yenda Rotary informed Waste Operations Manager that they were contacted by 4 households.

Waste Operations Manager advised that operationally the weekend went well with no incidents to report. Waste Operations Manager will organise a media release thanking the service clubs and community for a successful weekend.

### **10.2 Pavement in front of Suman's Engineering**

Councillor Rossetto advised the pavement has not yet been fixed and that it has to be completed before the Centenary Celebrations next year.

### **10.3 Tharbogang Transfer Station**

Graham Gordon gave a brief report on the progress of the drawings. Previous drawings have not been of good quality. Waste Operations Manager advised the Committee that the GCC electrician, water and sewer officers and engineers have reviewed the drawings for accuracy.

Graham Gordon and John Roser will be reviewing the 4th set of drawings this week.

### **CL11 NEXT MEETING**

The next meeting of the Utilities Committee is to be held on 21 May 2015 in the Council Chambers commencing at 1.00pm.

There being no further business the meeting closed the time being 2.42 pm.

**GRIFFITH CITY COUNCIL**  
**REPORT**

**SUBJECT: QUESTION TIME**

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RECOMMENDATION

(Council note: Questions as recorded in the Minutes are exact copies of the material provided by the member asking the question).



# OUTSTANDING ACTION REPORT

## FOR THE ORDINARY MEETING OF COUNCIL 14 APRIL 2015

Council Meeting Date	Meeting Item	Action Officer	CRM No.	Minute No.	Council Resolution	Additional Information
24 Mar 2015	<b>QUESTION TIME - PROPERTY IN ULONG STREET</b>	DSD	10623	15/080	<b>RESOLVED</b> on the motion of Councillors Balind and Zappacosta that a status report be prepared by staff and submitted to Council with respect to a property in Ulong Street.	02/04/2015: Draft report submitted to SMT. Report presented to Council 14 April.
24 Mar 2015	<b>CL05 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2015</b>	MGMPA	10622	15/075	<p>(a) Council nominate the Mayor (or nominee) and General Manager (or nominee) to attend the 2015 National General Assembly of Local Government from 14 - 17 June 2015.</p> <p>(b) Councillors proposing to submit draft Motion(s) for the National General Assembly of Local Government to forward these to the General Manager by Friday 27 March 2015. These draft motion(s) will be reported to the 14 April 2015 Ordinary Meeting of Council for consideration.</p>	<p>01/04/2015: PA to the General Manager and Mayor currently liaising with Mayor and General Manager in relation to their attendance (or delegate).</p> <p>Nominations for the NGA will be received by the General Manager and processed accordingly.</p> <p>07/04/15: No nominations for motions for the NGA were received.</p>
24 Mar 2015	<b>CL04 CRIME PREVENTION STRATEGY - DRAFT FOR CONSIDERATION</b>	CCD	10619	15/074	<p><b>RESOLVED</b> on the motion of Councillors Rossetto and Napoli that the draft Griffith Crime Prevention Strategy be placed on public exhibition for 40 days and Council actively seek community input before it is finalised by way of a further report to Council after the exhibition period.</p> <p>Councillor Cox suggested that Council staff would need to develop strategic</p>	31/03/2015: Public Exhibition commences 10 April (delayed due to Easter) and closes 20 May 2015.

# OUTSTANDING ACTION REPORT

## FOR THE ORDINARY MEETING OF COUNCIL 14 APRIL 2015

Council Meeting Date	Meeting Item	Action Officer	CRM No.	Minute No.	Council Resolution	Additional Information
					<p>partnerships to strengthen community stakeholder initiatives.</p> <p>Councillor Balind enquired whether funding was available from The Attorneys-General's Department to implement the Crime Prevention Plan. Mr Southorn took this and other questions on Notice and will investigate and report back to Councillors.</p>	
10 Mar 2015	<b>239 BANNA AVENUE, GRIFFITH - EXPRESSION OF INTEREST TO LEASE</b>	GM	9884	15/063	<p>RESOLVED on the motion of Councillors Balind and Thorpe that:</p> <p>(a) Council engage a local Real Estate agency to provide guidance on a rental return and conduct an Expression of Interest process to lease 239 Banna Avenue, Griffith, undertake inspections and prepare the lease agreements as required.</p> <p>(b) The term of the leases be up to three years.</p> <p>(c) That a further report be presented to Council with details of all Expressions of Interest received for Council's consideration.</p> <p>(d) Community input be sought as a first step in the creation of a Cultural Precinct Master Plan contained within the CBD Strategy.</p>	08/04/2015: Letters sent to all Griffith Real Estate Agencies on 12 March 2015 requesting EOI in undertaking the marketing to lease the premises.

# OUTSTANDING ACTION REPORT

## FOR THE ORDINARY MEETING OF COUNCIL 14 APRIL 2015

Council Meeting Date	Meeting Item	Action Officer	CRM No.	Minute No.	Council Resolution	Additional Information
10 Mar 2015	<b>FIT FOR THE FUTURE - LOCAL GOVERNMENT REFORM AGENDA</b>	GM	9879	15/056	<p>RESOLVED on the motion of Councillors Curran and Napoli that:</p> <p>(a) Griffith City Council support the engagement of an independent facilitator to conduct discussions between Councillors of Griffith City Council and Murrumbidgee Shire Council with a view to exploring opportunities/options for a merger of the two Councils in accordance with the NSW Government "Fit for the Future" reform process.</p> <p>(b) Should Murrumbidgee Shire Council adopt a resolution with similar intent to (a) above, that the General Manager be authorised to make necessary arrangements in consultation with the General Manager of Murrumbidgee Shire Council for the facilitation process to take place.</p>	<p>06/03/2015: Awaiting resolution from Murrumbidgee Shire Council prior to coordinating initial meeting.</p> <p>07/04/2015: Report will be submitted to Council 24 April 2015.</p>
24 Feb 2015	<b>GRIFFITH CITY COUNCIL ENTRY FOR THE CITRUS SCULPTURES</b>	GM	9290/2015		<p>Has worked commenced on a Griffith City Council structure for inclusion in the Citrus Sculptures? Mr Stonestreet advised that construction had not commenced as staff suggestions would be checked firstly for compliance with event management guidelines then reported to Council for decision.</p>	<p>09/03/2015: Communications Dept. promoting for staff to submit concept designs.</p> <p>06/03/2015: Submissions close on 10 April 2015.</p> <p>07/04/2015: On close entries will be submitted to Council for consideration.</p>

# OUTSTANDING ACTION REPORT

## FOR THE ORDINARY MEETING OF COUNCIL 14 APRIL 2015

Council Meeting Date	Meeting Item	Action Officer	CRM No.	Minute No.	Council Resolution	Additional Information
24 Feb 2015	<b>POSSIBLE FUTURE USE OF THE GRIFFITH TRANSIT CENTRE</b>	MTED	9287/2015	15/047	RESOLVED on the motion of Councillors Rossetto and Stead that Council noted the report.	09/03/2015: Discussions with NSW TrainLink not yet finalised.  07/04/2015: Should any significant interest be received from NSW TrainLink or other parties, this will be reported to Council.
9 Dec 2014	<b>TENDER 1-14/15 - PROPOSED NEW MECHANICAL WORKSHOP FOR GRIFFITH CITY COUNCIL, 32-34 JENSEN ROAD, GRIFFITH</b>	PPUD	7415	0439	RESOLVED on the motion of Councillors Curran and Stead that:  (a) Council resolve to reject all tenders submitted for Tender 1-14/15 - Proposed new Mechanical Workshop for Griffith City Council at 32-34 Jensen Road, Griffith, due to all tenders being significantly above the adopted budget for the project.  (b) Council resolve not to call fresh tenders for Tender 1-14/15 as a sufficient pool of tenderers with which to negotiate is available.  (c) Council resolve to authorise the General Manager to negotiate with Forlico Builders, being the preferred tenderer following evaluation, with a further report to be presented to Council within 60 days.	12/01/2015: Contact has been made with builders and engineers. Report back to Council by 10 February 2015.  16/02/2015: Council staff continue to work with structural engineer and lead contractor to quantify cost savings.  02/3/2015: Documentation of changes to scope of works has been finalised and is with the lead contractor for revised cost estimate.  16/03/2015: Further cost savings under investigation.  07/04/2015: Tender Workshop meeting to be held 08/04/2015. A report will be forwarded to Council after this.
25 Nov 2014	<b>COUNCILLOR QUESTION TIME –</b>	MES	7095		Consider Council meetings in villages for the next year as has been done in	05/12/2014: Report prepared for SMT for consideration - 8

# OUTSTANDING ACTION REPORT

## FOR THE ORDINARY MEETING OF COUNCIL 14 APRIL 2015

Council Meeting Date	Meeting Item	Action Officer	CRM No.	Minute No.	Council Resolution	Additional Information
	<b>COUNCIL MEETINGS IN VILLAGES</b>				the past. To be alternated. The Mayor advised this would be considered.	December 2014. To be workshopped 17 February 2015.  02/3/2015: Community Workshop to be held in Yoogali.  16/03/2015: Possibly hold first Councillor workshop in Yenda to coincide with Floodplain Risk Management & Study Plan consultation process.
11 Nov 2014	<b>QUESTION TIME – ODOUR EMISSIONS FROM THE GWRP</b>	DU	6854		Councillor Zappacosta asked the following question: "Why has our water reclamation plant been emitting odours lately?" The Mayor reported that a report was forthcoming from Director of Utilities, Mr Graham Gordon but advised that Council were aware of this and were working on strategies to resolve issue.	01/12/2014: Strategies to reduce odour being investigated including optimising the plant operation, biosolids being sent to lab for testing (18/11) to get EPA classification. Awaiting results of classification before determining further strategy. EPA contacted in relation to offsite disposal of biosolids. Awaiting further information.  19/01/2015: Still waiting on testing results. Will be reported to the meeting of Utilities Committee on 19 February.  02/03/2015: Meeting to be held 26 March 2015.  07/04/2015: Odour emissions information report noted by Committee.

# OUTSTANDING ACTION REPORT

## FOR THE ORDINARY MEETING OF COUNCIL 14 APRIL 2015

Council Meeting Date	Meeting Item	Action Officer	CRM No.	Minute No.	Council Resolution	Additional Information
14 Oct 2014	<b>BUSINESS ARISING - STATUS OF DEVELOPMENT COMPLIANCE, REAL JUICE COMPANY</b>	DSD	6323	0330	Council allow Real Juice three (3) months to comply with the DA conditions in relation to Waste Water Management and suspend further enforcement action against Real Juice with respect to non-compliance with conditions of consent in relation to their waste water management plan during this three (3) month period.	<p>3/11/2014: To be reviewed January 2015.</p> <p>19/01/2015: Waste water management plan submitted in December 2014. Staff comments returned to Real Juice in December. Awaiting company response.</p> <p>16/03/2015: Council still waiting for final Waste Management Plan from Real Juice.</p>
8 Apr 2014	<b>REVIEW OF SERVICES - GRIFFITH CITY COUNCIL</b>	GM	2438	0112	<p>(a) Council endorse in principle the 'Review of Council Readiness for Best Value Reviews' Report inclusive of recommendations contained therein, subject to any amendments as determined by Council</p> <p>(b) The General Manager prepare a report for Council's consideration in terms of an implementation plan for the various recommendations referred to in (a) above.</p> <p>(c) (i) Council undertake the Customer Focus Review across the entire organisation commencing in the current financial year (2013/14) and a variation be made to the budget through the March 2014 quarterly review process to undertake this</p>	<p>05/05/2014: Customer Focus Service review scheduled to commence prior to 30 June.</p> <p>General Manager's report regarding implementation of various recommendations to be prepared in conjunction with Customer Focus Review.</p> <p>30/06/2014: Report being presented to meeting of 8 July.</p> <p>14/07/2014: Implementation plan adopted by Council 8 July 2014.</p> <p>28/07/2014: Blackadder &amp; Associates on site to commence customer focus review 13 August.</p>

# OUTSTANDING ACTION REPORT

## FOR THE ORDINARY MEETING OF COUNCIL 14 APRIL 2015

Council Meeting Date	Meeting Item	Action Officer	CRM No.	Minute No.	Council Resolution	Additional Information
					<p>project.</p> <p>(ii) That Blackadder Associates be engaged to assist with this review using Best Value Review Methodology.</p> <p>(d) Council undertake the Roads Design, Construction, Maintenance and Associated Services Best Value Review during the 2014/15 financial year and that provision be made in Council's draft 2014/15 budget (Operational Plan) for this purpose.</p> <p>(e) As a matter of Policy, Council undertake the Customer Focus Review and Roads - Design, Construction, Maintenance and Associated Services Review with the objective of achieving best practice. These two reviews will not result in outsourcing of these services provided performance is better or comparable to DLG benchmarks.</p>	<p>14/08/2014: Customer focus review commenced.</p> <p>01/09/2014: Report to Council by February 2015.</p> <p>19/01/2015: Report regarding Customer Focus Review being prepared for 24 February 2015 Council meeting. Some improvements have already been commenced.</p> <p>Expression of Interest for roads design, construction and maintenance has been called. Review to commence March/April following Customer Focus Review.</p> <p>16/03/2015: Reviewer has been appointed.</p> <p>07/04/2015: Council Information Desk will be held monthly (Griffith Central Plaza) commencing Friday 8/05/2015.</p> <p>Community Budget Forum tentative date is Wednesday 13/05/2015.</p> <p>Roads Review – Consultant's first visit to GCC is week commencing Monday 13 April.</p>