



# ORDINARY MEETING OF COUNCIL

## Agenda

Tuesday, 23 September 2014 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	Vacant	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	Ben Lang	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

## **PUBLIC QUESTION TIME**

Public Question time is to be conducted according to the guidelines set out in Griffith City Council's Code of Meeting Practice:

### **34. Question time – members of public**

- 34.1 Time is to be set aside at Ordinary Meetings of Council during which members of the public may ask questions of the Council via the chair. Any person in attendance may ask one (1) question only (with any additional questions to be at the discretion of the chair) and speak on it for a MAXIMUM of two (2) minutes.
- 34.2 Council shall provide a question time at each Council meeting, during which members of the public may ask questions of the Council. Written notice of the question is to be given during the meeting in the period prior to question time.
- 34.3 Each person may ask one question following which he or she may speak to it for a maximum period of two minutes.
- 34.4 Questions are to be directed to the Chairman who may choose to:
- (a) answer the question;
  - (b) refer it to another Councillor or senior staff member to answer; or
  - (c) arrange for the question to be researched and the answer supplied at a later date.
- 34.5 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.
- 34.6 No resolutions are to be put at the meeting as a result of the questions raised, answers to be provided at the following meeting unless the matter raised comes under the consideration of Clause 241(3) of the Regulation, if:
- (i) A motion is passed to have the matter brought before the meeting; and
  - (ii) The matter is ruled by the chairperson to be of great urgency.
- 34.7 Question time is to be reserved as an opportunity for members of the public to ask genuine questions of Council. It is not to be a forum for making statements or expressing points of view.
- 34.8 Any person making use of question time is required to observe the same standards required of a Councillor. Specifically he or she must:
- (a) obey the directions of the Chairman;
  - (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; and
  - (d) not raise a question having the same effect (albeit differently worded) within a period of three months following the time the original question was answered.

## **COUNCILLOR QUESTION TIME**

Councillor question time will follow public question time. Councillors must adhere to the guidelines set out in Griffith City Council's Code of Meeting Practice as follows:

### **33. Questions may be put to Councillors and Council employees (Councillors Question Time)**

- 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 To assist with the recording of minutes, a councillor will put the question in writing prior to putting the question.
- 33.7 Councillors may ask one (1) question only (with any additional questions to be at the discretion of the chair).
- 33.8 Where possible, the terms of a question to be put to a council employee should be conveyed to the employee prior to the meeting.
- 33.9 No resolutions are to be put at the meeting as a result of the questions raised, answers to be provided at the following meeting unless the matter raised comes under the consideration of Clause 241(3) of the Regulation, that is if:
- (i) A motion is passed to have the matter brought before the meeting; and
  - (ii) The matter is ruled by the chairperson to be of great urgency.



**ORDINARY MEETING OF GRIFFITH CITY COUNCIL  
TO BE HELD IN THE COUNCIL CHAMBERS, GRIFFITH ON  
23 SEPTEMBER 2014 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, 23 SEPTEMBER 2014**.

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 | p 18 | Election of Deputy Mayor - 2014  |
| CL02 | p 22 | Licence Agreement for Car Parking Spaces Adjoining 120 Wakaden Street, Griffith with Brian and Pamela Young                                |
| CL03 | p 35 | Licence Agreement for Car Parking Adjoining 124-126 Wakaden Street, Griffith with Proprietors of Strata Plan 79997, Brian and Pamela Young |
| CL04 | p 40 | Storage of Horse Drawn Vehicles - Todd Bequest - Griffith Post School Options Inc. Shed - Yoogali  |
| CL05 | p 48 | Planning Proposal - Amendment No. 1 - Griffith Local Environmental Plan 2014   |

CL06 p 70 Review of Public Submissions Griffith Local Environmental Plan 2014

CL07 p 74 Adoption of Policy CS-CP-404 On-Site Detention

CL08 p 88 Proposed Council Meetings and Workshop Dates 2015

9 Information Reports

CL09 p 96 Pecuniary Interest Returns 2013/14

CL10 p 99 Fairfield City Council - Cabramatta Moon Festival

CL11 p 101 Status of Development Compliance, Real Juice Company

10 Adoption of Committee Minutes

p 104 Minutes of the Communities Committee Meeting held on 19 August 2014

p 108 Minutes of the Griffith Community Private Hospital Committee Meeting held on 26 August 2014

p 110 Minutes of the Festival of Gardens Committee Meeting held on 4 September 2014

p 113 Minutes of the Transport Committee Meeting held on 8 September 2014

p 118 Minutes of the Traffic Committee Meeting held on 9 September 2014

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 p 137 Adoption of Revised Motor Vehicle Policies  
- Personnel Matters 10A(2)(a)

Yours faithfully

**Brett Stonestreet**  
**GENERAL MANAGER**



**MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS, GRIFFITH ON 9 SEPTEMBER 2014 COMMENCING AT 7.00 PM**

**PRESENT**

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

**STAFF PRESENT**

General Manager, Brett Stonestreet; Director Sustainable Development, Neil Southorn; Director Utilities, Graham Gordon; Director Business, Cultural & Financial Services, Max Turner; Manager Executive Services, Shireen Donaldson; Works Manager Maintenance, Manjit Chugha and Minute Secretary, Jennifer O'Donnell-Priest.

**MEDIA**

Jack Morphett, The Area News.

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

**PROCEDURAL MATTERS**

**APOLOGIES**

0282

**RESOLVED** on the motion of Councillors Curran and Thorpe that apologies be received from Councillor Cox and leave of absence be granted.

**CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD 26 AUGUST 2014**

0283

**RESOLVED** on the motion of Councillors Thorpe and Napoli that the minutes of the Ordinary Meeting of Council held in the Council Chambers, Griffith on 26 August 2014, having first been circulated amongst all members of Council, be confirmed.

**BUSINESS ARISING FROM THE ORDINARY MEETING OF COUNCIL HELD 26 AUGUST 2014**

**CL05 Invitation to attend Fairfield City Council's 'Cabramatta Moon Festival'**

Councillor Lancaster enquired whether a report would be forthcoming from Council

representatives that attended Fairfield City Council's Cabramatta Moon Festival. The Mayor confirmed that a report will be presented.

### **General Business - Property Acquisition Proposal**

Councillor Balind requested that an update be given on the Property Acquisition Proposal in Closed Council.

### **Minutes of the Transport Meeting held on 11 August 2014**

Councillor Balind enquired on progress of the Banna Ave Restricted Parking. Councillor Curran advised that the matter had been discussed in the Traffic Committee meeting held today and those Minutes would be forthcoming. Timed parking restrictions have been recommended.

### **Councillor Question Time - Griffith Sheds and Garages letter**

Councillor Stead requested an update on this matter. Mr Stonestreet advised that a letter of acknowledgement had been sent to the plaintiff. The matter has been investigated with a response pending.

### **Public Question Time - Simpson Lane**

Councillor Balind enquired whether a response had been forwarded to Mr Brighenti regarding Simpson Lane. In the absence of Mr Bibby, the question was taken on notice. Councillor Balind asked that Councillors be included a copy of written responses given in regards to matters raised in Public Question Time.

### **Outstanding Action Report - Murray Darling Association**

Councillor Rossetto enquired as to who would represent Council at the Murray Darling Conference. The Mayor advised that he and the General Manager had received an invitation and would determine whether or not they would be attending the Tumut conference.

## **DECLARATIONS OF INTEREST**

The following Councillors declared Conflicts of Interest:

### **Pecuniary Interests**

*Councillors making a pecuniary declaration are required to leave the meeting during consideration of the matter and not return until the matter is resolved.*

Councillor Anne Napoli  
Minutes of the Cultural Facilities Committee Meeting  
Reason: A member of Councillor Napoli's family is employed at the Griffith Regional Aquatic Leisure Centre

Councillor Alison Balind  
MM01 - Nomination for Board Director Murrumbidgee Medicare Local  
Reason: Councillor Balind is currently contracted to Murrumbidgee Medicare Local

Councillor Dino Zappacosta

Minutes of the Traffic Committee Meeting 12 August - CL09 Action Report - TASAC Signage

Reason: Councillor Zappacosta's winery business is mentioned in the report.

### **Significant Non-Pecuniary Interests**

*Councillors making a significant non-pecuniary declaration are required to leave the meeting during consideration of the matter and not return until the matter is resolved.*

Councillor Paul Rossetto

CL02 - Licence Agreement with Griffith Community FM Association Inc Part Lot 7303 DP1153581

Reason: Councillor Rossetto's wife is a committee member of FM Community Radio.

### **Less than Significant Non-Pecuniary Interests**

*Councillors making a less than significant non-pecuniary declaration may stay in the Chamber, participate in the debate and vote.*

Councillor Alison Balind

Item: Minutes of the Traffic Committee Meeting August 12, 2014

Reason: Husband is employed as the Road Safety Officer with Griffith City Council and in relation to CL05 of the minutes, Councillor Balind is a member of the St Patrick's School Council. No action required as (1) the Road Safety Officer's involvement in the Traffic Committee is for information and action purposes and (2) Clause 5 is a school operational matter without School Council determination.

Councillor Alison Balind

Item: CL01 - Leasing of Council House 25 Wayeela Street, Griffith

Reason: Until recently Councillor Balind was employed on contract supporting students from the University of Wollongong's Graduate School of Medicine. No action required as Councillor Balind is no longer involved in this program and there would be no appreciable financial loss or gain.

## **MAYORAL MINUTES**

### **MM01 NOMINATION FOR BOARD DIRECTOR MURRUMBIDGEE MEDICARE LOCAL**

*Having Declared a Conflict of Interest, Councillor Balind vacated the Chamber, the time being 7.10 pm.*

0284

**RESOLVED** on the motion of Councillors Zappacosta and Stead that Griffith City Council endorse a nomination from Councillor Napoli for election as a Director of Murrumbidgee Medicare Local Ltd.

*Councillor Balind returned to the Chamber, the time being 7.11 pm.*

**GENERAL MANAGER'S REPORT**

**CL01 LEASING OF COUNCIL HOUSE 25 WAYEELA STREET, GRIFFITH**  
(CPO)

0285

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

- (a) Council seek expression of interest for the leasing of 25 Wayeela Street, Griffith from health service providers.
- (b) The General Manager be authorised to accept expressions of interest and negotiate on behalf of Council for the leasing of 25 Wayeela Street, Griffith.

**CL02 LICENCE AGREEMENT WITH GRIFFITH COMMUNITY FM**  
**ASSOCIATION INC - PART LOT 7303 DP 1153581**  
(CPO)

*Having declared a Conflict of Interest, Councillor Rossetto left the chamber, the time being 7.19 pm.*

0286

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

- (a) Council approve the renewal of the licence agreement for that part of Lot 7303 DP 1153581, Jubilee Oval clubhouse, with Griffith Community FM Association Incorporated for a further term of 10 years commencing 1 July 2014.
- (b) The licence agreement continue as follows:
  - i. Peppercorn rental of \$1 per annum be charged for the occupation of the clubhouse.
  - ii. Rates, water, electricity charges, general repairs and maintenance and all costs associated with the occupation of the clubhouse to be the responsibility of and payable by the Griffith Community FM Association Incorporated.
  - iii. Any major capital works to the clubhouse and surrounds to be approved by Council and payable by Griffith Community FM Association Incorporated.
- (c) That the licensee be required to pay all applicable costs and charges associated with the preparation of the licence agreement together with Council's Administration Fee of \$370.
- (d) Council delegate authority to the Mayor and General Manager to execute the licence agreement on behalf of Council under the Common Seal.

*Councillor Rossetto returned to the Chamber, the time being 7.20 pm*

**CL03 LICENCE AGREEMENT OVER AREA 13 DALTON PARK - GINO D'ALTORIO**  
(CPO)

0287

**RESOLVED** on the motion of Councillors Napoli and Neville that:

- (a) Council enter into a Licence Agreement with Gino D'Altorio for Area 13 Dalton Park for a period of 10 years commencing 1 January 2015 to 31 December 2025.
- (b) The applicant is required to pay all applicable charges and costs associated with the preparation of the Licence Agreement together with Council's Administration Fee of \$370.
- (c) The annual licence fee for Area 13 be charged in accordance with Council's adopted Revenue Policy (currently 2014/15, \$554 Inc. GST per annum) plus Council rates and charges.
- (d) Council authorise the Mayor and General Manager to execute the Licence Agreement on behalf of Council under the Common Seal in relation to this matter.

**CL04 REPEAL OF CARBON TAX - CARBON AND LOAN FEE 2014/2015**  
(RTL)

Councillors Thorpe and Balind **MOVED** the following **MOTION** that:

- (a) Council resolve to credit the Domestic Waste Carbon Liability Levy of \$7.00 per eligible assessment as levied for the 2014/15 financial year to the affected ratepayers, with such credit to be reflected on the 2nd rates instalment notice to be forwarded in October 2014 and payable at 30 November 2014.
- (b) Council resolve to retain the funds received from the Domestic Waste Carbon Liability Levy for the 2013/14 financial year until the potential Carbon Tax liabilities in that and any subsequent years is verified with the Federal Government.
- (c) Once the issues detailed at (b) above are known and clarified, a further report be prepared for Council to make a recommendation on the preferred action in relation to any surplus funds that may arise.

Councillor Rossetto **MOVED** the following **AMENDMENT**:

- (a) Council resolve to credit the Domestic Waste Carbon Liability Levy of \$7.00 per eligible assessment as levied for the 2014/15 financial year to the affected ratepayers, with such credit to be reflected on the 2nd rates instalment notice to be forwarded in October 2014 and payable at 30 November 2014.

The **AMENDMENT** lapsed due to the lack of a seconder.

0288

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

- (a) Council resolve to credit the Domestic Waste Carbon Liability Levy of \$7.00 per eligible assessment as levied for the 2014/15 financial year to the affected ratepayers, with such credit to be reflected on the 2nd rates instalment notice to be forwarded in October 2014 and payable at 30 November 2014.
- (b) Council resolve to retain the funds received from the Domestic Waste Carbon Liability Levy for the 2013/14 financial year until the potential Carbon Tax liabilities in that and any subsequent years is verified with the Federal Government.
- (c) Once the issues detailed at (b) above are known and clarified, a further report be prepared for Council to make a recommendation on the preferred action in relation to any surplus funds that may arise.

**CL05 ADOPTION OF COUNCILLOR PAYMENT OF EXPENSES AND PROVISION OF FACILITIES POLICY**

(MES)

Councillors Thorpe and Croce **MOVED** the following **MOTION** that:

- (a) Council place the draft Councillors Payment of Expenses and Provision of Facilities policy (GC-CP-407) on public display for 28 days.
- (b) If any submissions are received a further report be prepared for Council. If no submissions are received the draft policy be considered as formally adopted by Council.

Councillors Lancaster and Rossetto **MOVED** the following **AMENDMENT** that:

- (a) Council place the draft Councillors Payment of Expenses and Provision of Facilities Policy (GC-CP-407) on public display for 28 days with the deletion of the wording "and other authorised events within (a) and (b)of 2.14.2 Allowable Expenses ".
- (b) If any submissions are received a further report be prepared for Council. If no submissions are received the draft policy be considered as formally adopted by Council.

The **AMENDMENT** was **PUT** and **LOST**.

0289

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

- (a) Council place the draft Councillors Payment of Expenses and Provision of Facilities policy (GC-CP-407) on public display for 28 days.
- (b) If any submissions are received a further report be prepared for Council. If no submissions are received the draft policy be considered as formally adopted by Council.

**CL06 MEMORANDUM OF UNDERSTANDING - CHARLES STURT UNIVERSITY, TAFE NSW RIVERINA INSTITUTE AND GRIFFITH CITY COUNCIL**  
(DSD)

0290

**RESOLVED** on the motion of Councillors Balind and Thorpe that Council note and authorise the Mayor to sign the proposed Memorandum of Understanding between Charles Sturt University, NSW TAFE Riverina Institute and Griffith City Council.

**CL07 LOCALITY BOUNDARY ADJUSTMENT - THARBOGANG/LAKE WYANGAN**  
(DIO)

0291

**RESOLVED** on the motion of Councillors Curran and Neville that Council endorse the boundary adjustment as outlined, proceed with a formal advertising period of 28 days and seek final approval from the Geographical Names Board.

**MINUTES FROM COMMITTEES**

**MINUTES OF THE ENVIRONMENT AND SUSTAINABILITY COMMITTEE MEETING HELD ON 12 AUGUST 2014**

0292

**RESOLVED** on the motion of Councillors Lancaster and Thorpe that the minutes of the Environment and Sustainability Committee meeting held on 12 August 2014, having first been circulated amongst members, be adopted.

Councillor Rossetto enquired whether the Environment and Sustainability Committee was the focal Committee regarding environmental issues at Lake Wyangan. On confirmation, Councillor Rossetto advised that he would be sending information regarding Blue Green Algae mitigation to this Committee.

Councillor Balind requested Griffith City Council support NSW Government 2014 Garage Sale Trail spoken to in CL11 of the meeting.

0293

**RESOLVED** on the motion of Councillor Balind and Lancaster that Council support the NSW Government 2014 Garage Sale and assist in managing proposed activities.

**MINUTES OF THE TRAFFIC COMMITTEE MEETING ON 12 AUGUST 2014**

*Councillor Zappacosta having declared a Conflict of Interest vacated the chamber, the time being 7.56 pm.*

0294

**RESOLVED** on the motion of Councillors Curran and Napoli that the minutes of the Traffic Committee meeting held on 12 August 2014, having first been circulated amongst members, be adopted.

0295

**RESOLVED** on the motion of Councillors Croce and Stead that the TASAC signage be referred back to the Traffic Committee for reconsideration.

*Councillor Zappacosta returned to the chamber, the time being 8.00 pm*

**MINUTES OF THE CULTURAL FACILITIES COMMITTEE MEETING HELD ON 18 AUGUST 2014**

*Councillor Napoli having declared a Conflict of Interest vacated the Chamber, the time being 8.00 pm.*

0296

**RESOLVED** on the motion of Councillors Neville and Curran that the minutes of the Cultural Facilities Committee meeting held on 18 August 2014, having first been circulated amongst members, be adopted.

*Councillor Napoli returned to the chamber, the time being 8.01 pm*

**MINUTES OF THE PIONEER PARK MUSEUM COMMITTEE MEETING HELD ON 26 AUGUST 2014**

0297

**RESOLVED** on the motion of Councillors Stead and Balind that the minutes of the Pioneer Park Museum Committee meeting held on 12 August 2014, having first been circulated amongst members, be adopted.

Councillor Balind commended Pioneer Park staff, Governance staff and volunteers who organised and participated in the Local Government Week Schools Mini Action Day.

It was noted that the Manager of Pioneer Park Museum had resigned and the position would be reviewed as per Council protocol.

**MINUTES OF THE MECHANICAL SERVICES WORKSHOP & DEPOT UPGRADE WORKING GROUP MEETING HELD ON 3 SEPTEMBER 2014**

0298

**RESOLVED** on the motion of Councillors Rossetto and Thorpe that the minutes of the Mechanical Services Workshop & Depot Upgrade Working Group meeting held on 3 September 2014, having first been circulated amongst members, be adopted.

**QUESTION TIME**

**PUBLIC QUESTION TIME**

There were no questions from the public.

### **COUNCILLOR QUESTION TIME**

**The following question was received from Councillor Thorpe:**

"With the significant deterioration of foot path pavers, substantially in various areas on the northern side of Banna Avenue, to the point of being quite hazardous, can we use our footpath maintenance fund (or other suggested finance sources) to commence replacing the worst areas with (say) printed concrete?"

We do not really have an option to forget or dismiss this footpath maintenance work. In many places the pavers are not working and our residents and visitors have a right to expect a problem free footpath in the main street of Griffith! Thank you."

Mr Stonestreet took the question on notice to consider the issue and advised that a report will come back to Council.

*Councillor Neville vacated and returned to the Chamber the time being 8.08 pm.*

**The following question was received from Councillor Balind:**

Councillor Balind submitted a question regarding Property Acquisition Proposal - to be discussed in Closed Council the reason being that the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).

**Councillor Rossetto made the following comment:**

"I would like to commend Council staff on improved and timely work being done leading up to the Festival of Gardens".

### **OUTSTANDING ACTION REPORT**

Request for update on 0249 - Yenda Scout Hall. Mr Southorn advised that the EOI had not closed.

Item 0240, 0234 and other policy matters to be removed.

0299

**RESOLVED** on the motion of Councillors Neville and Croce that Council note the Outstanding Action Report.

### **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.

0300

**RESOLVED** on the motion of Councillors Balind and Rossetto 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 8.13 pm. The public and media left the chamber.

#### **COUNCILLOR QUESTION TIME**

Councillor Balind submitted a question regarding Property Acquisition Proposal - to be discussed in Closed Council the reason being that the matter concerned information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).

#### **REVERSION TO OPEN COUNCIL**

0301

**RESOLVED** on the motion of Councillors Croce and Rossetto that open Council be resumed. Open Council resumed at 8.20 pm.

#### **MATTERS DEALT WITH IN CLOSED COUNCIL**

Upon resuming open Council the General Manager reported that discussion was held regarding a parcel of property in Griffith with no resolution being made.

There being no further business the meeting terminated at 8.20 pm.

Confirmed: .....  
CHAIRPERSON

□

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

**CL01**

**SUBJECT: ELECTION OF DEPUTY MAYOR - 2014**  
**FROM: Shireen Donaldson, Manager Executive Services**

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## **SUMMARY**

At the Ordinary Meeting of Council held 24 September 2013, Council resolved to elect a Deputy Mayor for a period of 12 months in accordance with Section 231 of the Local Government Act 1993.

Under Section 231(2) the Deputy Mayor can be elected for either the same term as the Mayor (two years remaining) or a shorter term.

## **RECOMMENDATION**

- (a) Council resolve to elect the Deputy Mayor for a period of 12 months.**
- (b) In the event that more than one nomination is received, Council determine the format of the election for the office of Deputy Mayor, either by**
  - Ordinary Ballot (as per previous elections held),**
  - Open Voting - show of hands or**
  - Preferential Ballot**
- (c) The General Manager conduct the election for Deputy Mayor.**

## **BACKGROUND**

Councillors may elect a person from among their number to be the Deputy Mayor. Under Section 231(2) of the Local Government Act 1993. The person may be elected for the mayoral term, or a shorter term determined by the Council. The Deputy Mayor may exercise the functions of the Mayor if the Mayor is prevented by illness, absence or otherwise from exercising the function.

Under Local Government (General) Regulation 2005 - Regulation 394 - the election is to be carried out in accordance with Schedule 7 of the General Regulation, with the Returning Officer to be the General Manager. The nomination for election as Deputy Mayor is to be made in writing by two or more Councillors and the nominee must indicate consent to the nomination in writing. If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by ordinary ballot, by open voting or by preferential ballot.

## **Nomination Forms**

Nomination forms have been distributed to Councillors. A blank nomination form has also been enclosed separately with this business paper. Nominations must be handed to the General Manager (returning officer) prior to the commencement of the Ordinary Meeting of Council, 23 September 2014 at 7.00 pm.

## **OPTIONS**

(a) Council can resolve not to appoint a Deputy Mayor. In the event of any absence of the Mayor the Councillors would need to elect a Deputy Mayor at that time of the absence in accordance with Section 231 of the Local Government Act 1993.

(b) Council can determine the term of the appointment of the Deputy Mayor.

## **STATUTORY IMPLICATIONS**

### **a) Policy Implications**

Not Applicable

### **b) Financial Implications**

Not Applicable

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

LOCAL GOVERNMENT ACT 1993 - SECT 231

Deputy Mayor

231 Deputy Mayor

(1) The councillors may elect a person from among their number to be the deputy mayor.

(2) The person may be elected for the mayoral term or a shorter term.

(3) The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.

(4) The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.

(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**

Growing Griffith 2030: C5 - To provide a governance role in the continuous development of the City of Griffith.

**ATTACHMENTS**

(a) Deputy Mayor Nomination Form

(a) Deputy Mayor Nomination Form



**NOMINATION FOR POSITION OF DEPUTY  
MAYOR**

We hereby nominate Councillor \_\_\_\_\_ for the position of Deputy Mayor of Griffith City Council for the period September 2014 – September 2015.

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor



I hereby consent to my nomination for the position of Deputy Mayor of Griffith City Council for the period September 2014 – September 2015.

\_\_\_\_\_  
Councillor

## GRIFFITH CITY COUNCIL REPORT

**CL02**

**SUBJECT: LICENCE AGREEMENT FOR CAR PARKING SPACES ADJOINING 120 WAKADEN STREET, GRIFFITH WITH BRIAN AND PAMELA YOUNG**  
**FROM: Daphne Bruce, Corporate Property Officer**

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### SUMMARY

The Ordinary Meeting of Council of 10 December 2013 approved to enter into a licence agreement with Brian and Pamela Young for occupation of Council's road reserve for 28 car park spaces required for the existing development at 120 Wakaden Street, Griffith (the relevant report to Council is at Attachment A).

A fire at the site resulted in Development Application No. 16/2014(1) for 'Partial Demolition of an Existing Building, Relocation of Cool Rooms/Freezers, Internal Refurbishment of an Existing Fire Damaged Building and Fit Out for Use for Wholesale Food Distribution, a Shop and Refreshment Room' being lodged and approved.

This resulted in a reduction in car parking required within Council's road reserve to 16 fronting Blumer Avenue. A previous development application for the same site, DA40/2011(1) 'Change of Use of the Premises as a Graphic Design and Print Shop & Signage', required 7 car park spaces to be located on Council's road reserve in Wakaden Street to service this part of the development.

This report is recommending that Council rescind part of Minute No. 0400 of the Ordinary Meeting of 10 December 2013 and that Council enter into a licence agreement with Brian and Pamela Young for a total of 23 car park spaces.

### RECOMMENDATION

**(a) Council rescind the following sections of Minute No. 0400 from the Ordinary Meeting of Council of 10 December 2013:**

**Minute No. 0400 part (a) Council approve to enter into a licence agreement over the road reserve adjacent to 120 Wakaden Street, Griffith Lot 1 DP 847205, for 28 car parking spaces.**

**Minute No. 0400 part (b) The term of the licence agreement be ten years (1 January 2014 - 31 December 2024) with one further option of ten years (1 January 2025 - 31 December 2035).**

**Minute No. 0400 part (c) Brian James Young and Pamela Anne Young be required to pay all applicable costs and charges associated with the preparation of the licence agreement together with Council's Administration Fee of \$359.**

**Minute No. 0400 part (d) Annual licence fees be charged as per Council's Revenue Policy, currently \$47 per car space plus rates and charges for 2013/14.**

**(b) Council enter into a licence agreement over the road reserves adjacent to**

**120 Wakaden Street, Griffith Lot 1 DP 847205, for 23 car parking spaces.**

**(c) The term of the licence agreement be ten years (1 October 2014 - 30 September 2024) with one further option of ten years (1 October 2024 - 30 September 2034).**

**(d) Brian James Young and Pamela Anne Young be required to pay all applicable costs and charges associated with the preparation of the licence agreement together with Council's Administration Fee of \$370.**

**(e) Annual licence fees be charged as per Council's adopted Revenue Policy, currently \$48 per car space plus rates and charges for 2014/15.**

### **BACKGROUND**

A report to Council meeting of 10 December 2013 (Attachment A) resulted in Council resolving to enter into a licence agreement with Brian and Pamela Young, the new owners of 120 Wakaden Street, Griffith for 28 car park spaces that were located on Council's road reserve.

A fire in part of the building resulted in the lodgement of Development Application 16/2014(1) and a review of the required number of car parking spaces to service that part of the development, resulting in 16 car park spaces to be located on Council's road reserve in Blumer Avenue. Development application 40/2011(1) for an existing graphic design and print shop requires 7 car park spaces which are located in the Wakaden Street road reserve.

The calculation of the number of parking spaces within the site was based on the previous licence agreement and parking configuration for Owen Toyota, which occupied the site prior to Ferraro Foods. Owen Toyota previously leased a total of 28 parking spaces built in accordance with the Australian Standards for parking at the time. Since then, the standards have changed and based on the development consent conditions of recent Development Applications the amount of parking spaces within the licensed area has been amended. Under DA 40/2011, for the use of the northern most tenancy as a printing establishment (Dobija), 7 parking spaces were required to be provided in accordance with Council and Australian Standards. The larger size of parking spaces under the current Standard and the addition of an accessible space reduced the number of spaces in the northern portion of the licensed area from 9 to 7. Similarly, under DA 16/2014 for the use of the remainder of the site for a supermarket and wholesale establishment, an accessible space was required at the western extent of the licensed area which reduced the amount of spaces in this area from 17 to 16 to meet the required Standard. Further, the two parking spaces adjacent to the north-western access to the site were required to be removed as a condition of consent of DA 16/2014 as they did not meet Council's standards (Development Control Plan 20 - Off Street Parking (2011)). Therefore, the amount of parking spaces within the licensed area has decreased over the years due to more stringent standards from 28 to 23. The approved development allows for 5 parking on site that was not previously provided, compensating for the reduction in parking spaces in the road reserve. Attachments B and C illustrate the proposed parking arrangements.

It is now desirable that Council enter into a licence agreement with Brian and Pamela Young for 23 car park spaces. Attachment D is their letter of request.

Rescission of part Minute No. 0400 of the Council meeting of 10 December 2013 is required.

## **OPTIONS**

(a) The above option is the preferred option to meet the conditions of the development consent for occupation of the site.

(b) Council may determine not to approve of entering into a licence agreement with Brian and Pamela Young and determine an alternative arrangement but this would not meet the conditions of their development approvals.

## **STATUTORY IMPLICATIONS**

### **a) Policy Implications**

Not Applicable

### **b) Financial Implications**

The current fees for on-street parking, as per the adopted Revenue Policy for 2014/15 is \$48 per space plus Council rates and charges.

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

Not Applicable

### **d) Environmental Implications**

The development approvals process examines any environmental implications at the time of application.

### **e) Community Implications**

The community would expect Council to return an acceptable income from their assets and to assist business where possible to provide services to the community.

## **CONSULTATION**

Senior Management Team

## **STRATEGIC LINKS**

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

Not Applicable

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

Growing Griffith 2030 - Community Strategic Plan  
D1 - Develop Griffith as a centre of choice for trade, business, health, recreation and employment.

Council's Delivery Program 2013-2017  
D2.5 - Promote opportunities for small businesses to establish in our community.

## **ATTACHMENTS**

- (a) Council report of 10 December 2013
- (b) Plan of the car park area Blumer Avenue
- (c) Plan of the car park area Wakaden Street
- (d) Letter from Brian and Pamela Young

(a) Council report of 10 December 2013

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

**CL02**

**SUBJECT: LICENCE AGREEMENT WITH BRIAN & PAM YOUNG FOR CAR  
PARKING SPACES ADJOINING 120 WAKADEN STREET, GRIFFITH**

**FROM:** Daphne Bruce, Corporate Property Officer

**SUMMARY**

Brian and Pamela Young have purchased 120 Wakaden Street, Griffith. Council held a licence agreement with the previous owners GDSR Management Pty Ltd for 28 car parking spaces on the road reserve with the property coming under the control of National Australia Bank and subsequently sold to B & P Young.

The original licence has been terminated by letter to GDSR Management Pty Ltd as in default of the original licence agreement.

It is now desirous to enter into a licence agreement with Pam and Brian Young for the road reserve.

**RECOMMENDATION**

(a) Council approve to enter into a licence agreement over the road reserve adjacent to 120 Wakaden Street, Griffith Lot 1 DP 847205, for 28 car parking spaces.

(b) The term of the licence agreement be ten years (1 January 2014 - 31 December 2024) with one further option of ten years (1 January 2025 - 31 December 2035).

(c) Brian James Young and Pamela Anne Young be required to pay all applicable costs and charges associated with the preparation of the licence agreement together with Council's Administration Fee of \$359.

(d) Annual licence fees be charged as per Council's Revenue Policy, currently \$47 per car space plus rates and charges for 2013/2014.

(e) Council authorise the Mayor and General Manager to execute all documents relating to the licence agreement on behalf of Council under the common seal.

**BACKGROUND**

A licence agreement was in place with GDSR Management Pty Ltd for 28 car park spaces adjoining their property at 120 Wakaden Street, Griffith. The term was 10 years with an option of 10 years commencing 1 May 2009. The property was subsequently taken under the control of the National Australia Bank and sold at auction to Brian and Pam Young.

**(a) Council report of 10 December 2013**

*Delay in finalising an arrangement with the new owners was beyond both parties control and it is now desirous of Brian and Pam Young to enter into a licence agreement with Council for use of the 28 car parking spaces.*

*The previous licence agreement with GDSR Management Pty Ltd was terminated in writing as per Clause 8(c) Default - the Licensee parts with possession of the Car Spaces for any reason, then and in any of such event the Council will be entitled by written notice to the Licensee to immediately determine the Licence.*

**OPTIONS**

*(a) The above option is the preferred option as Brian and Pam Young have purchased 120 Wakaden Street and the car parking spaces are a requirement of the original development approval for the property.*

*(b) Council may determine not to enter into a licence agreement with Brian and Pam Young and consider an alternative option.*

**STATUTORY IMPLICATIONS**

**a) Policy Implications**

*Not Applicable*

**b) Financial Implications**

*The current fees for on-street parking, as per the Revenue Policy for 2013/14, is \$47 per space plus rates. Council would receive an income of \$1316 for 2014 together with rates.*

**c) Legal/Statutory Implications**

*(d) Environmental Implications*

*Conditions were imposed with the original Development approval and the car parking spaces upgraded to meet Council's requirements.*

*(e) Community Implications*

*The community would expect Council to return an acceptable income from their assets and to assist business where possible to provide services to the community.*

**CONSULTATION**

*Senior Management Team*

**STRATEGIC LINKS**

**a) Growth Strategy Plan**

**(a) Council report of 10 December 2013**

*Not Applicable*

**b) Corporate/Business Plan**

*Growing Griffith 2030 - Community Strategic Plan*

*D1 - Develop Griffith as a centre of choice for trade, business, health, recreation and employment.*

*Council's Delivery Program 2013 - 2017*

*D2.5 - Promote opportunities for small businesses to establish in our community.*

**ATTACHMENTS**

*(a) Plan of car parking area*

*(b) Email from Brian Young*



**(a) Council report of 10 December 2013**

**(b) Email from Brian Young**

Page 1 of 1



Re: 120 Wakaden Street  
pambria@gmail.com  
to:  
daphne.bruce@griffith.nsw.gov.au  
01/08/2013 10:53 AM  
Hide Details  
From: "pambria@gmail.com" <pambria@gmail.com>  
To: "daphne.bruce@griffith.nsw.gov.au" <Daphne.Bruce@griffith.nsw.gov.au>,

History: This message has been replied to.

Hi Daphne our main computer is down so am using phone 120 wakaden st is owned by bi and pa young po box 566 Griffith regards bran

Sent from my HTC One XL on the Telstra 4G network

----- Reply message -----

From: Daphne.Bruce@griffith.nsw.gov.au  
To: <pambria@gmail.com>  
Subject: 120 Wakaden Street  
Date: Wed, Jul 31, 2013 10:30 AM

Hi Brian

**(a) Council report of 10 December 2013**

**DRAFT RESOLUTION**

0400

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

(a) Council approve to enter into a licence agreement over the road reserve adjacent to 120 Wakaden Street, Griffith Lot 1 DP 847205, for 28 car parking spaces.

(b) The term of the licence agreement be ten years (1 January 2014 - 31 December 2024) with one further option of ten years (1 January 2025 - 31 December 2035).

(c) Brian James Young and Pamela Anne Young be required to pay all applicable costs and charges associated with the preparation of the licence agreement together with Council's Administration Fee of \$359.

(d) Annual licence fees be charged as per Council's Revenue Policy, currently \$47 per car space plus rates and charges for 2013/2014.

(e) Council authorise the Mayor and General Manager to execute all documents relating to the licence agreement on behalf of Council under the common seal.





(d) Letter from Brian and Pamela Young

10 September, 2014

The General Manager  
Griffith City Council  
PO Box 485  
Griffith NSW 2680

Dear Sir

**RE : PARKING LEASE FOR 120 WAKADEN STREET**

As the owners of 120 Wakaden Street, we are requesting to lease council land for the purpose of carparking. This land has already had carparking constructed on it.

We request to enter into a lease for 23 carparks, being 7 parks fronting Wakaden Street ( DA 40/2011(1) for Dobija Printint) and 16 parks fronting Blumer Avenue (DA 16/2014 for Ferraro Foods). We would ask that the lease period be for ten (10) years with a provision to renew for a further ten (10) years.

Yours faithfully

  
**BRIAN JAMES AND PAMELA ANNE YOUNG**  
PO BOX 566  
GRIFFITH 2680

0427 700 021  
pambria@gmail.com

## GRIFFITH CITY COUNCIL REPORT

**CL03**

**SUBJECT: LICENCE AGREEMENT FOR CAR PARKING ADJOINING 124-126 WAKADEN STREET, GRIFFITH WITH PROPRIETORS OF STRATA PLAN 79997, BRIAN AND PAMELA YOUNG**  
**FROM: Daphne Bruce, Corporate Property Officer**

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### SUMMARY

Development Application 84/2014(1) was approved for the 'expansion of an existing recreation facility into adjoining tenancies, internal alterations and construction of an on-street car park', at 124-126 Wakaden Street, Griffith.

The development consent requires the applicants to enter into a licence agreement with Council for 11 car park spaces constructed on the road reserve.

The applicants are Brian James and Pamela Anne Young proprietors of Strata Plan 79997, 124-126 Wakaden Street, Griffith.

The original development approval for occupation for a recreation facility, Livefit gymnasium, required a licence agreement be entered into for 4 car park spaces located on the road reserve in Wakaden Street, although 9 spaces were constructed at the time by the proprietors.

As part of the conditions of tenancy, an additional 11 parking spaces are required to accommodate the expansion of the Livefit business. The applicants constructed an additional 10 spaces on the road reserve in Wakaden Street (now having an additional 4 spaces available).

It is now necessary to formalise the arrangement by entering into a licence agreement for the required 11 car park spaces to meet the development condition.

### RECOMMENDATION

- (a) Council enter into a licence agreement with the Proprietors of Strata Plan 79997, Brian James Young and Pamela Anne Young for 11 car parking spaces adjoining 124 - 126 Wakaden Street, Griffith.**
- (b) The licence agreement commence on the 1 October 2014 and terminate on the 31 August 2017.**
- (c) The licensees be required to pay all applicable costs and charges associated with the preparation of the licence agreement together with Council's Administration Fee of \$370.**
- (d) Annual licence fee be charged as per Council's Revenue Policy (currently \$48 per space for 2014/15) together with rates and charges.**
- (e) Council authorise the Mayor and General Manager to execute all documents**

**relating to the lease on behalf of Council under the common seal.**

## **BACKGROUND**

The original development at 124-126 Wakaden Street, Griffith necessitated the proprietors of Strata Plan 79997 enter into an agreement with Council for 22 car parking spaces that were constructed on Council's road reserve in Blumer Avenue, Griffith. This car parking area is contained within the fence line of the facility.

A change in a tenancy to a gymnasium (Livefit) in 2012 required 4 additional car park spaces be constructed on the road reserve in Wakaden Street, with the proprietor constructing 9 spaces at the time. A licence agreement is in place for the required 4 car park spaces.

Development Approval 84/2014(1) for expansion of Livefit into an adjoining tenancy required the applicants to provide 11 car parking spaces in addition to the 4 original spaces for the development.

The proprietors constructed an additional 10 spaces on the road reserve in Wakaden Street. There is now a total of 4 excess car parks.

It is now desirable to enter into a licence agreement for the 11 additional car park spaces to meet a condition of the development.

Due to legal costs, the applicant has requested rather than surrendering the existing licence agreement for the 4 car park spaces located in Wakaden Street and entering into one agreement for the total 19 car park spaces, that the new agreement expire at the same time, 31 August 2017, as the existing licence agreement for the 4 car park spaces. A new agreement will thereafter be entered into for the total 15 car park spaces located on the Wakaden Street road reserve.

## **OPTIONS**

(a) The above option is preferred as it will meet the conditions of consent for Development Approval 84/2014(1).

(b) Council may determine not to enter into a licence agreement for the 11 car park spaces constructed on Council's road reserve in Wakaden Street, Griffith and determine an alternate arrangement.

## **STATUTORY IMPLICATIONS**

### **a) Policy Implications**

Not Applicable

### **b) Financial Implications**

Rental applicable to the car parking spaces would commence at \$48 per space per annum plus rates, in accordance with Council's Revenue Policy for 2014/15 together with Council's Administration Fee of \$370.

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

Not Applicable

d) Environmental Implications

The construction of the additional car parking area in Wakaden Street will provide formalised parking for patrons of the extended gymnasium. Environmental factors were assessed as part of the development approvals process.

e) Community Implications

The community would expect Council to ensure that all developments provide adequate parking to meet the conditions of a development consent.

**CONSULTATION**

Senior Management Team

**STRATEGIC LINKS**

**a) Growth Strategy Plan**

Growing Griffith 2030 - Community Strategic Plan  
D2 - Attract and develop new value-adding industries.

**b) Corporate/Business Plan**

Council's Delivery Program 2013/14 - 2016/17  
D2.5 - Promote opportunities for small businesses to establish in our community.

**ATTACHMENTS**

- (a) Letter from Brian and Pamela Young, Proprietors of SP79997
- (b) Plan of car parking area

(a) Letter from Brian and Pamela Young, Proprietors of SP79997

5 September, 2014

The General Manager  
Griffith City Council  
PO Box 485  
Griffith NSW 2680

Dear Sir

**RE : PARKING LEASE FOR DA 84/2014 - LIVEFIT**

As part of the conditions of the above DA we, the owners of 124-126 Wakaden Street, are required to provide additional parking.

We received approval to construct a 10 space carpark on Council land on the road reserve adjacent to Wakaden Street. This carpark is now completed. It is directly across the road from a 9 space carpark we constructed in 2012.

In 2012 we leased 4 spaces from the abovementioned carpark. This lease is due to expire on 31 August 2017, with an option to renew for a further 5 years.

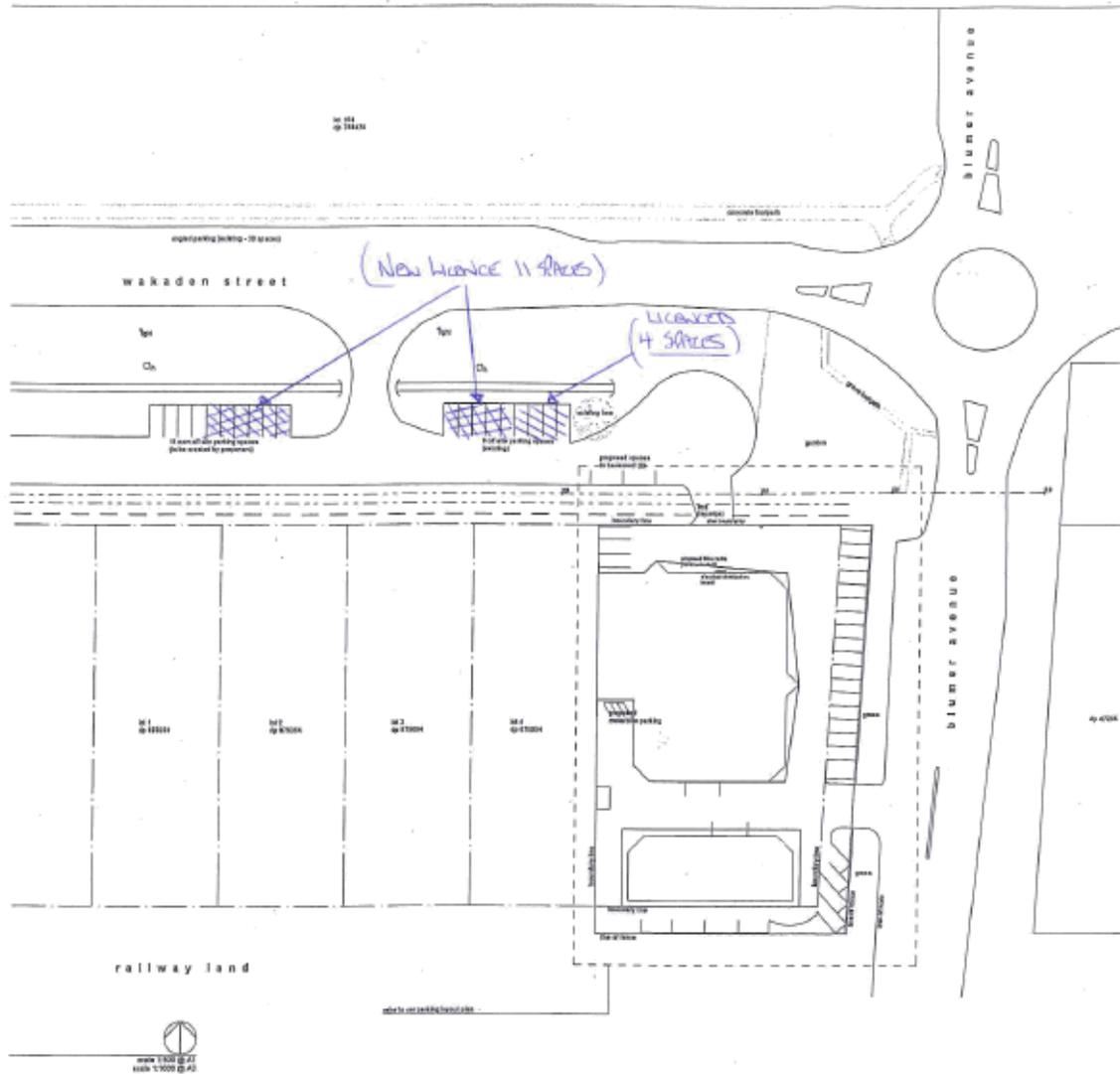
We now seek permission to lease an additional eleven (11) spaces to satisfy the conditions of the DA. These consist of the additional 5 spaces of the carpark constructed in 2012, along with six (6) spaces of the new carpark recently constructed by us. We request that the new lease expire on 31 August, 2017. We would seek to amalgamate the two leases after 31 August 2017.

Yours faithfully

**BRIAN JAMES AND PAMELA ANNE YOUNG**  
**PO BOX 566**  
**GRIFFITH 2680**

**0427 700 021**  
**pambria@gmail.com**

(b) Plan of car parking area



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

**CL04**

**SUBJECT: STORAGE OF HORSE DRAWN VEHICLES - TODD BEQUEST -  
GRIFFITH POST SCHOOL OPTIONS INC. SHED - YOOGALI**  
**FROM: Daphne Bruce, Corporate Property Officer**

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### **SUMMARY**

Pioneer Park Museum has been offered the use of a shed at Griffith Post School Options, 8 – 18 Hebden Street, Yoogali to store the remaining nine horse drawn vehicles from the Todd bequest.

Currently there are no storage facilities available at the Museum. The vehicles require basic maintenance and assessment of significance in order to prepare for conservation and progress towards exhibition.

In the first instance, the offer is for one year at a reciprocal rate (currently \$516 per annum) with 24 hour access available to Pioneer Park Museum staff and volunteers.

A licence agreement will be entered into setting out all terms and conditions. Council's Risk Office is investigating insurance requirements.

The proposal provides an environment for storage and to analyse the condition of the vehicles, enabling work to commence on maintenance and significance assessment by the museum maintenance officer and curator, with volunteer assistance.

### **RECOMMENDATION**

- (a) Council accept the offer for the temporary storage of nine horse drawn vehicles at Griffith Post School Options Inc. shed at 8-18 Hebden Street, Yoogali.**
- (b) Council enter into a licence agreement with Griffith Post School Options Inc. setting out all terms and conditions.**
- (c) Council delegate authority to the General Manager to sign the licence agreement on behalf of Council.**

### **BACKGROUND**

The horse drawn vehicles have been given to Pioneer Park Museum as a bequest from the late Ian Todd and are currently stored on private property. The property owner has requested Pioneer Park Museum accept the items, but an appropriate facility is not yet available at the Museum.

The proposal allows for, removal of the vehicles from their current location, storage of nine horse drawn vehicles at an accessible, secure site to enable basic maintenance and research to be conducted.

Griffith Post School Options have offered the use of the shed on their property at 8-18 Hebden Street, Yoogali for the storage of the vehicles.

A licence agreement has been prepared setting out all terms and conditions of this arrangement (Attachment A).

Griffith Post School Options currently hold a lease over land in Olympic Street, Griffith for future construction of a respite centre. It is proposed that a reciprocal arrangement for annual fees be arranged whereby Council will pay an equal amount to the current yearly rental for the Olympic Street site (currently \$516 per annum for leases/licences of Crown Reserves & Council owned Reserves to Non Profit Organisations) for occupation of the shed in Yoogali.

Pioneer Park Museum is in the planning phase for a facility to be built at the Museum, part funded by the Todd bequest.

### **OPTIONS**

(a) The above option is the preferred option as the shed can accommodate the nine horse drawn vehicles and provide access for maintenance and assessment of significance by Pioneer Park Museum staff.

(b) Council may determine an alternate arrangement for storage of the vehicles, but the above option is preferred and is a cost effective arrangement for both parties.

### **STATUTORY IMPLICATIONS**

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

Not Applicable

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

Griffith Post School Options currently pay an annual fee of \$516 for leasing of vacant land in Olympic Street. It is proposed that Pioneer Park Museum will pay an annual rental fee of \$516 to Griffith Post School Options for storage of the nine vehicles.

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

Not Applicable

#### **d) Environmental Implications**

There is considered no environmental implications in the storage of the nine horse drawn vehicles at the shed at Post School Options, Yoogali.

#### **e) Community Implications**

The community would expect Council to provide a secure site for the vehicles whilst undertaking assessment and maintenance of the vehicles for future display to the public.

### **CONSULTATION**

Senior Management Team

## **STRATEGIC LINKS**

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

Not Applicable

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

Growing Griffith 2030 - Community Strategic Plan  
L5 - Utilise facilities and services for optimal participation.

Council's Delivery Program 2013/14 - 2016/17  
L5.1.7 - Pioneer Park

Pioneer Park Museum will continue to coordinate the existing major events such as, Australia Day Brekkie, Good Friday Action Day, Local Government Week Schools Day and Festa Della Salsicce (Salami Day). These annual activities will be supported by introducing new initiatives highlighting the museum's extensive collection and encouraging community participation.

## **ATTACHMENTS**

(a) Draft Licence Agreement

(a) Draft Licence Agreement

**Temporary licence**

On this \_\_\_\_\_ day of \_\_\_\_\_ two thousand and fourteen Griffith Post School Options Inc. situated at 8 – 18 Hebden Street, Yoogali NSW 2680, hereby grants a temporary licence to the person(s) specified in Section 1 of Schedule 1 (hereinafter referred to the “licensee”) subject to the following terms and conditions:

- 1 That the licensee pays Post School Options Inc. the specified licence fees.
- 2 That the licence remains in force for the period specified in Section 4 of the Schedule 1
- 3 That the licensee shall not interfere with any other person authorised by Post School Options Inc. to use the premises or any part thereof.
- 4 That the licensee will not use the land specified in Schedule 1 Section 2 except for the purpose(s) authorised by this licence.
- 5 That the licensee shall comply with all the special conditions specified in Section 6 of Schedule 1.
- 6 That any notice provided for in this licence shall be deemed to be validly served if;
  - a it is personally served on the licensee or where the licensee is a corporation or association, on an officer of the corporation or association; or
  - b it is sent by prepaid ordinary mail addressed to the licensee at the address shown in Section 5 of Schedule 1.
- 7 That Post School Options Inc. does not make or give any warranty, promise or covenant to the licensee for quiet enjoyment of the licence area.

Seal affixed and attested on behalf of Griffith Post School Options Inc.

By \_\_\_\_\_ Witness \_\_\_\_\_

Dated: \_\_\_\_\_

Signed by the Licensee: \_\_\_\_\_ Witness: \_\_\_\_\_

Dated: \_\_\_\_\_

**SECTION 1: LICENSEE**

Griffith City Council

**SECTION 2: LICENSEE’S RIGHT**

The Licensee shall have the use of the area occupied by nine of the Todd horse drawn vehicles in the former boche court (estimated 14 meters x 12 meters) for

the purpose of storage/investigation (hereinafter called "the licensed area").

**SECTION 3: LICENCE FEE**

\$516

**SECTION 4: LICENCE PERIOD**

The licence period shall be for one year (with option to extend by negotiation). Griffith Post School Options Inc. reserves the right to determine the Licence without prior notice if there is a breach by the licensee of any of the licence conditions.

**SECTION 5: ADDRESS FOR SERVICE OF NOTICE**

Manager  
Griffith Pioneer Park Museum  
Remembrance Drive  
GRIFFITH NSW 2680

**SECTION 6: SPECIAL CONDITIONS**

- (a) The licensee shall keep the said licensed area and buildings clean and tidy and all papers and other rubbish shall be collected and removed. The licensee shall control noxious weeds as directed by the "local control authority". The licensee shall immediately repair and make good, damage occasioned by the licensee's use of the licensed area.
- (b) The Licensee shall indemnify and keep indemnified the Griffith Post School Options Inc. against all actions, suits, claims, debts, obligations and other liabilities that may arise from the activities of the Licensee during the currency of the Licence.
- (c) The Licensee shall, before occupying the licensed area, take out a public risk insurance policy for the term of the licence, for the amount of \$10,000,000 for any one claim whereby Griffith Post School Options Inc. shall during the continuance of this Licence be indemnified against claims and demands arising from death or bodily injury or damage to property arising out of the Licensee's use of the licensed area.
- (d) The Licensee shall maintain all other insurance's as may be required by the Workers' Compensation Act or any other Act or Acts of Parliament in regard to the conduct of activities of the Licensee on the licensed area. Copy of such coverage is to be handed to Griffith Post School Options Inc. before occupying the Licensed area.
- (e) No relationship of landlord and tenant is or is intended to be created between the parties hereto by virtue of this License or in any way whatsoever.
- (f) The use of heavy machinery shallnot be conducted unless supervised by a

Manager, being the Licensee, or an authorised employee of the Licensee.

- (g) The manager, or other authorised employee of the Licensee, is responsible for supervising activities, and must be a person approved by the appropriate controlling body.
- (h) Griffith Post School Options Inc. reserves the right to remove from or refuse entry to the licensed area any person regardless of any arrangements or contract with the Licensee.
- (i) All improvements, erections and fixtures now or hereafter to be erected on the licensed area are acknowledged by the Licensee to be absolute property of Griffith Post School Options Inc.
- (j) The Licensee shall not sublet, assign or otherwise deal with the Licensed area.

**H.1 Indemnity form**

TO THE Board IN CONSIDERATION of Post School Options Inc., permitting our organisation, being the Griffith Pioneer Park Museum of Griffith City Council to use the shed or part thereof, including the improvements thereon and the appurtenances thereto and ingress and egress thereto and therefrom on the following date or dates.....for the purpose or purposes of storage and basic maintenance of 9 hose drawn vehicles for one year

.....  
(day/s, month/s, year/s)

for which we have agreed to pay the reserve trust a fee of \$516 (incl. GST)

NOW BE IT KNOWN that

.....  
Brett Stonestreet  
General Manager  
Griffith City Council

Being respectively the General Manager or the equivalent executive officer of the said organisation for the time being and being duly authorised by the said organisation to give any acknowledgement, releases, assurances and indemnities hereinafter set forth on behalf of the said organisation DO HEREBY INDEMNIFY and undertake to keep indemnified the GRIFFITH POST SCHOOL OPTIONS INC. and/or its successors and all persons associated with GRIFFITH POST SCHOOL OPTIONS INC. against all claims, demands, suits, charges or other actions or costs whatsoever or howsoever arising from, out of or in connection with the said use by our said organisation of the grounds, improvements, appurtenances, access thereto and therefrom PROVIDED further that without limiting in any way the generality of the foregoing indemnity it shall include all claims, demands, suits, charges or other actions or costs arising in respect of any loss or injury to any person attending upon the property as a licensee or invitee upon the dates hereinbefore, except to the extent such claims, demands, suits, charges or other actions or costs arise from or are contributed to by the negligence or wilful act or omission on the part of the GRIFFITH POST SCHOOL OPTIONS INC

AND FURTHER do confirm that our said organisation has effected a Public Liability Insurance coverage for not less than ten million dollars (\$10,000,000.00) in respect of such use with STATEWIDE MUTUAL in respect of which the premium has been fully paid and which we shall maintain in full force and effect until the conclusion of our said use of such ground, improvements, appurtenances and access thereto.

IN WITNESS WHEREOF THE PARTIES HERETO HAVE HEREUNTO SET THEIR  
HANDS AND NAMES THIS

..... DAY OF ....., 2014

Signed by user or user organisation

.....

Signed in my presence by the said

.....

who personally is known to me \*

.....

.....  
Signed by Griffith Post School Options Inc.

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

**CL05**

**SUBJECT: PLANNING PROPOSAL - AMENDMENT NO. 1 - GRIFFITH LOCAL ENVIRONMENTAL PLAN 2014**

**FROM: Kelly McNicol, Coordinator Landuse, Planning & Compliance**

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### **SUMMARY**

The purpose of this report is to seek Council's endorsement of the Planning Proposal related to Amendment No. 1 of the Griffith Local Environmental Plan 2014 (GLEP 2014) and facilitate the proposal being sent to the Department of Planning and Environment for gateway determination. A request will also be made to the Department of Planning and Environment that the Plan Making functions for the amendment be delegated back to Council. The Planning Proposal in Attachment 'A' was foreshadowed in a report presented to Council on 22 July 2014 and represents the first proposed amendment to the GLEP 2014.

The Planning Proposal seeks to rectify variations to the Griffith Local Environmental Plan 2014 which were applied by the Department after Council adoption of the Plan and prior to its gazettal. The proposal also seeks to rectify some minor anomalies and errors, amend the development standards and provisions of Clause 5.4 and permit "Shops" within the B7 – Business Park Zone which was proposed by way of a resolution of Council at the 27 May 2014 Ordinary Meeting.

### **RECOMMENDATION**

- (a) Council formally endorse the Planning Proposal (Griffith Local Environmental Plan 2014 - Amendment No.1) prepared in accordance with section 55 of the Environmental Planning and Assessment Act 1979 and provided in Attachment 'A'.**
- (b) The Planning Proposal be forwarded to the Minister requesting a gateway determination in accordance with section 56 of the Environmental Planning and Assessment Act 1979 and requesting that Council be delegated the Plan Making functions for the amendments related to the Planning Proposal under Section 59(2) and (3) of the Environmental Planning and Assessment Act 1979.**
- (c) Council give the Director of Sustainable Development delegated authority to act in Council's interest in finalising the Planning Proposal (Griffith Local Environmental Plan 2014 - Amendment No.1) for public exhibition if any minor changes are required.**
- (d) Following the Gateway Determination, the Planning Proposal (Griffith Local Environmental Plan 2014 - Amendment No.1) be placed on public exhibition for a period of 28 days unless major changes are required by the Department of Planning and Infrastructure.**

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.

Councillor	For	Against
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		

## **BACKGROUND**

On 22 March 2014 the Griffith Local Environmental Plan was gazetted by the Department of the Planning and Environment. After its gazettal, Council staff noted a number of alterations to the plan which were made by the Department's Legal branch at the last minute without notifying Council staff. The Plan which was originally adopted by Council and sent to the Department differed to that which was gazetted, the main differences relating to certain details about minimum lot sizes, certain details relating to dual occupancy development, the definition of an existing holding and erection of dwellings on lots created by the "lot averaging" clause.

Council staff contacted the Department regarding these alterations and it was suggested that a Planning Proposal be prepared to amend the LEP to the form which was originally sent to the Department. Other minor errors and anomalies which have been identified since GLEP 2014 gazettal have also been proposed to be amended in the Planning Proposal provided in Attachment 'A'.

Further, at the 27 May 2014 Ordinary Meeting of Council, the following was resolved by Council:

- (a) *That the Griffith Local Environment Plan 2014 (GLEP 2014) be amended to remove "shop" as a prohibited development within Zone B7 Business Park.*
- (b) *That the General Manager or his nominee do all things, carry out such public consultation or notifications as may be required and sign all documents to make any necessary applications to the Department of Planning or any other authority that may be required to so amend the GLEP 2014 without delay.*

Council staff have packaged all of the above amendments into one Planning Proposal (refer to Attachment 'A'). These amendments are regarded as minor in nature and it is expected that the Department will make a favourable gateway determination and delegate plan making functions back to Council. An approximate timeline of the amendment is as follows:

1. Commencement – Gateway Determination by Department of Planning and Environment – October 2014

2. Amendments to Planning Proposal based on Gateway Determination – October 2014
3. Government Agency consultation (if required) – November 2014
4. Public Exhibition – November 2014 (28 Days)
5. Consideration of Submissions – November 2014
6. Council to consider amended Planning Proposal – December 2014
7. Date of Submission to Department of Planning and Environment (should Council not be delegated the Ministers Plan Making functions) – December 2014
8. Date Council will make the Plan (should Council be delegated the Ministers Plan Making functions) – December 2014 / January 2015
9. Date Council will forward to the Department for notification – January 2015.

## **OPTIONS**

### OPTION 1

(a) Council formally endorse the Planning Proposal (Griffith Local Environmental Plan 2014 - Amendment No.1) prepared in accordance with section 55 of the Environmental Planning and Assessment Act 1979 and provided in Attachment 'A'.

(b) The Planning Proposal be forwarded to the Minister requesting a gateway determination in accordance with section 56 of the Environmental Planning and Assessment Act 1979 and requesting that Council be delegated the Plan Making functions for the amendments related to the Planning Proposal under Section 59(2) and (3) of the Environmental Planning and Assessment Act 1979.

(c) Council give the Director of Sustainable Development delegated authority to act in Council's interest in finalising the Planning Proposal (Griffith Local Environmental Plan 2014 - Amendment No.1) for public exhibition if any minor changes are required.

(d) Following the Gateway Determination, the Planning Proposal (Griffith Local Environmental Plan 2014 - Amendment No.1) be placed on public exhibition for a period of 28 days unless major changes are required by the Department of Planning and Infrastructure.

### OPTION 2

a) Any other resolution of Council.

## **STATUTORY IMPLICATIONS**

### **a) Policy Implications**

Amending the Griffith Local Environmental Plan 2014 in accordance with the Griffith Land Use Strategy - Beyond 2030.

### **b) Financial Implications**

Not Applicable

**c) Legal/Statutory Implications**

Not Applicable

**CONSULTATION**

Department of Planning and Environment, Senior Management Team, Director of Sustainable Development, Manager of Planning and Environment

**STRATEGIC LINKS**

**a) Growth Strategy Plan**

Not Applicable

**b) Corporate/Business Plan**

Council's Delivery Program - D6.3 - Implement the strategies identified in the Land Use Strategy.

**ATTACHMENTS**

(a) Planning Proposal under section 55 of the EP&A Act - Griffith Local Environmental Plan 2014 Amendment No. 1



# Planning Proposal under section 55 of the EP&A Act

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GRIFFITH CITY COUNCIL  
Griffith Local Environmental Plan 2014  
Amendment No.1

13 August 2014

## Planning Proposal

This is a Planning Proposal prepared under section 55 of the *Environmental Planning and Assessment Act 1979*, in relation to a proposed amendment to Griffith Local Environmental Plan 2014 (“LEP 2014”). The proposal will be reviewed by Griffith City Council (at an ordinary meeting of Council), the NSW Department of Planning and Infrastructure, and (depending on the Gateway determination) used for public participation.

## Background

### Proposal

The purpose of this amendment is fourfold:

1. The Griffith Local Environmental Plan 2014 was gazetted by the Minister of Planning and Environment on 22 March 2014. The gazetted version of the LEP 2014 varied from that which was originally adopted by Griffith City Council and sent to the Department of Planning and Environment. In discussions with representatives from the Department it was suggested that the Plan was amended by a branch of the Department just prior to its gazettal. This planning proposal seeks to amend the LEP 2014 by amending several clauses back to the form original adopted by Griffith City Council and sent to the Department as part of the original planning proposal;
2. The planning proposal seeks to make a range of fairly minor amendments to the LEP 2014 to rectify anomalies, to update details and make minor mapping changes;
3. The planning proposal seeks to permit “Shops” within the B7 – Business Park zone; and
4. Amendments to the development standards of Clause 5.4 – Controls relating to additional permitted uses.

### Property Details

Various properties throughout the entire Local Government Area

### Applicant Details

Griffith City Council

## Part 1 – Objectives and Intended Outcomes

The planning proposal seeks to rectify variations to the Griffith Local Environmental Plan 2014 which were applied by the Department after Council adoption of the Plan and prior to its gazettal. The proposal also seeks to rectify anomalies and errors, amend the development standards and provisions of Clause 5.4 and permit “Shops” within the B7 – Business Park Zone. The eight specific issues are listed in Appendix A.

## Part 2 – Explanation of Provisions

The actual amendments to the Plan 2014 involve only textual amendments. The issues to which this Planning Proposal seeks to rectify are contained within Appendix ‘A’. The proposed amendments arising from the issues are provided for after the description and analysis of each issue under the heading “proposal” in Appendix ‘A’. There are no mapping amendments proposed by this Planning Proposal.

## Part 3 – Justification

### A – Need for the planning proposal

#### 1. Is the planning proposal a result of any strategic study or report?

Yes. The Proposed Griffith Local Environmental Plan is supported by the “Griffith Land Use Strategy Beyond 2030” (Griffith LUS). This document was approved by Department of Planning and Infrastructure on 29 April 2013 and forms the strategic basis and framework for the Griffith Local Environmental Plan 2014 and the proposed amendments.

#### 2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This planning proposal relates to several minor changes to Griffith Local Environmental Plan 2014, and the most appropriate means of amending an LEP through a planning proposal.

### B - Relationship to strategic planning framework.

#### 3. Is the planning proposal consistent with the objectives and action contained within the applicable regional or sub-regional strategy?

Not Applicable

#### 4. Is the planning proposal consistent with the Local Council’s Community Strategic Plan, or other local strategic plan?

The planning proposal is consistent with the Griffith LUS and the Community Strategic Plan

#### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The matters addressed by this planning proposal are consistent with all relevant SEPPs.

#### 4. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Yes. The planning proposal is consistent with the applicable Ministerial Directions. The majority of the proposed amendments formed part of the original planning proposal which was adopted by Council and sent to the Department of Planning and Environment. The remainder of the proposed amendment are minor in nature and are considered to be consistent with the Ministerial Directions.

### C – Environmental, social and economic impact.

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

There is no likelihood that the matters addressed by this planning proposal would have any such adverse effect.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The matters addressed by this planning proposal are unlikely to have any adverse environmental effects.

9. How has the planning proposal adequately addressed any social and economic effects?

The matters addressed by this planning proposal have negligible social and economic effects.

### D – State and Commonwealth interests.

10. Is there adequate public infrastructure for the planning proposal?

There is adequate public infrastructure for the matters addressed by this planning proposal.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

The views of public authorities will not be sought until after the Gateway determination.

## Part 4 – Mapping

The proposed amendment will not alter the content of any maps.

## Part 5 – Community Consultation

The proposal is considered to be a low impact proposal, as it:

- is consistent with the pattern of surrounding land use zones and/or land uses,
- is consistent with the strategic planning framework,
- presents no issues with regard to infrastructure servicing,
- is not a principal LEP, and

- does not reclassify public land.

On this basis a 14 day public exhibition period is appropriate. The proposed consultation strategy in conjunction with the public exhibition for this proposal will be:

- Notification in a locally circulating newspaper.
- Notification on Council's website.

## Part 6 – Project Timeline

This project timeline is based on anticipated dates and timeframes, though there can be unexpected delays. It is assumed that Council will have delegation to carry out certain plan-making functions.

1. Commencement – Gateway Determination by Department of Planning and Environment – September 2014
2. Amendments to Planning Proposal based on Gateway Determination – September 2014
3. Government Agency consultation (if required) – October 2014
4. Public Exhibition – October 2014
5. Consideration of Submissions – October 2014
6. Council to consider amended Planning Proposal – November 2014
7. Date of Submission to Department of Planning and Environment (should Council not be delegated the Ministers Plan Making functions) – November 2014
8. Date Council will make the Plan (should Council be delegated the Ministers Plan Making functions) – December 2014
9. Date Council will forward to the Department for notification – December 2014.

# Appendix 'A' – Details of Issues Being Addressed

The following are a list of issues which have been noted by Griffith City Council Staff, Councillors and members of the public since the gazettal of the Griffith LEP in March 2014. The first issue comes from a resolution of Council which seeks to include “shops” as permitted with consent in the B7 Business Park zone. Other issues involve correcting anomalies and errors and amending the development standards of Clause 5.4. The remainder of the issues seek to amend the LEP to the form which was adopted by Council and sent to the Department of Planning and Environment for Gazettal. The amendments proposed will not require any amendments to the LEP maps.

## Issue No. 1 – Shops permissible in B7 – Business Park zone.

On 27 May 2014, Griffith City Council resolved to prepare a planning proposal which would have the effect of permitting “Shops” within the B7 Business Park zone. The B7 – Business Park zone was created on lands which were previously zoned 4(a) Industrial under the 2002 LEP with frontage on Wakaden Street, Banna Avenue and Mackay Avenue. Within the 4(a) Industrial zone “shops” were permissible with consent under the 2002 LEP. With the Gazettal of LEP 2014, a “shop” became prohibited within the B7 – Business Park zone.

The B7 - Business Park zone was created to implement the recommendations of the Griffith Land Use Strategy: Beyond 2030 (LUS) which identified that existing light industrial areas with frontage on Banna Avenue, Mackay Avenue and Wakaden Street would be development as a Business Park (offices, light industry and technology related). However, another recommendation of the LUS was to permit large scale retail development along Banna Avenue between Crossing Street and Lenehan Road. This recommendation was based on the lack of large unused lots within the Banna Avenue commercial precinct to support large-scale commercial development and that the area between Crossing Street and Lenehan Road contains a number of large vacant, derelict and underutilised former industrial sites which could be used to extend the commercial CBD (refer to Figure 1 “Future Land Uses for Griffith”).

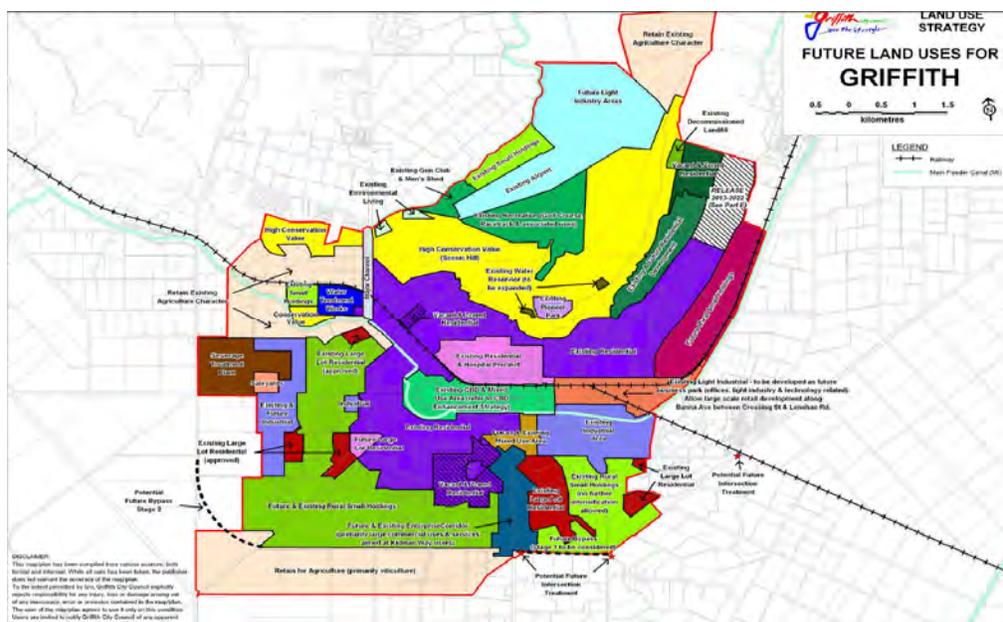


Figure 1 - Griffith Land Use Strategy Map

Unfortunately, there is no definition for “large scale shop” within the Standard Instrument which could be used to restrict the size of shops in the B7 zone. As such, Council proposes to permit a “shop” within the B7- Business Park zone and include a new zone objective to encourage appropriate large scale retail shops to locate between Crossing Street and Lenehan Road.

## Lands Affected

All lands zoned B7 –Business Park within the Griffith LGA (Refer to Figure 2).

## Proposal

- That “shops” be permitted in the B7 – Business Park Zone.
- That the following Zone objective be added to the Land Use Table under the B7 – Business Park Zone
  - To enable the location of large-scale retail uses within the zone.

## Issue No. 2 – Amend Clause 4.1 (3A) – Minimum subdivision lot size

Clause as gazetted:

- (1) *The objectives of this clause are as follows:*
- (a) *to provide a minimum lot size for the subdivision of land,*
  - (b) *to ensure that subdivision does not unreasonably impact on the natural and environmental values of the area and will not lead to fragmentation of natural areas,*
  - (c) *to protect the productive capacity of agricultural land,*
  - (d) *to prevent the fragmentation of rural lands,*
  - (e) *to encourage a diversity of lot sizes, housing forms and densities in residential zones.*
- (2) *This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.*
- (3) *The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.*
- (3A) *Despite subclause (3), each lot resulting from the subdivision of land identified as “Area A”, “Area B” or “Area C” on the Lot Size Map must be connected to a reticulated sewer and must be of a size that is not less than the area shown in Column 2 of the table to this subclause opposite the relevant area listed in Column 1.*

<b>Column 1</b>	<b>Column 2</b>
Area A	700 square metres
Area B	600 square metres
Area C	3,000 square metres

- (4) *This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.*

Clause 4.1(3A) has been altered from the draft sent with Council’s Planning Proposal for the Griffith LEP 2014:

*(4A) Despite subclause (3), the size of any lot resulting from the subdivision of land identified as “Area A”, “Area B” or “Area C” on the Lot Size Map and to be connected to a reticulated sewer must not be less than the area shown in Column 2 of the Table to this subclause opposite the relevant area.*

### Column 1

Area A  
Area B  
Area C

### Column 2

700 square metres  
600 square metres  
3000 square metres

The wording of the Clause was derived from Mid-Western's and Wellington's LEP's. The intent of the Clause is to allow for one minimum lot size for subdivisions creating lots which will utilise AWTS units and another minimum lot size for subdivisions creating lots which will be connected to Council's reticulated sewer. As you can see in the minimum lot size map (Figure 2) below, reference is made to "Area C" "W" and it shows the red colour for 4,000 sq. m.. The purpose of the colour and the "W" is to establish the minimum lot size permitted for a lot which will not be connected to Council's reticulated sewer system. The "Area C" refers to Clause 4.1 of the LEP. As you can see by the blue outline, the entire area which is coloured red and references the size "W" is considered within "Area C". A member of the public would see that their lands are within "Area C" and turn to the gazetted Clause 4.1 which clearly states: "each lot resulting from the subdivision of land identified as "Area A", "Area B" or "Area C" on the Lot Size Map must be connected to a reticulated sewer". The interpretation is that if subdivided, these lands have to be connected to reticulated sewer, which for most of the lots would mean a 100-200 metre extension of Council's sewer main and the installation of a pump station. The wording of the clause above in red on the other hand gives a more clear interpretation of the intent of the clause.

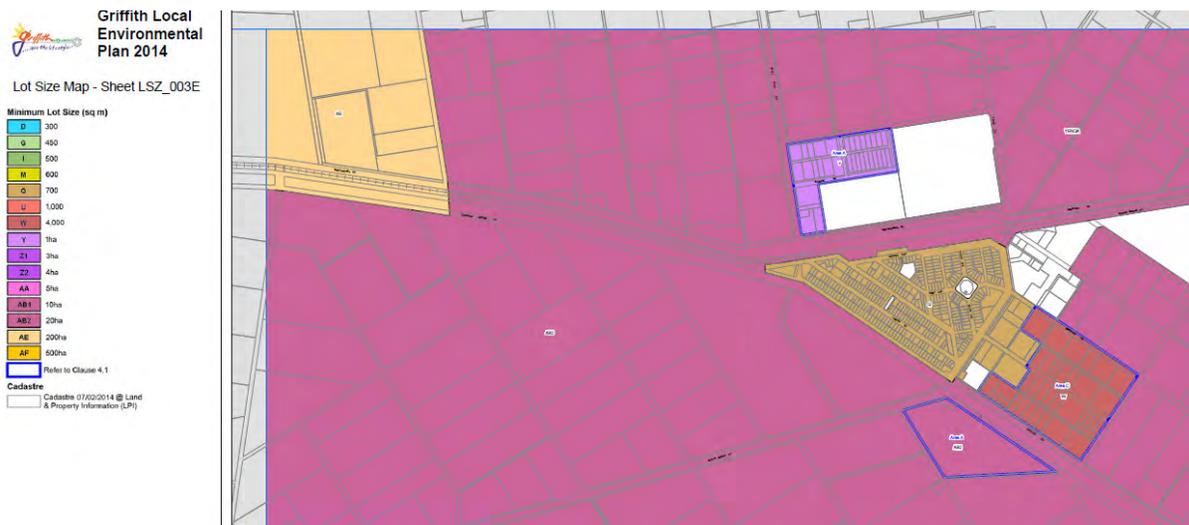


Figure 2: Representative Minimum Lot Size Map - Griffith

### Lands Affected

All lands which are indicated as "Area A", "Area B" and "Area C" on the minimum lot size maps.

### Proposal

That Clause 4.1(3A) be amended to the following:  
*Despite subclause (3), the size of any lot resulting from the subdivision of land identified as "Area A", "Area B" or "Area C" on the Lot Size Map and to be connected to a reticulated sewer must not be less than the area shown in Column 2 of the Table to this subclause opposite the relevant area.*

### Issue No. 3 – Amend Clause 4.1 (A) – Exceptions to minimum lot sizes for certain residential development

Clause as gazetted:

- (1) *The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.*
- (2) *This clause applies to development on land in Zone R1 General Residential.*
- (3) *Development consent may be granted to a single development application for development to which this clause applies that is both of the following:*
  - (a) *the subdivision of land into 2 or more lots,*
  - (b) *the erection of a dwelling house, an attached dwelling or a semi-detached dwelling on each lot resulting from the subdivision, if the size of each lot is equal to or greater than:*
    - (i) *for the erection of a dwelling house—400 square metres, or*
    - (ii) *for the erection of an attached dwelling—300 square metres, or*
    - (iii) *for the erection of a semi-detached dwelling—300 square metres.*

Clause 4.1A has been altered from the draft sent with Council's Planning Proposal for the Griffith LEP 2014:

- (1) *The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.*
- (2) *This clause applies to development on land in the following zones:*
  - (i) *Zone R1 General Residential*
- (3) *Despite any other provision of this Plan, development consent may be granted to the subdivision of land to which this clause applies if:*
  - (a) *multi dwelling housing or a dual occupancy is lawfully erected on the land, and*
  - (b) *the area of each resulting lot will not be less than:*
    - (i) *300 square metres for a semi-detached dwelling and an attached dwelling, or*
    - (ii) *400 square metres for a dwelling, and*
  - (c) *only one dwelling will be located on each lot resulting from the subdivision.*
- (4) *Development consent may be granted to a single development application for development to which this clause applies if:*
  - (a) *the subdivision of land into 2 or more lots, and*
  - (b) *the erection of a dual occupancy (attached), dual occupancy (detached) or multi dwelling housing if the size of each lot is equal to or greater than:*
    - (i) *300 square metres for a semi-detached dwelling and attached dwelling or*
    - (ii) *400 square metres for a dwelling, and*
  - (c) *only one dwelling will be located on each lot resulting from the subdivision.*

Council's intent for this clause is to permit reduced lot sizes for subdivisions involving:

- Existing multi dwelling or dual occupancy developments; or
- Proposed multi dwelling or dual occupancy developments.

The Clause as drafted in the version sent with Council's original Planning Proposal (in red above) clearly allows for each. 4.1(3) refers to existing development and 4.1(4) refers to proposed development. As an example, under Council's proposed clause, a person can submit a DA for the construction of three units on a vacant block and also the subdivision of those units as part of a single development application as long as the lot sizes meet the required standards. Also, under Council's proposed clause, a person who has an existing lot with three dwellings which were previously constructed with consent can also apply for a subdivision as long as the proposed lot sizes meet the standards.

Unfortunately, the gazetted Clause only permits someone to submit a development application which is for the subdivision of lands into 2 or more lots **and** the construction of a dwelling or dwellings. As such, the subdivision of existing multi dwelling and dual occupancy development is not covered by the clause.

## **Lands Affected**

All lands zoned R1 General Residential.

## **Proposal**

That Clause 4.1A be amended to the following:

- (1) The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.*
- (2) This clause applies to development on land in the following zones:
  - (i) Zone R1 General Residential**
- (3) Despite any other provision of this Plan, development consent may be granted to the subdivision of land to which this clause applies if:
  - (a) multi dwelling housing or a dual occupancy is lawfully erected on the land, and*
  - (b) the area of each resulting lot will not be less than:
    - (i) 300 square metres for a semi-detached dwelling and an attached dwelling, or*
    - (ii) 400 square metres for a dwelling, and**
  - (c) only one dwelling will be located on each lot resulting from the subdivision.**
- (4) Development consent may be granted to a single development application for development to which this clause applies if:
  - (a) the subdivision of land into 2 or more lots, and*
  - (b) the erection of a dual occupancy (attached), dual occupancy (detached) or multi dwelling housing if the size of each lot is equal to or greater than:
    - (i) 300 square metres for a semi-detached dwelling and attached dwelling or*
    - (ii) 400 square metres for a dwelling, and**
  - (c) only one dwelling will be located on each lot resulting from the subdivision.**

## **Issue No. 4 – Amend Clause 4.2(C) – Erection of dwelling houses and dual occupancies on land in certain rural and environmental protection zones.**

There were several alterations made to this clause by the NSW Department of Planning and Environment after its adoption by Council. These alterations limit the clauses effectiveness, make it difficult to understand for the average resident and act to inadvertently prohibit uses which are permitted within the zone. As such Council seeks the clause be further amended to it's the form originally proposed in the Planning Proposal for the Griffith LEP 2014.

Clause as gazetted:

- (1) The objectives of this clause are as follows:
  - (a) to minimise unplanned rural residential development,*
  - (b) to enable the replacement of lawfully erected dwelling houses or dual occupancies in rural and environment protection zones.**
- (2) This clause applies to land in the following zones:
  - (a) Zone RU1 Primary Production,*
  - (b) Zone RU2 Rural Landscape,*
  - (c) Zone RU4 Primary Production Small Lots,**

- (d) Zone RU6 Transition,
- (e) Zone E3 Environmental Management,
- (f) Zone E4 Environmental Living.

(3) Development consent must not be granted for the erection of a dwelling house or dual occupancy on land to which this clause applies unless the land:

- (a) is a lot that is at least the minimum lot size shown on the [Lot Size Map](#) in relation to that land, or
- (b) is a lot created under an environmental planning instrument before this Plan commenced and on which the erection of a dwelling house or dual occupancy was permissible immediately before that commencement, or
- (c) is a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house or dual occupancy would have been permissible if the plan of subdivision had been registered before that commencement, or
- (d) is an existing holding, or
- (e) would have been a lot or a holding referred to in paragraph (a), (b), (c) or (d) had it not been affected by:
  - (i) a minor realignment of its boundaries that did not create an additional lot, or
  - (ii) a subdivision creating or widening a public road or public reserve or for another public purpose, or
  - (iii) a consolidation with an adjoining public road or public reserve or for another public purpose.

**Note.** A dwelling cannot be erected on a lot created under clause 9 of [State Environmental Planning Policy \(Rural Lands\) 2008](#) or clause 4.2.

(4) Development consent must not be granted under subclause (3) unless:

- (a) no dwelling house or dual occupancy has been erected on the land, and
- (b) if a development application has been made for development for the purpose of a dwelling house or dual occupancy on the land—the application has been refused or it was withdrawn before it was determined, and
- (c) if development consent has been granted in relation to such an application—the consent has been surrendered or it has lapsed.

(5) Development consent may be granted for the erection of a dwelling house or dual occupancy on land to which this clause applies if there is a lawfully erected dwelling house or dual occupancy on the land and the dwelling house or dual occupancy to be erected is intended only to replace the existing dwelling house or dual occupancy.

(6) In this clause:

**existing holding** means land that:

- (a) was a holding on 18 November 1998, and
- (b) is a holding at the time the application for development consent referred to in subclause (3) is lodged, whether or not there has been a change in the ownership of the holding since 18 November 1998, and includes any other land adjoining that land acquired by the owner since 18 November 1998.

**holding** means all adjoining land, even if separated by a road or railway, held by the same person or persons.

**Note.** The owner in whose ownership all the land is at the time the application is lodged need not be the same person as the owner in whose ownership all the land was on the stated date.

Clause 4.2C has been altered from the draft sent with Council's Planning Proposal for the Griffith LEP 2014:

(1) The objectives of this clause are as follows:

- (a) to minimise unplanned rural residential development, and

*(b) to enable the replacement of lawfully erected dwelling houses in rural and environmental protection zones.*

*(2) This clause applies to land in the following zones:*

*Zone RU1 Primary Production*

*Zone RU2 Rural Landscape*

*Zone RU3 Forestry*

*Zone RU4 Primary Production Small Lots*

*Zone RU6 Transition*

*Zone E3 Environmental Management*

*Zone E4 Environmental Living*

*(3) Development consent must not be granted for the erection of a dwelling house or dual occupancy on a lot in a zone to which this clause applies, and on which no dwelling house or dual occupancy has been erected, unless the lot is:*

*(a) a lot that is at least the minimum lot size specified for that lot by the Lot size Map, or*

*(b) a lot created under an environmental planning instrument before this Plan commenced and on which the erection of a dwelling house or dual occupancy was permissible immediately before that commencement, or*

*(c) a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house or dual occupancy would have been permissible if the plan of subdivision had been registered before that commencement or*

*(d) an existing holding, or.*

*Note. A dwelling or dual occupancy cannot be erected on a lot created under clause 9 of State Environmental Planning Policy (Rural Lands) 2008 or clause 4.2.*

*(e) a lot resulting from a subdivision for which development consent has been granted under clause 4.1D.*

*(4) Despite any other provision of this clause, development consent may be granted for the erection of a dwelling house or dual occupancy on land in a zone to which this clause applies if:*

*(a) it will wholly replace another dwelling or dual occupancy that was lawfully erected;*

*(b) the land would have been a lot or a holding referred to in subclause (3) had it not been affected by:*

*(i) a minor realignment of its boundaries that did not create an additional lot, or*

*(ii) a subdivision creating or widening a public road or public reserve or for another public purpose, or*

*(iii) a consolidation with adjoining public road, a public reserve or for another public purpose.*

*(5) In this clause:*

**existing holding** means

*(a) the area of a farm, lot, portion or parcel of land as it was at 18 November 1998, and*

*(b) if, as at 18 November 1998, a person or entity owned 2 or more adjoining or adjacent lots, portions or parcels of land, the combined area of those lots, portions or parcels as they were as at that date.*

#### **Issue 4(a) – Erection of dwellings on “Lot Averaging” lots**

Clause 4.1B permits the subdivision of lands in the RU4, R5 and E4 zones using “lot averaging”. A lot of a smaller size to that shown on the Lot Size Map can be subdivided under this clause as long as the average area of the subdivided lots is equal to the minimum

lot size. It was the intention of Council that lots created under 4.1B would each have a dwelling entitlement.

The gazetted Clause does not appear to permit the erection of a dwelling on a subdivided lot to which Clause 4.1B (Lot Averaging) applies whereas the clause which was originally proposed as part of Griffith City Council's original planning proposal does (refer to 3(e) in red above).

#### **Issue 4(b) – Prohibiting construction of an additional dwelling to create a dual occupancy**

The wording of gazetted Clause 4.2C(4)(a) effectively prohibits a permitted land use being a dual occupancy. Dual occupancies are permissible with consent in the zones to which the clause applies. If a dwelling presently exists on a lot which meets the criteria of subclause 3, a further dwelling to create a dual occupancy cannot be erected due to wording of the gazetted subclause 4(a).

#### **Issue 4(c) – Replacement Dwellings**

Subclause 4.2C(5) has been totally re-worded and does not serve the purposes of the residents of Griffith. The proposed wording of the clause which permits the erection of a dwelling house which will *“wholly replace another dwelling or dual occupancy that was lawfully erected”*, is more appropriate for the Griffith LGA. The gazetted clause requires that the dwelling house has to be “existing” to replace it. However, Council is aware of several cases in which previously existing primary residences (old farm estate dwellings) have been demolished due to fire, flood, structural integrity etc. and the owner intended to replace the dwelling in the future but the demolition was required for safety reasons in the interim. The previous clause in the 2002 LEP permitted this: *“Nothing in this clause prevents a person, with development consent, from erecting a dwelling that will wholly replace another dwelling that was lawfully erected”*. The key word in the proposed clause to allow for the replacement of a previously existing dwellings is “was”.

Council would like to carry over the wording from the 2002 LEP into the 2014 Plan as previously proposed in the original Planning Proposal. Council has several “Dwelling Entitlement” letters on file in which advice has been provided indicated that a replacement dwelling is permitted on a subject lot which a previously existing dwelling was located. The gazetted clause does not permit the replacement of previously existing dwellings, only existing dwellings which is problematic for Council's purposes. To prove that a dwelling was lawfully erected, applicant's under the 2002 Griffith LEP could provide a building or development approval for the dwelling (for those constructed post 1966 - first Griffith IDO introduced) or for dwellings which were constructed prior to 1966 - an aerial photograph showing the location of the dwelling on the lot, written evidence from a utility supply company that a service was provided and a statutory declaration from a person which lived at the dwelling as a principle place of residence.

#### **Issue 4(d) – Existing Holding definition**

Subclause 4.2C(6) has been re-worded and Council believe that its meaning is difficult to interpret. The proposed definition of an “existing holding” provided in the draft LEP sent with the Planning Proposal was transferred from the 2002 LEP:

***existing holding means***

*(a) the area of a farm, lot, portion or parcel of land as it was at 18 November 1998, and*

*(b) if, as at 18 November 1998, a person or entity owned 2 or more adjoining or adjacent lots, portions or parcels of land, the combined area of those lots, portions or parcels as they were as at that date.*

As Council has not altered the date within the existing holding definition and Council has previously provided a substantial amount of advice to purchasing landowners regarding the erection of a dwelling on an existing holding, we do not believe that the definition should be altered to include other lands subsequently purchased by a landowner. Also the definition of a holding does not seem to relate to a corporate entity. As such, Council requests the use of the definition of an “existing holding” which was previously used in the Griffith LEP 2002.

## **Lands Affected**

All lands zoned:

- (a) Zone RU1 Primary Production,*
- (b) Zone RU2 Rural Landscape,*
- (c) Zone RU4 Primary Production Small Lots,*
- (d) Zone RU6 Transition,*
- (e) Zone E3 Environmental Management,*
- (f) Zone E4 Environmental Living.*

## **Proposal**

Griffith City Council proposes to amend Clause 4.2(C) to the form which was originally adopted by Griffith City Council and proposed to the NSW Department of Planning and Environment as part of Council LEP 2014 Planning Proposal:

*(1) The objectives of this clause are as follows:*

- (a) to minimise unplanned rural residential development, and*
- (b) to enable the replacement of lawfully erected dwelling houses in rural and environmental protection zones.*

*(2) This clause applies to land in the following zones:*

- Zone RU1 Primary Production*
- Zone RU2 Rural Landscape*
- Zone RU3 Forestry*
- Zone RU4 Primary Production Small Lots*
- Zone RU6 Transition*
- Zone E3 Environmental Management*
- Zone E4 Environmental Living*

*(3) Development consent must not be granted for the erection of a dwelling house or dual occupancy on a lot in a zone to which this clause applies, and on which no dwelling house or dual occupancy has been erected, unless the lot is:*

- (a) a lot that is at least the minimum lot size specified for that lot by the Lot size Map, or*
- (b) a lot created under an environmental planning instrument before this Plan commenced and on which the erection of a dwelling house or dual occupancy was permissible immediately before that commencement, or*
- (c) a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house or dual occupancy would have been permissible if the plan of subdivision had been registered before that commencement or*
- (d) an existing holding, or.*

*Note. A dwelling or dual occupancy cannot be erected on a lot created under clause 9 of State Environmental Planning Policy (Rural Lands) 2008 or clause 4.2.*

*(e) a lot resulting from a subdivision for which development consent has been granted under clause 4.1D.*

*(4) Despite any other provision of this clause, development consent may be granted for the erection of a dwelling house or dual occupancy on land in a zone to which this clause applies if:*

*(a) it will wholly replace another dwelling or dual occupancy that was lawfully erected;*  
*(b) the land would have been a lot or a holding referred to in subclause (3) had it not been affected by:*

*(i) a minor realignment of its boundaries that did not create an additional lot, or*

*(ii) a subdivision creating or widening a public road or public reserve or for another public purpose, or*

*(iii) a consolidation with adjoining public road, a public reserve or for another public purpose.*

*(5) In this clause:*

**existing holding** means

*(a) the area of a farm, lot, portion or parcel of land as it was at 18 November 1998, and*

*(b) if, as at 18 November 1998, a person or entity owned 2 or more adjoining or adjacent lots, portions or parcels of land, the combined area of those lots, portions or parcels as they were as at that date.*

## **Issue No. 5 – Home Based Child Care in E3 Environmental Management Zone**

Zone E3 Environmental Management, includes “Home-based child care” as both permitted without consent and permitted with consent. It should only be considered permitted without consent. This is a drafting error of Council.

### **Lands Affected**

All lands zoned E3 Environmental Management.

### **Proposal**

To remove “Home-based child care” as permitted with consent in the Land Use Table under the E3 Environmental Management zone.

## **Issue No. 6 – Aboriginal places of heritage significance – Frog Hollow Address**

The address of the Frog Hollow community camp site in Part 4 of Schedule 5 – Environmental heritage is incorrect. The property description, being Lot 1342 DP 751709 is correctly identified, however the address (Noorilla Street and Dickson Road) is incorrect. The address should refer to Noorla Street and Dickson Road.

### **Lands Affected**

Lot 1342 DP 751709 – corner of Noorla Street and Dickson Road

## Proposal

To correctly identify the Aboriginal place of heritage significance in Part 4 of Schedule 5 – Environmental Heritage as:

Locality	Item name	Address	Property description	Significance	Item no
Griffith	Frog Hollow (community camp site)	Noorla Street and Dickson Road	Lot 1342, DP 751709	Local	AH1

## Issue No. 7 – Amending Clause 5.4 – Controls relating to miscellaneous permissible uses

The ongoing use of the Griffith LEP 2014 has resulted in the need to amend Clause 5.4 relating to miscellaneous permissible uses. The Clause has proven to be too restrictive to allow some of these uses to develop in Griffith.

### Issue 7(a) - Farm stay Accommodation

Farm stay accommodation is presently restricted to 4 bedrooms under Clause 5.4(5). The Griffith LEP 2014 defines Farm stay accommodation as:

*“a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.”*

Farm stay accommodations are considered beneficial to farmers by providing an alternative income stream and also to the tourism industry of the city as they increase the diversity of lodging options in Griffith. There are two (2) registered farm stay accommodations in the Griffith Area, including:

- Corynnia Station, Hay – 9 Bedrooms
- Ingleden Park Farm Stay – 5 Bedrooms

A survey of other rural Council’s development standards relating to bedroom restrictions revealed that Clause 5.4(5) in the Griffith LEP 2014 is considered restrictive as it only allows the use of 4 bedrooms within a Farm stay accommodation. A further review of accommodation listing sites including Stayz.com and VisitNSW.com revealed that the majority of Farm stay accommodations across New South Wales contained between 6 and 12 bedrooms.

The Griffith LGA is considered a predominantly agricultural (farming) community with hundreds of small, medium and large scale farming operations of different varieties. Several farming operations contain a number of farm cottages which could be converted to Farm stay accommodations. There are considered to be several farming and rural lifestyle experiences which tourists could have on the variety of farms in Griffith. To support the start-up and financial viability of farm stay accommodations in Griffith it is proposed to increase the amount of bedrooms permitted in such a land use to twelve (12).

## Lands Affected

All lands zoned to permit “Farm stay accommodations”

## Proposal

To increase the amount of bedrooms permitted in a Farm stay accommodation from four (4) to twelve (12) under Clause 5.4(5) Farm stay accommodation in the Griffith LEP 2014.

## Issue 7(b) – Home Businesses

Clause 5.4(2) requires that *“If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 40 square metres of floor area.”* This development standard has proven to be too restrictive for some potential applicants wishing to run a business from their homes. Griffith is predominantly comprised of single family dwellings on large blocks with ancillary buildings such as domestic sheds. The average size of a new dwelling in Griffith is over 200 sq. m. Thus, the existing development standard only allows the use of a fifth of the average new dwelling. It is important for Council to support such land uses and live-work arrangements as the start-up costs are low for residents, workers do not have to commute to their place of employment and it supports employment for workers which are also care givers

The development application process would assess if the business is appropriate in the residential setting and ensure that the dwelling remains the dominant land use. As such, restricting home businesses to such a small floor area limits the potential businesses which could be carried out in a dwelling without a planning rationale. Therefore it is appropriate to increase the floor area which can be occupied by a home business and rely on the merit based assessment in the development application process to gauge the appropriateness of carrying out a certain type of business in a certain area of a dwelling.

A review of other regional Council's LEP's suggests that a floor area of between 60 and 100 sq. m. is commonly used. Wagga Wagga's LEP has increased the floor area to 100 sq. m. from the standard 40 sq. m.. This would allow residents to use up to half of the average size dwelling for their business. It is expected that the majority of home businesses will occupy less than this floor area, however, should the use of upwards of 100 sq. m. of a dwelling be considered to have merit during the development application process, the development standard should allow for it.

## Lands Affected

All lands zoned to permit “Home businesses”

## Proposal

To increase the amount of floor area permitted to be used by a Home business from 40 square metres to 100 square metres, under Clause 5.4(2) Home businesses in the Griffith LEP 2014.

## Issue 7(c) – Home Industries

Similar to the analysis and conclusions provided in Issue 7(b) above and to maintain a cohesive standard relating to live-work permissibility, the amount of floor area permitted to be used by Home industries is proposed to increase to 100 square meters.

## Lands Affected

All lands zoned to permit “Home industries”.

### **Proposal**

To increase the amount of floor area permitted to be used by Home industries from 80 square metres to 100 square metres, under Clause 5.4(3) Home industries in the Griffith LEP 2014.

### **Issue No. 8 – Water reticulation systems prohibited in RU5 – Village zone.**

Water reticulation systems are permissible with or without consent in all zones except the RU5 – Village zone. This is considered a drafting error and “Water reticulation systems” should be permitted with consent in the RU5 zone.

### **Lands Affected**

All lands zoned RU5 - Village

### **Proposal**

To remove “Water reticulation systems” as prohibited in the Land Use Table under the RU5 – Village zone and add the use as permitted with consent in the zone

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

**CL06**

**SUBJECT: REVIEW OF PUBLIC SUBMISSIONS GRIFFITH LOCAL ENVIRONMENTAL PLAN 2014**  
**FROM: Carel Potgieter, Planning & Environment Manager**

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### **SUMMARY**

During exhibition of the Draft Griffith Local Environmental Plan a total of 46 submissions were received from the general public (including various interest or community based groups) and government agencies. Subsequently, Council staff prepared a Submission Review Report which was presented at the Ordinary meeting of Council on 24 September 2013. Council resolved to approve the report and review submissions 7, 8, 23, 32, 40, 42 and in regard to Lot 230 DP 751728 (500 Cotterill Road, Bilbul).

This review was separated from the process of seeking approval for the Draft Griffith Local Environmental Plan, with the Plan approved by the Department of Planning and Environment and gazetted on 21 March 2014 (2014 No 137).

This report presents the results of that review, and recommends that Council not proceed with a Planning Proposal to amend the LEP as requested in the relevant submissions.

### **RECOMMENDATION**

**(a) Council note and endorse the recommendations made in the Planning Report "Review of Public Submissions and Lands Supply Draft LEP 2013 Griffith City Council" prepared by Salvestro Planning and not proceed with a Planning Proposal on these grounds.**

**(b) The owners of the affected properties be informed in writing of Council's endorsement of the recommendations made in the Planning Report "Review of Public Submissions and Lands Supply Draft LEP 2013 Griffith City Council" prepared by Salvestro Planning.**

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		

## **BACKGROUND**

At the Ordinary Meeting of Council on 24 September 2013 a Submission Review Report was submitted for consideration to Council by staff which assessed and made recommendations for each public submission which was received as part of the public consultation process for the Local Environmental Plan 2014. Council approved the report and recommendations with a motion carried to review submissions 7, 8, 23, 32, 40, 42 and zoning of Lot 230 DP 751728 (500 Cotterill Road, Bilbul) within 6 months of the gazettal of the plan.

Because Council staff had prepared all planning documentation, reports, submission reviews etc. for the Griffith Local Environmental Plan 2014 to this point, it was decided to increase the transparency of the review process and take advantage of the Planning Reform Funding Grant provided by the Department of Planning and Environment by appointing an external Planning Consultant with expertise in Rural Planning, Salvestro Planning in Wagga Wagga.

The consultant was provided with all of the public submissions, Council's previous Review of the Public Submissions and all available Council Planning documents to complete the review. The consultant met with each of the persons who lodged a public submission being reviewed and discussed their proposals for the development or zoning of their lands. Based on this review and best practices in the field of Rural Planning, Salvestro Planning has provided a recommendation report available in Attachment 'A'.

In summary, the consultant finds no grounds to amend the LEP based on these submissions because there is sufficient land zoned for large lot residential purposes and any increase in area zoned is likely to affect land values elsewhere. Consequently, should Council accept the view of the consultant, as recommended, a Planning Proposal to amend the LEP for these lands (previously described in a report to Council on 22 July 2014 as Planning Proposal No. 2) is not warranted.

However, as said in that previously report, it has been suggested by some proponents that the slow take up of large lot residential land is because some areas already zoned are not acceptable to the market and that some areas not yet zoned would be more readily developed. This is noted by the consultant but it does not diminish the consultants' concern regarding overall supply and brings into question whether it would be possible to back zone land (i.e. to take away the Large Lot Residential zone from

land that has benefited from that zone for some time as part of a strategy that attempts to restrict supply).

There is also the issue of the provision of infrastructure and services. Notwithstanding the issue of supply and demand, it is necessary to ensure infrastructure and services are available to new land release areas. Clause 6.3 of the LEP requires that a DCP be adopted prior to land release that includes supply of essential services. Clause 7.10 of the LEP prohibits development until essential services are available or arrangements made to make them available.

## **OPTIONS**

### OPTION 1

(a) That Council note and endorse the recommendations made in the Planning Report "Review of Public Submissions and Lands Supply Draft LEP 2013 Griffith City Council" prepared by Salvestro Planning.

(b) That the owners of the affected properties be informed in writing of Council's endorsement of the recommendations made in the Planning Report "Review of Public Submissions and Lands Supply Draft LEP 2013 Griffith City Council" prepared by Salvestro Planning.

### OPTION 2

(a) That Council note the recommendations made in the Planning Report "Review of Public Submissions and Lands Supply Draft LEP 2013 Griffith City Council" prepared by Salvestro Planning with certain amendments as resolved by Council.

(b) That the owners of the affected properties be informed in writing of the recommendations made in the Planning Report "Review of Public Submissions and Lands Supply Draft LEP 2013 Griffith City Council" prepared by Salvestro Planning with certain amendments as resolved by Council.

(c) That a Planning Proposal to amend Griffith Environmental Plan 2014 be prepared and submitted to Department of Planning and Environment reflecting amendments as resolved by Council.

(d) That the Director Sustainable Development be granted authority to prepare and submit such a planning proposal under his delegation.

### OPTION 3

Due to the amount of information in the report that Council lay the report on the table to enable further consideration of the information contained within the report.

## **STATUTORY IMPLICATIONS**

### **a) Policy Implications**

The LEP reflects outcomes of Council's Land Use Strategy and significant departure from that would require substantiation by Council. The consultants report indicates there are no planning grounds to depart from the Strategy at this point in time.

**b) Financial Implications**

Not Applicable

**c) Legal/Statutory Implications**

Possible amendment of Griffith Local Environmental Plan 2014.

**CONSULTATION**

Salvestro Planning (Private Planning Consultants)  
Affected Land owners  
Senior Management Team

**STRATEGIC LINKS**

**a) Growth Strategy Plan**

The LEP sets in motion the spatial planning outcomes of the Griffith Land Use Strategy Beyond 2030.

**b) Corporate/Business Plan**

The LEP will support and promote the goals and strategies of the Community Strategic Plan to achieve sustainable development and growth.

**ATTACHMENTS**

**UNDER SEPARATE COVER**

(a) Review of Public Submissions and Lands Supply - Draft LEP2013

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

**CL07**

**SUBJECT: ADOPTION OF POLICY CS-CP-404 ON-SITE DETENTION**  
**FROM: Joe Rizzo, Development Engineer**

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### **SUMMARY**

On 22 July 2014 a Notice of Motion was submitted by Councillor Thorpe requesting the proposed draft amendments to the On-site Detention Policy - CS-CP-404 be placed on public exhibition as originally recommended on 8 July 2014.

The draft amendments to the On-site Detention Policy - CS-CP-404 were placed on public exhibition which concluded on 29 August 2014.

The purpose of this report is to present the amendments to the On-site Detention Policy - CS-CP-404 reflecting the recommendations of the Business Development and Major Projects Management Committee as adopted by Council and request the amended policy be adopted.

### **RECOMMENDATION**

**The draft amendments to the On-site Detention Policy - CS-CP-404 as per attachment (a) of the report be adopted by Council.**

### **BACKGROUND**

Council's Business Development and Major Projects Management Committee recommended changes to the existing On-site Detention (OSD) Policy in its meeting on 20 January 2014. The proposed change centres on not requiring on site detention for development where there is no increase in hardstand (concrete/paving/roof and other impermeable surfaces). This proposed change is seen by the Committee to be less onerous for developers.

The Committee minutes were adopted at the Ordinary Meeting of Council on 11 February 2014, therefore directing Council's Engineering staff to amend the On Site Detention (OSD) Policy in accordance with the recommendation of the Business Development and Major Projects Management Committee.

On 8 July 2014 a Council Report was submitted to the Ordinary Meeting of Council regarding the amendments to the On-site Detention Policy - CS-CP-404 reflecting the recommendations of the Business Development and Major Projects Management Committee as adopted by Council. It was resolved at the Council meeting that Council decline the proposed amendments to the Council's On-site Detention Policy (CS-CP-404) and rescind its decision to prepare a draft amendment as resolved at the Council Meeting of 11 February 2014.

On 11 July 2014 a Notice of a Rescission Motion from Councillors Croce, Zappacosta and Thorpe was received by Council.

On 22 July 2014 a Rescission Motion was submitted to the Ordinary Meeting of Council. The Rescission Motion moved the motion that Council rescind Minute Number 0219 from the Ordinary Meeting of Council held on 8 July 2014 as follows:

### **CL01 AMENDMENTS TO COUNCIL'S ON-SITE DETENTION POLICY**

0219

**RESOLVED** on the motion of Councillors Lancaster and Thorpe that Council decline the proposed amendments to the Council's on site detention policy (CS-CP-404) and rescind its decision to prepare a draft amendment as resolved at the Council Meeting of 11 February 2014.

On 22 July 2014 a Notice of Motion was submitted by Councillor Thorpe requesting the proposed draft amendments be placed on exhibition as originally recommended on 8 July 2014. This motion was adopted by Council which specified:

(a) *The draft amendments to the On-site Detention Policy - CS-CP-404 as per attachment (a) of the report be placed on public exhibition for 28 days.*

(b) *Following the 28 days exhibition period the amendments be reported back to Council inclusive of any submissions for final adoption.*

The draft amendments to the On-site Detention Policy - CS-CP-404 was placed on exhibition for 28 days. The public exhibition period concluded on the 29 August 2014 and no submissions were received.

### **OPTIONS**

(a) The draft amendments to the On-site Detention Policy - CS-CP-404 as per attachment (a) be adopted by Council.

(b) Other resolution as determined by Council.

### **STATUTORY IMPLICATIONS**

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

Draft On-site Detention Policy - CS-CP-404 will be adopted.

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

Not Applicable

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

Not Applicable

### **CONSULTATION**

Director of Utilities  
Senior Management Team

### **STRATEGIC LINKS**

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

Not Applicable

**b) Corporate/Business Plan**

Not Applicable

**ATTACHMENTS**

(a) Draft Council Local Policy CS-CP-404 Onsite Detention for Adoption

# Onsite Detention

## LOCAL POLICY – CS-CP-404



<b>Directorate</b>	Sustainable Development	
<b>TRIM Ref</b>	14/53262	
<b>Status</b>	Exhibited document – No Submissions - for adoption	
<b>Adopted</b>		<b>Minute No:</b> 24/7/14 0241

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### GLOSSARY

- AHD** Australian Height Datum
- ARI** Average Recurrence Interval - Refers to the expected frequency of a particular rainfall event e.g. a 5 year ARI rainfall event will statistically occur once every five years.
- PMF** Probable Maximum Flood
- AEP** Annual Exceedance Probability - The change of flood of a given or larger size occurring in any one year, usually expressed as a percentage, e.g. if a peak flood discharge of 500m<sup>3</sup>/s has an AEP of 5% it means that there is a 5% chance (that is one-in-20 chance) of a 500m<sup>3</sup>/s or larger events occurring in any one year (see ARI).
- OSD** On-site Stormwater Detention
- SRD** Site Reference Discharge
- SSR** Site Storage Requirement

## 1. INTRODUCTION

### 1.1 BACKGROUND

A comprehensive assessment of flooding within the Griffith area was completed for the '*Griffith Flood Study*' (Patterson Britton & Partners, 2006). The study determined that flooding presents significant financial and consequential risk to properties, business and agriculture within the Griffith LGA.

At Griffith, the Main Branch Canal forms a significant barrier to discharge from the majority of urban areas. Run-off generated within urban areas ponds behind Main Branch Canal until it is discharged via a number of subways situated beneath the Main Branch Canal. The present arrangement of subways do not have sufficient capacity to adequately convey the existing peak discharge generated within their respective sub-catchments.

The findings from the *Griffith Flood Study* highlight the need to manage the discharge of run-off within the LGA. Specifically, there is a need to ensure that any future development within the LGA does not exacerbate existing flood issues.

In this regard, Griffith City Council (GCC) has completed the '*Growth Strategy 2030, The Griffith City Council 30 year Landuse/Zoning Plan, Infrastructure Plan, Financial Plan and Funding Policy*' (henceforth *Growth Strategy 2030*) and the Griffith Landuse Strategy – Beyond 2030. These documents identified locations within the Griffith Local Government Area with future development potential.

The construction of buildings, roads, paved areas and similar features is likely to increase the impermeable proportion of the catchment area. An increase in the proportion of impermeable land typically generates an increase in the peak and volume of run-off. Additionally, it may reduce the available flood warning time for properties located downstream.

Accordingly, there is a need for an On-site Stormwater Detention Policy to provide guidelines for the management of run-off from development areas, which covers both new developments and modifications to existing developments.

A draft On-site Stormwater Detention Policy was previously developed by Griffith City Council. The draft policy had been adapted from the '*On-site Stormwater Detention Handbook*' (UPRCT, 1999). Accordingly, this policy has been developed on the basis of the draft policy and with consideration of the findings of the *Griffith Flood Study*.

### 1.2 POLICY STATEMENT

The primary aim of the OSD policy is to ensure that new developments and redevelopments do not increase the volume or peak discharge of run-off within a catchment or modify the temporal distribution of stormwater discharge whereby flood impacts are adversely affected at sites situated downstream during storm events up to and including 100 year ARI (1% AEP) event.

A secondary aim of the policy is to manage development to improve the existing flood issue where possible. This may be achieved at locations within the floodplain where flooding is most benefited by facilitating early discharge of the floodwaters.

Thirdly, the OSD solution should create a sustainable solution for stormwater flow management, which complements any Water Sensitive Urban Design aspects of the development. There should be neither increase in the site discharge to the downstream drainage system nor reduction in the volume of storage provided unless specifically allowed in the following sections.

# Onsite Detention

## LOCAL POLICY – CS-CP-404



### 1.3 OBJECTIVES

The On-Site Stormwater Detention (OSD) Policy for the Griffith City Council LGA has been developed to manage the discharge of stormwater from new dwellings, developments, sub-divisions and alterations to existing dwellings/developments. The objectives include the following:

- restrict peak flows from developments to which OSD restrictions apply, for all events up to and including the 100 yr ARI event, to estimated peak flows under pre-development conditions.
- ensure that development does not adversely affect the volume and temporal distribution of run-off conveyed via existing subways;
- manage the volume and distribution of run-off conveyed via secondary and tertiary drainage channels situated within the floodplain;
- prevent increases in downstream flooding and drainage problems that could:
  - increase flood losses
  - damage public assets
  - reduce property values
  - require additional expenditure on flood mitigation or drainage works.
- reduce post development peaks, throughout the catchment, to as close to natural levels as practical;
- encourage integration of OSD systems into the architectural design and layout of the development so that adequate storage areas are included in the initial stages of the site design;
- encourage integration of the OSD facilities into a sustainable overall water management plan for the site; and,
- require construction supervision of OSD systems by the OSD designer to improve construction standards.

### 1.4 AREAS TO WHICH THE POLICY APPLIES

It is important to recognise that two different types of flooding occur within the Griffith Local Government Area. The division in flooding has arisen from the varying types of geography within the Main Drain 'J' catchment and the presence of man-made structures, especially the Main Branch Canal. In general, the two types of flooding may require different approaches towards on-site stormwater detention management.

Differentiating the basis for determining on-site detention is derived from the location of the development site relative to the Main Branch Canal. Typically, areas situated to the north of the Main Branch Canal are locations where it is imperative that run-off is retained on site. However, within certain areas to the south of the Main Branch Canal, there may be benefit gained from allowing run-off to freely discharge off-site.

## 2. OSD ASSESSMENT REQUIREMENTS

The assessment of OSD requirements has been developed in consideration of the cumulative impact of urbanisation on run-off within the Griffith Local Government Area.

### 2.1 DEVELOPMENTS TO WHICH OSD APPLIES

OSD requirements generally apply to all types of development and redevelopment on both flood liable and flood-free sites. These include the following:

- all subdivisions;
- single dwellings on lots created by a subdivision approved, unless a communal OSD system was constructed as part of the subdivision;
- all commercial, industrial and special-use developments and buildings;
- town houses, villas, home units, duplexes and dual occupancies;
- semi-detached residential/commercial and residential/industrial properties;
- buildings, car parks and other sealed areas of public sport and recreational facilities;
- single dwellings, extensions and additions;
- sites that include WSUD and water re-use .
- tennis courts;
- roads, car parks, paths and other sealed areas; and
- public buildings;

Consideration will be given to variations to the OSD only where it has been proved conclusively that infiltration/recycling or reuse of run-off will invariably reduce the site stormwater discharge for the full range of storm events and infiltration will not contribute to urban salinity.

### 2.2 DEVELOPMENTS TO WHICH OSD DOES NOT APPLY

The Griffith OSD policy does not apply to:

- sub-divisions of existing dual occupancies where no changes to the buildings or site are proposed;
- boundary adjustments and consolidations of allotments where no additional lots are created;
- minor developments, minor additions and repairs where the proposed development area is less than 100 m<sup>2</sup> (subsequent minor developments or additions shall require OSD). This exclusion is aimed principally at small areas within large commercial or industrial sites. It does not apply to any developments where the development area includes more than 100 m<sup>2</sup> of impervious surfaces nor to dual occupancies;
- change of use where no physical changes to the outside of the building are proposed;
- new developments in subdivisions where OSD has already been provided for the entire subdivision;
- On-site Detention not be required when developments do not increase the total roof and hardstand (concrete/paved/sealed) areas of an existing development, including developments whereby existing roof and hardstand areas are removed and replaced with roof and hardstand areas that do not increase the roof and hardstand area of the former development.

# Onsite Detention

## LOCAL POLICY – CS-CP-404



### 2.3 AREA OF THE SITE TO WHICH OSD APPLIES

Generally, OSD applies to the entire site, but there may be exceptions in certain circumstances, as follows:

#### 2.3.1 Additions & extensions

On an already-developed property, the OSD requirements apply only to the area of the new development, provided run-off from previously developed areas can be excluded from the OSD storage.

#### 2.3.2 Dual occupancies

Where an additional dwelling is proposed on a lot with an existing dwelling, the OSD requirements will relate to the additional dwelling and a curtilage for anticipated paths, driveways and paved areas. In the absence of details on the plans, the curtilage will be taken as 10% of the area of the proposed second dwelling. Where two or more dwellings are constructed on the same lot at the same time, the OSD requirements will be applied to the entire site.

#### 2.3.3 Subdivision of an existing residential property

When an existing residential property is subdivided to create a single additional lot, the OSD requirements will relate only to the area of the new allotment. The OSD storage facilities may be located on the remainder of the original property, provided the combined peak discharge (from both lots) is no greater than if the OSD systems were located on the new lot.

#### 2.3.4 Subdivisions creating new public or private roads and paths

The OSD requirements apply to the whole development area including roads and paths, not just the individual lots. The best solution will normally be for the detention storage to be located on one lot for the whole subdivision.

#### 2.3.5 Undeveloped portions of a lot

Portions of large lots which are unaffected by the development may be excluded from the area to be controlled by the OSD systems, provided flows from these areas can be diverted around the OSD system. Council approval must be obtained before excluding portions of a lot from the OSD requirements.

#### 2.3.6 Floodways

Creeks, waterways and drainage swales that carry major concentrated flows around the storage area are defined as floodways. The area of the floodway can be excluded from the site area for the purpose of calculating the site storage requirements, provided that the area is protected from development by an appropriate covenant or easement. The floodway line for Main Drain 'J' and secondary drainage channels located within the Main Drain 'J' floodplain has been defined in the *'Griffith Floodplain Risk Management Study & Plan'* (WorleyParsons, 2011).

Note: Overland flowpaths, which cater for minor flows cannot be excluded from the site area for the calculation of OSD.

#### 2.3.7 New development or redevelopment

Where the proposed development is of a vacant site or a complete redevelopment of an already-developed property, the OSD requirement will relate to the unsealed area of the property.

#### 2.3.8 Battle-axe blocks

The access driveway to battle-axe blocks shall be included in the site area used for calculation of the site storage requirements.

### 2.4 POLICY VARIATIONS

Council will consider requests to vary control standards or provide/contribute to alternative storage facilities in accordance with the procedures outlined in Appendix A. For equity reasons, where OSD is waived for a particular site, equivalent expenditure on measures providing environmental and/or community benefits from the development, such as water quality improvements, will be required.

In some situations, where the site is flood prone and the watercourse flows through the site, Council may accept the provision of additional mainstream flood storage in lieu of OSD. In these cases, the storage must be available over the full range of storm events and allow for the fact that mainstream flood levels will tend to decrease over time. The additional storage required is expected to be comparable but not less than the site's OSD storage requirement. Any such provision will need to be considered in the context of the preliminary floodway line which has been developed for Main Drain 'J' and its tributaries.

## 3. CONTROL STANDARDS

### 3.1 CATCHMENT AREAS TO THE NORTH OF MAIN BRANCH CANAL

Flooding and drainage issues within catchments situated to the north of the Main Branch Canal are exacerbated by the presence of man-made embankments. Of these, the Main Branch Canal is the most significant barrier overland flow, which causes floodwaters to pond behind the embankment for flood events up to and including the 100 year ARI event. Discharge of waters ponded behind the Main Branch Canal is controlled via a series of "subways" which are located along the Main Branch Canal. The areas covered by the OSD Policy are identified on Figure 1.

#### 3.1.1 Site Reference Discharge

The Site Reference Discharge (SRD) for the orifice outlet (SRDL) is 65 L/s/ha.

The Site Reference Discharge can be adjusted in accordance with the procedures available from Council's Engineering Design & Approvals Manager. These procedures have been based on Section 5.1 of the Upper Parramatta River Catchment Trust On-site Stormwater Detention Handbook.

This has been derived from consideration of the critical storm for the 100 year ARI event occurring in catchments situated to the north of Main Drain 'J'.

#### 3.1.2 Site Storage Requirements

The Site Storage Requirements (SSR) is determined by the consultant and shape of the storage so as to ensure a maximum discharge of 65 L/s/ha at the critical 100 year ARI storm.

#### 3.1.3 Minimum outlet size

To reduce the likelihood of the primary or secondary outlets being blocked by debris, the outlet openings shall have a minimum internal diameter or width of at least 25 mm and shall be protected by an approved mesh screen. Minimum 90mm diameter pipelines within developments will only be accepted.

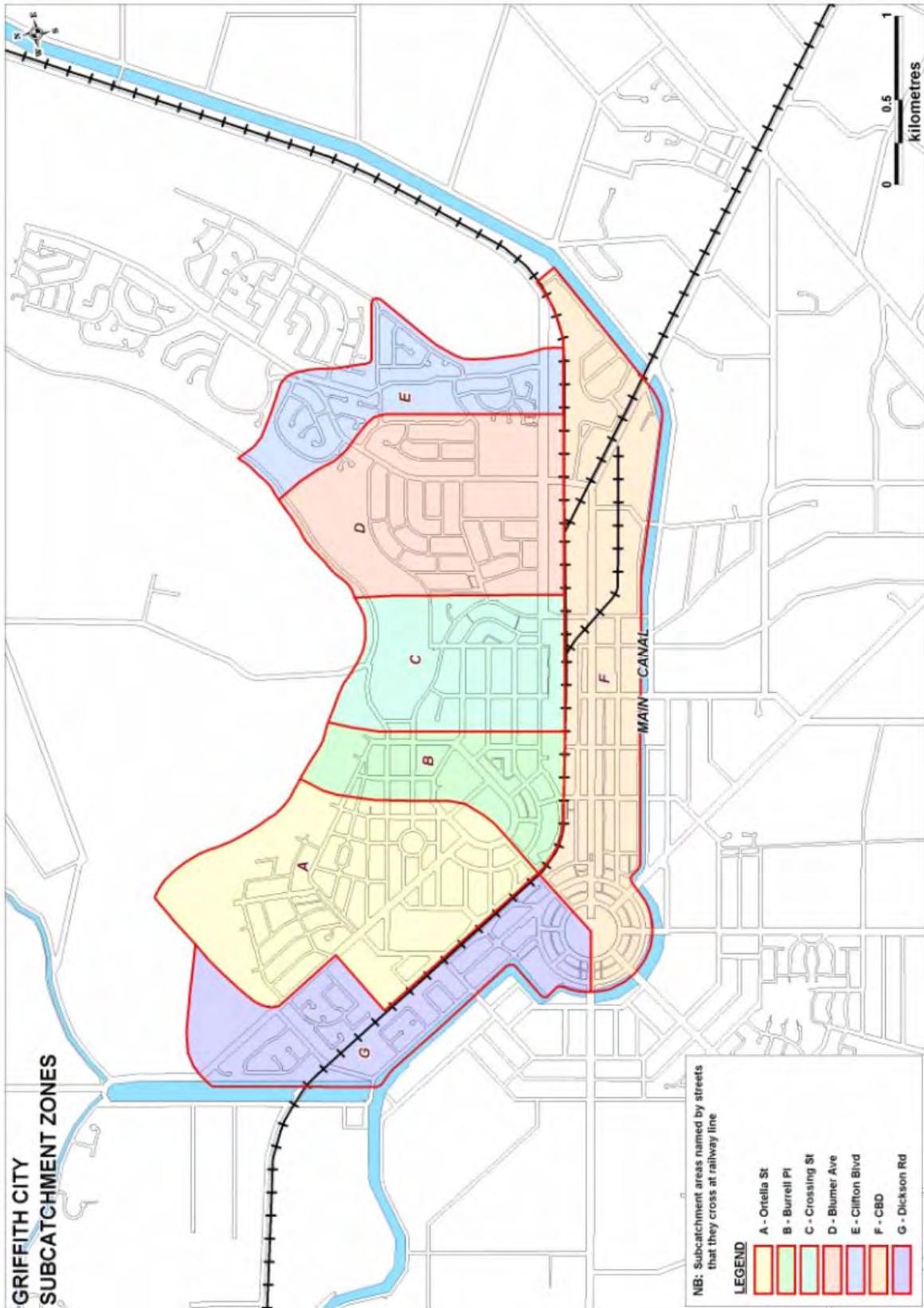
#### 3.1.4 Ponding depths

Guidelines to assist in determining depths and frequencies of ponding for different classes of storages are given in Table 1 Suggested Ponding Depths for Various Storm Events.

# Onsite Detention LOCAL POLICY – CS-CP-404



Figure 1 Griffith Urban Sub Catchment



**Table 1 Suggested Ponding Depths for Various Storm Events**

STORAGE AREA TYPE	SUGGESTED DEPTH	FREQUENCY OF INUNDATION
Pedestrian areas	Beginning to pond	Once in 20 years
	50 mm	Once in 100 years
Parking and driveways	Beginning to pond	Once in 10 years
	100 mm	Once in 20 years
	200 mm	Once in 100 years
Gardens	Beginning to pond	Once a year
	200 mm	Once in 2 years
	400 mm	Once in 10 years
	600 mm	Once in 100 years
Private courtyards (where the area is between 25 - 60 metres squared)	Beginning to pond	Once in 5 years
	300 mm	Once in 20 years
	600 mm	Once in 100 years
Paved recreation in common areas	Beginning to pond	6 times per year

It is emphasised that these are general guidelines that will be varied according to the nature of the development and the location of the storage. The maximum depth of ponding in above ground storages is 600 mm.

Council may approve deeper ponding in individual cases where the applicant demonstrates that safety issues have been adequately addressed. For example warning signs and or fencing should be installed where the depth exceeds 600 mm or adjacent to pedestrian traffic areas.

### 3.1.5 Safety fences

Surface storages should be constructed to be easily accessible, with gentle side slopes permitting walking in or out. A maximum gradient of 1(V):4(H) (ie. 1 vertical to 4 horizontal) will be required on at least one side to permit safe egress in an emergency. Where steep or vertical sides are unavoidable, due consideration should be given to safety aspects, such as the need for fencing or steps or a ladder, both when the storage is full and empty. Balustrades (fences) must comply with the Building Code of Australia while safety fences should comply with the Swimming Pool Act 1992.

### 3.1.6 Internal drainage system

The stormwater drainage system (*including surface gradings, gutters, pipes, surface drains and overland flowpaths*) for the property must:

- be able to collectively convey all run-off to the OSD system in a 100-year ARI (1% AEP) event with a duration equal to the time of concentration of the site; and
- ensure that the OSD storage is by-passed by all run-off from neighbouring properties and any part of the site not being directed to the OSD storage, for storms up to and including the 100-year ARI event.

### 3.1.7 Signage

Small OSD signs (*refer* Figure N3 in the Appendix of the Upper Parramatta Trust Onsite Stormwater Detention Handbook) shall be located in or near the OSD facility to alert future owners of their obligations to maintain the facility.

OSD Warning Signs (see Figure N1 of the Upper Parramatta Trust Onsite Stormwater Detention Handbook) are only required for OSD systems where deemed necessary by a Council because of the depth and/or location of the storage.

Signs are required at each entry into confined spaces, such as deep pits or underground storages. Guidance on the size of signs and appropriate materials is given in Appendix N of the Upper Parramatta River Catchment Trust On-Site Storm Water Detention Handbook.

## 3.2 CATCHMENT AREAS TO THE SOUTH OF MAIN BRANCH CANAL

On Site Stormwater Detention requirements for development catchment areas to the south of the main branch canal including Yoogali, Hanwood etc, as well as the Lake Wyangan and Aerodrome catchments will be assessed on a case by case basis. In some instances, release of excess stormwater earlier on in a rainfall event may be more beneficial when considering the overall impacts on flooding.

## 4. ASSESSMENT AND APPROVAL of OSD

### 4.1 DEVELOPMENT APPROVALS FOR SUBDIVISIONS

In general, OSD requirements are imposed at the subdivision stage, in the following manner:

- Development Application – submission and approval of a conceptual layout of the OSD system (Stormwater Concept Plan);
- Submission of Engineering Plans – submission and approval of the detailed design, including calculations and construction plans and details; and
- Release of Subdivision Certificate/Linen Plans – submission and approval of work-as-executed drawings, certificates of hydraulic compliance, and legal instruments on property titles protecting the OSD system.

An OSD system should be constructed at the time of subdivision and not deferred until the construction of the individual dwellings, except if it is proven that there are site restrictions (See Section 4 of the Upper Parramatta Trust Onsite Stormwater Detention Handbook).

### 4.2 DEVELOPMENT APPROVALS AND CONSTRUCTION CERTIFICATES

When the OSD requirements are implemented through the development approval and construction certificate process, the approval is in three stages:

- Development Application – submission and approval of a conceptual layout of the OSD system (Stormwater Concept Plan);
- Construction certificate – submission and approval of the detailed design, including calculations and construction plans and details;

# Onsite Detention

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- Final Approval – submission and approval of work-as-executed drawings, certificates of hydraulic (and structural, if required) compliance and legal instruments protecting the OSD system.
- If the OSD system was constructed at the subdivision stage, the system should be re-certified at final approval to ensure it will function as designed and that run-off from the roof, paved areas and landscaped areas is directed to the OSD system.

### 5. REFERENCES

- Engineers Australia, 'Australian Rainfall and Runoff – A Guide to Flood Estimation'; Volumes 1 & 2.
- Griffith City Council (*undated*), 'On-Site Stormwater Detention Policy', Draft.
- Upper Parramatta River Catchment Trust (1999), 'On-site Stormwater Detention Handbook', Third Edition, December 1999.

#### Definitions

Refer to above

#### Exceptions

Refer to above

#### Legislation

Refer to above

#### Related Documents

Refer to above

#### Policy History

Revision Number	Date of Adoption/Amendment	Minute Number
1	11 Oct 2011	0353
2	13 Aug 2013	0255

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

**CL08**

**SUBJECT: PROPOSED COUNCIL MEETINGS AND WORKSHOP DATES 2015**  
**FROM: Brett Stonestreet, General Manager**

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### **SUMMARY**

It is customary for Council to consider a report each year to adopt its Council Meeting and Workshop Schedule for the ensuing 12 months. This report proposes that Council undertake a trial during 2015 where by Council meetings be held once per month rather than the current practice of twice per month.

### **RECOMMENDATION**

**(a) Council adopt the proposed Council Meeting and Council Workshop Schedule for 2015 as per attachment (a) which incorporates one Council meeting per month.**

**(b) The change to the Council Meeting schedule from two per month to one per month for 2015 as per recommendation (a) be considered a 12 month trial and that a report be prepared for Councillors consideration at the September 2015 meeting to consider the positives and negatives of that trial.**

### **BACKGROUND**

Ordinary Meetings of Council are currently held on the second and fourth Tuesday of every month, with Council Workshops being held on the third Tuesday of every month.

I have previously mentioned briefly to Councillors at Workshop that as part of Council's internal review, consideration should be given to holding one Council meeting per month rather than two. Attachment (c) to this report is a schedule of Council Meetings for all Group 4 Councils in NSW (As determined by the Office of Local Government).

Of the 30 Councils in Group 4, 17 of those Councils meet on a monthly basis, nine meet every two weeks and four meet every three weeks.

In considering the regularity of meetings, the one statutory provision is that Councils must meet at least on 10 occasions annually. This statutory requirement is complied with whether Council meets twice per month or once per month as proposed.

It is clearly important for Councils to meet on a sufficiently regular basis to ensure timely decision making. To some degree the level of delegation to officers determines the nature of reports that are presented to Council for consideration. This is particularly the case with respect to land use planning matters. Council promotes responsible development and the following summarises the proportion of Development Applications determined under delegation or referral to Council during the last two years.

	2012/13 %	2013/14 %
Determined Under Delegation by staff	92	97
Determined by Council	8 (19 applications)	3 (9 applications)

This report proposes no change of delegation of authority to staff and as such all matters currently reported to Council will continue to be determined in this way.

The Regulation does make provision for the scheduling of Special Council Meetings in addition to Ordinary Meetings. Should there be an urgent matter which must be considered by Council prior to the next scheduled monthly meeting, the Mayor can call a Special Meeting for that purpose.

There are a range of other reports which are of a statutory nature and these must be considered by Council regardless of the level of delegation to staff. Management is confident that under the proposed trial of one Council meeting per month, these reports will still be reported to Council in a timely fashion.

There is considerable time required for staff to prepare and distribute agendas, attend to minutes preparation etc. One less Council meeting per month will free up some staff time which can be utilised on other tasks.

It is anticipated that there may be some concern expressed from the community that under the proposed trial, there will be one less occasion per month where Councillors are seen to be debating matters of interest to the community in a public forum. This issue is acknowledged but in response it is suggested that the actual content considered and discussed by Council will not change.

The current start time for Council Meetings is 7.00 pm. It is not proposed to change this time. Notwithstanding this, it is anticipated that there may be a concern that under the proposed trial, the duration of Council meetings may be unreasonably long. While it is not possible to assure Councillors that this will not occur, I would make some comment regarding Council's Committee Structure and function which may assist in Councillors' deliberation. Council has, during the last 2 years reformed its Committee structure. The number of Committees has reduced significantly from approximately 35 to approximately 15. These Committees have well defined terms of reference, have more Councillors as members than under the previous structure and most Committees have very strong community representation. It has been my observation that the vast majority of Committee reports (Minutes), inclusive of recommendations are being adopted by Council. This is an indication, in my view, that Councillors as a whole have confidence in the deliberations of the Committees. I therefore suggest that if this confidence is sustained the Committee Minutes reported to Council on a monthly basis would not result in unduly lengthy debate.

This report proposes that no Council meeting be held on 22 December 2015 due to its close proximity to the Christmas/New Year holiday period.

## **OPTIONS**

- (a) As per recommendations (a) and (b) in the report.

(b) That Council adopt a Council Meeting and Council Workshop Schedule for 2015 as per attachment (b) which incorporates two Council meetings per month.

## **STATUTORY IMPLICATIONS**

### **a) Policy Implications**

Council's Code of Meeting Conduct states:

5.1 The Council is required to meet at least 10 times each year, each time in a different month.

5.2 The Council shall, by resolution, set the time, date and place of Ordinary Meetings of the Council.

5.3 The Council may, by resolution, set the time, date and place of special meetings of the Council.

### **b) Financial Implications**

Should Council endorse a trial of one Council meeting per month there would be some saving in administration staff time, as a consequence of reduced agenda preparation time, minutes preparation etc which could be applied to other tasks.

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

Under Section 9 of the Local Government Act 1993 Council must give notice to the public of the times and places of its meetings. The adopted Schedule of Council Meetings will be advertised in the local media and on Council's website.

In addition, the Mayor continues to have the discretion to convene a special meeting of Council in accordance with Council's Code of Meeting Practice and the Local Government Act, 1993.

## **CONSULTATION**

Senior Management Team

## **STRATEGIC LINKS**

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

Not Applicable

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

Growing Griffith 2030: C5 - To provide a governance role in the continuous development of the City of Griffith.

## **ATTACHMENTS**

- (a) Proposed Schedule of Council Meetings (Monthly) and Workshops 2015
- (b) Proposed Schedule of Council Meetings (Bi-monthly) and Workshops 2015
- (c) Schedule of Council Meetings - Group 4 Councils

## (a) Proposed Schedule of Council Meetings (Monthly) and Workshops 2015

**Proposed Schedule of Council Meetings and Council Workshops  
2015**

<b>January 2015</b>		
13 January	7.00 pm	Ordinary Meeting of Council
20 January	7.00 pm	Council Workshop
<b>February 2015</b>		
10 February	7.00 pm	Ordinary Meeting of Council
17 February	7.00 pm	Council Workshop
<b>March 2015</b>		
10 March	7.00 pm	Ordinary Meeting of Council
17 March	7.00 pm	Council Workshop
<b>April 2015</b>		
14 April	7.00 pm	Ordinary Meeting of Council
21 April	7.00 pm	Council Workshop
<b>May 2015</b>		
12 May	7.00 pm	Ordinary Meeting of Council
19 May	7.00 pm	Council Workshop
<b>June 2015</b>		
9 June	7.00 pm	Ordinary Meeting of Council
16 June	7.00 pm	Council Workshop
<b>July 2015</b>		
14 July	7.00 pm	Ordinary Meeting of Council
21 July	7.00 pm	Council Workshop
<b>August 2015</b>		
11 August	7.00 pm	Ordinary Meeting of Council
18 August	7.00 pm	Council Workshop
<b>September 2015</b>		
8 September	7.00 pm	Ordinary Meeting of Council
15 September	7.00 pm	Council Workshop
<b>October 2015</b>		
13 October	7.00 pm	Ordinary Meeting of Council
20 October	7.00 pm	Council Workshop
<b>November 2015</b>		
10 November	7.00 pm	Ordinary Meeting of Council
17 November	7.00 pm	Council Workshop
<b>December 2015</b>		
8 December	7.00 pm	Ordinary Meeting of Council
15 December	7.00 pm	Council Workshop

**(b) Proposed Schedule of Council Meetings (Bi-monthly) and Workshops 2015**  
**Proposed Schedule of Council Meetings and Council Workshops**  
**2015**

<b>January 2015</b>		
13 January	7.00 pm	Ordinary Meeting of Council
20 January	7.00 pm	Council Workshop
27 January	7.00 pm	Ordinary Meeting of Council
<b>February 2015</b>		
10 February	7.00 pm	Ordinary Meeting of Council
17 February	7.00 pm	Council Workshop
24 February	7.00 pm	Ordinary Meeting of Council
<b>March 2015</b>		
10 March	7.00 pm	Ordinary Meeting of Council
17 March	7.00 pm	Council Workshop
24 March	7.00 pm	Ordinary Meeting of Council
<b>April 2015</b>		
14 April	7.00 pm	Ordinary Meeting of Council
21 April	7.00 pm	Council Workshop
28 April	7.00 pm	Ordinary Meeting of Council
<b>May 2015</b>		
12 May	7.00 pm	Ordinary Meeting of Council
19 May	7.00 pm	Council Workshop
26 May	7.00 pm	Ordinary Meeting of Council
<b>June 2015</b>		
9 June	7.00 pm	Ordinary Meeting of Council
16 June	7.00 pm	Council Workshop
23 June	7.00 pm	Ordinary Meeting of Council
<b>July 2015</b>		
14 July	7.00 pm	Ordinary Meeting of Council
21 July	7.00 pm	Council Workshop
28 July	7.00 pm	Ordinary Meeting of Council
<b>August 2015</b>		
11 August	7.00 pm	Ordinary Meeting of Council
18 August	7.00 pm	Council Workshop

## Proposed Schedule of Council Meetings and Council Workshops 2015

25 August	7.00 pm	Ordinary Meeting of Council
<b>September 2015</b>		
8 September	7.00 pm	Ordinary Meeting of Council
15 September	7.00 pm	Council Workshop
22 September	7.00 pm	Ordinary Meeting of Council
<b>October 2015</b>		
13 October	7.00 pm	Ordinary Meeting of Council
20 October	7.00 pm	Council Workshop
27 October	7.00 pm	Ordinary Meeting of Council
<b>November 2015</b>		
10 November	7.00 pm	Ordinary Meeting of Council
17 November	7.00 pm	Council Workshop
24 November	7.00 pm	Ordinary Meeting of Council
<b>December 2015</b>		
8 December	7.00 pm	Ordinary Meeting of Council
15 December	7.00 pm	Council Workshop

## (c) Schedule of Council Meetings - Group 4 Councils

**SCHEDULE OF COUNCIL MEETINGS  
GROUP 4 COUNCILS**

	Council	Meeting Frequency			Day					Time
		Monthly	Twice a Month	Every 3 weeks	Mon	Tue	Wed	Thurs		
1.	Albury City Council	√			√				(4 <sup>th</sup> Mon)	6.00 pm
2.	Armidale Dumaresq Council	√			√				(4 <sup>th</sup> Mon)	6.00 pm
3.	Ballina Shire Council	√						√	(4 <sup>th</sup> Thurs)	9.00 am
4.	Bathurst Regional Council	√					√		(3 <sup>rd</sup> Wed)	6.00 pm
5.	Bega Valley Shire Council			√			√		(every 3 wks)	2.00 pm
6.	Broken Hill Council	√					√		(last Wed of month)	6.30 pm
7.	Byron Shire Council			√				√	(every 3 weeks)	9.00 am
8.	Cessnock City Council		√				√		(1 <sup>st</sup> & 3 <sup>rd</sup> of month)	6.30 pm
9.	Clarence Valley Council	√				√			(3 <sup>rd</sup> Tues)	4.00 pm
10.	Deniliquin Council	√					√		(4 <sup>th</sup> Wed)	5.30 pm
11.	Dubbo City Council	√			√				(4 <sup>th</sup> Mon)	5.30 pm
12.	Eurobodalla Shire Council		√			√			(2 <sup>nd</sup> & 4 <sup>th</sup> Mon)	4.00 pm
13.	Goulburn Mulwaree Council		√			√			(1 <sup>st</sup> & 3 <sup>rd</sup> Tues)	6.00 pm
14.	Great Lakes Council	√				√			(4 <sup>th</sup> Tues)	9.30 am
15.	Greater Taree City Council	√					√		(3 <sup>rd</sup> Wed)	5.00 pm

	Council	Meeting Frequency			Day					Time
		Monthly	Twice a Month	Every 3 weeks	Mon	Tue	Wed	Thurs		
16.	Kempsey Shire Council	√				√			(3 <sup>rd</sup> Tues)	9.00 am
17.	Kiama Municipal Council	√				√			(3 <sup>rd</sup> Tues)	5.00 pm
18.	Lismore City Council	√				√			(2 <sup>nd</sup> Tues)	6.00 pm
19.	Lithgow City Council			√	√				(every 3 weeks)	7.00 pm
20.	Mid Western Regional Council		√				√		(1 <sup>st</sup> & 3 <sup>rd</sup> Wed)	5.30 pm
21.	Orange City Council	√				√			(3 <sup>rd</sup> Tues)	7.00 pm
22.	Port Stephens Council		√			√			(2 <sup>nd</sup> & 4 <sup>th</sup> Tues)	5.30 pm
23.	Queanbeyan City Council	√					√		(4 <sup>th</sup> Wed)	5.30 pm
24.	Richmond Valley Council	√				√			(3 <sup>rd</sup> Tues)	5.00 pm
25.	Shellharbour City Council			√		√			(3 <sup>rd</sup> Tues)	6.30 pm
26.	Singleton Council		√		√				(1 <sup>st</sup> & 3 <sup>rd</sup> Mon)	5.30 pm
27.	Tamworth Regional Council		√			√			(2 <sup>nd</sup> & 4 <sup>th</sup> Tues)	6.30 pm
28.	Wagga Wagga City Council	√			√				(last Mon of month)	6.00 pm
29.	Wingecarribee Shire Council		√				√		(2 <sup>nd</sup> & 4 <sup>th</sup> Wed)	3.30 pm

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

**CL09**

**SUBJECT: PECUNIARY INTEREST RETURNS 2013/14**  
**FROM: Shireen Donaldson, Manager Executive Services**

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## **SUMMARY**

Section 449 of the Local Government Act 1993 requires that a Councillor or designated person holding that position at 30 June in any year must complete and lodge with the General Manager within 3 months after that date a return in the form prescribed in Schedule 3 of the Local Government (General) Regulation 2005.

## **RECOMMENDATION**

**For the information of Council.**

## **BACKGROUND**

Pecuniary interest returns have been lodged by the due date by all councillors and designated persons in the appropriate format. Returns for the period 1 July 2013 to 30 June 2014 are tabled for information as required by Section 449 of the Local Government Act 1993.

Council's Internal Policy - Designated Persons Under Section 449 of the Local Government Act 1993 - specifies Council's designated persons are as follows:

- General Manager
- Senior Staff (Senior Staff at Griffith City Council are defined as the Directors)
- Manager Executive Services
- Staff delegated to issue Development Applications or other certificates e.g. construction, subdivision, compliance
- Staff involved in the Strategic Planning process
- All Compliance Officers
- Staff authorised to order goods/services of \$25,000 or more.

## **OPTIONS**

Not Applicable

## **STATUTORY IMPLICATIONS**

### **a) Policy Implications**

Not Applicable

### **b) Financial Implications**

Not Applicable

### c) Legal/Statutory Implications

#### LOCAL GOVERNMENT ACT 1993 - SECT 449

Returns disclosing interests of councillors and designated persons

449 Returns disclosing interests of councillors and designated persons

(1) A councillor or designated person must complete and lodge with the general manager, within 3 months after becoming a councillor or designated person, a return in the form prescribed by the regulations.

(1A) A person must not lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.

(2) A person need not lodge a return within the 3-month period after becoming a councillor or designated person if the person lodged a return in that year or the previous year or if the person ceases to be a councillor or designated person within the 3-month period.

(3) A councillor or designated person holding that position at 30 June in any year must complete and lodge with the general manager within 3 months after that date a return in the form prescribed by the regulations.

(4) A person need not lodge a return within the 3-month period after 30 June in a year if the person lodged a return under subsection (1) within 3 months of 30 June in that year.

(5) Nothing in this section prevents a councillor or designated person from lodging more than one return in any year.

(6) Nothing in this section or the regulations requires a person to disclose in a return lodged under this section an interest of the person's spouse or de facto partner or a relative of the person.

#### LOCAL GOVERNMENT ACT 1993 - SECT 441

Who are "designated persons"?

441 Who are "designated persons"? For the purposes of this Chapter, "designated persons" are:

- the general manager
- other senior staff of the council
- a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest
- a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members

are designated persons because the functions of the committee involve the exercise of the council's functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

#### LOCAL GOVERNMENT ACT 1993 - SECT 450A

##### Register and tabling of returns

##### 450A Register and tabling of returns

(1) The general manager must keep a register of returns required to be lodged with the general manager under section 449.

(2) Returns required to be lodged with the general manager under section 449 must be tabled at a meeting of the council, being:

(a) in the case of a return lodged in accordance with section 449 (1)-the first meeting held after the last day for lodgement under that subsection, or

(b) in the case of a return lodged in accordance with section 449 (3)-the first meeting held after the last day for lodgement under that subsection, or

(c) in the case of a return otherwise lodged with the general manager-the first meeting after lodgement.

#### **CONSULTATION**

Senior Management Team

#### **STRATEGIC LINKS**

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

Not Applicable

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

Growing Griffith 2030: C5 - To provide a governance role in the continuous development of the City of Griffith.

#### **ATTACHMENTS**

##### **TO BE TABLED**

(a) Pecuniary Interest Returns of Councillors and Designated Persons

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

**CL10**

**SUBJECT: FAIRFIELD CITY COUNCIL - CABRAMATTA MOON FESTIVAL**  
**FROM: Brett Stonestreet, General Manager**

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### **SUMMARY**

The Mayor and General Manager represented Griffith City Council at the 2014 Cabramatta Moon Festival held Sunday 7 September, hosted by Fairfield City Council. This report summarises the purpose of attending and expenses incurred in relation to this event. The report is for councillors information.

### **RECOMMENDATION**

**For information.**

### **BACKGROUND**

On 11 July 2009, Griffith City Council signed a Sister City Agreement with Fairfield City Council in order to deepen friendship and mutual understanding through various exchange activities, predominately in the cultural educational, municipal and trading of business fields.

The Cabramatta Moon Festival is recognised as one of Sydney's biggest Asian celebrations and attracts more than 90,000 people from the community and across Sydney. It is a festival for family and friends to enjoy and celebrate good health and fortune.

Griffith City Council received an invitation from Fairfield City Council to attend the 2014 Festival and at its meeting 26 August 2014 resolved to be represented.

The Festival enjoys a high profile in Sydney with Channel 7 News being a major sponsor. News reader Mark Ferguson was Master of Ceremonies at the official opening. During his address, the Mayor of Fairfield City Council, Councillor Frank Carbone welcomed the Mayor from Griffith City Council, Councillor John Dal Broi and made particular mention of both cities embracing residents from a host of different cultural backgrounds.

Sydney's population continues to grow strongly and the geographic centre of the City is moving to the west. While cultural exchange is the primary driver for this Sister City relationship, increased congestion in metropolitan Sydney will strengthen Griffith's case as a wonderful alternative lifestyle.

Invitations on an informal basis were extended to Fairfield City Council to attend Griffith's 2015 La Festa and/or Salami Festival.

### **OPTIONS**

Not applicable

## **STATUTORY IMPLICATIONS**

### **a) Policy Implications**

Not Applicable

### **b) Financial Implications**

Accommodation and meals - \$715.60

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

Not Applicable

## **CONSULTATION**

Council

## **STRATEGIC LINKS**

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

Objective L7. Promote, celebrate and build on our cultural diversity and cosmopolitan identity.

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

Not Applicable

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

**CL11**

**SUBJECT: STATUS OF DEVELOPMENT COMPLIANCE, REAL JUICE COMPANY**  
**FROM: Neil Southorn, Director Sustainable Development**

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## **SUMMARY**

This report summarises progress toward compliance with development consent of the Real Juice Company. This is brought to Council's attention because of the imminent expiry of previously resolved concessions given to Real Juice Company from Council and in the public interest.

## **RECOMMENDATION**

**Council note the report.**

## **BACKGROUND**

The Real Juice Company (Real Juice) has been operating without an Occupation Certificate since gaining initial development approval in 2004. This has been the subject of on-going correspondence, discussion and compliance action by Council staff and the subject of several complaints from the public.

Correspondence from Council to Real Juice dated 8 April 2014 contains a list of non compliant matters as at that date, which has been forwarded to Councillors under separate cover for information together with the response from Real Juice received 16 September 2014.

This is an extensive list of matters across a number of Development Applications that are non compliant but the major areas of concern to Council are summarised below with a comment on the status of each.

### **1. Fire Safety**

Real Juice have installed fire safety equipment and have implemented other fire safety measures as required and Council has been supplied with the required Fire Safety Certificate for those buildings that have been completed. The deadline required by Council of 30 April 2014 was not complied with but Council staff are satisfied that some extenuating circumstances applied.

There are other building works not yet completed but for which a Construction Certificate has been issued or a Building Certificate requested. Council staff expect certification for these works to be finalised before their occupation, and that remaining outstanding compliance issues will be addressed in a reasonable time frame.

### **2. Operating Hours**

Council resolved on 3 occasions to allow Real Juice to operate with extended hours for a three month period on each occasion. The most recent resolution of Council expires

on 25 September 2014. The reason to allow extended operating hours was to give time for the installation and commissioning of new processing equipment that would allow production to be undertaken within approved operating hours.

Council staff have not been advised when the new equipment will be commissioned. However, a Building Certificate has been requested for the building works that house the new equipment, which were constructed without approval, and Council staff have undertaken building and food safety inspections in response.

The proprietors have said to Council staff that they would like to operate for longer hours. Council has not received an application to do so.

Council staff therefore expect Real Juice to return to approved operating hours after 25 September 2014.

### **3. Waste management**

Council staff have been working closely with Real Juice on an alternative system for management of waste water, which would be an "alternative solution" to that which is required in their development approval. In the mean time, Real Juice discharge waste water that has undergone coarse solids separation onto land adjoining the facility, with the solid component transported off site. This practice is not compliant with the conditions of consent, which require Real Juice to contain all waste water in tanks for external disposal, with approval to do so for a production level of 1040 tons per year, and submit a waste management plan.

Despite this, Council staff have been prepared to consider an alternative solution, have assisted Real Juice in the assessment of a concept design, have made Council equipment available and have undertaken waste sampling and testing to enable a final design to be submitted to Council for approval. The most recent correspondence from Real Juice indicates that a final proposal will be submitted by the end of September 2014. Council staff therefore expect that a final proposal will be submitted for approval by that date, and that (subject to approval) an appropriate waste treatment system be installed shortly thereafter.

This brings into consideration the level of production at Real Juice. Data provided by Real Juice to Council indicates a production level of 28,962 tons of fruit for the period 12 January 2013 to 31 December 2013. Clearly, this quantity of product and the volume of waste water generated by Real Juice greatly exceeds that permitted in the consent. Council staff expect that the final proposal for waste treatment to be capable of this quantity of waste. A production level of 30,000 tons per annum triggers the requirements under the Environmental Planning and Assessment Act for Designated Development and subsequent referral to various State agencies.

Council is also advised of other issues that Council staff have recently responded to.

A weigh bridge was installed without development approval. Council has since received a development application requesting retrospective approval. This application appears to be inconsistent with the location of the works, so additional information has been requested of the applicant. In addition, a transportable building has recently been located on the property without development approval.

Council staff have issued a Construction Certificate for an enclosed awning at the front of the building facing Duchatel Road, which is part of the approved development. This structure is expected to partly mitigate the impacts of noise and light spill on a nearby

residence.

## **OPTIONS**

The report is brought to the attention of Council for information. Council can resolve in any way on matters arising from the report.

## **STATUTORY IMPLICATIONS**

### **a) Policy Implications**

Not Applicable

### **b) Financial Implications**

Not Applicable

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

Council has significant statutory responsibilities in regard to development approval and compliance.

### **d) Environmental Implications**

The management of waste water at Real Juice remains an environmental risk and has resulted in compliance action by Council in the past.

### **(e) Community Implications**

Whilst Real Juice make an important contribution to the local citrus industry, the community expects Council ensure developments operate in accordance with their conditions of approval.

## **CONSULTATION**

Senior Management Team

## **STRATEGIC LINKS**

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

Not Applicable

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

Not Applicable

## **ATTACHMENTS**

- (a) Letter to Real Juice dated 8 April 2014 - Forwarded to Councillors only Under Separate Cover
- (b) Letter in Response from Real Juice to Council dated 15 September 2014 - Forwarded to Councillors only Under Separate Cover



**MINUTES OF THE COMMUNITIES COMMITTEE MEETING HELD IN THE  
COUNCIL CHAMBERS, GRIFFITH ON 19 AUGUST 2014 COMMENCING AT  
4.08 PM**

**PRESENT**

Councillor Pat Cox (Chair), Susan Delves (Community), Anita Naidoo (Community), Sue Reynolds (Community), Jenna Thomas (Stakeholder), Lexi King (Community), Robert Carroll (Community) and Mieke Snigder (UNSW representative).

**STAFF PRESENT**

Director Sustainable Development, Neil Southorn; Community Development Coordinator, Peta Dummett; Aboriginal Liaison Officer; Roger Penrith, Minute Secretary; Jennifer O'Donnell- Priest - Quorum = 6

**CL01 APOLOGIES**

**RECOMMENDED** on the motion of Jenna Thomas and Sue Delves that apologies be received from Councillor Anne Napoli (Chair), Councillor Alison Balind, Councillor Doug Curran and Councillor Mike Neville.

**Absent:** Hifo Loseli (Community), Michelle Druitt (Community).

**CL02 CONFIRMATION OF PREVIOUS MINUTES**

**RECOMMENDED** on the motion of Robert Carroll and Jenna Thomas that the Minutes of the previous meeting held on 20 May 2014 and the notes of the meeting held 15 July 2014, having first been circulated amongst members, be confirmed.

**CL03 BUSINESS ARISING**

**3.1 Blood Bank Closure**

Councillor Cox advised that although the Blood Bank has publicised that it is open in Griffith for two days, it really only equates to one as it is from lunch one day until lunch time the next day. Councillor Cox, as previously noted, is to send a letter to the Blood Bank expressing dissatisfaction with current service.

**3.2 Outstanding Land Claim**

Mr Carroll advised that this would be listed for next meeting. Mr Southorn can liaise with the Lands Council regarding this and other matters.

### **3.3 Yenda Progress Association**

Mr Southorn updated the Committee on the toilet amenities in Yenda Memorial Park. He advised that the concept plan was endorsed by stakeholders but that quotes received were more expensive than building a new block. Council is in the process of negotiating a better financial outcome.

### **3.4 Indigenous Advancement Strategy**

Mr Penrith advised that the Department of Prime Minister and Cabinet are conducting public information sessions on the Indigenous Advancement Strategy in several communities including Griffith and Wagga Wagga. The Committee requested that Mr Penrith invite Mr Craig McIver from the Indigenous Affairs Network (Department of the Prime Minister and Cabinet) to give an information presentation to the Committee at the next meeting.

### **3.5 Headspace4Griffith**

Ms Dummett advised that the postcard continues to be sent out. Michael McCormack is promoting school forum. Recent correspondence has been received advising that a progressive announcement of successful applicants will be made.

### **3.6 MoU Deakin University**

Mr Southorn advised the Committee that the MoU with Deakin University has been signed and in turn has encouraged communication and stronger relationship between TAFE and local business.

## **CL04 DECLARATIONS OF INTEREST**

Nil declared.

*At this point in the meeting, the time being 4.22 pm, Mieke Snijger, Research Officer from National Drug and Alcohol Research Centre entered the meeting and was introduced by Councillor Cox.*

## **CL05 PLANS TO PROGRESS KEY TARGET AREAS IDENTIFIED FOR COMMUNITIES DIRECTORATE**

### **CL06 LIST OF CURRENT PROGRAMS-SUPPORT UNDERTAKEN**

Ms Dummett tabled documentation listing Griffith City Council's major projects. The Committee noted the current projects report and discussed the information it contained.

Ms Dummett also tabled a document with current community programs and forums i.e. Community Drug Action Team, Youth Mental Health Forum, Headspace, Community Grant Policy, Creative Ageing Digital Grant Citizenship, Food Forest Signage & Maps and Bikes, Crime Forum, Disabilities Forum for Council Staff, Youth Engagement and Staff Recruitment.

Some members of the Committee expressed disappointment regarding an Amendment to a Motion, proposed at the Ordinary Meeting of Council held 26 June 2014, that did not support the Community Development targets that are identified by the Committee.

**CL07 YOUTH MENTAL HEALTH FORUM - PRESENTATION BY MIEKE SNIJDER**

Mieke Snijder, Research Officer from University of NSW Drug and Alcohol Research Centre made a presentation to the Committee. Mieke advised that the UNSW Medicine Faculty had received a grant to work with Griffith Aboriginal Medical Services (GAMS). The project will examine the cost-effectiveness of a community empowerment and positive reinforcement intervention for reducing alcohol related injury and violence among Aboriginal people in three rural locations (Griffith Narrandera and Lake Cargelligo in NSW. Investigators will work with local Aboriginal Medical Services to implement and evaluate the intervention in the locations. Mieke advised that the project will focus on young people and families.

The researchers are currently in Griffith to working with the implementation committee about how to undertake the projects. The Committee discussed options and gave suggestions for the project including education plans, family well being programs and skills training. Ms Snijder advised that the project was in the initially phase. Funding will be received until 2016. The research project would focus on sustainability of programs i.e. upskilling local workers to continue programs identified once the funding runs out.

**CL08 COMMUNITY DRUG ACTION TEAM**

Ms Dummett advised that the Community Drug Action Team were currently working with students at TAFE who can assist with a community survey and evaluation.

**CL09 POLICY REVIEW**

Mr Southorn advised that the Community Grant Program Policy that was being advertised was not the correct version so the exhibition period has been extended for another month. Ms Thomas advised that she had lodged a submission with regards to successful applicants requiring to have an evaluation of their project. She also requested that it be reinforced to applicants that the Council grant funding should not be recurrent in nature and that when the event is advertised that Council is recognised.

**RECOMMENDED on the motion of Jenna Thomas and Lexi King that Council proceed to advertisement for Community Grant Program applications.**

The Committee discussed whether organisations that were directly allocated funds by Council were listed as a part of the policy that is being currently exhibited and if not, queried the reason why they are not. It was also queried why policy as endorsed by the Council is not followed by Councillors. Mr Southorn stated that a policy of Council was not binding under statute and it was possible for Council to depart from a set policy. It was argued that Councillors should apply all policies consistently and if not a statutory requirement, Councillors should have a moral requirement to support their own policies.

**RECOMMENDED on the motion of Jenna Thomas and Lexi King that funding acquittals be required for the pre approved bodies in keeping with best practice grant procedures.**

**CL10 COMMITTEE POSITION/S**

The Committee discussed the unavailability and absence of committee members. It was deemed appropriate to send letters to inactive members of the Committee to gauge members availability to attend meetings. If unable to attend or supply an alternate then the position can be advertised.

**RECOMMENDED on the motion of Sue Delves and Lexi King that a letter be written to inactive members to gauge interest and availability to attend meetings with a response date included. If members decline or no response given then the position be re-advertised.**

## **CL11 GENERAL BUSINESS**

### **11.1 Crime Prevention Workshop**

A Crime Prevention Workshop is being organised for Thursday 5 September 2014. Ms Dummett encouraged Committee attendance and requested that members advise her as soon as possible on their availability.

### **11.2 Youth Leadership Grant**

Ms Dummett advised that she has been advised through Adrian Piccoli's office that a Youth Leadership Grant is available. Ms Dummett stated that the program would need to be designed to engage young people to encourage leadership skills. A leadership workshop or something similar that could be held at PCYC or the Westend Stadium was suggested. Ms Dummett to call a meeting to discuss proposed projects.

Ms Dummett also advised that a Grant for Seniors Week is available for \$5,000 and ask if the Committee members had any ideas for an application could they please forward them to her.

### **11.3 White Balloon Day**

Ms Dummett tabled a letter forwarded by the Mayor from Ray Hadley regarding participation in Bravehearts 'White Balloon Day' event Friday 12 September 2014 during National Child Protection Week. White Balloon Day is a national day of support, awareness and fundraising to protect Australian children against sexual assault.

Councillor Cox advised that the Soroptimists are holding an activity for White Ribbon Day.

### **11.4 Headspace4Griffith**

Mrs Delves requested that a letter on behalf of the Communities Committee be forwarded in support of Headspace4Griffith. Councillor Cox requested Committee members, if there was a chance, to pop into other Headspace Centres. There is a centre located in Wagga and Shepparton. It was also suggested that members view the Headspace Web Page.

## **CL12 NEXT MEETING**

The next meeting of the Communities Management Committee is to be held on 16 September 2014 in the Council Chambers commencing at 4.00 pm.

There being no further business the meeting closed the time being 5.30 pm.



**MINUTES OF THE GRIFFITH COMMUNITY PRIVATE HOSPITAL COMMITTEE  
MEETING HELD IN THE MURRAY ROOM, GRIFFITH ON TUESDAY,  
26 AUGUST 2014 COMMENCING AT 6.00 PM**

**PRESENT**

Councillor John Dal Broi (Chairperson), Councillor Anne Napoli & Councillor Mike Neville

**STAFF PRESENT**

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

Quorum = 2

**CL01 APOLOGIES**

There were no apologies received.

**CL02 CONFIRMATION OF PREVIOUS MINUTES**

**RECOMMENDED** on the motion of Councillors Neville and Napoli that the Minutes of the previous meeting held on 22 July 2014, having first being circulated amongst members, be confirmed.

**CL03 BUSINESS ARISING**

Item 5.3 - Report from Councillor Dal Broi - Consultants have been appointed to consider sharing of services. Consultant to provide information to Board of Griffith Base Hospital. Anticipated that the Board will support and then advise St Vincent's regarding food, sterilisation and other services. Councillor Dal Broi to contact St Vincent's Toby Hall regarding the signing of lease.

**CL04 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**CL05 UPDATE REPORTS**

**5.1 Hospital Update (presented by Max Turner)**

- The schematic design is progressing with completion scheduled for August 2014.
- Modifications to the Development Application were completed and minor changes with regard to loading area were provided to TSA Management.
- The Deed of Variation between Council and the Commonwealth has been signed and returned.
- Project Control Group Meeting was held 14 August 2014, attended by Councillor Dal Broi, Max Turner and Neil Southorn.

**5.2 Report from Brett Stonestreet**

- Mr Stonestreet advised Owen Judge has resigned from St Vincent's, effective September 2014. Kevin Dalton is to be the primary contact at St Vincent's.

**CL06 GENERAL BUSINESS**

There was no general business raised.

**CL07 NEXT MEETING**

The next meeting is to be held Tuesday 23 September 2014 at 6.00 pm

There being no further business the meeting closed the time being 6.34 pm.



**MINUTES OF THE FESTIVAL OF GARDENS COMMITTEE MEETING HELD IN  
THE COUNCIL CHAMBERS, GRIFFITH ON 4 SEPTEMBER 2014  
COMMENCING AT 3.00 PM**

**PRESENT**

Councillor Pat Cox (Chair), Councillor Doug Curran, Ann Lynette Brown (Community), Gaynor Clements, (Community), Eleanor Hancock (Community), Rina Mercuri (Community), Maryanne Mitchell (Community), Susan Wegner (Community), Bruno Plos (Voting), Joy Plos (Voting) and June Devery (Alternate).

**STAFF PRESENT**

Marketing and Promotion Officer, Paige Campbell and  
Minute Secretary, Marisa Martinello.  
Quorum = 7

**CL01 APOLOGIES**

**RECOMMENDED** on the motion of Lynette Brown and Eleanor Hancock that apologies be received from Greg Lawrence, Ellen Kelly, Rosa McKenzie, David Spence, Glennis Spence, Mirella Guidolin and Councillor Zappacosta.

**CL02 CONFIRMATION OF PREVIOUS MINUTES**

**RECOMMENDED** on the motion of Bruno Plos and Sue Wegner that the minutes of the previous meeting held on 7 August 2014, having first been circulated amongst members, be confirmed.

**CL03 BUSINESS ARISING**

**3.1 Gardens**

Councillor Cox advised that Garden owners have been organised and garden owner packs will be sent out in the following week.

**3.2 Showbags**

Councillor Cox advised that items for the showbags have been sourced and a price for the showbags will be determined.

### 3.3 Flower Pots in Banna Avenue

The Committee agreed that names of Committee members will only be recorded when moving and seconding recommendations put to the Committee for voting.

Councillor Cox to respond to Council staff to advise of what has been achieved with the gardens in the main street and also advise of some of the things that still require attention. The garden in Memorial Park from the Post Office to the Court House needs to be looked at.

#### **CL04 DECLARATIONS OF INTEREST**

**Bruno and Joy Plos - Less than Significant Non-Pecuniary Conflict of Interests - Gardens** - Garden entry in the Festival of Gardens - *Make a declaration, stay in the meeting and participate in the debate and vote on the item.*

**June Devery - Less than Significant Non-Pecuniary Conflict of Interests - Gardens** - Garden entry in the Festival of Gardens - *Make a declaration, stay in the Meeting and participate in the debate and vote on the item.*

**Rina Mercuri - Less than Significant Non-Pecuniary Conflict of Interests - Gardens** - Garden entry in the Festival of Gardens - *Make a declaration, stay in the Meeting and participate in the debate and vote on the item.*

#### **CL05 PROGRAM**

Ms Campbell advised that the brochures are ready and have started going out. A distribution to Banna Avenue business with posters will go out tomorrow.

#### **CL06 WINDOW DISPLAY**

Ms Campbell advised the Committee that a media release has been done and there will be a story in the Area News on Friday.

Applications for the window display will close on 10 October 2014 for judging to be held 13 and 14 October 2014 with the winner being announced at the Friday 17 October 2014 night launch. Applications are available on the website.

#### **CL07 LAUNCH - FRIDAY NIGHT 17 OCTOBER 2014**

Ms Campbell presented a report for the launch to be held Friday night 17 October 2014. Mr Bertoldo will be organising the paella. There will be entertainment and a BBQ. Mr Carnevale will be present on the night. The west bound lane from Bonegilla Road to Jondaryan Avenue will be closed on the evening of the launch.

#### **CL08 DINNER - SATURDAY NIGHT 18 OCTOBER 2014**

Councillor Cox advised the Committee that the dinner to be held Saturday 18 October 2014 at Pioneer Park will have a colour theme of red, white and green with food, wine and stories from 6.00 pm to 10.00 pm. Numbers have been set at 120 people.

### **CL09 UPDATE ON CITRUS SCULPTURES**

Councillor Curran advised that with the help from Roads and Maritime Services (RMS) and Council staff a speed zone of 40 kph has been put in place for the duration of the Citrus Sculptures display and that westbound Banna Avenue from Bonegilla Road and Jondaryan Avenue will be closed from 5.30 pm to 10.30 pm on the night of the launch Friday, 17 October 2014. A new sculpture positioning plan for Banna Avenue has been drafted and there is room for expansion in future years.

### **CL10 GENERAL BUSINESS**

#### **10.1 Publicity**

Ms Campbell showed the Committee the two page Festival feature in the Out and About magazine which is distributed through North West Victoria and Southern NSW.

Ms Campbell advised that advertisements for the Festival of Gardens have been scheduled to be on television in Griffith, Wagga and Albury.

#### **10.2 Itinerary**

Councillor Cox advised that some of the fare for Mr Carnevale was covered, not all. Mrs Wegner will be providing the accommodation for Mr Carnevale at no charge.

Mrs McGrath will be following up the colour competition with schools in the area.

Mrs Campbell is to contact schools in the area with regards to involvement in a workshop with Mr Carnevale.

#### **10.3 Coach Groups Attending**

Councillor Cox advised that to date 18 coach groups have booked, 8 pre and post groups, 17 passengers on the Saturday have booked and 11 people have booked for the Friday.

#### **10.4 Raffle Prize**

Councillor Cox advised that the entry to the garden raffle prize this year is a \$250 Bunnings voucher.

The Committee wished to thank Ms Campbell for all her work and for all her ideas she has put into the Festival of Gardens.

### **CL11 NEXT MEETING**

The next meeting of the Festival of Gardens Management Committee is to be held on 2 October 2014 at 3.00 pm in the Council Chambers.

There being no further business the meeting closed the time being 3.55 pm.



**MINUTES OF THE TRANSPORT COMMITTEE MEETING HELD IN THE  
MURRAY ROOM, GRIFFITH ON 8 SEPTEMBER 2014 COMMENCING AT  
5.30 PM**

**PRESENT**

Councillor Simon Croce (Chair), Councillor Doug Curran, Councillor Christine Stead,  
James Jackson (Stakeholder), Christine Tomlinson (Stakeholder), Gerry Wilcox  
(Stakeholder - alternate)

**STAFF PRESENT**

Director Infrastructure and Operations, Dallas Bibby; Director Utilities, Graham Gordon;  
Traffic Engineer, William Wood; Road Safety Officer, Greg Balind; Development  
Engineer, Joe Rizzo; Coordinator Planning and Compliance, Kelly McNicol; Minute  
Secretary, Leanne Austin  
Quorum = 4

**CL01 APOLOGIES**

**RECOMMENDED** on the motion of Councillor Curran and James Jackson that  
apologies be received from Bob Campbell, Alf Trefilo, Ray Ellis and Councillor Napoli.

**CL02 CONFIRMATION OF PREVIOUS MINUTES**

**RECOMMENDED** on the motion of Councillor Curran and Christine Tomlinson that the  
minutes of the previous meeting held on 11 August 2014, having first been circulated  
amongst members, be confirmed.

**CL03 BUSINESS ARISING**

**3.1 Road Train Access - Hartwigs**

Mr Balind advised this would be followed up prior to the next meeting.

**3.2 Couch Road**

Ms Tomlinson enquired if any progress had been made in relation to improvements along  
Couch Road. Mr Bibby advised this has been listed and will be attended to in due course.

### **3.3 Traffic Management Plans Citrus Sculptures**

Mr Balind advised that a meeting had been held on site on 12 August 2014. Council had come to an agreement with the RMS for an acceptable traffic management plan. New plans are being prepared and will be considered at the next Traffic Committee meeting.

### **3.4 Closure of Runway 18/36 at the Airport**

Mr Jackson enquired if any progress had been made in relation to the runway issue. Mr Bibby advised options are being investigated and a report would be brought back to the Committee.

### **3.5 Airport Parking Area**

Councillor Croce enquired if investigations had been carried out in relation to Mr Trefilo's request at the previous meeting. Mr Bibby advised current parking provisions were adequate.

### **3.6 Yoogali Intersection Bridge Rails**

Councillor Croce advised he had inspected the rails and there was a bend in one of the rails. Mr Bibby advised this has been reported to the RMS.

Councillor Stead entered the meeting the time being 5.35 pm.

## **CL04 DECLARATIONS OF INTEREST**

Nil.

## **CL05 REQUEST FOR ROAD TRAIN ACCESS - BARRACKS ROAD AND DOUG MCWILLIAM ROAD YENDA - MCNAUGHTS TRANSPORT**

The Committee considered a request from McNaughts Transport for the use of Barracks Road and Doug McWilliam Road by 32 metre long road trains for the purpose of accessing the Australian Grain Storage (AGS) facility.

Mr Balind advised Barracks Road does not meet the criteria for sustaining road trains due to its width, unsuitable turning paths and school zone.

Mr Bibby advised there were a lot of underground services in the area and it would also be difficult to obtain approval from the RMS. Any upgrade project would be a very costly exercise.

**RECOMMENDED on the motion of James Jackson and Councillor Curran that**

**(a) The Transport Committee refuse the use of Doug McWilliam Road and Barracks Road by road train vehicles and**

**(b) Council approach Casellas, AGS and McNaughts in relation to possible contribution to widening/treatments required to permit road train access.**

**CL06 EAST GRIFFITH SHOPS TIME RESTRICTED PARKING**

The Committee considered a report on parking arrangements at the East Griffith Shopping Complex. Mr Gordon gave an overview of the recent survey conducted at East Griffith Shopping complex.

**RECOMMENDED on the motion of Councillors Stead and Curran that the three 30 minute car parking restrictions placed at the eastern end of the East Griffith Shopping Complex car park be removed.**

**CL07 FOOTPATH POLICY ISSUES**

Mr McNicol addressed the Committee to provide further information in relation to the Use of Council Footpaths policy. Council staff are proposing to incorporate the policy into the Development Control Plan.

Mr McNicol explained that outdoor eating areas should not encroach 1 metre from the kerb. There also needs to be a 1 metre allowance from the shop front to enable the display of racks/signs and such. This leaves approximately 2.5 metres available space.

Councillor Croce raised concerns with permanent structures that have already been erected that may not be compliant.

Mr McNicol advised the policy needs to be reviewed or incorporated in the DCP. Council can not enforce compliance with developments that have already been approved however any new developments would have to comply. As licence agreements come up for renewal some changes will be able to be made.

**CL08 ACTION REPORT**

The Action report was updated.

**CL09 GENERAL BUSINESS****9.1 Yambil Street Road Surface**

Councillor Croce enquired if all drainage issues along Yambil Street and been fixed and if anything could be done to improve the road surface. Mr Bibby advised there are still some drainage issues which need to be addressed however, it may be possible to improve this area following completion of programmed projects including Jones Road, Lakes Road, Oakes Road. Some kerb and gutter repair work would be required. There is currently no funding available.

**9.2 Parking Arrangements Griffith Medical Centre**

Councillor Croce raised the issue of parking in the Griffith Medical Centre precinct. Mr Balind advised there are some vehicle pedestrian conflicts and he would check old plans in relation to line marking, concept plans and such. Information is to be brought to the next meeting.

**9.3 Lake Wyangan Bicycle Track**

Councillor Croce requested that the Lake Wyangan bicycle track be listed for maintenance as it is

starting to deteriorate. Mr Bibby advised a section had been resealed. Mr Bibby is to look at budget/funding for this.

#### **9.4 RMS Funding**

Mr Bibby updated the Committee on blackspot funding which had been provided for Thorne Road and Murrumbidgee Avenue. However, this is now in conflict with the southern heavy vehicle bypass plans which Council is currently seeking funding for. Mr Bibby will investigate if the blackspot funding can be transferred to another project however it needs to be completed by 30 June. The RMS has also provided additional shared path funding for the continuation of the pathway from Poole Street to Sanders Street and Clifton Boulevard, which is in line with Council's Bicycle path strategy. PAMP funding has also been approved.

#### **9.5 Backpackers Hostel**

Councillor Stead raised the issue of parking around the Griffith Regional Aquatic Leisure Centre and in particular parking outside the backpackers hostel. Mr McNicol advised he will investigate this further as part of the conditions of the development application. Compliance Officers will be calling in to local backpacker facilities in the next week in relation to compliance issues in preparation for the coming season.

#### **9.6 Splash N Dash - GRALC**

Mr Wood advised GRALC had put in a proposal to hold a Splash n Dash event which involves a run and swim. A date has not yet been determined however a route has been planned using shared paths, thus minimising the need for traffic control. Conditions of entry would advise that participants do not have right of way on the road.

#### **9.7 Banna Avenue Private Vehicles for Sale**

The Committee considered options for parking arrangements along the eastern end of Banna Avenue, on the southern side where a number of vehicles for sale are being parked.

Councillor Curran raised his concerns that restricting parking on the southern side would create an issue on the northern side of Banna Avenue. Parking restrictions on the northern side would require consultation with stakeholders in the area. The Committee also considered implementation of an exclusion zone policy.

The Committee recommended that 2 hour restricted parking be installed in front of the concerned businesses on the southern side of Banna Avenue and that angled parking at 60 degrees be implemented. This is to be considered by the Traffic Committee

#### **9.8 Maintenance Issues**

Mr Jackson advised there was gravel over the road at Kissell's Corner and potholes at the Showground and near KFC which need to be attended to.

#### **9.9 Willbriggie Bend**

Mr Balind advised there had been a recent single vehicle accident at the Willbriggie Bend. Mr Bibby advised this had been listed with the RMS to upgrade.

#### **9.10 Yambil Street Linemarking**

Mr Balind advised there was an issue with the length of the double lines along Yambil Street

causing vehicles to undertake dangerous u-turns. Mr Bibby advised this would be investigated.

**9.11 No Stopping Zones School Areas**

Mr Balind advised yellow lines have been applied to part time "No Stopping" zones around school zones such as Griffith East and North Griffith which have effectively turned those temporary No Stopping zones into 24/7 No Stopping zones - therefore restricting residents from parking in front of their houses. The yellow lines are a regulatory traffic management measure to which legislation applies. Mr Balind further advised approval did not come via his office or the Transport Committee.

**9.12 Taxi Shelter**

Mr Balind advised he had received a request for an extension to the taxi shelter in Banna Avenue however this may require removal of some trees. For further investigation.

**CL10 NEXT MEETING**

The next meeting of the Transport Management Committee is to be held on 13/10/2014 at 5.30 pm.

There being no further business the meeting closed the time being 7.06 pm.



**MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD IN THE MURRAY ROOM GRIFFITH ON 9 SEPTEMBER 2014 COMMENCING AT 10.30 AM**

**PRESENT**

Councillor Doug Curran (Chair), Sergeant Mark Andrews (Police), Michael Buckley (RMS), John Bonetti (representing Adrian Piccoli)

**STAFF PRESENT**

Director of Utilities, Graham Gordon; Development Engineer, Joe Rizzo; Traffic Engineer, William Wood; Road Safety Officer, Greg Balind; Minute Secretary, Jenny O'Donnell-Priest

**CL01 APOLOGIES**

Nil apologies received.

**CL02 CONFIRMATION OF PREVIOUS MINUTES**

**RECOMMENDED** on the motion of Sgt Andrews and RMS representative that the minutes of the previous meeting held on 12 August 2014, having first been circulated amongst members, be confirmed.

**CL03 BUSINESS ARISING**

Nil business arising.

**CL04 DECLARATIONS OF INTEREST**

**Less than Significant Non-Pecuniary Interests**

*Members making a less than significant non-pecuniary declaration may stay in the room, participate in the debate and vote.*

Councillor Doug Curran - CL05 - Update on Traffic Control Plans - Festival of Gardens  
Councillor Curran is a member of the Festival of Gardens Committee

**CL05 UPDATE ON TRAFFIC CONTROL PLANS - FESTIVAL OF GARDENS**

The Committee approved of the Traffic Management Plans (TMP) electronically. The resolution is now noted with the changes to the TMP. Schedule 1 has been submitted and insurance Certificate of Currency provided. There has been changes to the plan of positioning of the sculptures with an offset design and a 4 metre clearance zone running down the middle. The centre parking bay is now being utilised. Councillor Curran advised that the FOG committee are happy with the new design.

Mr Bonetti enquired as to whether the design would be suitable if there were additional sculptures in the future with Councillor Curran responding the design would support some addition sculptures but that if it grew beyond this that the FOG Committee would need to reconsider additional locations.

**RECOMMENDED on the motion of John Bonetti and Police Representative that appreciation be expressed to the RMS at the next strategic meeting regarding their practical approach to negotiations.**

**CL06 EAST GRIFFITH SHOPS TIME RESTRICTED PARKING**

The Committee discussed parking arrangements at the East Griffith Shopping Complex. Mr Gordon gave an overview of the recent survey conducted at East Griffith Shopping complex and Mr Rizzo advised that Traffic Engineer, Mr Wood had advised business owners of the recommendation.

**RECOMMENDED on the motion of John Bonetti and Sgt Andrews that the three 30 minute car parking restrictions placed at the eastern end of the East Griffith Shopping Complex car park be removed.**

**CL07 ACTION REPORT**

The Action Report was reviewed and updated.

**Mirrool Branch Canal Intersection** - Council and RMS representative meeting held. Design and treatment options to be sent to the RMS for consultants to come up with design.

**Myall Park Beelbangera** - Further action to be taken following outcome of funding application. Issue to remain on Action List

**CL08 GENERAL BUSINESS****8.1 Private Vehicle Sales - Banna Ave**

The Committee discussed parking arrangements along the top end (Southern side) of Banna Avenue where a number of private vehicles are being parked for long periods for the purpose of sale. The parking has been reported as having an impact on current businesses in the area and will also impact the new development of a truck stop service area. Options were discussed with concern raised on creating an issue elsewhere in the town.

The viability of enforcing exclusion zones through a new policy as other Council's have done was discussed. This will be considered further if the issue continues to be problematic.

**RECOMMENDED on the motion of John Bonetti and RMS Representative that 2 hour restricted parking be installed on the southern side along the top end of Banna Avenue as recommended in attachment (a).**

## **8.2 Pilloni Road Sight Issue**

Mr Balind advised the Committee that a traffic sight issue has been identified on Pilloni Road coming onto Kidman Way. It was reported that trucks turning onto Mackay Ave do not have a clear sight with trees and fencing obstructing view. The Committee recommended that a meeting with the property owner be arranged. It was determined that the trees were located on road reserve.

## **8.3 Blumer Ave Traffic Lights**

Mr Bonetti asked if there were any traffic laws to deter traffic bypassing traffic lights via driveway entry and exit. Issue was noted but not enforceable.

## **8.4 Resignation of Graham Gordon on the Committee**

Mr Gordon advised that this would be his last meeting of the Traffic Committee as he has completed his job transition and assumes his full role as Director of Utilities.

## **8.5 Discussion of Advertising of Speed Zones**

The Committee discussed the negative comments being received from advertising the RMS speed zone review on Council's Facebook page. Councillor Curran stated concern that it becomes social communication conversation and sledging rather than appropriate consultation with submissions. It was thought more appropriate for the RMS to advertise and request consultation on their own Website with Council assisting by providing links off their page. RMS representative advised that he would check and see if the RMS have links to the Speed Zone Reviews. After RMS receive submissions etc then the speed zone proposals can be submitted to the Traffic Committee (statutory committee) for determination.

## **CL09 NEXT MEETING**

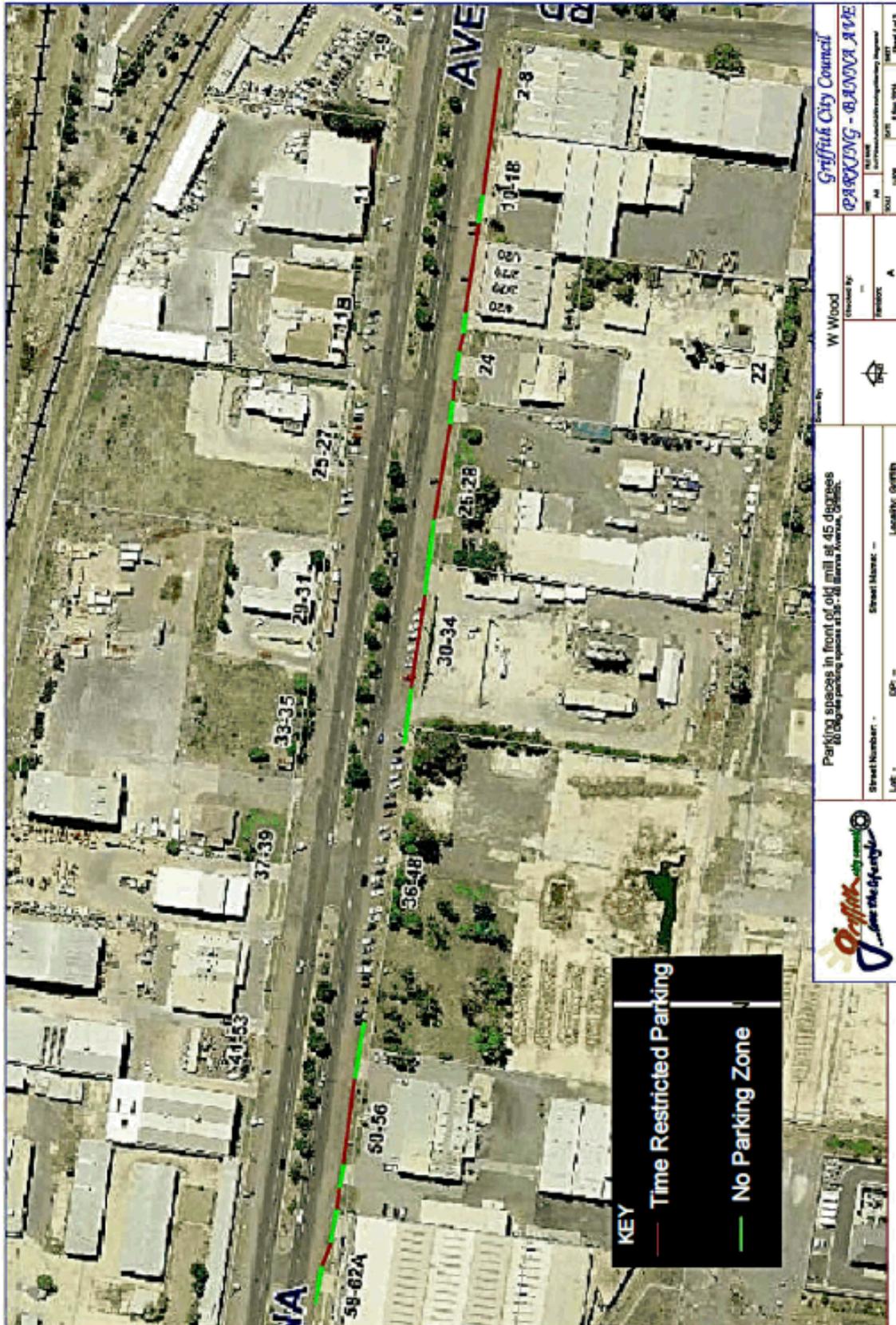
The next meeting of the Traffic Committee is to be held on 14 October 2014 in the Murray Room, Griffith City Council commencing at 10.30 am.

There being no further business the meeting closed the time being 12.10 pm.

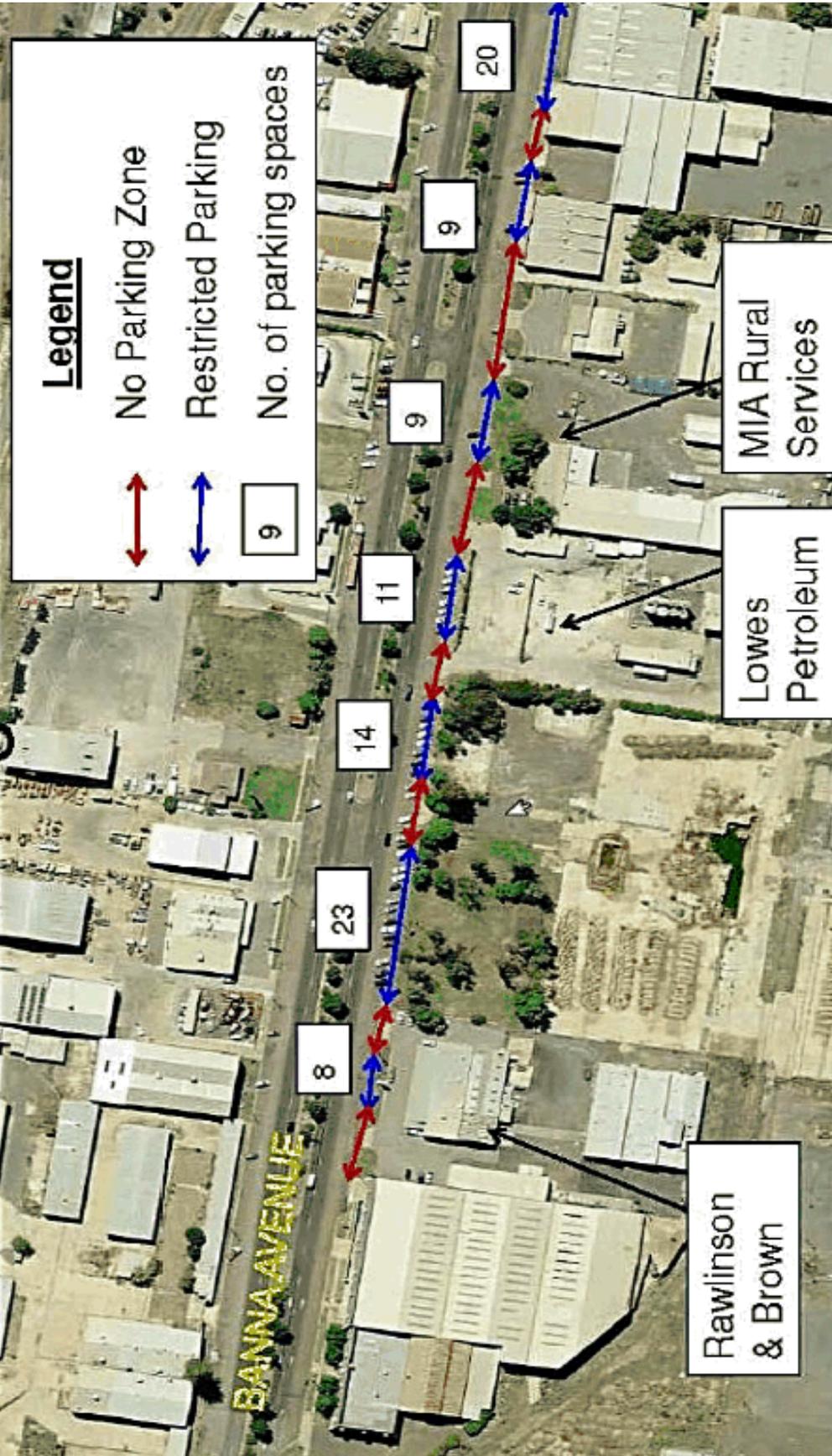
## **ATTACHMENTS**

(a) Proposed Restricted Parking Zone in Banna Ave

(a) Proposed Restricted Parking Zone in Banna Ave



# Proposed Option for Restricted Parking Zones



**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 of public asking the question).

## OUTSTANDING ACTION REPORT

FOR THE ORDINARY MEETING OF COUNCIL 23 SEPTEMBER 2014

Council Meeting Date	Meeting Item	Action Officer	CRMS No.	Minute No.	Council Resolution	Additional Information
26 August 2014	<b>UTILITIES DIRECTORATE POLICIES</b>	GC	5435	0267	<p>RESOLVED on the motion of Councillors Balind and Neville that:</p> <p>(a) Council endorse the Utilities Directorate Policies to be placed on public exhibition for a period of 28 days.</p> <p>(b) Following the public exhibition period, if no submissions are received the policies be considered formally adopted.</p> <p>(c) Policies that receive a submission be reported back to Council.</p>	10/09/2014: Policies on public exhibition to 3 October 2014.
26 August 2014	<b>GRIFFITH REGIONAL AQUATIC LEISURE CENTRE CAPITAL DEVELOPMENTS REPORT</b>	DBCF	5436	0268	<p>RESOLVED on the motion of Councillors Neville and Balind that:</p> <p>(a) Council proceed with a Master Plan for aquatic and recreation facilities in the Wayeela and Olympic Street precinct, Griffith.</p> <p>(b) Council endorse the creation of a Working Group, being a sub group of the Cultural Facilities Committee, to oversee the development of the Master Plan outlined at (a) with a report to Council no later than April 2015.</p>	15/09/2014: Committee members contacted to gauge interest in joining working group. First meeting to be held by end September to finalise Committee members and adopt TORS.

## OUTSTANDING ACTION REPORT

FOR THE ORDINARY MEETING OF COUNCIL 23 SEPTEMBER 2014

Council Meeting Date	Meeting Item	Action Officer	CRMS No.	Minute No.	Council Resolution	Additional Information
26 August 2014	<b>CLOSED COUNCIL GENERAL BUSINESS - PROPERTY ACQUISITION PROPOSAL</b>	GM	5448	0279	<p>RESOLVED on the motion of Councillors Neville and Thorpe that:</p> <p>(a) The Mayor be authorised to progress negotiations with respect to the potential purchase of the property.</p> <p>(b) Council obtain a commercial valuation of the property.</p> <p>(c) Staff prepare a report in relation to strategic justification for Councillors for the potential purchase of the property.</p> <p>(d) The Mayor and General Manager report back to the next Council meeting.</p> <p>(e) Consideration be given to the structural integrity of the property.</p>	15/09/2014: Consideration progressing.
26 August 2014	<b>GRIFFITH REGIONAL AQUATIC LEISURE CENTRE REPORT</b>	DBCF	5449	0280	<p>RESOLVED on the motion of Councillors Thorpe and Cox that:</p> <p>(a) Council retain management and operational control of all aquatic based facilities at the Griffith Regional Aquatic Leisure Centre.</p> <p>(b) Council seek Expressions of Interest from suitable providers for the lease of selected facilities, namely the gymnasium, crèche and</p>	15/09/2014: EOI document under development with a view to being advertised from 1 October 2014.

## OUTSTANDING ACTION REPORT

FOR THE ORDINARY MEETING OF COUNCIL 23 SEPTEMBER 2014

Council Meeting Date	Meeting Item	Action Officer	CRMS No.	Minute No.	Council Resolution	Additional Information
					kiosk. (c) At the completion of receiving and evaluating the Expressions of Interest submitted, a further report be prepared for the consideration of Council.	
26 August 2014	<b>REVIEW OF REMUNERATION PACKAGE AND ANNUAL PERFORMANCE REVIEW FOR GENERAL MANAGER, MR BRETT STONESTREET</b>	GM	5450	0281	RESOLVED on the motion of Councillors Rossetto and Thorpe that: (a) Council and the General Manager formally conduct an annual performance review for the past year at the Ordinary Meeting, 26 August 2014. (b) The total remuneration package of the General Manager be increased by 2.6%, effective from 22 August 2014, which retains relativity with staff who are employed under the Local Government State Award. (c) A General Manager's Review Committee be formed comprising of the Mayor, Deputy Mayor, Councillor Neville and Councillor Zappacosta to develop new performance criteria for the General Manager for the next year of the employment contract. (d) A report in relation to	15/09/2014: Committee meeting scheduled Tuesday 16 September 2014.

## OUTSTANDING ACTION REPORT

FOR THE ORDINARY MEETING OF COUNCIL 23 SEPTEMBER 2014

Council Meeting Date	Meeting Item	Action Officer	CRMS No.	Minute No.	Council Resolution	Additional Information
					performance criteria for the General Manager to be presented to Council on 23 September 2014.	
12 August 2014	<b>CLOSED COUNCIL BUSINESS DEVELOPMENT &amp; MAJOR PROJECTS COMMITTEE MINUTES - CL05 WESTERN RIVERINA INTERMODAL &amp; LOGISTICS FREIGHT HUB</b>	DSD	5158/2014	0262	RESOLVED on the motion of Councillors Balind that the CL05 item of the Business Development and Major Projects Committee be laid on the table.	01/09/2014: The matter to lay on the table until further notice.
12 August 2014	<b>ST PATRICK'S PRIMARY SCHOOL - APPLICATION TO CLOSE AND PURCHASE PART OF THE ROAD RESERVE IN KOOBA STREET, GRIFFITH</b>	(CPO)	5152/2014	0250	(a) Council commence the public notification process associated with the closure of that section of Kooba Street, shown in Attachment (b). (b) Should no submissions be received objecting to the closure of that section of Kooba Street shown in Attachment (b) Council resolve the following: (i) Council delegate authority to the Mayor and General Manager to negotiate an appropriate sale price of the closed road with the Diocese of Wagga Wagga, Catholic Schools	21/08/2014 Advised in writing and via email to applicant Council resolved to proceed with advertising the proposed road closure Kooba St. Advert prepared for Area News Friday 29 August 2014. Letters sent today to adjoining neighbours Kooba St advising of proposed road closure and will receive submissions within 28 days.

## OUTSTANDING ACTION REPORT

FOR THE ORDINARY MEETING OF COUNCIL 23 SEPTEMBER 2014

Council Meeting Date	Meeting Item	Action Officer	CRMS No.	Minute No.	Council Resolution	Additional Information
					<p>Office on behalf of St Patrick's Primary School.</p> <p>(ii) Council apply to the Department of Trade &amp; Investment - Crown Lands Division to close that part of Kooba Street shown in Attachment (b).</p> <p>(iii) The Mayor and General Manager be delegated authority to sign all relevant road closure and sale documentation under Council's common seal.</p> <p>(iv) Total costs incurred by Council in closing that part of Kooba Street as identified in attachment (b) to be paid for by Diocese of Wagga Wagga Catholic Schools Office and St Patrick's Primary School in addition to the negotiated sale price.</p> <p>(c) Should submission(s) be received by Council during the public exhibition process a separate report be presented to Council for determination and that recommendation (b) not proceed.</p>	
12 August 2014	<b>SCOUT ASSOCIATION OF NSW BRANCH RELINQUISHMENT OF BUILDING, YENDA SCOUT HALL - WADE</b>	(CPO)	5151/2014	0249	<p>(a) Council accept relinquishment of the Yenda Scout Hall to the control of Council as Trustee of Wade Park, Yenda.</p> <p>(b) Council call for Expression of</p>	19/08/2014: Scouts Association NSW advised by letter Council accepted relinquishment of the Scout Hall, Wade Park, Yenda. A draft EOI has been prepared

## OUTSTANDING ACTION REPORT

FOR THE ORDINARY MEETING OF COUNCIL 23 SEPTEMBER 2014

Council Meeting Date	Meeting Item	Action Officer	CRMS No.	Minute No.	Council Resolution	Additional Information
	<b>PARK, YENDA, CROWN RESERVE 61951</b>				Interest for the licence of the building formerly known as the Yenda Scout Hall with a further report to Council on completion of the process. (c) Council as Trustee of Reserve 61951 Wade Park, Yenda lodge an application through the Public Reserves Management Fund Program for funding to assist with the upgrade of the sewer and plumbing services to the former Scout Hall, Wade Park Yenda.	for management approval. Applications for funding through the PRMFP are due to open prior to end of August and an application for sewer/plumbing upgrade will be made at that time.  10/09/2014: EOI closes 26/09/2014.
22 July 2014	<b>UPDATE ON AMENDMENTS TO THE LOCAL ENVIRONMENTAL PLAN 2014</b>	DSD	4698/2014	0234	RESOLVED on the motion of Councillors Neville and Balind that:  (a) Council acknowledge this report meets the requirement to advise Councillors before 30 July of the status of Planning Proposals.  (b) Council provide in principle support for the preparation of three Planning Proposals to carry out three rounds of amendments to the Griffith Local Environmental Plan 2014.	04/08/2014: Planning proposals are in preparation.  01/09/2014: Report to Council to adopt Planning Proposal No. 1 being prepared for the 23 September Council Meeting.
8 July 2014	<b>REVIEW OF COMMUNITY DONATIONS POLICIES AND BUDGET 2014/15</b>	DSD	4329	0224	(i) Draft amendments to Council Policy FS-CP-601 as contained in Attachment A to this report, including a change in the title of the Policy to Community Grant Program, be	28/07/2014: Public exhibition period of policies closes 15 August 2014.  14/08/2014: Policy to be re-

## OUTSTANDING ACTION REPORT

FOR THE ORDINARY MEETING OF COUNCIL 23 SEPTEMBER 2014

Council Meeting Date	Meeting Item	Action Officer	CRMS No.	Minute No.	Council Resolution	Additional Information
					<p>exhibited for 28 days and a further report be presented to Council on submissions received.</p> <p>(ii) Policy FS-CP-603 Requests for Financial Assistance for Sporting Achievements and its budget allocation be deleted by incorporating its provisions and budget into the draft Community Grant Program.</p> <p>(iii) Policy FS-CP-604 Requests for Financial Assistance be deleted.</p> <p>(iv) Funding for Fee Rebate to Community Organisations, Bush Bursary and Graduate Medical Student Program Support be considered under the Community Grant Program.</p> <p>(v) The following charitable organisations be pre-approved to receive funding assistance for the term of the current Council:            Organisation Purpose Amount            Griffith Town Band Assistance towards conductor fees and purchase of new sheet music. \$7,000            Lifeball Financial support for inter-town Lifeball tournament \$700            Community FM Radio 2MIA To assist with electricity charges - Scenic Hill transmitter</p>	<p>exhibited.</p> <p>01/09/2014: Policy exhibited to 12 September 2014.</p>

## OUTSTANDING ACTION REPORT

FOR THE ORDINARY MEETING OF COUNCIL 23 SEPTEMBER 2014

Council Meeting Date	Meeting Item	Action Officer	CRMS No.	Minute No.	Council Resolution	Additional Information
					<p>\$3,000</p> <p>(vi) The draft Promotion, Advertising and Sponsorship of Events Policy as presented in Attachment F to this report be placed on public exhibition for 28 days and a further report be presented to Council on submissions received.</p> <p>(b) That Policy GC-CP-309 Council Community Partnership Program be deleted (additional recommendation by staff).</p> <p>(c) In accordance with an amendment to the Motion foreshadowed by Councillor Curran, the following organisations be pre-approved for the 2014/15 budget with the Community Grant Program budget as the source of funds. Organisation Purpose Amount Rotary Club of South Wagga Circus Quircus; activity for needy children from Griffith \$550 Southern Sports Academy Support for two participants from Griffith \$400 Rotary Club of Griffith East Police Officer of the Year Award Dinner Dance \$1,500 Snowy Hydro Southcare Emergency evacuation helicopter \$1000 NSW TAFE Riverina Institute Graduation Award \$150 Griffith Business</p>	

## OUTSTANDING ACTION REPORT

FOR THE ORDINARY MEETING OF COUNCIL 23 SEPTEMBER 2014

Council Meeting Date	Meeting Item	Action Officer	CRMS No.	Minute No.	Council Resolution	Additional Information
					Chamber Outstanding Business Awards \$2,000.	
10 June 2014	<b>NOTICE OF MOTION - COUNCILLOR ROSSETTO</b>	GM	3745/2014	0193	<p>RESOLVED on the motion of Councillors Rossetto and Stead that:</p> <p>Council write to the Local Member of Parliament, the Hon. Adrian Piccoli MP, Griffith LAC Crime Prevention Unit, Griffith Business Chamber, Griffith Liquor Accord, Griffith City Taxis, Youth Off The Streets Fr Chris Riley and other stakeholder organisations inviting them to a Council convened workshop forum for the purpose of:</p> <p>(a) (i) updating Council on recent amendments to the Crimes Act and (ii) divisions of the Crimes Act and associated legislation that still need amending;</p> <p>(b) (i) reviewing current strategies dealing with malicious assaults within Griffith and (ii) discussing the implementation and support of additional crime prevention strategies in the Griffith LGA; for the purpose of assisting Council develop and implement its L.1.2 "Hands Off Griffith Community Crime Plan" mentioned on page 16 of Council's</p>	<p>20/6/2014: Noted</p> <p>1407/2014: Contacted office of Adrian Piccoli, awaiting notification of a suitable date.</p> <p>14/08/2014: Date has been set for 4 September 2014.</p> <p>15/09/2014: Meeting held. Working group to be established for recommendation to Communities Committee.</p>

## OUTSTANDING ACTION REPORT

FOR THE ORDINARY MEETING OF COUNCIL 23 SEPTEMBER 2014

Council Meeting Date	Meeting Item	Action Officer	CRMS No.	Minute No.	Council Resolution	Additional Information
					Strategic Plan.	
13 May 2014	<b>REVIEW OF MOTOR VEHICLE POLICIES - INTERNAL AUDIT REPORT</b>	MES	3258/2014	0158	RESOLVED on the motion of Councillors Neville and Thorpe that: (a) The 'Review of Motor Vehicle Policies' Internal Audit report be adopted in principle and that the report be referred to the Consultative Committee and Senior Management Team for preparation of Draft Motor Vehicle Policies. (b) These draft revised policies will be reported to Council for consideration.	02/06/2014: Referred to Council's Fleet Manager to review policies and provide to SMT. 29/07/2014: To be workshopped 19 August. Report to Council 9 Sept. 14/08/2014: To be workshopped 2 September 2014. 15/09/2014: Policies presented to Council 23 September 2014.
13 May 2014	<b>FINANCIAL ASSISTANCE REQUEST FROM THE GURDWARA SINGH SABHA SOCIETY, GRIFFITH RE SIKH TEMPLE</b>	DBCF	3253/2014	0151	RESOLVED on the motion of Councillors Zappacosta and Balind that: Council note the submission received and progress with the outstanding recommendations from the meeting on the 11 March 2014, namely to: (a) Provide a loan to the Gurdwara Singh Sabha Society, Griffith to the maximum amount of \$250,000 at 3% interest per annum over a period of 10 years. (b) Arrange for appropriate security to be provided on the loan by the Gurdwara Singh Sabha Society, Griffith, and	02/06/2014: Council has written to the Society twice and met with 2 representatives on 13 May. Council is awaiting further details from the Society before the matter can be progressed.

## OUTSTANDING ACTION REPORT

FOR THE ORDINARY MEETING OF COUNCIL 23 SEPTEMBER 2014

Council Meeting Date	Meeting Item	Action Officer	CRMS No.	Minute No.	Council Resolution	Additional Information
					(c) Assist the Gurdwara Singh Sabha Society, Griffith with other development issues including liaising with Murrumbidgee Irrigation and other matters pertaining to a proposed function at the Temple during construction.	
8 Apr 2014	<b>REVIEW OF SERVICES - GRIFFITH CITY COUNCIL</b>	GM	2438/2014	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 project.</p> <p>(ii) That Blackadder Associates be engaged to assist with this review using Best Value Review</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> <p>14/08/2014: Customer focus review commenced.</p> <p>01/09/2014: Report to Council</p>

## OUTSTANDING ACTION REPORT

FOR THE ORDINARY MEETING OF COUNCIL 23 SEPTEMBER 2014

Council Meeting Date	Meeting Item	Action Officer	CRMS No.	Minute No.	Council Resolution	Additional Information
					<p>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>	by February 2015.
11 Mar 2014	<b>CLOSED COUNCIL - GENERAL BUSINESS - SIGNIFICANT SERVICE TO THE COMMUNITY - CIVIC RECOGNITION</b>	MES	1721/2014	0078	RESOLVED on the motion of Councillors Neville and Rossetto that Council bestow an award of civic recognition to a member of the Griffith Local Government Area community.	31/3/2014: Awaiting relevant information to be forthcoming.
23 Jul 2013	<b>NOTICE OF MOTION - COOPER ROAD</b>	DIO	10367017	0243	<p>(a) Council approve the allocation of \$11,500 towards the re-sheeting (gravel) and grading of Cooper Road.</p> <p>(b) Council investigates the drainage concerns of Cooper Road residents</p>	<p>05/08/2013: Site inspection scheduled. Surveys under way. Report to Council identifying any issues and full cost update.</p> <p>19/08/2013: Cooper Road is a</p>

## OUTSTANDING ACTION REPORT

FOR THE ORDINARY MEETING OF COUNCIL 23 SEPTEMBER 2014

Council Meeting Date	Meeting Item	Action Officer	CRMS No.	Minute No.	Council Resolution	Additional Information
					<p>and prepare a report with options on the drainage problem for the consideration of Councillors.                      (c) Council add Cooper Road to the list of priority roads to be sealed as soon as funds become available.</p>	<p>priority listing for road sealing.                      16/09/2013 Update: (b) Drainage being investigated and report is being prepared.                      30/09/2013: To be discussed at the next Councillor Workshop 15/10/2013.                      18/11/2013: Gravel sheeting/stabilising works are scheduled for 21/11/ 2013.                      06/01/2014: Gravel resheeting /stabilising works completed. Drainage issue investigations continuing.                      05/0520/14: Cooper Road drainage surveyed and listed for design program. Design for completion by 31 October 2014 for consideration with other capital projects in 2015/16 budget.</p>