



MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS, GRIFFITH ON 11 MARCH 2014 COMMENCING AT 7.02 PM

PRESENT

The Mayor, John Dal Broi in the Chair; Councillors, Alison Balind, Pat Cox, 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 Infrastructure and Operations, Dallas Bibby; Director Sustainable Development, Neil Southorn; Director Utilities, David Tull; Director Business, Cultural & Financial Services, Max Turner; Manager Executive Services, Shireen Donaldson and Minute Secretary, Jennifer O'Donnell-Priest.

MEDIA

Jack Morphett, The Area News and Dolf Murwood 2MIA FM

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

PROCEDURAL MATTERS

APOLOGIES

There were no apologies received.

CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD TUESDAY 25 FEBRUARY 2014

0058

RESOLVED on the motion of Councillors Thorpe and Stead that the minutes of the Ordinary Meeting of Council held in the Council Chambers, Griffith on 25 February 2014 having first been circulated amongst all members of Council, be confirmed.

BUSINESS ARISING FROM THE ORDINARY MEETING OF COUNCIL HELD ON 25 FEBRUARY 2014

Business Arising - CL03 - Licence Agreement for Road Reserve Adjoining Lot 1 DP1067528 - International Backpackers Hostel - Michael and Teresa Farronato

Councillor Neville requested an update. Mr Southorn stated that the Council was still investigating points of detail regarding arrangements between the two (2) properties.

Councillor Question Time - Service Level Agreements

Councillor Balind acknowledged receipt of the Service Level Agreements and requested confirmation that actions from Council Meetings are to be undertaken within seven (7) days of the meeting. General Manager, Mr Stonestreet advised that he would take this on notice but was of the understanding that action is to be commenced within the 7 day period.

DECLARATIONS OF INTEREST

NON-PECUNIARY INTERESTS

The following Councillors declared non-pecuniary interests in the following clauses:

Councillor Simon Croce - CL02 - Financial Assistance Request from the Gurdwara Singh Sabha Society, Griffith re Sikh Temple

Reason - Cr Croce has spoken to members of the Gurdwara Singh Sabha Society
Make a declaration stay in the Chamber and participate in the debate and vote.

Councillor Bill Lancaster - CL02 - Financial Assistance Request from the Gurdwara Singh Sabha Society, Griffith re Sikh Temple

Reason - Cr Lancaster attended a meeting with the Mayor and General Manager, members of staff and Councillors with a delegation from the applicant group on 22 January and further met with some of the delegation at his office on 28 January 2014 and assisted them with the settling of the application attached to the report.
Make a declaration stay in the Chamber and participate in the debate and vote.
Reason: Councillor Lancaster does not have a close relationship with the applicant.

Councillor Mike Neville - CL02 - Financial Assistance Request from the Gurdwara Singh Sabha Society, Griffith re Sikh Temple

Reason - Cr Neville has met with members of the Sikh Temple Committee.
Make a declaration stay in the Chamber and participate in the debate and vote.

Councillor Paul Rossetto - CL02 - Financial Assistance Request from the Gurdwara Singh Sabha Society, Griffith re Sikh Temple

Reason - Cr Rossetto has been contacted by members of the Sikh Temple Committee. Also not sure if they are in the Sikh Temple Committee but has employed lots of members of the Indian Community in the past.
Make a declaration stay in the Chamber and participate in the debate and vote.

Councillor Christine Stead - CL02 - Financial Assistance Request from the Gurdwara Singh Sabha Society, Griffith re Sikh Temple

Reason - Cr Stead has spoken to a group of Sikh Temple Committee members.
Make a declaration stay in the Chamber and participate in the debate and vote.

Councillor Dino Zappacosta - CL02 - Financial Assistance Request from the Gurdwara Singh Sabha Society, Griffith re Sikh Temple

Reason - Cr Zappacosta has spoken to representatives of the Sikh Community.
Make a declaration stay in the Chamber and participate in the debate and vote.

PECUNIARY INTERESTS

No Pecuniary Interest Declarations were declared.

MAYORAL MINUTES

MM01 CHINESE DELEGATION VISIT

0059

RESOLVED on the motion of Councillors Thorpe and Rossetto that the possible development of a friendship relationship with Shan xi Province, Jinzhong City in China be referred to the Business Development & Major Projects Management Committee.

An explanation was given on Friendship relationship as opposed to Sister City relationships.

GENERAL MANAGER'S REPORT

CL01 GIRL GUIDES HALL - YENDA - PROPOSED DEMOLITION (CPO)

0060

RESOLVED on the motion of Councillors Neville and Cox that the report be raised from the table.

0061

RESOLVED on the motion of Councillors Rossetto and Napoli that:

(a) Council resolve to demolish and remove the Yenda Girl Guides Hall from Wade Park, Yenda utilising the funding grant of \$7,700 from the Public Reserves Management Fund Program.

(b) Any additional funding to demolish the building and reinstate the land be adjusted at either the March or June 2013/14 Quarterly Review.

(c) Council recycle materials where possible from demolition.

CL02 FINANCIAL ASSISTANCE REQUEST FROM THE GURDWARA SINGH SABHA SOCIETY, GRIFFITH RE SIKH TEMPLE (DBCF)

0062

RESOLVED on the motion of Councillors Zappacosta and Balind that suspension of standing orders be granted for a member of the Sikh Community to address Council.

Mr Harnek Dhanoa Singh, on behalf of the Gurdwara Singh Sabha Society, addressed Council the time being 7.22 pm.

0063

RESOLVED on the motion of Councillors Zappacosta and Lancaster that:

(a) Council advertise its intention to provide financial assistance to the Gurdwara

Singh Sabha Society in accordance with the Local Government Act.

(b) Council provide a loan to the Gurdwara Singh Sabha Society Community to the maximum amount of \$250,000 at 3% interest per annum over a period of 10 years.

(c) Appropriate security be provided on the loan by the Gurdwara Singh Sabha Society.

(d) Council assist the Gurdwara Singh Sabha Society with other development issues including liaising with Murrumbidgee Irrigation and other matters pertaining to a proposed function at the Temple during construction.

CL03 THEATRE SEATING & CARPET REFURBISHMENT PROJECT

(DBCF)

0064

RESOLVED on the motion of Councillors Neville and Curran that:

(a) Council confirm the inclusion of the Theatre seating and carpet refurbishment project in the 2014/15 financial year budget at a cost of \$321,368 excl GST (subject to final tender prices being obtained).

(b) The refurbishment project be undertaken in the January/February period in the 2015 year.

CL04 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2014

(GM)

0065

RESOLVED on the motion of Councillors Thorpe and Curran that:

(a) Council nominate the Mayor (or nominee) and General Manager (or nominee) to attend the 2014 National General Assembly of Local Government from 15 - 18 June 2014.

(b) That Councillors forward to the General Manager by Friday 21 March 2014 a draft motion(s) for the National General Assembly of Local Government. These draft motion(s) will be reported to the 8 April 2014 Ordinary Meeting of Council for consideration.

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

(a) Council nominate the Mayor (or nominee) and General Manager (or nominee) and Councillor Napoli to attend the 2014 National General Assembly of Local Government from 15 - 18 June 2014.

(b) Councillors forward to the General Manager by Friday 21 March 2014 a draft motion(s) for the National General Assembly of Local Government.

These draft motion(s) will be reported to the 8 April 2014 Ordinary Meeting of Council for consideration.

Councillors Lancaster and Neville accepted the **AMENDMENT**. The **AMENDMENT** became the **MOTION**.

0066

RESOLVED on the motion of Councillors Lancaster and Neville that:

(a) Council nominate the Mayor (or nominee) and General Manager (or nominee) and Councillor Napoli to attend the 2014 National General Assembly of Local Government from 15 - 18 June 2014.

(b) That Councillors forward to the General Manager by Friday 21 March 2014 a draft motion(s) for the National General Assembly of Local Government. These draft motion(s) will be reported to the 8 April 2014 Ordinary Meeting of Council for consideration.

MINUTES FROM COMMITTEES

MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD ON 11 FEBRUARY 2014

0067

RESOLVED on the motion of Councillors Napoli and Stead that the Minutes of the Local Emergency Management Committee meeting held on 11 February 2014, having first been circulated amongst members, be adopted.

MINUTES OF THE UTILITIES MANAGEMENT COMMITTEE MEETING HELD ON 13 FEBRUARY 2014

0068

RESOLVED on the motion of Councillors Rossetto and Stead that the Minutes of the Utilities Management Committee meeting held on 13 February 2014, having first been circulated amongst members, be adopted.

MINUTES OF THE COMMUNITIES MANAGEMENT COMMITTEE MEETING HELD ON 18 FEBRUARY 2014

0069

RESOLVED on the motion of Councillors Balind and Stead that the Minutes of the Communities Management Committee meeting held on 18 February 2014, having first been circulated amongst members, be adopted.

MINUTES OF THE PIONEER PARK MANAGEMENT COMMITTEE MEETING HELD ON 25 FEBRUARY 2014

0070

RESOLVED on the motion of Councillors Rossetto and Cox that the Minutes of the Pioneer Park Management Committee meeting held on 25 February 2014, having first been circulated amongst members, be adopted.

Councillor Rossetto advised that he had lodged a CRM in regards to item 6.7 Pioneer Park Car Park.

Councillor Stead requested an update on the fire safety issue. The Mayor referred the question to Mr Southorn who stated that a review and upgrade of fire safety

equipment/protocols was in place and that vegetation had been cleared around fire breaks.

Councillor Neville queried the cost of demolition of Church. The Mayor advised that the Technical Officer was aware of this and was going to further investigate options.

BUSINESS WITH NOTICE

RESCISSION MOTION - CL04 COUNCIL COMMITTEE DELEGATIONS AND DESIGNATED PERSONS - ORDINARY MEETING OF COUNCIL HELD 11 FEBRUARY 2014 - MINUTE NUMBER 0038

0071

RESOLVED on the motion of Councillors Curran and Stead that Council rescind the motion from the Griffith City Council Ordinary Meeting held on Tuesday 11 February 2014 (minute number 0038) being:

- (a) The General Manager contact those members who are non-compliant and prepare a report for Council to be presented at a future meeting of Council.
- (b) The Chairs of the various Committees with non-compliant members assist the General Manager.

NOTICE OF MOTION - COUNCIL COMMITTEE DELEGATIONS AND DESIGNATED PERSONS

Councillor Rossetto spoke on the Notice of Motion. Councillor Balind called a **POINT OF ORDER** on discussion prior to moving the motion.

The Mayor accepted the **POINT OF ORDER**.

Councillors Rossetto and Curran **MOVED** the following **MOTION** that:

- (a) Council continue with the current Committee structure pending items b) and c)
- (b) All Committees of Council established under Section 355 of the Local Government Act be deemed Advisory Committees with no delegations including the ability to make variations of expenditure within the approved budgets.
- (c) Council no longer recognise community or stakeholder Committee members as designated officers exercising a function of Council.
- (d) Council amend all current Committee Terms of Reference accordingly.

Councillor Zappacosta **MOVED** that the report **LAY ON THE TABLE**. The Motion was **PUT** and **CARRIED**.

0072

RESOLVED on the motion of Councillor Zappacosta that the report **LAY ON THE TABLE**.

The following motion was **FORESHADOWED** by Councillor Balind and seconded by Councillor Cox, that:

A report be forthcoming by Council staff regarding the options for Council's Committee Structure.

The **MOTION** was **PUT** and **CARRIED**.

0073

RESOLVED on the motion of Councillors Balind and Cox that a report be forthcoming from Council staff regarding the options for Council's Committee Structure.

QUESTION TIME

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

Community and Development Council of Griffith Inc.

"TRAFFIC MATTERS

- **There is ongoing concerns regarding the height of shrubs at roundabouts and intersections. It hampers clear view of the general public but in particular the elderly and those of weakened sight.**
- **Could council consider doing an audit of the types of plants that exist in these areas and reassess future types that are to be planted?**

Some of the areas of concerns are:

- **Kookora Street Roundabout at Banna Ave;**
- **Kalinda and Remembrance Dve near the Airport**
- **East Griffith Shops**
- **the median strip on Clifton Boulevard**

- **Silent police at corner of Noorla and Kookora. If not able to be removed could they be repainted with light reflecting paint.**
- **Could the speed sign at Bride Rd showing 60 be made compatible with the painted speed on the road which says 50?**
- **Banna Ave Ease from Jondaryan Ave to Crossing St needs line marking to indicate the single lane?**
- **Could all no parking areas be identified more clearly with red paint on the kerbs?"**

Mr Stonestreet advised he would take these matters on notice.

Mr Tom Apolloni asked the following question:

"I have grave fears that the trees on the nature strip adjacent to my premises in Hillston Street will cause injury to passersby, or my wife and I. The trees are at least fifty years old and have continually dropped large branches on the side lawn and our fence. The seed pods also create a hazard as they fall onto our footpath and if stood on can cause injury. My wife and I are in our eighties and any fall will have serious consequences to our wellbeing.

The trees have now grown quite tall and when they make contact with the ground , they impregnate the lawn to a great depth. This indicates that if a branch were

to fall onto someone it could be fatal. I have previously contacted Parks and Gardens and no favorable result was achieved.

I mow the lawn regularly and I have witnessed a branch fall while mowing. I have had to remove branches from our fence on numerous occasions and if a large branch were to fall on my fence and damage it, the council would be responsible for the repairs. This responsibility also lies with the council if someone were to be injured.

I wish this letter to be submitted to a council meeting and after discussion have someone make arrangements to meet me here so I can explain the urgency of this matter."

Mr Stonestreet advised that this matter will be taken on notice and that a response will be provided.

COUNCILLOR QUESTION TIME

Councillor Thorpe asked the following question:

"Doug and Pam Cheers, 39 Kookora Street, advise that they are being driven beyond distraction by fruit bat excreta, fruit bat screeching, and fruit bats generally, that have lodged in Council Trees on the nature strip directly bordering on their front fence line. (ie Cheers' front fence line). What can Council do to assist Mr and Mrs Cheers?"

The General Manager called on Manager Executive Services, Shireen Donaldson to respond. Mrs Donaldson advised that she had recent communications with the Area Manager of the Parks and Wildlife Service regarding this problem. Mrs Donaldson reported that this issue would need to be managed under the Parks & Wildlife guidelines and that she was in receipt of a Deterrent Guide which she would forward to Councillors for future discussion.

Councillor Lancaster stated that he had researched the removal of fruit bat colonies statewide and that to date no effective remedy has been recorded.

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

- (a) Council apply for an exemption from the Act to remove the flying foxes.
- (b) Council engage a private pest controller to undertake the removal of the flying foxes.

The **MOTION** was **PUT** and **LOST**.

At this point in the meeting, a request was received the Sikh Community to address Council. The Mayor accepted the request. Mr Peter Singh addressed Council, the time being 8.41pm to thank the Council for their favourable decision in assisting the Indian Community.

OUTSTANDING ACTION REPORT

The Outstanding Action Report was reviewed with the removal of the following finalised

items:

14 Jan 2014 - MM01 Petroleum Exploration Licence - Submission lodged.

14 Jan 2014 - Question Time - City Park Parking - Referred to the Traffic Committee.

22 Oct 2013 - Air Travel between Griffith and Melbourne - Service has been secured.

0074

RESOLVED on the motion of Councillors Curran and Neville that the Outstanding Action Report be noted.

CLOSED COUNCIL

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

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

The matters and information are the following:

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

CLOSED COUNCIL - GENERAL BUSINESS - SIGNIFICANT SERVICE TO THE COMMUNITY - CIVIC RECOGNITION

**Personnel matters concerning particular individuals (other than councillors)
10A(2)(a)**

The Committee resolved that members of the press and public be excluded from the meeting during consideration of this item, the reason being that the matter concerns personnel matters concerning particular individuals (other than Councillors)(Section 10A(2)(a)).

0075

RESOLVED on the motion of Councillors Neville and Balind 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 8.42 pm. The public and media left the chamber.

0076

RESOLVED on the motion of Councillors Curran and Napoli that open Council be resumed. Open Council resumed at 8.46 pm.

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

MATTERS DEALT WITH IN CLOSED COUNCIL

CLOSED COUNCIL - GENERAL BUSINESS - SIGNIFICANT SERVICE TO THE COMMUNITY - CIVIC RECOGNITION

0077

RESOLVED on the motion of Councillors Neville and Cox that as a matter of urgency that a decision be determined with regard to bestowing a civic award on the provision that further information be provided in the immediate future.

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.

The Mayor permitted Mr Stonestreet to speak on a recent Local Government Manager's Association of NSW Inaugural Rural Management Challenge. Mr Stonestreet advised that a team from Griffith competed in this challenge that was targeted towards middle management. The team consisted of the Manager of Executive Services, Shireen Donaldson; Engineering Design and Approvals Manager, Graham Gordon; Manager of the Regional Theatre and Art Gallery, Sarah Boon and Coordinator Land Use and Planning, Kelly McNicol. The Griffith Team were awarded the top score in NSW for the challenge. Tweed Shire Council and Lismore came in second and third respectively.

There being no further business the meeting terminated at 8.54 pm.

Confirmed:
CHAIRPERSON

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