



**MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL
CHAMBERS, GRIFFITH ON 11 NOVEMBER 2014 COMMENCING AT 7.04 PM**

PRESENT

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

STAFF PRESENT

Acting General Manager, Max Turner; Director Infrastructure and Operations, Dallas Bibby; Director Sustainable Development, Neil Southorn; Director Utilities, Graham Gordon; Manager Executive Services, Shireen Donaldson and Minute Secretary, Jennifer O'Donnell-Priest.

MEDIA

Annie Hesse, The Area News

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

PROCEDURAL MATTERS

APOLOGIES

0377

RESOLVED on the motion of Councillors Stead and Rossetto that apologies be received from Councillor Anne Napoli and Councillor Neville and a leave of absence granted.

**CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD 28 OCTOBER 2014**

0378

RESOLVED on the motion of Councillors Thorpe and Cox that the minutes of the Ordinary Meeting of Council held in the Council Chambers, Griffith on 28 October 2014 having first been circulated amongst all members of Council, be confirmed.

**BUSINESS ARISING FROM THE ORDINARY MEETING OF COUNCIL HELD
28 OCTOBER 2014**

There was no business arising.

DECLARATIONS OF INTEREST

Special Disclosure of Pecuniary Interest

The following Councillors submitted Special Disclosures of Pecuniary Interest for CL02 - Review of Public Submissions Griffith Local Environmental Plan 2014
Reason: The matter giving rise to pecuniary interest is the identified land in which the councillor or an associated person, company or body has a proprietary interest.

The Mayor, John Dal Broi; Councillors, Alison Balind, Pat Cox, Simon Croce, Doug Curran, Paul Rossetto, Christine Stead and Dino Zappacosta.

Pecuniary Interests

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

Councillor Leon Thorpe
CL02 - Review of Public Submissions Griffith Local Environmental Plan 2014
Reason: Matters relating to LEP zoning and property ownerships.

Significant Non-Pecuniary Interests

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

Councillor Bill Lancaster - CL01 - DA139/2014 - Real Juice Matters
Reason: Conflict arising out of professional dealings involving a Director of the applicant company.

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 Doug Curran
CL02 - Review of Public Submissions Griffith Local Environmental Plan 2014
Reason: Have met with land owners affected by the current LEP review.

Councillor Paul Rossetto
CL05 - Griffith Main Drain J and Mirrool Creek Flood Study
Reason: Private Properties are specifically mentioned in the emails to the revision of the report in relation to accuracy of computerised flood maps. Anomaly in mapping.

Councillor Paul Rossetto
CL02 - Review of Public Submissions Griffith Local Environmental Plan 2014
Reason: Site visit to Mr Dino Salvestrin's property.

Councillor Christine Stead
CL02 - Review of Public Submissions Griffith Local Environmental Plan 2014
Reason: I have been approached by Dino & Deb Salvestrin and did a site visit.

Councillor Dino Zappacosta

CL02 - Review of Public Submissions Griffith Local Environmental Plan 2014

Reason: Related to planning consultant (Salvestro) who carried out the independent review of the LEP. Mr Salvestro is a distant cousin.

Councillor Dino Zappacosta

CL02 - Review of Public Submissions Griffith Local Environmental Plan 2014

Reason: Has spoken to Mr & Mrs Salvestrin who own Lot 1791 DP4129 (Farm 1290 Harward Road).

PRESENTATIONS

0379

RESOLVED on the motion of Councillors Thorpe and Croce that standing orders be suspended to allow for presentation of Tidy Towns Awards.

Councillor Cox recently represented Griffith City Council at the Tidy Town Awards held recently in Nundle from 7-9 November. Griffith were awarded three Tidy Town awards. The Mayor presented the award recipients with framed certificates from The Keep Australia Beautiful National Association. The following recipients received awards in the listed categories:

- Office of Environment & Heritage Community Actions and Partnerships Award - Griffith Carevan - 1st in population category F (represented by Michelle Bordignon and Gordon McCaw)
- Sustainable Business Award - De Bortoli Wines - 1st in Population category E (represented by Lindsay Gullifer)
- Environmental Education Award - Early Learning Centre - Dorothy Waide Centre - Highly Commended - (represented by Grace Qualtieri and Laura Zandona)

0380

RESOLVED on the motion of Councillor Curran and Cox that standing orders be resumed.

MAYORAL MINUTES

MM01 FLYING-FOX CAMP MANAGEMENT POLICY 2014: CONSULTATION DRAFT

0381

RESOLVED on the motion of Councillors Thorpe and Rossetto that Council write to the Environment Minister, the Hon Rob Stokes, to commend the formulation of the draft Flying-Fox Camp Management Policy 2014 and lodge a submission. The submission include appropriate reference being made to the lack of funding for carrying out flying-fox camp management by the State Government.

MM02 HAY CHARITY RUN

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

Council make a cash contribution of \$2,000 to the Charity Hay Run.

Councillors Balind and Stead **MOVED** the following **AMENDMENT** that:

Council make a cash contribution of \$2,000 to the Charity Hay Run and that the funding be drawn from the Public Relations budget.

The **AMENDMENT** became the **MOTION**.

0382

RESOLVED on the motion of Councillors Zappacosta and Curran that Council make a cash contribution of \$2,000 to the Charity Hay Run and that the funding be drawn from the Public Relations budget.

GENERAL MANAGER'S REPORT

CL01 DA 139/2014 - CONSTRUCTION OF INTERNAL ROADWAYS AND USE OF A PREVIOUSLY CONSTRUCTED WEIGH BRIDGE FOR AN EXISTING RURAL INDUSTRY (JUICE PROCESSING)

F. 139/2014 (LPC)

Councillor Lancaster, having declared a conflict of interest, vacated the chamber, the time being 7.28 pm.

0383

RESOLVED on the motion of Councillors Zappacosta and Thorpe that Council choose option 2 of the report i.e. Dust Suppression Management - No Sealing of Roadways.

(a) Council pursuant to the provisions of Section 80(1)(a) of the Environmental Planning and Assessment Act, 1979, approve the Development Application 139/2014 for the construction of internal roadways and use of previously constructed weigh bridge at Lots 1 and 2 DP 1173317 (1285A Duchatel Road), Griffith subject to the conditions of consent in Attachment 'F'.

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

(c) Should the application be determined by way of approval, the Notice of Determination not be issued nor take effect until Real Juice Company receives an Occupation Certificate.

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	X	
Cr Napoli	Leave of Absence	
Cr Lancaster	Vacated the Chamber	
Cr Thorpe	X	
Cr Balind	X	
Cr Zappacosta	X	
Cr Neville	Leave of Absence	
Cr Croce	X	
Cr Curran	X	
Cr Cox	X	
Cr Rossetto	X	
Cr Stead	X	

0384

RESOLVED on the motion of Councillors Zappacosta and Thorpe that Council receive a report on various ways that Duchatel Road could be sealed utilising grants or other funds that are available with consideration to improving other access roads.

Councillor Lancaster returned to the chamber, the time being 7.37 pm.

Councillor Thorpe, having declared a conflict of interest, vacated the chamber, the time being 7.37 pm.

CL02 REVIEW OF PUBLIC SUBMISSIONS GRIFFITH LOCAL ENVIRONMENTAL PLAN 2014

(LPC)

0385

RESOLVED on the motion of Councillors Zappacosta and Curran that standing orders be suspended to allow speakers to address Council.

Mr Peter Budd addressed Council, speaking on behalf of his clients A & B Ryan, the time being 7.37 pm.

Mr Dino Salvestrin addressed Council the time being 7.40 pm.

0386

RESOLVED on the motion of Councillors Balind and Stead that the report be raised from the table.

0387

RESOLVED on the motion of Councillors Zappacosta and Stead that:

Council choose option 3 of the report i.e.- Inclusion of Lands Along Rose Road in LUS Review i.e.

(a) 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.

(b) Council amend the Griffith Land Use Strategy: Beyond 2030 (LUS) with the purpose of:

(i) Carrying out a thorough locational analysis of all undeveloped lands presently zoned for rural residential development with a view of potentially back zoning lands or altering minimum lot sizes;

(ii) Should the analysis determine that lands presently zoned R5 - Large Lot Residential are under-utilised or inappropriate for rural residential development and additional lands are needed for these purposes, the lands or a portion of the lands associated with the following submissions shall be considered as candidate sites:

-Submission No. 7 - Lots 726 and 727 DP 46245 (Corner of Boorga Road and Mallinson Road) (11 Ha)

-Submission No. 23 - Lot 115 and 116 DP 751743, Lot 679 DP 39618, Lot 2 DP 817588, Lot 2 DP 1154593, and Lots 120,134,135,136 DP 751743 (North side of Mallinson Road)(85.14 Ha)

-Submission No. 32 - Lot 2 DP 870431, Lots 899, 900, 901, 1106, 1402 DP 751709, Lot 2 and 5 DP 1128694 and Lot 2 DP 802981. (Western Side of Beelbangera Road between Clifton Boulevard and Calabria Road) (80 Ha)

(iii) Reviewing the suitability of classifying a portion of the lands with frontage to Rose Road known as Lot 1791 DP 4129 (Farm 1290 Harward Road) for residential purposes

(iv) Reporting the amended LUS to Council for adoption and sending the document to the Department of Planning and Environment for approval.

(c) Should the amended LUS be approved by the Department of Planning and Environment, Council prepare a Planning Proposal to enact the amendments to the LUS and subsequently amend the Griffith Local Environmental Plan 2014, with this Planning Proposal reported to Council for consideration.

(d) The owners of the affected properties be informed in writing of Council's decision.

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	X	
Cr Napoli	Leave of Absence	
Cr Lancaster		X
Cr Thorpe	Vacated the Chamber	
Cr Balind	X	
Cr Zappacosta	X	
Cr Neville	Leave of Absence	
Cr Croce	X	
Cr Curran	X	
Cr Cox	X	
Cr Rossetto	X	
Cr Stead	X	

0388

RESOLVED on the motion of Councillors Lancaster and Balind that:

(a) 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.

(b) The owners of the affected properties be informed in writing of Council's resolution and invited to submit a consultant's report or similar, carrying out a thorough locational analysis of undeveloped lands presently zoned for rural residential development, to determine if land presently zone R5 - large Lot residential are under-utilised or inappropriate for rural residential development and justifying if additional lands are needed for these purposes.

(c) That Council take the contents of such report into consideration in determining whether to proceed with the planning proposal.

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	X	
Cr Napoli	Leave of Absence	
Cr Lancaster	X	
Cr Thorpe	Vacated the Chamber	
Cr Balind	X	
Cr Zappacosta		X
Cr Neville	Leave of Absence	
Cr Croce		X
Cr Curran	X	
Cr Cox	X	
Cr Rossetto		X
Cr Stead		X

Councillor Thorpe returned to the Chamber, the time being 7.45 pm

CL03 LEASE OF LOT 37 GRIFFITH AERODROME

(CPO)

0389

RESOLVED on the motion of Councillors Lancaster and Balind that:

(a) Council approve the lease of Lot 37 which forms part of Lot 1 DP 1146897 Griffith Aerodrome with Riverina Rotor Work Pty Ltd for a term of 5 years with a further option of 5 years commencing 1 November 2014.

(b) Riverina Rotor Work Pty Ltd pay all applicable costs and charges associated with the preparation of the lease agreement together with Council's Administration Fee of \$370.

(c) The annual licence fee for Lot 37 Griffith Aerodrome be charged in accordance with Council's adopted Revenue Policy, currently \$0.65/sq metre for Airside lots between 4,001-10,000 sq metres. Lot 37 being 4,275 sq metres.

(d) Council continue to utilise 600 square metres of Lot 37 for a drum muster area with Council to pay all cost and charges associated with this area until required by Mr Wilcox.

(e) Council authorise the Mayor and General Manager to execute all documents on behalf of Council under the Common Seal in relation to this matter.

CL04 ADOPTION OF POLICY GC-CP-401 - AUSTRALIA DAY AWARDS

(CCDO)

0390

RESOLVED on the motion of Councillors Balind and Cox that:

(a) Council endorse draft policy GC-CP-401 - Australia Day Awards for public exhibition for a period of 28 days.

(b) Following the public exhibition period, if no submissions are received the policy be considered formally adopted.

(c) If submissions are received, the policy be reported back to Council.

CL05 GRIFFITH MAIN DRAIN J AND MIRROOL CREEK FLOOD STUDY

(DU)

0391

RESOLVED on the motion of Councillors Rossetto and Lancaster that Council adopt 'Griffith Main Drain J and Mirrool Creek Flood Study' Report.

CL06 ADOPTION OF INFRASTRUCTURE & OPERATIONS DIRECTORATE POLICIES

(GC)

0392

RESOLVED on the motion of Councillors Rossetto and Curran that:

(a) Council endorse the draft Infrastructure & Operations Directorate Policies for public exhibition for a period of 28 days with amendments to Policies GC-CP-314 Vandalism - Reward for Information, PG-CP-101 Private Works, WO-CP-602 Roads - Maintenance and Upgrading of Unsealed Roads and PG-CP-101 Dalton Park - Areas of Responsibility.

(b) Following the public exhibition period, if no submissions are received the policies be considered formally adopted.

(c) Policies that receive a submission be reported back to Council.

CL07 ADOPTION OF POLICY GC-CP-407 - COUNCILLOR PAYMENT OF EXPENSES AND PROVISION OF FACILITIES

(MES)

Councillors Zappacosta and Stead **MOVED** the following **MOTION** that:

(a) Council adopt the draft revised policy as presented at the 9 September 2014 meeting also including additional recommendations and amendments by senior staff.

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

(a) Council adopt the "Councillors Payment of Expenses and Provision of Facilities Policy" subject to the inclusion of amendments with the additional amendment that payment of expenses for an accompanying person be payable only in accordance with OLG guidelines and the reference to 'other authorised events' be deleted from clause 2.14.2.

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

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

(a) Council adopt the "Councillors Payment of Expenses and Provision of Facilities Policy" subject to the inclusion of amendments with the additional amendment that clause 3.4.2 be amended to read "A daily log book must be kept recording all official and private usage. The logbook is to be submitted to Council by the Mayor each month of his/her term. Based on the daily logbook a monthly invoice will be sent to the mayor for reimbursement of fuel costs for private use".

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

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

(a) Council adopt the "Councillors Payment of Expenses and Provision of Facilities Policy" subject to the inclusion of amendments with addition to clause 3.4.6 to include the words "pursuant to the provisions of the Policy"

Councillor Zappacosta called a **POINT OF ORDER**, stating that the amendment was in the original motion.

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

(a) Council adopt the "Councillors Payment of Expenses and Provision of Facilities Policy" subject to the inclusion of amendments with addition that the definition of 'Authorised Event' be amended to specify that 'Councillors attending an authorised event will not be entitled to claim reimbursements of expenses'.

The **MOTION** lapsed due to the want of a **SECONDER**.

0393

RESOLVED on the motion of Councillors Zappacosta and Stead that:

(a) Council adopt the draft revised policy as presented at the 9 September 2014 meeting also including additional recommendations and amendments by senior staff.

INFORMATION

CL08 CODE OF CONDUCT COMPLAINTS REPORT 2013/2014

(MES)

0394

RESOLVED on the motion of Councillors Thorpe and Stead that Council note the Code of Conduct Complaints Report for the period between 1 September 2013 - 31 August 2014.

CL09 MURRAY DARLING ASSOCIATION NATIONAL CONFERENCE AND ANNUAL GENERAL MEETING

(C)

0395

RESOLVED on the motion of Councillors Rossetto and Thorpe that Council note the report.

MINUTES FROM COMMITTEES

MINUTES OF THE GRIFFITH LOCAL EMERGENCY MANAGEMENT COMMITTEE HELD ON 14 OCTOBER 2014

0396

RESOLVED on the motion of Councillors Curran and Stead that the minutes of the Griffith Local Emergency Management Committee meeting held on 14 October 2014, having first been circulated amongst members, be adopted.

MINUTES OF THE UTILITIES COMMITTEE MEETING HELD ON 16 OCTOBER 2014

0397

RESOLVED on the motion of Councillors Cox and Thorpe that the minutes of the Utilities Committee meeting held on 16 October 2014, having first been circulated amongst members, be adopted.

MINUTES OF THE COMMUNITIES COMMITTEE MEETING HELD ON 21 OCTOBER 2014

0398

RESOLVED on the motion of Councillors Cox and Balind that the minutes of the Communities Committee meeting held on 21 October 2014, having first been circulated amongst members, be adopted.

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).

Councillor Thorpe asked the following question:

"Re: Griffith Community Visit to Italy

With various folk asking Cr Thorpe for details relative to the visit to Italy in six or so months, can we now advise our Council Communications Officer to kindly issue a public statement telling details and dates concerning this important community event" This information would certainly assist people in their planning. Thank you".

Mr Turner advised that Council could undertake having this prepared.

Councillor Rossetto asked the following question:

"Where is the "Hands Off" Griffith Community Violence Strategy up to?"

Question taken on notice with a response to be provided to all Councillors.

Councillor Zappacosta asked the following question:

"Why has our water reclamation plant emitting odours lately?"

The Mayor reported that a report was forthcoming from Director of Utilities, Mr Graham Gordon but advised that Council were aware of this and were working on strategies to resolve issue.

OUTSTANDING ACTION REPORT

0399

RESOLVED on the motion of Councillors Curran and Stead that Council note the report.

There being no further business the meeting terminated at 8.44 pm.

Confirmed:
CHAIRPERSON

□