



**MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL
CHAMBERS, GRIFFITH ON 11 FEBRUARY 2014 COMMENCING AT 7.01PM**

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 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, Naomi Brugger.

MEDIA

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

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

PROCEDURAL MATTERS

APOLOGIES

0031

RESOLVED on the motion of Councillors Balind and Stead that apologies be received from Councillor Cox and a leave of absence be granted.

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

0032

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 28 January 2014, having first been circulated amongst all members of Council, be confirmed.

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

CL02 Community Strategic Plan - Growing Griffith 2030 - Indicators and Measures

Councillor Balind enquired as to when the Community Strategic Plan would be addressed with the General Manager, Mr Brett Stonestreet advising a special Workshop was scheduled to be held on 4 March 2014 with a view to discussing the Community Strategic Plan in conjunction with the report from Blackadder & Associates regarding the first stage of the Services Review Program.

DECLARATIONS OF INTEREST

NON-PECUNIARY INTERESTS

The following Councillor a declared non-pecuniary interest in the following clause:

Councillor Paul Rossetto

CL02 Reason - Councillor Rossetto was contacted by proposed lessee and given a history explanation of the land in question.

Make a declaration, stay in the Chamber and participate in the debate and vote.

PECUNIARY INTERESTS

There were no pecuniary interests received.

GENERAL MANAGER'S REPORT

**CL01 LEASE OF STATE BANK HOUSE - 81 KOOYOO STREET TO
CAMPBELL PAGE LIMITED**

0033 (CPO)

RESOLVED on the motion of Councillors Neville and Napoli that:

(a) Council approve the lease of State Bank House to Campbell Page Limited for a term commencing 1 January 2014 to 31 December 2014 with an option to renew the lease for a further 1 year.

(b) The lease fee commencing 1 January 2014 be charged at \$16,432 + GST and increasing thereafter with the Consumer Price Index on commencement of each new term.

(c) Campbell Page Limited shall be responsible for all water, rates, electricity, cleaning, ground maintenance and any internal maintenance (on approval of Council) together with all legal costs associated with the preparation of the lease agreement.

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

CL02 LICENCE AGREEMENT FOR PART DRAINAGE RESERVE 159011 - 34A HARWARD ROAD, GRIFFITH

0034 (CPO)

RESOLVED on the motion of Councillors Zappacosta and Napoli that the report be raised from the table.

0035

RESOLVED on the motion of Councillors Zappacosta and Thorpe that:

(a) Council approve to enter into a licence agreement with Altina Holdings Pty Ltd and Joseph Gino Altin for part drainage reserve 159011 (34A Harward Road) for a term of 10 years commencing 1 August 2013 and terminating 31 July 2023.

(b) The licence fee continue to be charged in accordance with the original agreement currently \$118.74 for 2013/2014 to increase with CPI each year.

(c) Altina Holdings Pty Ltd and Joseph Gino Altin 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) Council authorise the Mayor and General Manager to execute the licence agreement on behalf of Council under the common seal.

Councillor Lancaster requested his vote AGAINST the motion be noted.

CL03 LICENCE AGREEMENT FOR ROAD RESERVE ADJOINING LOT 1 DP 1067528 - INTERNATIONAL BACKPACKERS HOSTEL - WITH MICHAEL AND TERESA FARRONATO

0036 (CPO)

RESOLVED on the motion of Councillors Thorpe and Neville that:

(a) Council enter into a licence agreement with Michael and Teresa Farronato for 18 car parking spaces located on the road reserves in Koorungal Avenue and Wakaden Street, Griffith.

(b) The term of the licence agreement be ten years (1 March 2014 - 29 February 2024) with one further option of ten years (1 March 2024 - 28 February 2034).

(c) Michael and Teresa Farronato 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 adopted Revenue Policy, currently \$47 per car space (2013/2014) plus rates and charges.

(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.

CL04 COUNCIL COMMITTEE DELEGATIONS AND DESIGNATED PERSONS
(MES)

Councillors Rossetto and Thorpe **MOVED** 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 approved project 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 Balind moved the following **AMENDMENT** that:

- (a) Council continue with the current Committee structure.
- (b) All Committee members who have yet to provide their declarations be given assistance by Council staff to complete the documentation in order to become compliant.

The Mayor **DECLINED** to accept the **AMENDMENT** as it is in direct negative of the motion.

Councillor Lancaster **FORESHADOWED** a motion that the Section 355 Committees be reconstituted as Advisory Committees.

The original **MOTION** was **PUT**, being:

Councillors Rossetto and Thorpe **MOVED** 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 approved project 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.

The **MOTION** was **LOST**.

Councillor Balind **MOVED** that:

- (a) Council retain the current Committee structure.
- (b) All Committee members who have yet to provide their declarations be given assistance by Council staff to complete the documentation in order to become compliant.

(c) Council review the Committee structure once the documentation had been obtained.

Councillor Balind **AMENDED** the **MOTION**, being that Council retain the current Committee structure until a review of the structure is undertaken.

Councillor Neville **SECONDED** the **AMENDMENT**.

Councillor Neville **FORESHADOWED** a motion, that 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.

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

0037

RESOLVED on the motion of Councillors Balind and Neville that Council retain the current Committee structure until a review of the structure is undertaken.

Councillor Neville **MOVED** that,

- (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 be requested to assist the General Manager to carry out this function.

Councillor Balind **SECONDED** the motion.

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

0038

RESOLVED on the motion of Councillors Neville and Balind that:

- (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.

CL05 INDEPENDENT LOCAL GOVERNMENT REVIEW PANEL - FINAL REPORT LOCAL GOVERNMENT ACT REVIEW TASK FORCE - FINAL REPORT
(GM)

Councillors Balind and Lancaster **MOVED** that:

- (a) Council prepare a submission in relation to the Independent Local Government Review Panel final report.
- (b) The submission in relation to (a) above provide in principle support to the report provided that the NSW Government adopts the recommendations as a package.
- (c) Council prepare a submission in relation to the Local Government Acts Review Task Force report.

(d) The submission in relation to (c) above provide in principle support to the report.

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

(a) Council prepare a submission in relation to the Independent Local Government Review Panel final report.

(b) The submission in relation to (a) above provide in principle support to the report provided that the NSW Government adopts the recommendations as a package.

(c) Council prepare a submission in relation to the Local Government Acts Review Task Force report.

(d) The submission in relation to parts (b) and (c) above provide in principle support to the report with it being reflected that Council does not support the removal of "Rate Pegging".

Councillor Thorpe **SECONDED** the **AMENDMENT**.

The **AMENDMENT** was **PUT** and **CARRIED**.

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

0039

RESOLVED on the motion of Councillors Napoli and Thorpe that:

(a) Council prepare a submission in relation to the Independent Local Government Review Panel final report.

(b) The submission in relation to (a) above provide in principle support to the report provided that the NSW Government adopts the recommendations as a package.

(c) Council prepare a submission in relation to the Local Government Acts Review Task Force report.

(d) The submission in relation to parts (b) and (c) above provide in principle support to the report with it being reflected that Council does not support the removal of "Rate Pegging".

MINUTES FROM COMMITTEES

MINUTES OF THE BUSINESS DEVELOPMENT AND MAJOR PROJECTS MANAGEMENT COMMITTEE MEETING HELD ON 20 JANUARY 2014

0040

RESOLVED on the motion of Councillors Curran and Napoli that:

(a) The Minutes of the Business Development and Major Projects Management Committee meeting held on 20 January 2014, having first been circulated amongst all members, be adopted with the exclusion of CL09 Amendments to Council's Engineering Guidelines.

(b) Council prepare a draft amendment and exhibit the draft amendment of Council's Engineering Guidelines and other relevant policies to include the following:

1) That the sealing or upgrading (including on-site detention) of existing car parks including access and egress points not be required when assessing a Development Application when:-

- There is no increase in car parking spaces required by the development, and
- There is no additional traffic generated by the proposed development, and
- There is no change in loading and unloading arrangements;
- UNLESS Council resolves that the circumstances of the case are such as to warrant this and clear justification is made.

Note: This recommendation does not relate to statutory requirements such as in relation to disabled car parking spaces or maintenance of existing facilities such as line marking.

2) That the landscaping and irrigation of existing car parks shall not be required in the circumstances listed in (1) above.

3) That 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.

4) That where an existing development involves alterations and/or additions that requires either an increase for water service supply from an existing Council water main and/or an increase of sewer service drainage connected to an existing Council sewer main, there be no requirement for the developer to prove by way of calculation of the ability of Council's water and/or sewerage system to service (or not) any increased demand. Should the development necessitate calculations concerning the ability or otherwise of Council's water and/or sewerage system, Council shall do so without cost to the developer and inform the developer of the outcome at pre-DA meeting/s.

Note: Council may request information from the intended applicant regarding the on-site sewerage and water systems for the existing and proposed development including peak demands generated from the entire development by either a suitably qualified licensed plumber or consultant engaged by the developer, in order to assess the capacity of Council's infrastructure.

5) That 'documentary evidence' from a gas supplier, an electrical authority, Telstra or any other service provider 'that satisfactory arrangements have been made for the provision' of these services, not be required. It is suggested that a condition may be applied that the applicant shall be responsible for the provision of electrical, telecommunication, gas service or any other service provider to the development and that prior to 'Occupation Certificate' applicants provide documentary proof of any of the above services that have been provided to the development.

PART B: That policies of Council be formally adopted prior to implementation and not effected through development consents unless in accordance with Council's Policy Register and Council's prior deliberation. The exception to the above being draft Development Control Plans.

PART C: That conditions implemented be clear and concise and appropriately justified within Development Approvals. A 'Reason' shall be provided to all conditions. The 'Reason' is to be located under each 'Condition'.

PART D: That qualified Council staff participate at all pre DA lodgement meetings and provide advice on potential conditions that may be applied to a Development Application that may be lodged. Minutes of the meeting/s are to be confirmed and distributed to stakeholders within fourteen (14) working days of the meeting.

QUESTION TIME

PUBLIC QUESTION TIME

There were no questions from the public.

COUNCILLOR QUESTION TIME

Councillor Rossetto asked the following question:

"Will Councillors be provided a detailed report of the 2 accidents by Council staff reported on *23/12/14 Area News. Including Workcover report. And what steps have been put in place to reduce future accidents in relation to workshop pits." *23/12/13

Mr Stonestreet advised that a report will be forthcoming.

Councillor Thorpe asked the following question:

"With a Memorandum of Understanding being signed (with much hope for the future) on 21 Sep 2007 between Griffith City Council, TAFE and Charles Sturt University could we please have a report or assessment on the progress made in this tertiary education area, including the Bachelor Degree details available in Griffith for 2014.

It is approaching seven years since the memorandum - what has been the progress for Griffith? Thank you."

Mr Stonestreet advised that a report will be prepared for Councillors and be distributed.

OUTSTANDING ACTION REPORT

0041

RESOLVED on the motion of Councillors Napoli and Stead that the Outstanding Action Report be noted.

There being no further business the meeting terminated at 8.22pm.

Confirmed:
CHAIRPERSON

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