

**ORDINARY MEETING OF GRIFFITH CITY COUNCIL  
HELD IN THE COUNCIL CHAMBERS, GRIFFITH ON  
28 APRIL 2015 COMMENCING AT 7.00 PM**

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### **PRESENT**

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

### **STAFF**

Acting General Manager, Max Turner; Director Sustainable Development, Neil Southorn; Director Utilities, Graham Gordon; Manager Executive Services, Shireen Donaldson; Acting Director Infrastructure & Operations, Manjit Chugha and Minute Secretary, Leanne Austin.

### **MEDIA**

Stephen Mudd, The Area News

### **1 COUNCIL PRAYER AND ACKNOWLEDGMENT OF COUNTRY**

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

### **2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE**

15/104

**RESOLVED** on the motion of Councillors Stead and Curran that an apology be received from Councillor Anne Napoli and a leave of absence granted and that apologies be received from General Manager, Brett Stonestreet and Director Infrastructure and Operations, Dallas Bibby.

### **3 CONFIRMATION OF MINUTES**

15/105

**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 14 April 2015, having first been circulated amongst all members of Council, be confirmed.

### **4 BUSINESS ARISING**

#### **New Business Paper Format**

15/106

**RESOLVED** on the motion of Councillors Stead and Rossetto that the list of staff names be added back into the front section of the Business Paper.

**Minutes of the Griffith Community Private Hospital Committee meeting held on 24 February 2015**

Councillor Thorpe enquired if a media release had been prepared in relation to the need for ongoing fundraising for the Griffith Community Private Hospital. The Mayor advised a media release would be distributed once construction has commenced. Contracts are currently being signed with construction to commence in May 2015.

**Question Time – Cooper Road**

Councillor Rossetto requested that Council obtain a comparative quote for the required works along Cooper Road. The Mayor advised this would be referred to the Senior Management Team with information to be provided to Councillors.

**Question Time – Yenda Centennial Celebration Committee**

Councillor Rossetto advised The Yenda Centennial Celebration Committee had met recently and thanked Council for assistance provided with printing of brochures.

**5 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 and not return until the matter is resolved.*

Councillor Simon Croce

CL02 - DA19/2015 Subdivision of Land into Three Lots, Erection of a Building and use as a Brothel

Reason – Councillor Croce has a friendship with one of the property owners that the development is to be built on.

Councillor Bill Lancaster

Notice of Motion – Temporary Use of a Shed at 1-15 Collier Street for the Rotary Sunday Markets

Reason – Councillor Lancaster acts for a client who has a pecuniary interest in the outcome of the motion.

Councillor Christine Stead

Notice of Motion – Temporary Use of a Shed at 1-15 Collier Street for the Rotary Sunday Markets

Reason – Councillor Stead is a member of the Showground Trust and the Showground is mentioned in the Senior Management Team comment.

Councillor Dino Zappacosta

CL01 – DA30/2015 Use of an Existing Building and Site as a Truck Depot

Reason – Councillor Zappacosta owns a property adjoining the site.

Councillor Dino Zappacosta

Traffic Committee Minutes 14 April 2015 CL3.2 TASAC signage

Reason – Councillor Zappacosta owns a winery that has signage.

Staff Member – Coordinator Landuse Planning and Compliance, Kelly McNicol

CL02 - DA19/2015 Subdivision of Land into Three Lots, Erection of a Building and use as a Brothel

Reason – Mr McNicol's wife's parents own the adjacent site and he has discussed the matter at length with them.

### **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 John Dal Broi

Notice of Motion – Temporary Use of a Shed at 1-15 Collier Street for the Rotary Sunday Markets

Reason – Councillor Dal Broi is a member of Griffith Rotary.

Councillor Dino Zappacosta

Transport Committee Minutes 13 April 2015 – CL10.6 HML Access Willandra Avenue

Reason – Councillor Zappacosta is related to the owners of the trucking company.

Councillor Dino Zappacosta

Traffic Committee Minutes 14 April 2015 – CL7.5 HML Access Willandra Avenue

Reason – Councillor Zappacosta is related to the owners of the truck company who have raised the issue.

### **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

CL02 - DA19/2015 Subdivision of Land into Three Lots, Erection of a Building and use as a Brothel

Reason – Councillor Balind has children who attend performing arts businesses within the vicinity of the development. The business is geographically outside the boundary of 200 metres from the proposed site.

Councillor Alison Balind

CL05 – Fit for the Future – Local Government Reform

Reason – Councillor Balind is employed at Murrumbidgee Shire Council. Final determination on the future of Murrumbidgee Shire will be in the hands of IPART.

Councillor Alison Balind

Access Committee Minutes 24 March 2015

Reason – Councillor Balind's husband is employed as Road Safety Officer at Griffith City Council. Role is in an advisory capacity only and does not influence recommendations.

Councillor Alison Balind

Transport Committee Minutes 13 April 2015

Reason – Councillor Balind's husband is employed as Road Safety Officer at Griffith City Council. Role is in an advisory capacity only and does not influence recommendations.

Councillor Alison Balind

Traffic Committee Minutes 14 April 2015

Reason – Councillor Balind's husband is employed as Road Safety Officer at Griffith City Council. Role is in an advisory capacity only.

Councillor Pat Cox

CL01 – DA30/2015 Use of an Existing Building and Site as a Truck Depot

Reason – Councillor Cox has been approached by a resident opposed to the development.

Councillor Doug Curran

CL01 – DA30/2015 Use of an Existing Building and Site as a Truck Depot

Reason – Councillor Curran has held discussions with an objector. Discussions were for information only.

Councillor Mike Neville

CL01 – DA30/2015 Use of an Existing Building and Site as a Truck Depot

Reason – Councillor Neville has discussed aspects of the DA30/2015 with objectors to the development.

Councillor Mike Neville

CL02 - DA19/2015 Subdivision of Land into Three Lots, Erection of a Building and use as a Brothel

Reason – Councillor Neville has had discussions with proponents and objectors of this DA19/2015.

Councillor Paul Rossetto

CL01 – DA30/2015 Use of an Existing Building and Site as a Truck Depot

Reason – Councillor Rossetto was contacted by an objector. He also spoke to another neighbour of the applicant. No financial benefit either way.

Councillor Paul Rossetto

CL02 - DA19/2015 Subdivision of Land into Three Lots, Erection of a Building and use as a Brothel

Reason – Councillor Rossetto has spoken with objectors.

Councillor Christine Stead

CL01 – DA30/2015 Use of an Existing Building and Site as a Truck Depot

Reason – Councillor Stead has spoken to an objector.

Councillor Christine Stead

CL02 - DA19/2015 Subdivision of Land into Three Lots, Erection of a Building and use as a Brothel

Councillor Stead has spoken to objectors and also had a site inspection.

Councillor Leon Thorpe

Notice of Motion – Temporary Use of a Shed at 1-15 Collier Street for the Rotary Sunday Markets

Reason – Whilst not being a member of the relevant Griffith Rotary Club, Councillor Thorpe has attachment to the Rotary movement itself.

Councillor Dino Zappacosta

CL02 - DA19/2015 Subdivision of Land into Three Lots, Erection of a Building and use as a Brothel

Reason – Councillor Zappacosta has relatives who own property nearby.

## **6 PRESENTATIONS**

Nil.

## **7 MAYORAL MINUTES**

Nil.

## **8 GENERAL MANAGER'S REPORT**

Councillor Zappacosta, having declared a conflict of interest, left the Chamber the time being 7:18 pm.

15/107

**RESOLVED** on the motion of Councillors Lancaster and Balind that CL02 be brought forward.

Councillor Zappacosta returned to the Chamber the time being 7:18 pm.

### **CL02 DA 19/2015 SUBDIVISION OF LAND INTO THREE LOTS, ERECTION OF A BUILDING AND USE AS A BROTHEL**

Councillor Croce and staff member, Kelly McNicol, having declared conflicts of interest, left the Chamber the time being 7:19 pm.

15/108

**RESOLVED** on the motion of Councillors Stead and Balind that Standing Orders be suspended to allow Mr Andrew Rowe and Mr Michael Rowley to address Council.

Mr Rowe addressed Council, speaking against the approval of the Development Application, the time being 7:20 pm.

Mr Rowley addressed Council, speaking against the approval of the Development Application, the time being 7:30 pm.

15/109

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

- (a) Council pursuant to the provisions of Section 80(1)(b) of the Environmental Planning and Assessment Act, 1979 refuse Development Application 19/2015 for the subdivision of land, construction of a building and use as brothel at Lot 1 DP 1071858, 36-38 Collier Street, Griffith for the following reasons:
  - (i) The proposed development is considered unsatisfactory with regard to Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act in that the proposed development is inconsistent with the objectives of the IN1 zone and that the siting of the brothel is inconsistent with the provisions of Clause 7.11 of Griffith Local Environmental Plan 2014.
  - (ii) The proposed development is considered unsatisfactory with regard to Section 79C (1)(a)(iii) of the Environmental Planning and Assessment Act in that the proposed development does not comply with the provisions set down in Development Control Plan No. 3: Industrial Development and Development Control Plan 11: Urban Subdivision in terms of landscaping and minimum lot widths respectively.
  - (iii) The proposed development is considered unsatisfactory with regard to Section 79C (1)(b) of the Environmental Planning and Assessment Act in that the proposed brothel would have an unreasonable detrimental social and economic impact on the locality.

- (iv) The proposed development is considered unsatisfactory with regard to Section 79C (1)(c) of the Environmental Planning and Assessment Act in that the site is considered unsuitable for a brothel in terms of its proximity to sensitive land uses.
  - (v) The proposed development is considered unsatisfactory with regard to Section 79C (1)(d) of the Environmental Planning and Assessment Act in regard to the issues raised by the submission from NSW Police in respect to crime prevention measures.
  - (vi) The proposed development is considered unsatisfactory with regard to Section 79C (1)(e) of the Environmental Planning and Assessment Act in that the proposed brothel is not in the public interest as it fails to provide access and facilities for disabled persons and fails to meet all the requirements of Council's Restricted Premises and Brothels Policy.
- (b) The application be delegated to the Director of Sustainable Development for the preparation and issue of the Notice of Determination.

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

**For**

Councillor Alison Balind  
Councillor Pat Cox  
Councillor Doug Curran  
Councillor John Dal Broi  
Councillor Bill Lancaster  
Councillor Mike Neville  
Councillor Paul Rossetto  
Councillor Christine Stead  
Councillor Leon Thorpe  
Councillor Dino Zappacosta

**Against**

Councillor Croce and Kelly McNicol returned to the Chamber the time being 7:37 pm.

**CL01 DA 30/2015 USE OF AN EXISTING BUILDING AND SITE AS A TRUCK DEPOT**

Councillor Zappacosta, having declared a conflict of interest, left the Chamber the time being 7:37 pm.

Mr Ray Monteleone addressed Council to answer questions from Councillors, the time being 7:40 pm.

Councillors Lancaster and Stead **MOVED** the following **MOTION** that the development be refused as it does not comply with three objectives of the zoning requirements.

15/110

**RESOLVED** on the motion of Councillors Curran and Neville that Michael Crook be granted permission to address Council.

Mr Crook addressed Council, speaking against the approval of the Development Application, the time being 7:51 pm.

The **MOTION** was **PUT** and **LOST** with the Mayor using his casting vote.

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.

**For**

Councillor Alison Balind  
Councillor Bill Lancaster  
Councillor Mike Neville  
Councillor Paul Rossetto  
Councillor Christine Stead

**Against**

Councillor Pat Cox  
Councillor Simon Croce  
Councillor Doug Curran  
Councillor John Dal Broi  
Councillor Leon Thorpe

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

- (a) Council pursuant to the provisions of Section 80(1)(a) of the Environmental Planning and Assessment Act, 1979, grant consent to Development Application 30/2015 for the use of an existing building and site as a truck depot at Lot 198 DP 751709, Kidman Way, Hanwood subject to the draft conditions of consent set out in Attachment 'A'; and
- (b) The application be delegated to the Director of Sustainable Development for the preparation and issue of the Notice of Determination.

Councillors Lancaster and Rossetto **MOVED** the following **AMENDMENT** that part (c) be added to the above motion as follows:

- (a) Council pursuant to the provisions of Section 80(1)(a) of the Environmental Planning and Assessment Act, 1979, grant consent to Development Application 30/2015 for the use of an existing building and site as a truck depot at Lot 198 DP 751709, Kidman Way, Hanwood subject to the draft conditions of consent set out in Attachment 'A'; and
- (b) The application be delegated to the Director of Sustainable Development for the preparation and issue of the Notice of Determination.
- (c) The conditions of Consent Part L - Prior to use of Occupation of the Development be amended at paragraph (8) on page 9 and 10 to require that the driveway and all areas of the development used for truck parking and manoeuvring are to be sealed prior to the lodgement of an occupation certificate application.

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

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.

**For**

Councillor Pat Cox  
Councillor Bill Lancaster  
Councillor Mike Neville  
Councillor Paul Rossetto

**Against**

Councillor Alison Balind  
Councillor Simon Croce  
Councillor Doug Curran  
Councillor John Dal Broi  
Councillor Christine Stead  
Councillor Leon Thorpe

Councillors Lancaster and Cox **MOVED** the following **AMENDMENT** that paragraph (c) be added to the above motion as follows:

- (a) Council pursuant to the provisions of Section 80(1)(a) of the Environmental Planning and Assessment Act, 1979, grant consent to Development Application 30/2015 for the use of an existing building and site as a truck depot at Lot 198 DP 751709, Kidman Way, Hanwood subject to the draft conditions of consent set out in Attachment 'A'; and

- (b) The application be delegated to the Director of Sustainable Development for the preparation and issue of the Notice of Determination.
- (c) The Conditions of Consent Part O – Ongoing requirements on page 13 be amended by addition of an additional condition to require (14) the Landscaped area is to be maintained for the life of the development to a high standard compatible with the property being located on a main access way into the City of Griffith so as to improve the street scape.

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

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.

**For**

Councillor Alison Balind  
Councillor Pat Cox  
Councillor Doug Curran  
Councillor Bill Lancaster  
Councillor Mike Neville  
Councillor Paul Rossetto  
Councillor Christine Stead

**Against**

Councillor Simon Croce  
Councillor John Dal Broi  
Councillor Leon Thorpe

15/111

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

- (a) Council pursuant to the provisions of Section 80(1)(a) of the Environmental Planning and Assessment Act, 1979, grant consent to Development Application 30/2015 for the use of an existing building and site as a truck depot at Lot 198 DP 751709, Kidman Way, Hanwood subject to the draft conditions of consent set out in Attachment 'A'; and
- (b) The application be delegated to the Director of Sustainable Development for the preparation and issue of the Notice of Determination
- (c) The Conditions of Consent Part O – Ongoing requirements on page 13 be amended by addition of an additional condition to require (14) the Landscaped area is to be maintained for the life of the development to a high standard compatible with the property being located on a main access way into the City of Griffith so as to improve the street scape.

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.

**For**

Councillor Alison Balind  
Councillor Pat Cox  
Councillor Simon Croce  
Councillor Doug Curran  
Councillor John Dal Broi  
Councillor Mike Neville  
Councillor Paul Rossetto  
Councillor Christine Stead  
Councillor Leon Thorpe

**Against**

Councillor Bill Lancaster

Councillor Zappacosta returned to the Chamber the time being 8:15 pm.



**CL03 GRIFFITH CBD STRATEGY**

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

- (a) The draft Griffith CBD Strategy (2015) be placed on public exhibition for 42 days (6 weeks); and
- (b) After assessing public submissions, a further report be presented to Council with a view to its adoption.

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

- (a) The draft Griffith CBD Strategy (2015) be placed on public exhibition for 42 days (6 weeks).
- (b) After assessing public submissions, a further report be presented to Council with a view to its adoption.
- (c) Council establish and contribute to a CBD Improvement Reserve with an annual allocation to be determined by Council at the completion of the annual financial statements.
- (d) A report be presented to Council following the exhibition period including costings to implement the CBD Strategy recommendations.

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

15/112

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

- (a) The draft Griffith CBD Strategy (2015) be placed on public exhibition for 42 days (6 weeks).
- (b) After assessing public submissions, a further report be presented to Council with a view to its adoption.
- (c) Council establish and contribute to a CBD Improvement Reserve with an annual allocation to be determined by Council at the completion of the annual financial statements.
- (d) A report be presented to Council following the exhibition period including costings to implement the CBD Strategy recommendations.

**CL04 INTEGRATED PLANNING AND REPORTING FRAMEWORK - ENDORSEMENT OF THE DRAFT DELIVERY PROGRAM 2013/14 - 2016/17 INCORPORATING THE OPERATIONAL PLAN (BUDGET) FOR THE 2015/16 FINANCIAL YEAR**

Councillor Balind left the Chamber the time being 8:34 pm.

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

- (a) Council endorse the draft Delivery Program 2013/14 - 2016/17 incorporating the Operational Plan (Budget) 2015/16 and draft Ten Year Long Term Financial Plan 2015/16 to 2023/24.

- (b) Council place the draft Delivery Program 2013/14 - 2016/17 incorporating the Operational Plan (Budget) 2015/16 and draft Ten Year Long Term Financial Plan 2015/16 to 2023/24 on public display for 28 days during which time a community consultation process will be implemented including community information session.
- (c) Following the public exhibition period, the draft Delivery Program 2013/14 - 2016/17 incorporating the Operational Plan (Budget) 2015/16 and draft Ten Year Long Term Financial Plan 2015/16 to 2023/24 be presented to Council for adoption by 30 June 2015.

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

- (a) Council endorse the draft Delivery Program 2013/14 - 2016/17 incorporating the Operational Plan (Budget) 2015/16 and draft Ten Year Long Term Financial Plan 2015/16 to 2023/24,
  - (i) with the inclusion of explanatory notes for the Expense items contained in the Consolidated Income Statement of the budget.
- (b) Council place the draft Delivery Program 2013/14 - 2016/17 incorporating the Operational Plan (Budget) 2015/16 and draft Ten Year Long Term Financial Plan 2015/16 to 2023/24 on public display for 28 days during which time a community consultation process will be implemented including community information session.
- (c) Following the public exhibition period, the draft Delivery Program 2013/14 - 2016/17 incorporating the Operational Plan (Budget) 2015/16 and draft Ten Year Long Term Financial Plan 2015/16 to 2023/24 be presented to Council for adoption by 30 June 2015.

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

15/113

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

- (a) Council endorse the draft Delivery Program 2013/14 - 2016/17 incorporating the Operational Plan (Budget) 2015/16 and draft Ten Year Long Term Financial Plan 2015/16 to 2023/24,
  - (i) with the inclusion of explanatory notes for the Expense items contained in the Consolidated Income Statement of the budget.
- (b) Council place the draft Delivery Program 2013/14 - 2016/17 incorporating the Operational Plan (Budget) 2015/16 and draft Ten Year Long Term Financial Plan 2015/16 to 2023/24 on public display for 28 days during which time a community consultation process will be implemented including community information session.
- (c) Following the public exhibition period, the draft Delivery Program 2013/14 - 2016/17 incorporating the Operational Plan (Budget) 2015/16 and draft Ten Year Long Term Financial Plan 2015/16 to 2023/24 be presented to Council for adoption by 30 June 2015.

Councillor Balind returned to the Chamber the time being 8:37 pm.

**CL05 FIT FOR THE FUTURE – LOCAL GOVERNMENT REFORM**

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15/114

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

- (a) Council adopt in principle a “Stand Alone (Council Improvement)” Proposal -Template 2 with respect to the NSW Government’s Local Government Reform Agenda “Fit for the Future.”
- (b) Council adopt the community consultation strategy as attached to this report seeking community input and submissions. Submissions to close Friday 29 May 2015.
- (c) Staff be briefed with regard to Council’s proposal and seek comment through appropriate mechanisms.
- (d) A further report be prepared for Council consideration including all submissions /comments received.

**9 INFORMATION REPORTS**

Nil.

**10 ADOPTION OF COMMITTEE MINUTES**

**MINUTES OF THE ACCESS COMMITTEE MEETING HELD 24 MARCH 2015**

15/115

**RESOLVED** on the motion of Councillors Stead and Neville that the Minutes of the Access Committee Meeting held on 24 March 2015, be noted.

Mrs Donaldson left the Chamber the time being 8:49 pm.

**MINUTES OF THE INTERNAL AUDIT COMMITTEE MEETING HELD 26 MARCH 2015**

15/116

**RESOLVED** on the motion of Councillors Thorpe and Stead that the recommendations as detailed in the Minutes of the Internal Audit Committee meeting held on 26 March 2015 be adopted.

**MINUTES OF THE FESTIVAL OF GARDENS COMMITTEE MEETING HELD 9 APRIL 2015**

15/117

**RESOLVED** on the motion of Councillors Cox and Zappacosta that the recommendations as detailed in the Minutes of the Festival of Gardens Committee meeting held on 9 April 2015 be adopted.

**MINUTES OF THE TRANSPORT COMMITTEE MEETING HELD 13 APRIL 2015**

15/118

**RESOLVED** on the motion of Councillors Croce and Stead that the recommendations as detailed in the Minutes of the Transport Committee meeting held on 13 April 2015 be adopted.

Mrs Donaldson returned to the Chamber the time being 8:50 pm.

## **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 14 APRIL 2015**

15/119

**RESOLVED** on the motion of Councillors Curran and Croce that the recommendations as detailed in the Minutes of the Traffic Committee meeting held on 14 April 2015 be adopted.

### **11 BUSINESS WITH NOTICE - RESCISSIONS MOTIONS**

Nil.

### **12 BUSINESS WITH NOTICE - OTHER MOTIONS**

#### **NOTICE OF MOTION – BUDGET CONSIDERATION FOR YENDA EMR - COUNCILLOR ROSSETTO**

15/120

**RESOLVED** on the motion of Councillors Rossetto and Lancaster that Council include \$150,000 in Council's 2015/ 2016 budget above the line for the purposes of design works at the Yenda EMR.

#### **NOTICE OF MOTION – URGENT MATTER - TEMPORARY USE OF A SHED AT 1-15 COLLIER STREET FOR THE ROTARY SUNDAY MARKET – COUNCILLOR ZAPPACOSTA**

Councillors Dal Broi, Stead and Lancaster, having declared conflicts of interests, left the Chamber the time being 8:59 pm.

Councillor Curran assumed the Chair in the absence of the Mayor.

15/121

**RESOLVED** on the motion of Councillors Zappacosta and Cox that the matter be dealt with as a 'Matter of Urgency'.

15/122

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

- (a) Subject to (b) below, Council permit the temporary occupation of 1-15 Collier Street by the Griffith Rotary Sunday Markets on a trial basis commencing 3 May 2015 while a development application is being assessed.
- (b) Appropriate traffic control measures are designed and implemented in conjunction with Council officers prior to the first Sunday markets on 3 May 2015.

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.

**For**

Councillor Pat Cox  
Councillor Simon Croce  
Councillor Doug Curran  
Councillor Mike Neville  
Councillor Paul Rossetto  
Councillor Leon Thorpe  
Councillor Dino Zappacosta

**Against**

Councillor Alison Balind

Councillors Dal Broi, Stead and Lancaster returned to the Chamber the time being 9:14 pm.

The Mayor re-assumed the Chair.

### **13 QUESTION TIME**

Councillor Balind enquired if there were any updates in relation to the Real Juice matter.

Mr Southorn advised there were no further updates however the company was awaiting endorsement from Murrumbidgee Irrigation in relation to the Waste Management Plan.

The following question was raised by Councillor Leon Thorpe:

“With the understanding that there are plans to dump around 400,000 cubic metres of garbage from Sydney into the former Ardlethan Tin Mine and on the understanding that amongst other problems leaking rubbish can cause havoc to soil and underground water sources in this region, (as well as water run offs), can we advise relevant State and Federal Ministers and local Members of Parliament that we are most concerned about this Sydney rubbish project and request their concerted action?”

15/123

**RESOLVED** on the motion of Councillors Thorpe and Cox that Council write to relevant State and Federal Ministers and local Members of Parliament regarding concerns with the dumping of Sydney waste in the region.

### **14 OUTSTANDING ACTION REPORT**

15/124

**RESOLVED** on the motion of Councillors Balind and Lancaster that the Outstanding Action report be noted.

### **15 MATTERS TO BE DEALT WITH BY 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) alleged contraventions of any code of conduct requirements applicable under section 440 of the Local Government Act 1993.

15/125

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

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

Council resolved that members of the press and public be excluded from the meeting during consideration of the items listed below, and that discussion of the report in open Council would be contrary to the public interest.

**CC01 PROPOSED STAFF RESTRUCTURE FOR GRIFFITH REGIONAL THEATRE**  
**- Personnel Matters Concerning Particular Individuals 10a(2)(A)**

Council closed its meeting at 9:19 pm. The public and media left the Chamber.

**REVERSION TO OPEN COUNCIL**

15/126

**RESOLVED** on the motion of Councillors Curran and Stead that open Council be resumed.

Open Council resumed at 9:28 pm.

Upon resuming open Council the Mayor reported that the following resolutions had been made in Closed Council:

**MATTERS DEALT WITH IN CLOSED COUNCIL**

**CC01 PROPOSED STAFF RESTRUCTURE FOR GRIFFITH REGIONAL THEATRE**

15/127

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

- (a) The position of Theatre Coordinator (1.0 FTE) at Griffith Regional Theatre be removed from the organisation structure.
- (b) That 1 part time position (0.4 FTE) of Box Office / Front of House Coordinator at Griffith Regional Theatre be removed from the organisation structure.
- (c) The positions of Grants & Administration Officer (0.8 FTE) and Marketing & Education Officer (0.8 FTE) at Griffith Regional Theatre be created in the organisation structure, reporting directly to the Manager Griffith Regional Theatre & Art Gallery.
- (d) The position descriptions for Grants & Administration Officer and Marketing & Education Officer (Griffith Regional Theatre) be created, evaluated and the positions advertised.
- (e) That organisational structure amendments as per (a), (b), (c) and (d) above be implemented by 29 June 2015.

There being no further business the meeting terminated at 9:30 pm.

Confirmed: .....

CHAIRPERSON