

**Ordinary Meeting of Council held 23 January 2018**

**CL01 DA 98/2017 - RIVERINA EXPRESS**

Councillors Napoli, Zappacosta and Curran having declared a significant non-pecuniary conflict of interest left the meeting, the time being 7.15 pm.

18/001

**RESOLVED** on the motion of Councillors Christine Stead and Rina Mercuri that the matter be raised from the table.

18/002

**RESOLVED** on the motion of Councillors Simon Croce and Deb Longhurst 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 98/2017 for the expansion of an existing 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 General Manager 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 the matter.

For	Against	Abstained
Councillor John Dal Broi	Councillor Mike Neville	Councillor Doug Curran
Councillor Simon Croce	Councillor Paul Snaidero	Councillor Anne Napoli
Councillor Deb Longhurst	Councillor Christine Stead	Councillor Dino Zappacosta
Councillor Rina Mercuri		
Councillor Brian Simpson		

**The division was declared PASSED by 5 votes to 3.**

**CL02 DA 229/2017 - TOURISM EVENTS AT 114-116 MALLINSON ROAD, LAKE WYANGAN**

Councillor Zappacosta having declared a significant non-pecuniary interest left the meeting, the time being 7.33 pm.

18/003

**RESOLVED** on the motion of Councillors Christine Stead and Mike Neville that the meeting suspend standing orders to allow Mr Luke Piccolo (Applicant) and Mrs Kate Miranda (Objector) to address Council in relation to Clause 02 – DA 229/2017, the time being 7.23 pm.

Mr Piccolo addressed Council, the time being 7.34 pm.

Mrs Miranda addressed Council, the time being 7.36 pm.

18/004

**RESOLVED** on the motion of Councillors Doug Curran and Rina Mercuri that the meeting resume standing orders, the time being 7.38 pm.

18/005

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

- (a) Pursuant to the provisions of Section 80(1)(a) of the Environmental Planning and Assessment Act 1979, Council grant consent to Development Application No. 229/2017 for tourist based functions to be held on Lots 678 and 679 DP 39618, 114-116 Mallinson Road, Lake Wyangan subject to conditions including those set out in Attachment "A" of this report and that Part B – Administrative Condition Number 16 relating to ingress and egress accessway from the road carriageway off Mallinson Road be removed from the draft conditions in Attachment "A" and be left to negotiate with senior staff.
- (b) The application be delegated to the Acting Director of Sustainable Development for 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 the matter.

For	Against	Abstained
Councillor John Dal Broi	Councillor Rina Mercuri	Councillor Dino Zappacosta
Councillor Simon Croce		
Councillor Doug Curran		
Councillor Deb Longhurst		
Councillor Anne Napoli		
Councillor Mike Neville		
Councillor Brian Simpson		
Councillor Paul Snaidero		
Councillor Christine Stead		

**The division was declared PASSED by 9 votes to 1.**

**CC02 DA 158/2015 – TERRA AG**

18/006

**RESOLVED** on the motion of Councillors Paul Snaidero and Simon Croce that:

- (a) The proponent and objectors for DA 158/2015 be invited to an informal mediation to be chaired by the Mayor.
- (b) A further report be presented to Council at the 13 February 2018 Meeting.
- (c) Council participate in a Section 34 conciliation conference in accordance with the Land and Environment Court Act 1979 and that Council's input to the conciliation conference will be determined by Council's resolution at the Council Meeting of 13 February 2018.

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 the matter.

A division was called for, voting on which was as follows:

For	Against	Abstained
Councillor John Dal Broi		Councillor Anne Napoli
Councillor Simon Croce		Councillor Dino Zappacosta
Councillor Doug Curran		
Councillor Deb Longhurst		
Councillor Rina Mercuri		
Councillor Mike Neville		
Councillor Brian Simpson		
Councillor Paul Snaidero		
Councillor Christine Stead		

**The division was declared PASSED by 9 votes to 0.**

**Extraordinary Meeting of Council held 1 March 2018**

18/007

**RESOLVED** on the motion of Councillors Christine Stead and Simon Croce that:

- (a) Council approve the development subject to the conditions attached in attachment (a) of the report with the exception of conditions relating to:
  - i) Landscaping.
  - ii) The number of sealed carparks.
  - iii) Extent of internal manoeuvring areas.
- (b) An additional condition that a Planning Agreement be entered into with the Applicant.
- (c) Council delegate authority to the General Manager or his delegate to represent Council at the Section 34 conciliation meeting with authority to negotiate the final conditions and condition under (a) above.

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 the matter.

A division was called for, voting on which was as follows:

For	Against
Councillor John Dal Broi	Councillor Doug Curran
Councillor Simon Croce	Councillor Paul Snaidero
Councillor Deb Longhurst	
Councillor Rina Mercuri	
Councillor Brian Simpson	
Councillor Christine Stead	

**The division was declared PASSED by 6 votes to 2.**

18/008

**RESOLVED** on the motion of Councillors Rina Mercuri and Deb Longhurst that the delegate be authorised to include in the Planning Agreement for the applicant to surrender the Development Consent No. 158/2015 upon approval of the application on the Thorne Road site.

A division was called for, voting on which was as follows:

For

Councillor John Dal Broi  
Councillor Simon Croce  
Councillor Deb Longhurst  
Councillor Rina Mercuri  
Councillor Brian Simpson  
Councillor Christine Stead

Against

Councillor Doug Curran  
Councillor Paul Snaidero

**The division was declared PASSED by 6 votes to 2.**

18/009

**RESOLVED** on the motion of Councillors Simon Croce and Christine Stead that the matter concerning the three outstanding conditions, being:

- i) Landscaping.
  - ii) The number of sealed carparks.
  - iii) Extent of internal manoeuvring areas.
- be negotiated at the conciliation meeting.

A division was called for, voting on which was as follows:

For

Councillor John Dal Broi  
Councillor Simon Croce  
Councillor Doug Curran  
Councillor Deb Longhurst  
Councillor Rina Mercuri  
Councillor Brian Simpson  
Councillor Paul Snaidero  
Councillor Christine Stead

Against

**The division was declared PASSED by 8 votes to 0.**

### **Ordinary Meeting of Council held 13 February 2018**

#### **CL01 DA 133/2017**

18/010

**RESOLVED** on the motion of Councillors Christine Stead and Anne Napoli that:

- (a) Griffith City Council as the consent authority pursuant to section 80(1) of the Environmental Planning & Assessment Act 1979 grant consent to Development Application No: 133/2017 subject to conditions set out in Attachment 'H'.
- (b) Development Application No. 133/2017 be referred to the Acting Director Sustainable Development for the issue of the Notice of Determination.

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

For	Against	Abstained
Councillor John Dal Broi		Councillor Paul Snaidero
Councillor Doug Curran		
Councillor Deb Longhurst		
Councillor Eddy Mardon		
Councillor Rina Mercuri		
Councillor Anne Napoli		
Councillor Mike Neville		
Councillor Brian Simpson		
Councillor Christine Stead		
Councillor Dino Zappacosta		

**The division was declared Passed by 10 votes to 0.**

### Ordinary Meeting of Council held 27 February 2018

#### **CL02 DA 215/2017 CONSTRUCTION OF BACKPACKERS' ACCOMMODATION AND RESIDENTIAL DEVELOPMENT**

18/011

**RESOLVED** on the motion of Councillors Dino Zappacosta and Rina Mercuri that:

- (a) Griffith City Council as the consent authority pursuant to section 80(1) of the Environmental Planning & Assessment Act 1979 grant consent to Development Application No: 215/2017 subject to conditions set out in Attachment G.
- (b) Development Application No. 215/2017 be referred to the Acting Director Sustainable Development for the issue of the Notice of Determination.

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

For	Against
Councillor John Dal Broi	
Councillor Simon Croce	
Councillor Doug Curran	
Councillor Deb Longhurst	
Councillor Eddy Mardon	
Councillor Rina Mercuri	
Councillor Anne Napoli	
Councillor Mike Neville	
Councillor Brian Simpson	
Councillor Paul Snaidero	
Councillor Christine Stead	
Councillor Dino Zappacosta	

**The division was declared PASSED by 12 votes to 0.**

**CL03 DA 33/2016(1) - FOR A ONE INTO TWELVE LOT SUBDIVISION OF LOT 14 DP1022235, 2567 MCPHERSON ROAD, MYALL PARK**

18/012

**RESOLVED** on the motion of Councillors Anne Napoli and Brian Simpson that:

- (a) Pursuant to the provisions of Section 80(1)(a) of the Environmental Planning and Assessment Act 1979, Council grant Deferred Commencement consent to Development Application No. 33/2016 for the subdivision of Lot 14 DP1022235, 2567 McPherson Road, Myall Park, subject to conditions including those set out in Attachment A of this report;
- (b) The application be delegated to the Acting Director, Sustainable Development for preparation and issue of a Notice of Determination.

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

For

Against

Councillor John Dal Broi  
Councillor Simon Croce  
Councillor Doug Curran  
Councillor Deb Longhurst  
Councillor Eddy Mardon  
Councillor Rina Mercuri  
Councillor Anne Napoli  
Councillor Mike Neville  
Councillor Brian Simpson  
Councillor Paul Snaidero  
Councillor Christine Stead  
Councillor Dino Zappacosta

**The division was declared PASSED by 12 votes to 0.**

**CL04 DA 194/2017 FOR A DUAL OCCUPANCY AND TORRENS TITLE SUBDIVISION AT LOT 441 DP751709, 19 HEBDEN STREET, YOOGALI**

18/013

**RESOLVED** on the motion of Councillors Simon Croce and Christine Stead that:

- (a) Council pursuant to the provisions of Clause 4.6 of Griffith Local Environmental Plan 2014 and in accordance with the delegation from the Secretary of the Department of Planning and Planning Circular (17-006):
  - (i) Approve the variation to the minimum lot size requirements set down in Clause 4.1 of Griffith Local Environmental Plan 2014; and
  - (ii) Provide details of the variation as part of the quarterly review to the Department of Planning;

- (b) Pursuant to the provisions of Section 80(1)(a) of the Environmental Planning and Assessment Act, 1979, Council grant consent to Development Application 194/2017 for a dual occupancy and Torrens title subdivision of Lot 441 DP751709, 19 Hebden Street, Yoogali, subject to conditions including those set out in Attachment A to this report;
- (c) The application be delegated to the Acting Director, Sustainable Development for preparation and issue of a Notice of Determination.

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

For	Against
Councillor John Dal Broi	
Councillor Simon Croce	
Councillor Doug Curran	
Councillor Deb Longhurst	
Councillor Eddy Mardon	
Councillor Rina Mercuri	
Councillor Anne Napoli	
Councillor Mike Neville	
Councillor Brian Simpson	
Councillor Paul Snaidero	
Councillor Christine Stead	
Councillor Dino Zappacosta	

**The division was declared PASSED by 12 votes to 0.**

#### **Ordinary Meeting of Council held 27 March 2018**

#### **CL01 DA 252/2017 SUBDIVISION AND MUTLI DWELLING DEVELOPMENT**

18/014

**RESOLVED** on the motion of Councillors Christine Stead and Anne Napoli that:

- (a) Griffith City Council as the consent authority pursuant to section 80(1) of the Environmental Planning & Assessment Act 1979 grant consent to Development Application No. 252/2017 subject to conditions set out in Attachment 'E'.
- (b) Development Application No. 252/2017 be referred to the Acting Director Sustainable Development for the issue of the Notice of Determination.

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

For	Against
Councillor John Dal Broi	
Councillor Simon Croce	
Councillor Deb Longhurst	
Councillor Eddy Mardon	
Councillor Rina Mercuri	
Councillor Anne Napoli	

Councillor Mike Neville  
Councillor Brian Simpson  
Councillor Paul Snaidero  
Councillor Christine Stead  
Councillor Dino Zappacosta

**The division was declared PASSED by 11 votes to 0.**

**CL02 DA 245/2017 EXPANSION OF MYEE QUAIL FARM**

18/015

**RESOLVED** on the motion of Councillors Christine Stead and Anne Napoli that:

- (a) Council pursuant to the provisions of Section 4.16(1)(a) (previous Section 80) of the Environmental Planning and Assessment Act, 1979 grant consent to Development Application No. 245/2017 for an intensive livestock agriculture and a livestock processing industry (rural industry) involving the production and processing of quails at Lots 1, 2 & 3 DP 1162005 and Lot 1 DP 1065115 subject to conditions, including those set out in Attachment 'A'.
- (b) The application be delegated to the Acting Director Sustainable Development for the preparation and issue of the notice of determination.

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

For  
Councillor John Dal Broi  
Councillor Simon Croce  
Councillor Deb Longhurst  
Councillor Eddy Mardon  
Councillor Rina Mercuri  
Councillor Anne Napoli  
Councillor Mike Neville  
Councillor Brian Simpson  
Councillor Paul Snaidero  
Councillor Christine Stead  
Councillor Dino Zappacosta

Against

**The division was declared PASSED by 11 votes to 0.**

**CL03 DA 107/2015 - SECTION 96 (1A) MODIFICATION**

18/016

**RESOLVED** on the motion of Councillors Anne Napoli and Brian Simpson that:

- (a) Council approve the Section 4.55 application to modify Development Consent No. 107/2015 subject to conditions as outlined in Attachment 'B' of the report with the exception of:
  - (i) Part I Condition No. 11 (to be deleted)

*"Prior to the issue of a Construction Approval for Civil Works, detailed design drawings are to be submitted to Council for approval for the road works to be conducted on Cunningham Road. Cunningham Road shall be upgraded and bitumen sealed from Kidman Way to the proposed access way for the*



*development. The pavement shall have a width of 10.6 metres, consisting of 7 metre carriageway & 1.8 metre shoulders. Cunningham Road is to be designed in accordance with Council's Engineering Guidelines – Subdivisions and Development Standards."*

- (ii) Part L Condition No. 19 (to be deleted)

*"Prior to the lodgement of an Occupation Certificate application, Cunningham Road shall be upgraded to a safe all weather standard from Kidman Way to the proposed accessway for the development. The pavement shall have a width of 10.6 metres, consisting of 7 metre carriageway & 1.8 metre shoulders. Cunningham Road is to be designed and constructed in accordance with Council's Engineering Guidelines – Subdivisions and Development Standards."*

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

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

For  
Councillor John Dal Broi  
Councillor Deb Longhurst  
Councillor Eddy Mardon  
Councillor Rina Mercuri  
Councillor Anne Napoli  
Councillor Brian Simpson  
Councillor Paul Snaidero  
Councillor Christine Stead  
Councillor Dino Zappacosta

Against  
Councillor Simon Croce  
Councillor Mike Neville

**The division was declared PASSED by 9 votes to 2.**

### **Ordinary Meeting of Council held 10 July 2018**

#### **CL01 DA 71/2011 - 11 WAUGH STREET GRIFFITH**

Councillor Snaidero having declared a Pecuniary Interest in this matter left the meeting, the time being 7.05 pm.

18/017

**RESOLVED** on the motion of Councillors Doug Curran and Anne Napoli that the meeting suspend standing orders to allow Mr Peter Budd and Mr Tony Del Gigante to address Council opposing the development and Mr Boris Nedic from Nedic Architects to speak in support of the development.

Mr Del Gigante addressed Council the time being 7.06 pm.

Mr Budd addressed Council the time being 7.14 pm.

Mr Nedic addressed Council the time being 7.25 pm.

The Mayor invited Mr Garry Salvestro (Salvestro Planning) to address Council on behalf of the applicant the time being 7.32 pm.

18/018

**RESOLVED** on the motion of Councillors Doug Curran and Simon Croce that the meeting resume standing orders.

The Mayor advised that Council has received legal advice in relation to the development application and recommended that Council discuss the matter further in Closed Council.

18/019

**RESOLVED** on the motion of Councillors Doug Curran and Rina Mercuri that:

- (a) Council resolve to go into Closed Council to consider business identified.
- (b) 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)] of the Local Government Act 1993.

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

#### **CL01 – DA 71/2011 – 11 WAUGH STREET GRIFFITH**

Reason: Legal professional privilege Section 10A(g).

Council closed its meeting at 7.35 pm. The public and media left the Chamber.

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

18/020

**RESOLVED** on the motion of Councillors Doug Curran and Christine Stead that Open Council be resumed.

Open Council resumed at 8.05 pm.

The Mayor requested that for the benefit of the public gallery the General Manager outline the procedure for going forward.

The General Manager advised that should Council resolve to lay the matter on the table Council will be obtaining legal advice with respect to 'procedure' and not 'merits' and that legal counsel will be obtained by Council within the next week.

The General Manager further advised that the matter will be brought back for further consideration by Councillors to be potentially Lifted from the Table at the 24 July 2018 Council meeting for determination.

Upon resuming Open Council the General Manager reported that the following resolution had been made in Closed Council:

18/021

**RESOLVED** on the motion of Councillor Mike Neville that the matter lay on the table pending further legal advice with respect to 'procedure' and that the matter be brought back to the next Ordinary Meeting of Council to be held on 24 July 2018 for further consideration.

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

For

Councillor John Dal Broi  
Councillor Simon Croce  
Councillor Deb Longhurst  
Councillor Eddy Mardon  
Councillor Rina Mercuri  
Councillor Anne Napoli  
Councillor Mike Neville  
Councillor Brian Simpson  
Councillor Christine Stead  
Councillor Dino Zappacosta

Against

**The division was declared PASSED by 11 votes to 0.**

### **Ordinary Meeting of Council held 14 August 2018**

#### **CL01 DA 108/2018 – ELEVEN (11) FROST CONTROL FANS**

Councillor Dino Zappacosta, having declared a Significant Non-Pecuniary Conflict of Interest in relation to Clause 01 – DA 108/2018 left the meeting the time being 7.10 pm.

The Mayor acknowledged Ms Kerry Rourke (Contract Town Planner) and Mr Shannon McKiernan (Contract Environmental Health Officer), thanking them for their contribution in the assessment of the application and for the presentation of a thorough report.

18/022

**RESOLVED** on the motion of Councillors Christine Stead and Simon Croce that the meeting suspend standing orders to allow Mr Bryce Yates and Mrs Cate Yates to answer any questions from Councillors and to allow Mr Peter Budd on behalf of the applicant to address Council in relation to DA 108/2018.

Mr Budd addressed Council in support of the development the time being 7.11 pm.

18/023

**RESOLVED** on the motion of Councillors Christine Stead and Mike Neville that the meeting resume standing orders the time being 7.43 pm.

18/024

**RESOLVED** on the motion of Councillors Anne Napoli and Deb Longhurst that:

- (a) Griffith City Council as the consent authority pursuant to section 4.16(1) of the Environmental Planning & Assessment Act 1979 grant consent to Development Application 108/2018 for Farm Buildings – 11 Frost Control Fans at Lot 188-191 & 215 DP 756035 and 642 DP 751743 Alexander Lane, Lakes Road & McCann Road Lake Wyangan subject to conditions set out in Attachment 'A' of the report.
- (b) The application be delegated to the Director Sustainable Development for the preparation and issue of the notice of determination.

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

For  
Councillor John Dal Broi  
Councillor Simon Croce  
Councillor Doug Curran  
Councillor Deb Longhurst  
Councillor Rina Mercuri  
Councillor Anne Napoli  
Councillor Brian Simpson  
Councillor Paul Snaidero  
Councillor Christine Stead

Against  
Councillor Mike Neville

**The division was declared PASSED by 9 votes to 1.**

**Ordinary Meeting of Council held 25 September 2018**

**CL02 DA 146/2018 - SUBDIVISION OF LOT 4 DP 1187401, STAFFORD ROAD, GRIFFITH**

18/025

**RESOLVED** on the motion of Councillors Mike Neville and Christine Stead that:

- (a) Council pursuant to the provisions of Clause 4.6 of Griffith Local Environmental Plan 2014 and in accordance with the delegation from the Secretary of the Department of Planning and Planning Circular (17-006):
  - (i) Approve the variation to the minimum lot size requirements set down in Clause 4.1 of Griffith Local Environmental Plan 2014; and
  - (ii) Provide details of the variation as part of the quarterly review to the Department of Planning;
- (b) Pursuant to the provisions of Section 4.16(1)(a) of the Environmental Planning and Assessment Act, 1979, Council grant consent to Development Application 146/2018 for a two (2) Torrens title subdivision of Lot 4 DP1187401, Stafford Road, Griffith, subject to conditions including those set out in Attachment A to this report;
- (c) The application be delegated to the Director Sustainable Development for preparation and issue of a Notice of Determination.

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

For  
Councillor John Dal Broi  
Councillor Doug Curran  
Councillor Deb Longhurst  
Councillor Eddy Mardon  
Councillor Rina Mercuri  
Councillor Mike Neville  
Councillor Paul Snaidero  
Councillor Christine Stead  
Councillor Dino Zappacosta

Against

**The division was declared PASSED by 9 votes to 0.**

**Ordinary Meeting of Council held 9 October 2018**

Councillors Anne Napoli and Dino Zappacosta left the meeting, having declared a pecuniary / significant non-pecuniary interest, the time being 7:17pm.

**CL01 PLANNING PROPOSAL 3/2018 FOR LOT 2 DP 1098689, 8 PEDLEY ROAD, HANWOOD**

18/026

**RESOLVED** on the motion of Councillors Mike Neville and Simon Croce that:

- (a) Council endorse Planning Proposal 3/2018 set out in Attachment A that seeks amendment to Griffith Local Environmental Plan 2014 to include an additional permitted use on Lot 2 DP1098689; and
- (b) Council give delegated authority to the Director Sustainable Development to submit the Planning Proposal to the Department of Planning and Environment to seek a Gateway Determination; and
- (c) Should Gateway approval be granted by the Department of Planning & Environment the Planning Proposal be placed on public exhibition for community consultation, and where identified consult with any relevant public authority; and
- (d) If any submissions are received, Council considers such before the proposal is re-submitted to the Department of Planning and Environment for consideration and final assessment.

A division was called for, voting on which was as follows:

For	Against	Abstained
Councillor John Dal Broi		Councillor Anne Napoli
Councillor Simon Croce		Councillor Dino Zappacosta
Councillor Doug Curran		
Councillor Deb Longhurst		
Councillor Eddy Mardon		
Councillor Mike Neville		
Councillor Brian Simpson		
Councillor Paul Snaidero		
Councillor Christine Stead		

**The division was declared PASSED by 9 votes to 0.**

Councillors Anne Napoli and Dino Zappacosta returned to the meeting at 7:21pm.

**Ordinary Meeting of Council held 23 October 2018**

**CL01 PLANNING PROPOSAL 2/2018 FOR LOT 641 DP 751743, 161 REMEMBRANCE DRIVE, GRIFFITH**

18/027

**RESOLVED** on the motion of Councillors Simon Croce and Eddy Mardon that:

- (a) Council endorse Planning Proposal 2/2018 set out in Attachment A of the report that seeks amendment to Griffith Local Environmental Plan 2014 to include an additional permitted use on Lot 641 DP 751743; and

- (b) Council give delegated authority to the Director Sustainable Development to submit the Planning Proposal to the Department of Planning and Environment to seek a Gateway Determination; and
- (c) Should Gateway approval be granted by the Department of Planning & Environment the Planning Proposal be placed on public exhibition for community consultation, and where identified consult with any relevant public authority; and
- (d) If any submissions are received, Council considers such before the proposal is re-submitted to the Department of Planning and Environment for consideration and final assessment.

A division was called for, voting on which was as follows:

For

Against

Councillor John Dal Broi  
 Councillor Simon Croce  
 Councillor Doug Curran  
 Councillor Deb Longhurst  
 Councillor Eddy Mardon  
 Councillor Rina Mercuri  
 Councillor Mike Neville  
 Councillor Brian Simpson  
 Councillor Paul Snaidero  
 Councillor Christine Stead  
 Councillor Dino Zappacosta

**The division was declared PASSED by 11 votes to 0.**

18/028

**RESOLVED** on the motion of Councillors Simon Croce and Mike Neville that :

- (a) Council endorse Planning Proposal 4/2018 set out in Attachment A of the report that seeks amendment to Griffith Local Environmental Plan 2014 to reduce the minimum lot size requirements for the purpose of subdivision for Lots 309 & 610 DP 751709 and Lots 102 & 104 DP 1018460; and
- (b) Council give delegated authority to the Director Sustainable Development to submit the Planning Proposal to the Department of Planning and Environment to seek a Gateway Determination; and
- (c) Should Gateway approval be granted by the Department of Planning & Environment the Planning Proposal be placed on public exhibition for community consultation, and where identified consult with any relevant public authority; and
- (d) If any submissions are received, Council considers such before the proposal is re-submitted to the Department of Planning and Environment for consideration and final assessment; and
- (e) Should this Gateway Proposal be ultimately approved by the Department of Planning and then Council finally approve the Proposal, that recommendation (f) apply to a subsequent Development application; and

- (f) Council, as part of the assessment of or for any future Development Application for further subdivision on the subject land and Lake Wyangan catchment, commission an independent, suitably qualified consultant to evaluate the impact of stormwater and sewage discharge from the development.

A division was called for, voting on which was as follows:

For	Against
Councillor John Dal Broi	
Councillor Simon Croce	
Councillor Doug Curran	
Councillor Deb Longhurst	
Councillor Eddy Mardon	
Councillor Rina Mercuri	
Councillor Mike Neville	
Councillor Brian Simpson	
Councillor Paul Snaidero	
Councillor Christine Stead	
Councillor Dino Zappacosta	

**The division was declared PASSED by 11 votes to 0.**

**CL08 DA 71/2011 - 11 WAUGH STREET GRIFFITH**

The Mayor advised that a request has been received from the owners of 11 Waugh Street, Griffith to have the matter concerning DA 71/2011 referred to the next Council meeting due to their inability and the inability of their consultant to attend tonight's Council meeting.

18/029

Councillor Doug Curran moved a **MOTION** that the report lay on the table pending the attendance of the owners of 11 Waugh Street, Griffith and their consultant at the next Ordinary Meeting of Council to be held on 13 November 2018.

**RESOLVED** on the motion of Councillor Doug Curran that the matter concerning DA 71/2011 – 11 Waugh Street Griffith lay on the table.

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

For	Against
Councillor John Dal Broi	
Councillor Simon Croce	
Councillor Doug Curran	
Councillor Deb Longhurst	
Councillor Eddy Mardon	
Councillor Rina Mercuri	
Councillor Mike Neville	
Councillor Brian Simpson	
Councillor Paul Snaidero	
Councillor Christine Stead	
Councillor Dino Zappacosta	

**The division was declared PASSED by 11 votes to 0**

Ordinary Meeting of Council held 13 November 2018

**CL02 SECTION 4.55(1A) MODIFICATION OF DA 215/2017**

**MOVED** on the motion of Councillors Christine Stead and Dino Zappacosta that:

- (a) That Council as the consent authority pursuant to sections 4.16(1) and 4.55 modify Development Consent No. 215/2017 as set out in Attachment (b).
- (b) The application be delegated to the Director of Sustainable Development for the preparation and issue of the notice of determination.

Mr Max Turner returned to the meeting at 8.16 pm.

**MOVED** on the motion of Councillors Christine Stead and Dino Zappacosta the following AMENDMENT:

C(10) be removed from the conditions of consent.

*'C(10) **Prior to the issue of a Construction Certificate for Building Works** the applicant shall submit detailed design plans including associated kerb ramps to Council for approval for a 2.5 metre wide, shared concrete footpath along Belford Road for the full frontage of the subject allotment to Jondaryan Avenue. Footpath design is to comply with Council's Engineering Guidelines – Subdivisions and Development Standards.'*

18/030

**RESOLVED** on the motion of Councillors Christine Stead and Dino Zappacosta that:

- (a) Council as the consent authority pursuant to sections 4.16(1) and 4.55 modify Development Consent No. 215/2017 as set out in Attachment (b).
- (b) The application be delegated to the Director of Sustainable Development for the preparation and issue of the notice of determination.
- (c) C(10) be removed from the Conditions of Consent.

The amendment was PUT and CARRIED.

A division was called for, voting was as follows:

For

Councillor John Dal Broi  
Councillor Doug Curran  
Councillor Deb Longhurst  
Councillor Rina Mercuri  
Councillor Anne Napoli  
Councillor Christine Stead

Against

Councillor Simon Croce  
Councillor Eddy Mardon  
Councillor Mike Neville  
Councillor Brian Simpson



Councillor Dino Zappacosta

**The division was declared PASSED by 7 votes to 4.**

**CL03 PLANNING PROPOSAL 5/2018 - LOT 6 DP 1133395**

18/031

**RESOLVED** on the motion of Councillors Mike Neville and Rina Mercuri that:

- (a) Council endorse Planning Proposal 5/2018 set out in Attachment (a) that seeks amendment to Griffith Local Environmental Plan 2014 to amend the zoning boundary that splits Lot 6 DP 1133395; and
- (b) Council give delegated authority to the Director Sustainable Development to submit the Planning Proposal to the Department of Planning and Environment to seek a Gateway Determination; and
- (c) Should Gateway approval be granted by the Department of Planning & Environment the Planning Proposal be placed on public exhibition for community consultation, and where identified consult with any relevant public authority; and
- (d) If any submissions are received, Council considers such before the proposal is re-submitted to the Department of Planning and Environment for consideration and final assessment.

A division was called for, voting was as follows:

For	Against
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Councillor John Dal Broi  
Councillor Simon Croce  
Councillor Doug Curran  
Councillor Deb Longhurst  
Councillor Eddy Mardon  
Councillor Rina Mercuri  
Councillor Mike Neville  
Councillor Brian Simpson  
Councillor Christine Stead  
Councillor Dino Zappacosta

**The division was declared PASSED by 10 votes to 0.**

**CL04 DA 213/2018 DOG TRAINING FACILITY INCLUDING CONSTRUCTION OF A NEW BUILDING FOR OFFICE, INDOOR TRAINING AND STORAGE AND AN EXTERNAL TRAINING YARD**

**MOVED** on the motion of Councillors Anne Napoli and Deb Longhurst that:

- (a) Griffith City Council as the consent authority pursuant to section 4.16(1) of the Environmental Planning & Assessment Act 1979 grant consent to Development Application 213/2018 for DA 213/2018 Dog Training Facility including construction of a new building for office, indoor training and storage and an external training yard at Lot 501 DP 751709, No 866 Overs Road Griffith, subject to conditions set out in

Attachment (a).

- (b) The application be delegated to the Director Sustainable Development for the preparation and issue of the notice of determination.
- (c) Mediation between the applicant and the objectors come to a sensible solution regarding security, hours of operation and Noise Management Plan.

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

For	Against	Abstained
Councillor Simon Croce	Councillor Doug Curran	Councillor John Dal Broi
Councillor Anne Napoli	Councillor Deb Longhurst	
	Councillor Eddy Mardon	
	Councillor Rina Mercuri	
	Councillor Mike Neville	
	Councillor Brian Simpson	
	Councillor Dino Zappacosta	

**The division was declared LOST by 7 votes to 2.**

18/032

**RESOLVED** on the motion of Councillors Doug Curran and Rina Mercuri that:

- (a) Griffith City Council as the consent authority pursuant to section 80(1) of the Environmental Planning & Assessment Act 1979 refuse Development Application 213/2018 the reason of being in the public interest.
- (b) That Development Application 213/2018 be referred to the Director Sustainable Development for the issue of the Notice of Determination.

A division was called for, voting was as follows:

For	Against	Abstained
Councillor Doug Curran	Councillor Simon Croce	Councillor John Dal Broi
Councillor Deb Longhurst	Councillor Anne Napoli	
Councillor Eddy Mardon		
Councillor Rina Mercuri		
Councillor Mike Neville		
Councillor Brian Simpson		
Councillor Dino Zappacosta		

**The division was declared PASSED by 7 votes to 2.**

Ordinary Meeting of Council held 11 December 2018

**CL05 DA 182/2018 - NEW RURAL DWELLING**

18/033

**RESOLVED** on the motion of Councillors Christine Stead and Doug Curran that the meeting suspend standing orders to allow Mr Bryce Yates to address Council in support of Development Application No. 182/2018.

Mr Yates addressed Council the time being 7.44 pm.

Mr Yates sought consent from the Mayor to distribute photographs of McCann Road to Councillors and staff.

Mrs Donaldson distributed photographs on behalf of Mr Yates.

18/034

**RESOLVED** on the motion of Councillors Christine Stead and Anne Napoli that the meeting resume standing orders the time being 7.58 pm.

18/035

**RESOLVED** on the motion of Councillors Brian Simpson and Christine Stead that:

- (a) Griffith City Council as the consent authority pursuant to section 4.16(1) of the Environmental Planning & Assessment Act 1979 grant consent to Development Application 182/2018 for dwelling at Lot 45 DP 756060, 182 McCann Road, Warburn subject to the conditions, including those set out in Attachment (d) of the report; excluding conditions relating to the upgrading of McCann Road, and
- (b) The application be delegated to the Acting Director Sustainable Development for the preparation and issue of the notice of determination.
- (c) The issue concerning the upgrading of McCann Road being draft conditions of consent 14, 34, 35, 36 and 37 lay on the table pending;
  - (i) Council determine the costing of upgrading McCann Road, and
  - (ii) Consultation with all residents and land owners along McCann Road.

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

For  
Councillor John Dal Broi  
Councillor Simon Croce  
Councillor Doug Curran

Against

Councillor Deb Longhurst  
Councillor Eddy Mardon  
Councillor Rina Mercuri  
Councillor Anne Napoli  
Councillor Mike Neville  
Councillor Brian Simpson  
Councillor Christine Stead  
Councillor Dino Zappacosta

**The division was declared PASSED by 11 votes to 0.**

**CL06 VARIATION TO COLLINA GROWTH AREA DCP - ROAD LAYOUT FOR A PROPOSED RESIDENTIAL SUBDIVISION**

18/036

**RESOLVED** on the motion of Councillors Mike Neville and Dino Zappacosta that:

- (a) Council support the variation to Collina Growth Area Development Control Plan lot and road layout as proposed in the Development Application plan 223/2018.
- (b) Council pursuant to the provisions of Clause 4.6 of Griffith Local Environmental Plan 2014 and in accordance with the delegation from the Secretary of the Department of Planning and Environment and Planning Circular (18-003):
  - (i) Approve the variation to the minimum lot size requirements set down in Clause 4.1(3A) of Griffith Local Environmental Plan 2014; and
  - (ii) Provide details of the variation as part of the quarterly review to the Department of Planning & Environment.
- (c) Council as the consent authority pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act, 1979, grant consent to Development Application 223/2018 for a Torrens Title Residential Subdivision of 109 Residential allotments at lot 592 DP 751743 (No 686) Clifton Boulevard Griffith, subject to conditions set out in Attachment (a) and Clause 4.6 of the Griffith Local Environmental Plan 2014.
- (d) The application be delegated to the Acting Director Sustainable Development for the preparation and issue of the notice of determination.

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

For  
Councillor John Dal Broi  
Councillor Simon Croce  
Councillor Doug Curran  
Councillor Deb Longhurst  
Councillor Eddy Mardon

Against

Councillor Rina Mercuri  
Councillor Anne Napoli  
Councillor Mike Neville  
Councillor Brian Simpson  
Councillor Christine Stead  
Councillor Dino Zappacosta

**The division was declared PASSED by 11 votes to 0.**

**CL14 DA 71/2011 - 11 WAUGH STREET, GRIFFITH**

18/037

**RESOLVED** on the motion of Councillors Doug Curran and Brian Simpson that:

- (a) Council lift Council report DA 71/2011, 11 Waugh Street Griffith, off the table;
- (b) Council report DA 71/2011, 11 Waugh Street Griffith lay on the table for a further period of up to 90 days.

A division was called for, voting on which was as follows:

For	Against
Councillor John Dal Broi	
Councillor Simon Croce	
Councillor Doug Curran	
Councillor Deb Longhurst	
Councillor Eddy Mardon	
Councillor Rina Mercuri	
Councillor Anne Napoli	
Councillor Mike Neville	
Councillor Brian Simpson	
Councillor Christine Stead	
Councillor Dino Zappacosta	

**The division was declared PASSED by 11 votes to 0.**