



**MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL  
CHAMBERS, GRIFFITH ON 25 MARCH 2014 COMMENCING AT 7.00 PM**

**PRESENT**

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

**STAFF PRESENT**

General Manager, Brett Stonestreet; Director Infrastructure and Operations, Dallas Bibby; Director Sustainable Development, Neil Southorn; Director Utilities, David Tull; Director Business, Cultural & Financial Services, Max Turner; Manager Executive Services, Shireen Donaldson and Minute Secretary, Leanne Austin.

**MEDIA**

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

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

**PROCEDURAL MATTERS**

**APOLOGIES**

079

**RESOLVED** on the motion of Councillors Stead and Curran that an apology be received from Councillor Balind and a leave of absence be granted.

**CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL  
HELD 11 MARCH 2014**

080

**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 11 March 2014, having first been circulated amongst all members of Council, be confirmed.

**BUSINESS ARISING FROM THE ORDINARY MEETING OF COUNCIL HELD 11  
MARCH 2014**

**CL02 Financial Assistance Request from the Gurdwara Singh Sabha Society  
Griffith Re Sikh Temple**

Councillor Stead requested that the details of the financial assistance to the Gurdwara Singh Sabha Society be communicated to members of the public advising of the fact that the financial assistance is in the form of a loan with interest at 3% per annum, not an interest free loan.

Mr Turner advised the proposed financial assistance has been advertised in The Area News including the fact that the loan is for an amount up to \$250,000 over 10 years at an interest rate of 3% per annum.

The Mayor further advised that the loan requires appropriate security by the Gurdwara Singh Sabha Society.

## **DECLARATIONS OF INTEREST**

### **NON-PECUNIARY INTERESTS**

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

Councillor Pat Cox - CL04 - Dalton Park - General Rates and Fees for Clubs  
Reason - Councillor Cox has been approached by members of the Jockey Club.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor Simon Croce - CL01 - Modification of DA 190/2011(1) - Construction of a Garage  
Reason - Councillor Croce has spoken to the applicant.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor Simon Croce - CL02 - DA17/2014 - Use of a Premises for Medical Consulting Rooms  
Reason - Councillor Croce has had discussion with the applicant.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor Simon Croce - CL03 - Playground Strategy Recommendations Following Public Exhibition  
Reason - Councillor Croce has had discussions with ratepayers who have submitted submissions.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor Doug Curran - MM01 - Real Juice Company Non-Compliance  
Reason - Councillor Curran has spoken to the proprietor as well as concerned citrus growers.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor Doug Curran - CL01 - Modification of DA 190/2011(1) - Construction of a Garage  
Reason - Councillor Curran has spoken with the applicant.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor Doug Curran - CL03 - Playground Strategy Recommendations Following Public Exhibition  
Reason - Councillor Curran has spoken to an objector.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor Doug Curran - CL04 - Dalton Park - General Rates and Fees for Clubs  
Reason - Councillor Curran has spoken with both clubs regarding the requests.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor John Dal Broi - MM01 - Real Juice Company Non-Compliance  
Reason - Councillor Dal Broi has held discussions with the Directors of Real Juice.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor Bill Lancaster - CL09 - Update on Western Riverina Higher Education Project and Regional University Study Centre  
Reason - Councillor Lancaster's daughter is the had of the Diploma of Nursing and Diploma of Children's Services Department at the Griffith TAFE. The Report does not directly affect her position.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor Anne Napoli - CL01 - Modification of DA 190/2011(1) - Construction of a Garage  
Reason - Councillor Napoli attended a site meeting requested by the applicant.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor Anne Napoli - CL03 - Playground Strategy Recommendations Following Public Exhibition  
Reason - Councillor Napoli has received several letters from ratepayers objecting to the proposed closure of some parks.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor Anne Napoli - CL04 - Dalton Park - General Rates and Fees for Clubs  
Reason - Councillor Napoli was lobbied by a supporter of Dalton Park.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor Anne Napoli - CL07 - Griffith Pound  
Reason - Councillor Napoli has a family member employed in compliance.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor Mike Neville - CL01 - Modification of DA 190/2011(1) - Construction of a Garage  
Reason - Councillor Neville has undertaken a site visit and spoken with the proponent.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor Mike Neville - CL04 - Dalton Park - General Rates and Fees for Clubs  
Reason - A relative is a member of the Griffith Jockey Club Executive who have initiated this waiver request.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor Paul Rossetto - CL01 - Modification of DA 190/2011(1) - Construction of a Garage  
Reason - Councillor Rossetto met with the property owner on site. No conflict of interest.  
*Make a declaration, stay in the Chamber and participate in the debate and vote.*

Councillor Paul Rossetto - CL02 - DA17/2014 - Use of a Premises for Medical Consulting Rooms

Reason - Councillor Rossetto knows the developer very well and serves on the Yenda Progress Association Committee with him. No pecuniary interest.

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

Councillor Paul Rossetto - CL04 - Dalton Park - General Rates and Fees for Clubs

Reason - The Treasurer of the Griffith Jockey Club is Councillor Rossetto's bank manager. No pecuniary interest.

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

Councillor Christine Stead - MM01 - Real Juice Company Non-Compliance

Reason - Councillor Stead has spoken to a family member from Real Juice.

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

Councillor Christine Stead - CL01 - Modification of DA 190/2011(1) - Construction of a Garage

Reason - Councillor Stead has spoken to the owners and also had a site inspection.

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

Councillor Christine Stead - CL02 - DA17/2014 - Use of a Premises for Medical Consulting Rooms

Reason - Councillor Stead has been speaking to the owners of the building regarding parking.

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

Councillor Christine Stead - CL04 - Dalton Park - General Rates and Fees for Clubs

Reason - Councillor Stead has spoken to a Committee member of the Griffith Jockey Club.

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

Councillor Leon Thorpe - CL01 - Modification of DA 190/2011(1) - Construction of a Garage

Reason - Folk have spoken to Councillor Thorpe about the issue and he has visited the site.

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

Councillor Leon Thorpe - CL03 - Playground Strategy Recommendations Following Public Exhibition

Reason - Folk have spoken to Councillor Thorpe about various issues that they considered relevant. Accordingly some playground sites have been visited by Councillor Thorpe.

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

Councillor Leon Thorpe - CL04 - Dalton Park - General Rates and Fees for Clubs

Reason - Folk have spoken to Councillor Thorpe about the issues.

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

Councillor Dino Zappacosta - CL01 - Modification of DA 190/2011(1) - Construction of a Garage

Reason - Councillor Zappacosta has spoken to the objector.

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

Councillor Dino Zappacosta - CL04 - Dalton Park - General Rates and Fees for Clubs Reason - Councillor Zappacosta has spoken to a member of the Jockey Club.

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

## **PECUNIARY INTERESTS**

There were no pecuniary interests declared.

## **MAYORAL MINUTES**

### **MM01 REAL JUICE COMPANY NON-COMPLIANCE**

(M)

081

**RESOLVED** on the motion of Councillors Neville and Croce that Mr Tony Taliano and citrus growers in attendance be granted permission to address Council.

Mr Tony Taliano addressed Council the time being 7.17 pm.

Ms Adriana Moretti (neighbour of Real Juice), Mr Tony Sergi (citrus grower), Mr Mac Burge (citrus grower), Mr John Sergi (citrus grower) and Mr Sam Ciccia (citrus grower) addressed Council.

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

Council suspend further enforcement action against Real Juice with respect to non compliance with conditions of consent in relation to operating hours, and that previously revised hours of operation, being from 6.00 am and 12.00 am 6 days per week, continue until 25 June 2014 after which this will be reviewed.

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

082

**RESOLVED** on the motion of Councillors Zappacosta and Croce that Council suspend further enforcement action against Real Juice with respect to non compliance with conditions of consent in relation to operating hours, and that previously revised hours of operation, being from 6.00 am and 12.00 am 6 days per week, continue until 25 June 2014 after which this will be reviewed.

## **GENERAL MANAGER'S REPORT**

### **CL01 MODIFICATION OF DA 190/2011(1) - CONSTRUCTION OF A GARAGE**

F. DA 190/2011(2) (DAP)

083

**RESOLVED** on the motion of Councillors Neville and Napoli that Mrs Leonie Meginley be permitted to address Council.

Mrs Leonie Meginley addressed Council the time being 7.49 pm.

084

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

(a) Council pursuant to Section 96(1A) of the Environmental Planning and Assessment Act 1979 approve the modification of DA 190/2011(2) and that condition B(1) of Attachment 'F' (Notice of Determination) be amended to insert the drawing in Attachment 'C' as an approved plan.

(b) The application be referred to Council's Director of Sustainable Development for the preparation 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.

<b>Councillor</b>	<b>For</b>	<b>Against</b>
Cr Dal Broi	X	
Cr Napoli	X	
Cr Lancaster	X	
Cr Thorpe	X	
Cr Balind	Absent from the meeting	
Cr Zappacosta	X	
Cr Neville	x	
Cr Croce	X	
Cr Curran		X
Cr Cox	X	
Cr Rossetto	X	
Cr Stead	X	

**CL02 DA 17/2014 - USE OF A PREMISES FOR MEDICAL CONSULTING ROOMS**

F. 17/2014 (LPC)

085

**RESOLVED** on the motion of Councillors Neville and Napoli that:

(a) Council pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act, 1979 grant consent to Development Application No. 17/2014 subject to the draft conditions of consent listed in Attachment 'C'.

(b) The application be referred to the Director 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 this matter.

<b>Councillor</b>	<b>For</b>	<b>Against</b>
Cr Dal Broi	X	
Cr Napoli	X	
Cr Lancaster	X	
Cr Thorpe	X	
Cr Balind	Absent from the meeting	
Cr Zappacosta	X	
Cr Neville	X	
Cr Croce	X	
Cr Curran	X	
Cr Cox	X	
Cr Rossetto	X	
Cr Stead	X	

**CL03 PLAYGROUND STRATEGY RECOMMENDATIONS FOLLOWING PUBLIC EXHIBITION**

(PP)

086

**RESOLVED** on the motion of Councillors Neville and Curran that Mr Jim McGann be granted permission to address Council.

Mr Jim McGann addressed Council the time being 8:05 pm.

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

The revised draft Griffith Playground Strategy 2013 be adopted with the following amendments:

- (a) Remove the following Parks from the list of parks to be reclassified to reserves:
  - Peisley Park
  - McIvor Park
  - Commemorative Park
- (b) Remove Noel Hogan from the list of playgrounds to be removed and not replaced;
- (c) Remove the recommendation for Jacka Park to be closed.
- (d) In relation to the Woman's Land Army Park, further discussions be held with the RSL with a view to options for this park.

Councillor Thorpe **MOVED** an **AMENDMENT** to the **MOTION** that:

In relation to page 47 of the Draft Playground Strategy that the Comment for Coates Park, " Potential to remove play equipment as French Park and Circle Park are nearby" be removed and replaced with "Upgrade play equipment".

The Mover and Seconder did not accept the **AMENDMENT**.

087

**RESOLVED** on the motion of Councillors Curran and Cox that the revised draft Griffith Playground Strategy 2013 be adopted with the following amendments:

- (a) Remove the following Parks from the list of parks to be reclassified to reserves:
  - Peisley Park
  - Mclvor Park
  - Commemorative Park
- (b) Remove Noel Hogan from the list of playgrounds to be removed and not replaced;
- (c) Remove the recommendation for Jacka Park to be closed.
- (d) In relation to the Woman's Land Army Park, further discussions be held with the RSL with a view to options for this park.

Councillor Thorpe **MOVED** the following **MOTION** that:

In relation to page 47 of the Draft Playground Strategy that the Comment for Coates Park, "Potential to remove play equipment as French Park and Circle Park are nearby" be removed and replaced with "Upgrade play equipment".

Councillor Zappacosta raised a **POINT OF ORDER** as the Playground Strategy had been adopted.

The Mayor advised Councillor Thorpe that he would need to wait three months to raise this issue.

Councillor Croce left the Chamber the time being 8:17 pm.

#### **CL04 DALTON PARK - GENERAL RATES AND FEES FOR CLUBS**

(PGM)

088

**RESOLVED** on the motion of Councillors Neville and Stead that Mr Bernie Connolly be granted permission to address Council.

Mr Bernie Connolly addressed Council the time being 8:18 pm.

Councillor Croce returned to the Chamber the time being 8:20 pm.

089

**RESOLVED** on the motion of Councillors Neville and Napoli that:

- (a) Council make a contribution to the Griffith Jockey Club that is equal to the General rates already paid for the years 2012/13 and 2013/14 and also refund special Events/Day charges already paid in those years.
- (b) The General Manager provide a further report to Council in relation to options as to how the above contribution and refund could be accounted for in Council's budget.

**CL05 INVESTMENTS AT 28 FEBRUARY 2014**

(FM)

090

**RESOLVED** on the motion of Councillors Curran and Rossetto that Council note the investment report at the end of February 2014.

**CL06 ROAD/PARK NAMING - COMYN**

(DIO)

091

**RESOLVED** on the motion of Councillors Curran and Stead that Council approve the use of Comyn for future road or park naming purposes.

**CL07 GRIFFITH POUND**

(MES)

The Mayor tabled a petition with over 500 signatures that had been received by Council on 24 March 2014. The petition stated "We the undersigned would like to appeal to Griffith City Council that they construct a new pound to replace the aged facility that has now gone beyond repair. We would like a safe and secure environment for animals, Council staff and members of the public".

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

- (a) Council include the estimated cost of a new Pound facility into the Draft Ten Year Long Term Financial Plan which would include \$42,000 in the Draft 2014/15 budget for structural design and engineering fees and a further \$508,000 in the Draft 2015/16 year for the construction of a new Pound facility.
- (b) The concept plan be referred to the General Facilities Management Committee.

Councillor Lancaster **FORESHADOWED** a Notice of Motion for the next meeting Council Meeting in relation to further options for the pound.

Councillor Stead **MOVED** that the report **LAY ON THE TABLE**.

The **MOTION** to Lay the Report on the table was **PUT** and **LOST**.

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

092

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

- (a) Council include the estimated cost of a new Pound facility into the Draft Ten Year Long Term Financial Plan which would include \$42,000 in the Draft 2014/15 budget for structural design and engineering fees and a further \$508,000 in the Draft 2015/16 year for the construction of a new Pound facility.
- (b) The concept plan be referred to the General Facilities Management Committee.

**CL08 COMMUNITY STRATEGIC PLAN - GROWING GRIFFITH 2030 - BASELINE REPORTING MEASURES**

(MES)

093

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

094

**RESOLVED** on the motion of Councillors Neville and Cox that Council endorse additional baseline reporting measures for Growing Griffith 2030 as listed in Attachment (a) of the report.

**CL09 UPDATE ON WESTERN RIVERINA HIGHER EDUCATION PROJECT AND REGIONAL UNIVERSITY STUDY CENTRE**

(DSD)

095

**RESOLVED** on the motion of Councillors Thorpe and Curran that Council continue to explore options that sustain a higher education presence in Griffith.

Councillor Neville requested that Council formally recognise the contribution of Mrs Anne Lyons to the project and her assistance in introducing higher education to the community.

**CL10 DESIGNATED PERSONS - COUNCIL COMMITTEES**

(GM)

096

**RESOLVED** on the motion of Councillors Rossetto and Curran that the Notice of Motion by Councillor Rossetto be raised from the table.

097

**RESOLVED** on the motion of Councillors Rossetto and Curran 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.

**MINUTES FROM COMMITTEES**

**MINUTES OF THE ENVIRONMENTAL SUSTAINABILITY MANAGEMENT COMMITTEE MEETING HELD ON 11 FEBRUARY 2014**

098

**RESOLVED** on the motion of Councillors Lancaster and Curran that the minutes of the Environmental Sustainability Management Committee meeting held on 11 February 2014, having first been circulated amongst members be adopted.

Councillor Zappacosta requested that a report come back to Council regarding the conflicting date of the City to Lake Fun Run and Clean Up Australia Day.

**MINUTES OF THE GENERAL FACILITIES MANAGEMENT COMMITTEE MEETING HELD ON 4 MARCH 2014**

099

**RESOLVED** on the motion of Councillors Curran and Stead that the minutes of the General Facilities Management Committee meeting held on 4 March 2014, having first been circulated amongst members be adopted.

**MINUTES OF THE FESTIVAL OF GARDENS MANAGEMENT COMMITTEE MEETING HELD ON 6 MARCH 2014**

0100

**RESOLVED** on the motion of Councillors Cox and Neville that the minutes of the Festival of Gardens Management Committee meeting held on 6 March 2014, having first been circulated amongst members be adopted.

**MINUTES OF THE TRANSPORT MANAGEMENT COMMITTEE MEETING HELD ON 10 MARCH 2014**

0101

**RESOLVED** on the motion of Councillors Curran and Croce that the minutes of the Transport Management Committee meeting held on 10 March 2014, having first been circulated amongst members be adopted.

**MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 11 MARCH 2014**

0102

**RESOLVED** on the motion of Councillors Curran and Croce that the minutes of the Traffic Committee meeting held on 11 March 2014, having first been circulated amongst members be adopted.

Councillor Pat Cox left the Chamber the time being 9:10 pm and returned at 9:13 pm.

**BUSINESS WITH NOTICE**

**NOTICE OF MOTION - SUPPORT IN ENHANCING THE FORMAL TRAINING OF FUTURE MANAGERS/ADMINISTRATORS IN THE LOCAL GOVERNMENT SECTOR**

0103

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

- (a) Griffith City Council write to the Commonwealth Minister for Education, NSW Minister for Education, NSW Minister for Local Government and 'Universities Australia' (formerly the 'Australian Vice-Chancellor's Committee) seeking support in enhancing the formal training of future managers/administrators in the Local Government sector.

(i) This enhanced training include the development of an accredited stand alone Bachelor Degree designated (say) as a Bachelor of Business Local Government or Bachelor of Business Local Government Administration.

(ii) The degree referred to in (i) above shall include a Local Government Administration major and shall be supported by such subjects as (but not limited to): Local Government Law, Local Government Finance, Local Government Accounting, Local Government Organisation, Local Government Internal Auditing, Local Government Services, Local Government Management.

(b) The Griffith City Council submit a similar motion as above to the Riverina Murray Region Organisation of Councils for consideration.

(c) Griffith City Council submit a similar motion to the 2014 National General Assembly of Local Government to be held in Canberra from 15-18 June 2014.

## **QUESTION TIME**

### **PUBLIC QUESTION TIME**

There were no questions from the public.

### **COUNCILLOR QUESTION TIME**

**Councillor Rossetto asked the following question:**

**"Could Council assist the Yenda Memorial Hall Trust by sourcing grants to assist the trust to repair the Hall."**

Mr Stonestreet advised a letter had been sent to the Yenda Memorial Hall Trust and that this would be investigated and circulated to Councillors.

**Councillor Napoli asked the following question:**

**"I ask that Griffith City Council submit a motion to the Australian National General Assembly of Local Government - June 2014".**

**"That Griffith City Council, submit a motion to the Australian National General Assembly of Local Government, June 2014.**

**To ask the Federal Government to intervene in regards to:**

**(a) Amend the ACT that exploration and mining of Coal Seam Gas, in Agricultural Productive Land be not permitted, and**

**(b) That the Australian National General Assembly of Local Government express grave concern and object to any exploration and mining of any kind in the Griffith LGA which is made up of Agricultural Productive Land. This is to ensure that Agricultural Productive Land continues to produce clean safe food, for all Australians and the world.**

**(c) And that we ask our neighbouring councils should they be interested to be included in supporting the motion.**

0104

**RESOLVED** on the motion of Councillors Napoli and Neville that the submission be presented to the next Ordinary Meeting of Council as a Notice of Motion.

**OUTSTANDING ACTION REPORT**

0105

**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 9.24 pm.

Confirmed: .....  
CHAIRPERSON

□