



Ordinary Meeting

MM01

BUSINESS PAPER

Tuesday, 14 July 2015 at 7:00 pm

Griffith City Council Chambers
1 Benerembah Street, GRIFFITH NSW 2680
Phone: (02) 6962 8100 Fax (02) 6962 7161
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**ORDINARY MEETING OF GRIFFITH CITY COUNCIL
TO BE HELD IN GRIFFITH CITY COUNCIL CHAMBERS
1 BENEREMBAH STREET, GRIFFITH NSW 2680 ON
TUESDAY, 14 JULY 2015 AT 7:00 PM**

MEETING NOTICE

Notice is hereby given that an Ordinary Meeting of Council will be held in the Griffith City Council Chambers, 1 Benerembah Street, GRIFFITH NSW 2680 on **Tuesday, 14 July 2015**.

Persons in the gallery are advised that the proceedings of the meeting will be recorded for the purpose of ensuring the accuracy of the Minutes. However, under the Local Government Act 1993, no other recording is permitted without the authority of the Council or Committee. Recording includes a video camera and any electronic device capable of recording speech.

Members of the public may address Council in relation to the items listed in this Agenda by contacting Council on (02) 6962 8100 by 12.00 pm on the day of the meeting.

Mayoral Minutes

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Brett Stonestreet

GENERAL MANAGER

CLAUSE MM01

TITLE Sikh Temple - Shri Guru Granth Sahib (Sikh Holy Book) Procession and Temple Operation

FROM Doug Curran, Deputy Mayor

TRIM REF 15/44783

SUMMARY

Councillors' attention is drawn to CL12 of the Agenda – Other Motions page 164. A Notice of Motion by Councillors Zappacosta, Lancaster and Thorpe. This Mayoral Minute is provided for Councillors' consideration with a view to allowing the procession of the Shri Guru Granth Sahib (Sikh holy book) to occur. Further, this Mayoral Minute facilitates the ongoing operation of the temple on an interim basis until such time as all conditions of consent of DA147/2009 are complied with. Should Councillors adopt the recommendations as included in this Mayoral Minute it is considered that the Notice of Motion referred to above would become redundant.

RECOMMENDATION

- (a) Council rescind that part of resolution 15/188, being CL07 Part (d) of the Traffic Committee Minutes dated 9 June 2015 as follows:

“The Sikh Temple off Rae Road is required to have obtained a full Occupation Certificate as part of Development Application 147/2009 prior to event occurring on Saturday 18 July 2015. If the temple does not obtain a full Occupation Certificate and/or the road works along Kidman Way and Rae Road associated with the development are not completed before Saturday 18 July 2015 the event shall be postponed until an Occupation Certificate is issued.”

- (b) Council approve the procession of the Shri Guru Granth Sahib (Sikh Holy Book) Saturday 18 July 2015 on the basis that an Interim Occupation Certificate is issued by Council and the approved Traffic Management Plan be amended and implemented.
- (c) An additional Traffic Management Plan is to be implemented to enable ongoing use of the temple following the procession until all conditions of consent under DA147/2009 are complied with.
- (d) The Sikh Community provide Council with a monetary bond or bank guarantee in the sum of \$236,600 for the incomplete external road works in accordance with Council's *Engineering Guidelines* prior to issue of the Interim Occupation Certificate.

REPORT

At the Ordinary Meeting of Council held 23 June 2015, Council approved the procession from the Griffith Visitors Centre carpark to the new Sikh Temple premises at Farm 895

Kidman Way between 1:00pm and 2:30pm on Saturday 18 July 2015. One of the conditions imposed on the approval was that prior to the procession a Full Occupation for the Sikh Temple be issued and/or the completion of the roadworks required by DA 147/2009 (Sikh Temple).

The roadworks have currently not progressed past the preliminary stages. The contractors will be unable to complete the work by Saturday 18 July 2015 and are making arrangements to leave the site due to continued inclement weather.

Council resolved as follows:

15/188

RESOLVED on the motion of Councillors Curran and Stead that the recommendations as detailed in the Minutes of the Traffic Committee meeting held on 9 June 2015 be adopted.

The Traffic Committee Minutes from 9 June 2015 included the following recommendation with respect to this matter:

RECOMMENDED on the motion of RMS and Sergeant Matt Carroll that the Local Traffic Committee approve of the traffic management plan and associated traffic control plans for the Shri Guru Granth Sahib (Sikh Holy Book) Procession subject to the following:

- (a) **The approval of a \$20 million Public Liability Insurance policy for the event by Griffith City Council and the RMS. Both Griffith City Council and the Roads and Maritime Services are to be listed as Interested Parties on the Certificate of Currency.**
- (b) **Public notification - including a letter drop to all affected businesses/residents along the route, written notification to the local emergency services especially the Fire Brigade and Ambulance Service and a media release in the Area News as a minimum.**
- (c) **All participants in the procession shall obey the NSW Road Rules 2014. This includes motorcyclists wearing helmets, all drivers and passengers in vehicles wearing seat belts and no travelling in the tray of utility vehicles.**
- (d) **The Sikh Temple off Rae Road is required to have obtained a full Occupation Certificate as part of Development Application 147/2009 prior to event occurring on Saturday 18 July 2015. If the temple does not obtain a full Occupation Certificate and/or the road works along Kidman Way and Rae Road associated with the development are not completed before Saturday 18 July 2015 the event shall be postponed until an Occupation Certificate is issued.**

This Mayoral Minute proposes to rescind Resolution Part (d) of the above and that this be replaced by the recommendations as printed in the Mayoral Minute.

The condition was imposed by Council, as recommended by the Traffic Committee, as the Sikh community advised that once the procession of the Holy Book occurs then all regular operation will occur at the new temple. Therefore prior to the procession occurring the new Temple would have to be fully operational to cater for its regular use following the procession. If the temple were to be in use while construction were still occurring and final approval were not given by the respective authorities, it could have negative impacts on the temple, neighbours and the surrounding road network.

Due to continuing inclement weather, the contractors have made the decision to vacate the site and suspend the external road works until such time as more favourable working conditions exist. It is anticipated this may be a minimum of one month.

The external road works will remain under the current traffic control arrangements, with barriers along the western edge of the Kidman Way and the closure of Rae Road.

The Sikh Community wish to still hold the procession on Saturday 18 July 2015 and have the temple operate under an Interim Occupation Certificate and traffic control. Councillors are advised that the temple building works are complete. Council staff will issue an Interim Occupation Certificate for the Sikh Temple provided access to the site is under approved traffic management. This will include the closure of Rae Road at its intersection with Kidman Way.

Council staff will alter the existing TMP for the procession to reflect these changes. This will include alteration to the Rae Road section of the TMP and the access to the Temple after the procession.

A TMP and associated Traffic Control Plans will be developed for the operation of the Temple until the roadworks are complete. There will be no access to the temple from the Kidman Way while the Interim Occupation Certificate is in place. All access to the temple site will be via Watkins Avenue and Rae Road. Speed restrictions and traffic control will be implemented along Rae Road to cater for the increased traffic.

It is recommended that prior to the issue of an Interim Occupation Certificate, a monetary bond or bank guarantee be submitted to Council for unfinished external road works in accordance with Council's *Engineering Guidelines for Subdivisions and Development Standards Part 1 Section 6.1 – Deferred Works*.

The estimate by Council staff of the incomplete works is \$182,000. Council's *Engineering Guidelines* require bonds for deferred/incomplete works to be equal to the full cost of construction of the works plus 30%. An amount of \$236,600 is recommended to be bonded prior to Saturday 18 July 2015.

In consideration of the community significance of the new Sikh Temple, Council may wish to give consideration to a variation from Council's policy (Engineering Guidelines) regarding collection of a bond for unfinished works.

OPTIONS

OPTION A

As per recommendations above.

OPTION B

As per the recommendations above but deletion of Part (d) and insertion of new Part (d) as follows, by Council waiving the 30% extra bond.

(d) The Sikh Community provide Council with a monetary bond or bank guarantee in the sum of \$182,000 for the incomplete external road works in accordance with Council's *Engineering Guidelines* prior to issue of the Interim Occupation Certificate.

OPTION C

As per the recommendation above but deletion of Part (d) and insertion of new Part (d) as follows:

(d) Council waive the requirement for submission of a bond that would normally be required under Council's *Engineering Guidelines*.

OPTION D

Any other resolution determined by Council.

POLICY IMPLICATIONS

Engineering Guidelines

FINANCIAL IMPLICATIONS

The financial impact on Council will be limited should Council retain a bond for unfinished works. Conversely, should an Interim Occupation Certificate be issued without a bond being submitted, and road works are subsequently not completed, Council will be exposed to the extent of the cost of completion of those works.

It would be staff's intent to ensure that the road works are made safe for access to the temple during the procession.

LEGAL/STATUTORY IMPLICATIONS

The Environmental Planning and Assessment Act directs how an Interim Occupation Certificate can be issued.

ENVIRONMENTAL IMPLICATIONS

Potential sediment and erosion into drainage systems. Whilst Rae Road is used as the primary access to the temple Council may expect complaints regarding dust and noise.

COMMUNITY IMPLICATIONS

The opening of the temple is a significant event for the community of Griffith. By allowing use of the temple under an Interim Occupation Certificate but before road works are complete, there may be adverse community reaction including from objectors to the original Development Application.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item L4 - Plan and provide a suitable range of sporting, recreation and cultural facilities.

This item links to Council's Strategic Plan item L7 - Promote, celebrate and build on our cultural diversity cosmopolitan identity.

This item links to Council's Strategic Plan item E6 - To minimise the environmental, social and financial costs of new development.

CONSULTATION

Senior Management Team

Sikh community

Snowy Works (primary contractor)

An amended Traffic Management Plan will be tabled at the Local Traffic Committee meeting to be held 14 July 2015 in relation to the matters above.

ATTACHMENTS

Nil