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**ORDINARY MEETING OF GRIFFITH CITY COUNCIL  
HELD IN GRIFFITH CITY COUNCIL CHAMBERS  
1 BENEREMBAH STREET, GRIFFITH NSW 2680 ON  
TUESDAY, 8 SEPTEMBER 2015 COMMENCING AT 7:00 PM**

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**PRESENT**

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

**STAFF**

Manager Executive Services, Shireen Donaldson; Director Sustainable Development, Neil Southern; Acting Director Infrastructure & Operations, Manjit Chugha; Acting Director Utilities, Steve Oosthuysen and Minute Secretary, Wendy Krzus.

**MEDIA**

Stephen Mudd, The Area News.

**1 COUNCIL PRAYER AND ACKNOWLEDGEMENT OF COUNTRY**

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

The Chair acknowledged the passing of Mrs Shirley Grey, a former Wade Shire Councillor in 1960 and requested Council observe one minute silence in respect of Mrs Grey's passing.

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

15/262

**RESOLVED** on the motion of Councillors Stead and Thorpe that an apology be received from Councillors Cox, Curran and Napoli and leave of absence be granted.

15/263

**RESOLVED** on the motion of Councillors Neville and Rossetto that an apology be received from the General Manager, Brett Stonestreet; Business Cultural & Financial Services, Max Turner; Director Infrastructure & Operations, Dallas Bibby and Director Utilities, Graham Gordon.

### **3 CONFIRMATION OF MINUTES**

15/264

**RESOLVED** on the motion of Councillors Thorpe and Rossetto that the minutes of the Ordinary Meeting of Council held in Griffith City Council Chambers, Griffith on 25 August 2015, having first been circulated amongst all members of Council, be confirmed with the following amendment:

CL03 – Murray Darling Association – 2015 AGM and National Conference – Berrigan

Replace the word 'Berrigan' with 'Barooga'.

### **4 BUSINESS ARISING**

#### **Griffith Easter Party**

Councillor Neville advised that in relation to Clause 2 of the Minutes – Griffith Easter Party, Minute numbers 15/252 and 15/253 that he and Council's Manager Tourism and Economic Development, Greg Lawrence have met with the Treasurer of La Festa and that a subsequent brief will be provided to Councillors.

### **5 DECLARATIONS OF INTEREST**

#### **Pecuniary Interests**

*Councillors making a pecuniary interest declaration are required to leave the meeting during consideration of the matter and not return until the matter is resolved.*

Councillor Simon Croce

CL01 – DA36/2009(4) – Section 96(1A) Modification to the Hours of Operation of an Existing Rural Industry (Olive Processing)

Reason – Councillor Croce declared a pecuniary conflict as he does direct business with the applicants.

#### **Significant Non-Pecuniary Interests**

There were no significant non-pecuniary interests declared.

#### **Less Than Significant Non-Pecuniary Interests**

*Councillors making a less than significant non-pecuniary interest declaration may stay in the meeting and participate in the debate and vote on the matter.*

Councillor Dino Zappacosta

Minutes of the Tourism and Events Committee Meeting held on 26 August 2015.

Reason – A relative of Councillor Zappacosta has applied for membership on this Committee.

### **6 PRESENTATIONS**

Nil

### **7 MAYORAL MINUTES**

Nil

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

Councillor Croce having declared a Pecuniary Interest left the Chamber, the time being 7.07 pm.

### **CL01 DA 365/2009 (4) - SECTION 96 (1A) MODIFICATION TO THE HOURS OF OPERATION OF AN EXISTING RURAL INDUSTRY (OLIVE PROCESSING)**

15/265

**RESOLVED** on the motion of Councillors Stead and Neville that Standing Orders be suspended to allow Ms Michelle Devery and Mrs Teresa Reginato to address Council in regard to the proposed modification to the hours of operation of the olive processing plant (DA 365/2009(4)).

Mrs Reginato addressed Council the time being 7.08 pm.

Ms Devery addressed Council the time being 7.13 pm.

Representative from Tree Tops Plantations Pty Ltd, Mr Abhay Mehta, answered a number of questions from Councillors Balind and Rossetto.

15/266

**RESOLVED** on the motion of Councillors Stead and Neville that Standing Orders be resumed.

15/267

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

- (a) Council pursuant to the provisions of Sections 80(1)(b) and Section 96(1A) of the Environmental Planning and Assessment Act, 1979, refuse the modification of Development Consent 365/2009 in relation to extended operating hours for a rural industry involving olive processing at Lot 415 DP 751709, Murray Road, Yoogali for the following reasons:
  - (i) That the proposed modification is considered unsatisfactory in terms of Section 79C(1)(b) of the Environmental Planning and Assessment Act, 1979 in that it will have an unacceptable impact on the amenity on neighbouring properties in terms of noise from the operation of the premises.
- (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 Action (section 375A - Recording of voting on planning matters) Council must record the Councillor's vote in relation to the matter.

For  
Councillor Alison Balind  
Councillor Bill Lancaster  
Councillor Paul Rossetto  
Councillor Christine Stead  
Councillor Leon Thorpe

Against  
Councillor John Dal Broi  
Councillor Mike Neville  
Councillor Dino Zappacosta

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

Councillor Croce returned to the Chamber, the time being 7.26 pm.

**CL02 LICENCE AGREEMENT OVER PART ROAD RESERVE WITH DOM'S MOTORS PTY LIMITED**

15/268

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

- (a) Council enter into a licence agreement with Dom's Motors Pty Limited for 16 car parking spaces over that part of the road reserve adjoining 1 Banna Avenue, Griffith for a term of 10 years commencing 1 July 2015.
- (b) Dom's Motors Pty Limited pay all applicable costs and charges associated with the preparation of the licence agreement together with Council's Administration Fee of \$381.
- (c) The licence fee be charged in accordance with Council's adopted Revenue Policy, currently \$50 per car park space, in addition to rates and charges.
- (d) Council authorise the Mayor and General Manager to execute the licence agreement on behalf of Council under the Common Seal.

**CL03 RECYCLED WATER USE AT GRIFFITH LIVESTOCK MARKETING CENTRE - REVIEW OF ENVIRONMENTAL FACTORS**

15/269

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

- (a) Council note the information in the attached report (Addendum Review of Environmental Factors for the Proposed Use of Tertiary Treated Sewage and Disinfected Sewage Effluent at Griffith Livestock Marketing Centre – August 2015).
- (b) Council endorse the public exhibition of the Review of Environmental Factors from 14 September 2015 to 12 October 2015 and invite feedback from the public prior to the commencement of operation.

The Chair commended Council staff on their involvement in the approval process in obtaining conditional Department of Primary Industry Section 60 approval to use of recycled water at the Griffith Livestock Marketing Centre and highlighted that this has involved a very lengthy process.

Councillor Neville commended staff on the project and the ability to save 22 Megs of water.

Councillor Lancaster also commended staff and stated that this initiative could in the future be extended to perhaps include the watering of parks.

**9 INFORMATION REPORTS**

**CL04 INVESTMENTS AT 30 JUNE 2015**

15/270

**RESOLVED** on the motion of Councillors Thorpe and Balind that the report be noted by Council.

Councillor Thorpe enquired about Heritage Bank Bonds listed in the Consultant's Report where suggestion was made that the bonds be sold.

The Mayor advised that the question would be taken on notice and referred to the Director of Business Cultural & Financial Services.

#### **CL05 INVESTMENTS AT 31 JULY 2015**

15/271

**RESOLVED** on the motion of Councillors Neville and Stead that the report be noted by Council.

#### **10 ADOPTION OF COMMITTEE MINUTES**

##### **MINUTES OF THE FESTIVAL OF GARDENS COMMITTEE MEETING HELD ON 2 JULY 2015**

15/272

**RESOLVED** on the motion of Councillors Zappacosta and Stead that the recommendations as detailed in the Minutes of the Festival of Gardens Committee meeting held on 2 July 2015 be adopted.

##### **MINUTES OF THE FLOODPLAIN MANAGEMENT COMMITTEE MEETING HELD ON 6 AUGUST 2015**

15/273

**RESOLVED** on the motion of Councillors Rossetto and Lancaster that the recommendations as detailed in the Minutes of the Floodplain Management Committee meeting held on 6 August 2015 be adopted with the following amendment:

Councillors Dal Broi and Napoli be added to the list of members present.

15/274

**RESOLVED** on the motion of Councillors Rossetto and Lancaster that Council write to Katrina Hodgkinson MP, Member for Cootamundra to seek funding for metering devices to be installed on the five bridges that cross over the Mirrool Creek between Ardlethan and Binya.

##### **MINUTES OF THE GRIFFITH PIONEER PARK MUSEUM COMMITTEE MEETING HELD ON 25 AUGUST 2015**

15/275

**RESOLVED** on the motion of Councillors Thorpe and Zappacosta that the recommendations as detailed in the Minutes of the Griffith Pioneer Park Museum Committee meeting held on 25 August 2015 be adopted.

Councillor Stead made reference to Business Arising, point 3.1 Australia Day Citizenship Ceremony and advised that a meeting had not yet been held with Pioneer Park Committee and enquired if the Australia Day Celebrations were still going to take place at Pioneer Park Museum.

Councillor Zappacosta advised that Pioneer Park would be hosting the Australia Day Breakfast and will be conducting activities during the day irrespective of whether or not the Citizenship Ceremony is held there and that further discussion will take place with the Australia Day Committee.

#### **MINUTES OF THE TOURISM AND EVENTS COMMITTEE MEETING HELD ON 26 AUGUST 2015**

15/276

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

Councillor Croce advised that irrespective of receiving a grant or not to undertake the replacement of the pontoon funding has been made available in the 2015/16 budget for this project.

#### **MINUTES OF THE COMMUNITIES COMMITTEE MEETING HELD ON 18 AUGUST 2015**

15/277

**RESOLVED** on the motion of Councillors Balind and Neville that the recommendations as detailed in the Minutes of the Communities Committee meeting held on 18 August 2015 be adopted.

#### **MINUTES OF THE CULTURAL FACILITIES COMMITTEE MEETING HELD ON 31 AUGUST 2015**

15/278

**RESOLVED** on the motion of Councillors Thorpe and Neville that the recommendations as detailed in the Minutes of the Cultural Facilities Committee meeting held on 31 August 2015 be adopted.

Councillor Thorpe commended the concept of the Library Youth Space and enquired if additional detail of the project is available.

Councillor Neville advised that Joint Library Manager, Mrs Young had provided a detailed report to the Cultural Facilities Committee and that he would pass the information on to Councillor Thorpe.

Councillor Balind enquired about the condition of the mosaics outside the Griffith Regional Theatre and asked if any action was being taken in regard to fixing the broken tiles.

Mr Southorn advised that the matter is currently with the community development team and that it is currently being assessed and that a report will be presented to Council via either the Communities Committee or another committee of Council.

## **11 BUSINESS WITH NOTICE – RESCISSION MOTIONS**

### **RESCISSION MOTION - CL01 RENAMING IOOF PARK - ORDINARY MEETING OF COUNCIL 25 AUGUST 2015 MINUTE NO: 15/251**

15/279

**RESOLVED** on the motion of Councillors Zappacosta and Rossetto that Council rescind the following resolution from the Ordinary Meeting of Council held 25 August 2015, CL01 Renaming IOOF Park, Minute No: 15/251:

*RESOLVED on the motion of Councillors Anne Napoli and Alison Balind that:*

- (a) Council support the renaming of Willow Park to Centenary Park.*
- (b) Council place the renaming proposal on public exhibition for 28 days.*
- (c) If no public submissions are received, the renaming be formally adopted and appropriate new signage be developed for Council's review and implementation, and*
- (d) If any public submissions are received then a further report be provided to Council for determination.*

15/280

**RESOLVED** on the motion of Councillor Balind and Rossetto that the walkway that links City Park, IOOF Park and Willow Park be named 'Centenary Walk' and that the walk be a representation of the City's progression over 100 years.

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

Nil

## **13 COUNCILLOR QUESTION TIME**

The following question was raised by Councillor Thorpe:

"With the fruit fly spraying programme that was conducted by the State Government in some years past within the urban areas of Griffith City Council being very relevant and successful can we urge our Government representatives to urgently bring back the spraying for fruit fly on an annual basis for this area, with a letter to Hon. A Piccoli MP and copies to Hon. McCormack MP and State and Federal Agriculture Ministers seeking their support and action?"

The spraying programme is a win win with many pluses for Griffith residents including our orchardists who can present their profile of a totally fruit fly free zone when marketing their fruit."

The Mayor advised that he would take the question on notice.

The following question was raised by Councillor Balind:

"Could Councillors be provided with an update on the construction of the student accommodation to be developed on Council land in Koorinal Ave?"

Mr Southorn advised that a new development application for a modified design was approved by Council on 21 August 2015.

The following question was raised by Councillor Croce:

“Can we have a brief update as to the status of the new depot workshop?”

Mr Southorn advised that a meeting of the Mechanical Services Workshop and Depot Upgrade Working Group is to be held tomorrow, Wednesday, 9 September 2015 to assess a new set of tenders and new cost estimates and that the outcomes from the meeting will be reported to Council.

#### **14 OUTSTANDING ACTION REPORT**

15/281

**RESOLVED** on the motion of Councillors Neville and Stead that the report be noted by Council.

28 July 2015 – Construction of Waste Transfer Station – Tender 4-14/15

Councillor Croce enquired if fees would be charged once the transfer station is operational.

Councillor Zappacosta advised that charges will apply based on the type and volume of waste disposed of.

#### **15 MATTERS TO BE DEALT WITH BY CLOSED COUNCIL**

Nil

There being no further business the meeting terminated at 8.07 pm.

Confirmed: .....

CHAIRPERSON