

**COUNCIL MEETING 8 MARCH 2016**

**CL04 APPOINTMENT OF INDEPENDENT HEARING AND ASSESSMENT PANEL - DA158/2015**

16/001

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

- (a) The staff assessment report for DA158/2015 be referred to an Independent Hearing and Assessment Panel for assessment and recommendation to Council for subsequent determination.
- (b) The members of the panel be drawn from the State appointed members of the joint Regional Planning Panel (Western region).
- (c) The applicant and persons who lodged submissions and or objections be notified of this resolution and provided with a copy of Section 23I of the Environment Planning and Assessment Act and advised if they wished to tender additional submissions, to the panel, either orally or in writing they should provide notice of that intention within 14 days of the date of notice.
- (d) The applicant and persons who lodged submissions and other interested persons be given access to the staff assessment report as soon as it becomes available, or in any event at least 21 days prior to the panel convening in Griffith.
- (e) In the event that JRPP Panel members are not available the Council engage an independent Planning Consultant to prepare an assessment report for presentation to Council.

Councillor Neville enquired if the letter from Terra Ag dated 11 December 2015 was submitted as part of the Fixing Country Roads funding application. Mr Stonestreet advised he would take this on notice.

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

For  
Councillor John Dal Broi  
Councillor Alison Balind  
Councillor Doug Curran  
Councillor Bill Lancaster  
Councillor Mike Neville  
Councillor Christine Stead  
Councillor Leon Thorpe

Against  
Councillor Paul Rossetto

**The division was declared PASSED by 7 votes to 1.**

**COUNCIL MEETING 22 MARCH 2016**

**CL01 FURTHER REPORT - ROSE ROAD REZONING REQUEST - SALVESTRIN LAND**

Councillor Leon Thorpe left the meeting having declared a pecuniary interest, the time being 7:09 pm.

16/002

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

16/003

**RESOLVED** on the motion of Councillors Christine Stead and Mike Neville that Mr Peter Budd be granted permission to address Council on behalf of Dino & Debbie Salvestrin, the time being 7.11pm.

16/004

**RESOLVED** on the motion of Councillors Christine Stead and Simon Croce that that the land owners submit a Planning Proposal to Council prepared by a suitably qualified person based on the scope described in Attachment B.

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

For  
Councillor John Dal Broi  
Councillor Patricia Cox  
Councillor Mike Neville  
Councillor Christine Stead  
Councillor Simon Croce  
Councillor Anne Napoli  
Councillor Paul Rossetto  
Councillor Dino Zappacosta

Against  
Councillor Doug Curran  
Councillor Bill Lancaster

**The division was declared PASSED by 8 votes to 2.**

**COUNCIL MEETING 22 MARCH 2016**

**CL02 REQUEST FOR USE OF ALTERNATIVE ROAD SEALING MATERIALS FOR A PROPOSED SUBDIVISION**

16/005

**RESOLVED** on the motion of Councillors Mike Neville and Christine Stead that Mr Martin Ruggeri (Planning Matters – Applicant), and Mr Zep Lanza (Director of Willandra Gardens – Proponent), be granted permission to address Council, the time being 7.19pm.

16/006

**RESOLVED** on the motion of Councillors Mike Neville and Christine Stead that Council allow the new roads associated with the proposed subdivision of Lot 1 DP 1131831 & Lot 2 DP 1061148 (71-85 Willandra Avenue) to be constructed of a two coat bitumen surface consisting of double bitumen, double stone surface.

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

**For**

Councillor John Dal Broi  
Councillor Christine Stead  
Councillor Mike Neville  
Councillor Doug Curran  
Councillor Patricia Cox  
Councillor Anne Napoli  
Councillor Dino Zappacosta

**Against**

Councillor Paul Rossetto  
Councillor Bill Lancaster  
Councillor Simon Croce  
Councillor Leon Thorpe

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

**COUNCIL MEETING 26 APRIL 2016**

**CL01 DA 10/2016 - TWO STOREY DWELLING WITH ATTACHED GARAGE AND SWIMMING POOL**

16/007

**RESOLVED** on the motion of Councillors Christine Stead and Mike Neville that the meeting suspend standing orders to permit Mr Martin Ruggeri (Planningmatters Development Service) to address Council on behalf of the proponents.

Mr Ruggeri addressed Council the time being 7:17 pm.

16/008

**RESOLVED** on the motion of Councillors Doug Curran and Leon Thorpe that the meeting resume standing orders, the time being 7.20 pm.

16/009

**RESOLVED** on the motion of Councillors Anne Napoli and Christine Stead 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 10/2016 for a two storey dwelling and swimming pool at Lot 23 DP 1083401, 5 Angela Place, Griffith subject to the conditions of consent set out in Attachment 'A' of this report; and
- (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 John Dal Broi  
Councillor Alison Balind  
Councillor Patricia Cox  
Councillor Simon Croce  
Councillor Doug Curran  
Councillor Bill Lancaster  
Councillor Anne Napoli  
Councillor Mike Neville  
Councillor Paul Rossetto  
Councillor Christine Stead  
Councillor Leon Thorpe  
Councillor Dino Zappacosta

Against

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

**COUNCIL MEETING 10 MAY 2016**

**CL01 DA 12/2016 - PROPOSED MULTI-DENOMINATIONAL PLACE OF PUBLIC WORSHIP**

Councillors Dino Zappacosta and Simon Croce left the meeting having declared a pecuniary interest, the time being 7:18 pm.

16/010

**RESOLVED** on the motion of Councillors Doug Curran and Christine Stead that standing orders be suspended to allow Mrs Kate Miranda (on behalf of the objectors), Mr Clint Robertson (on behalf of the objectors), and Mr Peter Piccolo (in support of his application) to address Council.

Mrs Kate Miranda addressed Council, the time being 7.19 pm.

Mr Clint Robertson declined to address Council as Mrs Miranda covered the topic.

Mr Peter Piccolo addressed Council, the time being 7.28 pm.

16/011

**RESOLVED** on the motion of Councillors Christine Stead and Doug Curran that the meeting resume standing orders, the time being 7.44 pm.

**MOVED** on the motion of Councillors Bill Lancaster and Mike Neville that:

- (a) That pursuant to the provisions of Section 80(1)(b) of the Environmental Planning and Assessment Act, 1979 Council refuse Development Application No. 12/2016 for a multi-denominational place of public worship at Lot 679 DP 39618, 114 Mallinson Road, Lake Wyangan be refused for the following reasons:
  - (i) That pursuant to the provisions of Section 79(1)(a)(i) of the Environmental Planning and Assessment Act, 1979 the development is unsatisfactory in that the proposed development is inconsistent with the objectives of the zone and will result in a conflict with land uses within the adjoining zone.
  - (ii) That pursuant to the provisions of Section 79(1)(b) of the Environmental Planning and Assessment Act, 1979 the development is unsatisfactory in that the proposed development will have an unreasonable impact on the amenity in the locality in terms of traffic generation, parking and noise associated with the use of premises as a place of public worship and function centre.
  - (iii) That pursuant to the provisions of Section 79(1)(c) of the Environmental Planning and Assessment Act, 1979 the development is unsatisfactory in that the proposed site is considered unsuitable for the proposed place of public worship and function centre due to the proximity to existing rural residential development.
- (b) That the application be delegated to the Director of Sustainable Development for preparation and issue of the notice of determination.

**MOVED** on the motion of Councillor Alison Balind that CL01 DA 12/2016 – Proposed Multi-

denominational Place of Public Worship LAY **ON THE TABLE.**

The **MOTION** was **PUT** and **LOST.**

16/012

**RESOLVED** on the motion of Councillors Bill Lancaster and Mike Neville that:

- (a) That pursuant to the provisions of Section 80(1)(a)(i) of the Environmental Planning and Assessment Act, 1979 Council refuse Development Application No. 12/2016 for a multi-denominational place of public worship at Lot 679 DP 39618, 114 Mallinson Road, Lake Wyangan be refused for the following reasons:
  - (i) That pursuant to the provisions of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act, 1979 the development is unsatisfactory in that the proposed development is inconsistent with the objectives of the zone and will result in a conflict with land uses within the adjoining zone.
  - (ii) That pursuant to the provisions of Section 79C(1)(b) of the Environmental Planning and Assessment Act, 1979 the development is unsatisfactory in that the proposed development will have an unreasonable impact on the amenity in the locality in terms of traffic generation, parking and noise associated with the use of premises as a place of public worship and function centre.
  - (iii) That pursuant to the provisions of Section 79C(1)(c) of the Environmental Planning and Assessment Act, 1979 the development is unsatisfactory in that the proposed site is considered unsuitable for the proposed place of public worship and function centre due to the proximity to existing rural residential development.
- (b) That the application be delegated to the Director of Sustainable Development for preparation and issue of the notice of determination.

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

For	Against
Councillor John Dal Broi	Councillor Patricia Cox
Councillor Alison Balind	
Councillor Doug Curran	
Councillor Bill Lancaster	
Councillor Anne Napoli	
Councillor Mike Neville	
Councillor Paul Rossetto	
Councillor Christine Stead	
Councillor Leon Thorpe	

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

Councillors Dino Zappacosta and Simon Croce returned to the meeting at 8:08 pm.

**COUNCIL MEETING 24 MAY 2016**

**CL01 DA 18 - 2016 - INSTALLATION AND USE OF A WASTEWATER TREATMENT PLANT ASSOCIATED WITH AN AGRICULTURAL PRODUCE INDUSTRY (JUICE PLANT)**

16/013

**RESOLVED** on the motion of Councillors Christine Stead and Doug Curran that the meeting suspend standing orders to allow Martin Ruggeri (Planning matters) to address Council on behalf of the proponent.

Mr Ruggeri addressed Council the time being 7:13 pm.

16/014

**RESOLVED** on the motion of Councillors Curran and Stead that the meeting resume standing orders. Standing orders resumed at 7:19 pm.

16/015

**RESOLVED** on the motion of Councillors Dino Zappacosta and Anne Napoli 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 18/2016 for the installation and use of a wastewater treatment plant associated with a rural industry (juice plant) at Lots 1 and 2 DP 1173317 (1295A Duchatel Road) Griffith subject to the conditions of consent listed in Attachment 'E'.
- (b) The application be delegated to the Director of Sustainable Development for the issue of the Notice of Determination.
- (c) The applicant be directed to submit a development application within 12 months to legitimise the existing and any future increases in production volumes of the agricultural produce industry which is to include, among other requirements:
  - Traffic Impact Assessment;
  - Odour Assessment of the entire site; and
  - Noise Impact Assessment of the entire site.

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 Alison Balind  
Councillor Patricia Cox  
Councillor Simon Croce  
Councillor Doug Curran  
Councillor Anne Napoli  
Councillor Mike Neville  
Councillor Paul Rossetto

Against

Councillor Christine Stead  
Councillor Leon Thorpe  
Councillor Dino Zappacosta

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

16/016

**RESOLVED** on the motion of Councillors Dino Zappacosta and Leon Thorpe that a further report in relation to the Section 64 water charges for DA18/2016 be presented to Council.

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 Anne Napoli  
Councillor Christine Stead  
Councillor Leon Thorpe  
Councillor Dino Zappacosta

Against

Councillor Alison Balind  
Councillor Patricia Cox  
Councillor Doug Curran  
Councillor Mike Neville  
Councillor Paul Rossetto

**The division was declared PASSED by 6 votes to 5.**

Councillor Lancaster returned to the Chamber the time being 7.31 pm.



**COUNCIL MEETING 12 JULY 2016**

**CL01 DA55/2016 INCREASE IN PRODUCTION CAPACITY OF AN EXISTING POULTRY PROCESSING FACILITY (LIVESTOCK PROCESSING INDUSTRY)**

16/017

**RESOLVED** on the motion of Councillors Mike Neville and Leon Thorpe that:

- (a) Council pursuant to the provisions of Section 80(1)(a) of the Environmental Planning and Assessment Act, 1979, grant consent to Development Application 55/2016 to increase the production capacity of an existing poultry processing facility to an average of 2.8 million birds per week operating 24 hours a day 7 days a week, an expansion to the existing wastewater treatment facility, extension to carpark, upgrading of rendering plant and increase in the amount of rendering activities to 3,900 tonnes per week and upgrade of Murphy Road and Kidman Way intersection at (Processing Plant Site) Lot 162 DP 751709 and Lot 2 DP1178211 and (Wastewater Treatment and Disposal Site): Lots 187, 188, 189, 211, 213, 356, 357 and 358 DP 751709, Lot 1 DP 42514, Lot 2 DP 802982 and Lot 185 DP1195777, subject to conditions and the General Terms of Approval set out in Attachment 'D' and 'G'; and
- (b) The application be delegated to the Director of Sustainable Development to correct minor property description errors in the Conditions of Consent and issue 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

Councillor John Dal Broi  
 Councillor Alison Balind  
 Councillor Patricia Cox  
 Councillor Simon Croce  
 Councillor Bill Lancaster  
 Councillor Mike Neville  
 Councillor Paul Rossetto  
 Councillor Christine Stead  
 Councillor Leon Thorpe  
 Councillor Dino Zappacosta

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

The Mayor acknowledged the work by the Coordinator Land Use Planning & Compliance, Kelly McNicol in relation not only to this development application but to his contribution to the Sustainable Development Directorate and the community of Griffith. The Mayor advised Councillors that Mr McNicol was taking up a new position in Sydney and he wished him and his family all the best for the future.

Councillor Napoli returned to the meeting, the time being 7.16 pm.

**COUNCIL MEETING 12 JULY 2016**

**CL03 DEVELOPMENT CONTROL PLAN (SITE SPECIFIC) - COLLINA GROWTH AREA**

16/018

**RESOLVED** on the motion of Councillors Leon Thorpe and Patricia Cox that the Collina Growth Area Development Control Plan be adopted by Council and become effective at the date of this meeting.

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

Councillor John Dal Broi  
Councillor Alison Balind  
Councillor Patricia Cox  
Councillor Simon Croce  
Councillor Bill Lancaster  
Councillor Anne Napoli  
Councillor Mike Neville  
Councillor Paul Rossetto  
Councillor Christine Stead  
Councillor Leon Thorpe  
Councillor Dino Zappacosta

Against

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

**COUNCIL MEETING 26 JULY 2016**

Councillors Anne Napoli, Paul Rossetto, Christine Stead and Dino Zappacosta and staff member Shireen Donaldson left the meeting having declared pecuniary interests/significant non-pecuniary interests, the time being 7:14 pm.

**CL01 INDEPENDENT HEARING AND ASSESSMENT PANEL REPORT ON DA 158/2015 FOR A RURAL SUPPLIES DEVELOPMENT**

16/019

**RESOLVED** on the motion of Councillors Doug Curran and Leon Thorpe that the meeting suspend standing orders to allow Martin Ruggeri (Planningmatters), Paul Vergotis, Mark Zanatta, Trent Anderson, Dean Salvestro to address Council for the Development Application and Matt Woodward (Planner), Hardip Chahal, Lawrence Minato and Jenny Churchill to address Council against the Development Application.

Mr Vergotis addressed Council the time being 7:16 pm.

Mr Zanatta addressed Council the time being 7:20 pm.

Mr Hardip Chahal addressed Council the time being 7:24 pm.

Mr Matt Woodward addressed Council the time being 7:30 pm.

Mr Lawrence Minato addressed Council the time being 7:40 pm.

Mrs Jenny Churchill addressed Council the time being 7:45 pm.

16/020

**RESOLVED** on the motion of Councillors Leon Thorpe and Simon Croce that the meeting resume standing orders. The meeting resumed at 7:56 pm.

16/021

**RESOLVED** on the motion of Councillors Alison Balind and Patricia Cox that:

- (a) Council take into consideration the findings of the Independent Hearing and Assessment Panel and their recommendations.
- (b) Pursuant to the provisions of Section 80(1)(b) of the Environmental Planning and Assessment Act, 1979 that Development Application No. 158/2015 for a rural supplies business at Lot 528 DP 751709 and Lot 7751 DP 1199064, 894 Kidman Way be refused as the application is not in the public interest as it is inconsistent with the general objectives of Griffith City Council's Landuse Strategy 2012 in that the broad objectives of the Landuse Strategy are to facilitate a planning response that encourages:
  - spatial development responsive to the forecasted and/or perceived needs of the community and local economy;
  - spatial development carefully managed to prevent or minimise impacts on the natural environment; and
  - the protection of natural and built assets from inappropriate rural and urban

development that would prejudice the rural and urban attributes of Griffith.

- (c) Development Application No. 158/2015 be delegated to the Director Sustainable Development for the preparation and issue of the notice of determination.

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

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

For

Councillor John Dal Broi  
Councillor Alison Balind  
Councillor Patricia Cox  
Councillor Simon Croce  
Councillor Doug Curran  
Councillor Bill Lancaster  
Councillor Leon Thorpe

Against

**The division was declared PASSED by 7 votes to 0.**

The Mayor requested a brief recess, time being 8:10 pm.

Councillors Anne Napoli, Paul Rossetto, Christine Stead and Dino Zappacosta and staff member, Shireen Donaldson returned to the meeting, the time being 8:14 pm.

**COUNCIL MEETING 26 JULY 2016**

Councillor Bill Lancaster left the meeting having declared a pecuniary interest, the time being 8:14 pm.

**CL02 PLANNING PROPOSAL RURAL LANDS**

16/022

**RESOLVED** on the motion of Councillors Paul Rossetto and Councillor Leon Thorpe that the meeting suspend standing orders to allow Martin Ruggeri (Planning matters) to address Council on behalf of landowners of the Beelbanger Road precinct - Charlie Guglielmino, Roy Calabria, Glen Snaidero, Bruno Mazzon, Louis Cadorin, Guido Fattore, Calabria Road Investments and on behalf of Marie and Louis Raccanello, Lucia and John Ballestin.

Mr Ruggeri addressed Council the time being 8:14 pm.

Mr Southorn returned to the meeting the time being 8:16 pm.

16/023

**RESOLVED** on the motion of Councillors Christine Stead and Paul Rossetto that the meeting resume standing orders.

16/024

**RESOLVED** on the motion of Councillors Doug Curran and Paul Rossetto that:

- (a) Staff hold further discussions with the landowners with a view to the Planning Proposal be amended as follows:
  - Farmland south of Calabria Road adjacent to Rankins Springs Road - allow a minimum block size of 8,000 square meters and consider incorporating additional block of land north of Calabria Road.
  - Farmland adjacent to Mallinson Road – allow minimum block size of 2,000 square metres and intersection of Mallinson Road and Boorga Road be redesigned.
- (b) Preparation of an amended Planning Proposal and masterplan be funded by the proponents.
- (c) The amended Planning Proposal be reported to Council for endorsement prior to seeking Gateway approval.

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.

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

For	Against
Councillor John Dal Broi	
Councillor Alison Balind	
Councillor Patricia Cox	

Councillor Simon Croce  
Councillor Doug Curran  
Councillor Anne Napoli  
Councillor Paul Rossetto  
Councillor Christine Stead  
Councillor Leon Thorpe  
Councillor Dino Zappacosta

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

Councillor Bill Lancaster returned to the meeting the time being 8:50 pm.

**COUNCIL MEETING 9 AUGUST 2016**

In relation to Business Arising – CL01 – Independent Hearing and Assessment Panel Report on DA 158/2015 for a Rural Supplies Development:

Councillors Paul Rossetto, Christine Stead and Dino Zappacosta left the meeting having declared a pecuniary conflict of interest, the time being 7.04 pm.

In relation to Business Arising – CL01 – Independent Hearing and Assessment Panel Report on DA 158/2015 for a Rural Supplies Development:

Councillor Anne Napoli left the meeting having declared a significant non-pecuniary conflict of interest, the time being 7.04 pm.

In relation to Business Arising – CL01 – Independent Hearing and Assessment Panel Report on DA 158/2015 for a Rural Supplies Development:

Ms Shireen Donaldson left the meeting having declared a significant non-pecuniary conflict of interest, the time being 7.06 pm.

16/025

**CL01 INDEPENDENT HEARING AND ASSESSMENT PANEL REPORT ON DA 158/2015 FOR A RURAL SUPPLIES DEVELOPMENT**

**RESOLVED** on the motion of Councillors Bill Lancaster and Mike Neville that Council Staff prepare a report for the next meeting of Council exploring the feasibility of engaging a consultant/independent person to assist Council staff in preparing a case of defence and to explore and to make further suggestions for grounds of refusal.

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

For

Councillor Patricia Cox

Councillor Doug Curran

Councillor Bill Lancaster

Councillor Mike Neville

Against

Councillor John Dal Broi

Councillor Simon Croce

Councillor Leon Thorpe

**The division was declared PASSED by 4 votes to 3.**

Councillors Rossetto, Stead, Zappacosta, Napoli and Ms Donaldson returned to the meeting the time being 7.14 pm.

**COUNCIL MEETING 11 OCTOBER 2016**

**CL01 SECTION 82A REVIEW OF DETERMINATION OF DA 37/2015 FOR THE CONSTRUCTION OF A MULTI DWELLING HOUSING COMPRISING OF FOUR (4) DWELLINGS AND THE TORRENS TITLE SUBDIVISION OF LAND INTO FOUR (4) LOTS**

16/026

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

16/027

**RESOLVED** on the motion of Councillors Simon Croce and Anne Napoli that standing orders be suspended to allow Mr Martin Ruggeri (Planningmatters) and Mr Rodney Salvestro (Applicant) to address Council, the time being 7.25 pm.

16/028

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

16/029

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

- (a) Council pursuant to the provisions of Section 82(A2) of the Environmental Planning and Assessment Act, 1979 review the determination of Development Application No. DA 37/2015.
- (b) Council approve the development in accordance with the amended plans subject to the applicant gaining formal approval from 100% of landholders in the precinct governed by the 88B instrument.
- (c) The application be referred 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 Eddy Mardon  
Councillor Rina Mercuri  
Councillor Anne Napoli  
Councillor Brian Simpson  
Councillor Paul Snaidero  
Councillor Christine Stead

Against



Councillor Dino Zappacosta

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

**COUNCIL MEETING 11 OCTOBER 2016**

**CL02 DA 65/2016 - RELOCATION OF AN EXISTING DWELLING FROM ANIMOO AVENUE TO 150 ERSKINE ROAD SO AS TO CREATE A DETACHED DUAL OCCUPANCY**

16/030

**RESOLVED** on the motion of Councillors Christine Stead and Doug Curran that standing orders be suspended to allow Ms Carmel La Rocca and Mr John Wadsworth to address Council. Mrs La Rocca addressed Council, on behalf of the applicant, Mr Saleem Raza, the time being 7:50 pm. Mr Wadsworth addressed Council against the application, the time being 7:55 pm.

16/031

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

16/032

**RESOLVED** on the motion of Councillors Dino Zappacosta and Simon Croce 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 65/2016 for the relocation of an existing cottage so as to form a detached dual occupancy at Lot 774 DP 751709, 150 Erskine Road, Griffith subject to the conditions of consent set out in Attachment 'A' of this report, amended to reinforce the requirement to renovate the dwelling to a reasonable standard within a reasonable time and appropriate asbestos management procedures be in place.
- (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 John Dal Broi  
Councillor Simon Croce  
Councillor Deb Longhurst  
Councillor Eddy Mardon  
Councillor Rina Mercuri  
Councillor Anne Napoli  
Councillor Brian Simpson  
Councillor Christine Stead  
Councillor Dino Zappacosta

Against  
Councillor Doug Curran  
Councillor Paul Snaidero

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

**COUNCIL MEETING 11 OCTOBER 2016**

**CL03 MODIFICATION OF DA 53/2015(1) - EXTENSION OF TRADING HOURS**

Councillor Simon Croce left the meeting having declared a significant non-pecuniary interest, the time being 8:06 pm.

Councillor Paul Snaidero left the meeting the time being 8:06 pm and returned at 8:09 pm.

16/033

**RESOLVED** on the motion of Councillors Christine Stead and Deb Longhurst that the meeting suspend standing orders to allow Mr Ross Trimboli to speak on behalf of the applicant, Mr Atnan Tahtali, the time being 8.08 pm.

Councillor Doug Curran moved that the report LAY ON THE TABLE. The motion was PUT and LOST.

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 Doug Curran  
Councillor Deb Longhurst  
Councillor Eddy Mardon  
Councillor Rina Mercuri  
Councillor Brian Simpson

Against

Councillor John Dal Broi  
Councillor Anne Napoli  
Councillor Paul Snaidero  
Councillor Christine Stead  
Councillor Dino Zappacosta

**The division was declared EQUAL**

The Mayor used his casting vote to vote against the motion.

16/034

**RESOLVED** on the motion of Councillors Brian Simpson and Rina Mercuri that the meeting resume standing orders.

16/035

**RESOLVED** on the motion of Councillors Paul Snaidero and Brian Simpson that:

- (1) Council modify Development Application No. 53/2015(1) for "Internal fit-out and use of a building as food and drink premises" issued on 28 April 2015 in the following manner:
  - (a) Condition O(2) Hours of Operation - Time Period be changed from "11:00 am to 12:00 am (midnight) Mondays to Sundays" to "8:00 am to 3:00 am Mondays to Sundays" for a trial period of twelve (12) months from the date the S.96(2) Notice of Determination for DA 53/2015(2) is issued, following which the hours of operation shall automatically

revert to “8.00 am to 12.00 am (midnight)” Mondays to Sundays.

- (b) The following additional conditions of consent as recommended by NSW Police in their advice to Council dated 19 September 2016 be inserted into “Part O – On-going Requirements”:

#### CLOSED CIRCUIT TELEVISION

The consent holder shall maintain a CCTV system at the above location that meets the following minimum requirements.

- (14) A camera must be located at the main entrance to the premises and positioned to record any person entering through this entrance. The CCTV recording of this camera must be sufficient to enable the identity of an individual to be established beyond a reasonable doubt when:
- (a) The person represents not less than 100% of screen height, and
  - (b) There is an unobstructed view of the persons face.
- (15) In addition, CCTV cameras must be maintained throughout the premises with camera coverage to specifically record images of the following areas:
- (a) All other public entrances and exits, whether or not in use at the time
  - (b) Staircases in multilevel premises
  - (c) All portions of the floor area accessible to the public
  - (d) Any external entrances to toilets
  - (e) The footpath area directly outside and adjacent to the premises
  - (f) A view of the street immediately in front of and adjacent to the premises.
- (16) The CCTV recordings of these cameras must be sufficient to enable the recognition of a person. A viewer must be able to say with a high degree of certainty whether or not an individual shown is the same as someone they have seen before when:
- (a) The person represents not less than 50% of screen height, and
  - (b) There is an unobstructed view of the persons face
- (17) Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.
- (18) Camera recordings must meet the standards set in Conditions O(14) and O(16) at all times, either by way of camera technology and settings, and/or by maintenance of lighting, camera positioning, camera shades and other environment factors
- (19) Recording must:
- (a) Be in digital format
  - (b) Record at a minimum of 12 frames per second, and
  - (c) Commence 1 hour prior to opening, and operate continuously until at least 1 hour after closure.

- (20) The correct time, date and camera identification must be automatically embedded on all recordings and be able to be read when the image is played back on a different system without interfering with the view of the target area.
- (21) Recordings should be retained for a period of 30 days before being reused or destroyed. The consent holder shall ensure that no person is able to delete or alter any recordings within the 30 day period.
- (22) When the premises are open and trading, at least one person shall be at the venue that is capable of accessing the CCTV system and is able to immediately review recordings and produce copies.
- (23) Immediate access to the CCTV system and the ability to review recordings on the system is to be granted to NSW Police officers or other regulatory officer upon request.
- (24) The CCTV system shall be able to reproduce a copy of the recordings on compact disk, DVD or USB memory stick and must be provided within one working day to the NSW Police officers or other regulatory officer upon request.
- (25) Prior to the commencement of trade each day, the CCTV system shall be checked to ensure the equipment is in full operating order. The time and date of each system check is to be recorded in the incident register.
- (26) If it is discovered that the equipment is not in full operating order, a record is to be made in the incident register. All reasonable steps must be undertaken to repair the system within 2 hours, details of which are to be recorded in the incident register.

#### SECURITY GUARDS

- (27) The consent holder will ensure that on every Friday and Saturday night that the business trades past midnight - two licensed security guards are employed from 12:00 am until close of trade.

#### FREE FLOW OF PEDESTRIANS

- (28) Patrons are prohibited from congregating/remaining on the footpath outside the business after 12am midnight.
- (c) The following additional condition of consent as recommended by NSW Police in their advice to Council dated 19 September 2016 be inserted into "Part L – Prior to Use or Occupation of the Development":

#### CUSTOMER SAFETY MANAGEMENT PLAN

- (11) Prior to commencement of operation of the business between midnight and

3.00am a Customer Safety Management Plan shall be prepared by the consent holder in consultation with the Griffith City Council and Griffith Local Area Command. This plan must be submitted to Council for endorsement prior to the premises trading with the proposed extended hours. The Customer Safety Management Plan must include a range of measures which include but are not limited to, customer safety, utilisation of security guards, installation and maintenance of CCTV system and management of customers congregating/remaining on the footpath outside the business when trading past 12 midnight.

- (2) The modification application be referred 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

Against

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

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

Councillor Simon Croce returned to the meeting at 8:28 pm.

**COUNCIL MEETING 11 OCTOBER 2016**

**CL04 PLANNING PROPOSAL FOR FLOW SMART PTY LTD LOT 546 DP 751709**

16/036

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

- (a) Council endorse the attached Planning Proposal for Lot 546 DP 751709 to be included in the Griffith Local Environmental Plan 2014 as a Schedule 1 Additional Use and the proposal be submitted to Department of Planning and Environment to seek gateway approval.
- (b) If gateway approval is granted, the plan be placed on public exhibition to seek community comment.
- (c) If any submissions are received, Council considers such before the proposal is re-submitted to Department of Planning and Environment for consideration and final assessment.

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 Brian Simpson  
Councillor Paul Snaidero  
Councillor Christine Stead  
Councillor Dino Zappacosta

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

**COUNCIL MEETING 8 NOVEMBER 2016**

**CL01 DEVELOPMENT APPLICATION 117/2016 - PROPOSED CARPORT AND SHADE SAIL STRUCTURE AT 112 HILLAM DRIVE, GRIFFITH**

16/037

**RESOLVED** on the motion of Councillors Mike Neville and Anne Napoli 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 117/2016 for the construction of two awnings, a patio, a shade structure, a detached shed and carport ancillary to the existing dwelling at LOT: 72 DP: 1083401, 112 Hillam Drive, GRIFFITH subject to the conditions of consent set out in Attachment 'A' of this report; and
- (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 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

Against

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