



Ordinary Meeting

BUSINESS PAPER

Tuesday, 10 May 2022 at 7:00pm

Griffith City Council Chambers

Phone: 1300 176 077

Web: www.griffith.nsw.gov.au Email: admin@griffith.nsw.gov.au



COUNCILLORS

Doug Curran (Mayor)
Glen Andreazza (Deputy Mayor)
Shari Blumer
Simon Croce
Jenny Ellis
Manjit Singh Lally
Melissa Marin
Anne Napoli
Christine Stead
Christopher Sutton
Laurie Testoni
Dino Zappacosta

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MEMBERS OF THE PUBLIC CAN ADDRESS COUNCIL IN THE FOLLOWING WAYS

Council generally meets every second and fourth Tuesday of the month at 7.00 pm in the Council Chambers.

Addressing the Council on Business Paper matters

Members of the public are welcome to attend Council Meetings and address the Council on agenda items provided proper notice is given. Visit Council's website for more information. To apply to address Council on Business Paper matters, please complete an online [Public Address to Council Declaration Form](#) before 12:00 noon on the day of the meeting.

Notice of Motion via Councillor

You are able to lobby a Councillor to raise a Notice of Motion to have a matter considered by the Council at a future meeting.

Petition

A petition can be presented to the Council through a Councillor. If you would like to present a petition to an Ordinary Meeting of Council, please contact one of the Councillors to arrange.

Customer Request Management system

The Customer Request Management system (CRM) manages the processing of customer requests. Customer requests can be then easily responded to, allocated to responsible officers and checked. The system will automatically escalate requests that have not been actioned. To log a request, please contact Council's Customer Service Team on 1300 176 077.

Direct correspondence to the General Manager

You may write directly to the General Manager about your issue or concern via letter or email. You may contact the General Manager at admin@griffith.nsw.gov.au or mail correspondence to: The General Manager, PO Box 485 Griffith NSW 2680.

For more information on public participation refer to [Council's Agency Information Guide](#).

Councillors' obligations under the Oath or Affirmation of Office are as follows:

Oath

I [*name of Councillor*] swear that I will undertake the duties of the office of Councillor in the best interests of the people of Griffith and the Griffith City Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the [Local Government Act 1993](#) or any other Act to the best of my ability and judgment.

Affirmation

I [*name of Councillor*] solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of Griffith and the Griffith City Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the [Local Government Act 1993](#) or any other Act to the best of my ability and judgment.

Councillors' obligations under the Code of Conduct in relation to conflicts of interest include:

[What is a pecuniary interest?](#)

A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3 of the Code of Conduct.

[Disclosure of pecuniary interests at meetings](#)

A Councillor who has a pecuniary interest in any matter with which Council is concerned, and who is present at a meeting of Council at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.

The Councillor must not be present at, or in sight of, the meeting of Council:

- (a) at any time during which the matter is being considered or discussed by Council, or
- (b) at any time during which the Council is voting on any question in relation to the matter.

[What is a non-pecuniary conflict of interest?](#)

Non-pecuniary interests are private or personal interests a Council official has that do not amount to a pecuniary interest as defined in clause 4.1 of the Code of Conduct. A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.

[Managing non-pecuniary conflicts of interest](#)

Where Councillors have a non-pecuniary conflict of interest in a matter they must disclose the relevant private interest they have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest.

[Click here to lodge and online Conflict of Interest Form.](#)

How Councillors manage a non-pecuniary conflict of interest will depend on whether or not it is significant.

A non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest, but it involves:

- (a) a relationship between a Councillor and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative or another person from the Councillor's extended family that the Councillor has a close personal relationship with, or another person living in the same household.
- (b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
- (c) an affiliation between the Councillor and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a Councillor's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
- (d) membership, as the Council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of Council and the organisation are potentially in conflict in relation to the particular matter.
- (e) a financial interest (other than an interest of a type referred to in clause 4.6 of the Code of Conduct) that is not a pecuniary interest for the purposes of clause 4.1 of the Code of Conduct.
- (f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.

If the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a Council meeting, Councillors must manage the conflict of interest as if a Councillor had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29 of the Code of Conduct. That is, a Councillor who has a significant non-pecuniary interest in a matter under consideration at a Council meeting must disclose the nature of the interest to the meeting as soon as practicable. The Councillor must not be present at, or in sight of, the meeting of Council:

- (a) at any time during which the matter is being considered or discussed by Council, or
- (b) at any time during which the Council is voting on any question in relation to the matter.

If Councillors determine that they have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest they must explain in writing why they consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.

Councillors should refer to Council's Code of Conduct policy for further information in relation to managing conflicts of interest at Council Meetings.

REPORT AUTHORS AND AREAS OF RESPONSIBILITY

Senior Management Team

General Manager
Director Economic & Organisational Development
Director Business, Cultural & Financial Services
Director Infrastructure and Operations
Director Sustainable Development
Director Utilities

Brett Stonestreet
Shireen Donaldson
Max Turner
Phil King
Phil Harding
Graham Gordon

Economic & Organisational Development

Governance Manager/Public Officer and Right to Information Officer
HR & Risk Manager
Workforce Planning Manager
IT Manager
Tourism Manager
Information Manager
Acting Information Management Administrator

Leanne Austin
Kylie Carusi
Nick DeMartin
Mike Gaze
Mirella Guidolin
Joanne Savage
Jeanette Franco

Business, Cultural & Financial Services

Finance Manager
Asset Management Coordinator
Library Manager
Griffith Regional Arts and Museum Manager
Leisure Services Manager

Vanessa Edwards
Andrew Keith
Karen Tagliapietra
Margaret Andreazza
Paula Harris

Infrastructure & Operations

Works Manager - Maintenance
Works Manager - Construction
Parks & Gardens Manager
Fleet & Depot Manager

Manjit Chugha
Shree Shrestha
Peter Craig
Steve Croxon

Sustainable Development

Planning & Environment Manager
Acting Development Assessment Coordinator
Senior Development Assessment Planner
Urban Strategic Design & Major Projects Manager
Project Planner
Environmental Health & Compliance Coordinator
Principal Officer – Environment
Corporate Property Officer & Native Title Coordinator
Building Certification Coordinator
Airport Facility Coordinator

Carel Potgieter
Kerry Rourke
Patterson Ngwira
Peter Badenhorst
Melanie Vella
Merryn Benham
Vacant
Daphne Bruce
Vacant
Alan Buckley

Utilities

Engineering Design & Approvals Manager
Waste Operations Manager
Water & Wastewater Manager

Joe Rizzo
John Roser
Durgananda Chaudhary

**ORDINARY MEETING OF GRIFFITH CITY COUNCIL
TO BE HELD IN GRIFFITH CITY COUNCIL CHAMBERS ON
TUESDAY, 10 MAY 2022 AT 7:00PM**

MEETING NOTICE

Notice is hereby given that an Ordinary Meeting of Council will be held in the Griffith City Council Chambers on **Tuesday, 10 May 2022**.

In accordance with Griffith City Council's Code of Meeting Practice and as permitted under the Local Government Act 1993, this meeting is being live streamed and recorded by Council staff for minute taking and webcasting purposes.

No other webcasting or recording by a video camera, still camera or any other electronic device capable of webcasting or recording is permitted without the prior approval of Council.

Those that are participating in this meeting are advised that your image and what you say will be broadcast live to the public and will also be recorded. You should avoid making statements that might defame or offend and note that Council will not be responsible for your actions and comments.

Members of the public may address Council in relation to the items listed in this Agenda by contacting Council on 1300 176 077 by 12.00 pm on the day of the meeting.

The agenda for the meeting is:

- 1 Council Prayer and Acknowledgment of Country
 - 2 Apologies and Applications for a Leave of Absence or Attendance by Audio-visual Link by Councillors
 - 3 Confirmation of Minutes
 - 4 Business Arising
 - 5 Declarations of Interest
 - 6 Presentations
 - 7 Mayoral Minutes
 - 8 General Manager's Report
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- | | | |
|------|-----|---|
| CL01 | p17 | DA 309/2021 - Use of Land as a Function Centre for up to 12 Individual Events in any Calendar Year |
| CL02 | p32 | Adoption of Plan of Management - Hyandra Precinct Parks |
| CL03 | p35 | Surrender of Licence Agreement with Melissa Sosso & New Licence Agreement with Melbergen Pastoral Co Pty Ltd as Trustee for Melbergen Farming Trust - Area 31 Dalton Park |

- CL04 p42 Endorsement of the Draft Delivery Program 2022-2026, Draft
Operational Plan (Budget) 2022/23 and Draft Resourcing Strategy
- 9 Information Reports
- 10 Adoption of Committee Minutes
- p49 Minutes of the Griffith Pioneer Park Museum Committee Meeting
 held on 24 March 2022
- p51 Minutes of the Griffith Pioneer Park Museum Committee Meeting
 held on 21 April 2022
- 11 Business with Notice – Rescission Motions
- 12 Business with Notice – Other Motions
- p54 Notice of Motion - Councillor Jenny Ellis
- 13 Outstanding Action Report
- p58 Outstanding Action Report
- 14 Matters to be dealt with by Closed Council

Brett Stonestreet

GENERAL MANAGER

**ORDINARY MEETING OF GRIFFITH CITY COUNCIL
HELD IN GRIFFITH CITY COUNCIL CHAMBERS ON
TUESDAY, 26 APRIL 2022 COMMENCING AT 7:00 PM**

PRESENT

The Mayor, Doug Curran in the Chair; Councillors, Simon Croce, Jenny Ellis, Manjit Singh Lally, Melissa Marin, Anne Napoli, Christine Stead, Chris Sutton, Laurie Testoni and Dino Zappacosta

STAFF

Acting General Manager, Max Turner, Director Economic & Organisational Development, Shireen Donaldson, Acting Director Utilities, Joe Rizzo, Director Sustainable Development, Phil Harding, Director Infrastructure & Operations, Phil King and Minute Taker, Brittany Everett

MEDIA

Cai Holroyd, The Area News

1 COUNCIL PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

The Meeting opened with Councillor Christine Stead reading the Council prayer and the Acknowledgement of Country.

2 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS

22/107

RESOLVED on the motion of Councillors Christine Stead and Laurie Testoni that an apologies be received from Councillors Glen Andreazza and Shari Blumer, General Manager Brett Stonestreet and Director Utilities Graham Gordon and a leave of absence granted.

For

Councillor Doug Curran
Councillor Simon Croce
Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Anne Napoli
Councillor Christine Stead
Councillor Chris Sutton
Councillor Laurie Testoni
Councillor Dino Zappacosta

Against

The division was declared PASSED by 10 votes to 0.

3 CONFIRMATION OF MINUTES

22/108

RESOLVED on the motion of Councillors Melissa Marin and Chris Sutton that the minutes of the Ordinary Meeting of Council held in Griffith City Council Chambers on 12 April 2022, having first been circulated amongst all members of Council, be confirmed.

For

Councillor Doug Curran
Councillor Simon Croce
Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Anne Napoli
Councillor Christine Stead
Councillor Chris Sutton
Councillor Laurie Testoni
Councillor Dino Zappacosta

Against

The division was declared PASSED by 10 votes to 0.

4 BUSINESS ARISING

Floodplain Management Australia National Conference 2022

Mayor Doug Curran advised that Councillor Chris Sutton will be attending the Floodplain Management Australia National Conference 2022 in place of Councillor Dino Zappacosta who is unable to attend.

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 Anne Napoli

CL02 – General Amendment – Griffith Local Environmental Plan 2014

Reason – Close member of Councillor Napoli's family and herself own properties in the letter of objection to this Report.

Councillor Anne Napoli

CL03 – Funding for Yoogali McCormack Road Levee and Culvert Upgrades Project

Reason – Councillor Anne Napoli owns a property along McCormack Road.

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

CL04 – Funding Hanwood Levee and Road Reserve

Reason – Councillor Zappacosta owns several businesses in Hanwood.

6 PRESENTATIONS

Nil

7 MAYORAL MINUTES

Nil

8 GENERAL MANAGER'S REPORT

CL01 DA 284/2021 - AFFORDABLE HOUSING DEVELOPMENT - NEW GENERATION BOARDING HOUSE OF FOURTEEN (14) BOARDING ROOMS IN TWO (2) BUILDINGS WITH ASSOCIATED CAR PARKING WITH A BUILDING CONTAINING A COMMUNAL SPACE AND MANAGER'S ACCOMMODATION

Director, Phil Harding advised an amendment had been made to the draft Conditions of Consent where a standard condition regarding maintenance was omitted. A copy of the amendment was provided to the Councillors prior to the commencement of the Meeting.

The applicants, Warwick Stimson and Namish Patel were present in the public gallery and advised they are aware of the amendment and had no objection.

22/109

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

- (a) Council as consent authority pursuant to Section 4.16(1)(a) of the Environmental Planning & Assessment Act, 1979 grant development consent for the construction of an Affordable Housing Development being the construction of a new generation boarding house consisting of 14 boarding rooms, manager's room and communal space for occupants, in three buildings at Lot 4 DP 1222336, No 4 Belford Road Griffith
- (b) Development Application 284/2021 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 Doug Curran
Councillor Simon Croce
Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Anne Napoli
Councillor Christine Stead
Councillor Chris Sutton
Councillor Laurie Testoni
Councillor Dino Zappacosta

Against

The division was declared PASSED by 10 votes to 0.

Councillor Anne Napoli left the meeting having declared a Pecuniary Interest, the time being 7:11 pm.

CL02 GENERAL AMENDMENT - GRIFFITH LOCAL ENVIRONMENTAL PLAN 2014

22/110

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

- (a) Council endorse the Planning Proposal set out in Attachment (a) that seeks a General Amendment to the Griffith Local Environmental Plan 2014;
- (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;
- (c) Should Gateway Determination 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 the submissions at an Ordinary Meeting before the planning proposal is re-submitted to the Department of Planning and Environment for consideration and final assessment.

For

Councillor Doug Curran
Councillor Simon Croce
Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Christine Stead
Councillor Chris Sutton
Councillor Laurie Testoni
Councillor Dino Zappacosta

Against

The division was declared PASSED by 9 votes to 0.

Councillor Anne Napoli remained out of the meeting having declared a further Pecuniary Interest.

CL03 FUNDING FOR YOOGALI MCCORMACK ROAD LEVEE AND CULVERT UPGRADES PROJECT

22/111

RESOLVED on the motion of Councillors Simon Croce and Laurie Testoni that:

- (a) Council endorse the \$1,040,000 funding and allocate 1/3 (\$346,667) Council's contribution toward the Yoogali McCormack Road Levee and Culvert Upgrades Project.
- (b) The Mayor and General Manager to sign and return the Funding Agreement.

For

Councillor Doug Curran
Councillor Simon Croce
Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Christine Stead
Councillor Chris Sutton
Councillor Laurie Testoni
Councillor Dino Zappacosta

Against

The division was declared PASSED by 9 votes to 0.

Councillor Anne Napoli returned to the meeting, the time being 7:24 pm.

CL04 FUNDING FOR HANWOOD LEVEE AND ROAD RAISING

22/112

RESOLVED on the motion of Councillors Dino Zappacosta and Chris Sutton that:

- (a) Council endorse the \$1,240,000 funding and allocate 1/3 (\$413,334) Council's contributions towards the Hanwood Levee and Road Raising Project.
- (b) The Mayor and General Manager to sign and return the Funding Agreement.

For

Councillor Doug Curran
Councillor Simon Croce
Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Anne Napoli
Councillor Christine Stead
Councillor Chris Sutton
Councillor Laurie Testoni
Councillor Dino Zappacosta

Against

The division was declared PASSED by 10 votes to 0.

9 INFORMATION REPORTS

Nil

10 ADOPTION OF COMMITTEE MINUTES

MINUTES OF THE LAKE WYANGAN & CATCHMENT MANAGEMENT COMMITTEE MEETING HELD ON 5 APRIL 2022

22/113

RESOLVED on the motion of Councillors Chris Sutton and Manjit Singh Lally that the recommendations as detailed in the Minutes of the Lake Wyangan & Catchment Management Committee meeting held on 5 April 2022 be adopted.

For

Councillor Doug Curran
Councillor Simon Croce
Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Anne Napoli
Councillor Christine Stead
Councillor Chris Sutton
Councillor Laurie Testoni
Councillor Dino Zappacosta

Against

The division was declared PASSED by 10 votes to 0.

11 BUSINESS WITH NOTICE – RESCISSION MOTIONS

Nil

12 BUSINESS WITH NOTICE – OTHER MOTIONS

Nil

13 OUTSTANDING ACTION REPORT

22/114

RESOLVED on the motion of Councillors Melissa Marin and Manjit Singh Lally that the report be noted.

For

Councillor Doug Curran
Councillor Simon Croce
Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Anne Napoli
Councillor Christine Stead
Councillor Chris Sutton
Councillor Laurie Testoni
Councillor Dino Zappacosta

Against

The division was declared PASSED by 10 votes to 0.

14 MATTERS TO BE DEALT WITH BY CLOSED COUNCIL

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

Set out below is Section 10A(2) of the Local Government Act 1993 in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than Councillors)**
- (b) the personal hardship of any resident or ratepayer**
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business**
- (d) commercial information of a confidential nature that would, if disclosed:**
 - (i) prejudice the commercial position of the person who supplied it, or**
 - (ii) confer a commercial advantage on a competitor of the Council, or**
 - (iii) reveal a trade secret**
- (e) information that would, if disclosed, prejudice the maintenance of law**
- (f) matters affecting the security of the Council, Councillors, Council staff or Council property**

- (g) **advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege**
- (h) **information concerning the nature and location of a place or an item of Aboriginal significance on Community land.**
- (i) **alleged contraventions of any code of conduct requirements applicable under section 440 of the Local Government Act 1993.**

22/115

RESOLVED on the motion of Councillors Christine Stead and Anne Napoli 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)] as outlined above.
- (c) The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

For

Councillor Doug Curran
Councillor Simon Croce
Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Anne Napoli
Councillor Christine Stead
Councillor Chris Sutton
Councillor Laurie Testoni
Councillor Dino Zappacosta

Against

The division was declared PASSED by 10 votes to 0.

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

CC01 TENDER NO. 14-21/22 - PROVISION OF TOWN PLANNING AND BUILDING SURVEYING PRACTITIONERS

Reason: Commercial Advantage 10A(2)(d)

Council closed its meeting at 7:31 pm. The public and media left the Chamber. Livestream was disconnected.

REVERSION TO OPEN COUNCIL

22/116

RESOLVED on the motion of Councillors Simon Croce and Anne Napoli that Open Council be resumed.

For

Councillor Doug Curran
Councillor Simon Croce
Councillor Jenny Ellis

Against

Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Anne Napoli
Councillor Christine Stead
Councillor Chris Sutton
Councillor Laurie Testoni
Councillor Dino Zappacosta

The division was declared PASSED by 10 votes to 0.

Open Council resumed at 7:41 pm. Livestream was reconnected.

Upon resuming open Council the Acting General Manager reported that the following resolutions had been made in Closed Council:

MATTERS DEALT WITH IN CLOSED COUNCIL

CC01 TENDER NO. 14-21/22 - PROVISION OF TOWN PLANNING AND BUILDING SURVEYING PRACTITIONERS

22/117

RESOLVED on the motion of Councillors Christine Stead and Laurie Testoni that:

- (a) Council accept the following tenders to appoint to a Panel of Town Planning and Building Surveying Practitioners under Tender 14-21/22 for a period of three (3) years, commencing 12 April 2022, expiring 12 April 2025 with an option to extend for a further two years.

Town Planning:

1. PSA Consulting Australia;
2. Patch Planners Pty Ltd;
3. Paris Plan URP;
4. Currajong Pty Ltd;
5. Habitat Planning;
6. Clement and Reid Pty Ltd;
7. Barker Ryan Steward Pty Ltd
8. Building and Environmental Services Today Pty Ltd (BEST);
9. Barnson Pty Ltd;

Building Surveying:

10. Hendry Group Pty Ltd
11. Blackett Maquire Goldsmith Pty Ltd;
12. Building and Environmental Services Today Pty Ltd (BEST);
13. Barnson Pty Ltd;

- (b) Council continue to source Contractors through Local Government Appointments (LOGO) as procured under "Local Government Procurement Approved Contractors" HR – Permanent & Assoc. Services (LPG808-3).

For

Councillor Doug Curran
Councillor Simon Croce
Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Anne Napoli
Councillor Christine Stead

Against

Councillor Chris Sutton
Councillor Laurie Testoni
Councillor Dino Zappacosta

The division was declared PASSED by 10 votes to 0.

There being no further business the meeting terminated at 7:44 pm.

Confirmed:

CHAIRPERSON

CLAUSE	CL01
PROPOSAL	DA 309/2021 - USE OF LAND AS A FUNCTION CENTRE FOR UP TO 12 INDIVIDUAL EVENTS IN ANY CALENDAR YEAR
PROPERTY	Lots 678 and 679 DP 39618; Nos. 114 – 116 Mallinson Road
LOCATION	Lake Wyangan
ZONING	RU4 Primary Production Small Lots
APPLICABLE PLANNING INSTRUMENT	Griffith Local Environmental Plan, 2014
EXISTING DEVELOPMENT	Dwelling, Orchard, Agritourism Development under construction including cellar door
APPLICANT	P & R Piccolo Family Trust T/A Piccolo Family Farm
OWNER	Peter & Rosa Piccolo
DIRECTORS OF COMPANY (IF APPLICABLE)	Peter & Rosa Piccolo
APPLICATION DATE	23 November 2021
REASON FOR REFERRAL FROM	Objections received during notification of the application
TRIM REF	Kerry Rourke, Development Assessment Planner 22/35047

SUMMARY

Proposal

- The applicant to use the land to hold up to 12 events for agritourism purposes, in any calendar year. Previously limited time approval has been given for up to five events in any calendar year and the proponents seek to expand this to a permanent event calendar.
- Proposed events include afternoon to early evening concerts (e.g. Day in the Orchard, Opera in the Garden), produce markets and long lunch style activities.
- The matter is referred to the Ordinary Meeting of Council for determination on the basis of objections received during the neighbour notification.
- It is recommended that the application be approved based on the details contained in report and attached conditions of consent.

RECOMMENDATION

- (a) Council as the consent authority pursuant to Section 4.16(1)(a) of the Environmental Planning & Assessment Act, 1979, grant consent to Development Application 309/2021 for the use of land as a function centre for up to 12 events in a calendar year, at Lots 678 & 679 DP 39618; 114 – 116 Mallinson Road Lake Wyangan, subject to conditions including those set out in Attachment A of this report.
- (b) Development Application 309/2021 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 Councillors' votes in relation to this matter.

REPORT

Main Issues

Objections were received during the notification of the application relating to noise, traffic and the condition of Mallinson Road, and number of proposed patrons in attendance.

Type of Development

Local

SITE DESCRIPTION

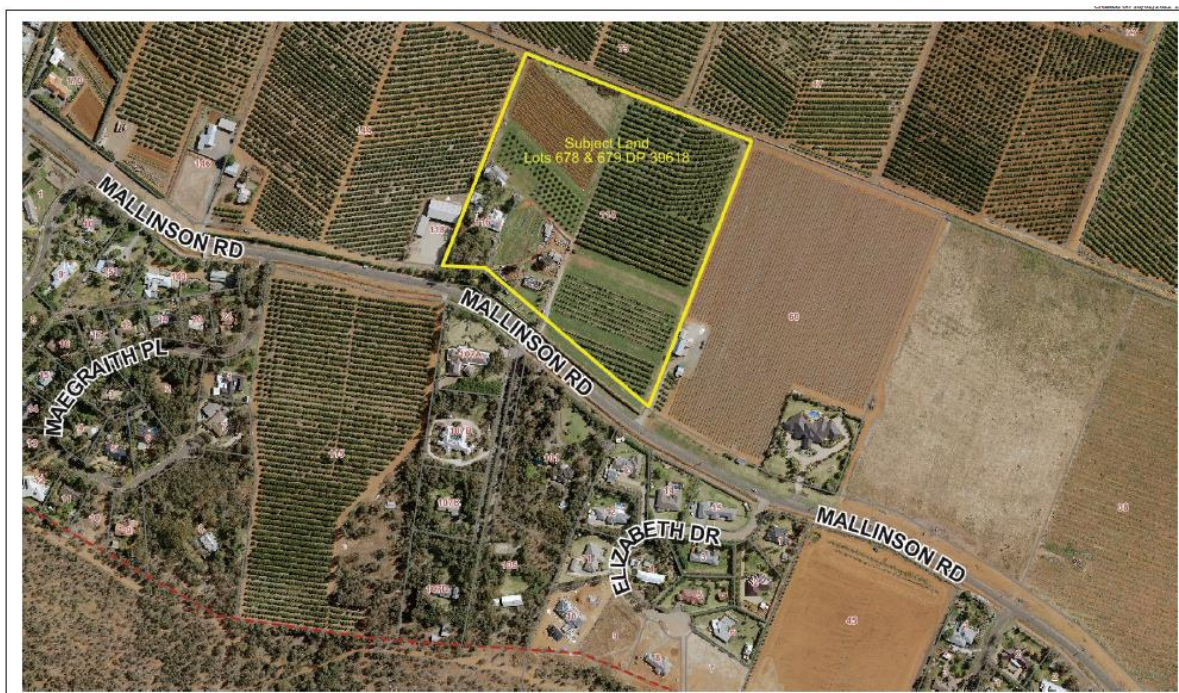
The subject site is located on the northern side of Mallinson Road approximately midway between Elizabeth Drive and Maegraith Place, Lake Wyangan. The development site comprises of two parcels of land being Lots 678 and 679 DP 39618, Nos. 114-116 Mallinson Road. The land has a frontage of approximately 296 metres to Mallinson Road and has an area of 8.87 hectares.

The land falls toward the north or rear of the site and is presently used for primary production purposes involving horticulture. Several small farm machinery sheds stand within the boundaries of the site and there is a dwelling set amongst landscaped gardens on Lot 678. A building has been constructed for the purpose of cellar door sales along with an administration and amenity building for the approved farm stay accommodation approved under DA 174/2020.

The locality generally comprises of two distinct land uses, primary production (horticulture) on the northern side of Mallinson Road with associated dwellings, farm machinery and fruit packing sheds. The southern side of Mallinson Road is essentially rural residential in nature with dwellings on lots typically greater than 3000m².

The adjoining development to the west comprises a packing shed. The lot to the east comprises of farm machinery sheds and workers' quarters. Development directly opposite the site comprises single dwellings. The boundary of these properties is approximately 65 metres from the proposed activity and the dwellings on these adjoining lots are approximately 65 - 150 metres from the entrance to the proposed development.

LOCATION MAP



BACKGROUND

Site History

The recent development history of the subject site has been established following research of Council's electronic data management system and research of Council's physical archives. Based on the information available the following can be established:

- DA 174/2020 – Farm Stay Accommodation, Administration building & use of a farm building as a cellar door (approved by Council)
- DA 19/2019 – Use of Land for Tourism Events (approved by Council)
- DA 229/2017 – use of land for events (approved by Council)
- DA 193/2017 – Shed (approved)
- DA 117/2017 – Luncheon Event (approved)
- DA 116/2017 – Luncheon Event (withdrawn)
- DA 2016/12 – Church Service Building & temporary Marquees (refused by Council)

PROPOSAL IN DETAIL

It is proposed to use the land as a function centre to allow up to 12 individual events in a calendar year without the setting of prescriptive dates for events so that those dates are locked in as per previous consents. The hours of operation are proposed to extend from 10am through to 8pm as necessary, with two events capped at 500 patrons and the use of a temporary stage in a festival like setting. The remainder of events would be capped at 100 – 300 patrons and would not include a stage or large amplification system.

The Statement of Environmental Effects provides:

In recent years the Piccolo Family Farm has successfully hosted a number of tourism events on the property and it is considered a regional agritourism destination which supports the local community through attracting tourism and supporting other businesses such as tour guides, restaurants, wineries, food producers and local farmers. This development application seeks the ongoing approval to continue to hold similar events at the property in perpetuity. These events place a specific focus on regional and locally sourced seasonal food, locally produced wine, beer, spirits and produce, providing visitors with an authentic paddock to plate experiences and events.

The proposal is seeking approval for up to twelve (12) events each calendar year with attendance ranging from 100 – 500 people. The Piccolo Family Farm are requesting flexibility in the allocation of the dates in which these events can be held. This is requested as unforeseen circumstances require rescheduling of events, which would contradict the approved set dates and require applications to modify the approval, of which is often unfeasible due to time constraints and event planning considerations. The past events have operated without any detrimental or lasting impacts on the environment or amenity of Mallinson Road and surrounds. The Piccolo Family Farm has proven over the years that the site can easily cater for events up to 500 people without impacting the amenity of neighbouring residents.

The events would be held from 10:00 am to 8:00 pm with an additional one hour “bump out” period for staff to tidy and close the site. No amplification would be permitted after 8:00 pm. Events will be held on weekends, with some smaller events during the week. Although these represent the maximum hours of operation, it is expected that autumn and winter long lunches and smaller events would end at 6:00pm in most instances – similar to previous events held.

The type of events previously operated include a Day in the Orchard, Opera in the Garden & Country Music concert events and several long lunches for general attendance and associated with a Taste of the Riverina Heritage Train events, all with development approval, and operated generally in compliance with conditions of consent.

Events will largely be held on 114 Mallinson Rd however Number 116 Mallinson Rd is included in the application as an existing shed will be utilised during some events as there are toilets located in that structure. The main concert event area will be fenced for security purposes with an entry point adjacent to the overflow parking area as illustrated below.



ASSESSMENT UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

In determining a development application, a consent authority is to take into consideration Section 4.15 of the Environmental Planning and Assessment Act, 1979. The following matters are of relevance to the development the subject of the development application.

SECTION 4.15 (1)(a)(i) any environmental planning instrument

Griffith Local Environmental Plan 2014

(a) Permissibility

The proposed development is for Use of Land as Function Centre for up to 12 outdoor events in any calendar year where this falls under the definition of *function centre* in the Dictionary of Griffith Local Environmental Plan 2014, which is defined as:

function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

The subject land is zoned RU4 Primary Production Small Lots and under Part 2 Land Use Table of Griffith Local Environmental Plan 2014 a *function centre* is development that can only permitted with the consent of Council. On this basis the proposed development is considered permissible.

(b) Aims and Objectives

The proposed development has been considered with regard to the aims of Griffith Local Environmental Plan 2014 as set down in Part 1, clause 1.2(2) which states:

- (a) *to prevent unnecessary urban sprawl by promoting business, industrial, rural and residential uses within and adjacent to existing precincts related to those uses,*
- (b) *to minimise land use conflict in general by creating areas of transition between different and potentially conflicting land uses,*
- (c) *to provide a variety of development options to meet the needs of the community with regard to housing, employment and services,*
- (d) *to manage and protect areas of environmental significance,*
- (e) *to recognise the historical development of the area and to preserve heritage items associated with it.*

The objectives for Zone RU4 Primary Production Small Lots set down in the Land Use Table are as follows:

- To enable sustainable primary industry and other compatible land uses.
- To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To enable function centres, restaurants and appropriate forms of tourist and visitor accommodation to be developed in conjunction with agricultural uses.
- To protect and retain land for sustainable and viable intensive plant agriculture, particularly horticulture, viticulture and irrigation farms for specialised agriculture that can take advantage of high land quality and the availability of a reliable water supply.

Council has made a strategic decision to permit function centres in rural zoned locations so that agritourism business can grow based on the predominant agricultural development in the region. The site has been successfully utilised for this purpose on a temporary basis in the past and the equivalent of one event a month is considered to be a reasonable form of development in association with the existing agricultural ventures.

(c) Principal Development Standards & other relevant LEP Provisions

The relevant clauses of the Griffith Local Environmental Plan 2014 are addressed as follows:

Clause	Clause Requirement & Assessment Comment
5.20 Standards that cannot be used to refuse consent – playing and performing music	<p><i>Applicable</i></p> <p>(1) The consent authority must not refuse consent to development in relation to licensed premises on the following grounds—</p> <p>(a) the playing or performance of music, including the following—</p> <ul style="list-style-type: none"> (i) the genre of music played or performed, or (ii) whether the music played or performed is live or amplified, or (iii) whether the music played or performed is original music, or (iv) the number of musicians or live

Clause	Clause Requirement & Assessment Comment
	<p>entertainment acts playing or performing, or</p> <p>(v) the type of instruments played,</p> <p>(b) whether dancing occurs,</p> <p>(c) the presence or use of a dance floor or another area ordinarily used for dancing,</p> <p>(d) the direction in which a stage for players or performers faces,</p> <p>(e) the decorations to be used, including, for example, mirror balls, or lighting used by players or performers.</p> <p>(2) The consent authority must not refuse consent to development in relation to licensed premises on the grounds of noise caused by the playing or performance of music, if the consent authority is satisfied the noise may be managed and minimised to an acceptable level.</p> <p>(3) In this clause— licensed premises has the same meaning as in the Liquor Act 2007.</p> <p>Assessment Comment: For the purpose of this clause, the land is licensed during the proposed events. The proponent provides that amplified music would be controlled and not exceed 55dB(A) at property boundaries, with events ending by 8pm, and this would apply to the two music events for up to 500 patrons.</p> <p>The application Statement of Environmental Effects provides the following:</p> <p><i>The following noise mitigation measures will be implemented to ensure noise is at or below the prescribed noise level:</i></p> <ul style="list-style-type: none"> • <i>Siting the stage to be as far away from sensitive receivers as possible including future receivers in the Lake Wyangan Growth Area.</i> • <i>Orienting speakers away from neighbouring dwellings</i> • <i>Limiting bass levels and prescribing a maximum sound output level.</i> • <i>Providing contact information for the event coordinator to neighbours who can call and register complaints.</i> • <i>Only nominated people are permitted to use the PA system</i> • <i>Speakers to be mounted at a downward 45 degree angle</i> • <i>Speakers are low mounted</i> • <i>Potential use of a sound level limiter to ensure the maximum noise level could not be exceeded regardless of volume control of</i>

Clause	Clause Requirement & Assessment Comment
	<p><i>sound level of voices.</i></p> <p><i>The time of events has also been limited to ensure the possibility of sleep disturbance for neighbours is negated. All amplification would cease at 8:00 pm for larger events.</i></p> <p>As there have been noise complaints previously in relation to amplified live music events (2019) it is recommended that the hours of operation on a Sunday or a public holiday for such events, cease at 6:00pm.</p>
7.10 Essential Services	<p><i>Applicable - Objectives of Clause</i></p> <p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—</p> <ul style="list-style-type: none"> (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable vehicular access. <p>Assessment Comment: No new structures are proposed in this application however it relies on the use of existing structures and other items to be brought in for the events as necessary, such as portable amenities, temporary stage and amplification system and the like. Electricity is available to the site for use during events as is reticulated water.</p> <p>Stormwater management conditions are in place via existing consents for existing structures to be utilised via this application.</p> <p>Access and egress are considered to be suitable with forward egress for the life of the development. There is to be no parking within the road reserve, parking is to be provided on site along with drop off and pick up areas.</p>

The proposal does not contravene any relevant provision of the Griffith Local Environmental Plan.

SECTION 4.15 (1)(a)(iii) any development control plan

The following is a list of development control plans that apply to the Griffith City Council area. The table also identifies the applicability of the policy with respect to the subject

development proposal. Where a policy has been identified as being applicable, further assessment is provided.

DCP No.	DCP TITLE	APPLIES
DCP No. 1	Non-Urban Development	Yes
DCP No. 3	Industrial Development	No
DCP No. 11	Urban Subdivision	No
DCP No. 19	Mixed Development	No
DCP No. 20	Off Street Parking Policy	Yes
DCP 2020	Residential Development Control Plan	No

DCP 1 – Non-Urban Development

The General Aims of the DCP are:

- To position developments in the most suitable location to achieve site integration, efficiency in the operation of the development, physical comfort and sustainable natural resource management.*
- To ensure residential and non-residential development is of a type, scale and character, which will maintain an acceptable level of amenity in the urban-rural fringe.*
- To ensure residential and non-residential development does not impact adversely on adjoining properties in terms of noise, air and water emissions, traffic movements and visual impact.*
- To encourage ecologically sustainable development principals in rural-residential development.*
- To allow for the conservation and use of wetlands and water bodies for conservation, education and nature based recreation and research.*
- To ensure that changes in land use within the Lake Wyangan Drainage Catchment from irrigated horticulture to rural residential development will not adversely alter the flow of water into the wetlands.*

Assessment Comment: The proposal is not inconsistent with the general aims of the DCP; the use is intermittent and mainly held during the daytime or early evening when residents in the neighbourhood are still actively going about their day. It is unlikely that the operation of the development will result in harmful impacts on the surrounding rural residential neighbourhood resulting in sleep disturbance or similar adverse social impacts.

The provisions of this development control plan relate primarily to new construction work and there is no construction per se proposed in this development application. The only relevant section for this application pertains to Site Access and is addressed as follows:

Table Two – Development other than subdivision of Non-Urban Lands	
DCP provision	Assessment Comment
Site Access <ul style="list-style-type: none"> Where the access way connects to a sealed road, the access way and suitable tapers are to be bitumen sealed or equivalent hard surface between the property boundary and the road carriageway. In 1(a) Rural and 1(b) Rural Agricultural Protection zones, where the access connects to a sealed Council road (except arterial roads) 	<p>The existing driveway entry to the site is constructed in concrete under DA 19/2019 and the internal driveway is all weather construction, with the width allowing two way vehicle movement.</p> <p>Mallinson Road is a bitumen seal formation.</p>

<p>and there is no change to the agricultural utilization and/or no additional access points to existing dwellings and the access ways are well constructed and maintained, bitumen sealing will not necessarily be imposed. (Note: Should the development change, then the situation should be reviewed.)</p> <p>Driveways shall be a minimum of six (6) metres wide between the edge of the road carriageway and the property boundary. Internal driveways shall be a minimum of three (3) metres wide.</p>	
<p>Table 6 – Additional Provisions for Development other than subdivision in Lake Wyangan This table isn't addressed in this assessment as no permanent structures are proposed in this application.</p>	

DCP 20 – Off Street Parking Policy

Griffith City Council requires that off-street car parking be provided to meet the needs of the proposed use and that car parking is designed to meet the relevant code and standards set at the Local, State and Federal levels. This DCP excludes any parking arrangement within a street reserve.

The objectives of DCP 20 are as follows:

- (a) *To ensure that safe and sufficient parking for all modes of transport is provided to meet anticipated demands*
- (b) *To improve the design and quality of the urban environment.*
- (c) *Ensure equitable access for people with disabilities.*
- (d) *To facilitate alternative modes of transportation.*
- (e) *To encourage re-development within the CBD precincts (Map 1)*

Assessment Comment: The DCP provides that Function Centres be provided with 1 space per 5m². The main event area proposed in this application has an area of approximately 7,437m², and this proposal doesn't warrant the provision of 1,487 car spaces which would be the DCP requirement.

The application proposes two events a year capped at 500 patrons and the remaining 10 events capped at 300 patron, with a hardstand parking area for 100 vehicles and a grassed over flow area also capable of holding up to 100 vehicles. Previous event approvals (i.e. 19/2019) required 150 car spaces be provided, this application proposes an additional 50 spaces on that previous approval and conditions of consent are imposed in that regard.

The following is provided the in the application Statement of Environmental Effects:

Given that the proposal is for the use of the land for events held outdoors, this floor area based control wouldn't give an accurate parking indication. Past events including a Day on the Orchard have seen a maximum of 100 vehicles requiring parking. This has been provided in the middle parking area which includes a road base surface. The Applicant proposes to continue to utilise this area for 100 parking spaces and utilise the upper cleared area for overflow parking if required. The upper area has enough room for over 100 additional parking spaces. The lower area has been avoided as it does not drain as well and could be problematic during wet weather.

The six parking spaces allocated for the regular operation of the cellar door would be used for drop off and pick up spaces during events. Traffic Marshalls would direct cars into the parking areas and ensure the correct spacing is achieved to house 100 parking spaces. Parking would be evenly spaced to ensure a clearance area of 2.6 m x 5.5 m is available in accordance with the DCP.

The provision of two hundred car spaces on site with the option for drop off and pick up, by both car and bus within the property is considered to be a reasonable parking provision in this instance and is consistent with the previous event application approved over the site. Conditions are included in relation to the provision of a Traffic Management Plan along with marshalling and no on road parking within Mallinson Road. The benefit of previous short term approvals over this land have allowed Council to monitor the activities without the need for compliance action.

The conditions imposed provide surety for Council that there is adequate on-site parking based on the nature of the events to take place on the property. The proposal is considered to achieve the aims of this DCP.

SECTION 4.15 (1) (d) any submissions made in accordance with the Act or the Regulations

The provisions of the Environmental Planning and Assessment Act 1979 the Environmental Planning and Assessment Regulation 2021 and Community Participation Plan set down consultation, concurrence and advertising requirements for specific types of development applications and taking into consideration any submissions received in response to the notification process.

In addition to the statutory referral process identified in Part F of this report, the notification of the development included the following:

Notification Description	Required	Submission Period
Publication in Council Catch-Up and on Facebook	Yes	3 – 17 December 2021
Letters to Neighbours	Yes	3 – 17 December 2021

External Referrals	Date Sent	Date Received
Murrumbidgee LLS	NA	
Murrumbidgee Irrigation	NA	
NSW Police (LAC)	NA	

Following the closure of the notification period, Council received two submissions objecting to the development application raising the following issues:

Issue / Applicant Response / Council Assessment Comment
<p>Issue 1 – 12 events a year are too many</p> <p>Applicant Response: <i>After a review of the submissions, it appears that the concerns raised have been addressed in the Statement of Environmental Effects provided with the development application. The proposal is permissible with development consent in the zone and the Piccolo Family Farm has held similar events with development consent with only a few minor issues on several occasions.</i></p> <p><i>Agritourism, including the events which are held on the site should be encouraged and supported by Council to promote the region.</i></p> <ul style="list-style-type: none"> <i>The Applicant does not wish to time-limit the development consent. Through adequate event management, noise restrictions and adherence to proposed hours of operation, the</i>

potential ongoing impact of the proposal can be managed.

Council Assessment: previous approvals have been issued over this property for limited events, up to 5 per year. There has been no significant issues arising from the use of the land other than compliance action undertaken in May 2019 for noise, traffic issues and event finishing after approved time for the event 'Day in the Orchard'.

The parking is proposed to be within the property along with drop off and pick up by both bus and passenger vehicle. Buses will be able to turn around on site to exit the property on site as will other vehicles.

The use is generally considered to be low key as a function centre with twelve (12) functions a year - two major events capped at 500 patrons and 10 minor events capped at 300 patrons; that is essentially one a month which is considered reasonable in this location.

Issue 2 – extra traffic

Applicant Response: *Traffic can be managed within the site as part of the Plan of Management. Adequate traffic management measures have been proposed to ensure event goers can access the site, be dropped off or park internally and leave without detrimentally impacting the neighbours' amenity.*

- *Mallinson Road is a relatively quiet road with limited traffic. It is not expected that the expected traffic during events would detrimentally impact the level of service or efficiency of the road.*

Council Assessment: The application has been assessed by Council staff and previous consents for similar events have been issued in recent years with monitoring for issues arising. The use is intermittent throughout the year and traffic generation is not considered to be sufficiently significant for this proposal that pavement widening in the road reserve is warranted. The driveway entry has been upgraded with concrete construction within the road reserve in accordance with conditions of consent issued under DA 19/2019 which has widened the entry to allow both ingress and egress of vehicles in a forward direction.

Issue 3 – Noise

Applicant Response: *The Applicant has proposed restricted hours of operations to ensure sleep disturbance of neighbours does not occur. Further, noise levels during events with amplification would be restricted and controlled by a sound engineer.*

Council Assessment: Council can condition maximum noise levels during events as occurred with previous approvals along with limited hours of operation. Conditions of consent will ensure no event will be held after 8pm Monday through Saturday with reduced hours on Sunday and Public Holidays, to cease at 6:00pm.

Further, Clause 5.20 of the Griffith Local Environmental Plan sets out provisions under which Council cannot refuse an application on a licensed premises (which this site will be during an event), with regard to the playing of music. Conditions have been imposed in relation to noise and limiting output to 55dBA.

It is acknowledged that there will be some noise when patrons leave the site however the hours of operation are not beyond 9pm on either a week night or a Saturday.

Issue 4 – Number of Guests

Applicant Response: *The Applicant have capped the proposed attendee numbers and hours of the events having direct and genuine regard for their neighbours.*

Council Assessment: Council has previously approved the use of the site for similar events and there have been no issues with the number of patrons. The larger events will be ticketed and so limitations will be set in that regard. It has been noted that previous operations have included patron counts as they enter and leave the site for some of the smaller events, such as the recently held farmers market.

Issue 5 – Unlimited time frame for approval

Applicant Response: *Agritourism, including the events which are held on the site should be encouraged and supported by Council to promote the region.*

- *The Applicant does not wish to time-limit the development consent. Through adequate event management, noise restrictions and adherence to proposed hours of operation, the potential ongoing impact of the proposal can be managed.*

Council Assessment: There have been two similar applications previously reported to Council for event activities at this site. In regard to DA 19/2019 the following was noted in the Council report:

When considering the previous Development Application (DA 229/2019), the applicant flagged their intention to lock in tourist based events by fixing future dates. In approving the previous application, Council took the precautionary approach by granting a twelve month consent for the 2018 calendar year only. The purpose of this was to enable Council to monitor the impact and revise conditions should problems arise. The events conducted in 2018 did not generate any complaint and based on past performance there is a reasonable basis to extend the consent period to include five (5) events each year for the next three (3) years.

DA 19/2019 was approved for the five (5) events for a three (3) year period (extended by COVID-19 Ministerial provisions to cover events in 2022). There was one noted noise complaint as a result of the first event held under that consent for which compliance action was taken.

Locking in dates to a limited time consent would likely mean numerous modification applications to Council, each to be notified and reported to Council if there are submissions objecting, which given past history is highly likely, though the number of submissions has reduced with each application.

Not limiting dates also provides the applicant with flexibility to hold one event a month or a number of consecutive events with a longer break in between functions. This approach is consistent with other event approvals issued in the City.

SECTION 4.15 (1) (e) the public interest

The provisions of section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 provides an overarching requirement to take into account the public interest. It is considered that the public interest is best served by the consistent application of the requirements of the relevant Commonwealth and State government legislation, environmental planning instruments, development control plan, Council policy, and by Council ensuring that any adverse effects on the surrounding area and the environmental are avoided or can be mitigated. The proposed development application has been considered in relation to relevant environmental planning instruments, and deemed to be acceptable.

On 12 December 2017 Council adopted the Events Policy and Decision Tool (CS-CP-501) which came into effect on 1 January 2018. The application has considered the key aspects of the policy:

- The proposed events fall within the category of a non-private event whereby organisers of the event will obtain a gain.
- The non-private event is being held on private land.
- Although the applicant is seeking to hold twelve (12) events in a calendar year, the actual use of the land is considered infrequent. The policy enables up to a maximum of 12 events in any year with no more than three events in any particular month. The proposed development includes two events of up to 500 people and the remaining events of up to 300 patrons.
- Events may require the erection of marquees or similar temporary structures. The erection and the size of these structures will need to accord with the provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Any larger size would require the submission of a separate development application.
- Events may provide entertainment in the form of pre-recorded and particularly in the case of the *Day in the Orchard* type larger events will also include live music.
- As alcohol will be served with meals or at the concert events, a liquor licence may be required. The applicant is aware of licensing obligations.
- The hours of operation are during daytime / early evening hours and the functions will operate between 10.00am and 8.00pm, except Sunday and public holidays which will be limited to 6.00pm.
- The nearest residential receptor not associated with the development (measured from the boundary of the development site to the receptor) is approximately 65 metres. The noise restrictions for the event are aimed to minimising nuisance to neighbours within 250 metres – in this instance there are four. The noise mitigation measures set down in the policy are also designed for events that extend into the evening and night time periods.
- As reported to Council on 12 April, the Department of Planning and Environment (the Department) has introduced state-wide amendments to Local Environmental Plans to support agritourism. This proposal would meet the definition of farm experience premises under the wider agritourism definition proposed by the Department of Planning.

On the basis that the proposed development is considered to be consistent with the aims and objectives of Griffith Land Use Strategy: Beyond 2030; Griffith Local Environmental Plan 2014 and other relevant environmental planning instruments, development control plans or policies; and Land and Environment Court Planning Principles, it is therefore unlikely to raise any issues that are contrary to the public interest.

OPTIONS

OPTION 1

As per the Recommendation.

OPTION 2

Refusal to grant consent for reasons provided by Council.

OPTION 3

Any other recommendations.

POLICY IMPLICATIONS

There are no policy implications for Council.

FINANCIAL IMPLICATIONS

There are no financial implications for Council.

LEGAL/STATUTORY IMPLICATIONS

The applicant if dissatisfied with the determination may lodge a Section 8.7 review of determination application or lodge an appeal to the NSW Land and Environment Court.

ENVIRONMENTAL IMPLICATIONS

There are no reasonably anticipated environmental impacts as a result of this proposal.

COMMUNITY IMPLICATIONS

There are no reasonably anticipated community implications as a result of this proposal.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 6.5 Promote Griffith as a desirable visitor and tourism destination.

CONSULTATION

Senior Management Team, Director Sustainable Development, Planning & Environment Manager, Engineering Design & Approvals Manager, the applicant and the community through notification in accordance with the Community Participation Plan.

ATTACHMENTS

- (a) DA 309/2021 - Draft Conditions of Consent (under separate cover) ➡
- (b) DA 309/2021 - Site plans (under separate cover) ➡
- (c) DA 309/2021 - Plan of management (under separate cover) ➡
- (d) DA 309/2021 - Statement of environmental effects (under separate cover) ➡
- (e) DA 309/2021 - Submissions Objecting (under separate cover) ➡

CLAUSE	CL02
TITLE	Adoption of Plan of Management - Hyandra Precinct Parks
FROM	Daphne Bruce, Corporate Property Officer & Native Title Coordinator
TRIM REF	22/47435

SUMMARY

At the Ordinary Meeting of Council on 9 February 2021 it was resolved:

(a) Council refer the Draft Plan of Management for Hyandra Precinct Parks – Reserve 72195 part Apex Park, Reserve 89766 Lions Park, Reserve 86857 McKirdy Park and Council owned community land part Apex Park, Mallinson Park, part Robb Park and Wade Park (Griffith) to the Minister administering the Crown Land Management Act 2016 for approval.

(b) Upon approval from the Minister administering the Crown Land Management Act 2016 Council amend the draft Plan of Management for Hyandra Precinct Parks and place it on public exhibition as per Section 38 of the Local Government Act 1993.

(c) Council confirm it has considered Native Title Managers advice in relation to the Plan of Management for Hyandra Precinct Parks.

(d) A report be presented to Council to adopt the final Plan of Management for Hyandra Precinct Parks on completion of the public exhibition period and to consider all submissions.

The Plan of Management (PoM) was referred to the Minister Administering the Crown Land Management Act 2016 with approval granted to give public notice of the draft PoM for a period of 28 days allowing 42 days to received submissions.

No submissions were received.

RECOMMENDATION

- (a) Council adopt the Plan of Management for Hyandra Precinct Parks pursuant to Section 40 of the Local Government Act 1993 and in accordance with Section 3.23(6) of the Crown Land Management Act 2016.**
- (b) Council give public notice of the adoption of the Plan of Management for Hyandra Precinct Parks.**

REPORT

A delegate for the Minister Administering the Crown Land Management Act 2016 approved by letter dated 23 February 2022 (Attachment (a)), to place the draft Plan of Management (PoM) for Hyandra Precinct Parks on public exhibition (Attachment (b)) following some minor amendments.

The PoM includes Reserve 72195 Apex Park (Lot 2), Reserve 89766 Lions Park, Reserve 86857 McKirdy Park and Council owned community land, Apex Park (Lot 1), Mallinson Park, part Robb Park and Wade Park (Griffith).

The PoM was placed on public exhibition from 16 March 2022 for a period of 28 days allowing an additional 14 days to receive submissions as required under Section 38 of the Local Government Act 1993 (LG Act). No submissions were received.

Council can now proceed to adopt the PoM under clause 70B of the Crown Land Management Regulation 2018 following the public exhibition period.

OPTIONS

OPTION 1

As per the Recommendation.

OPTION 2

As determined by Council.

POLICY IMPLICATIONS

Not Applicable.

FINANCIAL IMPLICATIONS

Council initially received funding of \$70,036 provided by the NSW Government through the Plans of Management Funding Support Program in 2019 and Council contributed an additional \$60,000 in the 2021/22 budget with a balance of \$53,293 available. Council has engaged Ms Melva Robb to complete the PoM.

LEGAL/STATUTORY IMPLICATIONS

Local Government Act 1993

Part 2 Division 2 – Use and Management of community land

Crown Land Management Act 2016

Division 3.4 Crown land managed by councils

Crown Land Management Regulation 2018

Crown Land Management Amendment (Plan of Management) Regulation 2021

ENVIRONMENTAL IMPLICATIONS

All environmental implications were considered during the drafting of the PoM and past development of the land.

COMMUNITY IMPLICATIONS

The Community would expect Council to complete a PoM for all Crown Reserves and Council Land as is required for all community land under the CLM Act and LG Act.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 1.1 Provide clear and transparent communication to the community. 5.3 Plan for and provide sporting and recreational facilities to encourage an active lifestyle and wellbeing.

CONSULTATION

Senior Management Team
Melva Robb, Consultant

ATTACHMENTS

- (a) Letter - Department of Planning and Environment - Crown Lands (under separate cover) [!\[\]\(9a53fe79a03d38d8322f7a2c5a875b36_img.jpg\)](#)
- (b) Draft Plan of Management - Hyandra Precinct Parks (under separate cover) [!\[\]\(01f19d40f03100aa8a158c4891453b0d_img.jpg\)](#)

CLAUSE CL03**TITLE** Surrender of Licence Agreement with Melissa Sosso & New Licence Agreement with Melbergen Pastoral Co Pty Ltd as Trustee for Melbergen Farming Trust - Area 31 Dalton Park**FROM** Daphne Bruce, Corporate Property Officer & Native Title Coordinator**TRIM REF** 22/47746

SUMMARY

Melissa Sosso has a licence agreement to occupy Area 31 Dalton Park for the operation of Blue Pines Stables. Ms Sosso is selling her stables to Melbergen Pastoral Co Pty Ltd as Trustee for Melbergen Farming Trust, Directors Cheryl and Dale Standen, as of 30 June 2022 and request Council approval to surrender her licence. The current licence agreement will expire as of 31 December 2024.

Melbergen Pastoral Co Pty Ltd as Trustee for Melbergen Farming Trust is requesting Council approval to enter into a licence agreement for a term of 10 years.

Dalton Park is a Crown Reserve, Reserve 83393 of which Council is the appointed Crown Land Manager, to manage the reserve on behalf of the Crown.

RECOMMENDATION

- (a) Council approve the surrender of licence agreement with Melissa Sosso over part Lot 562 DP 751743, Area 31 Dalton Park as at 30 June 2022.
- (b) Council enter into a licence agreement with Melbergen Pastoral Co Pty Ltd as Trustee for Melbergen Farming Trust over part Lot 562 DP 751743, Area 31 Dalton Park, for a term of 10 years, commencing 30 June 2022.
- (c) Council advertise its intention to enter into a licence agreement with Melbergen Pastoral Co Pty Ltd over part Lot 562 DP 751743 for a period of 28 days. Should any submissions be received a report will be presented to Council for consideration.
- (d) Should no submissions be received, Council enter into a licence agreement with Melbergen Pastoral Co Pty Ltd as Trustee for Melbergen Farming Trust over part Lot 562 DP 751743, Area 31 Dalton Park, for a term of 10 years, commencing 30 June 2022.
- (e) Melbergen Pastoral Co Pty Ltd as Trustee for Melbergen Farming Trust pay all applicable costs and charges associated with the preparation of the surrender of licence and new licence agreement, together with Council's Administration Fee of \$467.
- (f) The licence fee be charged in accordance with Council's adopted Revenue Policy, currently \$628 (Incl. GST) per annum for the 2021/2022 financial year, together with the payment of rates and charges.

(g) Council authorise the Mayor and General Manager to execute all documents on behalf of Council under the Common Seal, if required.

REPORT

Melissa Sosso has held a licence agreement over Area 31 Dalton Park for a period of 6 years, which is due to expire as of 31 December 2024, and operates the Blue Pines Stables. Melissa is in the process of selling her stables to Melbergen Pastoral Co Pty Ltd as Trustee for Melbergen Farming Trust as at 30 June 2022.

The current licence agreement with Ms Sosso is due to expire as of 31 December 2024. Both parties have requested Council approval to surrender the current licence with Melissa Sosso and enter into a new 10 year term with Melbergen Pastoral Co Pty Ltd as Trustee for Melbergen Farming Trust.

Dalton Park is a Crown reserve, Reserve 83393 of which Council is the appointed Crown Land Manager to manage the reserve on behalf of the Crown. Dalton Park has the reserve purpose of Racecourse and Public Recreation.

There are no outstanding fees and charges in relation to the current licensing of Area 31 Dalton Park to Melissa Sosso.

Council is required to validate all activities on Crown reserves under their control for compliance with the Native Title Act 1993. Native title rights and interest cannot be extinguished contrary to the Native Title Act 1993. Council is to assume that Native Title exists on Crown land in Griffith until such time as a Federal Court determination of extinguishment.

It is assess that entering into a licence agreement with Melbergen Pastoral Co Pty Ltd as Trustee for Melbergen Farming Trust is consistent with the reserve purpose of Racecourse and Public Recreation and therefore satisfies Subdivision J.

J	Subdivision J deals with future acts done in good faith under or in accordance with a reservation, dedication, condition, permission or authority made on or before 23 December 1996 which require the land to be used for a particular purpose, or the future act otherwise had no greater an impact on native title than any act that could have been done that was under or in accordance with the reservation.
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Reserve 83393 was reserved from sale for the public purpose of Racecourse by Government Gazette 11 August 1961 and the addition of Public Recreation by Government Gazette 26 November 1982.

OPTIONS

OPTION 1

As per the Recommendation.

OPTION 2

As determined by Council.

POLICY IMPLICATIONS

Dalton Park – Areas of Responsibility PG-CP-101

FINANCIAL IMPLICATIONS

The current annual fee for Dalton Park private licenced areas is \$628 (Inc. GST) per lot plus payment of rates and water charges as per the adopted Revenue Policy 2021/2022.

Melbergen Pastoral Co Pty Ltd as Trustee for Melbergen Farming Trust will be responsible for payment of legal fees and charges associated with the preparation of the surrender document and new licence agreement, together with the payment of Council's Administration Fee, currently \$467.

The current licence agreement will not be formally surrendered until such time as the advertising period has been completed. Council will thereafter instruct its nominated solicitor to prepare the documents. There will be a continual occupancy until such time as the agreement is signed.

LEGAL/STATUTORY IMPLICATIONS

Crown Land Management Act 2016

Part 3 – Division 3.4 Crown land managed by councils

Local Government Act 1993

Section 47 – leases, licences and other estates in respect of community land – terms greater than 5 years.

ENVIRONMENTAL IMPLICATIONS

All environmental implications were considered as part of the development of Dalton Park as a racecourse and individual development applications for the construction of stables on the reserve.

COMMUNITY IMPLICATIONS

The community would expect Council to support the occupation of Dalton Park by persons involved in the horse industry whilst receiving an income for licensing of the land.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 5.3 Plan for and provide sporting and recreational facilities to encourage an active lifestyle and wellbeing.

CONSULTATION

Senior Management Team

ATTACHMENTS

(a)	Letter - Melissa Sosso ↓	39
(b)	Letter - Melbergen Pastoral Co ↓	40
(c)	Map - Area 31 ↓	41

27th April 2022
Griffith City Council
C/- Daphne Bruce
Corporate Property Officer & Native Title Coordinator
1 Benerembah Street
Griffith NSW 2680

Melissa Sosso
[REDACTED]

Dear Daphne,

As per our discussions, on the condition that Griffith City Council Approves Melbergen Pastoral Co Pty Ltd as Trustee for Melbergen Farming Trust ABN 77 571 710 947 Managed by the Trustee Ashlee Meginley of [REDACTED] as the new License holders for Lot 31 Dalton Park, please accept the following.

I Melissa Sosso of [REDACTED], effective as of the 30th ^{JUNE} ~~May~~ 2022, here by advise I am forfeiting the remaining term on my license for Lot 31 Dalton Park under the above mentioned condition so that Ashlee may have a full new license term.

I would like to take this opportunity to not that I have thoroughly enjoyed the privilege of being a licensee of Dalton Park and would like to thank you for my time there. It has genuinely enriched my life and I have long considered it as my personal "happy place". It is unique and I leave "Blue Pines Stables" as on of the shining centrepieces of Dalton Park. I thank Griffith City Council for maintaining such a wonderful facility and for being so good to me. I will also make special mention to Daphne for being my 'go to' for all inquiries and always being at the ready and efficient to deal with.

As of the 30th of May 2022, Ashlee Meginley has agreed to be responsible for all legal fees associated with the change of ownership and will going forward be taking over all costs associated with this license – rates, water, etc.

I wish Ashlee every happiness and kind regards as the new license holder in charge of lot 31 Dalton Park and I have every faith that it will be run in the same good order, positive spirits and administrate it in kind as it has been run for the last 8 years.

Should Ashlee's application for holding this license not be approved and proceed with, I will continue to hold the license as is in current practice.

Kind Regards,

[REDACTED]
Melissa Sosso

Dear Daphne,

Please accept this letter as our request for the new license beginning 30th June 2022, of Lot 31, Dalton Park to issued to Melbergen Pastoral Co Pty Ltd ATF Melbergen Farming Trust to be managed by Ashlee Meginley.

We have spoken with Mel Sosso and have agreed on a price for the existing structures, pending councils approval of the lease. All transfer fees are to be paid by us, as well as any rates, annual fees etc effective 30th June 2022.

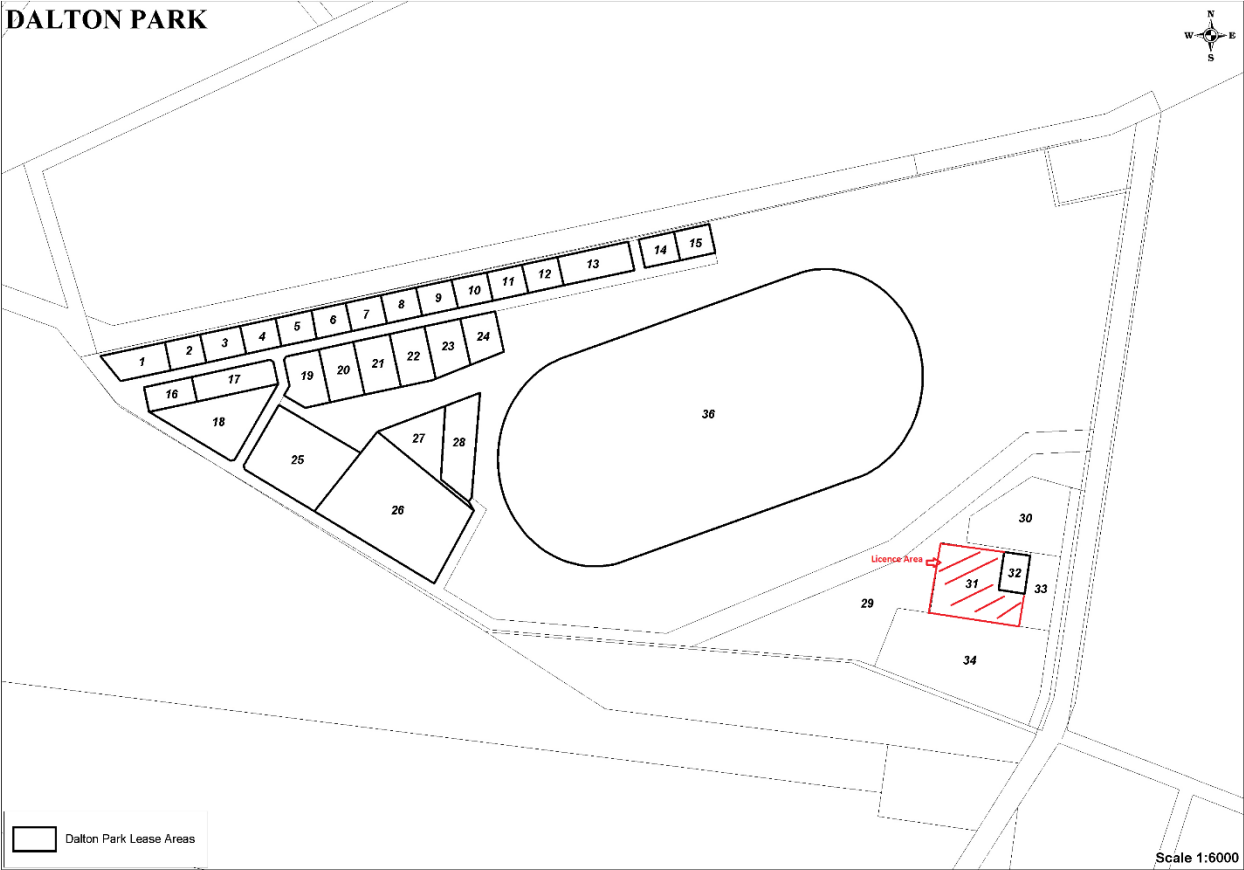
Regards

Ashlee Meginley

Cheryl Standen

Director

Melbergen Pastoral Co



CLAUSE CL04**TITLE** Endorsement of the Draft Delivery Program 2022-2026, Draft Operational Plan (Budget) 2022/23 and Draft Resourcing Strategy**FROM** Brett Stonestreet, General Manager**TRIM REF** 22/21370

SUMMARY

In accordance with the Office of Local Government (OLG) Integrated Planning and Reporting Guidelines, Council is required to prepare a Delivery Program detailing the activities it will undertake to achieve the objectives established in the Community Strategic Plan, within the resources available under the Resourcing Strategy. The following draft documents (attached) have been prepared for Council's endorsement:

- Draft Delivery Program 2022/23 – 2025/26 incorporating the 2022/23 Operational Plan (Budget)
- Resourcing Strategy consisting of:
 - Draft Ten Year Long Term Financial Plan
 - Asset Management Plan
 - Workforce Management Plan.

Following a 28 day public exhibition period the draft documents and any submissions received will be presented to Council for adoption.

RECOMMENDATION

- (a) Council endorse the draft Operational Plan (Budget) 2022/23 as per **Scenario 2b** (which is identical to Scenarios 1 and 2a).
- (b) Council endorse the draft Delivery Program 2022/23 – 2025/26 and the draft Ten Year Long Term Financial Plan as per **Scenario 2b** (which includes Lake Wyangan Project - Special Rate Variation (SRV) / Environmental Levy for 20 year period subject to SRV application and approval process as detailed in this report).
- (c) Council endorse the draft Asset Management Plan and draft Workforce Management Plan as attached to this report.
- (d) Council place the draft Operational Plan (Budget) 2022/23, draft Delivery Program 2022/23 – 2025/26, draft Ten Year Long Term Financial Plan (**Scenario 2b**), draft Asset Management Plan and draft Workforce Management Plan on public exhibition for 28 days during which time a community consultation process will be implemented including a community workshop.
- (e) Following the public exhibition period, the draft Operational Plan (Budget) 2022/23, draft Delivery Program 2022/23 – 2025/26, draft Ten Year Long Term Financial Plan (Scenario 2b), draft Asset Management Plan and draft Workforce

Management Plan be presented to Council for adoption, including any submissions received, by 30 June 2022.

REPORT

The Integrated Planning and Reporting (IPR) framework has the objective of improving delivery of services to the community by councils. Under the IPR Guidelines NSW councils are required to prepare the following documents:

- Community Strategic Plan (CSP)
- Delivery Program
- Resourcing Strategy consisting of Long Term Financial Plan, Asset Management Plan and Workforce Management Plan
- Operational Plan (Budget)
- Annual Report
- End of Term Report.

Council's Community Strategic Plan was reviewed following the Council election in December 2021 and a new revised CSP 2022/2032 adopted at the Ordinary Meeting of Council 22 March 2022.

Council is required to prepare a Delivery Program detailing the activities it will undertake to achieve the objectives established in the Community Strategic Plan, within the resources available under the Resourcing Strategy. The Delivery Program must cover a four year period commencing 1 July following each ordinary election.

Council must have an annual Operational Plan, adopted before the beginning of each financial year, outlining the activities to be undertaken that year, as part of the Delivery Program. The Operational Plan must include Council's detailed annual budget, statement of revenue policy, estimated income and expenditure, ordinary rates and special rates, proposed fees and charges, Council's proposed pricing methodology and proposed borrowings.

The Independent Pricing and Regulatory Tribunal (IPART) annually determines the maximum % by which Councils in NSW may increase notional rate income without making a Special Rate Variation application. This process is referred to as "Rate Pegging".

Early this calendar year IPART set the 2021/22 Rate Pegging % at 0.7%. This decision caused great concern for all Councils in NSW. In response to this situation, the Minister for Local Government requested IPART to consider a one off additional percentage increase for all Councils. In response, IPART advised that all Councils may apply to increase rates by the % published in their Delivery Plan for 2022/23 adopted last year i.e. in June 2021 up to a maximum of 2.5%. In Griffith City Council's case, 2.0% is the maximum increase that can be applied for given 2.0% was included in Council's Delivery Plan as adopted in June 2021. Applications must be submitted to IPART by 29 April 2022.

As a consequence of the approach by the Minister for Local Government to IPART, Council resolved at its meeting held 12 April 2022 as follows:

"Griffith City Council resolve to apply to the Independent Pricing and Regulatory Tribunal for a Special Rate Variation of 1.3% in addition to the approved rate pegging increase of 0.7% for the 2022/23 financial year."

Council has lodged a submission to IPART in accordance with the above resolution. The draft Operational Plan (Budget) for 2022/23 has therefore been prepared based on a 2.0% increase in rates.

The Resourcing Strategy consists of three components - Ten Year Long Term Financial Plan, Asset Management Plan and Workforce Management Plan. The Ten Year Long Term Financial Plan is the point where long term community aspirations are tested against financial realities. The Asset Management Plan accounts for all existing and new Council assets. The Workforce Management Plan addresses the human resourcing requirements of Council's Delivery Program.

Following endorsement by Council, the attached draft plans will be placed on public exhibition for a minimum 28 days. A community consultation process will be conducted including a community workshop. Following the public exhibition process the draft plans and any submissions received will be presented to Council for consideration and adoption by 30 June 2022.

Lake Wyangan Restoration Project

Lake Wyangan particularly the North Lake is an important environmental and recreational asset for the community but it faces a very uncertain future unless significant intervention is taken to improve water quality. Lake Wyangan is not a natural lake. A gypsum quarry operated in this area several decades ago and over time irrigation water and storm water from farms have drained into the Lake bringing sediment, nutrients, phosphate and salt. The Lake is a closed system. In other words, there is no outflow point. Water that drains into the Lake remains there and is subject to significant evaporation especially during summer months. High evaporation levels have resulted in an increase in the concentration of nutrients, phosphates and salinity. Further, there is limited circulation within the Lake's water column which promotes the prevalence of Blue/Green Algae.

During 2016, Council established a Lake Wyangan Catchment Management Committee which was charged with the task of researching the scope of the problems facing the Lake and investigating possible strategies to address these challenges. There is no silver bullet that will "fix" the Lake overnight but Council has made real progress in developing a Plan which, if implemented over several years will give the Lake a sustainable future.

The Concept Plan is an attachment to this Report (Attachment E).

The Concept Plan will involve considerable capital expenditure, in the order of \$30 million. Clearly a project of this scope cannot be funded by the ratepayers of Griffith alone. Council has been working with the NSW Government to prepare an application to the Federal Government for funds to facilitate a detailed Business Case which will examine the Project Scope of Works in considerable detail. Unfortunately, funds for the Business Case were not included in the Federal Government's 2022 Budget recently announced. The NSW Government is still supportive of the Lake Wyangan Project and will endorse another application to the Federal Government later this year (i.e. 2022).

During 2021 Council secured approval for a grant from the NSW Government to fund 50% of the cost of constructing a pipeline from the Water Reclamation Plant to the Lake Wyangan (South Lake). The project involves the transfer of treated effluent to the South Lake, then mixing with other water before distributing to farmers for irrigation purposes. This project has been placed on hold until the detailed Business Case for the entire Lake Wyangan Project has been undertaken.

The results of the detailed Business Case (if positive) will form a key body of evidence to support a funding application to the NSW/Federal Governments for 50% of the cost of capital

works. If and when a capital works grant is secured, the community will still be asked to contribute \$15 million to complete the remaining 50% of the works. Council does not have the resources to commit to an expense of this magnitude without implementing a Special Rate Variation (SRV)/Environmental Levy in order to raise sufficient additional revenue to fund the project. All applications for SRVs must be submitted to the NSW Independent Pricing and Regulatory Tribunal (IPART) for assessment. Council is committed to and indeed required by IPART to undertake thorough **community consultation** prior to making a firm decision to apply for as SRV.

Council has not made any decision at this point to submit a SRV application. There are several steps Council needs to follow in order to progress the project.

1. A second application to NSW Government for funding to undertake a detailed Business Case for Lake Wyangan Project. (July 2022).
2. Council advised as to whether funding approved for detailed Business Case (October 2022).
3. Business Case completed (July 2023).
4. Council considers detailed Business Case results **and consults with the Community regarding findings.** (August/October 2023).
5. Subject to results of Community consultation, Council makes application to NSW Gov./Federal Gov. for 50% Grant funding. Applications close in July and November each year. Therefore lodge application November 2023.
6. Grant Funding approved or rejected (Mid 2024).
7. Council application to IPART for SRV effective July 2025.
8. Work on site could commence during 2025/2026 financial year.

Clearly there are significant hurdles yet to negotiate before this project is implemented.

Lake Wyangan - What is planned "on the ground" for the 2022/2023 Financial Year?

Council will plan for and fund using existing resources and supplemented by grant funding some improvement works at the Lake Wyangan Recreation Area. These works may incorporate roads, paths, green space, some sediment control works. These works will be in the order of \$2.5M.

1. Council will prepare a scope of works to be undertaken. The community will be consulted in terms of the draft scope of works.
2. Works on site will commence late 2022/23 financial year and continue into the 2023/24 financial year.

Cultural Precinct Masterplan

As per Council Resolution on 8 June 2021 Council resolved to:

- “(a) Commit to build a purpose-built Regional Art Gallery within the next five years.*
- (b) Provide funds within the 2022/23 Operational Year Budget for the preparation of a Cultural Precinct Masterplan and inclusion of plans for a Regional Art Gallery.*
- (c) Commence a building fund reserve, funded initially by water sales profits with an allocation of \$100,000.00 per annum to support the design/construction phase or to be used as a co-contribution for any grant funds sought.*
- (d) Establish a community Committee to oversee future public fundraising efforts.*
- (e) Identify a suitable site within the city precinct to build the facility.”*

Provision has been made in the Operational Plan 2022/23 to prepare a Cultural Precinct Masterplan. The Masterplan will include provision for an Art Gallery complex. The draft Long Term Financial Plan (LTFP) makes provision in the 2026/27 & 2027/28 financial years for capital expenditure. Councillors should note the following:

1. The Capital sum included in the LTFP is a provisional sum only. The actual funds required will depend on the final scope of works determined, detailed design, quantity surveyor estimate and tender process.
2. The provisional sum included in the LTFP is inclusive of a grant (50% of total), loan (50% of total), and Special Rate Variation (7%) to repay the loan portion.

Councillors should note this project is not included in the scope of the Delivery Program as the capital expenditure included in the LTFP is outside the timeframe of the current Delivery Plan (4 years) and will be subject to an additional Special Rate Variation application process.

OPTIONS

OPTION 1

As per the Recommendation.

OPTION 2

- (a) Council endorse the draft Operational Plan (Budget) 2022/23 as per Scenario 2a (which is identical to Scenarios 1 & 2b).
- (b) Council endorse the draft Delivery Program 2022/23 – 2025/26 and the draft Ten Year Long Term Financial Plan as per Scenario 2a (which includes Lake Wyangan Project - Special Rate Variation / Environmental Levy for 10 year period subject to SRV application and approval process as detailed in this report).
- (c) Council endorse the draft Asset Management Plan and draft Workforce Management Plan as attached to this report.
- (d) Council place the draft Operational Plan (Budget) 2022/23, draft Delivery Program 2022/23 – 2025/26 (including Scenario 2a of the LTFP), draft Ten Year Long Term Financial Plan (Scenario 2a), draft Asset Management Plan and draft Workforce Management Plan on public exhibition for 28 days during which time a community consultation process will be implemented including a community workshop.
- (e) Following the public exhibition period, the draft Operational Plan (Budget) 2022/23, draft Delivery Program 2022/23 – 2025/26, draft Ten Year Long Term Financial Plan (Scenario 2a), draft Asset Management Plan and draft Workforce Management Plan be presented to Council for adoption, including any submissions received, by 30 June 2022.

OPTION 3

- (a) Council endorse the draft Operational Plan (Budget) 2022/23 as per Scenario 1 (which is identical to Scenarios 2a & 2b).
- (b) Council endorse the draft Delivery Program 2022/23 – 2025/26 and the draft Ten Year Long Term Financial Plan as per Scenario 1 (Lake Wyangan Project and Art Gallery excluded).
- (c) Council endorse the draft Asset Management Plan and draft Workforce Management Plan as attached to this report.

- (d) Council place the draft Operational Plan (Budget) 2022/23, draft Delivery Program 2022/23 – 2025/26 (including Scenario 1 of the LTFP), draft Ten Year Long Term Financial Plan (Scenario 1), draft Asset Management Plan and draft Workforce Management Plan on public exhibition for 28 days during which time a community consultation process will be implemented including a community workshop.
- (e) Following the public exhibition period, the draft Operational Plan (Budget) 2022/23, draft Delivery Program 2022/23 – 2025/26, draft Ten Year Long Term Financial Plan (Scenario 1), draft Asset Management Plan and draft Workforce Management Plan be presented to Council for adoption, including any submissions received, by 30 June 2022.

POLICY IMPLICATIONS

Not Applicable.

FINANCIAL IMPLICATIONS

As per the draft documents attached. Councillors should note that the draft Operational Plan (Budget) 2022/23 figures are identical in each of the Scenarios 1, 2a and 2b.

Scenario 1. - The draft Delivery Program 2022/23 – 2025/26 and the draft Ten Year Long Term Financial Plan as per Scenario 1 (Lake Wyangan Project excluded).

Scenario 2a - The draft Delivery Program 2022/23 – 2025/26 and the draft Ten Year Long Term Financial Plan as per Scenario 2a (Includes Lake Wyangan Project - Special Rate Variation / Environmental Levy for 10 year period subject to SRV application and approval process as detailed in this report).

Scenario 2b - The draft Delivery Program 2022/23 – 2025/26 and the draft Ten Year Long Term Financial Plan as per Scenario 2b (includes Lake Wyangan Project - Special Rate Variation (SRV) / Environmental Levy for 20 year period subject to SRV application and approval process as detailed in this report).

Council is forecasting a consolidated operating surplus of \$706,788 (before Grants & Contributions provided for Capital Purposes) for the 2022/23 year.

Council's projected Consolidated Income Statement, Cash Flow Statement and Balance Sheet for the four year Delivery Program are attached to this report.

LEGAL/STATUTORY IMPLICATIONS

The attached draft documents have been prepared as per the requirements outlined in the Local Government Act 1993, Local Government Regulation 2021 and Integrated Planning and Reporting Guidelines for local government in NSW.

ENVIRONMENTAL IMPLICATIONS

Not Applicable.

COMMUNITY IMPLICATIONS

Not Applicable.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item C5 - To provide a governance role in the continuous development of the City of Griffith.

CONSULTATION

Senior Management Team

Councillors

Council staff

Community consultation undertaken as part of the Community Strategic Plan review.

ATTACHMENTS

- (a) Draft Delivery Program 2022/23 to 2025/26 & Operational Plan 2022/23 (under separate cover) [⇒](#)
- (b) Draft Ten Year Long Term Financial Plan 2022/23 to 2031/32 (under separate cover) [⇒](#)
- (c) Draft Asset Management Plan 2022 / 2032 (under separate cover) [⇒](#)
- (d) Draft Workforce Management Plan 2022 (under separate cover) [⇒](#)
- (e) Concept Plan Lake Wyangan (under separate cover) [⇒](#)

**GRIFFITH PIONEER PARK MUSEUM COMMITTEE
HELD IN COUNCIL CHAMBERS ON
THURSDAY, 24 MARCH 2022 COMMENCING AT 4:30 PM**

PRESENT

Councillor Anne Napoli (Chair), Denis Couch (Community Representative), Robin Silvester (Community Representative), Michael Rohan (Community Representative), Gordon McCaw (Community Representative), Maria Searl (Community Representative), Peter Taylor (Community Representative), Jenna Thomas (Community Representative) and Eddy Mardon (Community Representative)

Quorum = 3

STAFF

Director Business, Cultural & Financial Services, Max Turner, Acting Griffith Regional Arts & Museum Manager, Margaret Andreazza and Minute Taker, Joanne Bollen

1 APOLOGIES

RECOMMENDED on the motion of Denis Couch and Jenna Thomas that an apology be received from Councillor Doug Curran.

2 CONFIRMATION OF MINUTES

RECOMMENDED on the motion of Jenna Thomas and Maria Searl the minutes of the previous meeting held on 17 February 2022, having first been circulated amongst all members, be confirmed.

3 BUSINESS ARISING

Nil.

4 DECLARATIONS OF INTEREST

Pecuniary Interests

There were no pecuniary interests declared.

Significant Non-Pecuniary Interests

There were no significant non-pecuniary interests declared.

Less Than Significant Non-Pecuniary Interests

There were no significant non-pecuniary interests declared.

Director Business, Cultural & Financial Services, Max Turner arrived at the meeting the time being 4.34 pm.

5 ITEMS OF BUSINESS

CL01 COMPLETION OF ACCESS PATHWAY/STORMWATER DRAIN FROM ITALIAN MUSEUM TO TODD BUILDING EXHIBITION

Discussion was held regarding the completion of access pathway/stormwater drain from the Italian Museum to the Todd Building Exhibition.

RECOMMENDED on the motion of Peter Taylor and Gordon McCaw that a report be compiled, for the next Committee meeting, by Denis Couch and Eddy Mardon regarding drainage solutions and that Cheryl Tucker look at some alternative contractors.

CL02 AGENDA ITEMS RAISED BY COMMITTEE MEMBERS

The Committee discussed the Agenda items that were raised by its members.

RECOMMENDED on the motion of Jenna Thomas and Peter Taylor that an Expression of Interest Form be created for individuals that are interested in volunteering at Griffith Pioneer Park Museum.

RECOMMENDED on the motion of Peter Taylor and Denis Couch that the information be received.

6 OUTSTANDING ACTION REPORT

RECOMMENDED on the motion of Denis Couch and Peter Taylor that the report be noted.

Gordon McCaw left the meeting, the time being 5.43 pm.

7 GENERAL BUSINESS

7.1 Eddy Mardon suggested the Committee hold some more informal meetings to catalogue through all the information regarding a Strategic Plan. Jenna Thomas will email the Committee members to form smaller groups.

8 NEXT MEETING

The next meeting of the Griffith Pioneer Park Museum Committee is to be held on Thursday, 21 April 2022 at 4:30 pm

There being no further business the meeting terminated at 5.54 pm.

Confirmed:

CHAIRPERSON

**GRIFFITH PIONEER PARK MUSEUM COMMITTEE
HELD IN COUNCIL CHAMBERS ON
THURSDAY, 21 APRIL 2022 COMMENCING AT 4:30 PM**

PRESENT

The Mayor, Councillor Doug Curran (Chair), Chris Sutton (Councillor), Denis Couch (Community Representative), Gordon McCaw (Community Representative), Michael Rohan (Community Representative), Maria Searl (Community Representative), Robin Silvester (Community Representative), Peter Taylor (Community Representative), Jenna Thomas (Community Representative), Eddy Mardon (Community Representative)

Quorum = 3

STAFF

Director Business, Cultural & Financial Services, Max Turner, Acting Griffith Regional Arts & Museum Manager, Margaret Andreazza and Minute Taker, Joanne Bollen

1 APOLOGIES

RECOMMENDED on the motion of Denis Couch and Eddy Mardon that an apology be received from Councillor Anne Napoli.

2 CONFIRMATION OF MINUTES

RECOMMENDED on the motion of Peter Taylor and Eddy Mardon that the minutes of the previous meeting held on 24 March 2022, having first been circulated amongst all members, be confirmed.

3 BUSINESS ARISING

Nil.

4 DECLARATIONS OF INTEREST

Pecuniary Interests

There were no pecuniary interests declared.

Significant Non-Pecuniary Interests

There were no significant non-pecuniary interests declared.

Less Than Significant Non-Pecuniary Interests

There were no significant non-pecuniary interests declared.

Jenna Thomas arrived at the meeting, the time being 4:36 pm.

5 ITEMS OF BUSINESS

CL01 AGENDA ITEMS RAISED BY COMMITTEE MEMBERS

RECOMMENDED on the motion of Michael Rohan and Peter Taylor that the Council investigate the moving of the vehicular access entrance for Griffith Pioneer Park Museum and a submission be made to the Draft Budget.

6 OUTSTANDING ACTION REPORT

RECOMMENDED on the motion of Maria Searl and Jenna Thomas that the report be noted.

7 GENERAL BUSINESS

7.1 Committee Application

A committee application was received from Rina Mercuri.

RECOMMENDED on the motion of Eddy Mardon and Michael Rohan the Committee endorse the application for membership.

7.2 Action Day

Margaret Andreazza and Max Turner thanked the Committee and Councillors for all the work that was put in to Action Day.

7.3 Update from The Griffith Ex-Servicemen's Club and RSL

Eddy Mardon advised that The Griffith Ex-Servicemen's Club and RSL are happy to look at future development in Griffith Pioneer Park Museum.

7.4 Security Cameras

Maria Searl advised that Griffith Post School Options has some security cameras that Council could purchase. IT will check the compatibility of them.

7.5 Access Pathway/Stormwater Drain from Italian Museum to Todd Building Exhibition

Denis Couch has been in contact with contractor and the works will be completed post ANZAC Day long weekend.

7.6 Strategic Plan

Jenna Thomas has been reviewing the 2020 Draft Strategic Plan and believes it has good merit. Jenna has divided the Draft Strategic Plan into sections and if Committee members are interested in a particular area they can review that area in depth.

8 NEXT MEETING

The next meeting of the Griffith Pioneer Park Museum Committee is to be held on Thursday, 19 May 2022 at 4:30 pm

There being no further business the meeting terminated at 5:34 pm.

Confirmed:

CHAIRPERSON

TITLE Notice of Motion - Councillor Jenny Ellis

FROM Jenny Ellis, Councillor

TRIM REF 22/49944

SUMMARY

A Notice of Motion (refer to Attachment a)) was received from Councillor Jenny Ellis on Tuesday, 3 May 2022.

RECOMMENDATION

That Council includes in the budget for 2022/23 and 2023/24 under the Capital Works Program, a capital expenditure line under Parks and Gardens for the fencing of the Community Gardens on the Stuart McWilliam Stage side of the channel. The fencing would include both permanent and temporary fencing.

SENIOR MANAGEMENT TEAM COMMENT

Some preliminary research has been undertaken as to an approximate cost to install a fence at Community Gardens. The proposed fence would be of similar design to the new fence around the perimeter of the Griffith Showground. The fence would include gates which would allow public access during daylight hours. The total length of fence required to enclose Community Gardens area (excluding the dog off leash area) is 735m. (Refer attached site plan). Allowing for a contingency, the approximate cost is \$200,000. Should councillors consider supporting the above NoM, \$200,000 would be included in Council's final Capital Works Program budget for 2022/2023. It is also proposed that \$100,000 (50% of the value of the fence) be included as grant income. This grant funding has not been secured at this point and it is SMT interpretation that this project would only proceed if the 50% grant funding is secured.

ATTACHMENTS

- | | | |
|-----|---|----|
| (a) | Notice of Motion - Councillor Jenny Ellis ↓ | 55 |
| (b) | Site Plan ↓ | 57 |



Notice of Motion

Notice of Motion

Councillor's Name * Cr Jenny Ellis

Date * 03-May-22
10:45:47 AM

Time * 10:45:47 AM

Brett Stonestreet
General Manager
Griffith City Council
GRIFFITH NSW 2680

Dear Mr Stonestreet, I hereby give notice of the following Notice of Motion for the Council Meeting to be held as indicated below: *

RECOMENDATION: That council includes in the budget for 22/23, 23/24 under the capital works program, a capital expenditure line under parks and gardens for the fencing of the community gardens on the Stuart McWilliams stage side of the channel. The fencing would include both permanent and temporary fencing.

The best solution would need to be investigated but a suggestion would be:
-Permanent fencing with gates for around the boarder of the park between the car parks curbing and the community gardens to provide security for the garden and stage from vandalism with the possibility of locking of gates at night; safety from children falling in the channel whilst at events at the garden; and also minimum invasion to the beauty of the park once visitors move through the gates into the garden.

-Temporary fencing to be used for events where parts of the park and ampitheatre/stage are cordoned off for ticketed guests and security.

PROPOSAL:

Griffith City Council has a fantastic facility in this new stage and I would like to see it used to its full potential.

- In its short time of operation it has been vandalised many times.
- To encourage bands and groups to run events at the stage we need to make sure it is safe for all those who attend. The fact that the channel is hidden behind the stage and garden beds makes it easy for children to disappear behind the stage and end up in the channel, particularly at evening events. To run a ticketed event at the community gardens the hiring of a temporary fence makes it very expensive to both the organisers and adds greatly to the price of the tickets for attendees.

Link to Strategic Plan -
Love the Lifestyle
Build this City

Funding:
Look for a grant to cover the cost of at least 50% of the fencing
50% provided from our budget.

Council Meeting 5/10/2022

Date: *

Signature *



Extract from Griffith City Council's Code of Meeting Practice:

Giving notice of business to be considered at Council Meetings

3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted by 12 pm, five business days before the meeting is to be held.

3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

3.12 If the General Manager considers that a notice of motion submitted by a Councillor for consideration at an ordinary meeting of the Council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the Council.

3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:

(a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or

(b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.

3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.

3.16 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.



Griffith City Council
PO Box 485
1 Breckenridge Street
Griffith NSW 2870
Phone: 08 808 376 077
Email: admin@griffith.nsw.gov.au

Disclaimer: This map is intended for general information purposes only. Griffith City Council does not guarantee its accuracy, completeness or suitability for any particular purpose. Users must exercise their own skill and care in using this map and carefully evaluate the accuracy, currency, completeness and independence of any information on the map. The map is provided as a guide only. Griffith City Council is not liable for any loss or damages arising out of any inaccuracy, error or omission contained in the map.



Projection: GDA94 / MGA zone 55

Date: 20/04/2022

Drawn By: Peter Badenhorst

Map Scale: 1:1250 at A4

TITLE Outstanding Action Report

TRIM REF 22/47624

RECOMMENDATION

The report be noted.

ATTACHMENTS

(a) Outstanding Action Report - Council Meeting [↓](#)

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OUTSTANDING ACTION REPORT
FOR THE ORDINARY MEETING OF COUNCIL 26 APRIL 2022

Council Meeting Date	MEETING ITEM	Action Officer	CRM No.	Minute No.	Council Resolution	Additional Information
12 April 2022	CL04 DRAFT AMENDED POLICY (COMM-CP-401) - STATEMENTS TO THE MEDIA (MAYOR & COUNCILLORS)	DE&OD	116094	22/101	RESOLVED on the motion of Councillors Simon Croce and Shari Blumer that: (a) Council place the revised draft Policy (COMM-CP-401) - Statements to the Media (Mayor & Councillors) on public exhibition for 28 days to provide members of the community to comment on the draft Policy. (b) If any submissions are received, a further report be prepared for Council. (c) If no submissions are received, draft Policy (COMM-CP-401) - Statements to the Media (Mayor & Councillors) be considered as adopted by Council as at the date of the conclusion of the advertised exhibition period.	22/04/2022: On public exhibition.
22 March 2022	CL05 ENDORSEMENT OF DRAFT MODEL CODE OF MEETING PRACTICE POLICY FOR PUBLIC EXHIBITION	GO	115154	22/083	RESOLVED on the motion of Councillors Glen Andreazza and Christine Stead that: (a) Council endorse the draft Model Code of Meeting Practice, Attachment (a) of the report, including the supplementary provisions. (b) The draft Model Code of Meeting Practice be placed on public exhibition 28 days and provide members of the community at least 42 days in which to comment on the draft Code.	23/03/2022: On Public Exhibition, closing 29 May 2022.

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OUTSTANDING ACTION REPORT
FOR THE ORDINARY MEETING OF COUNCIL 26 APRIL 2022

					<p>(c) If any submissions are received, a further report be prepared for Council.</p> <p>(d) If no submissions are received, the draft Model Code of Meeting Practice policy be considered as adopted by Council as at the date of the conclusion of the advertised exhibition period.</p>	
08 March 2022	CL02 DECLARED ALCOHOL PROHIBITED AREAS - AMENDMENTS FOR ADDITIONAL AREAS FOR CONSIDERATION	DE&OD	114647	22/069	<p>RESOLVED on the motion of Councillors Manjit Singh Lally and Laurie Testoni that:</p> <p>(a) Council declare, in principle, the parks known as "IOOF Park", "Willow Park", "Venetian Park", Beilby Park and "Yarrabee Reserve" to be Alcohol Prohibited Areas between the hours of 10.00pm to 6.00am for a maximum duration of three years, 22 March 2022 to 12 February 2025 (to be in alignment with other Alcohol Prohibited Areas), in accordance with Sections 644, 644A-c and 632A of the Local Government Act, 1993 and that:</p> <p>(i) A notice in terms of Section 644A of the Local Government Act, 1993 be published on the Council website and associated Council newsletters, inviting representations or objections within 28 days from the date of publication;</p> <p>(ii) A copy of this resolution be provided to the Griffith Local Area Command of the NSW</p>	28/03/2022: On Exhibition.

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OUTSTANDING ACTION REPORT
FOR THE ORDINARY MEETING OF COUNCIL 26 APRIL 2022

					<p>Police Service inviting representations or objections within 28 days from the date of notification;</p> <p>(iii) A copy of this resolution be provided to liquor licenses and secretaries of registered clubs whose premises border on or adjoin or are adjacent to the proposed Alcohol Free Zones and Alcohol Prohibited Areas inviting representations or objections within 28 days from the date of notification; and</p> <p>(b) This matter be referred to Council with all representations and objections received for a final resolution in terms of Section 644B of the Local Government Act, 1993 subsequent to resolution (a).</p>	
08 March 2022	CL03 NSW REGIONAL HOUSING FUND - GRANT APPLICATION	GM	114648	22/070	<p>RESOLVED on the motion of Councillors Jenny Ellis and Dino Zappacosta that:</p> <p>(a) Council submit an Expression of Interest to the NSW Government under the NSW Regional Housing Fund Program.</p> <p>(b) The Expression of Interest is to part fund the Residential Housing Enabling Infrastructure Project. The scope of the project includes: the extension of Clifton Boulevard east to the intersection with Rifle Range Road, upgrade of that intersection and provision of necessary utilities (water sewer, drainage and street lighting).</p>	04/04/2022: Application submitted.

OUTSTANDING ACTION REPORT
FOR THE ORDINARY MEETING OF COUNCIL 26 APRIL 2022

					<p>(c) The Expression of Interest to be the maximum allowed under the guidelines being \$1,400,000.</p> <p>(d) Should Council be invited to progress to a Stage 2 Application, that Council authorise the General Manager to submit an application in this regard.</p> <p>(e) The Mayor and General Manager be authorised to sign any relevant documents in relation to this Expression of Interest/Application process.</p>	
08 March 2022	MINUTES OF THE GRIFFITH PIONEER PARK MUSEUM COMMITTEE MEETING HELD ON 17 FEBRUARY 2022	DBC&FS	114652	22/074	<p>RESOLVED on the motion of Councillors Anne Napoli and Christine Stead that the recommendations as detailed in the Minutes of the Griffith Pioneer Park Museum Committee meeting held on 17 February 2022 be adopted.</p> <p>The below recommendation was endorsed:</p> <p>RECOMMENDED on the motion of Denis Couch and Jenna Thomas that Council recruit a fulltime manager for Griffith Pioneer Park Museum and that Council consider the Pioneer Park cottage be made available to assist in the recruitment of the position.</p>	01/04/2022: Wages Budget for 2022/23 includes the Managers position.
22 February 2022	NOTICE OF MOTION - COUNCILLOR SIMON CROCE	DI&O	114000	22/057	<p>RESOLVED on the motion of Councillors Simon Croce and Anne Napoli that:</p>	<p>14/03/2022: Funding estimate for Path and Bridge: \$1.4 million.</p> <p>100% funding request submitted to Transport for NSW Active Transport Program.</p>

OUTSTANDING ACTION REPORT
FOR THE ORDINARY MEETING OF COUNCIL 26 APRIL 2022

					<p>(a) Council consider the construction of the Griffith to Yoogali shared bicycle track as a priority.</p> <p>(b) Council undertake a full costing of the track and bridge as to facilitate funding opportunities to contribute towards the new construction.</p>	
22 February 2022	CC01 CREMATORIUM FEASIBILITY STUDY	DI&O	114001	22/061	<p>RESOLVED on the motion of Councillors Simon Croce and Manjit Singh Lally that:</p> <p>(a) Council call an Expression of Interest from interested parties for a period of 60 days to seek interest in entering into a partnership arrangement with Griffith City Council to construct and operate a crematorium facility.</p> <p>(b) The feasibility study completed by the consultants regarding construction and operation of a crematorium be considered by Councillors in conjunction with the review of the 10 Year Capital Expenditure Plan and Draft Budget 2022/2023.</p> <p>(c) Following the adoption of the new Committee Structure by Council during March 2022, the final report by the consultants be referred to the relevant committee seeking a firm recommendation to Council regarding a preferred location for a crematorium.</p>	<p>14/03/2022: Expression of Interest document being drafted.</p> <p>08/04/2022: Expression of Interest document on Exhibition. Expression of Interest to close 7 June 2022.</p>

OUTSTANDING ACTION REPORT
FOR THE ORDINARY MEETING OF COUNCIL 26 APRIL 2022

8 February 2022	CL07 AUSTRALIAN GOVERNMENT - BUILDING BETTER REGIONS FUND (ROUND 6) GRANT APPLICATION	GM	113316	22/027	<p>RESOLVED on the motion of Councillors Dino Zappacosta and Christine Stead that:</p> <p>(a) Council endorse the lodgement of an application for grant funding to the Australian Government Building Better Regions Fund (Round 6) by the closing date of Thursday 10 February 2022.</p> <p>(b) The purpose of the application is to accelerate or bring forward additional developed residential housing lots in Collina, Griffith thus enabling more housing construction.</p> <p>(c) The scope of works to include the acquisition of land to construct an extension of Clifton Boulevard by approximately 850m to the intersection of Rifle Range Road, the upgrade of that intersection and provision of utilities i.e. water, sewer, drainage and street lighting.</p> <p>(d) The General Manager be authorised to sign the Grant Funding Application.</p> <p>(e) The Mayor and General Manager be authorised to commence negotiations with the Griffith Local Aboriginal Land Council for the acquisition (by agreement) of land required for the extension of Clifton Boulevard to the intersection with Rifle Range Road. A further report be presented to Council for</p>	<p>28/02/2022: Application submitted.</p> <p>14/03/2022: Letter written to MAAS Properties and Griffith Local Aboriginal Lands Council inviting parties to commence negotiations with Council.</p>
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OUTSTANDING ACTION REPORT
FOR THE ORDINARY MEETING OF COUNCIL 26 APRIL 2022

					<p>consideration following negotiations.</p> <p>(f) The Mayor and General Manager be authorised to commence negotiations with the Griffith Local Aboriginal Land Council and the MAAS Property Group with a view to preparing a Voluntary Planning Agreement with each party. A further report be prepared for Council consideration following negotiations.</p> <p>(g) Should Council be invited to submit a formal application for grant/loan funds by the National Housing Finance and Investment Corporation then the General Manager be authorised to prepare and lodge that application.</p>	
8 February 2022	CC01 COUNCIL PURCHASE OF LAND FROM MURRUMBIDGEE IRRIGATION LIMITED- LOT 230 DP 1196370, HANWOOD AND SALE OF PART TO DANIEL GAFFEY	CPO	113319	22/035	<p>RESOLVED on the motion of Councillors Glen Andreazza and Laurie Testoni that:</p> <p>(a) Council approve the purchase of drainage reserve Lot 230 DP 1196370 from Murrumbidgee Irrigation Limited.</p> <p>(b) Council approve the sale of part of Lot 230 DP 1196370 to the adjoining landowner as outlined in the report.</p> <p>(c) Council pay all costs and charges in relation to the purchase of Lot 230 DP 1196370 from Murrumbidgee Irrigation Limited and sale of part Lot 230 DP 1196370 to the adjoining</p>	<p>11/02/2022: MI notified of Council approval to proceed to purchase MI land for levy at Hanwood. Confirmed with MI solicitor to proceed with Contract of Sale and Council solicitor advised will received Contract of Sale. Advertisement to classify the land as Operational land will commence on Monday 14 February 2022 allowing 28 days to receive submissions till 14 March 2022. Sale of part of the land to the adjoining neighbour will not commence until purchase of land from MI completed and subdivision of part of the land completed.</p>

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OUTSTANDING ACTION REPORT
FOR THE ORDINARY MEETING OF COUNCIL 26 APRIL 2022

					<p>landowner, as outlined in the report.</p> <p>(d) Lot 230 DP 1196370 be classified as operational land on transfer to Council.</p> <p>(e) Council give public notice of the proposal to classify Lot 230 DP 1196370 as operational land allowing 28 days to receive submissions.</p> <p>(f) Should submissions be received as part of the notification process, a separate report be presented to Council for consideration.</p> <p>(g) Should no submissions be received as part of the notification process Lot 230 DP 1196370 be declared operational land.</p>	
9 November 2021	NOTICE OF MOTION - COUNCILLOR NEVILLE	DIO	109781	21/409	<p>RESOLVED on the motion of Councillors Mike Neville and Doug Curran that Council:</p> <p>a) Prepare a scoping document for the construction of a road bridge across the main canal in Ulong Street and the associated approaches, pedestrian access and necessary alignment works in Ulong Street.</p> <p>b) That the scoping of this project be considered by the Transport Committee and recommendation to Council.</p>	<p>17/01/2022: Feasibility and draft scoping document to be considered by Transport Committee May 2022.</p> <p>04/04/2022: Council's new Committee Structure does not include a Transport Committee therefore this scoping document will be discussed at Workshop with a view to report to Council.</p>
26 October 2021	CC06 TENDER NO. 8-21/22 - KOOYOO STREET RECONSTRUCTION	DU	109150	21/393	<p>RESOLVED on the motion of Councillors Christine Stead and Glen Andreazza that:</p>	<p>10/11/2021: Tender awarded for Stage 1, awaiting completion of negotiations with B&C Plumbing</p>

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OUTSTANDING ACTION REPORT
FOR THE ORDINARY MEETING OF COUNCIL 26 APRIL 2022

	WORKS - BANNA AVENUE TO YAMBIL STREET				<p>(a) Council accept the tender from B&C Plumbing for Tender No. 8-21/22: Kooyoo Street Reconstruction Stage 1 (Banna Avenue to Banna Lane only as referred to in the Financial Implications section of this report.</p> <p>(b) Council, in accordance with Section 178(1) (b) of the Local Government Regulation 2005, reject all tenders submitted for Tender No. 8-21/22 Kooyoo Street Reconstruction works Stage 2 (Banna Lane to Yambil Street) due to all tenders being over the allocated budget.</p> <p>(c) Council, in accordance with Section 178(4) (a) of the Local Government Regulation 2005, does not need to call fresh tenders for Stage 2 of Tender No. 8-21/22 as there are suitably qualified and experienced tenderers available to negotiate with.</p> <p>(d) Council, in accordance with Section 178(3) (e) of the Local Government Regulation 2005, enter into negotiations with B&C Plumbing for Stage 2 only of the Kooyoo Street Reconstruction Works (Banna Lane to Yambil Street) as they are a suitably qualified local contractor who has experience in the work required under this contract.</p> <p>(e) Council authorise the contract documents (Stage 1 Banna Avenue</p>	<p>in relation to Stage 2. Report to be prepared for Council.</p> <p>15/11/2021: Letters have been sent out to successful and unsuccessful tenders. Works to commence on site Monday 22 November 2021.</p> <p>17/01/2022: Works commenced.</p> <p>28/02/2022: Council has received approval to utilise LRCIP funding of \$2.06 million for Stage 2 Kooyoo Street.</p>
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OUTSTANDING ACTION REPORT
FOR THE ORDINARY MEETING OF COUNCIL 26 APRIL 2022

					to Banna Lane) to be signed by the General Manager. (f) At the completion of negotiations with B&C Plumbing in relation to Stage 2 (Banna Lane to Yambil Street) of Tender 8-21/22, a further report be presented to Council.	
8 December 2020	CL03 - LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM (EXTENSION)	DIO	95319	20/295	<p>RESOLVED on the motion of Councillors Doug Curran and Christine Stead that Council submit the following projects to the Federal Government under the Local Roads and Community Infrastructure (Extension) Program: Griffith City Council Allocation: \$1,397,601.</p> <p>(1) Railway Street Car Park (East End). Estimated Cost: \$500,000.</p> <p>(2) Jubilee Oval - Car Park adjacent to new amenities block. Estimated Cost: \$160,000.</p> <p>(3) Asphalt exiting shared path (4.7km) along Wyangan Avenue (from residential area) to Jones Road and then along Jones Road to Eastern side of causeway. Similar to Hanwood path asphalt surface. Estimated Cost: \$350,000</p> <p>(4) Barber Road Project Contribution. Estimated Cost: \$390,000.</p> <p>Should Council's application to seal Barber Road under Fixing Local Roads (Round 2) be unsuccessful, then Council submit Footpath between West End Oval and</p>	<p>15/12/2020: Submissions have been made to Fixing Local Roads. FLR200149 - Barber Road FLR200101 - Bringagee Road.</p> <p>9/3/2021: Awaiting funding announcement.</p> <p>14/04/2021: Projects 1, 2 & 3 designs finalised. Project 4 funding successful for Barber Road. Project 5 design nearing completion.</p> <p>02/08/2021: Project has been completed in accordance with milestones.</p> <p>12/08/2021:</p> <p>Project 1: Preparation for earthworks underway.</p> <p>Project 2: Expected completion end of Aug 2021.</p> <p>Project 3: Awaiting quote through Local Government Procurement.</p> <p>Project 4: Barber road stakeholder engagement progressing</p>

OUTSTANDING ACTION REPORT
FOR THE ORDINARY MEETING OF COUNCIL 26 APRIL 2022

					<p>Jubilee Oval. Estimated Cost to \$390,000.</p> <p>(5) A costing for a Pedestrian Bridge over the canal on Mackay Avenue/ Macedone Road (northern side) and a costing for footpaths as per the Pedestrian Access and Mobility Plan (PAMP) designed for the area.</p> <p>Total Projects 1, 2, 3 and 4 - \$1,400,000.</p>	<p>Project 5: Awaiting quotes.</p> <p>20/09/2021:</p> <p>Project 1: Earthworks commenced</p> <p>Project 2: Final seal complete. Occupational Certificate expected 30 September.</p> <p>Project 3: Contractor engaged, works scheduled week commencing 20 Sep 2021.</p> <p>Project 4: Drainage pipes on order.</p> <p>Project 5: Awaiting finalisation on quotes.</p> <p>5/10/2021: Deadline for completion of projects under Stage 1 and Stage 2 extended to 30 June 2022.</p> <p>17/01/2022:</p> <p>Project 1: Electrical installation commenced, pavement works continuing.</p> <p>Project 2: Completed.</p> <p>Project 3: Awaiting line-marking.</p> <p>Project 4: Drainage expected completion June 2022.</p> <p>Project 5: Awaiting finalisation on quotes.</p>
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OUTSTANDING ACTION REPORT
FOR THE ORDINARY MEETING OF COUNCIL 26 APRIL 2022

OUTSTANDING ACTION REPORT – COMPLETION BY OTHER AGENCIES PENDING

Council Meeting Date	MEETING ITEM	Action Officer	CRM No.	Minute No.	Council Resolution	Additional Information
9 March 2021	CL02 - BENEREMBAH STREET - LIGHTING AND BEAUTIFICATION	DIO	99137	21/081	RESOLVED on the motion of Councillors Brian Simpson and Rina Mercuri that Council proceed with the design and installation of 4 street lights in Benerembah Street to a maximum cost of \$60,000 and commence these works during the current financial year being 2020-2021.	06/04/2021: Installation of street lights progressing. 14/04/2021: Quotation received. Design commenced. 20/09/2021: Contractor engaged, awaiting certified design. 01/11/2021: Certified Design received. 17/01/2022: Proposed commencement date 7 Feb 2022. 2/3/2022: Awaiting approval from Essential Energy on modification to trench location due to hard rock being located as per original plans.
26 October 2021	CL01 GRANT APPLICATION ALLOCATION & ENDORSEMENT	DBCF	109140	21/375	RESOLVED on the motion of Councillors Mike Neville and Dino Zappacosta that Council endorse a funding application of \$2.06m under the Local Roads & Community Infrastructure Fund (Federal Government) for the following: - Part funding of Kooyoo Stage Reconstruction Works Stage 1 (Banna Avenue to Banna Lane) and balance funding towards Stage 2 (Banna Lane to Yambil Street).	05/11/2021: Resolution noted, application will be submitted when funding body provide application documentation.

OUTSTANDING ACTION REPORT
FOR THE ORDINARY MEETING OF COUNCIL 26 APRIL 2022

14 September 2021	CL03 DRAFT PLAN OF MANAGEMENT - SCENIC HILL ZONE 1 - FORMAL RECREATIONAL AREAS	CPO	107480	21/290	<p>RESOLVED on the motion of Councillors Doug Curran and Dino Zappacosta that:</p> <p>(a) Council refer the Draft Plan of Management for Scenic Hill Zone 1 – Formal Recreational Areas being Crown Reserves (83029) Clay Target Club, (83393) Dalton Park, (83394) Griffith Gun Club, (83395) Griffith Golf Course, (83396) Griffith Motorcycle Sports Club, (88420) Rodeo Grounds to the Minister administering the Crown Land Management Act 2016 for approval.</p> <p>(b) Upon approval from the Minister administering the Crown Land Management Act 2016 Council amends the Draft Plan of Management for Scenic Hill Zone 1 – Formal Recreational Areas if required, and places it on public exhibition as per Section 38 of the Local Government Act 1993.</p> <p>(c) Native Title advice has been provided.</p> <p>(d) A report be presented to Council to adopt the final Plan of Management for Scenic Hill Zone 1 – Formal Recreational Areas on completion of the exhibition period, to consider all submissions.</p>	<p>16/09/2021: Form and Draft Plan of Management submitted to the Crown for minister's consent to place on public exhibition.</p> <p>17/01/2022: Council contacted Crown Lands for an update on PoM under review. Advice received was that PoM's under review should be finalised in the next few weeks.</p> <p>28/02/2022: Meeting was held with Crown Lands on 5 February 2022 where it was confirmed that there is a backlog of PoM's to be reviewed. Crown Lands unable to give a date for when they will be completed.</p> <p>4/4/2022: Draft Plan of Management for the above (Clay Target Club, Dalton Park, Griffith Gun Club, Griffith Golf Course, Griffith Motorcycle Sports Club & Rodeo Ground) has been approved by the Crown to place on public exhibition. We allow 28 days for advertising and 42 days to receive submissions so final date is 16 May 2022. Thereafter if no submissions will go back to council to adopt the PoM unless considerable change then goes back to Minister for Crown for approval.</p>
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OUTSTANDING ACTION REPORT
FOR THE ORDINARY MEETING OF COUNCIL 26 APRIL 2022

22 June 2021	CL02 - DRAFT PLAN OF MANAGEMENT - THARBOGANG WETLANDS - CROWN RESERVE 1002928	CPO	103835	21/182	<p>RESOLVED on the motion of Councillors Mike Neville and Dino Zappacosta that:</p> <p>(a) Council refer the draft Plan of Management for Tharbogang Wetlands (Crown Reserve 1002928) to the Minister administering the Crown Land Management Act 2016 for approval.</p> <p>(b) Upon approval of the Minister administering the Crown Land Management Act 2016 Council amends the draft Plan of Management for Tharbogang Wetlands if required, and place it on public exhibition as per Section 38 of the Local Government Act 1993.</p> <p>(c) Council confirm it has considered Native Title Managers advice in relation to the Plan of Management for Tharbogang Wetlands.</p> <p>(d) A report be presented to Council to adopt the final Plan of Management for Tharbogang Wetlands on completion of the exhibition period and to consider all submissions.</p>	<p>30/06/2021: Draft Plan of Management for Tharbogang Wetlands together with required form emailed to Crown Lands seeking Minister's approval to advertise the draft Plan of Management.</p> <p>17/01/2022: Council contacted Crown Lands for an update on PoM under review. Advice received was that PoM's under review should be finalised in the next few weeks.</p> <p>28/02/2022: Meeting was held with Crown Lands on 5 February 2022 where it was confirmed that there is a backlog of PoM's to be reviewed. Crown Lands unable to give a date for when they will be completed.</p>
22 June 2021	CL03 - DRAFT PLAN OF MANAGEMENT - COLLINA PRECINCT PARKS	CPO	103837	21/183	<p>RESOLVED on the motion of Councillors Mike Neville and Christine Stead that:</p> <p>(a) Council refer the draft Plan of Management for Collina Precinct Parks, being Crown Reserves McIvor (240001), Jiggins (240003), Manser and Jessie Farrell Parks</p>	<p>30/06/2021: Draft Plan of Management for Collina Precinct Parks together with required form emailed to Crown Lands for Minister's approval of the draft Plan of Management.</p> <p>17/01/2022: Council contacted Crown Lands for an update on</p>

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OUTSTANDING ACTION REPORT
FOR THE ORDINARY MEETING OF COUNCIL 26 APRIL 2022

					<p>(1039692) together with Council owned land Chandler and Dei Agnoli Parks, to the Minister administering the Crown Land Management Act 2016 for approval.</p> <p>(b) Upon approval from the Minister administering the Crown Land Management Act 2016 Council amends the draft Plan of Management for Collina Precinct Parks if required, and place the plan on public exhibition as per Section 38 of the Local Government Act 1993.</p> <p>(c) Council confirm it has considered Native Title Manager advice in relation to the Plan of Management for Collina Precinct Parks.</p> <p>(d) A report be presented to Council to adopt the final Plan of Management for Collina Precinct Parks on completion of the exhibition period and to consider all submissions.</p>	<p>PoM under review. Advice received was that PoM's under review should be finalised in the next few weeks.</p> <p>28/02/2022: Meeting was held with Crown Lands on 5 February 2022 where it was confirmed that there is a backlog of PoM's to be reviewed. Crown Lands unable to give a date for when they will be completed.</p> <p>17/03/2022: Approval to place the Plan of Management for Collina Precinct Parks on public exhibition. Exhibition closing date: 27 April 2022.</p>
23 March 2021	BUSINESS ARISING - MINUTES OF THE TRANSPORT COMMITTEE MEETING HELD ON 8 FEBRUARY 2021	RS&TO	99774	21/001	<p>RESOLVED on the motion of Councillors Dino Zappacosta and Simon Croce that Council follow up with Transport for NSW in relation to the upgrade of bridge north of the Kidman Way and Coppard Road intersection.</p>	<p>14/04/2021: A report was presented to Transport Committee 12/04/2021 regarding site history with a recommendation that Transport for NSW be approached for an update. Subsequently the issue was also raised at the Traffic Committee 13/04/2021 and the matter was put to the Transport for NSW representative who advised they would investigate</p>

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					and report the outcome back to the Traffic Committee. 16/07/2021: Minutes from the Traffic Committee Meeting 11 May 2021 'Mr Minehan has received advice from TfNSW's Asset Manager that the realignment works were a shovel ready project with the design finalised however no date has been set at this stage due to lack of funding'. 3/08/2021: Letter sent to the Local Member, Helen Dalton MP for support in requesting Transport for NSW proceed with plans of re-alignment of Willbriggie Bridge, Kidman Way.
23 February 2021	CL02 - DRAFT PLAN OF MANAGEMENT - CAMPBELL'S WETLAND - CROWN RESERVE 1002932	CPO	98603	21/002	<p>RESOLVED on the motion of Councillors Mike Neville and Brian Simpson that:</p> <p>(a) Council refer the Draft Plan of Management for Campbell's Wetland (Crown Reserve 1002932) to the Minister administering the Crown Land Management Act 2016 for approval.</p> <p>(b) Upon approval of the Minister administering the Crown Land Management Act 2016, Council amend the Draft Plan of Management for Campbell's Wetland and place it on public exhibition as per Section 38 of the Local Government Act 1993.</p> <p>1/3/2021: Draft Plan of Management email to the department for Minister administering the Crown Land Management Act 2016, for approval to place on public exhibition.</p> <p>17/01/2022: Council contacted Crown Lands for an update on PoM under review. Advice received was that PoM's under review should be finalised in the next few weeks.</p> <p>28/02/2022: Meeting was held with Crown Lands on 5 February 2022 where it was confirmed that there is a backlog of PoM's to be reviewed. Crown Lands unable to</p>

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					<p>(c) Council confirm it has considered Native Title Managers advice in relation to the Plan of Management for Campbell's Wetland.</p> <p>(d) A report be presented to Council to adopt the final Plan of Management for Campbell's Wetland, on completion of the public exhibition period and to consider all submissions.</p>	give a date for when they will be completed.
9 February 2021	CL05 DRAFT PLAN OF MANAGEMENT - NERICON WETLANDS - CROWN RESERVE 1002930	CPO	97744	21/040	<p>RESOLVED on the motion of Councillors Brian Simpson and Anne Napoli that:</p> <p>(a) Council refer the Draft Plan of Management for Nericon Wetlands (Reserve 1002930) to the Minister administering the Crown Land Management Act 2016 for approval.</p> <p>(b) Upon approval of the Minister administering the Crown Land Management Act 2016 Council amend the Draft Plan of Management for Nericon Wetlands and place it on public exhibition as per Section 38 of the Local Government Act 1993.</p> <p>(c) Council confirm it has considered Native Title Managers advice in relation to the Plan of Management for Nericon Wetlands.</p> <p>(d) A report be presented to Council to adopt the final Plan of Management for Nericon Wetlands on completion of the public</p>	<p>10/2/2021: Draft Plan of Management email to the department for Minister administering the Crown Land Management Act 2016, for approval to place on public exhibition.</p> <p>17/01/2022: Council contacted Crown Lands for an update on PoM under review. Advice received was that PoM's under review should be finalised in the next few weeks.</p> <p>28/02/2022: Meeting was held with Crown Lands on 5 February 2022 where it was confirmed that there is a backlog of PoM's to be reviewed. Crown Lands unable to give a date for when they will be completed.</p> <p>5/4/2022: Crown gave approval to place the above Plan of Management on Public Exhibition. Advertising will start today and allow 42 days to</p>

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					exhibition period and to consider all submissions.	receive submissions therefore will come off advertising on 16 May 2022. A report will be present to Council after advertising to formally adopt the Plan of Management or consider any submissions received.
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