



Ordinary Meeting

BUSINESS PAPER

**Tuesday, 26 November 2024 at
7:00 PM**

Griffith City Council Chambers
Phone: 1300 176 077

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



COUNCILLORS

Councillor Doug Curran (Mayor)	dcurran@griffith.com.au
Councillor Shari Blumer	sblumer@griffith.com.au
Councillor Mark Dal Bon	mdalbon@griffith.com.au
Councillor Jenny Ellis	jellis@griffith.com.au
Councillor Scott Groat	sgroat@griffith.com.au
Councillor Anne Napoli (Deputy Mayor)	anapoli@griffith.com.au
Councillor Tony O'Grady	togrady@griffith.com.au
Councillor Christine Stead	cstead@griffith.com.au
Councillor Laurie Testoni	ltestoni@griffith.com.au

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 an 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.

Opening Affirmations

Option 1

Let us meet in this Council Chamber in a spirit of fellowship and goodwill to represent all the members of our community in its cultural and religious diversity.

To be honest and objective in all our deliberations.

To respect the views of the residents, the rights of all Councillors to express their opinions without fear or favour and to make decisions for the common good of our community.

Option 2

Almighty God

We ask that you guide us in our decision making.

Protect us and the community we serve.

Direct our deliberations for the progress of this City and the true welfare of its people.

Option 3

I ask those gathered to join us now for a few moments of silence as we reflect on our roles in this Chamber. Please use this opportunity for reflection, prayer or thought, to focus on our shared intention to work respectfully together for the well-being of our whole community.

Acknowledgment of Country

Griffith City Council acknowledges the Wiradjuri people as the traditional owners and custodians of the land and waters, and their deep knowledge embedded within the Aboriginal community.

Council further pays respect to the local Wiradjuri Elders, past, present and those emerging, for whom we acknowledge have responsibilities for the continuation of cultural, spiritual and educational practices of the local Wiradjuri people.

**ORDINARY MEETING OF GRIFFITH CITY COUNCIL
TO BE HELD IN GRIFFITH CITY COUNCIL CHAMBERS ON
TUESDAY, 26 NOVEMBER 2024 AT 7:00 PM**

MEETING NOTICE

Notice is hereby given that an Ordinary Meeting of Council will be held in the Griffith City Council Chambers on **Tuesday, 26 November 2024**.

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 Acknowledgments
- 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
 - p29 Presentation of LG NSW Certificates of Service
- 7 Mayoral Minutes
- 8 General Manager's Report
- CL01 p30 Endorsement of Councillor Payment of Expenses and Provision of Facilities Policy for Public Exhibition
- CL02 p58 Review of Biosecurity Weeds Policy
- CL03 p66 Griffith Residential Development Control Plan Amendments - Endorsement Following Public Exhibition

- CL04 p69 Renewal of Lease Agreement to Obledo Pty Ltd Part Road Reserve Adjoining Little Road - Lot 11 DP 880544
- CL05 p75 Surrender of Lease Agreement with Gordon McCaw and Request New Lease Agreement Between Gordon McCaw and Gary Edward Rennie - Hangar Site 18 Griffith Aerodrome, Part Lot 1 DP 1146897, Old Aerodrome Road, Griffith
- CL06 p81 Road Name Request - Senna Lane
- CL07 p87 First Quarter Performance Report 2024/2025 - Budget Review and Operational Plan
- CL08 p95 Riverina Murray Joint Organisation of Councils - Board Meeting 8 November 2024 - Albury/Wodonga Regional Hospital
- 9 Information Reports
- CL09 p98 Griffith City Council Annual Report 2023/24
- CL10 p101 Powering Tomorrow: Regional Councils NSW Power Purchasing Agreement
- CL11 p105 Western Riverina Regional Drought Resilience Plan & Sustainable Communities Program Update
- CL12 p109 Responses to Councillor Questions Taken on Notice
- CL13 p112 Responses to Councillor Questions Taken with Notice
- 10 Adoption of Committee Minutes
- p128 Minutes of the Audit, Risk and Improvement Committee Meeting held on 6 November 2024
- p133 Minutes of the Traffic Committee Meeting held on 12 November 2024
- 11 Business with Notice – Rescission Motions
- 12 Business with Notice – Other Motions
- p136 Notice of Motion - Councillor Tony O'Grady
- p139 Notice of Motion - Councillor Anne Napoli
- 13 Outstanding Action Report
- p142 Outstanding Action Report
- 14 Matters to be dealt with by Closed Council
- CC01 Lease to Griffith Harness Racing Club - Part Lot 562 DP 751743 Remembrance Driveway, Griffith Deregistration from Harness Racing NSW
- the personal hardship of any resident or ratepayer 10A(2) (b)
- CC02 Tender No. 05-24/25 - Yoogali Levee Upgrade - Stage 2a & 2b

- 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 10A(2) (d)

Brett Stonestreet

GENERAL MANAGER

**ORDINARY MEETING OF GRIFFITH CITY COUNCIL
HELD IN GRIFFITH CITY COUNCIL CHAMBERS ON
TUESDAY, 12 NOVEMBER 2024 COMMENCING AT 7:00 PM**

PRESENT

The Mayor, Doug Curran in the Chair; Councillors, Shari Blumer, Mark Dal Bon, Jenny Ellis, Scott Groat, Anne Napoli, Tony O'Grady, Christine Stead and Laurie Testoni

STAFF

General Manager, Brett Stonestreet, Director Economic & Organisational Development, Shireen Donaldson, Director Utilities, Graham Gordon, Director Infrastructure & Operations, Phil King, Acting Director Business, Cultural, Financial Services, Max Turner, Director Sustainable Development, Joe Rizzo and Minute Takers, Leanne Austin & Antoinette Galluzzo

MEDIA

Cai Holroyd, Area News

1 COUNCIL ACKNOWLEDGEMENTS

The Meeting opened with Councillor Mark Dal Bon reading the Opening Affirmation and the Acknowledgement of Country.

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

No apologies or requests for leave of absence were received.

3 CONFIRMATION OF MINUTES

24/282

RESOLVED on the motion of Councillors Christine Stead and Jenny Ellis that the minutes of the Ordinary Meeting of Council held in Griffith City Council Chambers on 22 October 2024, having first been circulated amongst all members of Council, be confirmed.

For

Councillor Doug Curran
Councillor Shari Blumer
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady

Against

Councillor Christine Stead
Councillor Laurie Testoni

The division was declared PASSED by 9 votes to 0.

4 BUSINESS ARISING

Nil.

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 Shari Blumer
CL01 DA 99/2024 – 5MW Battery Energy Storage System
Reason – Pecuniary - commercial in confidence.

Councillor Shari Blumer
CL08 Licence Agreement Renewal - Boofhead Management Pty Ltd (Dom's Motors Pty Ltd)
Crown Reserve 159011 - 1 Lenehan Road, Griffith
Reason – The business I work for acts for Council in these types of matters.

Councillor Shari Blumer
CL09 Renewal of Licence Agreement - Jondaryan Investments Pty Limited ATF Jondaryan
Property Trust - Part Drainage Reserve 159011, Jondaryan Avenue, Griffith
Reason – The business I work for acts for Council in these types of matters.

Councillor Shari Blumer
CL10 Renewal of Lease Agreement - Griffith War Memorial Museum Inc. to Griffith City
Council - Griffith Regional Art Gallery - Banna Avenue, Griffith
Reason – The business I work for acts for Council in these types of matters.

Councillor Shari Blumer
CL011 Renewal of Lease Agreement - NSW Rural Fire Service - Hangar Site 7 Griffith
Aerodrome
Reason – The business I work for acts for Council in these types of matters.

Councillor Laurie Testoni
CL01 DA 99/2024 – 5MW Battery Energy Storage System
Reason - Business conflict, client of the business I manage.

Councillor Laurie Testoni
CL09 Renewal of Licence Agreement - Jondaryan Investments Pty Limited ATF Jondaryan
Property Trust - Part Drainage Reserve 159011, Jondaryan Avenue, Griffith
Reason – Business conflict, members are clients of the business I manage.

Councillor Laurie Testoni
CC01 Tender No. 15-23/24 – Supply and Delivery of Cleaning Services to Council
Properties and Amenities
Reason - Business client, for the business I manage.

Significant Non-Pecuniary Interests

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

Councillor Mark Dal Bon

CL03 Naming the Roundabout at the Intersection of Kidman Way and Thorne Road

Reason – I did run on my Ballot paper with Satwinder Singh for Council Elections. But he has never contacted me about this matter of the Roundabout. I do not go to the Temple and do not have monetary or family relationships with them. I do know some of them.

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 Tony O’Grady

CL01 DA 99/2024 – 5MW Battery Energy Storage System

Reason – My sister in law resides approximately 600 metres from the proposed development site. My family don’t stand to benefit or accrue any losses from this development.

Councillor Christine Stead

CL03 Naming of the Roundabout at the Intersection of Kidman Way and Thorne Road

Reason – I have had several calls from Community members.

Councillor Anne Napoli

CL03 Naming of the Roundabout at the Intersection of Kidman Way and Thorne Road

Reason – I have received Emails in regards to this Clause. The outcome of this report has no gain or loss to my family or myself.

Councillor Mark Dal Bon

CL09 Renewal of Licence Agreement - Jondaryan Investments Pty Limited ATF Jondaryan Property Trust - Part Drainage Reserve 159011, Jondaryan Avenue, Griffith

Reason – I do know Dom Guglielmino but we are not going out friends. I did put my posters for Council up on his car yard fence. I know Dom Guglielmino because we live in the same town and bump into eachother sometimes, very rarely. Say hello.

6 PRESENTATIONS

Nil

7 MAYORAL MINUTES

Nil

8 GENERAL MANAGER’S REPORT

Councillors Laurie Testoni and Shari Blumer left the meeting having declared a pecuniary interest, the time being 7:11pm.

CL01 DA 99/2024 - 5MW BATTERY ENERGY STORAGE SYSTEM

Director Rizzo corrected an error on page 29 of the business paper advising the 5 hectares should be 0.5 hectares and on page 16 of the attachments condition 58, Macedone Road should be Cremasco Road.

Director Rizzo took a question on notice regarding notification of neighbours in relation to this development application.

24/283

RESOLVED on the motion of Councillors Christine Stead and Jenny Ellis that the meeting suspend standing orders to allow Jenna Amos of MJM Consulting Engineers to address Council.

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

For

Councillor Doug Curran
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead

Against

The division was declared PASSED by 7 votes to 0.

24/284

RESOLVED on the motion of Councillors Christine Stead and Tony O'Grady that the meeting resume standing orders.

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 Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead

Against

The division was declared PASSED by 7 votes to 0.

Councillors Ellis and O'Grady moved the following **MOTION** that:

- (a) Griffith City Council as the consent authority pursuant to section 4.16 of the Environmental Planning & Assessment Act 1979, approve Development Application 99/2024 at 116 Cremasco Road, Yenda for a battery energy storage system subject to conditions.
- (b) The Director Sustainable Development be delegated to issue the Council's determination under Section 4.16.

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

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

For
Councillor Doug Curran
Councillor Jenny Ellis
Councillor Tony O'Grady

Against
Councillor Mark Dal Bon
Councillor Scott Groat
Councillor Anne Napoli
Councillor Christine Stead

The division was declared LOST by 3 votes to 4.

Councillors Laurie Testoni and Shari Blumer returned to the meeting at 7:23pm.

CL02 NEW PLAYGROUND, LAKE WYANGAN FORESHORE DEVELOPMENT

Councillor Mark Dal Bon left the meeting, the time being 7:30pm and returned at 7:30pm.

Councillor Mark Dal Bon left the meeting, the time being 7:31pm and returned at 7:31pm.

Councillor Mark Dal Bon left the meeting, the time being 7:33pm and returned at 7:33pm.

24/285

RESOLVED on the motion of Councillors Christine Stead and Jenny Ellis that Submission 1 (Design Option 1), as selected through the Public Consultation process, be accepted for the Design, Supply and Installation of play equipment, including the addition of a double Flying Fox at Lake Wyangan for the total amount of \$259,413.19 excl GST.

For
Councillor Doug Curran
Councillor Shari Blumer
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

Against
Councillor Mark Dal Bon

The division was declared PASSED by 8 votes to 1.

Councillor Mark Dal Bon left the meeting having declared a significant non-pecuniary interest, the time being 7:35pm.

CL03 NAMING THE ROUNDABOUT AT THE INTERSECTION OF KIDMAN WAY AND THORNE ROAD

24/286

RESOLVED on the motion of Councillors Christine Stead and Jenny Ellis that the meeting suspend standing orders to allow the following speakers to address Council: Gurdwara Singh Sabha Society INC, Manjit Singh Lally and Brian Sainty.

For
Councillor Doug Curran
Councillor Shari Blumer
Councillor Jenny Ellis

Against

Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

The division was declared PASSED by 8 votes to 0.

24/287

RESOLVED on the motion of Councillors Christine Stead and Shari Blumer that the meeting resume standing orders.

For
Councillor Doug Curran
Councillor Shari Blumer
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

Against

The division was declared PASSED by 8 votes to 0.

Councillors Blumer and Testoni moved the following **MOTION** that Council name the roundabout at the intersection of The Kidman Way and Thorne Road the "Khalsa Chowk".

Councillor Christine Stead foreshadowed a Motion that the roundabout at the intersection of the Kidman Way and Thorne Road be named The Forlico Roundabout.

Councillor Ellis moved that the report **LAY ON THE TABLE**.

24/288

RESOLVED on the motion of Councillor Jenny Ellis that the report LAY ON THE TABLE.

For
Councillor Doug Curran
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead

Against
Councillor Shari Blumer
Councillor Laurie Testoni

The division was declared PASSED by 6 votes to 2.

Councillor Mark Dal Bon returned to the meeting at 8:00pm.

CL04 REVIEW OF COUNCIL COMMITTEE STRUCTURE

24/289

RESOLVED on the motion of Councillors Anne Napoli and Christine Stead that:

(a) The current Committee structure of Council (Advisory Committees) be suspended until

such time as Council adopts a new Committee structure for the 2024 - 2028 term of Council.

(b) Council initiate a review of the existing Committee structure.

For

Councillor Doug Curran
Councillor Shari Blumer
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

Against

The division was declared PASSED by 9 votes to 0.

CL05 COUNCILLOR APPOINTMENTS TO STATUTORY COMMITTEES AND EXTERNAL ORGANISATIONS

Councillors considered appointments to statutory and external Committees and organisations.

A vote was taken for the appointment of a representative on the Murray Darling Association Region 9 Committee. Councillors Shari Blumer and Scott Groat both nominated for this position. As only one position was available a vote took place.

The vote was 5-4 against Councillor Blumer being appointed to the Murray Darling Association Region 9 Committee.

The vote was unanimous in favour of Councillor Scott Groat being appointed to the Murray Darling Association Region 9 Committee.

24/290

RESOLVED on the motion of Councillors Laurie Testoni and Tony O'Grady that:

(a) Council appoint the following Councillors to Council's Statutory Committees:

Floodplain Management Committee

Councillor Scott Groat (Chair)

Councillor Laurie Testoni (Alt)

Traffic Committee

Councillor Anne Napoli (Chair)

Councillor Tony O'Grady (Alt)

Audit, Risk & Improvement Committee

Councillor Christine Stead (observer / non-voting)

Local Emergency Management Committee

No Councillor representation

- (b) Council appoint the following delegates to external organisations:

Griffith Health Facilities Limited - Griffith Community Private Hospital

Mayor Doug Curran

Councillor Anne Napoli

Councillor Tony O'Grady

Griffith Worker and Housing Shortage Taskforce

Mayor Doug Curran

Councillor Christine Stead

Councillor Scott Groat

Headspace Consortium

Councillor Jenny Ellis

Joint Regional Planning Panel

Councillor Shari Blumer

Councillor Anne Napoli

Alternate Councillor Christine Stead

Alternate Councillor Laurie Testoni

Murray Darling Association Region 9

Councillor Scott Groat for a period of 2 years.

Western Riverina Arts Board

Councillor Jenny Ellis

Western Riverina Library Management Committee

Mayor Doug Curran

- (c) Council commence advertising for community representatives for the following Statutory Committees:

- Floodplain Management Committee
- Audit, Risk & Improvement Committee.

- (d) Council support in principle the endeavours of the Griffith Cancer Therapy Accommodation Committee Inc. and nominate the Mayor, Councillor Tony O'Grady and Councillor Anne Napoli as an Alternate, to participate in discussions regarding the project with Murrumbidgee Local Health District and other organisations where necessary.

For

Councillor Doug Curran
Councillor Shari Blumer
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

Against

The division was declared PASSED by 9 votes to 0.

CL06 REVIEW OF COMMUNITY ENGAGEMENT STRATEGY

24/291

RESOLVED on the motion of Councillors Shari Blumer and Christine Stead that:

- (a) Council endorse the draft Community Engagement Strategy and place the document on public exhibition for 28 days.
- (b) If any submissions are received, a further report be prepared for Council.
- (c) If no submissions are received, the draft Community Engagement Strategy be considered as adopted by Council as at the date of the conclusion of the advertised exhibition period.

For

Councillor Doug Curran
Councillor Shari Blumer
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

Against

The division was declared PASSED by 9 votes to 0.

CL07 STATE OF OUR CITY REPORT 2024

24/292

RESOLVED on the motion of Councillors Shari Blumer and Laurie Testoni that the State of our City Report be endorsed by Council.

For

Councillor Doug Curran
Councillor Shari Blumer
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead

Against

Councillor Laurie Testoni

The division was declared PASSED by 9 votes to 0.

Councillor Shari Blumer left the meeting having declared a pecuniary interest, the time being 8:16pm.

Councillor Mark Dal Bon left the meeting having declared non-pecuniary interest, the time being 8:16pm.

CL08 LICENCE AGREEMENT RENEWAL - BOOFHEAD MANAGEMENT PTY LTD (DOM'S MOTORS PTY LTD) - CROWN RESERVE 159011 - 1 LENEHAN ROAD, GRIFFITH

24/293

RESOLVED on the motion of Councillors Christine Stead and Anne Napoli that:

- (a) Council enters into a licence agreement with Boofhead Management Pty Ltd over Crown Reserve 159011, part Lot 7316 DP 1156810, 1 Lenehan Road, Griffith for a term of 5 years, commencing 1 July 2024; with an option to renew of 5 years

As at 31 July 2024 Council's accounts department invoiced to the licensee the annual licence fee of \$8,262.45 (Inc GST) for the 24/25 FY. This calculation of the new annual fee was based on the previous annual fee and escalated according to the Consumer Price Index (CPI) increase for the 24/25 FY.

The annual licence fee will continue to be charged on each anniversary in accordance with the Consumer Price Index (CPI) rate applicable at that time, together with the payment of applicable Council rates and charges.

- (b) The licensee (Boofhead Management Pty Ltd) is responsible to pay all applicable costs and charges associated with the preparation of the licence agreement; together with Council's administration fee as per Council's adopted Revenue Policy.
- (c) Council authorises the Mayor and General Manager to execute the licence agreement on behalf of Council under the Common Seal.

For

Councillor Doug Curran
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

Against

The division was declared PASSED by 7 votes to 0.

Councillor Mark Dal Bon returned to the meeting at 8:16pm.

Councillor Laurie Testoni left the meeting having declared a pecuniary interest, the time being 8:16pm.

CL09 RENEWAL OF LICENCE AGREEMENT - JONDARYAN INVESTMENTS PTY LIMITED ATF JONDARYAN PROPERTY TRUST - PART DRAINAGE RESERVE 159011, JONDARYAN AVENUE, GRIFFITH

24/294

RESOLVED on the motion of Councillors Anne Napoli and Christine Stead that:

- (a) Council approves the renewal of the licence agreement over part drainage reserve 159011 being Lot 7319 DP 1156824 to Jondaryan Investments Pty Limited ATF Jondaryan Property Trust for a further term of 10 years commencing 27 August 2024.
- (b) Jondaryan Investments Pty Limited ATF Jondaryan Property Trust will be required to pay all applicable costs and charges associated with the preparation of the licence agreement, together with Council's administration fee as per Council's adopted Revenue Policy.
- (c) The annual licence fee of \$2,912.03 (Inc GST) be charged for the 2024/2025 Financial Year; and thereafter the annual fee will continue to be calculated in accordance with the Consumer Price Index (CPI), together with rates and charges as applicable.
- (d) Council authorise the Mayor and General Manager to execute the licence renewal on behalf of the Council under the Common Seal.

For

Councillor Doug Curran
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead

Against

The division was declared PASSED by 7 votes to 0.

Councillor Laurie Testoni returned to the meeting at 8:17pm.

CL10 RENEWAL OF LEASE AGREEMENT - GRIFFITH WAR MEMORIAL MUSEUM INC. TO GRIFFITH CITY COUNCIL - GRIFFITH REGIONAL ART GALLERY - BANNA AVENUE, GRIFFITH

24/295

RESOLVED on the motion of Councillors Anne Napoli and Laurie Testoni that:

- (a) Council enters into a lease agreement with the Griffith War Memorial Museum Inc. over Crown Reserve 559027, Lot 2 DP 586768, Banna Avenue Griffith for that part of the building occupied by the Griffith Regional Art Gallery; and to include shared areas. The new lease term as agreed by Council's Senior Management Team is proposed; 5 years with a 5-year option for renewal, commencing 1 July 2024.
- (b) The annual licence fee for the 2024-2025 FY will be calculated using the September Quarter 2024 CPI applied to the amount of \$9,915 being the amount charged for the 2023-2024 FY; thereafter the annual fee will continue to increase each year in accordance with the CPI.
- (c) Griffith City Council as the lessee will be responsible to pay all applicable costs and charges associated with the preparation of the lease agreement; together with Council's administration fee as per Council's adopted Revenue Policy.
- (d) Council authorises the Mayor and General Manager to execute the licence agreement

on behalf of Council under the Common Seal.

For

Councillor Doug Curran
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

Against

The division was declared PASSED by 8 votes to 0.

CL11 RENEWAL OF LEASE AGREEMENT - NSW RURAL FIRE SERVICE - HANGAR SITE 7 GRIFFITH AERODROME

24/296

RESOLVED on the motion of Councillors Laurie Testoni and Tony O'Grady that:

- (a) Council enter into a lease agreement with Property & Development NSW as the lessee, noting the NSW Rural Fire Service will continue to occupy Hangar Site 7 of the Griffith Aerodrome for a term of 5 years commencing 1 August 2024.
- (b) Property & Development NSW are to pay all applicable costs and charges associated with the preparation of the lease agreement together with Council's administration fee, as per Council's adopted Revenue Policy.
- (c) The annual lease fee will be charged in accordance with Council's adopted Revenue Policy, currently \$3.01 per sq/metre for 'landside' area between 1000 - 4000 sq/metres for the 2024/2025 Financial Year, in addition to rates and charges.
- (d) Council authorise the General Manager and Mayor to execute the lease agreement on behalf of Council under the Common Seal.

For

Councillor Doug Curran
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

Against

The division was declared PASSED by 8 votes to 0.

Councillor Shari Blumer returned to the meeting at 8:18pm.

24/297

RESOLVED on the motion of Councillors Jenny Ellis and Laurie Testoni that the Notice of Motion provided by Councillor Shari Blumer be brought forward.

For

Councillor Doug Curran
Councillor Shari Blumer

Against

Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

The division was declared PASSED by 9 votes to 0.

NOTICE OF MOTION - COUNCILLOR SHARI BLUMER - 5 NOV 2024

Councillors Blumer and Ellis moved the following **MOTION** that:

- (a) Council agrees to additional wording in recommendation 14 to the 'Report on Strategies to Increase Housing Supply August 2024', of 'and a review of culture and user experience, seeking input from staff and the community more widely';
- (b) A report be prepared by the Directorate of Sustainable Development and be provided to Council at a meeting in May 2025.

Councillors Groat and O'Grady moved the following **AMENDMENT** that:

- (a) Council agrees to additional wording in recommendation 14 to the 'Report on Strategies to Increase Housing Supply August 2024', seeking input from staff and the community more widely';
- (b) A report be prepared by the Directorate of Sustainable Development and be provided to Council at a meeting in May 2025.

The amendment was PUT and CARRIED.

For
Councillor Mark Dal Bon
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead

Against
Councillor Doug Curran
Councillor Shari Blumer
Councillor Jenny Ellis
Councillor Laurie Testoni

The division was declared PASSED by 5 votes to 4.

24/298

RESOLVED on the motion of Councillors Scott Groat and Tony O'Grady that:

- (a) Council agrees to additional wording in recommendation 14 to the 'Report on Strategies to Increase Housing Supply August 2024', seeking input from staff and the community more widely';
- (b) A report be prepared by the Directorate of Sustainable Development and be provided to Council at a meeting in May 2025.

For
Councillor Shari Blumer
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady

Against
Councillor Doug Curran

Councillor Christine Stead
Councillor Laurie Testoni

The division was declared PASSED by 8 votes to 1.

CL12 GRIFFITH WORKER AND HOUSING SHORTAGE TASKFORCE

24/299

RESOLVED on the motion of Councillors Tony O'Grady and Scott Groat that:

- (a) Council note the submission as received and included in this report in regard to the draft Griffith Worker and Housing Shortage Taskforce.
- (b) Council refer the submission as referred to in (a) above to PSA Consultants to inform the review of the Griffith Housing Strategy 2019.

For
Councillor Doug Curran
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

Against
Councillor Shari Blumer

The division was declared PASSED by 8 votes to 1.

9 INFORMATION REPORTS

CL13 INVESTMENTS AS AT 30 SEPTEMBER 2024

24/300

RESOLVED on the motion of Councillors Christine Stead and Tony O'Grady that the report be noted by Council.

For
Councillor Doug Curran
Councillor Shari Blumer
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

Against

The division was declared PASSED by 9 votes to 0.

10 ADOPTION OF COMMITTEE MINUTES

Nil

11 BUSINESS WITH NOTICE – RESCISSION MOTIONS

Nil

12 BUSINESS WITH NOTICE – OTHER MOTIONS

NOTICE OF MOTION - COUNCILLOR ANNE NAPOLI - 15 OCT 2024

24/301

RESOLVED on the motion of Councillors Christine Stead and Tony O'Grady that the matter be raised from the table.

For

Councillor Doug Curran
Councillor Shari Blumer
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

Against

The division was declared PASSED by 9 votes to 0.

Councillor Anne Napoli withdrew the Notice of Motion.

NOTICE OF MOTION - COUNCILLOR SCOTT GROAT - 4 NOV 2024

Councillors Groat and Dal Bon moved the following **MOTION** that:

- (a) Request a full report regarding litigation from developers versus Griffith City Council. Including any past and or pending cases over the past 5 years be presented to Councillors available at the next meeting.
- (b) This report should state the full costs of the litigation to Council/Ratepayers.
- (c) I also move that any pending outstanding matters move immediately to mediation, with arrangements to be made and attended by the General Manager. Should mediation fail, any litigation matters regarding developers should come before Councillors to determine if the matter should be challenged by Council.
- (d) When developers employ external development application specialists for advice, Council staff should respect the reports provided to them and take advice from those reports and cooperate with the developers at every opportunity.

Councillors Blumer and Ellis moved the following **AMENDMENT** that:

- (a) Request a full report regarding litigation from developers versus Griffith City Council. Including any past and or pending cases over the past 5 years be presented to Councillors available at the next meeting.
- (b) This report should state the full costs of the litigation to Council/Ratepayers.
- (c) I also move that any pending outstanding matters move immediately to mediation, with arrangements to be made and attended by the General Manager. Should mediation fail,

any litigation matters regarding developers should come before Councillors to determine if the matter should be challenged by Council.

- (d) When developers employ external development application specialists for advice, Council staff should consider the reports provided to them and take advice from those reports and cooperate with the developers at every opportunity.

The amendment was PUT and LOST.

For
Councillor Doug Curran
Councillor Shari Blumer
Councillor Jenny Ellis
Councillor Laurie Testoni

Against
Councillor Mark Dal Bon
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead

The division was declared LOST by 4 votes to 5.

Councillors Ellis and Blumer moved the following **AMENDMENT** that:

Request a full report regarding litigation from developers versus Griffith City Council. Including any past and or pending cases over the past 5 years be presented to Councillors available at the next meeting.

This report should state the full costs of the litigation to Council/Ratepayers.

When developers employ external development application specialists for advice, Council staff should respect the reports provided to them and take advice from those reports and cooperate with the developers at every opportunity.

The amendment was PUT and CARRIED.

For
Councillor Doug Curran
Councillor Shari Blumer
Councillor Jenny Ellis
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

Against
Councillor Mark Dal Bon
Councillor Scott Groat

The division was declared PASSED by 7 votes to 2.

24/302

RESOLVED on the motion of Councillors Jenny Ellis and Shari Blumer that:

- (a) Request a full report regarding litigation from developers versus Griffith City Council. Including any past and or pending cases over the past 5 years be presented to Councillors available at the next meeting.
- (b) This report should state the full costs of the litigation to Council/Ratepayers.
- (c) When developers employ external development application specialists for advice, Council staff should respect the reports provided to them and take advice from those reports and cooperate with the developers at every opportunity.

For
Councillor Doug Curran
Councillor Shari Blumer

Against

Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

The division was declared PASSED by 9 votes to 0.

QUESTIONS WITH NOTICE - COUNCILLOR SCOTT GROAT

24/303

RESOLVED on the motion of Councillors Jenny Ellis and Christine Stead that Council note the Questions with Notice received.

For

Councillor Doug Curran
Councillor Shari Blumer
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

Against

The division was declared PASSED by 9 votes to 0.

13 OUTSTANDING ACTION REPORT

24/304

RESOLVED on the motion of Councillors Christine Stead and Laurie Testoni that the report be noted.

For

Councillor Doug Curran
Councillor Shari Blumer
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

Against

The division was declared PASSED by 9 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 2021, 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.**

24/305

RESOLVED on the motion of Councillors Christine Stead and Tony O'Grady 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 Shari Blumer
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

Against

The division was declared PASSED by 9 votes to 0.

Council resolved that member 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. 15-23/24 - SUPPLY AND DELIVERY OF CLEANING SERVICES TO COUNCIL PROPERTIES AND AMENITIES

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

Council closed its meeting at 8:50pm. The public and media left the Chamber. Livestream was disconnected.

Councillor Laurie Testoni left the meeting having declared a pecuniary interest, the time being 8:50pm.

Councillor Laurie Testoni returned to the meeting at 8:56pm.

REVERSION TO OPEN COUNCIL

24/306

RESOLVED on the motion of Councillors Christine Stead and Scott Groat that Open Council be resumed.

For

Councillor Doug Curran
Councillor Shari Blumer
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead

Against

The division was declared PASSED by 8 votes to 0.

Open Council resumed at 8:56pm.

Livestream was reconnected.

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

MATTERS DEALT WITH IN CLOSED COUNCIL

CC01 TENDER NO. 15-23/24 - SUPPLY AND DELIVERY OF CLEANING SERVICES TO COUNCIL PROPERTIES AND AMENITIES

24/307

RESOLVED on the motion of Councillors Tony O'Grady and Christine Stead that it is recommended that Griffith City Council award the Supply and Delivery of Cleaning Services to Council Properties and Amenities Contract Number 15–23/24 to S & K Panarello Pty Ltd trading as Presto Cleaning, of Griffith NSW, subject to the following conditions:

A. Contract commencing 1st December 2024, expiring 30th June 2029.

B. Council to conduct annual reviews of service requirements and pricing.

For

Councillor Doug Curran
Councillor Shari Blumer
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Tony O'Grady
Councillor Christine Stead

Against

The division was declared PASSED by 8 votes to 0.

There being no further business the meeting terminated at 9:00pm.

Confirmed:

CHAIRPERSON

TITLE **Presentation of LG NSW Certificates of Service**

SUMMARY

Local Government NSW Certificates of Service are to be presented to the following Councillors and former Councillor:

- Councillor Anne Napoli who has served 20 years as an elected member, having been elected 27 March 2004.
- Councillor Christine Stead who has served 20 years as an elected member, having been elected 27 March 2004.
- Dino Zappacosta who has served 37 years as an elected member. Mr Zappacosta was elected to Council on 26 September 1987.

RECOMMENDATION

Standing Orders be suspended to allow the presentation of LG NSW Certificates of Service.

CLAUSE	CL01
TITLE	Endorsement of Councillor Payment of Expenses and Provision of Facilities Policy for Public Exhibition
FROM	Brett Stonestreet, General Manager
TRIM REF	24/73608

SUMMARY

In accordance with Section 252 of the Local Government Act 1993, Council is required to adopt a policy on the payment of expenses and provision of facilities for Mayors and Councillors within the first 12 months of the term of a new Council.

The draft revised "Councillor Payment of Expenses and Provision of Facilities" policy is presented to Council for review and endorsement for public exhibition prior to adoption.

RECOMMENDATION

- (a) Council place the draft revised Councillor Payment of Expenses and Provision of Facilities Policy (GC-CP-407) on public display for 28 days.**
- (b) If any submissions are received, a further report be prepared for Council.**
- (c) If no submissions are received, the draft policy be considered as adopted by Council as at the date of the conclusion of the advertised exhibition period.**

REPORT

Council is required to review and adopt the Councillor Payment of Expenses and Provision of Facilities policy within 12 months of a Council election.

The Office of Local Government (OLG) provides guidelines and a template for the formulation of the Councillors Payment of Expenses and Provision of Facilities policy. Council has reviewed the draft policy in accordance with the OLG guidelines. The draft policy has been prepared using the OLG suggested policy template.

Superannuation and Salary Sacrificing

There have been amendments in recent years to the Local Government Act 1993, which relate to superannuation and salary sacrificing for Councillors' fees.

The Superannuation Guarantee (SGC) is payable on Councillor fees. Councils are required to make superannuation contributions for Councillors based on the fees they receive. The SGC rate applies to the fees paid to Councillors, ensuring they receive superannuation benefits in line with the broader superannuation legislation.

Councillor fees in part, or in full, can be paid into Councillors' nominated (complying) superannuation accounts as a superannuation contribution payment. Noting that the individual Councillors will need to consider this in the context of any other superannuation contributions they make, to ensure they do not breach the contributions cap.

Regarding the question of salary sacrifice, *Section 254B (6-7) of the LG Act (the Act)* specifically states:

(6) A person is not, for the purposes of any Act, taken to be an employee of a council and is not disqualified from holding civic office merely because the person is paid a superannuation contribution payment.

(7) A superannuation contribution payment does not constitute salary for the purposes of any Act.

However, in accordance with Section 252 of the Act, fees payable to Councillors may be reduced by amounts paid as 'private benefits', e.g. salary sacrificed amounts including superannuation. To do so, Councils must pass a resolution in this regard and adopt a policy to allow for this.

Proposed changes to amounts allocated in Appendix III Summary of Maximum Amounts

The following summary is provided regarding explanation of notable changes to amounts allocated in Appendix III of the draft policy - Summary of Maximum Amounts.

Expense or facility	Policy adopted 2022 Maximum amount	Proposed Maximum amount (Budget adopted 2023/24)	Job No.	Explanation re budget variances
Council Meeting Expenses	\$10,000 total for all Councillors	\$10,000 adopted 2023/24 • TBA depending on NOM	12129.0092	\$14,138 expended 2022/23 \$12,443 expended 2023/24
Civic Receptions	\$6,000 total for all Councillors (adopted 2021/22)	\$6,000 \$5,000 total for all Councillors	12130.0092	Budget adjusted to \$5,000 in 2022/23 and 2023/24.
Councillor travelling expenses within LGA	\$10,000 total for all Councillors (adopted 2021/22)	\$10,000 \$5,000 total for all Councillors	12127.0092	Budget reduced 2024/25 to reflect below results: \$3,260 expended 2023/24 \$2,735 expended 2022/23 \$2,265 expended 2021/22
Councillor Training/Workshop – NSW Travel & Accommodation	\$3,500 total for all Councillors	\$3,500 \$3,600 total for all Councillors	14112.0012	Minimal variance
Councillor Training/Workshop – Interstate Travel & Accommodation	\$1,000 total for all Councillors	\$1,000 \$1,030 total for all Councillors	14112.0101	Minimal variance
Conferences and seminars – NSW Travel & Accommodation	\$11,000 total for all Councillors	\$11,000 \$12,000 total for all Councillors	12188.012	Budget adjusted \$12,195 expended 2021/22 (budget was \$11,000)

Expense or facility	Policy adopted 2022 Maximum amount	Proposed Maximum amount (Budget adopted 2023/24)	Job No.	Explanation re budget variances
				\$18,046 expended 2022/23 (budget was \$15,000) \$10,877 expended 2023/24 (budget was \$11,000)
Conference – Interstate Travel & Accommodation	\$2,000 total for all Councillors	\$2,000 \$12,000 total for all Councillors	12188.0101	Budget adjusted \$4,045 expended 2021/22 (budget was \$2,000) \$10,674 expended 2022/23 (budget was \$10,000) \$5,808 expended 2023/24 (budget was \$2,000)
Conferences - Registration	\$6,000 total for all Councillors	\$6,000 \$12,000 total for all Councillors	12188.0028	Budget adjusted \$11,318 expended in 2021/22 (budget was \$6,000) \$14,601 expended 2022/23 (budget was \$16,000) \$15,820 expended 2023/24 (budget was \$6,000)
Training - Registration	\$30,000 total for all Councillors	\$30,000 \$10,500 total for all Councillors	14112.0026	Budget adjusted \$12,231 expended in 2021/22 (budget was \$20,000) \$1,296 expended 2022/23 (budget was \$10,500) \$1,260 expended 2023/24 (budget was \$10,500)
Memberships, subscriptions, licence fees	\$18,000 total for all Councillors	\$18,000 \$22,000 total for all Councillors	12166.0181	Includes ALGWA, Country Mayor's Association, Hub Licences, Regional Capitals Membership, MDA Membership \$20,171 in 2021/22 (budget was \$18,000) \$21,780 in 2022/23 (budget was \$20,000) \$27,414 in 2023/24 (budget was \$20,000)

The total previous allowances for the abovementioned job numbers allocated in the 2021/22 budget was \$97,500. The total proposed allowances for the abovementioned job numbers allocated in 2024/25 budget is: \$93,130.

OPTIONS

OPTION 1

Council must adopt a policy on Councillor Payment of Expenses and Provision of Facilities within the first 12 months of the term of a new Council.

OPTION 2

Council may make amendments to the draft policy prior to placing on public exhibition.

POLICY IMPLICATIONS

Once adopted, the revised policy will be the governing policy in relation to payment of expenses and provision of facilities for the Mayor and Councillors at Griffith City Council unless otherwise amended by further resolution of Council.

FINANCIAL IMPLICATIONS

Once adopted, the revised policy will govern the allowable expenses and provision of facilities for Councillors in the performance of their official duties.

LEGAL/STATUTORY IMPLICATIONS

252 Payment of expenses and provision of facilities

- (1) Within the first 12 months of each term of a Council, the Council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other Councillors in relation to discharging the functions of civic office.
- (2) The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a Councillor of a facility provided by the Council to the mayor or Councillor.
- (3) A Council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a Councillor otherwise than in accordance with a policy under this section.
- (4) A Council may from time to time amend a policy under this section.
- (5) A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.

253 Requirements before policy concerning expenses and facilities can be adopted or amended

- (1) A Council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.
- (2) Before adopting or amending the policy, the Council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.
- (3) Despite subsections (1) and (2), a Council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the Council is of the opinion that the proposed amendment is not substantial.

- (4) (Repealed)
- (5) A Council must comply with this section when proposing to adopt a policy in accordance with section 252(1) even if the Council proposes to adopt a policy that is the same as its existing policy.

ENVIRONMENTAL IMPLICATIONS

Not Applicable

COMMUNITY IMPLICATIONS

The community has opportunity to make submissions on the draft policy during the public exhibition period.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 3.1 Undertake Council activities within a clear framework of strategic planning, policies, procedures and service standards.

CONSULTATION

Senior Management Team
Office of Local Government website

ATTACHMENTS

- (a) Draft Councillor Payment of Expenses and Provision of Facilities Policy [↓](#) 35



Councillor Payment of Expenses and Provision of Facilities GOV-CP- 407

(PUBLIC POLICY)

Policy History

Revision No.	Council Meeting Date	Minute No.	Adoption Date
1	17/09/2002	729	17/09/2002
2	14/01/2003	25	14/01/2003
3	24/05/2005	0172	24/05/2005
4	14/08/2007	0260	14/08/2007
5	30/09/2008	0394	30/09/2008
6	22/09/2009	0297	22/09/2009
7	11/05/2010	0139, 142	11/05/2010
8	13/07/2010	0239	13/07/2010
9	23/11/2010	0398	23/11/2010
10	12/07/2011	0219	12/07/2011
11	27/03/2012	0086	27/03/2012
12	11/12/2012	0356-0365	11/12/2012
13	23/11/2013	0374-0388	23/11/2013
14	11/11/2014	393	11/11/2014
15	11/08/2015	15/241	11/09/2015
16	25/10/2016	16/307	25/11/2016
17	28/11/2017	17/313	28/11/2017
18	22/3/2022	22/082	15/4/2022
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Policy Summary

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties.

It ensures accountability and transparency, and seeks to align Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2021* (the Regulation), and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in Appendix III and IV. Additional costs incurred by a Councillor in excess of these limits are considered a personal expense that is the responsibility of the Councillor.

Councillors must provide claims for reimbursement within 60 days of an expense being incurred unless otherwise stipulated. Claims made after this time cannot be approved.

Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting as part of the quarterly review and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

Part A Introduction

1. Introduction

- 1.1. The provision of expenses and facilities enables Councillors to fulfil their civic duties as the elected representatives of Griffith City Council.
- 1.2. The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.
- 1.3. The purpose of this policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.
- 1.4. Council staff are empowered to question or refuse a request for payment from a Councillor when it does not accord with this policy.
- 1.5. Expenses and facilities provided by this policy are in addition to fees paid to Councillors. The minimum and maximum fees a Council may pay each Councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range. Refer to Part E.

2. Policy objectives

- 2.1. The objectives of this policy are to:
 - enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties
 - enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties
 - ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors



- ensure facilities and expenses provided to Councillors meet community expectations
- support a diversity of representation
- fulfil the Council's statutory responsibilities.

3. Principles

- 3.1. Council commits to the following principles:
- **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
 - **Reasonable expenses:** providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor
 - **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor
 - **Equity:** there must be equitable access to expenses and facilities for all Councillors
 - **Appropriate use of resources:** providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations
 - **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to Councillors.

4. Private or political benefit

- 4.1. Councillors must not obtain private or political benefit from any expense or facility provided under this policy, nor from travel bonuses such as frequent flyer schemes or any other such loyalty programs while on Council business.
- 4.2. Private use of Council equipment and facilities by Councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected.
- 4.3. Such incidental private use does not require a compensatory payment back to Council.
- 4.4. Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, Councillors must reimburse the Council.
- 4.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
- production of election material
 - use of Council resources and equipment for campaigning
 - use of official Council letterhead, publications, websites or services for political benefit
 - fundraising activities of political parties or individuals, including political fundraising events.

Part B Expenses

5. General expenses

- 5.1. All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2. Expenses not explicitly addressed in this policy will not be paid or reimbursed.



6. Specific expenses

General travel arrangements and expenses

- 6.1. Council will maintain overall budget line items for travel expenses incurred by Councillors - Refer Appendix III.
- 6.2. All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.3. Each Councillor may be reimbursed for travel expenses incurred while undertaking official business, professional development or attending approved conferences and seminars within NSW. This includes reimbursement:
 - for public transport fares
 - for the use of a private vehicle or hire car
 - for parking costs for Council and other meetings
 - for tolls
 - by Cabcharge card or equivalent
 - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.4. A Councillor's registered and insured private vehicle may be used for official travel, but such usage must be approved jointly by the Mayor and General Manager prior to the journey. Where a private vehicle is used with appropriate approval, the Mayor's or Councillor's claim is to be as follows:
 - 6.4.1. If no Council vehicle was available to be utilised by the Mayor or Councillor, allowances for the use of a private vehicle for official business, will be reimbursed by kilometre at the rate contained in the Local Government (State) Award ~~2020~~ 2023 – Part A – Clause 18 – Motor Vehicle Arrangements and Part B Monetary Rates Table 2 Clause ~~47A(i)~~ 18A(i) Vehicle Allowances (cents per km). The travel must be via the most direct route between the Councillors' place of residence and the destination
 - 6.4.2. Councillors seeking to be reimbursed for use of a private vehicle (if Council vehicle not available) must submit a Travel Claim Form within 60 days of travel.
- 6.5. If a Council vehicle is available and Councillors elect to utilise their own vehicle, reimbursement will be by way of "actual" fuel receipts and not the set rate per kilometre method.
- 6.6. Totals for each individual Councillor will be disclosed as part of the Quarterly Financial Review of Council operations.
- 6.7. Participation in the Meals on Wheels program is deemed as a community service and travel expenses are not claimable.
- 6.8. Cab Charge – If approved jointly by the Mayor and General Manager, a Councillor may be issued with a cab charge card for use when on Council business, provided that at least one of the following conditions apply:
 - A Council vehicle is not reasonably available to provide such transport;
 - The provision of a vehicle would not be economical in the circumstances;
 - The Councillor does not own a registered vehicle; or
 - The Councillor is not a licensed driver.

Refer to Appendix III & IV for maximum amounts/rates for travel expenses.



Interstate, overseas and long distance intrastate travel expenses – additional requirements

- 6.9. In accordance with Section 4, Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to sister and friendship cities.
- 6.10. Approval for travel, accommodation and expense reimbursement outside the Local Government Area must be granted prior to the travel and shall be given jointly by the Mayor and the General Manager.
- 6.11. Where travel is by motor vehicle, it should be undertaken by a Council vehicle. Refer to 6.2-6.6.
- 6.12. Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full Council meeting prior to travel.
- 6.13. The case should include:
 - objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties
 - who is to take part in the travel
 - duration and itinerary of travel
 - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
 - determinations on validity of overseas trips are to be based on the International Relations Positioning Statement (Griffith City Council) and the application of the Guidelines for Payment of Expenses for Mayors and Councillors published by the Office of Local Government.
 - nomination of any Councillor to undertake overseas travel should be based on the Councillor demonstrating an ability to achieve direct and tangible outcomes for the community during the trip (expenses to be covered include economy class airfare, standard hotel rooms, meals and incidentals).
- 6.14. After returning from overseas, Councillors will provide a detailed written report to Council on the aspects of the trip relevant to Council business and/or the local community. Councillors are also required to report back on their overseas travel to a full meeting of Council.
- 6.15. For interstate, intrastate and international travel by air, the class of air travel is to be economy class.
- 6.16. Bookings for approved air travel are to be made through the General Manager
- 6.17. 's office.
- 6.18. For air travel that is reimbursed as Council business, Councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

Travel expenses not paid by Council

- 6.19. Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

Accommodation and meals

- 6.20. In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the General Manager. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the Councillor lives more than 50 kilometres from the meeting location.



- 6.21. Council will reimburse costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development outside the Griffith City Council area.
- 6.22. The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Appendix IV Travel, Accommodation and Meal Rates in accordance with Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.
- 6.23. The General Manager may approve an increase or variation to daily limits for accommodation and meal expenses where he or she is satisfied that this is reasonable and in the interests of Council.
- 6.24. Councillors will not be reimbursed for alcoholic beverages unless consumed with a meal.

Refreshments for Council related meetings

- 6.25. Appropriate refreshments will be available for Council meetings, Councillor Workshops, approved meetings and engagements, and official Council functions as approved by the General Manager.
- 6.26. As an indicative guide for the standard of refreshments to be provided at Council related meetings, the General Manager must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

Attendance at Dinners, Functions and Events

- 6.26 Council will meet the cost of Councillors' attendance at Council dinners, functions and events. The extent of the reimbursement in this section is limited to the cost of the function only. Refer to Appendix V.
- 6.27 Council will only meet the cost of Councillors' attendance at non-Council dinners, functions and events as detailed in Appendix V. The extent of the reimbursement in this section is limited to the cost of the function only.
- 6.28 Council will not pay expenses or provide facilities to Councillors in relation to supporting and/or attending fundraising activities of political parties including political fundraising events as such events are considered to be personal interests.

Allowable Expenses for Accompanying Persons

- 6.29 Council shall meet the costs of registration and any official conference dinners of the Mayor's or Councillors' accompanying person in attending the following annual conferences:
 - Local Government NSW
 - Australian Local Government Association
 - National General Assembly of Local Government.
 - Murray Darling Basin Authority
 - Australian National Roads and Transport Congress
 - Regional Capitals Australia.
- 6.30 All travel expenses, additional accommodation expenses, accompanying person tours and other sundry expenses incurred by the accompanying person shall be the personal responsibility of the individual Councillor.



Allowable Expenses for Person Accompanying the Mayor (or Councillor representing the Mayor)

- 6.31 Attendance at Council and non-Council dinners, functions and events within the Local Government Area: Costs incurred by a person accompanying the Mayor (or Councillor representing the Mayor) will be reimbursed for attending official Council and non-Council dinners, functions and events within the Griffith Local Government area. The extent of the reimbursement in this section is limited to the cost of the function only. Refer Appendix V
- 6.32 Attendance at dinners, functions and events outside the Local Government Area: Costs incurred by a person accompanying the Mayor (or Councillor representing the Mayor) will only be reimbursed when that person is invited to accompany the Mayor (or Councillor representing the Mayor) when the Mayor is called to attend an official function or perform a ceremonial duty on Council's behalf outside the Council area, but within the State. The extent of the reimbursement in this section is limited to the cost of the function only. Examples could include charitable functions and other functions or award ceremonies to which the Mayor has been invited to represent the Council. Expenses will be reimbursed in accordance with the policy.

Disallowed Expenses for Accompanying Persons

- 6.33 Council will not meet expenses associated with the attendance of an accompanying person at:
- Attendance at any conference or event not noted in section 6.31-6.32 - Allowable Expenses for Person Accompanying the Mayor (or Councillor representing the Mayor) above.
 - Any event or function outside the Council area, including interstate and overseas (with the exception of attendance at annual conferences of those bodies noted in 6.29 above).

Professional development (Workshops/training)

- 6.34. Council will maintain overall budget line items for professional development expenses incurred by Councillors (workshops, training education courses and membership of professional bodies) - Refer Appendix III.
- 6.35. In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.36. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 6.37. Approval for professional development activities is subject to a prior written request to the General Manager outlining the:
- details of the proposed professional development
 - relevance to Council priorities and business
 - relevance to the exercise of the Councillor's civic duties.
- 6.38. In assessing a Councillor request for a professional development activity, the General Manager must consider the factors set out in Clause 6.37, as well as the cost of the professional development in relation to the Councillor's remaining budget.
- 6.39. Professional development expenses incurred by individual Councillors will be tracked against the overall budget line item. Totals for each individual Councillor will be disclosed as part of the Quarterly Financial Review of Council operations.



Conferences and seminars

- 6.40. Council is committed to ensuring its Councillors are up to date with contemporary issues facing Council and the community, and local government in NSW.
- 6.41. Council will maintain overall budget line items to facilitate Councillor attendance at conferences and seminars. This allocation is for all Councillors. The General Manager will ensure that access to expenses relating to conferences and seminars is distributed equitably. Refer Appendix III.
- 6.42. The Mayor and Councillors will be nominated and authorised to attend conferences and seminars by Council through resolution passed in open session at a Council Meeting. Council must consider factors including the:
- relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties,
 - cost of the conference or seminar in relation to the total remaining budget.
- 6.43. A resolution of Council is not required for Councillors to attend conferences or seminars in the following circumstances:
- during Council recess;
 - where a conference is for one day or less or does not involve an overnight stay; or
 - where there is insufficient time for consideration by the full Council.
- In the event of any of the above circumstances, the Mayor, jointly with the General Manger are to approve Councillors' attendance at conferences or seminars. If the Mayor requires approval to attend conferences, seminars and similar functions where the event is for a single day only, it should be given jointly by the Deputy Mayor or another Councillor and the General Manager. In addition, the Mayor may nominate a substitute attendee in his or her stead for functions within the Council area or the general regional area on those occasions where the Mayor is unable to be in attendance.
- 6.44. Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences and seminars approved by Council. Council will also meet the reasonable cost of meals when they are not included in the conference and seminar fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.19-6.23.
- 6.45. The conferences to which this policy applies shall generally be confined to:
- Annual conferences and special one-off conferences called or sponsored by any of the following Associations:
 - Local Government NSW
 - Australian Local Government Women's Association
 - Australian Local Government Association
 - National General Assembly of Local Government
 - Murray Darling Basin Authority
 - Australian National Roads and Transport Congress
 - Regional Capitals Australia
 - Annual conferences of the major professions in Local Government.
 - Conferences which further training and development efforts of the Council and of Councillors or which relate to or impact upon the Council's functions.
 - Conferences or meetings of organisations or bodies to which a Councillor has been elected, or appointed as a delegate or member of the Council, or LGNSW, ALGWA, or ALGA.
 - Attendance at any other type of conference or seminar would require the prior approval of the full Council.



Expression of Council's Viewpoint at Conferences

- 6.46 Where a viewpoint of Council may be sought at a Conference, the conduct of delegates representing Council shall be governed as follows:
- Where possible, delegates should express only Council's viewpoint when representing Council.
 - Where Council has not determined a viewpoint on any issue being raised at a Conference, or new information is provided, then the delegate shall represent the best interests of Council.

Registration, Travel and Accommodation Bookings

- 6.47 Delegates must, within 3 business days of the Council resolution authorising them as a delegate, contact Council to arrange for the relevant bookings to be made.
- 6.48 Any special requirements which the delegate may have in relation to the conference, travel or accommodation are to be advised to Council at this time.
- 6.49 Registration, travel, accommodation bookings and confirmation of bookings for conferences and workshops will be coordinated through the Personal Assistant to the Mayor and GM.

Conference Costs

- 6.51 The Council shall pay or reimburse the Mayor or a Councillor:
- **Registration:** All normal registration costs, including costs relating to official luncheons, dinners and tours/inspections which are relevant to the interests of the Council.
 - **Accommodation:** Reasonable accommodation costs including the night before and/or after the conference where that is necessary due to travel and/or conference timetables in accordance with this policy. Council should take advantage of any "corporate rates" at accommodation venues as secured by Conference organisers
 - **Travel:** All reasonable travel costs to and from the conference location and venue in accordance with the requirements for travel as outlined in this policy.
 - **Incidental Expenses:** Incidental expenses associated with attendance at conferences, seminars may be reimbursed upon presentation of a claim form and appropriate receipts, in accordance with this policy.
 - **Incidental expenses may include:**
 - Hotel/motel charges associated with the Conference, other than accommodation;
 - Telephone or calls or internet charges related to Council business;
 - Reasonable lunches, dinners and other meals incurred whilst travelling to or from the Conference and other meals occurring during the Conference but not included in the conference registration fee;
 - Expenses such as parking, motorway or bridge tolls, laundry and refreshments;
 - Any optional activity in a conference program, but excluding any pre or post conference activities.
 - Items from minibar (excluding alcohol).

Report to Council

- 6.52 Attendance at any conference or seminar shall be the subject of a report to Council outlining the major issues raised at the event and its relevance to the Griffith City Council with recommendations for further areas of investigation. This section does not apply to a Councillor's attendance at the annual conferences of the following associations:
- Local Government NSW
 - Australian Local Government Women's Association



- Australian Local Government Association
- National General Assembly of Local Government
- Murray Darling Basin Authority
- Australian National Roads and Transport Congress
- Regional Capitals Australia.

6.53 Where a group of Councillors attend the same event, the report to Council may be submitted by the group, but must be signed by all Councillors.

6.54 The delegate(s) must submit this report to Council within one calendar month of the conference.

6.55 The report to Council should be in writing and include the following sections:

- The purpose / subject matter of the conference, including the reason for the attendance of the delegate
- The agenda of the conference
- Any items of interest to Council discussed at the conference
- Recommendations for further areas of action or investigation.

Information and communications technology (ICT) expenses

6.56. Council will maintain an overall budget line item for Information and Communication expenses. Expenses incurred by individual Councillors will be tracked against the overall budget line item. Totals for each individual Councillor will be disclosed as part of the Quarterly Financial Review of Council operations. Refer to Appendix III.

6.57. Council will reimburse reasonable telephone calls (landline and mobile) associated with the execution of Councillors' civic duties. Expense claims for reimbursement are to be accompanied by an itemised bill, with usage relating to Council business highlighted.

6.58. Councillors will be supplied with an iPad and data pack set up to enable internet access, emailing and processing of correspondence and access to Council business papers, minutes, policies and other Council records. All requisite software will be installed on the device.

6.59. Councillors will be supplied with a printer upon request.

Special requirements and carer expenses

6.60. Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing impaired Councillors and those with other disabilities.

6.61. Council will maintain an overall budget line item for Care Expenses – Refer Appendix III. Expenses incurred by individual Councillors will be tracked against the overall budget line item. Totals for each individual Councillor will be disclosed as part of the Quarterly Financial Review of Council operations.

6.62. Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle.

6.63. In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.

6.64. Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses for attendance at official business, plus reasonable travel from the principal place of residence – Refer to Appendix III.



- 6.65. Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.66. In the event of caring for an adult person, Councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.
- 6.67. Expense claims for reimbursement are to be accompanied by an itemised receipt.

7. Insurances

- 7.1. In accordance with Section 382 of the Local Government Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this Policy.
- 7.2. Insurance protection is only provided if a claim arises out of or in connection with the Councillor's performance of his or her civic duties, or exercise of his or her functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.3. Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.
- 7.4. Appropriate travel insurances will be provided for any Councillors travelling on approved interstate and overseas travel on Council business.

8. Legal assistance

- 8.1. Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
 - a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the Councillor
 - a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the Councillor
 - a Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.
- 8.2. In the case of a code of conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor.
- 8.3. Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.
- 8.4. Council will not meet the legal costs:
 - of legal proceedings initiated by a Councillor under any circumstances
 - of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
 - for legal proceedings that do not involve a Councillor performing their role as a Councillor.



- 8.5. Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.

Part C Facilities

9. General facilities for all Councillors

Facilities

- 9.1. Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:
- Councillors have access to shared car parking spaces while attending Council offices on official business. A Parking Permit is required to be displayed in the Councillor's vehicle.
 - Councillors may have access to personal protective equipment for use during site visits.
 - Councillors will be issued with a name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Mayor or Deputy Mayor.
- 9.2. Councillors may book meeting rooms (Mayor's Office, Murray Room, Dal Broi Room, Keenan Room) for official business at no cost. Rooms may be booked through the Personal Assistant to the GM and Mayor.
- 9.3. The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.

Stationery and home office

- 9.4. Council will provide the following stationery to Councillors each year:
- Mayoral letterhead, to be used only for correspondence associated with civic duties
 - Business cards
 - Envelopes
 - Writing pads and pens
 - Paper
 - Ink.
- Refer to Appendix III.

Administrative support

- 9.5. Council will provide administrative support to Councillors to assist them with their civic duties only. Administrative support may be provided by staff in the Mayor's office or by a member of Council's administrative staff as arranged by the General Manager or their delegate.
- 9.6. Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.



Corporate Dress

- 9.7 Each Councillor will be supplied with two Griffith City Council neckties or scarves, and if requested, a corporate blazer embroidered with Council logo or crest. In addition, the Mayor will be supplied with a vest or sportscoat if requested. Refer to Appendix III.

10. Additional facilities for the Mayor

- 10.1. Council will provide to the Mayor a maintained vehicle to a similar standard of the General Manager, with a fuel card. The vehicle will be supplied for use on Council business, professional development and attendance at the Mayor's office, accounting for some private use.
- 10.2. The Mayor must keep a log book for a 12 week period recording all private usage and submit to Council within 12 months of his/her election.
- 10.3. If private usage is greater than 25% of the vehicle use, the kilometres greater than 25% will be reimbursed to Council as considered significant private use. The Mayoral allowance will be reduced to cover the cost of any private travel above the 25% private use (significant private use), calculated by the rate set by the Local Government (State) Award.
- 10.4. A parking space at Council's offices will be reserved for the Mayor's Council-issued vehicle for use on official business, professional development and attendance at the Mayor's office.
- 10.5. Council will provide the Mayor with a furnished office incorporating a telephone and meeting space.
- 10.6. The Mayor will be provided with an appropriate mobile telephone in addition to a Councillor Ipad.
- 10.7. The Mayor will be provided with a Corporate Credit Card for Council related business pursuant to the provision of this policy to a maximum monthly amount. Refer to Appendix III.
- 10.8. In performing his or her civic duties, the Mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the General Manager.
- 10.9. The number of exclusive staff provided to support the Mayor and Councillors will not exceed 0.5 full time equivalents.
- 10.10. As per Section 4, staff in the Mayor's office are expected to work on official business only, and not for matters of personal or political interest, including campaigning.

Part D Processes

11. Approval, payment and reimbursement arrangements

- 11.1. Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 11.2. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 11.3. Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:
 - local travel relating to the conduct of official business
 - carer costs.
- 11.4. Final approval for payments made under this policy will be granted by the General Manager or their delegate.
- 11.5. No complimentary tickets will be provided to Councillors for attendance at any Council operated facility other than for official functions as detailed in Appendix V.



Direct payment

11.6. Council may approve and directly pay expenses. Requests for direct payment must be submitted to the General Manager for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

11.7. All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate documentation including receipts and/or tax invoices and be submitted to the General Manager within the required timeframe.

Advance payment

11.8. Council does not offer a cash advance payment.

Notification

11.9. If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable.

11.10. If a claim is refused, Council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to Council

11.11. If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:

- Council will invoice the Councillor for the expense or authorisation will be sought to deduct the amount from the Councillors' monthly allowance
- the Councillor will reimburse Council for that expense within 14 days of the invoice date.

11.12. If the Councillor cannot reimburse Council within 14 days of the invoice date, they are to submit a written explanation to the General Manager. The General Manager may elect to deduct the amount from the Councillor's allowance.

Timeframe for reimbursement

11.13. Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within 60 days of an expense being incurred. Claims made after this time cannot be approved.

12. Disputes

12.1. If a Councillor disputes a determination under this policy, the Councillor should discuss the matter with the General Manager.

12.2. If the Councillor and the General Manager cannot resolve the dispute, the Councillor may submit a Notice of motion to a Council Meeting seeking to have the dispute resolved.

13. Return or retention of facilities

13.1. All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office or at the cessation of their civic duties.



- 13.2. Failure to return Information Technology items within the required timeframe will result in the items being remotely disabled.
- 13.3. Should a Councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine an agreed fair market price or written down value for the item of equipment.
- 13.4. The prices for all equipment purchased by Councillors under Clause 13.3 will be recorded in Council's Annual Report.

14. Publication

- 14.1. This policy will be published on Council's website.

15. Reporting

- 15.1. Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations.
- 15.2. Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting at each quarterly review and published on Council's website. These reports will include expenditure summarised by individual Councillors and as a total for all Councillors.

16. Auditing

- 16.1. The operation of this policy, including claims made under the policy, will be included in Council's audit program and an audit undertaken at least every two years.

17. Breaches

- 17.1. Suspected breaches of this policy are to be reported to the General Manager.
- 17.2. Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

Part E Fees for Mayor and Councillors

18. Annual Fees Payable to Mayor and Councillors

- 18.1. The Council shall, prior to 30th June each year, set by resolution the annual fees to be paid, monthly in arrears, to a Councillor for the following year commencing 1st July, provided that such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal. Such payment shall be subject to Section 254A of the Regulations and any specific resolution of the Council under Section 254A.
- 18.2. The Council shall, prior to 30th June each year, set by resolution, the annual fee to be paid to the Mayor for the following year commencing 1st July provided that such fee shall be within the range for the Council determined annually by the Local Government Remuneration Tribunal. Council may only pay the Deputy Mayor part of the annual Mayoral fee where a Deputy Mayor demonstrably acts in the role of Mayor (section 249 of the Act). Such payment must only be done at the direction of Council and any amount paid to the Deputy Mayor must be deducted from the Mayor's Annual fee.



- 18.3. Unless otherwise provided, (that is an agreement signed and approved by the individual Councillor), the payment of, or reimbursement of expenses and the facilities which may be provided under this policy, shall be provided without reduction from the annual fees payable to the Mayor and Councillors, as determined by the Council, under this section.

19. Superannuation Payable to Councillors

- 19.1 Commencing 1 July 2022, the Mayor and Councillors will be paid superannuation contribution payments equal to the Superannuation Guarantee Contribution percentage set by the Commonwealth Government. As per the Act, the amount of superannuation contribution payment is the amount that Council would be required to contribute under the Commonwealth superannuation legislation as if the Councillor were an employee of the Council.
- 19.2 In accordance with the ATO Interpretative Decision 2007/205, a Councillor upon request, (via submission of Councillor Deduction Form) may enter into an arrangement with Council under which the Councillor agrees to forego all or part of their annual fee in exchange for the Council making contributions to a complying superannuation fund on their behalf.

Part F Appendices

- Appendix I: Related legislation, guidance and policies
- Appendix II: Definitions
- Appendix III: Summary of Maximum Amounts
- Appendix IV: Travel, Accommodation and Meal Rates
- Appendix V: At A Glance Guide to Permissible Functions and Events



Appendix I: Related legislation, guidance and policies

Relevant legislation and guidance:

- Local Government Act 1993
- Local Government (General) Regulation 2021
- OLG Guidelines for the Payment of Expenses and the Provision of Facilities for Mayors and Councillors in NSW
- OLG Circulars
- [Local Government State Award 2023](#)
- [Superannuation Guarantee](#)

Related Council policies:

- Code of Conduct



Appendix II: Definitions

The following definitions apply throughout this policy.

Term	Definition
Accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a Councillor
Appropriate refreshments	Means food and beverages, provided by Council to support Councillors undertaking official business
Act	Means the <i>Local Government Act 1993</i> (NSW)
Clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Conference or seminar	Meeting with program spanning more than one day requiring overnight stay (generally outside of the LGA)
Councillor	Means a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the Mayor
General Manager	Means the General Manager of Council and includes their delegate or authorised representative
Incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
Long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
Maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Appendix III
NSW	New South Wales
Official business	Means functions that the Mayor or Councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: <ul style="list-style-type: none"> meetings of Council and committees of the whole meetings of committees facilitated by Council civic receptions hosted or sponsored by Council meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by Council
Professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Mayor
Regulation	Means the <i>Local Government (General) Regulation 2005</i> (NSW)
Workshops and training	Generally span a single day and are non-residential in nature
year	Means the financial year, that is the 12 month period commencing on 1 July each year



Appendix III: Summary of Maximum Amounts

The following summarises the main expenses and facilities provided under this policy. All monetary amounts are exclusive of GST. Monetary amounts listed against job numbers to be adjusted in accordance with Operational Plan (Budget) annually. Over expenditure in budget items will need to be accounted for in the quarterly review process.

Expense or facility	Maximum amount	Job No.	Frequency
Council Meeting Expenses	\$10,000 total for all Councillors	12129.0092	Per year
Civic Receptions	\$6,000 \$5,000 total for all Councillors	12130.0092	Per year
*Councillor travelling expenses within LGA	\$10,000 \$5,000 total for all Councillors	12127.0092	Per year
*Councillor Training/Workshop – NSW Travel & Accommodation	\$3,500 \$3,600 total for all Councillors	14112.0012	Per year
*Councillor Training/Workshop – Interstate Travel & Accommodation	\$1,000 \$1,030 total for all Councillors	14112.0101	Per year
*Conferences and seminars – NSW Travel & Accommodation	\$11,000 \$12,000 total for all Councillors	12188.012	Per year
*Conference – Interstate Travel & Accommodation	\$2,000 \$12,000 total for all Councillors	12188.0101	Per year
*Conferences - Registration	\$6,000 \$12,000 total for all Councillors	12188.0028	Per year
*Training - Registration	\$30,000 \$10,500 total for all Councillors	14112.0026	Per year
Memberships, subscriptions, licence fees	\$18,000 \$22,000 total for all Councillors	12166.0181	Per year
Telephone Expenses	\$3,000 per year - total for all Councillors Actual – up to monthly limit: \$30 per month – mobiles \$10 per month - landline	12166.0071	Per year
*ICT expenses – phone and data pack running costs	\$3000 As above 13 data packs	12166.0071	
*ICT expenses - Hardware	\$6,000 \$6,180 /year GCC IT Department to approve model, compatibility and price of ipads/printers. Mayor to receive iphone and ipad. Councillors to receive ipad. Printer available on request.	14178.0230	Per term
Carer expenses	\$2,000 per Councillor Actual up to annual limit	12166.0101	Per year



Expense or facility	Maximum amount	Job No.	Frequency
Printing & Stationery including business cards, envelopes, paper, ink	\$2,750 \$1,500 total for all Councillors	12166.0108	Per year
Access to facilities in a Councillor common room	Council meeting rooms may be booked through PA.		Not relevant
Council vehicle, fuel card and E-tag	Provided to the Mayor		Not relevant
Reserved parking space at Council offices	Provided to the Mayor Parking permits for Council car park to be issued to all Councillors.		Not relevant
Furnished office	Provided to the Mayor		Not relevant
Number of exclusive staff supporting Mayor and Councillors	Provided to the Mayor and Councillors		Not relevant
Council Blazer embroidered with Council logo or crest	\$250.00 Each Councillor supplied with 1 Blazer Additional for Mayor – 1 Vest or 1 Sportscoat (optional)		Per term
Drycleaning of Council Blazer Sportscoat (Mayor) / Vest (Mayor)	Maximum of 4 per year – reimbursed on provision of receipt		Annually
Corporate Dress - Council Ties/Scarves	Each Councillor supplied with 2 GCC ties or scarves		Per term
Legal Assistance for Mayor and Councillors	Cost of service - As determined by Council Resolution		Actual
Mayor Spouse & Partner Expenses	Actual		Actual
Mayoral Vehicle	Actual - Same level as General Manager		Actual
Mayoral Corporate Credit Card	\$5,000 - Actual		Per month
Use of Private Motor Vehicle	Claim as per km allowance as set by LG State Award at date of travel. Note: Only if Council vehicle not otherwise available otherwise actual receipt.		Per kilometre

*Expenses marked with an * are allocated against each Councillor through work orders and reported on at quarterly review



Appendix IV: Travel, Accommodation and Meal Rates

Note that in accordance with this policy, the General Manager may approve an increase or variation to daily limits for accommodation and meal expenses where he or she is satisfied that this is reasonable and in the interests of Council.

<p>Meals Expenses – one day journeys As per Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009 Table 1 Allowances of Part B – Monetary Rates (adjusted annually) (Note: TD2024/3 for 2024-25 referred to for rates)</p>	<p>Reasonable lunches, dinners and other meals incurred whilst travelling to or from a Conference. Other meals during a Conference but not included in registration fees. Meals incurred during travel outside the LGA. Breakfast \$33.90 Lunch \$38.10 Dinner \$64.95</p>		<p>Actual cost - per day</p>
<p>Accommodation including meals and incidental expenses As per Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009 Table 1 Allowances of Part B – Monetary Rates (adjusted annually) (Note: TD2024/3 for 2024-25 referred to for rates))</p>	<p>Adelaide - \$318.90 Brisbane - \$341.90 Canberra - \$338.90 Darwin - \$380.90 Hobart - \$336.90 Melbourne - \$333.90 Perth - \$340.90 Sydney - \$358.90 *refer to Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009 Table 1 Allowances of Part B – Monetary Rates for rates for country centres</p>		<p>Actual up to daily limit - Per day</p>
<p>Incidental and/or Out of Pocket Expenses incurred during Conferences and Seminars and for travel outside the LGA</p>	<p>Actual up to daily limit of \$100 Expenses in this category may include: Reasonable telephone, internet usage related to Council business, Parking, Tolls, Laundry, Refreshments. Any optional activity in a conference program (but excluding any pre or post conference activities). Expenses not reimbursed in this category include: Alcohol not consumed as part of a meal.</p>		<p>Per day</p>
<p>Travel</p>	<p>Air – Economy - Actual Rail, Taxi, Uber, Bus – Actual</p>		<p>Actual</p>



Appendix V: At a Glance Guide to Permissible Functions & Events

	Mayor	Councillors	Councillors attendance at non-Council functions to be determined on an individual basis by the Mayor and General Manager
Council organised dinners, functions and events (includes Council Committee events)	✓	✓	
Events which have been part-funded or part-sponsored by Council <i>*where official invitation has been extended to Mayor/Councillors</i>	✓	✓	
Annual events organised by local service clubs, not-for-profit organisations, schools, charities <i>*where official invitation has been extended to Mayor/Councillors</i>	✓		✓
Other events organised by local service clubs, not-for-profit organisations, schools, charities <i>*where official invitation has been extended to Mayor/Councillors</i>	✓		✓
Events Councillors are officially invited to outside of the Griffith LGA	✓		✓
Official openings of local landmarks and facilities <i>*where official invitation has been extended to Mayor/Councillors</i>	✓	✓	
Political party fundraising events			

CLAUSE	CL02
TITLE	Review of Biosecurity Weeds Policy
FROM	Phil King, Director Infrastructure and Operations
TRIM REF	24/136541

SUMMARY

As part of the regular public policy review process, Council staff have reviewed (PG-CP-403) Biosecurity Weeds Policy.

The revised policy is attached to this report for Council's endorsement to place on public exhibition.

RECOMMENDATION

- (a) Council endorse the draft Biosecurity Weeds Policy as attached to this report.**
- (b) The draft Biosecurity Weeds Policy be placed on public exhibition for 28 days.**
- (c) If submissions are received, a further report be prepared for Council.**
- (d) If no submissions are received, the policy draft Biosecurity Weeds Policy be considered as adopted by Council as at the date of the conclusion of the advertised exhibition period.**

REPORT

As part of the regular public policy review process, Council staff have reviewed (PG-CP-403) Biosecurity Weeds Policy.

The Bio Security Weeds policy has been thoroughly revised and updated to reflect the changes in legislation and language associated with the implementation of the NSW Bio Security Act 2015.

The revised policy is attached to this report for Council's endorsement to place on public exhibition.

OPTIONS

Councillors could choose to amend the draft policy prior to exhibition.

POLICY IMPLICATIONS

(GOV-CP-311) Policies - Adoption Of Policy - Public Policy - Economic & Organisational Development

FINANCIAL IMPLICATIONS

Not Applicable

LEGAL/STATUTORY IMPLICATIONS

Council has a delegated responsibility as part of the NSW Biosecurity Act 2015.

ENVIRONMENTAL IMPLICATIONS

The management of listed priority weeds with the Griffith LGA will have a positive impact on the environment. As part of the Murrumbidgee Irrigation Area there is a heightened risk for water weeds and the possible impact through the waterways connected by irrigation both upstream and downstream of the Griffith LGA

COMMUNITY IMPLICATIONS

Private landowners, occupiers and business enterprises can all be detrimentally impacted if priority weeds are not controlled and left unabated.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 3.1 Undertake Council activities within a clear framework of strategic planning, policies, procedures and service standards.

CONSULTATION

Senior Management Team
Council Staff
NSW Department of Primary Industries
Councillor Workshop

ATTACHMENTS

(a) (PG-CP-403) Biosecurity Weeds Policy [↓](#)

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Biosecurity Weeds Policy PG-CP-403 (PUBLIC POLICY)

1 Policy History

Revision No.	Council Meeting Date	Minute No.	Adoption Date
1	25 Jun 1991	C333	25 Jun 1991
2	14 Jan 2003	25	14 Jan 2003
3	14 Mar 2006	92	14 Mar 2006
4	11 May 2010	0142	11 May 2010
5	11 Nov 2014	0392	11 Nov 2014
6	12 Jun 2018	18/174	13 Jul 2018
7	26 Nov 2024		

2 Policy Objective

~~To implement an effective program that will attract Government funding and minimise the detrimental impact of noxious weeds.~~

The goal of this policy is to outline the activities of Council to reduce the impact of listed priority weeds on the community, industry, environment and economy within the Griffith City Council Local Government Area (LGA) in line with the Riverina Regional Strategic Weed Management Plan as far as reasonably practicable with the resources available.

3 Policy Statement

The control of weeds in NSW is specified by the *NSW Biosecurity Act 2015*. This policy has been developed to set out the actions required by public and private owners and occupiers of land as well as Griffith City Council as the local control authority to fulfil their obligations under the Act.

It aims to provide standardised, tenure neutral and prioritised approaches to weed management planning, investment and delivery across the region.

This policy applies to all land owners and land managers in the Local Government Area including, but not limited to:

- Private landowners/occupiers
- Council
- Public Authorities

Council's main focus will be on controlling priority weeds in agricultural areas and along high-risk pathways.

Council is responsible for implementing the *NSW Biosecurity Act 2015* within its Local Government Area as follows:



- Control of priority weeds on land owned or occupied by Griffith City Council and on certain roads and watercourses, rivers or inland waters as provided by the Act.
- To ensure, so far as is reasonably practicable, that owners and occupiers of land carry out their obligations to control priority weeds imposed under the Act.
- To develop, implement, co-ordinate and review weed control policies and weed control programs.
- To inspect land within the local area in connection with its weed control functions.
- To report on the carrying out of the local control authority's functions under the Act to the Weeds Biosecurity information System - Weeds
- To co-operate with local control authorities of adjoining areas to control priority weeds, where appropriate.

Council shall:

- ~~3.1 Inspect all rural properties within the city area, at least once every five years and issue notices for the removal of all noxious plants~~
- ~~3.2 Continue an education programme with the Bio-Security Officer (Noxious Weeds) to address meetings of local rural producer groups.~~
- ~~3.3 As a priority, limit the spread and reduce the current incidence of new infestations of new weed incursions.~~
- ~~3.4 Reduce the incidence of all proclaimed noxious weeds~~
- ~~3.5 Align with the NSW Invasive Species Plan (ISP) 2015-2022~~

Council will:

- Implement the Regional Inspection Program, focusing on prevention and early eradication activities
- Educate and advise landholders and the community so they are aware, willing and able to assist in weed identification and control.
- Carry out compliance and enforcement process against people whose actions (or failure to act) adversely affect other landholders, or who fail to comply voluntarily with the provisions of the Act.
- Control priority weeds, with available resources on lands owned and controlled by Council. Control works will be targeted towards weeds in their early stages of invasion to ensure the best return on investment of public funds.
- Continue to evaluate and assess practices to ensure that strategies used are appropriate and reasonable.

Policy Implementation Guidelines:

The implementation of this policy will set out Council's weed control program and its commitments to achieve the requirements for weed control work as agreed by the Riverina



Regional Weeds Committee. Council will maintain membership and active involvement in the Riverina Regional Weeds Committee in delivering on the objectives of this policy and the outcomes and objectives of the Riverina Regional Strategic Weed Management Plan and its associated supplementary plans and policies.

Given that financial resources for weed control are limited, Council will place greater emphasis on those weeds that pose greatest risks to human health, the environment, livestock or the agricultural industry. The highest priority in implementation of this policy is given to the control of weeds in the following hierarchy as identified in the Riverina Regional Strategic Weed Management Plan.

1. State-determined Priority Weeds for the Riverina Region - PREVENTION
2. State-determined Priority Weeds for the Riverina Region - ERADICATION
3. State-determined Priority Weeds for the Riverina Region - CONTAINMENT
4. Region-determined Priority Weeds for the Riverina Region - ERADICATION
5. Region-determined Priority Weeds for the Riverina Region - CONTAINMENT
6. Other regional weeds - CONTAINMENT

PREVENTION applies to those weeds that are currently not found in some parts of the state, pose significant biosecurity risk, and prevention of the biosecurity risk posed by these weeds is a reasonably practical objective for the Riverina region.

ERADICATION applies to those weeds that are present in limited distribution and abundance in some parts of the state. Elimination of the biosecurity risk posed by these weeds is a reasonably practical objective within the Riverina region.

CONTAINMENT applies to weeds where broad scale elimination is not practicable, but minimisation of the biosecurity risk posed by these weeds is reasonably practicable. The list of priority weeds for the Riverina region can be found in the Riverina Regional Strategic Weed Management Plan.

4 Definitions

None

Some selected definitions from the Biosecurity Act 2015 or other sources as identified are selected below to summarise the various roles and responsibilities of Council .

Authorised Officer	A person who is appointed as an authorised officer under the Biosecurity Act 2015 and authorised by that appointment to exercise the function in relation to which the expression is used.
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<p>Biosecurity Impact</p>	<p>A biosecurity impact means an adverse effect on the economy, the environment or the community that arises, or has the potential to arise, from biosecurity matter, a carrier or dealing with biosecurity matter or a carrier, being an adverse effect further detailed in section 13 of the Biosecurity Act 2015.</p>
<p>Biosecurity Undertaking</p>	<p>A biosecurity undertaking is a written undertaking by a person, that specifies the measures a person agrees to implement to remedy a contravention, likely contravention, or suspected contravention of the Act and a date by which those measures will be implemented by. It is an offence to contravene a biosecurity undertaking. <i>(page 11 Riverina Regional Strategic Weed Management Plan 2023-2027)</i></p> <p>Part 10 of the Biosecurity Act 2015 provides further details of an undertaking</p>
<p>Biosecurity Direction</p>	<p>An authorised officer may issue a biosecurity direction that directs a person or class of persons to do or to cease doing something, if the officer reasonably believes it is necessary to prevent, eliminate or minimise a biosecurity risk or to prevent, manage or control a biosecurity impact. It is an offence not to comply with a biosecurity direction. <i>(page 11 Riverina Regional Strategic Weed Management Plan 2023-2027)</i></p>
<p>General Biosecurity Direction</p>	<p>An Authorised Officer may give a General Biosecurity Direction to the public generally or to a specified class of persons, if the officer reasonably believes it is necessary to do so for any of the following purposes:</p> <ul style="list-style-type: none"> • To prevent, eliminate or minimise a biosecurity risk • To prevent, manage or control a biosecurity impact that has occurred, is occurring or is likely to occur • To enforce, administer or execute the <i>NSW Biosecurity Act 2015</i>
<p>Individual Biosecurity Direction</p>	<p>An Authorised Officer may give an Individual Biosecurity Direction to a particular person if the officer reasonably believes it is necessary to do so for any of the following purposes:</p> <ul style="list-style-type: none"> • To prevent the person from contravening or continuing to contravene a requirement imposed by or under the Act, • To prevent, eliminate or minimise a biosecurity risk. • To prevent, manage or control a biosecurity impact that has occurred, is occurring or is likely to occur.



	<ul style="list-style-type: none">To enforce, administer or execute the <i>NSW Biosecurity Act 2015</i>
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5 Exceptions

None



6 Legislation

NSW Biosecurity Act 2015
NSW Biosecurity Regulation 2017

Under the Act, Council Authorised Officers are able to enter and inspect any land to which this Act applies for the purposes of inspection. A Biosecurity Undertaking, a General Biosecurity Direction or an Individual Biosecurity Direction may be issued under the Act to require control works to be undertaken by the land owner.

Failure to comply with a Biosecurity Undertaking or Biosecurity Direction can result in Council instituting court proceedings, or the issue of a penalty infringement notice under Section 138 and 145 of the Act. Following this, Council may enter onto the property to carry out the work at the owners' expense.

7 Related Documents

NSW Biosecurity Act 2015 and associated regulations
NSW Local Government Act 1993 and associated regulations
NSW Local Land Services Act 2017 and associated regulations
NSW Biosecurity Strategy 2020-2030
Australian National Weeds Strategy 2017-2027
Riverina Local Land Services Strategic Plan 2020-2030
Riverina Regional Strategic Weed Management Plan 2023-2027

8 Directorate

Infrastructure & Operations

CLAUSE	CL03
TITLE	Griffith Residential Development Control Plan Amendments - Endorsement Following Public Exhibition
FROM	Kelly McNicol, Consultant Planner
TRIM REF	24/130093

SUMMARY

The purpose of this report is to request that Council endorse the amended Griffith Residential Development Control Plan (DCP). Following public exhibition of the amended DCP for a period of 45 days, a total of two submissions were received (see Attachment e). In recognition of the merit of the submissions, additional amendments have been made including: specific controls to restrict multi-dwelling housing in Character Conservation areas; increase the amount of medium density lots permitted for new subdivisions from 25% to 50%; and decrease setbacks for R5 – Large Lot residential lots with lot areas below 3000m².

RECOMMENDATION

- (a) Council notes the submissions at Attachment e.**
- (b) Council endorse the amended Griffith Residential Development Control Plan (see Attachment a - b).**

REPORT

The Griffith Residential Development Control Plan has been in operation since 2020. The DCP has been amended on one occasion to insert development controls for the Lake Wyangan Growth Area. It is common practice across NSW to review DCP's every five years to ensure the document reflects contemporary development standards. The amendment of the DCP is also necessary to achieve some of the recommendations in the Griffith Housing Strategy 2019, Health Precinct Master Plan 2024 and to address issues raised in development forums.

The amended DCP is provided in Attachment's a - c. Attachment d provides a list of the proposed amendments, including the pertinent section, page number and a rationale for the amendment.

Several of the amendments are relatively administrative in nature, however the following are considered more robust amendments:

- Increase the permitted Floor Space Ratio (FSR) in the Hospital Precinct to reflect the visions and recommendations in the Health Precinct Master Plan 2024.
- Reduce the landscaping requirements for dual occupancies, multi-dwelling housing and residential flat buildings to support increased densities, alternative housing typologies and affordable housing.

- Creation of Character Conservation Areas including for Carrathool Street, Hyandra Street, Wood Road and Doolan Crescent to ensure front setbacks are in line with existing dwellings and limiting multi-dwelling development.
- Increase design requirements to ensure the privacy and overshadowing of neighbours is considered in the design of development proposals including two storey dwellings.
- Reduced setbacks for outbuildings.
- Removal of prescriptive requirements pertaining to dwelling storage areas and bedroom sizes.
- Clarification around setback and private open spaces requirements.

Council believes it is important that the development industry is involved in the preparation of the amended DCP. To this end Council has made some amendments based on issues voiced at development or housing forums (in the last 5 years), in meetings with Council staff, at a Councillor workshop and in the interpretation of the DCP.

The amended DCP was placed on exhibition for a period of 45 days and Council held a development industry forum to discuss the amended DCP on 29 August 2024. During the public exhibition period Council received one submission. An additional submission was received during the drafting of the DCP. In recognition of the merit of the submissions, additional amendments have been made including:

- Specific controls to better restrict multi-dwelling housing in Character Conservation Areas – see Section 4.8 of Attachment a.
- Reduced side boundary setbacks for buildings on R5 zoned lots with an area of less than 3000m² – see Section 8 of Attachment a.

During the public exhibition period, the Griffith Worker and Housing Shortage Taskforce Report was reported to Council. Based on the recommendations of this report, the following amendments to the DCP have been made:

- Increase the amount of medium density lots permitted for new subdivisions from 25% to 50%.
 - See Section 12.1.6, 12.2.11 (Attachment a) and Subdivision Code Section 3.10 (Attachment c).

OPTIONS

OPTION 1

As per the Recommendation.

OPTION 2

Any other resolution of Council.

POLICY IMPLICATIONS

Not Applicable

FINANCIAL IMPLICATIONS

Not Applicable

LEGAL/STATUTORY IMPLICATIONS

The GRDCP, once endorsed, must be considered by Council, Council Staff, Applicants and the public.

ENVIRONMENTAL IMPLICATIONS

Not Applicable

COMMUNITY IMPLICATIONS

Not Applicable

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 7.4 Improve sustainable land use.

CONSULTATION

Senior Management Team

ATTACHMENTS

- (a) Attachment a - Amended Residential DCP (under separate cover) [⇒](#)
- (b) Attachment b - DCP Appendix 1 - Parking Code (under separate cover) [⇒](#)
- (c) Attachment c - DCP Appendix 2 - Subdivision Code (under separate cover) [⇒](#)
- (d) Attachment d - Proposed Amendments Table (under separate cover) [⇒](#)
- (e) Attachment e - Public Submissions (under separate cover) [⇒](#)
- (f) Attachment f - Submissions Review Table (under separate cover) [⇒](#)

CLAUSE	CL04
TITLE	Renewal of Lease Agreement to Obledo Pty Ltd Part Road Reserve Adjoining Little Road - Lot 11 DP 880544
FROM	Amanda Vardanega, Corporate Property Officer & Native Title Coordinator
TRIM REF	24/131622

SUMMARY

The owners of Lot 11 DP 880544, Mr John Peter Dal Broi, Mrs Lurline Cecily Dal Broi seek to renew their lease agreement over part road reserve adjoining Little Road, Griffith.

The current agreement expires as at 30 November 2024. The Lessees wish to renew the agreement for a further 5 years, commencing 1 December 2024.

The leased area is used for the storage of water.

RECOMMENDATION

- (a) Council undertakes public notification of the proposed lease renewal for a period of 28 days and served on the owner of each parcel of land adjoining Little Road from Beaumont Road to Joncondon Road.**
- (b) Council to consider any submissions if received as a result of the public notification.**
- (c) If no submissions are received as a result of the public notification for consideration then:-**
 - (i) Council approves the renewal of the lease agreement over part road reserve adjoining Lot 11 DP 880544, Little Road to Obledo Pty Ltd for a further term of 5 years commencing 1 December 2024.**
 - (ii) John Peter Dal Broi, Lurline Cecily Dal Broi & Kirsten Lang Dal Broi t/as Obledo Pty Ltd will be required to pay all applicable costs and charges associated with the renewal of the lease agreement, together with Council's administration fee as per Council's adopted Revenue Policy.**
 - (iii) The annual lease fee be charged in accordance with Council's adopted Revenue Policy, currently \$155 per hectare for the 2024/2025 financial year, in addition to rates and charges as applicable.**
- (d) Council authorise the Mayor and General Manager to execute the licence renewal on behalf of the Council under the Common Seal.**

REPORT

Council wrote to Mr J & Mrs L Dal Broi as at 21 October 2024, advising that the lease agreement will be expiring on 30 November 2024, seeking their instructions as to their intention to renew the lease agreement.

On 24 October 2024 Kirsten Dal Broi has returned via email the completed lease/licence information form indicating that they wish to renew the lease agreement. He has also supplied a current Certificate of Insurance noting Griffith City Council as an interested party on the Policy, and a copy of the current ASIC Company Extract confirming the company details.

The leased area of land is located within the RU1 Primary Production Zone wherein the Griffith Local Environmental Plan identifies water reticulation systems in the RU1 zone as permissible without DA consent.

The use of the reserve (leased area) is for an extension of an existing channel located partly on the Applicant's and the adjoining neighbour's land, for the purpose of water storage and reticulation. The proposed channel will join the existing channel at the southern end of the Applicant's land and is shown to be 361.7 metres long by 18.105 metres wide, being an estimated 6,549 square metres.

The surrounding area is agricultural land with existing water channels and the proposed lease will not restrict vehicular traffic access to the road.

OPTIONS

OPTION 1

As per the Recommendation.

OPTION 2

Any other determination by Council.

POLICY IMPLICATIONS

Not Applicable

FINANCIAL IMPLICATIONS

The annual lease fee will be charged in accordance with Council's adopted Revenue Policy for 'lease of road reserves' at a fee per hectare, currently \$155 for the 2024/2025 financial year, together with rates and charges.

The Applicants will be responsible for the legal fees associated with preparing the new lease agreement together with Council's administration fee, which will be charged on the signing of the agreement by all parties.

LEGAL/STATUTORY IMPLICATIONS

Under the Roads Act 1993 - Section 153 it is necessary to place on public exhibition the renewal of this lease as it pertains to a road reserve.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications considered as part of this lease agreement as the road is closed to through traffic.

COMMUNITY IMPLICATIONS

The Community would expect Council to consider all requests to lease Council property. Council has entered into and continues to enter into roadside leases as a normal part of its operations.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 1.1 Provide clear, accessible, relevant information.

CONSULTATION

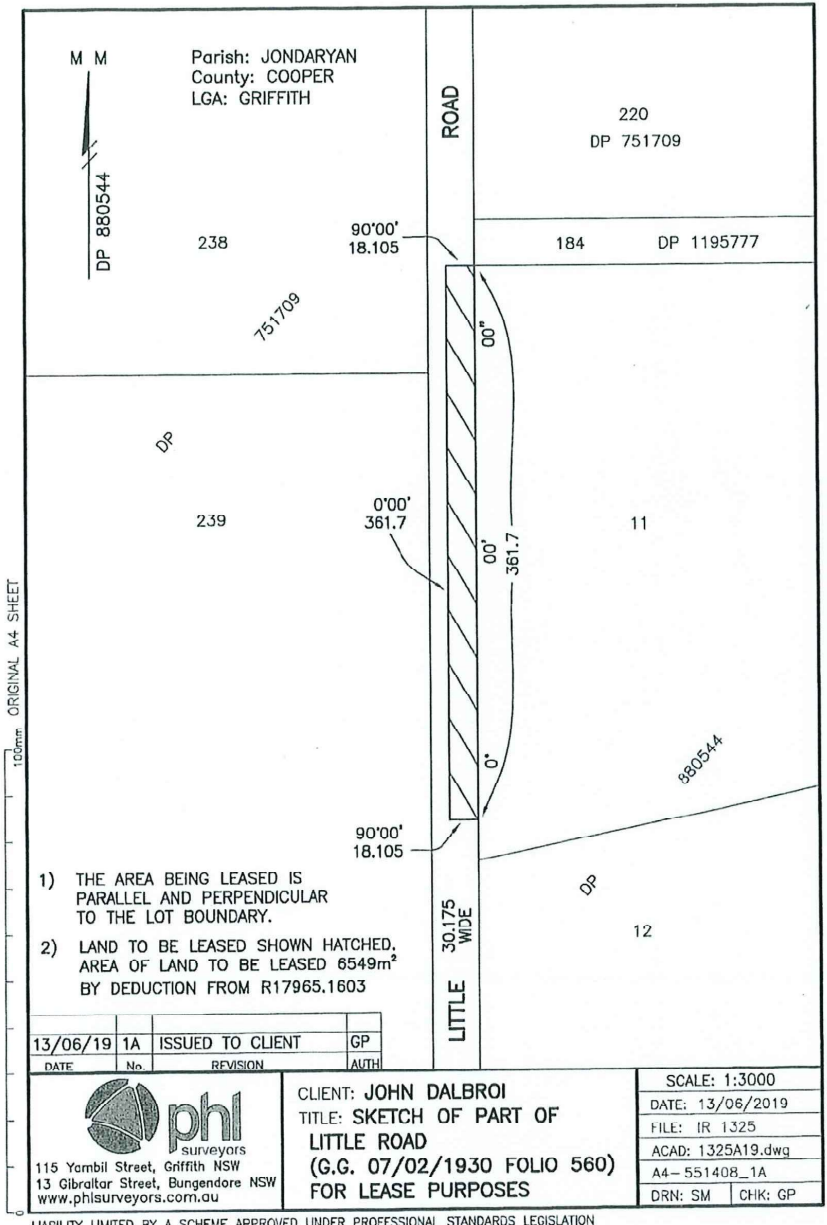
Senior Management Team

ATTACHMENTS

- | | | |
|-----|---|----|
| (a) | PHL Plan of Leased Area - 724 Murrumbidgee Avenue, Hanwood ↓ | 72 |
| (b) | Lease Information Sheet - Confirm Renewal of Agreement - 724 Murrumbidgee Avenue Hanwood_Redacted ↓ | 73 |
| (c) | Location Map - Leased Area ↓ | 74 |


10

PLAN



LEASE / LICENCE INFORMATION SHEET

Please complete the following:-



Details of the Lessee/Licensee

Lease/ Licence Contact person: KIRSTEN DAL BRET

Postal Address: [REDACTED] HANWOOD NSW 2686

Contact Number: [REDACTED]

Email Address: [REDACTED]

Occupation: Farmer

Lease/Licence to be in the name of: OBLEDO P/L

Lessees/ Licensees address for service of Notices: [REDACTED]

Registered Company Name: OBLEDO P/L

Address of Registered Office: [REDACTED] 2680

ABN: 99 681 456 093

ACN: _____

Name of all Directors: John Peter Dal Bret, Lucretia Cecily Dal Bret

Address of all Directors: Kirsten Dal Bret

[REDACTED]

Contact Number of all Directors: [REDACTED] 2680

Do you wish to enter into **NEW** Lease/ Licence Agreement? (Tick box if yes)

Do you wish to **RENEW** a Lease/ Licence Agreement? (Tick box if yes)

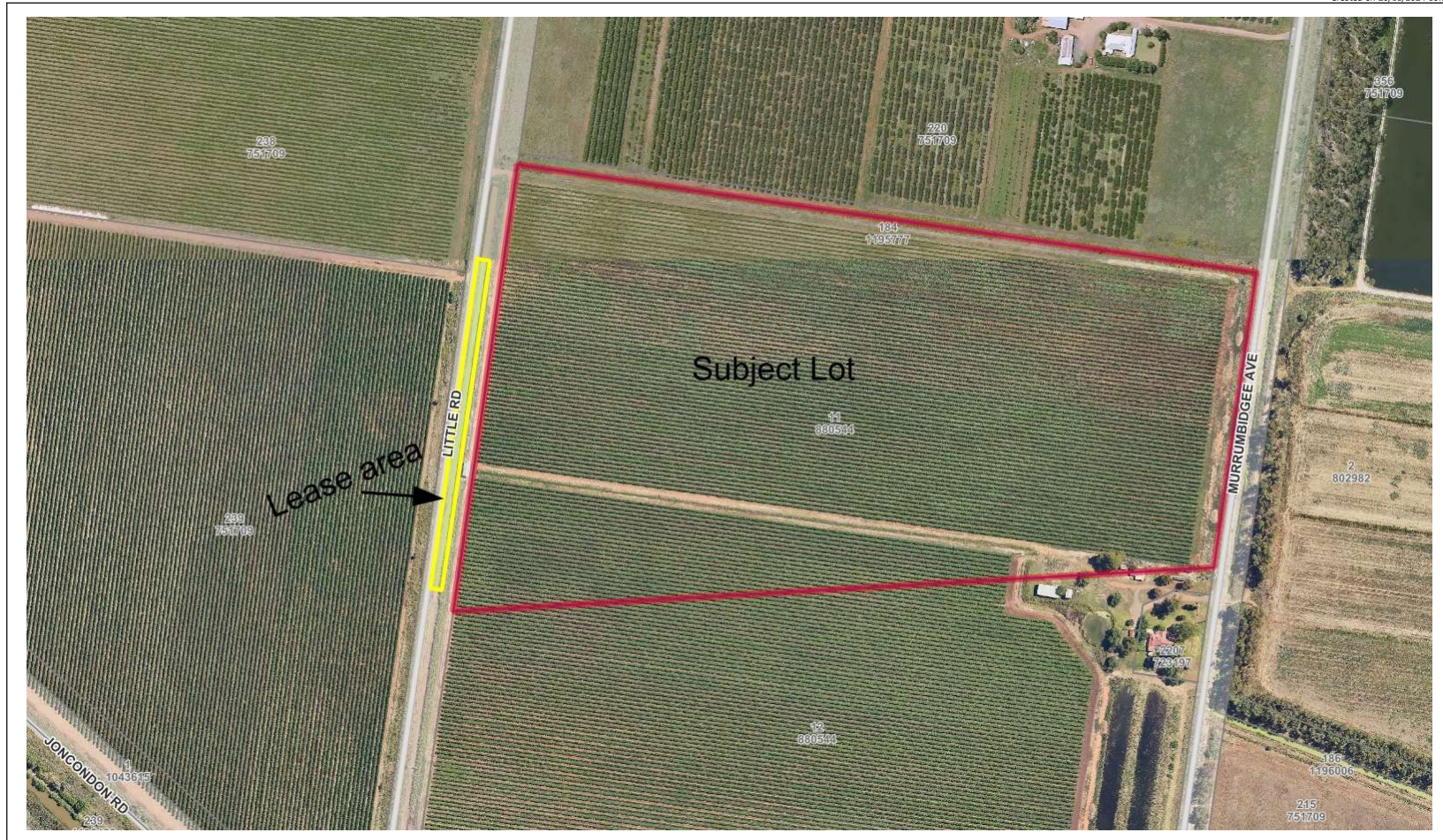
If you do not wish to renew the lease/license agreement, a formal letter will need to be provided to Council.


Comments *

.....


.....

*Please provide a current Certificate of Insurance/ Currency noting Griffith City Council as an interested party.



 **Griffith City Council**
PO Box 910
1 Benemurah Street
GRIFFITH NSW 2680
Telephone: 1300 174 077
Email: gdmp@griffith.nsw.gov.au

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Projection: GDA2020 / MGA zone 55
Date: 20/11/2024
Drawn By: Amanda Vardanega

Map Scale: 1:4487 at A4

CLAUSE	CL05
TITLE	Surrender of Lease Agreement with Gordon McCaw and Request New Lease Agreement Between Gordon McCaw and Gary Edward Rennie - Hangar Site 18 Griffith Aerodrome, Part Lot 1 DP 1146897, Old Aerodrome Road, Griffith
FROM	Amanda Vardanega, Corporate Property Officer & Native Title Coordinator
TRIM REF	24/132074

SUMMARY

Gordon McCaw currently has a lease agreement with Council for Hangar Site 18 of the Griffith Aerodrome. Mr McCaw has indicated in writing to Council his wishes to update the lease to include Mr Gary Edward Rennie as a joint operator (lessee).

The current lease is due to expire as at 30 June 2025.

Mr McCaw is seeking to surrender the current lease, and enter into a new lease term jointly with Mr Rennie for a term of 5 years, with a further option of 5 years.

RECOMMENDATION

- (a) Council approves the surrender of the current lease with Gordon McCaw.**
- (b) Council approves to enter into a new lease with Gordon McCaw and Gary Edward Rennie over Hangar Site 18 Griffith Aerodrome (Part Lot 1 DP 1146897) for a term of 5 years, effective as at the date of the surrender of the current lease, with a further option of 5 years.**
- (c) The annual lease fee will be charged in accordance with Council's adopted Revenue Policy, currently \$1.51 per sq/metre for 'Airsides' areas between 1000 - 4000 sq/metres for the 2024/2025 Financial Year, in addition to rates and charges.**
- (d) Gordon McCaw and Gary Edward Rennie to pay all applicable costs and charges associated with the surrender of the current lease and the preparation of the new lease agreement together with Council's Administration Fee.**
- (e) Council authorise the General Manager and Mayor to execute the lease agreement on behalf of Council under the Common Seal.**

REPORT

Mr McCaw currently has a lease with Griffith City Council, the term being 1 July 2015 to 30 June 2020, with an option to renew from 1 July 2020 to 30 June 2025. Since entering into the lease with Council Mr McCaw has constructed a Hangar on the site and is now seeking to include Mr Gary Edward Rennie as a joint operator/lessee.

Mr McCaw has indicated in writing to Council that he wishes to update the lease for Hangar Site 18, Old Aerodrome Road, Griffith to include Mr Gary Edward Rennie as a joint operator (lessee).

Council's legal representatives Cater & Blumer Solicitors have provided initial advice that the simplest approach to this would be to surrender the current lease and enter into a new lease with Mr McCaw and Mr Rennie; and that this process should be simultaneous so that there is no portion of time where the lessee's are without a lease.

OPTIONS

OPTION 1

As per the Recommendation.

OPTION 2

Council may determine an alternate option.

POLICY IMPLICATIONS

Griffith Aerodrome Security Requirements – Hangar Operations / Policy AI-CP-501

FINANCIAL IMPLICATIONS

Annual lease fee for Hangar Site 18 – currently as per Council's adopted Revenue Policy is \$1.51 per sq/metre for all 'airside' areas between 1000 – 4000 sq/metres.

Mr McCaw together with Mr Rennie will be responsible for all fees and charges associated with the surrender of the current lease and the preparation of the new lease agreement, together with Council's rates and charges as applicable, and Council's administration fee as per Council's adopted Revenue Policy.

LEGAL/STATUTORY IMPLICATIONS

Not Applicable

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications as part of this request.

COMMUNITY IMPLICATIONS

The community would expect Council to continue to return an acceptable income from their assets and to provide services and facilities to meet community needs.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 1.1 Provide clear, accessible, relevant information.

CONSULTATION

Senior Management Team

ATTACHMENTS

- | | | |
|-----|--|----|
| (a) | Letter from Gordon McCaw - Dated 18 October 2024 - Hangar Site 18 Griffith Aerodrome ↓ | 78 |
| (b) | Survey Plan - Hangar Site 18 - Griffith Aerodrome ↓ | 79 |
| (c) | Aerial Map - Hangar Site 18, Griffith Aerodrome ↓ | 80 |



The property manager, Griffith City Council

18th October 2024

Dear Sir/Madam,

I would like update/renew the lease on lot 18 Old Aerodrome Road in the subdivision of lot 1 in DP 89842 for the purpose of including Gary Edward Rennie of [REDACTED] as a joint operator.

Regards

[REDACTED]

Gordon McCaw

[REDACTED]

[REDACTED]

Created on 12/11/2024 11:21 AM



Griffith City Council
 PO Box 402
 1 Benemurrah Street
 GRIFFITH NSW 2680
 Telephone: 1300 374 077
 Email: admin@griffith.nsw.gov.au

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Projection: GDA2020 / MGA zone 55

Date: 12/11/2024

Drawn By: Amanda Vardanega

Aerial Map - Hangar Site 18

Map Scale: 1:2687 at A4

CLAUSE **CL06**

TITLE **Road Name Request - Senna Lane**

FROM **Jeanette Franco, Information Management Administrator**

TRIM REF **24/132298**

SUMMARY

This report seeks approval to name a road within the new 7 lot community title subdivision on Marando Way and Citrus Road, Griffith. The proposed road name has been pre-approved by the Geographical Names Board.

RECOMMENDATION

Council approve the use of Senna Lane for road naming purposes for the newly developed private road within the 7 lot community title subdivision on Marando Way and Citrus Road, Griffith.

REPORT

This new private road has been created within Lot 400 Deposited Plan 1299808, Griffith, which is part of a staged community subdivision within Farm 10 Collina.

Council received a request from the developers, JZ Management Pty Ltd to name this private road SENNA LANE. Senna is derived from the name of one of the plants the developers have chosen to be planted within this community title, Senna Artemisioides.

Council's Road and Park Naming policy IM-CP-201 states that *"Name proposals may be the individual preference of the Applicant (up to one or one half of names required) or may be selected from existing entries in the Council's Road and Place Names Register (at least one half of names if more than one name required)."*

OPTIONS

OPTION 1

As per the Recommendation.

OPTION 2

Any other Recommendation of Council.

POLICY IMPLICATIONS

Policy IM-CP-201 Roads & Parks – Naming and Renaming sets the procedure for the naming of roads and parks.

FINANCIAL IMPLICATIONS

Not Applicable

LEGAL/STATUTORY IMPLICATIONS

In accordance with Land and Property Information (LPI) Road Naming – Chapter 6.7 Addressing Principles – Road Naming.

ENVIRONMENTAL IMPLICATIONS

Not Applicable

COMMUNITY IMPLICATIONS

Roads are named in accordance with Council policy. The community has been engaged in the development of this policy.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 6.2 Maintain and develop an effective transport network (airport, public roads, pathways, pedestrian accesses and transport corridors) for Griffith and villages.

CONSULTATION

Senior Management Team

ATTACHMENTS

- | | | |
|-----|---|----|
| (a) | Email Request from Developer ↓ | 83 |
| (b) | Page from Stamped Plan (road view edit) ↓ | 84 |
| (c) | Aerial Location ↓ | 86 |

From: [Zep Lanza | JZ Homes](#)
To: [Jeanette Franco](#)
Cc: [James Scremin | JZ Homes](#)
Subject: RE: DA 68/2023 - Citrus Road - Community Title Subdivision
Date: Monday, 16 September 2024 4:58:53 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

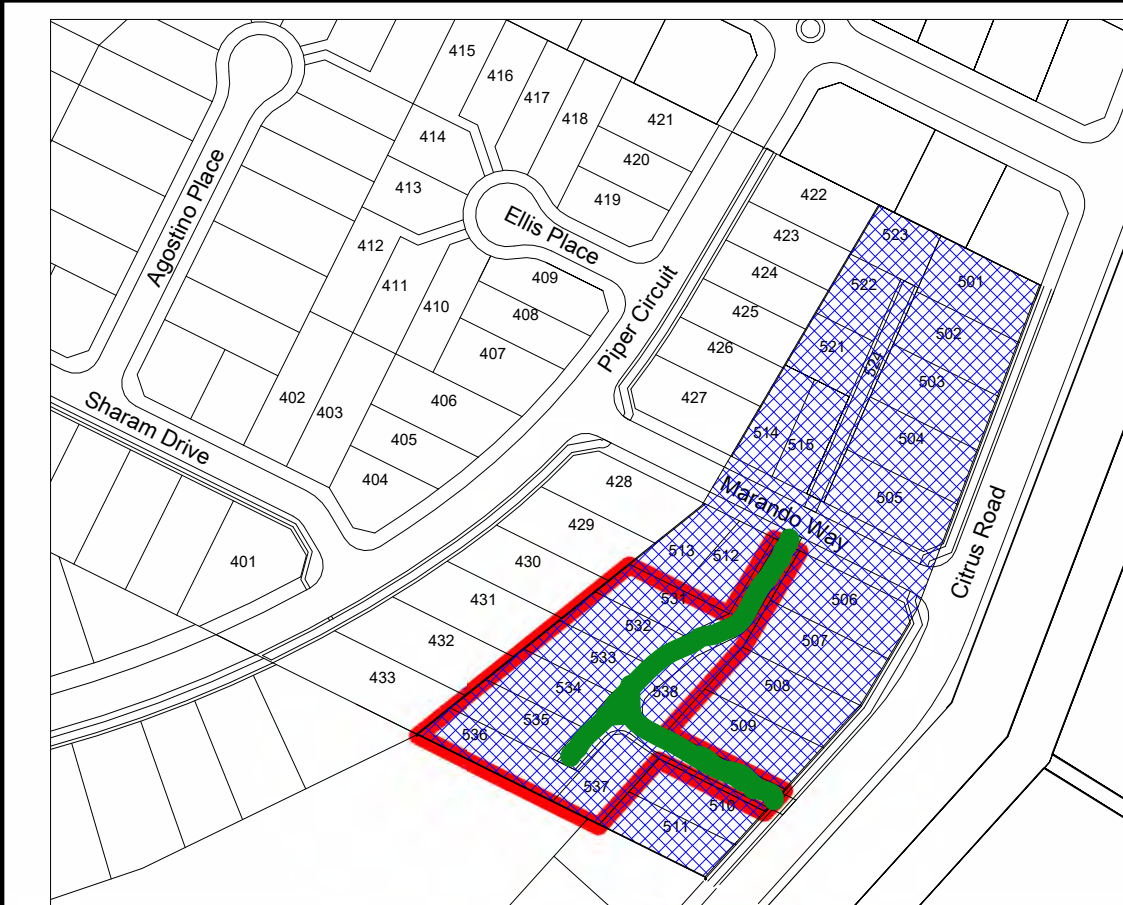
Hi Jeanette

Are we able to have "Senna Lane" for this private street
It's derived from the name of 1 of the plants we have chosen "Senna Artemisioides"

Regards,

Giuseppe (Zep) Lanza (0408 696 458)
Director
JZ Management Pty Ltd





Locality Plan



- General Notes**
- 1 - Dimensions of property boundaries & position of building to be verified by a registered surveyor
 - 2 - These drawings are to be read in conjunction with engineer's specifications
 - 3 - All the materials and the standard of work shall be in accordance with the recognized industry standards
 - 4 - All dimensions, window and door sizes are to be verified before commencement of work
 - 5 - The contractor shall observe and comply with the provisions of all relevant acts, ordinances, regulations, bylaws, orders and rules and all requirements of any authority that are applicable to the works
 - 6 - Method of termite control is to be in accordance with council requirements
 - 7 - Verify position of electricity supply and connect power to main switch board in accordance with energy providers specifications
 - 8 - Verify position of water meter with council
- Stormwater Drainage**
- 1 - Provide underground stormwater as required in accordance with Council requirements and connect to:
 - a) The street frontage via a kerb inlet addapter or
 - b) A rear of lot drainage pit
 - 2 - Install 100 dia PVC downpipes as required
 - 3 - All stormwater pipes to be 100 PVC UNO
- Rainwater Tank**
- 1 - Provide rainwater tank in accordance with the requirements of BASIX
 - 2 - Install tanks in accordance with Council's Urban Water Tanks Policy.
 - 3 - The overflow from tanks must be connected to stormwater system for the site
 - 4 - Where tank water is proposed to be connected to the same plumbing as Council reticulated water supply, a backflow prevention device must be fitted in accordance with Council requirements.
 - 5 - Inshore Tanks are fitted with a gutter flush, or first flush system to prevent foreign materials entering the tank.
 - 6 - Inshore tanks located along a side boundary do not obstruct access and other public places, and where possible, should be separate from private open space. Inshore a minimum of 8 lineal metres of line is provided.
 - 3 - Provide a lockable mail box to the primary street frontage adjacent to the driveway
- Landscape Notes**
- 1 - Specific native plant selection to be in accordance with Council's list of local native plant species
 - "Planting requirements for new dwellings:
 - 2 - Garden beds to be covered with 100 thick pine mulch UNO
 - 3 - All plants and lawn areas to have automatic underground drip and sprinkler irrigation system
 - 4 - Plant beds against lawn areas to be bordered with treated pine, galvanized steel or plastic edging
 - 5 - Road reserve to be planted with lawn
 - 6 - Any plant species nominated may be substituted for a similar species.
 - 7 - Where specific plant species are not selected, enshore plant species chosen;
 - a) Are appropriate for the climate, soil, aspect and drainage of the locality;
 - b) Incorporate drought-resistant and native plant species wherever possible or appropriate;
 - c) do not, and will not in the future interfere with underground and overhead utilities;
 - 8 - Landscaped area should establish adequate drainage, including the retention of stormwater on site and prevention of discharge runoff onto adjoining properties"
- Fencing**
- 1 - Provide "Colorbond Neaterscreen" (1.8M high) panel fence to side boundaries from building line to rear boundary
 - 2 - Provide "Colorbond Neaterscreen" (1.8M high) panel fence to rear boundary
 - 3 - Provide "Modwood", or similar, slated gate with steel frame (1.8M high) to sides of dwelling.
- Site Facilities**
- 1 - Store Waste and Recycling bins on side or rear boundaries
 - 2 - Provide fixed outdoor clothes line, ensure access to winter sunlight and install in a secure and convenient location, which is adequately screened from streets and other public places, and where possible, should be separate from private open space. Inshore a minimum of 8 lineal metres of line is provided.
 - 3 - Provide a lockable mail box to the primary street frontage adjacent to the driveway



Clifton Gardens Homes Stage 5

Proposed 7 Lot Community Title Development

Lot 517 (Parent Lot)
Clifton Gardens Estate
686 Clifton Boulevard Griffith NSW

JZ Management Pty Ltd



design@jzmanagement.com.au
(Zep) 0408 696 458 - (James) 0418 623 100

Drawing Schedule					
Sheet Number	Proposed Lot	Sheet Name	Current Revision	Current Revision Description	Current Revision Date
A3011	Lot 517 (Parent Lot)	Site Plan	B	Issued for Development Approval	3/4/2023
A3012	Lot 517 (Parent Lot)	Driveway Plan	B	Issued for Development Approval	3/4/2023
A3013	Lot 517 (Parent Lot)	Driveway Details	B	Issued for Development Approval	3/4/2023
A3021	Lot 517 (Parent Lot)	Subdivision Layout	B	Issued for Development Approval	3/4/2023
A3031	Lot 517 (Parent Lot)	Elevations & Perspectives	B	Issued for Development Approval	3/4/2023
A3111	Lot 531	Site Plan	B	Issued for Development Approval	3/4/2023
A3112	Lot 531	Driveway Plan	B	Issued for Development Approval	3/4/2023
A3121	Lot 531	Floor Plan	B	Issued for Development Approval	3/4/2023
A3131	Lot 531	Elevations	B	Issued for Development Approval	3/4/2023
A3132	Lot 531	Elevations	B	Issued for Development Approval	3/4/2023
A3171	Lot 531	DCP Compliance	B	Issued for Development Approval	3/4/2023
A3211	Lot 532	Site Plan	B	Issued for Development Approval	3/4/2023
A3212	Lot 532	Driveway Plan	B	Issued for Development Approval	3/4/2023
A3221	Lot 532	Floor Plan	B	Issued for Development Approval	3/4/2023
A3231	Lot 532	Elevations	B	Issued for Development Approval	3/4/2023
A3232	Lot 532	Elevations	B	Issued for Development Approval	3/4/2023
A3271	Lot 532	DCP Compliance	B	Issued for Development Approval	3/4/2023
A3311	Lot 533	Site Plan	B	Issued for Development Approval	3/4/2023
A3312	Lot 533	Driveway Plan	B	Issued for Development Approval	3/4/2023
A3321	Lot 533	Floor Plan	B	Issued for Development Approval	3/4/2023
A3331	Lot 533	Elevations	B	Issued for Development Approval	3/4/2023
A3332	Lot 533	Elevations	B	Issued for Development Approval	3/4/2023
A3371	Lot 533	DCP Compliance	B	Issued for Development Approval	3/4/2023

Drawing Schedule					
Sheet Number	Proposed Lot	Sheet Name	Current Revision	Current Revision Description	Current Revision Date
A3411	Lot 534	Site Plan	B	Issued for Development Approval	3/4/2023
A3412	Lot 534	Driveway Plan	B	Issued for Development Approval	3/4/2023
A3421	Lot 534	Floor Plan	B	Issued for Development Approval	3/4/2023
A3431	Lot 534	Elevations	B	Issued for Development Approval	3/4/2023
A3432	Lot 534	Elevations	B	Issued for Development Approval	3/4/2023
A3471	Lot 534	DCP Compliance	B	Issued for Development Approval	3/4/2023
A3511	Lot 535	Site Plan	B	Issued for Development Approval	3/4/2023
A3512	Lot 535	Driveway Plan	B	Issued for Development Approval	3/4/2023
A3521	Lot 535	Floor Plan	B	Issued for Development Approval	3/4/2023
A3531	Lot 535	Elevations	B	Issued for Development Approval	3/4/2023
A3532	Lot 535	Elevations	B	Issued for Development Approval	3/4/2023
A3571	Lot 535	DCP Compliance	B	Issued for Development Approval	3/4/2023
A3611	Lot 536	Site Plan	B	Issued for Development Approval	3/4/2023
A3612	Lot 536	Driveway Plan	B	Issued for Development Approval	3/4/2023
A3621	Lot 536	Floor Plan	B	Issued for Development Approval	3/4/2023
A3631	Lot 536	Elevations	B	Issued for Development Approval	3/4/2023
A3632	Lot 536	Elevations	B	Issued for Development Approval	3/4/2023
A3671	Lot 536	DCP Compliance	B	Issued for Development Approval	3/4/2023
A3711	Lot 537	Site Plan	B	Issued for Development Approval	3/4/2023
A3712	Lot 537	Driveway Plan	B	Issued for Development Approval	3/4/2023
A3721	Lot 537	Floor Plan	B	Issued for Development Approval	3/4/2023
A3731	Lot 537	Elevations	B	Issued for Development Approval	3/4/2023
A3732	Lot 537	Elevations	B	Issued for Development Approval	3/4/2023
A3771	Lot 537	DCP Compliance	B	Issued for Development Approval	3/4/2023

Griffith City Council: DA 77/2021(1)
Date Determined: 18 October 2021

1/04/2023 8:28:49 PM

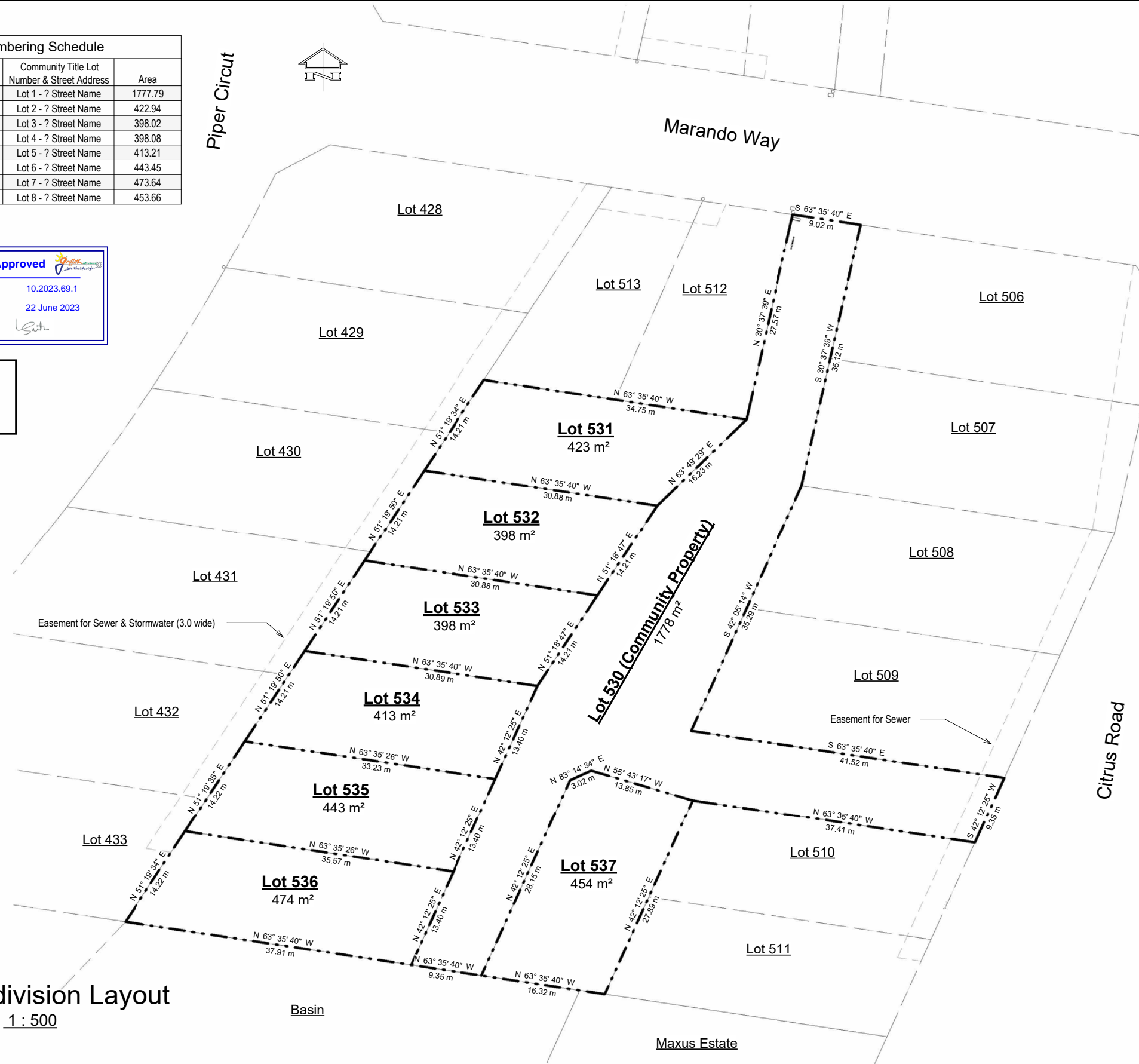
Lot Numbering Schedule		
Marked Lot Number	Community Title Lot Number & Street Address	Area
Lot 530 (Community Property)	Lot 1 - ? Street Name	1777.79
Lot 531	Lot 2 - ? Street Name	422.94
Lot 532	Lot 3 - ? Street Name	398.02
Lot 533	Lot 4 - ? Street Name	398.08
Lot 534	Lot 5 - ? Street Name	413.21
Lot 535	Lot 6 - ? Street Name	443.45
Lot 536	Lot 7 - ? Street Name	473.64
Lot 537	Lot 8 - ? Street Name	453.66

Development Approved

Consent No.: 10.2023.69.1
 Date: 22 June 2023
 Signature: 

RECEIVED
20 April 2023

Subdivision Layout
Scale: 1 : 500



Designed by **JZ MANAGEMENT**
 design@jzmanagement.com.au
 (Zep) 0408 696 458 - (James) 0418 623 100

Project: **Proposed 7 Lot Community Title Development**

Project Address: **Clifton Gardens Estate**
 686 Clifton Boulevard
 Griffith NSW

Clifton GARDENS

Client: **JZ HOMES**

Occupancy: **Lot 517 (Parent Lot)**

Drawing Title: **Subdivision Layout**

Job No: CG-S5-2023	Drawing No: A3021
Date: 5/1/2023	Scale: 1 : 500
Designed: G Lanza	Page Size: A3
Drawn: G Lanza	Checked: G Lanza

Revision Number	Revision Date	Revision Description
A	5/1/2023	Issued for Review
B	3/4/2023	Issued for Development Approval

1/04/2023 8:29:07 PM

AERIAL LOCATION



CLAUSE	CL07
TITLE	First Quarter Performance Report 2024/2025 - Budget Review and Operational Plan
FROM	Vanessa Edwards, Finance Manager
TRIM REF	24/131441

SUMMARY

Council is required to review its Operational Plan within two months of the end of each quarter. Council must review both its financial position and the Operational Plan Actions (Performance Indicators) adopted for 2024/25 for the quarter ended 30 September 2024.

RECOMMENDATION

- (a) Council note the variations to the 2024/25 original budget for the quarter ended 30 September 2024 as presented in this report.**
- (b) The Financial Review and any additional approved variations for the quarter ended 30 September 2024 be adopted.**
- (c) Council adopt the 30 September 2024 Operational Plan Review advising the extent to which the Operational Plan Actions (Performance Indicators) have been achieved.**
- (d) Council endorse minor amendments to the Organisational Structure as per this report.**
- (e) Council defer Service Reviews for Parks and Gardens and Developer Services to the 2025/26 financial year.**

REPORT

The Operational Plan is a statutory requirement under Section 405 of the Local Government Act, 1993. It requires Council to provide information on the statement of objectives (Operational Plan Actions) and performance targets for each of its principal activities. Council is also required to review its income and expenditure each quarter under Division 3, Section 203 of the Local Government (General) Regulation 2021.

Each of these requirements will be dealt with as follows:

1) REVIEW OF THE OPERATIONAL PLAN ACTIONS (Performance Indicators)

Council staff have completed a review of the extent to which the Operational Plan Actions (Performance Indicators) have been achieved. This review is included as an attachment to this report, Attachment (h).

It is proposed that Council amend the 2024/25 Operational Plan to defer the Service Reviews for Parks and Gardens and Developer Services to the 2025/26 financial year. Council has recently completed Service Reviews for the Griffith Regional Aquatic Leisure

Centre and the Roads department. To ensure effective implementation of the recommended actions, it is suggested that the two service reviews scheduled for this year be postponed.

2) BUDGET REVIEW STATEMENTS AND REVISION OF ESTIMATES

The Financial Review document comprises:

- Report by the Responsible Accounting Officer at 30 September 2024.
- Income and Expense Budget Review Statement (Fund Level) at 30 September 2024.
- Income and Expense Budget Review Statement (Function Level) to 30 September 2024.
- Capital, Cash and Investments Budget Review Statement at 30 September 2024.
- Budget Review Contracts at 30 September 2024.
- Budget Review Consultancy and Legal Expenses at 30 September 2024.
- Budget Review Councillor Expenses at 30 September 2024.

REVISED OPERATING STATEMENT

The revised operating statement at 30 September 2024 currently shows an estimated surplus from operating activities before capital amounts of **\$686,660**. The original adopted Operational Plan for 2024/25 showed a deficit from operations before capital grants of **(\$352,317)**.

The variations requested by each manager are shown on the comparatives operating statement summary, and also on the individual program income and expenditure.

The overall review of the first three months reveals a number of operating budget variations as summarised below, compared to the original budget for 2024/25.

Fund	Original Budget	Variance F / (U)*	Amended Budget
General	(\$4,690,991)	\$841,138	(\$3,849,853)
Waste	\$1,241,197	\$40,000	\$1,281,197
Water	\$1,663,299	\$157,839	\$1,821,138
Sewer	\$1,434,178	\$0	\$1,434,178
Total	(\$352,317)	\$1,038,977	\$686,660

*Favourable, Increase / (Unfavourable, Decrease)

GENERAL FUND VARIATIONS

Operating revenues within the General fund have increased by **+\$1,554,025** from the original budget projection.

The variations in **operating revenue** are summarised as follows:

- Rates & Annual Charges increased by **+\$4,050**
- User Charges & Fees increased by **+\$17,702**
- Operating Grants & Contributions increased by **+\$1,432,202**.
- Other Operating Revenues increased by **+\$100,071**

Operating expenditure has increased by **+\$712,887** from the original budget projection.

The variations in **operating expenditure** are highlighted as follows:

- Employee Costs decreased by **-\$194,215**
- Materials & Contracts increased by **+\$909,935**.

- Other Operating Expenses decreased by **-\$2,833**

As detailed in the first four columns of attachment **(b)**, the General Fund is in a significant deficit position of **(\$3,849,853)** despite the first tranche of the Special Rate Variation (10.5%) being levied in the 2024/25 year. This has improved by \$840k in the first quarter mainly as a result of the timing in receipts of certain operating grants and contributions which is offset by an increase in materials and contracts that is tied to these funds. Whilst there will be some further likely improvements to the General Fund it is anticipated that the Fund will still be in a significant deficit position at year end. It will be important to keep working towards a breakeven or surplus result in the General Fund on the short to medium term if Council is to be in a position to continue to maintain its services at the current level and maintain community assets to a safe and acceptable standard.

WASTE FUND VARIATIONS

Operating revenues within the waste fund have increased by **+\$40,000** from the original budget projection.

The variations in **operating revenue** are summarised as follows:

- Rates & Annual Charges increased by **+\$40,000**

Operating expenditure has not changed from the original budget projection.

WATER FUND VARIATIONS

Operating revenues within the Water fund have increased by **+\$200,000** from the original budget projection.

The variations in **operating revenue** are summarised as follows:

- Interest increased by **+\$200,000**

Operating expenditure has increased by **+\$42,161** from the original budget projection.

The variations in **operating expenditure** are highlighted as follows:

- Materials & Contracts increased by **+\$42,161**.

SEWERAGE FUND VARIATIONS

No operating variations were made in the Sewer Fund during this review.

GRANTS & CONTRIBUTIONS FOR CAPITAL PURPOSES

Income from Grants and Contributions for capital purposes has increased by **+\$4,997,665** from the original budget projection of **\$9,695,525** to total **\$14,693,190**. This increase is almost entirely related to the timing of recognising capital grants awarded in the previous financial year as the accounting standards prescribe an income and expenditure matching principle.

CAPITAL EXPENDITURE

There is a projected increase of **+\$10,346,119** on capital expenditure items in the year-to-date September quarterly review. The original budget projected a capital spend of **\$39,222,844**. It is important to note that this increase is related to timing differences and the completion of previously budgeted capital projects.

Each fund is summarised as per the following:

- The General Fund increased capital expenditure by **+\$6,405,292**
- The Waste Fund increased capital expenditure by **+\$1,615,428**
- The Water Fund increased capital expenditure by **+\$1,560,497**
- The Sewer Fund decreased capital expenditure by **\$764,901**

CASH FLOW STATEMENT ANALYSIS

The forecast indicates an overall reduction in cash of **-\$18,002,499** from 30 June 2024. The original budgeted decrease in cash was **-\$13,735,291**. It is usual that some of the capital projects may not be completed or started during the financial year as a result of external factors such as weather, external agency approvals and resourcing restraints. As each quarterly review is completed, there will be adjustments to both the operating and capital expenditure that may improve the final cash balance at year end.

Outlined in the Cash Flow Statement, and summarised below, is the estimated unrestricted cash available at 30 June, 2024.

Total Cash & Investment Funds at 30/6/24 (Actual)	\$87,992,231
Increase due to 2024/25 Operational Plan	(\$13,735,291)
Decrease from September 2023/24 Quarterly Review	(\$4,267,208)
Total Cash & Investment Funds at 30/06/25 (Estimate)	\$69,989,732
Restricted Cash Balances as at 30/6/24 (Estimate)	
Closing Externally restricted cash balance at 30/6/25	\$62,158,528
Closing Internally restricted cash balance at 30/6/25	\$3,692,000
Available (Estimated) Unrestricted Cash at 30/6/25	\$4,139,204
Total Cash Balances at 30/6/25 (Estimate)	\$69,989,732

CONCLUSION

The result of the September 2024/25 Quarterly Review process has resulted in a total increase in the surplus of approximately **+\$1,038,977**. The revised consolidated surplus as at 30 September 2024 is forecasted to be **+\$686,660**.

3) ORGANISATIONAL STRUCTURE AMENDMENTS – (Q4 2024 and Q1 2025)

ORGANISATIONAL STRUCTURE AMENDMENTS – (Q4 2024)

1 Apr 2024 – 30 Jun 2024

Previous Position	Type of Change	Change to FTE	New Position	Reason for Change	Directorate	Date Appr.
N/A	Add positions to the structure	2. FTE	Water Wastewater Project Manager	Position approved by SMT 22/4/2024	Utilities	22 Apr 2024
Corporate Accountant / Grants Coordinator	Name change	Nil	Corporate Accountant	FTE allocated to the Training pathway of Design Engineer	Business Cultural & Financial Services	30 Apr 2024

Position Description Reviews:

N/A

Full Time Equivalent (FTE), as per organisational structure

Date – end of qtr.	FTE (permanent, & trainees)
30/6/2019	288
30/9/2019	288
31/12/2019	290
31/3/2020	290
30/6/2020	290
30/9/2020	292
31/12/2020	293
30/6/2021	293
30/9/2021	296 (add P&G)
31/12/2022	298 (add GRALC positions)
31/03/2022	299 (Approvals Officer)
30/9/2022	303 (Sports Centre & payroll Officer positions & FTE change for Accounting Officer)
31/12/2022	306 (Stormwater & Flood Engineer), (Animal Rehoming Officer – Trainee & WHS Officer term positions)
31/03/2023	306
30/06/2023	306
30/09/2023	306
31/12/2023	306
30/06/2024	308 (2 additional positions for Utilities 24/49045)

ORGANISATIONAL STRUCTURE AMENDMENTS – (Q1 2025)**1 June 2024 – 30 September 2024**

Previous Position	Type of Change	Change to FTE	New Position	Reason for Change	Directorate	Date Appr.
Assessment Officer	FTE relocated to Development Assessment Planner	Nil	Development Assessment Planner	Assessment Officer transferred to Development Assessment Planner position	Sustainable Development	29 July 2024
Environmental Health Officer	Extending position	Nil	Environmental Health Officer	Position extended to accommodate two incumbents – no additional FTE	Sustainable Development	12 Aug 2024
WHS Officer	Temporary adding 1 FTE for a term position	1.0FTE	WHS Officer	SMT/GM approved for a term position of two years	Economic & Organisational Development	5 Aug 2024
Airport Reporting Officer	Temporary adding 1 FTE for a term position	1.0FTE	Airport Reporting Officer	SMT/GM approved for a term position of two years	Sustainable Development	5 Aug 2024
Works Design Engineer (Casual)	Remove this position from the Structure and replace	Nil	Works Engineer (Casual)	Need for a works engineer on a casual basis	Infrastructure & Operations	16 Sep 2024

Previous Position	Type of Change	Change to FTE	New Position	Reason for Change	Directorate	Date Appr.
Business Administration Coordinator	Adding 0.2FTE and changing the position	0.2FTE	Administration Officer – Pioneer Park Museum	Adding 0.2FTE to make the role a full 1.0FTE	Business Cultural and Financial Services	16 Sep 2024

Position Description Reviews;

Griffith Regional Art Gallery Coordinator
 Work Health and Safety Officer
 Works Engineer Pathway
 Workforce Planning Manager
 Administration Officer – Pioneer Park Museum

Full Time Equivalent (FTE), as per organisational structure

Date – end of qtr.	FTE (permanent, & trainees)
30/6/2019	288
30/9/2019	288
31/12/2019	290
31/3/2020	290
30/6/2020	290
30/9/2020	292
31/12/2020	293
30/6/2021	293
30/9/2021	296 (add P&G)
31/12/2022	298 (add GRALC positions)
31/03/2022	299 (Approvals Officer)
30/9/2022	303 (Sports Centre & payroll Officer positions & FTE change for Accounting Officer)
31/12/2022	306 (Stormwater & Flood Engineer), (Animal Rehoming Officer – Trainee & WHS Officer term positions)
31/03/2023	306
30/06/2023	306
30/09/2023	306
31/12/2023	306
30/06/2024	308 (2 additional positions for Utilities 24/49045) Vacant
16/09/2024	308.2 (0.2FTE added to Business Administration Pioneer Park)

OPTIONS

OPTION 1

As per the Recommendation.

OPTION 2

Another resolution of Council.

POLICY IMPLICATIONS

Not Applicable

FINANCIAL IMPLICATIONS

As a result of the September 2024/25 Quarterly Review process, there has been a positive adjustment in the General Fund's operating surplus of +\$841,138, and an increase of +\$40,000 to Waste Fund's operating surplus, and an increase of +\$157,839 to the Water Fund's operating surplus, no change to the Sewer Fund's operating surplus, all having been identified and requested as outlined above.

LEGAL/STATUTORY IMPLICATIONS

In accordance with Section 405 of the Local Government Act, 1993.

In accordance with Division 3, Section 203 of the Local Government (General) Regulation, 2021.

ENVIRONMENTAL IMPLICATIONS

Not Applicable

COMMUNITY IMPLICATIONS

Not Applicable

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 3.2 Ensure Council's financial sustainability through effective financial management that is transparent and accountable.

CONSULTATION

Senior Management Team

Management Accountant

Integrated Planning & Reporting Coordinator

The majority of the source information contained in this review has been supplied by the individual managers responsible for each department or program.

ATTACHMENTS

- (a) Report by Responsible Accounting Officer at 30 September 2024 (under separate cover) [⇒](#)
- (b) Income & Expenses Budget Review Statement (Fund Level) at 30 September 2024 (under separate cover) [⇒](#)
- (c) Income & Expenses Budget Review Statement (Program Level) at 30 September 2024 (under separate cover) [⇒](#)
- (d) Capital Cash & Investment Budget Review Statement at 30 September 2024 (under separate cover) [⇒](#)
- (e) Budget Review Contract at 30 September 2024 (under separate cover) [⇒](#)
- (f) Budget Review Consultancy, Legal & Vandalism Expenses at 30 September 2024 (under separate cover) [⇒](#)
- (g) Budget Review Councillors Expenses at 30 September 2024 (under separate cover) [⇒](#)

cover) [⇒](#)

- (h) Review Of The Operational Plan Actions (Performance Indicators) (under separate cover) [⇒](#)

CLAUSE	CL08
TITLE	Riverina Murray Joint Organisation of Councils - Board Meeting 8 November 2024 - Albury/Wodonga Regional Hospital
FROM	Brett Stonestreet, General Manager
TRIM REF	24/139286

SUMMARY

This report seeks Council endorsement of Albury City Council's advocacy for the Albury/Wodonga Regional Hospital Project.

RECOMMENDATION

Council support the advocacy position being progressed by Albury City Council regarding the Albury/Wodonga Regional Hospital Project.

REPORT

The Riverina Murray Joint Organisation of Councils (RAMJO) held a Board meeting Friday 8 November 2024 at Hay. The Mayor and General Manager attended the meeting. The meeting considered a Motion submitted by Albury City Council regarding the Albury/Wodonga Regional Hospital Project. (Refer Attachment a).

The Board Meeting resolved that the Motion as submitted by Albury City Council be referred to each Council for consideration by the respective Council.

The Albury Base Hospital is included in the footprint of the Murrumbidgee Local Health District (MLHD). Given that Griffith is also within the boundary of MLHD this is a matter of some relevance to Griffith City Council.

The new Griffith Base Hospital development is nearing completion with commissioning of the new facility set to commence during the first quarter of 2025. Notwithstanding the fact that Griffith will soon have an amazing new hospital facility, the planned Albury/Wodonga Regional Hospital will ultimately be utilised by some residents/patients from Griffith. For that reason, Council may wish to take a position in terms of the advocacy by Albury City Council.

The position taken by Albury City Council essentially seeks the development of a fully funded, new single-site hospital for the Albury/Wodonga region.

OPTIONS

OPTION 1

As per the Recommendation in this report.

OPTION 2

Council note this report.

POLICY IMPLICATIONS

Not Applicable

FINANCIAL IMPLICATIONS

Not Applicable.

LEGAL/STATUTORY IMPLICATIONS

Not Applicable

ENVIRONMENTAL IMPLICATIONS

Not Applicable

COMMUNITY IMPLICATIONS

Some Griffith resident/patients may require medical attention at the planned Albury/Wodonga Regional Hospital.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 4.5 Improve access to local health services.

CONSULTATION

Riverina Joint Organisation of Councils.

Senior Management Team

ATTACHMENTS

- (a) Riverina Murray Joint Organisation of Councils - Board Meeting 8 November 2024 - Albury/Wodonga Regional Hospital Project [↓](#) 97

Date: 4 November 2024
Title: Albury/Wodonga Hospital Redevelopment Advocacy
Prepared by: Albury Mayor Cr. Kevin Mack

BACKGROUND

Notice of Motion for Discussion - Albury Wodonga Regional Hospital Project

1. Note that the planned redevelopment of Albury Hospital is not adequate to meet current, let alone future community needs, and that planned and promised services have been cut since the project was announced;
2. Supports the development of a fully funded, new single-site hospital for the Albury-Wodonga region in a suitable location in either Albury or Wodonga that, at a minimum, meets the requirements established by the 2021 Clinical Services Plan;
3. Calls on the State Governments of New South Wales and Victoria to pause the current redevelopment plans for the Albury Hospital and redirect efforts towards a fully funded, new single-site development in Albury-Wodonga;
4. Urgently seeks assurances from the New South Wales and the Victorian State Governments to allay the fears of our community that the \$558 million investment allocated to the Albury Hospital will not be in jeopardy regardless of the form the new hospital may take;
5. Continues to call on the State Governments of Victoria and New South Wales to immediately provide interim solutions, such as modular wards and theatres and step-down beds, to address the ongoing capacity deficits;
6. Urgently communicates this position to the New South Wales and Victorian Ministers and Shadow Ministers for Health and the Federal Minister and Shadow Minister for Health;
7. Notes the positions already adopted by Wodonga Council, Indigo Shire Council, Alpine Shire Council, Towong Shire Council and Federation Council, and seek opportunities for collaboration in relation to this matter;
8. Requests that the CEO:
 - a. produce a report by no later than 30 November 2024, that identifies potential suitable locations for a new single-site hospital;
 - b. use the Council's communication channels, including but not limited to the AlburyCity website, social media channels, and newsletters to inform the community of this decision.



CLAUSE	CL09
TITLE	Griffith City Council Annual Report 2023/24
FROM	Brett Stonestreet, General Manager
TRIM REF	24/138276

SUMMARY

Council has a statutory obligation to prepare an Annual Report in accordance with Section 428 of the Local Government Act 1993, the Local Government (General) Regulation 2021 and the Integrated Planning and Reporting Guidelines.

RECOMMENDATION

The Griffith City Council Annual Report 2023/24 be noted.

REPORT

The Annual Report is a key point of accountability between Council and its community. It reports on progress made against Council's commitments in the Delivery Program (4-year plan) and Operational Plan 2022/23 (budget), and describes how Council is supporting achievement of the goals articulated in the Community Strategic Plan.

The Annual Report includes statutory information and financial reporting that is prescribed by the Local Government Act 1993 and Local Government (General) Regulation 2021.

In accordance with the Government Information (Public Access) Act (GIPA) Act 2009 the Annual Report will be made publicly available on Council's website.

OPTIONS

Council note the Annual Report as presented.

POLICY IMPLICATIONS

Not Applicable

FINANCIAL IMPLICATIONS

The Annual Report must contain a copy of Council's audited financial statements. An extension was granted up till 30 November 2024.

Council has been granted an extension until 15 December 2024 for completing and lodging the 2023/24 annual financial statements with the Office of Local Government (OLG) due to constraints within the Audit Office of NSW being able to complete the audit prior to end of October 2024.

The Annual Financial Statements will be uploaded to Council's website along with the Annual Report once received.

LEGAL/STATUTORY IMPLICATIONS

Local Government Act 1993

428 Annual reports

- (1) Within 5 months after the end of each year, a council must prepare a report (its **annual report**) for that year reporting as to its achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed.
- (2) The annual report in the year in which an ordinary election of councillors is to be held must also report as to the council's achievements in implementing the community strategic plan over the previous 4 years.
- (3) An annual report must be prepared in accordance with the guidelines under section 406.
- (4) An annual report must contain the following:
 - (a) a copy of the council's audited financial reports prepared in accordance with the *Local Government Code of Accounting Practice and Financial Reporting* published by the Department, as in force from time to time,
 - (b) such other information or material as the regulations or the guidelines under section 406 may require.
- (5) A copy of the council's annual report must be posted on the council's website and provided to the Minister and such other persons and bodies as the regulations may require. A copy of a council's annual report may be provided to the Minister by notifying the Minister of the appropriate URL link to access the report on the council's website.

Local Government (General) Regulation 2021 – Clause 217 of the Regulation and the Annual Report Checklist issued by the Office of Local Government details the requirements to be included in the Annual Report.

Integrated Planning and Reporting Guidelines

Government Information (Public Access) Act (GIPA) Act 2009

Government Information (Public Access) Regulation 2018

Companion Animals Act 1988 and Companion Animal Regulation 2018

Disability Inclusion Act 2014

Environmental Planning & Assessment Act 1979

Environmental Planning and Assessment Regulation 2021

Swimming Pools Act 1992

Swimming Pools Regulation 2018

Public Interest Disclosures Act 1994

Public Interest Disclosures Regulation 2011

ENVIRONMENTAL IMPLICATIONS

The Annual Report details Council's environmental activities for the reporting period.

COMMUNITY IMPLICATIONS

The Annual Report informs the community on the work undertaken by Council each year to deliver on the commitments of the Delivery Program through delivery of the Operational Plan.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 1.1 Provide clear, accessible, relevant information.

This item links to Council's Strategic Plan item 3.1 Undertake Council activities within a clear framework of strategic planning, policies, procedures and service standards.

This item links to Council's Strategic Plan item 3.2 Ensure Council's financial sustainability through effective financial management that is transparent and accountable.

CONSULTATION

Senior Management Team and Council Officers

ATTACHMENTS

- (a) Griffith City Council Annual Report 2023/24 (under separate cover) [⇒](#)

CLAUSE	CL10
TITLE	Powering Tomorrow: Regional Councils NSW Power Purchasing Agreement
FROM	Bernie Maxwell, Procurement Officer
TRIM REF	24/131517

SUMMARY

Reference: CC03 24/093 Council Minutes dated 26 March 2024

RESOLVED on the motion of Councillors Glen Andreazza and Christine Stead that:

- (a) Subject to a successful tendering process by the Hunter Joint Organisation, if per annum costs are less than the current overall cost of negotiable components, the General Manager shall have delegation to enter into a contract for the supply of electricity to Council's large sites and streetlights and present a further report to a future meeting of Council on completion of the process for Council's information; and*
- (b) Council contribute a minimum of 21% of Council's electricity load to a renewable energy Power Purchase Agreement.*
- (c) Council advise Hunter Joint Organisation of Council's decision to delegate authority to execute contracts.*

The following Information Report is provided for Council information.

RECOMMENDATION

The report be noted by Council.

REPORT

With the existing contracts for the supply of electricity to Large and Unmetered Sites expiring in December 2024, Griffith City Council, along with 12 other councils, elected to participate in the Hunter Joint Organisation's tender process with a view to achieving costs savings and budget certainty over a longer period through the increased buying power of the 13 councils combined.

Following an extensive tendering process, the relevant steering committee awarded the *Powering Tomorrow: Regional Councils NSW Power Purchasing Agreement (PPA)* contract to Iberdrola Australia Energy Markets Ltd (Iberdrola).

The new contract, to progressively take effect from 01 January 2025, is for a period of six years, expiring 31 December 2030.

The Contract Breakup

Electricity accounts are typically made up of a number of components, namely:

• Energy Consumption		Negotiable
• Environmental Charges		Negotiable
• Metering Charges		Non-negotiable
• Retail Service Fees		Non-negotiable
• Network Charges		Non-negotiable

The above process focused on the first two components as these are the negotiable rates entered into between the retailer and the consumer.

The other charges stated are non-negotiable as they legislated and passed on the consumer via retailer invoices, and are subject to change.

The new contract, which allows for 3% Per Annum CPI increases, effectively locks in the negotiable components, being the Energy Consumption and Environmental Cost rates based on Council's estimated annual MWh consumption, for the full six-year period of the contract.

Sourced Energy, the energy consultant appointed for the tender process, provided the following illustration to break down Council's current Fully Delivered energy costs (for 2024) in comparison with future Fully Delivered costs (2025 to 2030) under the new contract with Iberdrola.

While the above non-negotiable components are subject to change beyond Council's control, the below breakdown is provided to give an indication of the full cost of Council's annual Large Site and Unmetered electricity supply under the new contract.

Council's estimated total annual consumption – MWh: 7,215 MWh

YEAR	MWh Usage	Fully Delivered \$/MWh(ex GST)	Total Annual Cost	2024 v Contract: (x 6 years)
2024	7215	\$300.28	\$2,166,520	\$12,999,120
2025	7215	\$273.47	\$1,973,308	
2026	7215	\$278.71	\$2,010,892	
2027	7215	\$285.78	\$2,061,902	
2028	7215	\$291.23	\$2,101,224	
2029	7215	\$296.80	\$2,141,412	
2030	7215	\$302.48	\$2,181,239	\$12,469,977

Estimated Savings under Contract v 2024 pricing: \$529,143

The above calculations:

- 1 Assume the legislated non-negotiable costs remain unchanged over the next 6 years.
- 2 Allow for annual CPI increases.

SUMMARY:

In addition to the above illustration indicating a saving of more than \$500,000 (ex GST) over the life of the new contract in comparison with 2024 pricing, it should be noted that the illustration suggest it will take the full six years of the contract for the Fully Delivered \$/MWh rate to reach the 2024 pricing.

In response to the above Council Resolutions:

- (a) Following the extensive tendering process, achieving savings on current overall cost negotiable electricity components, the General duly executed contract documents with Iberdrola Australia Energy Markets Ltd as delegated;
- (b) Council's contracted renewable energy percentage is aligned with the minimum percentage as legislated by Large-Scale Renewable Energy Target (LRET) Scheme, currently fluctuating between 18.5% and 21.0%;
- (c) The Hunter Joint Organisation was duly informed during the course of the above tender process of Council's resolution to delegate authority to execute contracts to the General Manager.

OPTIONS

OPTION 1

As per the Recommendation in this report.

OPTION 2

Any other resolution of Council.

POLICY IMPLICATIONS

Tender documentation was prepared in accordance with Local Government Act 1993 tendering regulations, and aligns with Griffith City Council's Procurement Policy and Procedures.

FINANCIAL IMPLICATIONS

Council's existing budget allocation for Large Site and Unmetered electricity supply should be sufficient to meet estimated costs for the coming 12 month period.

LEGAL/STATUTORY IMPLICATIONS

Tender documentation was prepared in accordance with Local Government Act 1993 tendering regulations.

ENVIRONMENTAL IMPLICATIONS

Not Applicable

COMMUNITY IMPLICATIONS

Not Applicable

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item:

3.2 Ensure Council's financial sustainability through effective financial management that is transparent and accountable.

CONSULTATION

Senior Management Team
Hunter Joint Organisation Powering Purchasing Agreement Team

ATTACHMENTS

- (a) REPORT - 26 March 2024 - Powering Tomorrow - Regional Councils NSW Power Purchasing Agreement PPA (confidential)

CLAUSE	CL11
TITLE	Western Riverina Regional Drought Resilience Plan & Sustainable Communities Program Update
FROM	Karly Sivewright, Economic Development Coordinator
TRIM REF	24/132110

SUMMARY

The Western Riverina Regional Drought Resilience Plan (WRRDRP) is a consortium collaboration lead by Narrandera Council between Griffith, Leeton, Murrumbidgee, and Narrandera Councils, and their communities. The consortium has been working together to advance the region's resilience to the impacts of drought in the Western Riverina. Following a community consultation process, a final Plan has been completed by Meridian Urban and provided to the consortium. It should be noted the Plan was completed following community consultation and is not open for Public Submission, and must be submitted to the Department of Primary Industries and Regional Development in November 2024.

The Plan will assist inform applications to the forthcoming Sustainable Communities Program to be released by the Federal Government to assist communities impacted by the water recovery as part of the Restoring Our Rivers program.

RECOMMENDATION

- a) Council notes the update regarding the Sustainable Communities Program.**
- b) Council endorse the Western Riverina Regional Drought Resilience Plan as described in this Report.**

REPORT

Sustainable Communities Program

To implement the Murray-Darling Basin Plan in full, the Australian Government will be recovering 450GL of water as part of the Restoring our Rivers program by 2027. To assist communities impacted by water recovery the Australian Government have announced the Sustainable Communities Program. This program will provide \$300M over 4 years to communities within the Basin. Councils and industries impacted by the Basin Plan will be invited to apply for funding, with allocations of funding per state to be announced in the coming weeks. It is anticipated the NSW government will undertake further community consultation in regard to the Program in February/March 2025. The funding will primarily support projects that will deliver long term economic and job growth.

The program funding aims to:

- Help regional communities to diversify and build resilience
- support communities to build capacity and prepare for a future with less water
- respond to local challenges, opportunities and priorities
- provide assistance at the same time as water recovery activities to proactively manage impacts.

The Federal Minister for Environment and Water announced on 8 November 2024 that the September water purchase open tender received more than 1000 responses across the southern Murray-Darling Basin, far exceeding the volume of water required. The September tender looked to purchase an additional 70 gigalitres per year across five catchments in the southern connected basin. Of the 450 gigalitres to be recovered by 2027, 27 gigalitres have been recovered to date.

The implementation of the Murray-Darling Basin Plan is being managed via the Department of Climate Change, Energy, the Environment and Water dashboard: [Implementing the Murray-Darling Basin Plan dashboard - DCCEEW](#)

The Western Riverina Regional Drought Resilience Plan

The Western Riverina Regional Drought Resilience Plan (WRRDRP) is a consortium collaboration lead by Narrandera Shire Council between Griffith City, Leeton Shire, Murrumbidgee, and Narrandera Shire Councils, and their communities. The consortium has been working together to advance the region's resilience to the impacts of drought in the Western Riverina. The Regional Drought Resilience Planning Program is being delivered as part of the Future Ready Regions Strategy, with joint funding from the Australian Government's Future Drought Fund and the Department of Regional NSW. Stage 1 is almost complete with the development of the WRRDRP ready for adoption.

A total amount of \$350,000 allocated to Stage 2 implementation of the plan to be acquitted by November 2025. An expanded Project Control Group (PCG) will be established in 2025 and will include representatives from all four Councils and interested stakeholders. The expanded PCG will work collaboratively to apply for an expression of interest that includes actions to be undertaken from the plan.

A stakeholder engagement program was developed and co-designed across each local government, which included a comprehensive in-region engagement program, supplemented by additional targeted conversations and bolstered by a community wide survey, for both community members and business operators. In addition to this stakeholder engagement, significant background research was undertaken to inform preparation of the Western Riverina Resilience Assessment.

2024 PROJECT TIMELINE & ACTIONS UNDERTAKEN	
February	Funding deed executed
April	Request for quotation for consultant advertised
May	Panel assessment of quotations and consultant appointed
June	Onboarding of consultant and commence research and community consultation
4 June	Community consultation survey open (72 participants)
July	In-person consultation sessions
4 July	Drought Resilience Plan Workshop – Council Chambers (All Councillors & general public invited)
5 July	Drought Resilience Planning drop-in sessions – Dal Broi room, Council
August	Preparation of draft plan and CSIRO review
13 August	Mayor's Economic Update including Regional Drought Resilience Plan held (All Councillors & general public invited)
September	Community Consultation - Workshops with communities and stakeholders (in-person consultation)
25 September	Actions from draft plan reviewed with community members and

	stakeholders - Griffith Community Workshop followed by drop-in sessions – Murray Room, Council (All Councillors & general public invited)
October	Draft plan (including CSIRO and community edits) sent to department for review
1 November	Drought Plan completed by consultant and ready for endorsement
8 November 2024	WRRDRP due to be submitted to Department of Primary Industries and Regional Development
30 November 2025	Western Riverina consortia implementation deliverables and the final program report due.

Purpose of the Western Riverina Regional Drought Resilience Plan

The Western Riverina is unique in its drought context. Although susceptible to periods of drought, the irrigation schemes and regulation of the Murrumbidgee River differentiate the region from other parts of NSW. Water uncertainty was expressed by the community as the major factor affecting the region.

While the traditional characteristics of drought do affect the region, there are other influencing factors specific to the Western Riverina. Community engagement highlighted three kinds of ‘water uncertainty’ (see page 17 of the WRRDRP):

- ‘Natural’ drought – which is the climate-related drought experienced across Australia, and involves a deficit in the level of rainfall occurring in region.
- ‘Human-made’ drought – which is the lack of irrigation water due to government policy or out of-region water availability.
- Operational constraints influences – which involves the infrastructure / asset-based constraints of scheme maintenance

The effects of drought and any resilience initiative need to consider this broader context. The interplay of these factors creates uncertainty in the water landscape for this region. Whilst the irrigation schemes in the region have stabilised local and regional economic activity, water shortage and drought impacts can still be felt across the community.

Building in programs ahead of drier times, and retaining services and support beyond when a drought breaks provides the basis for ongoing community functioning. Drought planning and resilience goes well beyond actual drought periods. Importantly, there are a range of stakeholders who play a role in drought resilience. Services and programs may be delivered at different levels of government or across organisations. Continuing to advocate for local programs that have worked, and a focus on what can be done better also remains a priority for the plan.

The purpose of the plan is to:

- Increase understanding of the region’s current and future drought resilience, considering the region’s unique economic, environmental, and social characteristics.
- Recognise the interdependent nature of the local economy, community health and wellbeing and environmental sustainability through the drought cycle and across business types.
- Understand local signals and drought priorities in the community’s voice.
- Combine local knowledge with resilience and risk data and information to make informed decisions. Identify actions, pathways and opportunities to improve regional drought resilience, mitigate risks and adapt to change.

- Help the Western Riverina Consortium of councils and regional organisations be in a stronger position to implement strategic actions and support partnerships that drive enhanced drought resilience
- Develop concrete actions to address and mitigate short-term and long-term drought impacts.

Over 60 drought resilience actions have been identified through the RDRP project. These actions are coordinated through six locally relevant pathways:

1. Anticipate water availability
2. Proactively manage business interests
3. Support off-farm diversification
4. Grow local co-operative service provision
5. Support community cohesion
6. Embed environmental stewardship and regenerative practices.

FINANCIAL IMPLICATIONS

\$350,000 in grant funding in total for all participating Councils is available to identify and undertake priority actions and projects which are due for completion November 2025.

ENVIRONMENTAL IMPLICATIONS

As part of the WRRDRP, Meridian Urban (consultant) undertook a Western Riverina Resilience Assessment to assess the environmental factors impacting the Western Riverina in the event of a drought.

COMMUNITY IMPLICATIONS

Successful implementation of the plan will rely on the establishment of an active broader project control group (PCG) that has a wide collection of stakeholder representation.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 2.2 Maximise opportunities to secure external funding for partnerships, projects and programs.

CONSULTATION

Senior Management Team

ATTACHMENTS

- (a) Western Riverina Regional Drought Resilience Plan (under separate cover)



CLAUSE	CL12
TITLE	Responses to Councillor Questions Taken on Notice
FROM	Joe Rizzo, Director Sustainable Development
TRIM REF	24/132699

SUMMARY

At the Ordinary Meeting of Council held on Tuesday, 12 November 2024 one item was Taken on Notice.

This report outlines the response.

RECOMMENDATION

The report be noted by Council.

REPORT

The below item was Taken on Notice at the Ordinary Meeting of Council held on Tuesday, 12 November 2024.

- Director Rizzo took a question on notice regarding notification of neighbours in relation to DA 99/2024 – 5MW Battery Energy Storage System.

Response:

Notification of DA 99/2024 – 5MW Battery Energy Storage System was completed in accordance with Council's Community Participation Plan as follows:

- Written notification was sent to the registered owners of the properties within 150m (all affected land within the green area) of the subject site (i.e., 116 Cremasco Road- highlighted in red in **Figure 1** below) at the time of notification.
- Letters were sent to Murrumbidgee Irrigation Ltd, Casella Wines Pty Ltd and Mr G M & Mrs M N Casella.
- Published notification was placed on Council's website, Catchup and Facebook.
- Notification period ended on 19 July 2024.



Figure 1 – Property Owners notified (highlighted in green) and subject site in red

OPTIONS

OPTION 1

As per the Recommendation.

POLICY IMPLICATIONS

Not Applicable

FINANCIAL IMPLICATIONS

Not Applicable

LEGAL/STATUTORY IMPLICATIONS

Not Applicable

ENVIRONMENTAL IMPLICATIONS

Not Applicable

COMMUNITY IMPLICATIONS

Not Applicable

LINK TO STRATEGIC PLAN

This report has no relevance to the Council's Strategic Plan.

CONSULTATION

Senior Management Team

ATTACHMENTS

- (a) Community Participation Plan (under separate cover) [⇒](#)

CLAUSE	CL13
TITLE	Responses to Councillor Questions Taken with Notice
FROM	Brett Stonestreet, General Manager
TRIM REF	24/126086

SUMMARY

At the Ordinary Meeting of Council held on Tuesday, 22 October 2024 several questions from Councillor Scott Groat were Taken with Notice.

This report outlines the responses.

RECOMMENDATION

The report be noted by Council.

REPORT

The below items were Taken with Notice at the Ordinary Meeting of Council held on Tuesday, 22 October 2024. Refer Attachment (a).

- *In regard to the land and environment court how many litigation cases are there pending?*

Response:

The following matters are currently under litigation with the NSW Land and Environment Court:

Darryl Serafin vs Griffith City Council

[903A Thorne Road GRIFFITH - LOT: 2 DP: 1084710 FNO: 903A - DA 189/2018](#)
[Land and Environment Court Proceedings - Class 1 Appeal - Case no. 2023/00435794](#)

Notice of Discontinuance by the Applicant filed on 14/10/2024.

Darryl Serafin vs Griffith City Council

[759 Thorne Road Griffith 2680 - LOT: 1 DP: 1247659 - DA 39/2024](#)
[Land and Environment Court Proceedings - Class 1 Appeal - Case no. 2024/349405](#)

Attached to this report is a copy of the Statement of Facts and Contentions that has been filed with the Court. (Attachment b). This document provides a detailed description of the development, the matters of contention and other back ground information including non-compliance with existing DA approval conditions.

The substantive sections of the above Statement in the Court Proceedings are reproduced below.

Statement of Facts and Contentions - Filed 21/10/2024

5. APPLICATION HISTORY PERTINENT TO THE SITE

5.1 DA 247/2016(1) – The underlying two lot Torrens Title subdivision of Lot 2 DP 1084710 which created the subject property and an adjacent lot (Lots 1 & 2 DP 1247659), was made on 8 November 2016 and approved on 9 December 2016. The application assessment report indicated that the land was to be used to for the purpose of a large agricultural machinery business.

At that time of this subdivision, Thorne Road was a short dirt road in front of the subject site to provide access to the dwelling house that existed on the land.

The road was not formed beyond the site to the east to provide access to the general public. It was identified to be upgraded under the Griffith Heavy Vehicle Strategy (2014).

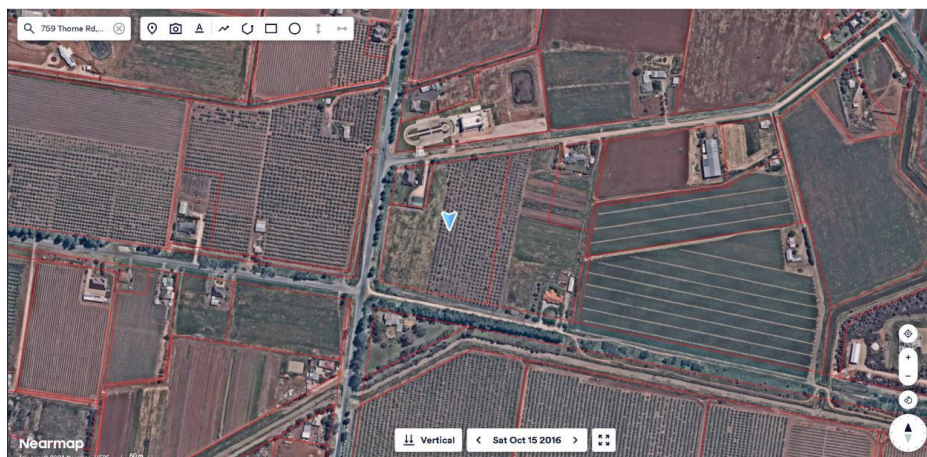


Figure 2 - 2016 Aerial - ©Nearmap 2024 - extent of road work at time of subdivision DA

Council signed the Subdivision Certificate on 3 October 2018. The subdivision was registered on 19 October 2018 and there were two restrictions as to use registered on the title of the subject land.

1. **TERMS OF RESTRICTION ON THE USE OF LAND SECONDLY REFERRED TO IN THE ABOVEMENTIONED PLAN:**
 - (a) No accessway off Thorne Road shall be constructed within 150 metres of the intersection of the centerlines of The Kidman Way and Thorne Road.

2. **TERMS OF RESTRICTION ON THE USE OF LAND THIRDLY REFERRED TO IN THE ABOVEMENTIONED PLAN:**
 - (a) The subject land has a low to medium flooding hazard categorization, and the 1 in 100 year flood level for the site is RL122.56 AHD. As such, the finished floor levels of any habitable room for future buildings shall be not less than RL123.06 or 410mm above the existing natural ground level, whichever is the higher.

The Entity empowered to release, vary or modify the Restriction On the Use of Land secondly and thirdly referred to in the abovementioned plan is Griffith City Council.

The subject land was under contract to 13 April 2017 and settlement occurred on 8 November 2018.

5.2 DA 189/2018(1) was submitted on 22 August 2018 and approved on 30 January 2020. The application was made over Lot 2 DP 1084710. Thorne Road at that time was under construction between the site and Kurrajong Avenue to the east.



Figure 3 - 2018 Aerial - ©Nearmap 2024 – Thorne Road construction works in progress at time of DA189/2018

The development application was for the construction and use of new commercial premises being a vehicle repair station and specialised retail premises, which included:

- Commercial retail sales and associated administration offices; staff lunch, toilet and wash facilities; assembly of machinery; warehouse storage of machinery parts; and an external wash bay (3024m²).
- A single vehicle storage shed (720m²),
- Four car garage (112m²)
- Civil works including hardstand vehicular parking areas (38 plus); driveways; fencing; and stormwater drainage and pavements.
- On site sewerage management and stormwater detention
- A second stage construction location was indicated on the site plan for a future 3,000m² building.

Council approved the application with Condition 31 relating to the location and type of access required to the site from Thorne Road to serve the proposed development:

'Prior to the issue of a Construction Approval for Civil Works, a sealed accessway to the development is to be provided between the property boundary and the road carriageway off Thorne Road. The accessway is to be located a minimum of 150m from the centreline of the intersection of Kidman Way and Thorne Road. The proposed accessway to Thorne Road shall be designed and constructed to provide a sealed Basic Right Turn (BAR) and Auxiliary Left Turn (AUL) treatment with painted medians on Thorne Road in accordance with the Austroads Guide to Road Design as amended by the supplements adopted by Roads and Maritime Services for the posted speed limit and to accommodate the largest size vehicle likely to access the development site.

Detailed design drawings for the accessway and road works (including design and road building material) are to be submitted to Council for approval and are to comply with Council's Engineering Guidelines - Subdivisions and Development Standards and Austroads Guidelines. All costs are to be borne by the developer.'

5.3 DA 189/2018(2) - This modification was lodged on 27 July 2020 and approved on 30 July 2020.

The modification sought postponement of the payment of Water Supply Contributions until to 'prior to Occupation Certificate' (Condition 19). Council agreed with the proposed modification and modified the condition as requested.

5.4 DA 189/2018(3) – This modification was lodged on 10 September 2020 approved on 22 September 2020.

The proposed modification related to:

- (a) *Waste water to be treated on site rather than via reticulated sewer and trade waste agreement.*
- (b) *Stormwater to be disposed of in council table drain, not to MI drainage reserve.*

Council agreed with the proposed modification and deleted, modified and inserted relevant conditions.

The Construction Certificate for DA 189/2018 was issued on 25 November 2020 and the approved plans include one access point off Thorne Road in excess of 150m to the centreline of the intersection of Kidman Way and Thorne Road in accordance with Condition 31 of the development notice of determination.

5.5 DA 189/2018(4) – this modification was lodged 29 November 2021 and refused on 4 March 2023, lodged pursuant to Section 4.55(1A) of the EP&A Act.

The proposed modification related to:

- *modifying condition 31 to allow vehicular access and egress provided by two (2) separate one-way driveways along the southern boundary of the site connecting to Thorne Road. The ENTRY driveway located approximately 115m offset from the centre line of Kidman Way and the EXIT driveway located approximately 175m offset from the centre line of Kidman Way close to the eastern boundary of the site. The reason(s) for refusal are set out as follows:*
 - 1. That the proposed development is considered unsatisfactory with regard to section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 in that the proposed modification does not satisfy the provisions of Clause 1.9A of the Griffith Local Environmental Plan 2014 ‘does not apply to a covenant imposed by Council or that Council required to be imposed’. As such the proposed modification cannot be approved without a modification of the restriction on the use of land created on the Section 88B Instrument for DA 247/2016.*
 - 2. That the proposed development is considered unsatisfactory with regard to section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 in that the proposed modification is not consistent with the Griffith Heavy Vehicle Strategy (GHVS) 2013, in relation to the design, safety and function of the Griffith Southern Industrial Link (GSIL).*
 - 3. That the proposed development is considered unsatisfactory with regard to section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 in that the proposed modification is not consistent with Austroads Part 3, Part 4, Part 4A, Part 4B, and Part 5 or the Roads or Traffic Authority Guide to Traffic Generating Developments.*
 - 4. That the proposed development is considered unsatisfactory with regard to section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 in that the proposed development is not in the public interest.*

5.6 DA 1/2022(1) – The Stage 2 construction works identified in DA 189/2018 for an additional building was made on 22 February 2022 and approved on 12 July 2022.

The proposal is for the construction and use of new commercial premises being a vehicle repair station and specialised retail premises, and associated works including:

- *'Serafin Agpro' shed for commercial retail sales and associated administration offices including staff lunch, toilet and wash facilities; assembly of machinery; warehouse storage of machinery parts; and external display of machinery.*
- *Civil works including vehicular access; driveways, loading/unloading areas and vehicular parking; wastewater treatment tank and disposal area; and stormwater drainage.*

Access for this additional land use relies on access created to the site for DA 189/2018.

The construction certificate was issued 22 February 2023 for this second stage building. The building is constructed and occupied however an Occupation Certificate has not been issued by Council as PCA.

5.7 Compliance Action – Numerous conditions of consent have not been completed and no Occupation Certificate has been issued by Council as PCA, yet the site is occupied and the business is operating from the premises. Council has on-going compliance action underway.

A Notice of Intention dated 13 March 2023 was issued and Alotamac Pty Ltd (owner company) as the owner has continued to occupy and use the site outside the conditions of consent.

The access from Thorne Road has not been completed in accordance with the approval issued and works within the road reserve of Thorne Road have not been completed.

The Notice of Order was to Stop use of Premises (Order 1); Comply with Development Consent No 189/2018 (Order 11).

A further Notice of Order was issued 19 April 2023 to provide a traffic management plan for interim safe access to Thorne Road and to implement that plan (Order 7). This order was complied with.

Penalty Notice 3250251007 Fail To Comply With Terms Of Development Order – Corporation (\$6000) issued on 02 August 2023 for not complying with the interim TMP Order. This matter was not contested and the fine has been paid.

On 7 June 2024, Pikes and Verekers Lawyers sent correspondence to the Applicant's lawyers in relation to the ongoing breaches of the EPA Act occurring.

On 24 July 2024 a Road Safety Audit was provided by the Applicant.

On 16 September 2024 a revised Road Safety Audit was provided, which included recommendations to address matters identified in the original Road Safety Audit.

As at the date of finalising this report i.e. 16 November 2024, the matter is under mediation. The key matter of contention with this matter was the distance of the access to the Serafin site from the intersection of Kidman Way and Thorne Road. A concession was made by the proponents at the Court hearing excluding certain heavy vehicles from accessing the site. This concession, enabled mediation as this resulted in a reassessment of the required distance under Aust Roads Standards.

Brian & Sonya Irvin vs Griffith City Council

[1436 Bridge Road Griffith - Lot 2 DP 874297 \(10-12 Best St\) - DA 47/2004](#)

[Land and Environment Court Proceedings - Class 1 Appeal - Case no. 2024/41148](#)

Both Cases no. 2024/41148 and no. 2024/349405 are being heard together in the Land and Environment Court.

A Site Visit & Conciliation Conference S34 was held on 10/10/2024. No agreement was made on this day.

A Statement of Facts and Contentions for Griffith City Council is due at the end of November 2024.

Matter is listed in the Land and Environment Court for further directions on 20 November 2024 for both matters, to seek orders regarding preparing expert evidence.

Hearing proposed for 19-20 March 2025, location of hearing is tentative for now.

Brian & Sonya Irvin vs Griffith City Council

10-12 Best Street Griffith 2680 - Lot 2 DP 1189104 - DA 105/2021

Land and Environment Court Proceedings - Class 1 Appeal - Case no. 2024/349405

Both Cases no. 2024/41148 and no. 2024/349405 are being run together. Details as per above response.

Polygon Wood Holdings Pty Ltd vs Griffith City Council

59 Binya Street Griffith 2680 - Lot 2 Sec 35 DP 758476 - DA 230/2023

Land and Environment Court Proceedings - Class 1 Appeal - Case no. 2024/41149

A Statement of Facts and Contentions for Griffith City Council was filed on 16/08/2024. We await the applicant's Statement of Facts and Contentions in Reply.

A Site Visit & Conciliation Conference S34 is to be held on 20/12/2024.

Statement of Facts and Contentions - Filed 16/08/2024

PART B – CONTENTIONS

B1 – CONTENTIONS THAT THE APPLICATION BE REFUSED

1. *Compliance with State Environmental Planning Policy (Transport and Infrastructure) Chapter 3*

The development has not been designed to achieve the non-discretionary outdoor play space of under Clause 108 of Transport & Infrastructure SEPP.

Particulars

- (a) *The application provides approximately 822m² outdoor play space, falling short of the required 826m² (7m² per child x 118 children) under Clause 108 of the Education and Care Services National Regulations.*

2. *Compliance with State Environmental Planning Policy (Remediation of Land)*

The application fails to address Clause 4.6 of the Remediation of Land SEPP to enable the consent authority to consider whether the land is contaminated.

Particulars

- (a) *A preliminary site investigation has not been submitted addressing the suitability of the land for a centre based child care facility.*

3. *Child Care Planning Guideline*

The application fails to comply with the requirements of the Guideline.

Particulars

- (a) *The screening mesh (with maximum visibility of 25%) on the first floor is not sufficient to prevent overlooking to areas of private open space and habitable room windows of neighbouring residential properties. the plans do not comply with requirements set out in C1, C11, C21 of the Child Care Planning Guidelines.*
- (b) *The design has no safe drop off and pick up areas; only off-street (basement) and on-street carparking options and does not comply with the section within C2.*
- (c) *The proposed carparking does not provide sufficient parking at the rates for child care facilities specified in the Griffith Development Control Plan, considering staff and child numbers as set out in the assessment of the DCP and thus does not meet requirements of C31.*
- (d) *The proposed hours of operation are stated as 6.30am to 6.30pm in the SEE, however the response to Child Care Planning Guidelines state 7am to 7pm. The 6.30am start time does not comply with the Guideline.*

4. Griffith Local Environmental Plan 2014

The application fails to address the scope or impact of earthworks proposed on the site as required by clause 7.1 Earthworks.

Particulars

- (a) *The application was not accompanied by a cut and fill plan*
- (b) *The application was not accompanied by any report which addressed the matters required to be considered by the consent authority in clause 7.1(3).*

5. Griffith Residential Development Control Plan 2020

The application fails to comply with numerous provisions of the GRDCP.

Particulars

- (a) *Pursuant to clause 3.4 GRDCP, the Hyandra Precinct is to have a maximum 0.5:1 Floor Space Ratio. The scale of the development and floor space ratio exceeds the FSR for the Hyandra Precinct. The calculated FSR of the development is 0.63:1. As a consequence the proposal would present as an incongruous and out of scale building within the streetscape.*
- (b) *The application does not comply with clause 4.18 GRDCP Onsite detention as no provision has been made for on-site stormwater detention. The proposal will significantly increase the impervious area of the site and on-site stormwater detention is required.*
- (c) *The application does not comply with clause 4.8.3 GRDCP as the minimum side boundary setback of 900mm has not been achieved to the basement construction.*
- (d) *The proposal fails to achieve objective (b) of Clause 9.1 GRDCP which provides:*
 - (b) *to ensure Child Care Centres are consistent with the existing streetscape in the locality.*

The existing streetscape of the locality is predominantly single storey development. The proposed development does not fit within the streetscape of the locality.

- (e) *Under Control (c)III. of Clause 9.1 GRDCP a child care centre is not permitted to be located within 300m of an existing child care centre. The site is within 300m of another*

childcare centre located to the north-west of the subject site. Sufficient justification for departure from this requirement has not been provided.

- (f) Under Control (h) of Clause 9.1 GRDCP, the roof design must be compatible with surrounding properties with respect to height, pitch, building materials and colour. The proposed roof comprises forms, a height and pitch which are not similar to or compatible with roof forms of surrounding properties.*
- (g) Under Control (i) of Clause 9.1 GRDCP building must be designed so that it is in character with the surrounding residential area in terms of bulk, scale, size and height. The proposed development will have a bulk, scale, size and height which is out of character with the surrounding residential area.*
- (h) The car parking spaces catering for staff and parents of children is insufficient based on the GRDCP Appendix 1 – Griffith Parking Code. The required total is 35.8 (36) car spaces, there is a shortfall of 7 spaces.*

6. Griffith Development Control Plan No 20 Off Street Parking

The proposed development fails to comply with the Parking DCP.

Particulars

- (a) Pursuant to Clause 1.10.1 Parking DCP, the driveway exceeds the gradients permitted in relation to the sections which have a gradient of 17.5% and 20%.*
- (b) Pursuant to Clause 1.10.3 Parking DCP, the proposal does not provide sufficient engineering detail to properly assess the proposed basement carpark, in particular in relation to any flood issues.*

7. National Construction Code – Building Code of Australia

- (a) The application has not been supported by a BCA Assessment which demonstrates that the proposed construction is capable of complying with non-discretionary design provisions by addressing any primary building matters that may affect the design of the development.*

8. Griffith Flood Liable Lands Policy

- (a) The Griffith CBD Overland Flow Floodplain Risk Management Study and Plan identifies the site as potentially impacted by floodwater as a Flood Fringe area (hydraulic category) with a low hazard category (hazard category), with both low to high provisional hazard categories. The potential for flooding of the basement in heavy rainfall events has not been addressed in this application.*
- (b) The Griffith Flood Liable Lands Policy provides that carparks are permitted in flood prone areas where the applicant can demonstrate the potential damage to motor vehicles from flooding is minimised, and that basement carparks shall ensure risk to human life from the inundation of basement and other carpark or driveway areas is minimised.*
- (c) The application does not provide sufficient engineering detail to properly assess the proposed basement carpark, in particular in relation to any flood issues.*

9. Griffith Health Precinct Master Plan

- (a) *The site is located within the Master Plan area and application is does not address the Health Precinct Master Plan where the site is identified as potential new living opportunities or caring organisations for aged care, independent living and the like.*
- (b) *The site is identified in the master plan for medium density housing and supportive accommodation.*

B2 – CONTENTIONS THAT MAY BE ADDRESSED BY CONDITION

Nil

B3 – CONTENTIONS REQUIRING FURTHER INFORMATION

10. *Amended architectural plans are required to address the following:*

- (a) *to comply with the outdoor play area spaces provided under Transport and Infrastructure SEPP as it is a non-discretionary provision, demonstrating an increase in the outdoor play area. If student numbers are satisfactorily reduced to comply with parking provided on site, this area of open space provided will achieve compliance.*
- (b) *to provide for the first floor screening mesh to provide adequate privacy for adjacent private open spaces areas and habitable rooms, which complies with the relevant sections of the Child Care Planning Guidelines.*
- (c) *to reduce the proposed FSR to comply with the GRDCP requirement of 0.5:1; i.e. a reduction in proposed floor area to achieve a maximum of 707.25m².*
- (d) *increase the setback of the basement carpark.*

11. *A preliminary site investigation report, provided by a suitably qualified contamination professional is required to address the relevant provisions of SEPP (Resilience and Hazards) given the proposed sensitive use as a child care facility.*

12. *An amended Traffic Impact Assessment Report is required to address:*

- (a) *Compliance with Section C2 of the Child Care Planning Guidelines is to be demonstrated in relation to safe drop off and pick up areas.*
- (b) *Where the supply of carparking cannot accommodate the number of staff required under the SEPP provisions, the number of children are to be reduced to result in lower car parking demand to meet the total number of spaces proposed.*
- (c) *compliance with Section 1.10.1 Parking DCP, with a maximum longitudinal gradient of 15%.*
- (d) *the provisions in Section 1.10.3 Parking DCP in relation to potential or proposed mitigation measures relating to flooding.*

13. *Amended plans and/or information are required to address Clause 7.1 LEP and the extent of earthworks proposed for the development, including both the basement carpark construction and any on-site detention area. A preliminary geotechnical report is required to provide a detailed site analysis and any recommendations in relation to the proposed development.*

14. *Amended plans or information is required to address potential flooding of the site and the basement carpark.*

15. *Provision of further information pertaining to on-site detention is to be provided to Council in a stormwater concept plan and associated calculations to illustrate*

compliance with the GRDCP stormwater requirement of a discharge rate of 65l/ha/sec from the site to Council infrastructure.

16. A BCA assessment is required to address how the development can comply with the relevant class provisions without compromising any non-discretionary provisions for the development or other development control plan provisions.

-- End --

What is the likely outcome and if lost what is the costs to the ratepayers including costs of lost time and productivity from the staff?

Response:

Council's legal representatives are confident of a successful outcome but as with all legal proceeds the final decision of the court is never certain. Legal proceedings are not entered into lightly. Legal expenses and proceedings are reported to Council quarterly and annually.

Darryl Serafin vs Griffith City Council

759 Thorne Road Griffith 2680 - LOT: 1 DP: 1247659 - DA 39/2024

Land and Environment Court Proceedings - Class 1 Appeal - Case no. 2024/349405

Council has defended the Serafin matter on two (2) important grounds:

- Public Safety – The accessway must be constructed at a minimum distance of 150m from the centreline of the Kidman Way in accordance with Council's AUSTRROADS Guidelines. It is an obligation on staff to adhere to these guidelines especially when such an important issue of public safety is at risk.
- The proposed accessway is contrary to the objectives of the Griffith Heavy Strategy 2013 in that it does not comply with the design, safety and function of the Griffith Southern Industrial Link Road.

The estimated cost of reaching finalisation of Case no. 2024/349405 matter is in the order of \$250,000, costings not yet finalised.

Refer to the costs below to date in relation to this matter.

Invoice and Consultant costs only:

Serafin - LEC				
072103.0057.325				
Total Value	Reference	Date	Account Name	Financial Year
15937.5	2024-020-03	08/04/2024	JPS Engineering Consultants	FY 23/24
16687.5	2024-020-02	12/03/2024	JPS Engineering Consultants	FY 23/24
8445.68	22700	20/03/2024	Pikes & Verekers Lawyers	FY 23/24
7041.75	22602	21/02/2024	Pikes & Verekers Lawyers	FY 23/24
26625	2024-020-01	12/02/2024	JPS Engineering Consultants	FY 23/24
7623.5	23411	12/08/2024	Pikes & Verekers Lawyers	FY 24/25
38625	2024-020-04	09/09/2024	JPS Engineering Consultants	FY 24/25
11759	23696	24/10/2024	Pikes & Verekers Lawyers	FY 24/25
78102.07	2024-020-05	11/11/2024	JPS Engineering Consultants	FY 24/25
210847				

Brian & Sonya Irvin vs Griffith City Council

1436 Bridge Road Griffith - Lot 2 DP 874297 (10-12 Best St) - DA 47/2004
Land and Environment Court Proceedings - Class 1 Appeal - Case no. 2024/41148

Brian & Sonya Irvin vs Griffith City Council

10-12 Best Street Griffith 2680 - Lot 2 DP 1189104 - DA 105/2021
Land and Environment Court Proceedings - Class 1 Appeal - Case no. 2024/349405

Council has defended the Irvin matters on the grounds of public safety.

The estimated cost of reaching finalisation of Case no. 2024/41148 & 2024/349405 matter is in the order of \$50,000 excl GST and any travel costs.

Refer to the costs below to date in relation to this matter.

Irvin - LEC			
072103.0057.325			
Total Value	Reference	Date	Account Name
6457.3	23607	24/09/2024	Pikes & Verekers Lawyers
6457.3			

Polygon Wood Holdings Pty Ltd vs Griffith City Council

59 Binya Street Griffith 2680 - Lot 2 Sec 35 DP 758476 - DA 230/2023
Land and Environment Court Proceedings - Class 1 Appeal - Case no. 2024/41149

Council has defended the Polygon matter on the basis of the Environmental and Planning Assessment Act.

As Council is in the early stages of court proceedings for this matter an estimated cost of reaching finalisation of Case no. 2024/41149 matter is difficult to provide. However it is anticipated that the estimated costs would be in the vicinity of \$50,000 - \$100,000.

Polygon Wood Holdings Pty Ltd - LEC			
072103.0057.325			
Total Value	Reference	Date	Account Name
3811.57	23458	23/08/2024	Pikes & Verekers Lawyers
3811.57			

Given that you are unlikely to win are you prepared to back to mediation?

Response:

Firstly, these cases are being defended by Griffith City Council not myself. Secondly, it is a subjective opinion that "Council" will lose. In any event, Council is always prepared to mediate provided that key elements of the public interest are not compromised as a consequence of the mediation.

Have the directors and staff that attended mediation any power to make judgement on the outcome and vote to settle or proceed with the litigation or is this a council issue?

Response:

The relevant Director has the authority to attend the Court hearing and defend Council's position. The Director will refer any formal settlement consideration to the General Manager.

The delegations of authority to the General Manager do not exclude pursuing legal action where considered necessary. As outlined earlier in this document I am reluctant to escalate matters to the relevant court and will investigate other courses of action where available. Notwithstanding this, I will not compromise on key matters of principle and in this instance the matters of public safety and the integrity of the function of the Southern Industrial Link Road are at risk.

Should Council wish to review my delegations of authority in regarding to defence of legal matters then it is free to do so.

When developers employ professionals to design or do reports in a field they specialise in why do council staff with less expertise always challenge the professional with years of expertise?

Response:

I contest the assumption that Council staff may have less expertise and/or experience than other professionals. This is an insulting comment and I make further comment regarding this later in this response document.

Council's role in this case is that of a regulator. Council employs qualified and professional staff, also with years of experience, who are obligated to assess development proposals and enforce determinations in accordance with relevant legislation, regulations, policies and codes of other levels of government.

Does the audit and risk committee know that this litigation is proceeding and if so does the council have the voice and ability to vote against it?

Response:

The Audit Risk and Improvement Committee operates under Guidelines as issued by the Office of Local Government and as adopted by Griffith City Council. Specific litigation matters are not currently required to be reported to the Committee.

A report is prepared for Council on a quarterly basis reviewing the performance of the Council. It is my intention to include in future reports a section titled "Litigation Matters". This report will itemise matters currently at litigation, costs incurred to date and an estimate to finalise the matter.

Council publishes in the Annual Report details of the total expenditure on legal expenses. The Griffith City Council 2023/24 Annual Report will be reported to the Council meeting held 26 November 2024.

Does the council know that these business have no choice but to litigate because they believe that there business cannot go forward with this council' recommendations and time frame? They do not have occupation certificates and cannot be insured.

Response:

Council is aware that businesses are required to comply with Development Determinations and conditions of consent in relation to those determinations. It is matter for applicants as to what actions they take after determinations are issued.

I feel that business that are investing in this community and are major contributors to the towns economy should be able to proceed with the co-operation from the council.

This council portrays itself as working harmoniously with the developers when the exact opposite is happening.

Response:

I interpret the above as a statement not a question.

In my view Council does support businesses in the Griffith Local Government area and actively assists applicants to meet their obligations. Council held a Developers Forum in the Council Chambers Thursday, 29 August 2024. The forum was well received by those in attendance and the following are my notes from the forum.

1. Developers want tougher stance taken by Council on enforcement of DA compliance. This was a major point of concern.
2. Debate around interpretation of “consistent with precinct character”.
3. Stronger wording to give planners clearer guidance especially with multiple dwellings. E.g. Council discourages certain developments unless applicant can demonstrate consistency with character of precinct.
4. Pre-DA Meetings – Developers requested that all reports or assessments such as traffic reports, noise assessments etc. be requested by Council at Pre-DA Meeting stage . Not left till later during the DA review process.
5. Developers requested that they be able to apply to have draft DA conditions issued to them for more complex DAs.
6. Developers were comfortable with tougher “vetting” at front end before “lodgement status” in that fees are not payable until lodgement is achieved.
7. Applicants requested that during assessment phase they be offered opportunity to withdraw application (and receive part refund) rather than have application determined with onerous conditions of consent due to lack of information.
8. Developers were invited to put in submissions to DCP which close 27 September 2024.
9. Specific precincts such as Wakaden Street should have DCP provisions such as overshadowing relaxed in some precincts to encourage affordable developments. This was opposed by some in attendance.

Council advised that regular consultative forums would be held and future forums are scheduled for February 2025, August 2025 and February 2026.

A special workshop has been scheduled with Councillors for 21 January 2025 focusing on planning matters. This will be an opportunity for councillors to engage with staff regarding this important function including identification of opportunities to improve service delivery.

We are here to promote investment not hinder it. The untold economic and mental stress caused by this council is driving business away.

Response:

I interpret the above as a statement rather than a question. The statement that this council is causing “untold economic stress and mental stress” is baseless and insulting.

All councillors elected as a consequence of the 14 September 2024 elections have been provided formal training in their responsibilities as elected officials. These responsibilities cover the Code of Meeting Practice, Code of Conduct and Work Health and Safety obligations to name but a few.

OPTIONS

OPTION 1

As per the Recommendation.

POLICY IMPLICATIONS

Not Applicable

FINANCIAL IMPLICATIONS

Council allocates a minimal budget each year for the purposes of defending litigation matters, of approximately \$20,000. Very few matters reach the point of litigation as Council actively seeks to mediate the matter provided that the fundamental matters of importance to the good governance of Council are not compromised. Unfortunately, when litigation is taken against Council, in defence of a Council resolution or enforcement with compliance, significant costs may be incurred. Across any given 5 year period, litigation costs of Griffith City Council are modest.

LEGAL/STATUTORY IMPLICATIONS

Council is required to administer planning relating services in compliance with relevant legislation including but not limited to the Environmental Planning and Assessment Act. 1979.

ENVIRONMENTAL IMPLICATIONS

Considered when assessing Development Applications.

COMMUNITY IMPLICATIONS

Considered when assessing Development Applications.

LINK TO STRATEGIC PLAN

This report has no relevance to the Council's Strategic Plan.

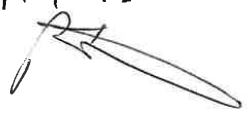
CONSULTATION

Senior Management Team

ATTACHMENTS

- | | | |
|-----|--|-----|
| (a) | Questions Taken on Notice - Council Meeting 22 October 2024 - Cr. Scott Groat ↓ | 127 |
| (b) | Land and Environment Court Matter - Serafin - Statement of Facts and Contentions (under separate cover) (confidential) | |
| (c) | Memo to Joe Rizzo - Land and Environmental Court Proceedings No.2024/349405 (under separate cover) (confidential) | |
| (d) | Final s.34 Agreement - Serafin v GCC (under separate cover) (confidential) | |
| (e) | Annexure A- Agreed Conditions of Consent (final) (under separate cover) (confidential) | |
| (f) | Appendix 1- Modified conditions DA189_2018.3 (under separate cover) (confidential) | |

- (g) Appendix 2- Modified conditions DA1_2022.2 (under separate cover) (confidential)
- (h) Short Minutes of Order - 16 Oct 2024 (under separate cover) (confidential)
- (i) Land and Environment Court Matter - Irvin - Statement of Facts and Contentions (under separate cover) (confidential)
- (j) Short Minutes of Order (under separate cover) (confidential)
- (k) Short Minutes of Order - 19 Nov 2024 (under separate cover) (confidential)
- (l) Land and Environment Court Matter - Binya Street Matter - Statement of Facts and Contentions (under separate cover) (confidential)

Received by hand
at Council Meeting
22/10/24.


Griffith City Council Questions without notice

In regard to the land and environment court how many litigation cases are there pending

What is the likely outcome and if lost what is the costs to the ratepayers including costs of lost time and productivity from the staff

Given that you are unlikely to win are you prepared to go back to mediation

Have the directors and staff that attended mediation any power to make judgement on the outcome and vote to settle or proceed with the litigation or is this a council issue.

When developers employ professionals to design or do reports in a field they specialise in why do council staff with less expertise always challenge the professional with years of experience.

Does the audit and risk committee know that this litigation is proceeding and if so does the council have the voice and ability to vote against it.

Does the council know that these business have no choice but to litigate because they believe that there business cannot go forward with this councils recommendations and time frame . They do not have occupation certificates and cannot be insured .

I feel that business that are investing in this community and are major contributors to the towns economy should be able to proceed with co-operation from the council This council portrays its self as working harmoniously with the developers when the exact opposite is happening.

We are here to promote investment not hinder it . The untold economic and mental stress caused by this council is driving business away .

**AUDIT, RISK AND IMPROVEMENT COMMITTEE
HELD IN THE MURRAY ROOM, GRIFFITH ON
WEDNESDAY, 6 NOVEMBER 2024 COMMENCING AT 5:01 PM**

PRESENT

Stuart Heffer (Chair) (Community Representative), George Youssef (Community Representative) via Zoom, Helen Brill (Community Representative), Dorian Radue (Community Representative)

Quorum = 3

STAFF

General Manager, Brett Stonestreet, Acting Director Business, Cultural & Financial Services, Max Turner, Director Infrastructure and Operations, Phil King, National Audits Group, Stephen Prowse via Zoom, NSW Audit Office, Alison Brown via Zoom, Governance Manager and Minute Taker, Leanne Austin

1 APOLOGIES

Apologies were received from Director Economic & Organisational Development, Shireen Donaldson and Senior WHS & Risk Coordinator, Raymond McCloy.

2 CONFIRMATION OF MINUTES

RECOMMENDED on the motion of George Youssef and Dorian Radue that the minutes of the previous meeting held on 30 September 2024, 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.

5 ITEMS OF BUSINESS

The Chair invited Alison Brown to provide an update on the progress of the audit of Council's Annual Financial Statements by the NSW Audit Office.

Ms Brown advised the Committee that there were a number of outstanding items in regards to the audit. Ms Brown stated that in terms of the Griffin Green project, the Audit Office opinion is that it may be a joint arrangement and that Council and the developer have an equal say in decisions made on the project. Ms Brown suggested that the Griffin Green accounting paper requires review under accounting standard AASB1058 for the grant income and AASB11 for the agreement with the other party. Ms Brown further suggested that Council is a Not For Profit in accounting standards.

Ms Brown also requested that a complete transaction list of the General Ledger be provided in Excel format rather than pdf. Mr Turner advised that Council has been unable to extract the complete General Ledger in Excel format due to the limitations of the software.

Mr Stonestreet advised that Council has made every effort to prepare the annual statements on time, the Director has prepared the Griffin Green accounting paper and provided an explanation to the NSW Audit Office regarding Council's inability to provide the data in Excel.

Mr Turner advised Council has submitted the Griffin Green accounting paper and the NSW Audit Office has the option to issue a misstatement or qualification should they be of a differing opinion.

Ms Brill suggested Council investigate providing remote access to the Audit Office to allow them to perform financial inquiries remotely in lieu of providing an Excel transaction listing.

Mr Stonestreet advised representatives from Council and the NSW Audit Office will work through the outstanding issues to find a workable solution. The audited financial statements are required to be provided to the Office of Local Government by 7 December 2024.

Mr Turner agreed to review the Griffin Green accounting paper. Mr Prowse offered National Audits Group services to assist with the review of the accounting paper.

Mr Heffer requested Committee members be updated on the outcome by email.

Ms Brown left the meeting the time being 5:46 pm.

CL01 STRATEGIC INTERNAL AUDIT PLAN, ANNUAL PLAN AND CORE REQUIREMENTS CHECKLIST

The Committee noted the information.

CL02 DRAFT AGENDA FORWARD PLAN

Mrs Austin advised that the Agenda Forward plan had been updated to reflect that the Asset Management Review would be presented to the Committee at the February meeting.

Mr Prowse advised that the auditors had attended onsite and met with the Director Business, Financial, Cultural Services and Council's Asset Management Coordinator. Further meetings have been scheduled for November and December with the finalised report including management responses to be presented to the Committee in February.

Action: Table on page 28 of the Agenda is to be updated.

Ms Radue suggested the Agenda Forward Plan could be expanded in future to incorporate responsibilities of the Committee as outlined in the Guidelines such as compliance, governance.

CL03 DRAFT ENGAGEMENT LETTER - WHS MANAGEMENT

The Committee considered the draft engagement letter for the WHS Management Audit as provided by National Audits Group.

Mr Heffer enquired if the proposed review on WHS Management is within budget? Mr Stonestreet advised it was.

RECOMMENDED on the motion of George Youssef and Dorian Radue that the Committee note the report.

CL04 GRALC SERVICE REVIEW

Mr Turner advised a Service Review had been conducted on the Griffith Regional Aquatic Leisure Centre by Morrison Low Consultants. Senior Management have prepared an implementation / action table addressing the proposed recommendations.

Mr Stonestreet advised Councillors would be provided the opportunity to give feedback and input. Mr Stonestreet further advised that the facility is a high risk area in terms of public safety and that management of staffing levels would need to meet the safety requirements.

Discussion took place regarding the 2020 user survey with consensus being that another survey should be undertaken in the near future.

Mr Stonestreet advised that should the recommendations within the report be adopted by Council, various industrial/human resource issues would need to be worked through.

RECOMMENDED on the motion of George Youssef and Helen Brill that the Committee notes and endorses the GRALC Service Review and associated Management Responses as attached to the report.

CL05 ROADS SERVICE REVIEW

Mr King provided an overview of the Roads Service Review undertaken this year by CT Management Group. Mr King advised the benchmarking was particularly useful and a number of recommendations had been provided.

RECOMMENDED on the motion of George Youssef and Dorian Radue that the Committee notes and endorses the Roads Service Review and associated Management Responses as attached to the report.

CL06 RISK MANAGEMENT ISSUES/UPDATE

Mr Stonestreet advised that Council officers are currently reviewing Council's Risk Appetite and the Risk Management Plan would be updated accordingly.

CL07 INVESTMENTS REPORT JULY AND AUGUST 2024

Mr Turner provided an overview of the July and August Investments Reports advising that

should the current trend continue, Council may exceed budget for the year.

Ms Radue enquired when the Investment policy is due to be reviewed and if the Audit, Risk and Improvement Committee would review the policy before Council adoption? Mr Turner advised that the Investment policy is in line with the Minister's orders and is reviewed once in the four year Council term.

It was agreed that the policy would be presented to the Committee by March 2025.

6 OUTSTANDING ACTION REPORT

The Committee discussed KPIs associated with the two previous Audits. Mr Prowse advised that KPIs for each audit are a requirement of the Risk Management and Internal Audit Guidelines.

1. Risk Management
 - a. Was the audit completed on time? Yes
 - b. Was the audit completed within budget? Yes
 - c. Were the recommendations meaningful? Yes
 - d. Will implementation of recommendations result in risk being reduced to as low as practicable? Yes
 - e. Were the scope and objectives of the audit achieved? Yes
2. Cyber Security and IT Controls
 - a. Was the audit completed on time? Yes
 - b. Was the audit completed within budget? Yes
 - c. Were the recommendations meaningful? Yes
 - d. Will implementation of recommendations result in risk being reduced to as low as practicable? Yes
 - e. Were the scope and objectives of the audit achieved? Yes

RECOMMENDED on the motion of George Youssef and Dorian Radue that the Committee note the report.

7 GENERAL BUSINESS

7.1 Committee Members

Mr Youssef enquired when Council would commence advertising for new members? Mr Stonestreet advised that as this is a Statutory Committee it may continue to operate while Council advertises for new members. Mrs Austin advised that Council will consider a report at its Ordinary Meeting 12 November in relation to this matter.

Discussion took place regarding the number of Committee members required and that increasing the number of members would provide more diversity of skills.

RECOMMENDED on the motion of Dorian Radue and Stuart Heffer that the Audit, Risk and Improvement Committee be comprised of five community representatives for the next term.

8 NEXT MEETING

The next meeting of the Audit, Risk and Improvement Committee is to be held on Wednesday, 5 February 2025 at 5:00 pm.

There being no further business the meeting terminated at 7:06 pm.

ATTACHMENTS

- (a) GRALC Service Review Report (Confidential) (Under separate cover)
- (b) GRALC Service Review Report (redacted version for public) (Under separate cover)
Road Service Review Report (Under separate cover)

**TRAFFIC COMMITTEE
HELD IN MURRAY ROOM, GRIFFITH ON
TUESDAY, 12 NOVEMBER 2024 COMMENCING AT 10:32 AM**

PRESENT

Councillor Doug Curran (Chair), Tony Leadbitter (Police Representative), Greg Minehan (Transport for NSW Representative, via Zoom), Michael Rowley (Member for Murray Representative)

Councillors Anne Napoli and Tony O'Grady were also in attendance

STAFF

Development & Traffic Coordinator, Greg Balind, Engineering Design & Approvals Manager, Jason Carrozza and Minute Secretary, Melanie Hebrok

1 APOLOGIES

RECOMMENDED on the motion of Michael Rowley and Greg Minehan that an apology be received from Development & Traffic Engineer, Ronelle Green,.

2 CONFIRMATION OF MINUTES

RECOMMENDED on the motion of Michael Rowley and Greg Minehan that the minutes of the previous meeting held on 10 September 2024, having first been circulated amongst all members, be confirmed.

3 BUSINESS ARISING

3.1 General Business – Twigg Road Railway Crossing Fatality

Councillor Napoli enquired about the status of the investigations, with Mr Minehan advising a meeting will be held with the Minister for Transport this afternoon and he may be able to provide an update following that meeting which will be shared with Committee members.

Mr Balind advised that no additional information has been provided to Council by Police or ONRSR (Office of the National Rail Safety Regulator) since the days following the crash. He also informed the Committee that traffic classifiers had previously been operating at the site but were damaged by a vehicle. The classifiers showed movement of 1,600 to 1,700 vehicles per day at the crossing.

Cr Curran commented on the significantly poor condition of Twigg Road between the railway line and Burley Griffin Way. Mr Balind responded by advising the Committee that he had submitted a request to have maintenance undertaken at that site in June 2024. Cr Curran asked for that matter to progress.

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.

5 ITEMS OF BUSINESS

CL01 TRAFFIC MANAGEMENT - 2025 CITY TO LAKE FUN RUN EVENT

A valid Certificate of Currency is to be provided by the event organiser.

RECOMMENDED on the motion of Greg Minehan and Tony Leadbitter that the Traffic Committee:

- (a) Support the implementation of the Traffic Control Plan relevant to the 2025 'City to Lake' fun run event.
- (b) Note the Traffic Management Plan associated with 'City to Lake' as submitted.

CL02 TRAFFIC MANAGEMENT - 2025 ANZAC DAY MARCH

RECOMMENDED on the motion of Greg Minehan and Michael Rowley that the Traffic Committee approve the implementation of the attached Traffic Control Plan associated with the closure of Banna Avenue for the purpose of the 2025 ANZAC Day March and Memorial Service.

6 OUTSTANDING ACTION REPORT

6.1 Speed Zone Reviews

Mr Minehan provided the following updates:

- Barracks Road – installed & authorised
- Murrumbidgee Avenue – first part done and authorised on Speedlink
- Murrumbidgee Avenue/Beaumont Road – at recommendation stage to reduce the length of Murrumbidgee Avenue on both sides of Beaumont Road back to 80 km/h

6.2 Intersection Beaumont Road / Murrumbidgee Avenue

Mr Balind advised he was unsure of the current status for rumble strips installation. To be followed up with Director of Infrastructure & Operations.

6.3 Intersection Treatment – Noorilla Street and Boonah Street

Mr Balind stated there was a recommendation made during the December 2023 that priority be given to the sourcing of funding for the upgrade of the subject intersection. He advised

the Committee that although there has been two suitable funding streams available in May 2024 and September 2024, applications as per the priority status recommendation of the Traffic Committee were not submitted. He added that since the last Committee meeting, another cross intersection 2 vehicle crash with injuries occurred at the intersection on 27 October. In the past 5 years there have been 12 crashes at that intersection including 7 in the last 2 years alone.

Mr Carrozza said a small roundabout design has been developed for the site. Councillor Curran asked that the detailed design be included in a future Traffic Committee report for endorsement.

RECOMMENDED on the motion of Greg Minehan and Tony Leadbitter that the report be noted.

7 GENERAL BUSINESS

7.1 Yenda Producers 100 Year Anniversary Function

Mr Balind advised he has spoken to a representative of Yenda Prods who are proposing to hold a 100 Year Anniversary function in March 2025, which involves the closure of Yenda Place for the duration of the event. A report endorsing the Traffic Control and Traffic Management Plans will be brought to the Committee shortly, possibly electronically to meet deadlines.

7.2 Removal of Bus Zone on Speirs Street

Mr Balind advised that following consultation with Griffith Buslines, it has been proposed to remove the new bus zone on Speirs Street, pending final approval from TfNSW. A report will be brought back to the Committee about new / old signage following the removal.

8 NEXT MEETING

The next meeting of the Traffic Committee is to be held on Tuesday, 10 December 2024 at 10:30 AM.

There being no further business the meeting terminated at 10:48 am.

TITLE Notice of Motion - Councillor Tony O'Grady
FROM Tony O'Grady, Councillor
TRIM REF 24/140139

SUMMARY

Councillor Tony O'Grady submitted the attached Notice of Motion on Monday, 18 November 2024.

RECOMMENDATION

- (a) That council forms a sub-committee of the Mayor and three councillors to oversee the recruitment of a new General Manager
- (b) Th (sic) General Manager prepares a report for the sub-committee outlining the process that should be followed. The report should also contain his recommendations of an appropriate recruitment agency/consultant or the process that the sub-committee should follow when advertising the position.
- (c) The sub-committee should consider the recommendations of the General Manager when implementing the recruitment process.
- (d) The sub-committee will seek approval from the councillors before commencing the recruitment process
- (e) The sub-committee will provide assistance throughout the recruitment process to the relevant parties
- (f) The sub-committee will provide the councillors with a minimum of three (3) suitable candidates for the consideration for the position of General Manager

SENIOR MANAGEMENT TEAM COMMENT

Nil

ATTACHMENTS

- (a) Notice of Motion - Councillor Tony O'Grady [↓](#) 137



Notice of Motion

Notice of Motion

Councillor's Name * Cr Tony O'Grady

Date * 18-Nov-24
08:37:25 PM

Time * 08:37:25 PM

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: *

Recruitment of a General Manager to Griffith City Council

A) That council forms a sub-committee of the Mayor and three councillors to oversee the recruitment of a new General Manager

B) Th General Manager prepares a report for the sub-committee outlining the process that should be followed. The report should also contain his recommendations of an appropriate recruitment agency/consultant or the process that the sub-committee should follow when advertising the position.

C) The sub-committee should consider the recommendations of the General Manager when implementing the recruitment process.

D) The sub-committee will seek approval from the councillors before commencing the recruitment process

E) The sub-committee will provide assistance throughout the recruitment process to the relevant parties

F) The sub-committee will provide the councillors with a minimum of three (3) suitable candidates for the consideration for the position of General Manager

Council Meeting Date: * 11/26/2024

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.

In relation to Section N/A

**3.13 - Please identify
the source of funding
for expenditure if
applicable: ***

Privacy Protection Notice

- This information is being collected to process your notice in accordance with Council's Code of Meeting Practice policy.
- This information is voluntarily required to process your request and will not be used for any other purpose without seeking your consent, or as required by law.
- Your information may comprise part of a public register related to this purpose.
- This form will be retained in Council's Records Management System and disposed of in accordance with the Local Government Disposal Authority.
- You can access and correct your personal information at any time by contacting Council.
- For further details on how the Griffith City Council manages personal information, please refer to our Privacy Management Plan.

TITLE Notice of Motion - Councillor Anne Napoli
FROM Anne Napoli, Councillor
TRIM REF 24/140187

SUMMARY

Councillor Anne Napoli submitted the attached Notice of Motion on Tuesday, 19 November 2024.

Please note: A request was received from Councillor Anne Napoli that the attached Notice of Motion go to the Ordinary Meeting of Council on 26 November 2024.

RECOMMENDATION

- (a) That Griffith City Council provide a Report to the next round of Council that reviews relevant Legislation, Council Codes, Procedures and Policies, and current expenditure as it relates to the provision and consumption of alcohol at Council Administration Building and Council Chambers.
- (b) That the Report as a minimum address and provide options to align Council with current Community expectations, relevant legislation and Work, Health and Safety Guidelines.

SENIOR MANAGEMENT TEAM COMMENT

Nil

ATTACHMENTS

- (a) Notice of Motion - Councillor Anne Napoli [↓](#) 140



Notice of Motion

Notice of Motion

Councillor's Name * Cr Anne Napoli

Date * 19-Nov-24
10:46:21 AM

Time * 10:46:21 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: * a. That Griffith City Council provide a Report to the next round of Council that reviews relevant Legislation, Council Codes, Procedures and Policies, and current expenditure as it relates to the provision and consumption of alcohol at Council Administration Building and Council Chambers.

b. That the Report as a minimum address and provide options to align Council with current Community expectations, relevant legislation and Work, Health and Safety Guidelines.

Council Meeting Date: * 11/19/2024

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.

In relation to Section Nil

**3.13 - Please identify
the source of funding
for expenditure if
applicable: ***

Privacy Protection Notice

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- This information is voluntarily required to process your request and will not be used for any other purpose without seeking your consent, or as required by law.
- Your information may comprise part of a public register related to this purpose.
- This form will be retained in Council's Records Management System and disposed of in accordance with the Local Government Disposal Authority.
- You can access and correct your personal information at any time by contacting Council.
- For further details on how the Griffith City Council manages personal information, please refer to our Privacy Management Plan.

TITLE Outstanding Action Report

TRIM REF 24/132658

RECOMMENDATION

The report be noted.

ATTACHMENTS

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

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OUTSTANDING ACTION REPORT

Council Meeting Date	MEETING ITEM	Action Officer	CRM No.	Minute No.	Council Resolution	Additional Information
22 October 2024	CL08 RENEWAL OF ALCOHOL FREE ZONES AND ALCOHOL PROHIBITED AREAS	DE&OD	151984	24/267	<p>RESOLVED on the motion of Councillors Shari Blumer and Laurie Testoni that:</p> <p>(a) Council adopt, in principle, the renewal of the current Alcohol Free Zones and Alcohol Prohibited Areas in Griffith, Hanwood and Yenda described in Attachments (a) & (b) and depicted in Attachment (c) as Alcohol Free Zones for a maximum duration of four years, 13 February 2025 to 12 February 2029, 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 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 licensees and secretaries of registered clubs whose premises border on or</p>	30/10/2024: On exhibition until 27 November 2024. Letters sent.

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					<p>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>	
10 September 2024	CL02 LICENCE AGREEMENT - GRIFFITH COMMUNITY FM ASSOCIATION INC.	CPO	150343	24/245	<p>RESOLVED on the motion of Councillors Christine Stead and Chris Sutton that:</p> <p>(a) Council approve the renewal of the licence agreement for that part of Lot 7303 DP 1153581, 2 - 6 Groongal Avenue, Griffith (Jubilee Oval clubhouse) Crown Reserve 1010108, for a new term of Ten (10) years commencing 1 July 2024.</p> <p>(b) The licence agreement continue as follows:</p> <ul style="list-style-type: none"> i) peppercorn rental of \$1 per annum be charged for the occupation of the clubhouse; ii) rates, water, electricity charges, general repairs and maintenance and all costs associated with the occupation of the clubhouse to be the responsibility of and payable by the Griffith Community FM Association Inc. 	<p>26/09/2024: Instructions to prepare draft agreement sent to Council solicitors.</p> <p>30/10/24: Sent a reminder to solicitors for draft agreement.</p>

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					<p>iii) any major capital works to the clubhouse and surrounds to be approved by Council and payable by the Griffith Community FM Association Inc.</p> <p>(c) Griffith Community FM Association to pay all applicable costs and charges associated with the preparation of the licence agreement together with Council's Administration fee, as per Council's adopted Revenue Policy.</p> <p>(d) Council authorise the Mayor and General Manager to execute the licence agreement on behalf of Council under the Common Seal.</p>	
10 September 2024	CL07 SETTING OF FEES & CHARGES - HIRE OF HANWOOD KIOSK & USE OF LIGHTS	DIO/FM	150347	24/250	<p>RESOLVED on the motion of Councillors Dino Zappacosta and Simon Croce that:</p> <p>(a) Council adopts a user booking fee per day of \$120 the hire of the Hanwood Kiosk. If booking extends to 2 days or more the daily booking fee will be \$175 but halved.</p> <p>(b) Council adopts a user bond of \$282 per booking of the Hanwood Kiosk. The bond is refundable on the basis that the facility is clean & undamaged after the event.</p> <p>(c) Council adopts a fee of \$15 per hour for the lights on Main Soccer Ground at Hanwood Oval.</p> <p>(d) Council adopts a fee of \$7.50 per hour for the lights on No.1</p>	<p>14/10/2024: Commencement of fees being set up in Bookable.</p> <p>08/11/2024: The Hanwood Kiosk is updated within Bookable for the new fees, although disabled until the digit lock system has been installed, scheduled Nov.</p>

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					and No.2 Training Field at Hanwood Oval (also known as the Graham McGann Oval). (e) The fees listed (a) to (d) above be included in the Revenue Policy for 2024/25.	
13 August 2024	CL02 ENDORSEMENT FOR PUBLIC EXHIBITION - AMENDED GRIFFITH RESIDENTIAL DEVELOPMENT CONTROL PLAN	SDAP	149193	24/212	RESOLVED on the motion of Councillors Glen Andrezza and Christine Stead that: (a) Council endorse the public exhibition of the amended Griffith Residential Development Control Plan at Attachments 1-3 for a period of 42 days. (b) Council will hold a development industry forum to discuss the amended draft DCP during the public exhibition period. (c) Following the review of all submissions received during the public exhibition period, the amended Griffith Residential Development Control Plan is reported back to an Ordinary Meeting.	19/08/2024: On public exhibition until 27/09/2024. Development Industry Forum scheduled for 29 August 2024. 14/10/2024: Report to Council in November 2024.
13 August 2024	CL06 NAMING THE ROUNDABOUT AT THE INTERSECTION OF KIDMAN WAY AND THORNE ROAD	DIO	149211	24/215	RESOLVED on the motion of Councillors Simon Croce and Chris Sutton that: (a) Council propose to name the roundabout at the intersection of The Kidman Way and Thorne Road the “Khalsa Chowk”. (b) Council place the naming proposal on public exhibition for 28 days. (c) If no public submissions received, the name be formally adopted and appropriate new signage be developed for	15/08/2024: On public exhibition until 12 September 2024. 26/09/2024: Submissions received. Report to go back to Council in November 2024. 4/11/2024: Report to 12 November 2024 Council Meeting. 18/11/2024: Resolved to “lay on the table”, scheduled for future Council Workshop.

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					<p>Council's review and implementation,</p> <p>(d) If any public submissions are received, then a further report be provided to Council for determination.</p>	
23 July 2024	CL05 ENDORSEMENT OF COUNCIL'S SOLAR ENERGY FARMS AND BATTERY ENERGY SOLAR SYSTEMS POLICY	DSD	148284/2024	24/203	<p>RESOLVED on the motion of Councillors Dino Zappacosta and Christine Stead that:</p> <p>(a) Council note the submissions received.</p> <p>(b) Council endorse the Solar Energy Farms and Battery Energy Storage Systems Policy as exhibited with no amendments.</p> <p>(c) Council review the Solar Energy Farms and Battery Energy Storage Systems Policy within three (3) months of the new Council term.</p>	<p>08/08/2024: Noted.</p> <p>14/10/2024: Report to Council in December 2024.</p>
28 May 2024	NOTICE OF MOTION RECEIVED FROM COUNCILLOR JENNY ELLIS, AND THE MAYOR, DOUG CURRAN	DSD DIO	146293	24/157	<p>RESOLVED on the motion of Councillors Jenny Ellis and Glen Andrazza that:</p> <p>(a) Council commit to exploring the feasibility of including animal or bird enclosures in future master planning of the Lake Wyangan Parklands.</p> <p>(b) Council look for grant opportunities for the development of such enclosures as well as future budget allocations.</p> <p>(c) Council explore partnerships with community organisations or businesses (including but not limited to Altina Wildlife Park) for this future endeavour.</p>	<p>03/06/2024: The following SMT Comment was included in the Business Paper in relation to the Notice of Motion as resolved by Council.</p> <p><i>“Council has adopted a master plan for improvements to the western recreational foreshore area of Lake Wyangan North. An amount of \$2,030,000 has been budgeted by Council and Stage 1 is scheduled for completion by June 2025. An extract of the priority actions from the plan is attached to this report. Should Council support the Notice of Motion as printed, Stage 2 of the master plan could be modified to include the above</i></p>

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					<p>(d) Future master planning for the park area includes plantings and areas that might attract local wildlife.</p> <p>(e) Council explore the feasibility of using existing deer enclosure fencing for an off-leash dog park.</p>	<p><i>recommendations. Further, Council's resolution would be referred to the Lake Wyangan and Catchment Committee for consideration as to the timing and planning of the next phase (stage 2) of the master plan for Lake Wyangan".</i></p> <p>This matter will be included on the Agenda for the next Lake Wyangan and Catchment Management Committee meeting.</p> <p>05/08/2024: Lake Wyangan and Catchment Management Committee meeting to be held 15/08/2024.</p> <p>15/08/2024: NOM endorsed by Committee at Lake Wyangan and Catchment Management Committee meeting held 15/8/2024.</p> <p>02/09/2024: This resolution now in the hands of the Lake Wyangan & Catchment Management Committee for consideration and report to Council.</p>
26 March 2024	CL02 COMMUNITY GARDENS LARGE SCALE EVENT MASTERPLAN	USD	144180	24/075	<p>RESOLVED on the motion of Councillors Shari Blumer and Glen Andreazza that:</p> <p>(a) Council adopts the Community Gardens Large Scale Event Masterplan as exhibited.</p> <p>(b) Council finalise the estimated costing and implement permanent power supply to service food vans adjacent to Willandra Avenue, relocation of existing backstage storage</p>	<p>12/4/2024: Manager of Urban Design to arrange meeting with relevant staff to discuss fencing.</p> <p>06/05/2024: Meeting held on site to discuss fencing on Thursday, 2 May 2024. Costing of fencing being prepared.</p> <p>20/05/2024: Draft Costing will be presented to Council at a meeting in June.</p>

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					<p>container to be permanently located behind Stuart McWilliam Stage subject to existing budget allocation of \$50,000.</p> <p>(c) Council finalise a staged design of fencing for the Community Gardens site.</p>	<p>04/06/2024: Draft Costing will be presented to Council at a meeting in July.</p> <p>15/07/2024: Draft Costing will be presented to Council meeting 10 September 2024.</p> <p>05/08/2024: Meeting held with contractor to obtain quotes for shade sails over stage area.</p> <p>19/08/2024: No quote received as yet.</p> <p>02/09/2024: Initial quote received. Requires further clarification.</p> <p>14/10/2024: Draft design received. Quotation to be obtained and schedule for Council Workshop in January 2025.</p>
26 March 2024	MINUTES OF THE NEW CEMETERY MASTERPLAN COMMITTEE MEETING HELD ON 7 MARCH 2024	DIO		24/084	<p>RESOLVED on the motion of Councillors Simon Croce and Christine Stead that the recommendations as detailed in the Minutes of the New Cemetery Masterplan Committee meeting held on 7 March 2024 be adopted, including the SMT Comment as printed below:</p> <p>SMT Comment: Should Council support the above recommendation it is proposed that Council should adopt the following in lieu of the recommendation above.</p> <p>(a) Council invite Griffith Regional Funerals to submit a Development Application for assessment with respect to the installation and operation of a cremation service to be located at Lot 4 DP775986 Wakaden St,</p>	<p>15/04/2024: Funeral Directors have been advised.</p> <p>17/06/2024: DA has been lodged.</p> <p>1/07/2024: Council’s legal representatives have been requested to draft a Deed of Agreement.</p> <p>02/09/2024: Council staff met with Council’s legal representatives the week commencing 26 August 2024. DA’s have been submitted and Council’s planning staff have requested additional information.</p> <p>14/10/2024: Report to Council Meeting 10 December 2024, for both DA’s.</p>

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					<p>Griffith and that the owner of the property sign the Development Application.</p> <p>(b) Council appoint an external planner to assess the development application with the determination remaining with Griffith City Council. The assessment report of the development application to be determined by a meeting of Council.</p> <p>(c) In the event that Griffith City Council approved the development application that a deed of agreement be drafted between Griffith City Council and Griffith Regional Funeral Services detailing the lease and conditions of use of the cremator. The documentation is to include reference to the owner of the property and their concurrence to the installation and use of the cremator. Further, that the owner concurs to the circumstances that the cremator may be removed from the property. Legal costs to prepare the above documentation are the responsibility of Griffith Regional Funeral Services.</p> <p>(d) Subject to a, b and c above being completed, that Council proceed to acquire and install the cremator.</p> <p>(e) Funding to be drawn from the long term financial plan 2025/26 approximately \$400,000 installed.</p>	
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					(f) The fees applicable to the lease of the cremator as detailed in confidential attachment A as previously reported to Council and the Committee will be included in Council's revenue policy and are subject to annual review.	
12 March 2024	NOTICE OF MOTION - UPGRADE TO ORIGINAL BAGTOWN'S FIRST BLACKSMITH STORE SITE	DI&O DSD	143524	24/066	RESOLVED on the motion of Councillors Dino Zappacosta and Simon Croce that Council upgrade the original Bagtown's first Blacksmith Store site at the Intersection of Old Wilbriggie (sic) Road and Research Station Road.	<p>18/03/2024: Councillors and SMT inspecting site 19/03/2024 to discuss scope.</p> <p>02/04/2024: Site inspection completed. Project scope to be referred to Council Workshop on 21 May 2024.</p> <p>03/06/2024: Scope of works were determined at Council Workshop.</p> <ol style="list-style-type: none"> 1. Survey site; 2. Install gravel surface in a safe location to provide access to site; 3. Remove vegetation that surrounds identified tree; and 4. Install sign with narrative depicting historical significance of site. <p>Plan of Scope of works to be discussed at Council Workshop on 29 October 2024.</p> <p>22/10/2024: Project rescheduled for presentation to 18 February 2025 Workshop.</p>
12 July 2022	NOTICE OF MOTION – COUNCILLOR TESTONI – YENDA MASTERPLAN	GM	119905	22/167	<p>RESOLVED on the motion of Councillors Laurie Testoni and Glen Andreazza that:</p> <p>(a) Council undertake a master planning exercise for the village of Yenda. Factors such as future residential sub divisions, lifestyle</p>	<p>01/08/2022: This matter will be scheduled for discussion at Council Workshop 16 August 2022.</p> <p>05/09/2022: Council to submit an application to NSW Department of Planning and</p>

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					<p>blocks and rural residential to be considered along with future amenities for the village, such as sporting infrastructure to be considered. With a number of major projects nearing completion the time is right to focus on what opportunities are there for our region with growth and development. Yenda has a lot of potential for growth and by investigating strategies for the future it would benefit the growth on not only the village but that of the ever expanding Griffith City limits. It would be important for community engagement and with the next Community Opinion Group meeting to be held in Yenda it is a great opportunity for Griffith City Council to engage with community.</p> <p>(b) Council schedule a Councillor Workshop to refine the scope of the Master Plan.</p> <p>(c) Staff prepare the scoping document and report to Council for consideration of source of budget resources, time line, amendment and adoption of scoping document.</p>	<p>Environment for grant funding under Regional Housing Strategic Planning Fund Round 1 to complete a Yenda Masterplan. Application close 30 September 2022.</p> <p>04/10/2022: Grant application submitted.</p> <p>03/01/2023: NSW Government advised the Grant application successful on 30 November 2022. Expressions of Interests invited to coordinate and undertake the Yenda Masterplan.</p> <p>13/02/2023: Tender awarded to CBRE.</p> <p>01/05/2023: Site inspection and survey completed. Landowner, MI and staff consultation completed. Draft Masterplan presentation to 20 June Council Workshop.</p> <p>17/07/2023: Draft Masterplan to go to Council in September/October 2023.</p> <p>03/10/2023: Draft Masterplan to go to Council 14 November 2023.</p> <p>06/11/2023: Draft Masterplan to go to Council Meeting in December 2023.</p> <p>04/12/2023: Draft Masterplan to go to Council Meeting in February 2024.</p> <p>15/01/2024: Report to March 2024 Council Meeting.</p> <p>18/03/2024: Council Meeting for 14 May 2024.</p>
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						<p>06/05/2024: Consultant engineers will be invited to address Councillors at Council Workshop on 18 June 2024 regarding engineering challenges with respect to management of drainage.</p> <p>01/07/2024: Meeting being arranged with property owner of Stage 1 of the Masterplan.</p> <p>05/08/2024: Property owners will be contacted again seeking meeting.</p> <p>19/08/2024: Further attempts to contact owners continuing.</p> <p>14/10/2024: Council staff met with owner representatives on 20 September 2024. Awaiting on refined design from Council consultant.</p>
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28 May 2024	MINUTES OF THE LAKE WYANGAN & CATCHMENT MANAGEMENT COMMITTEE MEETING HELD ON 15 MAY 2024 DRAFT PLAN OF MANAGEMENT – LAKE WYANGAN	CPO	146292 /2024	24/156	RECOMMENDED on the motion of Tom Mackerras and Frank Battistel that: (a) Council refer the Draft Plan of Management for Lake Wyangan, incorporating Jack Carson Wildlife Reserve (Crown Reserve 159017) and North Lake Wyangan (Crown Reserve 1002998) to the Minister administering the Crown Land Management Act 2016 for approval. (b) Upon approval of the Minister administering the Crown Land Management Act 2016 Council amends the Draft Plan of Management Lake Wyangan if required, and place it on public exhibition as per Section 38 of the Local Government Act 1993. (c) Native Title advice has been approved. (d) A report be presented to Council to adopt the final Plan of Management for Lake Wyangan on completion of the exhibition period, to consider all submissions.	28/05/2024: Draft PoM emailed to Councillors. 03/06/2024: Sent to Minister for approval to be exhibited.
28 May 2024	CL02 DRAFT PLAN OF MANAGEMENT - SOUTH-WEST GRIFFITH PRECINCT PARKS	CPO	146289 /2024	24/154	RESOLVED on the motion of Councillors Christine Stead and Shari Blumer that: (a) Council refers the draft Plan of Management for South-West Griffith Precinct Parks to the Minister administering the	03/06/2024: Sent to Minister for approval to be exhibited.

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					<p>Crown Land Management Act 2016 for approval. Property details being Crown Reserves Griffith Regional Sports Centre (66750), Beilby Park (74741), Kooragee Park (77295), Willow Park, Venetian Park, I.O.O F Park and City Park (Prt R.81439), Yarrabee Park (90788) and Perre Park (90942) together with Council owned land Borland Leckie Park, Yawarra Three Ways Park, Burley Griffin Community Gardens, Public Reserve Park, Locklea Park, Cappello Close and Lanza Grove Public Reserve</p> <p>(b) Upon approval from the Minister administering the Crown Land Management Act 2016 Council amends the draft Plan of Management for South-West Griffith Precinct Parks 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 South-West Griffith Precinct Parks on completion of the public exhibition period, to consider all submissions.</p>	
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28 May 2024	CL01 DRAFT PLAN OF MANAGEMENT - GRIFFITH CBD PRECINCT	CPO	146288	24/153	<p>RESOLVED on the motion of Councillors Shari Blumer and Melissa Marin that:</p> <p>(a) Council refer the Draft Plan of Management for the Griffith CBD Precinct Crown Reserves to the Minister administering the Crown Land Management Act 2016 for approval. Property details being R.74539 – Lot 1 Sec 43 DP758476 (Visitor's Centre and Carpark and Old Bowling Club) R.83521 – Lot 1 DP 87811 (Carpark Visitor's Centre) R.61588 – Lots 2 & 4 Sec 8 DP 758476 and Lot 7 Sec 9 DP 758476 (CWA Park and Memorial Park) R.159000 – Lots 2 & 8 Sec 9 DP 758476 (Griffith Library) R.85064 – Lots 19 & 20 Sec 7 DP 758476 and Lot 1 DP 1272062 (Banna Park) R.82722 – Lots 1, 8-9 Sec 15 DP 758476 (Couchman Carpark) R.1003025 – Lot 1 DP 1035387(Aquatic Centre).</p> <p>(b) Upon approval of the Minister administering the Crown Land Management Act 2016 Council amends the Draft Plan of Management for the Griffith CBD Precinct Crown Reserves if required, and place it on public exhibition as per Section 38 of the Local Government Act 1993.</p>	03/06/2024: Sent to Minister for approval to be exhibited.
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					<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 the Griffith CBD Precinct Crown Reserves on completion of the exhibition period, to consider all submissions.</p>	
23 April 2024	CL03 DRAFT PLAN OF MANAGEMENT - MISCELLANEOUS CROWN RESERVES	CPO	144994	24/115	<p>RESOLVED on the motion of Councillors Christine Stead and Laurie Testoni that:</p> <p>(a) Council refer the Draft Plan of Management for the Miscellaneous Crown Reserves, Kart Club - Reserve 64662 (Lot 96 DP 756035), Wumbulgal Recreation Reserve – Reserve 64911 (Lot 106 DP 751679), Rankins Springs Camping Area – Reserve 65432 (lot 7003 DP 1001194) and Dave Wallace Range – Reserve 1003005 (Lot 2 DP 48802) 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 Miscellaneous Crown Reserves if required, and place it on public exhibition as per Section 38 of the Local Government Act 1993.</p>	20/05/2024: Awaiting approval from Minister.

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					(c) Native Title advice has been provided. (d) A report be presented to Council to adopt the final Plan of Management for the Miscellaneous Crown Reserves on completion of the exhibition period, to consider all submissions.	
23 April 2024	CL05 DRAFT PLAN OF MANAGEMENT - BAGTOWN CEMETERY	CPO	144997	24/117	RESOLVED on the motion of Councillors Dino Zappacosta and Laurie Testoni that: (a) Council refer the Draft Plan of Management for the Bagtown Historic Cemetery - Crown Reserve 52849 (Part Lot 731 DP 751709) to the Minister administering the Crown Land Management Act 2016 for approval. (b) Upon approval of the Minister administering the Crown Land Management Act 2016 Council amends the Draft Plan of Management for the Bagtown Historic Cemetery and place it on public exhibition as per Section 38 of the Local Government Act 1993. (c) Native Title advice has been provided. (d) A report be presented to Council to adopt the final Plan of Management for Bagtown Historic Cemetery on completion of the exhibition period, to consider all submissions.	06/05/2024: Awaiting approval from Minister.

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<p>12 December 2023</p>	<p>CL04 COMPULSORY ACQUISITION - AFFECTING LOT 27 DP751709 - BEAUMONT ROAD, HANWOOD - HANWOOD LEVY</p>	<p>CPO</p>	<p>140274</p>	<p>23/303</p>	<p>RESOLVED on the motion of Councillors Glen Andreazza and Melissa Marin that:</p> <ul style="list-style-type: none"> (a) Council approves the acquisition of Crown Land, shown as Lot 1 DP 1296073 in Plan of Acquisition affecting Lot 27 DP 751709 under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Local Government Act 1993 Section 186. (b) Council make application to the Minister and/or Governor of the Local Government Act 1993 for approval to acquire Lot 1 DP 1296073 as shown in plan of acquisition affecting Lot 27 DP 751709 by compulsory acquisition process under Section 187 of the Local Government Act 1993. (c) Council continues to negotiate with Department of Planning & Environment to acquire the land by agreement, or as determined by the Valuer General as defined in Section 55 of the Land Acquisition (Just Terms Compensation) Act 1991. (d) Following receipt of the Governor's approval, Council give effect to the acquisition by publication of an Acquisition Notice in the NSW 	<p>15/01/2024: Application preparation in progress. 03/06/2024: Application submitted.</p>
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					<p>Government Gazette and such other publication as may be required by law.</p> <p>(e) Upon acquisition of the land, Council resolves to classify the acquired land as operational land pursuant to Section 31 of the Local Government Act 1993.</p> <p>(f) Council pay compensation to all interest holders entitled to compensation by virtue of the compulsory acquisition on the terms set out in the Land Acquisition (Just Terms Compensation) Act 1991.</p> <p>(g) Council delegate authority to the General Manager to execute the documents on behalf of Council under the Common Seal if required.</p>	
12 December 2023	CL05 COMPULSORY ACQUISITION - AFFECTING LOT 7322 DP1164483, MALLEE STREET, HANWOOD - WATER DRAINAGE WORKS	CPO	140275	23/304	<p>RESOLVED on the motion of Councillors Glen Andreazza and Melissa Marin that:</p> <p>(a) Council approves the acquisition of Crown Land, shown as Lot 1 DP 1295951 in Plan of Acquisition affecting Lot 7322 DP 1164483 under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Local Government Act 1993 Section 186.</p> <p>(b) Council make application to the Minister and/or Governor of the Local Government Act 1993 for approval to acquire</p>	<p>15/01/2024: Application preparation in progress. 03/06/2024: Application submitted.</p>

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					<p>Lot 1 DP 1295951 as shown in plan of acquisition affecting Lot 7322 DP 1164483 by compulsory acquisition process under Section 187 of the Local Government Act 1993.</p> <p>(c) Council continues to negotiate with Department of Planning & Environment to acquire the land by agreement, or as determined by the Valuer General as defined in Section 55 of the Land Acquisition (Just Terms Compensation) Act 1991.</p> <p>(d) Following receipt of the Governor’s approval, Council give effect to the acquisition by publication of an Acquisition Notice in the NSW Government Gazette and such other publication as may be required by law.</p> <p>(e) Upon acquisition of the land, Council resolves to classify the acquired land as operational land pursuant to Section 31 of the Local Government Act 1993.</p> <p>(f) Council pay compensation to all interest holders entitled to compensation by virtue of the compulsory acquisition on the terms set out in the Land Acquisition (Just Terms Compensation) Act 1991.</p> <p>(g) Council delegate authority to the General Manager to</p>	
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					execute the documents on behalf of Council under the Common Seal if required.	
14 February 2023	CL03 PCYC PROPOSAL TO ERECT AND FITOUT AN INTEGRATED GYMNASISTICS AND COVERED OUTDOOR MULTI-SPORTS COMPETITION FACILITY - OLYMPIC STREET, GRIFFITH	GM	128874	22/034	<p>RESOLVED on the motion of Councillors Jenny Ellis and Simon Croce that:</p> <p>(a) Council endorse in principle the lease of (Part Lot 1 DP1272062. Crown Reserve 85064, 3 Olympic Street, Griffith) to PCYC NSW for a period of 20 years.</p> <p>(b) The annual lease fee be in accordance with Council's adopted Revenue Policy (Schedule of Fees and Charges) as at the date of execution of the Lease. 2022/23 annual lease fee to Not for Profit Organisations is \$607.</p> <p>(c) PCYC pay all applicable costs and charges associated with the preparation of the lease agreement (this would include the survey plan preparation for leasing and registration fees if required). Also, an Administration Fee of \$481 (page 13 Revenue Policy) will be applicable.</p> <p>(d) Council communicate the above terms to PCYC NSW and subject to their agreement, Council advertise the proposed lease for a period of 28 days seeking public submissions.</p>	<p>06/03/2023: Letter written to PCYC advising terms of proposed lease. Letter of response received accepting terms. Proposed lease to be prepared by Council and publicly exhibited.</p> <p>4/07/2023: Council staff have obtained a quote for subdivision from PHL. Once the Survey Plan has been finalised a Two (2) Lot subdivision is required to create a Lot for PCYC and a Lot for the remaining land.</p> <p>31/07/2023: PCYC finalising planned subdivision.</p> <p>04/12/2023: Council seeking additional information from PCYC prior to lodgement of their DA.</p> <p>29/04/2024: PCYC contacted 24/4/24. PCYC considers current scope of project will exceed allocated budget. Currently reviewing scope to align with budget. PCYC anticipate lodging a DA with Council July 2024."</p> <p>19/08/2024: PCYC advised DA will be submitted by November 2024.</p>

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					<p>(e) All public submissions be reported to Council for consideration. Should no submissions be received, Council authorise the General Manager and the Mayor to sign the lease under Council seal.</p> <p>(f) Council progress the subdivision of the subject land and authorise the General Manager and Mayor the authority to sign documents under Council seal as required. All costs in relation to the subdivision to be paid by the PCYC NSW.</p>	
22 February 2022	NOTICE OF MOTION – YOOGALI SHARED BICYCLE PATH	DIO	114000	22/057	<p>RESOLVED on the motion of Councillors Simon Croce and Anne Napoli that:</p> <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>	<p>14/03/2022: Funding estimate for Path and Bridge: \$1.4 million. 100% funding request submitted to Transport for NSW Active Transport Program.</p> <p>16/01/2023: TfNSW has informed Council that its application for 2.5m shared pathway is unsuccessful. Council has been invited to make a submission to TfNSW Active Transport for a 4.5m wide shared pathway for scoping and design. Submission lodged by Council.</p> <p>05/06/2023: Funding application successful. Design to commence.</p>

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						<p>17/07/2023: Inception meeting scheduled for 18 August 2023. Project to be completed 20 June 2025.</p> <p>18/09/2023: Ongoing consultation being held with stakeholders.</p> <p>04/12/2023: Staff updated realignment of plans and have sent to TfNSW representatives for review. Draft tender documents have been prepared. Majority of vegetation removed on proposed pathway.</p> <p>04/03/2024: Tree removal nearing completion.</p> <p>18/03/2024: Tree clearing complete. Tenders for bridge to be called for in March 2024.</p> <p>06/05/2024: Tenders close on Monday, 13 May 2024. Councillor briefing Tuesday, 21 May 2024.</p> <p>03/06/2024: Report to Council 11 June 2024.</p> <p>17/06/2024: Contract awarded. Tenderer advised.</p> <p>02/09/2024:</p>
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