



## Ordinary Meeting

# BUSINESS PAPER

**Tuesday, 28 March 2023 at 7:00 pm**

Griffith City Council Chambers

Phone: 1300 176 077

Web: [www.griffith.nsw.gov.au](http://www.griffith.nsw.gov.au) Email: [admin@griffith.nsw.gov.au](mailto:admin@griffith.nsw.gov.au)



## COUNCILLORS

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

[dcurran@griffith.com.au](mailto:dcurran@griffith.com.au)  
[gandreazza@griffith.com.au](mailto:gandreazza@griffith.com.au)  
[sblumer@griffith.com.au](mailto:sblumer@griffith.com.au)  
[scroce@griffith.com.au](mailto:scroce@griffith.com.au)  
[jellis@griffith.com.au](mailto:jellis@griffith.com.au)  
[mlally@griffith.com.au](mailto:mlally@griffith.com.au)  
[mmarin@griffith.com.au](mailto:mmarin@griffith.com.au)  
[anapoli@griffith.com.au](mailto:anapoli@griffith.com.au)  
[cstead@griffith.com.au](mailto:cstead@griffith.com.au)  
[csutton@griffith.com.au](mailto:csutton@griffith.com.au)  
[ltestoni@griffith.com.au](mailto:ltestoni@griffith.com.au)  
[dzappacosta@griffith.com.au](mailto:dzappacosta@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](mailto: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.

# REPORT AUTHORS AND AREAS OF RESPONSIBILITY

## Senior Management Team

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

Brett Stonestreet  
Shireen Donaldson  
Steve Saffioti  
Phil King  
Bruce Gibbs  
Graham Gordon

## Economic & Organisational Development

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

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

## Business, Cultural & Financial Services

Finance Manager  
Asset Management Coordinator  
Acting Library Manager  
Acting Griffith Pioneer Park Museum Manager  
Griffith Regional Theatre and Art Gallery Manager  
Griffith Regional Aquatic Centre Manager  
Griffith Regional Sports Centre Manager

Vanessa Edwards  
Andrew Keith  
Chris Robson  
Jenny O'Donnell  
Margaret Andreazza  
Craig Tilston  
Ché Jenkins

## Infrastructure & Operations

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

Manjit Chugha  
Shree Shrestha  
Peter Craig  
Steve Croxon

## Sustainable Development

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

Carel Potgieter  
Kerry Rourke  
Patterson Ngwira  
Peter Badenhorst  
Melanie Vella  
Vacant  
Nagamani Raju Maddi  
Daphne Bruce  
Royce Johns  
Graham Slingsby

## Utilities

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

Joe Rizzo  
John Roser  
Durgananda Chaudhary

---

**ORDINARY MEETING OF GRIFFITH CITY COUNCIL  
TO BE HELD IN GRIFFITH CITY COUNCIL CHAMBERS ON  
TUESDAY, 28 MARCH 2023 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, 28 March 2023**.

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
- 7 Mayoral Minutes
- 8 General Manager's Report
- CL01 p18 General Amendment Griffith Local Environmental Plan 2014 - Public Exhibition and Endorsement
- CL02 p22 Short Term Licence Agreement with Yenda Golf Club Inc. over part Lot 881 DP 751728, Wade Park, Yenda
- 9 Information Reports
- 10 Adoption of Committee Minutes

- p28 Minutes of the Disability Inclusion & Access Committee Meeting held on 1 March 2023
- 11 Business with Notice – Rescission Motions
- 12 Business with Notice – Other Motions
  - p31 Notice of Motion - Large Scale Events Masterplan
  - p34 Notice of Motion - Provisions for Bid for ALGWA Conference 2025
- 13 Outstanding Action Report
  - p37 Outstanding Action Report
- 14 Matters to be dealt with by Closed Council

**Brett Stonestreet**

**GENERAL MANAGER**



---

**ORDINARY MEETING OF GRIFFITH CITY COUNCIL  
HELD IN GRIFFITH CITY COUNCIL CHAMBERS ON  
TUESDAY, 14 MARCH 2023 COMMENCING AT 7:00 PM**

---

**PRESENT**

The Mayor, Doug Curran in the Chair; Councillors, Glen Andreazza, Shari Blumer, Simon Croce, Jenny Ellis, Manjit Singh Lally, Melissa Marin, Anne Napoli, 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, Director Business, Cultural, Financial Services, Steve Saffioti, Director Sustainable Development, Bruce Gibbs and Minute Taker, Joanne Bollen

**MEDIA**

Allan Wilson, The Area News

**1 COUNCIL ACKNOWLEDGEMENTS**

The Meeting opened with Councillor Simon Croce reading the Opening Affirmation and the Acknowledgement of Country. A minute's silence was held in respect of the recent passing of Rolando Zappacosta.

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

23/060

**RESOLVED** on the motion of Councillors Glen Andreazza and Manjit Singh Lally that apologies be received from Councillors Dino Zappacosta and Chris Sutton and a leave of absence granted.

For

Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Laurie Testoni

Against

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

### **3 CONFIRMATION OF MINUTES**

23/061

**RESOLVED** on the motion of Councillors Christine Stead and Glen Andreazza that the minutes of the Ordinary Meeting of Council held in Griffith City Council Chambers on 28 February 2023, having first been circulated amongst all members of Council, be confirmed.

For

Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Laurie Testoni

Against

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

### **4 BUSINESS ARISING**

Nil

### **5 DECLARATIONS OF INTEREST**

#### **Pecuniary Interests**

There were no pecuniary interests declared.

#### **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 Anne Napoli  
CC02 General Manager Key Performance Indicators 2023 (Calendar Year)  
Reason – Conflict of Interest regarding a family member.

Director Graham Gordon  
CC02 General Manager Key Performance Indicators 2023 (Calendar Year)  
Reason – Mr Gordon is a senior staff member with Griffith City Council.

Director Shireen Donaldson  
CC02 General Manager Key Performance Indicators 2023 (Calendar Year)  
Reason – Mrs Donaldson is a senior staff member with Griffith City Council.

Director Phil King  
CC02 General Manager Key Performance Indicators 2023 (Calendar Year)  
Reason – Mr King is a senior staff member with Griffith City Council.

Director Bruce Gibbs  
CC02 General Manager Key Performance Indicators 2023 (Calendar Year)  
Reason – Mr Gibbs is a senior staff member with Griffith City Council.  
Director Steve Saffioti

CC02 General Manager Key Performance Indicators 2023 (Calendar Year)  
Reason – Mr Saffioti is a senior staff member with Griffith City Council.

### **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 Anne Napoli  
Outstanding Action Report CRM 128874 Minute Number 22/034 and CRM 121041 Minute Number 22/192  
Reason – Family matters

## **6 PRESENTATIONS**

Nil

## **7 MAYORAL MINUTES**

Nil

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

### **CL01 SUBMISSION OF BID FOR GRIFFITH CITY COUNCIL TO HOST 2025 CONFERENCE - AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (NSW BRANCH)**

23/062

**RESOLVED** on the motion of Councillors Anne Napoli and Christine Stead that Council prepare a submission to present at the ALGWA NSW Conference as a bid to host the 2025 Conference - Australian Local Government Women's Association (NSW Branch).

For  
Councillor Doug Curran  
Councillor Shari Blumer  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Laurie Testoni

Against  
Councillor Glen Andreazza  
Councillor Simon Croce

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

## **9 INFORMATION REPORTS**

Nil

## **10 ADOPTION OF COMMITTEE MINUTES**

### **MINUTES OF THE GRIFFITH PIONEER PARK MUSEUM COMMITTEE MEETING HELD ON 20 FEBRUARY 2023**

23/063

**RESOLVED** on the motion of Councillors Anne Napoli and Laurie Testoni that the recommendations as detailed in the Minutes of the Griffith Pioneer Park Museum Committee meeting held on 20 February 2023 be adopted.

For

Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Laurie Testoni

Against

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

### **MINUTES OF THE GRIFFITH HEALTH FACILITIES LIMITED (GHFL) COMMITTEE MEETING HELD ON 14 FEBRUARY 2023**

23/064

**RESOLVED** on the motion of Councillors Shari Blumer and Anne Napoli that the recommendations as detailed in the Minutes of the Griffith Health Facilities Limited (GHFL) Committee meeting held on 14 February 2023 be adopted.

For

Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Laurie Testoni

Against

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

### **MINUTES OF THE LAKE WYANGAN & CATCHMENT MANAGEMENT COMMITTEE MEETING HELD ON 23 FEBRUARY 2023**

23/065

**RESOLVED** on the motion of Councillors Christine Stead and Melissa Marin that the recommendations as detailed in the Minutes of the Lake Wyangan & Catchment Management Committee meeting held on 23 February 2023 be adopted.

For

Councillor Doug Curran  
Councillor Glen Andreazza

Against

Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Laurie Testoni

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

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

Nil

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

Nil

#### **13 OUTSTANDING ACTION REPORT**

23/066

**RESOLVED** on the motion of Councillors Glen Andreazza and Christine Stead that the report be noted.

For

Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Laurie Testoni

Against

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

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

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 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.**

23/067

**RESOLVED** on the motion of Councillors Christine Stead and Simon Croce 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 Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Laurie Testoni

Against

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

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

#### **CC01 COMPULSORY ACQUISITION - PART LOT 1 DP 640685 REMEMBRANCE DRIVEWAY**

Reason: Council Business 10A(2)(c)

## **CC02 GENERAL MANAGER KEY PERFORMANCE INDICATORS 2023 (CALENDAR YEAR)**

Reason: Personnel Matters 10A(2)(a)

Council closed its meeting at 7:23pm. The public and media left the Chamber. Livestream was disconnected.

### **REVERSION TO OPEN COUNCIL**

23/068

**RESOLVED** on the motion of Councillors Laurie Testoni and Manjit Lally Singh that Open Council be resumed.

For

Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Laurie Testoni

Against

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

Open Council resumed at 7:30pm.

Livestream was reconnected.

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

### **MATTERS DEALT WITH IN CLOSED COUNCIL**

#### **CC01 COMPULSORY ACQUISITION - PART LOT 1 DP 640685 REMEMBRANCE DRIVEWAY**

23/069

**RESOLVED** on the motion of Councillors Glen Andreazza and Jenny Ellis that:

- (a) Council approves the acquisition of Crown Land, shown as Lot 3 DP 1291330 in plan of acquisition affecting Lot 1 DP 640685 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 3 DP 1291330 as shown in plan of acquisition affecting Lot 1 DP 640685 by compulsory acquisition process under Section 187 of the Local Government Act 1993.
- (c) Council continues to negotiate with Department of Planning & Environment – Crown Lands 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 Government Gazette and such other publication as may be required by law.
- (e) Council delegate authority to the General Manager to execute the documents on behalf of Council under the Common Seal if required.
- (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.
- (g) 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.

For

Against

Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Laurie Testoni

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

*Councillor Anne Napoli and Directors Graham Gordon, Shireen Donaldson, Phil King, Bruce Gibbs and Steve Saffioti left the meeting having declared Significant Non-Pecuniary Conflicts of Interest, the time being 7:27pm.*

## **CC02 GENERAL MANAGER KEY PERFORMANCE INDICATORS 2023 (CALENDAR YEAR)**

23/070

**RESOLVED** on the motion of Councillors Simon Croce and Jenny Ellis that Council adopt the Key Performance Indicators for the General Manager in relation to the calendar year 2023 in accordance with this report.

For

Against

Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Christine Stead  
Councillor Laurie Testoni

**The division was declared PASSED by 9 votes to 0.**

*Councillor Anne Napoli and Directors Graham Gordon, Shireen Donaldson, Phil King, Bruce Gibbs and Steve Saffioti returned to the meeting, the time being 7:30pm.*



There being no further business the meeting terminated at 7:34pm.

Confirmed: .....

CHAIRPERSON

**CLAUSE**      **CL01**

**TITLE**            **General Amendment Griffith Local Environmental Plan 2014 - Public Exhibition and Endorsement**

**FROM**            **Kelly McNicol, Consultant Planner**

**TRIM REF**      **23/30075**

---

### **SUMMARY**

The Department of Planning and Environment (DPE) issued a Gateway Determination for a Planning Proposal entitled General Amendment to the Griffith Local Environmental Plan (LEP) 2014 on 23 December 2022 following a lengthy assessment of the proposal. At the 24 January 2023 Ordinary Meeting of Council, Council endorsed the planning proposal to be placed on public exhibition for a period of 28 days. During the public exhibition period, Council received 10 submissions including two from government agencies and eight from landowners and consultants for and on behalf of landowners. The purpose of this report is to seek endorsement from Council to carry out the necessary steps to 'make the plan' and formerly amend the LEP.

### **RECOMMENDATION**

- (a) Council endorse the amended Planning Proposal set out in Attachment (a) which removes Lot 2 DP 848433 (79 Smeeth Road) from SSA 14 as requested by the landowner.**
- (b) Delegate the Director Sustainable Development to carry out the following actions to process and make the LEP:**
  - i. Seek the concurrence of the Secretary of the DPE for any inconsistencies with the applicable directions of the Minister under Section 9.1 of the Environmental Planning and Assessment Act 1979;**
  - ii. Forward this report, and all required documents and plans to Parliamentary Counsel for an opinion and drafting of the amendments;**
  - iii. Make the LEP; and**
  - iv. Forward the signed LEP and supporting documents to DPE to notify the amendments.**
- (c) Council staff provide a submission review report to be reported back to Council within 3 months to make recommendations on how to progress with the submissions which are considered to have strategic merit in the submission review table in Attachment (c).**

### **REPORT**

The General Amendment Planning Proposal as endorsed at the 24 January 2023 meeting was placed on public exhibition from 3 February 2023 to 3 March 2023 (a period of 28 days). During the public exhibition period, Council staff received and responded to a number of phone calls, met with landowners in person and received some emails which requested additional information or guidance. A total of 10 formal submissions were received, including:

- Submission 1 – from MIAPlan (town planning consultant) requesting amendments to Clause 4.1A of the Griffith LEP to permit exceptions to minimum subdivision lot sizes for the RU5 – Village zone and the R3 – Medium Density Zone.
- Submission 2 – from the Department of Planning and Environment (Biodiversity Conservation Division) who recommended further investigation of SSA 5 and 12 because the sites contained some native vegetation. These investigations can be carried out at development application stage should the landowners pursue the removal of vegetation.
- Submission 3 – from Department of Primary Industries (Agriculture) who provided general comments and recommended land use buffers be provided for SSA6 and SSA15. Land use buffers could be required at development application stage for these sites in accordance with Griffith's Residential Development Control Plan 2020.
- Submission 4 – from MIAPlan (town planning consultant) for and on behalf of the Dumbleton Family (landowners) requesting the rezoning of Lot 379 DP 751709 (140 McCormack Road) from RU1 – Primary Production to RU5 – Village.
- Submission 5 - from MIAPlan for and on behalf of G&A Fattore (landowners) requesting the rezoning of Lot 2 DP 870431 (11 Rankins Springs Road) from RU4 – Primary Production Small Lots to R1 – General Residential
- Submission 6 – from Salvestro Planning (town planning consultant) which requested the rezoning of Lot 2 DP 1267636 on Oakes Road to RU5 – Village.
- Submission 7 – from Salvestro Planning (town planning consultant) which requested the rezoning of a portion of Lot 1101 DP 1010206 on Rose Road to R1-General Residential.
- Submission 8 – from Planningmatters (town planning consultant) for various sites and requesting rezoning for residential purposes.
- Submission 9 – from JZ Management (developer) for and on behalf of Mario Rizzeri for lands at Lot 691 DP42508 (51 Todd Road) Lake Wyangan reiterating a request for the rezoning of the site to RU5 – Village as originally identified in the 2002 GS2030 Griffith Growth Strategy.
- Submission 10 – from Neil and Barbara Streat requesting their land holding at Lot 2 DP848433 (79 Smeeth Road) Lake Wyangan be removed from the Planning Proposal which proposed to rezone the land from RU4 – Primary Production Small Lots to R5 – Large Lot Residential.

All of the submissions are provided at Attachment (b). A submission review table has been provided at Attachment (c). The Planning Proposal has been amended to facilitate Submission 10 in which the landowner requested their lands be removed. The removal of these lands from the Planning Proposal would not impact the overall objective of the proposed amendments or the lands to the west (described in the Planning Proposal as SSA 14) which will be rezoned to R5 – Large Lot Residential. Should the landowner continue to carry out agricultural activities on their lands, the 2 ha minimum lot size proposed for SSA 14 to the west of their land would cater for buffers to mitigate land use conflict between farming operations and future residential development. Land use buffers could be required at development application stage for the sites in SSA 14 in accordance with Griffith's Residential Development Control Plan 2020.

It is recommended that the Planning Proposal at Attachment (a) is endorsed by Council to ensure the timely completion of the following required steps in the LEP amendment process:

- Seek the concurrence of the Secretary of the DPE for any inconsistencies with the applicable directions of the Minister under Section 9.1 of the Environmental Planning and Assessment Act 1979;
- Forward this report, and all required documents and plans to Parliamentary Counsel for an opinion and drafting of the amendments;
- Make the LEP; and
- Forward the signed LEP and supporting documents to DPE to notify the amendments.

Council has been delegated by the Department of Planning and Environment the Plan Making functions for the Planning Proposal as drafted. Should Council recommend any lands be added to the Planning Proposal, the Department of Planning and Environment would be required to review these amendments and issue a modified Gateway Determination which could require additional consultation or technical studies and could effectively stall the process.

However, it is considered that some of the submissions could have merit and further assessment is required. As such, it is also recommended that a comprehensive review and merit assessment of submissions 1,4,5,6,7,8 and 9 be carried out as part of a submission report to be reported to Council within 3 months.

The report would make recommendations on how to proceed with each submission. This could include Council preparing a further planning proposal or recommending landowners pursue a developer driven planning proposal (which is a common practice to facilitate the rezoning of land in NSW).

### **OPTIONS**

#### **OPTION 1**

As per the Recommendation.

#### **OPTION2**

Any other resolution of Council.

### **POLICY IMPLICATIONS**

Not Applicable

### **FINANCIAL IMPLICATIONS**

Not Applicable

### **LEGAL/STATUTORY IMPLICATIONS**

Griffith Local Environmental Plan 2014 is an environmental planning instrument for the purpose of the Environmental Planning and Assessment Act, 1979 and it provides the statutory provisions whereby Council establishes the zoning of land and the means for identifying permissible land uses. A planning proposal is a lawful mechanism that enables Council to consider amendments to its environmental planning instrument for land uses that are otherwise prohibited within a zone.

### **ENVIRONMENTAL IMPLICATIONS**

Not Applicable

### **COMMUNITY IMPLICATIONS**

Not Applicable

### **LINK TO STRATEGIC PLAN**

This item links to Council's Strategic Plan item 7.1 Encourage respectful planning, balanced growth and sustainable design.

## **CONSULTATION**

Senior Management Team, Director Sustainable Development, Manager Planning & Environment.

## **ATTACHMENTS**

- (a) Attachment A - General Amendment Planning Proposal 2023 -Version for Council endorsement 15-03-2023 (under separate cover) [⇒](#)
- (b) Attachment B - Public Submissions (under separate cover) [⇒](#)
- (c) Attachment C - Submissions Review Table (under separate cover) [⇒](#)

<b>CLAUSE</b>	<b>CL02</b>
<b>TITLE</b>	<b>Short Term Licence Agreement with Yenda Golf Club Inc. over part Lot 881 DP 751728, Wade Park, Yenda</b>
<b>FROM</b>	<b>Daphne Bruce, Corporate Property Officer &amp; Native Title Coordinator</b>
<b>TRIM REF</b>	<b>23/25792</b>

---

### **SUMMARY**

The short-term licence agreement over part Lot 881 DP 751728 Wade Park, Yenda with Yenda Golf Club Inc. is due to expire as of 28 March 2023.

Yenda Golf Club Inc. are now requesting to enter into a further 1-year short term licence agreement for occupation of the golf course and club house at Wade Park, Yenda.

Lot 881 DP 751728 is a Crown Reserve with Council the appointed Crown Land Manager, managing the reserve on behalf of the Crown. A Plan of Management has been prepared for Wade Park, Yenda and is waiting on approval of the Crown to place on public exhibition. On adoption of the Plan of Management, Council will then be in a position to enter into a longer-term licence arrangement with Yenda Golf Club Inc.

### **RECOMMENDATION**

- (a) Council enter into a short-term licence agreement with Yenda Golf Club Inc. over part Lot 881 DP 751728 for a term of 1 year commencing 29 March 2023.**
- (b) Annual fee be charged as per Council's adopted Revenue Policy, currently \$607 (Inc. GST) per annum for 2022/2023, plus payment of rates and charges.**
- (c) No fees be charged for the preparation of the short-term licence agreement or an Administration Fee.**
- (d) The General Manager be authorised to sign the short-term licence agreement on behalf of Council.**

### **REPORT**

With the introduction of the Crown Land Management Act 2016 (CLM Act) Councils are to prepare Plans of Management for all community land under the Local Government Act 1993 requirements.

Wade Park, Yenda includes Crown Reserves 61951, 63981 and 65511. Griffith City Council is the appointed Crown Land Manager to manage the reserves on behalf of the Crown.

Unless a licence was in place prior to the introduction of the new CLM Act a long-term licence does not meet the transitional provisions of the Act until such time as a PoM is prepared for the reserve or the organisation provides details of a Not-for-Profit status.

The PoM is prepared and waiting approval from the Crown to place on public exhibition.

Council, by letter dated 1 March 2023, advised Yenda Golf Club Inc. the licence is due to expire as of 28 March 2023. The Club is now requesting to renew the agreement for a further term of 1 year.

There are no outstanding fees and charges.

Council is further required to validate all activities taking place on Crown reserves that it manages for compliance with Native Title legislation, including granting of leases and licences. Native Title rights and interest cannot be extinguished contrary to the Native Title Act 1993. Council is to assume that Native Title exists on Crown land in Griffith until such time as a Federal Court determination of extinguishment.

In accordance with the requirements, it has been assessed that the issue of a short-term licence to Yenda Golf Club Inc. for a golf course and club house is consistent with the reserves purpose of Public Recreation and may be validated under Subdivision J of the Native Title Act 1993.

J	Subdivision J deals with future acts done in good faith under or in accordance with a reservation, dedication, condition, permission or authority made on or before 23 December 1996 which require the land to be used for a particular purpose, or the future act otherwise had no greater an impact on native title than any act that could have been done that was under or in accordance with the reservation.
---	--

Reserve 61951 was reserved from sale or lease for the public purpose of Public Recreation and notified in the Government Gazette on 4 July 1930. Reserve 65511 was reserved from sale or lease for the purpose of Public Recreation and notified in the Government Gazette on 4 October 1935. Reserve 63981 was reserved from sale or lease for the public purpose of Public Recreation and notified in the Government Gazette on 16 June 1933.

## **OPTIONS**

### OPTION 1

As per the Recommendation.

### OPTION 2

Council may determine an alternate option but this is not preferred as Yenda Golf Club Inc. continue to maintain the golf course at Wade Park, Yenda.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

The Yenda Golf Club Inc. pay annual fees, currently \$607 (Inc. GST) for Leases/Licences of Crown Reserves and Council owned reserves to Non-Profit Organisations plus payment of rates and charges, as per the adopted Revenue Policy for 2022/2023.

The preparation of the short-term licence agreement can be done in-house utilising the Crown lands standard template and therefore it is proposed not to charge Council's Administration Fee.

## **LEGAL/STATUTORY IMPLICATIONS**

### Crown Land Management Act 2016

2.20 – Short-term licences over dedicated or reserved Crown land

### Crown land Management Regulation 2018

Part 4 – Section 31 – Short-term licences over dedicated or reserved Crown land

### Native Title Act 1993 – Section 24JA

## **ENVIRONMENTAL IMPLICATIONS**

All environmental implications were considered as part of the development of the golf course and facilities located at Wade Park, Yenda.

## **COMMUNITY IMPLICATIONS**

The community would expect Council to support sporting organisations development whilst receiving an income for the occupation of land under Council control.

## **LINK TO STRATEGIC PLAN**

This item links to Council's Strategic Plan item 4.7 Provide a range of sporting and recreational facilities.

## **CONSULTATION**

Senior Management Team

## **ATTACHMENTS**

- |     |  |    |
|-----|--|----|
| (a) | Email - Yenda Golf Club Inc. <a href="#">↓</a>   | 25 |
| (b) | Letter - Griffith City Council <a href="#">↓</a> | 26 |
| (c) | Map - Yenda Golf Club Inc. <a href="#">↓</a>     | 27 |





RE: Renewal of Licence - Yenda Golf Club  
Prue Watson to: 'Daphne Bruce' 02/03/2023 04:09 PM

0 Attachment



image001.gif

Dear Daphne, the Yenda golf club is willing to enter into a 1-year short term licence agreement with the Griffith City Council

Thank you

Prue Watson Honary Secretary Yenda Golf Club

---

**From:** Daphne Bruce <Daphne.Bruce@griffith.nsw.gov.au>

**Sent:** Wednesday, 1 March 2023 9:06 AM

**Subject:** Renewal of Licence - Yenda Golf Club

**Importance:** High

Hi Prue

Please find attached letter regarding renewal of short term licence with Yenda Golf Club. If you no longer look after these matters for the club can you advise and I will send the letter in the mail.

Kind regards

**Daphne Bruce**

Corporate Property Officer & Native Title Coordinator

p 02 6962 8134



Griffith City Council  
a 1 Benerambah Street Griffith NSW 2680  
p PO Box 485 Griffith NSW 2680  
w [griffith.nsw.gov.au](http://griffith.nsw.gov.au)

Griffith City Council acknowledges and respects the Wiradjuri people as the traditional custodians and ancestors of the land and waters where we work.



1 March 2023

The President  
Yenda Golf Club Inc.  
PO Box 515  
YENDA NSW 2681  
Email: [REDACTED]

Dear Sir/Madam

**RE: SHORT-TERM LICENCE AGREEMENT – GOLF CLUB**

The short-term licence agreement with Yenda Golf Club Inc. over part Lot 881 DP 751728, Wade Park is due to expire as of 28 March 2023. The short-term licence agreement was required in place of a long-term licence, until such time as a Plan of Management (PoM) was prepared for Wade Park and formal adoption.

The PoM has been prepared and is now with the Department of Planning & Environment – Crown Lands for approval to place on exhibition. There is no timeframe as to when we will receive approval and therefore to utilise Wade Park will require a continuation of a short-term licence.

To proceed, please advise in writing your intention to enter into a 1-year agreement and a report will be prepared for the next available Ordinary Meeting of Council for consideration.

Should you require further information please contact me on 1300 176 077.

Yours sincerely

[REDACTED]

**DAPHNE BRUCE**  
**CORPORATE PROPERTY OFFICER & NATIVE TITLE COORDINATOR**





Griffith City Council  
PO Box 485  
1 Benemurrah Street  
GRIFFITH NSW 2680  
Telephone: 1300 216 077  
Email: [admin@griffith.nsw.gov.au](mailto:admin@griffith.nsw.gov.au)

**Disclaimer:** This map is intended for general information purposes only. Griffith City Council does not guarantee its accuracy, completeness or suitability for any particular purpose. Users must exercise their own skill and care in using this map and carefully evaluate the accuracy, currency, completeness and relevance of the map before relying on it. The map is not a substitute for independent professional advice and, to the extent permitted by law, Griffith City Council is not liable for any loss or damages arising out of any inaccuracy, error or omission contained in the map.



Drawn By: Daphne Bruce

Projection: GDA2020 / MGA zone 55

Date: 7/03/2023 2:44 PM

Map Scale: 1:4662 at A4



---

**DISABILITY INCLUSION & ACCESS COMMITTEE  
HELD IN GRIFFITH REGIONAL SPORTS CENTRE ON  
WEDNESDAY, 1 MARCH 2023 COMMENCING AT 1:00PM**

---

**PRESENT**

Councillor Shari Blumer (Chair), Laurie Testoni (Councillor - Alternate), Colin Beaton (Community Representative), Patricia Cox (Community Representative), Marilyn Hams (Community Representative), Mike Neville (Community Representative) (Via Zoom), Val Woodland (Community Representative), Nickolette Owen (By Invitation), Chris Randle (TfNSW), Josh Tang (TfNSW), Mark Wolstenholme (TfNSW), Sally Blair (Griffith Buslines)

Quorum = 3

**STAFF**

Director Sustainable Development, Bruce Gibbs, Urban Strategic Design & Major Projects Manager, Peter Badenhorst, Project Planner, Melanie Vella, Community Development Coordinator, Melissa Canzian (Via Zoom) and Minute Secretary, Hannah Hall

**ABSENT**

Luke Woodward (Community Representative), Jaimee Damini (Community Representative)  
Erin Fletcher (Community Representative)

**1 APOLOGIES**

**RECOMMENDED** on the motion of Mike Neville and Val Woodland that an apology be received from Simone Murphy.

**2 CONFIRMATION OF MINUTES**

**RECOMMENDED** on the motion of Mike Neville and Val Woodland that the minutes of the previous meeting held on 1 February 2023, having first been circulated amongst all members, be confirmed.

**3 BUSINESS ARISING**

Councillor Blumer advised that she had received an email from Chris Robson, the acting manager of Griffith City Library stating that the Library was not consulted regarding the removal of the partition wall in the Library Theatre. Council Staff will discuss with relevant staff members regarding this issue.

**SMT Comment:** At a meeting of the Disability Inclusion and Access Committee on 9 November 2022, it was recommended on the motion of Patricia Cox and Luke Woodward that the Committee approve the removal of the partition wall and associated works on one

side of the Library Theatre to provide accessible and inclusive seating space, using the accumulated annual allocation from the Community Grants Program budget.

Council subsequently resolved to endorse the above recommendation at its meeting held 22 November 2022. Removal of the partition wall will be scheduled as soon as practicable.

#### **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 HER WAY 2680 - SAFER CITIES INITIATIVE**

Melanie Vella presented the Her Way 2680 Safer Cities Initiative. Griffith has been selected as one of the cities to pilot this program. Ms Vella advised the Committee that a survey is available to all members of the public to have their say regarding where and when they feel least safe in Griffith. This data will be used to identify spaces for safety improvement projects. Ms Vella will distribute the link to the Committee.

The Committee asked that hard copies be made available at various places throughout Griffith and that schools be engaged as well. The Committee also asked that it be noted that the age of people being engaged should be lowered to 14 from 16 to include young girls who are working part-time jobs.

#### **6 OUTSTANDING ACTION REPORT**

Due to time constraints, the Committee was unable to review the Outstanding Action Report.

#### **7 GENERAL BUSINESS**

Chris Randle, Josh Tang & Mark Wolstenholme from Transport for NSW and Sally Blair, Manager Griffith Buslines, presented a confidential presentation on the 16 Cities Regional Services Improvement Program.

*Bruce Gibbs left the meeting, the time being 1:38pm.*

*Bruce Gibbs returned to the meeting, the time being 1:43pm.*

*Councillor Shari Blumer left the meeting, the time being 2:03pm.*

*Nickolette Owen left the meeting, the time being 2:07pm.*

*Melanie Vella left the meeting, the time being 2:18pm.*

*Val Woodland left the meeting, the time being 2:19pm.*

*Melanie Vella returned to the meeting, the time being 2:21pm.*

**8 NEXT MEETING**

The next meeting of the Disability Inclusion & Access Committee is to be held on Wednesday, 5 April 2023 at 1:00pm.

There being no further business the meeting terminated at 2:26pm.

Confirmed: .....

CHAIRPERSON

**TITLE**            **Notice of Motion - Large Scale Events Masterplan**

**FROM**           **Jenny Ellis, Councillor**

**TRIM REF**      **23/40447**

---

### **SUMMARY**

On 21 March 2023, a Notice of Motion was received from Councillor Jenny Ellis.

### **RECOMMENDATION**

**That Council prepare a masterplan, in collaboration with key stakeholders, to facilitate the hosting of large-scale events at the community gardens and memorial gardens' community stages. The masterplan will outline a phased approach to improve the facilities, with costings for each stage that are dependent on available funds and grant funding.**

**The masterplan should consider provisions for fencing, power, emergency service access, vendor positioning, lighting, shade, audience visibility, and safety. Additionally, the plan should include proposals for expanding the audience space.**

### **SENIOR MANAGEMENT TEAM COMMENT**

Nil

### **ATTACHMENTS**

(a)    Notice of Motion [↓](#)

32



## Notice of Motion

### Notice of Motion

**Councillor's Name \*** Cr Jenny Ellis

**Date \*** 21-Mar-23  
11:16:21 AM

**Time \*** 11:16:21 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: \***

I That Council prepare a masterplan, in collaboration with key stakeholders, to facilitate the hosting of large-scale events at the community gardens and memorial gardens' community stages. The masterplan will outline a phased approach to improve the facilities, with costings for each stage that are dependent on available funds and grant funding.

The masterplan should consider provisions for fencing, power, emergency service access, vendor positioning, lighting, shade, audience visibility, and safety. Additionally, the plan should include proposals for expanding the audience space.

**Council Meeting Date: \*** 3/28/2023

**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 0**

**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 - Provisions for Bid for ALGWA Conference 2025

**FROM** Jenny Ellis, Councillor

**TRIM REF** 23/40455

---

### **SUMMARY**

On 21 March 2023, a Notice of Motion was received from Councillor Jenny Ellis.

### **RECOMMENDATION**

To add to the ALGWA NSW conference bid for 2025 the provision: that if successful, Griffith City Council will have the right to cover all council costs accrued, including existing, and any additional or external staffing needed to organise and manage the event. We expect that through sponsorship, trade show and ticket sales that Griffith City Council will be able to cover all costs involved in putting on this event and will be in a break even position at the close of the event.

### **SENIOR MANAGEMENT TEAM COMMENT**

Nil

### **ATTACHMENTS**

(a) Notice of Motion [↓](#)

35



## Notice of Motion

### Notice of Motion

**Councillor's Name \*** Cr Jenny Ellis

**Date \*** 21-Mar-23  
11:54:36 AM

**Time \*** 11:54:36 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: \***

To add to the ALGWA NSW conference bid for 2025 the provision: that if successful, Griffith City Council will have the right to cover all council costs accrued, including existing, and any additional or external staffing needed to organise and manage the event. We expect that through sponsorship, trade show and ticket sales that Griffith City Council will be able to cover all costs involved in putting on this event and will be in a break even position at the close of the event.

**Council Meeting  
Date: \*** 3/28/2023

**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 0**

**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** Outstanding Action Report

**TRIM REF** 23/3424

---

**RECOMMENDATION**

The report be noted.

**ATTACHMENTS**

(a) Outstanding Action Report [↓](#)

38

### OUTSTANDING ACTION REPORT

Council Meeting Date	MEETING ITEM	Action Officer	CRM No.	Minute No.	Council Resolution	Additional Information
14 February 2023	<b>CL03 PCYC PROPOSAL TO ERECT AND FITOUT AN INTEGRATED GYMNASTICS AND COVERED OUTDOOR MULTI-SPORTS COMPETITION FACILITY - OLYMPIC STREET, GRIFFITH</b>	GM	128874	22/034	<p><b>RESOLVED</b> on the motion of Councillors Jenny Ellis and Simon Croce that:</p> <ul style="list-style-type: none"> <li>(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.</li> <li>(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.</li> <li>(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.</li> <li>(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.</li> <li>(e) All public submissions be reported to Council for consideration. Should no submissions be received, Council</li> </ul>	<b>06/03/2023:</b> 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.

## OUTSTANDING ACTION REPORT

					<p>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>	
14 February 2023	<b>NOTICE OF MOTION - KOOYOO STREET GRIFFITH - MOTOR VEHICLE ACCESS FROM BANNA AVENUE GRIFFITH</b>	GM/Gov. Off.	128878	23/041	<p><b>RESOLVED</b> on the motion of Councillors Glen Andreazza and Christine Stead that:</p> <p>(a) Council support "in principle" the permanent closure of Kooyoo Street, Griffith from Banna Avenue to Banna Lane for the purpose of motor vehicle access.</p> <p>(b) Council invite community submissions regarding recommendation (a) above for a period of 28 days, after the completion of Stage 2, Banna Lane to Yambil Street.</p> <p>(c) All submissions received to be reported to Council for consideration.</p> <p>(d) Should no submissions be received then Council authorise the General Manager to apply to Transport for NSW to permanently close Kooyoo Street, Griffith from Banna Avenue to Banna Lane for the purpose of motor vehicle access.</p>	<p><b>06/03/2023:</b> Preliminary consultation started at Council Café during February 2023. Formal advertisement to be made following completion of Stage 2.</p>

### OUTSTANDING ACTION REPORT

24 January 2023	<b>CL05 GENERAL AMENDMENT - GRIFFITH LOCAL ENVIRONMENTAL PLAN 2014 - PUBLIC EXHIBITION ENDORSEMENT</b>	CSP	127988	23/016	<p><b>RESOLVED</b> on the motion of Councillors Glen Andreazza and Christine Stead that:</p> <ul style="list-style-type: none"> <li>(a) Council endorse the amended Planning Proposal set out in Attachment (a), and varied by Attachment (e), which seeks to amend the Griffith Local Environmental Plan 2014;</li> <li>(b) Council resolve to place the Planning Proposal on public exhibition for a period of 28 days and where identified consult with any relevant public authority and private landowners;</li> <li>(c) Should any submissions be received, Council consider the submissions at an Ordinary Meeting and if any amendments are made, the Planning Proposal is re-submitted to the Department of Planning and Environment (DPE);</li> <li>(d) Should no submissions be received, delegate the Director Sustainable Development to carry out the following actions to process and make the LEP: <ul style="list-style-type: none"> <li>i. Seek the concurrence of the Secretary of the DPE for any inconsistencies with the applicable directions of the Minister under Section 9.1 of the Environmental Planning and Assessment Act 1979;</li> <li>ii. Forward this report, and all required documents and</li> </ul> </li> </ul>	<p><b>02/02/2023:</b> On Exhibition until 3 March 2023.</p> <p><b>06/03/2023:</b> Submissions received. Report to go to Council Meeting April 2023.</p> <p><b>20/03/2023:</b> Report to Council 28 March 2023.</p>
-----------------	--	-----	--------	--------	---	--



## OUTSTANDING ACTION REPORT

					plans to Parliamentary Counsel for an opinion and drafting of the amendments; iii. Make the LEP; and iv. Forward the signed LEP and supporting documents to DPE to notify the amendments.	
10 January 2023	<b>CL01 LAKE WYANGAN FLOOD PUMP AND PIPELINE</b>	DU	127382	23/003	<b>RESOLVED</b> on the motion of Councillors Chris Sutton and Simon Croce that Council approve the reallocation of funds from the 2022/23 Lake Wyangan Environmental Strategy Implementation budget into a new Lake Wyangan Flood Pump and Pipeline project.	<b>06/02/2023:</b> Pipeline project works in progress.
9 August 2022	<b>CL03 COUNCIL REPORT ON FUNDING OPTIONS - HANWOOD SPORTS COMPLEX UPGRADE</b>	DBCF	121041	22/192	<p><b>RESOLVED</b> on the motion of Councillors Glen Andreazza and Manjit Singh Lally that:</p> <p>(a) Council endorse submitting an application under the Multi Sports Community Facility Fund for new amenities (toilets &amp; change rooms) and kiosk at the Hanwood Sports Complex.</p> <p>(b) Council to receive a further report to endorse projects to apply for funding under the Stronger Country Communities Fund Round 5. Projects within the current 10 year capex plan would be identified as a means of providing sufficient funds to meet the minimum \$500,000 funding contribution required at (a), and</p> <p>(c) Council undertake additional user consultation relating to the options for the scope and exact location of</p>	<p><b>05/09/2022:</b></p> <p>(a) Application has been submitted 31/08/2022.</p> <p>(b) Reported to Council to apply for Yambil Street Stage 4.</p> <p>(c) Additional consultation to be undertaken.</p> <p><b>03/01/2023:</b> Preliminary consultation meeting held with two members of the Hanwood sporting stakeholder group on 16 December 2022. Further discussions to be held early 2023.</p> <p><b>20/02/2023:</b> Stakeholder and Councillor to meet on site to present options and indicative costings. Date to be confirmed.</p> <p><b>06/03/2023:</b> Community Consultation was held at</p>

4 of 11

### OUTSTANDING ACTION REPORT

					the facilities which are to be modelled on the new Jubilee Oval facilities.	Hanwood Oval 02/03/2023. Report proposed for 11 April 2023 Council Meeting.
22 February 2022	<b>CC01 CREMATORIUM FEASIBILITY STUDY</b>	DIO	114001	22/061	<p><b>RESOLVED</b> on the motion of Councillors Simon Croce and Manjit Singh Lally that:</p> <p>(a) Council call an Expression of Interest from interested parties for a period of 60 days to seek interest in entering into a partnership arrangement with Griffith City Council to construct and operate a crematorium facility.</p> <p>(b) The feasibility study completed by the consultants regarding construction and operation of a crematorium be considered by Councillors in conjunction with the review of the 10 Year Capital Expenditure Plan and Draft Budget 2022/2023.</p> <p>(c) Following the adoption of the new Committee Structure by Council during March 2022, the final report by the consultants be referred to the relevant committee seeking a firm recommendation to Council regarding a preferred location for a crematorium.</p>	<p><b>14/03/2022:</b> Expression of Interest document being drafted.</p> <p><b>08/04/2022:</b> Expression of Interest document on Exhibition. Expression of Interest to close 7 June 2022.</p> <p><b>04/07/2022:</b> For consideration at New Cemetery Masterplan Committee held 04/07/2022.</p> <p><b>18/07/2022:</b> staff commenced discussions with the author of the submission to outline next steps.</p> <p><b>05/09/2022:</b> Council staff have met with the author of the submission. The author is to prepare costings to construct a crematorium and then forward to Council for consideration by the New Cemetery Masterplan Committee.</p> <p><b>16/01/2023:</b> New Cemetery Masterplan Committee meeting scheduled for 27/02/2023.</p> <p><b>06/03/2023:</b> Quote tabled at New Cemetery Masterplan Committee Meeting held on 27/02/2023. Proposed for crematorium to be discussed at Council Workshop to be held 18/04/2023.</p>

**OUTSTANDING ACTION REPORT**  
**OUTSTANDING ACTION REPORT – COMPLETION BY OTHER AGENCIES PENDING**

Council Meeting Date	MEETING ITEM	Action Officer	CRM No.	Minute No.	Council Resolution	Additional Information
9 August 2022	<b>CL02 UPGRADE OF BOORGA ROAD AND DICKIE ROAD</b>	DI&O	121040	22/191	<p><b>RESOLVED</b> on the motion of Councillors Shari Blumer and Melissa Marin that:</p> <p>(a) Council submit an application under the Fixing Local Roads Round 4 to seal an addition of approximately 2km on Dickie Road west of the bridge over the Lake View Branch Canal.</p> <p>(b) Should the application referred to in (a) above be unsuccessful Council adopt the revised scope of works for the upgrade of Boorga Road and Dickie Road, reducing the total scope of works to 8.6km.</p> <p>(c) Should the application referred to in (a) above be unsuccessful Council complete a gravel resheet of approximately 2km on Dickie Road West of the bridge over the Lake View Bridge Canal.</p> <p>(d) A Council Workshop be held to further inform Councillors on works to date.</p>	<b>05/09/2022:</b> Application submitted to Fixing Local Roads Round 4.
22 November 2022	<b>CC02 COMPULSORY ACQUISITION - LOT 103 DP 751730</b>	CPO	125684	22/316	<p><b>RESOLVED</b> on the motion of Councillors Simon Croce and Christine Stead that:</p> <p>(a) Council approves the acquisition of Crown Land, Lot 103 DP 751730, for road</p>	<b>25/11/2022:</b> Application and all required documentation forwarded to the Director-General Department of Local Government for Ministers approval to

**OUTSTANDING ACTION REPORT**  
**OUTSTANDING ACTION REPORT – COMPLETION BY OTHER AGENCIES PENDING**

					<p>widening purposes under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.</p> <p>(b) Council make an application to the Minister and/or Governor of the Local Government Act 1993 for approval to acquire Crown Land Lot 103 DP 751730 (excluding minerals), by compulsory acquisition process under Section 177(1) of the Roads Act 1993.</p> <p>(c) Council continue to negotiate with Department of Planning &amp; Environment – Crown Lands 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) Council delegate authority to the General Manager to execute all documents on behalf of Council under the Common Seal if required.</p>	acquire Crown Land Lot 103 DP 751730.
--	--	--	--	--	---	---------------------------------------

**OUTSTANDING ACTION REPORT**  
**OUTSTANDING ACTION REPORT – COMPLETION BY OTHER AGENCIES PENDING**

					<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) 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>	
22 November 2022	<b>NOTICE OF MOTION - MURRUMBIDGEE REGIONAL HIGH SCHOOL</b>	GM	125682	22/311	RESOLVED on the motion of Councillors Jenny Ellis and Anne Napoli that Griffith City Council invite the Minister for Education to meet with Council and the Griffith Community regarding the future of Murrumbidgee Regional High School.	<b>03/01/2023:</b> Letter written to Minister for Education.
24 January 2023	<b>CL03 DRAFT PLAN OF MANAGEMENT - VILLAGE OF YENDA CROWN RESERVES</b>	CPO	127986	23/014	<p><b>RESOLVED</b> on the motion of Councillors Laurie Testoni and Manjit Singh Lally that:</p> <p>(a) Council refer the Draft Plan of Management for Village of Yenda Crown Reserves being Crown Reserves 62949 (Lot 701 DP 1030376), 61951, 63981, 65511 (Lot 881 DP 751728), 159006 (Lot 1241 P 821503) and 240000 (Lot 21-25 DP 44498) to the Minister administering the Crown Land Management Act 2016 for approval.</p> <p>(b) Upon approval of the Minister administering the Crown Land</p>	<b>30/1/2023:</b> The Draft Plan of Management was referred to the Crown for Ministers approval to place on public exhibition.

**OUTSTANDING ACTION REPORT**  
**OUTSTANDING ACTION REPORT – COMPLETION BY OTHER AGENCIES PENDING**

					<p>Management Act 2016 Council amends the Draft Plan of Management for Village of Yenda Crown Reserves if required, and place 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 Yenda Crown Reserves on completion of the exhibition period, to consider all submissions.</p>	
14 June 2022	<b>CL05 DRAFT PLAN OF MANAGEMENT - SCENIC HILL ZONE 2 - PIONEER PARK</b>	CPO	118591	22/149	<p><b>RESOLVED</b> on the motion of Councillors Anne Napoli and Glen Andreazza that:</p> <p>(a) Council refer the Draft Plan of Management for Scenic Hill Zone 2 – Pioneer Park being Crown Reserves 87129 (part Lot 7012 DP 1024031) and 87945 (Lot 1347 DP 751709) to the Minister administering the Crown Land Management Act 2016 for approval.</p> <p>(b) Upon approval from the Minister administering the Crown Land Management Act 2016 Council amends the Draft Plan of Management for Scenic Hill Zone 2 – Pioneer Park if required, and place it on public exhibition as per</p>	<b>16/06/2022:</b> Draft Plan of Management sent to the Crown seeking approval to place on public exhibition.

**OUTSTANDING ACTION REPORT**  
**OUTSTANDING ACTION REPORT – COMPLETION BY OTHER AGENCIES PENDING**

					<p>Section 38 of the Local Government Act 1993.</p> <p>(c) Native Title advice has been provided.</p> <p>(d) A report be presented to Council to adopt the final Plan of Management for Scenic Hill Zone 2 – Pioneer Park on completion of the exhibition period, to consider all submissions.</p>	
22 February 2022	<b>NOTICE OF MOTION – YOOGALI SHARED BICYCLE PATH</b>	DIO	114000	22/057	<p><b>RESOLVED</b> 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><b>14/03/2022:</b> Funding estimate for Path and Bridge: \$1.4 million.</p> <p>100% funding request submitted to Transport for NSW Active Transport Program.</p> <p><b>16/01/2023:</b> 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>
9 March 2021	<b>CL02 - BENEREMBAH STREET - LIGHTING AND BEAUTIFICATION</b>	DIO	99137	21/081	<p><b>RESOLVED</b> on the motion of Councillors Brian Simpson and Rina Mercuri that Council proceed with the design and installation of 4 street lights in Benerembah Street to a maximum cost of \$60,000 and</p>	<p><b>06/04/2021:</b> Installation of street lights progressing.</p> <p><b>14/04/2021:</b> Quotation received. Design commenced.</p>

**OUTSTANDING ACTION REPORT**  
**OUTSTANDING ACTION REPORT – COMPLETION BY OTHER AGENCIES PENDING**

					commence these works during the current financial year being 2020-2021.	<p><b>20/09/2021:</b> Contractor engaged, awaiting certified design.</p> <p><b>01/11/2021:</b> Certified Design received.</p> <p><b>17/01/2022:</b> Proposed commencement date 7 Feb 2022.</p> <p><b>02/03/2022:</b> Awaiting approval from Essential Energy on modification to trench location due to hard rock being located as per original plans.</p> <p><b>05/05/2022:</b> Approval still pending with Essential Energy.</p> <p><b>05/09/2022:</b> Approval received. Works commenced.</p> <p><b>16/01/2023:</b> Footings poured.</p> <p><b>20/02/2023:</b> Poles have been stood and will be energised end of March.</p>
--	--	--	--	--	---	--