



## Ordinary Meeting

# BUSINESS PAPER

**Tuesday, 23 April 2024 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)  
Anne Napoli (Deputy Mayor)  
Glen Andreazza  
Shari Blumer  
Simon Croce  
Jenny Ellis  
Manjit Singh Lally  
Melissa Marin  
Christine Stead  
Christopher Sutton  
Laurie Testoni  
Dino Zappacosta

[dcurran@griffith.com.au](mailto:dcurran@griffith.com.au)  
[anapoli@griffith.com.au](mailto:anapoli@griffith.com.au)  
[gandreazza@griffith.com.au](mailto:gandreazza@griffith.com.au)  
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[cstead@griffith.com.au](mailto:cstead@griffith.com.au)  
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[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  
Acting Director Business, Cultural & Financial Services  
Director Infrastructure and Operations  
Director Sustainable Development  
Director Utilities

Brett Stonestreet  
Shireen Donaldson  
Max Turner  
Phil King  
Bruce Gibbs  
Graham Gordon

## Economic & Organisational Development

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

Leanne Austin  
Vacant  
Annie Featherstone  
Mike Gaze  
Mirella Guidolin  
Joanne Savage  
Jeanette Franco  
Melissa Canzian

## Business, Cultural & Financial Services

Finance Manager  
Asset Management Coordinator  
Acting Library Manager  
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  
Animal Control and Parking Compliance Coordinator  
Environment & Public Health Coordinator  
Corporate Property Officer & Native Title Coordinator  
Building Certification Coordinator  
Airport Facility Coordinator

Carel Potgieter  
Kerry Rourke  
Patterson Ngwira  
Peter Badenhorst  
Melanie Vella  
Karin Penninga  
Vanessa Johns  
Amanda Vardanega  
Royce Johns  
Graham Slingsby

## Utilities

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

Joe Rizzo  
John Roser  
Durgananda Chaudhary

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**ORDINARY MEETING OF GRIFFITH CITY COUNCIL  
TO BE HELD IN GRIFFITH CITY COUNCIL CHAMBERS ON  
TUESDAY, 23 APRIL 2024 AT 7:00 PM**

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### MEETING NOTICE

Notice is hereby given that an Ordinary Meeting of Council will be held in the Griffith City Council Chambers on **Tuesday, 23 April 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
  - 7 Mayoral Minutes
  - 8 General Manager's Report
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- |      |     |   |
|------|-----|---|
| CL01 | p20 | Endorsement of Modern Slavery Policy  |
| CL02 | p22 | Endorsement of Council's Data Breach Policy   |
| CL03 | p30 | Draft Plan of Management - Miscellaneous Crown Reserves   |
| CL04 | p33 | Renewal of Lease - Crown Reserve 86945 to St Vincent de Paul Society NSW, 97-99 Banna Avenue GRIFFITH |

- CL05          p38      Draft Plan of Management - Bagtown Cemetery
- CL06          p90      Renewal - Licence Agreement - Griffith Leagues Club - E.W Moore Oval, 1-25 Coolah Street, Griffith
- CL07          p97      Employment Lands Strategy Endorsement
- 9              Information Reports
- CL08          p101     Investments as at 29 February 2024
- 10             Adoption of Committee Minutes
  - p111      Minutes of the Disability Inclusion & Access Committee Meeting held on 3 April 2024
  - p114      Minutes of the Lake Wyangan & Catchment Management Committee Meeting held on 11 April 2024
- 11             Business with Notice – Rescission Motions
- 12             Business with Notice – Other Motions
- 13             Outstanding Action Report
  - p117      Outstanding Action Report
- 14             Matters to be dealt with by Closed Council
- CC01           Tender No. 11-23/24 - Supply and Install eID tagging system at GCC Saleyard
  - 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**

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**ORDINARY MEETING OF GRIFFITH CITY COUNCIL  
HELD IN GRIFFITH CITY COUNCIL CHAMBERS ON  
TUESDAY, 9 APRIL 2024 COMMENCING AT 7:00 PM**

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**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, Chris Sutton, Laurie Testoni and Dino Zappacosta

**STAFF**

Acting General Manager & Director Economic & Organisational Development, Shireen Donaldson, Director Utilities, Graham Gordon, Director Sustainable Development, Bruce Gibbs, Works Manager – Construction, Shree Shrestha and Minute Taker, Joanne Bollen

**MEDIA**

Allan Wilson, The Area News

**1 COUNCIL ACKNOWLEDGEMENTS**

The Meeting opened with Councillor Anne Napoli 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**

24/094

**RESOLVED** on the motion of Councillors Glen Andreazza and Jenny Ellis that apologies be received from General Manager, Brett Stonestreet, Director Infrastructure & Operations, Phil King and Acting Director Business, Cultural, Financial Services, Max Turner, 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 Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

Against

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



### **3 CONFIRMATION OF MINUTES**

24/095

**RESOLVED** on the motion of Councillors Christine Stead and Laurie Testoni that the minutes of the Ordinary Meeting of Council held in Griffith City Council Chambers on 26 March 2024, 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 Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

Against

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

### **4 BUSINESS ARISING**

#### **Notice of Motion**

Councillor Christine Stead enquired if staff had contacted the Multicultural Council of Griffith to advise them of the Council resolution regarding Council's support for a six month rental at the Griffith Community Centre. Director Donaldson advised that she contacted them the day following the Council Meeting.

### **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 Laurie Testoni

CL03 DA 105/2023 Section 8.2 Review of Determination – Refusal of Secondary Dwelling Reason – A family member and business associate has a business next to the property in question.

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

There were no significant non-pecuniary interests declared.

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

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

Councillor Dino Zappacosta  
CL01 DA 280/2023 – Three (3) Lot Large Lot Residential Subdivision  
Reason – I have spoken to the applicant.

Councillor Christine Stead  
CL03 DA 105/2023 Section 8.2 Review of Determination – Refusal of Secondary Dwelling  
Reason – I have spoken to Mr Alan Bennett regarding the DA 105/2023.

Councillor Melissa Marin  
CL03 DA 105/2023 Section 8.2 Review of Determination – Refusal of Secondary Dwelling  
Reason – One of the objectors has made contact with me.

Councillor Dino Zappacosta  
CL03 DA 105/2023 Section 8.2 Review of Determination – Refusal of Secondary Dwelling  
Reason – I own several businesses in Hanwood.

Councillor Glen Andreazza  
CL03 DA 105/2023 Section 8.2 Review of Determination – Refusal of Secondary Dwelling  
Reason – I have been contacted by a resident from Hanwood regarding this DA.

Councillor Anne Napoli  
CL03 DA 105/2023 Section 8.2 Review of Determination – Refusal of Secondary Dwelling  
Reason – I have received emails from rate payers in regards to this DA.

## **6 PRESENTATIONS**

Nil

## **7 MAYORAL MINUTES**

Nil

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

### **CL01 DA 280/2023 - THREE (3) LOT LARGE LOT RESIDENTIAL SUBDIVISION**

24/096

**RESOLVED** on the motion of Councillors Glen Andreazza and Christine Stead that the meeting suspend standing orders to allow Anthony Violi to address Council.

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 Chris Sutton	
Councillor Laurie Testoni	
Councillor Dino Zappacosta	

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

24/097

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

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 Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

Against

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

24/098

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

- (a) Council, as the consent authority pursuant to Section 4.16(1)(a) of the Environmental Planning & Assessment Act 1979 grant consent to permit a three (3) Lot Torrens Title subdivision at 236 Boorga Road Lake Wyangan subject to conditions, including those set out provided in Attachment A, as well as the removal of the buffer on Lot 16.
- (b) Development Application 280/2023 be delegated to the Director of Sustainable Development for the preparation and issue of the Notice of Determination.

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

For

Councillor 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 Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

Against

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

**CL02 DA 281/2023 - THREE (3) LOT LARGE LOT RESIDENTIAL SUBDIVISION**

24/099

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

- (a) Council, as the consent authority pursuant to Section 4.16(1)(a) of the Environmental Planning & Assessment Act 1979 grant consent to permit a three (3) Lot Torrens Title subdivision, at Lot 4 DP 1281086 Boorga Road Lake Wyangan subject to conditions, including those set out provided in Attachment A.
- (b) Development Application 281/2023 be delegated to the Director of Sustainable Development for the preparation and issue of the Notice of Determination.

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

For

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 Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

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

*Councillor Laurie Testoni left the room having declared a Pecuniary Conflict of Interest, the time being 7:18pm.*

### **CL03 DA 105/2023 - SECTION 8.2 REVIEW OF DETERMINATION - REFUSAL OF SECONDARY DWELLING**

24/100

**RESOLVED** on the motion of Councillors Christine Stead and Glen Andreazza that the meeting suspend standing orders to allow Christopher Essex, Gregory Salvestro and Allan Bennett to address Council.

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 Chris Sutton  
Councillor Dino Zappacosta

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

24/101

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

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 Chris Sutton  
Councillor Dino Zappacosta

Against

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

24/102

**RESOLVED** on the motion of Councillors Christine Stead and Glen Andreazza that the meeting suspend standing orders to allow Chris Essex to address Council.

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 Chris Sutton  
Councillor Dino Zappacosta

Against

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

24/103

**RESOLVED** on the motion of Councillors Glen Andreazza and Chris Sutton that the meeting resume standing orders.

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 Chris Sutton  
Councillor Dino Zappacosta

Against

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



24/104

**RESOLVED** on the motion of Councillors Dino Zappacosta and Simon Croce that:

- (a) Griffith City Council approve the original Development Application, as submitted by Mr Essex, subject to inclusion of a 27,500 litre tank mitigation.
- (b) Griffith City Council address and provide a report regarding rectification of the pump in Sangster Crescent.

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

For

Against

Councillor 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 Chris Sutton  
Councillor Dino Zappacosta

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

*Councillor Laurie Testoni returned to the meeting, the time being 7:53pm.*

**CL04 ADOPTION - PLAN OF MANAGEMENT - SCENIC HILL - ZONE 3 - NATURAL AREAS**

24/105

**RESOLVED** on the motion of Councillors Jenny Ellis and Simon Croce that:

- (a) Council adopts the Plan of Management – Scenic Hill - Zone 3 – Natural Areas pursuant to Section 40 of the Local Government Act 1993 and in accordance with Section 3.23(6) of the Crown Land Management Act 2016.
- (b) Council gives public notice of the adoption of the Plan of Management for Scenic Hill – Zone 3 – Natural Areas.

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 Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

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

**CL05 LICENCE AGREEMENT RENEWAL - PETER ROSSITER - CAR PARKING**

24/106

**RESOLVED** on the motion of Councillors Chris Sutton and Melissa Marin that:

- (a) Council enters into a licence agreement with Peter Rossiter for 6 car parking spaces located on Council's Road reserve adjoining 46 Willandra Avenue, Griffith for a term of 5 years (expires 31 December 2028).
- (b) Peter Rossiter 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 licence fee be charged in accordance with Council's adopted Revenue Policy, currently \$62.00 per car space for the 2023/2024 financial year and on each anniversary thereafter the annual licence fee to be charged in accordance with Council's adopted Revenue Policy in addition to rates and charges.
- (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 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 Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

Against

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

**CL06 LICENCE AGREEMENT RENEWAL - LEO FRANCO MOTORS PTY LTD - CAR PARKING**

24/107

**RESOLVED** on the motion of Councillors Glen Andreazza and Anne Napoli that:

- (a) Council enters into a licence agreement with Leo Franco Motors Pty Ltd for 3 car park spaces on the road reserve adjoining Lot 34 Section 3 DP 758476, Yambil Street, Griffith for a term of 5 years (expires 31 January 2029).
- (b) Leo Franco Motors Pty Ltd 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 licence fee be charged in accordance with Council's adopted Revenue Policy, currently \$62.00 per car space for the 2023/2024 financial year and on each anniversary thereafter the annual licence fee to be charged in accordance with Council's adopted Revenue Policy in addition to rates and charges.
- (d) Council authorises the Mayor and General Manager to execute the licence agreement on behalf of Council under the Common Seal.

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 Chris Sutton	
Councillor Laurie Testoni	
Councillor Dino Zappacosta	

The division was declared PASSED by 12 votes to 0.

#### **CL07 MURRAY DARLING ASSOCIATION ANNUAL CONFERENCE AND AGM 2024**

24/108

**RESOLVED** on the motion of Councillors Glen Andreazza and Dino Zappacosta that Council be represented at the 2024 Murray Darling Association Annual Conference and AGM in Tamworth from 8 – 11 July 2024 by the Mayor (or delegate) and one other Councillor Shari Blumer. Expenses to attend the Conference be paid by Council in accordance with the 'Councillors Payment of Expenses and Provision of Facilities' policy.

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 Chris Sutton	
Councillor Laurie Testoni	
Councillor Dino Zappacosta	

The division was declared PASSED by 12 votes to 0.

#### **9 INFORMATION REPORTS**

Nil

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

##### **MINUTES OF THE GRIFFITH PIONEER PARK MUSEUM COMMITTEE MEETING HELD ON 18 MARCH 2024**

24/109

**RESOLVED** on the motion of Councillors Laurie Testoni and Glen Andreazza that the recommendations as detailed in the Minutes of the Griffith Pioneer Park Museum Committee meeting held on 18 March 2024 be adopted.

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 Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

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

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

Nil

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

Nil

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

24/110

**RESOLVED** on the motion of Councillors Glen Andreazza and Manjit Singh Lally 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 Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

Against

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

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

Nil

There being no further business the meeting terminated at 8:08pm.

Confirmed: .....

CHAIRPERSON

**CLAUSE**      **CL01**

**TITLE**        **Endorsement of Modern Slavery Policy**

**FROM**        **Leanne Austin, Governance Manager**

**TRIM REF**    **24/30403**

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### **SUMMARY**

The *Modern Slavery Act 2018* (NSW) (the MSA) created new obligations for councils under the Local Government Act 1993 (the LG Act) relating to modern slavery. Local councils are required to take reasonable steps to ensure that the goods and services they procure are not the product of modern slavery and to report on those steps.

The NSW Anti-Slavery Commissioner (the Commissioner) has issued guidance on reasonable steps to manage modern slavery risks in operations and supply chains. Council's had the option to purchase a suite of documents to manage anti-slavery requirements for \$800 from the Anti-Slavery Commissioner. These documents were purchased by Riverina and Murray Joint Organisation (RAMJO). The Guidance on Reasonable Steps (GRS) became operative on 1 January 2024.

The Guidance on Reasonable Steps states that councils must develop and adopt a Modern Slavery Policy. A draft Modern Slavery Policy is attached to this report for Council's consideration.

### **RECOMMENDATION**

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

### **REPORT**

The Modern Slavery Act 2018 (NSW) introduced new responsibilities for councils under the Local Government Act 1993 in connection to modern slavery. Local councils must now undertake reasonable measures to guarantee that the goods and services they acquire are free from any association with modern slavery, and they are obligated to provide reports detailing these measures.

Councils are obligated to include specific information in their annual reports, as outlined by the Commissioner. This includes a statement on actions taken in response to significant issues raised by the Commissioner regarding council operations and steps taken to ensure



that goods and services procured were not the product of modern slavery, following the Modern Slavery Act (MSA) definition.

Councils are encouraged to utilise the Guidance on Reasonable Steps, including the provided annual reporting template, for guidance in their reporting.

Starting January 1, 2024, councils are required to report annually in two ways:

- by including relevant information in their formal annual reports and
- by using the online GRS Annual Reporting Form.

Additionally, the Guidance on Reasonable Steps introduces transactional reporting for specific procurements.

From July 1, 2024, councils must file an online report with the Office of the Anti-Slavery Commissioner within 45 days of a contract's commencement resulting from a 'heightened' modern slavery due diligence procurement process and with a value of AUD \$150,000 or more.

The Commissioner will monitor compliance within the local government sector and maintain a register that may identify non-compliant entities, along with any other relevant information deemed appropriate by the Commissioner.

The Auditor-General has the authority to conduct risk-based audits to assess agencies' efforts in preventing modern slavery in procured goods and services.

The expectation is that the Guidance on Reasonable Steps will be incorporated within current procurement policy frameworks by being included in the Office of Local Government's Procurement Guidelines (the Procurement Guidelines). These guidelines, mandated by section 23A of the Local Government Act (LGA), are to be considered by Councils when carrying out their functions.

The GRS states that Councils must develop and adopt a formal Modern Slavery Policy by 30 June 2024.

## **ATTACHMENTS**

- (a) Draft Modern Slavery Policy (GOV-CP-318) (under separate cover) ➡
- (b) Guidance on Reasonable Steps (under separate cover) ➡
- (c) OLG Circular 22-09 - Council's obligations under the Modern Slavery Act 2018 (under separate cover) ➡
- (d) OLG Circular 23-17 - Update on councils' obligations under the Modern Slavery Act 2018 (under separate cover) ➡

**CLAUSE      CL02****TITLE            Endorsement of Council's Data Breach Policy****FROM            Shireen Donaldson, Director Economic & Organisational Development****TRIM REF      24/31796**

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**SUMMARY**

Council's internal Data Breach Policy (GOV-CP-317) has been reviewed to comply with the obligations under the Mandatory Notification of Data Breach (MNDB) Scheme which commenced in NSW on 28 November 2023. The draft policy is presented for Council endorsement.

**RECOMMENDATION**

- (a) Council endorse the draft Data Breach Policy (GOV-CP-317) and place the draft policy on exhibition for a period of 28 days.**
- (b) Should any submissions be received, a report be provided to Council.**
- (c) Should no submissions be received, the Data Breach Policy be considered adopted as at the end date of the public exhibition period.**

**REPORT**

As part of the MNDB Scheme, Council is required to publish a data breach policy, which outlines Council's overall strategy for managing data breaches.

Under the MNDB Scheme, Council is required to comply with the mandatory notification provisions under Part 6A of the Privacy and Personal Information protection Act 1998 (PPIP Act).

Agencies have an obligation to:

- immediately make all reasonable efforts to contain a data breach
- undertake an assessment within 30 days where there are reasonable grounds to suspect there may have been an eligible data breach
- during the assessment period, make all reasonable attempts to mitigate the harm done by the suspected breach
- decide whether a breach is an eligible data breach or there are reasonable grounds to believe the breach is an eligible data breach
- notify the Privacy Commissioner and affected individuals of the eligible data breach
- comply with other data management requirements.

Council has reviewed its internal Data Breach Response Policy in accordance with the requirements of the Information Privacy Commission's Guide to Preparing a Data Breach Policy. The revised policy will be moved to Council's public policy register following adoption.

## **OPTIONS**

### OPTION 1

As per Recommendation.

### OPTION 2

Any other Resolution of Council.

## **POLICY IMPLICATIONS**

This policy has been amended to help Council fulfill its legal responsibilities regarding the compulsory reporting of data breaches as outlined in the *Privacy and Personal Information Protection Act 1998 (PPIP Act)* and the *Privacy Act 1988*.

## **FINANCIAL IMPLICATIONS**

Not Applicable

## **LEGAL/STATUTORY IMPLICATIONS**

The MNDB Scheme impacts the responsibilities of agencies under the *Privacy and Personal Information Protection Act 1998 (PPIP Act)*. It requires agencies to notify the Privacy Commissioner and provide notifications to affected individuals in the event of an eligible data breach of their personal or health information by a NSW public sector agency or state-owned corporation subject to the PPIP Act.

## **ENVIRONMENTAL IMPLICATIONS**

Not Applicable

## **COMMUNITY IMPLICATIONS**

Not Applicable

## **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  
Information Manager  
IT Manager  
Governance Manager

## **ATTACHMENTS**

- (a) Draft Data Breach Policy [📄](#)

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## Data Breach Policy GOV-CP-317 (PUBLIC POLICY)

### 1. Policy History

Revision No.	Consultative/WHS Committee	SMT
1		19/07/2021

### 2. Policy Objective

This Data Breach Policy has been developed to provide transparency regarding Griffith City Council's process for managing Data Breaches of Council Held Information and to assist Council to meet its legal obligations concerning Mandatory Reporting of Data Breaches under the *Privacy and Personal Information Protection Act 1998* (PPIP Act) and Privacy Act.

The objective of this Policy is to outline Council's approach to identifying and managing a Data Breach, including:

- Providing specific examples of incidents considered to constitute a Data Breach.
- Outlining the five essential steps in responding to a Data Breach.
- Addressing the considerations surrounding mandatory or voluntary notification of individuals whose privacy may be affected by a Data Breach. This ensures the Council responds effectively to such incidents.
- Assisting the Council in mitigating potential harm to both the affected individuals and the Council itself.

### 3. Policy Scope

Council's Data Breach Policy applies to all stakeholders, including Councillors, employees, volunteers, and contractors, and encompasses all activities involving the collection and retention of personal or classified information.

Any individual who suspects that a theft, breach or exposure of Griffith City Council protected data or sensitive data has occurred, must immediately provide a description of what occurred to their Manager and Director.

Any Council staff found in violation of this policy may be subject to disciplinary action, up to and including termination of employment. Any third-party partner company found in violation may have their network connection terminated.

Council will implement a training initiative designed to educate employees on the potential risks associated with data breaches and to clarify their roles and responsibilities in identifying, addressing, reporting, and preventing such occurrences.



## Data Breach Policy GOV-CP-317 (PUBLIC POLICY)

### 4. Policy Statement

#### 4.1 What is a data breach?

A data breach occurs when there is a failure that has caused or has the potential to cause unauthorised access to Council data, such as:

- accidental loss or theft of classified material data or equipment on which such data is stored (e.g. loss of paper record, laptop, tablet or mobile phone, compact disk or USB stick);
- unauthorised use, access to, or modification of data or information systems (e.g. sharing of user login details (deliberately or accidentally) to gain unauthorised access or make unauthorised changes to data or information systems);
- unauthorised disclosure or misuse of classified material or personal information (e.g. email sent to an incorrect recipient or document posted to an incorrect address or addressee), or personal information posted onto Council website without consent;
- compromised user account (e.g. accidental disclosure of user login details through phishing);
- failed or successful attempts to gain unauthorised access to Council IT network information or information systems;
- equipment failure;
- malware infection;
- disruption to or denial of IT services.

A data breach most commonly, but not exclusively, results in unauthorised access to, or the unauthorised collection, use, or disclosure of personal information.

Council is committed to maintaining comprehensive records of all Data Breaches, irrespective of severity or containment status. Effective management of data breaches, including appropriate notification where necessary, is crucial for minimizing potential harm to affected individuals or organizations, safeguarding Council's reputation, and mitigating future breaches.

#### 4.2 What is an 'eligible' data breach?

In accordance with the PPIP Act, Council is obligated to notify the Privacy Commissioner and affected individuals of eligible data breaches under the Mandatory Data Breach Notification Scheme.

An eligible data breach is an unauthorised access, disclosure or loss of an individual's personal information which is likely to result in serious harm to the affected individual.





## Data Breach Policy GOV-CP-317 (PUBLIC POLICY)

Determining if a data breach necessitates mandatory reporting obligations involves a dedicated assessment by the Data Breach Response Team, and may also be guided by legal advice.

In assessing seriousness of the breach, the Data Breach Response Team will consider:

- the type of data that has been breached;
- the data context;
- the risk of individuals being identified;
- the circumstances of the breach.

Council's *Data Breach Response Plan* outlines a process to assess eligibility and seriousness so that a risk threshold can be applied to data breach protocols.

### 4.3 Potential Impacts of a data breach

The impact of a data breach depends on the nature and extent of the breach and the type of information that has been compromised. Some breaches may involve only one or two people while others may affect hundreds or thousands. Larger breaches expose a wider group of people and could require considerable notification and remediation activities. However, it is not only the initial size of the breach that determines its impact. If there is a breach of sensitive or confidential information, reputational and financial harm can occur to both Council and staff.

Serious impacts of a data breach could include:

- risk to individuals' safety;
- financial loss to an individual or organisation;
- damage to personal reputation or position;
- loss of public trust in Council and/or the services it provides;
- commercial risk through disclosure of commercially sensitive information to third parties;
- threat to Council's systems, impacting the capacity to provide services;
- impact on reputation, finances, interests or operation.

Breaches of personal data can result in significant harm, including people having their identities stolen or the private home addresses of protected or vulnerable people being disclosed. In some circumstances, this can expose an individual to a significant risk of harm. As such, even a breach affecting a small number of people may have a large impact.

### 4.4 Responding to a data breach

The immediate actions taken once a data breach is suspected or identified are crucial in minimising the harm that the data breach could cause. This process will be managed by the Data Breach Response Team, which includes Executive decision makers, information management and technology/security, the Privacy Officer and Communication staff.



## Data Breach Policy GOV-CP-317 (PUBLIC POLICY)

The below actions will be undertaken in response to an identified data breach when it occurs:

1. **Report** – Any Council Officer who suspects that a data breach has occurred must immediately provide a description to their Manager and Director.
2. **Contain** – All necessary steps possible should be taken to contain the breach and minimise any resulting damage.
3. **Evaluate** – Assess the type of data involved in the breach, and the risks associated with the breach within 30 days, to determine if there are reasonable grounds to believe that an eligible data breach has occurred. Consider the type of data breach, who is affected, what caused the breach, and what are the specific risks that could follow.
4. **Notify** – If on assessment an eligible data breach has occurred, Council will:
  - Notify the NSW Privacy Commissioner and each affected individual
  - Issue a public notification on Council's website where notifying each affected individual is not practicable
  - In instances where Data Breaches involve other public agencies, the General Manager (or delegate) will directly engage with the affected agencies to address any notification requirements for Mandatory Reporting Data Breaches.
  - Notify the OAIC if a Commonwealth Notifiable Data Breach has been identified.
  - Council may consider voluntary data breach notification to the IPC for non-eligible data breaches.
5. **Act** – Take all reasonable steps to mitigate the harm done by the suspected breach.
6. **Prevent** – Put into action preventative efforts, based on the type and seriousness of the breach. This may include a security audit of both physical and technical security controls, a review of policies and procedures, a review of employee training practices or a review of contractual obligations with contracted service providers. If the breach has been reported to the Privacy Commissioner, further preventative and remedial actions may be recommended subsequent to the Privacy Commissioner's assessment.
7. **Record** – Details of the Data Breach incident are to be recorded in Council's Legislative Compliance & Data Breach Register – Record No: 19/35743. Eligible data breaches for which public notifications have been issued will be published in a public notification register on Council's website.

## 5. Review

Regular reviews, testing, and updates will be conducted for this Policy, following Council's established policy review procedures or prompted by evolving best practices and legislative changes.



## Data Breach Policy GOV-CP-317 (PUBLIC POLICY)

### 6. Definitions

<b>Affected Individual</b>	Means an “affected individual” as defined in the PPIP Act.
<b>Commonwealth Notifiable Data Breach</b>	Means an “eligible data breach” as defined in the Privacy Act.
<b>Council Officer</b>	Means any officer or employee of Council.
<b>Data Breach</b>	A data breach occurs when personal, commercially sensitive or confidential information held by Council is lost or subjected to unauthorised access, modification, disclosure, or other misuse or interference.
<b>Data Breach Response Plan</b>	A framework which sets out the roles and responsibilities for managing an appropriate response to a data breach as well as describing the steps to be taken by Council in managing a breach if one occurs.
<b>Data Breach Response Team</b>	Nominated Council personnel who are responsible for ensuring that a data breach is managed appropriately.
<b>Eligible data breach</b>	Occurs when there is unauthorised access to, or disclosure of, information, and a reasonable person would conclude that the access or disclosure would likely result in serious harm to any individuals to whom the information relates. Information is lost in circumstances where unauthorised access to, or unauthorised disclosure of, information is likely to occur and, if it did occur, a reasonable person would conclude that the access or disclosure would be likely to result in serious harm to any individual to whom the information relates.
<b>Personal Information</b>	Personal information means any information from which a living individual may be uniquely and reliably identified, including an individual’s name, Tax File Number (TFN), Medicare number, medical or healthcare data, driver’s licence number or associated card information, credit/debit card number, access PIN or Password that would provide access to that individual’s financial account or any other non-public personal information
<b>Reasonable person</b>	A phrase frequently used in Tort and Criminal law to denote a hypothetical person in society who exercises average care, skill and judgement in conduct and who serves as a comparative standard for determining liability. Judges since the 19 <sup>th</sup> Century have named the reasonable man as ‘the man on the Clapham omnibus’. In Australia, NSW courts modified it to “the man on the Bondi tram”.
<b>Serious harm</b>	Serious physical, psychological, emotional, economic and financial harm, as well as serious harm to reputation and other



## Data Breach Policy GOV-CP-317 (PUBLIC POLICY)

	forms of serious harm that a reasonable person in the entity's position would identify as a possible outcome of the data breach.
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### 7. Exceptions

Nil

### 8. Legislation

Griffith City Council is subject to the provisions of the Local Government Act 1993, Privacy and Personal Information Protection Act 1998 (NSW) (PPIP Act), Government Information (Public Access) Act 2009 (NSW) GIPA Act and State Records Act 1998 (NSW).

In accordance with the *Privacy and Personal Information Protection Act 1998 (NSW)*, Council is obligated to notify the Privacy Commissioner and affected individuals of eligible data breaches under the Mandatory Data Breach Notification Scheme (MDBN scheme) from 28 November 2023.

Under the legislation, Council must also publish this policy on its website, along with a data breach incident public notification register.

Under the PPIP Act there are legal obligations which Council must abide by when they collect, store, use or disclose personal information. As exemptions may apply in some instances, it is recommended that staff contact Council's Privacy Officer for further advice.

### 9. Related Documents

The *Data Breach Response Plan* (GOV-PR-301) is the key document providing Council staff with clear instruction and processes in order to contain, assess and respond to data breaches in a timely fashion and to help mitigate potential harm to affected individuals.

Other related documents:

(GOV-CP-602) Privacy Policy – Handling of Personal Information

Council's Privacy Management Plan

Legislative Compliance & Data Breach Register

New Public Notification Register

### 10. Directorate

Economic & Organisational Development

<b>CLAUSE</b>	<b>CL03</b>
<b>TITLE</b>	<b>Draft Plan of Management - Miscellaneous Crown Reserves</b>
<b>FROM</b>	<b>Amanda Vardanega, Corporate Property Officer &amp; Native Title Coordinator</b>
<b>TRIM REF</b>	<b>24/42050</b>

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### **SUMMARY**

A Draft Plan of Management (PoM) has been completed for the Miscellaneous Crown Reserves to meet the requirements of the Crown Land Management Act 2016 (CLM Act) and the Local Government Act 1993 (LG Act).

This report is requesting the Draft PoM be referred to the Minister administering the CLM Act 2016 for approval to be placed on public exhibition.

### **RECOMMENDATION**

- (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.**
- (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.**
- (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.**

### **REPORT**

Council has prepared a Draft Plan of Management (PoM) for Miscellaneous Crown Reserves to meet the requirements within the Crown Land Management Act 2016 (CLM Act) and the Local Government Act 1993 (LG Act).

The land is classified as ‘community land’ and the LG Act requires that a PoM is prepared for all community land.

The PoM is inclusive of 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).

The Crown Reserves in this PoM are categorised as ‘Sportsground’ Kart Club - Reserve 64662 (Lot 96 DP 756035), ‘Park’ Wumbulgal Recreation Reserve – Reserve 64911 (Lot

106 DP 751679), ‘General Community Use’ Rankins Springs Camping Area – Reserve 65432 (Lot 7003 DP 1001194) and ‘Sportsground’ Dave Wallace Range – Reserve 1003005 (Lot 2 DP 48802). The initial categorisation of the Crown Reserves was approved by the Minister administering the CLM Act.

Council continues to manage the Miscellaneous Crown Reserves of the Kart Club, Wumbulgal Recreation Reserve, Rankins Springs Camping Area and Dave Wallace Range as the appointed Council Crown Land Manager.

The Draft PoM of Miscellaneous Crown Reserves is to be referred to the Minister administering the CLM Act 2016 for approval to place on public exhibition.

All PoM must be compliant with the statutory requirements of the Native Title Act 1993, prescribed by both the CLM Act and the LG Act. Council cannot adopt a PoM until it has obtained written advice from a qualified native title manager that the PoM complies with applicable provisions of Commonwealth Native Title legislation.

Native Title consideration was included throughout the drafting of the PoM. The adoption of the PoM Miscellaneous Crown Reserves authorises continued use of the lands for Park, Sportsground and General Community Use and for any development that may accord with such use in the future and as prescribed in Attachment (b)). The adoption of the PoM does not authorise additional use of the land other than as prescribed in the initial notification of the Reserves at the time.

## **OPTIONS**

### **OPTION 1**

As per the Recommendation.

### **OPTION 2**

Any other resolution of Council.

## **POLICY IMPLICATIONS**

Not Applicable

## **FINANCIAL IMPLICATIONS**

Council initially received funding of \$70,036 from the NSW Government through the Plans of Management Funding Support Program in 2019. Council contributed an additional \$60,000 in the 2021/2022 budget and \$30,000 in the 2022/2023 budget with the current balance of approx. \$22,000 available.

## **LEGAL/STATUTORY IMPLICATIONS**

Local Government Act 1993

Local Government (General) Regulation 2021

Crown Land Management Act 2016

Crown Land Management Regulation 2018

## Crown Land Management Amendment (Plan of Management) Regulation 2021

### Native Title Act 1993

#### Subdivision J – Reservations etc.

Section 24JA – Acts covered by this subdivision

### **ENVIRONMENTAL IMPLICATIONS**

Environmental implications were considered in the drafting of the PoM and were part of the development assessment process for past developments on the reserves.

### **COMMUNITY IMPLICATIONS**

The community would expect Council to complete PoM for Crown reserves and Council owned land classified as Community Land, as required.

### **LINK TO STRATEGIC PLAN**

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

### **CONSULTATION**

Senior Management Team

Melva Robb, Consultant

Members of the various organisations that utilise the facilities

### **ATTACHMENTS**

- (a) Draft Plan of Management Miscellaneous Crown Reserves (under separate cover) [⇒](#)
- (b) Native Title Manager Report (under separate cover) [⇒](#)

**CLAUSE CL04****TITLE Renewal of Lease - Crown Reserve 86945 to St Vincent de Paul Society NSW, 97-99 Banna Avenue GRIFFITH****FROM Amanda Vardanega, Corporate Property Officer & Native Title Coordinator****TRIM REF 24/42147**

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**SUMMARY**

The lease agreement with St Vincent de Paul (SVDP) over Lot 18 Sec 48 DP758476, 97-99 Banna Avenue Griffith is now due for renewal, with the lease expiring as of 29 February 2024.

The lessee has been in contact with Council and has now confirmed that they wish to renew the lease of the Reserve with Council for a new term of Ten (10) years with an option to renew of 2 x Ten (10) years as indicated in the email from Nazia Judkins, Regional Property Manager for SVDP of 12 March 2024.

**RECOMMENDATION**

- (a) Council enter into a lease agreement with SVDP Society NSW over Lot 18 Sec 48 DP758476, Crown Reserve 86945, for a new term of Ten (10) years commencing 1 March 2024 with an option to renew of 2 x Ten (10) years.**
- (b) SVDP Society of 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 be charged in accordance with Council's adopted Revenue Policy, currently \$651.00 p/a for the 2023/2024 financial year and on each anniversary thereafter the annual lease fee to be charged in accordance with Council's adopted Revenue Policy, in addition to rates and charges.**
- (d) Council authorises the Mayor and General Manager to execute the lease agreement on behalf of Council under the Common Seal.**

**REPORT**

The lease with SVDP Society NSW over Crown Reserve 86945 – Lot 18 Sec 48 DP758476 expired as at 29 February 2024 after a term of 5 years. SVDP have now requested to renew the lease for a new term of Ten (10) years, with an option to renew of 2 x Ten (10) years. The SVDP Society have a shed on part of the land, which they use for storage.

The lessee made initial inquiries to renew the lease, however, the time has lapsed due to the lessee awaiting on internal approvals to proceed with the lease renewal.

Council is the appointed Crown Land Manager of the reserve with the reserve having a reserve purpose of Urban Services. Located on part of the lot is a Council stormwater pipe.

With the introduction of the Crown Land Management Act 2016 on the 1 July 2018, Council is now able to manage the reserve under the Local Government Act 1993.



The reserve was reclassified as 'operational' land, on approval of the Minister for Lands and Forestry, as part of the initial assigned categorisation of crown reserves under the control of Councils and in line with requirements of the Local Government Act 1993 categorisation of all land.

Although the land has been classified as operational land, the land cannot be sold without further consideration by or consent of the Minister.

Operational land does not require a Plan of Management be prepared for the reserve.

Council is required to validate all activities on crown reserves under their control for compliance with native title legislation.

A native title assessment was completed in accordance with the Native Title Manager Workbook, prepared for Native Title Managers under the Crown Land Management Act 2016.

It is assessed that the issue of a lease to St Vincent de Paul Society NSW satisfies requirements under Subdivision I.

### **OPTIONS**

#### OPTION 1

As per the recommendation

#### OPTION 2

Council may determine an alternate option.

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Annual rental is charged in accordance with Council's adopted Revenue Policy currently \$651 for leases/licences of Crown Reserves and Council owned Reserves to non-profit organisations, plus rates and charges. The lessee is responsible for the payment of legal fees for the preparation of the lease agreement, together with Council's administration fee.

### **LEGAL/STATUTORY IMPLICATIONS**

Local Government Act 1993

Crown Land Management Act 2016 – Section 3.22

Native Title Act 1993

### **ENVIRONMENTAL IMPLICATIONS**

There is considered no environmental issues with entering into a lease agreement for this reserve.

### **COMMUNITY IMPLICATIONS**

The community would expect Council to support organisations such as St Vincent de Paul Society NSW in their endeavours to provide support and assistance to sections of the community suffering financial hardship and other issues, when required.

### **LINK TO STRATEGIC PLAN**

This item links to Council's Strategic Plan item 4.3 Provide and promote accessibility to services.

### **CONSULTATION**

Senior Management Team

### **ATTACHMENTS**

- |     |   |    |
|-----|---|----|
| (a) | Email from Nazia Judkins dated 12 March 2024 <a href="#">↓</a>                    | 36 |
| (b) | Location map - St Vincent De Paul - 97-99 Banna Avenue Griffith <a href="#">↓</a> | 37 |

**Amanda Vardanega**

---

**From:** Nazia Judkins <Nazia.Judkins@vinnies.org.au>  
**Sent:** Tuesday, 12 March 2024 9:20 PM  
**To:** Amanda Vardanega  
**Cc:** Antoinette Galluzzo  
**Subject:** 97-99 Banna Avenue, Griffith - License expiry 29/02/24 - St Vincent's De Paul

Dear Amanda,

Apologies for the incorrect name – I was speaking with an Anna at the time of writing the email. Apologies.

Please note, St Vincent de Paul Society have obtained the necessary internal approvals to proceed with the Lease renewal as per the following;

1. Renew Lease commencing 01/03/2024
2. Term: 10 Years
3. Options: 2x 10 years
4. Commencing rent: \$651.00 + GST per annum
5. Rent Reviews: CPI annually
6. All other terms can remain as is

Please forward a copy of the Lease for our review and execution to our solicitor.

Thank you

Nazia

**From:** Nazia Judkins <Nazia.Judkins@vinnies.org.au>  
**Sent:** Tuesday, March 12, 2024 10:11 AM  
**To:** Amanda Vardanega <Amanda.Vardanega@griffith.nsw.gov.au>  
**Cc:** Antoinette Galluzzo <Antoinette.Galluzzo@griffith.nsw.gov.au>  
**Subject:** RE: Follow-up - FW: 97-99 Banna Avenue, Griffith - License expiry 29/02/24 - St Vincent's De Paul

Dear Anna,

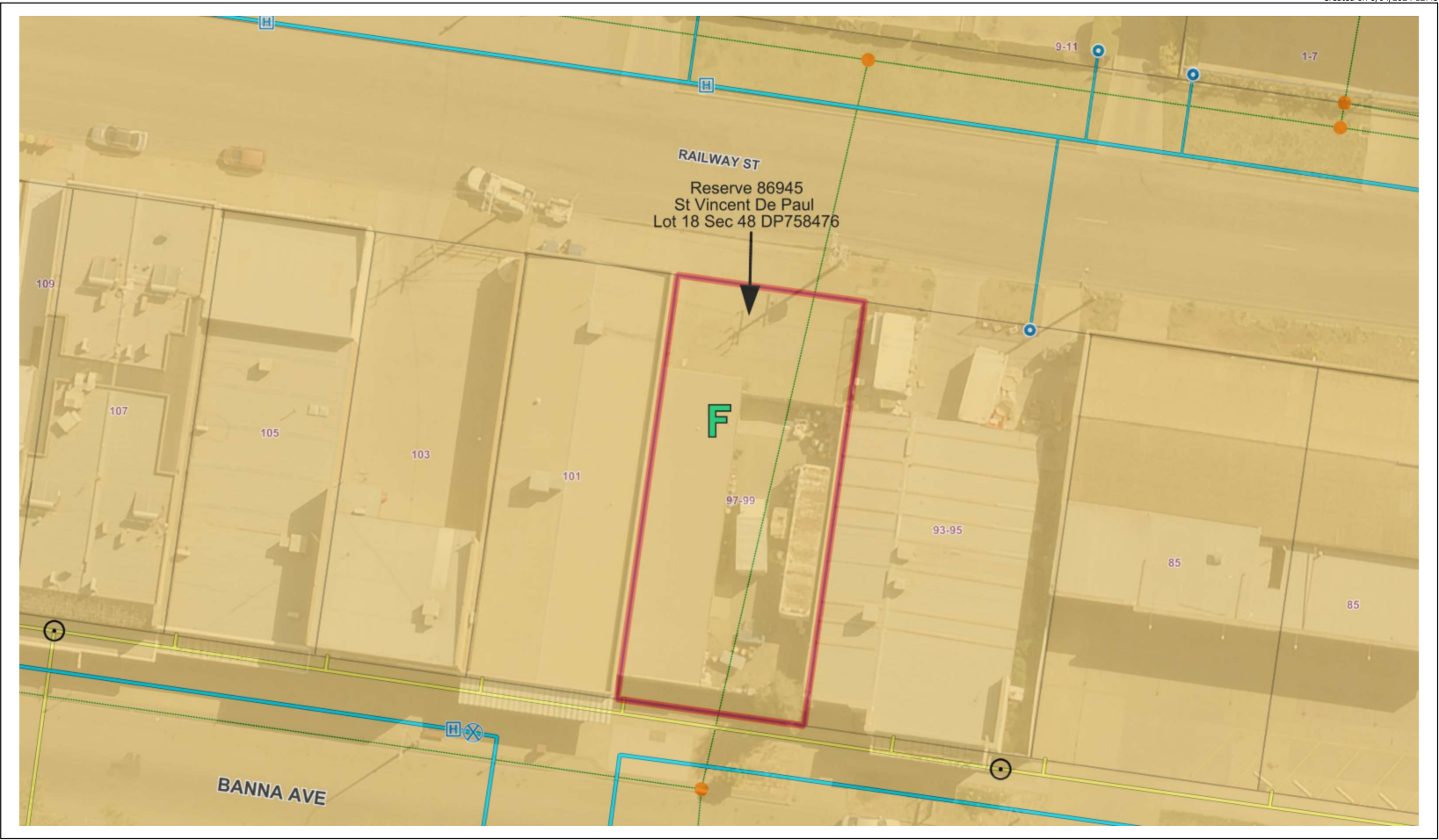
Hope you're well.


Please see contact information attached.

We will come back to you in the next few days regarding moving forward with the lease. Just waiting on Director's sign off.

Thank you for your patience.


**From:** Amanda Vardanega <Amanda.Vardanega@griffith.nsw.gov.au>  
**Sent:** Friday, March 8, 2024 12:25 PM  
**To:** Nazia Judkins <Nazia.Judkins@vinnies.org.au>  
**Cc:** Antoinette Galluzzo <Antoinette.Galluzzo@griffith.nsw.gov.au>  
**Subject:** RE: Follow-up - FW: 97-99 Banna Avenue, Griffith - License expiry 29/02/24 - St Vincent's De Paul





Griffith City Council  
PO Box 445  
1 Benemurrah Street  
GRIFFITH NSW 2680  
Telephone: 1300 376 077  
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.



**Projection:** GDA2020 / MGA zone 55

**Date:** 8/04/2024

**Drawn By:** Amanda Vardanega

**Location Map**

**Map Scale:** 1:414 at A4

<b>CLAUSE</b>	<b>CL05</b>
<b>TITLE</b>	<b>Draft Plan of Management - Bagtown Cemetery</b>
<b>FROM</b>	<b>Amanda Vardanega, Corporate Property Officer &amp; Native Title Coordinator</b>
<b>TRIM REF</b>	<b>24/42589</b>

---

### **SUMMARY**

A Draft Plan of Management (PoM) has been completed for the Bagtown Historic Cemetery to meet the requirements of the Crown Land Management Act 2016 (CLM Act) and the Local Government Act 1993 (LG Act).

This report is requesting the Draft PoM be referred to the Minister administering the CLM Act 2016 for approval to be placed on public exhibition.

### **RECOMMENDATION**

- (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.**

### **REPORT**

Council has prepared a Draft Plan of Management (PoM) for Bagtown Historic Cemetery to meet the requirements within the Crown Land Management Act 2016 (CLM Act) and the Local Government Act 1993 (LG Act).

The land is classified as 'community land' and the LG Act requires that a PoM is prepared for all community land.

The Bagtown Historic Cemetery is categorised as 'Area of Cultural Significance'.

Council continues to maintain the Bagtown Historic Cemetery.

The Draft PoM Bagtown Historic Cemetery is to be referred to the Minister administering the CLM Act 2016 for approval to place the PoM on public exhibition.

All PoM must be compliant with the statutory requirements of the Native Title Act 1993, prescribed by both the CLM Act and the LG Act. Council cannot adopt a PoM until it has

obtained written advice from a qualified native title manager that the PoM complies with applicable provisions of Commonwealth Native Title legislation.

Native title consideration was included throughout the drafting of the PoM. The adoption of the PoM Bagtown Historic Cemetery authorises the Reserve to continue as a socially significant archaeological site of burial of the early residents of Bagtown. The adoption of the PoM does not authorise additional use of the land albeit potential management improvements to the site and should not impair the archaeological features of the site however may improve visitors' knowledge of its significance.

## **OPTIONS**

### **OPTION 1**

As per the Recommendation.

### **OPTION 2**

Any other resolution of Council.

## **POLICY IMPLICATIONS**

Not Applicable

## **FINANCIAL IMPLICATIONS**

Council initially received funding of \$70,036 provided by the NSW Government through the Plans of Management Funding Support Program in 2019. Council contributed an additional \$60,000 in the 2021/22 budget and \$30,000 in the 2022/23 budget with the current balance of approx. \$22,666.

## **LEGAL/STATUTORY IMPLICATIONS**

Local Government Act 1993

Local Government (General) Regulation 2021

Crown Land Management Act 2016

Crown Land Management Regulation 2018

Crown Land Management Amendment (Plan of Management) Regulation 2021

Native Title Act 1993

Subdivision J – Reservations etc.

Section 24JA – Acts covered by this subdivision

## **ENVIRONMENTAL IMPLICATIONS**

Environmental implications were considered in the drafting of the PoM and were part of the development assessment process for past developments on the reserves.

### **COMMUNITY IMPLICATIONS**

The community would expect Council to complete PoM for Crown reserves and Council owned land classified as Community Land, as required.

### **LINK TO STRATEGIC PLAN**

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

### **CONSULTATION**

Senior Management Team

Melva Robb, Consultant

### **ATTACHMENTS**

- |     |   |    |
|-----|---|----|
| (a) | Bagtown Cemetery Plan of Management <a href="#">↓</a> | 41 |
| (b) | Native Title Manager Report <a href="#">↓</a>         | 75 |



## **BAGTOWN HISTORIC CEMETERY**

**CROWN RESERVE 52849**

### **DRAFT PLAN OF MANAGEMENT**



Draft Plan of Management Report prepared by  
Melva Robb  
Consultant  
Griffith City Council  
GRIFFITH NSW 2680

August 2023 (updated April 2024)

Photos by Melva Robb unless otherwise stated

---

GRIFFITH CITY COUNCIL – BAGTOWN HISTORIC  
CEMETERY DRAFT POM

1



<b>RESPONSIBLE OFFICER</b>					
<b>REVIEWED BY:</b>					
<b>DATE ADOPTED:</b>					
<b>RESOLUTION NO: (IF RELEVANT)</b>					
<b>REVIEW DUE DATE:</b>					
<b>REVISION NUMBER</b>					
<b>PREVIOUS VERSIONS:</b>		<b>DESCRIPTION OF AMENDMENTS</b>	<b>AUTHOR/EDITOR</b>	<b>REVIEW/SIGN OFF</b>	<b>MINUTE NO (IF RELEVANT)</b>

Griffith is in the heart of the Wiradjuri Nation – the largest nation of Aboriginal and Torres Strait Islander people in Australia. Griffith City Council recognises Aboriginal people in the history and growth of Griffith and its surrounding villages. As such, Council acknowledges the Wiradjuri people as the traditional owners of the land and pays respect to Wiradjuri Elders past, present and emerging. We recognise and respect their cultural heritage, beliefs and their ongoing relationship with the land for people living today.

Griffith City Council also acknowledges the contribution made to this community by the many and diverse cultural groups that have greatly contributed to the social and economic wealth of this region.

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## 1.0 EXECUTIVE SUMMARY

The Bagtown Cemetery Plan of Management is a stand-alone Plan due to the cultural significance of the site in relation to the origins of settlement and establishment of Griffith in the Mirrool Irrigation Area during the early 1900's.

Although an unofficial Cemetery, it was located near the make-shift town of 'Bagtown' near Hanwood and was a place of burial for sixty-four people between 1912-1921, the origins of which are described further in this Plan.

It is a unique and socially significant site within the broader terms of settlement and development of the area and more particularly, prior to the establishment of Griffith.

Bagtown Cemetery is a Council managed Crown Reserve containing an area of approximately .4215 hectares located between Griffith and Hanwood off Pedley and Bagtown Cemetery Roads.

The area is further described in [Section 2.2 – Land to which this Plan Applies](#) and is shown in Annexure 1 'Map of Reserve' (pg. 31).

This Plan of Management is required to be prepared in accordance with Section 3.23 of the *Crown Land Management Act (CLM) 2016* and Section 36 of the *Local Government (LG) Act 1993*.

This PoM examines the current character and use, together with its relationship to the surrounding lands and community within which it is located. The Plan establishes a clear direction for future resource management of the land by Council.

The Reserve in this PoM is categorised as being: -

- **Bagtown Cemetery (R.52849) – Area of Cultural Significance**

The categorisation of the land is consistent with the Reserve's purpose of 'Preservation of Graves' and the land has been developed accordingly.

## 2.0 Introduction

Griffith City is a thriving regional capital located in the Murrumbidgee Irrigation Area with a vibrant lifestyle and diverse economy; embracing community, heritage, culture and the environment. The estimated population of Griffith City Council in 2020 was 27,155.

Located in the Riverina, Griffith is 584km from Sydney, 458 km from Melbourne and 358km from Canberra; and is the largest regional centre in the Western Riverina region. Griffith is located in the heart of Wiradjuri Nation – the largest nation of Aboriginal and Torres Strait Islander people in Australia.

Griffith City Council is responsible for the care and control of many parcels of community land. With the introduction of the *CLMA 2016* on 1 July 2018, Council will manage the Crown Reserves for which they are the appointed Crown Land Manager under the *LG Act 1993*.

Figure 1 – Locality diagram

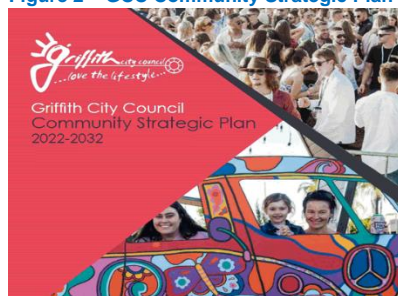


## 2.1 Corporate Objectives

Griffith City Council (GCC) has a positive future being acknowledged as a predominant major regional centre. Council's Mission Statement is –

1. To respond to the needs of the community and deliver in an economical manner those services which are the responsibility of Local Government.
2. To provide Local Government administration that is dedicated, accountable and committed to the improvement of the quality of life and the economic well-being of the citizens of the City of Griffith.

Figure 2 – GCC Community Strategic Plan 2022-2032



The Community Strategic Plan ([Community Strategic Plan 2022-2032](#)) endorsed on 22 March 2022 identifies the community's priorities and aspirations for the future and provides strategies for achieving these goals. The community vision for Griffith, adopted in 2017 is:

"Griffith is a thriving and innovative regional capital with a vibrant lifestyle and diverse economy. We embrace our community, heritage, culture".

The Community Strategic Plan is made up of four themes. The four key themes relevant to this PoM are:

**Figure 3 – Community Strategic Plan – Themes**

- 1. Leadership –**
  - a. Developing an engaged and informed community through the provision of clear, accessible and relevant information; and actively engaging and seeking direction from community and stakeholders.
  - b. Working together to achieve goals by developing and maintaining partnerships with community, government and non-government agencies to benefit our community; maximising opportunities to secure external funding for partnerships, projects and programs; and the Mayor and Councillors who represent the community providing strong and proactive leadership.
  - c. Planning and leading with good governance to undertake Council activities within a clear framework of strategic planning policies, procedures, and service standards; and ensuring Council's financial sustainability through effective, transparent, and accountable financial management.
- 2. Love the Lifestyle –**
  - a. Griffith is a great place to live providing a safer community that encourages inclusivity that celebrates social and cultural diversity; promotes accessibility to services; provides a range of cultural facilities, programs and events; and promotes reconciliation and embraces our Wiradjuri heritage and culture; provides a range of sporting and cultural facilities; and improving the aesthetic of the City and villages by developing quality places and improved public realm.
- 3. Growing our City –**
  - a. Growing our economy through strategic land use planning and management to encourage investment in the region; promotes Griffith as a desirable visitor destination; and supports transport connectivity.
  - b. Providing, renewing and managing a range of quality infrastructure, assets, services and facilities; and mitigating against the impact of natural disasters.
- 4. Valuing our Environment**
  - a. Enhancing the natural and built environment through respectful planning, balanced growth and sustainable design; the delivery of projects to protect and improve biodiversity, biosecurity and sustainability; the protection of heritage buildings and precincts; and improved sustainable land use.
  - b. Using and managing our resources wisely through managing Griffith's water resources responsibly; the reduction of energy consumption and greenhouse gas emissions; the promotion of use of alternative and renewable energy sources; and implementation of programs to improve sustainability.

The 'Community Strategic Plan 2022-2032 document also aligns within the context of State priorities and the Murray Regional Plan, particularly the following Aims: -

1. Develop an engaged and connected community
2. Work together to achieve our goals
3. Ensure Griffith is a great place to live
4. Promote a health and active lifestyle

The Council managed Crown Reserve incorporated in the Bagtown Historic Cemetery Plan of Management (PoM), provides a socially historical context to Griffith and its development following initial struggles through early pioneering years. As the cemetery contains no associated buildings, the area has not been considered in conjunction with the Conrad Gargett '*Cultural Precinct Master Plan*' and associated cultural buildings/areas including the Griffith Tourism Hub; Griffith Library, Griffith Regional Theatre and Pioneer Park Museum. The latter areas have been incorporated in prior POMs.

## 2.2 Land to Which this Plan Applies

This PoM covers one Crown Reserve managed by Griffith City Council as shown in Table 1 below.

The purpose accords with the areas' categorisation of 'Area of Cultural Significance' as shown below.

**Table 1 – Land included in this PoM**

Crown Reserve No.	Name	Purpose	Date of Gazette # Trustee appointment	Lot/DP	Area	Category of Land
52849	Bagtown Cemetery	Preservation of Graves	21 June 1918 # 25 October 1918	Part 731/751709	.4215 ha	Area of Cultural Significance

A plan of Lot 731 DP 751709 is shown at Annexure 2 (pg. 32) which identifies the part that was revoked by way of Gazette dated 7 October 1966. A copy of the Gazette is shown at Annexure 3 (pg. 33).

## 2.3 Owner of the Land

Reserve 52849 (comprising of part Lot 731 DP 751709) is owned by the State of New South Wales (as Crown land) and managed by Griffith City Council as Crown Land Manager in accordance with the *CLMA 2016* as above.

A Trust Board was initially appointed to manage Reserve 52849 in Government Gazette of 25 October 1918. The Trust Board comprised of Messrs. Patrick Joseph Boyle, Michael Sidney Braithwaite, Oliver Edward Hawkins, David Grimmond Stark, and Oscar Francis Weight. Individual member appointment was amended over the years.

The Council of the Shire of Wade was appointed Trust Manager in respect of the Reserve on 21 February 1936 following the resignation of Trust Members at that time, i.e., Messrs. PJ Boyle, MS Braithwaite, OE Hawkins, DG Stark, and MJ Moynahan.

Griffith City Council Crown Reserves Reserve Trust (Griffith City Council) was appointed Trustee of Reserve 52849 on 16 December 1994.

The management and use of Reserve 52849 (Lot 731 DP 751709 – Bagtown Cemetery), is subject to the provisions of the *CLMA 2016*, and is not subject to any condition, restriction or covenant imposed by the owner.

## 2.4 Categorisation of Reserves

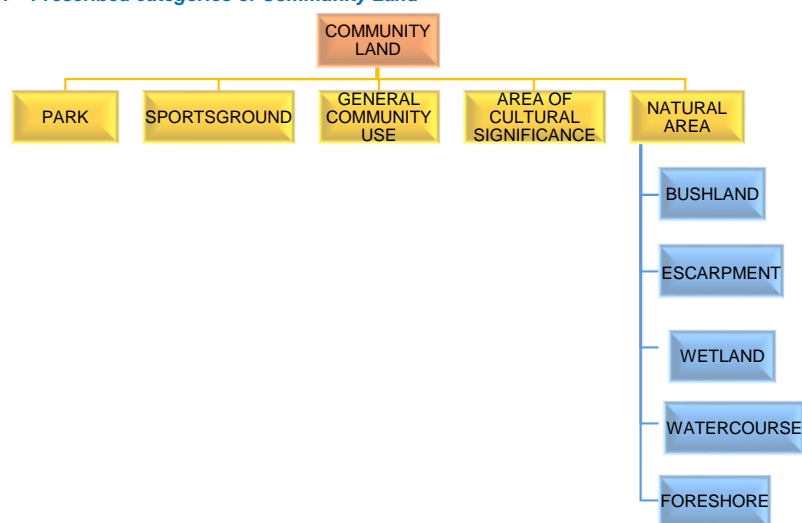
All community land is required to be categorised as one or more of the following categories.

Section 36 of the Local Government Act defines five categories of community land referred to in Figure 4 below and described more broadly as:

- **Park** – for areas primarily used for passive recreation.

- **Sportsground** – for areas where the primary use is for active recreation involving organised sports or the playing of outdoor games.
- **General community use** – for all areas where the primary purpose relates to public recreation and the physical, cultural, social, and intellectual welfare or development of members of the public. This includes venues such as community halls, scout and guide halls, and libraries.
- **Cultural significance** – for areas with Aboriginal, aesthetic, archaeological, historical, technical, research or social significance.
- **Natural area** – for all areas that play an important role in the area's ecology. This category is further subdivided into bushland, escarpment, foreshore, watercourse and wetland categories.

Figure 4 – Prescribed categories of Community Land



With the introduction of the *CLMA 2016*, Council is to manage dedicated or reserved Crown land held under their management control as community land under section 3.21 of the Act.

Under section 3.23(2) of the *CLMA 2016*, Council Crown Land Managers must assign to all Crown land under their management, one or more initial categories of 'Community Land' referred to above. The category is to relate most closely to the purpose(s) for which the land is dedicated or reserved.

For the purpose of section 3.23 of the *CLMA 2016*, the PoM for "Bagtown Historic Cemetery", is a 'first Plan'.

The degree to which the reserve purpose relates to the assigned category of the land is important for ongoing management of the land as Council must obtain Native Title Manager advice as to the validity of the activities that they wish to undertake on the land prior to dealing with the land.

Both the *Aboriginal Land Rights Act (ALR) 1983* and the *Commonwealth Native Title Act (NTA (C'th)) 1993* recognises the intent of the original reserve purpose of the land so that a complying activity can be considered lawful or validated.



On Crown land, Native Title rights and interest must be considered unless:

- Native Title has been extinguished; or
- Native Title has been surrendered; or
- Determined by a court to no longer exist.

Examples of acts which may affect Native title on Crown land reserves managed by Council include: -

- The construction of new buildings and other facilities such as toilet blocks, walking tracks, tennis courts, grandstands and barbeques,
- The construction of extensions to existing buildings,
- The construction of new roads or tracks,
- Installation of infrastructure such as powerlines, sewerage pipes, etc.,
- The issue of a lease or licence,
- The undertaking of earthworks.

Council applied for the categorisation of the Council Managed Crown Reserve being Reserve 52849 - Bagtown Cemetery as **Area of Cultural Significance**.

This category closely relates to the Reserve's purposes of 'Preservation of Graves' and is shown on the map at Annexure 1 (pg. 31).

The category was approved by the Minister administering the *CLMA 2016* in relation to the reserve, and Council does not propose to alter the category by this Plan of Management.

Activities on the Reserves will need to reflect the intent of the public purpose and will be assessed for compliance with relevant Local Government and Crown Lands legislation, including assessment of the activity under the *NTA 1993 (C'th)* and registered claims under the *ALRA 1983*.

## 2.5 Purpose of this Plan of Management

The purpose of this PoM is to:

- Develop a Plan of Management to provide a strategic framework for Council to guide land use and management of community lands contained in the Bagtown Cemetery Plan.
- Meet and contribute to Council's broader strategic goals and objectives as set out in the Community Strategic Plan 2022-2032.
- Ensure that the heritage attributes of the sign are maintained and incorporated in any future 'Heritage Trail' or associated mapping of Heritage Sites in Griffith and surrounding Villages.

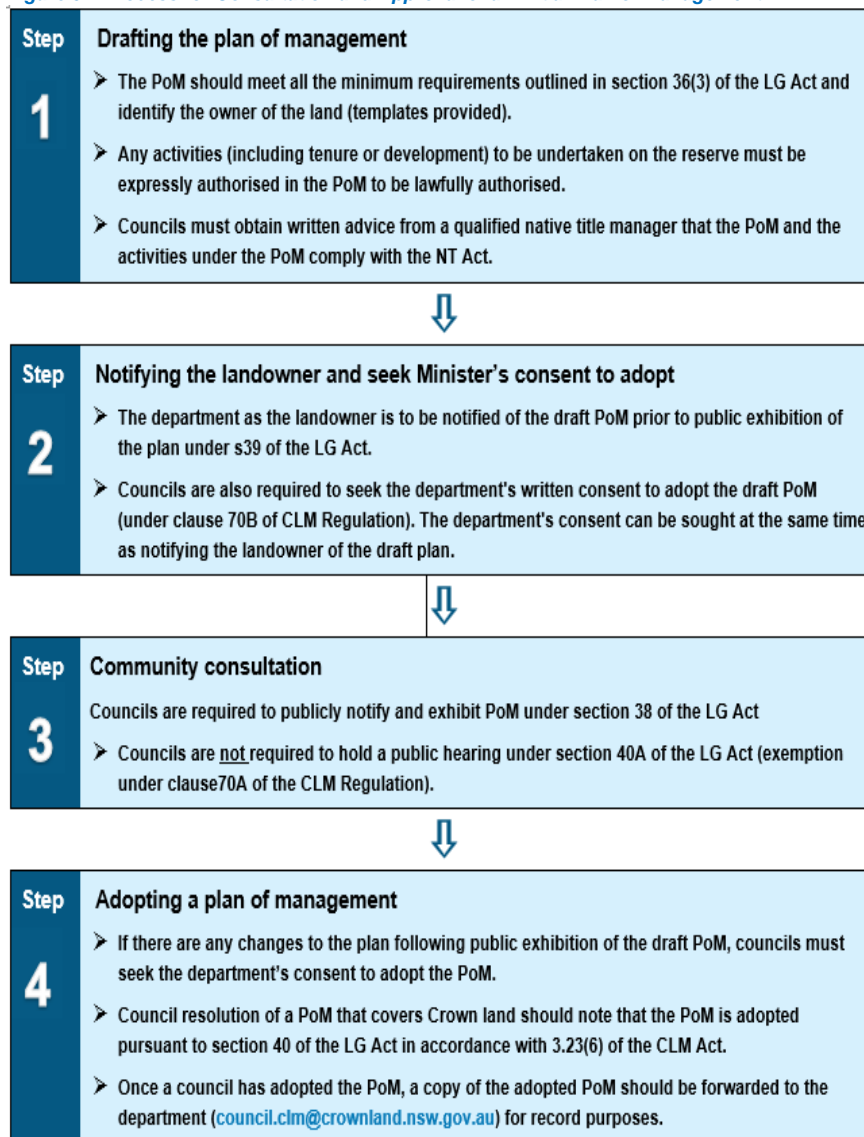
## 2.6 Process of Preparing this Plan of Management

The process for preparing a PoM for Council managed Crown reserves is shown in Figure 5 (below) "***Four key steps when preparing and adopting the first PoM for Crown Reserves***". Council is required to submit the draft PoM to NSW Department of Planning, Housing and Infrastructure (DPH&I) – Crown Lands, as representative of the owner of the land under section 39 of the *LGA 1993*. This process occurs prior to a public exhibition and community consultation of the Plan of Management.

If after public consultation there is no change to the categorisation and no additional purpose is required to be added to the reserve, no additional ministerial consent is required. Council can then proceed to adopt the Plan of Management.

If Council proposes a change in the categorisation of the land following public consultation, the plan must be referred again to the Minister administering the *CLMA 2016* for consent to adopt the PoM.

**Figure 5 – Process for Consultation and Approval of an initial Plan of Management**



## 2.7 Change and Review of Plan of Management

This PoM will require regular review in order to align with community values and expectations and to reflect changes in Council priorities.

Whilst the guidelines and principles outlined in the Plan may be suitable at present, the Plan should be reviewed from time to time to confirm its relevance.

Council has determined that it will review the PoM within 5 years of its adoption.

The community will have an opportunity to participate in reviews of this PoM.

## 2.8 Community Consultation

Consultation with the community is an important part of the preparation of this PoM.

Consultation gives Council a better understanding of the range of local issues affecting the use and enjoyment of the land to which this PoM applies and gives all sectors of the community the chance to have an input into the direction of policy development being undertaken by Council.

In preparation of the initial Draft PoM, consultation was undertaken with Council Departments who have provided relevant information.

Community consultation is also offered as a result of the development application process in line with Council's Griffith Community Participation Plan of 16 December 2019 (in response to Section 2.23 of the *Environmental Planning and Assessment Act 1979*).

### 3.0 LEGISLATIVE FRAMEWORK

This section describes the legislative framework applying to the land covered under this PoM.

#### 3.1 Local Government Act 1993

Community land must be managed according to the provisions of the *Local Government (LG) Act 1993* and the *Local Government (General) Regulation 2021 [NSW] (LG Regulations)*.

The *LG Act 1993* requires all Council owned land to be classified as either Operational or Community land. Community land is defined as land that must be kept for the use of the general community and must not be sold. Under the *LG Act 1993*, Community land is required to be managed in accordance with a PoM and any other laws regulating the use of the land.

This PoM has been prepared in accordance with the *LG Act 1993* using the land categories approved by the Minister administering the *CLMA 2016* where lands are Council Managed Crown Reserves.

Council must also consider the guidelines under Clause 101 of the *LG Regulations* for categorisation of community land when preparing PoMs.

Part Clause 105 of the guideline's states that -

"Land should be categorised as an area of archaeological significance under section 36(4) of the Act –

- (c) an area of archaeological significance, because the area contains –
  - (i) Evidence of past human activity (for example, below-ground features such as building foundations, occupation deposits features or artifacts or above-ground features such as buildings, works, industrial structures, and relics, whether intact or ruined), or
  - (ii) Any other deposit, object or material that relates to the settlement of the land, or
- (d) an area of historical significance, because of the importance of an association or position of the land in the evolving pattern of Australian cultural history, or
- (e) an area of technical or research significance, because of an area's contribution to an understanding of Australia's cultural history or environment, or
- (f) an area of social significance, because of the area's association with Aboriginal life after 1788 or the area's association with a contemporary community for social, spiritual or other reasons."

The minimum requirements for a PoM for community land is set out in Section 36(3) of the *Local Government Act 1993* and must identify the following:

- (a) the category of the land,
- (b) the objectives and performance targets of the plan with respect to the land,

- (c) the means by which the council proposes to achieve the plan's objectives and performance targets,
- (d) the manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets, and may require the prior approval of the council to the carrying out of any specified activity on the land.

### 3.2 Crown Land Management Act 2016

Crown reserves are Crown land set aside on behalf of the community for a wide range of public purposes, including environmental and heritage protection, recreation and sport, open space, community halls, special events and government services.

Crown land is governed by the *CLMA 2016*, which provides a framework for the state government, local councils and members of the community to work together to provide care, control and management of Crown reserves.

Under the *CLMA 2016*, as Council Crown land managers, Councils manage Crown land as if it were public land under the *LG Act 1993*. However, it must still be managed in accordance with the purpose of the land and cannot be used for an activity incompatible with its purpose – for example, Crown land assigned the purpose of 'environmental protection' cannot be used in a way that compromises its environmental integrity.

**Division 3.4** of the *CLMA 2016* specifically relates to Crown land managed by Councils and **Division 3.6** of the said Act, refers to Plans of Management and other plans.

Council's must also manage Crown land in accordance with the objects and principles of Crown land management outlined in the *CLMA 2016* and set out below. The objects and principles are the key values that guide Crown land management to benefit the community and to ensure that Crown land is managed for sustainable, multiple uses. Section 1.4 of the *CLMA 2016* states:

"For the purposes of this Act, ***the principles of Crown land management*** are –

- (a) that environmental protection principles be observed in relation to the management and administration of Crown land, and
- (b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible, and
- (c) that public use and enjoyment of appropriate Crown land be encouraged, and
- (d) that, where appropriate, multiple use of Crown land be encouraged, and
- (e) that, where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and
- (f) that Crown land be occupied, used, sold, leased, licenced or otherwise dealt with in the best interests of the State consistent with the above principles."

#### Crown land management compliance

In addition to management and use of Crown reserves that are aligned with the purpose of the reserve, there are other influences over Council management of Crown reserves. For example, Crown land managers may have conditions attached to any appointment instruments, or Councils may have to comply with specific or general Crown land management rules that may be published

in the NSW Government Gazette. Councils must also comply with any Crown land regulations that may be made.

### 3.3 Zoning and Planning Controls

The *Environmental Planning and Assessment Act 1979 (EPA Act)* establishes the statutory framework for environmental and land use planning in NSW.

The Griffith City Council *Local Environmental Plan (2014) (GLEP)* is the current planning instrument. Refer to the website – <https://pp.planningportal.nsw.gov.au/publications/environmental-planning-instruments/griffith-local-environmental-plan-2014>

Under the current *GLEP (2014)*, Bagtown Cemetery (Reserve 52849) is zoned **RU1 – Primary Production**.

While the purpose and use of the historic Bagtown Cemetery does not fit the zoning of 'Primary Production,' the small area is located within a broader area of both primary production and primary production and small lots. Council *could* consider in the future to recognise this site and apply the zoning of SP3 – Tourist if it was to feature accordingly with any Heritage Trail or associated mapping of historical sites.

Council's *GLEP (2014)* includes Heritage areas for which the Bagtown Cemetery is identified as 'Item – Archaeological' of Local Significance. Refer to Heritage Map – Sheet HER\_004A – A3.

Refer to the *GLEP (2014)* for permissible and prohibited development in this zone, including Clause 5.10 – Heritage conservation.

#### 3.3.1 State Environmental Planning Policy (Transport & Infrastructure) 2021

This Policy – *SEPP (Transport & Infrastructure) 2021* – commenced on 1 March 2021 and provides that certain types of works do not require development consent by a public authority, other agencies or authorised person.

**Division 12** of the *SEPP (Transport & Infrastructure) 2021* defines parks and public reserves which this Policy covers, i.e., Crown land within the meaning of the *CLMA 2016* including a public reserve but not including a reserve that is dedicated or reserved for a public cemetery. Note that Bagtown Cemetery was reserved for the purpose of 'Preservation of Graves' and is not now, a public cemetery.

*Section 2.73 (2)(c)* of the Policy provides that in respect of land reserved within the meaning of the *CLMA 2016*, development for any purpose can be carried out without consent by or on behalf of the Secretary, a Crown land manager of the land, the Ministerial Corporation or the Minister administering the *CLMA 2016*, if the development is for the purposes of implementing a PoM adopted for the land under the *CLMA 2016* in to such land or in accordance with the *Local Government Act 1993* in relation to Crown land managed by a Council.

The types of development that may comply with the provisions of *Section 2.73 (2)(c) of SEPP (Transport & Infrastructure) 2021* are set out in Table 7 (pg. 31).

*Section 2.73 (3)* of the Policy provides for a range of construction or maintenance works that are applicable under this Policy which may be carried out by or on behalf of a public authority in connection with a public reserve.

### 3.3.2 Other Relevant Legislation and Policies

In addition to the requirements of the *CLMA 2016* and the *Local Government Act 1993*, there are a number of other pieces of legislation and Government Policies that are relevant to the ongoing management of the respective Crown reserves and Council owned community lands including:

- *Aboriginal Land Rights Act 1983 (ALRA 1983)*;
- *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)*;
- *Native Title Act 1993 (NTA 1993 (C'th))*;
- *Pesticides Act 1999*;
- *State Environmental Planning Policies (SEPP's)*

### 3.3.3 Council Plans and Policies

As Council Policies may change from time to time, refer to Griffith City Council's website for relevant Plans and Policies impacting on the Reserves – <https://www.griffith.nsw.gov.au/council-policies>

## 4.0 DEVELOPMENT AND USE

### 4.1 History

Extracts from 'The Irrigation Becomes Reality' (provided by GCC), writings by BM Kelly's "From Wilderness to Eden - A History of the City of Griffith It's Region and It's People" (1988), and P Kabalia's "Griffith Heritage" (2004), all provide similar commentary on the origins of Bagtown Cemetery.

Bagtown was intended to be a "temporary settlement" established by the Water Conservation and Irrigation Commission (WC&IC) in 1911 for the growing army of construction workers, potential farmers and tradesmen constructing and building the channels for irrigation as development of the area extended west from Leeton. The origins of the name of 'Bagtown' were a result of the materials used to make the shanty huts; early settlers being resourceful in their use of the empty cement bags (cement used for channel linings were contained in large jute bags), together with flattened kerosene tins.

Lilian Burns, a resident nurse, presided over the health of the Bagtown settlers from 1913, with a Medical Officer, Dr EJ Howley based in Leeton. As this level of servicing became ineffective, a Dr Watkins from Whitton made weekly visits, however, eventually, Dr Watkins moved to Bagtown, and subsequently into the early township of Griffith.

It was during this interim period that it was reported in an extract from "*The Irrigation Area Becomes Reality*" that -

*"...in May 1912 a party under Surveyor Carnsey set out to survey the surrounding country for farms-complete with a Mauritian cook, Louis Montague. This unfortunate man died from unspecified causes on 10 May aged 61. The Whitton policeman was called in to authorise burial and a coffin was constructed, by Bob Thomson, of 3"x2" timber belonging to the Commission to weigh down the tent flies. There being no cemetery handy, the tiny cortege set off for Willbriggie – fifteen miles away. Half a mile later the pallbearers decided enough was enough so they located a prayer book and someone who could read, and burying the departed almost where they stood."* (Kabalia, P) (2004).

Although the area had been previously earmarked for farming, the resident Engineer, RB Higginson, with reluctance, gave permission for a fence to be erected around an acre containing the grave and subsequently, the site was used as the local cemetery. Hence, its apparent location among current farmland.

A locational map of Bagtown Cemetery in relation to the Bagtown settlement is shown in Kabalia's book *Griffith Heritage* as being along Pedley Road, that now has access off Bagtown Cemetery Road. The settlement of Bagtown was primarily located adjacent to Old Willbriggie Road and parallel to Pedley Road (information sourced from Griffith Genealogical & Historical Society Inc.) and has now been extensively replicated at Pioneer Park Museum.

With the development of Griffith, the opening of a Field Hospital in Banna Avenue that operated between 1920 – 1930, and the reservation of land as the Griffith Cemetery (Reserve 559030 Gazetted on 17 September 1920); burials at Bagtown Cemetery ceased.

It has been identified that some sixty-four people are known or presumed to have died in Bagtown and buried in the cemetery up until January 1921. Of this number, at least half were identified as children under the age of ten years.



Kabalia expressed the significance of precincts and while the Bagtown site has now been replicated at what is currently known as Pioneer Park Museum (refer to separate Scenic Hill (Zone 2) – Pioneer Park Museum), there is merit to better recognise the archaeological and historical context of Bagtown Cemetery (in the history and development of Griffith and its early pioneering settlement), that remains today. Refer to Kabalia's Recommended Precincts in Table 4.2 and the recorded Database record 1670225.

The original allocation of Bagtown Cemetery was Portion 731 of a total area of 1acre 0roods 12 ½ perches, i.e., approximately 4362m<sup>2</sup>. The current area of the historic Cemetery is approximately 1075m<sup>2</sup> as shown at Annexure 2 (pg. 32) following the revocation of roods 9perches (i.e., approximately 3275m<sup>2</sup>) on 7 October 1966 (refer to Annexure 3 (pg. 33)). The balance of Portion 731 remains under the management of DPE – Crown Lands.

#### 4.2 Current Use of Land & Structures on adoption of Plan

Reserve 52849 comprising part Lot 731 DP 751709 contains the fenced in area of the historical Bagtown Cemetery that is located at the end of Bagtown Cemetery Road, off Pedley Road. Bagtown Cemetery Road, a dirt road, is a Council managed Public Road. Signage and access to Bagtown Cemetery along Pedley Road is shown in Figure 6 below.

*Figure 6 - Signage and access to Bagtown Cemetery*



The Reserve continues as a socially significant archaeological site of burial of the early residents of Bagtown, a temporary housing site of tradesmen, potential farmers, and their families. These people were pioneers of the initial advancement of irrigation locally, and prior to development and the growth of Griffith as a township/city.

There is an apparent area of open space for parking immediately to the west of the fenced cemetery site (despite the area of revocation as shown in the Plan in Annexure 1); fencing comprising of concrete posts, mesh fencing with a barbed top wire. A farm gate provides a central entry point. To the right of the gate entry is a steel and wooden single seat; and to its left, is a Memorial Rock and plaque that lists the names of those buried at the site. A garbage bin sits adjacent to the Memorial.

Annexure 2 shows the original Portion 731 with the revoked area (Gazette 7 October 1966) shown by black hatching on the Plan. There are several Callitris and Eucalypt species scattered throughout the area and immediately adjacent to the fence-line.

The site of Bagtown Cemetery is shown in the Figure below.

Figure 7 - Bagtown Cemetery



The Lions Club of Griffith Mirrool undertook a 1988 Bi-Centennial Project to improve the site with assistance from the Griffith Historical & Genealogical Society Inc. together with financial assistance of GCC.

The Memorial Plaque lists the names of all those buried at the site, although not all who are buried have their graves positively identified and marked. The Figure below shows both the Memorial Plaque and some of the gravesites, crosses, and headstones.

Figure 8- Memorial Plaque, headstones, and gravesites at Bagtown Cemetery



### 4.3 Permissible and Future Uses

Community land is valued for its important role in the social, intellectual, spiritual, and physical enrichment of residents, workers, and visitors to the Griffith City Council area.

Griffith City Council encourages a wide range of uses of community land and intends to facilitate uses which increase the activation of its land, where appropriate.

The general types of uses which may occur on community land categorised as 'Area of Cultural Significance' together with the forms of development generally associated with such uses, are set out in the following Table. Societal trends over time may alter the historical significance that Bagtown Cemetery provides in relation to other historic and cultural sites in and around Griffith, and may therefore be reflected in future management of this site.

Potential management improvements to the site, should not impair the archaeological features of this site, however may improve visitor's knowledge of its significance during early settlement.

Table 2 below, identifies a range of permissible use and developments that can occur on the Reserve contained in this PoM, based on its categorisation.

**Table 2 – Permissible use and development of community land**

<b>Area of Cultural Significance</b>	
<b>Purpose/Use such as...</b>	<b>Development to facilitate uses, such as...</b>
<ul style="list-style-type: none"> <li>• Preservation and protection of Council's archaeological heritage.</li> <li>• Environmental protection works, i.e., weed management and mitigation against further damage to historical headstones.</li> <li>• Access to support the above.</li> <li>• Provide a place for education of history of early settlement that supports Griffith's Cultural Masterplan particularly in association with Pioneer Park Museum (or similar).</li> <li>• Archaeological studies (or similar).</li> </ul>	<ul style="list-style-type: none"> <li>• Works associated with preservation of existing gravesites, headstones (or similar).</li> <li>• Development for the purposes of improving amenity and visual character of the historical cemetery.</li> <li>• Installation of locational, interpretive, and regulatory signage.</li> </ul>

### 4.4 Express authorisation of leases and licences and other estates

Under section 46(1)(b) of the LG Act, leases, licences and other estates formalise the use of community land. A lease, licence or other estate may be granted to organisations and persons, community groups, sports clubs and associations, non-government organisations, charities, community welfare services, non-profit organisations and government authorities.

The lease or licence must be for uses consistent with the reserve purpose, the assigned categorisation and zoning of the land, be in the best interests of the community as a whole, and enable, wherever possible, shared use of community land.

Any lease or licence proposal will be individually assessed and considered, including the community benefit, compatibility with this PoM and the capacity of the community land itself and the local area to support the activity.

A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In all other instances a licence or short-term licence or hire agreement will be issued.

This plan of management **expressly authorises** the issue of leases, licences and other estates over the land covered by the plan of management, in accordance with section 46(1)(b) of the LG Act, provided that:

- The purpose is consistent with the purposes of Preservation of Graves.
- The purpose consistent with the core objectives prescribed by Section 36H (categorisation of Area of Cultural Significance).
- The lease, licence or other estate is for a permitted purpose listed in the *LG Act 1993* or the *Local Government (General) Regulation 2021 [NSW]*.
- The issue of the lease, licence or other estate and the provisions of the lease, licence or other estate can be validated by the provisions of the *NT Act 1993 (C'th)*.
- Where the land is subject to a claim under the *ALRA 1983*, the issue of any lease, licence or other estate will not prevent the land from being transferred in the event that an Aboriginal Land Claim is granted.
- The issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which the lands were reserved.

This PoM also allows the council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the council or public utility provider on the community land in accordance with the *LG Act 1993*.

Section 3.17 refers to special provisions of Crown Land Managers (i.e., extending to leases, licences, permits, easements or rights of way) that may be granted with reference to Section 2.19 (Secondary interests in dedicated or reserved Crown land); and Section 2.20 (Short-term licences over dedicated or reserved Crown land).

This PoM does authorise the issue of a lease, licence, or other estates over the land categorised as Area of Cultural Significance, i.e., archaeological or social studies related to early development of Griffith as referred to Table 3 below.

**Table 3 - Leases, licences and other estates which may be granted for community land**

Type of tenure arrangement	Maximum of Term	Purpose for which tenure may be granted
Lease	<ul style="list-style-type: none"> <li>• Up to 21 years.</li> <li>• Minister's approval required for longer terms.</li> </ul>	<ul style="list-style-type: none"> <li>• Educational purposes including education classes/</li> <li>• Cultural purposes</li> </ul>
Licence	<ul style="list-style-type: none"> <li>• Up to 21 years.</li> </ul>	<ul style="list-style-type: none"> <li>• Educational purposes</li> </ul>
Short-term licence	<ul style="list-style-type: none"> <li>• Up to 21 years.</li> </ul>	<ul style="list-style-type: none"> <li>• Scientific studies, surveys or similar.</li> </ul>
Other estates		This PoM allows the Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the council or public utility provider on the community land in accordance with the LG Act.

#### Direction of Funds

Any income produced from the Reserves, i.e., as per the approved Tenure, will be distributed to manage either these lands or other community land in a fashion determined by Council.

There is currently no tenure in place for Reserve 52849 (Bagtown Cemetery).

### **4.5 Easements**

There are no easements affecting Reserve 52849 comprising Lot 731 DP 751709.

### **4.6 Native Title Assessment**

Further to [Section 2.5 – Categorisation of Reserves](#) and reference to Native Title Assessment, Council is required under the provisions of the *CLMA 2016*, to undertake steps to identify whether the activity proposed on Crown land will affect Native Title. Council must further consider what provisions of the *NTA 1993 (C'th)* will validate the activity; and what procedures should be taken in relation to a particular activity prior to its commencement. Council must also have regard for any existing claims made on the land under the *NSW ALRA 1983*.

The activity must be authorised through *Part 2 Division 3 of the NTA 1993 (C'th)*.

Council must obtain written advice from its Native Title Manager in relation to certain activities and acts carried out on Crown land where the land is not excluded land, in accordance with native title legislation and applicable to works and activities to be undertaken at any or all of the Reserves contained within this PoM.

### **4.7 Aboriginal Land Claims**

There are currently no Aboriginal Land Claims (ALC) affecting any of the Bagtown Cemetery Reserve 52849 (part Lot 731 DP 751709) comprised within this PoM.

However, should there be an ALC lodged in respect of the land, any proposed works or development on the affected land, or the issue of tenures authorised by this PoM should not proceed if:

- The proposed activity could prevent the land being transferred to an ALC claimant in the event that any undetermined claim is granted.
- The proposed activity could impact or change the physical/environmental condition of the land, unless:
  - a) Council has obtained written consent from the claimant Aboriginal Land Council to carry out the proposed work or activity, and/or
  - b) Council has obtained a written statement from the Aboriginal Land Council confirming that the subject land is withdrawn (in whole or part) from the land claim.

A search of the Office of Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) on 8 June 2023 with a buffer of 50 meters, provided no results for any sites registered on the lands contained within this PoM.

No Aboriginal places have been declared in or near any of the Lots identified in this PoM.

Prior to the undertaking of any works identified in this PoM, AHIMS searches will be undertaken to ensure due diligence in accordance with the NSW *National Parks and Wildlife (NPWS) Act 1974* and the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (where present). Works may require an Aboriginal Heritage Impact Permit (AHIP).



## 5.0 Basis of management

Griffith City Council intends to manage its community land to meet:

- assigned categorisation of community land
- the LG Act guidelines and core objectives for community land set out in Table 4 below
- the council's strategic objectives and priorities
- development and use of the land outlined in Chapter 6 Part 2 Division 2 of the *LG Act 1993*.

### 5.1 Core Objectives for management of Community land

The management of community land is government by the categorisation of the land, its purpose, and the core objectives of the category.

For the purpose of this PoM, the category of Area of Cultural Significant is defined in the *Local Government (General) Regulation 2021, Part 4 Division 1* – Guidelines for the categorisation of community land as shown in Table 4 below:

**Table 4 – Categories of land defined in the Local Government (General) Regulation 2021**

<b>Guidelines – from the Local Government (General) Regulation 2021 [NSW]</b>	<b>Core objectives – from the Local Government Act 1993</b>
<p><b>Clause 105 – Area of Cultural Significance:</b></p> <p>Land should be categorised as an area of cultural significance under section 36(4) of the Act if the land is –</p> <p>(a) an area of Aboriginal significance, because the land is</p> <ul style="list-style-type: none"> <li>(i) has been declared an Aboriginal place under <a href="#">section 84</a> of the <a href="#">National Parks and Wildlife Act 1974</a>, or</li> <li>(ii) whether or not in an undisturbed state, is significant to Aboriginal people in terms of their traditional or contemporary cultures, or</li> <li>(iii) is of significance or interest because of Aboriginal associations, or</li> <li>(iv) displays physical evidence of Aboriginal occupation (for example, items or artifacts such as stone tools, weapons, engraving sites, sacred trees, sharpening grooves or other deposits, and objects or materials that relate to the settlement of the land or place), or</li> <li>(v) is associated with Aboriginal stories, or</li> <li>(vi) contains heritage items dating after European settlement that help to explain the relationship between Aboriginal people and later settlers, or</li> </ul> <p>(b) an area of aesthetic significance, by virtue of –</p> <ul style="list-style-type: none"> <li>(i) having strong visual or sensory appeal or cohesion, or</li> <li>(ii) including a significant landmark, or</li> <li>(iii) having creative or technical qualities, such as architectural excellence, or</li> </ul> <p>(c) an area of archaeological significance, because the area contains –</p>	<p><b>Category Significance (Section 36H)</b></p> <ul style="list-style-type: none"> <li>• to retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or research or social significance) for past, present or future generations by the active use of conservation methods.</li> </ul> <p>Those conservation methods may include any or all of the following methods –</p> <ul style="list-style-type: none"> <li>(a) the continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance,</li> <li>(b) the restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material,</li> <li>(c) the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state,</li> <li>(d) the adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact),</li> <li>(e) the preservation of the land, that is, the maintenance of the physical material of the</li> </ul>

<ul style="list-style-type: none"> <li>(i) evidence of past human activity (for example, below-ground features such as building foundations, occupation deposits, features or artifacts or above-ground features such as buildings, works, industrial structures, and relics, whether intact or ruined), or</li> <li>(ii) any other deposit, object or material that relates to the settlement of the land, or</li> <li>(d) an area of historical significance, because of the importance of an association or position of the land in the evolving pattern of Australian cultural history, or</li> <li>(e) an area of technical or research significance, because of the area's contribution to an understanding of Australian's cultural history or environment, or</li> <li>(f) an area of social significance, because of the area's association with Aboriginal life after 1788 or the area's association with a contemporary community for social, spiritual or other reasons.</li> </ul>	<p>land in its existing state and the retardation of deterioration of the land.</p>
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## 6.0 MANAGEMENT FRAMEWORK FOR CATEGORIES OF LAND

### 6.1 Management Issues

Management of the lands takes into consideration the reserve's purpose and the purpose for which the land is classified and categorised.

Council recognises the importance of Reserves and community owned land that are valued by its users and visitors to the Griffith City area. Management of the Reserve including Council employees, Tenure holders and volunteers are valuable in ensuring the long-term and on-going use and maintenance of the reserve.

Table 5 below provides Council's general management issues and guidelines.

**Table 5 – Management Issues and Guidelines**

Maintenance	As required following routine inspections by Council; or as reported to by visitors to the Cemetery; or identified in Risk Management Policies. Maintenance activities should not impact on the archaeological values of the historic Bagtown Cemetery.
Access and Car Park area	Access and informal car parking area is maintained to the level suited to the locational setting and environment of the Historic Cemetery via Bagtown Cemetery Road.
Vandalism	Vandalism will be addressed at the time of occurrence and Council should be notified at that time. Vandalism may include issues such as unauthorised vehicle access; damage to infrastructure; graffiti or rubbish dumping or any other damage to Council property or other damage resultant from unauthorised activities referred to in PG-CP-314 "Vandalism, Graffiti and Rubbish Dumping - Reward".
Weeds	Weed management practices will be undertaken by Council staff in accordance with guidelines to ensure amenability of the historic Cemetery.
Signs	Signage is both regulatory, interpretive and cultural in accordance with Standard AS 2342-1992.
Trees	Council's Tree Preservation Order PG-CP-401 must be adhered to.
Rubbish	Removal of rubbish is the responsibility of Council.

#### 6.1.1 Financial Obligations

Council's capacity to meet financial commitments towards on-going maintenance and repairs of buildings and infrastructure is impacted by budgetary, zoning (including Heritage) and Native Title constraints.

While no works have been programmed for the Bagtown Cemetery, Council maintains a budget for on-going maintenance within its Cemetery portfolio, should the need arise.

### 6.2 Plan Implementation

The following action plan sets out the requirements under Section 36 of the *LG Act 1993* with respect to:

- The category of the land
- The objectives and performance targets of the plan with respect to the land
- The means by which the council proposes to achieve the plan's objectives and performance targets,
- The manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets.

Table 6 below, sets out key objectives and performance targets for management of the land.

**Responsibility: Griffith City Council (GCC)**

*Table 6 – Objectives and performance targets of this Plan of Management*

Performance Target	Actions	Priority	Performance Indicator
<b>LEGISLATIVE</b>			
To ensure that relevant legislation is complied with in relation to preparation of the PoM.	1. The Plan is prepared in accordance with Native Title Manager advice, the <i>LGA 1993</i> , the <i>CLMA 2016</i> , <i>NTA 1993 (C'th)</i> and <i>ALRA 1983</i> (as applicable)	High	<ul style="list-style-type: none"> <li>The Plan is reviewed by Council's Native Title Manager and approved by DPH&amp;I – Crown Lands.</li> <li>Council exhibits and adopts the PoM subject to community comments being addressed. (Where significant changes to the PoM are required, the PoM will be re-referred to Council and the Department).</li> </ul>
<b>MANAGEMENT</b>			
To maintain the historical and cultural integrity of the historic cemetery.	2. Install interpretive signage in relation to the historical context of Bagtown Cemetery history. 3. Undertake necessary remediation works to protect the marked gravesites (headstones, crosses etc.) 4. Maintain existing perimeter fencing.	On-going	<ul style="list-style-type: none"> <li>Assets (current and future) are managed in accordance with prescribed Council standards and community expectations.</li> <li>Community consultation in regards to meeting future community needs, i.e., relationship with Cultural Masterplan and Pioneer Park Museum (if necessary).</li> <li>Maintenance service levels meet requirements of adopted budgets (where necessary).</li> </ul>
Address vandalism (when necessary)	5. Vandalism is addressed promptly	On-going	<ul style="list-style-type: none"> <li>Feedback from community is positive and negative feedback acted upon as necessary.</li> </ul>
<b>INFRASTRUCTURE</b>			
Ensure that perimeter fencing is maintained to protect archaeological values of the historic cemetery.	6. Maintain external fencing. 7. Installation of interpretive signage and potential locational map of respective known graves. 8. Maintain signage at Bagtown Road entry point.	On-going	<ul style="list-style-type: none"> <li>Council staff provide maintenance to perimeter fencing, historic headstones (where practical) and weed management (as necessary).</li> <li>Maintenance to existing and future signage (as necessary).</li> </ul>
<b>ENVIRONMENT</b>			
Manage the natural environment.	9. Preserve and protect existing native vegetation. 10. Remove environmental weeds (as necessary).	On-going	<ul style="list-style-type: none"> <li>Undertake regular weed inspections and implement a weed removal program (as necessary).</li> </ul>

	11. Removal of vegetation that may impact on the integrity of headstones and interments (as necessary).		<ul style="list-style-type: none"> <li>Council staff are appropriately trained in safe handling and use of appropriate chemicals on the land.</li> <li>Removal of impacting or dangerous trees in accordance with Council's relevant Policies.</li> <li>Feedback from the community is positive and negative feedback is acted upon where necessary</li> </ul>
<b>USE OF THE RESERVES</b>			
Signs.	12. Review signs and follow guidelines provided by Statewide Mutual Signs as Remote Supervision.	On-going	<ul style="list-style-type: none"> <li>Continually monitor all signs are legible and current and renewed as necessary.</li> </ul>
Archaeological values are preserved.	13. Preserve historic gravestones and interments for future generations.	On-going	<ul style="list-style-type: none"> <li>Council staff regularly monitor and maintain interment infrastructure (as necessary).</li> </ul>

Figure 9 - Gravesites requiring remediation



## 7.0 References

Crown Land Management Act 2016

<https://legislation.nsw.gov.au/view/html/inforce/current/act-2016-058#pt.3-div.3.4> sourced on 20 July 2023

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Griffith City Council

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NSW Land Registry Services

<https://hlrv.nswlrs.com.au/> sourced 11 July 2023

NSW Legislation

<https://www.planningportal.nsw.gov.au/spatialviewer/#/find-a-property/address> sourced on 20 July 2023

<https://pp.planningportal.nsw.gov.au/publications/environmental-planning-instruments/griffith-local-environmental-plan-2014> sourced on 20 July 2023

<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0732> sourced on 8 August 2023

Local Government Act 1993

[https://eplanningdlprod.blob.core.windows.net/pdfmaps/3450\\_COM\\_LZN\\_004A\\_020\\_20210518.pdf](https://eplanningdlprod.blob.core.windows.net/pdfmaps/3450_COM_LZN_004A_020_20210518.pdf) sourced on 11 July 2023

[https://eplanningdlprod.blob.core.windows.net/pdfmaps/3450\\_COM\\_HER\\_004A\\_020\\_20140310.pdf](https://eplanningdlprod.blob.core.windows.net/pdfmaps/3450_COM_HER_004A_020_20140310.pdf) sourced on 11 July 2023

<https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030> sourced on 13 July 2023

<https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030#ch.6-pt.2-div.2> sourced on 20 July 2023

<https://legislation.nsw.gov.au/view/html/inforce/current/sl-2021-0460> sourced on 13 July 2023

NSW Government Gazettes

<https://trove.nla.gov.au/newspaper/?type=gazette> sourced 11 July 2023

From Bagtown to Base 1910-1969 Griffith District Hospital (Parsons, A) (2005)

From Wilderness to Eden A History of the City of Griffith It's Region and Its People (Kelly BM) (1988) sourced 10 July 2023

Griffith Heritage (Kabalia P) (2004) sourced 14 July 2023

## 8.0 ANNEXURES

- 1) Map – Bagtown Historic Cemetery location and categorisation
- 2) Portion Plan showing revoked area of Reserve
- 3) Revocation of Part Reserve - Gazettal

## ANNEXURE 1 – MAP – BAGTOWN HISTORIC CEMETERY LOCATION and CATEGORISATION

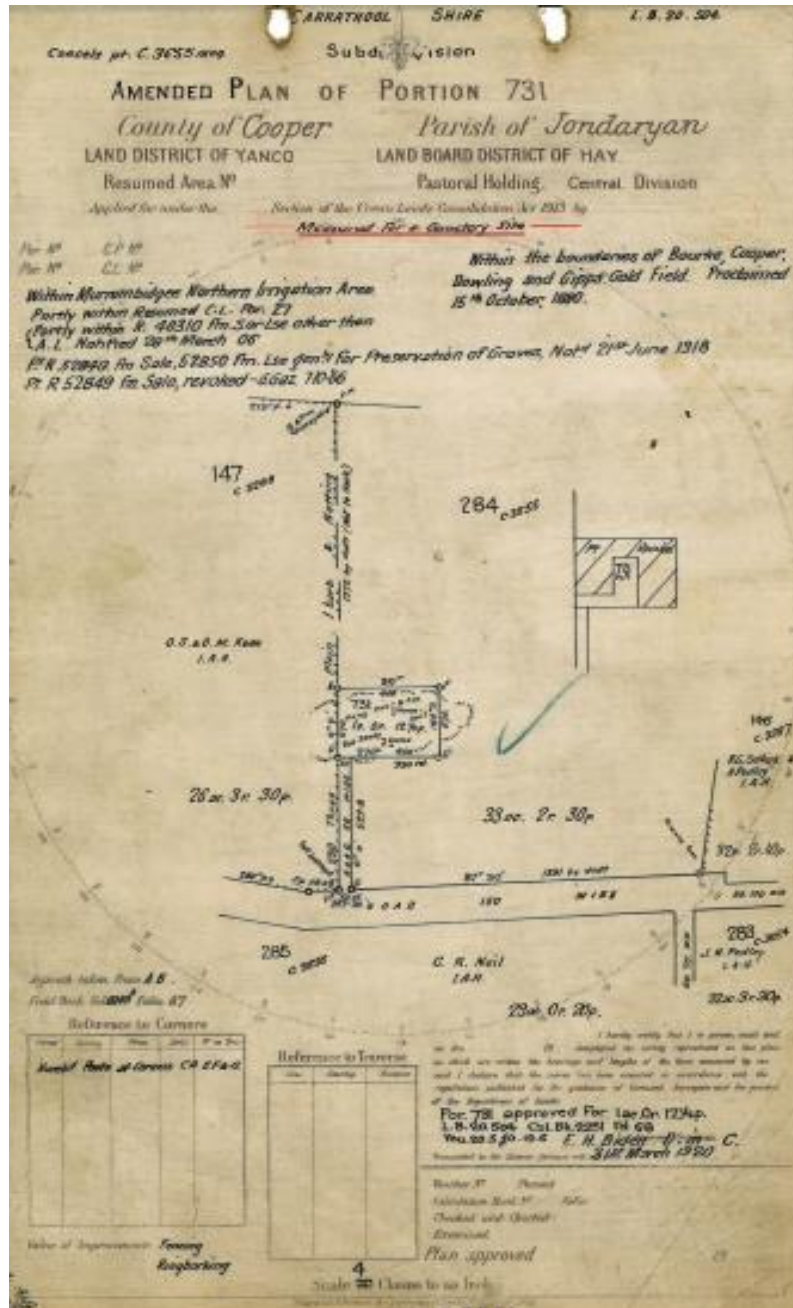


GRIFFITH CITY COUNCIL – BAGTOWN HISTORIC  
CEMETERY DRAFT POM

31



## ANNEXURE 2 – PORTION PLAN 731 SHOWING AREA OF REVOKED AREA



### ANNEXURE 3 – REVOCATION OF PART RESERVE 52849 - GAZETTAL

Gazette 7 October 1966 (Folio 4265) - Revocation of Part Reserve 52849

(2106) Sydney, 7th October, 1966.  
**REVOCATION OF PART OF RESERVE FROM SALE  
FOR PRESERVATION OF GRAVES**  
IT is hereby notified that under the provisions of section 30  
of the Crown Lands Consolidation Act, 1913, the part of  
Reserve No. 52,849 from sale, notified 21st June, 1918, here-  
under described, is hereby revoked.  
**JACK G. BEALE, Minister for Conservation.**  
**CENTRAL DIVISION**  
*Mirrool No. 1 Irrigation Area; Shire of Wade*  
All that piece or parcel of land situated in the Parish of  
Jondaryan, County of Cooper and State of New South Wales,  
being part of portion 731 and commencing at the northwestern  
corner of that portion; thence bounded on the north and east  
by the northern and eastern boundaries of the said portion  
731; thence partly on the south by part of the southern  
boundary of that portion bearing 270 degrees 150 links; thence  
partly on the west, south, and east, and south again by lines  
bearing 360 degrees 197 links 270 degrees 100 links, 180  
degrees 147 links, 270 degrees 150 links to a point on the west-  
ern boundary of the aforesaid portion 731; thence again on  
the west by part of that western boundary bearing 360 de-  
grees 220 links to the point of commencement and containing  
an area of 3 roods 9 perches or thereabouts. (W.C. & I.C.  
66-1.062; M.I.A. 66-C3,799)





## Native Title Manager Report

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### A. Proposed Act

This report considers the following relevant act:

- Adoption of Griffith City Council's Bagtown Historic Cemetery Plan of Management (BHC PoM) applicable to Council Managed Crown Reserve).

### B. Summary

- 1) The adoption of the BHC PoM authorises continued use of the land for Cemetery and for any future development that may accord with such use in the future, i.e., installation of interpretive, cultural, and regulatory signage, repairs to fencing and historic headstones and gravesites (as necessary), or any archaeological or educational studies.
- 2) The adoption of the BHC PoM does not authorise any additional use of the land other than as prescribed in the notification of the Reserve at the time.
- 3) These works will not affect native title as it complies with the applicable provisions of the *Native Title Act 1993*, being valid future acts under Section 24JA, this Subdivision applies to a future act (the **later act**) if:
  - a) An act (the **earlier act**), took place before the later act and on or before 23 December 1996 (the earlier act) being notification of Reserve 52849 (Bagtown Cemetery) that took effect on 21 June 1918; and
  - b) The earlier acts were valid (including because of Division 2 or 2A); and
  - c) The earlier acts;
    - i. Were done by the Crown in right of the Commonwealth, a State or Territory; or
    - ii. consisted of the making, amendment or repeal of legislation by the Commonwealth, a State or Territory; and
  - d) The earlier acts, contained, made or conferred a reservation, proclamation, dedication, condition, permission or authority (the reservations) under which the whole or part of any land or waters was to be used for a particular purpose; and
  - e) The later acts are done in good faith;
    - i. Under or in accordance with the reservation; or
    - ii. In the area covered by the reservation, so long as the act's impact on native title is no greater than the impact that any act that could have been done under or in accordance with the reservation would have had.
- 4) The adoption of BHC Plan of Management authorises leases, licences, permits and other estates for purposes:
  - As referred to in Section 4.4 of the BHC PoM
  - Consistent with the Reserve's categorisation, zoning and reserve purpose, and
  - Consistent with the provisions of the *Local Government Act 1993*.

This authorisation is subject to obtaining further native title manager's advice, where the land remains relevant land and is not excluded land.

The authorised leases, licences and other estates will or may affect native title, however, they will comply with the applicable provisions of the *Native Title Act 1993* being valid future acts under section 24JA.

- 5) Should native title not prove to be extinguished by a prior act, any native title holders may be entitled to compensation for the act listed in (1) in the event of a determination that native title exists in the land, and Council may be liable to indemnify the State in the payment of any compensation.

### C. Crown Land Affected

The land subject to the BHC PoM is Crown Land under the *Crown Land Management Act 2016 (CLMA)*. The Crown land is listed in Table 1 showing the purpose the land is reserved for and the legislation employed in the reservation process.

*Table 1 – Crown Land affected*

(A) Reserve No	(B) Lot / Sec / DPs	(C) Purpose – Gazette Date	(D) Part of Reserve Affected	(E) Legislative Basis
R. 52849	An area containing an area of 1 acre within the boundaries of Portion 731, Parish of Jondaryan.	Preservation of Graves – 21 June 1918 (See Tag A)	Part Lot 731 DP 751709, Parish of Jondaryan	Section 28 <b><i>Crown Lands Consolidation Act 1913</i></b>

- 1) Notification of Bagtown (historic) Cemetery in respect of Reserve 52849 on 21 June 1918 (Refer **Tag A**).
- 2) Messrs. Patrick Joseph Boyle, Michael Sidney Braithwaite, Oliver Edward Hawkins, David Grimmond Stark, and Oscar Francis Weight were appointed as Trust Manager of Reserve 52849 on 25 October 1918 (Refer **Tag A.1**).
- 3) Mathew John Moynahan, Esquire (in lieu of Mr OF Weight, resigned) was appointed as Trust Manager of Reserve 52849 on 10 July 1925 (Refer **Tag A.2**).
- 4) The Council of the Shire of Wade was appointed as Trust Manager of Reserve 52849 on 21 February 1936 (Refer **Tag A.3**).
- 5) Revocation of Part Reserve 52849 on 7 October 1966 (Refer **Tag A.4**).
- 6) Bagtown Cemetery (Reserve 52849) Assigned Geographical Name on 10 December 1982 (Refer **Tag A.5**).
- 7) Griffith was proclaimed as a municipality as the City of Griffith on 1 July 1987 (Refer **Tag B**).
- 8) The Griffith City Council Crown Reserves Reserve Trust was established and appointed trustee of Reserve 52849, on 16 December 1994 (Folios 7436, 7437 and

7438). Griffith City Council was appointed as Reserve Trust Manager in the same notice (Refer **Tag C**).

Following various legislative changes in the management of Crown land, Griffith City Council is now Crown Land Manager of Reserve 52849 for the purposes of the *Crown Land Management Act 2016*.

9) Copy of Crown Plan is shown at **Tag D**.

10) Searches of the National Native Tribunal Registers on 21 July 2023 indicated: -

- That there is no current Native Title Application (claim) over the subject lands,
- No determination of native title has yet been made,
- No Indigenous Land Use Agreement has been registered affecting Reserve 52849.

11) We are not aware of any compulsory acquisitions of native title or future act protection determinations which would impact Reserve 52849.

12) We are not aware of any Native Title Certificates under the *CLMA* having been issued.

13) For the purposes of Section 8.7(1) of the *CLMA*:

- Reserves are *relevant land*,
- None of Reserve 52849 is *excluded land* (#), and
- Griffith City Council is the *Responsible Person*.

#### **D. Does the proposed act affect native title?**

The relevant act, the adoption of the BHC PoM, may occur at some further stage and authorises further acts which may affect native title.

1) The BHC PoM authorises use for the following purposes without further approval.

- Car parking
- Community Services
- Drainage
- Education Services
- Emergency use
- Landscaping
- Maintenance of buildings
- Maintenance of utility services
- Maintenance of floodways, and vehicular access ways)
- Public utility infrastructure
- Remediation works

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# Relevant land and excluded land are defined in Section 8.1 of the Crown Lands Management Act 2016.

- 2) The BHC PoM authorises impacting acts for development being:
  - Maintenance of access road, i.e., Bagtown Cemetery Road (as necessary).
  - Maintenance of historic headstones and gravesites (as necessary).
  - Upgrade or installation of fencing as appropriate.
  - Installation of regulatory, interpretive and cultural signage as appropriate.
- 3) The BHC PoM authorises further impacting acts being leases, licences, permits or other estates for activities associated with the conducting of activities as indicated under Section 4.4 of the PoM.
  - a) Consistent with the Reserve's categorisation, zoning and reserve purpose
    - Environmental protection works
    - Flood mitigation works
    - Roads
    - Signage

#### E. Land Status

Table 1 shows the current reserve status of the land.

The relevant act is not a past act for the purposes of the *Native Title Act 1993*.

#### F. Future Act Regime

- (1) Subdivision B – E do not apply. There are no existing Indigenous Land Use Agreements in place over any of the affected land.
- (2) Subdivision F does not apply. No non—claimant application has been previously made.
- (3) Subdivision G does not apply. The relevant act is unrelated to primary production.
- (4) Subdivision H does not apply. The relevant act does not relate to the management or regulation of surface and subterranean water, living aquatic resources or airspace.
- (5) Subdivision I does not apply.
- (6) Subdivision JA does not apply. The relevant act does not relate to public housing.
- (7) Subdivision J applies to the reserve listed in Table 2 showing the requirements to satisfy Subdivision J and how that requirement is satisfied.

**Table 2 – Requirements for an Act to be valid under Subdivision J – Reserve 52849**

Requirement	Section	Comment
There is a valid earlier act that took place before the later act and on or before 23 December 1996.	24JA(1)(a)	<u>Requirement satisfied</u> The Gazette date for the affected lands took place on or before 23 December 1996 (see column C of Table 1)
The earlier act was valid (including because of Division 2 or 2A).	24JA(1)(b)	<u>Requirement satisfied</u> The reservation was valid.

		A reservation under Section 28 <i>Crown Lands Consolidation Act 1913</i> was valid if the Minister notified the reservation or dedication in the Gazette.
The earlier act was done by the Crown in the right of the Commonwealth, a State or Territory; or consisted of the making or repeal of legislation.	24JA(1)(c)	<u>Requirement satisfied</u> The earlier act was undertaken by either the Governor or the responsible State Minister, i.e., <ul style="list-style-type: none"> <li>WG Ashford, Minister for Lands (Reserve 52849)</li> </ul>
The earlier act contained, made or conferred a reservation, proclamation, dedication, condition, permission or authority (the reservation) under which the whole or part of any land or waters was to be used for a particular purpose.	24JA(1)(d)	<u>Requirement satisfied</u> The earlier act was for a particular purpose being: - <ul style="list-style-type: none"> <li>Preservation of Graves (Reserve 52849)</li> </ul>
The later act is done in good faith: i. Under or in accordance with the reservation; or ii. In the area covered by the reservation, so long as the act's impact on Native Title is no greater than the impact that any act that could have been done under or in accordance with the reservation would have had.	24JA(1)(e)	<u>Requirement satisfied</u>  <i>Development</i> In my opinion the potential for further improvement or development described in D. 2) has no greater impact on native title under or in accordance with the reservations  <i>Uses</i> Similarly, the permitted uses listed in D. 1) will be either consistent with the reserves purpose(s) or will have no greater impact than the impact that any act that could have been done under or in accordance with the reservation(s) would have had.  <i>Tenures</i> The issuing of leases, licences, permits or other estates as listed in D. 3) in my opinion will be either consistent with the reserve purposes or will have no greater impact than the impact that any act that could have been done under or in accordance with the reservations would have had.

#### G. Further Native Title Manager Advice

The BHC PoM authorises leases, licences, permits or other estates as listed in D. 3).

Further native title manager advice will be required prior to issuing approval for future acts listed at D. 3).

The BHC PoM authorises easements to be approved subject to the provisions of the *Native Title Act 1993* and further Crown Land Manager advice. In addressing the *Native Title Act 1993*, Council may need to utilise subdivision FA or negotiate an ILUA at that stage.

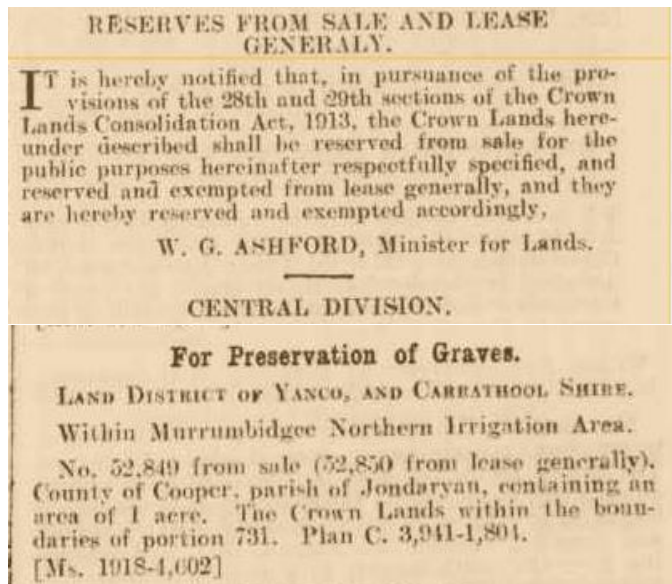
#### **H. Consequences**

- 1) The acts are valid and the non-extinguishment principle applies.
- 2) In the event of a future native title determination where native title is found to exist, native title holders may be entitled to compensation. Compensation will be payable by the State in respect of the works. Council may be liable to indemnify the State for such compensation.
- 3) Under Subdivision J of the future act provisions of the *Native Title Act 1993*, notification and the right to comment is required if the relevant act consists of the construction or establishment of a public work.

As the proposed act in (A) above does not involve the construction or establishment of a public work, Council is not required to notify in accordance with Section 24JB (6) of the *Native Title Act 1993*.

**Tag A**

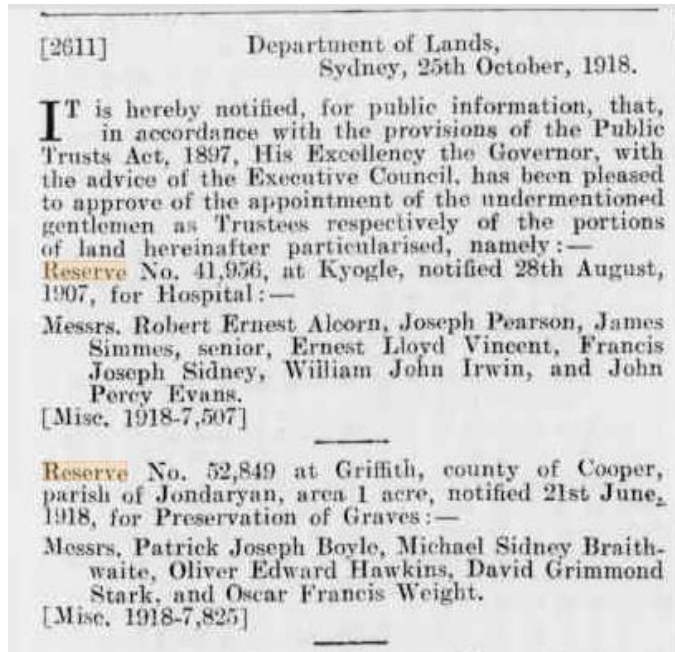
**Reserve 52849 – Notification - Copy of Government Gazette 21 June 1918 (Folio 2859)**





**Tag A.1**

**Reserve 52849 – Appointment of Trustee - Copy of Government Gazette 25 October 1918  
(Folio 5229)**



Tag A.2

Reserve 52849 – Appointment of Trustee - Copy of Government Gazette 10 July 1925 (Folio 3057)

**NOTICE APPOINTING TRUSTEES UNDER THE  
PUBLIC TRUSTS ACT, 1897.**

**I**N accordance with the provisions of the Public Trusts Act, 1897, I, **SIR DUDLEY RAWSON STRATFORD DE CHAIR**, Admiral in the Royal Navy, Knight Commander of the Most Honourable Order of the Bath, Member of the Royal Victorian Order, the Governor of the State of New South Wales and its Dependencies in the Commonwealth of Australia with the advice of the Executive Council of the said State, by this notice appoint the undermentioned gentlemen and bodies as Trustees respectively of the portions of land hereinafter particularised.

Signed and sealed at Sydney, this ninth day of July, 1925.

(L.S.) **D. R. S. DE CHAIR**,  
Governor.

By His Excellency's Command,  
**P. F. LOUGHLIN**,  
Minister for Lands.

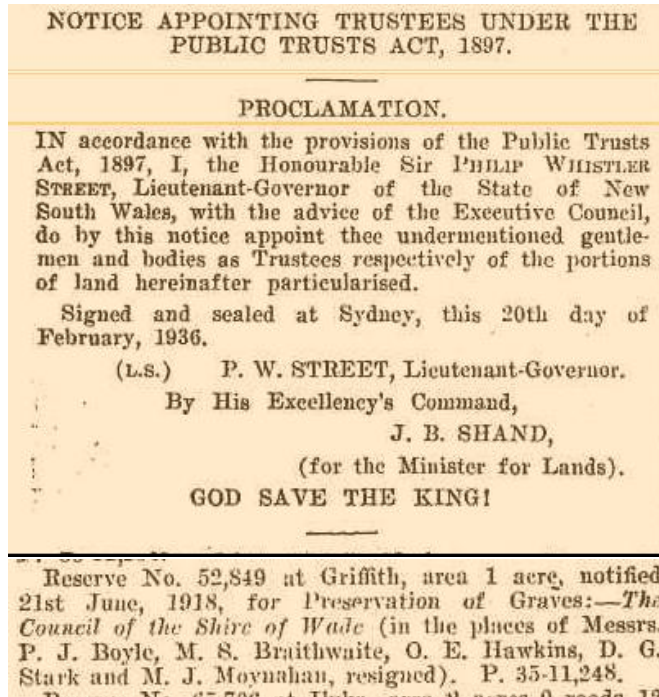
**GOD SAVE THE KING!**

**Reserve No. 52,849 at Griffith, area 1 acre, notified 21st June, 1918, for Preservation of Graves:—**

**Mathew John Moynahan, Esquire (in lieu of Mr. O. F. Weight, resigned).**  
[Misc. 1925-4,863]

Tag A.3

Reserve 52849 – Appointment of Trust Manager – Copy of Government Gazette 21 February 1936 (Folio 926)



Tag A.4

Reserve 52849 – Revocation of Part Reserve - Copy of Government Gazette 7 October 1966 (Folio 4265)

(2106)

Sydney, 7th October, 1966.

**REVOCATION OF PART OF RESERVE FROM SALE  
FOR PRESERVATION OF GRAVES**

IT is hereby notified that under the provisions of section 30 of the Crown Lands Consolidation Act, 1913, the part of Reserve No. 52,849 from sale, notified 21st June, 1918, hereunder described, is hereby revoked.

**JACK G. BEALE, Minister for Conservation.**

**CENTRAL DIVISION**

***Mirrool No. 1 Irrigation Area; Shire of Wade***

All that piece or parcel of land situated in the Parish of Jondaryan, County of Cooper and State of New South Wales, being part of portion 731 and commencing at the northwestern corner of that portion; thence bounded on the north and east by the northern and eastern boundaries of the said portion 731; thence partly on the south by part of the southern boundary of that portion bearing 270 degrees 150 links; thence partly on the west, south, and east, and south again by lines bearing 360 degrees 197 links 270 degrees 100 links, 180 degrees 147 links, 270 degrees 150 links to a point on the western boundary of the aforesaid portion 731; thence again on the west by part of that western boundary bearing 360 degrees 220 links to the point of commencement and containing an area of 3 roods 9 perches or thereabouts. (W.C. & I.C. 66-1.062; M.I.A. 66-C3,799)

## Tag A.5

## Reserve 52849 – Assigned Geographical Name – Copy of Government Gazette 10 December 1982 (Folio 5692)

(4783)

Sydney, 10th December, 1982.

GEOGRAPHICAL NAMES ACT, 1966

HAVING reviewed certain place names on Central Mapping Authority 1:25 000 map of GRIFFITH (within GRIFFITH 8129 1:100 000 map area), within the area bounded by latitudes 34° 00', 34° 30', and longitudes 146° 00', 146° 30', County Cooper, Shire Wade, Land Districts Mirrool, Yanco and Narrandera, the Geographical Names Board of New South Wales has this day discontinued geographical names and assigned geographical names as indicated hereunder.

GRIFFITH MAP

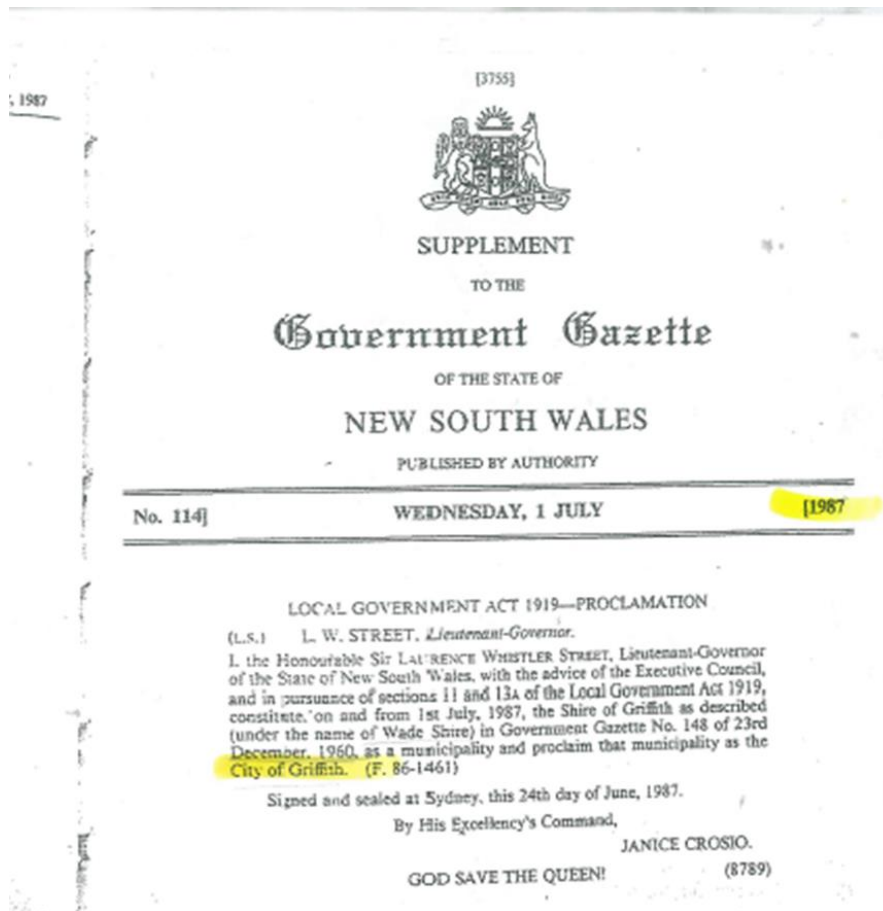
Geographical Name Discontinued	Designation	Latitude	Longitude	Parish
Beelbangera Railway Station	Railway Station	34° 15'	146° 06'	Wyangan
Colchester Railway Station	Railway Station	34° 21'	146° 11'	Gorton
Widgelli Public School	School	34° 20'	146° 08'	Gorton
Widgelli Railway Station	Railway Station	34° 20'	146° 08'	Gorton
Wumbulgal Public School	School	34° 20'	146° 13'	Gorton
Yoogali East Railway Station	Railway Station	34° 19'	146° 07'	Stanbridge
Yoogali Railway Station	Railway Station	34° 18'	146° 05'	Jondaryan
Geographical Name Assigned	Designation	Latitude	Longitude	Parish
Bagtown Cemetery	Cemetery	34° 18'	146° 02'	Jondaryan
Ballingall Branch Canal	Canal	34° 15'	146° 01'	Wyangan
Colchester	Locality	34° 20'	146° 10'	Gorton
Griffith Cemetery	Cemetery	34° 17'	146° 03'	Jondaryan
Merribee Channel	Channel	34° 20'	146° 13'	Yenda
North Kooba Branch Canal	Canal	34° 19'	146° 14'	Gorton, Yanda
Widgelli No. 1 Channel	Channel	34° 21'	146° 08'	Gorton
Widgelli No. 2 Channel	Channel	34° 22'	146° 09'	Gorton

D. C. MILLER, Secretary, Geographical Names Board, G.P.O. Box 39, Sydney.

D. C. MILLER, Secretary, Geographical Names Board, G.P.O. Box 39, Sydney.

Tag B

Proclamation of City of Griffith - Copy of Government Gazette of 1 July 1987 (Folio 3753)





Tag C

16 December 1994 (Folios 7436,7437 and 7438) – Establishment of Reserve Trust and Appointment of Trust Manager

**ESTABLISHMENT OF A RESERVE TRUST AND  
APPOINTMENT OF TRUST MANAGER**

- (1) PURSUANT to section 92 (3) of the Crown Lands Act 1989, the **reserve** trust which is the trustee of a **reserve** specified in Column 1 of the Schedule at the date hereof is dissolved.
- (2) PURSUANT to section 92 (1) of the Crown Lands Act 1989, the **reserve** trust specified in Column 2 of the Schedule is established under the name stated in that column and is appointed as trustee of the **reserves** specified in Column 1 of the Schedule.
- (3) PURSUANT to section 95 of the Crown Lands Act 1989, the Corporation specified in Column 3 of the Schedule is appointed to manage the affairs of the **reserve** trust specified in Column 2.

GEORGE SOURIS, M.P.,  
Minister for Land and Water Conservation.

**SCHEDULE**

Reserve 52849 at Hanwood for the purpose of preservation of graves, notified in the *Government Gazette* of 21st June 1918.

**COLUMN 2**

Griffith City Council Crown Reserves Reserve Trust.

**COLUMN 3**

Griffith City Council.





<b>CLAUSE</b>	<b>CL06</b>
<b>TITLE</b>	<b>Renewal - Licence Agreement - Griffith Leagues Club - E.W Moore Oval, 1-25 Coolah Street, Griffith</b>
<b>FROM</b>	<b>Amanda Vardanega, Corporate Property Officer &amp; Native Title Coordinator</b>
<b>TRIM REF</b>	<b>24/42749</b>

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### **SUMMARY**

Griffith Leagues Club Ltd were granted Development Approval 93/2013(1) to construct boundary fencing adjoining Lot 2245 DP 821591 (E.W. Moore Oval) Coolah Street, Griffith. The boundary fence encroaches onto Councils Road reserve with condition Part L (2) of the consent requiring Griffith Leagues Club to enter into a licence agreement with Council for the encroachment. The area of encroachment is estimated at 322.45m<sup>2</sup>.

The licence agreement has now expired and the Griffith Leagues Club are now seeking renewal of the licence agreement for a further term of Ten (10) years.

### **RECOMMENDATION**

- (a) Council enter into a licence agreement with Griffith Leagues Club for the fencing occupying part of the road reserve adjoining Lot 2245 DP821591 (E.W Moore Oval) with an area of 322.45m<sup>2</sup> for a further term of Ten (10) years.**
- (b) Griffith Leagues Club is responsible for all legal costs 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 be charged in accordance with Council's adopted Revenue Policy, together with rates and charges.**
- (d) Council authorises the Mayor and General Manager to execute the licence agreement on behalf of Council under the Common Seal.**

### **REPORT**

Council wrote to the Griffith Leagues Club on 22 February 2024 advising the licence agreement for the fencing adjoining Lot 2245 DP 821591, Coolah Street Griffith, had expired as of 30 November 2023 and as part of the requirements of Development Approval 93/2013(1) the Griffith Leagues Club are required to renew the licence Agreement with Council for the encroachment onto Councils Road Reserve.

Griffith Leagues Club has advised they are happy to renew the licence agreement for a further Ten (10) year term.

The club are also required to indemnify Council against any claims arising from the occupation of the licensed area by providing a copy of their Public Liability Insurance Policy annually with a minimum cover of \$20 million.

## **OPTIONS**

### OPTION 1

As per the Recommendation.

## **POLICY IMPLICATIONS**

Road reserves- Lease for Commercial Premises UD-CP-301

## **FINANCIAL IMPLICATIONS**

The Licensee is responsible for the payment of all fees and charges in relation to the preparation of the licence agreement, together with Council's administration fee, as per Council's adopted Revenue Policy.

The annual licence fee of \$154.00 p/a as per Council's current adopted Revenue Policy 2022/2023 for leasing of road reserves, drainage reserves etc, for business purposes where the lease is used for *landscaping and similar works to enhance the appearance of the area*, plus the payment of rates and charges, and on each anniversary thereafter the annual licence fee to be charged in accordance with Council's adopted Revenue Policy in addition to rates and charges accordingly.

## **LEGAL/STATUTORY IMPLICATIONS**

Not Applicable

## **ENVIRONMENTAL IMPLICATIONS**

All environmental implications were considered as part of the development application process.

## **COMMUNITY IMPLICATIONS**

The community would expect Council to consider the appearance of the fence in relation to the existing surrounding area as part of its approvals process.

## **LINK TO STRATEGIC PLAN**

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

6.1 Provide, renew and maintain a range of quality infrastructure, assets, services and facilities.

## **CONSULTATION**

Senior Management Team

## **ATTACHMENTS**

- |     |   |    |
|-----|---|----|
| (a) | Letter from Griffith Leagues Club dated 18 March 2024 <a href="#">↓</a> | 93 |
| (b) | Plan of EW Moore Oval & Licensed area <a href="#">↓</a>                 | 94 |

- (c)    Location map - EW Moore Oval - Lot 2245 DP 821591 Coolah Street Griffith                      95  
         [↓](#)
- (d)    Boundary Fencing - EW Moore Oval - Griffith Leagues Club - Lot 2245 DP                      96  
         821591 [↓](#)



GRIFFITH LEAGUES CLUB LTD.

18 March 2024

Amanda Vardanega  
Corporate Property Officer & Native Title Coordinator  
Via email: [admin@griffith.nsw.gov.au](mailto:admin@griffith.nsw.gov.au)

Dear Amanda

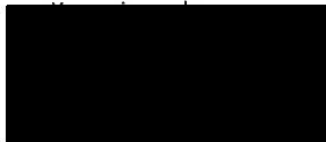
**RE: LICENCE AGREEMENT RENEWAL – FENCING – 1-25 COOLAH STREET GRIFFITH**

The Board of Directors has received your correspondence regarding the expiration of the Licence Agreement for the occupation of road reserve on Lot 2245 DP 821591 Coolah Street Griffith.

I wish to confirm that the Club is desirous of entering into a new licensing agreement for a further term of ten (10) years. We acknowledge that the costs and charges relating to the preparation of the document will be at the expense of the Club.

The completed license information sheet is provided overpage.

Should You require any further information, please contact me on (02) 6962 4577.



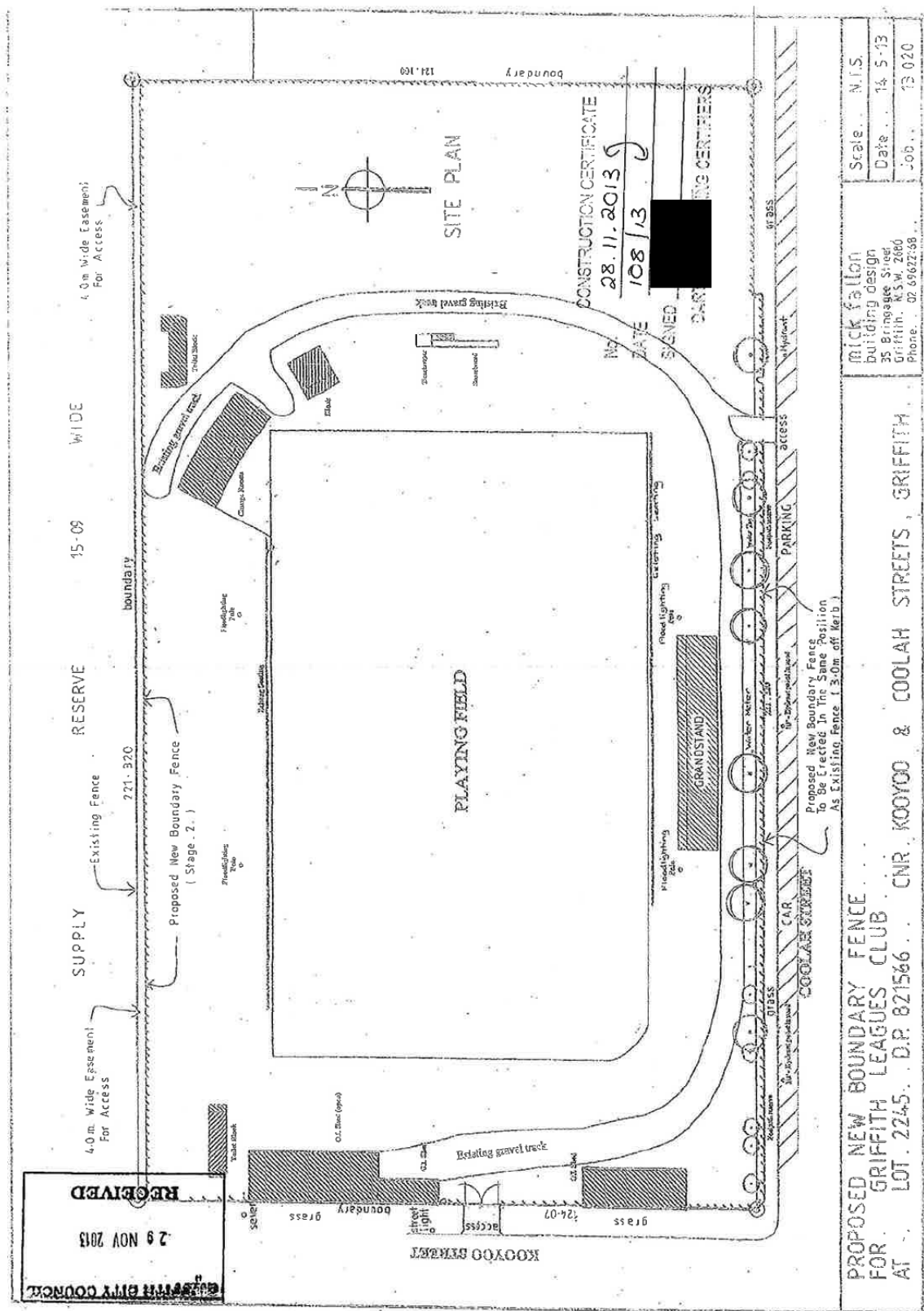
Anthony Lico  
General Manager

**Anthony Lico**  
*general manager*

✉ [anthony@griffithleaguesclub.com.au](mailto:anthony@griffithleaguesclub.com.au)  
☎ 02 6962 4577


🌐 [www.griffithleaguesclub.com.au](http://www.griffithleaguesclub.com.au)  
📍 PO Box 1010 Griffith NSW 2680

**it's all yours**  
*at the griffith leagues club*










**Griffith City Council**  
PO Box 445  
1 Benemurrah Street  
GRIFFITH NSW 2680  
Telephone: 1300 176 077  
Email: [gdnp@griffith.nsw.gov.au](mailto:gdnp@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.



**Projection:** GDA2020 / MGA zone 55

**Date:** 9/04/2024

**Drawn By:** Amanda Vardanega

**Map Scale: 1:1674 at A4**

BOUNDARY FENCING – Griffith Leagues Club – E.W Moore Oval – Lot 2245 DP 821591



**CLAUSE**      **CL07**

**TITLE**        **Employment Lands Strategy Endorsement**

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

**TRIM REF**    **24/43164**

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### **SUMMARY**

Council has prepared a draft Employment Lands Strategy which was placed on public exhibition for a period of 28 days (between 31 October 2023 and 1 December 2023). During the public exhibition period a total of three submissions were received including one from a landowner and two from government authorities.

Council is required to prepare an Employment Lands Strategy to rezone land for business, commercial or industrial purposes. The Strategy has been prepared by PSA Consulting and Council staff. Funding for the Employment Lands Strategy was made available by the Department of Planning, Housing and Infrastructure (DPHI). The purpose of this report is to provide a summary of the public submissions and how the Strategy has been amended in response to the submissions.

### **RECOMMENDATION**

**Council endorse the Griffith Employment Lands Strategy as attached.**

### **REPORT**

Planning for appropriately located employment lands, integrated with transport connections, with diverse housing options nearby and suitable for the development and operation of industrial activities is an important planning task for Griffith City Council. The Griffith Employment Lands Strategy (GELS) has been prepared to guide the planning and suitable supply of employment lands, meeting projected demands for sustainable employment growth in the Griffith Local Government Area (LGA). The GELS has been prepared to address all employment lands within Griffith and also provides the justification / rationale to inform any potential changes to the Griffith Local Environmental Plan 2014 (LEP), which would need to be advanced through the preparation of a future Planning Proposal(s). The GELS also recognises the importance of supporting the continued growth in employment in Griffith with robust and diverse housing supply including affordable options in close proximity to employers.

The GELS was based on a comprehensive Economic Analysis of Griffith prepared by Bull + Bear Economics which is provided at Appendix 1 of the GELS. The Economic Analysis concluded that Griffith had a sufficient supply of commercial land in the Banna Avenue, Yambil Street and Railway Street precinct for at least the next 20 years and recommended that Council support additional high density residential development in this area. The Economic Analysis also recommended that additional industrial land should be made available through the rezoning of land.

Based on the Economic Analysis and a review of Council's strategic plans including the Local Strategic Planning Statement (LSPS) and also a review of the public submissions received during consultation regarding the LSPS and recent Planning Proposals, the GELS made the following recommendations, among others:



- Support additional housing in the Griffith CBD area.
- Rezone lands along the Southern Industrial Link Road (SILR) for Industrial purposes (see Map 1 on pg. 32 of the GELS).
- Identify additional land along the SILR for future employment lands purposes.
- Support infill rezoning for residential uses close to businesses to provide employee housing.
- Transition some lands to a Mixed Use zoning.

During the public exhibition period, Council received three submissions (see Attachment 2). A summary of the public submissions is provided below:

**Public Submission – land owner on Duchatel Road**

The submitter owns land at the corner of Duchatel Road and Kidman Way located to the immediate west of the proposed “Employment Lands Investigation” area (Lot 820 DP751709). A constraints analysis has been provided at Appendix 2 of the GELS which has assessed the suitability of the site for employment lands purposes. Council considers the land represents a logical inclusion in the “Employment Lands Investigation” area. Map 1 – Proposed Zoning Changes in the GELS has been updated to include this site.

**Government Authority Submission – Transport for New South Wales (TfNSW)**

TfNSW had the following comment regarding the rezoning of land on the Southern Industrial Link Road (SILR) for employment lands purposes:

*TfNSW heavily advises Council to deny of direct vehicular access from the proposed new industrial land to the SILR when other local roads are available. This includes limiting direct access points from the SILR to the new industrial precinct where physically possible. This will allow the SILR to continue to act as Council’s intended purposes (a bypass) together with the SILR operating as safe and efficient as possible.*

As part of a future planning proposal for the rezoning of the lands along the SILR, a conceptual road network and intersection strategy would need to be prepared which prioritises access from roads other than the SILR.

**Government Authority Submission – Department of Planning, Housing and Infrastructure (DPHI)**

DPHI provided the following comments:

- Council should prepare a DCP for Employment Lands.
- Council should amend Development Contribution Plans to facilitate the re-zonings.
- A Structure Plan, DCP and Contribution Plan should be provided as part of an Implementation Plan.
- The Implementation Plan should include a staging plan.
- Council should provide an analysis of the candidate sites for rezoning.

Council is presently completing an Employment Lands DCP which would apply to existing and new employment lands. Council notes DPHI’s suggestion of completing a contribution plan and would consider this as part of an Implementation Plan. As requested by DPHI, a constraints analysis of each candidate site has been provided at Appendix 2 of the GELS.

Following the public exhibition period, Council staff had meetings with all the submitters to better understand their positions. All submitters were satisfied with Council’s approach to address the submissions in the amended GELS at Attachment 1 and as part of a future

Implementation Strategy. The amendments to the GELS as exhibited are limited to the following:

- Addition of a Constraints Analysis at Appendix 2
- Inclusion of Lot 820 DP751709 in the “Employment Lands Investigation” area along the Kidman Way at Duchatel Road.

### **OPTIONS**

#### OPTION 1

As per recommendation

#### OPTION 2

Any other resolution of Council

### **POLICY IMPLICATIONS**

Not Applicable

### **FINANCIAL IMPLICATIONS**

Not Applicable

### **LEGAL/STATUTORY IMPLICATIONS**

Not Applicable

### **ENVIRONMENTAL IMPLICATIONS**

Not Applicable

### **COMMUNITY IMPLICATIONS**

The community would have expectation that Council make provision for future expansion of business opportunities in the city.

### **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

### **ATTACHMENTS**

- (a) Attachment 1a - Griffith Employment Lands Strategy - April 2024 (under separate cover) ➡
- (b) Attachment 1b - Appendix 1 - Economic Analysis (under separate cover) ➡
- (c) Attachment 1c - Appendix 2 - Candidate Site Constraints and Infrastructure Assessment (under separate cover) ➡

(d) Attachment 2 - Submissions (under separate cover) [⇒](#)

**CLAUSE**      **CL08**

**TITLE**        **Investments as at 29 February 2024**

**FROM**        **Vanessa Edwards, Finance Manager**

**TRIM REF**    **24/4366**

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### **SUMMARY**

This report details Council's investments performance at the month of February 2024

### **RECOMMENDATION**

**The report be noted by Council.**

### **REPORT**

In accordance with Section 212 of the Local Government (General) Regulation 2021, it is hereby certified that the investments detailed in the attached schedules have been made in accordance with Section 625 of the Local Government Act 1993, its Regulations and Council's current Investment Policy and Strategy which were last amended and adopted on 14 July 2023.

Management is striving to continuously build up cash and investment returns to ensure ongoing financial stability and liquidity into the future.

### **OPTIONS**

#### **OPTION 1**

As per the Recommendation.

#### **OPTION 2**

Any other Recommendation of Council.

### **POLICY IMPLICATIONS**

The actions taken comply with Council's current investment policy and strategy, and the Ministerial Order as provided by the NSW Office of Local Government.

### **FINANCIAL IMPLICATIONS**

As at the 29 February 2024, Council had received a total of \$1,739,896 in interest coupon payments.

The overall net interest income recognised (when combining both interest received and mark-to-market entries) at 29 February 2024 was \$2,365,567. The annual original adopted budget for 2023/24 was \$2,108,000. The annual revised budget for 2023/2024 is \$2,808,000.

Council has a mix of growth and fixed income investments in the portfolio and at certain times growth assets are exposed to equity market fluctuations (volatility) as well as rises in interest rates and may incur non-cash valuation reductions that can impact on reported profits. These are long term assets and Council has no intention of divesting any of these assets when at cyclical lows and therefore crystallising any losses. Invariably, these assets will regain and increase their values over time and they make up a valuable diversity in Council's portfolio overall.

Due to the high volatility across investment markets, it is difficult to obtain cash yields whilst maintaining appropriate diversification of investments and not be exposed to potential fluctuations in the carrying value of these assets. Council's investments are diversified primarily across TCorp Managed Funds, term deposits, fixed income bonds and floating rate notes which are largely determined by the restrictions in place by the Minister's Order. Council's investments are diversified, all highly rated and of high quality.

### **LEGAL/STATUTORY IMPLICATIONS**

Section 212 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: 1.1 Provide clear, accessible, relevant information.

### **CONSULTATION**

Senior Management Team

### **LEGAL/STATUTORY IMPLICATIONS**

Section 212 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 1.1 Provide clear, accessible, relevant information.

## **CONSULTATION**

Senior Management Team

## **ATTACHMENTS**

- |     |   |     |
|-----|---|-----|
| (a) | Statement of Funds 29 February 2024 <a href="#">↓</a>                 | 104 |
| (b) | Investments Returns Analysis - 12 Months Annualised <a href="#">↓</a> | 105 |
| (c) | TCorp Monthly Economic Report - February 2024 <a href="#">↓</a>       | 106 |

## (a) Statement of Funds at 29 February, 2024

**GRIFFITH CITY COUNCIL**  
**Statement of Funds Invested under Section 625 of the Local Government Act, 1993**  
**29 February, 2024**

**INVESTMENTS**

Annual Return	Type	Valuation Balance as at 29 February, 2024	Interest Recognised February, 2024	Revaluation Movements Recognised February, 2024	Fund as a Percentage of Total Investments
<b>Cash/Managed Funds</b>					
6.270%	Pendal Institutional Cash Fund	8,387.52		40.46	0.01%
-18.620%	Perpetual Credit Income Fund	1,008,874.81		(16,648.65)	1.65%
8.79%*	NSW Treasury Corp -Long Term Growth Fund	1,686,719.47		42,705.31	2.76%
5.83%*	NSW Treasury Corp -Medium Term Growth Fund	5,671,229.34		53,819.10	9.27%
3.65%*	NSW Treasury Corp - Short Term Income Fund	3,838,764.99	18,353.23	33.86	6.27%
3.500%	UBS Cash Management Trust Account	70,221.80	307.81		0.11%
3.890%	ANZ Premium Business Saver Account	7,427.59	28.77		0.01%
<b>Term Deposits</b>					
4.550%	AMP 367 Day Term Deposit Maturity 5/6/24	2,000,000.00	7,583.33		3.27%
1.600%	BOQ 3 Yr Term Deposit Maturity 9/12/24	1,082,491.07	1,444.64		1.77%
3.460%	Westpac Bank 2 Yr Term Deposit Maturity 17/5/2024	3,000,000.00	9,432.05		4.90%
4.300%	Westpac Bank 2 Yr Term Deposit Maturity 8/9/2024	3,000,000.00	10,750.00		4.90%
4.200%	NAB 2 Year Term Deposit Maturity 9/9/2024	2,000,000.00	7,019.18		3.27%
4.400%	BOQ 2 Yr Term Deposit Maturity 8/9/2024	2,000,000.00	7,373.51		3.27%
4.770%	Westpac Bank 2 Yr Term Deposit Maturity 30/9/2024	3,000,000.00	11,925.00		4.90%
4.820%	Westpac Bank 2 Yr Term Deposit Maturity 8/11/2024	3,000,000.00	12,347.12		4.90%
4.880%	ING 3 Yr Term Deposit Maturity 8/11/2025	4,000,000.00	16,311.23		6.54%
4.750%	Westpac Bank Notice Saver 60 Day	8,600,192.63	22,836.46		14.05%
4.600%	Westpac Bank Notice Saver 31 Day	5,513,248.95	21,038.65		9.01%
4.430%	Westpac Deposit Maturity 30/8/24	1,000,000.00	11,044.66		1.63%
5.000%	NAB 3 Yr Term Deposit Maturity 9/10/2026	3,500,000.00	14,583.33		5.72%
<b>Bank Bonds/Floating Rate Notes #</b>					
5.490%	Westpac FRN Maturity (\$1M Face Value) 24/04/24	1,002,320.00		(710.00)	1.64%
1.250%	NSW Treasury Corp Bond (\$2.5M Face Value) Maturity 20/3/25	2,418,700.00		1,925.00	3.95%
1.250%	NSW Treasury Corp Bond (\$2M Face Value) Maturity 20/11/30	1,651,460.00		(8,620.00)	2.70%
2.000%	NSW Treasury Corp Bond (\$2M Face Value) Maturity 8/3/33	1,625,160.00		(13,560.00)	2.66%
1.750%	Government of the ACT Bond (\$600k Face Value) Maturity 17/5/30	518,802.00		(2,994.00)	0.85%
<b>Total</b>		<b>61,204,000.17</b>	<b>172,378.97</b>	<b>55,991.08</b>	<b>100%</b>

\*YTD Fund Return

# Bank Bonds/Floating Rate Notes will have positive or negative revaluations from month to month. Upon maturity date the principal investment will be paid back in full.

Balance of Griffith City Council Trading Bank Account 9,311,803.67  
 GHFL/HHF Bank Account Balances 23,855.59

**Total Cash & Investments at 29/02/2024** **70,539,659.43**

**RETURN ON INVESTMENTS**

Return on Investments Analysis	Actual
Accumulated Return on Investments Brought Forward	2,115,933.34
Interest received on Griffith Health Facilities Limited Bank Accounts YTD February 2024	217.00
Return on Investments for the month of February 2024	228,370.05
Trading Bank Account Interest Received for the month of February 2024	21,046.60
<b>Total Return of Investments YTD February 2024</b>	<b>2,365,566.99</b>

Fund	Revised Budget Annual Total	Budget YTD	Actual YTD
Ordinary Fund	1,100,000.00	733,333.33	865,126.32
Water Fund	1,010,000.00	673,333.33	842,063.09
Sewerage Fund	440,000.00	293,333.33	467,130.09
Waste Fund	255,000.00	170,000.00	187,605.87
Western Riverina Library	3,000.00	2,000.00	3,641.62
<b>Total</b>	<b>2,808,000.00</b>	<b>1,871,999.99</b>	<b>2,365,566.99</b>
<b>Percentage of Year at Report Date</b>		<b>58.33%</b>	

In accordance with Section 212 of the Local Government (General) Regulation 2021, I hereby certify that the investments detailed above are made in accordance with the Local Government Act, its regulations and Council's investment policy adopted on 14 July, 2023.

\_\_\_\_\_  
**RESPONSIBLE ACCOUNTING OFFICER**

**(b) Investments Returns Analysis - 12 month Annualised Yields**

<b>INVESTMENT RETURNS ANALYSIS - 12 MONTH ANNUALISED YIELDS</b>			
<b>Month</b>	<b>Average Funds Invested for the month</b>	<b>Return on Investment/ Revaluation Adjustments</b>	<b>Yield %</b>
Mar-23	\$60,423,943	\$467,545	0.77%
Apr-23	\$60,644,807	\$242,735	0.40%
May-23	\$58,897,062	\$66,112	0.11%
Jun-23	\$60,569,391	\$74,708	0.12%
Jul-23	\$64,144,808	\$302,181	0.47%
Aug-23	\$64,307,885	\$228,475	0.36%
Sep-23	\$63,569,386	\$30,484	0.05%
Oct-23	\$63,449,129	-\$7,967	-0.01%
Nov-23	\$64,311,568	\$577,517	0.90%
Dec-23	\$64,699,621	\$523,235	0.81%
Jan-24	\$64,486,966	\$278,035	0.43%
Feb-24	\$62,632,743	\$228,370	0.36%
<b>12 Month Annualised Performance</b>			<b>4.77%</b>
<b>Current Year Performance Jul 23 - Jun 24</b>			<b>3.36%</b>
<b>(Cash basis only, net of fees)</b>			





**February 2024**  
Published: 1 March 2024

## Monthly economic report

### The global economy

Inflation globally has decelerated faster than expected over the past few months. Despite this, central bank officials continue to communicate that they need more evidence that inflation is sustainably returning to target before lowering interest rates. This cautious and patient approach reflects ongoing concerns that inflation could remain too high, particularly components of services inflation. With labour markets around the world still tight, wages growth remains elevated and needs to slow for central banks' to sustainably achieve their inflation targets.

Although central banks are cautious, the US Federal Reserve (Fed) and the European Central Bank have clearly shifted their focus to the question of how long to keep rates restrictive before cutting. In contrast, the Reserve Bank of Australia (RBA) has not ruled out the possibility of further rate rises. The tightening bias in the RBA's communication is likely aimed at discouraging financial markets from pricing in aggressive interest rate cuts and creating an unhelpful loosening in financial conditions.

As central banks have maintained the coordinated message that rate cuts are not imminent, investors have pushed back the expected timing of rate cuts further. Most central banks are now expected to start cutting rates in the third quarter of this year. Investors also expect central banks to cut rates in 2024 by much less than they did a month ago, with market expectations now more aligned with central banks' own projections. For example, investors now expect the Fed to deliver around 3 rate cuts this year, compared to the almost 6 rate cuts expected at the start of February.

Although messaging from central banks in major developed economies is consistent and investors expect a similar amount of rate cuts this year (excluding Australia), economic conditions vary considerably across regions. The US economy is the outlier, with strong economic growth and resilient consumer spending. Most first-tier US economic data was on the stronger side again in February.

In contrast, other developed economies are experiencing recession-like conditions, including in Europe, UK, Japan and Canada. This divergence raises the possibility that – despite similar market expectations and unified central bank rhetoric – interest rates are not lowered in a synchronised fashion once easing cycles commence.

China's economy is also weak, with soft consumer spending, a severe property sector downturn and ongoing deflation. In response, the People's Bank of China cut one of its key interest rates by a larger-than-expected 25bps in February. It is likely that more stimulus measures will be announced in March, following the annual National People's Congress, though it remains to be seen how significant or effective these might be.

### The Australian economy

The RBA Board held interest rates steady at its February meeting and noted that a further increase in interest rates could not be ruled out. Like central banks in other developed economies, the RBA needs to be convinced that inflation is sustainably returning to target before it cuts rates. Economic data over the past few months has weakened the case for further rate hikes, with the Australian economy weaker and inflation lower than the RBA expected a few months ago.

Inflation in January surprised to the downside again and consumer spending remains very weak, as many households face ongoing cost of living pressures. The labour market is still tight but has continued to gradually loosen, with total hours worked trending lower, employment growth slowing and the unemployment rate climbing higher. Wages growth is expected to have reached its peak and leading indicators suggest that it will start to decelerate.

Investors have also pushed back the expected timing of the first RBA rate cut, from June to September. The RBA is expected to lower rates once or twice this year, compared to the 2-3 rate cuts that were priced in at the start of February. With the Australian economy weaker than the US economy and inflation expected to return to target at a similar time, it is not obvious why the RBA should wait longer than the Fed to cut rates or cut by less this year.

## Financial market commentary

Bond yields rose further in February as investors continued to pare back their expectations for interest rate cuts this year. Despite the higher bond yields, most equity markets rose in the month.

### Equity markets (performance in local currency, excluding dividends)

The MSCI World (ex-Australia) index rose by 3.8% in February and the MSCI Emerging Markets index rose by 4.4%. The drivers of equity markets varied across regions. The US S&P500 gained 5.1%, boosted by a strong corporate earnings reporting season, especially better-than-expected earnings from Nvidia. Although gains in the month were broad-based across sectors, higher bond yields in the month weighed on the more interest-sensitive sectors (e.g. utilities and real estate).

Japan's equity market also rose strongly, by 7.9%, boosted by the Japanese yen depreciating a further 1.5% against the US dollar. Equity markets in Japan, the US and Europe all reached historically high levels in February. In contrast, a lacklustre corporate earnings season saw Australian equities underperform, with the ASX200 edging 0.2% higher. Ongoing concerns around weakness in China's economy and future demand for commodities also weighed on mining stocks.

Equity markets in China and Hong Kong rebounded in February, after sharp falls in January. The strength was partly in response to authorities announcing measures to support the equity market, which has trended lower the past 3 years.

### Interest rates

Global bond yields rose sharply in February as investors adjusted to the idea of central banks keeping interest rates higher for longer. US 10-year bond yields rose 33bps and German 10-year yields increased 25bps, with larger increases at the short-end. Australian bond yields rose 12-13bps across the curve – smaller increases than in the US or Europe – as rate cut expectations were pared back in Australia.

TCorp bond yields moved broadly in line with those on Commonwealth Government bonds in February.

### Currency and commodity markets

Iron ore prices fell further in February, to be 8.4% lower since the start of this year. This reflects concerns about the outlook for China's economy, particularly steel-intensive property construction.

Concerns about China's economy also weighed on the Australian dollar, which depreciated by 1.1% against the US dollar in February. The larger rise in short-end US bond yields relative to Australia also weighed on the Australian dollar, as investors pared back rate cut expectations by more for the Fed than for the RBA.

## Financial market performance

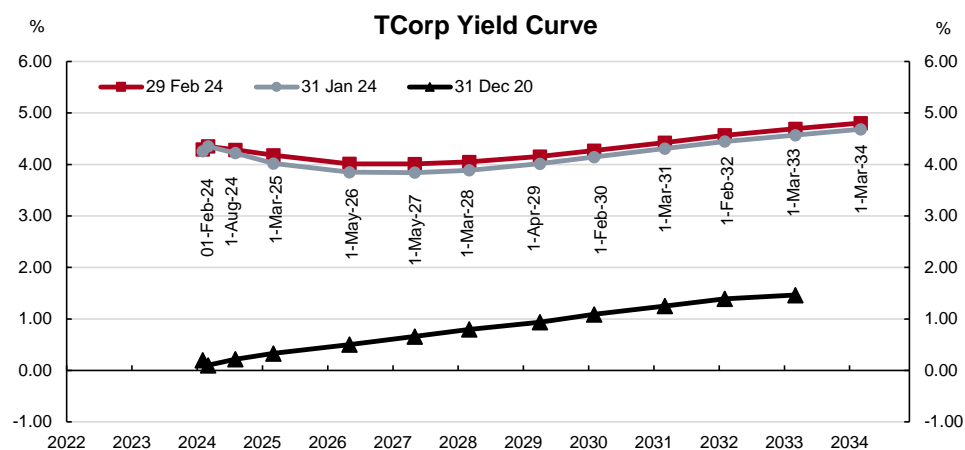
Currency markets February 2024	Previous month close	Month high	Month low	Month close	Month change
AUD/USD	0.657	0.657	0.645	<b>0.650</b>	-1.1% ▼
AUD/EUR	0.607	0.607	0.599	<b>0.601</b>	-1.0% ▼
AUD/JPY	96.50	98.76	96.23	<b>97.43</b>	1.0% ▲
AUD/GBP	0.518	0.519	0.512	<b>0.515</b>	-0.5% ▼
AUD/BRL	3.255	3.277	3.197	<b>3.231</b>	-0.7% ▼
AUD/INR	54.54	54.53	53.57	<b>53.89</b>	-1.2% ▼
AUD/CNY	4.709	4.722	4.642	<b>4.672</b>	-0.8% ▼

Equity markets* February 2024	Previous month close	Month high	Month low	Month close	Month change
MSCI World ex Australia	3286	3421	3310	<b>3410</b>	3.8% ▲
MSCI Emerging Markets	976	1029	982	<b>1019</b>	4.4% ▲
S&P/ASX200	7681	7699	7548	<b>7699</b>	0.2% ▲
S&P/ASX Small Ordinaries	2956	2999	2916	<b>2999</b>	1.5% ▲
S&P500 (US)	4846	5093	4906	<b>5093</b>	5.1% ▲
FTSE 100 (UK)	7631	7729	7512	<b>7630</b>	0.0% ▼
Stoxx600 (Europe)	486	497	483	<b>495</b>	1.8% ▲
DAX (Germany)	16904	17678	16859	<b>17678</b>	4.6% ▲
CAC 40 (France)	7657	7967	7589	<b>7927</b>	3.5% ▲
Nikkei 225 (Japan)	36287	39240	36011	<b>39166</b>	7.9% ▲
Hang Seng (HK)	15485	16791	15510	<b>16511</b>	6.6% ▲
Shanghai Composite (China)	2789	3015	2702	<b>3015</b>	8.1% ▲
Bovespa (Brazil)	127752	131689	127018	<b>129054</b>	1.0% ▲
IPC (Mexico)	57373	58712	55351	<b>55419</b>	-3.4% ▼
S&P/BSE Sensex (India)	71752	73158	71072	<b>72500</b>	1.0% ▲

\*Returns are in local currency, and exclude dividend payments

Bond markets (%) February 2024	Previous month close	Month high	Month low	Month close	Month change
RBA Official Cash Rate	4.35	4.35	4.35	<b>4.35</b>	0.00 –
90 Day Bank Bill	4.35	4.35	4.32	<b>4.34</b>	-0.01 ▼
180 Day Bank Bill	4.43	4.48	4.38	<b>4.48</b>	0.05 ▲
New institutional term deposits	4.70	4.70	4.70	<b>4.70</b>	0.00 –
3 Year CGS Bond	3.57	3.86	3.55	<b>3.70</b>	0.13 ▲
10 Year CGS Bond	4.01	4.27	3.98	<b>4.14</b>	0.12 ▲
10 Year US Bond	3.91	4.32	3.88	<b>4.24</b>	0.33 ▲
10 Year German Bond	2.17	2.46	2.15	<b>2.41</b>	0.25 ▲
10 Year Japanese Bond	0.73	0.75	0.67	<b>0.71</b>	-0.02 ▼

TCorp bonds (%)	Previous month close	Month high	Month low	Month close	Month change
<b>February 2024</b>					
20-Aug-24	4.22	4.35	4.25	<b>4.28</b>	0.06 ▲
20-Mar-25	4.02	4.24	4.02	<b>4.18</b>	0.16 ▲
20-May-26	3.85	4.13	3.85	<b>4.01</b>	0.16 ▲
20-May-27	3.84	4.14	3.83	<b>4.01</b>	0.17 ▲
20-Mar-28	3.89	4.18	3.87	<b>4.05</b>	0.16 ▲
20-Apr-29	4.01	4.27	3.99	<b>4.15</b>	0.14 ▲
20-Feb-30	4.14	4.39	4.11	<b>4.27</b>	0.12 ▲
20-Mar-31	4.31	4.54	4.27	<b>4.42</b>	0.12 ▲
20-Feb-32	4.45	4.68	4.41	<b>4.56</b>	0.12 ▲
08-Mar-33	4.57	4.80	4.53	<b>4.69</b>	0.12 ▲
20-Mar-34	4.68	4.91	4.64	4.80	0.12 ▲
CIB 2.75% 20 Nov 25	1.25	1.45	1.29	<b>1.34</b>	0.09 ▲
CIB 2.50% 20 Nov 35	2.17	2.41	2.17	<b>2.31</b>	0.14 ▲



Source: TCorp

Commodity markets (US\$)	Previous month close	Month high	Month low	Month close	Month change
<b>February 2024</b>					
Brent Oil (per barrel)	81.7	83.7	77.3	<b>83.6</b>	2.3% ▲
Iron Ore (per tonne)	135.1	132.4	124.7	<b>124.9</b>	-7.6% ▼

TCorp forecasts	June-24	Dec-24	Jun-25	Dec-25
RBA Official Cash Rate	4.10	3.85	3.10	2.35
90 Day Bank Bill	4.10	3.10	3.10	2.50
10 Year CGS Bond	3.50	3.25	3.25	3.25

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## About TCorp

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**DISABILITY INCLUSION & ACCESS COMMITTEE  
HELD IN COUNCIL CHAMBERS, GRIFFITH ON  
WEDNESDAY, 3 APRIL 2024 COMMENCING AT 1:01 PM**

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**PRESENT**

Councillor Laurie Testoni (Acting Chair), Colin Beaton (Community Representative), Patricia Cox (Community Representative), Marilyn Hams (Community Representative), Mike Neville (Community Representative, Via Zoom), Soheil Derakhshan (Community Representative)

Quorum = 3

**STAFF**

Director Sustainable Development, Bruce Gibbs, Director Economic & Organisational Development, Shireen Donaldson, Urban Strategic Design & Major Projects Manager, Peter Badenhorst, and Minute Secretary, Hannah Hall

**ABSENT**

Simone Murphy (Community Representative), Jaimee Damini (Community Representative), Erin Fletcher (Community Representative)

**1 APOLOGIES**

**RECOMMENDED** on the motion of Patricia Cox and Marilyn Hams that apologies be received from Councillor Shari Blumer, Val Woodland, Melissa Canzian and Melanie Vella.

**2 CONFIRMATION OF MINUTES**

**RECOMMENDED** on the motion of Patricia Cox and Marilyn Hams that the minutes of the previous meeting held on 6 March 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**

### **CL01 UPDATE ON HER WAY PROJECT**

Mrs Donaldson provided the Committee with an update on the Her Way Project. The project is on schedule and project completion is expected in July 2024. Works are commencing in Don Best Park and Community Garden, lighting upgrades in McCook Carpark and Kooyoo Street and Ulong Street bridge rehabilitation.

Mr Beaton enquired as to whether pathways in Canal Street are to be included in this project. Mrs Donaldson advised that the Her Way funding and project budget was to activate spaces from Coolah Street to the CBD which are safe, and did not extend to footpaths along Coolah Street. Coolah Street has been identified as a priority in the Pedestrian Access and Mobility Plan (PAMP) and is dependent on funding.

Mrs Cox asked if Soroptimist are able to do a clean-up along either side of the canal along Canal Street. Mrs Donaldson asked that the president of Soroptimist liaise with Melanie Vella as Project Manager.

The Committee received the information provided.

### **CL02 CONSULTATION FOR REVIEW OF THE COMMUNITY STRATEGIC PLAN**

Mrs Donaldson advised the Committee that Council are currently reviewing their Community Strategic Plan (CSP). Council are consulting with the Community to understand what their priorities are for the future of Griffith, and are asking the Community to fill out a short survey. Councillor Testoni stressed the importance of the CSP for Councillors to understand the community's priorities when making decisions.

Mrs Cox asked if Council could present the CSP consultation to different community groups? Mrs Donaldson advised that this is something that Council are more than willing to do, and for any community groups who are interested to get in contact with Council.

## **6 OUTSTANDING ACTION REPORT**

### **6.1 Regional Disability Advocacy Service**

The Committee was advised that Ms Girling is unavailable on Wednesdays. It was asked that staff liaise with Ms Girling to arrange a mutually agreeable time to present to Council.

### **6.2 Reinstating of MLAK System**

Council are currently working out details to reinstate the MLAK System throughout the Griffith Local Government Area.

## **7 GENERAL BUSINESS**

### **7.1 Pathway from 3 Ways to CBD**

Mrs Cox raised the lack of accessible walk ways from 3 ways to the CBD, and asked if this was a priority in the PAMP. Mrs Donaldson took this ON NOTICE.

### **7.2 Autism Awareness Month**

Mrs Hams advised the Committee that it is Autism Awareness Month. Mrs Donaldson said she would arrange for the Nancy Blumer Memorial to be lit with blue lights and outdoor poster to be installed.

### **7.3 Update on Changes to Recruitment Process**

Mrs Donaldson advised that updates to Council's recruitment portal are being tested this week, and should be live by Friday.

### **7.4 Disability Inclusion Access Plan (DIAP)**

Mr Derakhshan asked for timelines in regards to consultation and review of the DIAP by the Committee, conscious of the time restraints leading into the Local Government Elections. Mrs Donaldson took this ON NOTICE.

### **7.5 Hidden Disabilities Sunflower Initiative**

Mr Beaton advised that the Hidden Disabilities Sunflower Initiative has gained momentum throughout Australia. Mrs Donaldson advised that Council would investigate further.

## **8 NEXT MEETING**

The next meeting of the Disability Inclusion & Access Committee is to be held on Wednesday, 1 May 2024 at 1:00pm.

There being no further business the meeting terminated at 1:38pm.



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**LAKE WYANGAN & CATCHMENT MANAGEMENT COMMITTEE  
HELD IN COUNCIL CHAMBERS ON  
THURSDAY, 11 APRIL 2024 COMMENCING AT 5:00 PM**

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**PRESENT**

Councillor Doug Curran (Chair), Frank Battistel (Community Representative), Peter Borella, Via Zoom (Community Representative), Carmel La Rocca (Community Representative), John McFadzean (Community Representative), Thomas Mackerras (Community Representative), Ema Munro (Community Representative), Jade Salvestro (Community Representative), Kelvin Williams (Community Representative), Franco Pistillo, Via Zoom (Representative for Member for Murray)

Quorum = 3

**STAFF**

Urban Strategic Design & Major Projects Manager, Peter Badenhorst, Director Sustainable Development, Bruce Gibbs, Manager Parks and Gardens, Peter Craig and Minute Secretary, Hannah Hall

**1 APOLOGIES**

**RECOMMENDED** on the motion of John McFadzean and Thomas Mackerras that apologies be received from Paul Eldridge, Phil King and Brett Stonestreet.

**2 CONFIRMATION OF MINUTES**

**RECOMMENDED** on the motion of Frank Battistel and John McFadzean that the minutes of the previous meeting held on 15 February 2024, having first been circulated amongst all members, be confirmed.

**3 BUSINESS ARISING**

**3.1 Tree Planting Day**

Mr Gibbs advised that he will put a report to the next Committee meeting on 16 May recommending plant species and a defined planting area.

**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 AUDIT OF EXHIBITED ANIMALS AT LAKE WYANGAN PICNIC AREA**

Mr Gibbs advised that the Department of Primary Industries had conducted an audit on the animals and their enclosures at Lake Wyangan. The audit concluded that the current facilities were unacceptable and Council were issued with a “Direction” to advise of corrective actions by 1 May 2024. The cost of resources and infrastructure outlined in the audit is estimated to be \$86,495; \$30,495 of which is required annually. Councillor Curran added that Council has not allocated funds for this in its current budget.

Mr Franco asked what Council will do with the animals if removed. Councillor Curran said that Council would rehome and relocate the animals.

Mr Cranston asked if companion animals such as dogs would be allowed at the Lake if the animals were removed. Mr Craig said that if the animals were removed, Council could review this policy.

Mr Borella asked if Council has an indication of how often the community views the animals. Mr Craig advised while there is a portion of the community who come to see the animals, there is not a constant flow of visitors. Mr Borella was against the recommendation.

**RECOMMENDED** on the motion of Frank Battistel and John McFadzean that Council:

- (a) Rehome and relocate all animals that are currently on display at the Lake Wyangan Picnic Area, and
- (b) Discontinue the permit for the exhibition of animals to the public.

## **6 GENERAL BUSINESS**

### **6.1 Water Quality of Drainage into Lake Wyangan**

Mr Williams tabled a letter pertaining to the Water Quality of Drainage into Lake Wyangan with concerns about drainage licencing, and the size and quantity of outlets on properties. He has asked that Council contact Murrumbidgee Irrigation in regards to this issue. Councillor Curran advised that Council will follow up with Murrumbidgee Irrigation.

### **6.2 Modified Clay**

Mr Cranston tabled an ABC News article highlighting Western Australian scientists who are trialling modified clay to help eliminate algae blooms. The information will be distributed to the Committee and Council staff.

**7 NEXT MEETING**

The next meeting of the Lake Wyangan & Catchment Management Committee is to be held on Thursday, 16 May 2024 at 5:00 pm.

There being no further business the meeting terminated at 5:35 pm.

**TITLE** Outstanding Action Report

**TRIM REF** 24/44094

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**RECOMMENDATION**

The report be noted.

**ATTACHMENTS**

(a) Outstanding Action Report [↓](#)

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### OUTSTANDING ACTION REPORT

Council Meeting Date	MEETING ITEM	Action Officer	CRM No.	Minute No.	Council Resolution	Additional Information
26 March 2024	<b>CL02 COMMUNITY GARDENS LARGE SCALE EVENT MASTERPLAN</b>	USD	144180	24/075	<b>RESOLVED</b> on the motion of Councillors Shari Blumer and Glen Andreazza that: (a) Council adopts the Community Gardens Large Scale Event Masterplan as exhibited. (b) Council finalise the estimated costing and implement permanent power supply to service food vans adjacent to Willandra Avenue, relocation of existing backstage storage container to be permanently located behind Stuart McWilliam Stage subject to existing budget allocation of \$50,000. (c) Council finalise a staged design of fencing for the Community Gardens site.	<b>12/4/2024:</b> Manager of Urban Design to arrange meeting with relevant staff to discuss fencing.
26 March 2024	<b>CL03 STREET SCAPES SEATING PARKLETS RENTAL POLICY</b>	USD	144181	24/076	<b>RESOLVED</b> on the motion of Councillors Glen Andreazza and Christine Stead that: (a) Council endorse the Street Scapes Seating Parklets Rental Policy and place on public exhibition for 28 days. (b) Should submissions be received a further report be submitted to Council. (c) Should no submissions be received the policy be adopted and the applicable fees and charges be included Councils current and future revenue policy.	<b>12/4/2024:</b> On public Exhibition until 26 April 2024.
26 March 2024	<b>MINUTES OF THE NEW CEMETERY MASTERPLAN</b>	DIO		24/084	<b>RESOLVED</b> on the motion of Councillors Simon Croce and Christine Stead that the	<b>15/04/2024:</b> Funeral Directors have been advised.

### OUTSTANDING ACTION REPORT

	<b>COMMITTEE MEETING HELD ON 7 MARCH 2024</b>				<p>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><b>SMT Comment:</b> Should Council support the above recommendation it is proposed that Council should adopt the following in lieu of the recommendation above.</p> <ul style="list-style-type: none"> <li>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, Griffith and that the owner of the property sign the Development Application.</li> <li>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.</li> <li>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</li> </ul>	
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### OUTSTANDING ACTION REPORT

					<p>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> <p>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.</p>	
12 March 2024	<b>CL03 REQUEST FOR NEW ROAD NAME - MARIANNE CRESCENT</b>	IM	143520	24/061	<p><b>RESOLVED</b> on the motion of Councillors Anne Napoli and Christine Stead that Council:</p> <p>(a) Includes the name 'MARIANNE' for road naming purposes for the newly developed road within the 13 lot rural industrial subdivision at 425 Kidman Way, Griffith into Council's Road Name Register;</p> <p>(b) Approves the use of the name 'Marianne Crescent' and advertise as required.</p>	<b>28/03/2024:</b> On exhibition.

### OUTSTANDING ACTION REPORT

12 March 2024	<b>NOTICE OF MOTION - UPGRADE TO ORIGINAL BAGTOWN'S FIRST BLACKSMITH STORE SITE</b>	DI&O DSD	143524	24/066	<b>RESOLVED</b> 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.	<b>18/03/2024:</b> Councillors and SMT inspecting site 19/03/2024 to discuss scope. <b>02/04/2024:</b> Site inspection completed. Project scope to be referred to Council Workshop on 21 May 2024.
12 March 2024	<b>CC01 NOTICE OF MOTION - LEGAL MATTER</b>	GM	143525	24/070	<b>RESOLVED</b> on the motion of Councillors Dino Zappacosta and Christine Stead that Council provide a report on all legal costs incurred leading up to, and including, the Full Bench of the Industrial Relation Commission Appeal decision handed down recently.	<b>18/03/2024:</b> Financial data (including disbursements back to Council from insurer) being gathered, and report being prepared.
23 January 2024	<b>CC01 ENERGY PURCHASE AGREEMENT - HUNTER JOINT ORGANISATIONS OF COUNCILS</b>	PO	141541	24/022	<b>RESOLVED</b> on the motion of Councillors Simon Croce and Christine Stead that:  (a) Council agree to accept the proposal from Hunter Joint Organisation to tender for the purchase of power for Council's large sites and unmetered streetlighting.  (b) A further report be submitted for Council for consideration following the completion of stage one (1) of the procurement process as referred to in this report to determine;  i. The percentage of energy from renewable sources.  ii. The delegation of authority to the General Manager to accept or decline a contract with the preferred	<b>05/02/2024:</b> HJO have been advised. Further report to follow. <b>18/03/2024:</b> Report presented to Council 26/03/2024. <b>02/04/2024:</b> HJO advised of Council's resolution.



### OUTSTANDING ACTION REPORT

					tenderer as determined by the Power Purchasing Agreement Steering Committee.	
12 December 2023	<b>CCMM01 REVIEW OF LAKE WYANGAN FLOOD STUDY AND FLOODPLAIN RISK MANAGEMENT PLAN</b>	DU	140281	23/317	<b>RESOLVED</b> on the motion of Councillors Christine Stead and Glen Andreadza that Council authorise the General Manager to progress action with regard to the review of the Lake Wyangan Flood Study and Floodplain Risk Management Plan, in accordance with this Report.	<b>15/01/2024:</b> Consultancy brief being prepared for tender. <b>04/03/2024:</b> Brief in preparation. <b>18/03/2024:</b> Tender documentation released on Vendor Panel. Tenders close 1 May 2024.
28 November 2023	<b>CULTURAL PRECINCT MASTER PLAN COMMITTEE MINUTES – 11 OCTOBER 2023</b>	DBC&FS		23/285	<b>RECOMMENDED</b> on the motion of Councillor Jenny Ellis and Oumi Karenga-Hewitt, that Council apply for the Regional Precincts and Partnerships Program (rPPP) stream one.	<b>04/12/2023:</b> An application will be submitted in accordance with Council's resolution. <b>15/01/2024:</b> Application preparation has commenced. <b>04/03/2024:</b> Application will be lodged March 2024. <b>02/04/2024:</b> Application not lodged by end of March. Waiting on letters of support. To be lodged April 2024.
28 November 2023	<b>CC03 TENDER NO. 6-23/24 – EXTENSION TO SHED AT 53 OAKES ROAD GRIFFITH</b>	DIO	139719/2023	23/294	<b>RESOLVED</b> on the motion of Councillors Christine Stead and Shari Blumer that: (a) Council, in accordance with Section 178(1) (b) of the Local Government Regulation 2021, reject all tenders submitted for Tender No. 6-23/24 Extension to shed at 53 Oakes Road Griffith due to tender submitted being well over the budget allocation for this project. (b) Council, in accordance with Section 178(3) (e) of the Local	<b>04/12/2023:</b> Letters to be sent rejecting all tenders and inviting suitable shed builders to enter into negotiations with Council. <b>05/02/2024:</b> Commenced negotiations. <b>02/04/2024:</b> Report to Council 23 April 2024. <b>15/04/2024:</b> Report to Council meeting 14 May 2024

### OUTSTANDING ACTION REPORT

					Government Regulation 2021, enter into negotiations with local shed builders to enable the project to be completed taking into consideration that the project may not have as many bays as originally planned. (c) In addition, a further report to be presented to Council recommending the preferred method of project execution.	
14 November 2023	<b>CL02 THARBOGANG TENNIS CLUB DEMOLITION</b>	CPO	139227	23/260	<b>RESOLVED</b> on the motion of Councillors Shari Blumer and Melissa Marin that: (a) Council to seek Crown Reserve Improvement Fund funding and if successful in receiving the grant monies then the demolition of the Tharbogang Tennis Club and other infrastructure situated on the Public Reserve can proceed. (b) Council confirm its intention to demolish the Tharbogang Tennis Club facility and Council to then re-engage with the Tharbogang Community to advise of the available funds and Council's decision to demolish the disused Tennis Club building.	<b>04/12/2023:</b> Council has included in the current budget 2023/24 approximately \$6,500 to part fund the demolition of the building. Application has been made for further funding to complete the project. Grant funding body to advise outcome in approximately May 2024. Community meeting to be held February 2024.  <b>04/03/2024:</b> Tharbogang Public School has been contacted seeking confirmation of suitable date for meeting.
24 October 2023	<b>CL01 SPECIAL RATE VARIATION (SRV) - DECISION TO APPLY TO THE INDEPENDENT PRICING AND REGULATORY TRIBUNAL (IPART)</b>	DBC&FS	138461	23/251	<b>RESOLVED</b> on the motion of Councillors Doug Curran and Jenny Ellis that: (a) Council receive and note the SRV Community Engagement Summary attached to the report including submissions, feedback received and key findings.	<b>25/10/2023:</b> Letter of intent to apply for SRV sent to IPART. <b>06/11/2023:</b> Application process has commenced. <b>16/01/2024:</b> Application submitted to IPART. Copy of submission provided to Councillors.

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### OUTSTANDING ACTION REPORT

					<p>(b) Council apply to the Independent Pricing and Regulatory Tribunal (IPART) under Section 508(A) of the Local Government Act 1993, for a permanent SRV of 10.5% inclusive of the assumed 3.0% rate peg each year for three consecutive years from 2024/25 to 2026/27. This is a cumulative increase of 34.9%. Applications are to be submitted by 5 February 2024 as determined by IPART.</p> <p>(c) Council to notify IPART that it intends to apply for a Special Rate Variation as referred to in (b) above, by 25 November 2023 (date as determined by IPART).</p> <p>(d) Council approves additional Service Reviews to those already listed in the 2022/23-2025/26 Delivery Program, as identified in this report. These are functions within the General Fund and will explore productivity improvements and cost containment strategies. The Delivery Program is to be updated accordingly.</p> <p>(e) Management to report to Council on a quarterly basis with details of cost savings and additional revenue initiatives.</p> <p>(f) Council to review the Financial Hardship Policy (FS-CP-506) to ensure adequate assistance is provided to ratepayers</p>	<p><b>04/03/2024:</b> IPART notified community submissions are open. Closing date for submissions is 18 March 2024.</p>
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## OUTSTANDING ACTION REPORT

					<p>experiencing genuine financial hardship.</p> <p>(g) Council cap increases Water and Sewer charges by the assumed 3% annual rate peg (per the SRV) for the period of the 3 year implementation of the SRV.</p> <p>(h) Council increase the pensioner rebates on Ordinary Rates by the following amounts for the period of the 3 year implementation of the SRV.</p> <p><b>SEE TABLE IN MINUTES</b></p> <p>(i) Council staff prepare the next draft Operational Plan (Budget) 2024/2025, draft Delivery Plan 2022/23 – 2025/26 and the draft 10 year 2024/25 – 2033/34 Financial Plan on the basis of removing the Art Gallery project.</p> <p>(j) Council staff prepare reports with respect to the following cost savings projects and alternative revenue opportunities:</p> <ul style="list-style-type: none"> <li>i) Paid parking at the Airport</li> <li>ii) Review of recent energy audit and further installation of solar panels on high energy consumption facilities.</li> <li>iii) Audit of buildings owned by Council which are leased to other entities (to include purpose of the original purchase and current lease arrangements relative to commercial terms).</li> </ul>	
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### OUTSTANDING ACTION REPORT

					iv) Initiate a Road Service review as a matter of priority (as referred to in this report) including improvements to the gravel and sealed road networks and the resheeting programs.	
24 October 2023	<b>CL03 CLOSURE OF KOORYOO STREET STAGE 1 - BANNA AVENUE TO BANNA LANE</b>	DIO	138463	23/255	<b>RESOLVED</b> on the motion of Councillors Glen Andreazza and Chris Sutton that 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><b>06/11/2023:</b> Contact made with TfNSW. Report being prepared for consideration of Traffic Committee.</p> <p><b>15/01/2024:</b> Traffic Committee approved at meeting held 12 December 2023.</p> <p><b>05/02/2024:</b> Works will be implemented to finalise the closure.</p> <p><b>04/03/2024:</b> Bollards will be order during March 2024 and scheduled for installation.</p>
10 October 2023	<b>CL03 EMPLOYMENT LANDS STRATEGY REQUEST FOR PUBLIC CONSULTATION</b>	SP	137999	23/240	<p><b>RESOLVED</b> on the motion of Councillors Glen Andreazza and Shari Blumer that:</p> <p>(a) Council place the draft Employment Lands Strategy on public exhibition for a period of 28 days to allow submissions from the public and key stakeholders.</p> <p>(b) Should submissions be received, a report with recommendations be presented back to an Ordinary Council Meeting for final endorsement.</p> <p>(c) Should no submissions be received, the Employment Lands Strategy Request for</p>	<p><b>02/11/2023:</b> On Public Exhibition until 1 December 2023. Public consultation session to be held 23 November 2023.</p> <p><b>04/12/2023:</b> Submissions received. Report being prepared for Council.</p> <p><b>15/01/2024:</b> Report to March 2024 Council Meeting.</p> <p><b>18/03/2024:</b> Report to Council 9 April 2024.</p> <p><b>02/04/2024:</b> Report to Council 23 April 2024.</p>

### OUTSTANDING ACTION REPORT

					Public Consultation is considered endorsed the day after the close of the public exhibition period.	
12 September 2023	<b>CC02 NON RATEABLE ASSESSMENTS, SPORTING CLUBS AND COMMUNITY ORGANISATIONS SUBSIDIES</b>	DBC&F	137019	23/221	<p><b>RESOLVED</b> on the motion of Councillors Glen Andreazza and Laurie Testoni that:</p> <p>(a) The information be noted.</p> <p>(b) The Rates – Payment by Community Organisations Policy be reviewed and presented to Council at a later date.</p>	<p><b>03/10/2023:</b> Policy to be reported to Council March Quarter 2024.</p> <p><b>04/03/2024:</b> Policy to be reported to April 2024 Council Meeting.</p>
12 July 2022	<b>NOTICE OF MOTION – COUNCILLOR TESTONI – YENDA MASTERPLAN</b>	GM	119905	22/167	<p><b>RESOLVED</b> 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 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</p>	<p><b>01/08/2022:</b> This matter will be scheduled for discussion at Council Workshop 16 August 2022.</p> <p><b>05/09/2022:</b> Council to submit an application to NSW Department of Planning and Environment for grant funding under Regional Housing Strategic Planning Fund Round 1 to complete a Yenda Masterplan. Application close 30 September 2022.</p> <p><b>04/10/2022:</b> Grant application submitted.</p> <p><b>03/01/2023:</b> NSW Government advised the Grant application successful on 30 November 2022. Expressions of Interests invited to coordinate and undertake the Yenda Masterplan.</p> <p><b>13/02/2023:</b> Tender awarded to CBRE.</p>

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### OUTSTANDING ACTION REPORT

					<p>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><b>01/05/2023:</b> Site inspection and survey completed. Landowner, MI and staff consultation completed. Draft Masterplan presentation to 20 June Council Workshop.</p> <p><b>17/07/2023:</b> Draft Masterplan to go to Council in September/October 2023.</p> <p><b>03/10/2023:</b> Draft Masterplan to go to Council 14 November 2023.</p> <p><b>06/11/2023:</b> Draft Masterplan to go to Council Meeting in December 2023.</p> <p><b>04/12/2023:</b> Draft Masterplan to go to Council Meeting in February 2024.</p> <p><b>15/01/2024:</b> Report to March 2024 Council Meeting.</p> <p><b>18/03/2024:</b> Council Meeting for 14 May 2024</p>
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**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
12 December 2023	<b>CL04 COMPULSORY ACQUISITION - AFFECTING LOT 27 DP751709 - BEAUMONT ROAD, HANWOOD - HANWOOD LEVY</b>	CPO	140274	23/303	<p><b>RESOLVED</b> 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 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.</p> <p>(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.</p> <p>(c) Council continues to negotiate with Department of Planning &amp; 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</p>	<b>15/01/2024:</b> Application preparation in progress.

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					<p>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 execute the documents on behalf of Council under the Common Seal if required.</p>	
12 December 2023	<b>CL05 COMPULSORY ACQUISITION - AFFECTING LOT 7322 DP1164483, MALLEE STREET, HANWOOD - WATER DRAINAGE WORKS</b>	CPO	140275	23/304	<p><b>RESOLVED</b> 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</p>	<b>15/01/2024:</b> Application preparation in progress.

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					<p>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 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 &amp; 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</p>	
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					<p>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>	
14 February 2023	<b>CL03 PCYC PROPOSAL TO ERECT AND FITOUT AN INTEGRATED GYMNASISTICS 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> <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</p>	<p><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.</p> <p><b>4/07/2023:</b> 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><b>31/07/2023:</b> PCYC finalising planned subdivision.</p> <p><b>04/12/2023:</b> Council seeking additional information from PCYC prior to lodgement of their DA.</p>

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					<p>(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>(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>	
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</p>	<b>30/1/2023:</b> The Draft Plan of Management was referred to the Crown for Ministers approval to place on public exhibition.

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					<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 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>	
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</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</p>

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					<p>opportunities to contribute towards the new construction.</p> <p>make a submission to TfNSW Active Transport for a 4.5m wide shared pathway for scoping and design. Submission lodged by Council.</p> <p><b>05/06/2023:</b> Funding application successful. Design to commence.</p> <p><b>17/07/2023:</b> Inception meeting scheduled for 18 August 2023. Project to be completed 20 June 2025.</p> <p><b>18/09/2023:</b> Ongoing consultation being held with stakeholders.</p> <p><b>04/12/2023:</b> 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><b>04/03/2024:</b> Tree removal nearing completion.</p> <p><b>18/03/2024:</b> Tree clearing complete. Tenders for bridge to be called for in March 2024.</p>
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