

CLAUSE **CL01**

TITLE **Planning Proposal 4/2018 - Nericon - ABR Farming Pty Ltd**

FROM **Kelly McNicol, Consultant Planner**

TRIM REF **20/130974**

SUMMARY

A Planning Proposal was received in 2018 from ABR Farming Pty Ltd (ABR Farming) to permit the future development of Lots 309 & 610 DP 751743 and Lots 102 & 104 DP 1018460 Boorga Road, Nericon (the site) for residential development utilising onsite sewage management systems. The Planning Proposal requires the preparation and endorsement of the Lake Wyangan Waste and Stormwater Management Strategy for New Developments (presently being prepared by Civile Consultants) through site specific clauses prior to the lodgement of a future development application for lot sizes between 1 ha and 5 ha (not connected to Council's reticulated sewer service) on the site. The landowner retains the ability to develop a portion of the site in accordance with DA 95/2017 or submit a development application for further subdivision of residential lots which are connected to Council's reticulated sewer service.

After significant consultation with the Department of Planning, Industry and Environment (DPIE), internal staff and other government agencies, a Gateway Determination was made in November 2019 which included a requirement for Council to prepare a Wastewater and Stormwater Strategy for the site and the Lake Wyangan Catchment to inform and provide requirements for future development and to permit the Griffith Local Environmental Plan 2014 (LEP) amendments to proceed (see Attachment F). Public exhibition of the Planning Proposal took place between 14 November 2019 and 13 December 2019.

A total of three submissions were received, all from Government agencies (see Attachment G). After months of consultation with DPIE and Government agencies, a final Gateway Determination was made on 7 July 2020 which authorised Council as the plan-making authority and permitted the making of the LEP with a site specific clause requiring the preparation of a Development Control Plan (DCP) once the Wastewater and Stormwater Strategy has been completed. Civile Consultants who are leading experts in Water Sensitive Urban Design (WSUD) have been procured by Council, through an expression of interest process, and have commenced the preparation of the Strategy and have assisted in drafting the site specific clause (see Attachment C).

The purpose of this report is for Council to review the submissions received and to authorise the Director Sustainable Development to send the Planning Proposal to Parliamentary Counsel for an opinion and the drafting of the Plan.

RECOMMENDATION

- (a) Endorse the proposed amendments to the Griffith Local Environmental Plan 2014 Lot Size Map – Sheet LSZ_003B to designate the lands as 'Area C' 1 ha as shown in Attachment B.**
- (b) Delegate the Director Sustainable Development to carry out the following actions to process and make the amendment:**
 - (i) Forward this report, and all required documents and plans to Parliamentary**

Counsel for an opinion and drafting the amendments;

- (ii) **Make the LEP; and**
- (iii) **Forward the signed LEP and supporting documents to the Department of Planning, Industry and Environment to notify the amendment.**

REPORT

In 2016 ARB Farming was granted development consent for the subdivision of Lot 102 DP 1018460 based on the lot averaging provisions set down in Clause 4.1B of Griffith Local Environmental Plan 2014 (LEP) under DA 95/2017 (see Attachment H). Clause 4.1B enables Council to grant development consent to create lots of any size in the R5 – Large Lot Residential Zone on the basis that the total lot yield does not result in a greater number of lots being created than if the minimum lot size requirements were met. To achieve the benefit of lot averaging, ARB Farming relied on the entire existing holding (being Lots 102 and 104 DP1018460 & Lots 309 and 610 DP751743) being taken into account which has an area of approximately 185 ha.

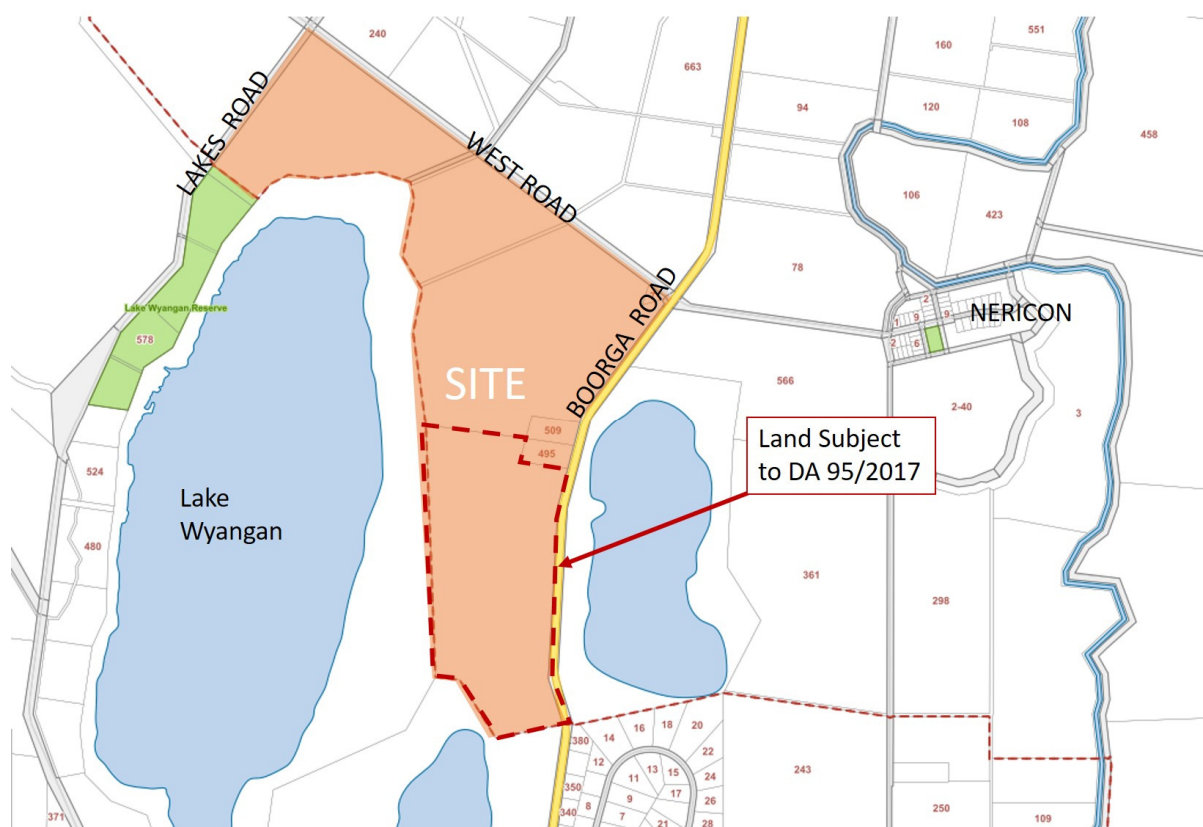


FIGURE 1: Site Location including Land Subject to DA 95/2017 (see Attachment H for approved subdivision drawings)

The approved development enabled the creation of 37 lots ranging in size from one (1) up to approximately 77 hectares (representing the residual lots in the northern portion of the site with frontage to West Road), which has effectively exhausted any further large lot residential development of the land under the present LEP.

To further develop the residual lands not proposed to be subdivided for rural residential lots under DA 95/2017, ABR Farming submitted the Planning Proposal in 2018 requesting the minimum lot size for the site be reduced from 5 ha to 1 ha and permit residential development utilising onsite sewage management systems (see Attachment A). This would permit the further development of the residual lots for a maximum of 120 lots.

Prior to exhibiting the Planning Proposal, Council consulted with internal staff and key government agencies who raised some concerns regarding potential water quality impacts associated with the use of onsite sewage management systems. Based on this consultation, a report was endorsed at the 23 October 2018 Ordinary Meeting of Council to request a Gateway Determination from DPIE on the proviso that an independent, suitably qualified consultant be procured to evaluate the impact of stormwater and sewage discharge from the development and prepare a strategy for future development within the Lake Wyangan Catchment.

DPIE issued the first of three Gateway Determinations on 7 November 2019 which required Council to complete an independent Stormwater and Sewage Discharge Assessment of the proposal prior to the Plan being made.

Public exhibition of the Planning Proposal took place between 14 November 2020 and 13 December 2020. During the public exhibition period a total of three submissions were received, one from Natural Resources Access Regulator (NRAR), one from the Biodiversity Conservation Division (BCD) of DPIE and one from Crown Lands (see Attachment G).

Following further consultation with government agencies and DPIE and the preparation of a Scope of Works and Expression of Interest for the Lake Wyangan Waste and Stormwater Management Strategy for New Developments (refer to Attachment D), Council requested that the Gateway Determination be amended to remove the requirement to complete the independent study prior to the making of the Plan and alternatively permit the inclusion of a site specific clause requiring the preparation of a Development Control Plan (DCP) to provide water quality and quantity discharge criteria to Lake Wyangan prior to any residential development occurring on the site (refer to Attachments C and E). Council also requested that DPIE delegate Council as the plan making authority to exercise the functions under section 3.36(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

On 30 March 2020 a new Gateway Determination was issued by DPIE which agreed to the request on the basis that they would be further consulted on the wording of the site specific clause. Following additional consultation with DPIE by Council staff, a third and final Gateway Determination was issued on 8 July 2020 which removed the requirement to further consult with DPIE regarding the clause.

Civilie Consultants have been procured by Council to prepare the Lake Wyangan Waste and Stormwater Management Strategy for New Developments (the Strategy) and have been consulted with on the drafting of the site specific LEP clause (see Attachment C). The timeline for the completion of the Strategy and the preparation of the DCP is roughly April – May of 2021.

In accordance with the proposed site specific LEP clause, the owner of the land would not be able to develop the site utilising on-site sewage management systems for lot sizes less than 5 ha until the Strategy and DCP are completed and endorsed by Council. The clause also requires any future development of the site to be in accordance with the Strategy and DCP. The Strategy will also be utilised to inform the preparation of detailed drainage design plans for the Lake Wyangan Masterplan area.

Provided Council resolves for the process to continue in line with the recommendation, the matter will be referred to Parliamentary Counsel (PC) for an opinion and the drafting of the amendments. It is expected that some further revision of the proposed site specific clause would occur in consultation with PC. As Council has been delegated the plan-making for the amendment, the General Manager or delegate can finalise the amendment and 'make the plan' and request that DPIE notify the amendments.

OPTIONS

OPTION 1

As per the Recommendation.

OPTION 2

Any other resolution of Council.

POLICY IMPLICATIONS

Not Applicable

FINANCIAL IMPLICATIONS

Not Applicable

LEGAL/STATUTORY IMPLICATIONS

Griffith Local Environmental Plan 2014 (GLEP) is an environmental planning instrument for the purpose of the Environmental Planning and Assessment Act 1979 and it provides the statutory provisions whereby Council establishes the zoning of land, identification of permissible land uses and the setting of development standards. A Planning Proposal is a legal mechanism that enables Council to consider amendments to the GLEP.

ENVIRONMENTAL IMPLICATIONS

The proposed site specific LEP clause would ensure robust development controls were established for the treatment and discharge of wastewater and stormwater to Lake Wyangan prior to any future development (not already approved) occurring on the site.

COMMUNITY IMPLICATIONS

Not Applicable

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 9.1 Encourage considered planning, balanced growth and sustainable design.

CONSULTATION

Senior Management Team

ATTACHMENTS

- (a) Attachment A - Final Planning Proposal (under separate cover)
- (b) Attachment B - Amended Lot Size Map (under separate cover)
- (c) Attachment C - LEP Clause Wording (under separate cover)
- (d) Attachment D - EOI Document and Scope of Works (under separate cover)

- (e) Attachment E - Letter to DPIE requesting review of Gateway Determination (under separate cover)
- (f) Attachment F - Gateway Determinations (under separate cover)
- (g) Attachment G - Submissions on Planning Proposal (under separate cover)
- (h) Attachment H - DA 95-2017 - Approved Drawings (under separate cover)

**ORDINARY MEETING OF GRIFFITH CITY COUNCIL
HELD IN GRIFFITH CITY COUNCIL CHAMBERS ON
TUESDAY, 23 FEBRUARY 2021 COMMENCING AT 7:03 PM**

PRESENT

The Mayor, John Dal Broi in the Chair; Councillors, Simon Croce, Deb Longhurst, Anne Napoli, Mike Neville, Brian Simpson, Christine Stead and Dino Zappacosta

STAFF

General Manager, Brett Stonestreet, Director Economic & Organisational Development, Shireen Donaldson, Director Utilities, Graham Gordon, Director Sustainable Development, Phil Harding, Director Infrastructure & Operations, Phil King, Director Business, Cultural & Financial Services, Max Turner and Minute Taker, Brittany Everett

MEDIA

Monty Jacka, The Area News

1 COUNCIL PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

The Meeting opened with Councillor Anne Napoli reading the Council prayer and the Acknowledgement of Country.

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

21/052

RESOLVED on the motion of Councillors Christine Stead and Anne Napoli that apologies be received from Councillors Doug Curran, Glen Andreazza and Rina Mercuri and a leave of absence granted.

For

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 8 votes to 0.

3 CONFIRMATION OF MINUTES

21/053

RESOLVED on the motion of Councillors Christine Stead and Dino Zappacosta that the minutes of the Ordinary Meeting of Council held in Griffith City Council Chambers on 9 February 2021, having first been circulated amongst all members of Council, be confirmed.

For

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 8 votes to 0.

4 BUSINESS ARISING

CL10 – Disability Inclusion Action Plan

Councillor Neville suggested hard copies of the Disability Inclusion Action Plan (DIAP) be available in Council Administration Building and within the community to assist those who do not have access to the online surveys. Mr Harding confirmed the DIAP will be available in various formats and locations.

CL08 – South Sydney NRL Club – Clinics and Game in Griffith February 2021

Councillor Stead noted the South Sydney Rabbitohs and Roger Penrith Memorial Rugby League event was very well organised and the large attendance was positive for Tourism within the community.

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 Eddy Mardon

CCMM02 – General Manager – Key Performance Indicators - 2021

Reason – Councillor Mardon is the Director of a Company that may be involved in legal matters.

Councillor Anne Napoli

Outstanding Action Report

Reason – A member of Councillor Napoli's family is a director of a Company that has quoted to subcontract this project.

Councillor Anne Napoli

CC03 - Tender 16-20/21 Construction of New Administration Building with Equipment Shed and Car Parking

Reason – A member of Councillor Napoli's family is a Director of a Company that is mentioned in this Report.

Councillor Christine Stead

CL06 – Request for Park Name – Taliano

Reason – Councillor Stead has spoken to members of the Taliano Family.

Significant Non-Pecuniary Interests

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

Councillor Anne Napoli

CCMM02 – General Manager Key Performance Indicators 2021

Reason – Conflict of interest regarding a family member.

Director Graham Gordon

CC02 – Griffith Golf Club – Sealing of Car Park

Reason – Mr Gordon is a member of the Griffith Golf Club.

Director Max Turner

CC02 – Griffith Golf Club – Sealing of Car Park

Reason – Mr Turner is a paid up member of the Griffith Golf Club.

Less Than Significant Non-Pecuniary Interests

There were no less than significant non-pecuniary interests declared.

6 PRESENTATIONS

General Manager, Brett Stonestreet informed the meeting of a petition received by Council Monday, 22 February 2021 titled 'Petition to Review Proposed 'Griffin Green' Housing Development for Dave Taylor Park'. Mr Stonestreet tabled the petition and noted all Councillors have been supplied a copy via email.

Mayor, John Dal Broi stated that Mr Stonestreet presented the Griffin Green project to the Regional Capitals Australia Board where a lot of interest in the project was evident, in particular with regard to the Federal Government Funding. It was identified that many centres are experiencing issues with availability of affordable housing.

7 MAYORAL MINUTES

Discussed in Closed Council.

8 GENERAL MANAGER'S REPORT

CL01 DA 129/2019(2) - MODIFICATION TO APPROVED INDOOR RECREATIONAL FACILITY (PERSONAL TRAINING)

21/054

RESOLVED on the motion of Councillors Mike Neville and Christine Stead that the meeting suspend standing orders for Mr Steven Parisotto (Parisplan on behalf of the Applicant) and Ms Patricia Johnson (objector) to address Council.

For
Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 8 votes to 0.

21/055

RESOLVED on the motion of Councillors Simon Croce and Anne Napoli that the meeting resume standing orders.

For
Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 8 votes to 0.

21/056

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

- (a) Pursuant to Section 4.55(1A) of the Environmental Planning and Assessment Act 1979, Council modify the issued development consent for Development Application 129/2019 for change of use to an indoor recreational facility (personal training) at Lot D DP 420132, 8 Bonegilla Road Griffith, subject to the modified conditions set out in Attachment 'A' of the assessment report.
- (b) The application be delegated to the Director Sustainable Development for preparation and issue of the modified Notice of Determination.

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

For
Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 8 votes to 0.

CL02 DRAFT PLAN OF MANAGEMENT - CAMPBELL'S WETLAND - CROWN RESERVE 1002932

21/057

RESOLVED on the motion of Councillors Mike Neville and Brian Simpson that:

- (a) Council refer the Draft Plan of Management for Campbell's Wetland (Crown Reserve 1002932) to the Minister administering the Crown Land Management Act 2016 for approval.
- (b) Upon approval of the Minister administering the Crown Land Management Act 2016, Council amend the Draft Plan of Management for Campbell's Wetland and place it on public exhibition as per Section 38 of the Local Government Act 1993.
- (c) Council confirm it has considered Native Title Managers advice in relation to the Plan of Management for Campbell's Wetland.
- (d) A report be presented to Council to adopt the final Plan of Management for Campbell's Wetland, on completion of the public exhibition period and to consider all submissions.

For

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 8 votes to 0.

Mayor, John Dal Broi noted that Councillor Eddy Mardon had passed on an apology as he had experienced technical difficulties and was unable to join the meeting.

21/058

RESOLVED on the motion of Councillors Mike Neville and Christine Stead that an apology be received from Councillor Eddy Mardon and a leave of absence granted.

CL03 RENEWAL OF LICENCE AGREEMENT - AREA 21 DALTON PARK - PATRICK AND KATIE HUME

21/059

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

- (a) Council enter into a licence agreement with Patrick James Hume and Katie Teresa Hume over Area 21 Dalton Park, part Lot 562 DP 751743 for a term of 10 years commencing 1 March 2021.
- (b) Council advertise its intention to enter into a licence agreement with Patrick James Hume and Katie Teresa Hume over Area 21 Dalton Park, part Lot 562 DP 751743 for a period of 28 days. Should any submissions be received a report will be presented to Council for consideration.
- (c) Should no submissions be received, Council enter into a licence agreement with Patrick James Hume and Katie Teresa Hume over Area 21 Dalton Park, part Lot 562 DP 751743 for a term of 10 years commencing 1 March 2021.

- (d) Patrick James Hume and Katie Teresa Hume pay all applicable costs and charges associated with the preparation of the licence agreement together with Council's Administration Fee of \$458.
- (e) The licence fee be charged in accordance with Council's adopted Revenue Policy currently \$622 per annum for the 2020/2021 financial year, together with rates and charges.
- (f) Council authorise the Mayor and General Manager to execute the licence agreement on behalf of Council under the Council Seal, if required.

For

Against

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

The division was declared PASSED by 8 votes to 0.

CL04 LICENCE AGREEMENT - GRIFFITH HARNESS RACING CLUB INC. - DALTON PARK, CROWN RESERVE 83393

21/060

RESOLVED on the motion of Councillors Mike Neville and Deb Longhurst that:

- (a) Council enter into a licence agreement with Griffith Harness Racing Club Inc. over part Lot 562 DP 751743 Dalton Park, for a term of 10 years commencing 1 July 2020.
- (b) Council advertise its intention to enter into a licence agreement with Griffith Harness Racing Club Inc. over part Lot 562 DP 751743 for a period of 28 days. Should any submissions be received a report will be presented to Council for consideration.
- (c) Should no submissions be received, Council enter into a licence agreement with Griffith Harness Racing Club Inc. over part Lot 562 DP 751743 Dalton Park, for a term of 10 years commencing 1 July 2020.
- (d) Griffith Harness Racing Club Inc. pay all applicable costs and charges associated with the preparation of the licence agreement together with Council's Administration Fee of \$458.
- (e) The licence fee be charged in accordance with Council's adopted Revenue Policy, currently \$577 per annum for the 2020/2021 financial year, together with rates and charges if applicable.
- (f) Council authorise the Mayor and General Manager to execute the licence agreement on behalf of Council under the Council Seal if required.

For

Against

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead

Councillor Dino Zappacosta

The division was declared PASSED by 8 votes to 0.

CL05 FLOOD MAPPING UPDATE FOR YENDA

21/061

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

- (a) Council place the Flood Mapping Update for Yenda on public exhibition for a period of 28 days.
- (b) Should no submissions be received, the Flood Mapping Update for Yenda is to be adopted as an Appendix to existing Griffith Main Drain J and Mirrool Creek Flood Study- Flood Mapping Compendium 2015.
- (c) Should submissions be received, the Flood Mapping Update for Yenda is to be reported back to Council including a report detailing any amendments to the Flood Mapping Update and a review of all submissions received.

For

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 8 votes to 0.

Councillor Christine Stead left the meeting having declared a Pecuniary Interest, the time being 7:53 pm.

CL06 REQUEST FOR PARK NAME - TALIANO

21/062

RESOLVED on the motion of Councillors Simon Croce and Anne Napoli that Council approve the naming of the newly developed park in Emerald Estate, Collina to 'Taliano Park'.

For

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Dino Zappacosta

Against

The division was declared PASSED by 7 votes to 0.

Councillor Christine Stead returned to the meeting, the time being 7:55 pm.

Councillor Simon Croce left the meeting, the time being 7:56 pm.

CL07 ENDORSEMENT OF DRAFT ECONOMIC DEVELOPMENT STRATEGY 2020-25 FOR PUBLIC EXHIBITION

21/063

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

- (a) Council endorse the Draft Economic Development Strategy 2020-25 and place on public exhibition for 28 days.
- (b) If any submissions are received, a further report be prepared for Council.
- (c) If no submissions are received, the Economic Development Strategy be considered as adopted by Council.

For

Councillor John Dal Broi
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 7 votes to 0.

Councillor Simon Croce returned to the meeting, the time being 7:58 pm.

CL08 SECOND QUARTER PERFORMANCE REPORT 2020/21 - BUDGET REVIEW AND OPERATIONAL PLAN INCORPORATING THE DECEMBER DELIVERY PROGRAM PROGRESS REPORT

21/064

RESOLVED on the motion of Councillors Dino Zappacosta and Deb Longhurst that:

- (a) Council note the variations to the 2020/21 original budget for the quarter ended 31 December 2019 as presented in the report.
- (b) The Financial Review and any additional approved variations for the quarter ended 31 December 2020 be adopted.
- (c) Council adopt the 31 December 2020 Operational Plan Review advising the extent to which the Operational Plan Actions (Performance Indicators) have been achieved.
- (d) Council endorse minor amendments to the Organisational Structure as per the report.

For

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 8 votes to 0.

9 INFORMATION REPORTS

CL09 INVESTMENTS AT 31 JULY, 31 AUGUST, 30 SEPTEMBER, 31 OCTOBER, 30 NOVEMBER AND 31 DECEMBER 2020

21/065

RESOLVED on the motion of Councillors Mike Neville and Christine Stead that the report be noted by Council.

For

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 8 votes to 0.

10 ADOPTION OF COMMITTEE MINUTES

MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 9 FEBRUARY 2021

21/066

RESOLVED on the motion of Councillors Simon Croce and Christine Stead that the recommendations as detailed in the Minutes of the Traffic Committee meeting held on 9 February 2021 be adopted.

For

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 8 votes to 0.

MINUTES OF THE GRIFFITH COMMUNITY CENTRE COMMITTEE MEETING HELD ON 16 DECEMBER 2020

21/067

RESOLVED on the motion of Councillors Anne Napoli and Dino Zappacosta that the recommendations as detailed in the Minutes of the Griffith Community Centre Committee meeting held on 16 December 2020 be adopted.

For

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson

Against

Councillor Christine Stead
Councillor Dino Zappacosta

The division was declared PASSED by 8 votes to 0.

11 BUSINESS WITH NOTICE – RESCISSION MOTIONS

Nil

12 BUSINESS WITH NOTICE – OTHER MOTIONS

Nil

13 OUTSTANDING ACTION REPORT

Councillor Anne Napoli left the meeting having declared a Pecuniary Interest, the time being 8:11 pm.

21/068

RESOLVED on the motion of Councillors Mike Neville and Christine Stead that the report be noted.

For

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 7 votes to 0.

Councillor Anne Napoli returned to the meeting, the time being 8:12 pm.

14 MATTERS TO BE DEALT WITH BY CLOSED COUNCIL

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

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

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than Councillors)**
- (b) the personal hardship of any resident or ratepayer**
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business**
- (d) commercial information of a confidential nature that would, if disclosed:**
 - (i) prejudice the commercial position of the person who supplied it, or**

- (ii) confer a commercial advantage on a competitor of the Council, or
- (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the Council, Councillors, Council staff or Council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on Community land.
- (i) alleged contraventions of any code of conduct requirements applicable under section 440 of the Local Government Act 1993.

21/069

RESOLVED on the motion of Councillors Mike Neville and Simon Croce that :

- (a) Council resolve to go into closed Council to consider business identified.
- (b) Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provision of section [10A(2)] as outlined above.
- (c) The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

For

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 8 votes to 0.

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

CCMM01 "2021 DAILY TELEGRAPH BUSH SUMMIT"

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

CCMM02 GENERAL MANAGER - KEY PERFORMANCE INDICATORS - 2021

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

CC01 REQUEST FOR CONFERRAL OF AN AWARD

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

CC02 GRIFFITH GOLF CLUB LTD - SEALING OF CAR PARK

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

CC03 TENDER 16-20/21 - CONSTRUCTION OF NEW ADMINISTRATION BUILDING WITH EQUIPMENT SHED & CAR PARKING

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

Council closed its meeting at 8:12 pm. The public and media left the Chamber. Livestream was disconnected.

REVERSION TO OPEN COUNCIL

21/070

RESOLVED on the motion of Councillors Christine Stead and Brian Simpson that Open Council be resumed.

For

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 8 votes to 0.

Open Council resumed at 8:25 pm. Livestream was reconnected.

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

MATTERS DEALT WITH IN CLOSED COUNCIL

CCMM01 2021 DAILY TELEGRAPH BUSH SUMMIT

21/071

RESOLVED on the motion of Councillors Christine Stead and Mike Neville that:

- (a) Council make a submission to the convenors of the “2021 Bush Summit” seeking the event to be held in Griffith.
- (b) Council’s submission include in principle support of sponsorship as outlined in the Mayoral Minute.
- (c) Should Council’s submission be successful then the details of the sponsorship package be reported to Council for formal endorsement.

For

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 8 votes to 0.

Councillor Anne Napoli left the meeting having declared a Significant Non-Pecuniary Interest, the time being 8:16 pm.

CCMM02 GENERAL MANAGER - KEY PERFORMANCE INDICATORS - 2021

21/072

RESOLVED on the motion of Councillors Christine Stead and Dino Zappacosta that Council adopt the Key Performance Indicators for the General Manager in relation to calendar year 2021 in accordance with the report.

For

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 7 votes to 0.

Councillor Anne Napoli returned to the meeting, the time being 8:19 pm.

CC01 REQUEST FOR CONFERRAL OF AN AWARD

21/073

RESOLVED on the motion of Councillors Brian Simpson and Mike Neville that Council confer the Award to the successful recipient.

For

Councillor John Dal Broi
Councillor Simon Croce
Councillor Deb Longhurst
Councillor Anne Napoli
Councillor Mike Neville
Councillor Brian Simpson
Councillor Christine Stead
Councillor Dino Zappacosta

Against

The division was declared PASSED by 8 votes to 0.

Directors Max Turner and Graham Gordon left the meeting having declared a Pecuniary Interest, the time being 8:21 pm.

CC02 GRIFFITH GOLF CLUB LTD - SEALING OF CAR PARK

21/074

RESOLVED on the motion of Councillors Mike Neville and Dino Zappacosta that:

- (a) Council approve an interest free loan to the Griffith Golf Club Ltd. to a maximum of \$47,000 over five years.
- (b) Should drainage works be required as ancillary works to the car park sealing that the maximum interest free loan be increased to \$52,000.
- (c) The Mayor and General Manager be authorised to sign the loan agreement document and any other documentation in relation to security for the loan under Council seal.

For	Against
Councillor John Dal Broi	
Councillor Simon Croce	
Councillor Deb Longhurst	
Councillor Anne Napoli	
Councillor Mike Neville	
Councillor Brian Simpson	
Councillor Christine Stead	
Councillor Dino Zappacosta	

The division was declared PASSED by 8 votes to 0.

Directors Max Turner and Graham Gordon returned to the meeting, the time being 8:22 pm.

Councillor Anne Napoli left the meeting having declared a Pecuniary Interest, the time being 8:22 pm.

CC03 TENDER 16-20/21 - CONSTRUCTION OF NEW ADMINISTRATION BUILDING WITH EQUIPMENT SHED & CAR PARKING

21/075

RESOLVED on the motion of Councillors Mike Neville and Christine Stead that Council accept the tender offered by Regional West Constructions for Tender 16-20/21 – Construction of New Administration Building with Equipment Shed & Car Parking for \$1,422,115 ex GST.

For	Against
Councillor John Dal Broi	
Councillor Simon Croce	
Councillor Deb Longhurst	
Councillor Mike Neville	
Councillor Brian Simpson	
Councillor Christine Stead	
Councillor Dino Zappacosta	

The division was declared PASSED by 7 votes to 0.

Councillor Anne Napoli returned to the meeting, the time being 8:25 pm.

There being no further business the meeting terminated at 8:29 pm.

Confirmed:

CHAIRPERSON