



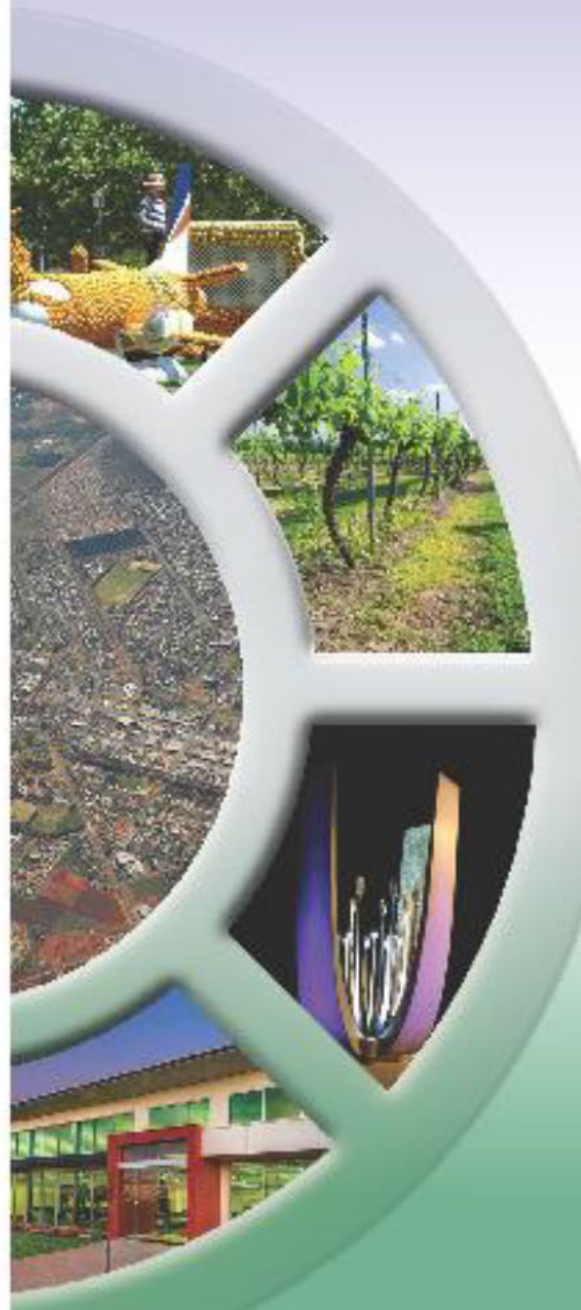
Ordinary Meeting

BUSINESS PAPER

Tuesday, 24 October 2023 at 7:00 pm

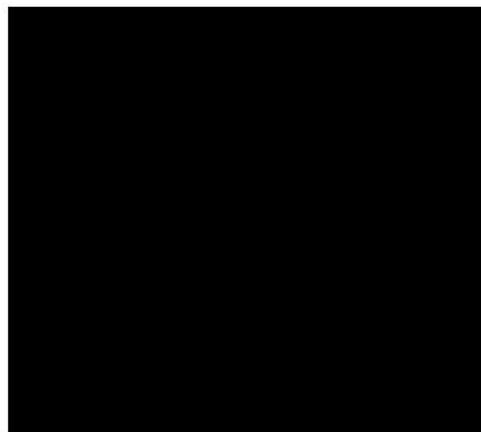
Griffith City Council Chambers
Phone: 1300 176 077

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



COUNCILLORS

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



MEMBERS OF THE PUBLIC CAN ADDRESS COUNCIL IN THE FOLLOWING WAYS

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

Addressing the Council on Business Paper matters

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

Notice of Motion via Councillor

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

Petition

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

Customer Request Management system

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

Direct correspondence to the General Manager

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

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

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

Oath

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

Affirmation

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

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

[What is a pecuniary interest?](#)

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

[Disclosure of pecuniary interests at meetings](#)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Opening Affirmations

Option 1

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

To be honest and objective in all our deliberations.

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

Option 2

Almighty God

We ask that you guide us in our decision making.

Protect us and the community we serve.

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

Option 3

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

Acknowledgment of Country

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

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

REPORT AUTHORS AND AREAS OF RESPONSIBILITY

Senior Management Team

General Manager	Brett Stonestreet
Director Economic & Organisational Development	Shireen Donaldson
Director Business, Cultural & Financial Services	Steve Saffioti
Director Infrastructure and Operations	Phil King
Director Sustainable Development	Bruce Gibbs
Director Utilities	Graham Gordon

Economic & Organisational Development

Governance Manager/Public Officer and Right to Information Officer	Leanne Austin
HR & Risk Manager	Vacant
Acting Workforce Planning Manager	Annie Featherstone
IT Manager	Mike Gaze
Tourism Manager	Mirella Guidolin
Information Manager	Joanne Savage
Information Management Administrator	Jeanette Franco
Community Development Coordinator	Melissa Canzian

Business, Cultural & Financial Services

Finance Manager	Vanessa Edwards
Asset Management Coordinator	Andrew Keith
Acting Library Manager	Chris Robson
Acting Griffith Pioneer Park Museum Manager	Jenny O'Donnell
Griffith Regional Theatre and Art Gallery Manager	Margaret Andrezza
Griffith Regional Aquatic Centre Manager	Craig Tilston
Griffith Regional Sports Centre Manager	Ché Jenkins

Infrastructure & Operations

Works Manager - Maintenance	Manjit Chugha
Works Manager - Construction	Shree Shrestha
Parks & Gardens Manager	Peter Craig
Fleet & Depot Manager	Steve Croxon

Sustainable Development

Planning & Environment Manager	Carel Potgieter
Acting Development Assessment Coordinator	Kerry Rourke
Senior Development Assessment Planner	Patterson Ngwira
Urban Strategic Design & Major Projects Manager	Peter Badenhorst
Project Planner	Melanie Vella
Compliance Coordinator	Vacant
Environment & Public Health Coordinator	Vanessa Johns
Acting Corporate Property Officer & Native Title Coordinator	Amanda Vardanega
Building Certification Coordinator	Royce Johns
Airport Facility Coordinator	Graham Slingsby

Utilities

Engineering Design & Approvals Manager	Joe Rizzo
Waste Operations Manager	John Roser
Water & Wastewater Manager	Durgananda Chaudhary

**ORDINARY MEETING OF GRIFFITH CITY COUNCIL
TO BE HELD IN GRIFFITH CITY COUNCIL CHAMBERS ON
TUESDAY, 24 OCTOBER 2023 AT 7:00 PM**

MEETING NOTICE

Notice is hereby given that an Ordinary Meeting of Council will be held in the Griffith City Council Chambers on **Tuesday, 24 October 2023**.

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

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

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

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

The agenda for the meeting is:

- 1 Council Acknowledgments
- 2 Apologies and Applications for a Leave of Absence or Attendance by Audio-visual Link by Councillors
- 3 Confirmation of Minutes
- 4 Business Arising
- 5 Declarations of Interest
- 6 Presentations
- 7 Mayoral Minutes
- 8 General Manager's Report
- CL01 p20 Special Rate Variation (SRV) - Decision to Apply to the Independent Pricing and Regulatory Tribunal (IPART)
- CL02 p36 DA 85/2023 - Single Storey Secondary Dwelling
- CL03 p58 Closure of Kooyoo Street Stage 1 - Banna Avenue to Banna Lane
- 9 Information Reports

- 10 Adoption of Committee Minutes
- 11 Business with Notice – Rescission Motions
- 12 Business with Notice – Other Motions
- 13 Outstanding Action Report
 - p69 Outstanding Action Report
- 14 Matters to be dealt with by Closed Council

Brett Stonestreet

GENERAL MANAGER

**ORDINARY MEETING OF GRIFFITH CITY COUNCIL
HELD IN GRIFFITH CITY COUNCIL CHAMBERS ON
TUESDAY, 10 OCTOBER 2023 COMMENCING AT 7:00 PM**

PRESENT

The Mayor, Doug Curran in the Chair; Councillors, Glen Andreazza, Shari Blumer, Jenny Ellis, Manjit Singh Lally, Melissa Marin, Anne Napoli, Christine Stead, Chris Sutton and Laurie Testoni

STAFF

General Manager, Brett Stonestreet, Director Economic & Organisational Development, Shireen Donaldson, Director Utilities, Graham Gordon, Director Infrastructure & Operations, Phil King, Director Business, Cultural, Financial Services, Steve Saffioti, Director Sustainable Development, Bruce Gibbs and Minute Taker, Joanne Bollen

MEDIA

Cai Holroyd, The Area News

1 COUNCIL ACKNOWLEDGEMENTS

The Meeting opened with Councillor Glen Andreazza reading the Opening Affirmation and the Acknowledgement of Country.

A Minute Silence was held in respect of the passing of Tanya Testoni and Agnese De Martin.

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

23/234

RESOLVED on the motion of Councillors Chris Sutton and Christine Stead that apologies be received from Councillors Simon Croce and Dino Zappacosta and a leave of absence granted.

For

Councillor Doug Curran
Councillor Glen Andreazza
Councillor Shari Blumer
Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Anne Napoli
Councillor Christine Stead
Councillor Chris Sutton

Against

Councillor Laurie Testoni

The division was declared PASSED by 10 votes to 0.

3 CONFIRMATION OF MINUTES

23/235

RESOLVED on the motion of Councillors Jenny Ellis and Christine Stead that the minutes of the Ordinary Meeting of Council held in Griffith City Council Chambers on 26 September 2023, having first been circulated amongst all members of Council, be confirmed.

For

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

Against

The division was declared PASSED by 10 votes to 0.

4 BUSINESS ARISING

Nil

5 DECLARATIONS OF INTEREST

Pecuniary Interests

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

Councillor Anne Napoli
CL02 Griffith Health Precinct Masterplan – Request for Public Exhibition
Reason – I have a property identified in this report.

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.

Kelly McNicol
CL02 Griffith Health Precinct Masterplan – Request for Public Exhibition
Reason – My wife owns a house across from the hospital.

Councillor Laurie Testoni
CL04 Suspension of Alcohol Free Zone and Alcohol Prohibited Area – Yenda Memorial Park
Reason – Work for business that is mentioned in CL04.

Less Than Significant Non-Pecuniary Interests

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

Councillor Anne Napoli

CL01 Public Consultation and Information Sessions held on the Proposed New Mountain Bike Trail

Reason – I received emails in regards to this development and also some of the people that signed the petition are known to me.

Councillor Glen Andrezza

CL01 Public Consultation and Information Sessions held on the Proposed New Mountain Bike Trail

Reason – I have been contacted by one of the objectors.

Director Steve Saffioti

CL01 Public Consultation and Information Sessions held on the Proposed New Mountain Bike Trail

Reason – I own land adjacent to the proposed location.

Councillor Christine Stead

CL01 Public Consultation and Information Sessions held on the Proposed New Mountain Bike Trail

Reason – I have received an email from objectors.

Councillor Jenny Ellis

CL01 Public Consultation and Information Sessions held on the Proposed New Mountain Bike Trail

Reason – My husband has signed a petition in support of the mountain bike track as presented in attachment CL01 p188.

6 PRESENTATIONS

Nil

7 MAYORAL MINUTES

Nil

8 GENERAL MANAGER'S REPORT

CL01 PUBLIC CONSULTATION AND INFORMATION SESSIONS HELD ON THE PROPOSED NEW MOUNTAIN BIKE TRAIL, LOT 2 DP1030170 ABATTOIR ROAD, GRIFFITH

23/236

RESOLVED on the motion of Councillors Christine Stead and Anne Napoli that the meeting suspend standing orders to allow Julie McMahon to address Council.

For

Councillor Doug Curran
Councillor Glen Andrezza
Councillor Shari Blumer

Against

Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Anne Napoli
Councillor Christine Stead
Councillor Chris Sutton
Councillor Laurie Testoni

The division was declared PASSED by 10 votes to 0.

23/237

RESOLVED on the motion of Councillors Christine Stead and Jenny Ellis that the meeting resume standing orders.

For

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

Against

The division was declared PASSED by 10 votes to 0.

23/238

RESOLVED on the motion of Councillors Shari Blumer and Laurie Testoni that:

- (a) Council note the submissions received during the consultation/information sessions and proceeds with the design proposal as per Attachment A and to include 3 strand agricultural fencing where needed to prevent access to motorbikes.
- (b) Council note the submissions requesting a single unisex accessible toilet and resolve to provide this facility as part of the second stage of the project.
- (c) Council note the receipt of a petition in relation to the new Mountain Bike Trail in Griffith (refer confidential Attachment D).
- (d) Council proceed with the development of Lot 2 DP1030170 Abattoir Road, Griffith NSW 2680 to construct a mountain bike trail.

For

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

Against

The division was declared PASSED by 10 votes to 0.

Councillor Anne Napoli left the meeting having declared a Pecuniary Conflict of Interest, the time being 7:32pm.

CL02 GRIFFITH HEALTH PRECINCT MASTER PLAN - REQUEST FOR PUBLIC EXHIBITION

23/239

RESOLVED on the motion of Councillors Christine Stead and Melissa Marin that:

- (a) Council place the Griffith Health Precinct Master Plan on public exhibition for a period of 28 days to allow submissions from the public and key stakeholders.
- (b) Should submissions be received, a report with recommendations be presented back to an Ordinary Council Meeting for final endorsement.
- (c) Should no submissions be received, the Griffith Health Precinct Master Plan is considered endorsed the day after the close of the public exhibition period.

For

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

Against

The division was declared PASSED by 9 votes to 0.

Councillor Anne Napoli and Kelly McNicol returned to the meeting, the time being 7:33pm.

CL03 EMPLOYMENT LANDS STRATEGY REQUEST FOR PUBLIC CONSULTATION

23/240

RESOLVED on the motion of Councillors Glen Andreazza and Shari Blumer that:

- (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.
- (b) Should submissions be received, a report with recommendations be presented back to an Ordinary Council Meeting for final endorsement.
- (c) Should no submissions be received, the Employment Lands Strategy Request for Public Consultation is considered endorsed the day after the close of the public exhibition period.

For

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

Against

Councillor Chris Sutton
Councillor Laurie Testoni

The division was declared PASSED by 10 votes to 0.

Councillor Laurie Testoni left the meeting having declared a Signification Non-Pecuniary Conflict of Interest, the time being 7:33pm.

CL04 SUSPENSION OF ALCOHOL FREE ZONE AND ALCOHOL PROHIBITED AREA - YENDA MEMORIAL PARK

23/241

RESOLVED on the motion of Councillors Glen Andreazza and Christine Stead that Council suspend the Alcohol Free Zone and Alcohol Prohibited Area restrictions on Yenda Place and Yenda Memorial Park from 5.00pm – 10.00pm on Saturday, 9 December 2023 for the Yenda Producers Christmas Event.

For

Councillor Doug Curran
Councillor Glen Andreazza
Councillor Shari Blumer
Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Anne Napoli
Councillor Christine Stead
Councillor Chris Sutton

Against

The division was declared PASSED by 9 votes to 0.

Councillor Laurie Testoni returned to the meeting, the time being 7:34pm.

CL05 ANNUAL FINANCIAL STATEMENTS - STATEMENTS UNDER SECTION 413(2)(C) OF THE LOCAL GOVERNMENT ACT, 1993

23/242

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

- (a) In accordance with Section 413 of the Local Government Act, 1993, Council forward to the Auditor the Financial Statements for the year ending 30 June, 2023.
- (b) Council delegate authority to the following people to sign the Statement by Councillors and Management for the General Purpose Financial Statements and the Special Purpose Financial Statements:
 - (i) Councillor Doug Curran in his capacity as Mayor or nominee;
 - (ii) Councillor Anne Napoli in her capacity as the Deputy Mayor or nominee;
 - (iii) The General Manager, Brett Stonestreet; and
 - (iv) Council's Responsible Accounting Officer, Steve Saffioti.

For

Councillor Doug Curran
Councillor Glen Andreazza
Councillor Shari Blumer
Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin

Against

Councillor Anne Napoli
Councillor Christine Stead
Councillor Chris Sutton
Councillor Laurie Testoni

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

9 INFORMATION REPORTS

CL06 ANNUAL DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURNS - 30 JUNE 2022 TO 30 JUNE 2023

23/243

RESOLVED on the motion of Councillors Anne Napoli and Jenny Ellis that the information be noted.

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

Against

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

10 ADOPTION OF COMMITTEE MINUTES

MINUTES OF THE DISABILITY INCLUSION & ACCESS COMMITTEE MEETING HELD ON 29 AUGUST 2023

23/244

RESOLVED on the motion of Councillors Shari Blumer and Laurie Testoni that the recommendations as detailed in the Minutes of the Disability Inclusion & Access Committee meeting held on 29 August 2023 be adopted.

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

Against

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

**MINUTES OF THE MEMORIAL PARK GARDENS EMBELLISHMENT COMMITTEE
MEETING HELD ON 6 SEPTEMBER 2023**

23/245

RESOLVED on the motion of Councillors Laurie Testoni and Jenny Ellis that the recommendations as detailed in the Minutes of the Memorial Park Gardens Embellishment Committee meeting held on 6 September 2023 be adopted.

For

Councillor Doug Curran
Councillor Glen Andrezza
Councillor Shari Blumer
Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Anne Napoli
Councillor Christine Stead
Councillor Chris Sutton
Councillor Laurie Testoni

Against

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

11 BUSINESS WITH NOTICE – RESCISSION MOTIONS

Nil

12 BUSINESS WITH NOTICE – OTHER MOTIONS

Nil

13 OUTSTANDING ACTION REPORT

23/246

RESOLVED on the motion of Councillors Glen Andrezza and Chris Sutton that the report be noted.

For

Councillor Doug Curran
Councillor Glen Andrezza
Councillor Shari Blumer
Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Anne Napoli
Councillor Christine Stead
Councillor Chris Sutton
Councillor Laurie Testoni

Against

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

14 MATTERS TO BE DEALT WITH BY CLOSED COUNCIL

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2021, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

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

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than Councillors)**
- (b) the personal hardship of any resident or ratepayer**
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business**
- (d) commercial information of a confidential nature that would, if disclosed:**
 - (i) prejudice the commercial position of the person who supplied it, or**
 - (ii) confer a commercial advantage on a competitor of the Council, or**
 - (iii) reveal a trade secret**
- (e) information that would, if disclosed, prejudice the maintenance of law**
- (f) matters affecting the security of the Council, Councillors, Council staff or Council property**
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege**
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on Community land.**
- (i) alleged contraventions of any code of conduct requirements applicable under section 440 of the Local Government Act 1993.**

23/247

RESOLVED on the motion of Councillors Christine Stead and Chris Sutton that:

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

For
Councillor Doug Curran
Councillor Glen Andreatza
Councillor Shari Blumer
Councillor Jenny Ellis
Councillor Manjit Singh Lally
Councillor Melissa Marin
Councillor Anne Napoli

Against

Councillor Christine Stead
Councillor Chris Sutton
Councillor Laurie Testoni

The division was declared PASSED by 10 votes to 0.

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

CC01 SCENIC HILL USER GROUP COMMITTEE MEMBERSHIP

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

CC02 POST TENDER NEGOTIATIONS RECOMMENDATION FOR CONTRACT NO. 14-22/23, NEW MOUNTAIN BIKE TRAIL, LOT:2 DP: 1030170 ABATTOIR ROAD, GRIFFITH, NSW, 2680.

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

Council closed its meeting at 7:38pm.

The public and media left the Chamber.

Livestream was disconnected.

REVERSION TO OPEN COUNCIL

23/248

RESOLVED on the motion of Councillors Chris Sutton and Anne Napoli that Open Council be resumed.

For

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

Against

The division was declared PASSED by 10 votes to 0.

Open Council resumed at 7:56pm.

Livestream was reconnected.

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

MATTERS DEALT WITH IN CLOSED COUNCIL

CC01 SCENIC HILL USER GROUP COMMITTEE MEMBERSHIP

23/249

RESOLVED on the motion of Councillors Jenny Ellis and Christine Stead that:

- (a) Council endorse the appointment of the following community representatives to the Scenic Hill User Group Committee: Leanne McKinnon, Ron Anson – President Feral Joggers, Matthew Hockings, Sharon Careri, Helen Vowles – Local resident to Scenic Hill, David Heffer, Denis Couch – Pioneer Park Committee representative, Matthew Pasin – President of Griffith Motorcycle Club, Sally Bamblett, Julie Groat – President Riding for the Disabled.
- (b) Council amend the Terms of Reference to include ten (10) community member voting positions.

For	Against
Councillor Doug Curran	
Councillor Glen Andreazza	
Councillor Shari Blumer	
Councillor Jenny Ellis	
Councillor Manjit Singh Lally	
Councillor Melissa Marin	
Councillor Anne Napoli	
Councillor Christine Stead	
Councillor Chris Sutton	
Councillor Laurie Testoni	

The division was declared PASSED by 10 votes to 0.

CC02 POST TENDER NEGOTIATIONS RECOMMENDATION FOR CONTRACT NO. 14-22/23, NEW MOUNTAIN BIKE TRAIL, LOT:2 DP: 1030170 ABATTOIR ROAD, GRIFFITH, NSW, 2680.

23/250

RESOLVED on the motion of Councillors Glen Andreazza and Chris Sutton that:

- (a) Council, in accordance with Section 178(3)(e) of the Local Government Regulation, award Contract No. 14-22/23, New Mountain Bike Trail, Lot:2 DP 1030170 Abattoir Road, Griffith, NSW, 2680 to Australian Youth Services for the amount of \$300,000.00 excluding GST.
- (b) Council delegate authority to the General Manager to enter into a contract with Australian Youth Services.

For	Against
Councillor Doug Curran	
Councillor Glen Andreazza	
Councillor Shari Blumer	
Councillor Jenny Ellis	
Councillor Manjit Singh Lally	
Councillor Melissa Marin	
Councillor Anne Napoli	
Councillor Christine Stead	
Councillor Chris Sutton	
Councillor Laurie Testoni	

The division was declared PASSED by 10 votes to 0.

There being no further business the meeting terminated at 8:00pm.

Confirmed:

CHAIRPERSON

CLAUSE	CL01
TITLE	Special Rate Variation (SRV) - Decision to Apply to the Independent Pricing and Regulatory Tribunal (IPART)
FROM	Brett Stonestreet, General Manager
TRIM REF	23/105471

SUMMARY

At the Ordinary Meeting of Council held 9 May 2023 Council resolved that:

- (a) *Council endorse the draft Operational Plan (Budget) 2023/24 as per Attachment A – pages 281 to 288 and pages 300 to 305.*
- (b) *Council endorse the draft Ten Year Long Term Financial Plan Annual Review 2023/24 to 2032/33 and draft updated Delivery Program 2022/23 – 2025/26 as per Attachment A (Scenario 3) – pages 281 to 288 and pages 300 to 305.*
- (c) *Council endorse in principle, its intention to make application to the Independent Pricing and Regulatory Tribunal (IPART) to implement a Special Rate Variation commencing 2024/25 in accordance with the Ten Year Long Term Financial Plan 2023/24 to 2032/33 and draft updated Delivery Program 2022/23 – 2025/26 as per Attachment A (Scenario 3) – pages 131 to 132.*
- (d) *That Council commence extensive community consultation regarding the proposed Special Rate Variation in accordance with IPART “Guidelines for the Preparation of an Application for a Special Variation to General Income.” Further, that following this consultation a further report be considered by Council by October 2023.*
- (e) *Council place the draft documents as referred to in Recommendations (a) and (b) above on public exhibition for 28 days during which time a community consultation process will be undertaken.*
- (f) *Following the public exhibition period, draft documents as referred to in Recommendations (a) and (b) above be presented to Council for adoption subject to any amendments resulting from community submissions received, by 30 June 2023.*

This report details the community consultation and feedback received in relation to the proposed Special Rate Variation (SRV) and proposes that Council applies to the Independent Pricing and Regulatory Tribunal (IPART) to implement a SRV commencing 2024/25.

RECOMMENDATION

- (a) **Council receive and note the SRV Community Engagement Summary attached to the report including submissions, feedback received and key findings.**
- (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.**

- (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).**
- (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.**
- (e) **Management to report to Council on a quarterly basis with details of cost savings and additional revenue initiatives.**
- (f) **Council to review the Financial Hardship Policy (FS-CP-506) to ensure adequate assistance is provided to ratepayers experiencing genuine financial hardship.**

REPORT

At the Ordinary Meeting of Council held 9 May 2023 Council resolved to endorse in principle, its intention to make application to IPART to implement a permanent SRV commencing 2024/25 to raise ordinary rates by 10.5% (inclusive of the assumed 3.0% rate peg) each year for three consecutive years from 2024/25 to 2026/27 (a cumulative total increase of 34.9%).

Council further resolved to commence extensive community consultation regarding the proposed SRV in accordance with IPART “Guidelines for the Preparation of an Application for a Special Variation to General Income.”

A copy of the 9 May 2023 Council Meeting Report and Minutes is attached to this report (Attachment A).

Background

Sound financial management and sustainability has been a high priority of this Council. Council’s Senior Management Team (SMT) continually monitors Council’s financial position to ensure that services are delivered for the community in accordance with the Community Strategic Plan and the Delivery Program. Council has worked diligently to ensure the finances are managed appropriately and that best use of public funds are always at front of mind.

Council took steps commencing in 2012 to restructure the organisation in order to reduce operational costs as far as possible without unduly compromising important services to the community. This action resulted in annual cost savings of approximately \$2M which allowed Council to ensure the reserves were cash backed.

In addition to cost savings, additional revenue sources were identified to supplement income within the General Fund. As a consequence of Council’s cost saving initiatives and additional revenue raising, the financial position of Council has been sustained for a substantially longer period than it would otherwise have been.

Whilst building cash reserves, Council has undertaken significant capital projects in recent years which have been partially funded by operating surpluses.

General Fund Under Pressure

Council’s General Fund operational budget is under pressure. Based on the current Long Term Financial Plan, Council’s General Fund will see ongoing deficits and will be unsustainable if no corrective action is taken.

At the Ordinary Meeting of Council held 9 May 2023, Council considered 4 scenarios including the following:

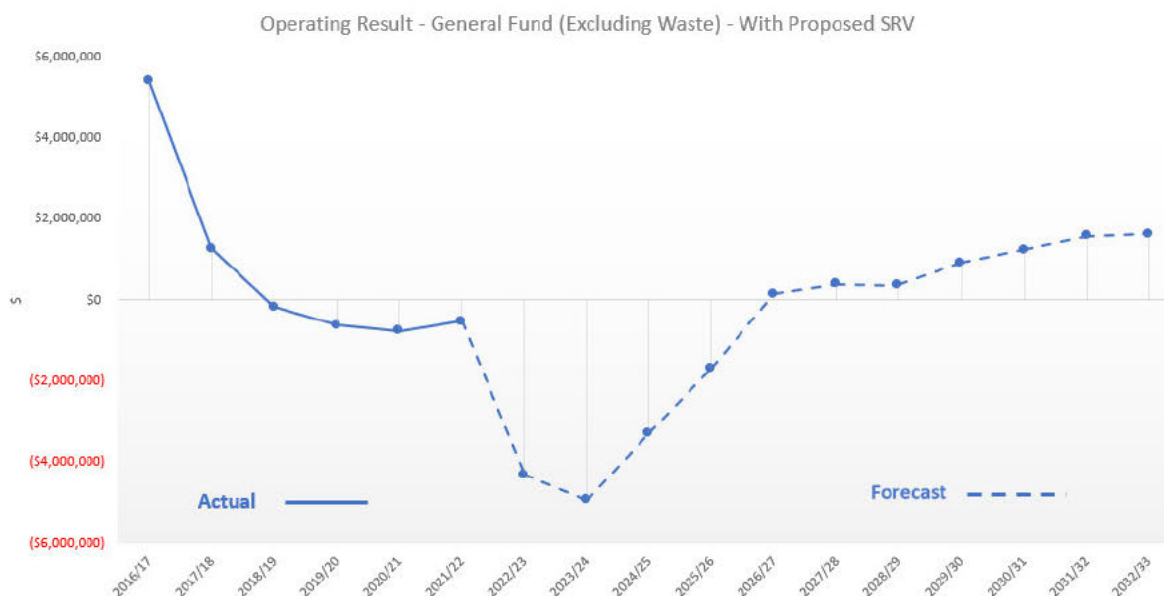
- Scenario 1 - SRV - 23% Increase 2024/25 (inclusive of assumed 3% rate peg)
- Scenario 2 - SRV-14% Increase 2024/25 and SRV-13% Increase 2025/26 (inclusive of assumed 3% rate peg)
- Scenario 3 - SRV-10.5% Increase 2024/25, 2025/26, 2026/27 (inclusive of assumed 3% rate peg)
- Scenario 4 - No Special Rate Variation 2024/25 (Rate Pegging Increase Only - assumed 3.0%)

At the 9 May 2023 Meeting, Council resolved to exhibit Scenario 3 in the draft Delivery Program 2022/23 – 2025/26 & Operational Plan 2023/24 and Long Term Financial Plan Annual Review 2023/24. Council also resolved to commence community consultation in regards to a SRV as per Scenario 3.

At the Ordinary Meeting of Council held 27 June 2023, Council resolved to adopt the Delivery Program 2022/23 – 2025/26 & Operational Plan 2023/24 and Long Term Financial Plan Annual Review 2023/24 including Scenario 3.

The following graph illustrates the historical performance of the General Fund (excluding Waste Fund) and the outlook for the next ten years with the proposed SRV. While Council has included in its Long Term Financial Plan the construction of an Art Gallery, any further action in regard to this matter will be the subject of further deliberation and resolution of Council. The following graph does not include any financial provision for construction of this facility.

General Fund (excluding Waste Fund) – Proposed SRV



Cost Saving and Additional Revenue Initiatives

Council's SMT acknowledges the challenge for ensuring the future financial sustainability of Council should not only rest with ratepayers via a SRV. In this regard, the Long Term Financial Plan Annual Review 2023/24, includes an annual cost savings/additional revenue initiatives line.

These cost savings will be achieved by reviewing operational efficiency and procurement practices to ensure best value for money. In addition, new revenue sources that are reasonable and take into consideration the community’s capacity to pay, will be implemented to offset costs. An example of this may be car parking charges at the airport. It is important to note that some of these initiatives will require capital investment to either generate savings or additional revenue.

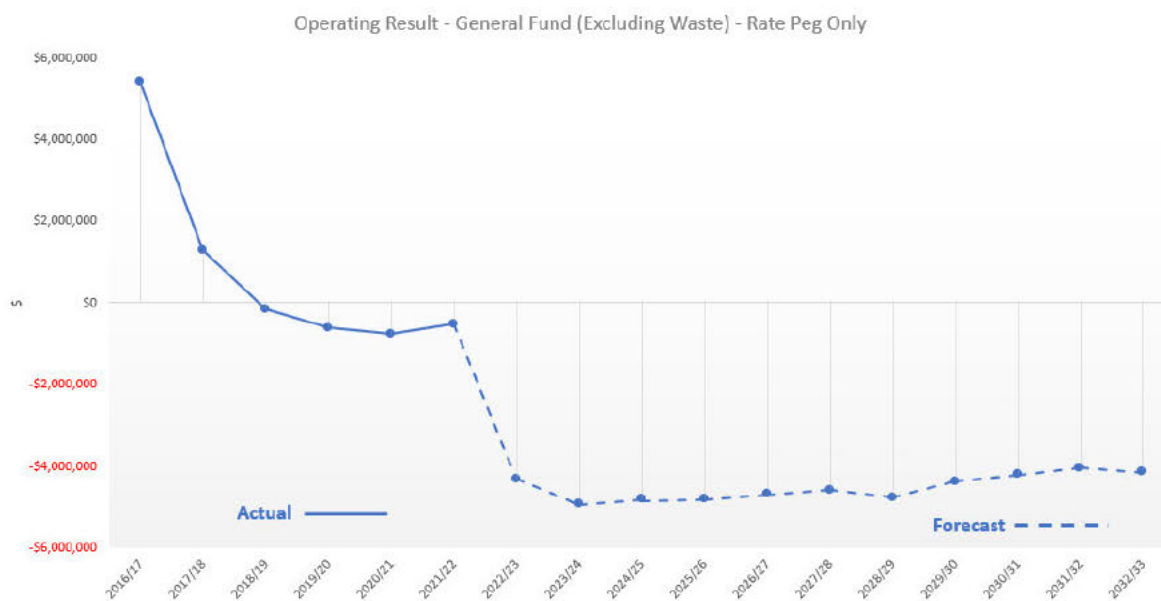
Council’s SMT have commenced implementation of these initiatives with a target of \$300,000 to be realised in 2023/24. From 2024/25 this amount will lift to \$1M per annum. All cost savings/additional revenue initiatives will be reported to Council as part of the quarterly financial review of operations.

What would happen if the SRV application is unsuccessful?

A funding shortfall of approximately \$4 million per annum would need to be offset with a combination of a reduction of services / costs and the introduction of alternative revenue sources.

The following graph illustrates the historical performance of the General Fund (excluding Waste Fund) and the outlook for the next ten years without the SRV (rate pegging only).

General Fund (excluding Waste Fund) – Rate Peg Only



As can be seen, the General Fund has significantly deteriorated in recent years which is primarily attributed to the impact of COVID-19, record levels of inflation, State Government cost shifting and diminishing Federal Grants. The long term impact of rate pegging being below inflation levels is also a major contributing factor.

Clearly, the future of the General Fund (excluding Waste Fund) is financially unsustainable and action needs to be taken to remain viable.

If the performance of the General Fund (excluding Waste) does not move into surplus, this will result in restricted funds (Reserves) being used to fund General Fund operations which is not sustainable, inappropriate and in some instances unlawful.

Should the SRV not be approved, Council will need to address the financial sustainability of Council via alternative means. Service levels will need to be reviewed and reduced. Examples of Council services that may be impacted include but not limited to:

1. Reduction of the operating hours and levels of service of Council facilities:
 - Griffith Regional Aquatic Leisure Centre
 - Art Gallery
 - Theatre
 - Library
 - Pioneer Park Museum
 - Tourism Hub
 - Griffith Regional Sports Centre
 - Saleyards

2. Reduction maintenance/replacement for:
 - Roads and bridges
 - Parks, gardens and playgrounds
 - Footpaths, carparks and cycleways
 - Street and gutter cleaning
 - Urban stormwater drainage
 - Public amenities
 - Sporting grounds
 - Council owned properties including Senior Citizens Centre, Community Centre
 - Fleet management

3. Reduction Council services:
 - Ranger services (car parking, animal control)
 - Community development
 - Economic development
 - Council events
 - Grants, sponsorship and rate subsidies to community groups
 - Strategic Planning

Councillors will need to identify which of the above Council facilities or services would be impacted to achieve the cost reductions to bring the General Fund back into a balanced position. SMT will be guided by Councillors and a report prepared for Council's consideration.

Service Reviews

In preparation of Council's suite of strategic planning documents under the IP&R framework, Council was required to include a service review program. In response to this obligation, Council has already committed to a program of service reviews as detailed in the Delivery Program 2022/23-2025/26. These are:

- Water/Sewerage (2022/23 - in progress)
- Roads (2023/24)
- Developer Services - Development Applications (2024/25)
- Compliance (2025/26)

In order to explore productivity improvements and cost containment strategies it is recommended that Council undertakes additional Service Reviews within the General Fund. It is proposed that the Griffith Regional Aquatic Leisure Centre (early 2024) and Parks & Gardens (2024/25) be reviewed in addition to those already listed in the Delivery Program.

Resources to undertake these independent reviews will be included in future quarterly reviews of the Delivery Program/Operational Plan.

Community Consultation

Council prepared a Special Rate Variation Community Engagement Plan to ensure our community was well informed and engaged about the proposed SRV and encourage their input and feedback through community consultation. (Refer to Attachment B Appendix 1)

Community consultation commenced on the 12 May 2023 and concluded on the 31 August 2023. During this time information sessions were held at Community Opinion Group (COG) Meetings held in Yoogali and Hanwood. Council Cafés were held in Kooyoo Street, Griffith Central Plaza and the Council Chambers. Council also met with a number of community organisations including the Griffith Business Chamber, U3A, Council Staff, Rotary Avanti, Griffith Rotary, East Griffith Rotary, Griffith Ladies Probus, Yenda Progress Association, Yenda Rotary, Griffith Lions Club, NSW Farmers Association, business leaders and members of the Sikh community.

Council has dedicated a web page for the proposed SRV which provides background information, frequently asked questions, how to provide feedback, details about community information sessions, online presentation and a Rates Estimator so that ratepayers can understand the financial impact of the proposed SRV.

Council also promoted the proposed SRV through media channels including Facebook Instagram, Media Release, Radio, Mayor on the Air, Council's weekly Newsletter, Council Catch Up and the COG email database. A flyer was included in the July 2023 Quarterly Rates' Notices emailed/posted out during the consultation period.

A SRV Community Engagement Summary has been prepared which details the community consultation undertaken and feedback received. (Refer to Attachment B)

Submissions received during the consultation period are attached to this report (Refer to Attachment B – Appendix 2).

Summary of Submissions

During the public exhibition period over 150 written submissions were received.

For privacy and consistency reasons, redacted submissions have been included as an attachment to this report.

Key issues raised by the community, and Council responses are summarised below:

Issue: Affordability of proposed rate increase / cost of living / capacity to pay / user pays system for facilities

Council Response:

- Council acknowledges that some ratepayers may experience difficulty with these planned increases, and a Financial Hardship Policy is in place to help them. This report recommends that the Policy be reviewed which may provide some further assistance to those genuinely experiencing financial difficulty.
- Pensioner concession rebate. Ratepayers who qualify for pensioner concessions receive an annual concession of up to \$250 per property for ordinary rates and domestic waste charges. The NSW Government funds 55% of the pensioner rebate whilst Council funds 45%. Council currently offers the pensioner concession rebate to 12,037 ratepayers. Council has the discretion to provide and fund further rebates for pensioners should it wish to do so.

Ordinary Rates

FY23/24 No. of concessions	Concessions granted	State Govt Subsidy Received by Council	Cost of Concession to Council
1237	\$290,791	\$159,935	\$130,856

- For the purposes of information for Councillors, an additional rebate funded by Council to concession holders, would result in additional cost to budget as per the following:

Additional Rebate per assessment \$	Additional Annual Cost to Council \$
\$75	\$92,775
\$100	\$123,700
\$125	\$154,625

- Council delivers water and utilities services to the community. These services are not subject to rate pegging legislation. Council has received feedback during the consultation period that it should look closely at every opportunity to limit water and sewer charge increases at least during the SRV implementation period. In response to these concerns, Council could consider limiting increases in water and sewer charges to 3% per annum (equivalent to assumed rate peg) from 2024/25 to 2026/27.
- Council has spread the SRV increase across three years in an endeavour to provide ratepayers opportunity to plan for future increases.
- Some services delivered by Council incur a user pay charge. These charges are intended to relieve the pressure on the general rates and place more responsibility on those directly utilising the service. Council does review the Revenue Policy on an annual basis which sets the user pay charges.
- The proposed rate increase will also affect local businesses and farmers. Following consultation with these industry groups there was an understanding that operating costs have risen significantly in recent years. For Council finances to remain sustainable, rates must be increased to reflect the changes in operational costs.

Issue: Smaller increase / fewer years / supported by reduced operational costs and other revenue streams / other alternatives in combination with the SRV

Council Response:

- The SRV increase identified is the minimum amount required to bring Council's financial position in the General Fund to a sustainable level.
- Council is committed to exploring operational efficiencies and alternative revenue streams to limit the SRV increase to that which is proposed.

Issue: Do not want to cut services / lose jobs

Council Response:

- Should a SRV proceed, Council will not need to cut services or reduce jobs in the organisational structure.

Issue: Reduce Councillor numbers and Councillor costs

Council Response:

- Council has resolved as from September 2024, to reduce the Councillors from 12 to 9.

- Many conferences now allow remote attendance. Council is exploring this option to help reduce costs.
- Councillors review the fees payable to Councillors on an annual basis in line with the prescribed minimum and maximum amounts set by the Local Government Remuneration Tribunal. The Tribunal makes annual determinations on the categorisation of each Council and Mayoral office for the purpose of determining the minimum and maximum fees payable to Councillors and Mayors in each category.

Issue: Review current spending / services, Council efficiency, cost saving initiatives / streamline processes

Council Response:

- Council intends to undertake several service reviews and these are identified in this report.
- Council is committed to exploring operational efficiencies and alternative revenue streams to limit the SRV increase to that which is proposed (2023/24 \$300,000. 2024/25 onwards \$1,000,000 per annum).

Issue: Review senior positions and staffing levels

Council Response:

- The organisational structure of Council is reviewed within 12 months of an ordinary election of Council. The next review will occur following the 2024 Council election.
- The level of staff resources required reflects the level of services expected by the community and to meet regulatory requirements.

Issue: Concentrate on essential infrastructure projects

Council Response:

- Council reviews its Delivery Program & Operational Plan and Long Term Financial Plan (including capital works budget) on an annual basis and it is exhibited for public comment to ensure the works proposed meet community expectations.

Issue: Concerns about the new Art Gallery proposal

Council Response:

- While Council has included in its Long Term Financial Plan the construction of an Art Gallery, any further action in regard to this matter will be the subject of further deliberation and resolution of Council.

Issue: Affordability of Housing (higher rents)

Council Response:

- Council has implemented a number of strategies to assist with providing affordable accommodation in Griffith. Eg. Griffin Green Affordable Housing project – 20 dwellings plus 42 building allotments. Donation of land to Argyle Housing Corner of Wakaden and Crossing Streets. 4 x 2 bed affordable dwellings. Adoption of new Residential Control Plan providing various concessions for affordable housing.

Summarised Submission from the Griffith Business Chamber

“The Chamber submits that:

- a) Council should consider alternatives in combination with the proposed SRV, including measures to reduce operational costs and further revenue streams; and*
- b) If Council does determine to apply for the SRV, that a substantially lower increase be introduced (supported by reduced operational costs and further revenue streams) and over a single year rather than compounded over three years.”*

Council Response:

Council is committed to identifying \$1M per annum in savings or additional revenue sources to supplement the SRV proposal. SRV options were modelled at levels to achieve financial sustainability and the options presented at the 9 May 2023 Council Meeting achieved the required result. These options ranged from one to three years for the implementation of a SRV. Any reduction in the SRV percentage will require review of service levels in order to achieve additional savings required.

“Chamber has received feedback from members proposing the following ways in which it could reduce operational costs and raise further operational revenue:

- a) *Introducing renewable energy infrastructure, e.g. solar panels on government-owned buildings, carparks etc, solar-powered light-poles etc;*

Council Response:

Council already has solar panels on some facilities. An energy audit has been conducted on the 5 largest sites for energy consumption. Council will consider in future budgets and grant funding opportunities will be explored, providing funding to install solar panels and associated infrastructure on these facilities. This would require significant upfront capital investment which would need to be funded from unrestricted cash reserves.

- b) *Increasing rent for leases and licences of Crown land to commercial rates (if possible);*
- c) *Increasing rent for leases and licences for Council-owned land to commercial rates, considering more commercial uses of such land, and the sale of land which is not required for current or future Council services;*

Council Response to (b) and (c):

Council increases lease and licence fees on an annual basis in accordance with the lease and licence agreements. Future leases or renewal of current leases will be examined closely to ensure the revenue return to Council is in line with commercial rates where appropriate.

- d) *Harnessing Council’s skilled workforce to provide services to other councils on a fee-for-service basis, including civil, plumbing and electrical services;*

Council Response: Council currently provides services support to other local government areas eg Environmental Health Officers services. Most industry sectors including local government are experiencing severe skills shortages, consequently Griffith City Council’s capacity to outsource services on a fee for service basis is limited. In some cases, Council has engaged contractors to undertake service provision as it has been unable to recruit staff.

- e) *Introducing paid parking for the Griffith City Airport.*

Council Response: Council is currently investigating technology solutions to introduce paid parking at Griffith City Airport. It is anticipated that additional revenue will be generated by introducing paid parking, however in initial years, this additional revenue will be offset by the capital cost of implementation.

Summarised Submission from Member for Murray, Helen Dalton MP

“I urge Council to firstly conduct an independent review of its commercial viability before applying for any Special Rates Variation. Such a review should consider the following areas of the Council’s financial model and operations:

Council Response:

Griffith City Council is committed to identifying \$1M in annual savings to supplement the SRV proposed. Council's operations are benchmarked against all Councils in NSW on an annual basis by the Office of Local Government. Council's financial performance and ratios compare favourably with other councils in our Group. In addition, Council has identified several services which will have independent reviews undertaken during the next two years.

- *The increase of Council's Senior Management team from 5 to 6 Directors*

Council Response:

Griffith is a growing city as is evidenced by significant public and private sector investment. Council delivers in excess of 70 different services and manages over \$1B assets and infrastructure. The Senior Management Team is fully occupied in this regard.

- *The quantum and extent of wage increases across all managerial roles*

Council Response:

Wage and salary increases are set at the equivalent of those set by the Local Government State Award.

- *The management of Lake Wyangan and associated financial issues*

Council Response:

Council has identified the primary challenges with Lake Wyangan and has implemented several strategies to progressively improve the condition of the water body and the environment. Council has endorsed a Western Foreshore Infrastructure Plan. These works will commence late 2023.

- *The levels of transparency and accountability in water trading*

Council Response:

Council took the initiative in 2014 to have regulations amended to allow local government to temporarily trade excess water in order to supplement income and therefore reduce the impact on rates. Council trades water through various independent water brokers in accordance with Council policy. Council has no knowledge of the buyers' details as all trades are facilitated by the water brokers' trust account.

- *The water levy on developers and its impacts*

Council Response:

Council implemented a water levy on developers as a consequence of the NSW Government proposing such action. Council has discontinued this levy.

- *The meeting of housing demands and housing needs in the Council's area with an emphasis on affordability and the associated growing of the Rate Base; homelessness; and assisting with the workforce shortage by the provision of plentiful and affordable housing*

Council Response:

Council adopted the Affordable Housing Strategy in 2019. Council has implemented a number of initiatives to assist with providing affordable accommodation in Griffith. Eg. Griffin Green Affordable Housing project – 20 dwellings plus 42 building allotments. Donation of land to Argyle Housing Corner of Wakaden and Crossing Streets. 4 x 2 bed affordable dwellings. Adoption of new Residential Control Plan providing various concessions for affordable housing.

- *Cost blowouts on infrastructure developments*

Council Response:

The Member for Murray is requested to provide further detail in order for this point to be addressed.

- *The management and budgets for increased infrastructure spending on facilities such as the sports precinct and pool*

Council Response:

Council undertook extensive community consultation with regard to the scope of both the 50m pool construction and Griffith Regional Sports Centre. This consultation prompted Council to significantly increase the scope of works for both facilities. The capital budgets for those projects were consequently amended for the increased scope. Some additional grant funding was secured to partly offset the increase in capital costs.

- *An overall assessment of Council's budget forecasts and key performance indicators such as Gross Regional Product.*

Council Response:

Griffith City Council has very limited influence on Gross Regional Product. Council has a number of economic development initiatives in place to assist the private sector. Council proactively liaises with external stakeholders to drive new business activity and growth.

OPTIONS

OPTION 1

As per Recommendation.

- (a) Council receive and note the SRV Community Engagement Summary attached to the report including submissions, feedback received and key findings.
- (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.
- (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).
- (e) 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.
- (f) Management to report to Council on a quarterly basis with details of cost savings and additional revenue initiatives.
- (g) Council to review the Financial Hardship Policy (FS-CP-506) to ensure adequate assistance is provided to ratepayers experiencing genuine financial hardship.

OPTION 2 (Not recommended)

- (a) Council not make application to IPART for a SRV.
- (b) Council acknowledges that to achieve a financially sustainable position, Council needs to generate savings or additional revenue of \$4M per annum in the General Fund. In addition, Management will identify annual savings of \$1M.

- (c) In preparation for the FY24/25 draft Budget, Councillors nominate specific services to be reviewed to achieve the savings as referred to in (b) above.

OPTION 3 (Not recommended)

- (a) Council not make application to IPART for a SRV.
- (b) Council acknowledges that to achieve a financially sustainable position, Council needs to generate savings or additional revenue of \$4M per annum in the General Fund. In addition, Management will identify annual savings of \$1M.
- (c) In preparation for the FY24/25 draft Budget, Councillors request Management to provide a report to a future Workshop with implications for service cuts as identified by Councillors of 23% of net cash costs as per the table below, to achieve the required \$4M per annum savings.

Management has categorised operations in the General Fund between statutory and discretionary services to identify those services that could be reviewed without breaching any legislative or statutory requirements.

Function	Net Cash Costs (Income less Cash Costs)	Approximate reduction in Cash Costs to achieve \$4M saving
Aquatic Facilities	\$ 1,584,491	\$ 370,846
Community Services MangT	\$ 496,406	\$ 116,182
Economic Development	\$ 383,205	\$ 89,688
Events Co- Ordinator	\$ 469,036	\$ 109,777
Fleet Management	-\$ 2,447,125	-\$ 572,743
Footpaths & Cycleways	\$ 106,342	\$ 24,889
Griffith Livestock Mk Centre	\$ 154,829	\$ 36,237
Griffith Regional Art Gallery	\$ 311,590	\$ 72,927
Griffith Regional Theatre	\$ 987,946	\$ 231,226
Housing	-\$ 51,926	-\$ 12,153
Library Services	\$ 1,087,922	\$ 254,625
Other Community Services	\$ 26,118	\$ 6,113
Parking Areas	\$ 36,293	\$ 8,494
Passive Recreation	\$ 3,811,256	\$ 892,014
Pioneer Park Museum	\$ 582,659	\$ 136,370
Public Conveniences	\$ 281,295	\$ 65,836
Quarry	-\$ 44,520	-\$ 10,420
Ranger Services	\$ 428,932	\$ 100,390
Roads & Bridges	\$ 3,520,311	\$ 823,919
Senior Citizens Centre	\$ 15,238	\$ 3,566
Sporting Bodies Subsidies	\$ 55,820	\$ 13,065
Sporting Grounds	\$ 828,038	\$ 193,800
Sports Stadium	\$ 421,198	\$ 98,580
Strategic Planning	\$ 2,758,089	\$ 645,523
Street & Gutter Cleaning	\$ 409,166	\$ 95,764
Urban Stormwater Drainage	\$ 139,719	\$ 32,701
Visitors Centre	\$ 738,243	\$ 172,784
	\$ 17,090,571	\$ 4,000,000

OPTION 4 (Not recommended)

Any other resolution of Council.

Councillors should note that IPART has advised that if Council determines to progress with any SRV other than that, which has been placed on public exhibition, Council will be required to undertake the following steps:

1. Amend Council's Long Term Financial Plan and Delivery Program, to reflect the revised SRV proposal.
2. Place the draft documents on public exhibition for 28 days.
3. Undertake community consultation for the proposed SRV.
4. Further report to adopt the amended Long Term Financial Plan and Delivery Program following the consideration of community submissions and final decision to apply for the revised SRV.

Deadline for application to IPART is early February 2024.

POLICY IMPLICATIONS

Not Applicable

FINANCIAL IMPLICATIONS

In order to achieve financial sustainability for Griffith City Council in the General Fund, a SRV will be required. Alternatively, significant services will be required to be reviewed and restructure costs quantified.

LEGAL/STATUTORY IMPLICATIONS

Council must ensure resourcing levels are adequate to carry out legal and statutory functions in line with relevant Acts and legislation.

ENVIRONMENTAL IMPLICATIONS

If a SRV is not implemented, Council may consider reducing budget relating to environmental programs and activities.

COMMUNITY IMPLICATIONS

Should Council resolve not to proceed with a SRV, the community would be impacted by reductions to Council services and access to facilities as outlined above in the report.

LINK TO STRATEGIC PLAN

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

CONSULTATION

Senior Management Team

Community consultation undertaken as outlined in Attachment (b).

ATTACHMENTS

- (a) Council Report and Minutes 9 May 2023 (under separate cover)
- (b) SRV Community Engagement Summary (includes Community Engagement Plan and Submissions Received) (under separate cover)
- (c) Rate Peg Only - General Fund - 10 Year Financial Projection for Years Ended 30 June 2023 - No Art Gallery [↓](#)

- (d) Proposed SRV - General Fund - 10 Year Financial Projection for Years Ended 30 June 2023 - No Art Gallery [↓](#)

Rate Peg Only - No Art Gallery

These financial projections do not replace the 10 Year Long Term Financial Plan adopted by Council in June 2023. They are for the purpose of analysing the General Fund performance with rate pegging only.

**Griffith City Council
10 Year Financial Projection for Years Ended 30 June 2023
INCOME STATEMENT - GENERAL FUND**

	Actuals 2021/22	Budget 2022/23	2023/24	2024/25	2025/26	2026/27	Projected Years					2032/33
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Income from Continuing Operations												
Revenue:		Rate Peg Rate Increase	3.7%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
Rates	17,942,000	18,893,152	18,937,413	19,505,535	20,090,701	20,693,422	21,314,225	21,953,652	22,612,261	23,290,629	23,989,348	24,709,029
Annual Charges	5,420,000	4,032,892	5,266,562	5,424,559	5,587,296	5,754,915	5,927,562	6,105,389	6,288,551	6,477,207	6,671,523	6,871,669
User Charges & Fees	6,663,000	7,906,986	8,165,250	8,410,208	8,662,514	8,922,389	9,190,061	9,465,763	9,749,736	10,042,228	10,343,494	10,653,799
Interest & Investment Revenue	461,000	491,290	1,286,290	1,221,976	1,160,877	1,102,833	1,047,691	995,307	945,541	945,541	945,541	945,541
Other Revenues	1,505,000	1,618,260	1,539,363	1,577,847	1,617,293	1,657,726	1,699,169	1,741,648	1,785,189	1,829,819	1,875,564	1,922,453
Grants & Contributions provided for Operating Purposes	12,244,000	11,942,659	15,113,617	9,387,026	9,668,636	9,958,695	10,257,456	10,565,180	10,882,135	11,208,599	11,544,857	11,891,203
Grants & Contributions provided for Capital Purposes	17,486,000	15,948,509	4,422,800	4,555,484	4,692,149	4,832,913	4,977,900	5,127,237	5,281,054	5,439,486	5,602,671	5,770,751
Other Income:												
Net gains/(loss) from the disposal of assets	55,000	-	-	-	-	-	-	-	-	-	-	-
Joint Ventures & Associated Entities	-	-	-	-	-	-	-	-	-	-	-	-
Total Income from Continuing Operations	61,776,000	60,833,748	54,731,295	50,082,634	51,479,466	52,922,893	54,414,065	55,954,175	57,544,468	59,233,510	60,973,000	62,764,446
Expenses from Continuing Operations												
Employee Benefits & On-Costs	20,367,000	24,434,545	25,799,937	26,142,894	27,165,703	27,815,610	28,509,127	29,219,864	29,948,257	30,694,755	31,459,817	32,240,562
Borrowing Costs	475,000	128,245	386,555	351,048	314,786	277,753	239,931	201,304	163,581	135,306	122,229	110,883
Materials & Contracts	10,035,000	12,090,854	15,429,542	10,671,928	10,693,386	11,014,188	11,344,613	11,964,952	12,035,500	12,396,565	12,768,462	13,441,516
Depreciation & Amortisation	10,870,000	10,110,373	11,543,240	11,716,389	11,892,134	12,070,516	12,251,574	12,444,348	12,640,013	12,838,613	13,040,192	13,244,795
Impairment of investments	1,855,000	-	-	-	-	-	-	-	-	-	-	-
Other Expenses	502,000	1,139,913	1,214,290	1,250,719	1,288,240	1,326,887	1,366,694	1,407,695	1,449,926	1,493,424	1,538,226	1,584,373
Cost Saving Initiatives	-	-	(300,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)
Total Expenses from Continuing Operations	44,104,000	47,903,930	54,073,564	49,132,978	50,354,250	51,504,955	52,711,940	54,238,162	55,237,277	56,558,663	57,928,927	59,622,129
Operating Result from Continuing Operations	17,672,000	12,929,818	657,731	949,656	1,125,216	1,417,938	1,702,125	1,716,013	2,307,191	2,674,847	3,044,073	3,142,316
Discontinued Operations - Profit/(Loss)	-	-	-	-	-	-	-	-	-	-	-	-
Net Profit/(Loss) from Discontinued Operations	-	-	-	-	-	-	-	-	-	-	-	-
Net Operating Result for the Year	17,672,000	12,929,818	657,731	949,656	1,125,216	1,417,938	1,702,125	1,716,013	2,307,191	2,674,847	3,044,073	3,142,316
Net Operating Result before Grants and Contributions provided for Capital Purposes	186,000	(3,018,691)	(3,765,069)	(3,605,828)	(3,566,933)	(3,414,975)	(3,275,775)	(3,411,224)	(2,973,864)	(2,764,639)	(2,558,598)	(2,628,435)
Ordinary Fund-Net Operating Result (Before Capital)	(523,000)	(4,318,984)	(4,937,988)	(4,813,934)	(4,811,282)	(4,696,655)	(4,595,906)	(4,770,959)	(4,374,390)	(4,207,182)	(4,044,417)	(4,158,828)
Waste Fund-Net Operating Result (Before Capital)	709,000	1,300,293	1,172,919	1,208,107	1,244,350	1,281,680	1,320,131	1,359,735	1,400,527	1,442,542	1,485,819	1,530,393

Proposed SRV (10.5% + 10.5% + 10.5%) No Art Gallery.

These financial projections do not replace the 10 Year Long Term Financial Plan adopted by Council in June 2023. They are for the purpose of analysing the General Fund performance if the proposed SRV is implemented.

**Griffith City Council
10 Year Financial Projection for Years Ended 30 June 2023
INCOME STATEMENT - GENERAL FUND**

	Actuals 2021/22	Budget 2022/23	Projected Years									
	\$	\$	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
			\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Income from Continuing Operations												
Revenue:												
Rates	17,942,000	18,893,152	18,937,413	19,505,535	20,090,701	20,693,422	21,314,225	21,953,652	22,612,261	23,290,629	23,989,348	24,709,029
Annual Charges	5,420,000	4,032,892	5,266,562	5,424,559	5,587,296	5,754,915	5,927,562	6,105,389	6,288,551	6,477,207	6,671,523	6,871,669
Special Rate Variation - 10.5% 2024-25 (permanent)	-	-	-	1,519,067	1,568,057	1,615,106	1,663,560	1,713,466	1,764,870	1,817,817	1,872,351	1,928,522
Special Rate Variation - 10.5% 2025-26 (permanent)	-	-	-	-	1,564,639	1,615,099	1,663,560	1,713,466	1,764,870	1,817,817	1,872,351	1,928,522
Special Rate Variation - 10.5% 2026-27 (permanent)	-	-	-	-	-	1,611,578	1,663,552	1,713,466	1,764,870	1,817,817	1,872,351	1,928,522
User Charges & Fees	6,663,000	7,906,986	8,165,250	8,410,208	8,662,514	8,922,389	9,190,061	9,465,763	9,749,736	10,042,228	10,343,494	10,653,799
Interest & Investment Revenue	461,000	491,290	1,286,290	1,221,976	1,160,877	1,102,833	1,047,691	995,307	945,541	945,541	945,541	945,541
Other Revenues	1,505,000	1,618,260	1,539,363	1,577,847	1,617,293	1,657,726	1,699,169	1,741,648	1,785,189	1,829,819	1,875,564	1,922,453
Grants & Contributions provided for Operating Purposes	12,244,000	11,942,659	15,113,617	9,387,026	9,668,636	9,958,695	10,257,456	10,565,180	10,882,135	11,208,599	11,544,857	11,891,203
Grants & Contributions provided for Capital Purposes	17,486,000	15,948,509	4,422,800	4,555,484	4,692,149	4,832,913	4,977,900	5,127,237	5,281,054	5,439,486	5,602,671	5,770,751
Other Income:												
Net gains/(loss) from the disposal of assets	55,000	-	-	-	-	-	-	-	-	-	-	-
Joint Ventures & Associated Entities	-	-	-	-	-	-	-	-	-	-	-	-
Total Income from Continuing Operations	61,776,000	60,833,748	54,731,295	51,601,701	54,612,162	57,764,676	59,404,735	61,094,575	62,839,079	64,686,959	66,590,053	68,550,010
Expenses from Continuing Operations												
Employee Benefits & On-Costs	20,367,000	24,434,545	25,799,937	26,142,894	27,165,703	27,815,610	28,509,127	29,219,864	29,948,257	30,694,755	31,459,817	32,240,562
Borrowing Costs	475,000	128,245	386,555	351,048	314,786	277,753	239,931	201,304	163,581	135,306	122,229	110,883
Materials & Contracts	10,035,000	12,090,854	15,429,542	10,671,928	10,693,386	11,014,188	11,344,613	11,964,952	12,035,500	12,396,565	12,768,462	13,441,516
Depreciation & Amortisation	10,870,000	10,110,373	11,543,240	11,716,389	11,892,134	12,070,516	12,251,574	12,444,348	12,640,013	12,838,613	13,040,192	13,244,795
Impairment of investments	1,855,000	-	-	-	-	-	-	-	-	-	-	-
Other Expenses	502,000	1,139,913	1,214,290	1,250,719	1,288,240	1,326,887	1,366,694	1,407,695	1,449,926	1,493,424	1,538,226	1,584,373
Cost Saving Initiatives	-	-	(300,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)
Total Expenses from Continuing Operations	44,104,000	47,903,930	54,073,564	49,132,978	50,354,250	51,504,955	52,711,940	54,238,162	55,237,277	56,558,663	57,928,927	59,622,129
Operating Result from Continuing Operations	17,672,000	12,929,818	657,731	2,468,723	4,257,912	6,259,722	6,692,796	6,856,412	7,601,802	8,128,296	8,661,126	8,927,881
Discontinued Operations - Profit/(Loss)	-	-	-	-	-	-	-	-	-	-	-	-
Net Profit/(Loss) from Discontinued Operations	-	-	-	-	-	-	-	-	-	-	-	-
Net Operating Result for the Year	17,672,000	12,929,818	657,731	2,468,723	4,257,912	6,259,722	6,692,796	6,856,412	7,601,802	8,128,296	8,661,126	8,927,881
Net Operating Result before Grants and Contributions provided for Capital Purposes	186,000	(3,018,691)	(3,765,069)	(2,086,761)	(434,237)	1,426,809	1,714,895	1,729,175	2,320,747	2,688,810	3,058,455	3,157,130
Ordinary Fund-Net Operating Result (Before Capital)	(523,000)	(4,318,984)	(4,937,988)	(3,294,867)	(1,678,586)	145,129	394,765	369,440	920,221	1,246,268	1,572,636	1,626,737
Waste Fund-Net Operating Result (Before Capital)	709,000	1,300,293	1,172,919	1,208,107	1,244,350	1,281,680	1,320,131	1,359,735	1,400,527	1,442,542	1,485,819	1,530,393

CLAUSE	CL02
PROPOSAL	DA 85/2023 - SINGLE STOREY SECONDARY DWELLING
PROPERTY	Lot 1589 DP 751709 - 1 Wilga Street
LOCATION	Hanwood
ZONING	RU5 Village
APPLICABLE PLANNING INSTRUMENT	Griffith Local Environmental Plan, 2014
EXISTING DEVELOPMENT	Single storey dwelling house
APPLICANT	Mr Anthony Stella
OWNER	Mr Tony Tropea
DIRECTORS OF COMPANYNA (IF APPLICABLE)	
APPLICATION DATE	19 July 2023
REASON FOR REFERRAL FROM TRIM REF	Submission Received 23/119623

SUMMARY

Proposal

Griffith City Council received a development application to construct a new single storey dwelling on the subject lot as a secondary dwelling to the principal existing house.

- The proposed dwelling has as floor area of 70.3m².
- The proposal complies with the provisions of the Griffith Local Environmental Plan and the objectives of the RU5 Village zoning.
- The application also complies generally with the controls of the Griffith Residential Development Control Plan 2020.
- As a result of the notification of the application in accordance with Council's Community Participation Plan, one submission objecting to the proposal was received.
- The application is recommended for approval, subject to the conditions of consent provided as Attachment A.

Type of Development

Local

Main Issues

Submission received objecting to the development proposal.

RECOMMENDATION

- (a) Council, as the consent authority pursuant to Section 4.16(1)(a) of the Environmental Planning & Assessment Act 1979, grant consent to Development Application DA 85/2023(1) for a Secondary Dwelling at Lot 1589 DP 751709, No. 1 Wilga Street Hanwood subject to conditions including those set out in Attachment 'A' of this report; and**
- (b) Development Application 85/2023(1) be delegated to the Director of Sustainable Development for the preparation and issue of the notice of determination.**

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

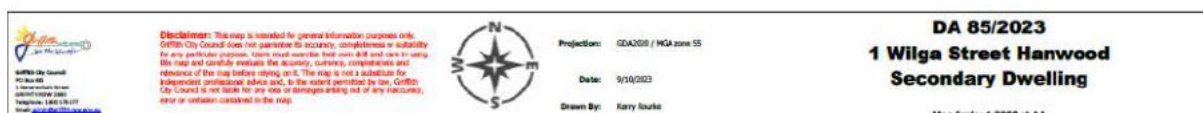
SITE DESCRIPTION

The site comprises 1,088m² of RU5 Village zoned land pursuant to the Griffith Local Environmental Plan 2014 (GLEP) and is located at 1 Wilga Street, Hanwood, NSW 2680 and is legally described as Lot 1589 DP 751709 (the site). The site is a corner lot with frontage to Wilga Street to the south and Hanwood Road to the west, and contains a single storey brick dwelling house.

The site is identified as flood prone. The site is not identified as bushfire prone nor is it impacted by vegetation which can support bushfire behaviour. There is a low brick wall (900mm) along the site frontage and the eastern boundary, stepping up to a 1.8m high metal fence, giving the site an open streetscape appearance, currently allowing street views from the adjacent dwelling at No 3 Wilga Street.

The highest point onsite is 121.80m Australian Height Datum (AHD) in the south eastern corner of the site and the lowest point is 121.62m AHD in the south western portion of the site.



LOCATION MAP

The Wilga Street frontage contains a large open stormwater drainage channel and the existing dwelling has a driveway crossing with a pipe in the channel to access the dwelling.

BACKGROUND**Timeline of Events Pertaining to the Development Application**

- 19/07/2023 – The development application was lodged.
- 20/07/2023 – Expression of Interest submitted to Department of Environment & Planning Regional Housing Flying Squad (RHFS) for them to assess the application.
- 21/07/2023 – Internal referrals issued to Building Surveyors & Development Engineers & Flooding.
- 27/07/2023 – Notification of the application until 10/08/2023 – One (1) submission received objecting to the proposal.
- 28/07/2023 – DPE RHFS accepted the application for assessment.
- 10/08/2023 – Submission provided to the applicant for their information and to assess the issues raised in the submission.
- 15/09/2023 – RHFS assessment completed & provided to Council

At the date of the Ordinary Meeting of Council, the application will have been with Council for 93 days (nett).

PROPOSAL IN DETAIL

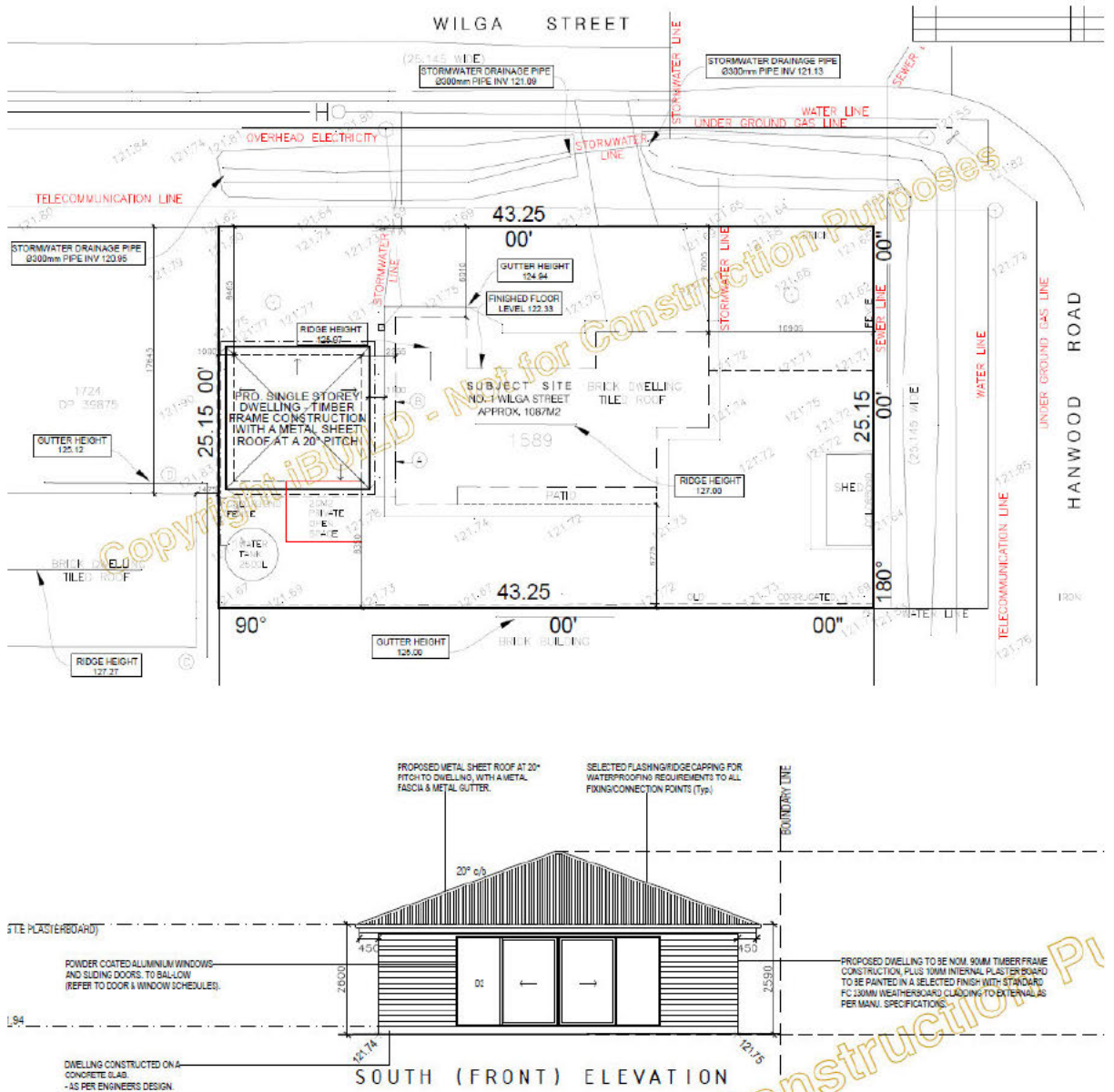
It is proposed to construct a two bedroom, single storey secondary dwelling to the east of the existing dwelling house on Lot 1589 DP 751709, No 1 Wilga Street Hanwood. A secondary dwelling is defined as:

- Secondary dwelling means a self-contained dwelling that—
- (a) is established in conjunction with another dwelling (the principal dwelling), and
 - (b) is on the same lot of land as the principal dwelling, and
 - (c) is located within, or is attached to, or is separate from, the principal dwelling.

The dwelling has a floor area of 70.3m² with 2.4m ceilings, and an overall height of 4.28m to the ridgeline. The existing dwelling has a floor area of approximately 202m².

The building is set 8.465m from the street frontage and no garage or carport is proposed for this structure (note the provision of a parking space is not required under State Environmental Planning Policy Housing).

The proposed dwelling has a finished floor level of RL121.94, however that will not comply with the flood planning level requirements and will need to achieve a minimum floor level of 122.36, i.e. 420mm higher than that proposed.



The proposed dwelling has sliding doors addressing the street, as illustrated above. The proposed dwelling is provided with a private open space area to the north, with access via a door from the rear adjacent to a bedroom and bathroom.

The proposed dwelling is located forward of the closest part (garage) of the adjacent dwelling on 3 Wilga Street, and behind the building line of the existing dwelling on site.



ASSESSMENT UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

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

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

Griffith Local Environmental Plan 2014

a. Permissibility

The subject land is zoned RU5 Village and under that zone, the Griffith Local Environmental Plan 2014 permits Secondary Dwellings with consent.

b. Aims & Objectives

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

- (a) *to prevent unnecessary urban sprawl by promoting business, industrial, rural and residential uses within and adjacent to existing precincts related to those uses,*
- (b) *to minimise land use conflict in general by creating areas of transition between different and potentially conflicting land uses,*

- (c) *to provide a variety of development options to meet the needs of the community with regard to housing, employment and services,*
- (d) *to manage and protect areas of environmental significance,*
- (e) *to recognise the historical development of the area and to preserve heritage items associated with it.*

The objectives for Zone RU5 Village zone set down in the Land Use Table are as follows:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
 - To enable development that will not hinder the future expansion of the village.
 - To provide for a range of land uses, services and facilities that are associated with a rural village.
- c. Principle Development Standards or other relevant LEP provisions

Clause	Assessment Comment
<p>5.4 Controls relating to miscellaneous permissible uses</p>	<p>5.4(9) Secondary dwellings on land other than land in a rural zone -</p> <p>For the purposes of this land use, State Environmental Planning Policy Housing 2021 defines the Residential zones as being:</p> <p>R1 General Residential;</p> <p>R2 Low Density Residential;</p> <p>R3 Medium Density Residential;</p> <p>R4 High Density Residential; and</p> <p>R5 Large Lot Residential.</p> <p>The RU5 Village zone is not considered to be a residential zone, thus the controls relating to secondary dwellings under Cl5.4(9) do not apply to this application.</p>
<p>5.21 Flood Planning</p>	<p>The Griffith Main Drain J & Mirrool Creek Flood Study 2021 (Torrent Consulting), identifies the site as flood prone with an estimated 1% Annual Exceedance Probability (AEP) Flood Level of 121.86m AHD in a low hazard category. The required floor level for habitable rooms is to be 500mm above the 1% AEP (i.e. 122.36m AHD) or 410mm above the existing natural ground level whichever is higher (in this case 122.36m is higher and is conditioned).</p> <p>Council is currently undertaking flood mitigation construction works (inclusive of a levee and pump) to the north and west of the village of Hanwood which will protect the subject area from 1% AEP and Probable Maximum Flood (PMF) events. The flood mitigation works are to be completed sometime in 2024.</p> <p>The existing dwelling house is located within the 1% AEP mapping, with a flood depth of 160mm across that part of the site. The PMF (which is lower than the flood planning area 500mm addition of 122.36m) is 270mm depth across the site.</p>

While the land is flood prone, the flood storage area is of shallow depth as provided above and vehicles can manoeuvre through to the site as could pedestrians.

This locale is essentially a different catchment to the Sangster Crescent area where water remains in-situ for a longer period of time as it is located upon the western side of Council's proposed levee and pump works.

The development will not adversely affect the safe occupation and efficient evacuation of people due to its size (secondary dwelling) and due to its close location to an existing road. The development will not exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood.

This following site aerial is the mapped 1%AEP, mapping based upon the aerial not the cadastre.



7.1 Earthworks

Complies. The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

No cut or retaining walls are proposed. Minor earthworks will be required to provide for services and erect the slab for the secondary dwelling. Some fill may be required for the development to meet the minimum flood floor level for habitable rooms.

The site does not adjoin any waterways, is not within a drinking water catchment, is not within an environmentally sensitive area, does not contain any heritage listed items nor is it within a heritage conservation area.

Erosion and sediment controls will be conditioned in order to minimize any adverse environmental impacts on drainage patterns, soil stability, future site use and adjoining properties.

<p>7.10 Essential services</p>	<p><i>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:</i></p> <ul style="list-style-type: none"> <i>(a) the supply of water</i> <i>(b) the supply of electricity</i> <i>(c) the disposal and management of sewage</i> <i>(d) stormwater drainage or on-site conservation</i> <i>(e) suitable vehicular access</i> <p>Complies. The development will be provided with all necessary urban services. Potable water is available to the site presently via the Council owned water main in Wilga Street</p> <p>Essential Energy's overhead electrical network is located in Wilga Street.</p> <p>Council's sewer main is Hanwood Road, the existing dwelling has a junction. As secondary dwellings cannot be subdivided from the principal dwelling, both should be able to be served by the existing junction.</p> <p>There is an open stormwater drainage channel adjacent to the site frontage in Wilga Street. Stormwater collection arrangements can be conditioned to achieve compliance with Council's OSD policy and Engineering Guidelines.</p>
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State Environmental Planning Policies

Section 4.15(1)(a)(i) of the EP&A Act requires the consent authority to consider the provisions of EPIs which includes State Environmental Planning Policies (SEPPs). SEPPs applicable to this assessment are addressed in the following sections.

State Environmental Planning Policies	Assessment
<p>State Environmental Planning Policy (Biodiversity and Conservation) 2021</p>	<p><u>Chapter Two: Vegetation in non-rural areas</u></p> <p>Chapter Two of the Biodiversity and Conservation SEPP (B&C SEPP) applies to the development pursuant to clause 2.3 and aims to protect the biodiversity and amenity values of trees within non-rural areas of the state.</p> <p>Part 2.3 has been considered and as development consent is being sought for the removal of vegetation under this development, no further consideration of Chapter Two is required.</p> <p><u>Chapter Four: Koala Habitat Protection 2021</u></p> <p>Not applicable as Griffith LGA is not listed in Schedule 2 of the B&C SEPP.</p>
<p>State Environmental</p>	<p>State Environmental Planning Policy – Building Sustainability Index</p>

<p>Planning Policy (Building Sustainability Index: BASIX) 2004</p>	<p>BASIX– 2004 (BASIX SEPP) applies to the development pursuant to clauses 5 and 6 and aims to ensure that the performance of the development satisfies the requirements to achieve water and thermal comfort standards that will promote a more sustainable development.</p> <p>The development is accompanied by BASIX Certificate 1399615S dated 9 June 2023 which meets the requirements of the BASIX SEPP. A condition has been recommended requiring the BASIX certificate be complied with.</p>
<p>State Environmental Planning Policy (Housing) 2021</p>	<p><u>Chapter 3: Diverse Housing</u> Part 1 – Secondary Dwellings</p> <p>Not applicable to rural zones.</p>
<p>State Environmental Planning Policy (Resilience and Hazards) 2021</p>	<p><u>Chapter Four: Remediation of Land</u> Chapter Four of this SEPP applies to the site pursuant to clause 4.4 and aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Clause 4.6 requires that consent must not be granted to the carrying out of any development on land unless the consent authority has considered whether the land is contaminated or requires remediation for the proposed use to be carried out.</p> <p>A search of Council's records and aerial photos indicates the site has a history of residential uses. It is therefore unlikely that the site has experienced any known contamination. As such, the site is considered suitable for residential occupation by the development and further assessment is not necessary.</p> <p>The development has been assessed against the requirements of Chapter Four of the R&H SEPP and it has been determined that the development would meet the requirements and objectives of the R&H SEPP.</p>
<p>State Environmental Planning Policy (Transport and Infrastructure) 2021</p>	<p><u>Chapter Two: Infrastructure</u> Chapter Two - State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP) applies to the development pursuant to clause 2.2 and aims to facilitate the effective delivery of infrastructure across the State.</p> <p>Clause 2.48 of the T&I SEPP requires certain development to be referred to the relevant electricity supply authority and any response is to be considered as part of the assessment. A Detail Survey prepared by PHL Surveyors has been provided which confirms there is no existing electricity infrastructure onsite. The development therefore does not require concurrence under Clause 2.48.</p> <p>Section 2.119 of the T&I SEPP specifies requirements which apply to development fronting a classified road, Hanwood Road and Wilga Street are local roads, as such section 2.119 does not apply to the development.</p>

SECTION 4.15 (1)(a)(ii) any draft environmental planning instrument

At the Griffith City Council Ordinary Council meeting held on 24 January 2023, Council resolved to place Planning Proposal – PP 2022-3697 on public exhibition for a period of 28 days and seek public submissions. The Planning Proposal proposes to amend the Griffith Local Environmental Plan 2014. The general amendment public exhibition has concluded and the drafting and mapping relating to the amendment is currently being finalised with Department of Planning & Environment.

The draft environmental planning instrument is not relevant to this development application.

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

Section 4.15(1)(a)(iii) of the EP&A Act requires Council to consider the provisions of any development control plan. The development has been assessed having regard to the relevant desired outcomes and prescriptive requirements within the Griffith Development Control Plan 2020 (GDCP). An assessment of the development against the relevant sections of the GDCP is provided below the below table.

GRIFFITH RESIDENTIAL DEVELOPMENT CONTROL PLAN – RESIDENTIAL PRECINT STATEMENTS AND CONTROLS

Control	Control	Proposal / Compliance															
3.15 Villages																	
	<p>Infill development in the villages should be supported, including strategically placed multi-dwelling housing. Secondary dwellings should also be supported to increase densities and support population increase in the Villages.</p> <p>Yenda, Hanwood and Bilbul are all located in close proximity to employment generating rural industries with large work forces. Locating diverse housing options in these villages to support workers including boarding houses, multi-dwelling housing and secondary dwellings should be promoted.</p>	<p>Compliant</p> <p>The site is within the Hanwood Village and proposes a secondary dwelling.</p>															
Village controls																	
	<table border="1"> <thead> <tr> <th>Max. FSR</th> <th>Max. Height</th> <th>Parking</th> </tr> </thead> <tbody> <tr> <td>0.5:1</td> <td>9 m</td> <td>1 Bedroom Unit</td> </tr> <tr> <td>Corner</td> <td></td> <td>2 Bedroom Unit</td> </tr> <tr> <td>Lot –</td> <td></td> <td>3+ Bedroom Unit</td> </tr> <tr> <td>0.7:1</td> <td></td> <td>Visitors</td> </tr> </tbody> </table>	Max. FSR	Max. Height	Parking	0.5:1	9 m	1 Bedroom Unit	Corner		2 Bedroom Unit	Lot –		3+ Bedroom Unit	0.7:1		Visitors	<p>Compliant</p> <p>Floor Space Ratio (FSR): 0.237:1 Height: 4.30m Parking: N/A</p>
Max. FSR	Max. Height	Parking															
0.5:1	9 m	1 Bedroom Unit															
Corner		2 Bedroom Unit															
Lot –		3+ Bedroom Unit															
0.7:1		Visitors															

GRIFFITH RESIDENTIAL DEVELOPMENT CONTROL PLAN – SECONDARY DWELLING CONTROLS

Provision / Clause	Control	Compliance
5.4(a)	<p>Secondary dwellings are to be developed in consideration of the Precinct Statement for the locality in Section 3 and in accordance with the controls in Section 4, except where the controls in this section differ, in which case the controls in this section take</p>	<p>Compliant</p> <p>The development complies with Village precinct controls as detailed in the above table.</p> <p>The development complies with Section 4 of the GDCP as</p>

Provision / Clause	Control	Compliance
	precedence.	detailed in the below table.
5.4(b)	The finishes, materials and colours of the secondary dwelling are to complement the principal dwelling.	Compliant Dwelling 2 will be made of weatherboard cladding with a metal sheet roof, this is not out of character with the nature of the surrounding residential area.
5.4(c)	Windows and private open spaces of secondary dwellings must not overlook the private open space of adjacent dwellings. Windows that potentially overlook adjacent lots must either have obscured glazing, be screened or have a minimum sill height of 1.5 m above floor level.	Compliant Dwelling 2 has windows along each elevation. None of these windows overlook the Private Open Space (POS) of adjoining sites.
5.4(d)	No additional parking space is required for a secondary dwelling.	Compliant No additional parking is required to be provided.
5.4(e)	Secondary dwellings can share the private open space with the principal dwelling if the area is more than 20 m ² .	Compliant Combined POS of 404.50m ² . Dwelling 1 and 2 will share private open space (POS).
5.4(f)	A separate driveway is not required for a secondary dwelling.	Compliant No changes to existing driveway.
5.4(g)	Subdivision of a secondary dwelling from the principal dwelling is not permitted.	Compliant No subdivision is proposed.

GRIFFITH RESIDENTIAL DEVELOPMENT CONTROL PLAN – SINGLE DWELLING CONTROLS

Provision / Clause	Control	Compliance
Floor Space Ratio	Has an FSR calculation been provided for the site in accordance with section 5.3? Does the FSR meet the maximum allowed in the precinct statement?	Compliant Maximum FSR allowable is 0.7:1. Development FSR is 0.237:1.
Maximum Height	Is the dwelling below the maximum height level for the precinct? Has this been shown	Compliant Maximum allowable height is

Provision Clause	Control	Compliance
	on the plans in accordance with clause 4.6?	9.0m. Dwelling 2s height is 4.30m. No changes in height for Dwelling 1.
Parking	Has parking been provided in accordance with the rates in the precinct statement?	Compliant Dwelling 2 no car parking is required to be provided. Dwelling 1 no changes to parking.
Precinct Statement	Has the Applicant provided justification the development achieves the outcomes in the Precinct Statement, if applicable?	N/A No specific precinct statement applies.
Site analysis plan		
4.2	Has a Site Analysis Plan been submitted with the DA?	A site analysis plan has not been submitted with the development and this is considered satisfactory given the scale of the development.
Streetscape		
4.3(a)	If the dwelling is on a corner block, does it address both street frontages?	Compliant Dwelling 1 addresses both streets (no changes). Not compliant (variation supported) Dwelling 2 addresses the primary street only. Non-compliance assessment Dwelling 2 is a secondary dwelling which is smaller than Dwelling 1 (the principal dwelling). Due to the smaller floor area and positioning on the site Dwelling 2 will not be able to address both streets. This considered to be acceptable due to the smaller nature of secondary dwellings. It is therefore considered to be an acceptable variation.
4.3(b)	Does the dwelling's primary street façade	Compliant

Provision Clause	Control	Compliance
	<p>incorporate design features?</p> <p>The primary street façade of a dwelling should address the street and incorporate at least two of the following design features:</p> <ul style="list-style-type: none"> • entry feature or porch; • awnings or other features over windows; • recessing or projecting architectural elements; • open verandah; or • bay windows or similar features. <p>Objective: To create streetscapes which are visually appealing and avoid building elements which lack articulation.</p>	<p>There are no changes to Dwelling 1s façade which faces the primary street. Dwelling 1 incorporates a porch and recessing architectural features.</p> <p>Not compliant (variation supported)</p> <p>Dwelling 2 façade does not incorporate design features.</p> <p>Non-compliance assessment</p> <p>Dwelling 2 is a secondary dwelling which has limited design features due to its size and location onsite. The objective of this control is still met as Dwelling 2 does not include any blank walls which face the street. It is therefore considered to be an acceptable variation.</p>
4.3 (c)	Does the proposal fit in with the scale or character of surrounding development? Or, does the development achieve the future development goals of the precinct as described in the Precinct Statement?	<p>Compliant</p> <p>Dwelling 2 is single storey which is an appropriate scale as it matches Dwelling 1 and surrounding dwellings.</p>
4.3(d)	Is the garage a maximum of 50% of the building's front elevation?	<p>N/A</p> <p>No garages proposed or required for Dwelling 2.</p>
4.3 (e)	Does a window to a habitable room face the street?	<p>Compliant</p> <p>No changes to the windows for Dwelling 1, which has existing windows which face the street.</p> <p>Dwelling 2 has no windows to a habitable room which face the primary street but has large sliding doors from a habitable room.</p>
Building Design		
4.4(a)	Is the design generally in accordance with the precinct statement?	<p>N/A</p> <p>No design specific controls.</p>
4.4(b)	Are blank front walls spanning 5 m without a	<p>Compliant</p>

Provision Clause	Control	Compliance
	physical change avoided?	No blank walls front the street.
4.4(c)	Do the side walls visible from the street have a length of 10 m without a physical change?	Compliant No blank side walls front the street.
4.4(d)	Are windows facing the street provided in a balanced manner?	Compliant No changes to the windows for Dwelling 1 which face the street. Dwelling 2 does not have a window which face the street but has large sliding doors instead.
4.4(e)	Are the materials generally consistent with other buildings in the locality? Have the materials been shown on the plans?	Compliant The materials of Dwelling 2 have been shown on the plan and will be made of weatherboard cladding with a metal sheet roof. These materials are generally consistent with other dwellings in the locality.
4.4(f)	Will the proposal overshadow adjacent private open spaces or habitable rooms? (development applications for two storey dwellings should include shadow diagrams or solar study)	Compliant Dwelling 2 will not overshadow the adjacent site's POS or habitable rooms due to being located in line with the adjacent site to the easts driveway and due to being adequately setback from the adjacent site to the north.
4.4(g)	Does the dwelling meet the minimum floor area: 1 bedroom – 55 m ² , 2 bedroom - 75 m ² , 3 bedroom - 90 m ²	Compliant Dwelling 1s floor area is unchanged. Dwelling 2s floor areas is 70.33m ² .
4.4(h)	Are the proposed bedrooms a minimum of 8 m ² ?	Compliant Dwelling 1s bedroom areas are unchanged. Dwelling 2s bedroom areas are as follows: Bedroom 1- 11.52m ² Bedroom 2- 9.69m ²

Provision Clause	Control	Compliance
4.4(i)	Combined living and dining room area should be – 1 and 2 bedrooms – 24 m ² or 3 bedroom – 28 m ²	Compliant Dwelling 1 - unchanged Dwelling 2 – 30.70m ²
Sustainability		
4.5(a)	Has a BASIX certificate been submitted?	Compliant The development is accompanied by BASIX Certificate 1399615S dated 9 June 2023 which meets the requirements of the BASIX SEPP.
4.5(b)	Does the dwelling adopt general sustainable building practices?	Compliant Adequate solar access to the outdoor areas will be achieved due to the northerly aspect. There will be natural cross ventilation through the combined kitchen and living area of Dwelling 2.
Height		
4.6(a)	Is the dwelling height less than 9 m?	Compliant Dwelling 2 Maximum height is 4.30m. No changes to Dwelling 1.
4.6(b)	Does the height of the dwelling suit the streetscape?	Compliant Dwelling 2s Maximum height is 4.30m and is of single storey construction which matches surrounding single storey development. No changes to Dwelling 1
4.6(c)	If the dwelling is two storeys the elevation plans should show RL's	N/A Single storey development.
4.6(d)	Are the proposed tree heights consistent with dwelling scale?	N/A No additional landscaping proposed.
Solar Access and Energy Efficiency		

Provision Clause	Control	Compliance
4.7(a-c)	Has solar access been considered in the design of the dwelling?	<p>Compliant</p> <p>Dwelling 2 should have ample solar access opportunities to its living area through the large east facing window and large sliding doors to the south.</p> <p>Dwelling 1 – no changes to solar access to living area.</p>
4.7(d)	Has the location of outdoor clothes drying areas been provided with access to sunlight? Or is there a suitable location for such facilities?	<p>Compliant</p> <p>A location of the clothes' drying area has not been nominated for Dwelling 2 but there is ample room onsite to provide for an appropriate location.</p>
4.7(e)	If the dwelling is two storeys, shadow diagrams or a solar study should be provided.	<p>N/A</p> <p>Single storey development.</p>
Setbacks		
4.8.1(a-b)	Front Setbacks – 4.5 m or average of two nearest dwellings (whichever is greater)	<p>Compliant</p> <p>No changes to Dwelling 1s front setback.</p> <p>Dwelling 2 will be setback 8.46m.</p>
4.8.1(d)	Front Setbacks – Corner Lots – Primary (narrowest frontage): dwelling – 4 m and garages 5.5, Secondary: dwelling 2.5 m and garages 3.5 m	<p>Compliant</p> <p>No changes to Dwelling 1s primary (Wilga Street) front setback.</p> <p>Dwelling 2s primary setback (Wilga Street) is 8.46m.</p> <p>No changes to Dwelling 1s secondary front (Hanwood Road) setback.</p> <p>Dwelling 2 secondary setback (Hanwood Road) is 33.80m.</p>
4.8.2	Building articulation permitted in front setbacks	<p>N/A</p> <p>No structures in the articulation zone for either dwelling.</p>
4.8.3	Side Setbacks – single storey = 0.9 m with an eaves setback of 450mm	<p>Compliant</p>

Provision Clause	Control	Compliance
	Side Setbacks – two storey = 1.5 m with an eaves setback of 900mm	Dwelling 1 - no changes. Dwelling 2 – 1.0m east side setback.
4.8.4	Rear Setbacks – ground level = 2m and upper storeys = 3 m	Compliant Dwelling 1 - no changes. Dwelling 2 – 8.35m.
Visual and Acoustic Privacy		
4.9(a-b)	Has the development considered the location of windows, and private open space of adjacent dwellings? Has overlooking been considered?	Compliant The are no direct and close overlooking between windows of Dwelling 2 and windows of dwellings on adjoining sites. Dwelling 2 does not directly overlook. There are potential privacy impacts between Dwelling 1s bedroom windows (east elevation) and Dwelling 2s bedroom 2 window. However due to both dwellings being under the same ownership, this can easily be mitigated through the provision of blinds or awnings.
4.9(c)	Are noise generating plant and equipment shown on the plans and located and screened away from bedrooms on adjacent properties?	Compliant To be conditioned.
4.9(d)	Does the dwelling include a balcony, if so has overlooking been considered?	N/A No balconies proposed.
Private Open Space		
4.10(a)	Has a minimum of 15 m ² of PPOS been provided in a location that will receive a good amount of sunlight? Principal Private Open Space (PPOS) must incorporate an envelope with a width of a minimum of 3 m and a minimum area of 15 m ² which is directly accessible from a communal living area. 50% of this envelope should receive direct sunlight for three hours between 9am and 5pm on 22nd June.	Compliant Dwelling 1 Principle Private Open Space is unchanged. Dwelling 2 PPOS will receive adequate solar access due to the northerly aspect. Non-Compliant Dwelling 2s PPOS will not be

Provision Clause	Control	Compliance
	Objective: To provide private open space which meets user requirements for outdoor activities and use and to provide private open space areas that relate well to the living areas of dwellings.	directly accessible from a communal living area. This is due to the living area being situated at the front of the dwelling (south) and the PPOS being situated to the north (rear yard). Despite this the objective of the clause is still met by having a useable PPOS which can still be accessed and is adequately screened and therefore capable of meeting the needs of future occupants.
4.10(b)	Is the PPOS within a 4 m or greater setback area?	Compliant Dwelling 2s PPOS is not within 4.0m of any boundary.
4.10(c)	Is the PPOS visible from neighbouring sites, if so has it been screened?	Compliant Both dwellings PPOS is adequately screened by existing fencing.
Landscape Area Controls		
4.11(a)	Do the plans show that 25% of the site can be landscaped in accordance with figure 18?	Compliant 672.40m ² (61.80%) of the site can be landscaped.
4.11(b-c)	Can the landscaping areas generally be planted and maintained in accordance with 4.11(b-c)?	Compliant Majority of existing landscaping will be retained with the exception of the removal of one tree.
Street Trees		
4.12(a-f)	For new dwellings, has a street tree been proposed in accordance with 4.12 (a-f)? If not, can one be conditioned?	Can be conditioned
Site Facilities		
4.14(a-c)	Is there a suitable location to store waste and recycling bins, install an open air clothes drying facility and a mailbox?	Compliant There is ample room onsite for both dwellings to: store waste bins where it is not visible from the street, install an open air clothes dryer (if required) and for a new mailbox (Dwelling 2).
Rainwater Tanks		

Provision Clause	Control	Compliance
4.15 (a-f)	<p>Are rainwater tanks proposed, if so, do they meet the requirements of 4.15(a-f)?</p> <p>Are all BASIX requirements for rainwater tanks shown on the plans?</p>	<p>Compliant</p> <p>A 2,500L rainwater tank has been provided in accordance with BASIX requirements. The tank is located at the rear of the site and not visible from the street. A condition is recommended for the tank to be constructed in accordance with Councils Urban Water Tanks (WS-CP-211) Policy.</p>
Fencing		
4.16 (a-b)	<p>Front Fences</p> <p>Has a front fence been proposed? If so, review front fence requirements and ensure suitable plans including elevations have been provided.</p>	<p>N/A</p> <p>No new front fences proposed.</p> <p>Existing front fence to be retained.</p>
4.16(c)	<p>Side And Rear Fences</p> <p>New dwellings should show the location and height of side and rear fences on the plans if they are not existing already.</p> <p>Fences should generally be a maximum of 1.8 m tall with a 300 lattice above if proposed, unless adjacent to a park, reserve, laneway and channels then a height of 2.2 m is permitted.</p> <p>Fencing on corner lots should be in accordance with Figure 22.</p>	<p>N/A</p> <p>No new side or rear fences proposed as part of the application</p> <p>It is noted that there are provisions relating to side boundary fencing under the Dividing Fences Act and SEPP Exempt and Complying Development Codes 2008. Development Consent of Council may not be required to replace the existing brick fence if the owner chooses to do so.</p>
Stormwater		
4.18	<p>Is onsite detention required in accordance with Council's Onsite Detention Policy (CS-CP-404)? Has the detention system been shown on the plans, if not can this be conditioned?</p> <p>Has the stormwater lines discharging to the legal point of discharge been provided on the plans?</p>	<p>The existing stormwater infrastructure has been shown on the Detail Survey. Dwelling 2 will be able to connect to this infrastructure but this has not been detailed on the plans. To be conditioned.</p>
Essential Services		
4.20(a)	<p>Is there Electrical Infrastructure located in proximity to the site? If so, has this been</p>	<p>The existing electricity infrastructure has been shown on</p>

Provision Clause	Control	Compliance
	considered in the development application?	the Detail Survey. Dwelling 2 will be able to connect to this infrastructure but this has not been detailed on the plans.
4.20(b)	Are underground electrical lines proposed to the dwelling?	Electricity is to be connected
4.20(c)(i)	Have connections to Council's water and sewer infrastructure been shown on plans?	Compliant Existing services have been shown on the Detail Survey.
4.20(c)(ii)	If the lot cannot be connected to Council's reticulated sewer service has a land capability assessment been provided? Is the effluent disposal area located on the site plans including an area of at least 200 m ² ?	Compliant Dwelling 2 can be connected to reticulated sewer.
Bushfire Risk		
4.21	Check if the site is considered bushfire prone land.	N/A The site is not bushfire prone nor is it impacted by vegetation which can support bushfire behaviour.
Frost Control Fans		
4.22	Check if any frost control fans within 1000 m of the site.	NA

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

The provisions of the Environmental Planning and Assessment Act 1979 the Environmental Planning and Assessment Regulation 2000 and Council's Community Participation Plan set down consultation, concurrence and advertising requirements for specific types of development applications and taking into consideration any submissions received in response to the notification process.

In addition to the statutory referral process, the notification of the development included the following:

Notification Description	Required	Submission Period
Publication in Council Catch up + Facebook	No	-
Letters to Neighbours	Yes	27 June to 10 August 2023

As a result of the public participation process, Council received one (1) submission objecting to the development application. The submission, which Council has taken into consideration in accordance with section 4.15(1)(d) is summarised as follows:

Submissions

Issue, Applicant response followed by Council Assessment

1. Location of proposed dwelling

The objector had concerns with the location of Dwelling 2 and how it would block vision from their dwelling.

Applicant Response:

The applicant made no formal written response to the submission received, however the property owner advised they would not be altering the application plans.

Council Assessment:

The submitters had an on-site meeting with a person they believed was the owner of the property (owners father), to discuss the relocation of the dwelling a further 3m to the rear of the site so that it would not interfere with the view of the street from their primary living areas.

The secondary dwelling complies with GDCP privacy and setback controls. There are no significant views from the adjoining property that will be impacted by the development. It is noted that there is only a low fence between the two properties, if the owner of either property were to construct a 1.8m side boundary fence to the building line, with a reduction in height then to 1.2m at the front property boundary, the majority of view currently achieved from the adjoining dwelling would be lost in any case. This new dwelling won't significantly add to that loss.

SECTION 4.15 (1) (e) the public interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment.

The proposed application has been considered in relation to relevant Environmental Planning Instruments, and deemed to be acceptable. On this basis, the proposal, is unlikely to raise any issues that are contrary to the public interest.

Council determined in January 2022 that secondary dwellings would not be subject to Section 64 Water and Sewer headworks charges, thus the Water and Wastewater Developer Contribution Charges WS-CP-207 (Public Policy) has not been applied to this application.

OPTIONS

OPTION 1

As per the Recommendation.

OPTION 2

Refusal to grant consent to the application.

OPTION 3

Any other Resolution of Council.

POLICY IMPLICATIONS

This proposal doesn't include any policy variations, and there are no adverse policy implications for Council.

FINANCIAL IMPLICATIONS

There are no adverse financial implications for Council through adopting the recommendation. If the application were to be refused, the applicant or owner has the lawful ability to pursue an appeal through the Land & Environment Court.

LEGAL/STATUTORY IMPLICATIONS

There are no reasonably anticipated legal or statutory implications through adopting the recommendation.

ENVIRONMENTAL IMPLICATIONS

There are no reasonably anticipated adverse environmental implications through supporting the proposal.

COMMUNITY IMPLICATIONS

There are not considered to be any adverse impacts for the wider community in supporting this application. The proposal complies with Council's Development Control Plan and Housing Strategy.

LINK TO STRATEGIC PLAN

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

CONSULTATION

Senior Management Team, Director Sustainable Development, Planning & Environment Manager, Engineering Design & Approvals Manager, Building Surveyor, Applicant and Community through the Community Participation Plan.

ATTACHMENTS

- (a) DA 85/2023 - Draft Conditions of Consent (under separate cover)
- (b) DA 85/2023 - Site and Elevation Plans (Public) (under separate cover)
- (c) DA 85/2023 - Submission Objecting (under separate cover)

CLAUSE	CL03
TITLE	Closure of Kooyoo Street Stage 1 - Banna Avenue to Banna Lane
FROM	Graham Gordon, Director Utilities
TRIM REF	23/130116

SUMMARY

Kooyoo Street Stage 1 construction (Banna Avenue to Banna Lane) commenced in February 2022 and was completed in September 2022. This area has been developed as a pedestrian plaza with a low-speed paved laneway, two kiosk buildings, street lighting, drainage and water works, utility service adjustments, street furniture and trees and landscape plantings. Access to this street remained closed to vehicular traffic whilst Kooyoo Street Stage 2 (Banna Lane to Yambil Street) works were being undertaken. Stage 2 works were at practical completion in September 2023.

At the Ordinary Meeting of Council on the 14 February 2023 Councillor Glen Andreazza proposed a Notice of Motion to Council that Kooyoo Street from Banna Avenue to Banna Lane remain permanently closed to Motor Vehicles and remain as a pedestrian area only following the completion of upgrade works.

RECOMMENDATION

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.

REPORT

At the Ordinary Meeting of Council on the 14 February 2023 Councillor Glen Andreazza proposed a Notice of Motion to Council that Kooyoo Street from Banna Avenue to Banna Lane remain permanently closed to Motor Vehicles and remain as a pedestrian area only following the completion of upgrade works.

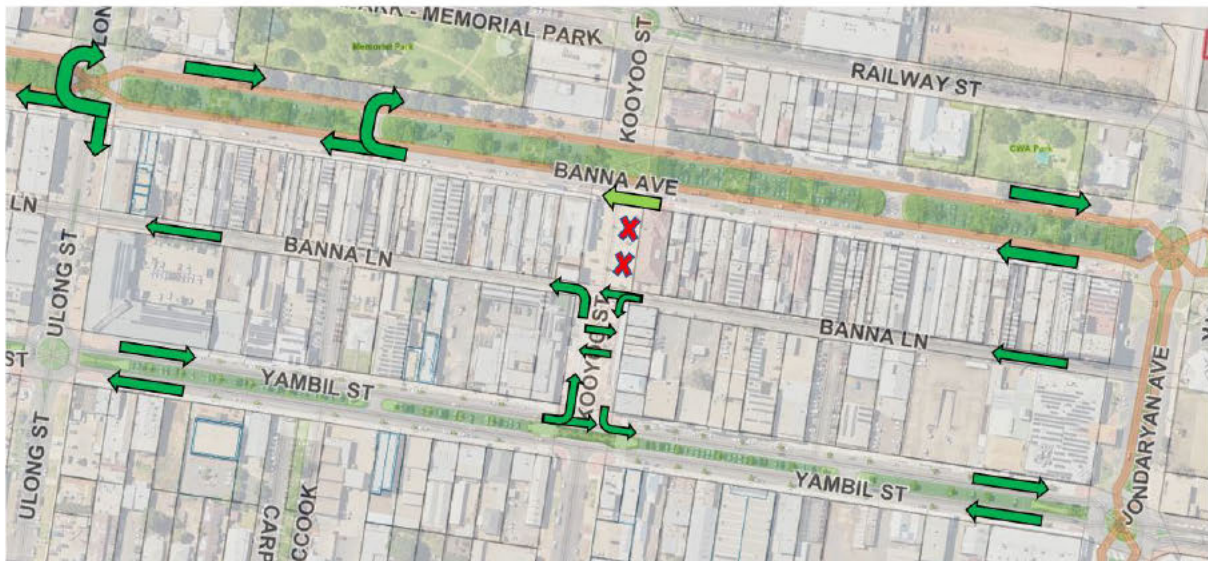
It was RESOLVED on the motion of Councillors Glen Andreazza and Christine Stead that:

- (a) *Council support "in principle" the permanent closure of Kooyoo Street, Griffith from Banna Avenue to Banna Lane for the purpose of motor vehicle access.*
- (b) *Council invite community submissions regarding recommendation (a) above for a period of 28 days, after the completion of Stage 2, Banna Lane to Yambil Street.*
- (c) *All submissions received to be reported to Council for consideration.*
- (d) *Should no submissions be received then Council authorise the General Manager to apply to Transport for NSW to permanently close Kooyoo Street, Griffith from Banna Avenue to Banna Lane for the purpose of motor vehicle access.*

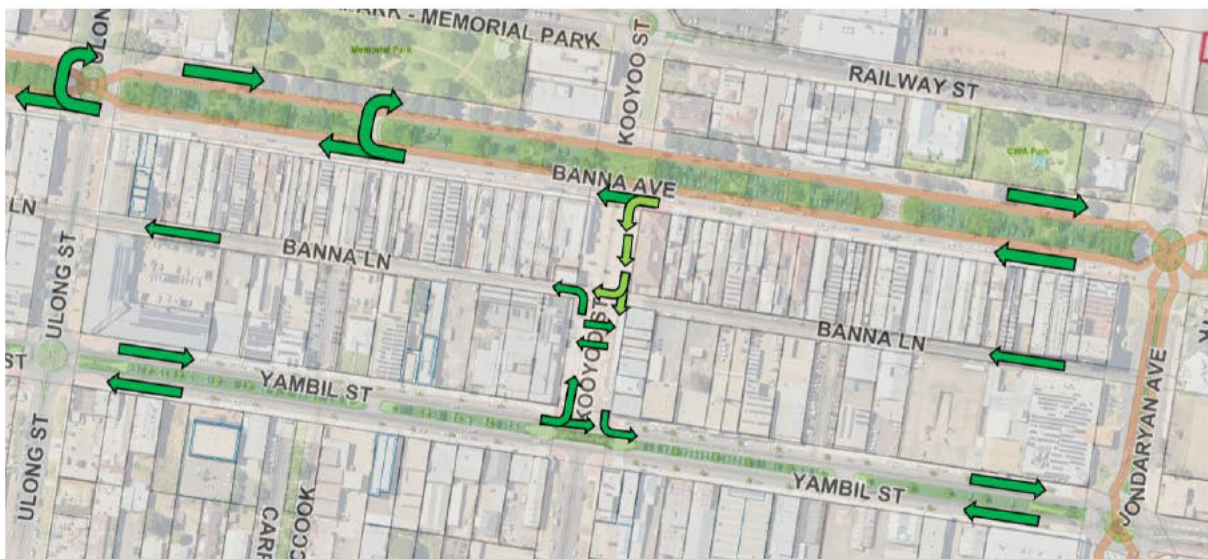
Based on this resolution and once Stage 2 Kooyoo Street works were at practical completion, Council commenced community consultation regarding the permanent closure of Kooyoo Street between Banna Avenue to Banna Lane. The community consultation started on 4 September 2023 and was open for comment and submissions until 9 October 2023.

A survey was created and provided the following 2 options plus the opportunity to write comments as well. The results of the survey and comments data are attached to this report.

Option 1 – CLOSED – The one-way road through the Kooyoo Street Plaza (between Banna Avenue and Banna Lane) is permanently CLOSED to through traffic.



Option 2 – OPEN – The one-way road through the Kooyoo Street Plaza (between Banna Avenue and Banna Lane) remains OPEN to traffic with a 10 kph speed limit and 6 x 1 hour parking bays.



The results of the survey showed that out of 288 responses 149 responded to permanently close Kooyoo Street whilst 134 responded to keep it open. Based on the survey results and community feedback it is recommended 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.

OPTIONS

OPTION 1

As per Recommendation

OPTION 2

Any other resolution of Council.

POLICY IMPLICATIONS

Not Applicable

FINANCIAL IMPLICATIONS

Not Applicable

LEGAL/STATUTORY IMPLICATIONS

In order for public roads to be closed, Council needs to obtain concurrence from TfNSW.

ENVIRONMENTAL IMPLICATIONS

Not Applicable

COMMUNITY IMPLICATIONS

There will be minor impacts on community and vehicular access for businesses in and around the Kooyoo Street precinct.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 4.8 Improve the aesthetic of the City and villages, by developing quality places and improved public realm.

CONSULTATION

Senior Management Team

Community Consultations between 4 September 2023 and 9 October 2023

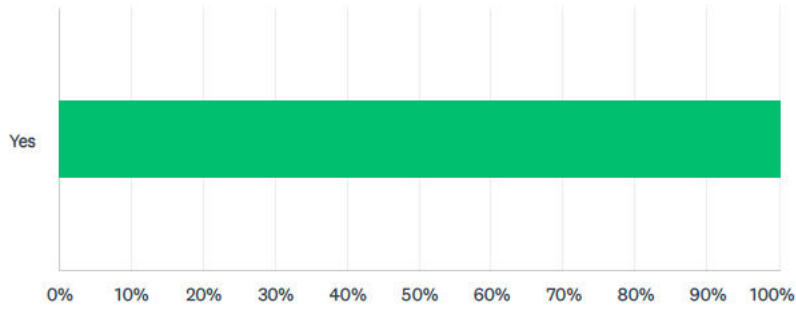
ATTACHMENTS

- | | | |
|-----|--|----|
| (a) | Kooyoo St Closure Survey - Q1 results ↓ | 61 |
| (b) | Kooyoo St Closure Survey - Q2 results ↓ | 62 |
| (c) | Kooyoo St Closure Survey - Q3 Additional comments data ↓ | 63 |

Kooyoo Street Stage 1 Road Closure Have Your Say Survey

Q1 Option 1 CLOSED – The one-way road through the Kooyoo Street Plaza (between Banna Avenue and Banna Lane) is permanently CLOSED to through traffic.

Answered: 149 Skipped: 139

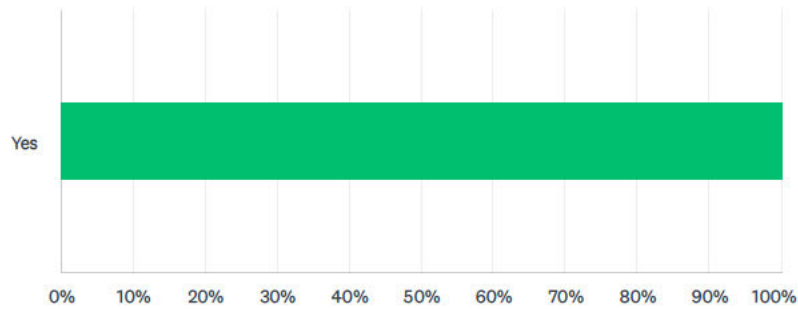


ANSWER CHOICES	RESPONSES
Yes	100.00% 149
TOTAL	149

Kooyoo Street Stage 1 Road Closure Have Your Say Survey

Q2 Option 2 OPEN – The one-way road through the Kooyoo Street plaza (between Banna Avenue and Banna Lane) remains OPEN to traffic with a 10 kph speed limit and 3 x 1 hour parking bays and a loading zone.

Answered: 134 Skipped: 154



ANSWER CHOICES	RESPONSES
Yes	100.00% 134
TOTAL	134

Kooyoo Street Stage 1 Road Closure - Have Your Say Survey

Q3 Additional comments

Answered: 103 Skipped: 185

#	RESPONSES	DATE
1	Spent all that money to redo it leave it open for use.	10/10/2023 7:50 AM
2	Leave it closed , open it and then see tyre marks and burn out tracks in there too	10/10/2023 5:55 AM
3	It's been closed for so long now, we are used to it. Will be a lovely safe outdoor space but needs more shade in Summer to be utilised more fully by the public.	10/9/2023 10:28 PM
4	It's nice to drive there	10/9/2023 9:47 PM
5	The whole thing has been a total waste of money. There is enough space within the town to use for any sort of celebration etc. there's no shade the amount of time the space is going to be used is small. The flow of traffic on banna Ave is now impacted because of what you have done.	10/9/2023 9:42 PM
6	Keeping it closed would be great as it would allow people to walk,sit and relax in that area without the worry of vehicles.Also some shadesails or something for shelter would also be good	10/9/2023 8:11 PM
7	I appreciate the efforts to consult but it shouldn't even be a consideration to open the area up to traffic. This would be a serious pedestrian hazard, honestly. Also, it's not required, vehicles can access that area via Banna Lane or park somewhere else and walk if they aren't too lazy. So if it is opened to vehicles and a pedestrian is injured or killed will council conduct a new survey to see how people feel then. Honestly, this beggars belief	10/9/2023 7:31 PM
8	Consideration needs to be given to vehicles getting in and out of the main street for expedience. Blocking off access roads creates traffic delays which causes more vehicles having to wait, spending fuel, causing emissions and causing poor air quality in and around the main street. It's not responsible to be blocking roadways in a built up business area and needs to stop.	10/9/2023 7:18 PM
9	Make stage 1 more user friendly. Such as tables, seats be located so not looking at wall.... maybe even 2 long wooden arbours with Vine to grow over so not so boring and uninviting.	10/9/2023 7:01 PM
10	The pavers would end up ruined with all the tyres marks and oil drips etc. Keep it closed to traffic so it can stay beautiful and un-marked.	10/9/2023 6:38 PM
11	Speed shouldn't be 10km/h people should be looking out for cars and if your are concerned about safety just put a crossing there for pedestrians	10/9/2023 6:21 PM
12	Keeping as much vehicle access possible around kooyoo st is beneficial for businesses that operate there and in banna lane.	10/9/2023 6:20 PM
13	How can we vote on something we haven't ever used. At least give it a go and if its dangerous then close it	10/9/2023 6:15 PM
14	Place proper bollards there that can be removed when needed.	10/9/2023 6:00 PM
15	Should never had been opened as a road	10/9/2023 5:56 PM
16	Why create Kooyoo Street Plaza and then have cars still be allowed to drive down it. Absolute bizarre idea to even think of having it open to traffic, not to mention completely unsafe! And no one has driven down it for more than 12 months now. It's not as though people haven't worked out how to manage with it closed by now!!	10/9/2023 5:50 PM
17	I think it should stay clothes and leave it for just pedestrians to walk though I loke the way it looks and with seating and plants and kiosk shops there would be such a amazing place to relax and do some shopping we have a lot of places to drive but nothing to just walk between streets and relax and shop	10/9/2023 5:40 PM
18	This town is ridiculous, you just want to create more havoc with traffic, get rid of an empty	10/9/2023 5:37 PM

Kooyoo Street Stage 1 Road Closure - Have Your Say Survey

	building and make a lane to exit through.....and get rid of the no u-turn sign after liberty servo. Are you [REDACTED]	
19	Remove that horrible white stands and put a nice fountain	10/9/2023 5:35 PM
20	What about some shade sails over the seating area. No one will use it in summer.	10/9/2023 5:34 PM
21	The plan and changes in Kooyoo Street are a positive initiative, thank you. Road closed; Safety would be a concern if the road was to be open and there seems to be no real purpose or gain for it to be open as detailed in the diagram. Further; - currently, the new area between the two banks lacks any warmth or welcome and it doesn't seem to improve the city aesthetics at all. It does not visually or emotionally draw people to it. It is harsh looking and feeling; too many pavers, perhaps not the right colour, that make it feel hot and pretty drab. Whilst there are trees, I don't believe that these, even once grown, will change this. Our city promotes beautiful gardens and lifestyle. We have many Italian and other restaurants around that area. I am hoping there are more plans to improve the space? Planters? Inviting seating? Interesting cultural elements? Thank You	10/3/2023 8:51 AM
22	Extended parking bays and 2 hours limit	9/30/2023 4:52 PM
23	This Piazza would be much safer for children and families if it was closed. Also, the paved area would stay cleaner without black tyre marks and mud on it if stayed closed.	9/29/2023 3:50 PM
24	Closed is much safer. Can't trust drivers to obey the speed limit. Won't take long for a child to get hit. Don't risk tragedy.	9/28/2023 11:09 PM
25	Griffith drivers have demonstrated admirably; their level of incompetence and inability to comply with even the most basic road rules. As such, it would therefore be of tremendous risk to the pedestrian public, to allow this new area to be traffic-able by vehicles. Griffith motorists cannot be trusted to adhere to a 10km/h speed limit. Typically, younger drivers will also abuse the privilege and present heightened risks - as they already do in Banna Avenue. This new design needs to be permanently closed to all vehicular traffic (with exception to emergency services and Council vehicles). Griffith drivers are some of the very worst in this Nation. They are unique in terms of their level of incompetence and potential danger to other road users.	9/28/2023 6:54 PM
26	Need to keep it open to help ease congestion and to provide alternative exits to banna avenue	9/28/2023 4:57 PM
27	I feel like this is the safest option	9/28/2023 4:55 PM
28	There is already reduced parking, no need to close that road, that was not in the original plans!	9/28/2023 4:05 PM
29	Due to the nature of the Main Street and how busy it gets there needs to be an avenue to escape the traffic deadlock to block this completely only compounds the issue of movement I. The Main Street during times of high traffic	9/28/2023 3:47 PM
30	This is a place for people to linger and gather, a place where children are safe to move. There is no need for cars to drive through or park in this lovely clean open space especially with the two available food and information cafes. It's a big NO CARS from me!	9/28/2023 3:33 PM
31	Griffith city council has wasted enough rate payers money on projects like this only to realise they have got it wrong and have to spend more money to get it right. It is time the council had a staff restructure, move on the underperforming staff and employ more qualified people. The overall performance of Griffith city council over the past 10 years has been very disappointing.	9/28/2023 1:25 PM
32	The mindset is that it is a car free zone now and reintroducing cars would cause confusion and the very high risk of serious accidents. Loading bay areas should also be removed from this area as risks of accidents is also high. To introduce any car movements would require new footpaths, signage and pedestrian warnings raising the question as to why were the current changes even considered.	9/28/2023 1:19 PM
33	Its madness to think this is even going to be an option. It should 100% remain closed. In a few months people will forget it was ever even open to traffic in the first place. If vehicles can not go one extra block then I don't know what world we are living in!	9/28/2023 10:23 AM
34	It is unfare to the businesses in Kooyoo St, at the end of a very long 12 month disturbance, to now consider permanent closure of the Banna Ave section which will adversely effect traffic movement to their premises and therefore reduce their ability to profitably operate. It also creates yet another vehicle flow restriction in the CBD.	9/27/2023 5:26 PM
35	I feel it is a safety issue. If pedestrians are using the area, vehicles entering will make it	9/25/2023 8:49 AM

Kooyoo Street Stage 1 Road Closure - Have Your Say Survey

	unsafe.	
36	Think of the business and there client that have disabilities.	9/24/2023 8:19 AM
37	10km speed limit and 3 parking spots makes the road completely useless to traffic so it may as well be closed. Also, the length of time road construction takes Griffith city council is shameful.	9/23/2023 7:26 AM
38	More shade and weekend stalls	9/22/2023 3:41 PM
39	Resurface the ugly, dangerous and slippery pavers in the plaza. Replant the planes trees. Their leaves and seedballs are hazardous also. Beautify this ugly area with bedded plantings and permanent shading. Improve seating in there. It is a half [REDACTED] job like always	9/22/2023 1:33 PM
40	I would suggest removeable bollards be installed to prevent any traffic being able to access the Kooyoo St Plaza unless required from a safety perspective. Last thing anyone would want is a rogue vehicle injuring an adult or child as it currently stands.	9/22/2023 12:46 PM
41	Dear Council Team, This Kooyoo St plan was already subject to consultation and what was previously agreed provides access to our business at the Griffith Hotel from Banna Avenue. It would be very disappointing if this road was closed, and it does not support the longer-term plan of a landmark roundabout at Kooyoo and Banna ave. We have been affected for long enough with the works at Kooyoo and Yambil street, and whilst the overall outcomes are fantastic, we should not have access that was previously available to us, now taken away. It was always intended that Kooyoo street was to be a shared pedestrian and vehicle zone, with the supporting reasons that a shared zone becomes activated and vibrant. The use of Kooyoo street by vehicles was to be governed by slower speed limits and this was to be conveyed with signage. Having vehicles use the access has not even been trialed, so it seems very premature to contemplate its closure. I strongly urge Council to stay true to their original vision for this significant CBD project. Kind regards, [REDACTED]	9/22/2023 10:46 AM
42	Too dangerous I am sure people can find another way to get thru as it is very few people know of it's existence	9/22/2023 8:51 AM
43	Can see an increased risk of pedestrians being run over if the one-way was opened. Not to mention greater maintenance (and budget) required in that area due to vehicle wear and tear. Leave it as a piazza and space for everyone to enjoy. We should be encouraging outdoor spaces and walking/movement in this town.	9/22/2023 6:38 AM
44	Encourage pedestrian activity, evening stalls, fresh produce and craft markets etc.	9/21/2023 11:32 PM
45	This would be helpful for cars needing to exit Banna ave, especially when the traffic is busy	9/21/2023 10:40 PM
46	Banna Avenue has been slow and traffic jammed since closing the Banna Ave to Yambil St because many people visit somewhere in the first block (banks post office etc) then can easily exit Banna Avenue via Kooyo St. Hopefully it will re-open so traffic through Banna Ave flows again	9/21/2023 9:05 PM
47	My children would not realize when to stop for cars with no gutter and lines anywhere, I think it's safer to close it	9/21/2023 8:03 PM
48	We still need a way out of the Main Street, please keep it open unless a special occasion	9/21/2023 6:47 PM
49	After all this time..., now you ask	9/21/2023 6:26 PM
50	Do not isolate Kooyoo Street Businesses anymore than they already are!!! Allow it to be a much needed exit from Banna Avenue	9/21/2023 6:09 PM
51	Happy to have closed but think it will be necessary to have road through in emergencies and to allow access when using kiosk.	9/21/2023 5:50 PM
52	- Improve space for pedestrians - Playground and seating - create nice nighttime atmosphere	9/21/2023 2:43 PM
53	Banna Lane is too narrow for two way traffic, unless the skip bins are placed better to create two way traffic.	9/21/2023 11:44 AM
54	There should be a way to get to Yambil St before Ulong St most days Banna ave is an utter nightmare. As well I am sure plan 2 would be welcomed by the businesses that are being effected especially Nat Therapy physio	9/15/2023 3:31 PM
55	Best for everyone's safety to have no traffic allowed in this zone. Great area for street events	9/14/2023 12:18 PM

Kooyoo Street Stage 1 Road Closure - Have Your Say Survey

so let's be consistent and keep it that way. Pavers will look so much better and last forever with no tyres and vehicles driving over them regards Garry Tucker

56	Must keep open to help relieve traffic congestion in Banna Avenue as well easier access to Kooyoo Street businesses.	9/14/2023 10:07 AM
57	This area should only be access for food vans or event set ups.	9/13/2023 6:56 PM
58	Without the option to leave the main street there it can be quite a distance of bumper to bumper traffic on a busy day in peak hour. Having the option to turn left and had out via Yambil Street would be very helpful.	9/13/2023 4:24 PM
59	OPEN OPEN OPEN - Banna Ave, especially here needs exit strategies. Trial it open for 6 months after Kooyoo works complete then reassess. I think then everyone will love it. Otherwise Banna becomes a carpark and no one will be able to use it. Speed humps if necessary, but prob not. 10km limit on paved road will work well.	9/12/2023 11:36 AM
60	I believe that permanently closing off this section of Kooyoo Street would further add to the congestion along Banna Ave. Anything we can do to allow cars to exit Banna Ave will help. Please keep Kooyoo open.	9/12/2023 9:56 AM
61	Griffith seriously lacks safe pedestrian space. Over my 13 years in Griffith I have seen vehicle traffic increase in the CBD dramatically. Kooyoo Plaza is a safe haven for people to relax and let the kids run around, have respite from the traffic noise and exhaust fumes, hold public functions and launches, food and wine festivals. It could be used for music recitals, Griffith City Band performances and concerts, and street stalls and celebrations - Carols at Christmas for example. The only thing it needs is shade cover - mature shade trees or pagola awnings for example. I would prefer that Kooyoo St be closed to all motor vehicle traffic between Yambil St and the Railway station and joined to Memorial Park	9/12/2023 9:29 AM
62	Having a one way vehicle access to get off the main street would be great as being on the main street is hectic.	9/11/2023 5:51 PM
63	Not having this road open just adds to the constant congestion on Banna avenue. Fix Banna avenues issues before you create new ones	9/10/2023 7:56 PM
64	It must be accessible to emergency vehicles and stall holders, otherwise close it off. We want a lot more covered seating and greenery - I know that is coming.	9/10/2023 2:34 PM
65	Pave it and make it more suitable for events	9/10/2023 12:25 PM
66	Closing Kooyoo Street will permanently trap cars unnecessarily on Banna Avenue adding to traffic congestion especially during peak times. If accessing businesses in the Westpac Bank block and wishing to exit the main street quickly access to Kooyoo Street is essential. All other exits are already blocked meaning travelling at last another whole block before being able to exit.	9/8/2023 9:07 PM
67	I am just holding my breath re Kooyoo St stage 2, as an 83 1/2 year old client of [REDACTED] I just want Community Transport to be get to (& from) his Physio clinic as it is very difficult at the moment & at times painful.	9/8/2023 6:33 PM
68	Keep parking in front of hair dresser. And Physo therapy Also for those who cannot walk long distance. Roslyn	9/8/2023 2:18 PM
69	Why box the Main Street up for!! People should control their kids if you think it's a safety hazard.	9/8/2023 10:50 AM
70	Not sure why you would want the main street always congested. One way entry will benefit the main street as there will be more traffic flow and stores down Kooyoo Street will be more easier to access. Kooyoo street already lost car parking, don't take away more from them... How does Sydney have light rail in George Street and we can't even have a one way road doing 10kph??	9/8/2023 10:47 AM
71	banna avenue traffic is a farce from the coop corner to westpac. drivers need to have the option to peel out to kooyoo left and or get rid of the bronze on the right and use that a right turn option...like it used to be last century	9/8/2023 9:05 AM
72	I believe it would dangerous for pedestrians . As it is designed as gathering area for the community Plus I am sure you will hooligans doing burnouts and etc.	9/8/2023 8:47 AM

Kooyoo Street Stage 1 Road Closure Have Your Say Survey

73	This is necessary for All businesses regarding deliveries in the precinct	9/8/2023 8:44 AM
74	Council need to utilise this space a lot more, why wasn't this used during the Italian festival? This would have been perfect for a festival instead of having different places to attend. Common sense needs to prevail in the council and the visitors centre. Think outside the box.	9/8/2023 8:06 AM
75	The plaza can be a road most of the time and closed for special events.	9/6/2023 2:08 PM
76	It was approximately 2 years ago that a Griffith city council staff member came to our store in Kooyoo Street and notified us of the proposed upgrade of Kooyoo Street stage 1 & 2. We were shown the initial plans of the proposed upgrade and the concerns at the time were the loss of parking spaces and more importantly the time the project would take to be completed. The plans stated that there would still be a one way traffic lane access from Banna Avenue into Kooyoo Street stage 1& 2 areas exiting into Yambil Street. The works in stage 2 began in September 2022 and to date are still to finished. If the Closure of access from Banna Avenue was to be adopted there would be a further loss of at least 6 parking spaces and this would also further reduce exposure of our already struggling business. The Travel Industry has suffered greatly from the effects of COVID so the ongoing delay of Stage 1 & 2 as well as the proposed changes we envisage would have a detrimental financial effect on our business. So for those people concerned about pedestrian safety in stage 1 area by allowing access from Banna Avenue I say: Have you ever been to Bourke Street Mall in Melbourne?? They have a Tram line going through it and a lot more people to cope with daily and from what I gather they do not have any safety issues. Also An Exit lane from Banna Avenue into Kooyoo Street would help relieve the frequent traffic congestion in Banna Avenue. So Come on people!! Give us a break!!	9/6/2023 12:15 PM
77	Allowing traffic the option to exit Banna Ave via Kooyoo Street, will relieve congestion in Banna Avenue that has become quite dangerous since Kooyoo St has been closed to road works.	9/5/2023 11:46 PM
78	blocking off of kooyoo st has made that section of the main street even more of a bottle neck than it already was. it has become harder to get into the middle block and means you either have to come from the bottom all the way into the middle block or go up yambil to come down from along st. Bad idea.	9/5/2023 9:34 PM
79	Required to ease congestion. Events are few and easy to block when required	9/5/2023 9:25 PM
80	Don't give over all space to vehicles how easy it for cars to go another block to access Yambil st.	9/5/2023 9:01 PM
81	Accident waiting to happen.	9/5/2023 6:39 PM
82	Banna ave is often congested. Removing another entry/exit point will further affect the flow of traffic. Is there any information on how these two options and the previous configuration affected traffic flow?	9/5/2023 5:51 PM
83	Please remove the ugly cream concrete blocks or add something to them they shocking and very dangerous	9/5/2023 5:30 PM
84	It should really be at the vote of the businesses on that street. They stand the most to gain/lose by the street being open/closed.	9/5/2023 1:15 PM
85	My suggestion would be to permanently close the precinct on the proviso that access to vehicles be granted for special functions.	9/5/2023 12:36 PM
86	Kooyo lane is not a major thoroughfare- it down not take walking traffic to and from any major sports/ attraction s movies etc therefore not providing a flow of customers. Parking at least encourages shoppers clients into the area. There was a so called festival in town the other week and that precinct was not utilised . This no shoppers . What's the point	9/5/2023 12:30 PM
87	With full closure makes it very hard to access the businesses in this precinct!!!	9/5/2023 8:41 AM
88	Having this road open to one way traffic will help with traffic flow n the congested Banna Ave. Pedestrians will easily be able to safely cross the area regardless of traffic, and the road can be closed when particular events with high traffic flow are taking place.	9/5/2023 8:41 AM
89	Option 2 is an accident waiting to happen. Also option 1 needs covered areas and more seating due to our hot summers.	9/5/2023 4:55 AM
90	The road can be easily closed when required. The option of the one way road should remain to	9/4/2023 9:46 PM

Kooyoo Street Stage 1 Road Closure - Have Your Say Survey

	ensure when congestion is at a peak it can serve to to reduce severe congestion	
91	Keep one way open. Provided it has correct postings for visually impaired to know they are approaching a road as there currently is nothing to make that distinction.	9/4/2023 4:13 PM
92	Kooyoo Street plaza runs off the busiest section of Banna Avenue for vehicular and pedestrian traffic. The new plaza does not look like a road. Most road users would not consider using it as a road. As a result, other drivers and pedestrians might be caught off guard when vehicles turn into the plaza. It should therefore not be open to regular traffic. BTW, the space looks great. Well done to all involved.	9/4/2023 2:13 PM
93	Closing this road permanent would be a great centrepiece of the Griffith CBD and could be renamed Kooyoo Place. Even a big screen could be added for events such as New Year's Eve for count downs	9/4/2023 1:34 PM
94	Really you are at this of the project and you are looking for options Both offered are not ideal. This show the level of incompetence at Griffith city council. You guys couldn't even run a chook raffle without making a loss.	9/4/2023 12:37 PM
95	Closing the Kooyoo street plaza keeps it a plaza feel for people to enjoy and relax knowing they do not have to contest with traffic. I believe it would ruin the hard work and ambience of the plaza.	9/4/2023 11:36 AM
96	I believe closing the Kooyoo Street one-way road is a great idea as it causes a high danger to pedestrians and may cause an accident.	9/4/2023 11:35 AM
97	too dangerous to keep changing from closed to open	9/4/2023 11:34 AM
98	Don't restrict access as this won't allow businesses with rear lane access be able to come and go freely. I think the move to completely restrict access is a disadvantage to the town.	9/4/2023 11:23 AM
99	The design of the plaza with the paving and bollards really makes it look like a pedestrian mall. I don't think it would be safe to have it open to traffic as pedestrians would assume it is a pedestrian only mall.	9/4/2023 10:27 AM
100	This is a new area that should be a pedestrian plaza only. If vehicles are allowed on this area it will be more dangerous and potential conflicts will arise between motorists and pedestrians especially young children. Retain the area as an attractive pedestrian area within the CDB.	9/4/2023 10:25 AM
101	mindful of impact to businesses, could there be a Loading Zone Only included in Option 1?.....have seen this in some capital cities and seems to work okay.	9/4/2023 10:10 AM
102	Closure of Kooyoo St would cause traffic chaos in Banna Avenue which already suffers from congestion. While works have been underway and Kooyoo St has been closed I have noticed the traffic issues. I would appreciate if council could explain why these traffic movement changes were not thought of earlier.	9/4/2023 10:07 AM
103	The Plaza is an inviting area that is lovely to sit down and enjoy. But opening it up for cars you will lose this aspect. Having it permanently closed will keep it safer and more enticing to be an event space.	9/4/2023 9:59 AM

TITLE Outstanding Action Report

TRIM REF 23/3460

RECOMMENDATION

The report be noted.

ATTACHMENTS

(a) Outstanding Action Report [↓](#)

70

OUTSTANDING ACTION REPORT

Council Meeting Date	MEETING ITEM	Action Officer	CRM No.	Minute No.	Council Resolution	Additional Information
26 September 2023	CL03 REVIEW OF BUILDING - FLOOR HEIGHT POLICY CS - CP - 318 (LOCAL POLICY)	SGO	137481	3/227	RESOLVED on the motion of Councillors Chris Sutton and Melissa Marin that: (a) That Council endorse the draft local policy as per Attachment A to this report; (b) The draft local policy be placed on public exhibition for 28 days allowing 42 days for submissions to be received from the date of advertising; (c) Following the public exhibition period, a further report be presented to Council to adopt the draft local policy or to consider submissions received.	28/09/2023: On exhibition until 9 November 2023
12 September 2023	CC02 NON RATEABLE ASSESSMENTS, SPORTING CLUBS AND COMMUNITY ORGANISATIONS SUBSIDIES	DBC&F	137019	23/221	RESOLVED on the motion of Councillors Glen Andreatza and Laurie Testoni that: (a) The information be noted. (b) The Rates – Payment by Community Organisations Policy be reviewed and presented to Council at a later date.	03/10/2023: Policy to be reported to Council March Quarter 2024.
12 September 2023	CC03 TENDER 18-22/23 PROVISION OF PLANT, EQUIPMENT AND TRUCK HIRE HOURLY RATES FOR THREE YEAR PERIOD	DI&O	137020	23/222	RESOLVED on the motion of Councillors Glen Andreatza and Chris Sutton that: (a) Council accept a panel of suppliers as mentioned in Table 2 of the report for Tender No. 18-22/23 Provision of Plant, Equipment and Truck Hire Hourly Rates for 3 years	03/10/2023: Letters prepared and to be sent. 16/10/2023: Letters sent.

OUTSTANDING ACTION REPORT

					<p>commencing 13 September 2023.</p> <p>(b) Council will request additional documentation from Tenderers where it has not been provided as part of their submission prior to hiring plant or equipment.</p> <p>(c) Council delegate to the General Manager authority to add to the panel once all acquired documentation has been received.</p>	
22 August 2023	CL01 PLANNING PROPOSAL - MINIMUM LOT SIZE ALTERATION - 1-5 ORFEO COURT, GRIFFITH - POST EXHIBITION REPORT	SP	136183	23/195	<p>RESOLVED on the motion of Councillors Shari Blumer and Glen Andreazza that:</p> <p>(a) Council endorse the proposed amendments to the Griffith Local Environmental Plan 2014 Lot Size Map – LSZ-004A to reduce the minimum lot size of the lands subject to the Planning Proposal to 3000 m2 as shown in Attachment A.</p> <p>(b) Council delegate the Director Sustainable Development to carry out the following actions to process and make the amendment:</p> <p>(i) Forward this report, and all required documents and plans to the Department of Planning and Environment and or Parliamentary Counsel for an opinion and drafting the amendments;</p> <p>(ii) Make the LEP; and</p> <p>(iii) Forward the signed LEP and supporting documents to the Department of Planning</p>	<p>18/09/2023: Department of Planning and Environment have replied with a draft LEP amendment to Council for review.</p> <p>16/10/2023: Draft LEP has been forwarded Department of Planning and Environment to formalise the mapping.</p>

OUTSTANDING ACTION REPORT

					and Environment to notify the amendment.	
08 August 2023	CL01 SECTION 7.11 LAKE WYANGAN CONTRIBUTION PLAN, ROADS AND DRAINAGE PLANS AND DRAFT CHAPTER OF THE GRIFFITH RESIDENTIAL DCP	SP	135674	23/195	<p>RESOLVED on the motion of Councillors Simon Croce and Shari Blumer that:</p> <p>(a) The following plans be placed on public exhibition for a period of 28 days for Council to receive submissions from landowners and the general public:</p> <ul style="list-style-type: none"> • Lake Wyangan 7.11 Development Contributions Plan, prepared by Stantec and dated July 2023 (Attachment A); • Lake Wyangan Road & Drainage Infrastructure (LWR&DI) Plans prepared by CBR Consultants and dated July 2023 (Attachment B); • Draft Chapter 11.2 – Lake Wyangan Growth Area Subdivision Controls of the Griffith Residential Development Control Plan (Attachment C). <p>(b) Any submissions received during the public exhibition period are reported to an Ordinary meeting of Council for consideration.</p> <p>(c) Should no submissions be received, the plans are considered endorsed the date following the last day of the public exhibition period.</p>	<p>10/08/2023: On exhibition until 11 September 2023.</p> <p>18/09/2023: Exhibition period ended. Council staff preparing report for Council meeting in October.</p> <p>03/10/2023: Report to Council 24/10/2023.</p>

OUTSTANDING ACTION REPORT

08 August 2023	MINUTES OF THE CULTURAL PRECINCT MASTERPLAN COMMITTEE MEETING HELD ON 28 JULY 2023	GO	135676	23/202	RESOLVED on the motion of Councillors Jenny Ellis and Shari Blumer that the recommendations as detailed in the Minutes of the Cultural Precinct Masterplan Committee meeting held on 28 July 2023 be adopted.	<p>10/08/2023: Draft Cultural Precinct Masterplan on exhibition until 29 September 2023.</p> <p>Community meeting scheduled for 21 August 2023.</p> <p>28/8/2023: Community meeting held on 21 August 2023. Survey is now open and submissions are being received.</p> <p>03/10/2023: Submissions to be presented to the next Committee meeting held on 11 October 2023.</p> <p>16/10/2023: Exhibition period ended. Minutes to be presented to Council at first Council meeting in November.</p>
11 July 2023	CL02 SCENIC HILL USER GROUP COMMITTEE	GO	134552	23/168	<p>RESOLVED on the motion of Councillors Shari Blumer and Glen Andreazza that:</p> <ul style="list-style-type: none"> (a) Council adopt the draft Terms of Reference attached to the report, with Councillor Jenny Ellis appointed Chairperson and Councillor Christine Stead as Councillor representative. (b) Council advertise for interested community members to join the Scenic Hill User Group Committee. (c) Council write to the following stakeholders inviting them to apply for membership to the Scenic Hill User Group Committee: Griffith Aboriginal Lands Council, Griffith Golf 	<p>14/07/2023: Advertising has commenced with applications closing 11 August 2023. Participations of the Scenic Hill survey and stakeholder groups were invited to apply.</p> <p>14/08/2023: Applications received. To be forwarded to Chair person and Councillor delegate for consideration, with a further report to Council for endorsement.</p> <p>28/08/2023: Report to Council 12/09/2023.</p> <p>18/09/2023: Report delayed.</p> <p>03/10/2023: Report to Council 10/10/2023.</p>

OUTSTANDING ACTION REPORT

					Club, Griffith Pioneer Park Museum Committee, Riding for Disabled, Griffith Jockey Club, Feral Joggers, Murrumbidgee Field Naturalists, interested parties who completed the Scenic Hill Management Plan survey and local Service Clubs.	
27 June 2023	MINUTES OF THE CULTURAL PRECINCT MASTERPLAN COMMITTEE MEETING HELD ON 19 MAY 2023	DM	133998		Councillor Croce requested that Council obtain a quote to repaint the Plane on the Stick located in the Tourism Hub Carpark.	<p>4/07/2023: Quotation being sourced to paint the plane.</p> <p>14/08/2023: Various stakeholders and contractors have been engaged to provide expertise to obtain a quotation/fee estimate.</p> <p>03/10/2023: Quotations received. SMT reviewing.</p>
28 March 2023	NOTICE OF MOTION - LARGE SCALE EVENTS MASTERPLAN	DE&OD	130690	23/067	<p>RESOLVED on the motion of Councillors Jenny Ellis and Christine Stead that Council prepare a masterplan, in collaboration with key stakeholders, to facilitate the hosting of large-scale events at the community gardens and memorial gardens' community stages. The masterplan will outline a phased approach to improve the facilities, with costings for each stage that are dependent on available funds and grant funding. The masterplan should consider provisions for fencing, power, emergency service access, vendor positioning, lighting, shade, audience visibility, and safety. Additionally, the plan should include proposals for expanding the audience space.</p>	<p>17/4/2023: Masterplan to be commenced by Council Staff in April 2023.</p> <p>15/05/2023: Masterplan has commenced.</p> <p>14/08/2023: Options to include in Draft Masterplan to be presented at October Workshop.</p> <p>03/10/2023: Draft Masterplan to be considered at the 21 November Workshop.</p>

OUTSTANDING ACTION REPORT

<p>12 July 2022</p>	<p>NOTICE OF MOTION – COUNCILLOR TESTONI – YENDA MASTERPLAN</p>	<p>GM</p>	<p>119905</p>	<p>22/167</p>	<p>RESOLVED on the motion of Councillors Laurie Testoni and Glen Andreaazza 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 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,</p>	<p>01/08/2022: This matter will be scheduled for discussion at Council Workshop 16 August 2022.</p> <p>05/09/2022: Council to submit an application to NSW Department of Planning and Environment for grant funding under Regional Housing Strategic Planning Fund Round 1 to complete a Yenda Masterplan. Application close 30 September 2022.</p> <p>04/10/2022: Grant application submitted.</p> <p>03/01/2023: NSW Government advised the Grant application successful on 30 November 2022. Expressions of Interests invited to coordinate and undertake the Yenda Masterplan.</p> <p>13/02/2023: Tender awarded to CBRE.</p> <p>01/05/2023: Site inspection and survey completed. Landowner, MI and staff consultation completed. Draft Masterplan presentation to 20 June Council Workshop.</p> <p>17/07/2023: Draft Masterplan to go to Council in September/October 2023.</p> <p>03/10/2023: Draft Masterplan to go to Council 14 November 2023.</p>
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OUTSTANDING ACTION REPORT

					amendment and adoption of scoping document.	
22 February 2022	CC01 CREMATORIUM FEASIBILITY STUDY	DIO	114001	22/061	<p>RESOLVED on the motion of Councillors Simon Croce and Manjit Singh Lally that:</p> <p>(a) Council call an Expression of Interest from interested parties for a period of 60 days to seek interest in entering into a partnership arrangement with Griffith City Council to construct and operate a crematorium facility.</p> <p>(b) The feasibility study completed by the consultants regarding construction and operation of a crematorium be considered by Councillors in conjunction with the review of the 10 Year Capital Expenditure Plan and Draft Budget 2022/2023.</p> <p>(c) Following the adoption of the new Committee Structure by Council during March 2022, the final report by the consultants be referred to the relevant committee seeking a firm recommendation to Council regarding a preferred location for a crematorium.</p>	<p>14/03/2022: Expression of Interest document being drafted.</p> <p>08/04/2022: EOI document on Exhibition. Expression of Interest to close 7 June 2022.</p> <p>04/07/2022: For consideration at New Cemetery Masterplan Committee held 04/07/2022.</p> <p>18/07/2022: Staff commenced discussions with the author of the submission to outline next steps.</p> <p>05/09/2022: Council staff have met with the author of the submission. The author is to prepare costings to construct a crematorium and forward to Council for consideration by the New Cemetery Masterplan Committee.</p> <p>16/01/2023: New Cemetery Masterplan Committee meeting scheduled 27/02/2023.</p> <p>06/03/2023: Quote tabled at New Cemetery Masterplan Committee Meeting held on 27/02/2023. Proposed to be discussed at Council Workshop 18/04/2023.</p> <p>17/07/2023: Detailed submission yet to be received from private sector.</p>

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

Council Meeting Date	MEETING ITEM	Action Officer	CRM No.	Minute No.	Council Resolution	Additional Information
14 March 2023	CC01 COMPULSORY ACQUISITION - PART LOT 1 DP 640685 REMEMBRANCE DRIVEWAY	CPO	130134	23/069	<p>RESOLVED on the motion of Councillors Glen Andreazza and Jenny Ellis that:</p> <p>(a) Council approves the acquisition of Crown Land, shown as Lot 3 DP 1291330 in plan of acquisition affecting Lot 1 DP 640685 under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Local Government Act 1993 Section 186.</p> <p>(b) Council make application to the Minister and/or Governor of the Local Government Act 1993 for approval to acquire Lot 3 DP 1291330 as shown in plan of acquisition affecting Lot 1 DP 640685 by compulsory acquisition process under Section 187 of the Local Government Act 1993.</p> <p>(c) Council continues to negotiate with Department of Planning & Environment – Crown Lands to acquire the land by agreement, or as determined by the Valuer General as defined in Section 55 of the Land Acquisition (Just Terms Compensation) Act 1991.</p>	<p>24/03/2023: Application for compulsory acquisition forwarded to the Director-General Department of Local Government to acquire the Crown Reserve and issue a Proposed Acquisition Notice on approval.</p>

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

					<p>(d) Following receipt of the Governor's approval, Council give effect to the acquisition by publication of an Acquisition Notice in the NSW Government Gazette and such other publication as may be required by law.</p> <p>(e) Council delegate authority to the General Manager to execute the documents on behalf of Council under the Common Seal if required.</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) 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>	
28 March 2023	CL01 GENERAL AMENDMENT GRIFFITH LOCAL ENVIRONMENTAL PLAN 2014 - PUBLIC EXHIBITION AND ENDORSEMENT	DSD	130719	23/062	<p>RESOLVED on the motion of Councillors Simon Croce and Dino Zappacosta that:</p> <p>(a) Council endorse the amended Planning Proposal set out in Attachment (a) which removes Lot 2 DP 848433 (79 Smeeth Road) from SSA 14 as requested by the landowner.</p> <p>(b) Delegate the Director Sustainable Development to carry</p>	<p>17/4/2023: Revised submission to be lodged by Friday 21 April 2023.</p> <p>19/06/2023: Amended gateway approval received. Re-advertising June/July 2023.</p> <p>4/07/2023: General Amendment on exhibition until 19 July 2023.</p>

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

					<p>out the following actions to process and make the LEP:</p> <p>i. Seek the concurrence of the Secretary of the DPE for any inconsistencies with the applicable directions of the Minister under Section 9.1 of the Environmental Planning and Assessment Act 1979;</p> <p>ii. Forward this report, and all required documents and plans to Parliamentary Counsel for an opinion and drafting of the amendments;</p> <p>iii. Make the LEP; and</p> <p>iv. Forward the signed LEP and supporting documents to DPE to notify the amendments.</p> <p>(c) Council staff provide a submission review report to be reported back to Council within 3 months to make recommendations on how to progress with the submissions which are considered to have strategic merit in the submission review table in Attachment (c).</p> <p>(d) Council include Lot 2 DP 1267636 in the submission.</p>	<p>17/07/2023: Report to Council 8 August 2023.</p> <p>09/08/2023: General Amendment forwarded to DPE and Parliamentary Counsel.</p>
26 April 2023	CL01 DRAFT PLAN OF MANAGEMENT - SCENIC HILL (ZONE 3) - NATURAL AREAS	CPO	131726	23/106	<p>RESOLVED on the motion of Councillors Shari Blumer and Jenny Ellis that:</p> <p>(a) Council refer the Draft Plan of Management for Scenic Hill – Zone 3 – Natural Areas to the Minister</p>	<p>28/04/2023: Draft Plan of Management Scenic Hill - Zone 3 - Natural Areas referred to the Crown for Ministers consent to place on public exhibition. The set</p>

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

					<p>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 Scenic Hill – Zone 3 – Natural Areas 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 Scenic Hill – Zone 3 – Natural Areas on completion of the exhibition period, to consider all submissions.</p> <p>(e) Council will set up a Scenic Hill User Group to meet three times a year for the purpose of raising issues and sharing information. The Mayor or their delegate to Chair the meeting with appropriate Council staff to attend in order to provide advice and guidance to the User Group and follow up on actions where appropriate. The User Group invitees should include but not limited to;</p> <ul style="list-style-type: none"> • Interested Councillors • Airport Manager • Griffith Aboriginal Land Council 	<p>up of the Scenic Hill User Group has been referred to Senior Management Team for direction.</p> <p>4/07/2023: Report to Council regarding user group on 11 July 2023.</p> <p>17/07/2023: Council resolved 11 July 2023 to form a user group committee and advertising for committee members to commence 21 July 2023.</p> <p>03/10/2023: Report to Council 10 October 2023.</p>
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OUTSTANDING ACTION REPORT
OUTSTANDING ACTION REPORT – COMPLETION BY OTHER AGENCIES PENDING

					<ul style="list-style-type: none"> • The Golf Club • Pioneer Park • Dalton Park Stakeholders (including Riding for the Disabled and the Jockey Club) • Feral Joggers • Murrumbidgee Field Naturalists • Mountain Bike Riders • Rotary Club • Lions Club • Other interested parties and people who completed the survey. 	
14 February 2023	CL03 PCYC PROPOSAL TO ERECT AND FITOUT AN INTEGRATED GYMNASTICS AND COVERED OUTDOOR MULTI-SPORTS COMPETITION FACILITY - OLYMPIC STREET, GRIFFITH	GM	128874	22/034	<p>RESOLVED on the motion of Councillors Jenny Ellis and Simon Croce that:</p> <p>(a) Council endorse in principle the lease of (Part Lot 1 DP1272062. Crown Reserve 85064, 3 Olympic Street, Griffith) to PCYC NSW for a period of 20 years.</p> <p>(b) The annual lease fee be in accordance with Council's adopted Revenue Policy (Schedule of Fees and Charges) as at the date of execution of the Lease. 2022/23 annual lease fee to Not for Profit Organisations is \$607.</p> <p>(c) PCYC pay all applicable costs and charges associated with the preparation of the lease</p>	<p>06/03/2023: Letter written to PCYC advising terms of proposed lease. Letter of response received accepting terms. Proposed lease to be prepared by Council and publicly exhibited.</p> <p>4/07/2023: Council staff have obtained a quote for subdivision from PHL. Once the Survey Plan has been finalised a Two (2) Lot subdivision is required to create a Lot for PCYC and a Lot for the remaining land.</p> <p>31/07/2023: PCYC finalising planned subdivision.</p>

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

					<p>agreement (this would include the survey plan preparation for leasing and registration fees if required). Also, an Administration Fee of \$481 (page 13 Revenue Policy) will be applicable.</p> <p>(d) Council communicate the above terms to PCYC NSW and subject to their agreement, Council advertise the proposed lease for a period of 28 days seeking public submissions.</p> <p>(e) All public submissions be reported to Council for consideration. Should no submissions be received, Council authorise the General Manager and the Mayor to sign the lease under Council seal.</p> <p>(f) Council progress the subdivision of the subject land and authorise the General Manager and Mayor the authority to sign documents under Council seal as required. All costs in relation to the subdivision to be paid by the PCYC NSW.</p>	
22 November 2022	CC02 COMPULSORY ACQUISITION - LOT 103 DP 751730 BOORGA ROAD UPGRADE PROJECT	CPO	125684	22/316	<p>RESOLVED on the motion of Councillors Simon Croce and Christine Stead that:</p> <p>(a) Council approves the acquisition of Crown Land,</p>	<p>25/11/2022: Application and all required documentation forwarded to the Director-General Department of Local Government for Ministers approval to</p>

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

					<p>Lot 103 DP 751730, for road widening purposes under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.</p> <p>(b) Council make an application to the Minister and/or Governor of the Local Government Act 1993 for approval to acquire Crown Land Lot 103 DP 751730 (excluding minerals), by compulsory acquisition process under Section 177(1) of the Roads Act 1993.</p> <p>(c) Council continue to negotiate with Department of Planning & Environment – Crown Lands to acquire the land by agreement, or as determined by the Valuer General as defined in Section 55 of the Land Acquisition (Just Terms) Compensation Act 1991.</p> <p>(d) Following receipt of the Governor’s approval, Council give effect to the acquisition by publication of an Acquisition Notice in the NSW Government Gazette and such other publication as may be required by law.</p> <p>(e) Council delegate authority to the General Manager to execute all documents on behalf of Council under the Common Seal if required.</p>	<p>acquire Crown Land Lot 103 DP 751730.</p>
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OUTSTANDING ACTION REPORT
OUTSTANDING ACTION REPORT – COMPLETION BY OTHER AGENCIES PENDING

					<p>(f) Council pay compensation to all interest holders entitled to compensation by virtue of the compulsory acquisition on the terms set out in the Land Acquisition (Just Terms Compensation) Act 1991.</p> <p>(g) Upon acquisition of the land, Council resolves to classify the acquired land as operational land pursuant to Section 31 of the Local Government Act 1993.</p>	
24 January 2023	CL03 DRAFT PLAN OF MANAGEMENT - VILLAGE OF YENDA CROWN RESERVES	CPO	127986	23/014	<p>RESOLVED on the motion of Councillors Laurie Testoni and Manjit Singh Lally that:</p> <p>(a) Council refer the Draft Plan of Management for Village of Yenda Crown Reserves being Crown Reserves 62949 (Lot 701 DP 1030376), 61951, 63981, 65511 (Lot 881 DP 751728), 159006 (Lot 1241 P 821503) and 240000 (Lot 21-25 DP 44498) to the Minister administering the Crown Land Management Act 2016 for approval.</p> <p>(b) Upon approval of the Minister administering the Crown Land 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</p>	<p>30/1/2023: The Draft Plan of Management was referred to the Crown for Ministers approval to place on public exhibition.</p>

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

					<p>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	NOTICE OF MOTION – YOOGALI SHARED BICYCLE PATH	DIO	114000	22/057	<p>RESOLVED on the motion of Councillors Simon Croce and Anne Napoli that:</p> <p>(a) Council consider the construction of the Griffith to Yoogali shared bicycle track as a priority.</p> <p>(b) Council undertake a full costing of the track and bridge as to facilitate funding opportunities to contribute towards the new construction.</p>	<p>14/03/2022: Funding estimate for Path and Bridge: \$1.4 million.</p> <p>100% funding request submitted to Transport for NSW Active Transport Program.</p> <p>16/01/2023: TfNSW has informed Council that its application for 2.5m shared pathway is unsuccessful. Council has been invited to make a submission to TfNSW Active Transport for a 4.5m wide shared pathway for scoping and design. Submission lodged by Council.</p> <p>05/06/2023: Funding application successful. Design to commence.</p> <p>17/07/2023: Inception meeting scheduled for 18</p>

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

						August 2023. Project to be completed 20 June 2025. 18/09/2023: Ongoing consultation being held with stakeholders.
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