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

PRESENT

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

STAFF

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

MEDIA

Cai Holroyd, Area News

1 COUNCIL ACKNOWLEDGEMENTS

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

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

No apologies or requests for leave of absence were received.

3 CONFIRMATION OF MINUTES

24/282

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

For

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

Against

Councillor Christine Stead
Councillor Laurie Testoni

The division was declared PASSED by 9 votes to 0.

4 BUSINESS ARISING

Nil.

5 DECLARATIONS OF INTEREST

Pecuniary Interests

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

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

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

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

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

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

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

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

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

Significant Non-Pecuniary Interests

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

Councillor Mark Dal Bon

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

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

Less Than Significant Non-Pecuniary Interests

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

Councillor Tony O’Grady

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

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

Councillor Christine Stead

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

Reason – I have had several calls from Community members.

Councillor Anne Napoli

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

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

Councillor Mark Dal Bon

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

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

6 PRESENTATIONS

Nil

7 MAYORAL MINUTES

Nil

8 GENERAL MANAGER’S REPORT

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

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

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

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

24/283

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

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

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

The division was declared PASSED by 7 votes to 0.

24/284

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

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

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

The division was declared PASSED by 7 votes to 0.

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

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

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

In accordance with the Local Government Action (section 375A - Recording of voting on

planning matters) Council must record the Councillor's vote in relation to the matter.

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

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

The division was declared LOST by 3 votes to 4.

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

CL02 NEW PLAYGROUND, LAKE WYANGAN FORESHORE DEVELOPMENT

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

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

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

24/285

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

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

Against
Councillor Mark Dal Bon

The division was declared PASSED by 8 votes to 1.

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

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

24/286

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

For
Councillor Doug Curran
Councillor Shari Blumer
Councillor Jenny Ellis
Councillor Scott Groat

Against

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

The division was declared PASSED by 8 votes to 0.

24/287

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

For

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

Against

The division was declared PASSED by 8 votes to 0.

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

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

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

24/288

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

For

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

Against

Councillor Shari Blumer
Councillor Laurie Testoni

The division was declared PASSED by 6 votes to 2.

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

CL04 REVIEW OF COUNCIL COMMITTEE STRUCTURE

24/289

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

- (a) The current Committee structure of Council (Advisory Committees) be suspended until such time as Council adopts a new Committee structure for the 2024 - 2028 term of

Council.

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

For

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

Against

The division was declared PASSED by 9 votes to 0.

CL05 COUNCILLOR APPOINTMENTS TO STATUTORY COMMITTEES AND EXTERNAL ORGANISATIONS

Councillors considered appointments to statutory and external Committees and organisations.

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

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

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

24/290

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

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

Floodplain Management Committee

Councillor Scott Groat (Chair)

Councillor Laurie Testoni (Alt)

Traffic Committee

Councillor Anne Napoli (Chair)

Councillor Tony O'Grady (Alt)

Audit, Risk & Improvement Committee

Councillor Christine Stead (observer / non-voting)

Local Emergency Management Committee

No Councillor representation

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

Griffith Health Facilities Limited - Griffith Community Private Hospital

Mayor Doug Curran

Councillor Anne Napoli

Councillor Tony O'Grady

Griffith Worker and Housing Shortage Taskforce

Mayor Doug Curran

Councillor Christine Stead

Councillor Scott Groat

Headspace Consortium

Councillor Jenny Ellis

Joint Regional Planning Panel

Councillor Shari Blumer

Councillor Anne Napoli

Alternate Councillor Christine Stead

Alternate Councillor Laurie Testoni

Murray Darling Association Region 9

Councillor Scott Groat for a period of 2 years.

Western Riverina Arts Board

Councillor Jenny Ellis

Western Riverina Library Management Committee

Mayor Doug Curran

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

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

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

For

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

Against

The division was declared PASSED by 9 votes to 0.

CL06 REVIEW OF COMMUNITY ENGAGEMENT STRATEGY

24/291

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

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

For

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

Against

The division was declared PASSED by 9 votes to 0.

CL07 STATE OF OUR CITY REPORT 2024

24/292

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

For

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

Against

Councillor Laurie Testoni

The division was declared PASSED by 9 votes to 0.

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

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

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

24/293

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

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

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

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

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

For

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

Against

The division was declared PASSED by 7 votes to 0.

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

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

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

24/294

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

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

For

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

Against

The division was declared PASSED by 7 votes to 0.

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

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

24/295

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

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

on behalf of Council under the Common Seal.

For

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

Against

The division was declared PASSED by 8 votes to 0.

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

24/296

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

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

For

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

Against

The division was declared PASSED by 8 votes to 0.

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

24/297

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

For

Councillor Doug Curran
Councillor Shari Blumer

Against

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

The division was declared PASSED by 9 votes to 0.

NOTICE OF MOTION - COUNCILLOR SHARI BLUMER - 5 NOV 2024

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

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

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

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

The amendment was PUT and CARRIED.

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

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

The division was declared PASSED by 5 votes to 4.

24/298

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

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

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

Against
Councillor Doug Curran

Councillor Christine Stead
Councillor Laurie Testoni

The division was declared PASSED by 8 votes to 1.

CL12 GRIFFITH WORKER AND HOUSING SHORTAGE TASKFORCE

24/299

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

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

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

Against
Councillor Shari Blumer

The division was declared PASSED by 8 votes to 1.

9 INFORMATION REPORTS

CL13 INVESTMENTS AS AT 30 SEPTEMBER 2024

24/300

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

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

Against

The division was declared PASSED by 9 votes to 0.

10 ADOPTION OF COMMITTEE MINUTES

Nil

11 BUSINESS WITH NOTICE – RESCISSION MOTIONS

Nil

12 BUSINESS WITH NOTICE – OTHER MOTIONS

NOTICE OF MOTION - COUNCILLOR ANNE NAPOLI - 15 OCT 2024

24/301

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

For

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

Against

The division was declared PASSED by 9 votes to 0.

Councillor Anne Napoli withdrew the Notice of Motion.

NOTICE OF MOTION - COUNCILLOR SCOTT GROAT - 4 NOV 2024

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

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

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

- (a) Request a full report regarding litigation from developers versus Griffith City Council. Including any past and or pending cases over the past 5 years be presented to Councillors available at the next meeting.
- (b) This report should state the full costs of the litigation to Council/Ratepayers.

- (c) I also move that any pending outstanding matters move immediately to mediation, with arrangements to be made and attended by the General Manager. Should mediation fail, any litigation matters regarding developers should come before Councillors to determine if the matter should be challenged by Council.
- (d) When developers employ external development application specialists for advice, Council staff should consider the reports provided to them and take advice from those reports and cooperate with the developers at every opportunity.

The amendment was PUT and LOST.

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

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

The division was declared LOST by 4 votes to 5.

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

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

The amendment was PUT and CARRIED.

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

Against
Councillor Mark Dal Bon
Councillor Scott Groat

The division was declared PASSED by 7 votes to 2.

24/302

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

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

For

Against

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

The division was declared PASSED by 9 votes to 0.

QUESTIONS WITH NOTICE - COUNCILLOR SCOTT GROAT

24/303

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

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

Against

The division was declared PASSED by 9 votes to 0.

13 OUTSTANDING ACTION REPORT

24/304

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

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

Against

The division was declared PASSED by 9 votes to 0.

14 MATTERS TO BE DEALT WITH BY CLOSED COUNCIL

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2021, in the opinion of the General Manager, the following business is of a kind

as referred to in Section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

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

The matters and information are the following:

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

24/305

RESOLVED on the motion of Councillors Christine Stead and Tony O'Grady that:

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

For

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

Against

The division was declared PASSED by 9 votes to 0.

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

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

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

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

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

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

REVERSION TO OPEN COUNCIL

24/306

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

For

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

Against

The division was declared PASSED by 8 votes to 0.

Open Council resumed at 8:56pm.

Livestream was reconnected.

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

MATTERS DEALT WITH IN CLOSED COUNCIL

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

24/307

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

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

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

For

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

Against

The division was declared PASSED by 8 votes to 0.

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

Confirmed:

CHAIRPERSON