
**ORDINARY MEETING OF GRIFFITH CITY COUNCIL
HELD IN GRIFFITH CITY COUNCIL CHAMBERS ON
TUESDAY, 26 NOVEMBER 2024 COMMENCING AT 7:00 PM**

PRESENT

The Mayor, Doug Curran in the Chair; Councillors 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 Taker, Leanne Austin

MEDIA

Cai Holroyd, Area News

1 COUNCIL ACKNOWLEDGEMENTS

The Meeting opened with Councillor Jenny Ellis reading the Opening Affirmation and the Acknowledgement of Country.

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

24/308

RESOLVED on the motion of Councillors Jenny Ellis and Christine Stead that an apology be received from Councillor Shari Blumer and a leave of absence granted.

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.

3 CONFIRMATION OF MINUTES

24/309

RESOLVED on the motion of Councillors Christine Stead and Tony O'Grady that the minutes of the Ordinary Meeting of Council held in Griffith City Council Chambers on 12 November 2024, having first been circulated amongst all members of Council, be confirmed.

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.

4 BUSINESS ARISING

24/310

RESOLVED on the motion of Councillors Laurie Testoni and Jenny Ellis that Councillor Shari Blumer be appointed as a Council representative to the Murray Darling Association Region 9 for a period of two years.

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.

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

CL03 Griffith Residential Development Control Plan Amendments - Endorsement Following Public Exhibition

Reason – I own a property identified in this report.

Councillor Anne Napoli

CC02 Tender No. 05-24/25 - Yoogali Levee Upgrade - Stages 2a & 2b

Reason - I own a property along McCormack Road, that is mentioned in this report.

Councillor Laurie Testoni

Minutes of the Traffic Committee Meeting held 12 Nov 2024

Reason – Traffic committee mentions the business I work for and has a submission notice mentioned.

Councillor Laurie Testoni

CL12 Responses to Councillor Questions Taken on Notice

Reason – Business conflict with owner of property.

Significant Non-Pecuniary Interests

There were no significant non-pecuniary interests declared.

Less Than Significant Non-Pecuniary Interests

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

Councillor Anne Napoli

CL13 Responses to Councillor Questions Taken with Notice

Reason – Some time ago I received a phone call in regards to one of the Developers mentioned in this report. The outcome of this report has no advantage or disadvantage to any members of my family or to myself.

Councillor Anne Napoli

CL06 Road Name Request - Senna Lane

Reason – The applicant is related to a member of my family. The outcome of this report will have no positive or negative outcome to myself or my family.

Brett Stonestreet

Notice of Motion - Councillor Tony O'Grady

Reason - This Notice of Motion relates to the recruitment of the position of General Manager which is my current position. I will not be an applicant for this position when recruitment progresses.

Phil King

CC02 Tender No. 05-24/25 - Yoogali Levee Upgrade - Stages 2a & 2b

Reason – My wife is employed by one of the tenderers.

6 PRESENTATIONS

The presentation of LG NSW Certificates of Service to eligible Councillors was deferred to take place at the ALGWA Conference being held in Griffith in May 2025.

7 MAYORAL MINUTES

Nil

8 GENERAL MANAGER'S REPORT

CL01 ENDORSEMENT OF COUNCILLOR PAYMENT OF EXPENSES AND PROVISION OF FACILITIES POLICY FOR PUBLIC EXHIBITION

24/311

RESOLVED on the motion of Councillors Christine Stead and Laurie Testoni that:

- (a) Council place the draft revised Councillor Payment of Expenses and Provision of Facilities Policy (GC-CP-407) on public display for 28 days.
- (b) If any submissions are received, a further report be prepared for Council.
- (c) If no submissions are received, the draft policy be considered as adopted by Council as at the date of the conclusion of the advertised exhibition period.

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.

CL02 REVIEW OF BIOSECURITY WEEDS POLICY

24/312

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

- (a) Council endorse the draft Biosecurity Weeds Policy as attached to this report.
- (b) The draft Biosecurity Weeds Policy be placed on public exhibition for 28 days.
- (c) If submissions are received, a further report be prepared for Council.
- (d) If no submissions are received, the policy draft Biosecurity Weeds Policy be considered as adopted by Council as at the date of the conclusion of the advertised exhibition period.

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 Anne Napoli left the meeting having declared a pecuniary interest, the time being 7:12 pm.

CL03 GRIFFITH RESIDENTIAL DEVELOPMENT CONTROL PLAN AMENDMENTS - ENDORSEMENT FOLLOWING PUBLIC EXHIBITION

24/313

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

- (a) Council notes the submissions at Attachment (e) of the report.
- (b) Council endorse the amended Griffith Residential Development Control Plan [see Attachments (a - b) of the report].

For

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

Against

The division was declared PASSED by 7 votes to 0.

Councillor Anne Napoli returned to the meeting at 7:12 pm.

CL04 RENEWAL OF LEASE AGREEMENT TO OBLEDO PTY LTD PART ROAD RESERVE ADJOINING LITTLE ROAD - LOT 11 DP 880544

24/314

RESOLVED on the motion of Councillors Laurie Testoni and Jenny Ellis that:

- (a) Council undertakes public notification of the proposed lease renewal for a period of 28 days and served on the owner of each parcel of land adjoining Little Road from Beaumont Road to Joncondon Road.
- (b) Council to consider any submissions if received as a result of the public notification.
- (c) If no submission are received as a result of the public notification for consideration then:
 - (i) Council approves the renewal of the lease agreement over part road reserve adjoining Lot 11 DP 880544, Little Road to Obledo Pty Ltd for a further term of 5 years commencing 1 December 2024.
 - (ii) John Peter Dal Broi, Lurline Cecily Dal Broi & Kirsten Lang Dal Broi t/as Obledo Pty Ltd will be required to pay all applicable costs and charges associated with the renewal of the lease agreement, together with Council's administration fee as per Council's adopted Revenue Policy.
 - (iii) The annual lease fee be charged in accordance with Council's adopted Revenue Policy, currently \$155 per hectare for the 2024/2025 financial year, in addition to 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

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 8 votes to 0.

CL05 SURRENDER OF LEASE AGREEMENT WITH GORDON MCCAWE AND REQUEST NEW LEASE AGREEMENT BETWEEN GORDON MCCAWE AND GARY EDWARD RENNIE - HANGAR SITE 18 GRIFFITH AERODROME, PART LOT 1 DP 1146897, OLD AERODROME ROAD, GRIFFITH

24/315

RESOLVED on the motion of Councillors Christine Stead and Scott Groat that:

- (a) Council approves the surrender of the current lease with Gordon McCaw.
- (b) Council approves to enter into a new lease with Gordon McCaw and Gary Edward Rennie over Hangar Site 18 Griffith Aerodrome (Part Lot 1 DP 1146897) for a term of 5 years, effective as at the date of the surrender of the current lease, with a further option of 5 years.
- (c) The annual lease fee will be charged in accordance with Council's adopted Revenue Policy, currently \$1.51 per sq/metre for 'Airside' areas between 1000 - 4000 sq/metres for the 2024/2025 Financial Year, in addition to rates and charges.
- (d) Gordon McCaw and Gary Edward Rennie to pay all applicable costs and charges associated with the surrender of the current lease and the preparation of the new lease agreement together with Council's Administration Fee.
- (e) 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.

CL06 ROAD NAME REQUEST - SENNA LANE

24/316

RESOLVED on the motion of Councillors Jenny Ellis and Christine Stead that Council approve the use of Senna Lane for road naming purposes for the newly developed private road within the 7 lot community title subdivision on Marando Way and Citrus Road, Griffith.

For
Councillor Doug Curran
Councillor Mark Dal Bon

Against

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 8 votes to 0.

CL07 FIRST QUARTER PERFORMANCE REPORT 2024/2025 - BUDGET REVIEW AND OPERATIONAL PLAN

24/317

RESOLVED on the motion of Councillors Jenny Ellis and Laurie Testoni that:

- (a) Council note the variations to the 2024/25 original budget for the quarter ended 30 September 2024 as presented in this report.
- (b) The Financial Review and any additional approved variations for the quarter ended 30 September 2024 be adopted.
- (c) Council adopt the 30 September 2024 Operational Plan Review advising the extent to which the Operational Plan Actions (Performance Indicators) have been achieved.
- (d) Council endorse minor amendments to the Organisational Structure as per this report.
- (e) Council defer Service Reviews for Parks and Gardens and Developer Services to the 2025/26 financial year.

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.

CL08 RIVERINA MURRAY JOINT ORGANISATION OF COUNCILS - BOARD MEETING 8 NOVEMBER 2024 - ALBURY/WODONGA REGIONAL HOSPITAL

24/318

RESOLVED on the motion of Councillors Laurie Testoni and Anne Napoli that Council support the advocacy position being progressed by Albury City Council regarding the Albury/Wodonga Regional Hospital Project.

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.

9 INFORMATION REPORTS

CL09 GRIFFITH CITY COUNCIL ANNUAL REPORT 2023/24

24/319

RESOLVED on the motion of Councillors Jenny Ellis and Laurie Testoni that the Griffith City Council Annual Report 2023/24, including supplementary information regarding progress of Council's Service Reviews, be noted.

For
Councillor Doug Curran
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 7 votes to 1.

CL10 POWERING TOMORROW: REGIONAL COUNCILS NSW POWER PURCHASING AGREEMENT

24/320

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

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 WESTERN RIVERINA REGIONAL DROUGHT RESILIENCE PLAN & SUSTAINABLE COMMUNITIES PROGRAM UPDATE

24/321

RESOLVED on the motion of Councillors Christine Stead and Laurie Testoni that:

- (a) Council notes the update regarding the Sustainable Communities Program.
- (b) Council endorse the Western Riverina Regional Drought Resilience Plan as described in this Report.

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
Councillor Laurie Testoni

The division was declared PASSED by 5 votes to 3.

Councillor Laurie Testoni left the meeting having declared a pecuniary interest, the time being 7:27 pm.

CL12 RESPONSES TO COUNCILLOR QUESTIONS TAKEN ON NOTICE

24/322

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

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.

Councillor Laurie Testoni returned to the meeting at 7:28 pm.

CL13 RESPONSES TO COUNCILLOR QUESTIONS TAKEN WITH NOTICE

24/323

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

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	
Councillor Laurie Testoni	

The division was declared PASSED by 8 votes to 0.

10 ADOPTION OF COMMITTEE MINUTES

MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 6 NOVEMBER 2024

24/324

RESOLVED on the motion of Councillors Christine Stead and Laurie Testoni that the recommendations as detailed in the Minutes of the Audit, Risk and Improvement Committee meeting held on 6 November 2024 be adopted.

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
Councillor Laurie Testoni

The division was declared PASSED by 8 votes to 0.

Councillor Laurie Testoni left the meeting having declared a pecuniary interest, the time being 7:39 pm.

MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 12 NOVEMBER 2024

24/325

RESOLVED on the motion of Councillors Jenny Ellis and Christine Stead that the recommendations as detailed in the Minutes of the Traffic Committee meeting held on 12 November 2024 be adopted.

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 7:43 pm.

11 BUSINESS WITH NOTICE – RESCISSION MOTIONS

Nil

12 BUSINESS WITH NOTICE – OTHER MOTIONS

NOTICE OF MOTION - COUNCILLOR TONY O'GRADY

Councillors Tony O'Grady and Laurie Testoni moved the following **MOTION** that:

- (a) Council forms a sub-committee of the Mayor and three Councillors to oversee the recruitment of a new General Manager.
- (b) The General Manager prepares a report for the sub-committee outlining the process that should be followed. The report should also contain his recommendations of an appropriate recruitment agency/consultant or the process that the sub-committee should follow when advertising the position.
- (c) The sub-committee should consider the recommendations of the General Manager when implementing the recruitment process.
- (d) The sub-committee will seek approval from the Councillors before commencing the recruitment process.

- (e) The sub-committee will provide assistance throughout the recruitment process to the relevant parties.
- (f) The sub-committee will provide the Councillors with a minimum of three (3) suitable candidates for the consideration for the position of General Manager.

Councillors Jenny Ellis and Laurie Testoni moved the following **AMENDMENT** that:

- (a) Council forms a sub-committee of the Mayor and three Councillors to oversee the recruitment of a new General Manager.
- (b) The General Manager prepares a report for the sub-committee outlining the process that should be followed. The report should also contain his recommendations of an appropriate recruitment agency/consultant or the process that the sub-committee should follow when advertising the position.
- (c) The sub-committee should consider the recommendations of the General Manager when implementing the recruitment process.
- (d) The sub-committee will seek approval from the Councillors before commencing the recruitment process.
- (e) The sub-committee will provide assistance throughout the recruitment process to the relevant parties.
- (f) The sub-committee will provide the Councillors with a minimum of three (3) suitable candidates for the consideration for the position of General Manager.
- (g) The sub-committee be comprised of the Mayor, Deputy Mayor, a Councillor who has served one or more terms on Council, a newly elected Councillor.

The amendment was PUT and LOST.

For
Councillor Doug Curran
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 3 votes to 5.

Councillors Mark Dal Bon and Scott Groat moved the following **AMENDMENT** that:

- (a) Council forms a sub-committee of the Mayor and three Councillors to oversee the recruitment of a new General Manager.
- (b) The General Manager prepares a report for the sub-committee outlining the process that should be followed. The report should also contain his recommendations of an appropriate recruitment agency/consultant or the process that the sub-committee should follow when advertising the position.
- (c) The sub-committee should consider the recommendations of the General Manager when implementing the recruitment process.
- (d) The sub-committee will seek approval from the Councillors before commencing the recruitment process.
- (e) The sub-committee will provide assistance throughout the recruitment process to the

relevant parties.

- (f) The sub-committee will provide the Councillors with a minimum of three (3) suitable candidates for the consideration for the position of General Manager.
- (g) The sub-committee comprise of the Mayor, Deputy Mayor, Councillor Stead and Councillor Groat.

The amendment was PUT and TIED at 4 – 4.

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

Against
Councillor Doug Curran
Councillor Jenny Ellis
Councillor Tony O'Grady
Councillor Laurie Testoni

The division was declared TIED 4 votes to 4.

The Mayor used his casting vote to vote against the amendment. The amendment was declared LOST.

24/326

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

- (a) That Council forms a sub-committee of the Mayor and three Councillors to oversee the recruitment of a new General Manager.
- (b) The General Manager prepares a report for the sub-committee outlining the process that should be followed. The report should also contain his recommendations of an appropriate recruitment agency/consultant or the process that the sub-committee should follow when advertising the position.
- (c) The sub-committee should consider the recommendations of the General Manager when implementing the recruitment process.
- (d) The sub-committee will seek approval from the Councillors before commencing the recruitment process.
- (e) The sub-committee will provide assistance throughout the recruitment process to the relevant parties.
- (f) The sub-committee will provide the Councillors with a minimum of three (3) suitable candidates for the consideration for the position of General Manager.

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

Against
Councillor Scott Groat
Councillor Mark Dal Bon

The division was declared PASSED by 6 votes to 2.

NOTICE OF MOTION - COUNCILLOR ANNE NAPOLI

Councillors Anne Napoli and Christine Stead moved the following **MOTION** that:

- (a) Griffith City Council provide a report to the 28 January 2025 Council Meeting that

reviews relevant legislation, Council Codes, procedures and policies, and current expenditure as it relates to the provision and consumption of alcohol at Council Administration Building and Council Chambers.

- (b) The Report as a minimum addresses and provides options to align Council with current community expectations, relevant legislation and Work, Health and Safety Guidelines.

Councillors Mark Dal Bon and Scott Groat moved the following **AMENDMENT** that:

- (a) Griffith City Council provide a report to the 28 January 2025 Council Meeting that reviews relevant legislation, Council Codes, procedures and policies, and current expenditure as it relates to the provision and consumption of alcohol at Council Administration Building and Council Chambers.
- (b) The Report as a minimum addresses and provides options to align Council with current community expectations, relevant legislation and Work, Health and Safety Guidelines.
- (c) The Council Administration building at 1 Benerembah Street, Griffith be declared an alcohol free zone.

The amendment was PUT and LOST.

For
Councillor Mark Dal Bon
Councillor Scott Groat

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

The division was declared LOST by 2 votes to 6.

24/327

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

- (a) Griffith City Council provide a report to the 28 January 2025 Council Meeting that reviews relevant legislation, Council Codes, procedures and policies, and current expenditure as it relates to the provision and consumption of alcohol at Council Administration Building and Council Chambers.
- (b) The Report as a minimum addresses and provides options to align Council with current community expectations, relevant legislation and Work, Health and Safety Guidelines.

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

Against
Councillor Jenny Ellis
Councillor Laurie Testoni

The division was declared PASSED by 6 votes to 2.

13 OUTSTANDING ACTION REPORT

24/328

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

be noted.

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.

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.**

24/329

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 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.

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 LEASE TO GRIFFITH HARNESS RACING CLUB - PART LOT 562 DP 751743
REMEMBRANCE DRIVEWAY, GRIFFITH
DEREGISTRATION FROM HARNESS RACING NSW**

Reason: Personal Hardship 10A(2)(b)

CC02 TENDER NO. 05-24/25 - YOOGALI LEVEE UPGRADE - STAGE 2A & 2B

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

Council closed its meeting at 8:13 pm. The public and media left the Chamber. Livestream was disconnected.

REVERSION TO OPEN COUNCIL

24/330

RESOLVED on the motion of Councillors Christine Stead and Laurie Testoni that Open Council be resumed.

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.

Open Council resumed at 8:30 pm.

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 LEASE TO GRIFFITH HARNESS RACING CLUB - PART LOT 562 DP 751743 REMEMBRANCE DRIVEWAY, GRIFFITH DEREGISTRATION FROM HARNESS RACING NSW

24/331

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

- (a) Council waives the annual rental of \$686 for the 2024/2025 financial year for the Griffith Harness Racing Club for Part Lot 562 DP 751743 Remembrance Driveway, Griffith (Dalton Park).
- (b) As at 1 July 2025 Griffith Harness Racing Club are to provide an update to Council of their financial position and their status with NSW Harness Racing.

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 Anne Napoli left the meeting having declared a pecuniary interest, the time being 8:22 pm.

CC02 TENDER NO. 05-24/25 - YOOGALI LEVEE UPGRADE - STAGE 2A & 2B

24/332

RESOLVED on the motion of Councillors Christine Stead and Laurie Testoni that:

- (a) Council, in accordance with Section 178(1) (b) of the Local Government Regulation 2021, reject all tenders submitted for Tender No. 05-24/25: Yoogali Levee Upgrade – Stage 2a & 2b due to insufficient funding available to execute the project.
- (b) Council, in accordance with Section 178(4) (a) of the Local Government Regulation 2021, does not need to call fresh tenders for 05-24/25 as there are suitably qualified and experienced tenderers available to negotiate with.
- (c) Council, in accordance with Section 178(3) (e) of the Local Government Regulation 2021, enter into negotiations with B&C Plumbing Pty Ltd, being a suitably qualified contractor.
- (d) At the completion of negotiations, a further report to be presented to Council recommending the preferred contractor.

For

Councillor Doug Curran
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Tony O'Grady

Against

Councillor Christine Stead
Councillor Laurie Testoni

The division was declared PASSED by 7 votes to 0.

Councillor Anne Napoli returned to the meeting at 8:30 pm.

There being no further business the meeting terminated at 8:35 pm.

Confirmed:

CHAIRPERSON