
**ORDINARY MEETING OF GRIFFITH CITY COUNCIL
HELD IN GRIFFITH CITY COUNCIL CHAMBERS ON
TUESDAY, 11 FEBRUARY 2025 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 and Antoinette Galluzzo

MEDIA

Allan Wilson, The Area News

1 COUNCIL ACKNOWLEDGEMENTS

The Meeting opened with Councillor Tony O'Grady 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

25/021

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 28 January 2025, 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

Against

Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

The division was declared PASSED by 9 votes to 0.

4 BUSINESS ARISING

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
CCMM01 DA 99/2024 – 5 MW Battery Energy Storage System
Reason – Are commercial in confidence

Councillor Shari Blumer
CC01 Renewal of Lease Agreement - Zecca Pty Ltd - 239 Banna Avenue, Griffith
Reason – The business I work for often does work for these matters

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 Laurie Testoni
CCMM01 DA 99/2024 – 5 MW Battery Energy Storage System
Reason – Customer of the business I manage

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 Mayor Doug Curran
CL01 Assignment of Part Lease from Peter John Turkington to Precision Aviation - Hangar Site 17, Griffith Aerodrome
Reason – A family member of the applicant works for me. The recommendation has no bearing on my employee or myself.

6 PRESENTATIONS

Nil

7 MAYORAL MINUTES

Nil

8 GENERAL MANAGER'S REPORT

CL01 ASSIGNMENT OF PART LEASE FROM PETER JOHN TURKINGTON TO PRECISION AVIATION - HANGAR SITE 17, GRIFFITH AERODROME

25/022

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

- (a) Council approves the assignment of the 1/3rd lease share from Peter John Turkington over Hangar Site 17, Griffith Aerodrome to Precision Aviation Pty Ltd ACN 116 836 947.
- (b) Precision Aviation Pty Ltd will be responsible for all costs associated with the preparation of the assignment document, together with Council's Administration fee.
- (c) The annual lease fee continues to be charged in accordance with Council's adopted Revenue Policy, currently \$1.51/sq metre for 'airside' areas 1000-4000sq metres in addition to rates and charges.
- (d) Council authorise the Mayor and General Manager to execute the assignment document on behalf of Council under the Common Seal.

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.

CL02 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2025

25/023

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

- (a) Council nominates the Mayor (or his delegate), Councillor Jenny Ellis and the General Manager (or his delegate) to attend the 2025 National General Assembly of Local Government from 24 – 27 June 2025.
- (b) Councillors proposing to submit draft motion(s) for the National General Assembly of Local Government to forward to the General Manager by Monday 24 February 2025. The draft motion(s) will be reported to the Ordinary Meeting of Council on Tuesday, 11 March 2025 for Council's consideration.

For

Councillor Doug Curran
Councillor Shari Blumer
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli

Against

Councillor Mark Dal Bon

Councillor Tony O'Grady
Councillor Christine Stead
Councillor Laurie Testoni

The division was declared PASSED by 8 votes to 1.

CL03 ANNUAL FINANCIAL STATEMENTS - STATEMENTS UNDER SECTION 413(2)(C) OF THE LOCAL GOVERNMENT ACT, 1993

25/024

RESOLVED on the motion of Councillors Christine Stead and Tony O'Grady 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, 2024.
- (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, Max Turner.

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.

CL04 ADOPTION OF COUNCILLOR EXPENSES AND FACILITIES POLICY

Councillors Ellis and Stead moved the following MOTION that:

Council adopt the Councillor Expenses and Facilities Policy as attached to the report, including the suggested amendments as listed in Table 1 of the report.

Councillors Dal Bon and Groat moved the following AMENDMENT that:

Council adopt the Councillor Expenses and Facilities Policy as attached to the report, including the suggested amendments as listed in Table 1 of the report, with Appendix III Summary of Maximum Amounts to revert back to the current policy figures (Page 80 of the business paper).

The amendment was PUT and LOST.

For
Councillor Mark Dal Bon
Councillor Scott Groat

Against
Councillor Doug Curran
Councillor Shari Blumer

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 7.

25/025

RESOLVED on the motion of Councillors Jenny Ellis and Christine Stead that Council adopt the Councillor Expenses and Facilities Policy as attached to the report, including the suggested amendments as listed in Table 1 of the report.

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

Against
Councillor Mark Dal Bon
Councillor Scott Groat
Councillor Anne Napoli

The division was declared PASSED by 6 votes to 3.

9 INFORMATION REPORTS

CL05 RESPONSES TO COUNCILLOR QUESTIONS TAKEN ON NOTICE

25/026

RESOLVED on the motion of Councillors Shari Blumer and Laurie Testoni 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

Nil

13 OUTSTANDING ACTION REPORT

25/027

RESOLVED on the motion of Councillors Christine Stead and Tony O'Grady 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.**

25/028

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

CCMM01 DA 99/2024 - 5 MW BATTERY ENERGY STORAGE SYSTEM

Reason: Legal Proceedings 10A(2)(g)

CC01 RENEWAL OF LEASE AGREEMENT - ZECCA PTY LTD - 239 BANNA AVENUE, GRIFFITH

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

CC02 RESULTS FROM 2024 COUNCIL STAFF SURVEY - CONNECTYOU

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

Council closed its meeting at 7:26pm. The public and media left the Chamber. Livestream was disconnected.

REVERSION TO OPEN COUNCIL

25/029

RESOLVED on the motion of Councillors Laurie Testoni and Christine Stead 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
Councillor Laurie Testoni

Against

The division was declared PASSED by 9 votes to 0.

Open Council resumed at 8:17pm.

Livestream was reconnected.

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

Councillor Laurie Testoni and Shari Blumer left the meeting having declared a pecuniary and significant non-pecuniary interest, the time being 7:26 am.

MATTERS DEALT WITH IN CLOSED COUNCIL

CCMM01 DA 99/2024 - 5 MW BATTERY ENERGY STORAGE SYSTEM

25/030

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

- (a) Council delegates authority to the General Manager to enter an agreement under s34(3) Land and Environment Court Act 1979 to grant development consent to development application 99/2024(1) for a 5 MW distribution battery energy storage system at 116 Cremasco Road, Yenda generally subject to the conditions recommended in the development application assessment report and the conditions recommended by Scott Barwick in his letter of 4 February 2025.
- (b) The General Manager report to a future Council Meeting the details of the agreement following negotiations under Section 34 (3) Land and Environment Court Act 1979.

For

Councillor Doug Curran
Councillor Jenny Ellis
Councillor Tony O'Grady
Councillor Christine Stead

Against

Councillor Mark Dal Bon
Councillor Scott Groat
Councillor Anne Napoli

The division was declared PASSED by 4 votes to 3.

Councillor Laurie Testoni returned to the meeting at 7:33pm.

25/031

RESOLVED on the motion of Councillors Jenny Ellis and Christine Stead that the meeting suspend standing orders to allow Ben Di Rosa, Daniel D'Aquino and Michaela Cangelli to address 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.

Director Phil King left the meeting at 7:36pm, and returned at 7:38pm.

25/032

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

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.

CC01 RENEWAL OF LEASE AGREEMENT - ZECCA PTY LTD - 239 BANNA AVENUE, GRIFFITH

Councillors Stead and Ellis moved the following MOTION that:

- (a) Council authorises the General Manager to negotiate a new rental agreement with Zecca Pty Ltd. The annual rental will be \$53,045 (current rental rate) Excl GST for three (3) years In addition to the payment of rates and charges. The lessee is to continue to maintain all equipment and services to the property.
- (b) On negotiation of the annual rental and terms, Council enters into a lease agreement with Zecca Pty Limited for a term of three (3) years, with a further option of three (3) years for 239 Banna Avenue, Griffith.
- (c) Zecca Pty Ltd will be responsible for all costs associated with the preparation of the new lease agreement, together with an Administration fee payable to Council on the signing of the agreement by all parties.
- (d) Council authorise the Mayor and General Manager to sign and seal the lease document.

Councillors Dal Bon and O'Grady moved the following AMENDMENT that:

- (a) Council authorises the General Manager to negotiate a new rental agreement with Zecca Pty Ltd. The annual rental will be \$53,045 Excl GST for the first year and increase annually thereafter in accordance with the CPI. In addition to the payment of rates and charges. The lessee is to continue to maintain all equipment and services to the property.
- (b) On negotiation of the annual rental and terms, Council enters into a lease agreement with Zecca Pty Limited for a term of three (3) years, with a further option of three (3) years for 239 Banna Avenue, Griffith.
- (c) Zecca Pty Ltd will be responsible for all costs associated with the preparation of the new lease agreement, together with an Administration fee payable to Council on the signing of the agreement by all parties.
- (d) Council authorise the Mayor and General Manager to sign and seal the lease document.

The amendment was PUT and LOST.

For
Councillor Mark Dal Bon
Councillor Tony O'Grady

Against
Councillor Doug Curran
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Christine Stead
Councillor Laurie Testoni

The division was declared LOST by 2 votes to 6.

25/033

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

- (a) Council authorises the General Manager to negotiate a new rental agreement with Zecca Pty Ltd. The annual rental will be \$53,045 (current rental rate) Excl GST for three (3) years In addition to the payment of rates and charges. The lessee is to continue to maintain all equipment and services to the property.
- (b) On negotiation of the annual rental and terms, Council enters into a lease agreement with Zecca Pty Limited for a term of three (3) years, with a further option of three (3) years for 239 Banna Avenue, Griffith.
- (c) Zecca Pty Ltd will be responsible for all costs associated with the preparation of the new lease agreement, together with an Administration fee payable to Council on the signing of the agreement by all parties.
- (d) Council authorise the Mayor and General Manager to sign and seal the lease document.

For
Councillor Doug Curran
Councillor Mark Dal Bon
Councillor Jenny Ellis
Councillor Scott Groat
Councillor Anne Napoli
Councillor Christine Stead

Against
Councillor Tony O'Grady

Councillor Laurie Testoni

The division was declared PASSED by 7 votes to 1.

Councillor Shari Blumer returned to the meeting at 8:13pm.

CC02 RESULTS FROM 2024 COUNCIL STAFF SURVEY - CONNECTYOU

25/034

RESOLVED on the motion of Councillors Jenny Ellis 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.

There being no further business the meeting terminated at 8:21pm.

Confirmed:

CHAIRPERSON