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**ORDINARY MEETING OF GRIFFITH CITY COUNCIL  
HELD IN GRIFFITH CITY COUNCIL CHAMBERS  
1 BENEREMBAH STREET, GRIFFITH NSW 2680 ON  
TUESDAY, 22 SEPTEMBER 2015 COMMENCING AT 7:00 PM**

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## **PRESENT**

The Mayor, John Dal Broi in the Chair; Councillors, Alison Balind, Patricia Cox, Simon Croce, Doug Curran, Bill Lancaster, Anne Napoli, Mike Neville, Paul Rossetto, Christine Stead, Leon Thorpe and Dino Zappacosta

## **STAFF**

General Manager, Brett Stonestreet, Acting Director Infrastructure & Operations, Manjit Chugha, Manager Executive Services, Shireen Donaldson, Director Utilities, Graham Gordon, Director Sustainable Development, Neil Southorn, Governance Coordinator, Wendy Krzus and Minute Secretary, Leanne Austin

## **MEDIA**

Stephen Mudd, The Area News

## **1 COUNCIL PRAYER AND ACKNOWLEDGEMENT OF COUNTRY**

The Meeting opened with Councillor Pat Cox reading the Council prayer and the Acknowledgment of Country.

## **2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE**

15/282

**RESOLVED** on the motion of Councillors Dino Zappacosta and Anne Napoli that an apology be received from Director Infrastructure & Operations, Dallas Bibby and Director Business, Cultural Financial Service, Max Turner.

## **3 CONFIRMATION OF MINUTES**

15/283

**RESOLVED** on the motion of Councillors Leon Thorpe and Paul Rossetto that the minutes of the Ordinary Meeting of Council held in Griffith City Council Chambers on 8 September 2015, having first been circulated amongst all members of Council, be confirmed.

## **4 BUSINESS ARISING**

### **Minutes of the Floodplain Management Committee meeting held 6 August 2015**

Councillor Paul Rossetto sought an update on the Council resolution at the Ordinary Meeting 26 May 2015 which stated that Council write to the Hon. Adrian Piccoli MP seeking funding for Council's one third share of the possible reconstruction costs of the EMR.

Mr Graham responded that now that the report has been finalised Council staff are in the process of preparing a letter to the Hon. Katrina Hodgkinson MP and the Hon. Adrian Piccoli MP.

### **Minutes of the Griffith Pioneer Park Museum Committee meeting held 25 August 2015**

Councillor Stead advised that the Australia Day Working Group had met with members of the Griffith Pioneer Park Museum Committee where it was resolved that the 2016 Australia Day Ceremony would take place at the Griffith Regional Theatre with the Breakfast to be held at Pioneer Park.

**MOVED** on the motion of Councillors Stead and Rossetto that the 2016 Australia Day Celebrations Official Ceremony be held at the Griffith Regional Theatre and will return to Pioneer Park the following year provided renovations have been completed.

**MOVED** on the motion of Councillor Mike Neville that the item LAY ON THE TABLE pending further information being provided to Councillors.

The motion was PUT and CARRIED.

15/284

**RESOLVED** on the motion of Councillor Mike Neville that the item LAY ON THE TABLE.

## **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

CC01 – Revised Tender costing for the Construction of the Tharbogang Waste Transfer Station

Reason - A member of Councillor Napoli's family is one of the Directors of a Company that has quoted as a Sub-Contractor for the project.

Councillor Anne Napoli

CC02 – Tenders 1-15/16 to 5-15/16 – Proposed New Mechanical Workshop for Griffith City Council, 32 Jensen Road, Griffith

Reason - A member of Councillor Napoli's family is one of the Directors of a Company that has quoted as a Sub-Contractor for the project.

Councillor Mike Neville

MM01 – Community Performance – Beauty and the Beast

Reason – Councillor Neville's wife's business has provided costumes for the production the subject of the report.

### **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 Alison Balind

Minutes of the Transport Committee meeting 7 September 2015

Councillor Balind's husband is employed as Council's Road Safety Officer. Husband's role is advisory only.

Councillor Alison Balind

Minutes of the Traffic Committee meeting 8 September 2015

Councillor Balind's husband is employed as Council's Road Safety Officer. Husband's role is advisory only.

Councillor Anne Napoli

Minutes of the Griffith Community Private Hospital Committee 1 September 2015

Reason – A member of Councillor Napoli's family is one of the Directors that was awarded a subcontract for work at the Griffith Community Private Hospital.

Councillor Anne Napoli

CL02 – Review of Policy (GC-CP-702) Animal Adoptions form Pound

Reason – A member of Councillor Napoli's family is employed in Compliance. It has no financial gain or loss for the Compliance Officer.

Councillor Anne Napoli

Minutes of the General Facilities Committee minutes 8 September 2015

Reason – A member of Councillor Napoli's family is employed in Compliance. It has no financial gain or loss for the Compliance Officer.

## **6 PRESENTATIONS**

Nil

## **7 MAYORAL MINUTES**

### **MM01 COMMUNITY PERFORMANCE - BEAUTY AND THE BEAST**

Councillor Mike Neville left the meeting having declared a pecuniary interest, the time being 7:16 pm.

15/285

**RESOLVED** on the motion of Councillors Dino Zappacosta and Patricia Cox that recognition be made to the Producer, Director and participants of the Beauty and the Beast production.

Councillor Mike Neville returned to the meeting at 7:22 pm.

### **MM02 GRIFFITH'S BIGGEST LAP**

15/286

**RESOLVED** on the motion of Councillors Doug Curran and Alison Balind that Council endorse the Griffith Biggest Lap held on Saturday 3 October 2015 as a Council auspiced event.

## **8 GENERAL MANAGER'S REPORT**

### **CL01 ELECTION OF DEPUTY MAYOR - 2015**

**MOVED** on the motion of Councillors Dino Zappacosta and Christine Stead that

- (a) Council resolve to elect the Deputy Mayor for a period of 12 months.
- (b) Council determine the format of the election for the office of Deputy Mayor by Ordinary Ballot.

(c) The General Manager conduct the election for Deputy Mayor.

Councillors Lancaster and Balind moved the following **AMENDMENT** that:

- (a) Council resolve to elect the Deputy Mayor for a period of 12 months.
- (b) Council determine the format of the election for the office of Deputy Mayor by Open Voting.
- (c) The General Manager conduct the election for Deputy Mayor.

The amendment was PUT and CARRIED.

15/287

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

- (a) Council resolve to elect the Deputy Mayor for a period of 12 months.
- (b) Council determine the format of the election for the office of Deputy Mayor by Open Voting
- (c) The General Manager conduct the election for Deputy Mayor.

### **Election of Deputy Mayor**

Nominations (in the order drawn by lot):

Councillor Curran  
Councillor Croce

Candidate draw took place and Open Voting (show of hands) was undertaken with a count of:

7 votes Councillor Curran  
5 votes Councillor Croce

Councillor Curran was declared Deputy Mayor for a period of 12 months.

### **CL02 REVIEW OF POLICY (GC-CP-702) "ANIMAL ADOPTIONS FROM POUND"**

15/288

**RESOLVED** on the motion of Councillors Doug Curran and Christine Stead that Standing Orders be suspended to allow Ms Kellie Smith to address Council on behalf of Needy Paws Dog Rescue. Ms Smith addressed Council the time being 7.29 pm.

The Mayor advised Ms Smith's address would be accepted as a submission.

15/289

**RESOLVED** on the motion of Councillors Doug Curran and Christine Stead that the meeting resume Standing Orders. Council resumed the time being 7:38 pm.

15/290

**RESOLVED** on the motion of Councillors Doug Curran and Mike Neville that:

- (a) Council place the draft "Rehoming and Adoption of Companion Animals from Griffith City Pound" Policy (GC-CP-702) 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.

Councillor Cox requested that signage including relevant contact numbers be installed at the Pound.

#### **CL03 PROPOSED COUNCIL MEETING AND WORKSHOP DATES 2016**

15/291

**RESOLVED** on the motion of Councillors Dino Zappacosta and Leon Thorpe that Council adopt the Council Meeting and Workshop Schedule for 2016 as per Attachment (A) in the report with the following amendments:

- The Council Meeting to be held on 12 January 2016 be held on 19 January 2016
- The Council Workshop to be held on 19 January 2016 be held on 12 January 2016
- The Council Meeting to be held on 13 September be cancelled due to the Council Elections.

#### **CL04 ASSIGNMENT OF LEASE FROM ELANOR FUNDS MANAGEMENT LIMITED TO SHOPPING CENTRES AUSTRALASIA PROPERTY GROUP LIMITED RE LOT 2 DP 1003564**

15/292

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

- (a) Council approve the assignment of the lease of Lot 2 DP 1003564 from Elanor Funds Management Limited to Shopping Centres Australasia Property Group RE Limited who will be bound by the terms of the existing lease.
- (b) Shopping Centres Australasia Property Group RE Limited be required to pay all applicable costs and charges in relation to the assignment of the lease for Lot 2 DP 1003564 together with Council's Administration Fee of \$381.
- (c) The Mayor and General Manager be authorised to sign and seal all documents in relation to this matter under the common seal.

### **9 INFORMATION REPORTS**

#### **CL05 PECUNIARY INTEREST RETURNS 2014/15**

15/293

**RESOLVED** on the motion of Councillors Leon Thorpe and Doug Curran that the report be noted.

Councillor Alison Balind enquired if Council has a register of Disclosures of Political Donations. Mr Stonestreet advised that it is the responsibility of Councillors to lodge any such disclosures. If any such disclosures are received they are registered in Council's records database.

## **10 ADOPTION OF COMMITTEE MINUTES**

### **MINUTES OF THE GRIFFITH COMMUNITY PRIVATE HOSPITAL COMMITTEE MEETING HELD ON 1 SEPTEMBER 2015**

15/294

**RESOLVED** on the motion of Councillors Anne Napoli and Mike Neville that the recommendations as detailed in the Minutes of the Griffith Community Private Hospital Committee meeting held on 1 September 2015 be adopted.

### **MINUTES OF THE FESTIVAL OF GARDENS COMMITTEE MEETING HELD ON 3 SEPTEMBER 2015**

15/295

**RESOLVED** on the motion of Councillors Patricia Cox and Doug Curran that the recommendations as detailed in the Minutes of the Festival of Gardens Committee meeting held on 3 September 2015 be adopted.

### **MINUTES OF THE TRANSPORT COMMITTEE MEETING HELD ON 7 SEPTEMBER 2015**

15/296

**RESOLVED** on the motion of Councillors Simon Croce and Doug Curran that the recommendations as detailed in the Minutes of the Transport Committee meeting held on 7 September 2015 be adopted.

Councillor Thorpe requested an overview of the Road Services Review referred to in the Minutes. Mr Stonestreet provided information as to the recommendations of the report and advised a copy of the report was provided as a link in the Business Paper.

### **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 8 SEPTEMBER 2015**

15/297

**RESOLVED** on the motion of Councillors Simon Croce and Doug Curran that the recommendations as detailed in the Minutes of the Traffic Committee meeting held on 8 September 2015 be adopted.

Councillor Zappacosta requested further information in relation Item 7.7 Intersection of Stokes Road and Hanwood Avenue. Councillor Croce advised he would raise this issue with the Committee to obtain a recommendation.

**MINUTES OF THE GENERAL FACILITIES COMMITTEE MEETING HELD ON 8 SEPTEMBER 2015**

15/298

**RESOLVED** on the motion of Councillors Bill Lancaster and Leon Thorpe that the recommendations as detailed in the Minutes of the General Facilities Committee meeting held on 8 September 2015 be adopted.

**MINUTES OF THE INTERNAL AUDIT COMMITTEE MEETING HELD ON 8 SEPTEMBER 2015**

15/299

**RESOLVED** on the motion of Councillors Leon Thorpe and Dino Zappacosta that the recommendations as detailed in the Minutes of the Internal Audit Committee meeting held on 8 September 2015 be adopted.

**11 BUSINESS WITH NOTICE – RESCISSION MOTIONS**

Nil

**12 BUSINESS WITH NOTICE – OTHER MOTIONS**

Nil

**13 COUNCILLOR QUESTION TIME**

The following question was raised by Councillor Thorpe.

*“The work on the Community Hospital seems to be going ahead very well, particularly with significant activity in recent days. To provide brief but definite information to passers by the site, be they visitors or locals, can we please consider the erection of a suitably coloured sign (say) clearly visible from the approach by way of Lake Wyangan Road that shall indicate the pride of Griffith in the project? Perhaps some of the words may include “Opening 2016 Private Hospital, a Partnership of Griffith City Council, our Community and St Vincent’s.”*

The Mayor advised a sign had previously been erected at the site however it has been removed during construction. Mr Turner will look at updating the signage at the site.

The following question was raised by Councillor Anne Napoli.

*“Mr Mayor, as you are aware the Honourable Mr Michael McCormack, Member for Riverina, has been appointed Assistant Minister to the Deputy Prime Minister, The Hon. Mr Warren Truss. This is good news for the people of the Riverina. Mr McCormack will be responsible for overseeing the \$1 Billion National Stronger Regions Fund, The Roads Black Spot Program and the Stronger Communities Program. Mr Mayor, I would like to ask that we write to Mr McCormack and bring to his attention to the very much overlooked Yoogali Intersection and to make funds available for the upgrade of that intersection under the Black Spot Program.”*

The Mayor advised this request would be undertaken.

The following question was raised by Councillor Paul Rossetto.

*“Ordinary Council meeting 8 September 2015 resolved to accept the Griffith Floodplain Committee recommendations. Could Mr Gordon please explain the next steps in the Griffith Floodplain Committee planning process and indicate what timeline the consultants are working to; considering applications to OE&H for funding close on April 9, 2016. Whether Council’s motion for \$150K funding would suffice to commence design work?”*

Mr Graham responded, advising that the Floodplain Management Committee will prioritise the options and report back to Council in November.

#### **14 OUTSTANDING ACTION REPORT**

15/300

**RESOLVED** on the motion of Councillors Anne Napoli and Christine Stead that the report be noted by Council.

Councillor Cox requested an update on the lease of 239 Banna Avenue. Mr Southorn advised the signing of the lease is imminent. Councillor Croce requested that the signs be removed as soon as possible following the signing of the lease agreement.

#### **15 MATTERS TO BE DEALT WITH BY CLOSED COUNCIL**

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

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

**The matters and information are the following:**

- (a) personnel matters concerning particular individuals (other than councillors)**
- (b) the personal hardship of any resident or ratepayer**
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business**
- (d) commercial information of a confidential nature that would, if disclosed:**
  - (i) prejudice the commercial position of the person who supplied it, or**
  - (ii) confer a commercial advantage on a competitor of the council, or**
  - (iii) reveal a trade secret**
- (e) information that would, if disclosed, prejudice the maintenance of law**
- (f) matters affecting the security of the council, councillors, council staff or council property**
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege**



- (h) **information concerning the nature and location of a place or an item of Aboriginal significance on community land.**
- (i) **alleged contraventions of any code of conduct requirements applicable under section 440 of the Local Government Act 1993.**

15/301

**RESOLVED** on the motion of Councillors Leon Thorpe and Christine Stead that

- (a) Council resolve into closed council to consider business identified, together with any late reports tabled at the meeting.
- (b) That 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) That 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.

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 REVISED TENDER COSTING FOR THE CONSTRUCTION OF THE THARBOGANG WASTE TRANSFER STATION**

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

**CC02 TENDERS 1-15/16 TO 5-15/16 - PROPOSED NEW MECHANICAL WORKSHOP FOR GRIFFITH CITY COUNCIL, 32 JENSEN ROAD, GRIFFITH**

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

**CC03 REVIEW OF REMUNERATION PACKAGE AND ANNUAL PERFORMANCE REVIEW FOR GENERAL MANAGER, MR BRETT STONESTREET**

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

**CCMM01 RENEWAL OF GENERAL MANAGER'S CONTRACT OF EMPLOYMENT**

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

Council closed its meeting at 8:22 pm. The public and media left the chamber.

**REVERSION TO OPEN COUNCIL**

15/302

**RESOLVED** on the motion of Councillors Doug Curran and Simon Croce that Open Council be resumed.

Open Council resumed at 9:10 pm.

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

## **MATTERS DEALT WITH IN CLOSED COUNCIL**

Councillor Anne Napoli left the meeting having declared a pecuniary interest, the time being 8:23 pm.

### **CC01 REVISED TENDER COSTING FOR THE CONSTRUCTION OF THE THARBOGANG WASTE TRANSFER STATION**

15/303

**RESOLVED** on the motion of Councillors Dino Zappacosta and Leon Thorpe that:

- (a) Council accepts Joss Constructions post tender revised costings for the construction of a Waste Transfer Station at Tharbogang Waste Management Centre.
- (b) Council award the Tender for Construction of the Tharbogang Waste Transfer Station to Joss Constructions.

### **CC02 TENDERS 1-15/16 TO 5-15/16 - PROPOSED NEW MECHANICAL WORKSHOP FOR GRIFFITH CITY COUNCIL, 32 JENSEN ROAD, GRIFFITH**

Councillor Neville requested Councillors be provided with more information in relation to the pilot testing of the site.

15/304

**RESOLVED** on the motion of Councillors Leon Thorpe and Christine Stead that:

- (a) Council proceed with construction of the Mechanical Services Workshop based on the revised scope of works and cost estimates contained in this report, subject to satisfactory pilot testing of rock removal.
- (b) Council accepts the tender offered by Asset Building Systems for Tender 1-15/16, Design, supply and construction of the external structure at the proposed Griffith City Council Mechanical Workshop.
- (c) Council accepts the tender offered by Mike Scobie Concreting for Tender 2-15/16, Design, Supply and Construction of all Concrete works at the proposed Griffith City Council Mechanical Workshop.
- (d) Council accepts the tender offered by George Duncan Electrical for Tender 3-15/16, Design, Supply and Installation of Electrical Services for GCC Mechanical Workshop.
- (e) Council accepts the tender offered by B&C Plumbing for Tender 4-15/16, Construction and Installation of Mechanical Services for GCC Mechanical Workshop.
- (f) Council accepts the tender offered by Hartex Engineering for Tender 5-15/16, Construction and Installation of Mechanical Services for GCC Mechanical Workshop.

Councillor Anne Napoli returned to the meeting at 8:32 pm.

Brett Stonestreet, Shireen Donaldson, Manjit Chugha, Graham Gordon, Neil Southorn, Wendy Krzus and Leanne Austin left the meeting the time being 8:32 pm.

**CC03 REVIEW OF REMUNERATION PACKAGE AND ANNUAL PERFORMANCE  
REVIEW FOR GENERAL MANAGER, MR BRETT STONESTREET**

15/305

**RESOLVED** on the motion of Councillors Doug Curran and Anne Napoli that:

- (a) Council and the General Manager formally conduct an annual performance review for the past year at the Ordinary Meeting, 22 September 2015.
- (b) The total remuneration package of the General Manager be increased by 2.7%, effective from 22 August 2015, which retains relativity with staff who are employed under the Local Government State Award.
- (c) Council and the General Manager develop new performance criteria for the next year of the employment contract.

**CCMM01 RENEWAL OF GENERAL MANAGER'S CONTRACT OF EMPLOYMENT**

15/306

**RESOLVED** on the motion of Councillors Doug Curran and Leon Thorpe that:

- (a) Council acknowledge receipt of the General Manager's letter seeking renewal of his contract dated 21 August 2015.
- (b) Council indicate its preparedness to negotiate a further 5 year contract pending the forthcoming Fit for the Future determination.

Shireen Donaldson returned to the meeting the time being 9:00 pm.

Brett Stonestreet, Manjit Chugha, Graham Gordon, Neil Southorn, Wendy Krzus and Leanne Austin returned to the meeting the time being 9:10 pm.

Councillor Doug Curran left the meeting at 9:10 pm and returned at 9:15 pm.

There being no further business the meeting terminated at 9:18 pm.

Confirmed: .....

CHAIRPERSON