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**ORDINARY MEETING OF GRIFFITH CITY COUNCIL  
HELD IN GRIFFITH CITY COUNCIL CHAMBERS  
1 BENEREMBAH STREET, GRIFFITH NSW 2680 ON  
TUESDAY, 24 NOVEMBER 2015 COMMENCING AT 7:02 PM**

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## **PRESENT**

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

## **STAFF**

General Manager, Brett Stonestreet, Director Infrastructure & Operations, Dallas Bibby, Director Utilities, Graham Gordon, Director Sustainable Development, Neil Southorn, Director Business, Cultural & Financial Services, Max Turner and Minute Secretary, Naomi Brugger

## **MEDIA**

Riley Krause, The Area News

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

The Meeting opened with Councillor Doug Curran reading the Council prayer and the Acknowledgment of Country.

The Mayor acknowledged the acts of terror which had occurred around the world in recent weeks and offered Council's condolences to those affected.

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

15/362

**RESOLVED** on the motion of Councillors Christine Stead and Doug Curran that apologies be received from Councillors Patricia Cox and Mike Neville, and Executive Services Manager, Shireen Donaldson and a leave of absence be granted.

## **3 CONFIRMATION OF MINUTES**

15/363

**RESOLVED** on the motion of Councillors Leon Thorpe and Christine Stead that the minutes of the Ordinary Meeting of Council held in Griffith City Council Chambers on 10 November 2015, having first been circulated amongst all members of Council, be confirmed.

#### **4 BUSINESS ARISING**

##### **Councillor Question Time – Question from Councillor Rossetto**

#### **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 Dino Zappacosta

CL05 - Murray Darling Basin Regional Economic Diversification Program

Reason – Councillor Zappacosta has a relative involved in another intermodal set up.

##### **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.*

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 Alison Balind

Minutes of the Traffic Committee Meeting

Reason – Councillor Balind's husband is the Road Safety Officer with Griffith City Council.

Councillor Alison Balind

Minutes of the Transport Committee Meeting

Reason – Councillor Balind's husband is the Road Safety Officer with Griffith City Council.

Councillor Anne Napoli

CL06 – 2014/15 Annual Financial Statements & Auditor's Report

Reason – Councillor Napoli resides in Yoogali, a village mentioned in the report.

Councillor Anne Napoli

Minutes of the Floodplain Management Committee

Reason – Councillor Napoli resides in Yoogali, a village mentioned in the minutes.

Councillor Anne Napoli

Minutes of Griffith Community Private Hospital Committee

Reason – Councillor Napoli is related to one of the Directors awarded a sub-contract for the work on the Private Hospital.

Councillor Anne Napoli

Minutes of General Facilities Committee Meeting

Reason – Councillor Napoli has a relative employed in the Compliance section of Council.

Councillor Paul Rossetto

Minutes of the Griffith Floodplain Management Committee Meeting

Reason – Councillor Rossetto is a small shareholder of Murrumbidgee Irrigation.

Councillor Christine Stead

CL01 – DA 175/2015 – Alterations and Additions to an Existing Dwelling

Reason – Councillor Stead has spoken with Mr Sergi in regard to the DA.

Councillor Christine Stead

CL03 – Dog Off-leash Area

Reason – Councillor Stead is the Administrator of the Griffith Showground.

## **6 PRESENTATIONS**

Nil

## **7 MAYORAL MINUTES**

Nil

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

### **CL01 DA 175/2015 - ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING**

15/364

**RESOLVED** on the motion of Councillors Simon Croce and Christine Stead that:

- (a) Council pursuant to the provisions of section 80(1)(a) of the Environmental Planning & Assessment Act, 1979, approve Development Application No. 175/2015 for alterations and additions to an existing dwelling, subject to conditions set out in 'Attachment A'.
- (b) The application be referred to the Director of Sustainable Development for the preparation of the Notice of Determination.

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 John Dal Broi  
Councillor Alison Balind  
Councillor Simon Croce  
Councillor Doug Curran  
Councillor Bill Lancaster  
Councillor Anne Napoli  
Councillor Paul Rossetto  
Councillor Christine Stead  
Councillor Leon Thorpe  
Councillor Dino Zappacosta

Against

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

### **CL02 FIRST QUARTER PERFORMANCE REPORT 2015/16 - BUDGET REVIEW AND OPERATIONAL PLAN**

15/365

**RESOLVED** on the motion of Councillors Paul Rossetto and Leon Thorpe that:

- (a) Council note the variations to the 2015/16 original budget for the quarter ended 30 September 2015 as presented in this report.
- (b) The Financial Review for the quarter ended 30 September 2015 be adopted.
- (c) Council adopt the 30 September 2015 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.

### **CL03 DOG OFF-LEASH AREA**

15/366

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

- (a) Council endorse the location of a dog off-leash area at Griffith Community Gardens in accordance with the attached design concept.
- (b) The works be undertaken during the 2015/16 financial year, and the funds to be considered during the quarterly review.

### **CL04 SURRENDER OF LICENCE OF AREAS 7 & 8 DALTON PARK BY SHARON DENSON & SCOTT YOUNG AND NEW LICENCE OF AREAS 7 & 8 TO TONY ZORZANELLO**

15/367

**RESOLVED** on the motion of Councillors Anne Napoli and Paul Rossetto that the report be raised from the table.

Councillors Napoli and Rossetto moved the following **MOTION** that:

- (a) Council approve the surrender of licence agreement with Scott Young and Sharon Denson as at 3 March 2015 over Areas 7 & 8 Dalton Park.
- (b) Council enter into a licence agreement with Tony Zorzanello over Areas 7 & 8 Dalton Park for a term of 10 years with a further option of 10 years commencing 3 March 2015.
- (c) Tony Zorzanello pays all applicable costs and charges associated with the surrender document and preparation of the licence agreement together with Council's Administration Fee of \$381.
- (d) The licence fee be charged in accordance with Council's adopted Revenue Policy, currently \$571 p.a. per Area for the 2015/16 financial year, in addition to rates and charges.
- (e) Council authorise the Mayor and General Manager to execute the documents on behalf of Council under the Common Seal.

Councillor Lancaster **FORESHADOWED** a **MOTION** that Council approve the licence to Mr Tony Zorzanello on the condition the outstanding fees and charges be paid within 30 days. In the instance the fees and charges remain unpaid, Council foreclose on the licence over Areas 7 & 8 Dalton Park, and call for Expressions of Interest to licence the mentioned areas.

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

15/368

**RESOLVED** on the motion of Councillors Bill Lancaster and Doug Curran that:

- (a) Council consent to the assignment of the licence of Area 7 & 8 Dalton Park to Mr Tony Zorzanello on the condition the outstanding fees and charges be paid within 30 days.
- (b) In the instance the fees and charges remain unpaid following the 30 day period, Council foreclose on the licence over Areas 7 & 8 Dalton Park, and call for Expressions of Interest to licence the mentioned areas with the new licence holder responsible for the outstanding fees and charges.

**CL05 MURRAY DARLING BASIN REGIONAL ECONOMIC DIVERSIFICATION PROGRAM**

Councillor Dino Zappacosta left the meeting having declared a pecuniary/significant non-pecuniary interest, the time being 7:50 pm.

15/369

**RESOLVED** on the motion of Councillors Doug Curran and Paul Rossetto that:

- (a) Council support an application by the proponents of the Wiggelli Freight Intermodal and future Business Park for grant funding under Round 2 of the Murray Darling Basin Regional Economic Diversification Program - Regional Business Investment Fund
- (b) Council provide in kind support to the application, including the design of external road works required for the Wiggelli Freight Intermodal and Business Park.

Councillor Dino Zappacosta returned to the meeting at 7:54 pm.

**CL06 2014/15 ANNUAL FINANCIAL STATEMENTS & AUDITOR'S REPORT**

Councillors Curran and Stead moved the following MOTION that:

- (a) Council adopt the 2014/15 Annual Financial Reports and associated Auditor's Reports.
- (b) Council transfer the following funds to Internal Reserves from Unrestricted Cash Available:
  - 1. \$476,000 to Plant & Equipment Replacement Reserve
  - 2. \$335,000 to Employee Leave Entitlements Reserve
  - 3. \$500,000 to Waste Management Reserve
  - 4. \$500,000 to Building Infrastructure Reserve
  - 5. \$250,000 to CBD Implementation Reserve
  - 6. \$500,000 to Facilities Reserve, and
  - 7. \$250,000 to Parks & Gardens Infrastructure Reserve
- (c) Council express its appreciation to Mr Bradley Bohun (Partner at Crowe Horwath Auswild), Crowe Horwath Auswild staff and Council staff involved in the preparation of the Reports.

Councillor Paul Rossetto foreshadowed the following **AMENDMENT**:

- (a) Council adopt the 2014/15 Annual Financial Reports and associated Auditor's Reports.

- (b) Council transfer the following funds to Internal Reserves from Unrestricted Cash Available:
1. \$476,000 to Plant & Equipment Replacement Reserve
  2. \$335,000 to Employee Leave Entitlements Reserve
  3. \$500,000 to Waste Management Reserve
  4. \$500,000 to Building Infrastructure Reserve
  5. \$250,000 to CBD Implementation Reserve
  6. \$500,000 to Facilities Reserve, and
  7. \$250,000 to Parks & Gardens Infrastructure Reserve
  8. \$500,000 to Griffith Floodplain Management Committee Floodplain & Drainage Mitigation Reserve
- (c) Council express its appreciation to Mr Bradley Bohun (Partner at Crowe Horwath Auswild), Crowe Horwath Auswild staff and Council staff involved in the preparation of the Reports.

Councillor Simon Croce left the meeting having declared a pecuniary / significant non-pecuniary interest, the time being 8:04 pm.

Councillor Simon Croce returned to the meeting at 8:05 pm.

Councillors Doug Curran and Christine Stead accepted the foreshadowed **AMENDMENT** Councillors Curran and Stead moved the following MOTION:

- (a) Council adopt the 2014/15 Annual Financial Reports and associated Auditor's Reports.
- (b) Council transfer the following funds to Internal Reserves from Unrestricted Cash Available:
1. \$476,000 to Plant & Equipment Replacement Reserve
  2. \$335,000 to Employee Leave Entitlements Reserve
  3. \$500,000 to Waste Management Reserve
  4. \$250,000 to Building Infrastructure Reserve
  5. \$250,000 to CBD Implementation Reserve
  6. \$500,000 to Facilities Reserve, and
  7. \$250,000 to Parks & Gardens Infrastructure Reserve
  8. \$500,000 to Floodplain & Drainage Mitigation Reserve
- (c) Council express its appreciation to Mr Bradley Bohun (Partner at Crowe Horwath Auswild), Crowe Horwath Auswild staff and Council staff involved in the preparation of the Reports.

15/370

**RESOLVED** on the motion of Councillors Doug Curran and Christine Stead that:

- (a) Council adopt the 2014/15 Annual Financial Reports and associated Auditor's Reports.
- (b) Council transfer the following funds to Internal Reserves from Unrestricted Cash Available:
1. \$476,000 to Plant & Equipment Replacement Reserve
  2. \$335,000 to Employee Leave Entitlements Reserve
  3. \$500,000 to Waste Management Reserve
  4. \$250,000 to Building Infrastructure Reserve

5. \$250,000 to CBD Implementation Reserve
6. \$500,000 to Facilities Reserve, and
7. \$250,000 to Parks & Gardens Infrastructure Reserve
8. \$500,000 to Floodplain & Drainage Mitigation Reserve

- (c) Council express its appreciation to Mr Bradley Bohun (Partner at Crowe Horwath Auswild), Crowe Horwath Auswild staff and Council staff involved in the preparation of the Reports.

## **9 INFORMATION REPORTS**

### **CL07 INVESTMENTS AT 31 AUGUST AND 30 SEPTEMBER 2015**

15/371

**RESOLVED** on the motion of Councillors Doug Curran and Paul Rossetto that the report be noted by Council.

### **CL08 LOCAL GOVERNMENT INTERNAL AUDIT FORUM - 5 NOVEMBER 2015**

15/372

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

## **10 ADOPTION OF COMMITTEE MINUTES**

### **MINUTES OF THE 2016 CENTENARY CELEBRATIONS COMMITTEE MEETING HELD ON 20 OCTOBER 2015**

15/373

**RESOLVED** on the motion of Councillors Anne Napoli and Christine Stead that the recommendations as detailed in the Minutes of the 2016 Centenary Celebrations Committee meeting held on 20 October 2015 be adopted.

### **MINUTES OF THE GRIFFITH COMMUNITY PRIVATE HOSPITAL COMMITTEE MEETING HELD ON 27 OCTOBER 2015**

15/374

**RESOLVED** on the motion of Councillors Leon Thorpe and Doug Curran that the recommendations as detailed in the Minutes of the Griffith Community Private Hospital Committee meeting held on 27 October 2015 be adopted.

### **MINUTES OF THE TOURISM AND EVENTS COMMITTEE MEETING HELD ON 29 OCTOBER 2015**

15/375

**RESOLVED** on the motion of Councillors Anne Napoli and Doug Curran that the recommendations as detailed in the Minutes of the Tourism and Events Committee meeting held on 29 October 2015 be adopted.

**MINUTES OF THE GENERAL FACILITIES COMMITTEE MEETING HELD ON 4 NOVEMBER 2015**

15/376

**RESOLVED** on the motion of Councillors Doug Curran and Paul Rossetto that the recommendations as detailed in the Minutes of the General Facilities Committee meeting held on 4 November 2015 be adopted with the exclusion of the SMT comment regarding Clause 6 Outstanding Action Report: Preliminary Planning of a Dog Off-Leash Area – 8/9/2015.

**MINUTES OF THE FLOODPLAIN MANAGEMENT COMMITTEE MEETING HELD ON 5 NOVEMBER 2015**

15/377

**RESOLVED** on the motion of Councillors Bill Lancaster and Paul Rossetto that the recommendations as detailed in the Minutes of the Floodplain Management Committee meeting held on 5 November 2015 be adopted.

**MINUTES OF THE TRANSPORT COMMITTEE MEETING HELD ON 9 NOVEMBER 2015**

15/378

**RESOLVED** on the motion of Councillors Simon Croce and Christine Stead that the recommendations as detailed in the Minutes of the Transport Committee meeting held on 9 November 2015 be adopted.

**MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 10 NOVEMBER 2015**

15/379

**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 10 November 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 Dino Zappacosta:

*Where are we up to with Council's cycleway plan, particularly with the cycleway to Hanwood.*

Councillor Simon Croce left the meeting, the time being 8:28 pm.



Director Infrastructure and Operations, Mr Dallas Bibby advised the Footpath Strategy was currently being drafted. Mr Bibby further advised a grant application had been lodged with the Roads and Maritime Service for the Griffith-Hanwood link.

Councillor Simon Croce returned to the meeting at 8:29 pm.

The following question was raised by Councillor Paul Rossetto:

*Internet available recordings of Council Meetings.*

*Would Council consider making video recordings of Council Meetings and making them available online after an appropriate period allowing compilation of confirmation of the meeting minutes?*

*Given the potential to merge Council areas in future it seems logical progression to allow video access to all ratepayers, near and far to see how Council works.*

*There are already good examples of other Council areas recording their Ordinary Council meetings and posting them online. Campaspie Council in Victoria is a great example.*

The General Manager, Mr Brett Stonestreet took the question on notice.

## **14 OUTSTANDING ACTION REPORT**

### **OUTSTANDING ACTION REPORT**

15/380

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

## **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.

15/381

**RESOLVED** on the motion of Councillors Christine Stead and Leon Thorpe 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 DALTON PARK LICENSEES - RATES AND CHARGES AND DEBT RECOVERY**

Reason: The personal hardship of any resident or ratepayer 10A(2)(b)

Council closed its meeting at 8.31 pm. The public and media left the chamber.

#### **REVERSION TO OPEN COUNCIL**

15/382

**RESOLVED** on the motion of Councillors Christine Stead and Leon Thorpe that Open Council be resumed.

Open Council resumed at 8.34 pm.

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

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

#### **CC01 DALTON PARK LICENSEES - RATES AND CHARGES AND DEBT RECOVERY**

15/383

**RESOLVED** on the motion of Councillors Leon Thorpe and Anne Napoli that Council note the report.

There being no further business the meeting terminated at 8.35 pm.

Confirmed: .....

CHAIRPERSON