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**ORDINARY MEETING OF GRIFFITH CITY COUNCIL  
HELD IN GRIFFITH CITY COUNCIL CHAMBERS ON  
TUESDAY, 9 MAY 2023 COMMENCING AT 7:00 PM**

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**PRESENT**

The Mayor, Doug Curran in the Chair; Councillors, Glen Andreazza, Shari Blumer, Simon Croce, Jenny Ellis, Manjit Singh Lally, Melissa Marin, Anne Napoli, Christine Stead, Chris Sutton, Laurie Testoni and Dino Zappacosta

**STAFF**

General Manager, Brett Stonestreet, Director Economic & Organisational Development, Shireen Donaldson, Director Utilities, Graham Gordon, Director Infrastructure & Operations, Phil King (ZOOM), Director Business, Cultural, Financial Services, Steve Saffioti, Director Sustainable Development, Bruce Gibbs and Minute Taker, Leanne Austin

**MEDIA**

Cai Holroyd, The Area News

**1 COUNCIL ACKNOWLEDGEMENTS**

The Meeting opened with Councillor Glen Andreazza reading the Opening Affirmation and the Acknowledgement of Country.

A minute's silence was held in respect of the recent passing of Michael Crump.

**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**

23/113

**RESOLVED** on the motion of Councillors Christine Stead and Jenny Ellis that the minutes of the Extraordinary Meeting of Council held in Griffith City Council Chambers on 26 April 2023, having first been circulated amongst all members of Council, be confirmed.

For  
Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis

Against

Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

The division was declared **PASSED** by 12 votes to 0.

#### **4 BUSINESS ARISING**

Nil.

#### **5 DECLARATIONS OF INTEREST**

##### **Pecuniary Interests**

There were no pecuniary interests declared.

##### **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 Manjit Singh Lally  
CL04 Support for Annual Sikh Games – 2023 25<sup>th</sup> Shaheedi Tournament  
Reason – Councillor Lally is an active member of the Sikh community.

Councillor Glen Andreazza  
CC01 Tender No. 17-22/23 Construction of NSW Rural Fire Service Kooba Brigade Fire Station at Willbriggie  
Reason – Councillor Andreazza is Deputy Captain of the Kooba Brigade.

##### **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  
Outstanding Action Report CRM No. 128874 Minute No. 22/034  
Reason – A member of Councillor Napoli's family is casually employed at PCYC.

Councillor Anne Napoli  
Outstanding Action Report CRM No. 131175 Minute No. 23/085  
Reason – A member of Councillor Napoli's family plays soccer for the Hanwood Club.

#### **6 PRESENTATIONS**

Nil

#### **7 MAYORAL MINUTES**

##### **MM01 NSW GOVERNMENT - EMERGENCY SERVICES LEVY**

23/114

**RESOLVED** on the motion of Councillors Shari Blumer and Glen Andreazza that:

1. Council writes to the NSW Treasurer, the Minister for Emergency Services, the Minister for Local Government and the Member for Murray:
  - a. Expressing Council's strong opposition to the NSW Government's last minute decision to impose an enormous Emergency Services Levy (ESL) cost increase on councils for 2023/24 by scrapping the ESL subsidy for councils and at a time after Council has prepared its draft Operational Plan and Annual Budget;
  - b. Noting that as a consequence of the unannounced 73% increase in the State Emergency Service budget and an 18% increase in the Fire and Rescue NSW budget, Council's proposed 3.7% rate increase in 2023/24 to provide essential community services and infrastructure has been significantly eroded;
  - c. Advising that the Government's decision will place further pressure on Council's capacity to maintain current service levels or the cancellation of necessary infrastructure projects;
  - d. Calling on the NSW Government to take immediate action to:
    - i. restore the ESL subsidy in 2023/24;
    - ii. urgently introduce legislation to decouple the ESL from the rate peg to enable councils to recover the full cost; and
    - iii. develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.
2. Council writes to the Chair of the Independent Pricing and Regulatory Tribunal (IPART) advising that Council's forced emergency services contribution is manifestly disproportionate to the 2023/24 rate cap, which has resulted in additional financial stress; and
3. Council writes to the President of LGNSW seeking the Association's ongoing advocacy to bring about a relief in the burden of Councils' emergency services contribution.

For

Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

Against

**The division was declared PASSED by 12 votes to 0.**

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

### **CL01 ENDORSEMENT OF THE DRAFT DELIVERY PROGRAM 2022/23 - 2025/26 INCORPORATING THE DRAFT OPERATIONAL PLAN (BUDGET) FOR THE 2023/24 FINANCIAL YEAR**

23/115

**RESOLVED** on the motion of Councillors Glen Andreazza and Jenny Ellis that:

- (a) Council endorse the draft Operational Plan (Budget) 2023/24 as per Attachment A – pages 281 to 288 and pages 300 to 305.
- (b) Council endorse the draft Ten Year Long Term Financial Plan Annual Review 2023/24 to 2032/33 and draft updated Delivery Program 2022/23 – 2025/26 as per Attachment A (Scenario 3) – pages 281 to 288 and pages 300 to 305.
- (c) Council endorse in principle, its intention to make application to the Independent Pricing and Regulatory Tribunal (IPART) to implement a Special Rate Variation commencing 2024/25 in accordance with the Ten Year Long Term Financial Plan 2023/24 to 2032/33 and draft updated Delivery Program 2022/23 – 2025/26 as per Attachment A (Scenario 3) – pages 131 to 132.
- (d) That Council commence extensive community consultation regarding the proposed Special Rate Variation in accordance with IPART “Guidelines for the Preparation of an Application for a Special Variation to General Income.” Further, that following this consultation a further report be considered by Council by October 2023.
- (e) Council place the draft documents as referred to in Recommendations (a) and (b) above on public exhibition for 28 days during which time a community consultation process will be undertaken.
- (f) Following the public exhibition period, draft documents as referred to in Recommendations (a) and (b) above be presented to Council for adoption subject to any amendments resulting from community submissions received, by 30 June 2023.

For

Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Chris Sutton  
Councillor Laurie Testoni

Against

Councillor Simon Croce  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Dino Zappacosta

**The division was declared PASSED by 7 votes to 5.**

**CL02 PLANNING PROPOSAL - MINIMUM LOT SIZE ALTERATION - 1-5 ORFEO COURT, GRIFFITH**

23/116

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

- (a) Council endorse the Planning Proposal in Attachment A to amend the Griffith Local Environmental Plan 2014 to reduce the minimum lot size of Lots 1-6 in DP28698 from 4000 m2 to 3000 m2.
- (b) Council submit the Planning Proposal to the NSW Department of Planning and Environment for a Gateway Determination.
- (c) Council request the General Manager (or delegate) be authorised as the Local Plan Making Authority under Section 3.36 of the Environmental Planning and Assessment Act 1979.

- (d) Subject to the conditions of a Gateway Determination, Council endorse a minimum 10 working day public exhibition period for the Planning Proposal.
- (e) Following completion of the public exhibition period, a further report be presented to Council for consideration, including the results of public exhibition.

For

Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

Against

**The division was declared PASSED by 12 votes to 0.**

**CL03 LEASE OF ROAD RESERVE - PART MANSELL ROAD, HANWOOD - JAMES SNAIDERO & DEBORAH KORDEN**

23/117

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

- (a) Council enter into a lease agreement with James Paul Snaidero and Deborah Louise Korden over part Mansell Road adjoining Lot 425 DP 751709 for a term of five (5) years commencing 1 May 2023.
- (b) James Paul Snaidero and Deborah Louise Korden pay all applicable costs and charges associated with the preparation of the lease agreement together with Council's Administration Fee of \$481.00.
- (c) The lease fee be charged in accordance with Council's adopted Revenue Policy, currently \$137.00 (fee per hectare or part thereof) for the 2022/2023 financial year, in addition to rates and charges.
- (d) Council authorise the Mayor and General Manager to execute the lease agreement on behalf of Council under the Common Seal.

For

Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Chris Sutton  
Councillor Laurie Testoni

Against

Councillor Dino Zappacosta

**The division was declared PASSED by 12 votes to 0.**

*Councillor Manjit Singh Lally left the meeting having declared a significant non-pecuniary interest, the time being 7:33 pm.*

#### **CL04 SUPPORT FOR ANNUAL SIKH GAMES - 2023 25TH SHAHEEDI TOURNAMENT**

Councillor Melissa Marin enquired how much the event raised in 2022? Councillor Christine Stead enquired if a grant of \$100,000 had been received by the Sikh community to assist with the Sikh Games in 2023? These questions are to be taken on notice.

Councillors Shari Blumer and Laurie Testoni moved the following **MOTION** that:

Council provides the following support to the 25th Shaheedi Tournament:

- (a) \$10,000 cash contribution;
- (b) Cost of preparation of a Traffic Management Plan;
- (c) Installation of flags on Jondaryan Ave and Mackay Ave;
- (d) Multiple rubbish bins at event sites;
- (e) VMS Boards on Kidman Way, south of Rae Road; and
- (f) Cost of hire of Ted Scobie Oval Collina (No associated fee in current Revenue Policy).

Councillors Glen Andreazza and Christine Stead moved the following **AMENDMENT** that:

Council provides the following support to the 25th Shaheedi Tournament:

- (a) \$5,000 cash contribution;
- (b) Cost of preparation of a Traffic Management Plan;
- (c) Installation of flags on Jondaryan Ave and Mackay Ave;
- (d) Multiple rubbish bins at event sites;
- (e) VMS Boards on Kidman Way, south of Rae Road; and
- (f) Cost of hire of Ted Scobie Oval Collina (No associated fee in current Revenue Policy).

The amendment was PUT and LOST.

For

Councillor Glen Andreazza  
Councillor Chris Sutton  
Councillor Christine Stead

Against

Councillor Doug Curran  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

**The division was declared LOST by 3 votes to 8.**

23/118

**RESOLVED** on the motion of Councillors Shari Blumer and Laurie Testoni that Council provides the following support to the 25th Shaheedi Tournament:

- (a) \$10,000 cash contribution;
- (b) Cost of preparation of a Traffic Management Plan;
- (c) Installation of flags on Jondaryan Ave and Mackay Ave;
- (d) Multiple rubbish bins at event sites;
- (e) VMS Boards on Kidman Way, south of Rae Road; and
- (f) Cost of hire of Ted Scobie Oval Collina (No associated fee in current Revenue Policy).

For

Councillor Doug Curran  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

Against

Councillor Glen Andreazza  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead

**The division was declared PASSED by 7 votes to 4.**

*Councillor Manjit Singh Lally returned to the meeting at 7:38 pm..*

**CL05 2023 NSW LOCAL ROADS CONGRESS**

23/119

**RESOLVED** on the motion of Councillors Christine Stead and Manjit Singh Lally that the General Manager (or his delegate) attend the NSW Local Roads Congress on 5 June 2023 via the online option.

For

Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

Against

**The division was declared PASSED by 12 votes to 0.**

## **9 INFORMATION REPORTS**

Nil

## **10 ADOPTION OF COMMITTEE MINUTES**

### **MINUTES OF THE NEW CEMETERY MASTERPLAN COMMITTEE MEETING HELD ON 27 FEBRUARY 2023**

23/120

**RESOLVED** on the motion of Councillors Melissa Marin and Simon Croce that the recommendations as detailed in the Minutes of the New Cemetery Masterplan Committee meeting held on 27 February 2023 be adopted.

For

Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

Against

**The division was declared PASSED by 12 votes to 0.**

### **MINUTES OF THE GRIFFITH PIONEER PARK MUSEUM COMMITTEE MEETING HELD ON 17 APRIL 2023**

23/121

**RESOLVED** on the motion of Councillors Anne Napoli and Laurie Testoni that the recommendations as detailed in the Minutes of the Griffith Pioneer Park Museum Committee meeting held on 17 April 2023 be adopted.

For

Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

Against

**The division was declared PASSED by 12 votes to 0.**



## **11 BUSINESS WITH NOTICE – RESCISSION MOTIONS**

### **NEIGHBOURHOOD HOUSE COMMUNITY CENTRE DEMOLITION**

Councillors Dino Zappacosta and Christine Stead moved the following MOTION that:

- (a) The resolution in Clause 02 of the Minutes of the Ordinary Meeting of Council 11 April 2023, *"That Council seeks grant funding to demolish the former Neighbourhood. House Community Centre, 80-82 Benerembah Street, Griffith"*, be rescinded.
- (b) Council call for expression of interest from community groups for the use of the building.

For  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Dino Zappacosta

Against  
Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Melissa Marin  
Councillor Laurie Testoni  
Councillor Chris Sutton

**The division was drawn at 6 votes all.**

The Mayor used his casting vote to vote against the motion. The Motion was LOST.

Councillor Christine Stead requested a copy of a Heritage Study produced by Peter Kabaila. This was taken on notice.

## **12 BUSINESS WITH NOTICE – OTHER MOTIONS**

Nil

## **13 OUTSTANDING ACTION REPORT**

23/122

**RESOLVED** on the motion of Councillors Glen Andreazza and Chris Sutton that the report be noted.

For  
Councillor Doug Curran  
Councillor Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

Against

**The division was declared PASSED by 12 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.**

23/123

**RESOLVED** on the motion of Councillors Christine Stead and Manjit Singh Lally 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 Glen Andreazza  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin

Against

Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

**The division was declared PASSED by 12 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 TENDER NO. 17-22/23 - CONSTRUCTION OF NSW RURAL FIRE SERVICE  
KOOBA BRIGADE FIRE STATION AT WILLBRIGGIE**

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

Council closed its meeting at 8:00 pm. The public and media left the Chamber. Livestream was disconnected.

**REVERSION TO OPEN COUNCIL**

23/124

**RESOLVED** on the motion of Councillors Chris Sutton and Laurie Testoni that Open Council be resumed.

For

Councillor Doug Curran  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Manjit Singh Lally  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Christine Stead  
Councillor Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

Against

**The division was declared PASSED by 11 votes to 0.**

Open Council resumed at 8:04 pm.

Livestream was reconnected.

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

**MATTERS DEALT WITH IN CLOSED COUNCIL**

Mr Stonestreet advised that Councillor Glen Andreazza had made a significant non-pecuniary interest declaration in relation to CC01.

*Councillor Glen Andreazza left the meeting having declared a significant non-pecuniary interest, the time being 8:00 pm.*

**CC01 TENDER NO. 17-22/23 - CONSTRUCTION OF NSW RURAL FIRE SERVICE  
KOOBA BRIGADE FIRE STATION AT WILLBRIGGIE**

23/125

**RESOLVED** on the motion of Councillors Shari Blumer and Chris Sutton that:

- (a) Council, in accordance with Section 178(1) (b) of the Local Government Regulation 2021, reject all tenders submitted for Tender No. 17-22/23 (Construction of NSW Rural Fire Service Kooba Brigade Fire Station at Willbriggie) due to submitted lump sum exceeding budget available.
- (b) Council, in accordance with Section 178(4) (a) of the Local Government Regulation 2021, does not need to call fresh tenders for Tender No. 17-22/23 as there are suitably qualified and experienced contractors available to negotiate with to deliver the proposed project.
- (c) Council write to the Rural Fire Service NSW advising as per recommendations (a) and (b) above and that they assume all project management functions including contract negotiations such that the Kooba Brigade Station it is built within budgetary constraints.

For

Councillor Doug Curran  
Councillor Shari Blumer  
Councillor Simon Croce  
Councillor Jenny Ellis  
Councillor Melissa Marin  
Councillor Anne Napoli  
Councillor Chris Sutton  
Councillor Laurie Testoni  
Councillor Dino Zappacosta

Against

Councillor Manjit Singh Lally  
Councillor Christine Stead

**The division was declared PASSED by 9 votes to 2.**

*Councillor Glen Andreazza returned to the meeting at 8:04 pm.*

There being no further business the meeting terminated at 8:11 pm.

Confirmed: .....

CHAIRPERSON