



**BLAND SHIRE COUNCIL**  
*west wyalong*

# **Bland Shire Council**

## **Minutes**

### **Ordinary Council Meeting**

**28 October 2014**



# OUR VISION, MISSION AND VALUES



**ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST**  
**A guiding checklist for Councillors, Officers and Advisory Committees**

**Ethical Decision Making**

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Could your possible conflict of interest lead to private gain or loss at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

**Conflict of Interest**

- A conflict of interest is a clash between private interest and public duty. There are two types of conflict: Pecuniary – regulated by the Local Government Act and Office of Local Government and, Non-pecuniary – regulated by Codes of Conduct and policy. ICAC, Ombudsman, Office of Local Government (advice only).

**The test for conflict of interest**

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of "corruption" – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest

**Identifying Problems**

1<sup>st</sup> - Do I have private interest affected by a matter I am officially involved in?

2<sup>nd</sup> - Is my official role one of influence or perceived influence over the matter?

3<sup>rd</sup> - Do my private interests conflict with my official role?

Whilst seeking advice is generally useful, the ultimate decision rests with the person concerned.

**Agency Advice**

Officers of the following agencies are available during office hours to discuss the obligations placed on Councillors, Officers and Advisory Committee members by various pieces of legislation, regulation and Codes.

Contact	Phone	Email	Website
Bland Shire Council	6972 2266	<a href="mailto:council@blandshire.nsw.gov.au">council@blandshire.nsw.gov.au</a>	<a href="http://www.blandshire.nsw.gov.au">www.blandshire.nsw.gov.au</a>
ICAC	8281 5999 Toll Free: 1800 463 909	<a href="mailto:icac@icac.nsw.gov.au">icac@icac.nsw.gov.au</a>	<a href="http://www.icac.nsw.gov.au">www.icac.nsw.gov.au</a>
Office of Local Government	4428 4100	<a href="mailto:dlg@dlg.nsw.gov.au">dlg@dlg.nsw.gov.au</a>	<a href="http://www.dlg.nsw.gov.au">www.dlg.nsw.gov.au</a>
NSW Ombudsman	9286 1000 Toll Free: 1800 451 524	<a href="mailto:nswombo@ombo.nsw.gov.au">nswombo@ombo.nsw.gov.au</a>	<a href="http://www.ombo.nsw.gov.au">www.ombo.nsw.gov.au</a>

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF BLAND HELD IN THE COUNCIL CHAMBERS WEST WYALONG ON TUESDAY 28 OCTOBER 2014

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MAYOR



## Council Meeting Minutes

28 October 2014

### 1.0 INTRODUCTION

The meeting was opened by the Mayor with the welcome and introduction at 6.33pm.

### 2.0 ATTENDANCE

#### 2.1 Councillors

Cr P Grellman  
Cr L Hampton  
Cr K Keatley  
Cr T Lord (arrived 6.55pm)  
Cr L McGlynn  
Cr B Monaghan  
Cr L Pike  
Cr N Pokoney  
Cr P Templeton

#### 2.2 Staff

General Manager – Ray Smith  
Director Asset & Engineering Services – Will Marsh  
Director Corporate, Community & Development Services – Adele Casey  
Executive Assistant – Julie Sharpe

#### 2.3 Apologies

Nil

### 3.0 CONFIRMATION OF THE MINUTES

#### 3.1 Ordinary Meeting held on 16 September 2014

##### ▪ Confirmation

That the minutes of the Ordinary Council meeting held on 16 September 2014 be confirmed as a correct record of proceedings.

#### Council Recommendation:

**08102014 RESOLVED on the motion of Cr Grellman seconded Cr Keatley that the minutes of the Ordinary Council meeting held on 16 September 2014 be confirmed as a correct record of proceedings. CARRIED**

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF BLAND HELD IN THE COUNCIL CHAMBERS WEST WYALONG ON TUESDAY 28 OCTOBER 2014

.....  
MAYOR

- **Corrections** - Nil
- **Business Arising** - Nil

### 3.2 **Extra Ordinary Meeting held on 14 October 2014**

- **Confirmation**  
That the minutes of the Extra Ordinary Council meeting held on 14 October 2014 be confirmed as a correct record of proceedings.

**Council Recommendation:**

**09102014 RESOLVED on the motion of Cr Hampton seconded Cr Pike that the minutes of the Extra Ordinary Council meeting held on 14 October 2014 be confirmed as a correct record of proceedings. CARRIED**

- **Corrections** - Nil
- **Business Arising** - Nil

### 4.0 **DECLARATIONS OF INTEREST**

Nil

### 5.0 **PUBLIC FORUM**

#### 5.1 **Mr Charles Kingston**

Mr Kingston addressed Council and conveyed thanks to staff and councillors for their support of the Mexico in the West festival. In addition Mr Kingston expressed his concerns with the visitor information and cultural survey that is currently available for the community.

#### 5.2 **Mr Murray Thomas**

Mr Thomas addressed Council and expressed his concerns in relation to inconsistencies and legislative requirements for the seating provided in the Main Street.

#### 5.3 **Mr Ernest Kitto**

Mr Kitto addressed Council in relation to the poor condition of Mars Lane and Dicksons Lane and advised that they have carried out some road works. Mr Kitto also requested consideration for a long term policy for the progressive installation of pipe culverts.

### 6.0 **MAYORAL MINUTE**

Nil

### 7.0 **NOTICES OF MOTION**

Nil

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MAYOR

## 8.0 DELEGATES & ADVISORY COMMITTEE REPORTS

### SECTION 1 – DELEGATES & ADVISORY COMMITTEE REPORTS

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**Council Recommendation:**

**10102014 RESOLVED on the motion of Cr Monaghan seconded Cr Pike that the Council receive and note the delegate and advisory committee reports from Councillors and Advisory Committee meeting minutes as presented. CARRIED**

#### 8.1 Goldenfields Water County Council

Cr Templeton advised that Goldenfields have achieved a satisfactory audit report with approximately \$4.7M profit, cost reductions and 10% due to improved metering systems.

It was agreed that a letter of congratulations be sent to Goldenfields Water County Council.

## 9.0 STAFF REPORTS

That the Council receive the staff reports.

### SECTION 2 – OFFICE OF THE GENERAL MANAGER

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#### 9.1 Monthly Status Report

**Council Recommendation:**

**11102014 RESOLVED on the motion of Cr Keatley seconded Cr McGlynn that the information contained in the October 2014 monthly status report be received and noted. CARRIED**

#### 9.2 Progress Report On The Delivery Program 2013-2016

**Council Recommendation:**

**12102014 RESOLVED on the motion of Cr Grellman seconded Cr McGlynn that the Council receive and note the report on progress for implementation, up to 30 June 2014, of the Delivery Program 2013 – 2016. CARRIED**

### **9.3 Council's Capital Expenditure Projects 2014/15**

**Council Recommendation:**

**13102014 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman that the information detailing the progress of Council's 2014/2015 capital expenditure projects, as at 13 October 2014 be received and noted. CARRIED**

### **9.4 Local Government General Elections 2016**

**Council Recommendation:**

**14102014 RESOLVED on the motion of Cr Grellman seconded Cr Hampton that Bland Shire Council resolves:**

- 1. Pursuant to S. 296(2) and (3) of the Local Government Act 1993 (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.**
  - 2. Pursuant to S.296(2) and (3) of the Act, as applied and modified by S.18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.**
  - 3. Pursuant to S.296(2) and (3) of the Act as applied and modified by S.18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.**
- CARRIED**

### **9.5 Complaint Statistics – NSW Councils**

**Council Recommendation:**

**15102014 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley that the information contained in this report regarding the Office of Local Government complaint statistics for NSW councils for the period July 2013 to June 2014 be received and noted. CARRIED**

## **9.6 Meeting Arrangements and Council Closure – Christmas/New Year 2014/2015**

### **Council Recommendation:**

**16102014 RESOLVED** on the motion of Cr McGlynn seconded Cr Keatley that Council determine the following meeting arrangements for the 2014/15 Christmas and New Year holiday period:

- 1. The December meeting of Council be held on Tuesday, 16 December 2014.**
- 2. The December Council Workshop be held on Tuesday, 2 December 2014.**
- 3. The Australia Day Committee meeting be held on Tuesday, 9 December 2014 commencing at 7.00pm following the Visitor Economy & Tourism Advisory Committee of the Whole meeting commencing at 6.00pm.**
- 4. There be no meeting held in January 2015.**
- 5. The Mayor and General Manager be delegated authority, jointly, to deal with matters of an urgent nature between the December 2014 and February 2015 Council meetings and that any matters dealt with under this authority be reported to the first meeting in 2015. CARRIED**

### **Council Recommendation:**

**17102014 RESOLVED** on the motion of Cr McGlynn seconded Cr Keatley that Council endorse the closure of Council's operations, with the exception of essential services, as follows:

- Outdoor Staff Closure: From Friday 19 December 2014 (From 12 noon) through to Friday 9 January 2015 (Resuming on Monday 12 January 2015)**
- Indoor Staff Closure: from Friday 19 December 2014 (From COB) through to Friday 2 January 2015 (Resuming on Monday 5 January 2015). CARRIED**



## 9.7 Strategic Property Purchase – 184 Main Street

**Council Recommendation:**

**18102014 RESOLVED** on the motion of Cr Grellman seconded Cr McGlynn that Council receive and note the information on the future use of 184 Main Street, West Wyalong and that the building remains empty until at least February 2015 unless an opportunity for a very short term use arises and that the general manager be delegated authority to make this decision. **CARRIED**

**Council Recommendation:**

**19102014 RESOLVED** on the motion of Cr Keatley seconded Cr McGlynn that a further report be submitted to the February 2015 Council meeting regarding the future use of this site taking into account the results of the community survey in respect to the establishment of a Visitor Information Centre and that such report also include a detailed analysis of the cost of maintaining the site. **CARRIED**

**Council Recommendation:**

**20102014 RESOLVED** on the motion of Cr McGlynn seconded Cr Monaghan that Council determine that 184 Main Street, West Wyalong be classified as 'operational' for the purposes of any future use of the site and buildings whilst in the ownership of Bland Shire Council. **CARRIED**

## SECTION 3 – CORPORATE, COMMUNITY & DEVELOPMENT SERVICES

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### 9.8 Financial Statements – September 2014

**Council Recommendation:**

**21102014 RESOLVED** on the motion of Cr Keatley seconded Cr Hampton:

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of September, 2014.**
- 2. That Council confirms the payment of accounts, for the period 01 September 2014 to 30 September 2014, summarised in the accounts summary totalling \$2,686,389.34. CARRIED**

## 9.9 End of Year Budget Review 2014

**Council Recommendation:**

**22102014 RESOLVED on the motion of Cr Grellman seconded Cr Monaghan:**

- 1. That the Officers Report be received and noted.**
- 2. That the Council endorses the Statement acknowledging the financial position is considered satisfactory. CARRIED**

**Council Recommendation:**

**23102014 RESOLVED on the motion of Cr Keatley seconded Cr Hampton that the requested carry forwards in the amount of \$1,466,013.00 be carried forward to the 2014 – 2015 financial period. CARRIED**

## 9.10 Loan Borrowing Policy

**Council Recommendation:**

**24102014 RESOLVED on the motion of Cr Lord seconded Cr Keatley:**

- 1. That the Council place the *Loan Borrowing Policy* on public exhibition for a period of 28 days.**
- 2. That if no submissions are received, the Council give delegated authority to the General Manager to adopt the Policy. CARRIED**

## 9.11 Appointment of Community Representatives to Committees

**Council Recommendation:**

**25102014 RESOLVED on the motion of Cr Grellman seconded Cr Lord that the Council make the appointments of Ron Black, Wendy Bowles, Fran Mitchell and Gail Platz to the Access Advisory Committee for the period 2014-2016. CARRIED**

**Council Recommendation:**

**PROPOSED on the motion of Cr McGlynn seconded Cr Grellman that the Council hold over until the November Council meeting the determination of community representation to the Cultural Advisory Committee.**

**AMENDMENT proposed on the motion of Cr Lord seconded Cr Templeton that the first five (5) nominations received (Janice Wyse, Sandra Austin, Barry Cooper, Terence Butcher, Paul McNeill) be accepted as community representatives to the Cultural Advisory Committee for the period 2014-2016 and that the sixth be drawn by lot.**

**On being put to the vote the amendment became the motion and was CARRIED.**

**26102014 RESOLVED on the motion of Cr Lord seconded Cr Templeton that the first five (5) nominations received (Janice Wyse, Sandra Austin, Barry Cooper, Terence Butcher, Paul McNeill) be accepted as community representatives to the Cultural Advisory Committee for the period 2014-2016 and that the sixth be drawn by lot. CARRIED**

**The Mayor then conducted the draw and announced Julia Sutcliffe as the sixth community representative to the Cultural Advisory Committee for the period 2014-2016.**

**Council Recommendation:**

**27102014 RESOLVED on the motion of Cr Monaghan seconded Cr Grellman that the Council make the appointments of Martin Lane, Pam Butcher and Dot Smith to the Heritage Advisory Committee for the period 2014-2016. CARRIED**

**Council Recommendation:**

**28102014 RESOLVED on the motion of Cr Grellman seconded Cr McGlynn that the Health and Wellbeing Advisory Committee be wound up. CARRIED**

**Council Recommendation:**

**29102014 RESOLVED on the motion of Cr Grellman seconded Cr Keatley that the Council and Advisory Committee members actively seek additional Community representation and further nominations be presented to Council for appointment. CARRIED**

## **9.12 West Wyalong Show Day 2015**

**Council Recommendation:**

**30102014 RESOLVED on the motion of Cr Grellman seconded Cr Monaghan that the Council make application for a local part day public holiday between the hours of 12noon and 6.00pm for the purpose of the West Wyalong Show on Wednesday, September 2 2015 covering the West Wyalong/Wyalong and Tallimba Town Improvement Districts within the Bland Shire area. CARRIED**

## **9.13 Children's Services Policy Adoption – Complaints Policy**

**Council Recommendation:**

**31102014 RESOLVED on the motion of Cr Lord seconded Cr Hampton that the Council adopts the Children Services Unit Complaints Policy as required by the Education and Care Services National Regulations 2011. CARRIED**

## **9.14 Food for Fines Campaign**

**Council Recommendation:**

**32102014 RESOLVED on the motion of Cr McGlynn seconded Cr Templeton that the library partners with the Salvation Army and St Vincent De Paul to provide hampers for the community using the successful "food for fines" campaign. CARRIED**

## **9.15 Bland Heritage Strategy 2014 - 2017**

**Council Recommendation:**

**33102014 RESOLVED on the motion of Cr Grellman seconded Cr McGlynn that Council endorse the recommendation of the Bland Heritage Advisory Committee and adopt the Heritage Strategy 2014 – 2017, which provides the future direction for heritage initiatives in the Bland Shire over the next three years. CARRIED**

## **SECTION 4 – ASSETS & ENGINEERING SERVICES**

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### **9.16 Grain Harvest Scheme 2015 – 2016**

**Council Recommendation:**

**34102014 RESOLVED on the motion of Cr Grellman seconded Cr McGlynn:**

- 1. That Bland Shire Council be part of the Grain Harvest Scheme for the 2014 – 2015 and 2015 – 2016 harvest seasons.**
- 2. That the Grain Harvest Scheme is only to apply for the period between 28 October and 1 March.**
- 3. That all trucks supplying grain to the grain handlers within the Grain Harvest Scheme obey all current conditions of road usage which are applied to B-Doubles using the Bland Shire roads. CARRIED**

## **SECTION 5 – REPORTS FOR INFORMATION**

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**Council Recommendation:**

**35102014 RESOLVED on the motion of Cr Hampton seconded Cr Pike that the following reports, provided for information only, be received and noted:**

- 9.17 Assets & Engineering Services Report**
- 9.18 Community Services Report**
- 9.19 Bland Shire Library Monthly Update**
- 9.20 Children Services Monthly Update**
- 9.21 Development Services Activities/Statistics for September 2014**
- 9.22 Economic Development & Tourism Report – October. CARRIED**

### **10.0 URGENT BUSINESS WITHOUT NOTICE**

#### **10.1 Barmedman Pool**

Cr Pike expressed concern with the water quality at Barmedman Pool. The Mayor advised that the matter is not considered urgent business and will not be accepted.

## 11.0 QUESTIONS AND STATEMENTS

### Cr Pike

- Expressed concern that Mr Thomas had not been given the opportunity to finish his address, misunderstood the time allowed for the public forum and prepared a 5 minute presentation.

*GM advised that the Public Forum Guidelines are provided for the community  
The Mayor advised that as Chairperson he is required to apply Council's adopted policy.*

### Cr Grellman

- Stated that on many occasions addresses in the public forum have been ended due to the time limitations.
- Urged the community to take the opportunity to have their say and complete the visitor information and cultural survey

### Cr Templeton

- Conveyed thanks for Councillors attendance at the "Back to Naradhan" celebrations

### Cr Lord

- Apologised for arriving late to the meeting due to work commitments
- Expressed concerns and conveyed feedback received in relation to the visitor information and cultural survey, specifically the numbering system and structure of questions.

*GM advised that the numbering system is not an identifier; rather a control measure to reduce duplication and the survey is an opportunity to gather information for Council to make an informed decision. It was further noted that the Office of Local Government had reviewed the draft survey and provided feedback prior to its release.*

### Cr Keatley

- Conveyed congratulations to everyone involved with the successful Mexico in the West festival
- Expressed his disappointment in the Main Street PA system and requested a report on the situation

### Cr McGlynn

- Conveyed congratulations and thanks to those involved in the "Back to Naradhan" event
- Supported Cr Keatley's concerns in relation to the Main Street PA system
- Requested that the Main Street bin outside Splatter Gallery & Cafe be relocated and replaced

### Cr Hampton

- Queried the process for exchanging information between Committees  
*GM advised that relevant staff are meeting to exchange committee information*
- Queried the possibility of reimbursement for Whats Cookin due to the impacts on their business during the refurbishment of the Main Street toilets  
*GM advised that a request should be made in writing to Council*
- Stated that the LGNSW annual conference was better than last year and thanked Council for the opportunity to attend

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MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF BLAND HELD IN THE COUNCIL CHAMBERS WEST WYALONG ON TUESDAY 28 OCTOBER 2014

.....  
MAYOR

- Advised that the proposal by the RMS to change the name of the Mid Western Highway was not initiated by the Local Aboriginal Lands Council
- Stated that Council's policies are developed by staff then adopted and approved by Council, she commended the Mayor for applying the policy

#### **Cr Pokoney**

- Conveyed thanks to the Cr Hampton for her support and stated that the rules of Council are being applied
- Requested that the Traffic Committee reconsider the speed limit in Water Street Lane with a view of reducing
- Stated that the NSWLG conference was average and will be relocated to Sydney next year
- Noted the positive feedback for Council during the recent Village Community Forums
- Queried the works at Rotary Park and why the Precinct Working Party have not been advised  
*DAES advised that no Council works are underway at Rotary Park*
- Advised that the works currently being undertaken by Council at the Golf Club are Council's approved in-kind contribution through the Strengthening Communities program

### **12.0 CLOSURE OF THE MEETING TO DISCUSS CONFIDENTIAL BUSINESS UNDER THE PROVISIONS OF SECTION 10A(2) OF THE LOCAL GOVERNMENT ACT**

#### **Council Recommendation:**

**36102014 RESOLVED on the motion of Cr Templeton seconded Cr Grellman that Council close the Ordinary meeting of Council to discuss confidential business under the provisions of Section 10A(2) of the Local Government Act. CARRIED**

The meeting then closed at 8.17pm.

#### **12.1 Uncollectable Sundry Debtor**

*Local Government Act (Section 10A(2)(b))*

*The matters and information are personal hardship of a resident or ratepayer.*

### **13.0 RESUMPTION OF THE MEETING AND CONSIDERATION OF RECOMMENDATIONS OF THE CLOSED SECTION OF THE MEETING**

#### **Council Recommendation:**

**38102014 RESOVLED on the motion of Cr Keatley seconded Cr Hampton that Council move out of closed Council and into open Council. CARRIED**

#### **12.1 Uncollectable Sundry Debtor**

*Local Government Act (Section 10A(2)(b))*

*The matters and information are personal hardship of a resident or ratepayer.*

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MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF BLAND HELD IN THE COUNCIL CHAMBERS WEST WYALONG ON TUESDAY 28 OCTOBER 2014

.....  
MAYOR

**Council Recommendation:**

**37102014 RESOLVED on the motion of Cr Grellman seconded Cr Keatley that the outstanding debt amount of \$5,202.51 be written off and Council accounts be adjusted accordingly. CARRIED**

**14.0 CLOSE OF THE MEETING**

There being no further business the meeting then closed at 8.24pm.

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Chairperson

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MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF BLAND HELD IN THE COUNCIL CHAMBERS WEST WYALONG ON TUESDAY 28 OCTOBER 2014

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MAYOR