



BLAND SHIRE COUNCIL  
*west wyalong*

# **Bland Shire Council**

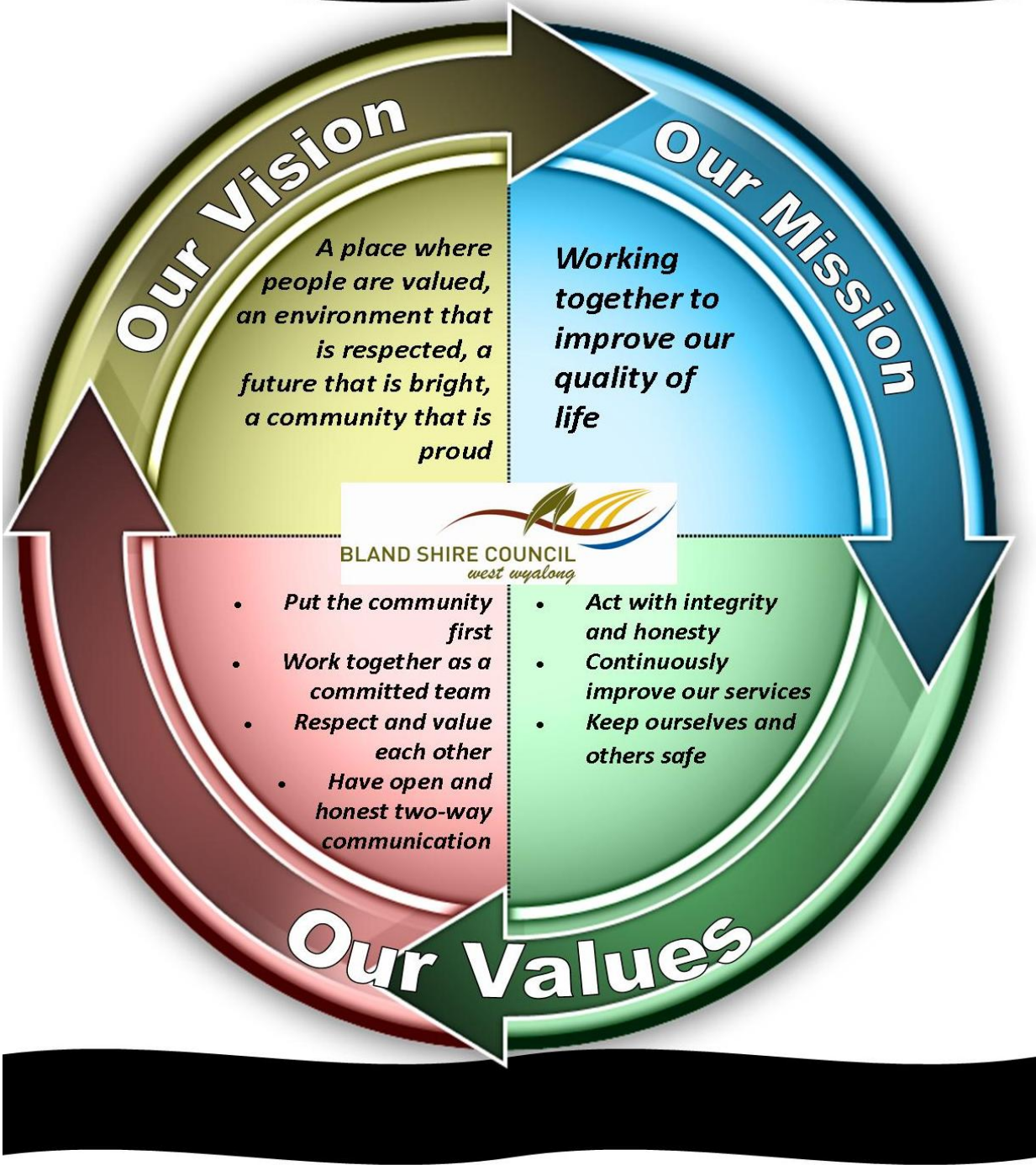
## **Minutes**

### **Extra Ordinary Council Meeting**

**14 October 2014**



# OUR VISION, MISSION AND VALUES



MINUTES OF THE EXTRA ORDINARY MEETING OF THE COUNCIL OF BLAND HELD IN THE COUNCIL CHAMBERS WEST WYALONG ON TUESDAY 14 OCTOBER 2014

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MAYOR

**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 closed 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>

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## Extra Ordinary Council Meeting Minutes

14 October 2014

commencing at 6:30PM

### 1.0 INTRODUCTION

The meeting was opened by the Mayor with the introduction and welcome at 6.30pm.

### 2.0 ATTENDANCE

#### 2.1 Councillors

Cr P Grellman  
Cr L Hampton  
Cr K Keatley  
Cr T Lord  
Cr L McGlynn  
Cr B Monaghan (arrived 6.31pm)  
Cr L Pike (arrived 6.44pm)  
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 (arrived 6.43pm)  
Executive Assistant – Julie Sharpe

#### 2.3 Apologies

Nil

### 3.0 DECLARATIONS OF INTEREST

Nil

### 4.0 PUBLIC FORUM

#### 4.1 Cr Paul Braybrooks OAM, Cootamundra Shire Council & REROC Chairman

Cr Braybrooks thanked Council for the opportunity to explain the proposed REROC Joint Organisation (JO) concept model. It was noted that the JO and each individual councils potential merger options are completely separate issues. Cr Braybrooks advised that REROC have nearly 20 years proven experience working well together and that the Mayor and General Manager of each member council make up the REROC Board.

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The nomination of REROC as a pilot JO will provide an opportunity for councils to have some control and a say in the formation of the JO model. Cr Braybrooks urged Council to continue their support and move forward with the REROC concept.

At this stage, 6.42pm, Cr Braybrooks welcomed questions.

**Council Recommendation:**

**01102014 RESOLVED on the motion of Cr Lord seconded Cr Monaghan that standing orders be set aside. CARRIED**

At this stage, 6.43pm, Director Corporate, Community & Development Services arrived.

Councillors raised the following issues for discussion:

At this stage, 6.44pm, Cr Pike arrived.

- concerns with amalgamations of rural local government areas and loss of identity
- format of the JOs and future pressure from the Government
- future for local government employees
- rural council model
- large size and area of some existing councils
- support for the pilot JO and benefits for the region
- fight for Bland Shire

In response to the questions and discussions Cr Braybrooks advised:

- JO concept and boundary changes are separate issues
- High degree of uncertainty in local government, reasonable to feel threatened
- JO concept will be for the benefit of State Government
- Cautioned the rural council model
- Make an effort and continue to join in otherwise may be targeted
- Wagga is essential to the EOI for the REROC JO concept which is to be further developed, focus on resources and regional issues
- Implications for the cost of services over distance

**Council Recommendation:**

**02102014 RESOLVED on the motion of Cr McGlynn seconded Cr Monaghan that standing orders be resumed. CARRIED**

**5.0 MAYORAL MINUTE**  
Nil

**6.0 NOTICES OF MOTION**

**Council Recommendation:**

**03102014 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman that the resolution of Council of 16 September 2014 (25092014) be rescinded. CARRIED**

**Council Recommendation:**

**04102014 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman that Bland Shire Council provide a letter of support for the submission of an Expression of Interest by REROC to become a pilot 'Joint Organisation' under the NSW State Government's Fit for the Future Program for NSW local government. CARRIED**

**7.0 STAFF REPORTS**

That the Council receive the staff reports.

**SECTION 1 – OFFICE OF THE GENERAL MANAGER**

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At this stage, 7.12pm, Cr Braybrooks thanked Council for the opportunity to address the meeting and expressed his appreciation for the motion in support of the EOI.

**7.1 Fit for the Future – A Review of Local Government in NSW**

**Council Recommendation:**

**05102014 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman that the information contained in this report in respect to the future of Bland Shire Council as detailed in the Final Report of the Independent Review Panel be received and noted and that the General Manager continue to provide monthly progress reports to council on the Fit for the Future Program. CARRIED**

**Council Recommendation:**

**06102014 RESOLVED on the motion of Cr Monaghan seconded Cr McGlynn that Council approach Mr Piccoli and Ms Hodgkinson to seek their position and clarification on the issues of proposed local government boundary changes and mergers. CARRIED**

## **7.2 Lake Cowal Gold Mine Closure Advisory Committee**

**Council Recommendation:**

**07102014 RESOLVED on the motion of Cr Monaghan seconded Cr Keatley:**

- 1. That the Terms of Reference and the minutes of the inaugural meeting of the Lake Cowal Gold Mine Closure Advisory Committee held on 18 September 2014 be received and noted.**
- 2. That the Barrick Cowal Gold Mine Social Impact Assessment Report 2013 be officially released to the public with an accompanying explanatory media release.**
- 3. That a representative of the Barrick Cowal Gold Mine be invited to address the November 2014 Council workshop on the likely implications for Council arising from the Report. CARRIED**

## **8.0 CLOSE OF THE MEETING**

There being no further business the meeting then closed at 7.34pm.

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Chairperson

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