



**Bland Shire Council**  
**Minutes**  
**Ordinary Council Meeting**  
**18 August 2015**



# 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>

## Common Acronyms Used in Bland Shire Council Reports and Documents

ABS	Australian Bureau of Statistics
AFZ	Alcohol Free Zone
AGM	Annual General Meeting
AMP	Asset Management Plan
BFMC	Bush Fire Management Committee
BFMP	Bush Fire Management Plan
BSC	Bland Shire Council
BWW	Business West Wyalong
CASA	Civil Aviation Safety Authority
CBD	Central Business District
CDO	Community Development Officer
CEO	Chief Executive Officer
CPP	Cowal Partnering Program
Cr	Councillor
CRO	Community Relations Officer
CSP	Community Strategic Plan
CSU	Childrens Services Unit
DA	Development Application
DAES	Director Asset & Engineering Services
DCCDS	Director Corporate, Community & Development Services
DCP	Development Control Plan
DEMO	District Emergency Management Officer
DEOCON	District Emergency Controller
DisPlan	Disaster Plan (Local DisPlan, District DisPlan, State DisPlan)
DP	Delivery Program
EA	Executive Assistant
ED	Economic Development
EDVETACW	Economic Development, Visitor Economy & Tourism Advisory Committee of the Whole
EEO	Equal Employment Opportunity
ERA	Eastern Riverina Arts
EWV	Events West Wyalong
FAG	Financial Assistance Grant
FDC	Family Day Care
FFTF	Fit for the Future
FYI	For your information
GM	General Manager
GWCC	Goldenfields Water County Council
HACC	Home and Community Care
HR	Human Resources
ICAC	Independent Commission Against Corruption
IPART	Independent Pricing and Regulatory Tribunal
IPR or IP&R	Integrated Planning and Reporting
ITAV	It Takes A Village Program
JO	Joint Organisation
K&G	Kerb and gutter
KPI	Key Performance Indicator
LALC	Local Aboriginal Lands Council
LCGMCAC	Lake Cowal Gold Mine Closure Advisory Committee
LEMC	Local Emergency Management Committee
LEMO	Local Emergency Management Officer
LEOC	Local Emergency Operations Centre
LEOCON	Local Emergency Operations Controller
LEP	Local Environmental Plan
LG	Local Government
LGA	Local Government Act or Local Government Area
LGNSW	Local Government New South Wales
LTFP	Long Term Financial Plan
M	Million
Manex	Management Executive
MLC	Member of the Legislative Council
MML	Murrumbidgee Medicare Local

MP	Member of Parliament
MPR	Multi Purpose Room
MR	Main Road
MRU	Mobile Resource Unit
NSRF	National Stronger Regions Fund
NSWEC	New South Wales Electoral Commission
NSWPLA	New South Wales Public Libraries Association
NSWRFS	NSW Rural Fire Service
OLG	Office of Local Government
OP	Operational Plan
P&G	Parks & Gardens
PA	Per Annum
PC	Personal Computer
R2R	Roads to Recovery
Rd	Road
RDA	Regional Development Australia
REROC	Riverina Eastern Regional Organisation of Councils
RFS	Rural Fire Service
RMS	Roads & Maritime Services
RRL	Riverina Regional Library
RV	Recreational Vehicle
SEDTA	Senior Economic Development & Tourism Advisor
SH	State Highway
SRV	Special Rate Variation
St	Street
STW	Sewerage Treatment Works
USU	United Services Union
VC	Victoria Cross
VIC	Visitor Information Centre
WAPS	Workforce Assessment Plan & Strategy
WHS	Work Health & Safety
WWBC	West Wyalong Bowling Club



## Council Meeting Minutes

18 August 2015

### 1.0 INTRODUCTION

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

### 2.0 ATTENDANCE

#### 2.1 Councillors

Cr P Grellman  
Cr T Lord  
Cr L McGlynn  
Cr B Monaghan (arrived 6.40pm)  
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

Cr K Keatley  
Cr L Hampton  
Cr L Pike

### 3.0 CONFIRMATION OF THE MINUTES

#### 3.1 Ordinary Meeting held on 21 July 2015

##### ▪ Confirmation

That the minutes of the Ordinary Council meeting held on 21 July 2015 be confirmed as a correct record of proceedings.

#### Council Recommendation:

**01082015 RESOLVED** on the motion of Cr Grellman seconded Cr McGlynn that the minutes of the Ordinary Council meeting held on 21 July 2015 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 Mrs Carmel Barbary

Mrs Barbary thanked Council for the opportunity to speak in relation to the proposed Reg Rattey VC Memorial. She provided an overview of the Victoria Cross (VC) award and advised that since 1854 only 100 Australians have received the award, including 20 from WWII and it was noted that a civic reception was held in Barmedman upon Mr Rattey's return from duty. Mrs Barbary stated that a bronze statue is held in high esteem and the Garland proposal is the most appropriate selection. Her research indicates costs of up to \$120,000 for such a piece and the family are prepared to raise additional funds if required. Mrs Barbary noted that Mr Rattey was a humble man and urged Council to keep the memorial simple and respectful to dignify and honour him. The family and community support believe that a bronze memorial is the first and only option.

##### 5.2 Mr Darren Price

Mr Price addressed Council and endorsed the comments of Mrs Barbary in relation to the proposed Reg Rattey VC Memorial. He stated that the preference of the highly respected local family is important and to do anything else would be disrespectful and not in the spirit of the process. The proposed bronze Garland statue embodies the citation and other organisations may be able to assist to raise additional funds should they be required. Any other choice would be unpopular with the community, disrespectful to the family and the consequences would be borne by Council.

##### 5.3 Mr Tony Hutcheon, West Wyalong RSL Sub Branch & Mens Shed

Mr Hutcheon congratulated Council on the initiative for the proposed Reg Rattey VC Memorial. He fully supports the comments from Mrs Barbary, Mr Price and the Garland statue and what it represents. He stated that memorials of this type are distinguished and are a traditional action figure.

At this stage, 6.40pm, Cr Monaghan arrived

#### 6.0 MAYORAL MINUTE

Nil

#### 7.0 NOTICES OF MOTION

##### 7.1 Donation to Walking Wounded Foundation – Councillor Pokoney

###### Council Recommendation:

**02082015 RESOLVED on the motion of Cr Grellman seconded Cr McGlynn that council endorse the actions of the Mayor in providing a donation, in the amount of \$500.00, to the Walking Wounded Foundation and that funds to this amount be allocated from the Strengthening Communities Grant program. CARRIED**

## 7.2 Recognition of Community Service – Fr Noel Staniforth – Cr McGlynn

### Council Recommendation:

**03082015 RESOLVED** on the motion of Cr McGlynn seconded Cr Grellman that Council formally acknowledge the recent retirement and services of Father Noel Staniforth to the Bland Shire community. **CARRIED**

## 8.0 DELEGATES & ADVISORY COMMITTEE REPORTS

### SECTION 1 – DELEGATES & ADVISORY COMMITTEE REPORTS

### Council Recommendation:

**04082015 RESOLVED** on the motion of Cr McGlynn seconded Cr Grellman:

1. That the Council receive and note the delegate and advisory committee reports from Councillors and Advisory Committee meeting minutes as presented.
2. That a letter be sent to the Government opposing the proposed closure of the NSW Country Embassy within the MLC Centre. **CARRIED**

#### 8.1 Country Mayors Association of NSW

The General Manager advised that he attended the recent meeting, at which the Local Government Minister thanked councils for their Fit for the Future submission.

#### 8.2 Heritage Advisory Committee

The Mayor queried the priority works for verandah restoration or awning projects. Cr Grellman advised that the funds are now capped and in some cases awning projects have been supported.

#### 8.3 Newell Highway Taskforce

Cr Lord advised that he attended the recent meeting and noted proposed works, freight corridor improvements and funding, \$5M allocated to the heavy vehicle Bypass, planning underway with a meeting scheduled next week.

#### 8.4 NSW Association of Mining Related Council

Cr McGlynn attended the recent meeting and noted a new silver mine near Broken Hill, increased revenue from mining rates, no progress with the Royalties for Regions and \$300M paid for exploration licenses near Liverpool.

## 9.0 STAFF REPORTS

That the Council receive the staff reports.



## **SECTION 2 – OFFICE OF THE GENERAL MANAGER**

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### **9.1 Better Practice Review – Action Plan Progress Report – August 2015**

**Council Recommendation:**

**05082015 RESOLVED** on the motion of Cr Grellman seconded Cr McGlynn that the progress report on the implementation of the Better Practice Review Action Plan be received and noted. **CARRIED**

### **9.2 Disclosure Of Interest Returns**

**Council Recommendation:**

**06082015 RESOLVED** on the motion of Cr Grellman seconded Cr Templeton that Councillors note the Disclosure of Interest return requirements and accept the Disclosure of Interest Register as tabled. **CARRIED**

### **9.3 Investigation Into Locations For A Visitor Information Centre (Revised)**

**Council Recommendation:**

**07082015 RESOLVED** on the motion of Cr McGlynn seconded Cr Grellman that the possible locations of 184 Main Street (old Elders Building), Cafe Peckish and Bland Shire Library for a Visitor Information Centre be referred to the VIC Working Group for consideration. **CARRIED**

**Cr Lord recorded a dissenting vote**

## **9.4 Proposed Lease Of Council Car Park Adjacent To Bernardi's IGA Supermarket**

### **Council Recommendation:**

**08082015 RESOLVED** on the motion of Cr Lord seconded Cr Grellman that the general manager be delegated authority to proceed with a lease of the council car park, bounded by Church Street, Barnado Street and White Tank Lane, to the Bernardi Group, on the following basis:

- The car park is to remain a 'public' car park
  - The lease fee to be negotiated in the vicinity of \$1500.00 pa with annual CPI adjustments
  - There be a clear delineation of maintenance responsibilities
  - The current traffic plan is to be maintained
  - The length of the lease to be between 10-20 years
  - The lessee to take out adequate Public Liability Insurance
  - The lessee to be responsible for all signage within the car park boundaries
- CARRIED**

## **SECTION 3 – CORPORATE, COMMUNITY & DEVELOPMENT SERVICES**

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### **9.5 Financial Statements – July 2015**

#### **Council Recommendation:**

**09082015 RESOLVED** on the motion of Cr Templeton seconded Cr McGlynn:

1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of July, 2015
  2. That Council confirms the payment of accounts, for the period 01 July to 31 July 2015, summarised in the accounts summary totalling \$3,642,097.34.
- CARRIED**

## 9.6 Alcohol Free Zone

### Council Recommendation:

**PROPOSED** on the motion of Cr McGlynn seconded Cr Lord that Council resolve to establish an Alcohol Free Zone and place the current configuration on public exhibition for comment.

**AMENDMENT** proposed on the motion of Cr Lord seconded Cr McGlynn that Council resolve to establish an Alcohol Free Zone and place the current configuration, with the addition of Court Street between Operator and Church streets and Shire Street between Church and Water streets, on public exhibition for comment.

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

**10082015 RESOLVED** on the motion of Cr Lord seconded Cr McGlynn that Council resolve to establish an Alcohol Free Zone and place the current configuration, with the addition of Court Street between Operator and Church streets and Shire Street between Church and Water streets, on public exhibition for comment. **CARRIED**

## 9.7 Reg Rattey VC Memorial

### Council Recommendation:

**11082015 RESOLVED** on the motion of Cr McGlynn seconded Cr Grellman that the Council determine the successful artist from the shortlisted applicants of Artventure and Brett Garling to enable the artwork to be completed and installed by the opening scheduled for 9 April 2016. **CARRIED**

### Council Recommendation:

**12082015 RESOLVED** on the motion of Cr Lord seconded Cr McGlynn that Brett Garling be appointed as the successful artist for the Reg Rattey VC Memorial. **CARRIED**

At this stage, 7.23pm, Cr Monaghan left the meeting.

## **9.8 Community Groups Assistance Grant – West Wyalong**

**Council Recommendation:**

**13082015 RESOLVED on the motion of Cr Grellman seconded Cr McGlynn that Council approve a Community Groups Assistance Grant of \$525 for the West Wyalong Bowling Club to assist with the cost of hosting the West Wyalong Women’s Spring Carnival. CARRIED**

At this stage, 7.24pm, Cr Monaghan returned.

## **9.9 Strengthening Communities Grant – Barmedman Show Society Inc**

**Council Recommendation:**

**14082015 RESOLVED on the motion of Cr Lord seconded Cr McGlynn that Council determine its level of support for a Strengthening Communities application from the Barmedman Show Society to assist with the cost of children’s entertainment and fireworks. CARRIED**

**Council Recommendation:**

**PROPOSED on the motion of Cr McGlynn that Council provide \$3,000 to assist the Barmedman Show Society with the cost of children’s entertainment and fireworks.**

**The motion LAPSED for the want of a seconder.**

**15082015 RESOLVED on the motion of Cr Lord seconded Cr Monaghan that Council provide \$1,500 to assist the Barmedman Show Society with the cost of children’s entertainment and fireworks. CARRIED**

## **9.10 Access Incentive Grant – House of Fashion**

**Council Recommendation:**

**16082015 RESOLVED** on the motion of Cr Grellman seconded Cr McGlynn that Council approve an Access Incentive Grant application from House of Fashion for \$535 towards the purchase of a portable access ramp to be used at the premises. **CARRIED**

## **SECTION 4 – REPORTS FOR INFORMATION**

**Council Recommendation:**

**17082015 RESOLVED** on the motion of Cr Grellman seconded Cr Monaghan that the following reports, provided for information only, be received and noted:

- **9.11 - Asset & Engineering Services Report**
- **9.12 - Community Services Report**
- **9.13 - Children Services Monthly Update**
- **9.14 - Bland Shire Library Monthly Update**
- **9.15 - Development Services Activities/Statistics for July 2015**
- **9.16 - Economic Development & Tourism Report – August. CARRIED**

## **LATE REPORTS**

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### **9.17 Visitor Information Centre Working Group Nominations**

**Council Recommendation:**

**18082015 RESOLVED on the motion of Cr McGlynn seconded Cr Monaghan:**

- 1. That council endorse the terms of reference for the working group as outlined in this report;**
- 2. That council accept the following three nominations received for the Visitor Information Centre (VIC) working group:**
  - Ms. Jan Wyse – Mr. Andrew Buttenshaw – Mr. Charles Kingston**
- 3. That council determine if all councillors are to be involved in the working group;**
- 4. And that the general manager liaises with these people regarding the first meeting of the Working Group. CARRIED**

**Council Recommendation:**

**19082015 RESOLVED on the motion of Cr Grellman seconded Cr McGlynn that any interested councillors be invited to the working group. CARRIED**

### **9.18 Deed Of Agreement – RFS Shed – North Yalgogrin**

**Council Recommendation:**

**20082015 RESOLVED on the motion of Cr Grellman seconded Cr Templeton that council agrees to enter into a Deed of Agreement with the Trustees of the North Yalgogrin Hall for the construction of Rural Fire Service Shed and that the Mayor and General Manager be delegated authority to execute the necessary documents under the common seal of council. CARRIED**

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

Nil

11.0 **QUESTIONS AND STATEMENTS**

**Cr McGlynn**

- Queried details reported in the Advocate and the provision of Closed meeting minutes  
*The Mayor advised that the resolutions from the Closed meeting are made available to the public*

**Cr Lord**

- Queried the removal of two (2) large gum trees alongside the Scout Hall  
*GM advised that the trees had significant rot and would interfere with the Sports Stadium works*
- Noted the recent media reports and statements from the Local Government Minister

**Cr Templeton**

- Queried the requirement for a development application for the removal of the gum trees  
*GM advised that the trees were deemed dangerous*

**Cr Pokoney**

- Advised that investigations are underway to secure a Bennett wagon and recognition for the Hildebrand record and load
- Queried the reinstatement of Disabled parking at the Council offices  
*DAES advised that it is being reviewed following a recent incident and will be reinstated*

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

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

14.0 **CLOSE OF THE MEETING**  
There being no further business the meeting then closed at 7.46pm.

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Chairperson