



Bland Shire Council
Minutes
Ordinary Council Meeting
17 February 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

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

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

3rd - 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	council@blandshire.nsw.gov.au	www.blandshire.nsw.gov.au
ICAC	8281 5999 Toll Free: 1800 463 909	icac@icac.nsw.gov.au	www.icac.nsw.gov.au
Office of Local Government	4428 4100	dlg@dlg.nsw.gov.au	www.dlg.nsw.gov.au
NSW Ombudsman	9286 1000 Toll Free: 1800 451 524	nswombo@ombo.nsw.gov.au	www.ombo.nsw.gov.au

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF BLAND HELD IN THE COUNCIL CHAMBERS WEST WYALONG ON TUESDAY 17 FEBRUARY 2015

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MAYOR



Council Meeting Minutes

17 February 2015

commencing at 6:30PM

1.0 INTRODUCTION

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

1.1 PRAYER

Pastor Webber and Fr Emil led Council in the annual Prayer session.

At this stage, 6.35pm, Cr Monaghan arrived.

2.0 ATTENDANCE

2.1 Councillors

Cr P Grellman
Cr L Hampton
Cr K Keatley
Cr T Lord (arrived 6.37pm)
Cr L McGlynn
Cr B Monaghan (arrived 6.35pm)
Cr L Pike (arrived 6.39pm)
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

The General Manager advised that Cr Lord has submitted apologies and may arrive late to the meeting.

Council Recommendation:

01022015 RESOLVED on the motion of Cr Templeton seconded Cr Grellman that the apologies submitted by Cr Lord be accepted. CARRIED

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At this stage, 6.37pm, Cr Lord arrived.

At this stage Cr McGlynn made a presentation to Council on behalf of Mr Ken Peterson. The book titled "Revisiting the Granville Train Disaster of 1977" was donated to the Bland Shire Library by the author Mr Barry Gobbe.

3.0 CONFIRMATION OF THE MINUTES

3.1 Ordinary Meeting held on 16 December 2014

- **Confirmation**

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

Council Recommendation:

02022015 RESOLVED on the motion of Cr Keatley seconded Cr Hampton that the minutes of the Ordinary Council meeting held on 16 December 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

At this stage, 6.39pm, Cr Pike arrived.

5.1 Presentation to Mr Barry Cooper, Bland Shire Citizen of the Year 2014

Bland Shire's Citizen of the Year for 2014, Mr Barry Cooper, was presented with his commemorative plaque by the General Manager and Mayor. Mr Cooper thanked Council for the memento and honour.

5.2 Ms Gail Platz – Events West Wyalong

Ms Platz presented Council with a photographic booklet of the Mexico in the West festivities and thanked Council for their support of the festivals.

5.3 Mr Charles Kingston – Events West Wyalong

Mr Kingston addressed Council as one of the publicity officers for the "In the West" festivals. It was noted that a number of resources will be provided to Council to enable everyone to promote the upcoming Athens in the West events.

5.4 Mr Darryl Kitto

Mr Kitto addressed Council and complimented staff on the works at Meaghers Lane however queried the amount of time for completion of the works.

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5.5 Mr Phil Grinter

Mr Grinter addressed Council and reiterated the concerns of Mr Kitto stating that his property is 15kms from the South edge of the Shire and their shopping is done outside of West Wyalong. Mr Grinter advised that they have been rather impressed with the road conditions in the past however have noticed a decline in services over the past few years. Mr Grinter sought efficiencies in the operations and periodic maintenance as roads are crucial.

6.0 MAYORAL MINUTE

Nil

7.0 NOTICES OF MOTION

7.1 Allocation of Tourism Funds

Council Recommendation:

03022015 RESOLVED on the motion of Cr McGlynn seconded Cr Hampton that Council allocate \$10,000.00 from the current Cultural/Tourism Activities budget for an art show prize titled "The Celebration of Greek Culture on Rural Australia". CARRIED

7.2 Donation to Royal Far West

PROPOSED on the motion of Cr McGlynn seconded Cr Hampton that Council make a donation of \$3,5000.00 to the Royal Far West. This donation is in support of the many children, who at any one time, receive free medical and educational care.

The Mayor advised that the Council would be in contravention of the Local Government Act 1993 in providing the financial assistance by the way of a donation and therefore was not eligible.

8.0 DELEGATES & ADVISORY COMMITTEE REPORTS

Section 1 – Delegates & Advisory Committee Reports & Minutes (for information)

SECTION 1 – DELEGATES & ADVISORY COMMITTEE REPORTS

Council Recommendation:

04022015 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman that the Council receive and note the delegate and advisory committee reports from Councillors and Advisory Committee meeting minutes as presented. CARRIED

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8.1 Cultural Advisory Committee

Cr McGlynn noted that a recommendation from the Cultural Advisory Committee is within the business paper for consideration.

8.2 NSW Association of Mining Related Councils

Cr McGlynn thanked Council for the opportunity to attend the recent meeting and stated that discussions centered around Voluntary Planning Agreements and how to effectively work with mining companies.

At this stage the Mayor advised that Council is planning community road forums and the General Manager provided an outline of the forums, locations and dates.

9.0 STAFF REPORTS

That the Council receive the staff reports.

SECTION 2 – OFFICE OF THE GENERAL MANAGER

9.1 Monthly Status Report

Council Recommendation:

05022015 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley that the information contained in the February 2015 monthly status report be received and noted. CARRIED

9.2 Better Practice Review – Final Report

Council Recommendation:

06022015 RESOLVED on the motion of Cr Lord seconded Cr McGlynn:

- 1. That the Final report of the Better Practice Review conducted in May 2014, by the NSW Office of Local Government, be received and noted;**
- 2. That a copy of the report be posted on council's website;**
- 3. That the general manager commences immediate implementation of the 'action plan' and that progress reports be submitted to council until the entire 'action plan' has been completed.**
- 4. That the NSW Office of Local Government be formally advised of the tabling of this report. CARRIED**

9.3 Cowal Gold Mine Legacy Fund

Council Recommendation:

07022015 RESOLVED on the motion of Cr Hampton seconded Cr Grellman that the information concerning the current status of the Cowal Gold Mine Legacy Fund, standing at \$194,912.94, be received and noted. CARRIED

9.4 Petition – Ardlethan Ambulance Station

Council Recommendation:

08022015 RESOLVED on the motion of Cr McGlynn seconded Cr Templeton:

- 1. That council endorse the actions of the Mayor in authorising the distribution of a council petition calling for the retention of the Ardlethan Ambulance Station at the existing level of quality and services;**
- 2. That council endorse the actions of the General Manager in forwarding details of the petition to local state members Adrian Piccoli and Katrina Hodgkinson, Coolamon Council and the Ambulance Service of NSW. CARRIED**

9.5 Refurbishment of the Perseverance Street Sports Complex Stadium – Progress Report

Council Recommendation:

09022015 RESOLVED on the motion of Cr Grellman seconded Cr Pike:

- 1. That the progress report on the refurbishment of the Perseverance Street Sports Complex Stadium be received and noted.**
- 2. That Council receive and note the minutes of the Sports Stadium Refurbishment Steering Committee meetings held on 14 October, 20 November 2014 and 27 January 2015. CARRIED**

9.6 Change Of Legal Representation – Lehman Bros.

Council Recommendation:

10022015 RESOLVED on the motion of Cr Lord seconded Cr Hampton:

- 1. That the information concerning the change of legal representation in the Lehman Bros. matter be received and noted;**
- 2. That council endorse the actions of the general manager in authorising, on behalf of council, the transfer of legal representation in this matter. CARRIED**

9.7 Bland – Temora NSW Rural Fire Service - Draft Estimates 2015/16

Council Recommendation:

11022015 RESOLVED on the motion of Cr Grellman seconded Cr Templeton that the draft estimates for the 2015/2016 financial period relating to the Bland – Temora RFS Zone, showing a small reduction in council’s contribution, be approved in principle. CARRIED

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

Council Recommendation:

12022015 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley that the information regarding progress with the Fit for the Future framework proposals as well as the Pilot Joint Organisation process be received and noted and that the general manager continue to provide monthly progress reports to council on this issue. CARRIED

SECTION 3 – CORPORATE, COMMUNITY & DEVELOPMENT SERVICES

9.9 Financial Statements – December 2014

Council Recommendation:

13022015 RESOLVED on the motion of Cr Hampton seconded Cr Templeton:

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of December, 2014.**
- 2. That Council confirms the payment of accounts, for the period 01 December 2014 to 31 December 2014, summarised in the accounts summary totalling \$2,692,485.20. CARRIED**

9.10 Financial Statements – January 2015

Council Recommendation:

14022015 RESOLVED on the motion of Cr Templeton seconded Cr Monaghan:

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of January, 2015.**
- 2. That Council confirms the payment of accounts, for the period 01 January, 2015 to 31 January 2015, summarised in the accounts summary totalling \$1,380,513.79. CARRIED**

9.11 Budget Review – December 2014

Council Recommendation:

15022015 RESOLVED on the motion of Cr McGlynn seconded Cr Pike:

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

9.12 Visitor Information and Cultural community consultation

Council Recommendation:

16022015 RESOLVED on the motion of Cr Keatley seconded Cr Monaghan that the community survey, visitor survey and business survey results and reports on visitor information and cultural be received and noted. CARRIED

9.13 Strengthening Communities – West Wyalong League Tag Knockout

Council Recommendation:

17022015 RESOLVED on the motion of Cr McGlynn seconded Cr Monaghan that Council approve a Strengthening Communities grant of \$1000 to support the annual West Wyalong League Tag knockout on 28 February 2015. CARRIED

9.14 Achievement In Art Award – Ralph Tikerpae

Council Recommendation:

18022015 RESOLVED on the motion of Cr McGlynn seconded Cr Hampton that Council consider formally recognising Ralph Tikerpae for his achievements in art through the provision of a special award. CARRIED

At this stage the Mayor acknowledged the arrival of Mr Ken Peterson and thanked him for the book presentation.

SECTION 4 – ASSET & ENGINEERING SERVICES

9.15 West Wyalong Main Street

Council Recommendation:

19022015 RESOLVED on the motion of Cr Grellman seconded Cr McGlynn:

- 1. That the current paved footpath in Main Street remain for the short to medium term.**
- 2. That the asphalt areas between the “nibs” concrete apron and existing pavers be considered for replacement with concrete as part of next year’s budget.**
- 3. That the rest of the asphalt strip outside the access to the nibs remain for the foreseeable future.**
- 4. That the banding design and interim replacement methods be adopted in principle, and a trial section be built as part of the 2015 – 2016 budget to see the layout and work on appropriate colours. CARRIED**

9.16 Natural Waterway At 4 Welsh Lane West Wyalong

Council Recommendation:

20022015 RESOLVED on the motion of Cr Grellman seconded Cr Hampton that Council take no further action in relation to the works on the watercourse adjacent to numbers 2 and 4 Welsh Lane. CARRIED

9.17 Land Classification- Barmedman Sewer Treatment Plant and Waste Facility

Council Recommendation:

21022015 RESOLVED on the motion of Cr Lord seconded Cr Pike that Lots 117 & 228 DP750607 and Lot 7015 DP94598 (land situated at Barmedman) be classified as operational land. CARRIED

SECTION 5 – REPORTS FOR INFORMATION

Council Recommendation:

22022015 RESOLVED on the motion of Cr Hampton seconded Cr Keatley that the following reports, provided for information only, be received and noted:

- **9.18 - Asset & Engineering Services Report**
- **9.19 - Development Services Activities/Statistics for December 2014**
- **9.20 - Development Services Activities/Statistics for January 2015**
- **9.21 - Community Services Report**
- **9.22 - Bland Shire Library Monthly Update**
- **9.23 - Children Services Monthly Update**
- **9.24 - Economic Development & Tourism Report – February. CARRIED**

10.0 URGENT BUSINESS WITHOUT NOTICE

Nil

11.0 QUESTIONS AND STATEMENTS

Cr McGlynn

- Provided the General Manager with contact details for Cr Paul Hawker from Campbelltown City Council in relation to the Fit for the Future program

Cr Keatley

- Advised that the road from West Wyalong to Girral is unnamed and a resident is unable to obtain assistance from the Ambulance Service
DAES advised that the road is referred to as MR59N and will be investigated further
- Advised that line marking finishes at the Calleen area
DAES advised that line marking works are now being undertaken by Council and a program being implemented

Cr Grellman

- Advised that a number of stop lines require marking
DAES advised that repainting is carried out as required
- Queried progress with the requirements for building works in Weethalle
DCCDS advised that investigations are underway

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MAYOR

Cr Pokoney

- Advised that the house alongside Herridge Park requires attention
- Advised that the local Post Office have not received information from Council for the delivery of rural addressed mail
DAES advised that there have been some issues with updated information reaching some agencies

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

Council Recommendation:

23022015 RESOLVED on the motion of Cr Hampton seconded Cr Keatley 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 7.47pm.

12.1 Tender 2014/07 – Architectural Design Services – West Wyalong Sports Stadium Refurbishment

Local Government Act 1993 (Section 10A (2) (d) (i)

The matters and information are commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

12.2 Strategic Property Purchase #3

Local Government Act 1993 (Section 10A (2) (d) (i)

The matters and information are commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

12.3 Provision Of External Audit Services Tender

Local Government Act 1993 (Section 10A (2) (d) (i)

The matters and information are commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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

Council Recommendation:

27022015 RESOLVED on the motion of Cr Keatley seconded Cr Hampton that Council move out of closed Council and into open Council. **CARRIED**

12.1 Tender 2014/07 – Architectural Design Services – West Wyalong Sports Stadium Refurbishment

Local Government Act 1993 (Section 10A (2) (d) (i)

The matters and information are commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Council Recommendation:

24022015 RESOLVED on the motion of Cr Grellman seconded Cr Keatley that the contract for Architectural Design Services for the West Wyalong Sports Stadium Refurbishment be offered to Facility Design Group in the sum of \$199,760.00. CARRIED

12.2 Strategic Property Purchase #3

Local Government Act 1993 (Section 10A (2) (d) (i)

The matters and information are commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Council Recommendation:

25022015 RESOLVED on the motion of Cr Lord seconded Cr Monaghan that Council seek information and further investigate the purchase of this particular property (strategic property #3). CARRIED

12.3 Provision Of External Audit Services Tender

Local Government Act 1993 (Section 10A (2) (d) (i)

The matters and information are commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Council Recommendation:

26022015 RESOLVED on the motion of Cr Lord seconded Cr Grellman that Luka Group, Accountants & Advisors be appointed as provider of External Audit services for a period of 6 Years and that the General Manager be authorised to execute the necessary documents. CARRIED

14.0 CLOSE OF THE MEETING

There being no further business the meeting then closed at 8.07pm.

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Chairperson