

Bland Shire Council

Minutes

Ordinary Council Meeting

21 July 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 21 JULY 2015

Common Acronyms Used in Bland Shire Council Reports and Documents

ABS	Australian Bureau of Statistics
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
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
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
MP	Member of Parliament
MPR	Multi Purpose Room
MR	Main Road

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF BLAND HELD IN THE COUNCIL CHAMBERS WEST WYALONG ON TUESDAY 21 JULY 2015

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
PA	Per Annum
P&G	Parks & Gardens
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



Council Meeting Minutes

21 July 2015

1.0 INTRODUCTION

The meeting was opened by the Mayor with the welcome and introduction at 6.31pm.

2.0 ATTENDANCE

2.1 Councillors

Cr P Grellman
Cr L Hampton
Cr K Keatley
Cr T Lord
Cr L McGlynn
Cr B Monaghan
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 L Pike

Council Recommendation:

01072015 RESOLVED on the motion of Cr Lord seconded Cr Monaghan that the apology submitted by Cr Pike be accepted. CARRIED

3.0 CONFIRMATION OF THE MINUTES

3.1 Ordinary Meeting held on 16 June 2015

- **Confirmation**

That the minutes of the Ordinary Council meeting held on 16 June 2015 be confirmed as a correct record of proceedings.

Council Recommendation:

02072015 RESOLVED on the motion of Cr Grellman seconded Cr Hampton that the minutes of the Ordinary Council meeting held on 16 June 2015 be confirmed as a correct record of proceedings. CARRIED

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

4.0 DECLARATIONS OF INTEREST

Councillor/Officer	Item	Nature of Interest
Cr Pokoney	Item 12.1 – Light Manufacturing Proposal for West Wyalong	Non-Pecuniary
Cr Hampton	Item 12.1 – Light Manufacturing Proposal for West Wyalong	Non-Pecuniary
Cr Hampton	Item 12.3 – Purchase of Industrial Zoned Land – Central Road, West Wyalong	Non-Pecuniary

5.0 PUBLIC FORUM

5.1 Town Crier Presentation

The Mayor welcomed the former Town Crier, Mr John Scascighini and current incumbent Mr Kyle Sturgess to the meeting and the General Manager invited Mr Sturgess to receive the official certificate following his recent appointment. Mr Scascighini read an investiture to the new Town Crier and passed on the official Scroll and Bell. Mr Sturgess performed a Cry which was followed by a photo opportunity. The Mayor thanked Mr Scascighini for his service and welcomed Mr Sturgess to the role.

5.2 Mr Charles Kingston

At this stage, 6.40pm, Mr Kingston addressed Council in relation to publicity and tourism within the Bland Shire. He conveyed thanks to staff for their assistance with these matters and urged Council to involve interested community members in the proposed VIC deliberations.

Council Recommendation:

03072015 RESOLVED on the motion of Cr Grellman seconded Cr Lord that Mr Kingston be granted an extension on time for his address. CARRIED

Mr Kingston provided details on the activities of the Words Work Group and the material developed in relation to the Bland, Dull and Boring league of extraordinary communities partnership.

5.3 Mr Andrew Buttenshaw

Mr Buttenshaw addressed Council in relation to the Main Street signage directing caravan parking in the Water Street carpark. He stated that the sign was erected at his previous request and after speaking with users it is now requested that the signs be removed as it is believed the carpark design and layout does not suit the modern van.

6.0 MAYORAL MINUTE

Nil

7.0 NOTICES OF MOTION

7.1 Passing of Mr Colin McIntosh (Cr Lord)

Council Recommendation:

04072015 RESOLVED on the motion of Cr Lord seconded Cr Keatley that Council formally convey its condolences to the McIntosh family following the recent passing of the former Shire President, Mr Colin McIntosh. CARRIED

At this stage, 6.51pm, Council observed a minute of silence.

8.0 DELEGATES & ADVISORY COMMITTEE REPORTS

SECTION 1 – DELEGATES & ADVISORY COMMITTEE REPORTS

Council Recommendation:

05072015 RESOLVED on the motion of Cr Templeton 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**

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:

06072015 RESOLVED on the motion of Cr McGlynn seconded Cr Lord that the information contained in the July 2015 monthly status report be received and noted. **CARRIED**

9.2 LGNSW Annual Conference - 2015

Council Recommendation:

07072015 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley that Council determine its preferred level of representation at the LGNSW Annual Conference being held in Sydney from 11-13 October 2015. **CARRIED**

Council Recommendation:

08072015 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman that Council be represented at the LGNSW Annual Conference by the Mayor of the day, Cr Lord, Cr Templeton, Cr Hampton and Cr Monaghan. **CARRIED**

9.3 Review of Councillor Numbers S.224 (2) of the Local Government Act 1993

Council Recommendation:

09072015 RESOLVED on the motion of Cr McGlynn seconded Cr Lord that Council determine if it wishes to review the number of councillors for Bland Shire Council noting that any change as a result of a referendum would not take effect until September 2020. **CARRIED**

Council Recommendation:

10072015 RESOLVED on the motion of Cr McGlynn seconded Cr Lord that Council make application to reduce the number of councillors for Bland Shire Council from nine (9) to seven (7). **CARRIED**

9.4 Sports Stadium Refurbishment – Update

Council Recommendation:

PROPOSED on the motion of Cr Lord seconded Cr Monaghan that council agree to the cost of the upgrade of the Sports Stadium car park being met from the annual Federal Assistance Grant funds for 2015 – 2016. **LOST**

9.5 National Stronger Regions Fund (Round Two) Possible Projects

Council Recommendation:

11072015 RESOLVED on the motion of Cr Lord seconded Cr McGlynn that council submit two (2) applications under the National Stronger Regions Fund (NSRF) program for Round Two closing on 31 July 2015 for the Industrial Land development project and Perseverance Street Sporting Complex works. **CARRIED**

9.6 Matters Arising From the June 2015 Economic Development & Visitor Economy & Tourism Advisory Committee Meeting

Council Recommendation:

12072015 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley that the information contained within this report be received and noted. CARRIED

Council Recommendation:

13072015 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman that council provide signage identifying the locations of public convenience facilities within the vicinity of the West Wyalong CBD. CARRIED

Council Recommendation:

14072015 RESOLVED on the motion of Cr Lord seconded Cr Templeton that council determine if it wishes to establish one or more working parties, involving community members, to assist council in its deliberations on a suitable location for a VIC and subsequent VIC content. CARRIED

Council Recommendation:

PROPOSED on the motion of Cr Lord seconded Cr Hampton that Council establish a working party involving interested community members to assist in deliberations regarding a visitor information centre.

AMENDMENT proposed on the motion of Cr McGlynn that the proposed working party consist of the Whole of Council plus four (4) community members.

The amendment lapsed for the want of a seconder.

15072015 RESOLVED on the motion of Cr Lord seconded Cr Hampton that Council establish a working party involving interested community members to assist in deliberations regarding a visitor information centre. CARRIED

9.7 Establishment of a Visitor Information Centre Within the Bland Shire Library Premises

Council Recommendation:

16072015 RESOLVED on the motion of Cr McGlynn seconded Cr Templeton that the opening hours of the VIC trial be from 9am to 4pm on Saturdays and from 10am to 4pm on Sundays and from 10am to 5pm weekdays. CARRIED

Council Recommendation:

17072015 RESOLVED on the motion of Cr Monaghan seconded Cr Lord that the library opens from 9am on Saturdays to coincide with the opening of the VIC but this is the only extension of the library opening hours. CARRIED

Council Recommendation:

18072015 RESOLVED on the motion of Cr Monaghan seconded Cr Hampton:

- 1. That council staff monitor and record Key Performance Indicators (KPI's) during this period;**
- 2. That the additional costs be met from the funds allocated in the 2015/16 budget for this purpose.**
- 3. That during this period council determines a more permanent location for a Visitor Information centre. CARRIED**

9.8 Investigation into Locations for a Visitor Information Centre

Council Recommendation:

19072015 RESOLVED on the motion of Cr Monaghan seconded Cr Lord that Council note the costs to establish a visitor information centre at different locations and that the information be referred to the working party. CARRIED

9.9 Investigation of 184 Main Street as a Possible Venue For a Theatre/Performance Space

Council Recommendation:

20072015 RESOLVED on the motion of Cr Lord seconded Cr McGlynn that Council note the costs to establish a theatre at 184 Main Street and determine the next course of action. CARRIED

Council Recommendation:

21072015 RESOLVED on the motion of Cr Lord seconded Cr McGlynn that the findings in relation to the establishment of a theatre at 184 Main Street lay on the table and no further action be taken. CARRIED

SECTION 3 – CORPORATE, COMMUNITY & DEVELOPMENT SERVICES

9.10 Financial Statements – June 2015

Council Recommendation:

22072015 RESOLVED on the motion of Cr Lord seconded Cr Hampton:

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of June, 2015**
- 2. That Council confirms the payment of accounts, for the period 01 June to 30 June 2015, summarised in the accounts summary totalling \$1,579,939.10. CARRIED**

9.11 Reg Rathey VC Memorial Update

Council Recommendation:

23072015 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman that the information regarding the progress with the Rag Ratty VC Memorial be received and noted. CARRIED

9.12 Strengthening Communities – West Wyalong Show Society

Council Recommendation:

24072015 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman that Council declines the Strengthening Communities grant application from the West Wyalong Show Society for \$1280 to support the 2015 Show Ball. **CARRIED**

SECTION 4 – ASSET & ENGINEERING SERVICES

9.13 Roads Program 2015/16

Council Recommendation:

25072015 RESOLVED on the motion of Cr Monaghan seconded Cr McGlynn that Council adopt the 2015 – 2016 roads program with the understanding that the works may be changed by the Director Asset and Engineering Services due to changing priorities and costs during the year. **CARRIED**

SECTION 5 – REPORTS FOR INFORMATION

Council Recommendation:

26072015 RESOLVED on the motion of Cr Grellman seconded Cr Keatley that the following reports, provided for information only, be received and noted:

- **9.14 – Asset & Engineering Services Report**
- **9.15 – Bland Shire Library Monthly Update**
- **9.16 – Development Services Activities/Statistics for June 2015**
- **9.17 – Economic Development & Tourism Report – July. CARRIED**

10.0 URGENT BUSINESS WITHOUT NOTICE Nil

11.0 QUESTIONS AND STATEMENTS

Cr McGlynn

- Requested consideration be given to Council's Show display being outside the Hall this year
- Requested an audit of town footpaths and access ramps following recent reports of difficulties due to a ridge in the joints

Cr Lord

- Requested the inclusion of the most recent JO reports on the August Council Workshop agenda
GM to follow this matter up

Cr Keatley

- Submitted apologies for the August Council meeting and EDVETACW meeting and stated that in his 4.5 years he has not missed a meeting
- Advised of his recent geocaching experience in West Wyalong

Cr Templeton

- Advised of a spring loaded system for the Main Street bollards
DAES to investigate

Cr Grellman

- Requested 15 trees on behalf of the Weethalle Show Committee

Cr Lord

- Queried the enforcement of the non-smoking on footpaths legislation
GM advised that it is not Council's responsibility as its a State Government policy

Cr Pokoney

- Requested that "No Smoking" signs be erected at all Council's ovals, buildings, grand stands and change rooms
- Advised that representatives of the Office of Local Government will be visiting on 28th July and extended an invitation to all Councillors to attend the meeting and dinner

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

Council Recommendation:

27072015 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 8.03pm.

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

Council Recommendation:

34072015 RESOLVED on the motion of Cr Lord seconded Cr Monaghan that Council move out of closed Council and into open Council. **CARRIED**

The meeting then resumed at 8.42pm.

12.1 Light Manufacturing Proposal for West Wyalong

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:

28072015 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman that council enter into an agreement with the proponents of this project based on the financial implications identified in the body of this report. **CARRIED**

Cr Monaghan recorded a dissenting vote.

Council Recommendation:

29072015 RESOLVED on the motion of Cr Hampton seconded Cr McGlynn that the matter be resubmitted. **CARRIED**

Council Recommendation:

On being put to the vote the matter was carried unanimously.

30072015 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman that council enter into an agreement with the proponents of this project based on the financial implications identified in the body of this report. **CARRIED**

12.2 Graincorp Business Assistance Funding

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:

PROPOSED on the motion of Cr Lord seconded Cr Templeton that Council approve \$97,500 in Business Assistance Funding to GrainCorp for the construction and establishment of a 233,000 tonne grain storage and handling facility located at Calleen.

On being put to the vote the motion was LOST 3/5

Council Recommendation:

31072015 RESOLVED on the motion of Cr Keatley seconded Cr Grellman that the application for Business Assistance Funding from GrainCorp be declined. **CARRIED**

Cr Lord recorded a dissenting vote.

12.3 Purchase of Industrial Zoned Land – Central Road, West Wyalong

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:

32072015 RESOLVED on the motion of Cr Lord seconded Cr Grellman:

1. That Council agree to the purchase price of \$130,000.00 for Lots 1233/1243/1257/1327 all in DP753135, Central Road, West Wyalong for the purpose of future industrial estate development;
2. That Council agree to meet its own legal costs in this matter;
3. That the Mayor and General Manager be delegated authority to execute all of the necessary legal documentation under the Common Seal of Council;
4. That upon successful completion of the transfer that the land be classified as 'operational';
5. That upon successful completion of the transfer of the land that a further report be submitted to council in relation to the development of a second industrial estate. **CARRIED**

12.4 Purchase of Vacant Land – Neeld Street, West Wyalong

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:

33072015 RESOLVED on the motion of Cr Lord seconded Cr Monaghan that the General Manager be delegated authority to negotiate the purchase of the subject Neeld Street land, to within 10% of the estimated valuation, and report back to council accordingly. CARRIED

14.0 CLOSE OF THE MEETING

There being no further business the meeting then closed at 8.42pm.

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Chairperson