



Bland Shire Council
Minutes
Ordinary Council Meeting
16 June 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 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

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 16 JUNE 2015

Common Acronyms Used in Bland Shire Council Reports and Documents

ABS	Australian Bureau of Statistics
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
CDO	Community Development Officer
Cr	Councillor
CRO	Community Relations Officer
CSP	Community Strategic Plan
CSU	Childrens Services Unit
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
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
Manex	Management Executive
MLC	Member of the Legislative Council
MP	Member of Parliament
MR	Main Road
MRU	Mobile Resource Unit
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

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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
SEDTA	Senior Economic Development & Tourism Advisor
SH	State Highway
SRV	Special Rate Variation
St	Street
STW	Sewerage Treatment Works
USU	United Services Union
VIC	Visitor Information Centre
WAPS	Workforce Assessment Plan & Strategy
WHS	Work Health & Safety



Council Meeting Minutes

16 June 2015

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 6.35pm)
Cr L Pike
Cr N Pokoney
Cr P Templeton

2.2 Staff

General Manager – Ray Smith
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 19 May 2015

▪ Confirmation

That the minutes of the Ordinary Council meeting held on 19 May 2015 be confirmed as a correct record of proceedings.

Council Recommendation:

08062015 RESOLVED on the motion of Cr Grellman seconded Cr Keatley that the minutes of the Ordinary Council meeting held on 19 May 2015 be confirmed as a correct record of proceedings. CARRIED

▪ Corrections - Nil

- **Business Arising** - Nil

3.2 Extraordinary Meeting held on 2 June 2015

- **Confirmation**

That the minutes of the Extraordinary Council meeting held on 2 June 2015 be confirmed as a correct record of proceedings.

Council Recommendation:

09062015 RESOLVED on the motion of Cr Keatley seconded Cr Hampton that the minutes of the Extraordinary Council meeting held on 2 June 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 Presentation to Mr Shane Goodwin

The Mayor and General Manager presented Mr Goodwin with a gift in recognition for his contributions to the Bland Shire Community and wished him well in his endeavours.

5.2 Mr Charles Kingston

Mr Kingston addressed Council in relation to the recent EDVETACW meeting and noted that a number of Councillors were absent and there were no other attendees in the public gallery. He provided feedback on the conduct of the meetings and consultation processes. Mr Kingston urged Council to consider the use of volunteers in the proposed Visitor Information Centre.

5.3 Mr Andrew Buttenshaw

Mr Buttenshaw addressed Council and stated that the cost of upgrading the former Main Street Elders building as a cultural area would be prohibitive. He queried the responsibility area for the Indigenous Cultural Officer position to tourism and not community services. Mr Buttenshaw raised concerns with the perceived misuse of Council Workshops and read extracts from the Division of Local Government's Meetings Practice Note stating that Workshops are for information purposes only not debate or discussion.

6.0 MAYORAL MINUTE

Nil

7.0 NOTICES OF MOTION

Nil

8.0 DELEGATES & ADVISORY COMMITTEE REPORTS

SECTION 1 – DELEGATES & ADVISORY COMMITTEE REPORTS

Council Recommendation:

10062015 RESOLVED on the motion of Cr Keatley seconded Cr McGlynn that the Council receive and note the delegate and advisory committee reports from Councillors and Advisory Committee meeting minutes as presented. CARRIED

8.1 Access Advisory Committee

Cr Grellman advised that the upcoming Access Committee meeting will be held in sadness following the tragic death of Alison Templeman and the community will be forever grateful for her efforts.

8.2 Country Mayors Association

Mayor Pokoney advised that he attended the meeting in Sydney on 12th June. Discussions at the meeting included the Government's Fit for the Future Program with the process and timeframes confirmed and a presentation on Councillor conduct.

8.3 Goldenfields Water County Council

Cr Templeton advised that Mr Andrew Grant had recently been awarded a Public Service Medal. GM advised that a letter of congratulations has been sent.

8.4 Australian Rural Roads Group

Cr Grellman advised that he was unable to attend the meeting being held on 16 June.

Council Recommendation:

11062015 RESOLVED on the motion of Cr Grellman seconded Cr Keatley that Council's delegates be amended as follows:

- **Bland Rural Fire District Zone Liaison Committee - Cr Keatley (delegate) and Cr Grellman (alternate)**
- **Bland-Temora RFS Zone Bushfire Management Committee - Cr Keatley (delegate) and Cr Grellman (alternate). 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:

12062015 RESOLVED on the motion of Cr Lord seconded Cr Keatley that the information contained in the June 2015 monthly status report be received and noted. **CARRIED**

9.2 Contractual Arrangements of Senior Staff as at June 2015

Council Recommendation:

13062015 RESOLVED on the motion of Cr Grellman seconded Cr Templeton that the information provided to Council under S.339 of the Local Government Act 1993 in respect to the contractual arrangements for senior staff be received and noted. **CARRIED**

9.3 Fit For The Future – A Review of Local Government in NSW (June 2015)

Council Recommendation:

14062015 RESOLVED on the motion of Cr McGlynn seconded Cr Hampton:

- 1. That the information regarding progress with the Fit for the Future council improvement proposal and the results of the community survey be received and noted;**
- 2. That council now endorses the final submission to IPART confirming the completion of Template 2 (Council Improvement Proposal) under the Fit for the Future framework;**
- 3. That council acknowledges the hard work of the staff involved in preparing this submission; and**
- 4. That the general manager advises council immediately an outcome is known on the outcome of the IPART assessment of council's submission. CARRIED**

9.4 LGNSW Annual Conference - 2015

Council Recommendation:

15062015 RESOLVED on the motion of Cr Grellman seconded Cr Monaghan that Council list for discussion at the July workshop their preferred level of representation at the LGNSW Annual Conference being held in Sydney from 11-13 October 2015. **CARRIED**

9.5 Refurbishment of the Perseverance Street Sports Complex Stadium

Council Recommendation:

16062015 RESOLVED on the motion of Cr Grellman seconded Cr McGlynn:

- 1 That the minutes of the Sports Stadium Refurbishment Steering Committee of 27 February 2015, 12 May 2015 and 3 June 2015 be received and noted for information purposes;**
- 2 That council receive and note the initial two (2) concept designs and probable costings;**
- 3 That council confirm acceptance of concept design no.1 for the extension of the existing complex to the east to allow for two (2) full size basketball courts and other associated improvements;**
- 4 That council also acknowledge the development of a concept plan for possible future expansion of this facility that could be used in future grant applications;**
- 5 That the general manager in conjunction with the Facility Design Group now calls for expressions of interest for the provision of the construction services phase of this project based on concept 1; and**
- 6 That a further report be submitted to council once the expressions of interest have been received and assessed. CARRIED**

9.6 Visitor Information Centre – Operational and Fit out Costs

Council Recommendation:

PROPOSED on the motion of Cr Lord seconded Cr Pike that item 9.6 Visitor Information Centre – Operational and Fit out Costs be considered with item 9.13 Investigation of 184 Main Street as a possible venue for a Theatre/Performance Space.
LOST

Council Recommendation:

PROPOSED on the motion of Cr Keatley that Council allocate an additional \$250,000.00 to establish the Visitor Information Centre at 184 Main Street West Wyalong.

The motion LAPSED for the want of a seconder.

Council Recommendation:

PROPOSED on the motion of Cr Hampton seconded Cr Grellman:

- 1. That a report be provided to the July Council meeting detailing costings for the establishment of a Visitor Information Centre operating in the Library on a seven (7) day per week basis for a twelve (12) month period.**
- 2. That the report includes costings for carpark improvements, signage, staffing, volunteers and technology.**

AMENDMENT

PROPOSED on the motion of Cr Lord seconded Cr Pike that Council investigate the establishment of a Visitor Information Centre operating in the Library or other locations on a seven (7) day per week basis and provide a further report to Council on the costings.

On being put to the vote the motion was LOST.

With the consent of the mover and seconder the motion was amended and PROPOSED on the motion of Cr Hampton seconded Cr Grellman:

- 1. That a report be provided to the July Council meeting detailing costings for the establishment of a Visitor Information Centre operating in the Library or other locations on a seven (7) day per week basis for a twelve (12) month period.**
- 2. That the report includes costings for carpark improvements, signage, staffing, volunteers and technology.**

On being put to the vote the motion was CARRIED.

17062015 RESOLVED on the motion of Cr Hampton seconded Cr Grellman:

- 1. That a report be provided to the July Council meeting detailing costings for the establishment of a Visitor Information Centre operating in the Library or other locations on a seven (7) day per week basis for a twelve (12) month period.**
- 2. That the report includes costings for carpark improvements, signage, staffing, volunteers and technology. CARRIED**

SECTION 3 – CORPORATE, COMMUNITY & DEVELOPMENT SERVICES

9.7 Financial Statements – May 2015

Council Recommendation:

18062015 RESOLVED on the motion of Cr Grellman seconded Cr Monaghan:

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of May, 2015**
- 2. That Council confirms the payment of accounts, for the period 01 May to 31 May 2015, summarised in the accounts summary totalling \$ 3,527,864.21. CARRIED**

9.8 Local Government Remuneration Tribunal

Council Recommendation:

19062015 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley that Council adopt the 2.5% increase in Mayor and Councillor fees for the 2015/16 financial period and the operational plan be amended accordingly. CARRIED

9.9 Reg Rathey VC Memorial Update

Council Recommendation:

20062015 RESOLVED on the motion of Cr Grellman seconded Cr Hampton that the information regarding the progress with the Reg Rathey VC Memorial be received and noted. CARRIED

9.10 Local Heritage Fund Grant Application – 143-147 Main Street, West Wyalong

Council Recommendation:

21062015 RESOLVED on the motion of Cr Grellman seconded Cr Lord that Council endorse the recommendation of the Heritage Advisory Committee to approve Local Heritage Funding for the amount of \$30,000.00 for the replacement of the awning at 143-147 Main Street with a single storey verandah and that the amount of \$1,808.00 be allocated from the Verandah/Façade Restoration Reserve. CARRIED

9.11 Strengthening Communities Grant – Mirrool Silo Kick Committee on behalf of Mirrool Cricket Club

Council Recommendation:

22062015 RESOLVED on the motion of Cr McGlynn seconded Cr Pike that Council approve the Strengthening Communities grant application of \$2500 from the Mirrool Silo Kick Committee on behalf of the Mirrool Cricket Club to assist with the supply and laying of a synthetic turf pitch for the Mirrool Cricket Ground. **CARRIED**

9.12 Strengthening Communities Grant – West Wyalong Public School P&C

Council Recommendation:

PROPOSED on the motion of Cr Grellman seconded Cr Pike that Council approve a Strengthening Communities grant of \$3,970 to the West Wyalong Public School P&C to assist with the cost of installing synthetic grass in part of the playground. **LOST**

9.13 Investigation of 184 Main Street as a possible venue for a Theatre/Performance Space

Council Recommendation:

23062015 RESOLVED on the motion of Cr Pike seconded Cr Keatley that Council investigate potential venues for use as a theatre/performance space. **CARRIED**

9.14 Cultural Development Grant – West Wyalong Town Band

Council Recommendation:

24062015 RESOLVED on the motion of Cr Lord seconded Cr Templeton that Council approve the Cultural Development Grant application from the West Wyalong Town Band for the amount of \$2000. **CARRIED**

SECTION 4 – ASSET & ENGINEERING SERVICES

9.15 Aerodrome Classification

Council Recommendation:

25062015 RESOLVED on the motion of Cr Grellman seconded Cr Keatley that Bland Shire Council re-classify its West Wyalong aerodrome from “Certified” to “Registered” under the terminology for aerodromes as applied by the Civil Aviation Safety Authority. CARRIED

9.16 Aerodrome Lights

Council Recommendation:

26062015 RESOLVED on the motion of Cr Grellman seconded Cr Keatley that Council remain with the status quo regarding aerodrome lighting and NOT pursue the replacement of the existing elevated lights at West Wyalong airport with in-ground domed lights. CARRIED

9.17 West Wyalong “Creek” Water Reserves

Council Recommendation:

27062015 RESOLVED on the motion of Cr McGlynn seconded Cr Lord that Bland Shire Council purchase additional water entitlements to the value of \$66,000 to satisfy the future storage needs for Bland Shire. CARRIED

SECTION 5 – REPORTS FOR INFORMATION

Council Recommendation:

28062015 RESOLVED on the motion of Cr Grellman seconded Cr Monaghan that the following reports, provided for information only, be received and noted:

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

10.0 URGENT BUSINESS WITHOUT NOTICE
Nil

11.0 QUESTIONS AND STATEMENTS

Cr McGlynn

- Requested that prior to undertaking street tree removal nearby landowners be advised
- Stated that she has not missed a Council Workshop since 2005 and they provide opportunity for briefings and information

Cr Templeton

- Noted the recent clean up on Goldfields Way and requested a letter of thanks be sent to the West Wyalong High School
Mayor advised that the clean up was an initiative of a senior student, 24 kids participated with the assistance of Mr D. Dore and 160+ bags were collected. He conveyed thanks to Council for their assistance and Barrick for providing the vests and gloves.

Cr Monaghan

- Queried progress with the community garden concept
GM advised that the concept was to be investigated by interested community members and councillors

Cr Keatley

- Advised that notice has been issued for the commencement of the demolition of the Ungarie Police residence on 29 June
- Conveyed congratulations to Cr McGlynn for her address at the recent Salvation Army Celebration Service

Cr Grellman

- Queried the demolition of the old house adjacent to Herridge Park in Wyalong
GM advised that the owner arranged the works
- Advised that former Shire President Mr Colin McIntosh is unwell

Cr Pokoney

- Endorsed Cr McGlynn's comments in relation to Council Workshops stating they are a valuable source for information and part of the local government process, no decisions are made however by default opinion and direction is received. He urged all Councillors to continue to support their Workshops, the process and commitment to their role.
- Advised that he will be attending a community meeting in Ardlethan with Crs Keatley and McGlynn on 17 June regarding a proposed waste receival development

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

Council Recommendation:

29062015 RESOLVED on the motion of Cr Keatley 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 8.21pm.

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

Council Recommendation:

32062015 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman that Council move out of closed Council and into open Council. CARRIED

The meeting then resumed at 8.43pm.

12.1 Ungarie Flood Study Contract

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:

30062015 RESOLVED on the motion of Cr Grellman seconded Cr Keatley:

- 1. That Bland Shire Council accept the tender from BMT WBM in the sum of \$79,940.**
- 2. That Bland Shire Council advise NSW Office of Environment and Heritage that Bland Shire Council has adopted the panel's recommendation and accepted the tender from BMT WBM.**
- 3. That the Director Asset and Engineering Services be given the delegated authority to authorise additional payments as long as they are within the 2015 – 2016 budget.**
- 4. That the Director Asset and Engineering Services be given the delegated authority to sign required forms and other procedural matters required by the NSW Office of Environment and Heritage. CARRIED**

12.2 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:

31062015 RESOLVED on the motion of Cr Grellman seconded Cr Keatley that Council receive and note the preliminary information regarding the light manufacturing opportunity and endorse the proposal in principle and that the general manager is delegated authority to continue negotiations and to report back to council in due course. CARRIED

14.0 CLOSE OF THE MEETING

There being no further business the meeting then closed at 8.43pm.

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Chairperson