

# **Bland Shire Council**

## **Minutes**

### **Ordinary Council Meeting**

**17 November 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>



## Council Meeting Minutes

17 November 2015

commencing at 6:30PM

### 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 L Hampton  
Cr K Keatley  
Cr T Lord  
Cr L McGlynn  
Cr B Monaghan  
Cr L Pike  
Cr N Pokoney  
Cr P Templeton

#### 2.2 Staff

General Manager – Ray Smith  
Director Asset & Engineering Services – Will Marsh  
Executive Assistant – Julie Sharpe

#### 2.3 Apologies

Director Corporate, Community & Development Services – Adele Casey

### 3.0 CONFIRMATION OF THE MINUTES

#### 3.1 Ordinary Meeting held on 20 October 2015

##### ▪ Confirmation

That the minutes of the Ordinary Council meeting held on 20 October 2015 be confirmed as a correct record of proceedings.

#### Council Recommendation:

**03112015 RESOLVED on the motion of Cr Grellman seconded Cr Keatley that the minutes of the Ordinary Council meeting held on 20 October 2015 be confirmed as a correct record of proceedings. CARRIED**

- Corrections - Nil

- **Business Arising** – Cr Pokoney thanked those Councillors that supported his apologies for the meeting and expressed his disappointment that some Councillors did not given his attendance record

### 3.2 Extraordinary Meeting held on 10 November 2015

- **Confirmation**

That the minutes of the Extraordinary Council meeting held on 10 November 2015 be confirmed as a correct record of proceedings.

**Council Recommendation:**

**04112015 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman that the minutes of the Extraordinary Council meeting held on 10 November 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 McGlynn	9.8 – Strengthening Communities – Mirrool Silo Challenge Committee	Non-Pecuniary

### 5.0 PUBLIC FORUM

#### 5.1 Retirement Presentations to Staff

Mr Graham Gillard was invited to receive his retirement presentation from the Mayor and General Manager in recognition of outstanding dedication and service to Council during the period 1980 to 2014. The General Manager conveyed thanks on behalf of Council and community for his efforts.

Mr Brien Carter was invited to receive his retirement presentation from the Mayor and General Manager in recognition of outstanding dedication and service to Council during the period 1984 to 2015. The General Manager conveyed thanks on behalf of Council and community for his efforts.

Mr Frank Himsley was invited to receive his retirement presentation from the Mayor and General Manager in recognition of outstanding dedication and service to Council during the period 2004 to 2015. The General Manager conveyed thanks on behalf of Council and community for his efforts.

#### 5.2 Audit Presentation

Mr Jeff Shanks from Luka Group provided the annual audit presentation for the information of Councillors and the community.

## 6.0 MAYORAL MINUTE

Nil

## 7.0 NOTICES OF MOTION

### 7.1 Organisational Structure (Mayoral Motion)

### 7.2 Vehicle Policy (Mayoral Motion)

Cr Lord called a point of order given the required notice period had not been observed for the two motions presented.

## 8.0 DELEGATES & ADVISORY COMMITTEE REPORTS

# SECTION 1 – DELEGATES & ADVISORY COMMITTEE REPORTS

### Council Recommendation:

**05112015 RESOLVED on the motion of Cr Grellman seconded Cr Templeton that the Council receive and note the delegate and advisory committee reports from Councillors and Advisory Committee meeting minutes as presented. CARRIED**

### 8.1 Country Mayors Association

The Mayor advised that he attended the recent meeting in Sydney where discussions centred around the State Government's Fit for the Future Program. It was noted that the majority of councils and communities continue to resist the merger proposals.

### 8.2 NSW Association of Mining Related Councils

Cr McGlynn advised that she attended the recent meeting along with Cr Hampton where the election of office bearers was conducted. The environmental services organisation working with Coolamon Shire in relation to the proposed landfill provided a presentation at the meeting.

### 8.3 Police Community Safety Precinct Committee

Cr McGlynn advised that she attended the meeting held in the West Wyalong Council Chambers on November 17. It was noted that Police Officers for Ungarie are expected in March and additional Officers due in West Wyalong providing a full contingent.

### 8.4 Riverina Institute of TAFE

The Mayor advised that a meeting was held recently with TAFE representatives in relation to the proposed reassessment of education and training services and the reduction of 2 positions from West Wyalong. He expressed concern and disappointment in the continual reduction of critical services occurring across NSW.

### 8.5 Newell Highway Taskforce

Cr Lord advised that the recent meeting was postponed due to the State Government's Fit for the Future program.

**8.6 NSW Public Libraries Association, South West Zone**

Cr Lord advised that he attended the recent Zone meeting and discussions were held in relation to the future of libraries and State Government funding.

**8.7 Riverina Regional Library**

Cr Lord advised that he attended the recent Management Meeting and tabled their Annual Report for information.

**8.8 Riverina Regional Tourism**

Cr Lord advised that he attended the AGM held at Yenda on November 12. This meeting approved of constitutional changes and received presentations from Destination NSW, Trip Advisor executives, AppVenture and the Office of Environment & Heritage.

**8.9 Community Meeting – Temora Shire**

The Mayor advised that he, together with the General Manager and Crs McGlynn and Keatley, attended the recent community meeting in Temora concerning the Fit for the Future program.

**9.0 STAFF REPORTS**

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

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**9.1 Delivery Program Review**

**Council Recommendation:**

**06112015 RESOLVED on the motion of Cr Keatley seconded Cr McGlynn that Council consider the proposed changes to the Delivery Program and that community responses be presented to the December 2015 Council meeting for consideration. CARRIED**

**9.2 Annual Report 2014/2015**

**Council Recommendation:**

**07112015 RESOLVED on the motion of Cr Hampton seconded Cr Grellman that Council receives and notes the Annual Report for the year 2014/15. CARRIED**

**9.3 Delegations Register**

**Council Recommendation:**

**08112015 RESOLVED on the motion of Cr Grellman seconded Cr Keatley that Council adopts the Delegations Register as shown as Appendix A and endorses the delegations of authority. CARRIED**

## **9.4 Operation Of The Visitor Information Centre From The Bland Shire Library – 7 Days Per Week**

**Council Recommendation:**

**09112015 RESOLVED on the motion of Cr McGlynn seconded Cr Hampton:**

- 1. That the information regarding the operation of the Visitor Information Centre from within the Bland Shire Council Library premises, on a 7 days per week basis, for a 12 month trial period be received and noted;**
- 2. That a further report be submitted to the December 2015 meeting of council in relation to further investigations into a permanent location for a Visitor Information Centre in West Wyalong. CARRIED**

## **9.5 Local Government General Elections - 2016**

**Council Recommendation:**

**10112015 RESOLVED on the motion of Cr Templeton seconded Cr Monaghan that the update on the 2016 local government general elections be received and noted. CARRIED**

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

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## **9.6 Financial Statements – October 2015**

**Council Recommendation:**

**11112015 RESOLVED on the motion of Cr Monaghan seconded Cr Lord:**

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of October, 2015**
- 2. That Council confirms the payment of accounts, for the period 01 October to 31 October 2015, summarised in the accounts summary totalling \$1,630,715.32. CARRIED**



## **9.7 Budget Review – September 2015**

**Council Recommendation:**

**12112015 RESOLVED** on the motion of Cr Pike seconded Cr Keatley that the Officers Report be received and noted and that the Council endorses the Statement acknowledging the financial position is considered satisfactory. **CARRIED**

## **9.8 Strengthening Communities – Mirrool Silo Challenge Committee**

**Council Recommendation:**

**13112015 RESOLVED** on the motion of Cr Grellman seconded Cr Keatley that Council approve a Strengthening Communities Grant of up to \$7500 to the Mirrool Silo Challenge Committee to cover half the cost of the purchase of a Toro lawn mower and extended warranty. **CARRIED**

## **9.9 Access Incentive Grant – West Wyalong Medical Centre**

**Council Recommendation:**

**14112015 RESOLVED** on the motion of Cr McGlynn seconded Cr Grellman that Council approve an Access Incentive Grant application from the West Wyalong Medical Centre for \$5000 towards the purchase and installation of automatic doors. **CARRIED**

## **SECTION 4 – ASSET & ENGINEERING SERVICES**

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### **9.10 Alcohol and Other Drug Policy**

**Council Recommendation:**

**15112015 RESOLVED** on the motion of Cr McGlynn seconded Cr Templeton that Bland Shire Council adopt the “Alcohol and Other Drugs” policy. **CARRIED**

## **9.11 Sewer Management Plan**

**Council Recommendation:**

**16112015 RESOLVED on the motion of Cr Monaghan seconded Cr Lord that Bland Shire Council adopt the “Sewer Management (Business) Plan”. CARRIED**

## **9.12 Water Street Carpark**

**Council Recommendation:**

**17112015 RESOLVED on the motion of Cr Grellman seconded Cr McGlynn:**

- 1. That the new design plan for the Waters Street car park be adopted.**
- 2. That the allocation of funds be determined by Council. CARRIED**

## **SECTION 5 – REPORTS FOR INFORMATION**

**Council Recommendation:**

**18112015 RESOLVED on the motion of Cr Grellman seconded Cr Hampton that the following reports, provided for information only, be received and noted:**

- 9.13 - Asset & Engineering Services Report**
- 9.14 - Community Services Report**
- 9.15 - Bland Shire Library Monthly Update**
- 9.16 - Children Services Monthly Update**
- 9.17 - Bland HACC Services Update**
- 9.18 - Development Services Activities/Statistics for October 2015**
- 9.19 - Economic Development & Tourism Report – November. CARRIED**

## 10.0 URGENT BUSINESS WITHOUT NOTICE

### 10.1 Organisational Structure (Mayoral Motion)

The Mayor advised that the matter is considered to be of an urgent nature in order for the work required to be implemented for consideration during the development of the 2016/17 budget for deliberations.

**Council Recommendation:**

**19112015 RESOLVED on the motion of Cr Pokoney seconded Cr McGlynn that the matter in respect of the Organisational Structure be accepted as urgent business. CARRIED**

**Council Recommendation:**

**20112015 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman:**

- A. That the General manager re-examine our Organisational Structure to assess and evaluate the opportunities for providing further service delivery improvements and additional positive operational outcomes for Bland Shire Council.**
- B. That the focus, in the first instance, be on noncore services as alluded to in the presentation on a possible Special Rate Variation;**
- C. That a report with recommendations be tabled at the December 2015 meeting of Council. CARRIED**

### 10.2 Vehicle Policy (Mayoral Motion)

The Mayor advised that the matter is considered to be of an urgent nature in order for consideration during the development of the 2016/17 budget for deliberations.

**Council Recommendation:**

**21112015 RESOLVED on the motion of Cr Pokoney seconded Cr Keatley that the matter in respect of the Vehicle Policy be accepted as urgent business. CARRIED**

**Council Recommendation:**

**22112015 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman that Council conduct a review of its current Vehicle Policy in preparation for the 2016/17 Budget Considerations. CARRIED**

## 11.0 QUESTIONS AND STATEMENTS

### Cr Monaghan

- Conveyed thanks to Leon Sharpe for his efforts and attention to airport matters

### Cr McGlynn

- Requested a letter of thanks be sent to the Nepean Rotary Club for their ongoing support of the exchange work experience program
- Queried progress with signage at town entrances for the VIC  
*GM advised that the matter is in hand*

### Cr Pike

- Conveyed thanks for the community support following his recent apology for non attendance to Council meetings

### Cr Hampton

- Queried progress with the interpretive sign at the Wetlands  
*GM to follow up*

### Cr Lord

- Stated his concerns at the recent letter from the Local Government Minister and the poor effort of the State Government to bring the community along in the reform process

### Cr Keatley

- Requested a letter of thanks be sent to the local Podiatrist, Diana Hanlon, for her services to the community and well wishes for her retirement

### Cr Grellman

- Expressed concern with the shared footpath use, particularly gopher traffic and safety  
*DAES advised that the Road Safety Officer has held Workshops on the matter and Police assistance to get the message out may be sourced*

### Cr Pokoney

- Expressed his concerns at the ongoing malicious claims and statements that reflect poorly on Council. He requested Cr Pike to validate his claims of business conducted behind closed doors and requested all Councillors to uphold the organisation
- Advised that he has made continual approaches to our Local Member to clarify her position in relation to forced amalgamations and read in part her response

### General Manager

- Advised that 35 funding applications under the Club Grants Program have progressed to Stage 2, including Council's application for additional works at the Perseverance Street Sports Complex
- Provided an update on the Lehman Bros matter

## 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 8.46pm.

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Chairperson