



BLAND SHIRE COUNCIL  
*west wyalong*

# **Bland Shire Council**

## **Minutes**

### **Ordinary Council Meeting**

**16 August 2016**



# 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<br>Toll Free:<br>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:dlq@dlg.nsw.gov.au">dlq@dlg.nsw.gov.au</a>                       | <a href="http://www.dlg.nsw.gov.au">www.dlg.nsw.gov.au</a>               |
| NSW Ombudsman              | 9286 1000<br>Toll Free:<br>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

16 August 2016

commencing at 6:31PM

### 1.0 INTRODUCTION

The meeting was opened by the Mayor with the introduction and welcome 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 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  
Cr B Monaghan

### Council Recommendation:

**01082016 RESOLVED on the motion of Cr Hampton seconded Cr Lord that the apologies submitted by Cr Pike and Cr Monaghan be accepted. CARRIED**

### 3.0 CONFIRMATION OF THE MINUTES

#### 3.1 Ordinary Meeting held on 19<sup>th</sup> July 2016

##### ▪ Confirmation

That the minutes of the Ordinary Council meeting held on 19<sup>th</sup> July 2016 be confirmed as a correct record of proceedings.

**Council Recommendation:**

**02082016 RESOLVED on the motion of Cr Keatley seconded Cr Templeton that the minutes of the Ordinary Council meeting held on 19 July 2016 be confirmed as a correct record of proceedings. CARRIED**

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

**4.0 DECLARATIONS OF INTEREST**  
Nil

**5.0 PUBLIC FORUM**  
Nil

**6.0 MAYORAL MINUTE**

**6.1 End Of Term Report**

**Council Recommendation:**

**03082016 RESOLVED on the motion of Cr Pokoney seconded Cr McGlynn that the Bland Shire Council End of Term Report for the period 2012 to 2016 be received and noted. CARRIED**

**7.0 NOTICES OF MOTION**  
Nil

**8.0 DELEGATES & ADVISORY COMMITTEE REPORTS**

## **SECTION 1 – DELEGATES & ADVISORY COMMITTEE REPORTS**

**Council Recommendation:**

**04082016 RESOLVED on the motion of Cr Hampton 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**

### **8.1 NSW Association of Mining Related Councils**

It was noted that the Executive Officer has tendered his resignation.

**Council Recommendation:**

**05082016 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman that a letter of appreciation be sent to Mr Tydd following his resignation from the NSW Association of Mining Related Councils. CARRIED**

### **8.2 Heritage Advisory Committee**

Cr Lord requested that the Heritage Advisors report be included in the minutes of each meeting.

### **9.0 STAFF REPORTS**

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

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### **9.1 Council Meeting Arrangements – September 2016**

**Council Recommendation:**

**06082016 RESOLVED on the motion of Cr Grellman seconded Cr McGlynn that Council endorse the following meeting arrangements for September 2016 subject to the date of the declaration of the results of the local government elections for the Bland Shire:**

- **Friday 16 September – Councillor Induction Session**
- **Tuesday 20 September – Ordinary Council Meeting incorporating the election of mayor and deputy mayor. CARRIED**

### **9.2 General Manager's Appointment to the NSW StateCover Advisory Committee**

**Council Recommendation:**

**07082016 RESOLVED on the motion of Cr Keatley seconded Cr Hampton that the advice on the appointment of the general manager, Mr. Ray Smith, as a founding member of the StateCover Advisory Committee be received and noted. CARRIED**

### **9.3 LGNSW Executive Assistant of the Year Awards**

**Council Recommendation:**

**08082016 RESOLVED** on the motion of Cr Keatley seconded Cr Templeton that Bland Shire Council's Executive Assistant, Mrs. Julie Sharpe is congratulated on being announced as the inaugural recipient of the LGNSW Executive Assistant of the Year Award 2016. **CARRIED**

### **9.4 Disclosure of Interest Returns**

**Council Recommendation:**

**09082016 RESOLVED** on the motion of Cr Templeton seconded Cr Hampton that Councillors note the Disclosure of Interest return requirements and accept the Disclosure of Interest Register as tabled. **CARRIED**

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

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### **9.5 Financial Statements – July 2016**

**Council Recommendation:**

**10082016 RESOLVED** on the motion of Cr Lord seconded Cr Grellman:

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of July, 2016**
  - 2. That Council confirms the payment of accounts, for the period 01 July to 31 July 2016, summarised in the accounts summary totalling \$2,069,740.27.**
- CARRIED**

### **9.6 Completion Of Legal Action – Lehman Brothers Matter**

**Council Recommendation:**

**11082016 RESOLVED** on the motion of Cr Keatley seconded Cr Hampton that Council receive and note the report on the finalisation of legal action against Lehman Brothers and Standards and Poor. **CARRIED**

## SECTION 4 – REPORTS FOR INFORMATION

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### Council Recommendation:

**12082016** RESOLVED on the motion of Cr Hampton seconded Cr Keatley that the following reports, provided for information only, be received and noted:

- **9.7 - Asset & Engineering Services Report**
- **9.8 - Community Services Report**
- **9.9 - Bland Shire Library Monthly Update**
- **9.10 - Children Services Monthly Update**
- **9.11 - Bland HACCC Services Update**
- **9.12 - Development Services Activity Report**
- **9.13 - Economic Development & Tourism Report – July . CARRIED**

### 10.0 URGENT BUSINESS WITHOUT NOTICE

Nil

### 11.0 PRESENTATIONS

The General Manager presented each of the Councillors with a certificate of service and gift.

### 11.0 QUESTIONS AND STATEMENTS

#### Cr Pokoney

- Outlined clause 251 of the meeting practices to clarify the interpretation of abstaining from voting.
- Advised that Council has received a written response from Kurrajong Waratah in relation to the proposed visitor information centre and requested the General Manager read the response confirming that Kurrajong Waratah supported the relocation however had no interest in managing the centre.

#### Cr Grellman

- Apologised for his inability to attend the recent meetings and conveyed thanks for the well wishes following his recent accident. He commended the staff at the West Wyalong Hospital and the new facilities in Wagga.
- Stated that he was pleased to read that the air museum myth had been clarified.



**Cr Hampton**

- Conveyed thanks for her term on Council

**Cr Keatley**

- Conveyed thanks to Cr Pokoney for his service to the community
- Congratulated J. Sharpe on her award
- Conveyed thanks to J. and L. Sharpe for their efforts with the car club driving events at the airport
- Expressed concern at the interpretation of the graph on page 23 of the End of Term Report
- Conveyed thanks to fellow councillors

**Cr Templeton**

- Conveyed congratulations to J. Sharpe on her award
- Conveyed thanks to R. Smith, W. Marsh, A. Casey and Cr Pokoney
- Stated that his time on Bland Shire Council has been an absolute pleasure and thanked fellow councillors

**Cr Lord**

- Congratulated J. Sharpe on her award
- Expressed his desire to continue working with the community in the next Council term
- Conveyed thanks to fellow councillors

**Cr McGlynn**

- Conveyed congratulations and thanks to J. Sharpe
- Noted the passing of P. Bland during this term of Council
- Conveyed thanks to Council staff and fellow councillors for their support during this term
- Thanked Cr Pokoney for his support and guidance during the term

**Cr Pokoney**

- Conveyed thanks to R. Smith, J. Sharpe, W. Marsh and A. Casey for their professionalism and courtesy
- Conveyed thanks to customer service staff J. Taylor, B. Sutton and R. Galton
- Conveyed thanks to Council staff, in particular those that donate their time to support community events
- Acknowledged the assistance of his deputy mayors during his term, Cr McGlynn and Cr Hampton
- Thanked councillors for their commitment and good governance
- Congratulated the candidates in the upcoming election and encouraged those successful to attend their commitments and learn the protocols of local government
- Noted that Bland Shire Council has served the community well. The End of Term Report highlights that and the IPR framework provides a good reference point
- Stated that during his 17 years in local government there has been many shared successes and disappointments. He is the 30<sup>th</sup> Mayor, the 5<sup>th</sup> longest serving for Bland Shire and will be leaving with honesty and integrity
- Conveyed best wishes to the staff and new Council, stating it is always a privilege to serve the community.

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 7.22pm.

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Chairperson