



**Bland Shire Council**  
**Minutes**  
**Ordinary Council Meeting**  
**13 December 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 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:dlq@dlq.nsw.gov.au">dlq@dlq.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

13 December 2016

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 Bruce Baker  
Cr Rodney Crowe (arrived 6.31pm)  
Cr Penny English  
Cr Kerry Keatley  
Cr Tony Lord  
Cr Liz McGlynn  
Cr Brian Monaghan (arrived 6.44pm)  
Cr Murray Thomas  
Cr Jan Wyse

#### 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

Nil

### 3.0 CONFIRMATION OF THE MINUTES

At this stage, 6.31pm, Cr Crowe arrived.

#### 3.1 Ordinary Meeting held on 15 November 2016

##### ▪ Confirmation

That the minutes of the Ordinary Council meeting held on 15 November 2016 be confirmed as a correct record of proceedings.

#### Council Recommendation:

**01122016 RESOLVED** on the motion of Cr McGlynn seconded Cr English that the minutes of the Ordinary Council meeting held on 15 November 2016 be confirmed as a correct record of proceedings. **CARRIED**

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

### **3.2 Australia Day Awards Committee of the Whole held on 29 November 2016**

- **Confirmation**

**Council Recommendation:**

**02122016 RESOLVED on the motion of Cr McGlynn seconded Cr Baker:**

- 1. That Council endorse the Australia Day Awards Committee of the Whole recommendations for the 2017 Australia Day Awards recipients.**
- 2. That the venue for the 2017 Australia Day celebrations be Barnado Park West Wyalong. CARRIED**

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

### **4.0 DECLARATIONS OF INTEREST**

Nil

### **5.0 PUBLIC FORUM**

#### **5.1 Staff Presentation – Mr G. Richards**

The Mayor and General Manager presented Mr Graham Richards with a gift in recognition of his service to Council and conveyed their well wishes for his retirement.

#### **5.2 Proposed Cinema - Mr B. Cooper and Mr R. Cooper**

Mr Barry Cooper thanked Council for the opportunity to address them in relation to the proposed cinema for West Wyalong. He stated that investigations into the Temora Town Hall Cinema are underway and with initial support for the concept they have set out to fulfil the project and duplicate the Temora model.

Mr Ron Cooper then addressed Council and provided an overview of the Temora concept stating that in its 8 years of operation there has been no additional contributions from Council over and above the initial outlay. He advised that the current site under consideration for West Wyalong is the Masonic Hall and provided an overview of the proposal which will evolve over the coming months as investigations continue and the business plan and concepts are developed with the assistance of Evolution Mining and Council's Heritage Advisor.

At this stage, 6.44pm, Cr Monaghan arrived.

### **5.3 Mr J. Lemon – Goldfields Way**

Mr Jeff Lemon addressed Council and queried the road works being undertaken on Goldfields Way by Temora Shire.

### **6.0 MAYORAL MINUTE**

Mayor Lord stated that local government does not have the same parliamentary privilege as State and Federal government therefore any comments and statements made in public must contain the facts.

### **7.0 NOTICES OF MOTION**

#### **7.1 Independent Audit of the Bland Shire Council Planning Department**

**PROPOSED on the motion of Cr Thomas that:**

- 1. An Audit of the Bland Shire Council Planning Department be completed before the end of the current financial year.**
- 2. The Audit to be carried out by an independent qualified consultant selected by the Councillors.**
- 3. That all recommendations of the review be implemented within 12 months.**

**The motion LAPSED for the want of a seconder.**

#### **7.2 Overgrown Land**

**Council Recommendation:**

**03122016 RESOLVED on the motion of Cr McGlynn seconded Cr Monaghan that the consideration of a policy for overgrown land be deferred until the February 2017 Council meeting. CARRIED**

### **8.0 DELEGATES & ADVISORY COMMITTEE REPORTS**

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

**Council Recommendation:**

**04122016 RESOLVED on the motion of Cr Wyse seconded Cr Monaghan that the Council receive and note the delegate and advisory committee reports from Councillors and Advisory Committee meeting minutes as presented. CARRIED**

## **8.2 Riverina Eastern Regional Organisation of Councils (REROC)**

The Mayor advised that at the meeting on 13<sup>th</sup> December updates were provided on the Joint Organisations, RMS funding, Emergency Services Levy, rate pegging limit, public lighting code, container deposit scheme, road funding, Riverina Murray Regional Plan, waste metals contract and the proposed sale of the Land Titles Office.

## **9.0 STAFF REPORTS**

That the Council receive the staff reports.

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

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### **9.1 Community Reference Group (Replacing the Former Council Advisory Committees)**

**Council Recommendation:**

**PROPOSED on the motion of Cr McGlynn seconded Cr Baker:**

- 1. That Council endorses the establishment of a single Community Reference Group to replace the former council advisory committees and that formal Terms of Reference and Procedures for such a group be presented to the February 2017 meeting of council;**
- 2. That the first Forum be scheduled for Tuesday 14<sup>th</sup> March 2017.**

**PROPOSED on the motion of Cr McGlynn that the motion lay on the table.**

**As a procedural motion a seconder was not required.**

**05122016 RESOLVED on the motion of Cr McGlynn that the motion lay on the table.  
CARRIED**

### **9.2 West Wyalong Sports Stadium Management**

**Council Recommendation:**

**06122016 RESOLVED on the motion of Cr McGlynn seconded Cr Monaghan that Council establish a Special Management Committee for the ongoing management of the West Wyalong Sports Stadium. CARRIED**

**Council Recommendation:**

**07122016 RESOLVED on the motion of Cr McGlynn seconded Cr Wyse that the General Manager determine the appropriate position/s within the existing organisation structure and the level of operational support provided to the Special Management Committee. CARRIED**

**Council Recommendation:**

**08122016 RESOLVED on the motion of Cr McGlynn seconded Cr Monaghan that the General Manager recommends to Council the roles and responsibilities for all stakeholders. CARRIED**

**Council Recommendation:**

**09122016 RESOLVED on the motion of Cr Monaghan seconded Cr Baker that permission be sought from Department of Lands prior to finalising any management arrangements. CARRIED**

### **9.3 Proposed Community Cinema – West Wyalong**

**Council Recommendation:**

**10122016 RESOLVED on the motion of Cr Wyse seconded Cr English that Bland Shire Council offer its in-principle support for the establishment of a Community Cinema in West Wyalong pending further financial deliberations and the presentation of a firm project scope and costings. CARRIED**

### **9.4 Crown Land Management Act 2016**

**Council Recommendation:**

**11122016 RESOLVED on the motion of Cr Monaghan seconded Cr McGlynn that the information regarding the introduction of the Crown Land Management Act 2016 be received and noted and that the general manager continue to monitor and report on any major implications to council as a result of this new legislation. CARRIED**



## **Audit Presentation**

**Council Recommendation:**

**12122016 RESOLVED on the motion of Cr Wyse seconded Cr English that Council revert to the Public Forum Session for the annual Audit Presentation. CARRIED**

At this stage, 7.15pm, Mr Jeff Shanks from Luka Group provided the Auditor's Presentation for the Financial Statements year ended 30 June 2016.

**Council Recommendation:**

**13122016 RESOLVED on the motion of Cr McGlynn seconded Cr Wyse that thanks be conveyed to Council's Manager Financial Services, staff and the previous Council for the satisfactory financial result for the year ended 30 June 2016. CARRIED**

**Council Recommendation:**

**14122016 RESOLVED on the motion of Cr Baker seconded Cr Keatley that formal meeting practices resume. CARRIED**

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

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### **9.5 Financial Statements – November 2016**

**Council Recommendation:**

**15122016 RESOLVED on the motion of Cr Keatley seconded Cr Monaghan:**

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of November, 2016**
- 2. That Council confirms the payment of accounts, for the period 01 November to 30 November 2016, summarised in the accounts summary totalling \$3,980,852.32. CARRIED**

## **9.6 Strengthening Communities Grant – Weethalle Whistlestop**

**Council Recommendation:**

**16122016 RESOLVED** on the motion of Cr McGlynn seconded Cr Monaghan that Council approve a Strengthening Communities grant for the Weethalle Whistlestop Arts and Craft Committee towards the purchase of a coffee machine on a \$1 for \$1 basis in accordance with the grant guidelines up to a maximum contribution of \$3170. **CARRIED**

**Council Recommendation:**

**17122016 RESOLVED** on the motion of Cr Wyse seconded Cr Monaghan:

- 1. That Council offer further staff assistance to the Weethalle Whistlestop Arts and Craft Committee to seek external grant funding and promotion of fundraising activities.**
- 2. That any grant awarded by Council only be paid once the Weethalle Whistlestop Arts and Craft Committee can demonstrate it has sufficient funds to complete the purchase of the machine as supported by Council. CARRIED**

## **9.7 Strengthening Communities Grant – West Wyalong Rugby Union Club**

**Council Recommendation:**

**18122016 RESOLVED** on the motion of Cr English seconded Cr McGlynn that Council approve a Strengthening Communities grant of \$3000 to the West Wyalong Rugby Union Club to assist with the costs of holding the inaugural West Wyalong Women's Rugby Sevens tournament in March 2017. **CARRIED**

## **9.8 Local Heritage Grant – Top Town Tavern**

**Council Recommendation:**

**19122016 RESOLVED** on the motion of Cr McGlynn seconded Cr Wyse that Council resolve to approve a Local Heritage Fund grant of \$30,000 for the replacement of the existing roof and repainting of the exterior and interior of the Top Town Tavern. **CARRIED**

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

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### **9.9 Ungarie Floodplain Risk Management Committee**

**Council Recommendation:**

**20122016 RESOLVED** on the motion of Cr Wyse seconded Cr Baker that the resolution of the Ungarie Floodplain Risk Management Committee, passed at its meeting on the 29 November, 2016, be noted:

**“That once the current confidential draft Ungarie Flood Study report is amended to suit all submissions that the new draft report be brought directly to Bland Shire Council for its consideration for placing on public exhibition for comments.”.**

**CARRIED**

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

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**Council Recommendation:**

**21122016 RESOLVED** on the motion of Cr Wyse seconded Cr Monaghan that the following reports, provided for information only, be received and noted:

- **9.10 – Asset & Engineering Services Report**
- **9.11 – Community Services Report**
- **9.12 – Bland Shire Library Monthly Update**
- **9.13 – Bland HACCC Services Update**
- **9.14 – Development Services Activity Report**
- **9.15 – Economic Development & Tourism Report – November. CARRIED**

### **10.0 URGENT BUSINESS WITHOUT NOTICE**

#### **10.1 Riverina Regional Library Agreement**

**Council Recommendation:**

**22122016 RESOLVED** on the motion of Cr Wyse seconded Cr Monaghan that the revised Riverina Regional Library Agreement be signed under the Seal of Council.  
**CARRIED**

## 11.0 QUESTIONS AND STATEMENTS

### Cr Crowe

- Advised of a petition being prepared for Coolamon Shire in relation to Spries Lane
- Queried Christmas banners and the lighting installation in Main Street  
*DAES advised that the full supply of lights is still to be received and there are some issues with the control boxes. Lights will operate all year through and be programmed for Christmas each year*

### Cr Wyse

- Queried the works at the Reg Rattey memorial  
*DCCDS advised that the works are for lighting and are awaiting Essential Energy*
- Reported long grass on the block of land on the corner of Hyde and Boundary Streets  
*DAES to follow up and investigate*

### Cr Monaghan

- Conveyed congratulations on the Audit results

### Cr Baker

- Queried if Council would be making representations to appeal the rate pegging limit for 2017/18  
*Mayor advised that REROC will be appealing through IPART and a submission on the Local Government Cost Index*
- Queried progress with an inspection by the flood disaster committee  
*DAES advised that costs have been submitted, awaiting inspections. It was also noted that REROC have made a submission seeking extensions of time for funding expenditure*
- Wished everyone a merry Christmas and a prosperous New Year

### Cr McGlynn

- Conveyed congratulations to Cr Lord for his efforts as Mayor
- Reported long grass near Blyth Street Wyalong
- Conveyed congratulations to the Access Committee for the successful Disability Day celebrations
- Queried progress with the requested expenses reimbursement for the Garden Group  
*DCCDS advised that Council approved a donation of \$4,000 based on the provision of an application and acquittal*
- Conveyed congratulations to Cr English for her fundraising events and Craig Sutton for his involvement in the Bust-A-Move event
- Wished staff and Councillors a happy, safe New Year and a merry Christmas

### Cr English

- Conveyed thanks to Council staff for their assistance with the use of McAlister Oval for the fundraising cricket event
- Requested that the urban art concept be placed back on the agenda for consideration  
*Mayor advised that it will be included on the agenda for their planning day*

**Cr Keatley**

- Queried rate pegging limits and the opportunities to capitalise on mining activities  
*GM advised that the matter will be taken on notice*
- Tabled a promotional brochure from Albury City Council for information

**Cr Thomas**

- Conveyed apologies for non attendance at the Newell Highway Taskforce Meeting
- Conveyed thanks to RFS for their efforts during the recent fires
- Expressed concern for the future of the RFS headquarters in West Wyalong  
*GM advised that the matter has been ongoing as staff are living in Temora, efforts are continuing to maintain the site in West Wyalong*
- Requested a full report on the sports stadium floor  
*GM advised that a report was presented to the November 2016 Council meeting*
- Noted some efforts to tidy up the Wyalong approaches
- Wished Council and Councillors a merry Christmas and happy new year

**Cr Lord**

- Stated his commitment to working together to create the best Council in the REROC area
- Wished Councillors and staff a happy Christmas and prosperous new year

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 8.54pm.

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Chairperson