



BLAND SHIRE COUNCIL
west wyalong

Bland Shire Council

Minutes

Ordinary Council Meeting

15 March 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 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 interest's 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



Council Meeting Minutes

15 March 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 P Grellman
Cr L Hampton
Cr K Keatley
Cr T Lord
Cr L McGlynn
Cr B Monaghan (arrived 6.50pm)
Cr L Pike (arrived 6.33pm)
Cr N Pokoney

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 P Templeton

Council Recommendation:

01032016 RESOLVED on the motion of Cr Hampton seconded Cr Keatley that the apologies submitted by Cr Templeton be accepted. CARRIED

3.0 CONFIRMATION OF THE MINUTES

3.1 Ordinary Meeting held on 16 February 2016

▪ Confirmation

That the minutes of the Ordinary Council meeting held on 16 February 2016 be confirmed as a correct record of proceedings.

Council Recommendation:

02032016 RESOLVED on the motion of Cr Grellman seconded Cr Keatley that the minutes of the Ordinary Council meeting held on 16 February 2016 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	12.5 Investigation into Locations for a Visitor Information Centre (Revised – March 2016)	Non-Pecuniary

At this stage, 6.33pm, Cr Pike arrived.

5.0 PUBLIC FORUM

5.1 Presentation to Ms Louise Butler, Bland Shire Citizen of the Year 2015

Bland Shire's Citizen of the Year for 2015, Ms Louise Butler, was presented with her commemorative plaque by the General Manager and Mayor. Ms Butler thanked Council for the memento.

5.2 Mr Garry Shaw, Visitor Information Centre Services

Mr Shaw addressed Council in relation to their expression of interest for the provision of visitor information centre services. He acknowledged their shortcomings in parking and amenities stating that these facilities are within easy access nearby. The proposal offers value for money coupled with their business skills and professionalism.

5.3 Mr David Proebstel, West Wyalong Services & Citizens Club

Mr Proebstel addressed Council in relation to their expression of interest for the provision of visitor information centre services. He stated that their proposal is not perfect however offers benefits for both the council and community. It was noted that many travellers already enjoy the facilities available at the Club and utilise their car park, he stated that they are passionate to work with Council for the benefit of the community and Shire as a whole.

5.4 Mrs Sarah Curry, Majors Mulch

Mrs Curry addressed Council in relation to their locally produced, all Australian, gardening product launched 18 months ago and it was noted that they have received widespread recognition and awards. The business is expanding and they are keen to increase their local presence, it is proposed to employ 5 staff and establish community based initiatives, programs and workshops. Mrs Curry stated that Majors Mulch aim to boost West Wyalong, Bland Shire and the local business sector and requested Council's assistance to deliver their objectives.

5.5 Mr Jamie Adams, West Wyalong Caravan Park

Mr Adams addressed Council in relation to their recent request for an extension to the lease of the West Wyalong Caravan Park. He advised that they have invested time and money into the facilities and urged Council to reconsider as a short term lease will be detrimental to business. He stated that their proposal is fair and just, thanked Council for the opportunity to speak and requested a good outcome for their business, the Council and the businesses in town.

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:

03032016 RESOLVED on the motion of Cr Grellman seconded Cr Hampton 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

Cr McGlynn advised that she attended the recent meeting and should Evolution submit an expansion application Council has the right to apply for a voluntary planning agreement.

8.2 Cowal Gold Project Community Environmental Monitoring & Consultative Committee CEMCC

The Mayor advised that he attended the recent CEMCC meeting and Evolution provided details of their existing and additional opportunities for grants. It was noted that Evolution are continuing with exploration works far greater than activities conducted by Barrick.

At this stage, 6.50pm, Cr Monaghan arrived.

8.3 Country Mayors Association of NSW

The Mayor advised that attendees at the recent meeting shared their continuing angst at the State Government's Fit for the Future reforms with the LGNSW President stating that there are no longer any guarantees of any council being safe from amalgamation. Indications are that there will be only one round of local government elections in March 2017.

9.0 STAFF REPORTS

That the Council receive the staff reports.

SECTION 2 – OFFICE OF THE GENERAL MANAGER

9.1 Progress Report on the Delivery Program 2013-2016

Council Recommendation:

04032016 RESOLVED on the motion of Cr Lord seconded Cr Pike that the Council receive and note the report on progress for implementation, up to 31st December 2015, of the Delivery Program 2013 – 2016. **CARRIED**

9.2 Service Delivery and Organisation Structure Review (March 2016)

Council Recommendation:

05032016 RESOLVED on the motion of Cr Grellman seconded Cr Keatley:

- 1. That the information contained in the report on the review of council's Organisation Structure and Service Delivery is received and noted;**
- 2. That the councillors acknowledge the ongoing efforts of all staff in endeavouring to make Bland Shire Council Fit for the Future. CARRIED**

9.3 Refurbishment of the Perseverance Street Sports Complex Stadium – Progress Report (March 2016)

Council Recommendation:

06032016 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley:

- 1. That the information regarding the progress of the West Wyalong Sports Stadium refurbishment project be received and noted;**
- 2. That an Extraordinary meeting of Council be convened at 6.30pm on Tuesday 5 April to consider the tenders for this project;**
- 3. That the general manager prepare a further report detailing possible options for the future management of the refurbished facility; and**
- 4. That provision be made in the 2016 – 2017 budgets to cover the future management costs of the facility as well as the setting of fees and charges for the use of the facility. CARRIED**

9.4 Local Government Innovation Fund

Council Recommendation:

07032016 RESOLVED on the motion of Cr McGlynn seconded Cr Lord:

- 1. That Council supports the submission of an application under the Local Government Innovation Fund; and**
- 2. That the subject and purpose of the application be determined by the general manager. CARRIED**

9.5 Bland – Temora NSW Rural Fire Service - Draft Estimates 2016/17

Council Recommendation:

08032016 RESOLVED on the motion of Cr Grellman seconded Cr Lord that Bland Shire Council advise the NSW Rural Fire Service that it is not in a financial position to meet the increased RFS budget for the Bland – Temora Zone while such budget includes the purchase of a CAT 6 and the construction of two (2) new double bay sheds noting that such inclusions represent an approximate 22% increase while NSW councils are restricted to a 1.8% rate pegging limit for 2016/17. CARRIED

SECTION 3 – CORPORATE, COMMUNITY & DEVELOPMENT SERVICES

9.6 Financial Statements – February 2016

Council Recommendation:

09032016 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley:

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of February, 2016**
- 2. That Council confirms the payment of accounts, for the period 01 February to 29 February 2016, summarised in the accounts summary totalling \$1,202,786.14. CARRIED**

9.7 Making Of Rates 2016/17

Council Recommendation:

10032016 RESOLVED on the motion of Cr Hampton seconded Cr Monaghan that the Council makes the rates for the 2016/2017 year to allow for inclusion in the 2016/17 budget preparation. CARRIED

RECOMMENDATION 1

Council Recommendation:

11032016 RESOLVED on the motion of Cr Keatley seconded Cr Grellman:

ORDINARY RATE

A. That it is hereby RECOMMENDED that Ordinary Rates be made for the year commencing on 1 July 2016 on all rateable land within the area of the Council of Bland as follows:

(a) Farmland Rate

A base amount of eighty dollars (\$80.00) per assessment plus an ad-valorem amount of point zero zero five zero eight three cents (0.005083c) in the dollar on the land value of all rateable land categorised as farmland, the base amount to yield two point nine six percent (2.96%) of the total amount payable by the levying of the Farmland rate.

(b) Mining Rate

A base amount of one hundred and sixty seven dollars (\$170.00) plus an ad-valorem amount of point zero zero eight one zero one cents (0.008101c) in the dollar on the land value of all land categorised as mining land, the base amount to yield three point zero zero percent (3.00%) of the total amount payable by the levying of the mining rate.

(c) Gold Mining Rate

A base amount of one hundred and seventy dollars (\$170.00) plus an ad-valorem amount of point zero three two four eight three cents (0.032483c) in the dollar on the land value that is categorised as gold mining land, the base amount to yield zero point zero two percent (\$0.02%) of the total amount payable by the levying of the mining rate. **CARRIED**

RECOMMENDATION 2

Council Recommendation:

12032016 RESOLVED on the motion of Cr Grellman seconded Cr Keatley:

B. That it is hereby RECOMMENDED that Ordinary Rates be now made for the year commencing on 1 July 2016 on all rateable land within the area of the Council of Bland as follows:

(a) Residential Rate

A base amount of eighty dollars (\$80.00) per assessment plus an ad-valorem amount of point zero zero six zero six one cents (0.006061c) in the dollar on the land value of all rateable land categorised as residential, the base amount to yield thirty point one three percent (30.13%) of the total amount payable by the levying of the Residential rate.

(b) Business Rate

A base amount of one hundred and forty seven dollars (\$147.00) plus an ad-valorem amount of point zero one one eight nine six cents (0.011896c) in the dollar on the land value of all land categorised as business land, the base amount to yield twenty six point nine five percent (26.95%) of the total amount payable by the levying of the Business Rate.

But excepting there-from any land within the following areas of the Council of Bland which are hereby taken to be separate centres of population for the purposes of Section 529 (2) (b) of the Local Government Act 1993; and centres of activity for the Purposes of Section 529 (2) (d) of that Act:

- * Land within the West/Wyalong Differential General Rating District as defined in the minutes of the meeting of the Council held on the 8 December 1992
- * Land within the Town Improvement District of Barmedman as defined in the minutes of the meeting of the Council held on 8 November 1940 and notified in the NSW Government Gazette of 15 November 1940.
- * Land within the Town Improvement District of Ungarie as defined in the minutes of the Meeting of the Council held on 10 December 1926 and notified in the NSW Government Gazette of 24 December 1926. **CARRIED**

RECOMMENDATION 3

Council Recommendation:

13032016 RESOLVED on the motion of Cr Hampton seconded Cr Monaghan:

WEST WYALONG - WYALONG

THAT Ordinary Rates be now made on all rateable land within that part of the area of the Council of Bland within the West Wyalong/Wyalong Differential General Rating District as defined in the Minutes of the Council held on 8 December 1992, as follows:

(a) Residential (West Wyalong/Wyalong) Rate

A base amount of one hundred and forty seven dollars (\$147.00) per assessment plus an ad-valorem amount of point zero one two seven nine eight cents (0.012798c) in the dollar on the land value of all rateable land, the base amount to yield twenty two point zero eight percent (22.08%) of the total amount payable by the levying of the Residential (West Wyalong/Wyalong) rate.

(b) Business (West Wyalong/Wyalong) Rate

A base amount of one hundred and seventy dollars (\$170.00) per assessment plus an ad-valorem amount of point zero two one one eight two cents (0.021182c) in the dollar on the land value of all rateable land categorised as business land, the base amount to yield eleven point four two percent (11.42%) of the total amount payable by the levying of the Business (West Wyalong/Wyalong) rate. **CARRIED**

RECOMMENDATION 4

Council Recommendation:

14032016 RESOLVED on the motion of Cr Keatley seconded Cr Lord:

BARMEDMAN

THAT Ordinary Rates be now made on all rateable land within that part of the area of the Council of Bland within the Town Improvement District of Barmedman as defined in the Minutes of the Council held on 8 November 1940 and notified in the NSW Government Gazette on the 15 November 1940, as follows:

(a) Residential (Barmedman) Rate

A base amount of eighty dollars (\$80.00) per assessment plus an ad-valorem amount of point zero one four seven six eight cents (0.014768c) in the dollar on the land value of rateable land, that is categorised as residential land, the base amount to yield thirty seven point four three percent (37.43%) of the total amount payable by the levying of the Residential (Barmedman) rate.

(b) Business (Barmedman) Rate

A base amount of eighty dollars (\$80.00) per assessment plus an ad-valorem amount of point zero one five zero three eight cents (0.015038c) in the dollar on the land value of all rateable land categorised as business land, the base amount to yield thirty five point six zero percent (35.60%) of the total amount payable by the levying of the Business (Barmedman) rate. **CARRIED**

RECOMMENDATION 5

Council Recommendation:

15032016 RESOLVED on the motion of Cr Pike seconded Cr Grellman:

UNGARIE

THAT Ordinary Rates be now made on all rateable land within that part of the area of the Council of Bland within the Town Improvement District of Ungarie as defined in the Minutes of the meeting of the Council held on 10 December 1926 and notified in the NSW Government Gazette of the 24 December 1926, as follows:

(a) Residential (Ungarie) Rate

A base amount of eighty dollars (\$80.00) per assessment plus an ad-valorem amount of point zero four zero six one five cents (0.040615) in the dollar on the land value of all rateable land, the base amount to yield thirty five point eight nine percent (35.89%) of the total amount payable by the levying of the Residential (Ungarie) rate.

(b) Business (Ungarie) Rate

A base amount of eighty dollars (\$80.00) per assessment plus an ad-valorem amount of point zero four four four one six cents (0.044416) in the dollar on the land value of all rateable land categorised as business land the base amount to yield twenty eight point six five percent (28.65%) of the total amount payable by the levying of the Business (Ungarie) rate. **CARRIED**

9.8 Community Grants and Donations Policy

Council Recommendation:

16032016 RESOLVED on the motion of Cr Grellman seconded Cr McGlynn that the Council adopts the *Community Grant and Donations Policy* as presented. CARRIED

9.9 Strengthening Communities Grant – Weethalle Rodeo

Council Recommendation:

17032016 RESOLVED on the motion of Cr Grellman seconded Cr McGlynn that Council approve the Strengthening Communities Grant application from the Weethalle Rodeo Committee (under the auspice of the Weethalle Show Society Inc.) for the amount of \$4000 to assist with the provision of livestock, specialist rodeo staff and equipment for the Weethalle Rodeo on the condition that all risk and safety requirements as outlined by Council are fully complied with. CARRIED

9.10 Strengthening Communities Grant – West Wyalong Harness Racing Club

Council Recommendation:

18032016 RESOLVED on the motion of Cr McGlynn seconded Cr Grellman that Council approve the Strengthening Communities Grant application from the West Wyalong Harness Racing Club for \$2000 to assist with the cost of advertising for the West Wyalong Carnival of Cups. CARRIED

SECTION 4 – ASSET & ENGINEERING SERVICES

9.11 Local Emergency Management Arrangements

Council Recommendation:

19032016 RESOLVED on the motion of Cr Keatley seconded Cr Monaghan:

- 1. That Council appoint council's Environment Foreman (currently Glenn Neyland) as the Bland Shire Local Emergency Management Officer and the Chair (shared) of the Bland Shire Local Emergency Management Committee.**
- 2. That council appoint council's Director of Engineering Services (currently Will Marsh) as the Chair (shared) of Bland Shire Local Emergency Management Committee.**
- 3. That council appoint council's Coordinator Design and Contracts (currently Allan Curran) as the alternate Bland Shire Local Emergency Management Officer and as Bland Shire Council's representative on the Local Emergency Management Committee. CARRIED**

SECTION 5 – REPORTS FOR INFORMATION

Council Recommendation:

20032016 RESOLVED on the motion of Cr Hampton seconded Cr Pike that the following reports, provided for information only, be received and noted:

- **9.12 - Asset & Engineering Services Report**
- **9.13 - Bland Shire Library Monthly Update**
- **9.14 - Children Services Monthly Update**
- **9.15 - Community Services Monthly Report**
- **9.16 - Development Services Activity Report**
- **9.17 - Economic Development & Tourism Report – February. CARRIED**

10.0 URGENT BUSINESS WITHOUT NOTICE Nil

11.0 QUESTIONS AND STATEMENTS

Cr McGlynn

- Conveyed congratulations to the Catholic Church for their 100 year celebrations

Cr Pike

- Noted that rallies have been held in Sydney recently in response to the amalgamations

Cr Lord

- Stated that he continued to read with interest and dismay at the State Government's amalgamation saga

Cr Grellman

- Agreed with the comments of Cr Lord

Cr Pokoney

- Stated that the State Government's Fit for the Future reforms appear to be having an impact at the National level

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

Council Recommendation:

21032016 RESOLVED on the motion of Cr Hampton 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 7.38pm.

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

Council Recommendation:

29032016 RESOLVED on the motion of Cr Hampton seconded Cr Pike that Council move out of closed Council and into open Council. CARRIED

At this stage, 9.17pm, the Mayor returned to the meeting and resumed the Chair.

The meeting then resumed at 9.17pm.

12.1 Expressions of Interest – Purchase of 184 Main 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:

22032016 RESOLVED on the motion of Cr Pike seconded Cr Monaghan that:

- 1. Council advertise 184 Main Street, West Wyalong for lease subject to the following:**
 - **The term of the lease to be 5 years with an option for a further 5 years or an option to purchase at the end of the first five years subject to council approval;**
 - **The lease fee be set at \$250.00 per week for the first year and then subject to annual market review;**
 - **The lessee to be responsible for the payment of all utilities and the council rates;**
 - **Council to repair or replace the roof as required and to prevent any leaks and to replace the air conditioner if found to be faulty;**
 - **All other standard terms and conditions applicable to a commercial lease.**
- 2. The first offer of refusal be extended to the current interested party and excludes application for assistance under Council's Business Assistance Policy.**
- 3. The mayor and general manager be authorised to execute the lease documents under the common seal of council. CARRIED**

12.2 Strategic Property Purchase

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:

23032016 RESOLVED on the motion of Cr Grellman seconded Cr Lord that Council delegate authority to the general manager to negotiate the purchase of this particular property to an amount based on recent similar sales. CARRIED

12.3 West Wyalong Caravan Park

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:

24032016 RESOLVED on the motion of Cr Lord seconded Cr McGlynn:

- 1. That Council determine whether the original adopted five year extension still stands.**
- 2. If Council does not determine the original extension still stands, then Council make a determination on the appropriate lease extension time; be it 20years, 30years, another period, or no extension.**
- 3. A market rate appraisal be done in 2016 and applied to the lease, and this market rate appraisal be done every two years from 2016. CARRIED**

Council Recommendation:

25032016 RESOLVED on the motion of Cr Pike seconded Cr Lord that Council offer a 10 x 10 year lease for the West Wyalong Caravan Park. CARRIED

12.4 Request To Waive Interest On Outstanding Rates

Local Government Act {Section10A(2)(b)}

The matters and information are the personal hardship of any resident or ratepayer

Council Recommendation:

26032016 RESOLVED on the motion of Cr Lord seconded Cr Grellman that Council does not accede to the request to waive the future interest on the Rates debt for the property identified as Property ID 131950 (State Forest). CARRIED

12.5 Investigation into Locations for a Visitor Information Centre (Revised – March 2016)

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:

27032016 RESOLVED on the motion of Cr Pike seconded Cr Hampton that Council determines the future location and operation of a Visitor Information Centre for West Wyalong. CARRIED

Council Recommendation:

28032016 RESOLVED on the motion of Cr Pike seconded Cr Lord that:

- 1. The proposed location of a Visitor Information Centre be McCann Park and the costings be referred to the budget workshop.**
- 2. The Visitor Information Centre remain in the Library until such time as the budget is determined. CARRIED**

14.0 CLOSE OF THE MEETING

There being no further business the meeting then closed at 9.18pm.

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Chairperson