



**Bland Shire Council**  
**Minutes**  
**Ordinary Council Meeting**  
**17 May 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: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<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**

**17 May 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 K Keatley  
Cr T Lord  
Cr L McGlynn  
Cr B Monaghan (arrived 6.54pm)  
Cr L Pike (arrived 6.40pm)  
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 Hampton

### **Council Recommendation:**

**01052016 RESOLVED on the motion of Cr Grellman seconded Cr Keatley that the apologies submitted by Cr Hampton be accepted. CARRIED**

### **3.0 CONFIRMATION OF THE MINUTES**

#### **3.1 Ordinary Meeting held on 19 April 2016**

##### **▪ Confirmation**

That the minutes of the Ordinary Council meeting held on 19 April 2016 be confirmed as a correct record of proceedings.

**Council Recommendation:**

**02052016 RESOLVED on the motion of Cr Grellman seconded Cr Templeton that the minutes of the Ordinary Council meeting held on 19 April 2016 be confirmed as a correct record of proceedings. CARRIED**

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

**4.0 DECLARATIONS OF INTEREST**

| <b>Councillor/Officer</b> | <b>Item</b>              | <b>Nature of Interest</b> |
|---------------------------|--------------------------|---------------------------|
| Cr McGlynn                | 7.1 – Art Prize for 2016 | Non-Pecuniary             |

**5.0 PUBLIC FORUM**

**5.1 Mrs Sarah Gillett, Riding for the Disabled**

Mrs Gillett addressed Council in relation to the Access Incentive Grant application. She thanked Council and the Access Committee for consideration of their request and conveyed appreciation and thanks to Craig Sutton and Rebecca McDonnell for their support and encouragement of the project to date. Mrs Gillett advised that the proposed disabled toilet will be a stand alone unit and will remain the property of Riding for the Disabled not personal improvements to her property. It was noted that support is being provided by the Wagga branch, training and meetings with local medical practitioners is underway with the service expecting to be ready for clients in late June.

**6.0 MAYORAL MINUTE**

**6.1 Annual Performance Review of the General Manager**

**Council Recommendation:**

**03052016 RESOLVED on the motion of Cr Pokoney seconded Cr McGlynn that the General Manager, Mr. Ray Smith is congratulated on his successful and positive annual performance review and that a 2.5% increase in his Total Remuneration Package is approved, effective from the 17 May 2016, being the anniversary of his commencement date with Council. CARRIED**

**7.0 NOTICES OF MOTION**

**7.1 Art Prize for 2016 (Clr. McGlynn)**

At this stage, 6.40pm, Cr Pike arrived.

**Council Recommendation:**

**04052016 RESOLVED** on the motion of Cr McGlynn seconded Cr Keatley that an amount of \$3,000.00 be allocated from the 2015/16 Tourism Promotions budget for an Art Prize associated with the 2016 Festival in the West on the condition that the competition is only open to artists of the Bland Shire and that the winning art piece is donated to Bland Shire Council. **CARRIED**

**8.0 DELEGATES & ADVISORY COMMITTEE REPORTS**

**Section 1 – Delegates & Advisory Committee Reports & Minutes** *(for information)*

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

**Council Recommendation:**

**05052016 RESOLVED** on the motion of Cr Templeton seconded Cr Keatley 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 Committee met on 6<sup>th</sup> May and supported the application for disabled toilet facilities for Riding for the Disabled and noted that a report is presented to Council for consideration.

**8.2 NSW Association of Mining Related Councils**

Cr McGlynn advised that she attended a recent meeting at Narromine and it was noted that should an application for expansion of the mine be made a planning agreement may be determined.

Cr Lord queried the extension of the royalties for regions program and it was noted that the matter will be handled by the joint organisations and that there is no direct link in royalties paid and returns.

**8.3 Goldenfields Water County Council**

Cr Templeton advised that works are progressing on the pipeline replacement in Fishers Lane near Weethalle.

Cr Lord noted the Goldenfields Water County Council procurement policy provides a 5% discount for local purchases and commended them on the initiative.

**9.0 STAFF REPORTS**

That the Council receive the staff reports.

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

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### **9.1 Federal Budget 2016 Implications for Local Government**

**Council Recommendation:**

**06052016 RESOLVED on the motion of Cr Keatley seconded Cr Templeton that the information regarding the Federal Budget 2016 implications on local government be received and noted. CARRIED**

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

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### **9.2 Financial Statements – April 2016**

**Council Recommendation:**

**07052016 RESOLVED on the motion of Cr Grellman seconded Cr Keatley:**

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of April, 2016**
- 2. That Council confirms the payment of accounts, for the period 01 April to 30 April 2016, summarised in the accounts summary totalling \$2,469,985.77. CARRIED**

### **9.3 Budget Review – March 2016**

**Council Recommendation:**

**08052016 RESOLVED on the motion of Cr Pike seconded Cr Lord that the Officers Report be received and noted and that the Council endorses the Statement acknowledging the financial position is considered satisfactory. CARRIED**

### **9.4 Access Incentive Grant – West Wyalong Riding for the Disabled (RDA) Centre**

At this stage, 6.54pm, Cr Monaghan arrived.

**Council Recommendation:**

**09052016 RESOLVED** on the motion of Cr Grellman seconded Cr McGlynn that Council approve an Access Incentive Scheme Grant application from the West Wyalong Riding for the Disabled (RDA) Centre for \$3000 towards the installation of a disabled toilet at the centre. **CARRIED**

## **SECTION 4 – REPORTS FOR INFORMATION**

**Council Recommendation:**

**10052016 RESOLVED** on the motion of Cr Templeton seconded Cr Keatley that the following reports, provided for information only, be received and noted:

- **9.5 - Engineering Services Report**
- **9.6 - Community Services Report**
- **9.7 - Children Services Monthly Update**
- **9.8 - Bland Shire Library Monthly Update**
- **9.9 - Bland HACC Services Update**
- **9.10 - Development Services Activity Report**
- **9.11 - Economic Development & Tourism Report – April. CARRIED**

**10.0 URGENT BUSINESS WITHOUT NOTICE**  
Nil

**11.0 QUESTIONS AND STATEMENTS**

**Cr McGlynn**

- Queried if the General Manager has met with the new Goldenfields Water County Council General Manager and followed up on the Wargin Road application  
*GM advised that the meeting has been held and the matter is in hand*

**Cr Keatley**

- Thanked the Mayor and Deputy Mayor for attending the welcome for the new Ungarie Police Officer and his family
- Advised that the Ungarie show will proceed and a committee has been established



### **Cr Grellman**

- Advised that the recent Weethalle Rodeo was a successful event with no major injuries.

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

#### **Council Recommendation:**

**11052016 RESOLVED on the motion of Cr Grellman seconded Cr Keatley 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 7.16pm.

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

#### **Council Recommendation:**

**17052016 RESOLVED on the motion of Cr McGlynn seconded Cr Pike that Council move out of closed Council and into open Council. CARRIED**

The meeting then resumed at 7.39pm.

### **12.1 Evergreen Photography Business Assistance Funding**

*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:**

**12052016 RESOLVED on the motion of Cr Keatley seconded Cr Pike that Council approve \$2,590 in Business Assistance Funding to Evergreen Photography for the establishment of their photographic business located 124B Main Street, West Wyalong in accordance with the existing policy. CARRIED**

### **12.2 The Dentists of West Wyalong Business Assistance Funding**

*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:**

**13052016 RESOLVED on the motion of Cr McGlynn seconded Cr Templeton that Council approve \$6,664 in Business Assistance Funding to The Dentists of West Wyalong for the establishment of their dentist business located 124 Main Street, West Wyalong in accordance with the existing policy. CARRIED**

**12.3 Salon K & Co Business Assistance Funding**

*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:**

**14052016 RESOLVED on the motion of Cr Grellman seconded Cr Templeton that Council approve \$3,667 in Business Assistance Funding to Salon K & Co for the establishment of their hairdressing business located 128 Main Street, West Wyalong in accordance with the existing policy. CARRIED**

**12.4 Whispering Pines Business Assistance Funding**

*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:**

**15052016 RESOLVED on the motion of Cr Pike seconded Cr Grellman that Council approve \$5,189 in Business Assistance Funding to Whispering Pines for the expansion of their organic flour processing business located at 586 South Yalgogrin Road in accordance with the existing policy. CARRIED**

**12.5 Beauty Off Main Business Assistance Funding**

*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:**

**16052016 RESOLVED on the motion of Cr Grellman seconded Cr Templeton that Council approve \$2,537 in Business Assistance Funding to Beauty off Main for the establishment of their beauty business located 23A Church Street, West Wyalong in accordance with the existing policy. CARRIED**

**14.0 CLOSE OF THE MEETING**

There being no further business the meeting then closed at 7.40pm.

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Chairperson