



BLAND SHIRE COUNCIL
west wyalong

Bland Shire Council

Minutes

Ordinary Council Meeting

25 October 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

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 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	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	dlq@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

25 October 2016

commencing at 6:31PM

1. INTRODUCTION

The meeting was opened by the Mayor with the Introduction and welcome at 6.31pm.

2. ATTENDANCE

2.1 Councillors

Cr Bruce Baker
Cr Rodney Crowe
Cr Penny English
Cr Kerry Keatley
Cr Tony Lord
Cr Liz McGlynn
Cr Brian Monaghan
Cr Murray Thomas
Cr Jan Wyse

2.2 Staff

Acting General Manager – Will Marsh
Director Corporate, Community & Development Services – Adele Casey
Personal Assistant – Carissa Burge

2.3 Apologies

General Manager – Ray Smith
Executive Assistant – Julie Sharpe

3. CONFIRMATION OF THE MINUTES

4.1 Ordinary Meeting held on 27 September 2016

▪ Confirmation

That the minutes of the Ordinary Council meeting held on 27 September 2016 be confirmed as a correct record of proceedings.

Council Recommendation:

01102016 RESOLVED on the motion of Cr Monaghan seconded Cr Keatley that the minutes of the Ordinary Council meeting held on 27 September 2016 be confirmed as a correct record of proceedings. CARRIED

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

4. DECLARATIONS OF INTEREST

Councillor/ Officer	Item	Nature of Interest
Cr Baker	Item 9.5 – Local Heritage Grant – Royal Hotel Mirrool	Non-Pecuniary

5. PUBLIC FORUM Nil

6. MAYORAL MINUTE Nil

7. NOTICES OF MOTION

7.1 Form a Economic Development & Tourism Committee (Cr Thomas)

Councillor Recommendation:

PROPOSED on the motion of Cr Thomas seconded Cr Crowe:

That the Council form a joint Economic Development & Tourism committee at the earliest opportunity (not wait until the New Year).

AMENDMENT proposed on the motion of Cr McGlynn seconded Cr Keatley that the Economic Development and Tourism committees remain as the status quo.

On being put to the vote the amendment became the motion and was carried.

02102016 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley that the Economic Development and Tourism committees remain as the status quo. CARRIED

7.2 Review of General Managers Delegated Authority (Cr Thomas)

Councillor's Recommendation:

PROPOSED on the motion of Cr Thomas seconded Cr Wyse

1. At the earliest opportunity hold a review of the General Managers delegated authorities.

AMENDMENT proposed on the motion of Cr McGlynn seconded Cr Wyse that a review of all delegations within the first 12 months of a new council term be undertaken prior to the budget adoption.

On being put to the vote the amendment became the motion and was carried.

03102016 RESOLVED on the motion of Cr McGlynn seconded Cr Wyse that a review of all delegations within the first 12 months of a new council term be undertaken prior to the budget adoption. **CARRIED**

8. DELEGATES & ADVISORY COMMITTEE REPORTS

SECTION 1 – DELEGATES & ADVISORY COMMITTEE REPORTS

Council Recommendation:

04102016 RESOLVED on the motion of Cr McGlynn 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**

9. STAFF REPORTS

SECTION 2 - STAFF REPORTS

9.1 Meeting Arrangements – Christmas – New Year 2016-2017

Council Recommendation:

05102016 RESOLVED on the motion of Cr Monaghan seconded Cr Wyse that Council approve of the following meeting arrangements for the 2016/17 Christmas and New Year holiday period:

1. The December Council Workshop actually be held on 29 November 2016 commencing immediately after the Australia Day Awards Committee meeting.
2. The Australia Day Awards Committee meeting is held in conjunction with the Workshop on 29 November 2016 commencing at 6.30pm.
3. The December Ordinary meeting of Council be held on Tuesday, 13 December 2016.
4. The Council Christmas dinner is held at the conclusion of the Ordinary meeting on 13 December 2016.
5. There be no meetings held in January 2017.
6. The Mayor and General Manager be delegated authority, jointly, to deal with matters of an urgent nature between the December 2016 and February 2017 Council meetings and that any matters dealt with under this authority be reported to the first meeting in 2017. **CARRIED**

9.2 Review of the Format of Council Workshops

Council Recommendation:

06102016 RESOLVED on the motion of Cr Monaghan seconded Cr Baker:

1. That the current format for the monthly council workshops be maintained;
2. That members of the public may address a workshop on a specific issue as and when the need arises with notification to the General Manager; and
3. That councillors undertake further debate of items at the council meeting that have been the subject of discussion at earlier workshops. **CARRIED**

SECTION 3 – CORPORATE, COMMUNITY & DEVELOPMENT SERVICES

9.3 Financial Statements – September 2016

Council Recommendation:

07102016 RESOLVED on the motion of Cr Keatley seconded Cr Baker:

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of September, 2016**
- 2. That Council confirms the payment of accounts, for the period 01 September to 30 September 2016, summarised in the accounts summary totalling \$4,146,663.51. CARRIED**

9.4 Local Heritage Grant – 143-147 Main Street West Wyalong

Council Recommendation:

PROPOSED on the motion of Cr McGlynn seconded Cr English that Council resolve to approve an additional Local Heritage Fund grant of \$5000 for the replacement of the awning at 143-147 Main Street with a single storey verandah.

AMENDMENT proposed on the motion of Cr Wyse seconded Cr Crowe that Council resolve to approve an additional Local Heritage Fund grant of \$2500 for the replacement of the awning at 143-147 Main Street with a single storey verandah.

On being put to the vote the amendment became the motion and was carried.

08102016 RESOLVED on the motion of Cr Wyse seconded Cr Crowe that Council resolve to approve an additional Local Heritage Fund grant of \$2500 for the replacement of the awning at 143-147 Main Street with a single storey verandah. **CARRIED**

9.5 Local Heritage Grant – Royal Hotel Mirrool

Council Recommendation:

09102016 RESOLVED on the motion of Cr McGlynn seconded Cr Wyse that Council resolve to approve a Local Heritage Fund grant of \$4862 for the repainting of the exterior verandah of the Royal Hotel Mirrool. **CARRIED**

9.6 Children Services Unit – Policies Adoption

Council Recommendation:

10102016 RESOLVED on the motion of Cr Wyse seconded Cr Thomas that Council adopts the Children Services Unit Policies listed below as required by the Education and Care Services National Regulation 2011:

- Enrolment and Orientation Policy
- Fee Policy
- Safe Sleep and Rest Time Policy
- Health and Safety – Sun Protection, and
- Termination of Family Day Care Educator Agreement. **CARRIED**

SECTION 4 – REPORTS FOR INFORMATION

Council Recommendation:

11102016 RESOLVED on the motion of Cr McGlynn seconded Cr Baker 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 - Development Services Activity Report
- 9.11 - Economic Development & Tourism Report – September. **CARRIED**

10. URGENT BUSINESS WITHOUT NOTICE NIL

11. QUESTIONS AND STATEMENTS

Cr Crowe

- Acknowledged the work of council staff in regards to the slashing along Quandialla Road however the guide posts are still difficult to see
AGM advised information taken on notice
- Cr Crowe questioned the traffic management plan for the India in the West Festival to take place on the weekend
AGM advised the TCP as submitted by India in the West was approved

Cr Wyse

- Queried the progress of the new LED lighting for Main Street
AGM advised it is anticipated that the lights will be installed in time for Christmas.
- Queried the whereabouts of the rural addressing signs along the Newell Highway travelling north
AGM advised information taken on notice, but possibly taken down by RMS.

Cr Monaghan

- Requested that council be advised at a workshop, the options available regarding vacant land and requesting owners to clear/clean
Cr Lord advised that Local Government NSW are currently lobbying state government to change the current Act. This issue is to be placed on the November workshop agenda.

Cr Baker

- Congratulated staff on the recent road repairs to date
- Hoped all Councillors will be available for the bus tour on 5 November 2016
- Queried an interview by The Land Newspaper with the General Manager
AGM advised that the GM issued clarification which was printed in the West Wyalong Advocate on Friday 21 October
- Thanked Council for the continued support to the Mirrool Silo Kick Challenge

Cr McGlynn

- Requested that council utilise local trades people and introduce a roster type system.
- Expressed her disappointment that the integrity of the General Manager and Executive Assistant was discussed by Councillors in a public meeting. This should not occur, any staff matters should be addressed with the General Manager not in a public forum. Cr McGlynn reminded councillors that under the current Act Councillors have direct contact only with the General Manager.

Cr English

- Urged all Councillors to support India in the West this weekend

Cr Keatley

- Reminded Councillors that the recent comments misquoted in the media highlighted the fact that only the GM and Mayor should talk to the media.

Cr Thomas

- Questioned if the recycling centre at the tip is up and running
AGM advised that the recycling centre is open however the Cash for Containers Scheme is not yet in place, REROC have not yet decided how this will be administered
- Requested a review of Councils handling of a recent development application to look into how the process could be improved for future reference. Requested the possibility of an external consultant.

Cr Lord

- Council is receiving conflicting information regarding the reopening of the Newell Highway. There is still water across the highway in places.
- Was good to see the Condobolin road re-opened on Friday

- 12. CLOSURE OF THE MEETING TO DISCUSS CONFIDENTIAL BUSINESS UNDER THE PROVISIONS OF SECTION 10A(2) OF THE LOCAL GOVERNMENT ACT**
Nil
- 13. RESUMPTION OF THE MEETING AND CONSIDERATION OF RECOMMENDATIONS OF THE CLOSED SECTION OF THE MEETING**
Nil
- 14. CLOSE OF THE MEETING**
There being no further business the meeting then closed at 7.46 pm.

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Chairperson