



Bland Shire Council

Minutes

Ordinary Council Meeting

20 June 2017



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@dlq.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

20 June 2017

commencing at 6:30PM

1.0 ATTENDANCE

1.1 Councillors

Cr Bruce Baker
Cr Rodney Crowe
Cr Penny English
Cr Kerry Keatley
Cr Tony Lord
Cr Liz McGlynn
Cr Brian Monaghan (arrived 6.47pm)
Cr Murray Thomas
Cr Jan Wyse

1.2 Staff

General Manager – Ray Smith
Director Asset & Engineering Services – Will Marsh
Director Corporate, Community & Development Services – Adele Casey
Executive Assistant – Julie Sharpe

1.3 Apologies

Nil

2.0 CONFIRMATION OF THE MINUTES

2.1 Ordinary Meeting held on 16 May 2017

▪ Confirmation

Recommendation:

01062017 RESOLVED on the motion of Cr Wyse seconded Cr English that the minutes of the Ordinary Council meeting held on 16 May 2017 be confirmed as a correct record of proceedings. **CARRIED**

- **Corrections** - Nil
- **Business Arising** - Cr Thomas stated that he voted against resolution 08052017 however did not release that a specific request was required for it to be recorded in the minutes.

3.0 **DECLARATIONS OF INTEREST**

Nil

4.0 **PUBLIC FORUM**

4.1 **Evolution Mining Presentation**

The Mayor welcomed Evolution Mining representatives Jamie Coad, Bronwyn Flynn and Anne Bolton.

Bronwyn addressed Council and provided an update on the approved Modification 13 to extend the life of the mine until 2032. An overview of proposed Modification 14 to allow for an increased processing rate was provided. It was noted that the application for Modification 14 is expected in February 2018.

Jamie addressed Council and provided an overview of their Project Arrive Alive and fatigue management practices. It was noted that staff are provided with bus transport, housing options however supply is limited and staff are to remain in West Wyalong when rostered on, training in fatigue and general wellbeing.

At this stage, 6.47pm, Cr Monaghan arrived.

Jamie advised that onsite health and wellbeing services are provided to employees and noted the potential partnerships to sponsor a locally based full time psychologist as a Shared Values Project for the entire Bland Shire community.

The Mayor thanked the Evolution Mining representatives for their attendance and the information provided.

4.2 **Mr Paul Northey**

Mr Northey addressed Council in relation to the condition of rural roads. He stated that the roads are a disgrace and extremely dangerous. It was noted that Neville Fisher sends his apologies for not being able to attend following the recent bus tour with the General Manager. Mr Northey circulated photos of the roads and stated that the poor conditions are affecting business as some contractors will not come to take their product from farm to market. He stated that a grader still hasn't been seen in the area and he is at the stage of not paying rates if action isn't taken. In closing Mr Northey encouraged Councillors to take a drive through the area.

4.3 **Mr Peter McCarten**

Mr McCarten addressed Council and advised that he is a farmer in the Rankins Springs area. He expressed concerns at the condition of the roads and stated that he has not seen a grader in the area. He advised that contractors are wanting to charge more due to impacts from the roads and sought more commitment from Council for maintaining the roads.

5.0 MAYORAL MINUTE

5.1 Annual Performance Review of the General Manager

Recommendation:

02062017 RESOLVED 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**

The Mayor provided an overview of recent meetings attended.

6.0 NOTICES OF MOTION

6.1 Official Opening Statement (Clr. McGlynn)

Recommendation:

PROPOSED on the motion of Cr McGlynn seconded Cr Baker that council resolves to reintroduce the official opening statement for the Ordinary Meetings of Council.

On being put to the vote the motion was LOST

6.2 Dress Code (Clr. McGlynn)

Recommendation:

03062017 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley that council establishes an appropriate dress code for the formal meetings of council. **CARRIED**

9.3 CWA Cooking Lessons (Clr Monaghan)

Recommendation:

04062017 RESOLVED on the motion of Cr Monaghan seconded Cr McGlynn:

- 1. That the general manager ascertains the level of interest, within the community, for members of the West Wyalong CWA to conduct cooking lessons for the younger generation within the Bland Shire; and**
- 2. That if sufficient interest exists for this initiative that Bland Shire Council contributes \$1,000.00 from the Strengthening Community Fund towards the purchase of ingredients. CARRIED**

7.0 DELEGATES & ADVISORY COMMITTEE REPORTS

SECTION 1 – DELEGATES & ADVISORY COMMITTEE REPORTS

Recommendation:

05062017 RESOLVED on the motion of Cr Thomas seconded Cr Baker that the Council receive and note the delegate and committee reports from Councillors and Committee meeting minutes as presented. **CARRIED**

8.0 STAFF REPORTS

SECTION 2 – OFFICE OF THE GENERAL MANAGER

8.1 Integrated Planning and Reporting Framework – Adoption of Draft Documents

Recommendation:

06062017 RESOLVED on the motion of Cr Wyse seconded Cr Thomas that Council consider the submissions to the Draft Integrated Planning and Reporting documents prior to adopting each of the associated plans and programs. **CARRIED**

Recommendation:

07062017 RESOLVED on the motion of Cr Wyse seconded Cr English that Council adopts the Your Vision, Our Future – Community Strategic Plan 2017-2027 subject to the amendments agreed to at this meeting. **CARRIED**

Recommendation:

08062017 RESOLVED on the motion of Cr McGlynn seconded Cr Wyse that following the State Budget announcement of a 3.5% increase in Emergency Services contributions that Bland Shire Council pay an increase in contribution of 1.5% only in line with the rate pegging limit. **CARRIED**

Recommendation:

09062017 RESOLVED on the motion of Cr McGlynn seconded Cr Baker that 100% of the balance of Council's mining rate income be transferred to the Community Facilities Reserve after deducting the amount for the Loan Repayment Reserve. CARRIED

Recommendation:

10062017 RESOLVED on the motion of Cr Wyse seconded Cr Crowe that Council adopts the Combined Delivery Program and Operational Plan subject to the amendments agreed to at this meeting. CARRIED

Cr McGlynn recorded a dissenting vote

Recommendation:

PROPOSED on the motion of Cr Thomas seconded Cr English that Council adopts the Resourcing Strategy 2017-2027 comprising of Asset Management Plan, Long Term Financial Plan and Workforce Management Plan subject to the amendments agreed to at this meeting.

Cr Baker foreshadowed a motion.

11062017 RESOLVED on the motion of Cr Baker seconded Cr Monaghan that the Road Hierarchy and Service Levels be reviewed at the July Council Workshop. CARRIED

Recommendation:

12062017 RESOLVED on the motion of Cr Thomas seconded Cr English that Council adopts the Resourcing Strategy 2017-2027 comprising of Asset Management Plan, Long Term Financial Plan and Workforce Management Plan subject to the amendments agreed to at this meeting. CARRIED

The General Manager provided a supplementary report in relation to an additional submission regarding Council's Draft Revenue Policy.

Recommendation:

13062017 RESOLVED on the motion of Cr McGlynn seconded Cr Monaghan that the proposed fees and charges in respect to the recently refurbished West Wyalong Stadium be further considered at the July Council meeting and in the interim a further meeting, chaired by the mayor, be held with representatives of the West Wyalong Basketball Association to address their issues and further that the outcome of this meeting be considered at the July Council workshop prior to the submission of a report to the July Council meeting. CARRIED

Recommendation:

14062017 RESOLVED on the motion of Cr Thomas seconded Cr Crowe that Council adopts the Revenue Policy 2017/2018 subject to the amendments agreed to at this meeting. CARRIED

Cr McGlynn recorded a dissenting vote

8.2 Local Government Act – Phase 1 Amendments - Implementation

Recommendation:

15062017 RESOLVED on the motion of Cr Crowe seconded Cr Monaghan that the information on the implementation of the Phase 1 amendments to the Local Government Act be received and noted. CARRIED

8.3 Contractual Arrangements Of Senior Staff As At June 2017

Recommendation:

16062017 RESOLVED on the motion of Cr Crowe seconded Cr Wyse that the information provided to Council under S.339 of the Local Government Act 1993 in respect to the contractual arrangements for senior staff as at June 2017 be received and noted. CARRIED

8.4 Integrity Management and Risk Management in Local Government

Recommendation:

17062017 RESOLVED on the motion of Cr Baker seconded Cr Crowe that the information provided by the general manager in relation to the establishment of an internal Risk Committee be received and noted. **CARRIED**

8.5 Local Government Professionals National Congress 2017

Recommendation:

18062017 RESOLVED on the motion of Cr Wyse seconded Cr English that the information regarding the general manager's attendance at the 2017 National Congress of Local Government Professionals Australia be received and noted. **CARRIED**

8.6 LGNSW Annual Conference 2017

Recommendation:

PROPOSED on the motion of Cr Wyse seconded Cr English that Council determine the two (2) councillors to attend the LGNSW Annual Conference being held in Sydney from 4-6 December 2017 in conjunction with the mayor of the day and the general manager.

The motion was withdrawn

Recommendation:

19062017 RESOLVED on the motion of Cr McGlynn seconded Cr Crowe that the mayor of the day and the general manager attend the LGNSW Annual Conference being held in Sydney from 4-6 December 2017. **CARRIED**

8.7 Program Level Agreement – Department of Family and Community Services NSW – Community Builders Program

Recommendation:

20062017 RESOLVED on the motion of Cr Thomas seconded Cr Baker that Council sign and affix the Seal to the Program Level Agreement between the Department of Family and Community Services NSW and Bland Shire Council for the provision of services funded under the Community Builders Program. CARRIED

8.8 Community Reference Group - RV Friendly Towns and Destinations

Recommendation:

21062017 RESOLVED on the motion of Cr Thomas seconded Cr Keatley:

- 1. That Council apply to the Campervan and Motorhome Club of Australia (CMCA) to declare Ungarie an RV Friendly Town**
- 2. That Council apply to the CMCA to declare Barmedman and Mirrool RV friendly Destinations. CARRIED**

8.9 Community Reference Group - Motorcycle Friendly Town

Recommendation:

22062017 RESOLVED on the motion of Cr Wyse seconded Cr Crowe:

- 1. That Council formally declare West Wyalong as a Motorcycle Friendly Town**
- 2. That a launch date be tentatively set for Saturday 14 October in conjunction with the Ulysses Club Sydney Odyssey**
- 3. That Council investigate appropriate signage, motorcycle parking and the development of appropriate maps and report back to Council. CARRIED**

8.10 Bland Shire Council Disability Inclusion Action Plan

Recommendation:

23062017 RESOLVED on the motion of Cr McGlynn seconded Cr Wyse that Council formally adopt the Bland Shire Disability Inclusion Action Plan (DIAP) 2017 – 2021. CARRIED

Recommendation:

24062017 RESOLVED on the motion of Cr Wyse seconded Cr McGlynn that Council formally acknowledges the efforts and conveys congratulations to Ms Rebecca McDonnell for her efforts in preparing the Disability Inclusion Action Plan. CARRIED

SECTION 3 – CORPORATE, COMMUNITY & DEVELOPMENT SERVICES

8.11 Financial Statements – May 2017

Recommendation:

25062017 RESOLVED on the motion of Cr Baker seconded Cr Thomas:

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of May, 2017**
- 2. That Council confirms the payment of accounts, for the period 01 May to 31 May 2017, summarised in the accounts summary totalling \$1,721,274.05. CARRIED**

8.12 Planning Proposal – Minor Amendments of Bland Local Environmental Plan 2011

Recommendation:

26062017 RESOLVED on the motion of Cr McGlynn seconded Cr Crowe:

- 1. Pursuant to Section 56 of the Environmental Planning and Assessment Act 1979, Council forwards the attached planning proposal for minor amendments to the Bland Local Environmental Plan 2011 to the Minister for Planning requesting a Gateway Determination, and**
- 2. That Council undertakes community consultation in accordance with the Gateway Determination. CARRIED**

8.13 Fire And Emergency Services Levy Deferred

Recommendation:

27062017 RESOLVED on the motion of Cr Thomas seconded Cr English that the report regarding the deferral of the Fire and Emergency Services Levy be noted. CARRIED

8.14 Program Level Agreement – Department of Family and Community Services NSW

Recommendation:

28062017 RESOLVED on the motion of Cr Baker seconded Cr Thomas that Council sign and affix the seal to the Program Level Agreement between the Department of Family and Community Services NSW and Bland Shire Council for the provision of services funded under the Department of Family and Community Services NSW. CARRIED

8.15 Proposed Road Name for Wootten Street Subdivision

Recommendation:

29062017 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley that Council submit the proposed road name, Charles West Place, to the NSW Geographic Names Board for their approval. CARRIED

8.16 Open Burning Policy

Recommendation:

30062017 RESOLVED on the motion of Cr McGlynn seconded Cr Thomas:

- 1. That Council place the draft Open Burning Policy on public exhibition for a period of 21 days.**
- 2. That if no submissions are received, the Council give delegated authority to the General Manger to adopt the policy. CARRIED**

SECTION 4 – ASSET & ENGINEERING SERVICES

8.17 Plant Purchases For The 2017 – 2018 Financial Year

Recommendation:

31062017 RESOLVED on the motion of Cr McGlynn seconded Cr Baker that Bland Shire Council note and adopt the purchase of a Grader, a 6x4 Gravel Truck, a 4 x 2 Truck, a Street Sweeper plus one Tag Trailer, and a Tool Carrier/digger. CARRIED

8.18 Red Gum Trees in McCann Park

Recommendation:

32062017 RESOLVED on the motion of Cr Monaghan seconded Cr Wyse that Council remove only the red gum trees within and along the western boundary of McCann Park that are heavily diseased, split or posing a danger to the public and trim the large branches on the remaining trees. CARRIED

8.19 Interim Roads Program For The 2017 – 2018 Financial Year

Recommendation:

33062017 RESOLVED on the motion of Cr Monaghan seconded Cr Thomas that Bland Shire Council adopt the interim roads program of Quandialla Road, Blackstocks Road, Blow Clear Road, Bootowa Road, Digglemans Lane, South Yalgogrin Road, Narriah Road, Dansens Lane, White Tank Lane, Kolkilbertoo Road (depending on funds confirmation), MR 57 (nth) (depending on funds confirmation), McDermotts Lane, Mirol Road and Richards Lane, on the understanding that this program may be changed when the flood damage works are approved by the NSW State Government.
CARRIED

SECTION 5 – REPORTS FOR INFORMATION

At this stage, 8.48pm Cr Thomas left the meeting and returned at 8.50pm.

Recommendation:

34062017 RESOLVED on the motion of Cr Wyse seconded Cr Monaghan that the following reports, provided for information only, be received and noted:

- **8.20 - Community Services Report**
- **8.21 - Economic Development & Tourism Report – May 2017**
- **8.22 - Bland Shire Library Monthly Update**
- **8.23 - Children Services Monthly Update**
- **8.24 - Development and Regulatory Services Activity Report**
- **8.25 - Asset & Engineering Services Report. CARRIED**

9.0 URGENT BUSINESS WITHOUT NOTICE

Nil

10.0 QUESTIONS AND STATEMENTS

Cr Crowe

- Advised that the NSW Mines Rescue Championships are being held in West Wyalong on 18-22 September
- Queried the arrangements for the Ministers visit on 23 June
- Advised that Councillors are invited to ride in a buggy during the Melbourne Cup Main Street parade

Cr Monaghan

- Queried the commercial in confidence requirements
GM advised that any information provided to Council as commercial in confidence must be dealt with in accordance with the provisions of the Local Government Act

Cr Baker

- Queried the use of the West Wyalong Fire Control Centre by the Fire & Rescue Services, Police, National Parks
DAES advised that bi-annually the Emergency Management Committee meet at the centre
- Queried works on Bartells Lane
DAES advised that it was graded instead of resheeted and further investigation will be undertaken
- Advised of overgrown trees on Yithan Lane
- Queried surveying works within Mirrool township
- Queried outstanding works at Mirrool toilets
- Queried progress with the lane acquisition behind Donaldsons
GM advised that the matter is progressing

Cr McGlynn

- Queried the engagement of next available plumbing and electrical contractors for works at Mirrool
GM advised that the matter will be investigated
- Noted the RFS presentation scheduled for the July Council Workshop

Cr English

- Expressed concern at the etiquette of some Councillors and requested more respect for people

Cr Keatley

- Queried the 40km per hour restrictions on lengths of road when only sections are damaged
DAES advised that the restrictions have remained in place pending RMS flood damage inspections and will be reconsidered

Cr Thomas

- Queried the installation of security cameras
DAES advised that cameras have been installed at the Airport and STW for monitoring and cross referencing
- Queried the use of Council vehicles and fuel provision while staff are on leave

- Advised of blockages in the sewerage system at 71 Court Street due to trees and queried treatment options
DAES advised that the matter be taken on notice
- Advised that he has contacted the electrical contractor in relation to the lighting at Reg Rattey and its expected the works will be completed in 2 weeks
- Advised that the lights are not working at the pedestrian crossings in Main and Church Streets
- Conveyed congratulations for the road repair in Church Street following the recent incident

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

12.0 **RESUMPTION OF THE MEETING AND CONSIDERATION OF RECOMMENDATIONS OF THE CLOSED SECTION OF THE MEETING**
Nil

13.0 **CLOSE OF THE MEETING**
There being no further business the meeting then closed at 9.13pm.

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Chairperson