



Bland Shire Council
Minutes
Ordinary Council Meeting
19 September 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 Agenda

19 September 2017

commencing at 6:30PM

1.0 INTRODUCTION

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

2.0 ATTENDANCE

2.1 Councillors

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

2.2 Staff

General Manager – Ray Smith
Director Asset & Engineering Services – Will Marsh
Director Corporate, Community, Development & Regulatory Services – Adele Casey
Personal Assistant – Carissa Burge

2.3 Apologies

Cr Penny English
Executive Assistant – Julie Sharpe

Recommendation:

01092017 RESOLVED on the motion of Cr Wyse seconded Cr Baker that the apologies submitted by Cr English and Executive Assistant – Julie Sharpe be accepted. CARRIED

3.0 CONFIRMATION OF THE MINUTES

3.1 Ordinary Meeting held on 15 August 2017

- Confirmation

02092017 RESOLVED on the motion of Cr Baker seconded Cr Monaghan that the minutes of the Ordinary Council meeting held on 15 August 2017 be confirmed as a correct record of proceedings with the correction of a spelling error in 7.1 Meeting Opening. **CARRIED**

- Corrections - Nil
- Business Arising - Nil

4.0 DECLARATIONS OF INTEREST

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss the person or another person with whom the person is associated.

A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision a person might make in relation to a matter.

Councillor/Officer	Item	Nature of Interest

5.0 PUBLIC FORUM

NIL

6.0 MAYORAL MINUTE

NIL

7.0 NOTICES OF MOTION

7.1 Meals on Wheels Rental Subsidy (Cr McGlynn)

Recommendation:

PROPOSED on the motion of Cr Monaghan seconded Cr McGlynn that Bland Shire Council reduces the annual rental paid by Meals on Wheels to the West Wyalong HACC Centre from \$8,000.00 plus to \$2,500.00 annually starting immediately.

On being put to the vote the motion was WITHDRAWN and referred to the next workshop.

8.0 DELEGATES & ADVISORY COMMITTEE REPORTS

SECTION 1 – DELEGATES & COMMITTEE REPORTS & MINUTES

Recommendation:

03082017 RESOLVED on the motion of Cr Thomas seconded Cr Crowe that the Council receive and note the delegate and committee reports from Councillors and Committee meeting minutes as presented. CARRIED

8.1 Goldenfields Water County Council Board

Cr McGlynn advised that the Mandamah Scheme project is due to commence in November and no new water schemes will start until the Mandamah Scheme was complete. Cr McGlynn advised that with the change to Hilltops and Cootamundra Councils new delegates will be appointed and effectively an election for executives will take place. Cr Wyse asked how many customers Goldenfields Water had and why only 100 people were surveyed. Cr McGlynn advised that Goldenfields Water have in excess of 11,000 customers.

8.2 NSW Association of Mining Related Councils

Cr McGlynn advised that she attended the NSW Association of Mining Related Councils. Cr Thomas requested a presentation regarding VPA's, The General Manager explained that he is waiting on a return phone call from Warrick Gibling and the presentation is believed to take place in the new year. Cr McGlynn advised that Wind Farms and Solar Farms may be asked to join the NSW Association of Mining Related Councils.

SECTION 2 – OFFICE OF THE GENERAL MANAGER

9.1 Progress Report on the Delivery Program 2013-2017

Recommendation:

04092017 RESOLVED on the motion of Cr McGlynn seconded Cr Thomas that the Council receive and note the report on progress for implementation, up to 30th June 2017, of the Delivery Program 2013-2017. **CARRIED**

9.2 One TAFE NSW – Update

Recommendation:

05092017 RESOLVED on the motion of Cr McGlynn seconded Cr Thomas that the information regarding the restructure of TAFE NSW is received and noted and that an invitation is extended to our regional contact for TAFE to address a future workshop of council. **CARRIED**

9.3 Country Link Services between West Wyalong and Wagga Wagga

Recommendation:

06092017 RESOLVED on the motion of Cr McGlynn seconded Cr Thomas:

- 1. That immediate representations be made to the NSW State Government to initiate a Country Link Bus Service to operate between West Wyalong and Wagga Wagga;**
- 2. That the support of the surrounding Shires of Lachlan, Temora and Coolamon as well as Wagga Wagga City Council be enlisted in respect to this initiative. CARRIED**

9.4 Preference Counting in NSW Local Government Elections

Recommendation:

07092017 RESOLVED on the motion of Cr McGlynn seconded Cr Monaghan that council makes a submission to the Parliamentary Inquiry into 'preference counting' in NSW local government elections based on council's wish to see the introduction of 'first past the post' voting particularly for NSW rural councils and further that this matter be submitted as a motion to the next LGNSW Conference. **CARRIED**

9.5 Recognition of the Daniher Brothers – Progress Report

Recommendation:

08092017 RESOLVED on the motion of Cr Crowe seconded Cr Keatley that the Recognition of the Daniher Brothers – Progress Report be received and noted. CARRIED

9.6 Strengthening Communities – West Wyalong Clay Target Club

Recommendation:

09092017 RESOLVED on the motion of Cr Crowe seconded Cr Wyse that council approve a Strengthening Communities grant of \$891.00 to the West Wyalong Clay Target Club towards the purchase of targets for its 2017 open shoot. CARRIED

SECTION 3 – CORPORATE, COMMUNITY, DEVELOPMENT & REGULATORY SERVICES

9.7 Financial Statements – August 2017

Recommendation:

10092017 RESOLVED on the motion of Cr Baker seconded Cr McGlynn:

- 1. That Council receive and note the statement of Bank Balances, Rates, Collections and Investments for the month of August, 2017.**
- 2. That Council confirms the payment of accounts, for the period 01 August to 31 August 2017, summarised in the accounts summary totalling \$5,703,409.52 CARRIED**

9.8 Financial Statements 2016/2017

Recommendation:

11092017 RESOLVED on the motion of Cr Monaghan seconded Cr Baker:

- 1. That the Financial Statements for 2016/2017 be referred for Audit**
- 2. That the Council authorise the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer to sign the statement by Councillors and Management. CARRIED**

9.9 Carry Forward Works from 2016/2017

Recommendation:

12092017 RESOLVED on the motion of Cr Thomas seconded Cr McGlynn that the requested budget balances, as detailed in the Carry Forward document, for the amount of \$1,180,593.00, is carried to the 2017-18 financial period. **CARRIED**

9.10 Department of Family and Community Services – Deed of Variation

Recommendation:

13092017 RESOLVED on the motion of Cr McGlynn seconded Cr Monaghan that Council sign and affix the seal to the Deed of variation between the Department of Family and Community Services NSW and Bland Shire Council for the continued provision of services funded under the Program Level Agreements. **CARRIED**

9.11 Children’s Services Unit – Policies Adoption

Recommendation:

14092017 RESOLVED on the motion of Cr Monaghan seconded Cr Thomas that Council adopt the Children Services Unit Policies listed below as required by the Education and Care Services National Regulation 2011.

- Dealing with Infectious Disease Policy
- Fee Policy
- Complaints Handling Policy **CARRIED**

9.12 Application To Vary Development Standard – DA2018/0027 – Subdivision

Recommendation:

15092017 PROPOSED on the motion of Cr McGlynn seconded Cr Crowe:

- 1. That Council resolved to approve the application subject to the concurrence of the Director-General of the Department of Planning and Environment.**
- 2. That if no objections as a result of neighbour notification are received that the application is submitted to the Department of Planning and Environment.**

On being put to the vote the motion was CARRIED 8/0

9.13 Local Heritage Fund Grant Application – Clark Family Reunion

Recommendation:

16092017 RESOLVED on the motion of Cr McGlynn seconded Cr Baker that Council approve a local heritage grant of \$370.00 for costs associated with the Clark Family Reunion. CARRIED

SECTION 4 – ASSET & ENGINEERING SERVICES

9.14 Tree Management Policy

Recommendation:

17092017 RESOLVED on the motion of Cr Thomas seconded Cr Wyse that Bland Shire Council re-adopt the Tree Management Policy. CARRIED

SECTION 5 – REPORTS FOR INFORMATION

Recommendation:

18092017 **RESOLVED** on the motion of Cr Wyse seconded Cr Keatley that the following reports, provided for information only, be received and noted:

- **9.15 – Economic Development & Tourism Report – August 2017**
- **9.16 – Community Services Report**
- **9.17 – Bland Shire Library Monthly Update**
- **9.18 – Children’s Services Monthly Update**
- **9.19 – Bland HACCC Services Update**
- **9.20 – Development Services Activity Report**
- **9.21 – Asset & Engineering Services Report** **CARRIED**

10.0 URGENT BUSINESS WITHOUT NOTICE

NIL

11.0 QUESTIONS AND STATEMENTS

Cr Monaghan

- Queried the colourful lights at the Reg Rattey memorial
GM advised that to change the lights, a new controller would need to be purchased at an estimate of \$2,500.
- Queried the distribution of Stadium keys and requested a discussion at the next workshop.
GM advised that the Basketball Association has access to the stadium, the limited access to keys is for security reasons only.
- Queried why the shire does not have a lake and requested investigations proceed at the next workshop.
- Advised that the Council is not providing tourism in regards to infrastructure to attract visitors.
- Advised that a community member informed him of why the application for assistance with the theatre was not received.
GM advised that Council is awaiting a return call from the Grants Co-ordinator as to why the application was unsuccessful and that Council has resubmitted a grant application through the Regional Cultural Fund.

Cr Baker

- Queried work progress on Spencers Lane
DAES advised works on Spencers Lane are commencing this week.
- Queried when the street sweeper is arriving
DAES advised that it is due to arrive in February 2018
- Advised that he is pleased with the work that is happening on roads in his area.

Cr McGlynn

- Queried if there was a change table in the downstairs public toilet
DCCDRS advised that there is a change table
- Requested that Council advertise that there is a change table
- Requested that Council look into the feasibility of Solar Farming for local use.

Cr Keatley

- Advised that Rob Rattey had informed him of another family member visiting commented that they were “over the moon” with the lights at the Reg Rattey

memorial. Suggested that consultation with family members in regards to the lights be taken into consideration before any changes are made.

- Advised that he is disappointed on Community members making unfounded comments in regards to Council operations.

Cr Thomas

- Thanked the Engineering Department on the urban guttering works undertaken recently at Wyalong.
- Requested a feasibility study in regards to the VIC and Lake commence.
Mayor Lord advised that these items are on the Agenda for the next workshop.
- Advised that he had taken photographs of the graffiti at the toilets at Cooina Park and handed over to the police, as the artists "tags" may assist in identifying culprits.
- Advised that he is organising a ride to Ungarie via Kikoira and Weethalle when the Ulyses Motorcycle group are visiting.
- Requested that the Caravan and RV friendly destination be discussed at the workshop.

Cr Crowe

- Advised that he has been a member of Council for 12 months now and has not yet been advised of any Lachlan Valley Noxious Plants Advisory Committee Meetings and requested further information in regards to meeting dates.
- Thanked staff involved with the Town Criers events throughout the Shire for all the work involved in a great event.
- Advised he had seen visitors that had been camping in tents at Cooina Park recently.

Cr Wyse

- Questioned if a toilet cleaner had been employed
GM advised that he had signed off on the paper work today.

12.0 CLOSURE OF THE MEETING TO DISUCSS 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 8.01pm.