



**Bland Shire Council**  
**Minutes**  
**Ordinary Council Meeting**  
**21 August 2018**



# 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 Toll Free: 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:dlq@dlq.nsw.gov.au">dlq@dlq.nsw.gov.au</a>	<a href="http://www.dlg.nsw.gov.au">www.dlg.nsw.gov.au</a>
NSW Ombudsman	9286 1000 Toll Free: 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**

**21 August 2018**

**commencing at 6:30PM**

### **1.0 INTRODUCTION**

The meeting was opened by the Mayor with the welcome and introduction at 6.30pm.

### **2.0 ATTENDANCE**

#### **2.1 Councillors**

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

#### **2.2 Staff**

Acting General Manager – Will Marsh  
Executive Assistant – Julie Sharpe

#### **2.3 Apologies**

General Manager – Ray Smith  
Director Corporate, Community, Development & Regulatory Services – Adele Casey  
Cr Kerry Keatley

### **Recommendation:**

**01082018 RESOLVED on the motion of Cr English seconded Cr Crowe that the apologies submitted by Cr Keatley, Mr Smith and Mrs Casey be accepted and that leave of absence be granted for Cr Keatley. CARRIED**

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

#### **3.1 Ordinary Meeting held on 17 July 2018**

- **Confirmation**

**Recommendation:**

**02082018 RESOLVED on the motion of Cr Wyse seconded Cr McGlynn that the minutes of the Ordinary Council meeting held on 17 July 2018 be confirmed as a correct record of proceedings. CARRIED**

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

**4.0 DECLARATIONS OF INTEREST**  
Nil

**5.0 PUBLIC FORUM**

**5.1 Mr Howard Mangelsdorf**

Mr Mangelsdorf addressed Council in relation to landing fees at the airport. He advised that his services have been provided to council on occasions in the past. Mr Mangelsdorf stated that he is unsure of Council's intention with the airport as the charges are prohibitive for training purposes and although charges are comparable to others in the area there are no further aviation services or facilities available at the airport or township. He advised that Temora and Cootamundra do not charge landing fees and Council's charges are not included in the ERSA (En Route Supplement Australia), it was suggested that the landing fees may promote poor airmanship.

**5.2 Mrs Rosemary Garthwaite, Regional General Manager, Murrumbidgee Local Health District (MLHD)**

Mrs Garthwaite thanked Council for the invitation to attend and discuss the issues for the community in relation to hospital services and community health. Mrs Garthwaite stated that medical cover at the hospital has been challenging of recent times and the doctors and MLHD are working together to address the issues and stabilise the medical workforce in West Wyalong. She provided an overview of the skillset requirements, recruitment process, service expectations for the hospital and individual practices, telehealth/remote assistance and contractual obligations. In response to questions from Councillors Mrs Garthwaite explained the triage system, hospital categorisation, funding and requirements. It was noted that the West Wyalong Hospital is categorised as an Acute Care facility with complete point of care pathology services and is within a cluster together with Temora and Coolamon. Contract negotiations and the appointment of a fourth doctor to provide cover at the hospital are expected to be completed by the end of September.

In relation to the relocation of community health services from Main Street to the Hospital Mrs Garthwaite advised that it is not in her portfolio however she has been briefed on the matter. She responded to questions from Councillors and it was noted that the relocation has previously been considered and an opportunity for funding became available. Relocation will enable modern integrated multidisciplinary healthcare for the community and ensure support and security for staff. Mrs Garthwaite advised that no works have commenced and the community and Local Health Advisory Committee will be consulted on the design and layout.

At this stage, 7.27pm, the Mayor thanked Mrs Garthwaite for her attendance and the information provided.

6.0 **MAYORAL MINUTE**  
Nil

7.0 **NOTICES OF MOTION**  
Nil

8.0 **DELEGATES & COMMITTEE REPORTS**

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

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

**Recommendation:**

**03082018 RESOLVED** on the motion of Cr Wyse seconded Cr McGlynn that the Council receive and note the delegate and committee reports from Councillors and Committee meeting minutes as presented. **CARRIED**

9.0 **STAFF REPORTS**

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

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### **9.1 Progress Report 2 on the Combined Delivery Program & Operational Plan 2017-2021**

**Recommendation:**

**04082018 RESOLVED** on the motion of Cr Thomas seconded Cr McGlynn that the Council receive and note the report on progress for implementation, up to 30<sup>th</sup> June 2018, of the Combined Delivery Program & Operational Plan 2017 – 2021. **CARRIED**

## 9.2 Disclosure of Interest Returns

Recommendation:

05082018 RESOLVED on the motion of Cr Wyse seconded Cr Baker that Councillors note the Disclosure of Interest return requirements and accept the Disclosure of Interest Register as tabled. CARRIED

## 9.3 LGNSW Annual Conference – Submission of Motions

Recommendation:

06082018 RESOLVED on the motion of Cr Thomas seconded Cr Monaghan that the following motion be submitted to the 2018 LGNSW Annual Conference:

*That LGNSW lobbies the Federal Government for the return of at least 50% of the petrol and diesel excise duty direct to local government for expenditure on local roads. CARRIED*

## 9.4 Strengthening Communities Grant – West Wyalong Movies

Recommendation:

07082018 RESOLVED on the motion of Cr McGlynn seconded Cr Crowe that Council approves a Strengthening Communities grant of \$4000 to West Wyalong Movies to help meet the costs. CARRIED

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

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## **9.5 Financial Statements – July 2018**

**Recommendation:**

**08082018 RESOLVED on the motion of Cr Thomas seconded Cr Monaghan:**

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of July, 2018**
- 2. That Council confirms the payment of accounts, for the period 01 July to 31 July 2018, summarised in the accounts summary totalling \$1,931,193.19. CARRIED**

## **9.6 Carry Forward Works 2017/18**

**Recommendation:**

**09082018 RESOLVED on the motion of Cr Thomas seconded Cr Wyse that the requested budget balances, as detailed in the Carry Forward document, for the amount of \$806,940.00, is carried forward to the 2018/19 financial period. CARRIED**

## **9.7 Financial Statements 2017/18**

**Recommendation:**

**10082018 RESOLVED on the motion of Cr Monaghan seconded Cr English:**

- 1. That the Financial Statements for 2017-18 be referred for Audit**
- 2. That the Council authorise the Mayor, Deputy Mayor, General Manager and responsible Accounting Officer to sign the statement by Councillors and Management. CARRIED**

## **9.8 Heritage Assistance Grant Guidelines Review**

**Recommendation:**

**11082018 RESOLVED on the motion of Cr Baker seconded Cr Thomas that Council adopts the Heritage Assistance Grant Guidelines as amended in clause 3.0 Local Heritage Assistance Funding, Major Projects section, removal of “commercial”. CARRIED**



## **9.9 Local Heritage Assistance Funding – ‘Spy Hill’ 43 Ungarie Road, West Wyalong**

### **Recommendation:**

**PROPOSED** on the motion of Cr McGlynn seconded Cr English that Council approve funding of \$3,000 for the replacement of the roof and verandahs, verandah carpentry repairs and demolition of the sleepout and removal of fibro at ‘Spy Hill’ 43 Ungarie Road, West Wyalong.

**AMENDMENT** proposed on the motion of Cr Thomas seconded Cr Wyse that Council approve funding of \$7,000 in accordance with the revised Guidelines for the replacement of the roof and verandahs, verandah carpentry repairs and demolition of the sleepout and removal of fibro at ‘Spy Hill’ 43 Ungarie Road, West Wyalong.

On being put to the vote the amendment became the motion and was **CARRIED**

**12082018 RESOLVED** on the motion of Cr Thomas seconded Cr Wyse that Council approve funding of \$7,000 in accordance with the revised Guidelines for the replacement of the roof and verandahs, verandah carpentry repairs and demolition of the sleepout and removal of fibro at ‘Spy Hill’ 43 Ungarie Road, West Wyalong. **CARRIED**

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

### **Recommendation:**

**13082018 RESOLVED** on the motion of Cr Monaghan seconded Cr Thomas that the following reports, provided for information only, be received and noted:

- **9.10 - Economic Development & Tourism Report – July 2018**
- **9.11 - Community Services Report**
- **9.12 - Bland Shire Library Monthly Update**
- **9.13 - Bland HACC Services Update**
- **9.14 - Development Services Activity Report**
- **9.15 - Assets & Engineering Services Report. CARRIED**

**10.0 URGENT BUSINESS WITHOUT NOTICE**  
Nil

## 11.0 QUESTIONS AND STATEMENTS

### Cr McGlynn

- Requested a report on the airport charges  
*AGM advised that a report will be prepared for the September Workshop*

### Cr Baker

- Queried the implementation of the proposed 60km/hr speed zones for trucks on gravel roads  
*AGM advised that a report will be prepared for the next meeting*
- Queried progress with the village 355 committees  
*AGM advised that discussions continue with Weethalle and Naradhan will be followed up*
- Queried the allocation of mining rate income for works  
*Mayor advised that minor capital works approved during the budget process are funded from the allocation*  
*AGM confirmed the funds are the \$150,000 for minor capital works in the villages*
- Queried if Bartells Lane has been inspected following recent forum discussion regarding the wet grading processes  
*AGM advised that the inspection has been carried out and awaiting receipt of report*

### Cr Monaghan

- Stated that the Hospital carpark is inadequate  
*AGM advised that the matter will be raised during the upcoming meeting with Murrumbidgee Local Health and followed up with a letter*

### Cr Wyse

- Queried progress with the proposed Service NSW centre  
*AGM confirmed that a suitable site is still to be determined*

### Cr Crowe

- Noted roads works underway in numerous locations throughout the Shire
- Noted the installation of cameras in Main Street
- Stated the street sweeper is doing a great job

### Cr Thomas

- Noted that 15-20% of street lights off the Main Street are not working  
*AGM advised that a letter will be provided in accordance with the service guarantee*
- Queried the suggestion from the Tallimba Forum regarding long term plans for road sealing  
*AGM advised the a bitumen sealing program would be developed for Council's consideration after 2020/21*

### Cr English

- Queried issues with the Weethalle toilets  
*AGM advised that works on the Showground system is underway and investigations continue in relation to the Main Street public toilets*
- Queried progress on the provision of a seat in the playground at McCann Park  
*AGM advised that the seat has been installed*

### **Cr McGlynn**

- Conveyed thanks for the recent village community forums and noted positive feedback

### **Mayor Lord**

- Advised that the recent announcement of \$1M drought funding does not apply to the Bland Shire and that representations for reconsideration are underway

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

### **Recommendation:**

**14082018 RESOLVED on the motion of Cr Monaghan seconded Cr Crowe 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 8.09pm. At this stage, Cr Monaghan left the meeting.

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

### **Recommendation:**

**17082018 RESOLVED on the motion of Cr McGlynn seconded Cr Thomas that Council move out of closed Council and into open Council. CARRIED**

The meeting then resumed at 8.29pm.

### **12.1 Leasing of the West Wyalong Saleyard (Stockyard)**

*Local Government Act 1993 (section 10A (2) (c)*

*The matters and information are information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business*

### **Recommendation:**

**15082018 RESOLVED on the motion of Cr Crowe seconded Cr Thomas that:**

- 1. Bland Shire Council enter into five year lease with the West Wyalong stock agents.**
- 2. Bland Shire Council's Director of Asset and Engineering Services be given delegated authority to prepare and execute the lease on behalf of Bland Shire Council. CARRIED**

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF BLAND HELD IN THE COUNCIL CHAMBERS WEST WYALONG ON TUESDAY 21 AUGUST 2018

## 12.2 Wet Grading Tender and Associated Works

*Local Government Act 1993 (section 10A (2) (c)*

*The matters and information are information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business*

### **Recommendation:**

**16082018 RESOLVED** on the motion of Cr Thomas seconded Cr Wyse:

- 1. That contracts be offered to Keegan Civil Pty Ltd; Cleary Earth and Civil; BJ & VM Keys Earthworks; and Rod's Earthmoving and Excavations Pty Ltd on the basis of the provisos and conditions outlined in the report.**
- 2. That Bland Shire Council's Director of Asset and Engineering Services be given delegated authority to prepare and execute the contracts on behalf of Bland Shire Council. CARRIED**

## 14.0 CLOSE OF THE MEETING

There being no further business the meeting then closed at 8.30pm.

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Chairperson