



**Bland Shire Council**  
**Minutes**  
**Ordinary Council Meeting**  
**19 June 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: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 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

19 June 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 Kerry Keatley  
Cr Tony Lord  
Cr Liz McGlynn  
Cr Brian Monaghan (arrived 6.34pm)  
Cr Murray Thomas  
Cr Jan Wyse

#### 2.2 Staff

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

#### 2.3 Apologies

Nil

### 3.0 CONFIRMATION OF THE MINUTES

#### 3.1 Ordinary Meeting held on 15 May 2018

##### ▪ Confirmation

That the minutes of the Ordinary Council meeting held on 15 May 2018 be confirmed as a correct record of proceedings.

#### Recommendation:

**01062018 RESOLVED on the motion of Cr Baker seconded Cr Keatley that the minutes of the Ordinary Council meeting held on 15 May 2018 be confirmed as a correct record of proceedings. CARRIED**

- Corrections - Nil
- Business Arising - Nil

#### 4.0 DECLARATIONS OF INTEREST

Councillor/ Officer	Item	Nature of Interest
Cr Keatley	9.2 – The Daniher Brothers Tribute – Final Report	Non-Pecuniary
Cr Keatley	12.2 – Ungarie Floodplain Management Study and Plan	Non-Pecuniary

#### 5.0 PUBLIC FORUM

##### 5.1 Mr Tom Murdoch

Mr Murdoch addressed Council and queried the allocation of funds for specific road works.

At this stage, 6.34pm Cr Monaghan arrived.

Mr Murdoch also expressed concerns at the road conditions and delay with progress for roads damaged in previous flood events.

#### 6.0 MAYORAL MINUTE

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

###### Recommendation:

**02062018 RESOLVED on the motion of Mayor Lord 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 2018, being the anniversary of his commencement date with Council. CARRIED**

Cr Thomas recorded a dissenting vote

#### 7.0 NOTICES OF MOTION

Nil

#### 8.0 DELEGATES & COMMITTEE REPORTS

### SECTION 1 – DELEGATES & COMMITTEE REPORTS

###### Recommendation:

**03062018 RESOLVED on the motion of Cr Wyse seconded Cr Monaghan that the Council receive and note the delegate and committee reports from Councillors and Committee meeting minutes as presented. CARRIED**

### **8.1 Country Mayors Association of NSW**

The Mayor provided an overview of the recent meeting and advised that the minutes will be provided at the next meeting.

### **9.0 STAFF REPORTS**

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

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### **9.1 Integrated Planning and Reporting (IPR) Framework – Adoption of Draft Documents 2018/19**

**Recommendation:**

**04062018 RESOLVED** on the motion of Cr Wyse seconded Cr Keatley 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:**

**05062018 RESOLVED** on the motion of Cr Keatley seconded Cr Monaghan that Council adopts the Combined Delivery Program and Operational Plan 2018-2022 subject to the amendments agreed to at this meeting. **CARRIED**

**Recommendation:**

**06062018 RESOLVED** on the motion of Cr Thomas seconded Cr Baker that Council adopts the Revenue Policy 2018/19 subject to the amendments agreed to at this meeting. **CARRIED**

**Recommendation:**

**07062018 RESOLVED** on the motion of Cr Monaghan seconded Cr Thomas that Council adopts the Resourcing Strategy 2018-2028 comprising of Asset Management Plan, Long Term Financial Plan and Workforce Assessment Plan subject to any amendments agreed to at this meeting. **CARRIED**

## **9.2 The Daniher Brothers Tribute – Final Report**

**Recommendation:**

**08062018 RESOLVED on the motion of Cr McGlynn seconded Cr Baker:**

- 1. That the financial outcome from the Daniher Tribute project be received and noted;**
- 2. That the deficit of \$27,031.00 is met from the Marketing and Promotions budget for 2017/18 with the remaining deficit being covered from the sale of the remaining memorabilia;**
- 3. That the Ungarie Advancement Group be advised that they have no debt owing to Bland Shire Council. CARRIED**

## **9.3 LGNSW Annual Conference 2018 – Confirmation of Delegates and Conference Motions**

**Recommendation:**

**09062018 RESOLVED on the motion of Cr Wyse seconded Cr Monaghan:**

- 1. That council identifies the four (4) representatives to attend the LGNSW Annual Conference being held in Albury from 21-23 October 2018:**
- 2. That the Mayor be nominated as Council's voting delegate: and**
- 3. That the consideration of the submission of any Conference Motions be listed for discussion at the July Council Workshop. CARRIED**

**Recommendation:**

**10062018 RESOLVED on the motion of Cr Crowe seconded Cr English that Council's representatives to attend the LGNSW Annual Conference being held in Albury from 21-23 October 2018 are the Mayor, Deputy Mayor, Councillors English and Baker and the General Manager. CARRIED**

## **9.4 Strengthening Communities Grant – Lions Club, on behalf of the West Wyalong Baby Grand Piano Committee**

**Recommendation:**

**11062018 RESOLVED** on the motion of Cr McGlynn seconded Cr Wyse that Council approve a Strengthening Communities Grant of \$1150 for the West Wyalong Lions Club on behalf of the West Wyalong Community Grand Piano Committee for the completion of a major service of the West Wyalong community grand piano. **CARRIED**

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

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### **9.5 Financial Statements – May 2018**

**Recommendation:**

**12062018 RESOLVED** on the motion of Cr Keatley seconded Cr Thomas:

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of May, 2018**
- 2. That Council confirms the payment of accounts, for the period 01 May to 31 May 2018, summarised in the accounts summary totalling \$4,802,481.84. CARRIED**

### **9.6 Community Grants & Donations Policy**

**Recommendation:**

**13062018 RESOLVED** on the motion of Cr Monaghan seconded Cr Wyse that the Council adopts the *Community Grants and Donations Policy* as presented. **CARRIED**



## **9.7 Children's Services Unit – Policies Adoption**

**Recommendation:**

**14062018 RESOLVED** on the motion of Cr Wyse seconded Cr Crowe that Council adopt the Children Services Unit Policies listed below as required by the Education and Care Services National Regulation 2011.

- **Excursions Policy**
- **Behaviour Guidance and Interactions Policy**
- **Acceptance and Refusal of Authorisation Policy**
- **Incident, Injury, Trauma and Illness Policy. CARRIED**

## **9.8 Application to Modify Development Application DA2018/0052 (MOD2018/0001)**

**Recommendation:**

**15062018 RESOLVED** on the motion of Cr Thomas seconded Cr Crowe that application MA2018/0001 for modification of DA2018/0052 for the construction of a liquid fuel depot and associated structures be approved subject to the modified conditions attached to this report (Attachment 1). **CARRIED** (unanimously)

## **SECTION 4 – ASSET & ENGINEERING SERVICES**

### **9.9 Airport Master Plan**

**Recommendation:**

**16062018 RESOLVED** on the motion of Cr Wyse seconded Cr McGlynn that the Airport Master Plan dated 7/5/2018 be adopted in principle. **CARRIED**

## SECTION 5 – REPORTS FOR INFORMATION

### Recommendation:

**17062018 RESOLVED** on the motion of Cr Monaghan seconded Cr English that the following reports, provided for information only, be received and noted:

- **9.10 - Economic Development & Tourism Report – May 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 – May 2018**
- **9.15 - Asset & Engineering Services Report. CARRIED**

**10.0 URGENT BUSINESS WITHOUT NOTICE**  
Nil

### **11.0 QUESTIONS AND STATEMENTS**

#### **Cr Baker**

- Advised that the electrical issues at Mirrool toilets are ongoing  
*DAES advised that the electrician is awaiting receipt of the parts*
- Stated that some councils are not part of a ROC and just a JO

#### **Cr McGlynn**

- Noted the proposed solar farm and opportunity for further information  
*GM advised that the proposal is a development of State significance and a presentation will be made at the July Council meeting*
- Expressed concerns with the proposed relocation of Community Health Services to the Hospital  
*Mayor advised that representations have been made to our Local Member and the Health Service, the matter will be included on the next Council Workshop agenda for further discussion*

#### **Cr English**

- Queried progress with the rotating roster for trades people as discussed previously  
*GM advised that following the meetings with trades people there was consensus not to progress with the roster system.*
- Requested a seat within the playground area of McCann Park  
*DAES advised that the matter is under investigation due to safety concerns*

- Requested a mown track around the Wetlands for dog walking  
*GM advised that dogs are prohibited at the Wetlands and that Cooinda Reserve is an approved off leash area for dogs*

#### **Cr Keatley**

- Conveyed congratulations on the improvements to the amenities near Aberlines Garage
- Noted that the Ungarie Advancement Group have Daniher Tribute stubby holders for sale

#### **Cr Thomas**

- Queried the status of the Main Street festoon lighting  
*DAES advised that the system is inadequate and further manufacturers are being sourced*
- Queried the progress with flood damage claims  
*DAES advised that negotiations are continuing with RMS*
- Stated that should the current VIC attendance figures form the basis of the business case then the current numbers would give a false indication due to the current VIC location  
*Mayor advised that Councillors will be provided with a copy of the business case report following the meeting and a presentation will be made at the July Workshop*

#### **Cr Wyse**

- Advised of the RDA Music Trivia night on 21 July
- Advised of a sewer incident in Grenfell street in late May  
*DAES advised that the matter will be investigated*

#### **Cr Monaghan**

- Expressed concern at the layout and space of the Hospital carpark  
*DCCDRS advised that previous attempts have been made to address the matter*
- Advised of leaking effluent water onto a property on the Bypass

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

#### **Recommendation:**

**18062018 RESOLVED on the motion of Cr McGlynn seconded Cr Baker 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 8.21pm.

At this stage Councillors Thomas and Monaghan left the meeting.

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

**Recommendation:**

**21062018 RESOLVED on the motion of Cr Thomas seconded Cr Wyse that Council move out of closed Council and into open Council. CARRIED**

The meeting then resumed at 8.44pm.

**12.1 Charles West Estate – Sewer Pump Station Proposal**

*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:**

**19062018 RESOLVED on the motion of Cr McGlynn seconded Cr Monaghan that the information regarding the costs for the construction and installation of a sewer pump station associated with the Charles West Estate residential development be received and noted. CARRIED**

**12.2 Ungarie Floodplain Management Study and Plan**

*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:**

**20062018 RESOLVED on the motion of Cr McGlynn seconded Cr Thomas that the tender by BMT in the sum of \$89,875 be accepted by Bland Shire Council and that the Director of Asset and Engineering Services be given delegated authority to execute the tender and all related matters. CARRIED**

**14.0 CLOSE OF THE MEETING**

The General Manager advised that all 13 projects submitted for Round 2 of the Stronger Country Communities Fund have progressed to the choice modelling stage of the assessment process.

There being no further business the meeting then closed at 8.47pm.

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Chairperson