



BLAND SHIRE COUNCIL
west wyalong

Bland Shire Council

Minutes

Ordinary Council Meeting

20 November 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

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 November 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 (arrived 6.31pm)
Cr Penny English
Cr Kerry Keatley
Cr Tony Lord
Cr Liz McGlynn
Cr Brian Monaghan
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 16 October 2018

▪ Confirmation

At this stage, 6.31pm, Cr Crowe arrived.

Recommendation:

01112018 RESOLVED on the motion of Cr Wyse seconded Cr Thomas that the minutes of the Ordinary Council meeting held on 16 October 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 Lord	9.20 – Development Services Activity Report	Pecuniary

5.0 PUBLIC FORUM

5.1 Mrs Julie Briggs, REROC – Southern Lights Project

Mrs Briggs addressed Council and provided an overview and details of the Southern Lights project. It was noted that the project aims to enable infrastructure that delivers better, safer, cheaper street lighting and smarter, connected communities. It is a collaboration across 41 local government areas from Bega to Broken Hill at a cost of \$61.4M.

6.0 MAYORAL MINUTE

6.1 Save our Recycling Campaign

Recommendation:

02112018 RESOLVED on the motion of Mayor Monaghan:

- 1. That Council endorse Local Government NSW's campaign, Save Our Recycling, to realise the reinvestment of 100% of the Waste Levy collected each year by the NSW Government in waste minimisation, recycling and resource recovery.**
- 2. That Council make representation to the local State Member, Ms Steph Cooke MP, in support of this campaign objective - for the NSW Government to commit to reinvest 100% of the Waste Levy in waste minimisation, recycling and resource recovery.**
- 3. That Council write to the Premier, the Hon Gladys Berejiklian MP, the Opposition Leader, the Hon Michael Daley MP, the Minister for Local Government and the Minister for the Environment, the Hon Gabrielle Upton MP, and the Shadow Minister for the Environment and Heritage, Penny Sharpe MLC, seeking bipartisan support for the 100% reinvestment of the Waste Levy collected each year into waste minimisation, recycling and resource recovery.**
- 4. That Council take a lead role in activating the Local Government NSW Save Our Recycling campaign locally.**
- 5. That Council endorse the distribution and display of the Local Government NSW Save Our Recycling information on Council premises, as well as involvement in any actions arising from the initiative.**
- 6. That Council formally advise Local Government NSW that Council has endorsed the Save Our Recycling advocacy initiative. CARRIED**

7.0 NOTICES OF MOTION

7.1 Drought Support – Goldenfields Water County Council (Cr Lord)

Recommendation:

03112018 RESOLVED on the motion of Cr Lord seconded Cr Thomas that Bland Shire ask Goldenfields Water to provide assistance to farmers in the Bland Shire Council area (which is drought declared) whom seek water from their standpipes to either give a free allowance or discounted water until 30th June 2019. If the drought situation continues then the continuation be reviewed at that time. **CARRIED**

7.2 Request for a Community Forum in Quandialla (Cr McGlynn)

Recommendation:

04112018 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley:

- 1. That Bland Shire Council arrange for a community forum to be held in early 2019 in the Quandialla area to allow Bland Shire Council property owners in that area to meet with councillors and senior staff to discuss issues of concern: and**
- 2. That Weddin Shire Council be advised as a matter of courtesy of the proposed forum within their shire boundary.**

On the casting vote of the Mayor the motion was CARRIED

8.0 DELEGATES & COMMITTEE REPORTS

SECTION 1 – DELEGATES & COMMITTEE REPORTS

Recommendation:

05112018 RESOLVED on the motion of Cr McGlynn seconded Cr Baker that the Council receive and note the delegate and committee reports from Councillors and Committee meeting minutes as presented. **CARRIED**

SECTION 2 – OFFICE OF THE GENERAL MANAGER

9.1 Annual Report 2017/2018

Recommendation:

06112018 RESOLVED on the motion of Cr Wyse seconded Cr McGlynn that Council receives and notes the Annual Report for the year 2017/18. **CARRIED**

9.2 Meeting Arrangements – Christmas and New Year Period 2018/19

Recommendation:

07112018 RESOLVED on the motion of Cr Keatley seconded Cr English that the meeting arrangements for December 2018 remain unchanged and further that the Mayor and General Manager is delegated authority to deal with any urgent matters during the Christmas and New Year period for 2018 – 2019. **CARRIED**

9.3 Riverina Joint Organisations – Adoption of Charter

Recommendation:

08112018 RESOLVED on the motion of Cr McGlynn seconded Cr Wyse that the consideration of the documents prepared for the Riverina Joint Organisation: Code of Conduct; Code of Meeting Practice and the Policy on the Payment of Expenses and the Provision of Facilities and Charter be deferred until further discussions at the next Riverina Joint Organisation meeting. **CARRIED**

9.4 Goldenfields Water County Council – Election of Chairman and Deputy Chairman

Recommendation:

09112018 RESOLVED on the motion of Cr McGlynn seconded Cr Thomas that Council formally congratulates Councillors Palmer and McCann on their re-election as Chairman and Deputy Chairman respectively of Goldenfields Water County Council. **CARRIED**

9.5 Office of the Regional Infrastructure Coordinator

Recommendation:

10112018 RESOLVED on the motion of Cr Wyse seconded Cr Lord that a letter of appreciation is forwarded to Lieutenant General (Ret.) Ken Gillespie, in his capacity as the NSW Regional Infrastructure Coordinator, for his efforts on behalf of regional NSW. CARRIED

9.6 Association of Mining and Energy Related Councils – Election of Chairman and Deputy Chairman

Recommendation:

11112018 RESOLVED on the motion of Cr Thomas seconded Cr Crowe that Council formally congratulates Councillors Shinton and Brady on their election as Chairman and Deputy Chairman respectively of the Association of Mining and Energy Related Councils. CARRIED

9.7 Stronger Country Communities Program - Round 1 Progress Report / Round 2 Deed of Agreement November 2018

Recommendation:

12112018 RESOLVED on the motion of Cr Crowe seconded Cr Baker:

- 1. That the information regarding the progress of the projects under Round 1 of the Stronger Country Communities Fund is received and noted;**
- 2. That the general manager is delegated authority to sign the Deed of Agreement for the successful Round 2 projects totalling \$1,237,997.00. CARRIED**

9.8 Drought Communities Program

Recommendation:

13112018 RESOLVED on the motion of Cr Thomas seconded Cr McGlynn:

- 1. That further consideration of the projects to be completed under the \$1million Drought Communities Program is undertaken at Council's December workshop;**
- 2. That based on the outcome of the discussions at the December workshop a further report be submitted to the December Council meeting. CARRIED**

9.9 Lease of 583 Newell Highway, Wyalong

Recommendation:

14112018 RESOLVED on the motion of Cr Thomas seconded Cr Crowe:

- 1. That Council calls for Expressions of Interest for a long term lease, for up to five (5) years, for 583 Newell Highway, Wyalong, with a closing date of 7th December 2018, and;**
- 2. That a report on the outcome of the Expressions of Interest be presented to the December 2018 meeting of Council. CARRIED**

9.10 Strengthening Communities – Barmedman Tennis Club

Recommendation:

15112018 RESOLVED on the motion of Cr Lord seconded Cr Thomas that the Strengthening Communities grant application from the Barmedman Tennis Club towards the repainting of the clubhouse, paving, a new door and replacement of broken lights be held over for consideration at the December Council meeting.

SECTION 3 – CORPORATE, COMMUNITY, DEVELOPMENT & REGULATORY SERVICES

9.11 Financial Statements – October 2018

Recommendation:

16112018 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 October, 2018**
- 2. That Council confirms the payment of accounts, for the period 01 October to 31 October 2018, summarised in the accounts summary totalling \$1,995,212.57. CARRIED**

9.12 Budget Review – September 2018

Recommendation:

17112018 RESOLVED on the motion of Cr Lord seconded Cr Thomas that the Officers Report be received and noted and Council endorses the Statement acknowledging the financial position is considered satisfactory. CARRIED

9.13 State Government Funding For NSW Public Libraries Update

Recommendation:

18112018 RESOLVED on the motion of Cr Wyse seconded Cr McGlynn:

- 1. That Council note the Library Funding Update report.**
 - 2. That Council continues to endorse the distribution of the Renew Our Libraries funding and advocacy information in the library, as well as involvement in actions proposed by the New South Wales Public Libraries Association.**
- CARRIED**

9.14 Children’s Services Annual Survey

Recommendation:

19112018 RESOLVED on the motion of Cr Crowe seconded Cr McGlynn that Council note the Children’s Services Annual Survey report. CARRIED

SECTION 4 – REPORTS FOR INFORMATION

At this stage, 8.07pm Cr Lord left the meeting.

Recommendation:

20112018 RESOLVED on the motion of Cr Baker seconded Cr Thomas that the following reports, provided for information only, be received and noted:

- **9.15 - Economic Development & Tourism Report – October 2018**
- **9.16 - Community Services Report**
- **9.17 - Bland Shire Library Monthly Update**
- **9.18 - Children’s Services Monthly Update**
- **9.19 - Bland HACC Services Update**
- **9.20 - Development Services Activity Report**
- **9.21 - Assets & Engineering Services Report. CARRIED**

At this stage, 8.10pm Cr Lord returned to the meeting.

10.0 URGENT BUSINESS WITHOUT NOTICE

Nil

11.0 QUESTIONS AND STATEMENTS

Cr McGlynn

- Stated that there has not been a development application submitted for mining accommodation at the Golf Club
- Requested an analysis and report on the usage of Council’s sports facilities

Recommendation:

21112018 RESOLVED on the motion of Cr McGlynn seconded Cr Baker that Council undertake an analysis and prepare a comprehensive report for budget deliberations regarding the expenses and usage of all Council’s sporting facilities. CARRIED

Cr Crowe

- Queried the sentiment of staff for using their leave during the Christmas and New Year shutdown period
DAES advised that staff generally accept the use of leave during this period
- Requested consideration of options for the email distribution of rates notices

Cr English

- Stated that the Flavour Festival went well and noted some misunderstanding within the community

Cr Thomas

- Stated that the presentation on the Southern Lights Project was a great presentation and thanked Mrs Briggs
- Noted the coloured lighting in Main Street is still not operating correctly
- Queried Council's involvement, if any, in the refugee relocation program
GM advised that the matter is taken on notice

Cr Keatley

- Conveyed congratulations to Mayor Monaghan and R. McDonell for their efforts in the recent chilli competition
- Noted interest from an English film producer to launch his feature presentation in West Wyalong
GM to follow up
- Conveyed congratulations to R. Smith for his efforts with the Bland flavour campaign

Cr Baker

- Queried the process for disabled access at the Barmedman Craft and Coffee Shop
- Noted that Moores Lane requires grading
- Advised of a wash out at the corner of Queen and Park Streets Barmedman
- Requested signs on Deboos Street to indicate ditches across roadway
- Advised of condition of premises at 18 Hope Street Barmedman
- Advised of potholes at the end of the bitumen on Lawrence and Watson Streets Barmedman
- Advised of potholes on the Wargin and Alleena Road

Cr Lord

- Noted the shortage of car parking spaces in the supermarket carpark due to ignorance of the time limitations
GM advised that notices to the issued
- Conveyed thanks to Council for support during the recent passing of a family member

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

Recommendation:

22112018 RESOLVED on the motion of Cr Thomas 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 8.24pm.

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

Recommendation:

24112018 RESOLVED on the motion of Cr McGlynn seconded Cr Wyse that Council move out of closed Council and into open Council. **CARRIED**

The meeting then resumed at 8.29pm.

12.1 Tender 2018/04: Road Investigations of Various Roads in Bland Shire Council Area

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:

23112018 RESOLVED on the motion of Cr Lord seconded Cr Thomas:

1. That contract be offered to Cardno (NSW/ACT) Pty Ltd for the Portion 1 (items 1-7 on the tender specification – investigating the listed roads and road works for the suitability of the operations of HML AB-Triple or HML AB-Triple with a Tri Dolly and increased traffic flow) on the basis of the conditions outlined in the tender specification and tender form.
2. That contract be offered to Local Government Engineering Services for the Portion 2 (items 8.2 and 8.3 on the tender specification - assessing the bridges and culverts on the listed roads for the suitability of the operations of HML AB-Triple or HML AB-Triple with a Tri Dolly) on the basis of the conditions outlined in the tender specification and tender form.
3. 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 8.29pm.

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Chairperson