



**Bland Shire Council**  
**Minutes**  
**Ordinary Council Meeting**  
**16 October 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**

**16 October 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  
Cr Murray Thomas  
Cr Jan Wyse

#### **2.2 Staff**

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

#### **2.3 Apologies**

Director Asset & Engineering Services – Will Marsh

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

#### **3.1 Ordinary Meeting held on 18 September 2018**

##### **▪ Confirmation**

#### **Recommendation:**

**01102018 RESOLVED on the motion of Cr Keatley seconded Cr Wyse that the minutes of the Ordinary Council meeting held on 18 September 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**

Nil

6.0 **MAYORAL MINUTE**

Nil

7.0 **NOTICES OF MOTION**

Nil

8.0 **DELEGATES & COMMITTEE REPORTS**

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

**Recommendation:**

**02102018 RESOLVED on the motion of Cr Baker seconded Cr McGlynn 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**

Cr McGlynn advised that a special meeting to consider a revised organisational plan was held recently.

**8.2 CEMCC**

Cr Lord advised that the issues in relation to the designated transport route have been investigated and resolved.

9.0 **STAFF REPORTS**

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

### **9.1 Mayoral Appointments to External Organisations**

**Recommendation:**

**03102018 RESOLVED on the motion of Cr McGlynn seconded Cr English that Cr Lord be appointed as Council's delegate to the Newell Highway Taskforce. CARRIED**

**Recommendation:**

**04102018 RESOLVED on the motion of Cr McGlynn seconded Cr Baker that the Mayor (Cr Monaghan) be appointed as Council's delegate and Cr Thomas be appointed as the alternate representative to the Cowal Community Environmental Monitoring and Consultative Committee (CEMCC). CARRIED**

**Recommendation:**

**05102018 RESOLVED on the motion of Cr McGlynn seconded Cr Wyse that the Mayor (Cr Monaghan) be appointed as Council's delegate to the Australian Rural Roads Group. CARRIED**

**Recommendation:**

**06102018 RESOLVED on the motion of Cr McGlynn seconded Cr Crowe that Cr Thomas be appointed as Council's delegate to the Local Traffic Committee. CARRIED**

## **9.2 Part Day Public Holiday Application – West Wyalong Show 2019-2020**

**Recommendation:**

**07102018 RESOLVED on the motion of Cr Wyse seconded Cr Thomas that the Council make application for a local part day public holiday between the hours of 12noon and 6.00pm for the purpose of the West Wyalong Show on Wednesday 4 September 2019 and Wednesday 2 September 2020 covering the West Wyalong/Wyalong and Tallimba Town Improvement Districts within the Bland Shire area. CARRIED**

### **9.3 Road Rail Interface Agreement between John Holland Rail Pty Ltd, Bland Shire Council and Roads and Maritime Services**

**Recommendation:**

**08102018 RESOLVED** on the motion of Cr Keatley seconded Cr Baker that Council resolves to enter into a Road Rail Interface Agreement between John Holland Rail Pty Ltd, Bland Shire Council and Roads and Maritime Services and that the general manager is delegated authority to execute the necessary documentation on behalf of council. **CARRIED**

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

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### **9.4 Financial Statements – September 2018**

**Recommendation:**

**09102018 RESOLVED** on the motion of Cr Crowe seconded Cr Thomas:

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of September, 2018**
- 2. That Council confirms the payment of accounts, for the period 01 September to 30 September 2018, summarised in the accounts summary totalling \$1,921,275.49. CARRIED**

### **9.5 Local Heritage Assistance Funding – 146 Main Street, West Wyalong**

**Recommendation:**

**10102018 RESOLVED** on the motion of Cr McGlynn seconded Cr English that Council approve funding of \$5000.00 for the repair and replacement of the verandah flooring at 146 Main Street, West Wyalong, subject to there being no requirements for Westpac to re-instate. **CARRIED**

## SECTION 4 – REPORTS FOR INFORMATION

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### Recommendation:

**11102018 RESOLVED** on the motion of Cr McGlynn seconded Cr English that the following reports, provided for information only, be received and noted:

- **9.6 - Economic Development & Tourism Report – August 2018**
- **9.7 - Community Services Report**
- **9.8 - Bland Shire Library Monthly Update**
- **9.9 - Bland HACCC Services Update**
- **9.10 - Development Services Activity Report – August 2018**
- **9.11 - Assets & Engineering Services Report. CARRIED**

**10.0 URGENT BUSINESS WITHOUT NOTICE**  
Nil

**11.0 QUESTIONS AND STATEMENTS**

#### **Cr McGlynn**

- Conveyed thanks to M. Uys for her efforts in organising the recent small business dinner and Crs Lord and Wyse for their contributions to the event
- Conveyed congratulations to Cr Baker for the Mirrool Silo Kick event
- Conveyed congratulations to the Barmedman community for the recent Tractor Pull event

#### **Cr Crowe**

- Advised of weed and vegetation growth in the drainway at McCann Park near the Colonial Motor Inn

#### **Cr English**

- Requested signage for “No Right Turn” at the Main and Church Street intersection
- Queried the entitlements for the half day holiday for the West Wyalong Show  
*GM advised that not all businesses are eligible for the public holiday*

#### **Cr Thomas**

- Stated that the Ungarie Community Forum went well however requested a report on solutions for the provision of water in the street for gardens
- Advised that he recently participated in a radio interview in relation to tourism



**Cr Keatley**

- Advised that rubbish has been dumped in Ditchfields Lane
- Advised that a lounge has been dumped on Ungarie Road intersection near Tea Tree Creek

**Cr Baker**

- Conveyed thanks to staff for their assistance with the Silo Challenge

**Cr Lord**

- Stated that he has reflected on the Mayoral position and the communities expectations for deliverable solutions.

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

**Recommendation:**

**12102018 RESOLVED on the motion of Cr McGlynn seconded Cr Thomas 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 7.06pm.

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

**Recommendation:**

**14102018 RESOLVED on the motion of Cr Wyse seconded Cr Thomas that Council move out of closed Council and into open Council. CARRIED**

The meeting then resumed at 7.11pm.

**12.1 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:**

**13102018 RESOLVED on the motion of Cr McGlynn seconded Cr Thomas that a contract be offered to Dan Ford Fencing and Earthmoving on the basis of the provisos and conditions outlined in the report to the August 2018 Council meeting and that the Director of Assets 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 7.12pm.

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**Chairperson**