

# **Bland Shire Council**

## **Minutes**

### **Ordinary Council Meeting**

**21 November 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**

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 November 2017**

**commencing at 6:30PM**

### **1.0 INTRODUCTION**

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

### **2.0 ATTENDANCE**

#### **2.1 Councillors**

Cr Bruce Baker  
Cr Rodney Crowe (arrived 6.36pm)  
Cr Kerry Keatley  
Cr Tony Lord  
Cr Liz McGlynn  
Cr Brian Monaghan (arrived 6.48pm)  
Cr Murray Thomas

#### **2.2 Staff**

General Manager – Ray Smith  
Director Asset & Engineering Services – Will Marsh  
Executive Assistant – Julie Sharpe

#### **2.3 Apologies**

Cr Penny English (leave of absence granted)  
Director Corporate, Community, Development & Regulatory Services – Adele Casey  
Cr Jan Wyse

#### **Recommendation:**

**01112017 RESOLVED on the motion of Cr Thomas seconded Cr Baker that the apologies submitted by Cr Wyse and Mrs Casey be accepted. CARRIED**

### 3.0 CONFIRMATION OF THE MINUTES

#### 3.1 Ordinary Meeting held on 17 October 2017

##### ▪ Confirmation

**Recommendation:**

**02112017 RESOLVED** on the motion of Cr Keatley seconded Cr McGlynn that the minutes of the Ordinary Council meeting held on 17 October 2017 be confirmed as a correct record of proceedings. **CARRIED**

##### ▪ Corrections - Nil

- **Business Arising** – Cr Thomas expressed concerns with access to bookings for Country Link services

### 4.0 DECLARATIONS OF INTEREST

<b>Councillor/ Officer</b>	<b>Item</b>	<b>Nature of Interest</b>
Cr Keatley	9.9 – Strengthening Communities Grant – Ungarie War Memorial Hall	Non Pecuniary

### 5.0 PUBLIC FORUM

#### 5.1 Kerrie Scott, Wyalong and Community Transport Group

Mrs Scott thanked Council for the opportunity to address them as President of the Group. She stated that they were surprised and offended to read in the newspaper the intention to re-route the Country Link bus service as they have provided door to door services, by accredited volunteers and carers for over 30 years.

At this stage, 6.36pm, Cr Crowe arrived.

Mrs Scott expressed concerns at the implications, costs and ramifications of this to the local businesses and community. She urged for improved community consultation on such matters.

## **5.2 Evolution Mining Presentation**

Mr Jason Grieve addressed Council and provided an update on the Cowal operations since their last presentation around 6 months ago. It was noted that Modification 13 has been approved and will extend the life of the mine to 2032. Works commenced in March 2017, phase 1 has concluded with additional staff employed and numbers now at around 350, plant/equipment, relocation of site infrastructure and the cutback well underway. Mr Grieve advised that application for Mod 14 is progressing to enable an increase in process rates, relocation of the TSR, secondary crushing circuit, site infrastructure and roads. It was noted that the application will require Federal and State approval and will be assess under the existing Legislation.

At this stage, 6.48pm, Cr Monaghan arrived.

The next steps for the Mod 14 application will include engineering and environmental studies and community consultation expected in April 2018. Mr Grieve provided an overview of activities under their Environmental and Social Responsibilities and it was noted that weekly lake level readings indicate that the Lake has receded back to its natural level, Evolution have made a commitment of \$450,000 to Forbes and Lachlan Shires for their Shared Values tourism project "Somewhere Down the Lachlan", the top 10 contributions made within the Bland Shire area totalled \$144,000 and that awards have been received for the Minerals Council Mine of the Year, Safety Excellence for fatigue management and the NSW SES Commissioner.

Cr Thomas queried considerations for roadworks to support the Eco Camp proposal. Mr Grieve advised that its a Lake Cowal Foundation project and the site location has been reviewed to near the homestead.

Cr Baker queried potential issues with the relocation of the TSR. Ms Flynn advised that they are in the beginning of the process and no issues have been identified at this stage.

Cr McGlynn congratulated Evolution Cowal Mine.

At this stage, 6.57pm, the Mayor conveyed thanks for the update and ongoing partnerships.

## **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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**Recommendation:**

**03112017 RESOLVED on the motion of Cr Keatley seconded Cr Thomas that the Council receive and note the delegate and committee reports from Councillors and Committee meeting minutes as presented. CARRIED**

**8.1 NSW Country Mayor’s Association**

The Mayor noted the minutes are included and provided an overview.

**8.2 Goldenfields Water County Council**

Cr McGlynn advised that a new chairperson has been elected, updates on services and projects were provided at the meeting and minutes will be provided when available.

**8.3 Newell Highway Taskforce**

The Mayor noted the minutes are included and provided an overview.

**8.4 REROC**

The Mayor provided an overview of the meeting and it was noted that lighting, roads, health and the container deposit scheme were discussed.

## 9.0 STAFF REPORTS

### SECTION 2 – OFFICE OF THE GENERAL MANAGER

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#### 9.1 Annual Report 2016/2017

**Recommendation:**

**04112017 RESOLVED on the motion of Cr Thomas seconded Cr Monaghan that Council receives and notes the Annual Report for the year 2016/17. CARRIED**

## **9.2 New Model Code of Conduct for NSW Councils**

**Recommendation:**

**05112017 RESOLVED** on the motion of Cr Crowe seconded Cr Monaghan that:

- 1. Council supports the REROC submission on the new model code of conduct**
- 2. Council advise LGNSW that while acknowledging the need for a Code of Conduct for local government that the requirements should apply to all levels of government. CARRIED**

**Cr McGlynn recorded a dissenting vote.**

## **9.3 Goldenfields Water County Council – Member Council Representation**

**That Bland Shire council seeks the support of the reticulated water council members of Goldenfields Water County Council to have the representation from Hilltops Council reduced from two (2) to one (1) to establish an even balance of member council representation on the County Council. LAPSED**

## **9.4 Voluntary Planning Agreements - Guidelines from the NSW Association of Mining Related Councils**

**Recommendation:**

**06112017 RESOLVED** on the motion of Cr McGlynn seconded Cr Thomas that Bland Shire Council supports the NSW Association of Mining Related Councils by making written representations to the NSW Minister for Planning calling for the rejection of the Worker Domicile Model as a Voluntary Planning Agreement option and supporting the proposals put forward by the NSW Association of Mining Related Councils in regard to coal and mineral production. **CARRIED**

## **9.5 Joint Organisations – Legislative Requirements**

**Recommendation:**

**07112017 RESOLVED** on the motion of Cr Thomas seconded Cr Crowe that Bland Shire Council awaits the introduction of the Joint Organisation legislation to be able to identify the specific advantages, if any, of becoming a member of a Joint Organisation. **CARRIED**



## **9.6 Container Deposit Scheme – Implications for Bland Shire Council**

**Recommendation:**

**08112017 RESOLVED** on the motion of Cr Monaghan seconded Cr Thomas that while Bland Shire Council acknowledges the merits of the new Container Deposit Scheme that Council declines to participate in the Scheme under the current financial arrangements. **CARRIED**

## **9.7 Country Link Services between West Wyalong and Wagga**

**Recommendation:**

**09112017 RESOLVED** on the motion of Cr Baker seconded Cr Monaghan that discussions be held with West Wyalong Community Transport representatives prior to any further lobbying on a Country Link Bus Service to operate between Temora and Wagga Wagga. **CARRIED**

## **9.8 Access Incentive Grant – West Wyalong French Hot Bread**

**Recommendation:**

**10112017 RESOLVED** on the motion of Cr Thomas seconded Cr Monaghan that Council approve an Access Incentive Scheme Grant application from West Wyalong French Hot Bread for \$3938 towards the purchase and installation of automatic doors for the premises, with funds to come from Councils Access Incentive Scheme budget payable on 1<sup>st</sup> July 2018. **CARRIED**

## **9.9 Strengthening Communities Grant – Ungarie War Memorial Hall**

**Recommendation:**

**11112017 RESOLVED** on the motion of Cr McGlynn seconded Cr Baker that Council approve a Strengthening Communities Grant of \$1000 for the Ungarie War Memorial Hall in support of hosting the 2018 Fanny Lumsden Country Halls tour in Ungarie. **CARRIED**

## **9.10 Strengthening Communities – West Wyalong Town Band**

**Recommendation:**

**12112017 RESOLVED on the motion of Cr McGlynn seconded Cr Thomas that Council approve a Strengthening Communities grant of \$2000 for the West Wyalong Band towards the purchase of musical instruments, band uniforms, equipment and sheet music. CARRIED**

## **9.11 Strengthening Communities – Business West Wyalong Christmas Carnival**

**Recommendation:**

**13112017 RESOLVED on the motion of Cr Crowe seconded Cr Monaghan that Council approve a Strengthening Communities grant of \$2970.50 to Business West Wyalong towards the cost of amusement rides and insurance for the 2017 West Wyalong Christmas carnival. CARRIED**

## **9.12 Part Day Public Holiday Application – West Wyalong Show 2018-2019**

**Recommendation:**

**14112017 RESOLVED on the motion of Cr Monaghan 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 5 September 2018 covering the West Wyalong/Wyalong and Tallimba Town Improvement Districts within the Bland Shire area. CARRIED**

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

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### **9.13 Financial Statements – October 2017**

**Recommendation:**

**15112017 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 October, 2017**
- 2. That Council confirms the payment of accounts, for the period 01 October to 31 October 2017, summarised in the accounts summary totalling \$3,260,311.98.  
CARRIED**

### **9.14 Budget Review – September 2017**

**Recommendation:**

**16112017 RESOLVED on the motion of Cr Baker seconded Cr Thomas that the Officers Report is received and noted and the Council endorses the Statement acknowledging the financial position is considered satisfactory. CARRIED**

### **9.15 Proposed Road Name for Wootten Street Subdivision**

**Recommendation:**

**17112017 RESOLVED on the motion of Cr Thomas seconded Cr Monaghan that Council submit the proposed road name, Charles Place, to the NSW Geographic Names Board for their approval. CARRIED**

### **9.16 Planning Proposal – Minor Amendments Progress Report**

**Recommendation:**

**18112017 RESOLVED on the motion of Cr Thomas seconded Cr Monaghan that the Council receive and note the report on the progress of the Planning Proposal – Minor Amendments. CARRIED**

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

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### **9.17 Liquid Trade Waste and Septic Tank Liquid Discharge**

**Recommendation:**

**19112017 RESOLVED** on the motion of Cr Thomas seconded Cr Crowe:

- 1. That a new charge be inserted into the 2017 – 2018 revenue policy within the Sewer Services section;**
- 2. That it state “Sewer Tank Liquid Disposal (per KI) into the sewer system via authorised road connection point - \$25 – GST exempt – Full Cost – Business Hours 8am – 3pm. If service is required outside business hours then an extra \$220 will be charged per use”. CARRIED**

## **SECTION 5 – REPORTS FOR INFORMATION**

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**Recommendation:**

**20112017 RESOLVED** on the motion of Cr Crowe seconded Cr Keatley that the following reports, provided for information only, be received and noted:

- 9.18 - Economic Development & Tourism Report – October 2017**
- 9.19 - Community Services Report**
- 9.20 - Bland Shire Library Monthly Update**
- 9.21 - Bland HACCC Services Update**
- 9.22 - Development Services Activity Report**
- 9.23 - Asset & Engineering Services Report. CARRIED**

**10.0 URGENT BUSINESS WITHOUT NOTICE**  
Nil

## 11.0 QUESTIONS AND STATEMENTS

### Cr Crowe

- Stated that he was impressed with the pothole patching works
- Queried the provision of rates notice via post or email
- Queried the RMS road works in Wyalong  
*DAES advised that the works were originally proposed for last year, working from Compton Road to Mallee Street in Wyalong then in early December works will commence to near the Saleyards and along Showground Road.*

### Cr Monaghan

- Queried parking and speed restrictions in town lanes
- Raised concerns from staff regarding the changes to the staff Christmas party  
*GM advised that the changes have been made to protect Council from any risks associated with the function during working hours*

### Cr Baker

- Requested that discussions be held with RFS in relation to the location of their headquarters
- Conveyed thanks to Council on behalf of the Mirrool Silo Kick Committee stating it was a very successful day with a \$30,000 profit
- Advised that a 400m section of Goldenhills Road has exposed rocks
- Advised of a deep hole in the creek crossing on Norris Lane
- Endorsed the comments of Cr Crowe in relation to the pothole crew

### Cr McGlynn

- Advised that there are potholes in sections of Kildary Road
- Queried the provision of information back to Council following the recent meeting with the Basketball Association  
*GM advised that information is being presented to the next Council Workshop*
- Queried neighbour notification requirements for the proposed garage at Wyalong
- Expressed concern and requested details of the proposed \$750,000 grant application for Cooinda Reserve  
*GM advised that the information has been presented to Council on 5 separate occasions*
- Suggested that the Community Forums would be better held during October
- Requested the provision of current and proposed financial information for consideration with upcoming budget deliberations

### Cr Keatley

- Stated that the Cowal Mine update is good news
- Conveyed thanks to Ray Smith for his efforts with the Daniher football project which is getting exciting and progressing well, the event appears it will be bigger than anticipated

## Cr Thomas

- Requested the information on the Ungarie oval lighting be provided to the Workshop to progress the matter
- Requested Council promote the process for reporting faulty street lights to Essential Energy
- Queried progress with the REROC street lighting replacement project  
*Mayor advised that its an 8 year project and negotiations are continuing for all Councils involved*
- Queried the provision of a school zone to reduce the speed limit for Pine Street near the Childrens Services Unit  
*DAES advised that the RMS school zones do not apply to Preschools however the matter will be further investigated and presented to a Council Workshop*
- Noted the removal of the trees from the Water Street carpark and suggested that the improvement plans be made available to inform the community  
*DAES advised that the trees have been transplanted to the area near the Tennis and Netball Courts*
- Requested the relocation of the picnic table back under the shelter in Coinda Reserve
- Queried any assistance from Council for the Eco Camp proposal following the advise from Evolution that the site had relocated  
*Mayor advised that the application has been submitted and the project will be progressed in consultation with all parties*
- Queried progress with the proposed treatment option for gravel roads  
*DAES advised that the product is being trialled by others in the region and Council will await their findings*

## Mayor

- Presented the acquisitive art prize from the Aussie in the West Festival
- Reminded Councillors that the next Council Workshop will be held on 28<sup>th</sup> November commencing at 6.30pm
- Reminded Councillors that the next Council meeting will be held on 12<sup>th</sup> December following the Australia Day Awards Committee meeting commencing at 6.30pm.

12.0 **CLOSURE OF THE MEETING TO DISCUSS 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 8.45pm.

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Chairperson