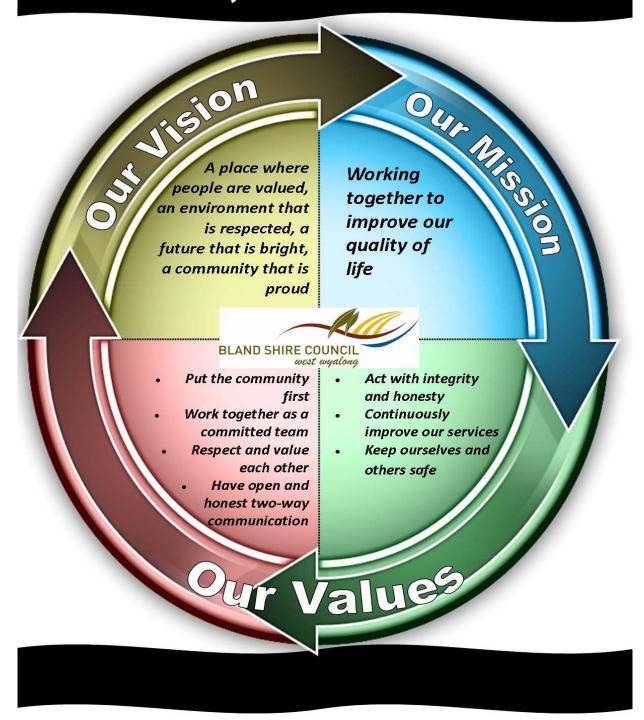


# Bland Shire Council Minutes Ordinary Council Meeting 21 March 2017



## **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**

1st - 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	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	dlg@dlg.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**

#### 21 March 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

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 Services – Adele Casey Executive Assistant – Julie Sharpe

#### 2.3 Apologies

Nil

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

#### 3.1 Ordinary Meeting held on 21 February 2017

#### Confirmation

That the minutes of the Ordinary Council meeting held on 21 February 2017 be confirmed as a correct record of proceedings.

#### **Council Recommendation:**

01032017 RESOLVED on the motion of Cr Monaghan seconded Cr Keatley that the minutes of the Ordinary Council meeting held on 21 February 2017 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 REROC Presentation – Cr Rick Firman and Ms Julie Briggs

The General Manager advised that the REROC presentation has been rescheduled for the May 2017 Council meeting.

#### 5.2 Mrs Therese MacFarlane

Mrs MacFarlane addressed Council as mother and advocate for her son Oliver following discriminatory remarks made by Cr Thomas. She stated the family are disgusted and hurt by the comments and Cr Thomas' actions to harass and belittle, not only Oliver, but Jill Funnell and other people with disabilities. Mrs MacFarlane acknowledged the support of the West Wyalong community over the 18 years since Oliver's diagnosis and in particular during the past couple of weeks. Mrs MacFarlane stated that Cr Thomas has clearly violated the Code of Conduct and the only satisfactory outcome is to resign from Council.

#### 5.3 Mrs Sarah Gillett

Mrs Gillett thanked Council for the opportunity and stated that she was compelled to speak on not one particular issue. She reminded Councillors that they are the voice for and of the community. She outlined their responsibilities to enhance, promote and enrich the community and hold themselves to a higher standard as a matter of public service not private agenda.

#### 5.4 Mr Daryl Kitto

Mr Kitto addressed Council in relation to rural roads and dissatisfaction with the level of maintenance. He conveyed apologies from Scott Wyse, Phil Grinter, Mark and Rowena Sutton who were unable to attend. Mr Kitto questioned the delay with flood damage funding and why works cannot be done on roads not included in the flood damage claim. He suggested the publication of road works programs and stated that residents have been required to undertake road maintenance in order to get their produce out.

#### 5.5 Mr Stuart Thompson

Mr Thompson thanked Council for the opportunity to speak in relation to roads issues. He stated he has been between Beckom and Tallimba for 60 years and has not seen a grader for over 3 years. He stated he was aware of tyre damage issues, the affects of grain trucks and desire for grading after harvest.

#### Council Recommendation:

02032017 RESOLVED on the motion of Cr McGlynn seconded Cr Baker that Council approve an extension of time for the Public Forum Session. CARRIED

#### 5.6 Mr Gordon Hall

Mr Hall addressed Council in relation to the deplorable condition of rural roads and Cr McGlynn's survey for consideration of capital expenditure items. He stated he has contributed \$22,500 over the past 5 years in rates and no Council funds have been spent maintaining roads in that time. Mr Hall acknowledged that they do not use the facilities or businesses in West Wyalong and agreed that a heated pool is deserved however Council has a basic responsibility to maintain roads to a safe usable standard.

#### 5.7 Mr Richard Hall

Mr Hall addressed Council in relation to the ludicrous idea of further capital spending if Council cannot afford to maintain the roads with its available funds. He stated that most of Council's income is from the rural sector however very little or nothing is done to maintain roads. Mr Hall stated that works have been carried out on the road to their home, once by a private operator and three times by Council, the Council works are unsatisfactory and failing.

#### 5.8 Mrs Annie Stewart

Mrs Stewart thanked Council for the opportunity to speak and the works carried out on Spries Lane. She stated that following a flat tyre incident approaches had been made to Council to query why a grid roller had not been used. Mrs Stewart stated that the works are much appreciated and a sample of the exposed sharp rocks was provided.

#### 5.9 Mr Len MacFarlane

Mr MacFarlane thanked Council for the opportunity to speak following Cr Thomas' comments in relation to his son. He stated that Cr Thomas has lost the confidence of his followers, he is an insult to the Council Chamber and called for Cr Thomas' resignation.

#### 6.0 MAYORAL MINUTE

#### 6.1 Code of Conduct

I need to bring the Code of Conduct to the attention of Council, following the recent comments by a Councillor on Facebook. We must be aware that social media is a public forum and what is stated in the Code applies.

I quote Part 3; 3.1 General conduct also 3.3; 3.6 Harassment and discrimination. With regard to actions I also quote Part 6; Relationship between Council officials. 6.3d and 6.7

I am concerned that as Council has commenced its term in a co-operative and collegiate manner, an indiscretion by a Councillor can bring the whole organisation into disrepute.

I acknowledge that Councillors and the community can have different points of view on matters, and good informed and respectful debate is necessary to come to decisions.

The freedom of speech is everybody's right. But the need to respect everyone's point of view is also essential.

Neither I nor any Councillor here has any influence over any actions taken under the Code of conduct.

I expect all Councillors to engage in debate or discussion that complies with this Code, which if read, is just commonsense, courtesy and decency.

If any Councillor now wishes to make further comment please do so but within the Code.

Cr Wyse stated that she supports the Mayor and his Mayoral Minute. Her comments are being made as a Councillor and grandmother of an autistic child. The MacFarlane family have earned the respect of the community and everything that Councillors say and do reflects on everyone. Cr Wyse conveyed apologies to the MacFarlane family, library staff and Jill Funnell, she stated that she didn't want residents to be discouraged from coming forward to address Council. In closing she stated that she is truly sorry to all.

Cr McGlynn conveyed her deepest apologies to the MacFarlane family and Jill Funnell. She stated that this is the lowest point for Bland Shire Council and called for Cr Thomas' dismissal. The unacceptable ongoing abuse, intimidating behaviour, allegations and bullying will not be tolerated any longer, she has seen the damage it has done to partners and children. Cr McGlynn stated that Cr Thomas is a disgrace to Council, West Wyalong and the entire Shire and nobody has the right to bring Council into disrepute.

Mayor Lord put the motion:

#### **Council Recommendation:**

03032017 RESOLVED that the breach of the Code of Conduct by Cr Thomas be referred to an Independent Conduct Reviewer. CARRIED

7.0 NOTICES OF MOTION
Nil

8.0 DELEGATES & ADVISORY COMMITTEE REPORTS

## SECTION 1 – DELEGATES & ADVISORY COMMITTEE REPORTS

#### **Council Recommendation:**

04032017 RESOLVED on the motion of Cr Baker seconded Cr Crowe that the Council receive and note the delegate and advisory committee reports from Councillors and Advisory Committee meeting minutes as presented. CARRIED

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

#### 9.1 Progress Report on the Delivery Program 2013-2017

#### Council Recommendation:

05032017 RESOLVED on the motion of Cr McGlynn seconded Cr English that the Council receive and note the report on progress for implementation, up to  $31^{\rm st}$  December 2016, of the Delivery Program 2013 – 2017. CARRIED

#### 9.2 Request for Council to Maintain Lions Park

#### **Council Recommendation:**

06032017 RESOLVED on the motion of Cr Wyse seconded Cr Monaghan that the request from the West Wyalong Lions Club for Bland Shire Council to take over the maintenance of Lions Park as requested is approved. CARRIED

# SECTION 3 – CORPORATE, COMMUNITY & DEVELOPMENT SERVICES

#### 9.3 Financial Statements – February 2017

#### **Council Recommendation:**

07032017 RESOLVED on the motion of Cr Wyse seconded Cr Baker:

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of February, 2017
- 2. That Council confirms the payment of accounts, for the period 01 February to 28 February 2017, summarised in the accounts summary totalling \$3,824,296.24. CARRIED

#### **9.4** Making of the Rates 2017/18

#### **Council Recommendation:**

08032017 RESOLVED on the motion of Cr Monaghan seconded Cr Wyse that the Council makes the rates for the 2017/2018 year to allow for inclusion in the 2017/18 budget preparation. CARRIED

#### **Council Recommendation:**

09032017 RESOLVED on the motion of Cr Keatley seconded Cr Wyse:

#### **ORDINARY RATE**

A. That it is hereby RECOMMENDED that Ordinary Rates be made for the year commencing on 1 July 2017 on all rateable land within the area of the Council of Bland as follows:

#### (a) Farmland Rate

A base amount of eighty two dollars (\$82.00) per assessment plus an ad-valorem amount of point zero zero four two nine five cents (0.004295c) in the dollar on the land value of all rateable land categorised as farmland, the base amount to yield two point nine seven percent (2.97%) of the total amount payable by the levying of the Farmland rate.

#### (b) Mining Rate

A base amount of one hundred and seventy three dollars (\$173.00) plus an advalorem amount of point zero zero six four two five cents (0.006425c) in the dollar on the land value of all land categorised as mining land, the base amount to yield three point zero one percent (3.01%) of the total amount payable by the levying of the mining rate.

#### (c) Gold Mining Rate

A base amount of one hundred and seventy three dollars (\$173.00) plus an advalorem amount of point zero three four four seven five cents (0.034475c) in the dollar on the land value that is categorised as gold mining land, the base amount to yield zero point zero two percent (\$0.02%) of the total amount payable by the levying of the mining rate. **CARRIED** 

#### **Council Recommendation:**

#### 10032017 RESOLVED on the motion of Cr Keatley seconded Cr Wyse:

B. That it is hereby RECOMMENDED that Ordinary Rates be now made for the year commencing on 1 July 2017 on all rateable land within the area of the Council of Bland as follows:

#### (a) Residential Rate

A base amount of eighty two dollars (\$82.00) per assessment plus an ad-valorem amount of point zero zero six zero six eight cents (0.006068c) in the dollar on the land value of all rateable land categorised as residential, the base amount to yield thirty point three zero percent (30.30%) of the total amount payable by the levying of the Residential rate.

#### (b) Business Rate

A base amount of one hundred and fifty dollars (\$150.00) plus an ad-valorem amount of point zero one one three three seven cents (0.011337c) in the dollar on the land value of all land categorised as business land, the base amount to yield twenty seven point five twp percent (27.52%) of the total amount payable by the levying of the Business Rate.

But excepting there-from any land within the following areas of the Council of Bland which are hereby taken to be separate centres of population for the purposes of Section 529 (2) (b) of the Local Government Act 1993; and centres of activity for the Purposes of Section 529 (2) (d) of that Act:

- \* Land within the West/Wyalong Differential General Rating District as defined in the minutes of the meeting of the Council held on the 8 December 1992
- \* Land within the Town Improvement District of Barmedman as defined in the minutes of the meeting of the Council held on 8 November 1940 and notified in the NSW Government Gazette of 15 November 1940.
- \* Land within the Town Improvement District of Ungarie as defined in the minutes of the Meeting of the Council held on 10 December 1926 and notified in the NSW Government Gazette of 24 December 1926. **CARRIED**

#### **Council Recommendation:**

11032017 RESOLVED on the motion of Cr Wyse seconded Cr English:

#### **WEST WYALONG - WYALONG**

THAT Ordinary Rates be now made on all rateable land within that part of the area of the Council of Bland within the West Wyalong/Wyalong Differential General Rating District as defined in the Minutes of the Council held on 8 December 1992, as follows:

#### (a) Residential (West Wyalong/Wyalong) Rate

A base amount of one hundred and fifty dollars (\$150.00) per assessment plus an ad-valorem amount of point zero one two eight one zero five cents (0.0128105c) in the dollar on the land value of all rateable land, the base amount to yield twenty two point one seven percent (22.17%) of the total amount payable by the levying of the Residential (West Wyalong/Wyalong) rate.

#### (b) Business (West Wyalong/Wyalong) Rate

A base amount of one hundred and seventy three dollars (\$173.00) per assessment plus an ad-valorem amount of point zero two one three one one cents (0.021311c) in the dollar on the land value of all rateable land categorised as business land, the base amount to yield eleven point two three percent (11.23%) of the total amount payable by the levying of the Business (West Wyalong/Wyalong) rate. **CARRIED** 

#### **Council Recommendation:**

12032017 RESOLVED on the motion of Cr Monaghan seconded Cr English:

#### **BARMEDMAN**

THAT Ordinary Rates be now made on all rateable land within that part of the area of the Council of Bland within the Town Improvement District of Barmedman as defined in the Minutes of the Council held on 8 November 1940 and notified in the NSW Government Gazette on the 15 November 1940, as follows:

#### (a) Residential (Barmedman) Rate

A base amount of eighty two dollars (\$82.00) per assessment plus an ad-valorem amount of point zero one one two seven seven cents (0.011277c) in the dollar on the land value of rateable land, that is categorised as residential land, the base amount to yield thirty seven point eight zero percent (37.80%) of the total amount payable by the levying of the Residential (Barmedman) rate.

#### (b) Business (Barmedman) Rate

A base amount of eighty two dollars (\$82.00) per assessment plus an ad-valorem amount of point zero one one four eight six cents (0.011486c) in the dollar on the land value of all rateable land categorised as business land, the base amount to yield thirty five point nine five percent (35.95%) of the total amount payable by the levying of the Business (Barmedman) rate. **CARRIED** 

#### **Council Recommendation:**

13032017 RESOLVED on the motion of Cr Monaghan seconded Cr English:

#### **UNGARIE**

THAT Ordinary Rates be now made on all rateable land within that part of the area of the Council of Bland within the Town Improvement District of Ungarie as defined in the Minutes of the meeting of the Council held on 10 December 1926 and notified in the NSW Government Gazette of the 24 December 1926, as follows:

#### (a) Residential (Ungarie) Rate

A base amount of eighty two dollars (\$82.00) per assessment plus an ad-valorem amount of point zero four zero nine nine seven cents (0.040997c) in the dollar on the land value of all rateable land, the base amount to yield thirty six point two zero percent (36.20%) of the total amount payable by the levying of the Residential (Ungarie) rate.

#### (b) Business (Ungarie) Rate

A base amount of eighty two dollars (\$82.00) per assessment plus an ad-valorem amount of point zero four four five three six cents (0.044536c) in the dollar on the land value of all rateable land categorised as business land the base amount to yield twenty eight point nine four percent (28.94%) of the total amount payable by the levying of the Business (Ungarie) rate. **CARRIED** 

# 9.5 Strengthening Communities – West Wyalong Can Assist

#### **Council Recommendation:**

14032017 RESOLVED on the motion of Cr English seconded Cr Keatley that Council approves a Strengthening Communities grant of up to \$1000 to the West Wyalong branch of Can Assist to fund the purchase of a new computer. CARRIED

#### 9.6 Development Application DA2017/0055

#### **Council Recommendation:**

15032017 RESOLVED on the motion of Cr Wyse seconded Cr McGlynn that the application be determined by way of approval subject to the conditions attached to this report in Annexure A. CARRIED (unanimously)

#### ANNEXURE A - PROPOSED CONDITIONS OF CONSENT - DA2017/0040

#### PART A - ADMINISTRATIVE CONDITIONS

#### General

 This consent relates to construction of nine (9) single storey attached dwellings, two car ports, 16 (16) car parking spaces and the removal of four (4) trees as illustrated on the plans, specifications and supporting documentation stamped with reference to this consent, as modified by the following conditions. The development shall be carried out in accordance with this consent.

#### Notes:

- Any alteration to the plans and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s96 of the Act, or a fresh development application. No works, other than those approved under this consent, shall be carried out without the prior approval of Council.
- Where there is an inconsistency between the documents lodged with this application and the following conditions, the conditions shall prevail to the extent of that inconsistency.
- 2. The **premises** shall not be occupied or the use shall not commence until all relevant conditions of development consent have been met or unless other satisfactory arrangements have been made with council (i.e. a security).

#### **Building Code of Australia**

3. All building work must be carried out in accordance with the requirements of the Building Code of Australia.

**Note:** This condition is prescribed under the Environmental Planning and Assessment Regulation 2000.

#### **Erection of signs**

4. A sign must be erected in a prominent position on any site on which building work, is being carried out:

- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

#### **Residential Building Work**

 Any licensed contractor(s) performing residential building work valued at \$20,000 or more must obtain indemnity insurance as required by the Home Building Act 1989. Evidence of such insurance must be provided to the Principal Certifying Authority (PCA) before building works commence.

#### Notes:

- This condition is prescribed under the Environmental Planning and Assessment Regulation 2000.
- If appointed as PCA, **Bland Shire Council WILL NOT INSPECT any building work unless evidence of indemnity insurance has been provided.** A copy of the Certificate of Insurance will suffice.

#### PART B - REQUIREMENTS PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

#### **Construction Certificate Application**

6. A Construction Certificate application is required to be submitted to, and issued by Council/Accredited Certifier prior to any excavation or building works being carried out on site.

#### **Section 68 Application**

7. Prior to the issue of a Construction Certificate, an application under Section 68 of the *Local Government Act 1993* is to be made to, and issued by, Bland Shire Council, for any sewer and stormwater connections.

#### **Section 94A Contribution**

8. A Section 94A contribution is applicable for this development in accordance with the Bland Shire Section 94A Contribution Plan. Payment of \$1000.00 (0.125% of estimated construction value) is required prior to the issue of a construction certificate.

#### PART C - REQUIREMENTS PRIOR TO COMMENCEMENT OF WORK

#### **Notice of Commencement**

9. Notice of commencement (at least 48 hours prior) is to be given to Council in writing.

#### **Erosion and Sediment Control**

10. Erosion and sediment control measures shall be installed and maintained until all disturbed areas have revegetated in accordance with the Bland Development Control Plan 1999.

Note: On the spot fines may be imposed for non-compliance with this condition.

#### **Temporary Onsite Toilet**

11. A temporary on-site toilet is to be provided and must remain throughout the project or until an alternative facility meeting Council's requirements is available on-site.

#### **Damage to Public Assets**

12. The developer or his agent must undertake a site inspection of the adjacent kerbs, gutters, footpaths, walkways, carriageway, reserves and the like, prior to commencement of work and document evidence of any damage to existing assets. Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the applicant's expense.

#### **Sewer Drainage Design**

13. The design of the proposed sewer drainage from each individual dwelling unit to the point of connection to Council's reticulated sewerage system is to be submitted and approved by Council prior to the commencement of work.

#### **Construction Management Plan**

14. A Construction Management Plan is to be submitted to Council, prior to the commencement of any construction works, detailing the measures to be implemented to minimize the impact of construction activities on adjoining land uses. In particular, the management plan is to address construction vehicle access, noise, dust and vibration.

#### **PART D - REQUIREMENTS DURING WORKS**

#### **Approved hours of Construction**

15. Construction work may only be undertaken in accordance with the provisions of the Environmental Protection Authority – Interim Guideline for Construction Noise as identified below:

DAY	HOURS		
Monday to Friday	7:00am to 6:00pm		
Saturday	8:00am to 1:00pm		
Sunday & Public Holidays	Nil		

#### Access to the Site

16. Construction vehicles are to enter and exit the site from the Sturt Street access. There is to be no entry or exit from Neeld Street.

#### **Building Waste**

17. The provision of a metal waste skip with self-closing lid or secure covering on-site for the duration of the construction to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site.

**Note:** On the spot fines may be imposed by Council for Pollution incidents.

#### **Building Materials, Plant and Equipment**

18. All building materials, plant and equipment are to be placed on the site of the development so as to ensure that pedestrian and vehicular access in public places is not restricted and also so that the road reserve is not damaged.

**Note:** On the spot fines may be imposed for non-compliance with this condition.

#### **Stormwater Disposal**

19. The guttering, downpipes and stormwater system is to be installed and connected to the approved disposal point in consultation with Council, as soon as the roof tiles or roof sheeting is positioned to prevent erosion of the site from roof water.

#### Soil and Water Management

20. All practical measures must be taken to ensure erosion and subsequent sediment movement off-site does not occur.

In particular, a silt fence or equivalent must be provided downhill from the cut and fill area (or any other disturbed area). The fence must be regularly inspected and cleaned out and/or repaired as necessary and all collected silt must be disposed of to the satisfaction of the Principal Certifying Authority (PCA).

Unnecessary disturbance of the site (eg excessive vehicular access) must not occur.

All cuts and fills must be stabilised or revegetated as soon as possible after the completion of site earthworks.

#### PART E - REQUIREMENTS PRIOR TO OCCUPATION CERTIFICATE

#### **Occupation Requirements**

21. No person is to use or occupy the building or alteration that is the subject of this approval without the prior issuing of an Occupation Certificate.

#### **Public Infrastructure**

22. The applicant shall rectify any damage to public infrastructure (including roads, gutters, footpaths, street trees, etc) prior to the issue of the Occupation Certificate at no cost to Council.

#### **Ground Levels**

23. Finished ground levels are to be graded away from the buildings and adjoining properties must achieve natural drainage. The concentrated flows are to be dispersed down slope or collected and discharged to the stormwater drainage system.

#### **BASIX Certificate**

24. Commitments listed in BASIX Certificate number 789407M relating to the development must be fulfilled prior to the issue of an Occupation Certificate.

#### **Completion Requirements**

25. All of the foregoing conditions are to be at the full cost of the developer and to be completed prior to the issuing of an Occupation Certificate, unless stated otherwise.

#### **PART F - OPERATIONAL REQUIREMENTS**

#### **Access and Egress**

- 26. All vehicle access to the site and egress from the site is to be via Sturt Street only. There is to be no access or egress from Neeld Street.
- 27. The Neeld Street property boundary is to be landscaped so as to stop unauthorised vehicle entry.

#### **Amenity**

28. The development is to be conducted in a manner that will not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, dust, wastewater, waste products and/or oil.

#### **Clean and Tidy**

29. The premises are to be maintained in a clean and tidy condition at all times.

#### PART G - REASONS FOR CONDITIONS

#### Conditions of consent have been imposed to:

- 1. Ensure the proposed development:
  - a) achieves the objects of the Environmental Planning and Assessment Act, 1979;
  - b) complies with the provisions of all relevant environmental planning instruments;
  - c) is consistent with the aims and objectives of Council's Development Control Plans, Codes and Policies.
- 2. Ensure that the relevant public authorities and the water supply authority have been consulted and their requirements met or arrangements made for the provision of services to the satisfaction of those authorities.

- 3. Meet the increased demand for public amenities and services attributable to the development in accordance with Section 94 of the Environmental Planning and Assessment Act, 1979.
- 4. Ensure the protection of the amenity and character of land adjoining and in the locality of the proposed development.
- 5. Minimise any potential adverse environmental, social or economic impacts of the proposed development.
- 6. Ensure that all traffic, carparking and access requirements arising from the development are addressed.
- 7. Ensure the development does not conflict with the public interest.

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

# 9.7 Closure of Unnamed Lane Parallel to Showground Road West Wyalong

#### **Council Recommendation:**

16032017 RESOLVED on the motion of Cr Baker seconded Cr Crowe that Bland Shire Council adopt the closing of the lane located between the Newell Highway and Lillas Lane, West Wyalong, (also running parallel to Showground Road and Gelling Street), with the intent to on sell the area to adjoining properties once the lane is officially closed. CARRIED

# 9.8 Closure of Unnamed Lane on Wargin Road West Wyalong

#### Council Recommendation:

17032017 RESOLVED on the motion of Cr McGlynn seconded Cr Baker that Bland Shire Council adopt the closing of the lane within Portion 3, Parish Narragudgil and Portion 33, Parish Wyalong South, DP705335 located on Wargin Road with the intent to sell this unused portion of road. CARRIED

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

#### **Council Recommendation:**

18032017 RESOLVED on the motion of Cr Monaghan seconded Cr English that the following reports, provided for information only, be received and noted:

- 9.9 Asset & Engineering Services Report
- 9.10 Community Services Report
- 9.11 Bland Shire Library Monthly Update
- 9.12 Childrens Services Monthly Update
- 9.13 Bland HACC Services Update
- 9.14 Development Services Activity Report
- 9.15 Economic Development & Tourism Report February. CARRIED

### 10.0 URGENT BUSINESS WITHOUT NOTICE Nil

#### 11.0 QUESTIONS AND STATEMENTS

#### Cr Baker

- Conveyed thanks for the works on Spries Lane and queried if the grader was still in the area
- Queried the closure of Adlers Lane to vehicles over 3 tonne DAES advised that now the flood damage inspections have been completed the restrictions may be removed
- Advised of potholes in Moody's Lane
- Expressed concern at the incorrect information raised by residents in the Public Forum regarding Council's rates income and budget
   Mayor advised that staff are preparing information to be provided with the rates
- Queried participation in the Councillor Professional Development Workshop GM advised it is REROC program and attendance is not mandatory at this stage. The requirements for Councillor development will be known once Regulations are finalised

#### Cr McGlynn

- Expressed concerns at a proposal from Temora Shire to demolish Mud Hall off Mary Gilmore Way
- Conveyed congratulations to the Tennis Club for their successful teams event held over the weekend

• Stated that it has been a disturbing night and apologised to the General Manager, bullying and intimidation are not acceptable

#### Cr English

- Stated that the Community Reference Group meeting was a success and thanked DCCDS
- Stated that there is plenty of great stuff going on and that should be our focus

#### **Cr Keatley**

 Queried the percentage of rates received from rural, villages and town and expressed concern at the incorrect information being quoted by residents GM advised that information is being prepared for circulation

#### **Cr Thomas**

- Reiterated his apology to Ollie MacFarlane and family and stated that Len was not receptive to a personal apology. Acknowledged Jill Funnell's right to speak in public and admitted he was out of line stating he has not done the VIC proponents any good, there is nothing more he can say or do, just walk away
- Suggested consideration for the review of the amount of mining rates set aside for community infrastructure and the possibility of redirecting some funds for roads maintenance

#### **Cr Crowe**

- Endorsed Cr Baker's comments on the education of the community regarding the income from rates
- Endorsed Cr Thomas' comments in relation to consideration of funds allocated to town facilities and rural roads
- Conveyed concerns from the community at the closure of the sporting ovals with the minimal rain
  - DAES advised that the matter is taken on notice
- Acknowledged the difficult couple of weeks for library staff and confirmed that his attendance at the Library is as a customer

#### Cr Lord

 Advised that a former Council resolution was made to set aside income from mining rates into a Community Infrastructure Reserve to provide facilities for the community and ensure the operational budget was not significantly impacted by the eventual closure of the mine

#### Cr Wyse

Queried the time allocated for the Budget Workshop
 Mayor advised that the Workshop will follow the same format as previous years and
 the Ordinary Council Workshop will be held later in the evening

#### Cr Monaghan

 Suggested the community also be made aware of the impact of the Financial Assistance Grants freeze and increasing cost of works

#### **Cr Thomas**

 Queried progress with the overcharging for disposal of sewerage waste DAES advised that initial enquiries have been made however further information and investigation is required

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

#### 12.1 Goldenfields Water County Council

Local Government Act 1993 (section 10A (2) (d) (i)
The matters and information are commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

The General Manager advised that there is no report at this stage pending further information from Goldenfields Water County Council.

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

14.0	CI	OSE	OF	THE	MEE.	<b>FING</b>
14.0	$\cup$ L	.UJL	OI.			HING

There being no further business the meeting then closed at 8.16pm.

Chairperson