



# **MINUTES FOR EXTRA ORDINARY COUNCIL MEETING**

**31 May, 2017**

**NOTICE IS HEREBY GIVEN** pursuant to clause 7 of Council's Code of Meeting Practice that the Extra-ordinary Council Meeting of Walgett Shire Council was held at the **Walgett Shire Council Chambers**, on **31 May 2017** commencing at 8:15am for the purpose of considering the Draft 2017/18 budget and associated documents.

**ADOPTED: 29 June 2017**

Don Ramsland  
**GENERAL MANAGER**

## CONFLICT OF INTERESTS

**What is a “Conflict of Interests”** – A conflict of interests can be two types:

**Pecuniary** – an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

**Non-Pecuniary** – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Local Government Act (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature.)

### **Remoteness**

A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in Section 448 of the Local Government Act.

**Who has a Pecuniary Interest?** – A person has a pecuniary interest in a matter if the pecuniary interest is the interest of:

- The person, or
- Another person with whom the person is associated (see below)

### **Relatives, Partners**

A person is taken to have a pecuniary interest in a matter if:

- The person's spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter

N.B. “Relative”, in relation to a person means any of the following:

- (a) The parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person's spouse.
- (b) The spouse or de facto partners of the person or of a person referred to in paragraph (a)

### **No Interest in the Matter**

However, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company of other body, or
- Just because the person is a member of, or is employed by, the Council
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

### **Disclosure and participation in meetings**

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
  - (a) At any time during which the matter is being considered or discussed by the Council or Committee, or
  - (b) At any time during which the Council or Committee is voting on any question in relation to the matter.

**No Knowledge** – A person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

### **Participation in Meetings despite Pecuniary Interest (S452 Act)**

A Councillor is not prevented from taking part in the consideration or discussion of, or from voting on, any of the matters/questions detailed in Section 452 of the Local Government Act.

**Non-Pecuniary Interest** – Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-Pecuniary conflicts of interest must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in S451 of the Local Government Act apply (particularly if you have a significant non-pecuniary interest)

### **Disclosure to be Recorded (S453 Act)**

A disclosure (and the reason/s for the disclosure) made at a meeting of the Council or Council Committee or Sub-Committee must be recorded in the minutes of the meeting.

**MINUTES OF THE EXTRA ORDINARY MEETING OF THE WALGETT SHIRE COUNCIL HELD AT THE WALGETT SHIRE COUNCIL CHAMBERS ON TUESDAY 31<sup>st</sup> May 2017 AT 8:15 AM**

**PRESENT**

Clr I Woodcock (Mayor)  
Clr J Keir  
Clr L Walford  
Clr M Taylor  
Clr B Murray  
Clr K Smith  
Don Ramsland (General Manager)  
Shirley Burraston (Management Accountant)  
Jessica McDonald (Director Environmental Services)  
Dilip Tiwari (Works Engineer)  
Bronte Kerr (Minute Secretary)

**Apologies**

**5/2017/1 Apologies – 31 May 2017**

**Resolved:**

That the apologies received from Councillor Cameron, Martinez and Turnbull are accepted and a leave of absence granted.

**Moved: Clr Keir**  
**Seconded: Clr Taylor**  
**CARRIED**

**Reports from Officers**

**5/2017/2 2017/18 Draft Budget & Operational Plan and Supporting Integrated Planning and Reporting Documentation – General Manager’s Overview**

**Resolved:**

That the General Manager’s Report in relation to the 2017/18 Draft Budget and Operational Plan and Integrated Planning and Reporting documentation be received and noted and the 2017/18 Budget and Operating Plan and associated documentation adopted by Council in principle and placed on Public Exhibition for 28 days and public comment invited.

**Moved: Clr Murray**  
**Seconded: Clr Taylor**  
**CARRIED**

**5/2017/3 2017/2018 Budget Background Paper – Chief Financial Officer**

**Resolved:**

That the report be received and noted provided by the Chief Financial Officer.

**Moved:** Clr Murray  
**Seconded:** Clr Taylor  
**CARRIED**

**5/2017/4 Environmental Services Budget & Operations 2017/2018**

**Resolved:**

Council receive and note the report provided by the Director Environmental Services on planned tasks, projects and budget for 2017-2018.

**Moved:** Clr Murray  
**Seconded:** Clr Taylor  
**CARRIED**

**5/2017/5 Summary of Operational and Capital Projects Budget 2017/18 - Director Engineering /Technical Services**

**Resolved:**

That Council receives and notes the report provided by the Director of Engineering/Technical Services on planned tasks, projects and budget for 2017/18.

**Moved:** Clr Murray  
**Seconded:** Clr Taylor  
**CARRIED**

**5/2017/6 Supplementary Report – Innovation Fund – Joint HR Proposal**

**Resolved:**

That Council Submit an application to the 2017 round of Innovation Fund for streamlining HR systems and processes jointly with Brewarrina and Bourke Shire Councils.

**Moved:** Clr Taylor  
**Seconded:** Clr Smith  
**CARRIED**

**Close of Meeting**

The meeting closed at 11:01am.

To be confirmed at the meeting of Council to be held on 29 June 2017 at Walgett.

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Mayor

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General Manager