



Bland Shire Council
Business Paper
Extra Ordinary Council Meeting
28 April 2015



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



Extra Ordinary Council Meeting Agenda

28 April 2015

commencing at 7.00PM

1.0 INTRODUCTION

Let us acknowledge the Wiradjuri people, their elders past and present, traditional custodians of the land we now share.

Let us be inspired by the resilience, innovation and perseverance of past generations.

Let us honour those who protect this great land, may you draw strength from your God or Faith so that we may, here today, on behalf of our community, - build a vibrant future together.

("Pause for Reflection").

2.0 ATTENDANCE

2.1 Councillors

Cr P Grellman

Cr L Hampton

Cr K Keatley

Cr T Lord

Cr L McGlynn

Cr B Monaghan

Cr L Pike

Cr N Pokoney

Cr P Templeton

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

3.0 DECLARATIONS OF INTEREST

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

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 a person might make in relation to a matter.

Councillor/Officer	Item	Nature of Interest

4.0 STAFF REPORTS

That the Council receive the staff reports.

4.1	Making Of The Waste Management Charges 2015/16	1
4.2	Making Of Sewer Special Rate Charges 2015/16	3
4.3	Draft Budget 2015-2016 Considerations	4
4.4	Integrated Planning & Reporting (IPR) Framework – Adoption Of Draft Documents 2015/16	7

5.0 CLOSE OF THE MEETING

Staff Reports

4.1 Making Of The Waste Management Charges 2015/16

Our leadership

Setting a benchmark for community standards

Vision: A well run council acting as the voice of the community

15 – To provide quality leadership, governance and management.

Author: Director Corporate, Community and Development Services

Officer's Recommendation:

That the Council makes the Waste Management charges for the year 2015/2016 for inclusion in the 2015/2016 budget preparation.

DOMESTIC WASTE MANGEMENT CHARGE

THAT a Domestic Waste Management Charge be now made in respect of Residential premises within the area of the Council of Bland where a domestic waste management services is available, as follows:

(a) Land, which is occupied and/or built upon-

Standard 240L domestic service:

Barmedman	\$329.00
Ungarie	\$329.00
West Wyalong/Wyalong	\$329.00
Weethalle	\$329.00
plus \$329 per extra collection.	

Standard 120L Domestic Service:

West Wyalong/Wyalong	\$267.00
Ungarie	\$267.00
Barmedman	\$267.00
Weethalle	\$267.00
plus \$267 per extra collection.	

(b) Vacant Land able to be built upon \$27.00

MINUTES OF THE EXTRA ORDINARY MEETING OF THE COUNCIL OF BLAND HELD IN THE COUNCIL CHAMBERS WEST WYALONG ON TUESDAY 28 APRIL 2015

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MAYOR

TRADE WASTE SERVICE CHARGE

THAT an annual charge be made on land categorised as Business Land within the area of the Council of Bland and which is provided by Council with a trade waste removal service as follows:

Standard 240L Collections:

West Wyalong/Wyalong	\$343.00
Ungarie	\$343.00
Barmedman	\$343.00
Weethalle	\$343.00
plus \$343.00 per extra collection	

Standard 120L Collections:

West Wyalong/Wyalong	\$280.00
Ungarie	\$280.00
Barmedman	\$280.00
Weethalle	\$280.00
plus \$280.00 per extra collection.	

Annual Waste Management Charge

A charge of \$27.00 per property will apply to all properties not within a serviced area for the DWMS, under Section 501 of the Local Government Act.

4.2 Making Of Sewer Special Rate Charges 2015/16

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Author: Director Corporate, Community and Development Services

Officer's Recommendation:

That the Council makes the Sewer Special Rate charges for the year 2015/2016 for inclusion in the 2015/2016 budget preparation.

Pursuant to Section 535 of the Local Government Act 1993 Council must make rates and charges by resolution. Accordingly Council must make the following charges as included within the Draft 2015/2016 Operational Plan.

Officer's Recommendation:

SEWER SPECIAL RATE

It is hereby RECOMMENDED that a Sewerage Special Rate be now made for the year commencing on 1 July 2015 subject to a minimum amount of six hundred and eighty five dollars (\$685.00) excepting any assessment in respect of the land not built upon nor connected to sewer mains in which case the minimum amount shall be, one hundred and sixty dollars (\$160.00) and that the charge to be made for non-rateable land provided with sewerage services shall be:

- (a)** Land defined in Clause 184(1) of former Ordinance 46 under the Local Government Act 1919- \$138.00 for each water closet on the premises and \$72.00 per annum for each cistern serving any urinal on the premises.
- (b)** Land defined in Clause 184(2) of former Ordinance 46 under the Local Government Act 1919- \$138.00 for each water closet on the premises and \$72.00 per annum for each cistern serving any urinal on the premises.

4.3 Draft Budget 2015-2016 Considerations

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Author: General Manager

Officer's Recommendation:

That Council consider each of the following draft budget adjustments for 2015/16 individually.

Officer's Recommendation:

The inclusion of \$150,000.00 for establishing a VIC at 184 Main Street, West Wyalong.

Officer's Recommendation:

The inclusion of \$50,000.00 (P.A x 4 years) for main street works.

Officer's Recommendation:

The reinstatement of Tourism Projects to \$35,000.00.

Officer's Recommendation:

The reinstatement of Promote Tourism to \$35,000.00.

Officer's Recommendation:

The reinstatement of Donations to \$50,000.00.

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Officer's Recommendation:

The addition of \$5,000.00 towards the Festival in the West for 2015.

Officer's Recommendation:

The allocation of \$30,000.00 for Public Relations.

Introduction

Councillors will be aware by now that all councils, at the direction of the NSW State Government, are required to record their financial positions with the inclusion of the 'depreciation' expense. In the past councils have opted to report to their communities on the outcome of the operational budget, as has been the case of Bland Shire Council.

Consequently, while Bland Shire Council has made small surpluses in its operational budget for the past few years, the inclusion of depreciation has resulted in increasing and significant deficits.

This is a trend that Council must reverse if it is to be deemed "Fit for the Future".

This year's draft budget, as it stands after the April 14 workshop, is showing an estimated deficit of **\$4,085,619.00**.

Given that last year's result, including depreciation, was a deficit of **\$6,033,449.00** a significant savings is being achieved in the amount **\$1,947,830.00** by cutbacks in expenses and operational areas as well as no new capital items for the 2015 / 2016 financial period.

In percentage terms this is a **32%** reduction in council's deficit from 2014/15. It also represents a cash surplus of \$1,947,830.00.

There were four councillors that were unable to attend the April 14 workshop and based on further discussions the following adjustments to the draft budget are being put forward.

<i>VIC / Technology</i>	<i>\$150,000.00</i>
<i>Main Street works</i>	<i>\$50,000.00 (P.A x 4 years) (Possible transfer from Reserves)</i>
<i>Tourism projects</i>	<i>\$25,000.00 (Reinstatement from \$10,000.00 to \$35,000.00)</i>
<i>Promote tourism</i>	<i>\$25,000.00 (Reinstatement from \$10,000.00 to \$35,000.00)</i>
<i>Donations</i>	<i>\$20,000.00 (Reinstatement from \$30,000.00 to \$50,000.00)</i>
<i>Festival in the West</i>	<i>\$5,000.00 (Increase from \$10,000.00 to \$15,000.00 + \$5,000.00 DIK)</i>
<i>Public Relations</i>	<i>-\$20,000.00 (Decrease from \$50,000.00 to \$30,000.00)</i>

If the above adjustments of \$255,000.00 were accepted the new bottom line would be an estimated deficit of **\$4,380,619.00**.

In percentage terms this is a **28%** reduction in council's deficit from 2014/15.

Conclusion

The Fit for the Future process has placed substantial emphasis on a council's financial position but unfortunately, there is little reference to the wide range of services and the community obligations undertaken by councils.

Council may well need to consider a 'special rate variation' at some time in the near future. There will also be a 'natural attrition' of staff over time to ensure that future budgets can accommodate staff workloads.

Financial Implications

The financial implications have been covered in the body of this report.

4.4 Integrated Planning & Reporting (IPR) Framework – Adoption Of Draft Documents 2015/16

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Author: General Manager

Officer's Recommendation:

That the following DRAFT documentation be placed on public exhibition for a period of 28 days, commencing 29 April 2015, in accordance with the legislative requirements of the Local Government Act 1993:

- Delivery Program 2013 - 2016
- Operational Plan 2015/16, including Budget & Revenue Policy 2015/16
- Long Term Financial Plan 2015-2025
- Workforce Assessment Plan & Strategy 2015-2019
- Asset Management Plan 2015

Officer's Recommendation:

That all public comments, submissions and input from staff and councillors to the Draft IPR documents for the 2015/16 year be provided to an Extra Ordinary Council meeting to be held on 2 June 2015 commencing at 6.30pm.

Officer's Recommendation:

That all staff involved in the preparation of the IPR documents be congratulated for a job "well done".

Introduction

The Integrated Planning and Reporting framework for NSW local government was implemented at Bland Shire Council in July 2012. In accordance with the legislative requirements the IPR suite of documents were reviewed and endorsed by the newly elected Council in 2013.

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The Community Strategic Plan was developed after extensive consultation across the Shire. The purpose of the Community Strategic Plan is to identify the community's main priorities and aspirations for the future.

The Delivery Program must be prepared and adopted by 30 June in the year following a local government general election. It must identify the principal activities that the Council will undertake over the life of the Program and must be reviewed each year when preparing the Operational Plan. If a significant amendment is proposed to the Delivery Program, the program must be re-exhibited for public comment for a minimum of 28 days and the submissions received must be considered before the final program is adopted.

The Operational Plan, including the draft budget and statement of Revenue Policy, is an annual plan that must be adopted before the beginning of each financial year. It outlines the activities to be undertaken that year as part of the Delivery Program. The draft Operational Plan must be publicly exhibited for public comment for a minimum of 28 days and the submissions received must be considered before the final program is adopted.

The Long term Financial Plan must be for a minimum of 10 Years. The plan must include models relevant to different scenarios that could impact on the Council's finances and must be used to inform decision making.

The Workforce Assessment Plan & Strategy must be developed to address the human resourcing requirements of the Council's Delivery Program and it must be prepared for a minimum 4 year period.

The Asset Management Strategy and Asset Management Plan must be developed to support the Community Strategic Plan and Delivery Program. Council must account for and plan for all of the existing assets under its ownership, and any new asset solutions proposed in its Community Strategic Plan and Delivery Program. The Asset Management Plan must encompass all the assets under council's control, must identify asset service standards and must contain long term projections of asset maintenance, rehabilitation and replacement costs. Councils must report on the condition of their assets in their annual financial statements in line with the Local Government Code of Accounting Practice and Financial Reporting.

Conclusion

Councillors will have further opportunity to comment on the draft documents during the public exhibition period up until Tuesday 26th May, although councillors are encouraged to put forward their comments well prior to this deadline.

A copy of each document is provided under separate cover.

Financial Implications

The draft documents detail all of the financial implications to be considered by council.