



BLAND SHIRE COUNCIL
west wyalong

Bland Shire Council

Minutes

Ordinary Council Meeting

16 June 2020

CONFIRMED



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	olg@olg.nsw.gov.au	www.olg.nsw.gov.au
NSW Ombudsman	9286 1000 Toll Free: 1800 451 524	nswombo@ombo.nsw.gov.au	www.ombo.nsw.gov.au

16 June 2020

commencing at 6:30PM

Council advises that an audio recording of the proceedings of this meeting were taken and are publicly available on the website.

1.0 OPENING MEETING AND ACKNOWLEDGEMENT OF COUNTRY

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

2.0 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

2.1 Attendance

Councillors

Cr Bruce Baker

Cr Kerry Keatley

Cr Tony Lord

Cr Liz McGlynn

Cr Brian Monaghan

Cr Murray Thomas (left 6.35pm, returned 6.57pm)

Cr Jan Wyse (arrived 6.33pm)

Staff

General Manager – Ray Smith

Director Technical Services – Will Marsh

Director Corporate & Community Services – Alison Balind

Executive Assistant – Julie Sharpe

2.2 Apologies

Cr Penny English

Cr Rodney Crowe

Recommendation:

01062020 RESOLVED on the motion of Cr Baker seconded Cr Thomas that the apologies submitted by Crs English and Crowe be accepted.

CARRIED Unanimously

2.3 Applications for a leave of absence by Councillors

Nil

3.0 CONFIRMATION OF MINUTES

3.1 Ordinary Meeting held on 19 May 2020

- Corrections - Nil
- Business Arising - Nil
- Confirmation

Recommendation:

02062020 RESOLVED on the motion of Cr Baker seconded Cr Thomas that the minutes of the Ordinary Council meeting held on 19 May 2020 be confirmed as a correct record of proceedings.

CARRIED Unanimously

4.0 DISCLOSURES OF INTERESTS

Councillor/ Officer	Item	Nature of Interest	How Managed
Cr McGlynn	8.4 – Funding Request – Royal Far West Healthy Kids Bus Stop	Non-Pecuniary	Verbal Disclosure
Cr Baker	8.9 – Bland Shire Council Section 355 Committees	Non-Pecuniary	Verbal Disclosure
Cr Keatley	8.9 – Bland Shire Council Section 355 Committees	Non-Pecuniary	Verbal Disclosure
Cr Keatley	8.10 – Ungarie Floodplain Risk Management Study	Non-Pecuniary	Verbal Disclosure

5.0 PRESENTATION(S) AND PUBLIC FORUM

At this stage, 6.33pm, Cr Wyse arrived.

5.1 Staff Presentations

At this stage the Mayor and General Manager invited Mrs Colleen Dore for the presentation of staff awards. Mrs Dore was presented with an award and gift in recognition of her 40 years of service.

Mr Jeff Lemon was then invited and presented with an award and gift in recognition of his retirement after almost 19 years with Council.

At this stage 6.35pm, Cr Thomas left the meeting.

5.2 Evolution Mining

Mr Greg Walker and Mark Hartig from Evolution Mining provided Council with a presentation and update on their current operations and plans for future expansion. It was noted that the planned shutdown will proceed in August. Current employee numbers at the Cowal Gold Mine are around 450 plus 150 contractors, it is expected the expansion will require an additional 200 staff and this project is currently ahead of schedule. It was also noted that \$18M in royalties have been paid.

The Mayor conveyed thanks to Mr Walker for the presentation.

6.0 MAYORAL MINUTE(S)

Nil

7.0 REPORTS OF COMMITTEES

Recommendation:

03062020 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 Unanimously

8.0 REPORTS TO COUNCIL

Section 1 - Office of the General Manager

8.1 West Wyalong Community Theatre – Progress Report – June 2020

At this stage, 6.57pm, Cr Thomas returned.

Recommendation:

04062020 RESOLVED on the motion of Cr Keatley seconded Cr Wyse:

- 1. That the progress report, as at June 2020, on the Community Theatre project is received and noted and that the General Manager continue to keep councillors informed of the progress of this project;**
- 2. That a specific report be submitted to the July 2020 meeting of Council in relation to the Tenders for the Stage 2 works of this project.**

CARRIED Unanimously

8.2 Rural Financial Counselling Service NSW – Request for Support

Recommendation:

05062020 RESOLVED on the motion of Cr McGlynn seconded Cr Thomas that Council deny the request for a financial contribution to the Rural Financial Counselling Service NSW – Central Region for the 2020/2021 financial period.

CARRIED 6/1 Crs Baker, Lord, McGlynn, Thomas, Wyse and Monaghan voting for and Cr Keatley voting against

8.3 Conservation and Land Management Economic Stimulus

Recommendation:

06062020 RESOLVED on the motion of Cr Lord seconded Cr Thomas:

1. That Bland Shire Council notes:
 - A. In light of the current and anticipated impacts of Covid-19 across every sector of society, it is clear that decisive action and unprecedented investment is needed to temper the worst social and economic impacts of this crisis.
 - B. Over 70 farming and conservation groups around Australia, including Landcare, the National Farmers Federation, NRM Regions Australia, the Australian Land Conservation Alliance and the Australian Association of Bush Regenerators, have come together to call on state and federal government to invest in a jobs-rich conservation and land management stimulus package as part of the economic response to Covid-19.
 - C. Such a program presents important opportunities for safe, meaningful and socially beneficial work as part of the 'bridge to recovery', while leaving enduring benefits for the environment, tourism and farm businesses.
2. That Bland Shire Council express its support for state and federal government investment in a jobs-rich conservation and land management stimulus package as part of the economic response to Covid-19.
3. That Bland Shire Council write to our local state and federal members of parliament expressing our support for this proposal and urging them to also support the proposal.

CARRIED Unanimously

8.4 Funding Request – Royal Far West Healthy Kids Bus Stop

Recommendation:

07062020 RESOLVED on the motion of Cr Thomas seconded Cr Wyse that Council provides a grant from its 2019-2020 Strengthening Communities budget to the West Wyalong branch of the Royal Far West to assist with the costs of bringing the Healthy Kids Bus Stop to the Bland Shire in 2021.

CARRIED 6/1 Crs Keatley, Lord, McGlynn, Thomas, Wyse and Monaghan voting for and Cr Baker voting against

Recommendation:

08062020 RESOLVED on the motion of Cr Lord seconded Cr Thomas that Council provides a grant of up to \$18,750 from its 2019-2020 Strengthening Communities budget to the West Wyalong branch of the Royal Far West to assist with the costs of bringing the Healthy Kids Bus Stop to the Bland Shire in 2021.

CARRIED 6/1 Crs Keatley, Lord, McGlynn, Thomas, Wyse and Monaghan voting for and Cr Baker voting against

Section 2 – Corporate & Community Services

8.5 Finance and Investment Report for May 2020

Recommendation:

09062020 RESOLVED on the motion of Cr Lord seconded Cr Baker:

1. That Council receive and note the information contained within the Finance and Investment Report for the month of May 2020
2. That Council confirms the payment of accounts, for the period 01 May to 31 May 2020, summarised in the accounts summary totalling \$5,513,053.05.

CARRIED Unanimously

8.6 Adoption of the Operational Plan and Revenue Policy Documentation for 2020/2021

Recommendation:

10062020 RESOLVED on the motion of Cr McGlynn seconded Cr Baker that Bland Shire Council:

- 1. Receives and notes the submission on the draft IP&R documentation relating to a rate increase and that a response to the author of the submission be prepared in terms of the comments from the General Manager;**
- 2. Receives and notes the advice from the NSW OLG;**
- 3. Adopts the Operational Plan (including Budget) for the 2020/2021 Financial Year and the Revenue Policy (including Schedule of Fees and Charges) for the 2020/2021 Financial Year).**
- 4. Extends the Council's Delivery Program 2017-2021 for an additional 12-month period to June 2022.**

CARRIED Unanimously

8.7 Child Safe Organisation and Endorsement of Children's Services Unit Policies

Recommendation:

11062020 RESOLVED on the motion of Cr Thomas seconded Cr Keatley that Council:

- 1. Endorses the Children's Services Unit Policies listed below as required by the Education and Care Services National Regulation 2011.**
 - Supervision Policy**
 - Excursion and Regular Outing Policy**
 - Child Protection Policy**
- 2. Endorses the Child Safety Policy and actions to make Bland Shire Council a Child Safe Organisation.**
- 3. Place the policies on public exhibition for a period of 28 days for community comment.**
- 4. Formally adopt and implement the exhibited policies across Bland Shire Council should there be no further comment from the community on the exhibited documents.**

CARRIED Unanimously

8.8 Adoption of Fraud Control Plan

Recommendation:

12062020 RESOLVED on the motion of Cr Thomas seconded Cr Lord that Bland Shire Council formally adopts the Fraud Control Plan.

CARRIED Unanimously

8.9 Bland Shire Council Section 355 Committees

Recommendation:

13062020 RESOLVED on the motion of Cr McGlynn seconded Cr Lord that Bland Shire Council:

1. Undertake a thorough review of its Section 355 Committee processes.
2. Engages directly with each of the existing Section 355 Committees to determine committee functions.
3. Prepares an updated Section 355 Committee Manual to incorporate the recommendations of the Internal Auditor.
4. Delays a decision on the request from the Wyalong Advancement Group to be made a stand-alone Section 355 Committee until the review has been completed.
5. A further report on the Section 355 Committee review be brought back to the September meeting of Council.

CARRIED Unanimously

Section 3 – Technical Services

8.10 Ungarie Floodplain Risk Management Study

Recommendation:

14062020 RESOLVED on the motion of Cr Lord seconded Cr Baker that Bland Shire Council adopt the Ungarie Floodplain Risk Management Study.

CARRIED Unanimously

8.11 Naming of an Un-named Park – Corner of Monash and Park Streets, West Wyalong

Recommendation:

15062020 RESOLVED on the motion of Cr Keatley seconded Cr McGlynn that Council consider the public comments received in relation to the proposal to name the park on the corner of Monash and Park Streets West Wyalong, Grellman Park and submit an application to the NSW Geographical Names Board.

CARRIED Unanimously

8.12 Planning Proposal – PPL2020/0003

Recommendation:

16062020 RESOLVED on the motion of Cr Thomas seconded Cr McGlynn that Council:

- 1. Support Planning Proposal PPL2020/0003 to amend the Bland Local Environmental Plan 2011**
- 2. Submit Planning Proposal PPL2020/003 to the Department of Planning, Industry and Environment for Gateway Determination**
- 3. Request that the Secretary of NSW Planning, Industry and Environment issue a written authorisation to Council to exercise delegation of the plan making functions under section 3.36(2) of the Environmental Planning and Assessment Act 1979 in respect of Planning Proposal PPL2020/003.**
- 4. Receive a further report if submissions are received during the exhibition period:**
 - a. Addressing any submissions made in respect of the planning proposal**
 - b. Proposing the adoption of the planning proposal unless there are any recommended amendments deemed substantial and requiring further public exhibition.**

CARRIED Unanimously

Section 4 – Reports for Information

Recommendation:

17062020 RESOLVED on the motion of Cr Keatley seconded Cr Baker that the following reports, provided for information only, be received and noted.

- **8.13 - Economic Development & Tourism Report – June 2020**
- **8.14 - Community Services Report**
- **8.15 - Bland Shire Library Monthly Update**
- **8.16 - Children’s Services Monthly Update**
- **8.17 - Assets & Engineering Services Report**
- **8.18 - Development Services Activity Report – May 2020**

CARRIED Unanimously

9.0 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

Nil

ITEM OF URGENT BUSINESS IN ACCORDANCE WITH 9.3 OF THE MODEL CODE OF MEETING PRACTICE

Recommendation:

18062020 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley that the following report on the Community Recovery Program be deemed as urgent and therefore dealt with at this meeting.

CARRIED Unanimously

Community Recovery Program

Recommendation:

19062020 RESOLVED on the motion of Cr McGlynn seconded Cr Thomas:

- 1. That Council adopt the draft guidelines and application form for the Community Recovery Program;**
- 2. That a fund of \$150,000.00 be established from the Community Facilities Reserve to support this initiative;**
- 3. That the General Manager be delegated authority to determine all applications received in accordance with the adopted guidelines; and**
- 4. That a report be submitted to the September Council meeting detailing the outcome of this once-off program.**

CARRIED Unanimously

10.0 CONFIDENTIAL MATTERS

Nil

11.0 CONCLUSION OF THE MEETING

There being no further business the meeting then closed at 8.05pm.

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Chairperson