



BLAND SHIRE COUNCIL
west wyalong

Bland Shire Council

Minutes

Ordinary Council Meeting

19 May 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

19 May 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 Rodney Crowe
Cr Penny English
Cr Kerry Keatley
Cr Tony Lord
Cr Liz McGlynn
Cr Brian Monaghan
Cr Murray Thomas (left 6.48pm, returned 7.11pm)
Cr Jan Wyse

Staff

General Manager – Ray Smith
Director Technical Services – Will Marsh
Director Corporate & Community Services – Alison Balind
Executive Assistant – Julie Sharpe

2.2 Apologies

Nil

2.3 Applications for a leave of absence by Councillors

Nil

3.0 CONFIRMATION OF MINUTES

3.1 Ordinary Meeting held on 21 April 2020

- **Corrections** - Nil
- **Business Arising** - Nil
- **Confirmation**

Recommendation:

01052020 RESOLVED on the motion of Cr English seconded Cr Baker that the minutes of the Ordinary Council meeting held on 21 April 2020 be confirmed as a correct record of proceedings.

CARRIED Unanimously

4.0 DISCLOSURES OF INTERESTS

Nil

5.0 PRESENTATION(S) AND PUBLIC FORUM

Nil

6.0 MAYORAL MINUTE(S)

6.1 Annual Performance Review of the General Manager

Recommendation:

02052020 RESOLVED on the motion of Cr Wyse seconded Cr English that the General Manager, Mr. Ray Smith is congratulated on his successful and positive annual performance review and that a 2.5% increase in his Total Remuneration Package is approved, effective from the 17 May 2020, being the anniversary of his commencement date with Council.

CARRIED Unanimously

Recommendation:

03052020 RESOLVED on the motion of Cr English seconded Cr Wyse that Mr. Smith's current contract be extended, under the current terms and conditions, to 8 July 2022, to coincide with the deferment of the 2020 local government elections.

CARRIED 8/1 (Crs Baker, Crowe, English, Keatley, Lord, McGlynn, Wyse, Monaghan voting for and Cr Thomas voting against)

7.0 REPORTS OF COMMITTEES

Recommendation:

04052020 RESOLVED on the motion of Cr Keatley seconded Cr Wyse that the Council receive and note the delegate and committee reports from Councillors and Committee meeting minutes as presented.

CARRIED Unanimously

7.1 Goldenfields Water County Council

Cr McGlynn provided an update on the meeting held on 23rd April 2020. It was noted that a consultant will be engaged to investigate the reported low flow rates in the Crest Estate.

7.2 Newell Highway Taskforce

Cr Lord provided an overview of the recent meeting. It was noted that planning is underway for a flood study with works to commence in the new year.

At this stage, 6.48pm, Cr Thomas conveyed apologies and left the meeting.

Planned works for this year include the Parkes bypass, Dubbo bridge and an additional 9 overtaking lanes. Progress update on the restructure of RMS to Transport for NSW was provided and it was noted that Region South will now manage the section of the Newell Highway through the Bland Shire.

7.3 Riverina Regional Library

DCCS advised that a budget adjustment will be required for Bland Shire as the Advisory Committee did not carry the resolution regarding the additional funding allocation for the regional collection and enhancement project.

8.0 REPORTS TO COUNCIL

Section 1 - Office of the General Manager

8.1 Review of the Operations of REROC and RIVJO

Recommendation:

05052020 RESOLVED on the motion of Cr McGlynn seconded Cr Lord:

1. That Bland Shire Council provides in-principle support for the way forward determined in relation to the creation of a new regional organisation under the structure of a company limited by guarantee
2. That a final decision on Council's participation in the new regional organisation be determined once the following arrangements have been confirmed:
 - The Covid-19 Local Government Stimulus Package eligibility issues have been resolved;
 - A draft constitution for the new entity is presented to member councils for consideration; and
 - The actual cost of membership of the new entity.

CARRIED Unanimously

Section 2 – Corporate & Community Services

8.2 Financial Statements – April 2020

Recommendation:

06052020 RESOLVED on the motion of Cr English seconded Cr Wyse:

1. That Council receive and note the information contained within the Finance and Investment Report for the month of April 2020
2. That Council confirms the payment of accounts, for the period 01 April to 30 April 2020, summarised in the accounts summary totalling \$1,780,484.40.

CARRIED Unanimously

8.3 Budget Review – March 2020

Recommendation:

07052020 RESOLVED on the motion of Cr Crowe seconded Cr Wyse:

1. That the Officer's Report be received and noted.
- 2 That the Council endorses the Statement acknowledging the financial position is considered satisfactory.

CARRIED Unanimously

8.4 Draft Internal Reporting Policy

Recommendation:

08052020 RESOLVED on the motion of Cr Wyse seconded Cr Keatley that Council:

1. Endorses the Draft Internal Reporting Policy to be placed on public exhibition in accordance with Section 160 of the Local Government Act 1993;
2. Should any submissions be received that propose changes, or if there are substantial post public exhibition changes proposed for any other reasons, a report be submitted to Council for consideration detailing the public exhibition outcomes and with further recommendations regarding adoption; and
3. Should there be no submissions received proposing changes as a result of the public exhibition, or there are no substantial post public exhibition changes proposed for any other reasons, Council adopt the Internal Reporting Policy.

CARRIED Unanimously

8.5 Adoption Of Financial Reserves Policy

At this stage, 7.11pm, Cr Thomas returned to the meeting.

Recommendation:

09052020 RESOLVED on the motion of Cr Wyse seconded Cr Keatley:

It is recommended that Council;

1. Adopt the Financial Reserves Policy.
2. All future reserves of Bland Shire Council be established in accordance with the Policy.

CARRIED Unanimously

Section 3 – Technical Services

8.6 Local Strategic Planning Statement

Recommendation:

10052020 RESOLVED on the motion of Cr McGlynn seconded Cr Thomas that Council adopt the draft LSPS as amended by the items set out in this report, and that the LSPS is submitted to the NSW Department of Planning, Industry and Environment.

CARRIED Unanimously

Section 4 – Reports for Information

Recommendation:

11052020 RESOLVED on the motion of Cr Thomas seconded Cr Wyse that the following reports, provided for information only, be received and noted.

- **8.7 - Economic Development & Tourism Report – April 2020**
- **8.8 - Community Services Report**
- **8.9 - Bland Shire Library Monthly Update**
- **8.10 - Children’s Services Monthly Update**
- **8.11 - Bland Community Care Services Update**
- **8.12 - Assets & Engineering Services Report**
- **8.13 - Development Services Activity Report – April 2020**

CARRIED Unanimously

9.0 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

Nil

10.0 CONFIDENTIAL MATTERS

Nil

11.0 CONCLUSION OF THE MEETING

There being no further business the meeting then closed at 7.32pm.

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Chairperson