



BLAND SHIRE COUNCIL
west wyalong

Bland Shire Council

Minutes

Ordinary Council Meeting

21 April 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

21 April 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. It should be noted however that the recording quality will be affected due to the COVID-19 social distancing requirements.

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 7.34pm)
Cr Jan Wyse

Staff

General Manager – Ray Smith
Director Asset & Engineering 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 17 March 2020

- **Corrections** - Nil
- **Business Arising** – Cr Lord advised that his understanding and intent in moving motion 16032020 in relation to the Drought Communities Programme was to consider options for funding the Tennis Club project not add the project to the “B” list.

▪ **Confirmation**

Recommendation:

01042020 RESOLVED on the motion of Cr Keatley seconded Cr Baker that the minutes of the Ordinary Council meeting held on 17 March 2020 be confirmed as a correct record of proceedings with the correction to Minute Number 16032020.

CARRIED Unanimously

4.0 DISCLOSURES OF INTERESTS

Nil

5.0 PRESENTATION(S) AND PUBLIC FORUM

5.1 Mrs Cathlene Lange

At this stage the Mayor and General Manager invited Mrs Cathy Lange for the presentation of staff awards. Mrs Lange was presented with an award and gift in recognition of her 30 years of service with Council.

5.2 Mr Ray Smith

The Mayor presented Mr Smith with a gift in recognition of his achievements and announcement as a recipient of a Public Service Medal in the Australia Day Honours list.

6.0 MAYORAL MINUTE(S)

Mayor Monaghan conveyed congratulations on behalf of Council and the community to Mr Smith for his receipt of the Public Service Medal.

7.0 REPORTS OF COMMITTEES

Recommendation:

02042020 RESOLVED on the motion of Cr Baker seconded Cr Keatley 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 COVID-19 (Coronavirus) Update – April 2020

Recommendation:

03042020 RESOLVED on the motion of Cr Wyse seconded Cr Keatley:

- 1 That the report on the current status of the Covid-19 pandemic, as it relates to the Bland Shire, is received and noted:**
- 2 That the Mayor and General Manager be delegated authority to make any urgent decisions specifically in relation to the Covid-19 pandemic that is in the best interests of council and the community and that this be a limited delegation only for the duration of the current pandemic and requires a report back to council on any such decisions having been made.**

CARRIED 5/4 (Crs McGlynn, Keatley, Wyse, English and Monaghan voting for and Crs Lord, Thomas, Crowe and Baker voting against)

8.2 Review of Council's Business Assistance Policy and Procedure

Recommendation:

04042020 RESOLVED on the motion of Cr McGlynn seconded Cr Thomas that the revised Business Assistance Policy and Procedure, presented to the April 2020 Ordinary Meeting of Council is adopted.

CARRIED Unanimously

Section 2 – Corporate, Community, Development & Regulatory Services

8.3 Financial Statements – March 2020

Recommendation

05042020 RESOLVED on the motion of Cr Thomas seconded Cr Crowe:

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of March 2020**
- 2. That Council confirms the payment of accounts, for the period 01 March to 31 March 2020, summarised in the accounts summary totalling \$4,372,820.41.**

CARRIED Unanimously

8.4 Making of the Rates 2020/2021

Recommendation:

06042020 RESOLVED on the motion of Cr Thomas seconded Cr Keatley that the Council makes the rates for the 2020/2021 year to allow for inclusion in the 2020/2021 budget preparation as follows:

ORDINARY RATE

A. That it is hereby RECOMMENDED that Ordinary Rates be made for the year commencing on 1 July 2020 on all rateable land within the area of the Council of Bland as follows:

(a) Farmland Rate

A base amount of eighty eight dollars (\$88.00) per assessment plus an ad-valorem amount of point zero zero two seven one two cents (0.002712c) in the dollar on the land value of all rateable land categorised as farmland, the base amount to yield two point nine two percent (2.92%) of the total amount payable by the levying of the Farmland rate.

(b) Mining Rate

A base amount of one hundred and eighty six dollars (\$186.00) plus an ad-valorem amount of point zero zero four four nine one cents (0.004491c) in the dollar on the land value of all land categorised as mining land, the base amount to yield fourteen point four one percent (14.41%) of the total amount payable by the levying of the mining rate.

(c) Gold Mining Rate

A base amount of one hundred and eighty six dollars (\$186.00) plus an ad-valorem amount of point zero three three two four two cents (0.033242c) 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 Unanimously

Recommendation:

07042020 RESOLVED on the motion of Cr Lord seconded Cr Thomas that the Council makes the rates for the 2020/2021 year to allow for inclusion in the 2020/2021 budget preparation as follows:

ORDINARY RATE

B. That it is hereby RECOMMENDED that Ordinary Rates be now made for the year commencing on 1 July 2020 on all rateable land within the area of the Council of Bland as follows:

(a) Residential Rate

A base amount of eighty eight dollars (\$88.00) per assessment plus an ad-valorem amount of point zero zero five three eight seven cents (0.005387c) in the dollar on the land value of all rateable land categorised as residential, the base amount to yield twenty nine point one nine percent (29.19%) of the total amount payable by the levying of the Residential rate.

(b) Business Rate

A base amount of one hundred and sixty one dollars (\$161.00) plus an ad-valorem amount of point zero zero nine one four two cents (0.009142c) in the dollar on the land value of all land categorised as business land, the base amount to yield twenty six point one two percent (26.12%) 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 Unanimously

Recommendation:

08042020 RESOLVED on the motion of Cr Thomas seconded Cr Keatley that the Council makes the rates for the 2020/2021 year to allow for inclusion in the 2020/2021 budget preparation as follows:

C. 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 sixty one dollars (\$161.00) per assessment plus an ad-valorem amount of point zero one zero nine four one cents (0.010941c) in the dollar on the land value of all rateable land, the base amount to yield twenty two point three two percent (22.32%) 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 eighty six dollars (\$186.00) per assessment plus an ad-valorem amount of point zero one nine five one seven cents (0.019517c) in the dollar on the land value of all rateable land categorised as business land, the base amount to yield eleven point two zero percent (11.20%) of the total amount payable by the levying of the Business (West Wyalong/Wyalong) rate.

CARRIED Unanimously

Recommendation:

09042020 RESOLVED on the motion of Cr English seconded Cr Lord that the Council makes the rates for the 2020/2021 year to allow for inclusion in the 2020/2021 budget preparation as follows:

D. 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 eight dollars (\$88.00) per assessment plus an ad-valorem amount of point zero zero seven nine four nine cents (0.007949c) in the dollar on the land value of rateable land, that is categorised as residential land, the base amount to yield thirty seven point seven five percent (37.75%) of the total amount payable by the levying of the Residential (Barmedman) rate.

(b) Business (Barmedman) Rate

A base amount of eighty eight dollars (\$88.00) per assessment plus an ad-valorem amount of point zero zero eight six two zero cents (0.008620c) in the dollar on the land value of all rateable land categorised as business land, the base amount to yield thirty four point zero zero percent (34.00%) of the total amount payable by the levying of the Business (Barmedman) rate.

CARRIED Unanimously

Recommendation:

10042020 RESOLVED on the motion of Cr Thomas seconded Cr Lord that the Council makes the rates for the 2020/2021 year to allow for inclusion in the 2020/2021 budget preparation as follows:

E. 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 eight dollars (\$88.00) per assessment plus an ad-valorem amount of point zero four four one four two cents (0.044142c) in the dollar on the land value of all rateable land, the base amount to yield thirty five point nine seven percent (35.97%) of the total amount payable by the levying of the Residential (Ungarie) rate.

(b) Business (Ungarie) Rate

A base amount of eighty eight dollars (\$88.00) per assessment plus an ad-valorem amount of point zero five two two six five cents (0.052265c) in the dollar on the land value of all rateable land categorised as business land the base amount to yield twenty four point seven nine percent (24.79%) of the total amount payable by the levying of the Business (Ungarie) rate.

CARRIED Unanimously

8.5 Making Of Waste Management Charges 2020/2021

Recommendation:

11042020 RESOLVED on the motion of Cr Thomas seconded Cr Wyse that the Council makes the Waste Management charges for the year 2020/2021 for inclusion in the 2020/2021 budget preparation as follows:

1. 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	\$450.00
Ungarie	\$450.00
West Wyalong/Wyalong	\$450.00
Weethalle	\$450.00
plus \$450.00 per extra collection.	

Standard 120L Domestic Service

West Wyalong/Wyalong	\$356.00
Ungarie	\$356.00
Barmedman	\$356.00
Weethalle	\$356.00
plus \$356.00 per extra collection.	

(b) Vacant Land able to be built upon \$38.00

2. 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	\$475.00
Ungarie	\$475.00
Barmedman	\$475.00
Weethalle	\$475.00
plus \$475.00 per extra collection	

Standard 120L Collections

West Wyalong/Wyalong	\$378.00
Ungarie	\$378.00
Barmedman	\$378.00
Weethalle	\$378.00
plus \$378.00 per extra collection.	

3. An Annual Waste Management Charge of \$38.00 per property will apply to all properties not within a serviced area for the DWMS, under Section 501 of the Local Government Act.

CARRIED Unanimously

8.6 Making Of Sewerage Rate Charges 2020/2021

Recommendation:

12042020 RESOLVED on the motion of Cr Lord seconded Cr Thomas that:

SEWERAGE RATE

THAT the Council makes the Sewerage Rate charges for the year 2020/2021 for inclusion in the 2020/2021 budget preparation as follows:

The Sewerage Rate for the year commencing on 1 July 2020 subject to a minimum amount of eight hundred and ninety dollars (\$890.00) excepting any assessment in respect of the land not built upon nor connected to sewer mains in which case the minimum amount shall be, two hundred and fifteen dollars (\$215.00) 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- \$180.00 for each water closet on the premises and \$95.00 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- \$180.00 for each water closet on the premises and \$95.00 per annum for each cistern serving any urinal on the premises.

CARRIED Unanimously

8.7 Adoption Of Draft Annual Operational Plan, Budget And Revenue Policy For 2020/2021

Recommendation:

13042020 RESOLVED on the motion of Cr McGlynn seconded Cr Lord that:

1. That the Draft Annual Operational Plan 2020/2021 (including the Draft Budget for the 2020/2021 Financial Year) and the Draft Revenue Policy (including Draft Fees and Charges 2020-2021) documentation be endorsed and placed on public exhibition for a period of 28 days, commencing 24 April 2020, in accordance with the legislative requirements of the Local Government Act 1993.
2. That a revised Annual Operational Plan 2020/2021 (including the Budget for the 2020/2021 Financial Year) and the Revenue Policy (including Fees and Charges 2020-2021) incorporating all public comments, submissions and input from staff and Councillors to the DRAFT documents be provided to the Ordinary Council meeting to be held on 16 June 2020 for final adoption.

CARRIED Unanimously

Section 3 – Reports for Information

Recommendation:

14042020 RESOLVED on the motion of Cr Baker seconded Cr Thomas that the following reports, provided for information only, be received and noted.

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

CARRIED Unanimously

9.0 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

Nil

10.0 CONFIDENTIAL MATTERS

Recommendation:

15042020 RESOLVED on the motion of Cr Thomas seconded Cr English that Council close the Ordinary meeting of Council to discuss confidential business under the provisions of Section 10A(2) of the Local Government Act.

CARRIED Unanimously

The meeting then closed at 7.22pm.

Recommendation:

20042020 RESOLVED on the motion of Cr English seconded Cr McGlynn that Council move out of closed Council and into open Council.

CARRIED Unanimously

The meeting then resumed at 7.37pm.

10.1 Request for the Waiver of Rent Payments – Covid-19

Local Government Act 1993 (Section 10A (2))

The matters and information are the following:

(b) the personal hardship of any resident or ratepayer,

Recommendation:

16042020 RESOLVED on the motion of Cr Lord seconded Cr Wyse:

- 1 That all requests for financial assistance from Council, as a direct result of the Covid-19 pandemic, be considered on a case by case basis:**
- 2 That the request for the waiver of rent from the tenants' of 184 Main Street, West Wyalong, be applied to the 30th June 2020, less the fixed costs for Council during this period and that it be reviewed at that time;**
- 3 That Council staff maintain a record of all such Covid-19 financial assistance.**

CARRIED 5/4 (Crs Lord, Wyse, Keatley, English and Monaghan voting for and Crs Crowe, McGlynn, Baker and Thomas voting against)

10.2 Application Under Council's Financial Hardship Policy

Local Government Act 1993 (Section 10A (2))

The matters and information are the following:

(b) the personal hardship of any resident or ratepayer,

Recommendation:

17042020 RESOLVED on the motion of Cr Thomas seconded Cr Crowe that the applicant be advised that Council is unable to offer any financial assistance as they do not meet the criteria of Council's Financial Hardship Policy.

CARRIED Unanimously

At this stage of the Closed Council session, Cr Thomas conveyed his apologies and left the meeting to attend a prior commitment.

10.3 Business Assistance Application - Resubmitted

Local Government Act 1993 (Section 10A (2))

The matters and information are the following:

c) Information that would, if disclosed, confer a commercial advantage on a person with whom council is conducting (or proposes to conduct) business.

Recommendation:

18042020 RESOLVED on the motion of Cr McGlynn seconded Cr Crowe that Council approves of the Business Assistance Application from Miss Paris Anderson-Lynch from Energy Flo and that the financial package, detailed in this report, be paid by two (2) equal instalments over a 12 month period.

CARRIED Unanimously

10.4 West Wyalong/Wyalong Flood Study

Local Government Act 1993 (Section 10A (2))

The matters and information are the following:

c) Information that would, if disclosed, confer a commercial advantage on a person with whom council is conducting (or proposes to conduct) business.

Recommendation:

19042020 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley that Bland Shire Council adopt the tender submitted by Lyall and Associates, in the sum of \$81,700 + GST, for the completion of the West Wyalong/Wyalong Flood Study (Stage 1).

CARRIED Unanimously

11.0 CONCLUSION OF THE MEETING

There being no further business the meeting then closed at 7.39pm.

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Chairperson