

Bland Shire Council
Minutes
Ordinary Council Meeting
20 April 2021

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

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
Mayor Brian Monaghan
Cr Murray Thomas
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 16 March 2021

- Corrections - Nil
- Business Arising - Nil
- Confirmation

Recommendation:

01042021 RESOLVED on the motion of Cr Keatley seconded Cr Crowe that the minutes of the Ordinary Council meeting held on 16 March 2021 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)
Nil

7.0 REPORTS OF COMMITTEES

Recommendation:

02042021 RESOLVED on the motion of Cr Thomas 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 Local Government Elections - 2021

Recommendation:

03042021 RESOLVED on the motion of Cr Wyse seconded Cr Thomas that the information presented in respect to the 2021 Local Government Elections is received and noted.

CARRIED Unanimously

8.2 Policy – Access to CCTV Footage held by Bland Shire Council

Recommendation:

04042021 RESOLVED on the motion of Cr Keatley seconded Cr Thomas that Council adopts the *Policy on Access to CCTV Footage held by Bland Shire Council* as presented to this meeting.

CARRIED Unanimously

8.3 Strengthening Communities – West Wyalong Horse Sports and Rodeo Association

Recommendation:

05042021 RESOLVED on the motion of Cr McGlynn seconded Cr Thomas that Bland Shire Council approves a Strengthening Communities grant of \$3560 to the West Wyalong Horse Sports and Rodeo Association to assist with the cost of stock transport for the 2021 West Wyalong Team Penning event.

CARRIED Unanimously

Section 2 – Corporate & Community Services

8.4 Finance and Investment Report for March 2021

Recommendation:

06042021 RESOLVED on the motion of Cr Thomas seconded Cr Baker:

- 1. That Council receive and note the information contained within the Finance and Investment Report for the month of March 2021**
- 2. That Council confirms the payment of accounts, for the period 01 March to 31 March 2021, summarised in the accounts summary totalling \$3,143,399.34.**

CARRIED Unanimously

8.5 Making of the Rates 2021/2022

Recommendation:

07042021 RESOLVED on the motion of Cr Crowe seconded Cr Thomas that the Council makes the rates for the 2021/2022 year to allow for inclusion in the 2021/2022 budget preparation.

CARRIED Unanimously

RECOMMENDATION 1

Recommendation:

08042021 RESOLVED on the motion of Cr Lord seconded Cr Thomas:

ORDINARY RATE

A. That it is hereby RECOMMENDED that Ordinary Rates be made for the year commencing on 1 July 2021 on all rateable land within the area of the Council of Bland as follows:

(a) Farmland Rate

A base amount of ninety dollars (\$90.00) per assessment plus an ad-valorem amount of point zero zero two seven six six cents (0.002766c) in the dollar on the land value of all rateable land categorised as farmland, the base amount to yield two point nine one percent (2.91%) of the total amount payable by the levying of the Farmland rate.

(b) Mining Rate

A base amount of one hundred and ninety dollars (\$190.00) plus an ad-valorem amount of point zero zero four five seven nine cents (0.004579c) in the dollar on the land value of all land categorised as mining land, the base amount to yield fourteen point four four percent (14.44%) of the total amount payable by the levying of the mining rate.

(c) Gold Mining Rate

A base amount of one hundred and ninety dollars (\$190.00) plus an ad-valorem amount of point zero three three nine zero six cents (0.033906c) 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 2

Recommendation:

09042021 RESOLVED on the motion of Cr Thomas seconded Cr Crowe:

B. That it is hereby RECOMMENDED that Ordinary Rates be now made for the year commencing on 1 July 2021 on all rateable land within the area of the Council of Bland as follows:

(a) Residential Rate

A base amount of ninety dollars (\$90.00) per assessment plus an ad-valorem amount of point zero zero five five two eight cents (0.005528c) in the dollar on the land value of all rateable land categorised as residential, the base amount to yield twenty nine point two four percent (29.24%) of the total amount payable by the levying of the Residential rate.

(b) Business Rate

A base amount of one hundred and sixty four dollars (\$164.00) plus an ad-valorem amount of point zero zero nine three two nine cents (0.009329c) in the dollar on the land value of all land categorised as business land, the base amount to yield twenty six point three three percent (26.33%) 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 3

Recommendation:

10042021 RESOLVED on the motion of Cr Thomas seconded Cr McGlynn:

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 four dollars (\$164.00) per assessment plus an ad-valorem amount of point zero one one one six four cents (0.011164c) in the dollar on the land value of all rateable land, the base amount to yield twenty two point three eight percent (22.38%) 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 ninety dollars (\$190.00) per assessment plus an ad-valorem amount of point zero one nine nine zero three cents (0.019903) 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 4

Recommendation:

11042021 RESOLVED on the motion of Cr Thomas seconded Cr Lord:

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 ninety dollars (\$90.00) per assessment plus an ad-valorem amount of point zero zero eight zero nine four cents (0.008094c) in the dollar on the land value of rateable land, that is categorised as residential land, the base amount to yield thirty eight point zero zero percent (38.00%) of the total amount payable by the levying of the Residential (Barmedman) rate.

(b) Business (Barmedman) Rate

A base amount of ninety dollars (\$90.00) per assessment plus an ad-valorem amount of point zero zero eight seven eight one cents (0.008781c) in the dollar on the land value of all rateable land categorised as business land, the base amount to yield thirty four point zero nine percent (34.09%) of the total amount payable by the levying of the Business (Barmedman) rate.

CARRIED Unanimously

RECOMMENDATION 5

Recommendation:

12042021 RESOLVED on the motion of Cr Lord seconded Cr Crowe:

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 ninety dollars (\$90.00) per assessment plus an ad-valorem amount of point zero four four nine five seven cents (0.044957c) in the dollar on the land value of all rateable land, the base amount to yield thirty six point zero seven percent (36.07%) of the total amount payable by the levying of the Residential (Ungarie) rate.

(b) Business (Ungarie) Rate

A base amount of ninety dollars (\$90.00) per assessment plus an ad-valorem amount of point zero five three two six three cents (0.053263c) in the dollar on the land value of all rateable land categorised as business land the base amount to yield twenty four point eight six percent (24.86%) of the total amount payable by the levying of the Business (Ungarie) rate.

CARRIED Unanimously

8.6 Making of Waste Management Charges 2021/2022

Recommendation:

13042021 RESOLVED on the motion of Cr Thomas seconded Cr Lord:

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	\$468.00
Ungarie	\$468.00
West Wyalong/Wyalong	\$468.00
Weethalle	\$468.00
plus \$468.00 per extra collection.	

Standard 120L Domestic Service

West Wyalong/Wyalong	\$370.00
Ungarie	\$370.00
Barmedman	\$370.00
Weethalle	\$370.00
plus \$370.00 per extra collection.	

(b) Vacant Land able to be built upon	\$40.00
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CARRIED Unanimously

Recommendation:

14042021 RESOLVED on the motion of Cr Thomas seconded Cr Lord:

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	\$494.00
Ungarie	\$494.00
Barmedman	\$494.00
Weethalle	\$494.00
plus \$494.00 per extra collection	

Standard 120L Collections:

West Wyalong/Wyalong	\$394.00
Ungarie	\$394.00
Barmedman	\$394.00
Weethalle	\$394.00
plus \$394.00 per extra collection.	

Annual Waste Management Charge

A charge of \$40.00 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

Recommendation:

15042021 RESOLVED on the motion of Cr Thomas seconded Cr Lord that the Council makes the Waste Management charges for the year 2021/2022 for inclusion in the 2021/2022 budget preparation.

CARRIED Unanimously

8.7 Making of Sewer Rate Charges 2021/2022

Recommendation:

16042021 RESOLVED on the motion of Cr Wyse seconded Cr Thomas:

SEWER RATE

It is hereby **RECOMMENDED** that a Sewerage Rate be now made for the year commencing on 1 July 2021 subject to a minimum amount of nine hundred and twelve dollars (\$912.00) 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 twenty dollars (\$220.00) 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- \$184.00 for each water closet on the premises and \$97.00 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- \$184.00 for each water closet on the premises and \$97.00 per annum for each cistern serving any urinal on the premises.

CARRIED Unanimously

Recommendation:

17042021 RESOLVED on the motion of Cr McGlynn seconded Cr Baker that the Council makes the Sewer Rate charges for the year 2021/2022 for inclusion in the 2021/2022 budget preparation.

CARRIED Unanimously

8.8 Adoption of Draft Annual Operational Plan, Budget and Revenue Policy for 2021/2022

At this stage, 7.17pm Cr English left the meeting.

Recommendation:

18042021 RESOLVED on the motion of Cr Baker seconded Cr Thomas:

1. That the Draft Annual Operational Plan 2021/2022 (including the Draft Budget for the 2021/2022 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 23 April 2020, in accordance with the legislative requirements of the Local Government Act 1993.

2. That a revised Annual Operational Plan 2021/2022 (including the Budget for the 2021/2022 Financial Year) and the Revenue Policy (including Fees and Charges 2021-2022) 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 15 June 2021 for final adoption.

CARRIED 7/1 (Crs Baker, Crowe, Keatley, Lord, Monaghan, Thomas and Wyse voting for and Cr McGlynn voting against)

8.9 Children Services Unit – Policy Adoption

At this stage, 7.19pm, Cr English returned to the meeting.

Recommendation:

19042021 RESOLVED on the motion of Cr McGlynn seconded Cr Thomas:

That Council adopt the Children Services Unit Policies listed below as required by the Education and Care Services National Regulation 2011 and/or National Quality Standard.

- Safe Sleep and Rest Policy
- Arrival and Departure of Children Policy
- Governance and Management Policy
- Participation of Volunteers and Students Policy
- Emergency and Evacuation Policy
- Nappy Change and Toileting Policy
- Nutrition/Food/Beverages/Dietary Requirements Policy
- Water Safety Policy
- Confidentiality and Privacy Policy
- Fee Policy

CARRIED Unanimously

Section 3 – Reports for Information

Recommendation:

20042021 RESOLVED on the motion of Cr Thomas seconded Cr Baker that the following reports, provided for information only, be received and noted:

- 8.10 - Economic Development & Tourism Report – April 2021
- 8.11 - Community Services Report
- 8.12 - Bland Shire Library Monthly Update
- 8.13 - Children Services March Update
- 8.14 - Bland Community Care Services Update
- 8.15 - Technical Services Report
- 8.16 - Development Services Activity Report – March 2021

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

Proposed Purchase – Land at Kikoiria

Recommendation:

21042021 RESOLVED on the motion of Cr Baker seconded Cr Thomas that the following report on Proposed Purchase – Land at Kikoiria be deemed as urgent and therefore dealt with at this meeting.

CARRIED Unanimously

10.0 CONFIDENTIAL MATTERS

Recommendation:

22042021 RESOLVED on the motion of Cr English seconded Cr Thomas 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 7.36pm.

Recommendation:

24042021 RESOLVED on the motion of Cr Thomas seconded Cr Lord that Council move out of closed Council and into open Council.

CARRIED Unanimously

The meeting then resumed at 7.39pm.

1. Proposed Purchase – Land at Kikoirā

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 the council is conducting (or proposes to conduct) business,*

Recommendation:

23042021 RESOLVED on the motion of Cr Lord seconded Cr Thomas that Council agree to the purchase of Lot 4 Bradbury's Lane, Kikoirā for the amount detailed in this report and that the General Manager be delegated authority to conclude all legal arrangements.

CARRIED Unanimously

11.0 CONCLUSION OF THE MEETING

There being no further business the meeting then closed at 7.40pm.

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Chairperson
Mayor Brian Monaghan