

Bland Shire Council
Minutes
Ordinary Council Meeting
18 May 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 20 April 2021

- Corrections - Nil
- Business Arising - Nil
- Confirmation

Recommendation:

01052021 RESOLVED on the motion of Cr Baker seconded Cr Thomas that the minutes of the Ordinary Council meeting held on 20 April 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:

02052021 RESOLVED on the motion of Cr Thomas seconded Cr Baker that the Council receive and note the delegate and committee reports from Councillors and Committee meeting minutes as presented.

CARRIED Unanimously

7.1 Newell Highway Taskforce

Cr Lord provided an update from the meeting held on 13th May 2021 in relation to the upgrades to the highway, in particular works between Wyalong and Forbes. Minutes of the meeting will be provided to Council once finalised.

8.0 REPORTS TO COUNCIL

Section 1 - Office of the General Manager

8.1 Local Government Amendment Bill 2021

Recommendation:

03052021 RESOLVED on the motion of Cr Lord seconded Cr Thomas that the report relating to the Local Government Amendment Bill 2021 is received and noted.

CARRIED Unanimously

8.2 West Wyalong Community Theatre – Stage 2 Progress May 2021

Recommendation:

04052021 RESOLVED on the motion of Cr Keatley seconded Cr Wyse that the progress report, as at May 2021, on the community theatre project be received and noted and that the General Manager submit to the June 2021 Council meeting a comprehensive report on the total cost of this project.

CARRIED Unanimously

8.3 Proposed Membership of the Murray Darling Basin Association

Recommendation:

05052021 RESOLVED on the motion of Cr McGlynn seconded Cr Lord that Council declines to become a member of the Murray Darling Basin Association.

CARRIED Unanimously

8.4 Assignment of Lease – 184 Main Street West Wyalong

Recommendation:

06052021 RESOLVED on the motion of Cr Lord seconded Cr Thomas that Council, in accordance with Clause 10.1 of the current lease over 184 Main Street, consents to the assignment of the lease, under all current terms and conditions, to Tamara Ann Humphries, for a period of five (5) years commencing from 1 August 2021.

CARRIED Unanimously

8.5 Draft Housing Strategy for the Bland Shire

Recommendation:

07052021 RESOLVED on the motion of Cr Thomas seconded Cr Lord:

- 1. That Bland Shire Council endorses the preparation of a Bland Shire Housing Strategy in consultation with Planning NSW;**
- 2. That Council gratefully acknowledges the contribution from the NSW Government towards this project;**
- 3. That Council commit an amount of \$25,000.00 towards the cost of the Strategy from the Economic Development Reserve;**
- 4. That the Mayor and General Manager negotiate a similar contribution from Evolution Mining. However, if the negotiations are unsuccessful that Council contributes the amount of \$50,000.00 from the Economic Development Reserve towards this project.**

CARRIED Unanimously

Section 2 – Corporate & Community Services

8.6 Finance and Investment Report for April 2021

Recommendation:

08052021 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 April 2021**
- 2. That Council confirms the payment of accounts, for the period 01 April to 30 April 2021, summarised in the accounts summary totalling \$2,956,086.18.**

CARRIED Unanimously

8.7 Budget Review – March 2021

Recommendation:

09052021 RESOLVED on the motion of Cr Baker seconded Cr Thomas:

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

CARRIED Unanimously

8.8 Endorsement of Bland Shire Council Enterprise Risk Management Framework

Recommendation:

10052021 RESOLVED on the motion of Cr Thomas seconded Cr Keatley that Council:

1. Endorses the Draft Enterprise Risk Management Framework and places it on public exhibition for a period of 28 days from Friday 21 May, 2021 for community comment.
2. Adopts the Draft Enterprise Risk Appetite Statement, Risk Management Strategy and Action Plan.

CARRIED Unanimously

8.9 Adoption of Revised Section 355 Committee Manual

Recommendation:

11052021 RESOLVED on the motion of Cr Thomas seconded Cr Lord that:

- 1) Council adopts the revised Section 355 Committee Manual;
- 2) Increase the annual allocation to Section 355 Committees to \$5,000 per committee to be paid in two instalments during the financial year; and
- 3) The “Weethalle Recreation Ground Section 355 Committee” be renamed the “Weethalle Community Committee – a Section 355 Committee of Bland Shire Council”.

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

8.10 Endorsement of Bland Shire Council Draft Privacy Management Plan

Recommendation:

12052021 RESOLVED on the motion of Cr Thomas seconded Cr Lord that Council endorses the Draft Privacy Management Plan and places it on public exhibition for a period of 28 days from Friday 21 May, 2021 for community comment.

CARRIED Unanimously

Section 3 – Technical Services

8.11 Planning Proposal – PPL2020/0002 – 50 Mid-Western Highway West Wyalong

Recommendation:

13052021 RESOLVED on the motion of Cr Thomas seconded Cr Lord that Council resolve to adopt and make the draft Local Environmental Plan to rezone and amend the minimum lot size of Lot 2 DP625986, 50 Mid-Western Highway, West Wyalong and forward to the draft plan to Department of Planning, Industry and Environment requesting that the plan be published on the NSW Legislation website.

CARRIED Unanimously

Section 4 – Reports for Information

Recommendation:

14052021 RESOLVED on the motion of Cr English seconded Cr Thomas that the following reports, provided for information only, be received and noted.

- **8.12 Economic Development & Tourism Report – May 2021**
- **8.13 Community Services Report**
- **8.14 Bland Shire Library Monthly Update**
- **8.15 Children Services April Update**
- **8.16 Bland Community Care Services Update**
- **8.17 Technical Services Report**
- **8.18 Development Services Activity Report – April 2021**

CARRIED Unanimously

9.0 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

9.1 Grant to the West Wyalong Garden Ladies

Recommendation:

PROPOSED on the motion of Cr McGlynn seconded Cr Keatley that the annual grant to the West Wyalong Garden Ladies remains at \$5,000.00 per annum and is not cumulative.

AMENDMENT proposed on the motion of Cr Lord seconded Cr Keatley that the annual grant to the West Wyalong Garden Ladies of up to \$5,000.00 per annum and is not cumulative.

On being put to the vote the amendment became the motion and was **CARRIED**.

15052021 RESOLVED on the motion of Cr Lord seconded Cr Keatley that the annual grant to the West Wyalong Garden Ladies of up to \$5,000.00 per annum and is not cumulative.

CARRIED Unanimously

9.2 Parks & Gardens Advisory Group

Cr McGlynn advised that the motion is withdrawn and stated that there was no intent to criticize staff and apologised in doing so.

10.0 CONFIDENTIAL MATTERS

Nil

11.0 CONCLUSION OF THE MEETING

There being no further business the meeting then closed at 7.50pm.

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Chairperson
Mayor Brian Monaghan