



BLAND SHIRE COUNCIL  
*west wyalong*

# **Bland Shire Council**

## **Minutes**

### **Ordinary Council Meeting**

**18 February 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**

- 1<sup>st</sup> - Do I have private interest affected by a matter I am officially involved in?  
2<sup>nd</sup> - Is my official role one of influence or perceived influence over the matter?  
3<sup>rd</sup> - 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	<a href="mailto:council@blandshire.nsw.gov.au">council@blandshire.nsw.gov.au</a>	<a href="http://www.blandshire.nsw.gov.au">www.blandshire.nsw.gov.au</a>
ICAC	8281 5999 Toll Free: 1800 463 909	<a href="mailto:icac@icac.nsw.gov.au">icac@icac.nsw.gov.au</a>	<a href="http://www.icac.nsw.gov.au">www.icac.nsw.gov.au</a>
Office of Local Government	4428 4100	<a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>	<a href="http://www.olg.nsw.gov.au">www.olg.nsw.gov.au</a>
NSW Ombudsman	9286 1000 Toll Free: 1800 451 524	<a href="mailto:nswombo@ombo.nsw.gov.au">nswombo@ombo.nsw.gov.au</a>	<a href="http://www.ombo.nsw.gov.au">www.ombo.nsw.gov.au</a>

18 February 2020

commencing at 6:30PM

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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 Deputy Mayor with the welcome and introduction at 6.30pm.

### **1.1 Prayer**

Representatives from the Ministers Association led Council in the annual Prayer session.

## **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 Murray Thomas  
Cr Jan Wyse

#### **Staff**

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

### **2.2 Apologies**

Cr Brian Monaghan  
General Manager – Ray Smith

### **2.3 Applications for a leave of absence by Councillors**

Nil

### 3.0 CONFIRMATION OF MINUTES

#### 3.1 Ordinary Meeting held on 17 December 2019

- Corrections - Nil
- Business Arising - Nil
- Confirmation

**Recommendation:**

**01022020 RESOLVED** on the motion of Cr Keatley seconded Cr English that the minutes of the Ordinary Council meeting held on 17 December 2019 be confirmed as a correct record of proceedings.

**CARRIED** Unanimously

### 4.0 DISCLOSURES OF INTERESTS

Nil

### 5.0 PRESENTATION(S) AND PUBLIC FORUM

#### 5.1 West Wyalong Men's Shed

Representatives from the West Wyalong Men's Shed addressed Council and made a presentation of a new gavel to Council. The items were made at the shed from locally sourced timber from the Tallimba area. The Deputy Mayor conveyed thanks to the Men's Shed on behalf of the Mayor and Council.

### 6.0 MAYORAL MINUTE(S)

Nil

### 7.0 REPORTS OF COMMITTEES

**Recommendation:**

**02022020 RESOLVED** on the motion of Cr Thomas seconded Cr Crowe 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 Southern Lights Project – Progress Update – February 2020

**Recommendation:**

**03022020 RESOLVED** on the motion of Cr Wyse seconded Cr Thomas that:

- 1. That Council agrees to fund its portion of the Southern Lights Project, in the amount of \$291,810.81, with funds being allocated from the recent payment from the Southern Phone Company;**
- 2. That Council place in a specially nominated reserve an amount of \$153,720.00 for the future purchase of ‘smart controllers, with funds being allocated from the recent payment from the Southern Phone Company; and**
- 3. That the General Manager keep Councillors informed of the progress of this project.**

**CARRIED** Unanimously

8.2 West Wyalong Community Theatre – Progress Report – February 2020

**Recommendation:**

**04022020 RESOLVED** on the motion of Cr Keatley seconded Cr Lord that the progress report, as at February 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.

**CARRIED** Unanimously

8.3 Disclosure of Interest Return

**Recommendation:**

**05022020 RESOLVED** on the motion of Cr Keatley seconded Cr Baker that Councillors note the Disclosure of Interest return requirements and accept the Disclosure of Interest Register as tabled.

**CARRIED** Unanimously

#### 8.4 Strengthening Communities – West Wyalong Rodeo

**Recommendation:**

**06022020 RESOLVED** on the motion of Cr English seconded Cr Crowe that Council provide a Strengthening Communities grant of \$1450 to the West Wyalong Horse Sports and Rodeo Association in support of the 2020 West Wyalong Rodeo and congratulate the Horse Sports and Rodeo Association on their achievement in building a sustainable community event.

**CARRIED** Unanimously

## Section 2 – Corporate, Community, Development & Regulatory Services

#### 8.5 Financial Statements – December 2019

**Recommendation:**

**07022020 RESOLVED** on the motion of Cr Thomas seconded Cr Wyse:

1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of December, 2019
2. That Council confirms the payment of accounts, for the period 01 December to 31 December 2019, summarised in the accounts summary totalling \$4,101,704.36.

**CARRIED** Unanimously

#### 8.6 Financial Statements – January 2020

**Recommendation:**

**08022020 RESOLVED** on the motion of Cr Thomas seconded Cr Wyse:

1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of January, 2020
2. That Council confirms the payment of accounts, for the period 01 January to 31 January 2020, summarised in the accounts summary totalling \$4,245,024.30.

**CARRIED** Unanimously

**8.7 Progress Report on the Combined Delivery Program and Operational Plan 2019-2023**

**Recommendation:**

**09022020 RESOLVED** on the motion of Cr Wyse seconded Cr Keatley that Council receive and note the report on the progress of the Combined Delivery Program and Operational Plan for the period 1 July 2019 to 31 December 2019.

**CARRIED** Unanimously

**8.8 Draft Financial Reserves Policy**

**Recommendation:**

**10022020 RESOLVED** on the motion of Cr Lord seconded Cr Thomas:

- 1. Endorse the DRAFT Financial Reserves Policy to be placed on public exhibition for a period of 28 days calling for submissions;**
- 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 Financial Reserves Policy.**

**CARRIED** Unanimously

**8.9 Budget Review – December 2019**

**Recommendation:**

**11022020 RESOLVED** on the motion of Cr Wyse 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



#### 8.10 Drought Communities Programme - Extension

**Recommendation:**

**12022020 RESOLVED** on the motion of Cr Wyse seconded Cr Thomas that Bland Shire Council endorses the 'Category A' Activities for inclusion in the Drought Community Programme – Extension application.

**CARRIED** Unanimously

**Recommendation:**

**13022020 RESOLVED** on the motion of Cr English seconded Cr Thomas that an application to the Drought Community Programme – Extension be made for funds to achieve the Improving Community Connections Project.

**CARRIED** Unanimously

**Recommendation:**

**14022020 RESOLVED** on the motion of Cr English seconded Cr Keatley that monthly updates on funded activities included in the Improving Community Connections Project be provided to Council.

**CARRIED** Unanimously

#### 8.11 Additional Collections Contribution To Riverina Regional Library

**Recommendation:**

**15022020 RESOLVED** on the motion of Cr Wyse seconded Cr Lord that Bland Shire Council:

- 1. Endorses the proposal for Riverina Regional Libraries to allocate 25% of additional state funding to all RRL member Councils on a Collections Enhancement Project.**
- 2. Representatives of the Council attending the March Riverina Regional Libraries Advisory Committee be authorised to inform the committee of this support.**
- 3. Allocate the Additional Bland Collections fund included in its annual contribution to Riverina Regional Libraries to the Bland Shire Library annual operational budget to meet future requirements of the local library.**

**CARRIED** Unanimously

## Section 3 – Technical Services

### 8.12 Alcohol Free Zones - West Wyalong and Wyalong

**Recommendation:**

**16022020 RESOLVED** on the motion of Cr Lord seconded Cr Thomas that Council resolves to establish an Alcohol Free Zone and place the proposal on public exhibition for a period of thirty (30) days for comment.

**CARRIED** Unanimously

### 8.13 Local Heritage Assistance Funding – 99 Main Street, West Wyalong

**Recommendation:**

**17022020 RESOLVED** on the motion of Cr Lord seconded Cr Thomas that Council approve funding of \$3500.00 to Barry McGee towards the painting of the front façade of 99 Main Street, West Wyalong.

**CARRIED** Unanimously

## Section 4 – Reports for Information

**Recommendation:**

**18022020 RESOLVED** on the motion of Cr Wyse seconded Cr Keatley that the following reports, provided for information only, be received and noted.

- **8.14 - Economic Development & Tourism Report – February 2020**
- **8.15 - Community Services Report**
- **8.16 - Children’s Services Monthly Update**
- **8.17 - Bland Community Care Services Update**
- **8.18 - Assets & Engineering Services Report**
- **8.19 - Development Services Activity Report December 2019 & January 2020**

**CARRIED** Unanimously

### 9.0 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

Nil

## 10.0 CONFIDENTIAL MATTERS

**Recommendation:**

**19022020 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 7.19pm.

**Recommendation:**

**23022020 RESOLVED** on the motion of Cr English seconded Cr Thomas that Council move out of closed Council and into open Council.

**CARRIED** Unanimously

The meeting then resumed at 7.28pm.

### 10.1 Business Assistance Application

*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:**

**20022020 RESOLVED** on the motion of Cr Lord seconded Cr Wyse that Council approves of the Business Assistance Application from Presto Restorations and that the financial package, detailed in this report, be paid by two (2) equal instalments over a 12 month period.

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

**10.2 Proposed Sale of Council Property**

*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:**

**21022020 RESOLVED on the motion of Cr Lord seconded Cr Thomas:**

- 1. That Council agree to the sale of the subject property within the range of the independent valuation;**
- 2. That Council's solicitors be requested to prepare the necessary contract; and**
- 3. That the Mayor and General Manager be delegated authority to execute the contract and any other associated documentation.**

**CARRIED** Unanimously

**10.3 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:**

**22022020 RESOLVED on the motion of Cr Lord seconded Cr English that the applicant be advised that Council is unable to consider their application for rate relief until there is sufficient evidence of their income to allow proper assessment under Council's current policy.**

**CARRIED** Unanimously

**11.0 CONCLUSION OF THE MEETING**

There being no further business the meeting then closed at 7.30pm.

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Chairperson