

**Bland Shire Council**  
**Minutes**  
**Ordinary Council Meeting**  
**20 October 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.

<b>Contact</b>	<b>Phone</b>	<b>Email</b>	<b>Website</b>
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>

20 October 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 Kerry Keatley  
Cr Tony Lord  
Cr Liz McGlynn  
Cr 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

Cr Penny English

#### Recommendation:

**01102020 RESOLVED** on the motion of Cr Lord seconded Cr Thomas that the apologies submitted by Cr English be accepted and leave of absence granted.

**CARRIED** Unanimously

### 3.0 CONFIRMATION OF MINUTES

#### 3.1 Ordinary Meeting held on 15 September 2020

- Corrections - Nil
- Business Arising - Nil
- Confirmation

**Recommendation:**

**02102020 RESOLVED** on the motion of Cr Baker seconded Cr Keatley that the minutes of the Ordinary Council meeting held on 15 September 2020 be confirmed as a correct record of proceedings.

**CARRIED** Unanimously

### 4.0 DISCLOSURES OF INTERESTS

Councillor/ Officer	Item	Nature of Interest	How Managed
Cr Baker	8.7 – Endorsement of Revised Section 355 Committee Manual	Non-Pecuniary	Verbal Disclosure
Cr Keatley	8.7 – Endorsement of Revised Section 355 Committee Manual	Non-Pecuniary	Verbal Disclosure
Cr McGlynn	8.7 – Endorsement of Revised Section 355 Committee Manual	Non-Pecuniary	Verbal Disclosure

### 5.0 PRESENTATION(S) AND PUBLIC FORUM

Nil

### 6.0 MAYORAL MINUTE(S)

Nil

### 7.0 REPORTS OF COMMITTEES

**Recommendation:**

**03102020 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 West Wyalong Community Theatre – Stage 2 Progress as at October 2020

**Recommendation:**

**04102020 RESOLVED** on the motion of Cr Baker seconded Cr Keatley that the progress report, as at October 2020, on the community theatre project be received and noted and that the General Manager continue to provide regular updates to Council on this project.

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

#### 8.2 Meeting Arrangements – Council Closure - Christmas and New Year Period 2020/2021

**Recommendation:**

**05102020 RESOLVED** on the motion of Cr McGlynn seconded Cr Lord:

1. That the Mayor and General Manager are delegated authority to deal with any urgent matters during the Christmas and New Year period for 2020 – 2021.
2. That Council note the planned closure of Council services and operations, with the exception of skeleton staff, from Friday 18 December 2020 to Sunday 3 January 2021 Inclusive.

**CARRIED** Unanimously

### Section 2 – Corporate & Community Services

#### 8.3 Carry Forward Works 2019/20

**Recommendation:**

**06102020 RESOLVED** on the motion of Cr Baker seconded Cr McGlynn that the requested budget balances, as detailed in the Carry Forward document, for the amount of \$735,565.00 is carried forward to the 2020/2021 financial period.

**CARRIED** Unanimously

**Recommendation:**

**07102020 RESOLVED** on the motion of Cr Baker seconded Cr Crowe:

**That the Bland Shire Council:**

**1. Pursuant to the provisions of Section 413 of the Local Government Act 1993, Council hereby declares that it has prepared the General Purpose Financial Statements for the 2019/20 financial year ending 30 June 2020 and has formed an opinion, based on the advice of Council officers, that these reports;**

**(a) Have been prepared in accordance with;**

**(i) The Local Government Act 1993 (as amended) and the Regulations made thereunder;**

**(ii) The Australian Accounting Standards and professional pronouncements; and**

**(iii) The Local Government Code of Accounting Practice and Financial Reporting.**

**(b) Present fairly the operating result and financial position of the Bland Shire Council for the year ended 30 June 2020; and**

**(c) Accords with Council's accounting and other records and policies.**

**2. That the Special Purpose Financial Statements have been drawn up in accordance with the Local Government Code of Accounting Practice and Financial Reporting.**

**3. That the General and Special Purpose Financial Statements be certified by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer, in accordance with Section 413(2)(c) of the Local Government Act.**

**4. That pursuant to the provisions of Section 413 of the Local Government Act 1993, Council hereby declares that the Financial Statements (including General Purpose and Special Purpose Reports) for the year ending 30 June 2020 be referred for audit.**

**CARRIED Unanimously**

## **8.5 Finance And Investment Report For September 2020**

### **Recommendation:**

**08102020 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 September 2020**
- 2. That Council confirms the payment of accounts, for the period 01 September to 30 September 2020, summarised in the accounts summary totalling \$3,902,602.36.**

**CARRIED** Unanimously

## **8.6 Amendments To The Model Code Of Conduct For Local Councils In NSW And Procedures**

### **Recommendation:**

**09102020 RESOLVED** on the motion of Cr Lord seconded Cr Crowe that the Bland Shire Council:

- 1. Adopt the amended Bland Shire Council Code of Conduct 2020 and Procedures for the Administration of the Code of Conduct 2020.**
- 2. Seek Expressions of Interest from suitably qualified persons to be included on Council's Panel of Conduct Reviewers.**

**CARRIED** Unanimously

## **8.7 Endorsement Of Revised Section 355 Committee Manual**

### **Recommendation:**

**10102020 RESOLVED** on the motion of Cr McGlynn seconded Cr Lord:

- 1. That the revised Section 355 Committee Manual be endorsed and placed on Public Exhibition in accordance with Section 160 of the Local Government Act;**
- 2. That due to the timing of the exhibition period being close to a busy period for members of the Bland Shire Community, the period be extended until 28 February 2021.**
- 3. That this matter be listed for further discussion at the next Council Workshop.**
- 4. That the revised Section 355 Committee Manual and Policy be subject to a further report to Council at the close of the submission period addressing any submissions received.**

**CARRIED** Unanimously



## 8.8 Endorsement Of The Draft Adverse Event Plan

### Recommendation:

**11102020 RESOLVED** on the motion of Cr McGlynn seconded Cr Crowe that Bland Shire Council:

1. Endorses the Draft Adverse Events Plan and places the document on Public Exhibition in accordance with Section 160 of the Local Government Act;
2. Should submissions be received on the Draft Adverse Events Plan that a further report be brought back to Council addressing such submissions; and
3. Should there be no submissions received on the Draft Adverse Events Plan that the plan be formally adopted and implemented.

**CARRIED** Unanimously

## Section 3 – Technical Services

### 8.9 Local Heritage Assistance Funding – 19 – 23 Church Street, West Wyalong

### Recommendation:

**12102020 RESOLVED** on the motion of Cr Lord seconded Cr Thomas that Council approve funding of \$3443.00 to Ben Ackland towards the external painting of 19-23 Church Street, West Wyalong.

**CARRIED** Unanimously

## Section 4 – Reports for Information

### Recommendation:

**13102020 RESOLVED** on the motion of Cr Keatley seconded Cr Thomas that the following reports, provided for information only, be received and noted.

- 8.10 - Economic Development & Tourism Report – October 2020
- 8.11 - Community Services Report
- 8.12 - Bland Shire Library Monthly Update
- 8.13 - Children’s Services Monthly Update
- 8.14 - Assets & Engineering Services Report
- 8.15 - Development Services Activity Report – September 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 7.27pm.

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Chairperson

CONFIRMED