

Bland Shire Council
Minutes
Ordinary Council Meeting
15 June 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 18 May 2021

- **Corrections** - Nil
- **Business Arising** - Nil
- **Confirmation**

Recommendation:

01062021 RESOLVED on the motion of Cr Baker seconded Cr Thomas that the minutes of the Ordinary Council meeting held on 18 May 2021 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 Bland Shire Youth Space

Mrs Lashay Cattle and Mickayla Sams addressed Council representing the bike track committee. Mrs Cattle stated that the committee was supportive of the youth space concept however concerned about the competing application under the current round of the stronger country communities program. It was noted that the bike track project has progressed and is ready for the submission of a funding application.

6.0 MAYORAL MINUTE(S)

6.1 ANNUAL PERFORMANCE REVIEW OF THE GENERAL MANAGER

Recommendation:

02062021 RESOLVED on the motion of Cr English seconded Cr Baker the General Manager, Mr. Ray Smith PSM is congratulated on his successful and positive annual performance review and that a 2.8% increase in his Total Remuneration Package is approved, effective from the 17 May 2021, being the anniversary of his commencement date with Council.

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

7.0 REPORTS OF COMMITTEES

Recommendation:

03062021 RESOLVED on the motion of Cr Wyse seconded Cr English 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 – Progress June 2021

Recommendation:

04062021 RESOLVED on the motion of Cr Keatley seconded Cr Baker that the progress report, as at June 2021, on the community theatre project be received and noted.

CARRIED Unanimously

8.2 Bland Shire Youth Space

Recommendation:

05062021 RESOLVED on the motion of Cr Lord seconded Cr Thomas that Council staff work with the West Wyalong High School Youth Advisory Group to develop the concept and establishment of a youth space within the community.

CARRIED Unanimously

Section 2 – Corporate & Community Services

8.3 Finance and Investment Report for May 2021

Recommendation

06062021 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 May 2021
2. That Council confirms the payment of accounts, for the period 01 May to 30 May 2021, summarised in the accounts summary totalling \$4,431,887.95

CARRIED Unanimously

8.4 Adoption of the Operational Plan and Revenue Policy Documentation for 2021/2022

Recommendation:

07062021 RESOLVED on the motion of Cr Lord seconded Cr Thomas that the 2021/22 fee for the West Wyalong Girral Australian Rules and Netball Club use of McAlister Oval and Netball Courts including matches and training increase at the same rate as other facilities until the fencing is complete.

CARRIED Unanimously

Recommendation:

08062021 RESOLVED on the motion of Cr Thomas seconded Cr Baker that Bland Shire Council adopts the revised Operational Plan (including Budget) for the 2021/2022 Financial Year) and the Revenue Policy (including Schedule of Fees and Charges) for the 2021/2022 Financial Year).

CARRIED Unanimously

8.5 Endorsement of Draft Records Management Policy

Recommendation:

09062021 RESOLVED on the motion of Cr Thomas seconded Cr Lord that:

1. Council endorses the Draft Records Management Policy and places it on public exhibition for a period of 28 days from Friday 18 June, 2021 for community comment.
2. Should there be comment from the community on the Draft Records Management Policy, a further report be prepared and presented to Council.
3. Should there be no comment from the community on the Draft Records Management Policy within the 42 day commentary period, Council formally adopt the policy.

CARRIED Unanimously

8.6 Endorsement of Draft Volunteer Policy

Procedural Motion:

10062021 RESOLVED on the motion of Cr Lord that the motion in relation to item 8.6 Endorsement of Draft Volunteer Policy now be put.

CARRIED Unanimously

Recommendation:

11062021 RESOLVED on the motion of Cr Thomas seconded Cr Baker that:

1. Council endorses the Draft Volunteer Policy and places it on public exhibition for a period of 28 days from Friday 18 June, 2021 for community comment.
2. Should there be comment from the community on the Draft Volunteer Policy, a further report be prepared and presented to Council.
3. Should there be no comment from the community on the Draft Volunteer Policy within the 42 day commentary period, Council formally adopt the policy.

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

8.7 Children Services Unit – Policy Adoption

Recommendation:

12062021 RESOLVED on the motion of Cr Lord seconded Cr McGlynn 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.

- Child Swapping (FDC) Policy
- Relatives in Care (FDC) Policy
- Assessment, Approval and Reassessment of Family Day Care (FDC) Residences and Approved FDC Venues Policy
- Pets and Animals in the Care Environment Policy
- Termination of Educator Agreement Policy
- Cleaning and Maintaining the Environment Policy
- Inclusive Practises Policy

CARRIED Unanimously

Section 3 – Technical Services

8.8 Parking Outside 71 Neeld Street, Wyalong – “Presto Restorations And Refinishing”

Recommendation:

13062021 RESOLVED on the motion of Cr Thomas seconded Cr McGlynn that Council adopt the Local Traffic Committee’s decision to place a 2 hour parking restriction, covering normal work hours (8.30am – 6.30pm, Mon to Fri & 8/30am – 12.30pm Sat), in front of 71 Neeld Street (Presto Restorations and Refinishing).

CARRIED Unanimously

Section 4 – Reports for Information

Recommendation:

14062021 RESOLVED on the motion of Cr Thomas seconded Cr Baker that the following reports, provided for information only, be received and noted:

- **8.9 - Economic Development & Tourism Report – June 2021**
- **8.10 - Community Services Report**
- **8.11 - Bland Shire Library Monthly Update**
- **8.12 - Children Services May Update**
- **8.13 - Technical Services Report**
- **8.14 - Development Services Activity Report – May 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

Resources for Regions – Round 8 - 2021

Recommendation:

15062021 RESOLVED on the motion of Cr Baker seconded Cr English that the report on Resources for Regions – Round 8 - 2021 be deemed as urgent and therefore dealt with at this meeting.

CARRIED Unanimously

Recommendation:

16062021 RESOLVED on the motion of Cr Thomas seconded Cr Lord that Council resolves to support an application to the Round 8 of the Resources for Regions Program, in the amount of \$3M towards the Water Main Upgrade Project.

CARRIED Unanimously

Recommendation:

17062021 RESOLVED on the motion of Cr Thomas seconded Cr Baker that Council resolves to allocate the balance of the allocation of \$148,122.00 towards the youth space project.

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

Recommendation:

18062021 RESOLVED on the motion of Cr Thomas seconded Cr Baker that the General Manager keeps Council informed of the outcome of the Resources for Regions – Round 8 – 2021 applications.

CARRIED Unanimously

10.0 CONFIDENTIAL MATTERS

Recommendation:

19062021 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 7.52pm.

Recommendation:

22062021 RESOLVED on the motion of Cr Baker seconded Cr Thomas that Council move out of closed Council and into open Council.

CARRIED Unanimously

The meeting then resumed at 8.04pm.

10.1 West Wyalong Community Theatre – Contract Details

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

The matters and information are the following:

(e) information that would, if disclosed, prejudice the maintenance of law,

Procedural Motion:

20062021 RESOLVED on the motion of Cr Lord that the motion in relation to item 10.1 West Wyalong Community Theatre – Contract Details now be put.

CARRIED Unanimously

Recommendation:

21062021 RESOLVED on the motion of Cr Baker seconded Cr Keatley that the General Manager submit a further report to the July Meeting of Council after the collation of additional details related to the Community Theatre project.

CARRIED Unanimously

11.0 CONCLUSION OF THE MEETING

There being no further business the meeting then closed at 8.05pm.

.....
Chairperson
Mayor Brian Monaghan