



BLAND SHIRE COUNCIL
west wyalong

Bland Shire Council

Minutes

Ordinary Council Meeting

19 April 2022

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 6.31pm.

2.0 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

2.1 Attendance

Councillors

Cr Monica Clark
Cr Rodney Crowe
Cr Jill Funnell
Cr Kerry Keatley
Cr Tony Lord
Cr Liz McGlynn
Mayor Brian Monaghan
Cr Roger Moore

Staff

General Manager – Ray Smith PSM
Acting Director Corporate & Community Services – Leesa Bryant
Executive Assistant – Julie Sharpe

2.2 Apologies

Cr Bruce Baker
Director Technical Services – Will Marsh
Director Corporate & Community Services – Alison Balind

Recommendation:

01042022 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley that the apologies submitted by Cr Baker be accepted.

CARRIED Unanimously

2.3 Applications for a leave of absence by Councillors

Nil

3.0 CONFIRMATION OF MINUTES

3.1 Ordinary Meeting held on 22 March 2022

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

Recommendation:

02042022 RESOLVED on the motion of Cr Lord seconded Cr Crowe that the minutes of the Ordinary Council meeting held on 22 March 2022 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 Ms Kerrie Johnston

Ms Johnston addressed Council on behalf of Naradhan community members in relation to the unsatisfactory condition of Bootoowa and Monia Gap roads.

6.0 MAYORAL MINUTE(S)

Nil

7.0 REPORTS OF COMMITTEES

Recommendation:

03042022 RESOLVED on the motion of Cr Funnell seconded Cr Moore 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 Bland District Historical Society – Occupancy Agreement

Recommendation:

04042022 RESOLVED on the motion of Cr Lord seconded Cr Keatley:

- 1. That Council agrees to the renewal of the Occupancy Agreement between Bland Shire Council and the Bland District Historical Society for the Society's tenancy of the former Wyalong Court House;**
- 2. That the Agreement be for a further 10 year period commencing on 8 October 2022 under the same terms and conditions as the current Agreement; and**
- 3. That the Mayor and General Manager be delegated authority to execute the legal documents associated with the Agreement.**

CARRIED Unanimously

8.2 Bland District Historical Society – Statue of Frederick Neeld

Recommendation:

05042022 RESOLVED on the motion of Cr McGlynn seconded Cr Funnell that Council agrees to fully fund the erection of a statue of Frederick Neeld to be located in Herridge Park and that such funds be allocated from the 2021/2022 Tourism Promotions Budget.

CARRIED Unanimously

Section 2 – Corporate & Community Services

8.3 Finance and Investment Report for March 2022

Recommendation:

06042022 RESOLVED on the motion of Cr Lord seconded Cr Keatley:

- 1. That Council receive and note the information contained within the Finance and Investment Report for the month of March 2022**
- 2. That Council confirms the payment of accounts, for the period 01 March to 31 March 2022, summarised in the accounts summary totalling \$4,057,599.61.**

CARRIED Unanimously

8.4 Confirmation of Additional Special Variation Commencing in 2022/2023

Recommendation:

07042022 RESOLVED on the motion of Cr Lord seconded Cr McGlynn that Bland Shire Council:

1. Submit, under section 508(2) of the *Local Government Act 1993* (the Act), an application for a Special Variation of its rates to provide a 2.4% increase in the General Rates Revenue assumed in the Long Term Financial Plan 2019-2029 included as part of the Bland Shire Council Integrated Planning and Reporting process
2. Request that such increase be made permanent.
3. Notes that should the application be successful that an additional income amount of \$119,408 would be received above the initial \$49,119 afforded from a 0.7% increase and that the collective increase in income from a permanent variation of 2.4% would equate to \$168,408 in the first year.
4. Seeks the special variation as it is required to maintain current services provided to ratepayers and residents of Bland Shire and in so doing, council has taken into consideration the impact on ratepayers and the community in 2022-23 and in future years and considers that such an increase is reasonable.

CARRIED Unanimously

8.5 Making of the Rates 2022/2023

Recommendation:

08042022 RESOLVED on the motion of Cr Lord seconded Cr Keatley that the Council makes the rates for the 2022/2023 year to allow for inclusion in the 2022/2023 budget preparation. Should Council's application for a Special Rates Variation be approved by IPART, a budget amendment will be submitted at the quarterly budget review.

CARRIED Unanimously

RECOMMENDATION 1

Recommendation:

09042022 RESOLVED on the motion of Cr Funnell seconded Cr Clark:

ORDINARY RATE

A. That it is hereby RECOMMENDED that Ordinary Rates be made for the year commencing on 1 July 2022 on all rateable land within the area of the Council of Bland as follows:

(a) Farmland Rate

A base amount of ninety two dollars (\$92.00) per assessment plus an ad-valorem amount of point zero zero two seven eight two cents (0.002782c) in the dollar on the land value of all rateable land categorised as farmland, the base amount to yield two point nine six percent (2.96%) of the total amount payable by the levying of the Farmland rate.

(b) Mining Rate

A base amount of one hundred and ninety four dollars (\$194.00) plus an ad-valorem amount of point zero zero four six zero one cents (0.004601c) in the dollar on the land value of all land categorised as mining land, the base amount to yield fourteen point six four percent (14.64%) of the total amount payable by the levying of the mining rate.

(c) Gold Mining Rate

A base amount of one hundred and ninety four dollars (\$194.00) plus an ad-valorem amount of point zero three four one four three cents (0.034143c) 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:

10042022 RESOLVED on the motion of Cr Crowe seconded Cr Keatley:

B. That it is hereby RECOMMENDED that Ordinary Rates be now made for the year commencing on 1 July 2022 on all rateable land within the area of the Council of Bland as follows:

(a) Residential Rate

A base amount of ninety two dollars (\$92.00) per assessment plus an ad-valorem amount of point zero zero five five three one cents (0.005531c) in the dollar on the land value of all rateable land categorised as residential, the base amount to yield twenty nine point seven nine percent (29.79%) of the total amount payable by the levying of the Residential rate.

(b) Business Rate

A base amount of one hundred and sixty seven dollars (\$167.00) plus an ad-valorem amount of point zero zero nine three five six cents (0.009356c) in the dollar on the land value of all land categorised as business land, the base amount to yield twenty six point six five percent (26.65%) 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:

11042022 RESOLVED on the motion of Cr Keatley seconded Cr Funnell:

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 seven dollars (\$167.00) per assessment plus an ad-valorem amount of point zero one one one nine five cents (0.011195c) in the dollar on the land value of all rateable land, the base amount to yield twenty two point seven six percent (22.76%) 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 four dollars (\$194.00) per assessment plus an ad-valorem amount of point zero two zero zero zero seven cents (0.020007) in the dollar on the land value of all rateable land categorised as business land, the base amount to yield eleven point three six percent (11.36%) of the total amount payable by the levying of the Business (West Wyalong/Wyalong) rate.

CARRIED Unanimously

RECOMMENDATION 4

Recommendation:

12042022 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley:

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 two dollars (\$92.00) per assessment plus an ad-valorem amount of point zero zero seven nine seven five cents (0.007975c) in the dollar on the land value of rateable land, that is categorised as residential land, the base amount to yield thirty eight point nine five percent (38.95%) of the total amount payable by the levying of the Residential (Barmedman) rate.

(b) Business (Barmedman) Rate

A base amount of ninety two dollars (\$92.00) per assessment plus an ad-valorem amount of point zero zero eight seven seven three cents (0.008773c) in the dollar on the land value of all rateable land categorised as business land, the base amount to yield thirty four point six one percent (34.61%) of the total amount payable by the levying of the Business (Barmedman) rate.

CARRIED Unanimously

RECOMMENDATION 5

Recommendation:

13042022 RESOLVED on the motion of Cr Keatley seconded Cr Moore:

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 two dollars (\$92.00) per assessment plus an ad-valorem amount of point zero four five zero one two cents (0.045012c) in the dollar on the land value of all rateable land, the base amount to yield thirty six point four five percent (36.45%) of the total amount payable by the levying of the Residential (Ungarie) rate.

(b) Business (Ungarie) Rate

A base amount of ninety two dollars (\$92.00) per assessment plus an ad-valorem amount of point zero five three three seven one cents (0.053371c) in the dollar on the land value of all rateable land categorised as business land the base amount to yield twenty five point zero five percent (25.05%) of the total amount payable by the levying of the Business (Ungarie) rate.

CARRIED Unanimously

8.6 Making of Sewer Rate Charges 2022/2023

Recommendation:

14042022 RESOLVED on the motion of Cr Lord seconded Cr Moore:

SEWER RATE

It is hereby RECOMMENDED that a Sewerage Rate be now made for the year commencing on 1 July 2022 subject to a minimum amount of nine hundred and eighteen dollars (\$918.00) 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 one dollars (\$221.00) 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:

15042022 RESOLVED on the motion of Cr Lord seconded Cr Moore that the Council makes the Sewer Rate charges for the year 2022/2023 for inclusion in the 2022/2023 budget preparation.

CARRIED Unanimously

8.7 Making of Waste Management Charges 2022/2023

Recommendation:

16042022 RESOLVED on the motion of Cr Lord seconded Cr Moore:

DOMESTIC WASTE MANAGEMENT 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 service is available, as follows:

(a) Land, which is occupied and/or built upon -

Standard 240L domestic service:

Barmedman	\$481.00
Ungarie	\$481.00
West Wyalong/Wyalong	\$481.00
Weethalle	\$481.00
plus \$481.00 per extra collection.	

Standard 120L Domestic Service

West Wyalong/Wyalong	\$380.00
Ungarie	\$380.00
Barmedman	\$380.00
Weethalle	\$380.00
plus \$380.00 per extra collection.	

(b) Vacant Land able to be built upon \$41.00

CARRIED Unanimously

Recommendation:

17042022 RESOLVED on the motion of Cr Lord seconded Cr Moore:

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	\$516.00
Ungarie	\$516.00
Barmedman	\$516.00
Weethalle	\$516.00
plus \$516.00 per extra collection	

Standard 120L Collections:

West Wyalong/Wyalong	\$415.00
Ungarie	\$415.00
Barmedman	\$415.00
Weethalle	\$415.00
plus \$415.00 per extra collection.	

Annual Waste Management Charge

A charge of \$41.00 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:

18042022 RESOLVED on the motion of Cr Lord seconded Cr Moore that the Council makes the **Waste Management** charges for the year **2022/2023** for inclusion in the **2022/2023** budget preparation.

CARRIED Unanimously

Section 3 – Reports for Information

Recommendation:

19042022 RESOLVED on the motion of Cr Moore seconded Cr Funnell that the following reports, provided for information only, be received and noted.

- 8.8 - Economic Development Report – March 2022
- 8.9 - Community Services Report
- 8.10 - Bland Shire Library Monthly Update
- 8.11 - Children Services March Update
- 8.12 - Bland Community Care Services Update
- 8.13 - Bland Shire Museum Advisor Report - April 2022
- 8.14 - Risk and Insurance Update
- 8.15 - Technical Services Report
- 8.16 - Development Services Activity Report - March 2022

CARRIED Unanimously

9.0 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

10.0 CONFIDENTIAL MATTERS

Nil

11.0 CONCLUSION OF THE MEETING

There being no further business the meeting then closed at 7.35pm.

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Chairperson
Mayor Brian Monaghan