



Bland Shire Council
Minutes
Ordinary Council Meeting
20 March 2018



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	dlq@dlq.nsw.gov.au	www.dlg.nsw.gov.au
NSW Ombudsman	9286 1000 Toll Free: 1800 451 524	nswombo@ombo.nsw.gov.au	www.ombo.nsw.gov.au



Council Meeting Minutes

20 March 2018

commencing at 6:31PM

1.0 INTRODUCTION

The meeting was opened by the Mayor with the introduction and welcome at 6.31pm.

Cr Thomas arrived at 6.31pm.

2.0 ATTENDANCE

2.1 Councillors

Cr Bruce Baker
Cr Rodney Crowe
Cr Penny English
Cr Kerry Keatley
Cr Tony Lord
Cr Liz McGlynn
Cr Brian Monaghan (arrived 6.53pm)
Cr Murray Thomas (arrived 6.31pm)
Cr Jan Wyse

2.2 Staff

General Manager – Ray Smith
Director Asset & Engineering Services – Will Marsh
Director Corporate, Community, Development & Regulatory Services – Adele Casey
Executive Assistant – Julie Sharpe
Manager Financial Services – Chris Karam

2.3 Apologies

Nil

3.0 CONFIRMATION OF THE MINUTES

3.1 Ordinary Meeting held on 20 February 2018

▪ Confirmation

That the minutes of the Ordinary Council meeting held on 20 February 2018 be confirmed as a correct record of proceedings.

Recommendation:

01032018 RESOLVED on the motion of Cr Thomas seconded Cr Keatley that the minutes of the Ordinary Council meeting held on 20 February 2018 be confirmed as a correct record of proceedings. CARRIED

- **Corrections - Nil**
- **Business Arising – Nil**

4.0 DECLARATIONS OF INTEREST
Nil

5.0 PUBLIC FORUM

5.1 Mr Colin Spencer

Mr Spencer addressed Council in response to his recent letter and the Federal Government Grant program for roads.

5.2 Presentation – 2016/17 Financial Statements

Council's Director Corporate, Community, Development and Regulatory Services provided an overview of the 2016/17 financial statements.

Cr Monaghan arrived at 6.53pm.

6.0 MAYORAL MINUTE
Nil

7.0 NOTICES OF MOTION
Nil

8.0 DELEGATES & COMMITTEE REPORTS

Section 1 – Delegates & Committee Reports & Minutes

Recommendation:

02032018 RESOLVED on the motion of Cr Baker seconded Cr Monaghan that the Council receive and note the delegate and committee reports from Councillors and Committee meeting minutes as presented. CARRIED

9.0 STAFF REPORTS

SECTION 2 – OFFICE OF THE GENERAL MANAGER

9.1 Progress Report 1 on the Combined Delivery Program & Operational Plan 2017-2021

Recommendation:

03032018 RESOLVED on the motion of Cr Keatley seconded Cr Baker that the Council receive and note the report on progress for implementation, up to 31st December 2017, of the Combined Delivery Program & Operational Plan 2017 – 2021. **CARRIED**

9.2 Joint Organisations - March 2018

Recommendation:

04032018 RESOLVED on the motion of Cr McGlynn seconded Cr Wyse:

That in accordance with Part 7 of Chapter 12 of the Local Government Act 1993 Bland Shire Council resolves:

- 1. That Council inform the NSW Minister for Local Government of the Council's endorsement of the Minister Recommending to the Governor the establishment of a Joint Organisation in accordance with this resolution.**
- 2. To approve the inclusion of the Council's area in the Joint Organisation's area.**
- 3. That the Joint Organisation be established to cover the Council's area and any one or more of the following council areas; Coolamon, Cootamundra-Gundagai, Greater Hume, Junee, Lockhart and Temora.**
- 4. That on the expiry of a period of 28 days from the making of this resolution, the General Manager provide the Minister:**
- 5. With a copy of this resolution including the date on which Council made this resolution;**
- 6. Inform the Minister that this resolution has not been rescinded, for the purpose of the Minister issuing a certificate under section 400P of the Act.**
- 7. That this resolution is passed on the understanding that there are no major changes to any of the current regulatory processes and their current interpretation. CARRIED**

SECTION 3 – CORPORATE, COMMUNITY, DEVELOPMENT & REGULATORY SERVICES

9.3 Financial Statements – February 2018

Recommendation:

05032018 RESOLVED on the motion of Cr Monaghan seconded Cr English:

- 1. That Council receive and note the statement of Bank Balances, Rates Collections and Investments for the month of February, 2018**
- 2. That Council confirms the payment of accounts, for the period 01 February to 28 February 2018, summarised in the accounts summary totalling \$1,595,401.35. CARRIED**

9.4 Making Of The Rates 2018/2019

Recommendation:

06032018 RESOLVED on the motion of Cr Monaghan seconded Cr Wyse that the Council makes the rates for the 2018/2019 year to allow for inclusion in the 2018/19 budget preparation. CARRIED

At this stage, 7.18pm, Cr English left the meeting.

RECOMMENDATION 1

Recommendation:

07032018 RESOLVED on the motion of Cr McGlynn seconded Cr Crowe:

ORDINARY RATE

A. That it is hereby RECOMMENDED that Ordinary Rates be made for the year commencing on 1 July 2018 on all rateable land within the area of the Council of Bland as follows:

(a) Farmland Rate

A base amount of eighty four dollars (\$84.00) per assessment plus an ad-valorem amount of point zero zero four three nine three cents (0.004393c) in the dollar on the land value of all rateable land categorised as farmland, the base amount to yield two point nine one percent (2.91%) of the total amount payable by the levying of the Farmland rate.

(b) Mining Rate

A base amount of one hundred and seventy seven dollars (\$177.00) plus an ad-valorem amount of point zero zero six five seven two cents (0.006572c) in the dollar on the land value of all land categorised as mining land, the base amount to yield three point zero one percent (3.01%) of the total amount payable by the levying of the mining rate.

(c) Gold Mining Rate

A base amount of one hundred and seventy three dollars (\$177.00) plus an ad-valorem amount of point zero three five two six seven cents (0.035267c) 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

RECOMMENDATION 2

At this stage, 7.22pm Cr English returned.

Recommendation:

08032018 RESOLVED on the motion of Cr Wyse seconded Cr Thomas:

B. That it is hereby RECOMMENDED that Ordinary Rates be now made for the year commencing on 1 July 2018 on all rateable land within the area of the Council of Bland as follows:

(a) Residential Rate

A base amount of eighty four dollars (\$84.00) per assessment plus an ad-valorem amount of point zero zero six two one one cents (0.006211c) in the dollar on the land value of all rateable land categorised as residential, the base amount to yield thirty point six zero percent (30.60%) of the total amount payable by the levying of the Residential rate.

(b) Business Rate

A base amount of one hundred and fifty three dollars (\$153.00) plus an ad-valorem amount of point zero one one six five four cents (0.011654c) in the dollar on the land value of all land categorised as business land, the base amount to yield twenty seven point one seven percent (27.17%) 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

RECOMMENDATION 3

Recommendation:

09032018 RESOLVED on the motion of Cr Baker seconded Cr Keatley:

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 fifty three dollars (\$153.00) per assessment plus an ad-valorem amount of point zero one three zero eight five cents (0.013085c) in the dollar on the land value of all rateable land, the base amount to yield twenty two point one one percent (22.11%) 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 seventy seven dollars (\$177.00) per assessment plus an ad-valorem amount of point zero one three one one six cents (0.013116) in the dollar on the land value of all rateable land categorised as business land, the base amount to yield eleven point two three percent (11.23%) of the total amount payable by the levying of the Business (West Wyalong/Wyalong) rate.

CARRIED

RECOMMENDATION 4

Recommendation:

10032018 RESOLVED on the motion of Cr Baker seconded Cr English:

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 eighty four dollars (\$84.00) per assessment plus an ad-valorem amount of point zero one one five two six cents (0.011526c) in the dollar on the land value of rateable land, that is categorised as residential land, the base amount to yield thirty seven point nine seven percent (37.97%) of the total amount payable by the levying of the Residential (Barmedman) rate.

(b) Business (Barmedman) Rate

A base amount of eighty four dollars (\$84.00) per assessment plus an ad-valorem amount of point zero one one seven four one cents (0.011741c) in the dollar on the land value of all rateable land categorised as business land, the base amount to yield thirty six point zero zero percent (36.00%) of the total amount payable by the levying of the Business (Barmedman) rate.

CARRIED

RECOMMENDATION 5

Recommendation:

11032018 RESOLVED on the motion of Cr McGlynn seconded Cr Crowe:

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 eighty four dollars (\$84.00) per assessment plus an ad-valorem amount of point zero four one nine zero seven cents (0.041907c) in the dollar on the land value of all rateable land, the base amount to yield thirty six point two five percent (36.25%) of the total amount payable by the levying of the Residential (Ungarie) rate.

(b) Business (Ungarie) Rate

A base amount of eighty four dollars (\$84.00) per assessment plus an ad-valorem amount of point zero four five five three five cents (0.045535c) in the dollar on the land value of all rateable land categorised as business land the base amount to yield twenty eight point nine seven percent (28.97%) of the total amount payable by the levying of the Business (Ungarie) rate.

CARRIED

9.5 Making Of Waste Management Charges 2018/2019

Recommendation:

12032018 RESOLVED on the motion of Cr Monaghan seconded Cr McGlynn:

DOMESTIC WASTE MANGEMENT 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 services is available, as follows:

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

Standard 240L domestic service:

Barmedman	\$394.00
Ungarie	\$394.00
West Wyalong/Wyalong	\$394.00
Weethalle	\$394.00
plus \$394.00 per extra collection.	

Standard 120L Domestic Service

West Wyalong/Wyalong	\$320.00
Ungarie	\$320.00
Barmedman	\$320.00
Weethalle	\$320.00
plus \$320.00 per extra collection.	

(b) Vacant Land able to be built upon \$32.00

CARRIED

Recommendation:

13032018 RESOLVED on the motion of Cr McGlynn seconded Cr Monaghan:

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	\$400.00
Ungarie	\$400.00
Barmedman	\$400.00
Weethalle	\$400.00
plus \$400.00 per extra collection	

Standard 120L Collections:

West Wyalong/Wyalong	\$327.00
Ungarie	\$327.00
Barmedman	\$327.00
Weethalle	\$327.00
plus \$327.00 per extra collection.	

Annual Waste Management Charge

A charge of \$32.00 per property will apply to all properties not within a serviced area for the DWMS, under Section 501 of the Local Government Act.

CARRIED

Recommendation:

14032018 RESOLVED on the motion of Cr McGlynn seconded Cr Monaghan that the Council makes the Waste Management charges for the year 2018/2019 for inclusion in the 2018/2019 budget preparation. CARRIED

9.6 Making Of Sewer Special Rate Charges 2018/2019

Recommendation:

15032018 RESOLVED on the motion of Cr Monaghan seconded Cr McGlynn:

SEWER SPECIAL RATE

It is hereby **RECOMMENDED** that a Sewerage Special Rate be now made for the year commencing on 1 July 2018 subject to a minimum amount of eight hundred and three dollars (\$803.00) excepting any assessment in respect of the land not built upon nor connected to sewer mains in which case the minimum amount shall be, one hundred and ninety dollars (\$190.00) 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- \$162.00 for each water closet on the premises and \$84.00 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- \$162.00 for each water closet on the premises and \$84.00 per annum for each cistern serving any urinal on the premises.

CARRIED

Recommendation:

16032018 RESOLVED on the motion of Cr Monaghan seconded Cr McGlynn that the Council makes the Sewer Special Rate charges for the year 2018/2019 for inclusion in the 2018/2019 budget preparation. **CARRIED**

9.7 Development Application DA2018/0052

Recommendation:

17032018 RESOLVED on the motion of Cr Wyse seconded Cr McGlynn that DA2018/0052 for the construction of a liquid fuel depot and associated structures be approved subject to the conditions in Attachment 1. **CARRIED** (unanimously)

9.8 Development Application DA2018/0062

Recommendation:

18032018 RESOLVED on the motion of Cr English seconded Cr Wyse that DA2018/0062 for the change of use from a place of public worship to a function centre be approved subject to the conditions in Attachment 1. **CARRIED** (unanimously)

SECTION 4 – REPORTS FOR INFORMATION

Recommendation:

19032018 RESOLVED on the motion of Cr Monaghan seconded Cr Keatley that the following reports, provided for information only, be received and noted:

- **9.9 - Economic Development & Tourism Report – February 2018**
- **9.10 - Community Services Report**
- **9.11 - Bland Shire Library Monthly Update**
- **9.12 - Children’s Services Monthly Update**
- **9.13 - Bland HACC Services Update**
- **9.14 - Development Services Activity Report – January 2018**
- **9.15 - Asset & Engineering Services Report. CARRIED**

10.0 URGENT BUSINESS WITHOUT NOTICE

10.1 Australia Day Celebrations

Cr Baker requested consideration of the Australia Day awards and celebrations being held in the villages following discussions at the recent Community Reference Group forums.

The Mayor advised that the matter was not of an urgent nature.

10.2 Grant Funding

Cr Keatley requested consideration of the current Federal grant funding available and the Ottoseal proposal.

The General Manager advised that this is an ongoing grant program and matching funds would be required. The Mayor advised that the balance of the Reserve for matching grant funds is \$163,670. The Director Asset & Engineering Services advised that a cost benefit analysis is currently being prepared for Council's consideration at the Budget Workshop.

11.0 QUESTIONS AND STATEMENTS

Cr Monaghan

- Queried progress with flooding issues and earthworks at Wyalong Cemetery
DAES advised that some works have been undertaken and ongoing monitoring will continue
- Queried progress with the audit of laneways
DAES advised that the audit is in progress
- Conveyed congratulations to Kerry Keatley for his efforts with the Ungarie Football
- Conveyed congratulations to Ray Smith for his efforts with the Ungarie Football
- Queried progress with the request for naming of a local park after a former Shire Clerk, Mr Rennard
- Queried hearsay that the Reject Shop was not renewing their lease

Cr Wyse

- Advised that a volunteer group from Ungarie have offered to assist with the monitoring and cleaning of the public toilets in Ungarie

Cr Crowe

- Conveyed congratulations to all Council staff involved with the Ungarie Football project

GM advised that the Triple M media monitoring have recorded a total audience of 1,341,816 people at a value of \$296,797

Cr Thomas

- Queried progress with the Country Link Service
GM advised that letters have been sent to the Department of Transport and Minister however responses are awaited
- Queried progress with the flood damage funding
DAES advised that the second round has been approved and tenders are being developed
- Queried progress with flood proofing the Newell Highway to Forbes
Mayor advised that funding is being sought and a number of Ministerial visits had been scheduled and subsequently cancelled

Cr Keatley

- Conveyed thanks to Colin Spencer for his recent visit and tour
- Expressed disappointment that Councillors had not been advised of the passing of Mrs Karam and conveyed his condolences to Chris

- Conveyed thanks to Ray Smith and Council staff for their efforts with the Daniher day stating it was a pleasure to deal with those involved

Cr English

- Requested signage for the “No Right Turn” at the Main and Church Streets intersection
DAES advised that it is a Police matter that has been reported on occasion
- Queried progress with the artificial turf for nature strips
Mayor advised that it will be considered during the upcoming budget deliberations

Cr McGlynn

- Reiterated Cr Keatley’s disappointment that Councillors had not been advised of the passing of Mrs Karam and conveyed condolences
- Conveyed thanks to staff for the works carried out in Ungarie for the Daniher tribute

Cr Baker

- Requested consideration of the Australia Day awards and celebrations being held in the villages
- Queried the status for the waiving of DA fees for a new dwelling in Mirrool
- Queried the provision of shades at Wyalong Cemetery
DAES advised that investigations are underway with the allocation from the remaining maintenance funds
- Queried progress with consideration of the relocation of the RFS headquarters to West Wyalong
GM advised that the matter can be raised at the Bush Fire Management Committee Meeting
- Queried the proposed granny flats at Mirrool
DAES advised that enquiries are continuing

Mayor Lord

- Conveyed thanks to all staff involved with the Ungarie Daniher tribute stating that it was a magnificent effort by everyone including the community and advancement group.

12.0 **CLOSURE OF THE MEETING TO DISCUSS CONFIDENTIAL BUSINESS UNDER THE PROVISIONS OF SECTION 10A(2) OF THE LOCAL GOVERNMENT ACT**
Nil

13.0 **RESUMPTION OF THE MEETING AND CONSIDERATION OF RECOMMENDATIONS OF THE CLOSED SECTION OF THE MEETING**
Nil

14.0 **CLOSE OF THE MEETING**
There being no further business the meeting then closed at 8.00pm.

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Chairperson