



BLAND SHIRE COUNCIL
west wyalong

Bland Shire Council

Minutes

Ordinary Council Meeting

16 November 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

16 November 2021

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 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 19 October 2021

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

Recommendation:

01112021 RESOLVED on the motion of Cr English seconded Cr Keatley that the minutes of the Ordinary Council meeting held on 19 October 2021 be confirmed as a correct record of proceedings.

CARRIED Unanimously

4.0 DISCLOSURES OF INTERESTS

Councillor/ Officer	Item	Nature of Interest	How Managed
Cr Keatley	8.4 – Local Roads and Community Infrastructure Phase 3 – List of Projects 2021	Non-Pecuniary	Verbal Disclosure

5.0 PRESENTATION(S) AND PUBLIC FORUM

5.1 Mr Brad Bohun, Crowe

Mr Bohun joined the meeting via Zoom and provided an overview of Council's 2020/21 Financial Statements. It was noted that the Statements were completed on time and a clean audit opinion resulted. In closing Mr Bohun congratulated Council on their financial result and thanked Ms Bryant and the finance team for their efforts and support.

5.2 Mr Roger Moore

Mr Moore addressed Council and voiced his opposition to the motion to reschedule the proposed Councillor bus tour. He stated that as a candidate in the Local Government Election any delay in the tour would be a disadvantage. It was further noted that there will be three new councillors elected and the tour would provide an opportunity for the new councillors to further familiarise themselves and better represent the Bland Shire.

5.3 Ms Glenys Haworth

Ms Haworth addressed Council as the Chairperson of the Waratah Village Association and sought Council's support in the purchase of a disability accessible vehicle. She stated that a suitable vehicle has become available locally to replace the existing outdated and unsuitable van. An application for funding has been submitted for Council's access Incentive Grant program.

6.0 MAYORAL MINUTE(S)

Nil

7.0 REPORTS OF COMMITTEES

Recommendation:

02112021 RESOLVED on the motion of Cr Thomas 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 Annual Report 2020/21

Recommendation:

03112021 RESOLVED on the motion of Cr Baker seconded Cr Thomas:

1. That Council receives and notes the Bland Shire Council Annual Report for the year 2020/21 as tabled at this meeting
2. That the 2020/21 Bland Shire Council Annual Report be published on Council's website following the Local Government Elections on 4 December 2021
3. That the Office of Local Government be advised accordingly.

CARRIED Unanimously

8.2 Employees Council Agreement 2021-2024

Recommendation:

04112021 RESOLVED on the motion of Cr Thomas seconded Cr Lord that Council endorse the revised Employee's Council Agreement for the period from 1 December 2021 to 30 November 2024 covering all Bland Shire Council staff employed under the Local Government (state) Award and that the Agreement be submitted to the relevant unions for execution.

CARRIED Unanimously

8.3 Draft Bland Shire Housing Strategy – Stage 1

Recommendation:

05112021 RESOLVED on the motion of Cr Lord seconded Cr Thomas that the Draft the Bland Shire Council Housing Strategy (Stage1) be received and noted and that the final Strategy, including Stage 2, be referred to the new Council in early 2022.

CARRIED Unanimously

8.4 Local Roads and Community Infrastructure Phase 3 – List of Projects 2021

Recommendation:

06112021 RESOLVED on the motion of Cr Lord seconded Cr McGlynn that Council suspend standing orders and move into committee.

CARRIED Unanimously

At this stage, 7.06pm, the Mayor suspended standing orders and provided each Councillor with an opportunity to speak in relation to the proposed projects.

Recommendation:

07112021 RESOLVED on the motion of Cr English seconded Cr Lord that Council resume standing orders.

CARRIED Unanimously

Recommendation:

08112021 RESOLVED on the motion of Cr McGlynn seconded Cr Wyse that Council confirm the following list of projects for submission under Phase 3 of the Local Roads and Community Infrastructure Program for 2021 and that any unallocated funds be added to the Local Roads allocation:

Local Roads - \$1,150,000

New Lining Pool Slide Splash Pool - \$45,000

Sewer Pasveer Channel New Lining - \$350,000

New Animal Pound and Relocation of Solar Panels - \$335,000

Natural Heritage Reserve Stage 4 - \$34,654

Additional Water Reservoir for Truck Wash - \$35,000

Adventure Playground McCann Park - \$400,000

Saloon Car Drag Strip at Airport – \$950,000

Youth Space Proposal - \$350,000

Main Street Mural - \$50,000

CARRIED Unanimously

8.5 Large Scale Mass Dog-Breeding Facilities in NSW

Recommendation:

09112021 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley that Council determine if it wishes to support a campaign objecting to the establishment of large scale dog-breeding facilities within the Bland Shire.

CARRIED Unanimously

Recommendation:

10112021 RESOLVED on the motion of Cr Thomas seconded Cr Keatley that Council not support a campaign objecting to the establishment of large scale dog-breeding facilities within the Bland Shire.

CARRIED Unanimously

8.6 Strengthening Communities – Tivoli Theatre

Recommendation:

PROPOSED on the motion of Cr McGlynn seconded Cr Wyse that Council notes the application from the West Wyalong Community Theatre Committee and encourages the committee to resubmit an application for up to a maximum of \$4000 for a modular stage once it has raised sufficient funds to cover the balance of the project.

AMENDMENT proposed on the motion of Cr McGlynn seconded Cr Wyse that Council approves the application from the West Wyalong Community Theatre Committee for a stage to the value of \$13,000 to be funded from the Community Facilities Reserve.

The amendment became the motion and was carried.

11112021 RESOLVED on the motion of Cr McGlynn seconded Cr Wyse that Council approves the application from the West Wyalong Community Theatre Committee for a stage to the value of \$13,000 to be funded from the Community Facilities Reserve.

CARRIED 7/2 (Crs Baker, Crowe, Keatley, Lord, McGlynn, Wyse and Monaghan voting for and Cr English and Thomas voting against)

Recommendation:

12112021 RESOLVED on the motion of Cr Lord seconded Cr McGlynn that a policy is developed for any funding allocations from the Community Facilities Reserve and a business case be presented to Council.

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

At this stage, 7.35pm Cr Thomas left the meeting.

8.7 Access Incentive Grant – Panache Lifestyle and Living

Recommendation:

13112021 RESOLVED on the motion of Cr Lord seconded Cr Keatley that Council approve an Access Incentive Scheme Grant application from Panache Lifestyle and Living for \$4000 towards the purchase and installation of automatic doors.

CARRIED Unanimously

8.8 Access Incentive Grant – West Wyalong Lions Club on behalf of the Waratah Village Association

Recommendation:

14112021 RESOLVED on the motion of Cr English seconded Cr Lord that Council approve an Access Incentive Scheme Grant application from the West Wyalong Lions Club on behalf of the Waratah Village Association for \$4000 towards the purchase of a disability access vehicle.

CARRIED Unanimously

Section 2 – Corporate & Community Services

At this stage, 7.37pm Cr Thomas returned to the meeting.

8.9 Finance and Investment Report for October 2021

Recommendation

15112021 RESOLVED on the motion of Cr Baker seconded Cr Thomas:

- 1. That Council receive and note the information contained within the Finance and Investment Report for the month of October 2021.**
- 2. That Council confirms the payment of accounts, for the period 01 October to 31 October 2021, summarised in the accounts summary totalling \$3,473,082.70.**

CARRIED Unanimously

8.10 Budget Review – September 2021

Recommendation:

16112021 RESOLVED on the motion of Cr Keatley seconded Cr Wyse that Council:

- a) Receive and note the Officer's Report.**
- b) Endorses the Statement acknowledging the financial position is considered satisfactory.**

CARRIED Unanimously

8.11 Audit Report – 2020/21 General Purpose Financial Statements

Recommendation:

17112021 RESOLVED on the motion of Cr Crowe seconded Cr Lord that Council adopt the 2020/21 Financial Statements and Auditors Report as presented.

CARRIED Unanimously

8.12 Updated Complaints Handling Policy

Recommendation:

18112021 RESOLVED on the motion of Cr Wyse seconded Cr Thomas that Council notes for information the revised policy format and review dates of the Complaints Handling Policy.

CARRIED Unanimously

8.13 Endorsement of Draft Community Engagement Strategy

Recommendation:

19112021 RESOLVED on the motion of Cr Lord seconded Cr Crowe that:

- 1. Council endorse the Draft Community Engagement Strategy and place it on public exhibition for a minimum period of 28 days from Friday 19 November 2021 for community comment.**
- 2. Following the period of exhibition and a minim period of 14 days following to allow for written submissions to be made, a further report be presented to Council prior to the Strategy being adopted.**

CARRIED Unanimously

8.14 Reporting Obligations for Bland Shire Council

Recommendation:

20112021 RESOLVED on the motion of Cr Thomas seconded Cr Wyse that Council notes the submission of the Annual Agency Report on the Government Information (Public Access) Act 2009 and the six-monthly report on Public Interest Disclosures was made to the relevant agencies within the statutory time frames

CARRIED Unanimously

8.15 Report on Bland Shire Council Code of Conduct Statistics

Recommendation:

21112021 RESOLVED on the motion of Cr Lord seconded Cr Keatley that Council notes:

1. That there were no Code of Conduct complaints made about Councillors or the General Manager during the period of 1 September 2019 to 31 August 2020, and
2. That these statistics have been reported to the Office of Local Government in accordance with the Procedures for Administering the Model Code of Conduct.

CARRIED Unanimously

8.16 Endorsement of Draft Debt Recovery and Financial Hardship Policy

Recommendation:

22112021 RESOLVED on the motion of Cr Thomas seconded Cr Lord that:

1. Council endorses the Draft Debt Recovery and Financial Hardship Policy and places it on public exhibition for a period of 28 days from Friday 19 November, 2021 for community comment.
2. Should there be comment from the community on the Draft Debt Recovery and Financial Hardship Policy, a further report be prepared and presented to Council.
3. Should there be no comment from the community within the 42 day commentary period, Council formally adopt the policies.

CARRIED Unanimously

8.17 Vacation Care Closure

Recommendation:

23112021 RESOLVED on the motion of Cr Lord seconded Cr Thomas that the January 2022 Vacation Care program be cancelled to facilitate renovations and upgrades at the Children Services Unit.

CARRIED Unanimously

Section 3 – Technical Services

8.18 Lake Cowal Deviation

Recommendation:

24112021 RESOLVED on the motion of Cr Thomas seconded Cr Lord that Council:

- 1. Close the old section of Lake Cowal Road and dedicate it to Evolution AND**
- 2. Approve of the gazettal of the new section of road as public road.**

CARRIED Unanimously

Section 4 – Reports for Information

Recommendation:

25112021 RESOLVED on the motion of Cr Thomas seconded Cr Crowe that the following reports, provided for information only, be received and noted.

- **8.19 - Economic Development & Tourism Report –November 2021**
- **8.20 - Community Services Report**
- **8.21 - Bland Shire Library Monthly Update**
- **8.22 - Children Services October Update**
- **8.23 - Bland Community Care Services Update**
- **8.24 - Technical Services Report**
- **8.25 - Development Services Activity Report – October 2021**

CARRIED Unanimously

9.0 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

9.1 Motions November 2021 Council Meeting (Cr McGlynn)

Recommendation:

26112021 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley that before recommendations are made to Council:-

1. Ensure Councillors are given more relevant information, including current costings, before discussion and approving the allocation of any monetary resources to all grant projects as much as possible.
2. More relevant information to be supplied to Councillors before making any determinations on DA's of significance.
3. DA's of significance must be discussed in full at Workshops.

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

9.2 15th January Tour New Council (Cr McGlynn)

Recommendation:

27112021 RESOLVED on the motion of Cr McGlynn seconded Cr Keatley that the proposed Councillor Bus Tour be rescheduled and held on 29th January 2022.

CARRIED Unanimously

10.0 CONFIDENTIAL MATTERS

Recommendation:

28112021 RESOLVED on the motion of Cr English seconded Cr McGlynn 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 8.24pm.

Recommendation:

31112021 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 8.32pm.

10.1 Business Assistance Application – Tamara’s Cafe

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 the council is conducting (or proposes to conduct) business,

Recommendation:

29112021 RESOLVED on the motion of Cr Keatley seconded Cr Thomas that Council approves of the Business Assistance Application from Ms. Tamara Humphries and that the financial package, detailed in this report, be paid by two (2) equal instalments over a 12 month period.

CARRIED Unanimously

10.2 Proposed Future Operating Model for Riverina Regional Library

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

The matters and information are the following:

(a) personnel matters concerning particular individuals (other than councillors)

Recommendation:

30112021 RESOLVED on the motion of Cr Lord seconded Cr Wyse that Council:

- a) Confirms its ongoing membership of Riverina Regional Library for the term of the next Deed of Agreement being 1 July 2022 to 30 June 2026.
- b) Endorses and supports the appointment of Coolamon Shire Council as the Executive Council of the Riverina Regional Library for the period 1 July 2022 to 30 June 2026.
- c) Allocates the funds as set out in the 2022-23 Draft Contributions Model endorsed by the RRL Advisory Committee in the 2022-23 Budget for Bland Shire Council.

CARRIED Unanimously

11.0 CONCLUSION OF THE MEETING

There being no further business the meeting then closed at 8.36pm.

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Chairperson
Mayor Brian Monaghan