

Upper Macquarie County Council

Council Chambers
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17 April 2022

Members of the County Council

Notice of Ordinary Meeting of Upper Macquarie County Council 22 April 2022.

I advise an Ordinary Meeting of the Upper Macquarie County Council will be held in the **UPPER MACQUARIE COUNTY COUNCIL Chambers** at Lee Street KELSO on Friday, 22 April 2022 commencing at 4.30 pm.

If any new or continuing covid-related restrictions prevent the meeting at this venue Members will be advised accordingly.

The Business Papers are attached for your reference.

Your attendance at the meeting is respectfully requested.

Yours sincerely

Lisa Monardo
Acting General Manager

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 22ND APRIL 2022

NOTICE FOR MEMBERS & THE PUBLIC

1. DUE TO REGULATORY RESTRICTIONS ON SOCIAL DISTANCING ASSOCIATED WITH THE COVID-19 PANDEMIC – THE COUNTY COUNCIL MEETING IS ONLY OPEN TO A LIMITED NUMBER OF MEMBERS OF THE PUBLIC.
2. BOOKINGS FROM MEMBERS OF THE PUBLIC, TO ATTEND A MEETING IN-PERSON (IF PERMITTED AT ALL), CAN BE MADE BY CONTACTING THE COUNCIL OFFICES BY PHONE OR EMAIL NO LESS THAN 24 HRS PRIOR TO THE MEETING COMMENCING.
3. A VIDEO RECORDING OF THE MEETING WILL BE POSTED ON THE COUNTY COUNCIL WEBSITE (WWW.UMCC.NSW.GOV.AU) AS SOON AS PRACTICAL AFTER THE MEETING IS COMPLETED

BUSINESS AGENDA

**FOR THE ORDINARY MEETING OF THE UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 22ND APRIL 2022**

1. MEETING COMMENCES @ 2.30 PM

2. ACKNOWLEDGEMENT OF COUNTRY

* COUNCIL ACKNOWLEDGES THE TRADITIONAL CUSTODIANS OF THE LANDS WHERE WE WORK AND LIVE. COUNCIL CELEBRATES THE DIVERSITY OF ABORIGINAL PEOPLES AND THEIR ONGOING CULTURES AND CONNECTIONS TO THE LANDS AND WATERS OF THE NSW CENTRAL TABLELANDS.

3. RECORDING OF MEETING

MEMBERS AND THE PUBLIC ARE ADVISED THAT THE PROCEEDINGS OF THIS MEETING (OTHER THAN ANY CONFIDENTIAL MATTERS) WILL BE RECORDED AND MADE PUBLICALLY AVAILABLE ON THE COUNCIL WEBSITE, AND PERSONS ATTENDING THE MEETING SHOULD REFRAIN FROM MAKING ANY DEFAMATORY STATEMENTS.

MEMBERS MAY ATTEND MEETINGS WITH THE APPROVAL OF COUNCIL. A REQUEST BY A MEMBER FOR APPROVAL TO ATTEND A MEETING BY AUDIO-VISUAL LINK MUST BE MADE IN WRITING TO THE GENERAL MANAGER PRIOR TO THE MEETING IN QUESTION AND MUST PROVIDE REASONS WHY THE COUNCILLOR WILL BE PREVENTED FROM ATTENDING THE MEETING IN PERSON.

[REQUESTS TO BE PUT TO COUNCIL]

4. OATH OR AFFIRMATION

5. APOLOGIES

6. CONFIRMATION OF MINUTES

7. DISCLOSURE OF INTEREST

8. MANAGEMENT REPORT

9. COUNTY CHAIRMAN'S REPORT

10. CONFIDENTIAL MATTERS

*** MOTION:**

- A. Council note that in accordance with Section 9(2A) of the Local Government Act (1993) the General Manager is of the opinion that business on the agenda designated 'confidential' and listed in the following **Table 1** is of a kind referred to in Section 10A(2) of the Act and should be dealt with in a part of the meeting closed to the media and public. AND FURTHER in accordance with Section 10B(1) of the Act it is considered that discussion of the business in open meeting would on balance be contrary to the public interest.

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 22ND APRIL 2022

- B. Council resolve into closed Confidential Committee of the Whole Council to consider business identified as confidential, together with any confidential late reports tabled at the meeting.
- C. Pursuant to section 10A(1)&(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) of the Act.
- D. Correspondence and reports relevant to the subject business be withheld from access.
- E. In accordance with Section 10A(4) members of the public are invited to make representations to the Council as to whether the matters should or should not be dealt with in Confidential Committee of the Whole Council.

Table 1

REPORT	SUBJECT	REASON FOR CONFIDENTIALITY [SECTION OF THE ACT]
COUNTY CHAIRMAN'S REPORT 1	Recruitment of General Manager	(Section 10A (2)(c) Which parts of meeting can be closed to the public - information that would, if disclosed, personnel matters concerning particular individuals (other than councillors)
COUNTY CHAIRMAN'S REPORT 2	Prosecution cases	Section 10A (2)(e) information that would if disclosed prejudice the maintenance of law (inc Privacy and Personal Information Act)
ITEM 7	Public Authorities Weed Biosecurity Compliance	Section 10A(2)(e) information that would if disclosed prejudice the maintenance of law (inc. Privacy and Personal Information Act)
ITEM 8	Biosecurity Risk Register	Section 10A (2)(e) information that would if disclosed prejudice the maintenance of law (inc Privacy and Personal Information Act)

11. RESOLVE INTO OPEN COUNCIL

*** MOTION:**

That Council moves into the open session of the Council Meeting.

12. REPORT OF THE COMMITTEE OF THE WHOLE COUNCIL

*** MOTION:**

*That the Recommendations of the Committee of the Whole Council be adopted. **CLOSE OF MEETING***

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL

TO BE HELD ON FRIDAY 22ND APRIL 2022

OATH or AFFIRMATION

PURPOSE:

To enable the newly elected Bathurst Council Delegate Member Councillor Andrew Smith to take his Oath or Affirmation.

INFORMATION:

A quick recap of the necessities of taking an Oath or Affirmation:

- Each council will need to make arrangements for the oath or affirmation to be taken by each councillor at the first meeting of a newly elected council or at a newly- elected councillor's first meeting following a by-election.
- Councillors should be made aware of this requirement prior to the first meeting of a newly elected council or the newly elected councillor's first meeting following a by- election.
- An oath or affirmation should be taken by each councillor as the first item of business for the meeting.
- The general manager must ensure that a record is kept of the taking of the oath or affirmation. This can be done by way of a signed statement containing the oath or affirmation or by recording the taking of the oath or affirmation by each councillor in the minutes of the council meeting.
- If the councillor is unable to attend the first council meeting, he or she may take the oath or affirmation of office at another location in front of the general manager.
- The oath or affirmation of office may also be taken before an Australian legal practitioner or a Justice of the Peace.
- The taking of the oath or affirmation outside a council meeting must be publicly recorded by the council.
- Where an oath or affirmation is taken outside a council meeting, a council staff member should also be present to ensure that an accurate record can be kept by the council.

It should also be noted that:

- A councillor who fails, without a reasonable excuse, to take the oath or affirmation of office, will not be entitled to attend council meetings until they do so and will be taken to be absent without leave.
- If a councillor is absent without leave for three consecutive ordinary council meetings their office is automatically declared vacant and a by-election must be held.

The Oath and Affirmation are:

Oath

I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of the Upper Macquarie County and the Upper Macquarie County Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Affirmation

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL

TO BE HELD ON FRIDAY 22ND APRIL 2022

I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Upper Macquarie County and the Upper Macquarie County Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Now give Member Smith the floor to take his Oath or Affirmation

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 22ND APRIL 2022

CONFIRMATION OF MINUTES

Upper Macquarie County Council

Minutes of the **Ordinary Meeting** of the Upper Macquarie County Council held at the Upper Macquarie County Council Chambers, 7 Lee Street, Kelso, NSW on **Friday 11th February 2022**.

Meeting commencement

The General Manager declared the meeting open at 2.35pm

ATTENDANCE

The Council Members were present:

Cr. A. McKibbin
Cr. B. Reynolds
Cr. S. Lesslie
Cr. B. Fry
Cr. C. O'Connor
Cr. B. Watt
Cr. A. Ewin

The following Council Staff attended:

Acting General Manager, Lisa Monardo
Chief Weeds Biosecurity Officer, Chris Jackson

OATH OR AFFIRMATION BY MEMBERS

The following members took either an oath or affirmation.

Member Bruce Watt	Oath
Member Stephen Lesslie	Affirmation
Member Ben Fry	Oath
Member Col O'Connor	Oath
Member Bruce Reynolds	Affirmation
Member Allan Ewin	Oath
Member Andrew McKibbin	Affirmation

N.B. No apologies received, one resignation from Upper Macquarie County Council by Councillor Ian North of Bathurst Regional Council. Bathurst Regional Council will hold another election soon to delegate another member.

CHAIRPERSON & DEPUTY CHAIRPERSON ELECTION

Moved: Member Cr. Fry
Seconded: Member Cr. Lesslie

Certificate

This is page 1 of 7 pages of the Minutes to the Ordinary Meeting of the Upper Macquarie County Council to be held at the County Council Chambers, KELSO on Friday 11th February 2022.

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL

TO BE HELD ON FRIDAY 22ND APRIL 2022

1. Note the report in relation to the Election of Chairperson and Deputy Chairperson.
2. Nominate the method for the election of the positions of Chairperson and Deputy Chairperson (ie. Either by preferential ballot, by ordinary ballot or by open voting.)
3. Note that for the purposes for the election that the Acting General Manager shall be by the Returning Officer.
4. Note that the term of the Chairperson and Deputy Chairperson shall be for two years, as required under the Act, to conclude in February 2024.
5. Now hold elections for the positions of Chairperson and Deputy Chairperson.

One nomination was received for Chairperson. The nomination form was completed correctly, signed by two members and handed to the Acting General Manager in time. As there were no other nominations, Member Cr. Andrew McKibbin was declared the Chairperson.

One nomination was received for Deputy Chairperson. The nomination form was completed correctly, signed by two members, and handed to the Acting General Manager in time. As there were no other nominations, Member Cr. Bruce Reynolds was declared the Deputy Chairperson.

Following the election Chairman Member Cr. Andrew McKibbin took the Chair.

CONFIRMATION OF MINUTES

Confirmation of Minutes

Moved: Member Cr. Lesslie

Seconded: Member Cr. Reynolds

The minutes of previous Council meetings listed below are confirmed with some minor corrections.

- *Minutes – Ordinary Meeting of upper Macquarie County Council held on the 5 November 2021.*

Resolved in the affirmative.

DISCLOSURES OF INTEREST

Moved: Member Cr. Fry

Seconded: Member Cr. Watt

Member Cr. Watt declared that he is currently employed by Local Lands Services which may pose a conflict of interest from time to time.

Council notes the declaration by Member Cr. Watt. No further disclosures were made.

Resolved in the affirmative.

Certificate

This is page 2 of 7 pages of the Minutes to the Ordinary Meeting of the Upper Macquarie County Council to be held at the County Council Chambers, KELSO on Friday 11th February 2022.

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL

TO BE HELD ON FRIDAY 22ND APRIL 2022

ITEM 1.PECUNIARY INTEREST FORMS

Moved: Member Cr. Ewin

Seconded:Member Cr. Watt

Council notes the requirement for the 2020/2021 pecuniary interest returns must be completed by all Members and designated staff and submitted to the General Manager before 3 months lapsing after having become a member.

Resolved in the affirmative.

ITEM 2. COUNTY COUNCIL MEETING SCHEDULE FOR 2022

Moved : Member Cr. Reynolds

Seconded : Member Cr. McKibbin

That Council adopt the proposed meeting schedule with the change to the April meeting date and the addition of a May Workshop 2022.

Date:	Time	Meeting & Location
4 th March 2022	12:00pm	Workshop
22 nd April 2022	2.30pm	Ordinary Council Meeting
27 th May 2022	12.00pm	Workshop
17 th June 2022	2.30pm	Ordinary Council Meeting (Oberon)
12 th August 2022	2.30pm	Ordinary Council Meeting
16 th September 2022	12:00pm	Workshop
21 st October 2022	2.30pm	Ordinary Council Meeting (Blayney)
18 th November 2022	2.30pm	Ordinary Council Meeting (Lithgow)
16 th December 2022	2.30pm	Ordinary Council meeting

Resolved in the affirmative.

ITEM 3.UPDATE CODE OF MEETING PRACTICE

Moved Member Cr. Fry

Seconded Member Cr. Ewin

Council:

1. Place the proposed Council Code of Meeting Practice of exhibit for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.
2. In the event that no submissions are made in the given exhibition period, adopt Council's Code of Meeting Practice.

Resolved in the affirmative.

ITEM 4.GENERAL MANAGER RECRUITMENT

Moved Member Cr. Reynolds

Seconded Member Cr. Lesslie

Certificate

This is page 3 of 7 pages of the Minutes to the Ordinary Meeting of the Upper Macquarie County Council to be held at the County Council Chambers, KELSO on Friday 11th February 2022.

**ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 22ND APRIL 2022**

The Council:

1. Note the report on the appointment of a General Manager
2. Form a General Manager Recruitment and Performance Review Committee and appoint the Chairman, the Deputy Chairman and two other councillors being from the two other Councils which do not hold the Chair and Deputy Chair of this County Council, to the Committee.
3. The Council will approach the General Manager of Blayney Shire Council to make up a fifth person on the General Manager Recruitment and Performance Review Committee and if unavailable the Recruitment and Performance Review Committee will another suitably qualified female to fill the role.
4. Authorise the committee to undertake the recruitment process for a General Manager.
5. Decide the term of the contract of the new General Manager – 3 years was decided upon.
6. Decide the hours per week the new General Manager should be contracted to, then match the remuneration accordingly – this was left to the recruitment committee to decide.
7. Determine which recruitment agency will be engaged during Committee of the Whole, and to be publicly announced at the conclusion of the Committee of the Whole.

Resolved in the affirmative.

ITEM 5. STATEMENT OF INVESTMENES AS AT 31ST JANUARY 2022

Moved: Member Cr. Fry

Seconded: Member Cr. Reynolds

Council notes the Statement of Investments Report as of 31st January 2022.

Resolved in the affirmative.

ITEM 6. QUARTERLY BUDGET REVIEW STATEMENT – NO. 2 FOR 2021/2022

Moved: Member Cr. Reynolds

Seconded: Member Cr. Fry

Council:

1. Acknowledges the adjustments made to correct the errors from the 1st QBRS
2. Accepts the nominal figure of \$15,000 to engage a recruitment agency to assist in the employment of a General Manager.
3. Add an additional \$80,000 of unrestricted funds to the roadside weed control program.

Resolved in the affirmative.

ITEM 7. 2021/2022 DELIVERY PROGRAM – HALF YEAR PROGRESS REPORT

Certificate

This is page 4 of 7 pages of the Minutes to the Ordinary Meeting of the Upper Macquarie County Council to be held at the County Council Chambers, KELSO on Friday 11th February 2022.

**ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 22ND APRIL 2022**

Moved: Member Cr. Fry
Seconded: Member Cr. Watt

The Council notes the 2021/2022 Delivery Program – Half Year Progress Report.

Resolved in the affirmative.

ITEM 8. AUDIT RISK AND IMPROVEMENT COMMITTEE FORMATION

Moved: Member Cr. Reynolds
Seconded: Member Cr. Fry

Council:

1. Form an Audit Risk and Improvement Committee and endorse panel of independent members appointed for Central Tablelands Water County Council and Blayney Shire Council
2. Adopt the Audit, Risk and Improvement Committee Charter.
3. Nominated representative, Member Cr. Reynolds and alternate Member Cr. Lesslie to sit on Council's Audit, Risk and Improvement Committee.

Resolved in the affirmative.

ITEM 9. DELEGATE TO LOCAL GOVERNMENT NSW SPECIAL CONFERENCE 2022

Moved: Member Cr. Fry
Seconded: Member Cr. Ewin

Council nominates Member Cr. Reynolds as the one voting delegate for Council at the LGNSW Special Conference held from 28th February 2022 to 2nd March 2022.

Resolved in the affirmative.

Member Cr. Watt left the meeting at 5.00pm.

ITEM 10. GENERAL UPDATE

Moved: Member Cr. Fry
Seconded: Member Cr. Reynolds

Council notes the general update on topics: Roadside spraying, Aerial Spraying, Roadside signs, resistance in serrated tussock, diminishing supply of Flupropanate, Remote sensing using satellite imagery, Presentation to State Weed Committee regarding a prosecution fund.

Resolved in the affirmative.

**RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE COUNCIL
TO DEAL WITH CONFIDENTIAL REPORTS**

Moved: Member Cr. Fry

Certificate

This is page 5 of 7 pages of the Minutes to the Ordinary Meeting of the Upper Macquarie County Council to be held at the County Council Chambers, KELSO on Friday 11th February 2022.

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL

TO BE HELD ON FRIDAY 22ND APRIL 2022

Seconded: Member Cr. Reynolds

- a. Council notes that in accordance with Section 9(2A) of the Local Government Act (1993) the General Manager is of the opinion that business on the agenda designated “confidential” and listed in the flowing Table 1 is of a kind referred to in Section 10A (2) of the Act and should be dealt with in a part of the meeting closed to the media and public. AND FURTHER in accordance with Section 10B (1) of the Act it is considered that discussion of the business in open meeting would on balance be contrary to the public interest.
- b. Council resolves into closed Confidential Committee of the Whole Council to consider business identified as confidential under the provisions of section 10A(2) of the Act.
- c. Pursuant to section 10A (1) & (3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A (2) of the Act.
- d. Correspondence and reports relevant to the subject business be withheld form access.
- e. In accordance with Section 10A(4) members of the public are invited to make representations to the Council as to whether the matters should or should not be dealt with in Confidential Committee of the Whole Council.

Report	Subject	Reason for Confidentiality [Section of the Act]
Item 4A	Recruitment of General Manager (quotes from recruitment agencies)	Section 10A(2)(c) of the Local Government Act 1993 which parts of meeting can be closed to the public - information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business relates.
Item 11	Prosecution Cases	Section 10A(2)(e) information that would if disclosed prejudice the maintenance of law (inc. Privacy and Personal Information Act)
Item 12	Report and Appendices 9.1 & 9.2 Weed Biosecurity Risk Register	Section 10A (2)(e) information that would if disclosed prejudice the maintenance of law (inc Privacy and Personal Information Act)

Resolved in the affirmative.

RESOLVE INTO OPEN COUNCIL

Moved: Member Cr. Reynolds

Certificate

This is page 6 of 7 pages of the Minutes to the Ordinary Meeting of the Upper Macquarie County Council to be held at the County Council Chambers, KELSO on Friday 11th February 2022.

**ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 22ND APRIL 2022**

Seconded: Member Cr. Lesslie

That Council move into open session of the Council Meeting.

Resolved in the affirmative.

**REPORT OF THE CONFIDENTIAL COMMITTEE OF THE WHOLE
COUNCIL**

Moved Member Cr. Reynolds

Seconded Member Cr. Lesslie

Committee Recommendation

Item 4A Recruitment of General Manager

Council engage Blackadder & Assoc. to assist in the recruitment of Council's new General Manager.

Item 11 Prosecution Cases

Council:

1. Agrees to continue with the process to prosecute landholder in the Upper Macquarie County Council who breach the NSW Biosecurity Act 2015
2. To review weed biosecurity investigations conducted by Council staff that have escalated to prosecution and forced control work.
3. Provide to Council's legal Counsel property/s to be reviewed for prosecution and a recommendation provided to Council.
4. Delegate to the Chair and Deputy Chair to authorise legal Counsel to proceed with prosecution based on Legal Counsel's advice.
5. Following approval by the Chair and Deputy Chair, Council's legal Counsel prosecuted one or more landholders at Local Court and control work to be carried out.
6. Authorise the expenditure from the budget of \$25,000 (already set aside) on the prosecution and control work.
7. Authorise the Chair to make a media statement, reviewed by legal Counsel, once prosecutions have commenced.
8. Chair and Council continue to seek the establishment of a Biosecurity Prosecution Fund.

Item 12. Biosecurity Risk Register & Appendices 9.1 & 9.2

1. Council notes the Weed Biosecurity Risk Register – Private Property report for 31 January 2022.

Resolved in the affirmative.

CLOSE OF MEETING

The Chairman declared the meeting closed at 5.08pm

Certificate

This is page 7 of 7 pages of the Minutes to the Ordinary Meeting of the Upper Macquarie County Council to be held at the County Council Chambers, KELSO on Friday 11th February 2022.

THE START OF NEW BUSINESS FOR THIS MEETING COMMENCES HERE

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL

TO BE HELD ON FRIDAY 22ND APRIL 2022

DISCLOSURE OF INTERESTS:

STATEMENT OF ETHICAL OBLIGATIONS

(3.23 of the Code of Meeting Practice)

Members are reminded of their oath or affirmation under S.233A Local Government Act 1993.

Oath

"I, [*name of councillor*] swear that I will undertake the duties of the office of councillor in the best interests of the people of [*name of council area*] and the [*name of council*] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the [Local Government Act 1993](#) or any other Act to the best of my ability and judgment"

Affirmation

"I [*name of councillor*] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of [*name of council area*] and the [*name of council*] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the [Local Government Act 1993](#) or any other Act to the best of my ability and judgment."

Members are reminded of their obligations under Council's Code of Conduct to disclose and appropriately manager conflicts of interest.

If any member has any declaration of interests, they should do so now.

Recommendation:

That Council note any Disclosures of Interest made.

Certificate

This is page 1 of 1 of the Disclosures of Interest to the Ordinary Meeting of the Upper Macquarie County Council to be held at the County Council Chambers, KELSO on Friday 22nd April 2021.

**ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 22ND APRIL 2022**

PRESENTATIONS:

No presentations have been arranged in accordance with Council's Code of Meeting Practice.

Certificate

This is page 1 of 1 of the Presentations to the Ordinary Meeting of the Upper Macquarie County Council to be held at the County Council Chambers, KELSO on Friday 22nd April 2021.

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 22ND APRIL 2022

MANAGEMENT REPORTS:

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Certificate

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**ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 22ND APRIL 2022**

ITEM 1. COUNTY COUNCIL MEETING SCHEDULE FOR 2022

PURPOSE:

Update the Council Meeting schedule for calendar year 2022.

RECOMMENDATION:

Council

1. Notes the changes to the proposed meeting schedule
2. Adopt the proposed meeting schedule.

POSITION:

The proposed Upper Macquarie County Council meeting schedule for the calendar year 2022 is provided below:

Date:	Time	Meeting & Location:
22 nd April 2022	12.00pm & 2.30pm	Workshop and Ordinary Council Meeting
13 th May 2022	2.30pm	Ordinary Council Meeting
17 th June 2022	2.30pm	Ordinary Council Meeting (Oberon)
12 th August 2022	2.30pm	Ordinary Council Meeting
16 th September 2022	12.00pm	Workshop
21 st October 2022	2.30pm	Ordinary Council Meeting (Blayney)
18 th November 2022	2.30pm	Ordinary Council Meeting (Lithgow)
16 th December 2022	2.30pm	Ordinary Council Meeting

The Meeting Schedule may be amended by resolution of the Council from time to time and Extraordinarily Council Meetings may be held in addition to the Schedule set out.

All of the council meeting dates, venues and public access issues are subject to availability as well as prevailing COVID-19 related Public Health Order terms and conditions. The schedule may be amended at any time by Council resolution.

Certificate

This is page 2 of 14 of the Management Reports to the Ordinary Meeting of the Upper Macquarie County Council to be held at the County Council Chambers, KELSO on Friday 22nd April 2021.

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL

TO BE HELD ON FRIDAY 22ND APRIL 2022

ITEM 2 STATEMENT OF INVESTMENTS AS AT 31ST MARCH 2022

PURPOSE:

Provided for Information. A report prepared in compliance with Clause 212 of the Local Government (General) Regulation 2005 – setting out current details of all moneys that Council has invested under Section 625 of the Local Government Act (1993) (the Act).

RECOMMENDATION:

Council notes the Statement of Investments Report as of 31st March 2022.

Pursuant to section 625(2) of (the Act) the Minister issued a revised *Investment Order* by way of the NSW Government Gazette in February 2011. That order requires a County Council to only invest money in a specific range of investments and in Australian currency.

Investment funds are the cash funds held by council - other than those required for operational purposes held in the consolidated account established under Clause 204 of the Local Government (General) Regulation.

INVESTMENT POSITION:

On 31st January 2022, Council's total funds invested under Section 625 of the Local Government Act 1993 amounted to \$1.726M of which \$376K is currently in a Business Cash Account for near-term operational purposes. There is an amount of \$846K that is currently held as restricted reserves.

Further details regarding *investment funds* are provided in **Table 1** and the funds listed therein have been reconciled with Council's general ledger and bank statements.

The graph included as **Table 2** shows the quarterly change in investments for the last year compared to the relevant portion of the investment funds that are restricted assets.

Westpac Banking Corporation's credit rating from lead rating agencies are shown **Table 3** - as last advised.

The General Manager hereby certifies that all investment funds at 31st March 2022 were invested in compliance with the current (2011) *Ministerial Investment Order* made under Section 625 of the Act. All investment funds are at this time held in a 31-day Notice Saver Account with Westpac Banking Corporation.

Certificate

This is page 3 of 14 of the Management Reports to the Ordinary Meeting of the Upper Macquarie County Council to be held at the County Council Chambers, KELSO on Friday 22nd April 2021.

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL

TO BE HELD ON FRIDAY 22ND APRIL 2022

OTHER FUNDS:

In addition to the investment funds set out in this report, on the reporting date Council had a further \$376K of cash held in the consolidated account for day-to-day operating purposes. The graph included as **Table 4** shows the applicable consolidated *'investment and other funds'* position. This information is provided at the Councils request and does not form part of the statutory report.

FINANCIAL IMPLICATIONS:

Council obtains funds through a number of sources to facilitate its operations. Funds prior to utilisation are maintained in short-term investments, so as to ensure a suitable business cash flow, funds security, and a modest return on investment.

Since January 2021, deposit investment interest rates for 'cash', 'on-hold' and 'on-notice' – have been 0.01%, 0.25%, and 0.05% respectively. Revenue risk issues associated with investment interest rates and investment balances are dealt with in each Quarterly Budget Review Statement.

It should also be noted that this report is prepared on a cash basis – not an accrual basis – and hence does not make any allowance for outstanding credit or debt obligations, nor does it highlight any amounts that have been released from restricted reserves and not yet spent or otherwise committed.

TABLE 1 - UMCC INVESTMENT SCHEDULE – ON 31ST MARCH 2021

Westpac Business 31 Day Notice Account & Business Cash Account			
Rate	Amount	Term	Due Date
0.25%	\$ 1,350,000	No set term	No due date
0.01%	\$ 376,000	Cash Operating Reserve	N/A
TOTAL	\$ 1,726,000	Balance on Reporting Date.	

Certificate

This is page 4 of 14 of the Management Reports to the Ordinary Meeting of the Upper Macquarie County Council to be held at the County Council Chambers, KELSO on Friday 22nd April 2021.

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 22ND APRIL 2022

TABLE 2 - CASH ALLOCATION SCHEDULE – ON 31ST DECEMBER 2021

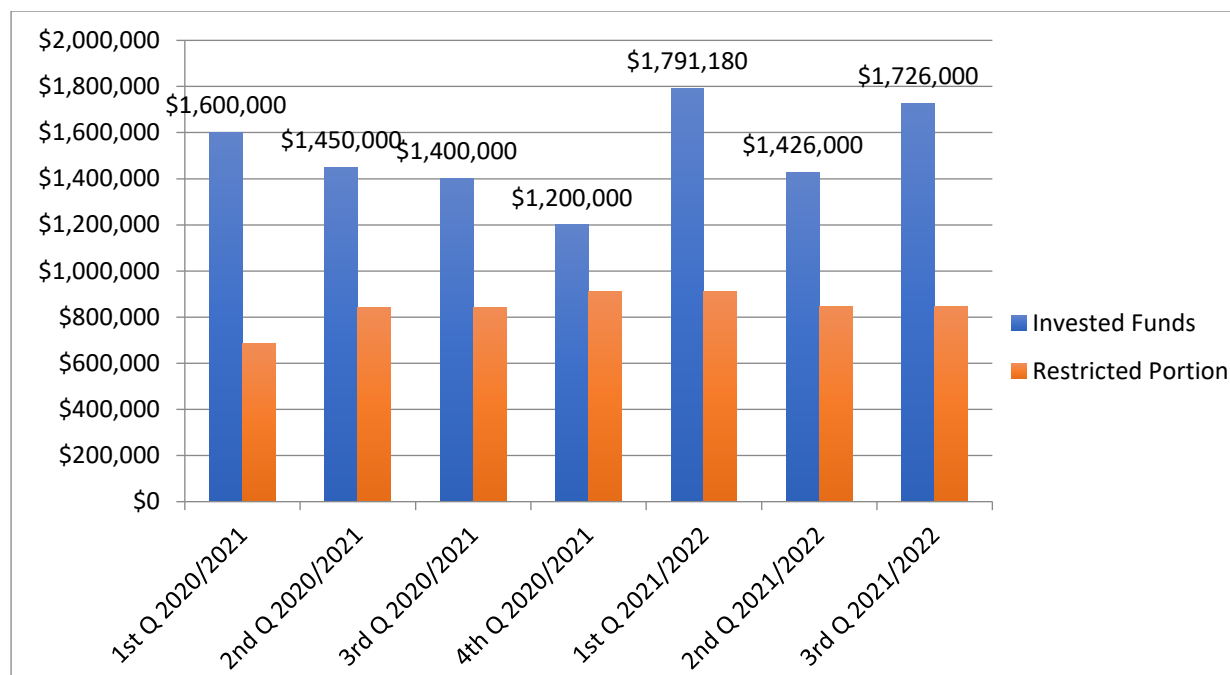


TABLE 3 - WESTPAC BANKING CORPORATION - CREDIT RATINGS

(According to WBC 2021 Interim Report):

<u>Agency</u>	<u>Short term</u>	<u>Long term</u>	<u>Outlook</u>
<i>Fitch Ratings</i>	<i>F1</i>	<i>A+</i>	<i>Negative</i>
<i>Moody's Investors Service</i>	<i>P-1</i>	<i>Aa3</i>	<i>Stable</i>
<i>Standard & Poor's Global Ratings</i>	<i>A-1+</i>	<i>AA-</i>	<i>Negative</i>

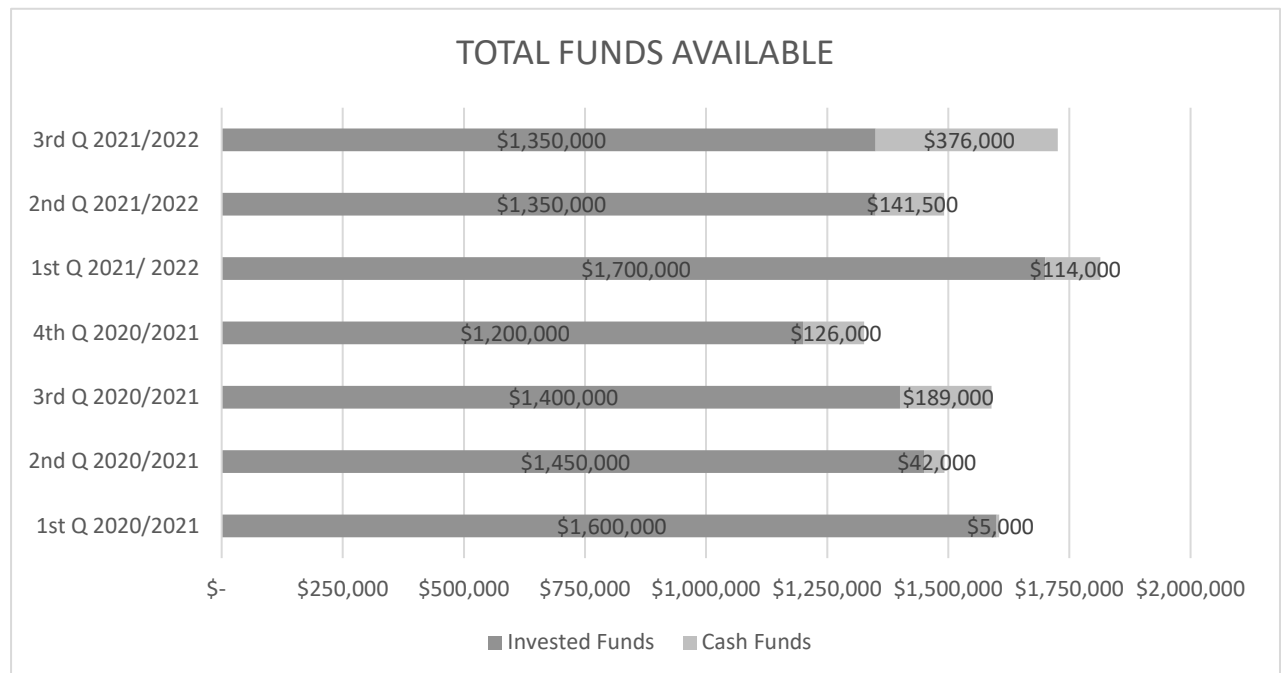
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TABLE 4 – INVESTMENT FUNDS PLUS OTHER FUNDS ON 31ST DECEMBER 2021



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ITEM 3 PROPOSED ASSOCIATE MEMBERSHIP OF CENTRAL NSW JOINT ORGANISATION

PURPOSE:

Propose that Council become an associate member of the Central NSW Joint Organisation.

RECOMMENDATION:

Council formally requests to join Central NSW Joint Organisation as an associate member.

INFORMATION:

Some of the benefits of joining the Central NSW Joint Organisation include:

- Advocacy support
- Attendance at GMAC and Board meetings, including those held at both State and Parliament House where we meet with Ministers regarding various issues across the region. We typically go to each once per year.
- Access to the regional training program which includes coordinating training for UMCC or UMCC joining training delivered by other councils or 'public' courses run by CNSWJO.
- Access to regional contracts and the regional procurement program – typically where there is interest from a minimum of 5 councils we may run a regional procurement process. There is a list of contracts on the website - <https://www.centraljo.nsw.gov.au/contracts-register/>, but I note that many of these aren't relevant to UMCC. The list continues to grow based on member requirements.
- Access to various regional teams. Again, like procurement many of these won't be relevant. The list is relatively stable but does vary according to Board priorities. The current list of teams is:
 - Water
 - Transport
 - Energy
 - WHS
 - HR
 - Training
 - Planning
 - Tourism
 - Directors of Corporate Services
 - IT

The Central NSW Joint Organisation was established by proclamation under Section 400O of the Local Government Act 1993 on 18 May 2018.

Section 400R of the Local Government Act 1993 provides for the principal functions of a Joint Organisation.

(1) A joint organisation has the following principal functions—

(a) to establish strategic regional priorities for the joint organisation area and to establish strategies and plans for delivering those strategic regional priorities,

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(b) to provide regional leadership for the joint organisation area and to be an advocate for strategic regional priorities,

(c) to identify and take up opportunities for inter-governmental co-operation on matters relating to the joint organisation area.

(2) In establishing strategic regional priorities for the joint organisation area, a joint organisation is to consider any relevant strategic priorities or plans of member councils and the State government.

(3) A strategic regional priority, or a plan or strategy for delivering a strategic regional priority, established by a joint organisation does not limit the operation of or otherwise affect any regional plan or strategy given effect to under the [Environmental Planning and Assessment Act 1979](#) (including any regional plan made under Part 3B of that Act).

If Council wishes to formally request to join, the Board of the Central NSW Joint Organisation will need to approve the request.

FINANCIAL IMPLICATIONS:

A quote has been received from the Central NSW Joint Organisation being \$2,000 - \$5,000 as a recurrent membership fee.

END.

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ITEM 4 PROSECUTION FUND

PURPOSE:

Inform Council as to the Chairman's meeting with the State Weeds Committee in Albury on 21st March 2022.

RECOMMENDATION:

Council notes the information.

INFORMATION:

In December 2021, Council's Chairman, Member Councillor Andrew McKibbin submitted a paper to the State Weed Committee detailing a concept of the State Government funding prosecutions relating to Weed Biosecurity across the State. See paper circulated under separate cover.

As a result, the State Weed Committee kindly invited the Chairman to present the concept in person at the State Weed Committee meeting in Albury 21st March 2022.

It is believed that the presentation was well received with some probing questions being asked.

The State Weed Committee will likely come back to their next meeting with their recommendation. Date yet to be advised.

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ITEM 5 ROADSIDE SPRAYING PROGRAM 2021/2022 UPDATE

PURPOSE:

To inform Council as to the status of the roadside spraying program.

RECOMMENDATION:

Council notes the report on the roadside spraying program 2021/2022.

INFORMATION:

The following tables lists the roads that have been treated in each constituent council area:

Blayney Council have now exhausted all their funding for the 2021/2022 roadside program.

Blayney Road Name	Length (km)
Caloola Road	4.3
Dungeon Road	7.0
Duttons Lane	1.0
Eucalyptus Close	0.7
Fardells Lane	3.5
Greghamstown Road	5.7
Hobbys Yards Cemertry Road	0.5
Hobbys Yards Road : Martha Street - Sawyer St	14.6
Hobbys Yards Road : Sawyer St - End	13.4
Kings Plains Road	5.2
Millthorpe Road	11.5
Moorilda Road	11.2
Mount Macquarie Road	9.3
Neville Road	17.6
Newbridge Road	15.0
Ovington Lane	0.9
Spring Terrace Road	3.4
Three Brothers Road	12.9
Village Road	9.6
Wimbledon Road	6.5
Total Km	153.7

Lithgow Council have now exhausted all their funding the 2021/2022 roadside program.

Lithgow Road Name	Length (km)
Blackbutt Mt Road	1.1
Canobla Avenue, Glen Davis	1.3684
Carsons Siding Road (MR531), Cullen Bullen	1.57
Castlereagh Highway	49.8
Cheethams Flat Road, Rydal	2.6571
Coach Road, Rydal	2.5048

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Cullenbenbong Road, Ganbenang	11.2407
Cuthill Road, Sodwalls	4.8502
Dowdells Road, Hampton	1.1782
Excelsior Road, Round Swamp	2.228
Glen Alice Road, Glen Alice	33.9171
Glen Davis Road, Glen Davis	34.3272
Jerrys Meadow Road, Sodwalls	9.4842
Market Street, Rydal	0.4455
Marsden Swamp Road, Lowther	10.9001
McDonalds Hole Road, Round Swamp	0.8
Mount Horrible Road, Palmers Oakey	7.6917
Mutton Falls / Hazelgrove Lane, Tarana	1.189
Old Bathurst Road, South Bowenfels	2.7435
Pipers Flat Road (MR531), Wallerawang	9.9175
Portland / Cullen Bullen Road (MR531), Portland	7.351
Range Road, Meadow Flat	10.4454
Red Hill Road, Upper Turon	7.8081
Sir Thomas Mitchell Drive, South Bowenfels	4.175
State Mine Gully Road	2.7
Sunny Corner Road	3.9
Thompsons Creek Road, Portland	6.7239
Wattlemount Road, Portland	5.2811
Total kms	238.2977

Roadside treatment continuing in Oberon Council area. It is expected the last of their funding will be exhausted soon.

Road Name	Length (km)
DOG ROCKS RD.	23
O'CONNELL RD.	26.21
SEWELLS CREEK RD.	23
SLOGGETTS RD.	6.5
BEACONSFIELD RD.	38.5
BUTTERFACTORY LN.	2.2
FELLED TIMBER RD.	5.2
LAWRENCES RD.	1
MOZART RD.	9.2
PURDONS LN.	7.6
SHOOTERS HILL RD.	27
SIMMONS RD.	0.3
TODDS RD.	2.5
JUNCTION RD.	4.7
MT. WERONG RD.	19
Total kms	195.91

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Roadside treatment continuing in Bathurst Council area. It is expected the last of their funding will be exhausted soon.

Road Name	Length (km)
Arrow Lane	0.827
Back Swamp Rd	3.81
Bidgeribbin Rd	3.36
Box Ridge Rd	17.42
Brewongle Lane	7.61
Bridle Track	52.16
Caloola Rd	3.25
Clear Creek Rd	6.2
Common Rd	2
Crudine Rd	6.37
Curragh Rd	16.65
Dog Rocks Rd	1.75
Dunkeld Rd	1.62
James White Drive	2.6
Lachlan Rd	15.38
Lagoon Rd	33.03
laffing waters Ln	3.3
Limekilns Rd	38.88
Marys Lane	1.13
McGregors Lane	2.46
Mid Western Hwy (Blayney)	21.9
Mitchell Hwy (Orange)	25
Montavella Road	1.88
Mount Rankin Rd	5.49
Oakey Creek Rd	1.57
O'Connell Rd	14.86
Ophir Rd	26.064
O'Sheas Rd	1.14
Pine Ridge Rd	3.14
Pymonts Lane	4.94
Red Hill Rd	13.79
Redbank Rd	11.34
Ridge Rd	2.1
River Rd	2.87
Rockley Rd	23.28
Ryans Rd	5.57
Sherwood Rd	2.04
Sofala Rd	40.65
Solitary Lane	0.4
Sunny Corner Rd	13.24
Turondale Rd	33.95
Upper Turon Rd	8.86

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West Mitchell Rd	3.607
West Lane	1.5
Williams Lane	0.55
Willow Tree Lane	8.12
Winburndale Dam Rd	1.26
Yetholme Dr	5.228
Total kms	504.146

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ITEM 6 PENALTY INFRINGEMENT NOTICES ISSUED

PURPOSE:

Update Council on the amount of and type of penalty infringement notices issued by Council.

RECOMMENDATION:

Council notes the report on the PIN status update.

INFORMATION:

Council has thus far only issued Penalty Infringement Notices for S.138 Offence not to comply with biosecurity direction. The penalty is for \$1,000.

Council has now issued the following Penalty Infringement Notices since 1 July 2018 (since Council's risk rating system began):

Total PINs issued	64
Total Paid	\$22,165
PINs issued that have now been withdrawn	13
Landholders that have been issued 2 PINS	9

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CONFIDENTIAL BUSINESS FOR THIS MEETING COMMENCES HERE.

THE 4 CONFIDENTIAL BUSINESS ITEMS are

- County Chairman's Report 1 General Manager Recruitment
- County Chairman's Report 2 Prosecution cases
- Public Authorities - Weed Biosecurity Compliance
- Biosecurity Risk Register

These reports have been CIRCULATED SEPARATELY.