

Upper Macquarie County Council

Council Chambers

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30th July 2021

The Chairman and Members of the County Council

Notice of the AUGUST 2021 Ordinary Meeting of the Upper Macquarie County Council.

I advise that the next Ordinary Meeting of the Upper Macquarie County Council will be held in the **BLAYNEY SHIRE COUNCIL Chambers** at Blayney on Friday, 6^h August 2021 commencing at 2.30 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 (in-person) is respectfully requested.

Yours sincerely

David Young
General Manager

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 6TH AUGUST 2021

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. LOCAL VENUE COVID-RELATED SIGN-IN, MASK-WEARING AND SOCIAL DISTANCING MEASURES WILL BE IN PLACE AS REQUIRED BY NSW HEALTH AND BLAYNEY SHIRE COUNCIL.
3. BOOKINGS FROM MEMBERS OF THE PUBLIC, TO ATTEND A MEETING IN-PERSON, CAN BE MADE BY CONTACTING THE COUNCIL OFFICES BY PHONE OR EMAIL NO LESS THAN 24 HRS PRIOR TO THE MEETING COMMENCING.
4. 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.

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 6TH AUGUST 2021

BUSINESS AGENDA

**FOR THE ORDINARY MEETING OF THE UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 6TH AUGUST 2021**

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.

4. APOLOGIES

5. PUBLIC QUESTIONS [NIL]

6. CONFIRMATION OF MINUTES [1]

* MINUTES - ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL HELD ON THE 18TH JUNE

7. DISCLOSURE OF INTEREST

8. PRESENTATIONS [NIL]

9. COUNTY CHAIRMAN'S REPORT [1]

10. MANAGEMENT REPORT [9] [1 IS CONFIDENTIAL]

11. QUESTIONS, NOTICES, RESCISSIONS [NIL]

12. CONFIDENTIAL MATTERS [2]

*** 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

**ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 6TH AUGUST 2021**

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 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]
ITEM 9	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)
CHAIRMAN REPORT	Annual Performance Review of General Manager	Section 10A (2)(a) personnel matters concerning particular individuals.

13. RESOLVE INTO OPEN COUNCIL

*** MOTION:**

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

14. REPORT OF THE COMMITTEE OF THE WHOLE COUNCIL

*** MOTION:**

That the Recommendations of the Committee of the Whole Council be adopted.

15. CLOSE OF MEETING

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 6TH AUGUST 2021

CONFIRMATION OF MINUTES

Upper Macquarie County Council

Minutes of the **Ordinary Meeting** of the Upper Macquarie County Council held at the County Council Chambers, 7 Lee Street, Kelso, NSW on **Friday 18 June 2021**.

MEETING COMMENCEMENT

The Chairman declared the meeting open at 2.30pm.

ATTENDANCE

The Council Members were present:

Cr. I. North [Chairman]
Cr. A. McKibbin [Deputy Chairman]
Cr. B. Reynolds
Cr. D. Capel
Cr. D. Kingham
Cr. S. Lesslie

The following Council Staff attended:

General Manager, David Young (Via AVL)
Chief Biosecurity Weeds Officer, Chris Jackson
Biosecurity Administration Manager, Lisa Monardo

APOLOGIES

Moved: Member Cr. McKibbin

Seconded: Member Cr. Capel

Apology received from Members Cr. Ring and Cr. Fry

Resolved in the affirmative.

CONFIRMATION OF MINUTES

Confirmation of Minutes

Moved: Member Cr. Capel

Certificate

This is page 1 of 6 of the MINUTES of the Meeting of the Upper Macquarie County Council held at the County Council Chambers, 7 Lee Street, KELSO, NSW on Friday 18th June 2021.

Chairman..... General Manager.....

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 6TH AUGUST 2021

Seconded: Member Cr. McKibbin

The minutes of previous Council meetings listed below are confirmed.

- *Minutes – Ordinary Meeting of Upper Macquarie County Council held on the 16th April 2021.*

Resolved in the affirmative.

DISCLOSURES OF INTEREST

Moved: Member Cr. McKibbin

Seconded: Member Cr. Lesslie

Council notes that there were no declarations made.

Resolved in the affirmative.

ITEM 1. STATEMENT OF INVESTMENTS AS AT 31ST MAY, 2021

Moved: Member Cr. McKibbin

Seconded: Member Cr. Capel

Council notes the Statement of Investments Report as of 31st May 2021.

Resolved in the affirmative.

ITEM 2. ANNUAL OPERATIONAL PLAN 2021/2022

Moved: Member Cr. Capel

Seconded: Member McKibbin

- 1) Council adopts the Upper Macquarie County Council Draft Annual Operational Plan (including budget), for the 2021/2022 financial year as exhibited - with an amendment that increases the annual fee paid to each Council Member, from 1st July 2021, to \$4,000. The Chairman's annual fee will increase by 2% in-line with the NSW Local Government Remuneration Tribunal 2021 *Annual Report and Determination*.
- 2) Funding for the Council Member fee increase will be provided by reducing the draft budgeted operating surplus accordingly.
- 3) Council notes the NSW Local Government Remuneration Tribunal 2021 *Annual Report and Determination* is to increase Member Fees by 2% for the 2021/2022 financial year.

Certificate

This is page 2 of 6 of the MINUTES of the Meeting of the Upper Macquarie County Council held at the County Council Chambers, 7 Lee Street, KELSO, NSW on Friday 18th June 2021.

Chairman..... General Manager.....

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 6TH AUGUST 2021

Resolved in the affirmative.

[Note 1: The item 11 Notice of Motion was treated as a submission to the annual operating plan and considered concurrently with this item.]

[Note 2: Chairman Ian North and Member Cr. Capel voted against this motion.]

ITEM 3. BIOSECURITY COMPLIANCE & ENFORCEMENT POLICY

Moved Deputy Chairman Member Cr Reynolds
Seconded Member Cr. Reynolds

Council approves amendment to the Biosecurity Compliance & Enforcement Policy as presented.

Resolved in the affirmative.

[Note: Minor terminology and clarification changes are to be incorporated as per Council discussion].

ITEM 4. PROCUREMENT POLICY AMENDMENT - FLEET

Moved: Member Cr. Reynolds
Seconded: Member Cr. Capel

Council approves amendment of the Procurement Policy by inserting a new Section 11 regarding vehicle fleet procurement as presented.

Resolved in the affirmative.

ITEM 5. LEGISLATIVE COMPLIANCE REGISTER

Moved: Member Cr. Reynolds
Seconded: Member Cr. Lesslie

Council notes the status of adherence to the requirements of the Council's Legislative Compliance Register as of 11th June 2021.

Resolved in the affirmative.

ITEM 6. COUNTY COUNCIL MEETING SCHEDULE FOR 2021

Moved: Member Cr. Kingham
Seconded: Member Cr. McKibbin

Council notes the next Ordinary Council Meeting is scheduled for 6th August 2021 and is planned to be held at Blayney.

Resolved in the affirmative.

Certificate

This is page 3 of 6 of the MINUTES of the Meeting of the Upper Macquarie County Council held at the County Council Chambers, 7 Lee Street, KELSO, NSW on Friday 18th June 2021.

Chairman..... General Manager.....

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 6TH AUGUST 2021

ITEM 7. CODE OF MEETING PRACTICE UPDATE

Moved: Member Cr. McKibbin
Seconded: Member Cr. Capel

Council notes that recent pandemic related regulatory changes to meeting practice now:

- a. Requires Members to be physically present at a County Council meeting to participate, and
- b. Meetings are to be open to public attendance to the extent that current Public Health Order special COVID-19 measures permit.

Resolved in the affirmative.

ITEM 8. WEED BIOSECURITY FUNCTIONS

Moved: Member Cr. Lesslie
Seconded: Member Cr. McKibbin

Council notes the weed biosecurity functions report.

Resolved in the affirmative.

[Note: Member Cr. Kingham and Member Cr. Lesslie voted against this motion.]

ITEM 11. NOTICE OF MOTION 2: MEMBER FEES

Moved: Member Cr. Reynolds

PART A: RESCIND MOTION

PART B: INCREASE MEMBER FEES

Member Cr. Reynolds withdrew his notice of motion.

[Note: This matter had already been dealt with as a submission in relation to business Item 2.]

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

Moved: Member Cr. Lesslie
Seconded: Member Cr. Kingham

- 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 flowing Table 1 is of a kind referred to in

Certificate

This is page 4 of 6 of the MINUTES of the Meeting of the Upper Macquarie County Council held at the County Council Chambers, 7 Lee Street, KELSO, NSW on Friday 18th June 2021.

Chairman..... General Manager.....

**ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 6TH AUGUST 2021**

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 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.

Report	Subject	Reason for Confidentiality [Section of the Act]
Item 9.	Report and Appendices 9.1 & 9.2 Weed Risk Register	Section 10A(2)(e) information that would if disclosed prejudice the maintenance of law (in Privacy and Personal Information Act)
Item 10	Notice of Motion- Enforcement	Section 10A(2)(e) information that would if disclosed prejudice the maintenance of law (inc. Privacy and Personal Information Act) Section 10A(2)(g) advice concerning litigation, or advice that would otherwise be privileged....

Resolved in the affirmative.

RESOLVE INTO OPEN COUNCIL

Moved: Member Cr. Lesslie

Seconded: Member Cr. Capel

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

Resolved in the affirmative.

Certificate

This is page 5 of 6 of the MINUTES of the Meeting of the Upper Macquarie County Council held at the County Council Chambers, 7 Lee Street, KELSO, NSW on Friday 18th June 2021.

Chairman..... General Manager.....

REPORT OF THE CONFIDENTIAL COMMITTEE OF THE WHOLE COUNCIL

ITEM 9. CONFIDENTIAL BIOSECURITY RISK REGISTER

Moved Member Cr. McKibbin

Seconded Member Cr. Capel

Committee Recommendation.

Council notes the Weed Biosecurity Risk Register report as of May 31st 2021.

ITEM 10. CONFIDENTIAL NOTICE OF MOTION – LEGAL ENFORCEMENT ACTION

Moved Deputy Chairman Andrew McKibbin

Seconded Member Cr. Reynolds

Committee Recommendation.

That Upper Macquarie County Council (UMCC) take unprecedented enforcement action against an appropriate landholder that has to-date substantially failed to meet their biosecurity duty. The action would serve as a 'test case' and proceed according to the provisions of the Biosecurity Act NSW 2015 and the staged process approved by Council.

CONFIDENTIAL CHAIRMANS REPORT (LATE) – LEGAL ENFORCEMENT & FUNDING

Moved Chairman

Committee Recommendation.

The Confidential Chairman's Report is noted.

Moved: Deputy Chairman, Member Cr McKibbin

Seconded: Member Cr. Capel

That the Recommendations of the Committee of the Whole Council be adopted.

Resolved in the affirmative.

CLOSE OF MEETING

The Chairman declared the meeting closed at 5.15pm.

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This is page 6 of 6 of the MINUTES of the Meeting of the Upper Macquarie County Council held at the County Council Chambers, 7 Lee Street, KELSO, NSW on Friday 18th June 2021.

Chairman..... General Manager.....

THE START OF NEW BUSINESS FOR THIS MEETING COMMENCES HERE

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 6TH AUGUST 2021

DISCLOSURE OF INTERESTS:

To assist Council Members in their correct consideration of business before them at the Meeting they are reminded to have due regard to Chapter 14 (Honesty and Disclosure of Interests) of the *Local Government Act, 1993*, and Section 451 particularly in relation to Disclosure and Participation in Meetings.

Recommendation:

That Council note any Disclosures of Interest made.

Certificate

This is page 1 of 1 pages of the Disclosures of Interest to the Ordinary Meeting of the Upper Macquarie County Council to be held at the Blayney Shire Council Chambers, Blayney on Friday 6th August 2021.

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 6TH AUGUST 2021

PRESENTATIONS:

There are no presentations planned for this meeting.

Certificate

This is page 1 of 1 pages of the Presentations made to the Ordinary Meeting of the Upper Macquarie County Council to be held at the Blayney Shire Council Chambers, Blayney on Friday 6th August 2021

**ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 6TH AUGUST 2021**

THE COUNTY CHAIRMAN'S REPORT:

PURPOSE:

Submit the General Manager's Performance Report and proposed Performance Management Plan for 2021-2022 to Council.

THE CONFIDENTIAL CHAIRMANS REPORT ON THIS MATTER HAS BEEN PROVIDED TO MEMBERS SEPARATELY.

Certificate

This is page 1 of 1 of the Chairman's Report to the Ordinary Meeting of the Upper Macquarie County Council to be held at the Blayney Shire Council Chambers, Blayney on Friday 6th August 2021

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
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MANAGEMENT REPORTS:

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ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
TO BE HELD ON FRIDAY 6TH AUGUST 2021

ITEM 1. CERTIFICATE – (UNAUDITED) GENERAL PURPOSE FINANCIAL STATEMENTS

PURPOSE:

Present the Certificate for signing, with respect to the County Council's General Purpose Financial Statements for the year ended 30th June 2021.

RECOMMENDATION:

1. Council signs the Certificate with respect to the General-Purpose Financial Statements for the year ended 30th June 2021.
2. Council refers the General-Purpose Financial Statements for the year ended 30th June 2021 to the external auditor for audit.

BACKGROUND:

Council is required, under section 413 (1) of the Local Government Act (1993), to prepare financial reports for each year, and refer them for audit by an external auditor appointed by the NSW Auditor General. Intentus Chartered Accountants is the external auditor appointed to Upper Macquarie County Council by the NSW Auditor General.

It should be noted that the draft financial reports are always subject to changes during the audit process.

POSITION:

Pursuant to Section 413 (2)(c) of the Local Government Act (1993), Council is required to make a statement in the approved form in respect of its General-Purpose Financial Statements. The relevant Certificate statement for signing is attached to this report as **Appendix 1.1**

FINANCIAL REPORT:

The draft annual General-Purpose Financial Statements for the year ended 30th June 2020 are provided as **Appendix 1.2**.

The key results from the financial statements are shown as follows:

Certificate

This is page 2 of 17 of the Management Reports to the Ordinary Meeting of the Upper Macquarie County Council to be held at the Blayney Shire Council Chambers, Blayney on Friday 6th August 2021

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
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SUMMARY OF DRAFT ANNUAL FINANCIAL STATEMENT RESULTS

A. The Income Statement:

Total income from continuing operations = \$1,735,000

Total expenses from continuing operations = \$1,598,000

Net operating result for the year = \$137,000

This \$137,000 surplus compares with last year at \$44,000

B. The Statement of Financial Position:

Total Assets = \$1,525,000

Total Liabilities = \$359,000

Total Equity = \$1,166,000

This \$1,166,000 total equity compares with last year at \$1,029,000.

C. The Statement of Changes in Equity:

Equity at Year Start = \$1,029,000

Equity at Year End = \$1,166,000

Net Equity Increase = \$137,000

This \$137,000 equity increase compares with last year at \$44,000.

D. The Statement of Cash Flows:

Net Cash increase = \$220,000

Cash and Cash Equivalents at end of Reporting Period = \$1,327,000

This \$1,327,000 total cash and cash equivalents compares with last year at \$1,107,000.

E. Statement of Performance measurement:

- Operating Performance Improved – Well above OLG Benchmark
- Own Source operating revenue Improved – Less below OLG Benchmark
- Unrestricted Current Ratio Decreased – Well above Benchmark
- Cash Expense Cover Ratio Improved – Well above Benchmark

(Note: All figures referred to herein should be read in conjunction with the relevant notes in the General Purpose Financial Statements provided as Appendix 1.2) END

Certificate

This is page 3 of 17 of the Management Reports to the Ordinary Meeting of the Upper Macquarie County Council to be held at the Blayney Shire Council Chambers, Blayney on Friday 6th August 2021

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
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ITEM 2. STATEMENT OF INVESTMENTS AS AT JUNE 30TH, 2021

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 June 30th, 2021.

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 the June 30th, 2021, Council's total funds invested under Section 625 of the Local Government Act 1993 amounted to \$1.2M of which \$200K is currently 'on notice' for near-term operational purposes. There is an amount of \$860K 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 the 30th June 2021 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.

OTHER FUNDS:

In addition to the investment funds set out in this report, on the reporting date Council had a further \$126K of cash held in the consolidated account for day-to-day operating purposes. See the graph included as **Table 4** for the applicable consolidated 'investment and other funds' position.

Certificate

This is page 4 of 17 of the Management Reports to the Ordinary Meeting of the Upper Macquarie County Council to be held at the Blayney Shire Council Chambers, Blayney on Friday 6th August 2021

**ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
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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 'on-hold' and 'on-notice' – have been 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 JUNE 30th 2021

Westpac Business 31 Day Notice Account			
Rate	Amount	Term	Due Date
0.25%	\$ 1,000,000	No set term	No due date
0.05%	\$ 200,000	On-Notice	N/A
TOTAL	\$ 1,200,000	Balance on Reporting Date.	

TABLE 2 - CASH ALLOCATION SCHEDULE – ON JUNE 30th 2021

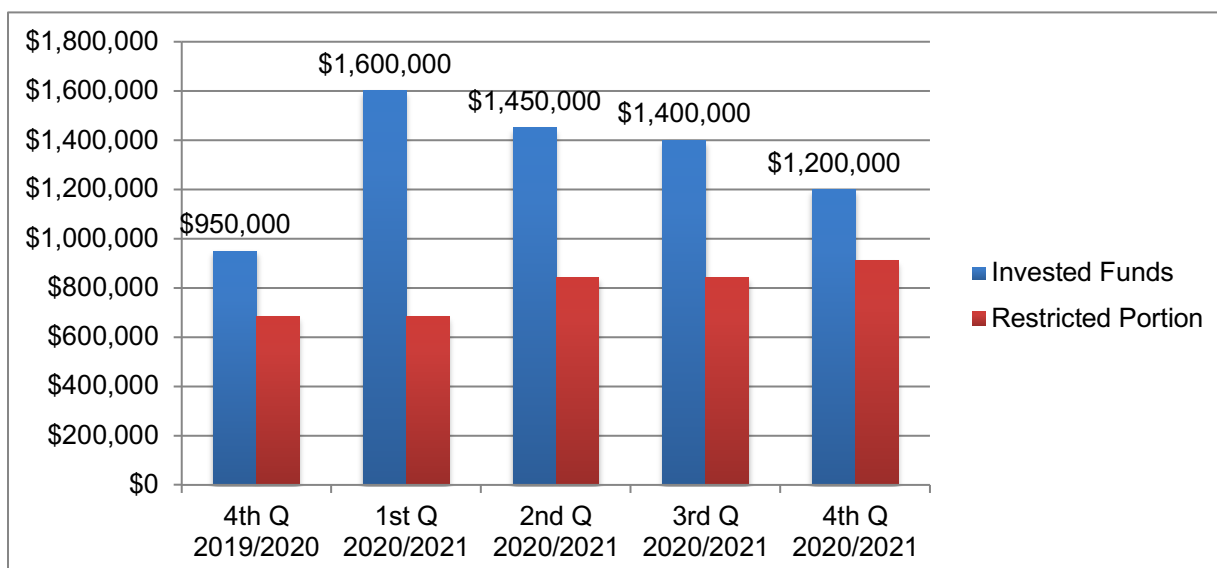


TABLE 3 - WESTPAC BANKING CORPORATION - CREDIT RATINGS

Certificate

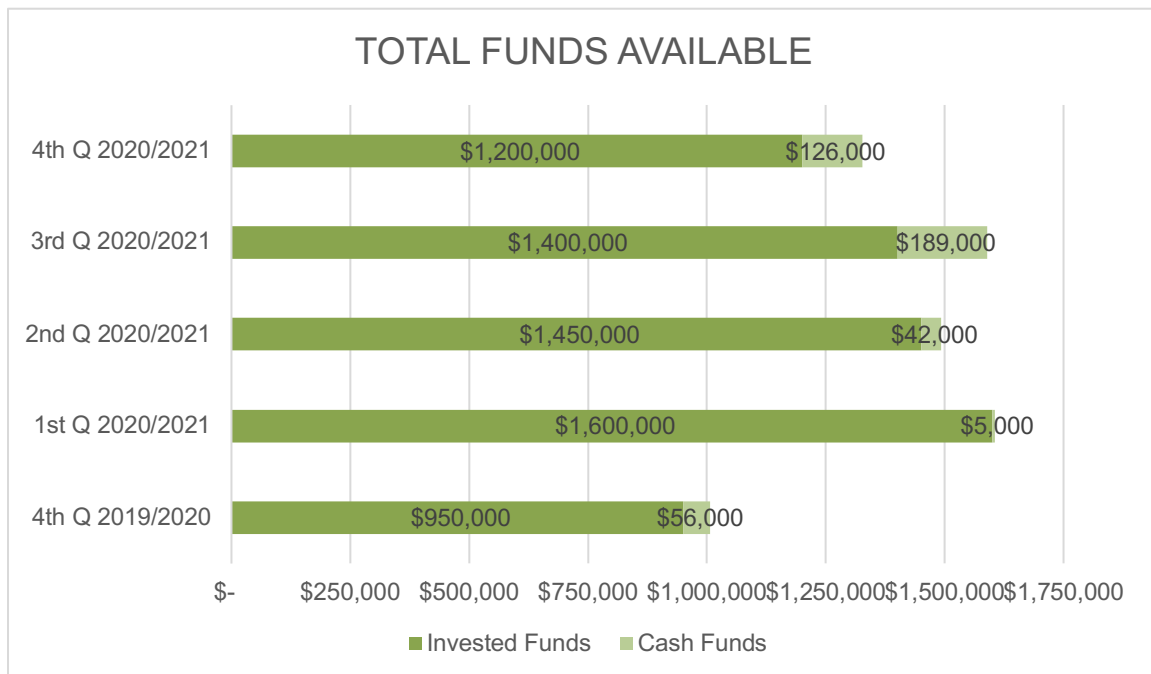
This is page 5 of 17 of the Management Reports to the Ordinary Meeting of the Upper Macquarie County Council to be held at the Blayney Shire Council Chambers, Blayney on Friday 6th August 2021

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(According to WBC 2020 Annual 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>

TABLE 4 – INVESTMENT FUNDS PLUS OTHER FUNDS ON JUNE 30th, 2021



Certificate

This is page 6 of 17 of the Management Reports to the Ordinary Meeting of the Upper Macquarie County Council to be held at the Blayney Shire Council Chambers, Blayney on Friday 6th August 2021

ITEM 3. COUNTY COUNCIL - END OF TERM REPORT

PURPOSE:

For Information.

Highlight the achievements of the County Council during the 4-year term to September 2021.

RECOMMENDATION:

Council notes the County Council end-of-term report for the period 2017 to 2021.

POSITION:

The term of the current governing body of the Upper Macquarie County Council began in September 2017 and (based on the most recent Covid related amendments) now ends in December 2021 instead of the standard September 2021.

Section 428(1) of the Local Government Act 1993 NSW (the Act) requires that the Council reports annually on its achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed (i.e. an Annual Report).

Section 428(2) of the Act requires that an *End-of-Term Report* is also prepared at the end of the year in which an ordinary election is to be held. Such report is typically tabled at the last meeting of the outgoing council - and must be included within the statutory Annual Report due to be published by the 30th November 2021.

The so-called *End-of-Term Report* addresses the Council's progress in implementing the Business Activity Strategic Plan during the term about to end. Under OLG Guidelines, this report only looks at 'outcomes' or *what have been the results for the community and council because of the activities undertaken*.

Given the conflicting requirements of Section 428(1), 428(2) and the recent extension to the current Council term to December 4th, 2021. The End of Term Report has been prepared and is presented to this meeting (as would be normal practice) in order that it can be incorporated into the Annual Report scheduled for presentation to the Ordinary Council Meeting Council in October 2021.

The End-of-Term Report is provided as **Attachment 1** herein.

FINANCIAL IMPLICATIONS:

There are no significant financial implications associated with this report.

END.

Certificate

This is page 7 of 17 of the Management Reports to the Ordinary Meeting of the Upper Macquarie County Council to be held at the Blayney Shire Council Chambers, Blayney on Friday 6th August 2021

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL
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ITEM 4. DELIVERY PROGRAM ANNUAL PROGRESS REPORT– 2020.2021

PURPOSE:

Submit the annual Delivery Program Progress Report for 2020.2021 to Council for information.

RECOMMENDATION:

For Information

The annual Delivery Program Progress Report for 2019.2020 is received and noted.

BACKGROUND:

The 10-year Business Activity Strategic Plan for the County Council is the 'master-plan' for the business, while the Delivery Program is a subset thereof that ought to articulate the medium-term program of activities, while the Annual Operating Plan sets out the annual program of activities.

The Council is required pursuant to the *Integrated Planning and Reporting Guidelines for Local Government in NSW* established in accordance with Section 406 of the Local Government Act 1993 NSW, to prepare a mid-year and an annual progress report relating to the Delivery Program. The Council then (later) uses this Delivery Program annual progress report to inform the report required pursuant to Section 428 of the Local Government Act 1993 NSW that is included within the Council's Annual Report.

The reports for both purposes relate to Council's achievements in implementing its delivery program and the effectiveness of its principal activities in achieving their objectives.

POSITION:

The Delivery Program Progress Report for 2020.2021 highlights a steady further improvement in the effectiveness, efficiency, and quality of the Council's weed biosecurity program and governance program activities.

The report is fairly self-explanatory as it is structured according to the established twelve key objectives as set out in the Business Activity Strategic Plan, and references issues and activities captured at both the strategic and medium-term planning levels.

The subject report is provided as **Appendix 4.1**.

FINANCIAL IMPLICATIONS:

There are no significant financial implications associated with this report.

END.

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ITEM 5. PECUNIARY INTEREST RETURNS FOR 2020/2021 RETURN PERIOD

PURPOSE:

For Information

To remind Council that the 'pecuniary interest returns' for the current year are to be completed by Council Members *and other Designated Persons* and submitted to the General Manager before 30th September 2021.

RECOMMENDATION:

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 30th September 2021.

BACKGROUND:

Part 4 Clause 4.21 of the Model Code of Conduct for Local Councils in NSW (2018) (the Code) provides that a Council Member or designated person holding that position at 30th June in any year must complete and lodge with the General Manager within 3 months after that date a return in the form prescribed by the regulations.

Clause 4.27 of the Code requires that information contained in returns made and lodged under Clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009 (the Act)*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

Within the context of Clause 4.27, at the Ordinary Meeting of the County Council held in February 2020, Council determined to not disclose the personal information of any Council Member to the public by any on-line means - limiting disclosure of personal information in response to requests from persons that identify themselves and attend the Council offices in-person. This determination was made following consideration of the public interest test made in accordance with section 13 of the Act (2009) that the over-riding public interest against disclosure (of the personal information of staff and members) significantly outweighs the public interest considerations in favor of disclosure.

POSITION:

Despite the term of office for each Member of the Council ceasing on the day of the upcoming local council elections, it should be noted that a *return* from each Member and designated person is still required to be submitted to the General Manager by the due date of 30th September 2021. The return is still required because the *return period* is July 1st, 2020, to June 30th, 2021 – a period in which all Members were still Members.

Once pecuniary interest returns are submitted, the General Manager in a register of returns will keep them, and the register will be tabled at the next scheduled Ordinary

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Council Meeting in accordance with requirements of Clause 4.25 and Clause 4.26 as applicable.

There are currently three Council staff members that are also 'designated persons' for the purpose of Part 4 Clause 4.8 of the Code.

END.

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ITEM 6. COUNTY COUNCIL MEETING SCHEDULE FOR 2021

PURPOSE:

For Information.

Highlight the remaining Council Meeting schedule for calendar year 2021.

RECOMMENDATION:

Council notes the next Ordinary Council Meeting is scheduled for 8th October 2021.

POSITION:

The recent extension of the County Council term from early September to early December 2021 should not impact on the approved Council Meeting schedule set out below, as the schedule was prepared based on a *reporting cycle* that was not interrupted by the election process at the initial date or by the re-scheduled date.

The Upper Macquarie County Council meeting schedule for the remainder of calendar year 2021 is provided below.

Date:	Meeting:
<u>4th September 2021</u>	<u>Local Council Elections – (Deferred)</u>
8 th October 2021	Ordinary Meeting (2.30 pm start @ Bathurst or Kelso as notified))
26 th November 2021	Ordinary Meeting (2.30 pm start @ Oberon TBC)
<u>4th December 2021</u>	<u>Local Council Elections – (Re-Scheduled)</u>

Note 1: *The Meeting Schedule may be amended by resolution of the Council from time to time and Extraordinary Council Meetings may be held in addition to the Schedule set out.*

Note 2. *During the Pandemic members of the public can only attend Meetings in person with prior approval and such approval to attend may be requested by contacting Council on 6338 2875 or admin@umcc.nsw.gov.au*

Note 3. *All the council meeting dates, the venues, and public access etc 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 or direction of the Chairman.*

END.

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ITEM 7. PUBLICITY FOR COUNCIL'S LEADING BIOSECURITY ACTIVITY

PURPOSE

For Information.

To secure agreement on the way forward with enhancement of the Council's *public profile* and publicity generally for Council's industry-leading weed biosecurity activities.

RECOMMENDATION:

Council endorses the use of appropriate existing budget funding so secure the services of suitable media / graphic design / editorial support to produce an ongoing suite of public relations material – that support both public image and service level imperatives.

REPORT

The Chairman and Deputy Chairman, noting these issues were previously considered at a Members Workshop in 2020, have asked for the matter to be placed on the Council Agenda for further consideration and subsequent action.

There is no doubt that a few years ago the 'reputation' or 'public image' of the County Council had been seriously tarnished as the local weed authority failed to effectively implement its core biosecurity duties, while concurrently damaging relations with key stakeholders.

Council has now well and truly redeemed itself in terms of actions and intent, where it is now effectively implementing the Council's core biosecurity duties and has largely repaired or rebuilt working relations with key stakeholders. Council is now setting examples and standards for others to follow and has a very positive story to tell.

Some practical achievements in relation to improving the image and credibility of the County Council in recent times include the following:

- a) Establishing and publishing an objective risk-based weed biosecurity compliance and enforcement system – AND following through with relevant enforcement levels.
- b) Presenting to the four constituent councils regarding our business and subsequently securing significant additional recurrent funding from them all.
- c) The restoration of a strong and effective working relationship with NSW Public land agencies.
- d) Attendance at numerous shows and field days and presenting to NSW farmers and Local Land Services weed control events.
- e) Periodic press releases on local weed authority activity. A strong response was obtained from the warning in 2019 that there is no do-nothing option and Penalties were on the way.
- f) Meetings with State and Commonwealth local Members to restore their confidence in our business.
- g) The LLS current request for UMCC to lead weed biosecurity system regarding public land across the central tablelands

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- h) Audit office report to Parliament 2019 giving special mention in the regarding being one of the few councils to have their 2018/2019 financial statements in and be unqualified (within the top 4%), and in 2020 being 1st.
- i) Acknowledgement by DPI, LLS and the State Weeds Committee in terms of Councils leading work.
- j) Bold action being taken to issue numerous Biosecurity Directions and issue Penalty Infringement Notices to recalcitrant landholders (now at 42 PINS).
- k) Recently being invited to present on the County Councils approach to public landholder weed biosecurity compliance at the Albury combined NSW and Victorian Weed Society Conference.

While there have been ongoing but modest efforts to connect with the public through shows and field days pre-Covid (for example) and submit periodic media releases to newspapers and radio – that passive ‘deed-driven’ approach is clearly now not acceptable to the Council with more being expected, and more that can be achieved with extra resources.

While the most obvious and cost-effective approach would involve tapping into the existing and more developed media outlets and communication networks in place for the four constituent councils (such as websites, social media, and mail-outs, etc) it may be that Council has other preferences as well.

As previously advised, neither the General Manager nor other staff have any expertise in the relevant fields of media-based public image, publicity, or profile management, nor do they currently have any surplus time to do more than has been done in the past. If more is to be done in this area, then external expertise and implementation resources will be required – not so much in providing *content* of which there is plenty but transforming that content into meaningful and attractive media products of public interest and inductive of public / stakeholder activation and altered perception and understanding of biosecurity matters.

END

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ITEM 8. WEED BIOSECURITY COMPLIANCE ACTIVITY

PURPOSE

For Information.

Update the County Council on the end-of-year status of weed biosecurity compliance activities during and at the end of 2020/2021 as applicable.

RECOMMENDATION:

Council notes the weed biosecurity compliance activity report.

REPORT

This report provides a summary of the weed biosecurity compliance activities of the County Council for the current financial year on an accumulating basis year to date.

The reporting period is the 12-month period from July 1st, 2020, to June 30th 2021.

During the reporting period there were 1,558 *inspections* of private land, public land, and linear pathways - covering a combined 194,000 hectares of land (including ~2,480 kms of linear pathways).

The following **Tables (1, 2, and 3)** provide several summary views of the year's inspection, compliance, and enforcement activities – based on constituent council area and the county district overall. **Table 4** provides a summary of the re-inspection workload (backlog and future requirements) at year-end on a property-type basis – compared to the previous year.

Table 1: Property Inspection Results - Weed Biosecurity Risk Detection

Local Council	Number	Area (ha)	Low Risk	High risk
Bathurst	456	85,000	247	209
Blayney	244	33,000	146	97
Lithgow	550	40,000	279	272
Oberon	308	36,000	178	130
UMCC Total	1558	194,000	850	708

Table 2: Property Inspection Results - Type and Quantity

Local Council	Number	1 st Inspections	Re-Inspections	Ave Property (ha)
Bathurst	456	330	126	186
Blayney	244	170	74	135

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Lithgow	550	340	210	73
Oberon	308	213	95	117
UMCC Total	1558	1053	505	120

Table 3: Property Inspection Responses - Enforcement Activity

<u>Local Council</u>	<u>Direction Given</u>	<u>Direction Extended</u>	<u>Penalty Issued</u>	<u>Action Pending#</u>
Bathurst	18	10	8	9
Blayney	14	7	4	14
Lithgow	23	17	9	2
Oberon	14	11	4	1
UMCC Total	69	45	25	26

[#Note: 'Action Pending' refers to recent inspection recommendations for a Direction or a Penalty that have not yet been fully processed.]

Table 4: Property Re-inspection Workload at June 30th 2021

<u>Inspection Period</u>	<u>Number</u>	<u>Private Land</u>	<u>Public Land</u>	<u>Linear Pathways</u>
Backlog @ 1/7/2020	33	3	4	26
Not Yet Due @ 1/7/2020	208	30	47	131
Weed Risk Un-controlled 30/6/20	241	33	51	157
Backlog @ 1/7/2021	166	68	25	73
Not Yet Due @ 1/7/2021	474	234	57	183
Weed Risk Un-controlled 30/6/21	640	302	82	256

END.

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ITEM 9. WEED BIOSECURITY RISK REGISTER – CONFIDENTIAL MATTER

PURPOSE

For Information. Assist the governing body of the Council in maintaining an informed oversight of the biosecurity compliance and enforcement activities of the Council, delivered through implementation of its Compliance & Enforcement Policy.

THE REPORT FOR THIS ITEM HAS BEEN CIRCULATED TO MEMBERS SEPERATELY.

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NOTICES OF MOTION

THERE ARE NO NOTICES OF MOTION TO THIS MEETING.

END.

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CONFIDENTIAL BUSINESS FOR THIS MEETING COMMENCES HERE.

THE 2 CONFIDENTIAL BUSINESS ITEMS are

- Item 9 - Weed Biosecurity Risk Register and the associated Appendices 9.1 and 9.2.
- Item Chairman Report – Annual Performance Review of General Manager

These reports have been CIRCULATED SEPARATELY.