

## Upper Macquarie County Council

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31<sup>st</sup> January 2020

The Chairman and Members of the County Council

### **Notice of Ordinary Meeting of the Upper Macquarie County Council - Friday 7th February 2020**

I advise that an Ordinary Meeting of the Upper Macquarie County Council will be held in the Council Chambers at Kelso on Friday, 7<sup>th</sup> February 2020 commencing at 2.30 pm.

Your attendance at this meeting is respectfully requested.

Yours sincerely

*David Young*

David Young  
**General Manager**

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL  
TO BE HELD ON FRIDAY 7<sup>TH</sup> FEBRUARY 2020

**BUSINESS AGENDA**

**ORDINARY MEETING OF THE UPPER MACQUARIE COUNTY COUNCIL**  
**TO BE HELD ON FRIDAY 7<sup>TH</sup> FEBRUARY 2020**

**1. MEETING COMMENCES @ 2.30 PM**

**2. RECORDING OF MEETING**

\* MEMBERS AND THE PUBLIC ARE ADVISED THAT THE PROCEEDINGS OF THIS MEETING (OTHER THAN ANY CONFIDENTIAL MATTERS) WILL BE RECORDED.

**3. APOLOGIES**

**4. PUBLIC QUESTIONS [NIL]**

**5. CONFIRMATION OF MINUTES [1]**

\* MINUTES - ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL HELD ON THE 6<sup>TH</sup> DECEMBER 2019.

**6. DISCLOSURE OF INTEREST**

**7. PRESENTATIONS [NIL]**

**8. COUNTY CHAIRMAN'S REPORT [NIL]**

**9. MANAGEMENT REPORT [7]**

**10. QUESTIONS, NOTICES, RESCISSIONS [NIL]**

**11. CONFIDENTIAL MATTERS [1]**

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

**\* Recommendation:**

- 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

**ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL  
TO BE HELD ON FRIDAY 7<sup>TH</sup> FEBRUARY 2020**

*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**

<b>REPORT</b>	<b>SUBJECT</b>	<b>REASON FOR CONFIDENTIALITY [SECTION OF THE ACT]</b>
<b>ITEM 8</b>	Report and Appendix 8.1 Detailed Weed Risk Register	Section 10A 2(a) personnel matters concerning particular individuals.

**12. RESOLVE INTO OPEN COUNCIL**

**\* Recommendation:**

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

**13. REPORT OF THE COMMITTEE OF THE WHOLE COUNCIL**

**\* Recommendation:**

*That the Report of the Committee of the Whole Council be adopted.*

**14. CLOSE OF MEETING**

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL  
TO BE HELD ON FRIDAY 7<sup>TH</sup> FEBRUARY 2020

**CONFIRMATION OF MINUTES**

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**Upper Macquarie County Council**

Minutes of the **Ordinary Meeting** of the Council held at the  
Council Chambers, 7 Lee Street Kelso, on  
**Friday 6<sup>th</sup> December 2019**

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**MEETING COMMENCEMENT**

The Chairperson declared the meeting open at 4.32pm.

**Note:** *The Chairperson was the Deputy Chairman.*

**ATTENDANCE**

The following members were present:

Council Members:

Cr. A. McKibbin [Deputy Chairman]  
Cr. D. Capel  
Cr. J. Fry  
Cr. D. Kingham  
Cr S. Lesslie  
Cr. B. Reynolds

The following staff attended:

General Manager, David Young  
Chief Weeds Officer, Chris Jackson  
Biosecurity Administration Officer, Lisa Monardo

**APOLOGIES**

**Moved:** Member Cr. Reynolds

**Seconded:** Member Cr. Capel

That Council accept apologies from The Chairman Cr. Ian North and Member Cr. Steve Ring.

**Resolved in the affirmative.**

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**Certificate**

This is page 1 of 5 pages of the Minutes of the Ordinary Meeting of the Upper Macquarie County Council held at the Council Chambers, Kelso, on Friday 6<sup>th</sup> December 2019.

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

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL  
TO BE HELD ON FRIDAY 7<sup>TH</sup> FEBRUARY 2020

**CONFIRMATION OF MINUTES**

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

The minutes of previous Council meetings listed below are confirmed.

*\* MINUTES - Ordinary Meeting of Upper Macquarie County Council held on the 1<sup>st</sup> November 2019.*

**Resolved in the affirmative.**

**DECLARATIONS OF INTEREST**

**Note:** There were no declarations made.

**MANAGEMENT REPORTS**

**ITEM 1. ACCESS TO PERSONAL INFORMATION**

**Moved** Member Cr. Capel  
**Seconded** Member Cr. Fry

1. The Council endorses the General Managers decision in relation to restricting the release of detailed personal information associated with the compliance and enforcement actions of authorised officers for individual properties.
2. The Council notes the General Manager's key reason for restricting the release of detailed personal information in this case is to minimise legal risk to the organisation and because personal information is not 'essential' information required by Members for the purposes of performing their role under Section 223 or 232 of the Local Government Act (1993).
3. The Council notes the General Manager will consult with the Chairman and Deputy Chairman with a view to incrementally further enhancing the schedules and maps of biosecurity information to be included in future reports to Council.

**Resolved in the affirmative.**

**Note:** *Cr. Kingham and Cr. Reynolds voted against this motion.*

**ITEM 2. STATEMENT OF INVESTMENTS AT 30<sup>TH</sup> NOVEMBER 2019**

**Moved** Member Cr. Reynolds  
**Seconded** Member Cr. Lesslie

That Council notes the report.

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**Certificate**

This is page 2 of 5 pages of the Minutes of the Ordinary Meeting of the Upper Macquarie County Council held at the Council Chambers, Kelso, on Friday 6<sup>th</sup> December 2019.

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

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL  
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**Resolved in the affirmative.**

**ITEM 3. EQUAL EMPLOYMENT OPPORTUNITY MANAGEMENT PLAN**

**Moved** Member Cr. Reynolds  
**Seconded** Member Cr. Fry

That the updated Equal Employment Opportunity Management Plan (2019-2022) be adopted.

**Resolved in the affirmative.**

**ITEM 4. WEED BIOSECURITY ACTIVITY REPORT**

**Moved** Member Cr. Lesslie  
**Seconded** Member Cr. Capel

1. The Council notes the discovery and biosecurity response in relation to Mexican Feather Grass in Lithgow.
2. The Council endorses increased flexibility when setting and reviewing compliance dates for landholders and landholdings seriously impacted by drought conditions.
3. The Council notes progress with the programs for roadside weed treatment within local council areas.

**Resolved in the affirmative**

**NOTICES OF MOTION 1 – MEMBER CR S. LESSLIE**

**Moved** Member Cr. Lesslie  
**Seconded** Member Cr. Kingham

That Council write to the Federal Member for Calare, Andrew Gee MP, requesting his support for having all county councils, that are constituted as local government authorities under the relevant State legislation, included as eligible recipients of annual Commonwealth Financial Assistance Grants paid under the provisions of the Commonwealth Local Government (Financial Assistance) Act, 1995.

**Resolved in the affirmative.**

*Note: Member Cr. Reynolds voted against this motion.*

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**Certificate**

This is page 3 of 5 pages of the Minutes of the Ordinary Meeting of the Upper Macquarie County Council held at the Council Chambers, Kelso, on Friday 6<sup>th</sup> December 2019.

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

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL  
TO BE HELD ON FRIDAY 7<sup>TH</sup> FEBRUARY 2020

**NOTICE OF MOTION 2 – MEMBER CR B. REYNOLDS**

**Moved** Member Cr. Reynolds  
**Seconded** Member Cr. Fry

“An independent investigation be undertaken into why the landholder along the Mitchell Highway, on the outskirts of Bathurst was only rated as a 1, while other nearby landholders were issued with Penalty Notices.”

**Note:** This notice of motion was withdrawn by Member Cr. Reynolds.

**NOTICE OF MOTION 3 – MEMBER CR B. REYNOLDS**

**Moved** Member Cr. Reynolds  
**Seconded** Member Cr. Capel

“UMCC undertake a review of the assessment system to better reflect the actual weed infestations, even if only on part of a property.”

**Note:** This notice of motion was withdrawn by Member Cr. Reynolds.

**NOTICE OF MOTION 4 – MEMBER CR B. REYNOLDS**

**Moved** Member Cr. Reynolds  
**Seconded** Member Cr. Kingham

“UMCC issue notices to John Holland Rail for the non control of priority weeds along the main western line and Blayney to Demondrille Line.”

**Note:** This notice of motion was withdrawn by Member Cr. Reynolds

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

**Moved** Member Cr. Reynolds  
**Seconded** Member Cr. Fry

*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.*

*b. Council resolve into closed Confidential Committee of the Whole Council to consider business identified as confidential, together with any confidential late*

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**Certificate**

This is page 4 of 5 pages of the Minutes of the Ordinary Meeting of the Upper Macquarie County Council held at the Council Chambers, Kelso, on Friday 6<sup>th</sup> December 2019.

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

**ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL  
TO BE HELD ON FRIDAY 7<sup>TH</sup> FEBRUARY 2020**

*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.*

Report	Subject	Reason for Confidentiality [Section of the Act]
Item 5.	Weed Risk Register	Section 10A 2(a) personal matters concerning particular matters.

**Resolved in the affirmative.**

**RESOLVE INTO OPEN COUNCIL**

**Mover** Member Cr. Reynolds  
**Second** Member Cr. Kingham

That Council move into open session of the Council Meeting

**Resolved in the affirmative.**

**ADOPT REPORT OF THE COMMITTEE OF THE WHOLE COUNCIL**

**Mover** Member Cr. Capel  
**Second** Member Cr. Reynolds

The Weed Risk Register report is noted.

**Resolved in the affirmative.**

**The Chairman declared the Meeting Closed at 6.04 pm**

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**Certificate**

This is page 5 of 5 pages of the Minutes of the Ordinary Meeting of the Upper Macquarie County Council held at the Council Chambers, Kelso, on Friday 6<sup>th</sup> December 2019.

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 7<sup>TH</sup> FEBRUARY 2020

**DISCLOSURE OF INTERESTS:**

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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.

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**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 Council Chambers, Kelso, on Friday 7<sup>th</sup> February 2020.

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TO BE HELD ON FRIDAY 7<sup>TH</sup> FEBRUARY 2020

**PRESENTATIONS:**

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**There are no presentations planned for this meeting.**

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**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 Council Chambers, Kelso, on Friday 7<sup>th</sup> February 2020.

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL  
TO BE HELD ON FRIDAY 7<sup>TH</sup> FEBRUARY 2020

**THE COUNTY CHAIRMAN'S REPORT:**

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**There is no Chairman's Report to this Meeting**

**Certificate**

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This is page 1 of 1 of the Chairman's Report to the Ordinary Meeting of the Upper Macquarie County Council held at the at the Council Chambers, Kelso, on Friday 7<sup>th</sup> February 2020.

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL  
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**MANAGEMENT REPORTS:**

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**Certificate**

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ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL  
TO BE HELD ON FRIDAY 7<sup>TH</sup> FEBRUARY 2020

**ITEM 1. STATEMENT OF INVESTMENTS AT 31<sup>ST</sup> DECEMBER 2019**

**PURPOSE:**

Provide Council with current details of all moneys that Council has invested under Section 625 of the Local Government Act (1993).

**BACKGROUND:**

Pursuant to section 625(2) of the Local Government Act (1993) the Minister issued a revised *Investment Order* (dated 12<sup>th</sup> January 2011) by way of an official notice in the NSW Government Gazette in February 2011. That order includes that a County Council may only invest money in a specified range of investments and only in Australian currency.

Investment funds are the cash funds held by council other than those in the consolidated account established under Clause 204 of the Local Government (General) Regulation (2005) - that are not required for operational purposes for the time being. This report is prepared in compliance with Clause 212 of that same Regulation.

**POSITION:**

As at the 31<sup>ST</sup> December 2019 Council's total funds invested under Section 625 of the Local Government Act (1993) amounted to \$1,150,000 with \$200,000 of those funds being on notice. Further details 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. The current months status is also included for comparison purposes.

The General Manager hereby certifies that all investment funds as at 31<sup>st</sup> December 2019 were invested in compliance with the current (2011) Ministerial *Investment Order* made under Section 625 of the Local Government Act (1993).

All investment funds are at this time held in a 31-day Notice saver Account with Westpac Banking Corporation.

**Table 3** shows the most recent published Westpac Banking Corporation credit rating from lead rating agencies.

**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.

Revenue risk issues associated with investment interest rates and investment balances are dealt with in each Quarterly Budget Review Statement reported separately.

**Certificate**

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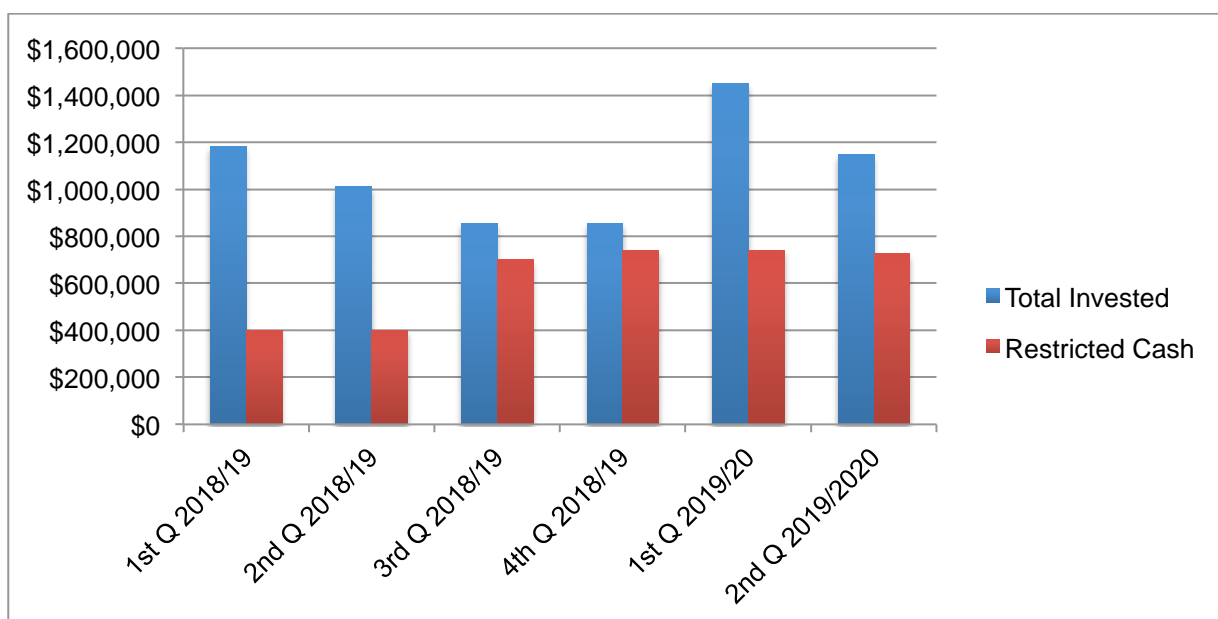
**RECOMMENDATION:**

That Council notes the report.

**TABLE 1 - UMCC INVESTMENT SCHEDULE – AS AT DECEMBER 31<sup>ST</sup> 2019**

Westpac Business 31 Day Notice Account 31 December 2019			
Rate	Amount	Term	Due Date
1.65%	\$950,000	No set term	No due date
1.10%	\$200,000	31 Days	No due date
<b>TOTAL</b>	<b>\$1,150,000</b>		

**TABLE 2 - CASH ALLOCATION SCHEDULE – AS AT 31 DECEMBER 2019**



**TABLE 3 - WESTPAC BANKING CORPORATION - CURRENT CREDIT RATINGS**

(According to WBC website):

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

**Certificate**

This is page 3 of 20 of the Management Reports to the Ordinary Meeting of the Upper Macquarie County Council held at the at the Council Chambers, Kelso, on Friday 7<sup>th</sup> February 2020.

**ITEM 2. QUARTERLY BUDGET REVIEW STATEMENT NO.2 FOR 2019.2020  
FINANCIAL YEAR**

**PURPOSE:**

Present the Quarterly Budget Review Statement No2 for 2019.2020 to Council.

**BACKGROUND:**

Clause 203(1) of the Local Government (General) Regulation (2005) requires the General Manager as Council's responsible accounting officer to prepare and submit a **quarterly budget review statement** (QBRs) to the governing body of council.

The QBRs presents a summary of council's financial position at the end of each quarter. It is the mechanism whereby Members and the community are informed of council's progress against the annual operational plan (original budget) and the last revised budget along with recommended changes and reasons for any major variances.

**POSITION:**

The County Council QBRs is prepared in accordance with the requirements of the Regulations as applicable – and is presented on a 'consolidated activity' accrual basis to best reflect the nature of the County Council's business operations.

The minimum requirements for the QBRs are set out in the *Code of Accounting Practice and Financial Reporting* and form part of the legislative framework in accordance with clause 203(3) of the Local Government (General) Regulations (2005).

The Quarterly Budget Review Statement for the 6 months period ending 31<sup>st</sup> December 2019 is provided as **Appendix 2.1**.

**FINANCIAL STATEMENT:**

The General Manager as the Responsible Accounting Officer is of the opinion that the Quarterly Budget Review Statement for Upper Macquarie County Council for the quarter ended 31/12/2019 indicates that Council's projected financial position at 30/06/2020 will be satisfactory, having regard to the net cost of operations compared to the projected estimates of income and expenditure and the original budgeted income and expenditure.

There are no proposals to revise the current budget at this time. At this stage, it is considered too early in the financial year to properly assess the likelihood of staging the Autumn Aerial Spray Program or not. It is likely however that if it goes ahead it will be scaled back somewhat due to drought related environmental and financial conditions.

**RECOMMENDATION:**

That Council adopt the Quarterly Budget Review Statement (July 1<sup>st</sup> 2019 to December 31<sup>st</sup> 2019) prepared by the General Manager as the Responsible Accounting Officer.

**Certificate**

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This is page 4 of 20 of the Management Reports to the Ordinary Meeting of the Upper Macquarie County Council held at the at the Council Chambers, Kelso, on Friday 7<sup>th</sup> February 2020.



**ITEM 3. DELIVERY PROGRAM – HALF YEAR PROGRESS REPORT**

**PURPOSE:**

Submit the 2019/ 2020 Delivery Program – Half Year Progress Report to Council for information.

**BACKGROUND:**

The Delivery Program is Council's four-year plan that is normally prepared soon after a new council is elected. The program is also the medium-term planning document that seeks to implement the 10-year Business Activity Strategic Plan for the current council term, and forms the basis upon which the Annual Operating Plan is prepared.

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), to prepare a mid-year and an annual progress report relating to the Delivery Program. The Council then selectively uses the contents of these progress reports as contributions to the report required pursuant to Section 428 of the Local Government Act (1993) that has to be included within the Council's Annual Report. The reports for both purposes relates to Council's achievements in implementing its delivery program and the effectiveness of its principle activities in achieving their objectives.

The 'Delivery Program – Half Year Progress Report' is provided as **Appendix 3.1**.

**POSITION:**

It should be noted that because of the single purpose nature of the County Council business operations, the established Delivery Program is largely integrated into the Business Activity Strategic Plan adopted in June 2018. This approach gives greater focus on the County Council's responsibilities under the Biosecurity Act, and de-emphasises the previous focus on reporting on local council matters that are either irrelevant or less significant to a County Council.

In summary the position at half year is as follows:

- a. The business is operating within annual budget constraints and is expected to achieve a satisfactory financial result at years end. While expenditure is about \$30,000 ahead of budget YTD this is only a seasonal timing-issue, primarily the result of the roadside weed spraying program being brought.
- b. The Council has met all of its legal duties and obligations set under the Local Government Act and the Biosecurity Act.
- c. Biosecurity property inspection activity has involved assessing weed risk on 715 properties with the result that 334 properties were found to be low-risk following Notice to Inspect, and a further 37 high risk properties were reduced to low-risk following issue of Weed Control Notices.
- d. Overall weed risk reduction from inspections during the reporting period has accounted for 22,500 ha (excluding roads).

**Certificate**

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- e. The roadside weed treatment program for local council roads progressed to control priority weeds on 59 roads extending for some 620 kms.
- f. A spring 2019 landholder aerial weed treatment service was undertaken involving 47 contracts with the result that priority weeds 1,123 hectares of private land were controlled.

**RECOMMENDATION:**

That Council notes the 2019/2020 Delivery Program – Half Year Progress Report.

**Certificate**

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**ITEM 4. ENTERPRISE RISK REGISTER**

**PURPOSE:**

Submit the Enterprise Risk Register to Council for adoption.

**BACKGROUND**

The Council considered a schedule of strategic risks at the September 2019 Council Workshop, as a precursor to preparing an Enterprise Risk Register. Since that time the Council adopted a Risk Management Policy in November 2019, and management completed an enterprise risk management workshop with a consultant from *Jardine Lloyd Thomas* and insurer Statewide in late 2019. The proposed Enterprise Risk Register (2020) has now been produced for Council consideration.

The draft confidential strategic risk schedule considered at the September 2019 Council Workshop along with the Risk Management Policy adopted by Council in 2019 – were used as background reference information for this report. It should be noted that the ‘additional control’ referenced in the schedule are currently underway and are expected to further (slightly) enhance the Enterprise Risk Register residual risk ratings.

**THE RISK REGISTER**

An Enterprise Risk Register is an important part of guiding and focusing Council decision-making towards a risk management approach to business at both a strategic (governing body and corporate management) level and at a works and services delivery (operational) level.

The proposed Enterprise Risk Register is provided as **Appendix 4.1** along with the related *Risk Appetite Statements* provided as **Appendix 4.2**.

The Enterprise Risk Register aims to highlight the key areas of inherent risk that, uncontrolled, have the potential to impact the Council in ways and to an extent that it's viability or general capacity to operate is extinguished or otherwise significantly compromised. Further it then identifies the various key treatments or controls (but not all) that are already in place and the effect that those measures are estimated to have in order to show the residual risk. If a residual risk is considered *too high* then additional treatments or controls should be identified.

The Council has in it's Risk Management Policy already taken the position that *residual risk* of ‘high’ or ‘very high’ is generally unacceptable risk, and *residual risk* of ‘moderate’ or ‘low’ is generally acceptable risk. This position would in future – if the *Risk Appetite Statements* are endorsed – be implemented at an operational / individual issue level by the risk appetite positions stated therein.

It is important to note when considering the Enterprise Risk Register that it is a decision-support tool only, and should be used in conjunction with the Risk Management Policy and other relevant information available at the time.

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**RECOMMENDATION**

1. That Council endorse the Risk Appetite Statements as presented.
2. That Council adopt the Enterprise Risk Register as presented.

**Certificate**

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This is page 8 of 20 of the Management Reports to the Ordinary Meeting of the Upper Macquarie County Council held at the at the Council Chambers, Kelso, on Friday 7<sup>th</sup> February 2020.

ORDINARY MEETING OF UPPER MACQUARIE COUNTY COUNCIL  
TO BE HELD ON FRIDAY 7<sup>TH</sup> FEBRUARY 2020

**ITEM 5. PECUNIARY INTEREST RETURNS – PRIVACY ISSUES**

**PURPOSE:**

Address the Councils security concern associated with the public release of 'personal information' from annual pecuniary interest returns.

**BACKGROUND:**

In conjunction with the introduction of the New Model Code of Conduct (2018) made under the provisions of Section 440 of the Local Government Act, Part 4 of the Model Code of Conduct became the source of the requirements for managing disclosures of pecuniary interest - instead of the Local Government Act provisions that were concurrently repealed.

In September 2019 the Information & Privacy Commissioner (IPC) issued a *Guideline 1* for disclosure of all information contained in the annual returns declaring the interest of councillors and designate persons under the Local Government (Public Access) Act 2009 (NSW). This release highlighted the requirements to make all 'public access information' (particularly disclosures of interests) available on a council's website – which is an issue of security concern to the Council.

Standard practice for some years has been that a Council member or designated person holding that position at 30<sup>th</sup> 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. The interests to be disclosed in returns are those defined in Division 2 of the Local Government (General) Regulation (2005). An identifiable member of the public upon request can in-person, review such returns at the Council offices.

At the 2019 LGNSW Annual Conference, it was resolved that LGNSW (1) "strongly object to the requirements for Returns of Interest Disclosures being published on any website as proposed by the IPC draft guidelines", and (2) "urges relevant authorities including but not limited to the OLG, IPC and Ministers to reverse the IPC requirement to publish Returns of Interest Disclosures on any website and ask the Premier to intervene for the protection and safety of councillors and staff".

**POSITION:**

It should be noted that the IPC guidelines are intended to assist councils to comply with the *Government Information (Public Access) Act 2009* (GIPA Act) regarding mandatory proactive release of information, specifically regarding returns disclosing the interests of councillors and designated persons. Despite Section 15(b) of the GIPA Act (2009) providing that a council must (only) *have regard to* Guidelines issued by the Information Commissioner - the Guideline itself is not the source of the obligation presenting a security concern to the Council it simply emphasises it.

It is actually the existing Section 6 (1) of the GIPA Act that requires a Council to make the government information that is open access information publicly available **unless** there is an overriding public interest against disclosure of the information. Further,

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Schedule 1 of the GIPA Regulation 2018 prescribes in Section 2(a) that the returns of the interests of councillors, designated persons and delegates, are open access information.

There are various other sections of the GIPA Act (2009) that deal with 'presumption in favor of disclosure', 'open access information' and 'over-riding public interest against disclosure'.

**WAY FORWARD:**

Recent information from the Office of Local Government makes it clear that determining the minimum disclosure requirements, for the relevant council, is a matter for that Council to determine. Such determination must however be made within the context of the relevant provisions of the GIPA Act (2009).

Accordingly the recommended way to deal with the council's security concerns relating to disclosure of *pecuniary interest declarations* is to undertake a 'disclosure risk assessment' in a form consistent with the concepts set out in Section 5 and Section 6 of the GIPA Act (2009) and in accordance with the '*public interest test*' process defined in Section 12, 13, and 14 of the Act.

In the above context, a risk management assessment should be undertaken in accordance with the Council's Risk Management Policy, so as to provide a meaningful view of how the *public interest considerations in favor of disclosure* compare on a risk rated basis with the *overriding public interest against disclosure*.

If the risk-assessment identifies an over-riding public interest against disclosure, then the information should not be disclosed, and conversely if the risk-assessment fails to identify an over-riding public interest against disclosure – then the information should be disclosed.

**DISCLOSURE RISK ASSESSMENT:**

**Section 13** of the Act provides a public interest test to see if there is an ***overriding public interest against disclosure*** of Council information for the purposes of this Act if (and only if) there are public interest considerations against disclosure and, on balance, those considerations outweigh the public interest considerations in favour of disclosure.

- 1) **Section 12** of the Act prescribes the pro-disclosure considerations that may be taken into account. There are 5 potentially relevant criteria for the public interest test set out within. Each criterion has been assessed for its relevance to the nature of the County Council context – none of them are relevant to the issue being considered here.

The only pro-disclosure consideration of relevance is the inclusion of returns of the interests of councillors, designated persons and delegates, as open access information in Schedule 1 Section 2(a) of the GIPA Regulation 2018.

It should also be noted that the inclusion of such returns of the interests of councillors, designated persons and delegates, as open access information is

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largely based on the situation for local councils where they regularly make decisions relating to property development, land planning matters and capital developments etc – none of which apply to the County Council that is solely a local weed control authority.

- 2) **Section 14** of the Act prescribes the non-disclosure considerations. There are 38 potentially relevant criteria for a public interest test set out therein. The relevant ones are referred to here to be taken into account.

The only non-disclosure considerations of relevance are those where there is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to have one or more of the following effects (whether in a particular case or generally):

- a) the impact on **responsible and effective government** (relating to staff involved in enforcement decisions) being \*prejudice the effective exercise by an agency of the agency's functions, \* prejudice the prevention, detection or investigation of a contravention or possible contravention of the law or prejudice the enforcement of the law, and \* endanger, or prejudice any system or procedure for protecting, the life, health or safety of any person; and
- b) the impact on **individual rights, judicial processes and natural justice** (relating to staff and members) where there is a public interest consideration against disclosure of information if disclosure of the information could reasonably be expected to have one or more of the following effects: \*reveal an individual's personal information, \*contravene an information protection principle under the *Privacy and Personal Information Protection Act (1998)* \*expose a person to a risk of harm or of serious harassment or serious intimidation.

**RISK RESULTS:**

A risk assessment was undertaken by the General Manager and circulated to Council Members separately for their information. The following is a summary of the risk assessment findings:

In considering the disclosure risks (of making returns of the interests of councillors, designated persons and delegates publicly available) in terms of each of the relevant criteria it was found as follows:

- 1) There has been a recent incident with potentially extreme consequences - highlighting information release exposes a person to a risk of harm or serious harassment or serious intimidation.
- 2) Identification of staff and members through disclosure of personal information may compromise fulfilment of the Council's duty under Section 3 of the Work Health & Safety Act (2011) in terms of the principle regarding 'giving the highest level of

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protection against harm to their health, safety and welfare from hazards and risks arising from work'.

- 3) Identification of staff and members through disclosure of personal information may prejudice the effective exercise by the authority of the authorities' functions - through facilitating serious harassment or serious intimidation.
- 4) Identification of staff and members through disclosure of personal information may prejudice the prevention, detection or investigation of a contravention or possible contravention of the law or prejudice the enforcement of the law - through serious harassment or serious intimidation.

In accordance with the Council's Risk Management Policy and the range of duties owed to council staff and members, the uncontrolled public release of personal information (for the above reasons) is VERY HIGH RISK and such activity must therefore cease if commenced and not resume without adequate controls being put in place.

The risk assessment (See **Appendix 5.1**) considered the three alternatives and associated risk ratings as follows:

- (1) complete non-disclosure of any pecuniary interest information = LOW RISK;
- (2) non-disclosure of any personal information contained within any pecuniary interest information = MEDIUM RISK; and
- (3) limited / controlled disclosure of any personal information contained within any pecuniary interest information = HIGH RISK.

Under the Council's Risk Management Policy only alternatives (1) or (2) above involve acceptable levels of risk and hence the recommendations of this report are composed accordingly. This includes a higher level of control being proposed for designated staff, as distinct from members, due to the staffs direct operational role in delivering legal compliance activity and enforcement decision-making.

In the context of the county council operating environment and the requirements of the *public interest test*, it is clear that value of public disclosure of the personal information of staff and members of the County Council is minimal and the impact of public disclosure of personal information is potentially catastrophic for the persons involved. Hence the public interest test finds that the over-riding public interest against disclosure significantly outweighs the public interest considerations in favor of disclosure for Upper Macquarie County Council as a Local Weed Control Authority.

**RECOMMENDATION:**

That in relation to personal information contained within returns of the interests of councillors and designated persons, the Council:

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- 1) Notes that the roles and functions of the County Council are significantly different (in information disclosure logic terms) from local government in the context of it being a single purpose compliance and enforcement authority with no statutory planning, development or building functions and no land assets.
- 2) Endorses the findings of the public interest test that the over-riding public interest against disclosure (of the personal information of staff and members) significantly outweighs the public interest considerations in favour of disclosure.
- 3) Determines 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.
- 4) Determines to not disclose the personal information of any designated staff (involved with legal compliance and enforcement decision-making) to the public by any on-line or in-person means - limiting the disclosure of non-personal information in response to requests from persons that identify themselves and attend the Council offices in-person.

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**ITEM 6. UPDATED COUNCIL MEETING SCHEDULE FOR 2020**

**PURPOSE:**

To remind Councillors of currently scheduled meeting dates for Ordinary Council Meetings and Workshops in 2020, and related matters.

**POSITION:**

The scheduled meeting dates for Ordinary Council Meetings for 2020 (including proposed changes raised by email in December 2019\*) are as follows:-

<b>Date</b>	<b>Type of meeting</b>	<b>Key Business</b>
7/02/2020	Ordinary Meeting	Ordinary Business, QBRs
*17/04/2020	Ordinary Meeting	Draft Annual Operating Plans & Budget
*17/04/2020	Confidential Workshop	TBC
19/06/2020	Ordinary Meeting	Annual Operating Plans & Budget
31/07/2020	Ordinary Meeting	Annual Financial Statements, QBRs
<i>12/09/2020</i>	<i>Local Council Elections</i>	
*9/10/2020	Ordinary Meeting	Auditors Reports & Public Meeting
*9/10/2020	Confidential Workshop	TBC
13/11/2020	Ordinary Meeting	Annual Reports, QBRs
4/12/2020	Ordinary Meeting	Ordinary Business

Ordinary Council Meetings will commence at 2.30pm with the exception of the December Ordinary Council Meeting that shall, unless otherwise determined, commence at 4.30pm.

Council Workshops will commence immediately after a prior Ordinary Council Meeting is closed.

**WORKSHOP AGENDA ITEMS:**

The first workshop for the year is scheduled for April 2020. The key agenda item at this stage is "Implementation of the Weed Biosecurity Compliance and Enforcement System".

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**FINANCIAL IMPLICATIONS:**

Costs of meetings are contained within existing budgets.

**RECOMMENDATION:**

That the updated 2020 meeting schedule be noted.

**Certificate**

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## ITEM 7. WEED BIOSECURITY ACTIVITY REPORT

### PURPOSE

To assist the governing body of the Council in maintaining an informed oversight of the biosecurity activities of the Council, delivered by its biosecurity officers under delegation.

### BACKGROUND

The weed biosecurity operational business of the County Council is authorised under the Biosecurity Act (2015) in its capacity as a local (weed) control authority (LCA).

Consistent with the Biosecurity Act (2015) and County Council Biosecurity Compliance & Enforcement Policy (2018) - the operational focus is on implementation of a comprehensive property inspection and weed risk assessment process for both private and public landholdings. The inspection program is supplemented (subject to seasonal conditions) by strategic treatment programs targeting priority weeds for (1) 'opt-in' private landholdings and (2) high-risk pathways for local councils under the roadsides weed treatment program.

The Council's governing body has no role to play in relation to detailed weed biosecurity operational matters or individual property related issues.

### LOCAL COUNCIL ROADSIDES TREATMENT PROGRAM

Approximately 575 kms of roadsides within 57 roads have been treated for priority weeds during the reporting period. The roadsides weed treatment program approved by the Council for 2019-2020 commenced in mid-spring and has progressed at different rates depending on local environmental conditions, target weeds, and contractor availability. Work was suspended in most areas late in December 2019 due to lack of rainfall, and will continue subject to available funds during autumn when and where local weather conditions are suitable - with a particular focus now on treating blackberry infested target roads.

The following is a summary of progress with the program so far this year:

Bathurst: Completed 20 roads extending over 335 kms. Program well advanced.
Blayney: Completed 16.5 roads extending over 100 kms. Program near completion.
Lithgow: Completed 18 roads extending over 157 kms. Interrupted by bushfires. Program advanced halfway.
Oberon: Completed 4.5 roads extending over 31 kms. Major Blackberry infested roads have been delayed into Autumn. Program advanced less than halfway.

### NOTE 1:

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*Biosecurity Officers are monitoring changing roadside weed treatment conditions taking place across all areas in conjunction with property inspection activity, so that areas that have had rain can be identified to assist with targeting weed treatment activities while avoiding excessively dry areas.*

**STATE FOREST TREATMENT PROGRAM**

Fourteen (14) Weed Control Notices (primarily in the Oberon area) have been issued to Forestry Corporation for the current weed control season accounting for some 2,400 ha of forest perimeters and road related areas. Discussions regarding operational requirements have been undertaken with forestry officers, and commercial terms have commenced regarding opportunities for the County Council to include forestry roads in with the local council roads treatment program. Such discussions stalled in December 2019 due to the outbreak of bushfires locally in areas of Oberon and Lithgow and in other forest areas across the state. Accordingly given Forestry Corporation's total resource commitment to dealing with bushfire issues locally and in the southern and northern forest areas of NSW the local weed control program has not substantially commenced. Once the statewide fire risk reduces it is expected Forestry Corporation's weed control program for 2019/2020 will recommence.

In addition, new inspections by the council will be completed in time for a suite of new weed control notices to be issued for the 2020/2021 weed treatment seasons.

**RAILWAY CORRIDOR TREATMENT PROGRAM**

Four (4) Weed Control Notices – covering 100 inspections - have been issued to Transport for NSW for the current weed control season accounting for some 104 kms of railway corridor. John Holland, on behalf of Transport for NSW commenced compliance with the notices early in spring 2019 and has progressed substantially. During the reporting period John Holland have advised that they are well advanced with treating the areas set out in the Weed Control Notices, and they expect to have all of the work completed by June 30 2020. Formal verification of the subject work having been undertaken has not yet taken place.

The John Holland weed control program was suspended in late December 2019 due to dry weather conditions and staff on leave – it should and recommence when conditions become suitable in the autumn.

In addition, new inspections by the council will be completed in time for a suite of new weed control notices to be issued for the 2020/2021 weed treatment seasons.

**WEED BIOSECURITY INCIDENTS**

The Mexican Feather Grass (*Nassella tenuissima*) found growing in Lithgow late in 2019 has now been destroyed with a monitoring plan having been developed for implementation by the County Council, in conjunction with Central Tablelands LLS and NSW DPI. The direct cost of dealing with the Mexican Feather Grass incident is recoverable from NSW DPI.

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**PROPERTY INSPECTION PROGRAM**

The 2019 / 2020 property inspection program is progressing in all local council areas.

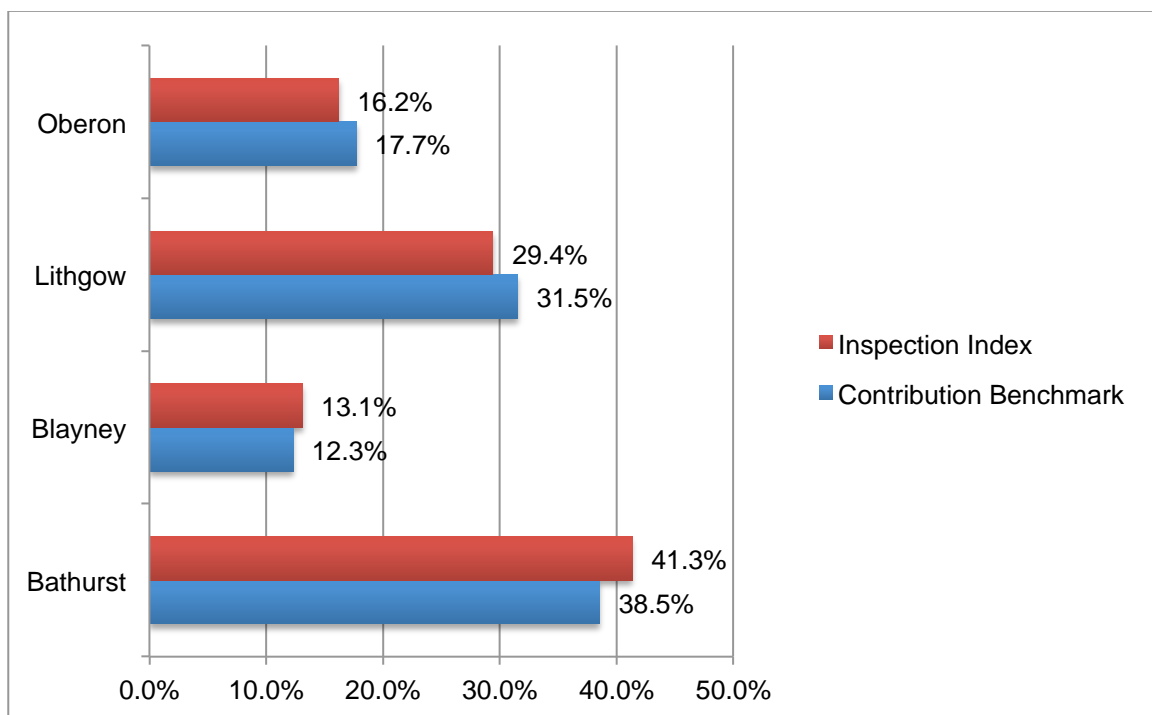
Inspection data in this report refers to the period ending December 31st 2019.

For the 6-month period from July 1<sup>st</sup> to December 31<sup>st</sup> 2019 there were 715 inspections undertaken (including 125 re-inspections) covering approximately 72,000 hectares of land and 960 kms of linear reserves as follows:

- 581 inspections were of private property (~69,000 ha),
- 49 inspections were of public land (3,000 ha), and
- 85 inspections were of public high-risk pathways (960 kms/ 1,828ha)

The Year-to-Date allocation of property inspection resources between local council areas, using the *inspection index* compared to the long-term target *contribution benchmark*, is set out in the following:

**Graph 1**



**Graph 1** provides a summary of property inspection activity carried out across the County area of operations during the 1<sup>st</sup> six months of the 2019/ 2020 financial year.

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The Year-to-Date property inspection weed risk rating results between local council areas, using the *risk rating system* is set out in the following:

**Table 1**

RISK RESULTS	Rating 1	Rating 2	Rating 3	Rating 4
<b>Bathurst</b>	69	75	104	26
<b>Blayney</b>	15	22	40	10
<b>Lithgow</b>	68	61	88	27
<b>Oberon</b>	26	32	21	31
	178	190	253	94

**Table 1** provides a summary of property inspection risk results from inspection activity carried out across the County area of operations during the 1<sup>st</sup> six months of the 2019/ 2020 financial year. The *higher weed risk* capture rate is still close to 50% up from the initial <30% when the system started.

**RECOMMENDATION:**

The weed biosecurity activity report be noted.

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**ITEM 8. WEED RISK REGISTER – CONFIDENTIAL ITEM**

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

**Certificate**

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**CONFIDENTIAL BUSINESS FOR THIS MEETING COMMENCES HERE.**

**THE ONLY CONFIDENTIAL BUSINESS ITEM is  
Item 8 and the associated Appendix 8.1 the Weed Risk Register.**

**The report for this item has been CIRCULATED SEPARATELY.**

UPPER MACQUARIE COUNTY COUNCIL

ORDINARY COUNCIL MEETING

ORDINARY APPENDICES

TO MANAGEMENT REPORTS

FOR

7<sup>th</sup> February 2020

**Certificate**

This is the [ORDINARY REPORT APPENDICES](#) to the Ordinary Meeting of the Upper Macquarie County Council held at the Council Chambers, Kelso, on Friday 7<sup>th</sup> February 2020.

UPPER MACQUARIE COUNTY COUNCIL

## 2<sup>nd</sup> QUARTERLY BUDGET REVIEW STATEMENT

For the Period July 1<sup>st</sup> 2019 to December 31<sup>st</sup> 2019.

This report has been prepared in accordance with the requirements of Clause 203 of the NSW Local Government (General) Regulation (2005)

# UPPER MACQUARIE COUNTY COUNCIL

## EXECUTIVE SUMMARY

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The Upper Macquarie County Council Quarterly Budget Review Statement (QBRS) is prepared on a 'consolidated activity' accrual basis to reflect the single purpose nature of the business.

The QBRS presents a progressive summary of council's financial position at the end of each quarter. It is the mechanism whereby Council Members and the community are informed of council's progress against the annual operational plan (original budget) and the last revised budget along with recommended changes and reasons for major variances.

There is only one potentially significant, budget variation for the year in terms of both income and expenditure – the extent to which the discretionary aerial spraying work program proceeds or does not in autumn. For this budget item, any reduced income can be substantially offset by a corresponding reduction in expenditure in the program.

At this stage, the previously reported vehicle cost issue, and interest rates issue have both stabilised in the near term.

Overall the budget position year to date and projections to year-end are satisfactory at this stage with no known material impact on cash and investments or implementation of the Councils core functions associated with the operational plan.

Taking into account the potential impact from one or more of the three budget risk items referred to above being realised, the following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005.

*“As General Manager and the Responsible Accounting Officer for Upper Macquarie County Council it is my opinion that the 1<sup>st</sup> Quarterly Budget Review Statement for Upper Macquarie County Council for the quarter ended 30/09/2019 indicates that Council's projected financial position at 30/06/2020 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.”*

Signed:

Date: 31<sup>st</sup> January 2020

*David Young*

David Young  
General Manager  
Responsible Accounting Officer,  
Upper Macquarie County Council

UPPER MACQUARIE COUNTY COUNCIL

Table 1

Upper Macquarie County Council								
Quarterly Budget Review Statement						1st 1/2 - July 1st 2019 to December 31st 2019		
INCOME & EXPENSES								
Income & Expenses	Original	Approved Changes		Adjustments	Position		Original	Actual
2019.2020 Financial Year	Original	Sep 1/4	Revised	Recommended	Projected	Variation	YTD	YTD
Consolidated Activity Base	Budget	Review	Budget	For Council	End Year	End Year	Budget	Accrual
	(\$)	(\$)	(\$)	(\$)	(\$)	%	(\$)	(\$)
<b>Income:</b>								
<i>Operating Contributions</i>	646,369		646,369		646,369	0%	323,184	323,184
<i>Operating Grant</i>	334,859		334,859		334,859	0%	167,430	171,764
<i>Interest on Investments</i>	20,000		20,000		20,000	0%	10,000	11,336
<i>User Charges and Fees</i>	598,400		598,400		598,400	0%	299,200	228,048
<i>Transfer IN FROM Cash Reserves</i>	-	14,000	14,000		14,000		-	-
<b>Total Income from Continuing Operations</b>	<b>1,599,628</b>	<b>14,000</b>	<b>1,613,628</b>	<b>-</b>	<b>1,613,628</b>	<b>0.0%</b>	<b>799,814</b>	<b>734,332</b>
<b>Expenses:</b>								
<i>Governing Body</i>	57,572		57,572		57,572	0%	28,786	27,076
<i>General Management</i>	258,939		258,939		258,939	0%	129,740	129,230
<i>Biosecurity Compliance</i>	547,115		547,115		547,115	0%	273,558	268,767
<i>Roadside Weed Control</i>	153,367		153,367		153,367	0%	76,683	109,418
<i>Landholder Weed Services</i>	527,000		527,000		527,000	0%	263,500	204,923
<i>Depreciation</i>	52,000		52,000		52,000	0%	26,000	26,000
<i>Transfer OUT TO Cash Reserves</i>			-		-			
<i>Council Project Expenses</i>		14,000	14,000		14,000		-	3,665
<b>Total Expenses from Continuing Operations</b>	<b>1,595,993</b>	<b>14,000</b>	<b>1,609,993</b>	<b>-</b>	<b>1,609,993</b>	<b>0.0%</b>	<b>798,267</b>	<b>769,079</b>
<b>Net Operating Result from Continuing Operations</b>	<b>3,635</b>	<b>-</b>	<b>3,635</b>	<b>-</b>	<b>3,635</b>		<b>1,547</b>	<b>(34,747)</b>

2<sup>nd</sup> QUARTERLY BUDGET REVIEW STATEMENT  
For the Period July 1<sup>st</sup> 2019 to December 31<sup>st</sup> 2019.

UPPER MACQUARIE COUNTY COUNCIL

Net Operating Result before Capital Items	3,635	-	3,635	-	3,635	1,547	(34,747)
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**Table 1**

**Notes:**

*"Original" budget +/- Approved Changes in previous quarters = "Revised" budget.*

*"Revised" budget +/- recommended changes to Council this quarter = "Projected" budget.*

*"Actual YTD" = Actual net financial position on accrual basis year to date.*

**Variations:**

*The UMCC reference trigger point indicating a 'significant variation' for budget reporting purposes has been set at the lower value of 1% of gross budgeted revenue or \$16,000 per consolidated activity item – at which point an explanation and where applicable a budget remedy is required.*

*Other variations may also be provided to improve understanding of other incidental budget changes.*

**End of Year Position**

The Budget Year End position remains unchanged at this time despite less than budgeted income and expenditure related to the spring 2019 aerial weed treatment program (~\$60K YTD). Recommendations for a decision in this area will be better informed at the 3<sup>rd</sup> quarterly review in April 2020.

**Explanation**

Drought related environmental and financial impacts continue to reduce landholder participation in the Councils' aerial weed treatment programs.

The variation in year to date expenditure on the roadsides weed treatment program is simply a matter of timing – some work was brought forward to take advantage of suitable treatment conditions in some areas.

**Remedy**

No remedy is required in relation to this statement as the areas of variation are generally netted off between related income and expenditure components of the program.

UPPER MACQUARIE COUNTY COUNCIL

TABLE 2

Upper Macquarie County Council								
Quarterly Budget Review Statement					1st 1/2 - July 1st 2019 to December 31st 2019			
CASH & INVESTMENTS								
Cash & Investments	Original	Approved Changes			Adjustments	End Position		Actual
2019.2020 Financial Year	Original	Sep 1/4	Dec 1/4	Revised	Recommended	Projected	Variation	Actual YTD
Consolidated Activity Base	Budget	Review	Review	Budget	For Council	End Year	End Year	NOW
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	%	(\$)
<b>Unrestricted</b>								
<i>Operational Reserve Fund</i>	110,000			110,000		110,000		425,000
<b>Total Un-restricted</b>	<b>110,000</b>	-	-	<b>110,000</b>	-	<b>110,000</b>	0%	<b>425,000</b>
<b>Externally Restricted</b>								
<i>Unexpended Grants Fund</i>	14,000	(14,000)		-		-		10,335
<i>Special Purpose Grants</i>	40,000		(40,000)	-		-		40,000
<b>Total Externally Restricted</b>	<b>54,000</b>	<b>(14,000)</b>	<b>(40,000)</b>	-	-	-	-100%	<b>50,335</b>
<b>Internally Restricted</b>								
<i>Employee Leave Entitlements Fund</i>	150,000			150,000		150,000		150,000
<i>Plant &amp; Vehicle Replacement Fund</i>	97,000			97,000		97,000		97,000
<i>Infrastructure &amp; Technology Replacement Fund</i>	89,000	(15,000)		74,000		74,000		74,000
<i>Weed Biosecurity Response Fund</i>	50,000			50,000		50,000		50,000
<i>Business Viability Fund</i>	300,000			300,000		300,000		300,000
<b>Total Internally Restricted</b>	<b>686,000</b>	<b>(15,000)</b>	-	<b>671,000</b>	-	<b>671,000</b>	-2%	<b>671,000</b>
<b>Total Cash &amp; Investments</b>	<b>850,000</b>	<b>(29,000)</b>	<b>(40,000)</b>	<b>781,000</b>	-	<b>781,000</b>	-8%	<b>1,150,000</b>

2<sup>nd</sup> QUARTERLY BUDGET REVIEW STATEMENT  
 For the Period July 1<sup>st</sup> 2019 to December 31<sup>st</sup> 2019.

UPPER MACQUARIE COUNTY COUNCIL

Available Cash	796,000	(15,000)	-	781,000	-	781,000	-2%	1,096,000
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**Table 2**

**Notes:**

*"Original" budget +/- Approved Changes in previous quarters = "Revised" budget.*

*"Revised" budget +/- recommended changes to Council this quarter = "Projected" budget.*

*"Available Cash" = Unrestricted and Internally Restricted only.*

**Variations:**

**End of Year Position**

The "Cash and Investments - Year End" position is expected at this stage to be \$69,000 less than Original Budget due to likely full expenditure of restricted reserves (OLG Grant \$14,000, IT Replacement Fund \$15,000, and LLS Grant \$40,000) as approved by Council.

**Statements of Position:**

Council obtains funds through a number of sources to facilitate its operations.

The Council's Cash & Investment position for the 2<sup>nd</sup> quarter of 2019/ 2020 financial year - YTD - is moderately above Year End Budget target due to the upfront receipt of the annual constituent council voluntary contributions offset in part by the delayed receipt of the State WAP funding grant.

Funds prior to utilisation, are maintained in government approved investments, in accordance with the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations.

All cash and investments referred to in this statement have been reconciled with Council's general ledger, receipts and bank statements.



UPPER MACQUARIE COUNTY COUNCIL

TABLE 3

Upper Macquarie County Council						
CONTRACTS & OTHER EXPENSES				1st 1/2 - July 1st 2019 to December 31st 2019		
Contracts Listing	2019.2020 Financial Year					
Contractor	Contract Details	Contract Purpose	Contract Value	Contract Commenced	Duration of Contract	Funding in Budget
N/A						

Note 1: The minimum reporting level is for contracts of 1% of estimated income from continuing operations or \$50K which ever is less.

Note 2: Contracts listed are only those entered into during the quarter and not yet fully performed.

Note 3: If contracts were not included in the budget then that matter will be explained herein.

CONSULTANTS & LEGAL EXPENSES						
CONSULTANCY & LEGAL EXPENSES SUMMARY				1st 1/2 - July 1st 2019 to December 31st 2019		
Expense	2019.2020 Financial Year					
Expense	Number of Engagements		Expenditure YTD			Funding in Budget
Consultancies	NIL		N/A			N/A
Legal Fees	1		\$90			\$10,000

Note 1: Consultancies and Legal Cost are aggregating not specific.

Note 2: Expenditure is based on Year to Date not per quarter.

UPPER MACQUARIE COUNTY COUNCIL

TABLE 4

Upper Macquarie County Council									
Quarterly Budget Review Statement						1st 1/2 - July 1st 2019 to December 31st 2019			
CAPITAL									
Funding & Expenses	Original	Approved Changes			Adjustments	Position		Original	Actual
2019.2020 Financial Year	Original	Sep 1/4	Dec 1/4	Revised	Recommended	Projected	Variation	YTD	YTD
Consolidated Activity Base	Budget	Review	Review	Budget	For Council	End Year	End Year	Budget	Accrual
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	%	(\$)	(\$)
<b>Funding</b>									
<i>Internal Un-Restricted Reserves</i>	-			-		-	#DIV/0!	-	
<i>Internal Restricted Reserves</i>	15,000			15,000		15,000	0%	15,000	15,000
<i>External Restricted Reserves</i>	-			-		-	#DIV/0!	-	
<i>Capital Grants &amp; Contributions</i>	-			-		-	#DIV/0!	-	
								-	
<b>Total Capital Funding</b>	<b>15,000</b>	<b>-</b>	<b>-</b>	<b>15,000</b>	<b>-</b>	<b>15,000</b>	<b>0.0%</b>	<b>15,000</b>	<b>15,000</b>
<b>Expenses:</b>									
<i>Technology Replacement</i>	15,000			15,000		15,000	0%	15,000	15,000
<i>Plant Replacement</i>	-			-		-	#DIV/0!	-	
<i>Infrastructure Replacement</i>	-			-		-	#DIV/0!	-	
				-		-	#DIV/0!	-	
				-		-	#DIV/0!	-	
<b>Total Capital Expenses</b>	<b>15,000</b>	<b>-</b>	<b>-</b>	<b>15,000</b>	<b>-</b>	<b>15,000</b>	<b>0.0%</b>	<b>15,000</b>	<b>15,000</b>
<b>Net Capital Funding Position</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>		<b>-</b>	<b>-</b>

**Note:** As highlighted when preparing the ICT upgrade program in 2018/2019, it was likely that the capital expenditure would extend across two financial years. The funding expended above was payments of a capital nature under the ICT upgrade program.

## Budget Review Key Performance Indicators Statement

The key performance measures relevant to this statement include those set out in each annual external audit report within the context of year-to-date progress.

### 1. FINANCIAL FLEXIBILITY

**The 'Operating Performance Ratio'** This quarter-by-quarter measure reveals how well council actually contained operating expenditure within operating revenue (excluding capital grants and contributions, fair value adjustments, and reversal of revaluation decrements). The benchmark set by the Office of Local Government (OLG) is greater than 0% i.e. **>0.00%**.

- The County Council YTD position at September 30<sup>th</sup> 2019 was  
**ACTUAL = -0.06%**

### 2. LIQUIDITY

**The Cash Expense Cover Ratio** This quarter-by-quarter measure indicates, point in time, the number of months the council can continue paying for its immediate expenses (average monthly cash expenses) without any additional cash inflow. The County Council Target is **>4 Months**. [(Cash & Equivalents)/(Annual Expenses Budget/12)]

- The County Council YTD position at December 31<sup>st</sup> 2019 was  
**ACTUAL = 9.13**

### 3. SUSTAINABILITY

**The Budget Fixed Expense Cover Ratio.** This annual ratio indicates the expected stability of the annual operating budget in terms of being able to cover all fixed expenses for the year with income from certain income sources during the same period. The benchmark set by UMCC is greater than 100% coverage (or >0)%.

- The County Council original budget position for 2019/ 2020 was  
**ACTUAL = 94%** (up from 90% the previous year)

*Comment: This 'under-benchmark' performance is the result of structural budget issues being addressed over the next two financial years.*

**Note 1:** *The quarterly performance results are based on an accrual based quarterly budget allocation.*

**Note 2:** *When all of these measures are at or better than the benchmark this should give an indication of Council's sound current financial position and long term financial sustainability.*

**Note 3:** *Council has few assets and no debt – hence debt servicing and asset renewal/ capital works measures are not appropriate.*

# Delivery Plan & Business Activity Strategic Plan

## Half Year Progress Report 2019\_2020



## **Vision for Weed Biosecurity:**

Upper Macquarie County Council will strive to ensure that Weed Biosecurity Risk is not a significant factor limiting:

- Agricultural productivity;
- The quality of the rural environment and;
- The prosperity of rural communities in the NSW central tablelands.

## **Mission associated with Weed Biosecurity:**

The mission for the Upper Macquarie County Council is to make sure all private and public landholders manage their properties to reach and maintain a sustainably low level of weed biosecurity risk.

This mission is shared with all those agencies striving to reduce biosecurity risks across the country, throughout the regions and locally with the constituent councils, landholders and the whole community living within the Upper Macquarie district.

## **Introduction:**

This report addresses the requirement 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), to prepare a mid-year report relating to the Delivery Program. The report reflects the single purpose *local weed control authority* nature of the County Council business and relates to Council's achievements in implementing its delivery program in the context of its Business Activity Strategic Plan, and the effectiveness of its principle activities in achieving their objectives.

The County Council district and area of operations is comprised of the whole of the local government areas of each of the four (4) constituent councils being:

- 1) Bathurst Regional Council
- 2) Blayney Shire Council
- 3) Lithgow City Council
- 4) Oberon Council

## Strategic Biosecurity Objectives

### PLAN OBJECTIVE 1: WEED BIOSECURITY RISK DETECTION AND MONITORING

Implement a suitable landholdings inspection regime across the county district to identify and rank weed biosecurity risks and encourage the landholder or occupier to adequately meet their weed biosecurity duty.

#### PROGRESS REPORT [1/2 YEAR]

- ✓ A recurrent routine annual property inspection regime targeting priority weeds species across all constituent council areas based on weed classifications set in the current Central Tablelands Regional Strategic Weed Management Plan has been implemented. An appropriate level of advance notice to landholders and occupiers for routine initial inspections and follow-up inspection of properties has been provided in writing.
- ✓ The newly developed risk based property 'compliance re-inspection' program that targets weed biosecurity risks on the basis of objective risk ranking continues to be implemented (since July 1<sup>st</sup> 2018).
- ✓ Geographic information systems, global satellite positioning, and drone technologies as appropriate have been used to support weed biosecurity risk detection, monitoring and targeting.
- ✓ A targeted 'weed cluster' inspection, advisory and enforcement approach to weed biosecurity in selected areas of strategic significance has been commenced during the current reporting period. Such target areas include: roadsides; forests, railway corridors, and waterways.
- ✓ 715 Properties were inspected during the reporting period with 581 being private property and 134 being public land owned by state or local government agencies.

### PLAN OBJECTIVE 2. WEED BIOSECURITY RISK REDUCTION

Achieve a reduced overall level of weed biosecurity risk in the county district through an appropriate mix of cooperative compliance and enforced compliance measures.

#### PROGRESS REPORT [1/2 YEAR]

- ✓ Many opportunities were taken to engage directly and indirectly with the landholder community to educate and advise landholders and occupiers of their weed biosecurity duties and what is required of them in that regard has included presentation at community interest group meetings, attending agricultural shows, and consulting with quarrying, railways, agriculture and forest industry organisations.
- ✓ Development and delivery of 'value-add' services (chargeable and no-charge) to support landholders prepare realistic and acceptable programs/ plans for meeting their weed biosecurity duties continued during the current reporting period, and will vary according to seasonal conditions, inspection results, and operational priorities.
- ✓ Enforceable direction notices have been issued to property owners and occupiers that resist or otherwise fail to fulfil their weed biosecurity duties where significant weed biosecurity risks persist after initial advice.
- ✓ An additional 24 Individual Biosecurity Directions were issued during the reporting period along with an additional 252 Weed Control Notices for private property.

- ✓ An additional 29 Weed Control Notices for public land were issued and a further 54 'higher risk' inspection sites were referred to the *local council's roadside weed treatment program*.
- ✓ The number of Weed Control Notices complied with during the reporting period was 37.

### **PLAN OBJECTIVE 3. WEED BIOSECURITY RISK TREATMENT PROGRAMS**

Develop, implement, co-ordinate and review weed control programs in support of cooperative land owners or occupiers seeking practical Council support in tackling weed biosecurity matters.

#### PROGRESS REPORT [1/2 YEAR]

- ✓ Efforts to supplement the routine annual recurrent property inspection regime with an 'opt-in' aerial weed spraying program delivered notionally by the County Council on a cost+ recovery basis, were delivered on a reduced scale in Spring of the current reporting period – impacted by drought and related conditions.
- ✓ The established roadside weed-spraying program, delivered by the County Council for constituent councils, commenced in spring of the current reporting period and was well advanced with 59 roads extending for approximately 620 kms were completed before deferral for the new year period and lack of rainfall. To the extent of available funding, the balance of the program is planned for completion in the autumn.
- ✓ The spring 2019 aerial program treated approximately 700 hectares of Serrated Tussock using granular flupropanate and about 500 hectares of liquid flupropanate spray.

### **PLAN OBJECTIVE 4. WEED BIOSECURITY RECORDS & AUDITS**

Keep suitable records about the exercise of the Council's weed biosecurity control functions to meet operational, enforcement and compliance auditing requirements.

#### PROGRESS REPORT [1/2 YEAR]

- ✓ The councils accounting system has been adapted to better capture and produce a wide range of operationally orientated management accounting information.
- ✓ The existing operational data collection systems are being incrementally upgraded and better integrated, to ensure a suitable range of management information becomes available in a timely manner.
- ✓ The initial set of operational performance measures, that facilitates enhanced performance reporting to key stakeholders, particularly constituent councils and the office of local government continue to be reviewed and tested for value.
- ✓ Weed Biosecurity inspection, compliance and enforcement data was regularly reported to each ordinary council meeting.
- ✓ Weed Biosecurity activity data was submitted monthly to the NSW Department of Primary Industries as per Weed Action Plan requirements.

### **Objective 5. Weed Biosecurity Statutory Reporting**

To meet all statutory reporting requirements imposed under the Local Government Act (1993), Biosecurity Act (2015) and other legislation as per reporting timetables.

## PROGRESS REPORT [1/2 YEAR]

- ✓ Regular submissions have been made to NSW Department of Primary Industries and Local Land Services, as applicable, providing all available weed biosecurity meta-data in support of regional and state level understanding of weed biosecurity risks.
- ✓ Statutory reports to government agencies have all been made. Including: Public Interest Disclosure reports to the Ombudsman, GIPA Reports to the Information & Privacy Commissioner, The Council Annual Report and Code of Conduct report to the Office of Local Government was submitted to government in a timely manner.

## **Strategic Governance Objectives.**

### **OBJECTIVE 6: Sustainable Resourcing of the Principle Business Activity**

To secure the allocation of sufficient financial and human resources and to optimise those scarce resources in pursuit of core business duties and obligations.

#### PROGRESS REPORT [1/2 YEAR]

- ✓ Quarterly Budget Review Statements (2) and regular Investment Reports (3) were submitted to Council at the appropriate ordinary council meetings, as required under the Local Government Act.
- ✓ The budget structure and associated funding priorities and testing of the suitability of established service priorities and pricing, in view of the new more comprehensive approach to weed biosecurity, is ongoing in conjunction with the annual updating of the 10 year Business Activity Strategic Plan.
- ✓ Cost / benefit principles to testing the suitability of established and new individual budget allocations and sourcing methods and restructure are being applied where appropriate to improve business sustainability.
- ✓ Sensible market testing practises are being applied to key procurement activities by the UMCC with a view to minimising waste, obtaining best value for money, and improving financial sustainability. A new 4-year contract for aerial weed treatment services was competitively tendered during the reporting period.
- ✓ Alternative funding options for meeting capital funding requirements and devising new recurrent funding opportunities are underway. Funding for special projects is being pursued with State and Commonwealth agencies – though currently to no avail.

### **OBJECTIVE 7: INNOVATION AND QUALITY**

To continuously innovate, adapt and apply initiative in decision-making and problem solving with a view to achieving an efficient, effective and quality-focussed business.

#### PROGRESS REPORT [1/2 YEAR]

- ✓ Use of aerial drone technologies continue to be deployed as a routine enhancement to operational effectiveness and staff productivity.
- ✓ The Council published it's Pesticide Use Notification Plan in accordance with the requirements of the Pesticides Act and provided a copy to constituent councils.



- ✓ The Council's Roadsides Weed Treatment Program for 2019/2021 was finalised and made public on it's WebSite.
- ✓ The existing use of geographical information systems is being refined with a view to achieving enhanced integration with information capture, reporting and monitoring outcomes. Activities in this area are underway in conjunction with the ICT Improvement project.

## **OBJECTIVE 8: BIOSECURITY ADVICE & INFORMATION**

To leverage of information and material created by NSW DPI and LLS with a view to enhancing the impact of target educational and advisory functions (i.e. achieve greater cooperative compliance with biosecurity duties).

### PROGRESS REPORT [1/2 YEAR]

- ✓ As an ongoing service Council has been providing a relevant and targeted suite of weed biosecurity information and information sources to landholders in conjunction with property inspections and re-inspections.
- ✓ Council has made full use of established weed biosecurity information, data and advisory opportunities available through NSW DPI and LLS where appropriate.

## **OBJECTIVE 9: WEED BIOSECURITY ENFORCEMENT**

To strengthen and expand the effectiveness of the County Council's regulatory role and enhancing credibility in the regulatory process – particularly in terms of fairness and consistency.

### PROGRESS REPORT [1/2 YEAR]

- ✓ The new biosecurity compliance and enforcement policy and associated procedures developed in early 2018 came into affect from 1<sup>st</sup> July 2018 to carefully guide authorised officers throughout the whole compliance inspections and enforcement activities journey.
- ✓ Council has ramped-up its pursuit of an initial cooperative compliance approach to ensuring NSW State Government agencies meet their weed biosecurity duties as set out in the Biosecurity Act (2015). To date the focus has been on Forests and Railways, and more recently Crown Lands.
- ✓ For recalcitrant landholders - those who ignore or otherwise fail to meet or reasonably progress with their weed biosecurity duty – Council has commenced forced compliance options up to the 'Penalty Notice' level at this stage.
- ✓ The local weed biosecurity inspection, monitoring and enforcement regime is now based on an objective 'risk based' process to establish the degree of weed biosecurity risk / weed biosecurity compliance level for each property.
- ✓ A total of 53 Individual Biosecurity Directions and 4 Penalty Infringement Notices have now been issued.

## **OBJECTIVE 10: AN EXEMPLARY BIOSECURITY WORKFORCE**

To leverage of the experience and understanding of weed biosecurity matters, held by council staff, LLS and DPI to evolve the UMCC Weed Biosecurity Officers into the new proactive and motivational era of weed biosecurity under the Biosecurity Act (2015).

### PROGRESS REPORT [1/2 YEAR]

- ✓ Regular post-council whole-of-staff meetings are held with the General Manager to keep staff informed of corporate and strategic issues. Bi-weekly operational staff meetings are held with all biosecurity staff to enhance problem solving and consistency in weed biosecurity implementation.
- ✓ An initial targeted training program was identified and delivered to new Weed Biosecurity officers – enhancing their skills and knowledge associated with weed biosecurity to ensure they are highly skilled, confident and well informed in all aspects of their role.
- ✓ A full suite of appropriate procedures and guidelines [for implementing legislation and policy] to support biosecurity decision-making by officer in the field and in association with enforcement activities has been prepared and will be updated incrementally as required.
- ✓ Council's systems and processes have made full use of established weed biosecurity procedures and guidelines prepared and updated from time to time by NSW DPI and LLS where appropriate.
- ✓ Council staffs work closely with NSW DPI and central tablelands LLS, and other local control authorities where appropriate to share knowledge and experience and keep up to date with contemporary weed biosecurity issues. This has included the use of Drones, weed risk assessment techniques, grassland weed and water weed identification.

## **OBJECTIVE 11: MEASURING WEED BIOSECURITY ACTIVITY AND OUTCOMES**

To suitably monitoring organisational achievements and measure outcomes accordingly as a means of demonstrating value for money to stakeholders and informing the organisation about areas for attention.

### PROGRESS REPORT [1/2 YEAR]

- ✓ Council is continuously improving its *management information system* that allows for and supports a comprehensive reporting and information source for staff, Council and other stakeholders as appropriate.
- ✓ Council has increased liaison with Constituent Councils regarding Weed Biosecurity matters relevant to each council local area of operations. Council is available to provide performance reports as required, and regularly addresses local weed biosecurity issues.
- ✓ Council is ready for audit under the NSW Weed Biosecurity Standards set out by the State Weed Committee.

## **OBJECTIVE 12: SUPPORT GOOD ORGANISATIONAL GOVERNANCE**

To ensure that the County Council governance structures and processes are designed (and appropriately implemented) to ensure accountability, transparency, responsiveness, rule of law, stability, equity and inclusiveness, empowerment, and broad-based participation.

### PROGRESS REPORT [1/2 YEAR]

- ✓ All relevant designated open access information was available to the public as per the Government Information (Public Access) Act (2009) throughout the period. This included all designated documents including annual financial and auditors reports,

## UPPER MACQUARIE COUNTY COUNCIL

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management plans and various codes, agendas, business papers and minutes of meetings being published on the Council WebSite; as well as plans and policies being listed in the Councils *Agency Information Guide* which was updated.

- ✓ As required under Clause 1 of Schedule 8 of the Local Government Regulation an election for Chairman of a County Council was held at the first meeting of the County Council after the anniversary of the most recent ordinary election until the next ordinary election of members of the county council.
- ✓ The 'pecuniary interest returns' for Councilors and designated persons were submitted for the current year and were placed on the table as required under Part 4.26 of the Council's Code of Conduct.
- ✓ As required under Section 428 of the NSW Local Government Act (1993) council prepared its "annual report" and included a copy of the 2018-2019 audited financial statements and auditors reports within 5 months after the end of the financial year.
- ✓ The annual Auditor General's Report on Council's Annual Financial Statements contained no material qualifications and reported a sounder financial position in 2018/2019 compared to 2017/2018.
- ✓ Council has been provided with frank and fearless advice by management, council business has been properly transacted, decisions of the council are implemented in a timely manner, and council meetings are conducted in an orderly manner. All relevant codes, standards and regulatory requirements for Council, Council meetings and Councilors are adhered to.
- ✓ During the reporting period, three (3) Key Documents [Agency Information Guide; Policy Register; and EEO Management Plan] were updated to ensure they continued to meet regulatory requirements. Two new Key Documents [Legal Compliance Register; and draft Enterprise Risk Register] and one (1) new Policy [Risk Management] were prepared to improve audit and risk management functions.

END \_\_\_\_\_

Enterprise Risk Register - Strategic Risk Assessment 2020

STRATEGIC RISK INFORMATION		UNCONTROLLED CONDITIONS				CONTROLLED CONDITIOND				
Risk	Risk Category	L	C	INHERENT Level of Risk	INHERENT Priority Rating	Control Measures	L	C	RESIDUAL Level of Risk	RESIDUAL Priority Rating
1. The Council does not implement appropriate financial strategies and controls to ensure that Council will be financially sustainable into the future. This risk also includes not being able to manage the organisations asset infrastructure in accordance with Council's asset management policies and plans.	1. Financial Sustainability	Almost Certain	Extreme	VERY HIGH	A1	Long Term Financial Plan; Member Council Funding agreement for 10 years to 2029; Weed Action Plan funding from State Gov't to 2025; Quarterly Budget Review Statements to Council; Annual reporting to public and constituent Councils; Formal Annual reporting and ongoing monthly operational data feed to State Gov't; Annual External Audit; Adequate and appropriate Insurance Portfolio. Operations supplier contracts with a no-guaranteed-work provision. Two stage verification of transactions is required through Bank. NSW Government prescribed permissable investment options.	Unlikely	Minor	MEDIUM	3C
2. The Council's organisational Human Capital and WHS System related policies, procedures and practices are not compliant with the relevant legislative requirements and do not provide a safe work place nor a desirable workplace environment.	2. Staff & Workplace Resilience	Almost Certain	Extreme	VERY HIGH	A1	WHS System; Statecover self audit and onsite audit; Remote WHS Procedures (including EPIRB); Health monitoring; Risk Assessments and pre program briefings; Contractor WHS compliance requirements; Pesticide Notification Plans distributed to the effected public; Staff Training; Staff Development program; Flexible working conditions; Team bonding initiatives; Currently stable management and staff within Council. Staff have flexible worktime arrangements; Staff are classified within Award prescription; Staff training opportunities are available; Some access to private-use of Council assets is available; All staff can contribute to the operational planning decisions and directions of the organisation;	Possible	Extreme	MEDIUM	3C
3. The Council's (Members and staff) management and leadership actions (including the risk of a disconnect between management and Council) not being undertaken in a way that reflects positively upon Council's reputation and integrity.	3. Corporate Governance	Likely	Major	VERY HIGH	B2	Code of Conduct and Code of Meeting Practice; Member induction Program; Member Council's Councillors undertake OLG Induction Training; Council currently supporting stable management environment;Risk Based Compliance and Enforcement System; Policy Register that satisfies the Office of Local Governemnt requirements; Legal Compliance Register; Council currently supporting stable management environment and high ethical standards; More open reporting and information sharing with stakeholders.	Possible	Minor	LOW	4D
4. The Council's organisational ICT systems do not provide the appropriate solutions in accordance with Council's staff and stakeholders needs. This includes the organisations general data and information management issues and the ability to provide a secure ICT environment.	4. Information, Communications & Technology	Almost Certain	Major	VERY HIGH	A2	Currently implementing Council's ICT upgrade program which includes the Cyber Security plan (completion by 30 June 2020); Staff Training; Support and maintenance contracts with system providers; Contemporary hardware and software technologies supported by business-class security systems. Weed Biosecurity GIS system is being used progressively to store all compliance and enforcement information utilising enhancements through Drop Box. Key Governance e-documents are captured in Bathurst Regional Council IT Network / TRIM Records system.	Possible	Moderate	MEDIUM	3D
5. The Council fails to deliver on the organisation's Business Activity Strategic Plan, Delivery Plan and Operational Plan in an effective, efficient and qualatative manner.	5. Business Activity	Likely	Major	VERY HIGH	B2	A rigorous compliance and enforcement sytem and policy were adopted in 2018; Compliance notices have been legally certified; There is clarity regading limits and processes for Biosecurity Act; Revenue NSW is penalty enforcement agent; Court action is subject to Council approval; Quarterly budget review reporting; Twice annually Operating achievement reporting; Bi-Monthly Inspection monitoring reporting; Statutory annual reports; Annual presentation opportunities to Constituent Councils. New Pesticide Notification Policy, and Procurement Policy was introduced in 2019. MOU with constituent councils to clarify roadside program and pre-paid funding. Annual program requires team input and pre-approval before implementation.	Unlikely	Minor	MEDIUM	3D
6. The Council's ability to protect and maintain the natural and built environment (including healthy living environments and conserving biodiversity) while delivering good weed biosecurity and appropriately managing weed biosecurity risk that exists within the county district, is compomised.	6. Environment	Almost Certain	Extreme	VERY HIGH	A1	Qualified, trained, accredited and skilled staff and contractors; Systems and processes in place; Applicable risk assessments when required; Accessing most up to date member Council's data; Using chemicals per their usabe label (APVMA); A chemical handling and storage review by Council's insurers in 2019 notes all was in order; Have insurance for environmental incidents (spills/ contaminations); Holding excess stock is avoided where possible; Council is not the owner of any real estate.	Possible	Major	MEDIUM	3D

# UPPER MACQUARIE COUNTY COUNCIL RISK APPETITE STATEMENTS

## INTRODUCTION

The Risk Appetite Statements below, in Table 2, are based on the Risk Categories identified by Upper Macquarie County Council at its Enterprise Risk Management & Risk Appetite session on 19 November 2019.

The statements use the suggested appetite scale from Figure 1, as a means to convey the Council's general appetite for each Risk Category (per Table 1) towards taking risk and any potential variation in appetite where special circumstances may apply.

For risk appetite statements to be effective as a tool to enhance decision-making they need to be accompanied by relevant, quantitative risk tolerances that provide robust indication of how the organisation is performing against each category's appetite.

**Figure 1 – Risk Appetite Scale**

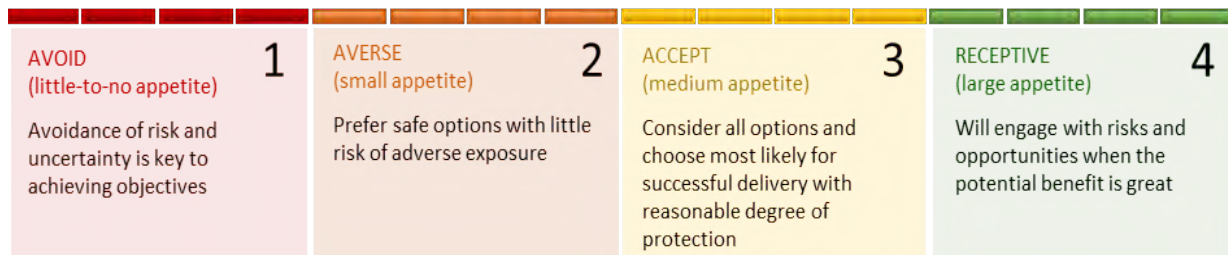


Table 1 below, provides a summary of Upper Macquarie County Council's risk appetite position across their identified risk categories. Each category has at least one shaded cell, which represents the general appetite position. Some categories contain multiple shaded cells, which is indicative of a willingness to adjust the appetite in certain circumstances.

**Table 1 – Summary Risk Appetite positions**

Upper Macquarie County Council Risk Appetites				
Category	Avoid	Averse	Accept	Receptive
Financial Sustainability		General		
Staff & Workplace Resilience	Safety	General		
Corporate Governance	Compliance	General		
Information, Communications & Technology		Reliability	General	
Business Activity	Compliance	Quality	General	
Environment	Compliance		General	

## APPETITE STATEMENTS

Table 2 – Upper Macquarie County Council Risk Appetite Statements, 2019

FINANCIAL SUSTAINABILITY	
Appetite	Statement (long form)
Averse	Council has an <b>Averse</b> risk appetite with relation to fraud or significant financial decisions that may negatively impact on council's financial sustainability. Council will endeavour to always take safe options to limit financial risk exposures – particularly in relation to the loss of reliable recurrent funding sources.
STAFF AND WORKPLACE RESILIENCE (INC SAFETY AND HUMAN CAPITAL)	
Appetite	Statement (long form)
Averse to Avoid	<p>Council has an <b>Averse</b> risk appetite to all aspects of human resources and will prefer to choose safe options with little risk of adverse exposure. Council will develop its Human Resources/People Management program in a way that will endeavour to ensure Council retains its valuable employees and that we can also attract the most suitable applicants for vacant positions.</p> <p>Council has no risk appetite and will seek to <b>Avoid</b> risk and uncertainty with regard to Risks relating to accident, injury or illness to Council staff, Members, contractors, visitors or members of the public.</p>
CORPORATE GOVERNANCE (INC LEGISLATIVE AND REPUTATION)	
Appetite	Statement (long form)
Averse	<p>Council has an <b>Averse</b> risk appetite with regard to risks relating to Corporate Governance, Compliance and Legislative matters, including the efficient and effective direction and operation of the organisation; ethical, responsible and transparent decision making, corruption, fraud; procedural/policy, legal and legislative compliance. Under these circumstances Council has an attitude of preferring safer options where uncertainty in achieving its objectives exists.</p> <p>As a general position Council has an <b>Averse</b> risk appetite relating to its Leadership and Management decisions and any potential reputation impacts. In the pursuit of this type of risk Council will adopt an attitude of taking safe options with little risk of generating adverse exposure to its reputation.</p>
INFORMATION, COMMUNICATIONS AND TECHNOLOGY (INC INFRASTRUCTURE AND SYSTEMS)	
Appetite	Statement (long form)
Accept to Averse	<p>As a general position Council is willing to <b>Accept</b> risk relating to the resilience of its ICT infrastructure and support systems. Council will consider all options with regard to risk in this area and choose the most likely option for successful delivery with a reasonable degree of protection.</p> <p>Council however has an <b>Averse</b> risk appetite for taking on any risk which may compromise the security or integrity of Councils ICT infrastructure and support systems. In these situations Council will adopt an attitude of taking safe options with little risk of generating adverse It Infrastructure and System exposure.</p>

BUSINESS ACTIVITY (INC SERVICE DELIVERY AND ENFORCEMENT)	
Appetite	Statement (long form)
Accept to Averse	<p>As a general position Council has an <b>Accept</b> risk appetite for taking on risks to operations that would adversely impact delivery of services to the member council's community, or the effective management of assets, infrastructure, or projects.</p> <p>In some circumstances (where aerial or road services are being provided) Council will have an <b>Averse</b> risk appetite where preferred safe options with little risk of adverse exposure will be adopted.</p>

ENVIRONMENT (INC BIOSECURITY, COMMUNITY AND BIOSDIVERSITY CONSERVATION)	
Appetite	Statement (long form)
Accept to Avoid	<p>As a general position Council has an <b>Accept</b> risk appetite for taking on risk relating to environmental impacts including pollution, climate change, natural climatic events, land use and the natural environment, and will consider all options and choose the one where successful delivery is achievable with a reasonable degree of protection.</p> <p>Council however has an <b>Averse</b> risk appetite for taking on risk where the environmental position within the community could be severely impacted or compromised. In these situations Council will adopt an attitude of taking safe options with little risk of generating adverse environmental exposure.</p>



Pecuniary Interest Declaration - Risk Assessment January 2020 \_ PUBLIC INTEREST TEST UNDER S.13 GIPA Act (2009)

Test Subject	Pro-Disclosure	Non-Disclosure	Security Risk Concern	UNCONTROLLED CONDITIONS				CONTROLLED CONDITION				
				L	C	INHERENT Level of Risk	INHERENT Priority Rating	Alternative Control Measures to Mitigate Risk	L	C	RESIDUAL Level of Risk	RESIDUAL Priority Rating
The extent to which Council DISCLOSES information contained within annual pecuniary interest disclosure statements made by staff, members and others.	Section 12 (Returns of Interests ARE Open Access Information) (The Default requirement.)	Section 14 ((a) the impact on responsible and effective government; (b) individual rights, judicial processes, and natural justice) (Issues detailed in Council Report)	Uncontrolled disclosure of the personal information of individuals may lead to staff, members and others being subjected to physical and / or psychological harm in terms of their health, safety, and welfare from work related hazards and risks.									
<b>County Council Context</b>												
A single purpose Weed Control Authority involved with direct compliance assessment and enforcement activities including requiring work to be done, issue of penalties and taking court action. No role in relation to any building, planning or development functions. Owner of NIL property.								Not disclose <b>any information</b> relating to pecuniary interest declarations to any external person.	Rare	Major	LOW	2E
				Likely	Extreme	VERY HIGH	B2	Not disclose any <b>personal information</b> relating to pecuniary interest declarations to any external person. (i.e. disclose non personal information only)	Unlikely	Major	Medium	2D
								Not disclose <b>personal information</b> relating to pecuniary interest declarations to anyone external (a) through uncontrolled 'on-line' methods or (b) to an unidentified person, or (c) to a person not present physically. (i.e. only disclosed on request, to an identified person, attending the office in-person)	Possible	Major	High	2C