

Upper Macquarie County Council

Council Chambers
7 Lee Street, KELSO

Mail
PO Box 703
BATHURST NSW 2795

Telephone: (02) 6305 6388
Email: admin@umcc.nsw.gov.au

Website: www.umcc.nsw.gov.au

ABN: 64420707530

20 February 2023

Members of the County Council

Notice of Ordinary Meeting of Upper Macquarie County Council 24 February 2023

I advise an Ordinary Meeting of the Upper Macquarie County Council will be held at the 7 Lee Street, Kelso chambers on 24 February 2023 beginning at 1.00pm

Please be considerate of other Members and staff if you have any cold and flu like symptoms. Remote access is available.

The Business Papers are attached for your reference.

Your attendance at the meeting is respectfully requested.

Yours sincerely

Timothy Johnston
General Manager

NOTICE FOR MEMBERS & THE PUBLIC

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

BUSINESS AGENDA

FOR THE ORDINARY MEETING OF THE UPPER MACQUARIE COUNTY COUNCIL TO BE HELD ON FRIDAY 24 FEBRUARY 2023

ACKNOWLEDGEMENT OF COUNTRY	4
RECORDING OF MEETING.....	4
ITEM 1: APOLOGIES	4
ITEM 2: DISCLOSURE OF INTEREST	4
STATEMENT OF ETHICAL OBLIGATIONS.....	4
ITEM 3: CONFIRMATION OF MINUTES	5
ITEM 4: MATTERS IN PROGRESS UPDATE 24TH FEBRUARY 2023	12
ITEM 5: CHAIRMAN’S MINUTE.....	16
NIL	16
ITEM 6: GOVERNANCE PROGRAM.....	16
6.1 LEGISLATIVE COMPLIANCE	16
6.1.1 2022/2023 Delivery Program Progress Report	16
6.2 POLICES	16
6.2.1 Risk Management Policy & Enterprise Risk Management Plan	16
6.2.2 ARIC Minutes	17
6.3 FINANCE	17
6.3.1 Quarterly Budget Review Statement 2nd Quarter	17
6.3.2 Investment report at 31 January 2023	17
ITEM 7 LANDHOLDER SUPPORT PROGRAM	19
7.1 AERIAL SPRAYING PROGRAM AUTUMN 2023	19
ITEM 8 ROADSIDE SPRAYING PROGRAM	20
8.1 ROADSIDE SPRAYING 2022/2023	20
8.2 ROADS AND MARITIME SERVICES SPRAYING	22
ITEM 9 BIOSECURITY COMPLIANCE.....	23
9.1 BIOSECURITY COMPLIANCE INSPECTIONS DECEMBER 2022 AND JANUARY 2023 23	23
9.2 PENALTY INFRINGEMENT NOTICES.....	24
9.3 REGIONAL ENGAGEMENT	24
9.3.1 Transport for NSW and UGL Rail Network.	24
9.3.2 Central Tablelands Local Lands Services Regional Weed Committee.	25
ITEM 10. OTHER MATTERS	26
10.1 COUNTY COUNCIL MEETING SCHEDULE	26
ITEM 11. NOTICES OF MOTION OR RESCISSION	27
CONFIDENTIAL REPORTS	28
12 GENERAL MANAGER’S SALARY	28
13 PROSECUTION CASES	28
14 COMPLIANCE & WEED BIOSECURITY PROPERTY INSPECTIONS FOR OCTOBER 2022	28

ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges the traditional custodians of the lands where we work and live. Council celebrates the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of the NSW Central Tablelands.

RECORDING OF MEETING

Members and the public are advised that the proceedings of this meeting (other than any confidential matters) will be recorded and made publicly available on the Council Website and persons attending the meeting should refrain from making any defamatory statements.

ITEM 1: APOLOGIES

That Council acknowledge and accept the apologies of those members that have nominated that they will not attend this meeting.

ITEM 2: DISCLOSURE OF INTEREST

Recommendation:

That:

1. Council Members are reminded of their obligations under Council's Code of Conduct to disclose and appropriately manager conflicts of interest.
2. If any member has any declaration of interests, they should do so now.

Note any Disclosures of Interest made.

Statement of ethical Obligations

(3.23 of the Code of Meeting Practice)

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

Oath

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

Affirmation

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

ITEM 3: CONFIRMATION OF MINUTES

Recommendation

That Council adopt the minutes of the previous meetings of the Upper Macquarie County Council:

1. **Ordinary Meeting** of the Upper Macquarie County Council held at 7 Lee Street, Kelso at **2pm** on **16 December 2022**.

ATTENDANCE

The Council Members were present:

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

The following Council Staff attended:

Biosecurity Operations Manager, Christopher Jackson
Biosecurity Administration Manager, Lisa Monardo

Acknowledgement of Country

Item 1: Apologies

Mover: Member Cr. Smith

Second: Member Cr. Lesslie

That Council acknowledge and accept the apologies of Member Cr. Fry.

Item 2: Disclosure of interest and Statement of Ethical Obligations

Nil provided

Item 3: Confirmation of Minutes

Mover: Member Cr. Smith

Second: Member Cr. O'Connor

That Council adopt the minutes of the Ordinary meeting of the Upper Macquarie County Council held at the Maldhan Ngurr Ngurra Transformation Hub, Mort Street and Bridge Street, Lithgow, NSW at 2.00pm on Friday 18 November 2022 with some minor changes.

Resolved in the affirmative.

Item 4: Matters in Progress

Mover: Member Cr. O'Connor

Seconder: Member Cr. Smith

Council notes the table of matters in progress.

Resolved in the affirmative.

Item 5: Chairman's Minute

Nil

1. Council

Item 6: Governance Program

6.1 Legislative Compliance

6.1.1: 2021/2022 Annual Report

Mover: Member Cr. Reynolds

Seconder: Member Cr. O'Connor

That Council endorse the 2021/2022 Annual Report and proceed to submit it to the Office of Local Government and post on Council's website.

Resolved in the affirmative.

6.2 Policies

6.2.1 Biosecurity Compliance and Enforcement Policy

Mover: Member Cr. Smith

Seconder: Member Cr. Ewin

That Council approve amendments of the Biosecurity Compliance and Enforcement Policy (UMCC_2018/01) as presented below. That the revised policy is placed on public exhibition for 28 days. If no submissions are received the policy is adopted as at 16th December 2022.

Resolved in the affirmative.

6.2.2 Councillor Fees Expenses & Facilities Policy

Mover: Member Cr. Smith

Seconder: Member Cr. O'Connor

That Council approves the Members Fees, Expenses, and Facilities Policy and places the policy on Public Exhibition for 28 days. If no submissions are received the Policy is adopted as at 16th December 2022.

Resolved in the affirmative.

6.2.3 The OLG Model Code of Conduct and Procedures for the Administration of the Model Code of Conduct

Mover: Member Cr. Lesslie
Second: Member Cr. Ewin

That Council adopt the proposed Model Code of Conduct for Local Council in NSW 2020

Resolved in the affirmative.

6.2.4 Credit Card Policy

Mover: Member Cr. O'Connor
Second: Member Cr. Watt

That Council approves the Credit Card Policy and places the policy on Public Exhibition for 28 days. If no submissions are received the Policy is adopted as at 16th December 2022.

Resolved in the affirmative.

6.3 Finance

6.3.1 Investment Report at 30 November 2022

Mover: Member Cr. O'Connor
Second: Member Cr. Reynolds

Council notes the report.

Resolved in the affirmative.

6.3.2 Investment Report

Mover: Member Cr.
Second: Member Cr.

Council notes the report.

Resolved in the affirmative.

6.4 Human Resources

6.4.1

Mover: Member Cr.
Second: Member Cr.

Resolved in the affirmative.

6.4.2

Mover: Member Cr.
Second: Member Cr.

Council notes the report.

Resolved in the affirmative.

Item 7 Landholder Support Program

7.1 Aerial Spraying Program Autumn 2023

Mover: Member Cr. Smith

Seconder: Member Cr. Ewin

That Council notes the report.

Resolved in the affirmative.

Item 8 Roadside Spraying Program

8.1 Roadside Spraying 2022/2023

Mover: Member Cr. Smith

Seconder: Member Cr. Watt

That Council note the report.

Resolved in the affirmative.

8.2 Roadside Discussion Paper

Mover: Member Cr. Smith

Seconder: Member Cr. O'Connor

Council members to workshop the Roadside Program taking account of the responses to the discussion paper from the Constituent Councils. The outcomes of the that workshop may result in recommending amendments to the current program.

Resolved in the affirmative

Item 9 Biosecurity Compliance

9.1 Biosecurity Compliance Inspections October 2022

Mover: Member Cr. Reynolds

Seconder: Member Cr. O'Connor

Council notes the report.

Resolved in the affirmative.

9.2 Penalty Infringement Notices

Mover: Member Cr. Smith

Seconder: Member Cr. O'Connor

Council notes the report.

Resolved in the affirmative.

9.3 Regional Engagement

9.3.1 Central Tablelands Local Lands Services Regional Weed Committee

Mover: Member Cr. Reynolds

Seconder: Member Cr. O'Connor

That Council notes the information regarding Council's participation and membership to Central Tablelands Local Land Services Regional Weed Committee.

Resolved in the affirmative.

9.3.2 Department of Primary Industries Research

Mover: Member Cr. Ewin

Seconder: Member Cr. O'Connor

Council notes the report.

Resolved in the affirmative.

Item 10. Other matters

10.1 County Council Meeting Schedule

Mover: Member Cr. Smith

Seconder: Member Cr. Watt

Council adopts the proposed meeting Schedule

Date:	Time	Meeting & Location:
24 th February 2023	2.00pm	Ordinary Council Meeting
14 th April 2023	12:00pm	Workshop
12 th May 2023	2.00pm	Ordinary Council Meeting
16 th June 2023	2.00pm	Ordinary Council Meeting
11 th August 2023	2.00pm	Ordinary Council Meeting
15 th September 2023	12.00pm	Workshop
24 th November 2023	2.00pm	Ordinary Council Meeting

Resolved in the affirmative.

Item 11. Notices of Motion or Rescission

NIL

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

Moved: Member Cr. Lesslie
Seconded: Member Cr. O'Connor

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

Council resolves into closed Confidential Committee of the Whole Council to consider business identified as confidential under the provisions of section 10A(2) of the Act 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. Correspondence and reports relevant to the subject business be withheld form access.

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]
12 General Manager's 6 Month Performance Review	Section 10A (2)(a) personnel matters concerning particular individuals (other than councillors)
13 Prosecution cases	Section 10A (2)(e) information that would if disclosed prejudice the maintenance of law (inc Privacy and Personal Information Act)
14 Compliance & Weed Biosecurity Property inspections for October 2022	

Resolved in the affirmative.

RESOLVE INTO OPEN COUNCIL

Moved: Member Cr. Watt
Seconded: Member Cr. O'Connor

That Council move into open session of the Council Meeting.

Resolved in the affirmative.

REPORT OF THE CONFIDENTIAL COMMITTEE OF THE WHOLE COUNCIL

12 General Manager's Performance Review

Mover: Chairman Member Cr. McKibbin

Seconder: Member Cr. Reynolds
That Council notes report.

Resolved in the affirmative.

13 Prosecution Cases

Mover: Member Cr. Reynolds
Seconder: Member Cr. Ewin

That Council note the report.

Resolved in the affirmative.

14 Weed Biosecurity Property Inspections for November 2022

Mover: Member Cr. Reynolds
Seconder: Member Cr. O'Connor

That Council notes report.

Resolved in the affirmative.

CLOSE OF MEETING

The Chairman declared the meeting closed at 4.16pm

ITEM 4: MATTERS IN PROGRESS Update 24th February 2023

The table of matters in progress be noted;

SUBJECT	RESOLUTION No. & DATE	RESOLUTION	DESCRIPTION	ACTION
State Prosecution Fund	Item 10 11 February 2022	Council notes the report. 24 February 2023 recommended to close this item.	Chairman, Member Clr McKibbin wrote to the State Weed Committee regarding the concept of a State Prosecution Fund to help all LCAs when prosecuting landholders for failing their weed biosecurity duty. He then went on to present at the State Weed Committee	Council to document actions taken for future reference. Matter closed November 2022. <i>Due Date: Nov 2022</i>
Strategic operational plan for meeting WAP targets	NOM 1 13 May 2022	That the General Manager provide a plan to the County Council members before 30th June 2022 on how the County Council aims to achieve its Weed Action Program inspection targets for 2022-23. Moved: Member Cr. Bruce Reynolds Seconded: Member Cr. Lesslie 24 February 2023 recommended to close this item	That the General Manager provide a plan to the County Council members before June 30th, 2022, on how the County Council aims to achieve its Weed Action Program inspection targets for 2022-23. NOTE Feb 2023 WAP agreement and funding has not been delivered by LLS regionally.	Biosecurity Operations Manager (Chief Weeds Officer) Workplan is being implemented. The Plan addresses the need for monthly analysis of WAP data ensuring Biosecurity Officers are aware of targets and have planned their workloads. <i>Due Date: February 2023</i>
Developing Regional	2020\2021	UMCC has established working relations (<i>senior staff contacts</i>) with Crown Lands,	A collaboration between CTLLS & UMCC to develop a structured	Meetings with non-constituent councils

<p>Guidelines for the engagement of state bodies</p>		<p>Forestry, TSR's (LLS) and TfNSW (Country Rail) The next step being considered and discussed is the regional expansion of these relationships with non-constituent Councils i.e., Cowra, Cabonne, Orange and Midwestern..</p>	<p>and consistent way of approaching State Bodies about their priority weed problems in surrounding LCAs to UMCC but within CTLLS</p>	<p>within the CT LLS Region are being arranged. <i>Due Date: June 2023</i></p>
<p>Strategic Roadside spraying rotation</p>	<p>Item 5 13 May 2022</p>	<p>1. Council notes the report on the roadside spraying program 2021/2022. 2. Council provides a Discussion Paper to each constituent Council on their roadside spraying program for 2021/2022 16 December 2022: Proposed new Roadside Program to be Workshopped February 2023.</p>	<p>Council obtained more information regarding roadsides which meant they could assist their constituent Councils by providing a more rotational roadside weed treatment program ensuring that each roadside was dealt with on a regular basis and helping the constituent Council meet their obligations under the Biosecurity Act.</p>	<p>Constituent Council's GMs have history of the roadside program meeting to be arranged. Will look to encourage a more strategic approach next year. <i>Due Date: April 2023</i></p>
<p>Compliance & Enforcement Intellectual Property</p>	<p>Report 6.2.1 12 August 2022</p>	<p>That Council notes the report on the Compliance and Enforcement Policy.</p>	<p>Council uses specific tools within its compliance and enforcement policy that are considered Intellectual Property and may be shared with other LCA's under an agreement.. Feb 2023: 3 Weed County Councils have recommended to their Councils the adoption of UMCC C&E Policy and Risk Rating Tool</p>	<p>GM engaging with LCAs regarding the UMCC approach. <i>Due Date: April 2023</i></p>

			UMCC GM drafting an agreement (<i>Mac & Mac</i>) for Councils consideration to progress the relationship with the County Councils to a binding agreement.	
Change to Business Name	NOM 2 12 August 22	That Upper Macquarie County Council undertake an investigation into changing its trading name to 'Upper Macquarie Weeds Authority', and that a report to be brought back to Council. Moved: Cr Bruce Reynolds	Business name change will be included in the work being undertaken with the new website. Contractor engaged for web design work that commenced February 2023.	Name change and new website due date: <i>1 July 2023.</i>

ITEM 4: Matters in Progress UPDATE: General Managers response to NOM dated 13 May 2022: Strategic operational plan for meeting WAP targets:

The General Manager provided the following report to ARIC in their advisory capacity seeking comment on the proposed Work Plan of the Biosecurity Operations Manager.

GOVERNANCE FRAMEWORK

- **Assignment of key roles and responsibilities, Performance Management, Reporting and communication activities and**
- **the use of data, information, and knowledge**

Recommendation: That ARIC note and advise on the Management actions reported.

Performance reviews have been conducted for the Biosecurity Operations Manager and Biosecurity Administration Manager. The reviews were based on their current position descriptions. Outcomes from this exercise include refreshing professional development opportunities and proposing training in areas of work that were identified as requiring improvement.

This exercise also highlighted the need for a rewrite of the Biosecurity Operations Manager position description. The existing PD was last amended December 2017.

The prior General Manager had drafted and consulted with staff on several documents designed to guide the staff through a normal annual works program. It is apparent that these documents were not implemented being interrupted by the pandemic. These documents are now being made operational.

The documents (attached) consisted of

- the targeted outcomes for each programmed activity i.e., Private property inspection annual targets, Roadside program targets and Governance compliance targets etc. AND:
- a schedule plotting the primary work activities of the council across 12 months that enables staff to look forward in the year across the scheduled activities and to easily identify the activities being conducted in each month. AND
- an annual Work Plan for the Biosecurity Operations Manager that records responsibilities, sets a standard and identifies targets to be achieved AND
- listing the Management Projects that are assigned to the 3 Managers, BOM, BAM and GM

It is the General Managers view that making these documents operational will provide a framework that supports all staff and particularly the Managers achieve their work responsibilities.

ITEM 5: CHAIRMAN'S MINUTE

Nil

There are no Chairman's reports for this meeting.

ITEM 6: GOVERNANCE PROGRAM

6.1 Legislative compliance

6.1.1 2022/2023 Delivery Program Progress Report

Recommendation:

That Council notes the Delivery Program Progress Report.

Information:

A 6 monthly progress report on Council's Delivery Program must be submitted to Council. The purpose of the report is to enable councillors to understand how council is tracking in the context of the commitment it has made to the community through the Delivery Program.

There is no prescribed layout by Office of Local Government however for ease of reading it has been prepared in a similar format as the Delivery Program/Operational Plan. Key statistics have also been included to help track against the previous comparable period in terms of its core authoritative purpose.

Authored by:	Approved by:
Biosecurity Administration Manager	General Manager
Lisa Monardo	T.N. Johnston

6.2 Polices

6.2.1 Risk Management Policy & Enterprise Risk Management Plan

Recommendation:

1. That the Risk Management Policy be endorsed and brought forward without change. That the Enterprise Risk Management Plan be reconsidered by Members as follows:
 - Members review the risk appetite statement for financial sustainability that currently reports an averse appetite for fraud or significant financial decisions.
 - It was proposed by ARIC that the County Councils being very small, and internal audit and fraud controls are very limited and based on the integrity of 2 staff (GM and BOM) and; the council has a very high dependence on an annual Government Grant (WAP) being a major financial contributor to the operations of the council. These risks may be reconsidered as risks that should be allocated a risk appetite of "avoid" not "averse".

2. That Councils Enterprise Risk Management Plan be amended to change the risk appetite statement for Financial Sustainability be changed from Averse to Avoid.

Councils Audit Risk & Improvement Committee considered a report from the General Manager.

Approved by:
General Manager
T.N. Johnston

6.2.2 ARIC Minutes

Recommendation:

That

1. The minutes of Council's ARIC on 18th May 2022 be noted.
2. The minutes of Council's ARIC on 23rd August 2022 be noted.
3. The minutes of Council's ARIC on 23rd November 2022 be noted.

Information:

Council's newly formed Audit Risk and Improvement Committee have now met on several occasions. Attached are the minutes to these meetings for the information of Council.

6.3 Finance

6.3.1 Quarterly Budget Review Statement 2nd Quarter

Recommendation:

Council notes the Quarterly Budget Review Statement for the 2nd Quarter.

Information:

See attached Quarterly Budget Review Statement.

6.3.2 Investment report at 31 January 2023

Recommendation:

Council notes the report.

Information:

To comply Clause 212 of the Local Government (General) Regulation 2005 – setting out current details of all moneys that Council has invested under Section 625 of the Local Government Act (1993) (the Act).

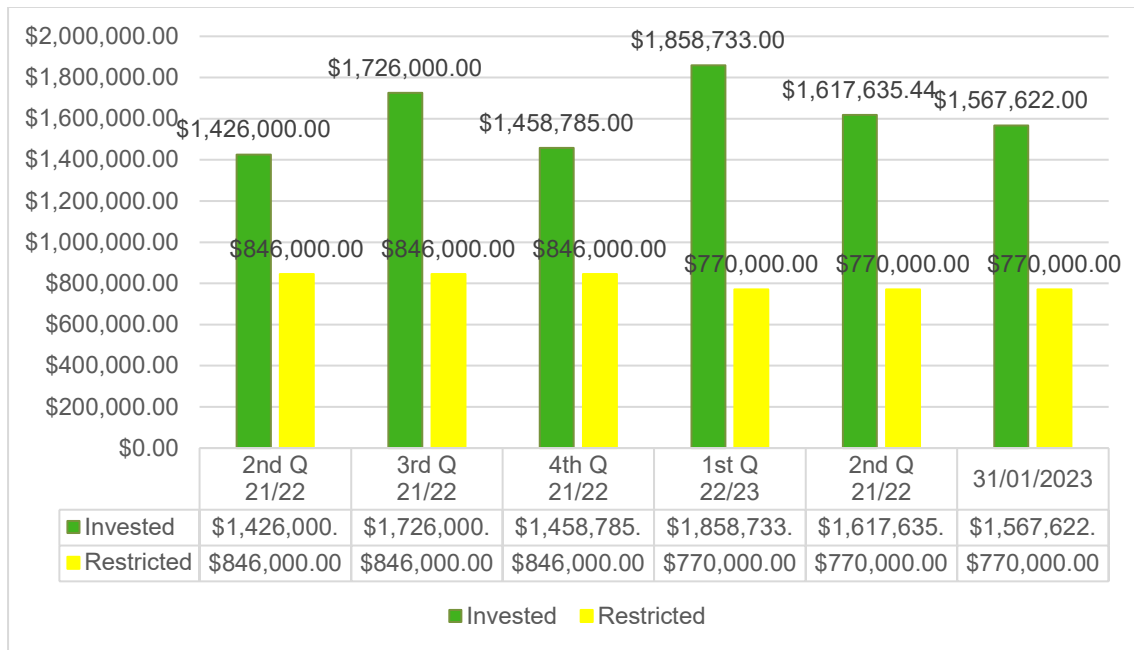
INVESTMENT POSITION:

TABLE 1 - UMCC SCHEDULE of ACCOUNTS–31 January 2023

Westpac Business 31 Day Notice Cash Reserve Account & Overdraft Account			
Rate	Amount	Term	Due Date
3.6%	\$1,450,000.00	No set term	No due date
0.95%	\$100,754.63	Cash Reserve	N/A
0%	\$16,867.37	Overdraft - daily working account	

TOTAL	\$1,567,622.00	Balance on Reporting Date.
--------------	-----------------------	-----------------------------------

TABLE 2 - CASH ALLOCATION- ON 31 January 2023



Authored by:	Approved by:
Biosecurity Administration Manager	General Manager
Lisa Monardo	T.N. Johnston

ITEM 7 LANDHOLDER SUPPORT PROGRAM

7.1 Aerial spraying Program Autumn 2023

Recommendation:

That Council notes the report.

Information:

The autumn 2023 aerial spraying program is progressing with 64 interested landowners. The aerial spraying program cut-off date for landholders has been set as the 7th February 2023 to have their mapping completed and deposits paid. There was increasing demand for the aerial spraying program as the cut-off date approached. The aerial spraying program is set to commence spraying on the 20th February 2023, weather permitting.

UMCC staff have mapped 64 properties with landowners, with 1698 ha for Blackberry and 215 ha for Serrated tussock. The number of hectares that have been mapped for blackberry has increased over the previous programs, due to the growth conditions and the strong effort from UMCC staff promoting and working with landowners with the program. In preparation for the commencement of aerial spraying on the 20th February, all chemicals and additives have been ordered and equipment checks have been undertaken.

Despite strong demand for Serrated tussock aerial spraying from landowners, the area that UMCC staff have mapped for the Serrated tussock aerial program has reduced compared with previous programs. This is due to the unavailability of Flupropanate within Australia at present. Subsequently, the only Serrated tussock spraying that can be undertaken is where the landowner has chemical on hand themselves.

Authored by:	Approved by:
Biosecurity Operations Manager	General Manager
Chris Jackson	T.N. Johnston

ITEM 8 ROADSIDE SPRAYING PROGRAM

8.1 Roadside spraying 2022/2023

Recommendation:

That Council note the report.

Information:

The annual roadside spraying program for 2022-2023 is underway throughout the four constituent council areas, with roadside spraying being undertaken by both UMCC spraying contractors and UMCC staff.

To date most of the contractors' hours of work have been completed. Contractor funding has been exhausted in Blayney and Lithgow, and approximately 60hrs contractor funding remains for Oberon and approximately 40hrs for Bathurst. Funding remains for UMCC staff to complete a further 420hrs in Bathurst, 35hrs in Blayney and 85hrs in Lithgow council areas.

A summary of completed work for each Council area is included below.

Bathurst Council

The spraying contractors have approximately 40 hours left and the UMCC staff have approximately 420 hours left. The roads that have been completed to date are:

Road Name	Length (km)
Dingers Lane	0.7
Grate Western Hwy (Lithgow)	24.4
Hill End Road	41.6
Hobbys Yards Road	8.8
Killongbutta Road	7.6
Saint Johns Road	2.2
Vale Road	7.5
Walang Drive	4.6
Stufford Street	0.2

Blayney Council

The spraying contractors have exhausted their funding and UMCC staff have approximately 35 hours left. The roads that have been completed to date are:

Road Name	Length (km)
Bakers Road	4.7
Carcoar Dam Road	9.3
Hobbys Yards Cemetery Road	0.5
Hobbys Yards Road	28.0
Junction Park Road	1.2
Neville - Trunkey Road	10.4

Lithgow Council

The spraying contractors have exhausted their funding and UMCC staff have approximately 85 hours left. The roads that have been completed to date are:

Road Name	Length (km)
Anarel Road	4.3

Great Westen Hwy (Bathurst)	16.1 out of 30.0
-----------------------------	------------------

Oberon Council

The spraying contractors have approximately 60 hours left, the UMCC staff have exhausted their funding. The roads that have been completed to date are:

Road Name	Length (km)
ABERCROMBIE Road	71.5
BEATTIE Road	2.5
FAIRVIEW Drive	0.7
GORMANS Lane	2.8
MARKS Crescent	1.2
TILSBURY Road	0.0
TITANIA Road	4.3
WHITELEY Road	1.0
WILSON Drive	1.4

Several factors have impacted on the effectiveness of the current spraying programs.

- The cost of chemical
The increased cost of chemicals has resulted in less funding for the labour costs of spraying.
- High Rainfall Season
Wet weather caused delays to the commencement of the roadside spraying program.
- Increased growth of Weeds and Groundcover
Increased rainfall has led to an increase in the growth of both targeted weeds and groundcover. Higher labour costs have been incurred to locate weeds within the groundcover, and spray the increased volume of weeds.
- UMMC Spray Hours
The peak timeframe for property re-inspections within the Council Inspection Program is December through to April. However, UMCC staff have been committed to completing 700-800 hrs of roadside spraying this season. This is a substantial increase compared with previous programs. As UMCC staff have been occupied with roadside spraying, they have completed fewer property re-inspections compared with the previous season to date.
- Aerial Spraying Program
UMCC staff are soon to be occupied with the aerial spraying program, which will limit their opportunity to complete further roadside spraying until the aerial spraying program is completed.

8.2 Roads and Maritime Services Spraying

Recommendation:

That Council notes the report.

Information:

A property located on the Great Western Highway between Lithgow and Little Hartley has been within the UMCC compliance and enforcement system and has escalated to a 1st PIN and #2 Direction. A parcel of land from this property was acquired by Transport for NSW some time ago, for the widening of the Great Western Highway. The UMCC Biosecurity Operations Manager approached Transport for NSW in December 2022 and then again in January 2023 about weed control on the property that they had acquired. UMCC management and Transport for NSW agreed that UMCC would undertake the required work and recover costs from Transport for NSW. UMCC completed the work within days of receiving approval from Transport for NSW.

This reflects the positive relationship UMCC is developing with government agencies including Transport for NSW to effectively manage weed biosecurity.

Authored by:	Approved by:
Biosecurity Operations Manager	General Manager
Chris Jackson	T.N. Johnston

ITEM 9 BIOSECURITY COMPLIANCE

9.1 Biosecurity Compliance Inspections December 2022 and January 2023

Recommendation:

Council notes the report.

Information:

TOTAL: 258 Inspections conducted in the months of November 2022 & December 2023	130 of the 258 were high risk
	128 of the 258 were low risk
	138 of the 258 were Re-inspections
	120 of the 258 were First Inspections

138 of the 258 were Re-inspections	88 of the 138 were high risk
	50 of the 138 were low risk
120 of the 258 were First inspections	42 of the 120 were high risk
	78 of the 120 were low risk

90 days past	At 31th January 9 properties were beyond 90 days of their compliance date.
--------------	----------------------------------------------------------------------------

Year to date (July 2022 to January 2023)

TOTAL: 1083 Inspections conducted	512 of the 1083 were high risk
	571 of the 1083 were low risk
	561 of the 1083 were Re-inspections
	437 of the 1083 were First Inspections

561 of the 1083 were Re-inspections	371 of the 561 were high risk
	190 of the 561 were low risk
522 of the 1083 were First inspections	141 of the 522 were high risk
	381 of the 522 were low risk

Authored by:	Approved by:
Biosecurity Operations Manager	General Manager
Chris Jackson	T.N. Johnston

9.2 Penalty Infringement Notices

Recommendation:

Council notes the report.

Information:

TOTAL of 82 PIN's Issued since 1st July 2018	69 of the 82 are 1st PIN's
	13 of the 82 are 2nd PIN's
	41 of the 82 have been Paid
	19 of the 82 are owning
	22 of the 82 have been withdrawn

Of the 69 1st PIN's	36 of the 69 have been paid
	14 of the 69 are owning
	20 of the 69 have been withdrawn

Of the 13 2nd PIN's	5 of the 13 have been paid
	6 of the 13 are owning
	2 of the 13 have been withdrawn

Authored by:	Approved by:
Biosecurity Operations Manager	General Manager
Chris Jackson	T.N. Johnston

9.3 Regional Engagement

9.3.1 Transport for NSW and UGL Rail Network.

UMCC identified a biosecurity risk along 159km of rail line that runs between Lithgow station to the East and beyond Millthorpe station to the North-West. As a result, this section of line is currently subject to four biosecurity directions, issued to Transport for NSW.

Over the past 12 months UMCC has arranged several online teams meetings with UGL and Transport for NSW to communicate the conditions of the biosecurity directions, and raise awareness of their biosecurity duty. Then on the 12th and 13th January 2023, UMCC conducted a High Rail Inspection for all four biosecurity directions along the rail corridor. Present for the inspection were the UMCC Chief Weeds Biosecurity Officer, two UGL staff and the UGL spraying contractor.

The High Rail Inspection was discussed on the 31st January via an online teams meeting between the UMCC GM, UMCC Chief Weeds Biosecurity Officer, manager for Transport NSW, MPM manager and the UGL senior lead for Environment Heritage Sustainability. The discussion highlighted that the weed control work undertaken along the rail corridor to date was insufficient, and that Transport for NSW would not be meeting their biosecurity duty. The outcome was UGL and Transport for NSW deploying their weed spraying contractor along the rail corridor with an aim to complete work before the four Biosecurity Directions expire.

Authored by:	Approved by:
Biosecurity Operations Manager	General Manager
Chris Jackson	T.N. Johnston

9.3.2 Central Tablelands Local Lands Services Regional Weed Committee

Recommendation:

That Council notes the information.

Information:

The committee last met on 15th February 2023. Attached is the agenda to that meeting for the information of Council.

ITEM 10. OTHER MATTERS

10.1 County Council meeting schedule

Recommendation:

Council adopts the proposed meeting schedule.

Position:

The proposed schedule is below:

Date:	Time	Meeting & Location:
14 th April 2023	12:00pm	Workshop
12 th May 2023	2.00pm	Ordinary Council Meeting
16 th June 2023	2.00pm	Ordinary Council Meeting
11 th August 2023	2.00pm	Ordinary Council Meeting
15 th September 2023	12.00pm	Workshop
24 th November 2023	2.00pm	Ordinary Council Meeting

ITEM 11. NOTICES OF MOTION OR RESCISSION

NIL Notices of Motions or Rescissions.

CONFIDENTIAL REPORTS

Recommendation:

Resolve into Closed Committee of the whole to review the following items:

REPORT SUBJECT	REASON FOR CONFIDENTIALITY [SECTION OF THE ACT]
12 General Manager's Salary	Section 10A (2)(a) personnel matters concerning particular individuals (other than councillors)
13 Prosecution cases	Section 10A (2)(e) information that would if disclosed prejudice the maintenance of law (inc Privacy and Personal Information Act)
14 Compliance & Weed Biosecurity Property inspections for October 2022	

Information:

That Council now move into closed committee of the whole to discuss the following matters:

- 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 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.

1. RESOLVE INTO OPEN COUNCIL

*** MOTION:**

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

2. REPORT OF THE COMMITTEE OF THE WHOLE COUNCIL

*** MOTION:**

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

UPPER MACQUARIE COUNTY COUNCIL

2nd QUARTERLY BUDGET REVIEW STATEMENT

For the Period 1st July 2022 to 31st December 2022

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

The Upper Macquarie County Council Quarterly Budget Review Statement (QBRS) is prepared on a consolidated accrual basis to reflect the four program areas that combined make up the single purpose 'weed biosecurity' 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.

Overall, the budget position year to date and projections to year-end are satisfactory at this stage with no unresolvable impacts on cash and investments or implementation expected on the Councils core functions associated with the operational plan.

"As General Manager and the Responsible Accounting Officer for Upper Macquarie County Council it is my opinion that the 1st Quarterly Budget Review Statement for Upper Macquarie County Council for the quarter ended 30/09/2022 indicates that Council's projected financial position at 30/06/2023 will see a near break even end, having regard to the projected estimates of income and expenditure, the adjustments proposed, and the original budgeted income and expenditure."

Signed:

Date: 31st December 2022

Tim Johnston
General Manager
Responsible Accounting Officer,
Upper Macquarie County Council

UPPER MACQUARIE COUNTY COUNCIL

Table 1

Upper Macquarie County Council 2022/2023 Financial Year							
Quarterly Budget Review Statement [Consolidated Program Basis]							
INCOME & EXPENSES							
Income & Expenses	Original		Adjustments	Position		Revised	Actual
	Original	Revised	Recommended	Projected	Variation	YTD	YTD
Income:	Budget (\$)	Budget (\$)	For Council (\$)	End Year (\$)	End Year (\$)	Budget (\$)	Accrual (\$)
<i>Landholder Support Program</i>	\$353,000.00			\$353,000.00		\$176,500.00	\$14,451.82
<i>Roadsides Weed Control Program</i>	\$157,823.70			\$157,823.70		\$78,911.85	\$135,323.70
<i>Weed Biosecurity Compliance Program</i>	\$972,480.43			\$972,480.43		\$486,240.21	\$640,109.44
<i>Business Management Program</i>	\$72,500.00			\$72,500.00		\$36,250.00	\$33,701.51
Total Income from Continuing Operations	\$1,555,804.13	\$0.00	\$0.00	\$1,555,804.13	\$0.00	\$777,902.06	\$823,586.47
Expenses:							
<i>Landholder Support Program</i>	\$250,000.00			\$250,000.00		\$125,000.00	\$26,806.28
<i>Roadsides Weed Control Program</i>	\$107,823.70			\$107,823.70		\$53,911.85	\$30,216.05
<i>Weed Biosecurity Compliance Program</i>	\$914,908.50			\$914,908.50		\$457,454.25	\$368,766.13
<i>Business Management Program</i>	\$282,195.55			\$282,195.55		\$141,097.77	\$196,784.23
				-			
Total Expenses from Continuing Operations	\$1,554,927.75	\$0.00	\$0.00	\$1,554,927.75		\$777,463.87	\$622,572.69
Net Operating Result from Continuing Operations	\$876.38	\$0.00	\$0.00	\$876.38		\$438.19	\$201,013.78

2nd QUARTERLY BUDGET REVIEW STATEMENT
For the Period 1st July 2022 to 31 December 2022.

UPPER MACQUARIE COUNTY COUNCIL

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. 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 program item – at which point a formal explanation and where applicable a budget remedy is required.

End of Year Position

Council is still expected to reach a break even result by the end of the 2022/2023 Financial Year

Explanation

Key Points:

Income:

- All roadside spraying funds have been received
- All Council contributions have been received
- WAP Funding has not yet been received
- 4 Fleet vehicles are in the process of being changed over, however the old vehicles have not yet been sold/traded in.

Expenses:

- Roadside spraying had only just begun
- Plant running has increased significantly as the vehicles due to be changed over are increasing in cost to maintain.
- Member delegates expenses have increased as a result of the Members attending more public events on behalf of Council which was unexpected.
- Aerial Spraying Program facilitation had commenced.

Remedy

- Trade in vehicles and purchase of new vehicles – this is already underway
- Roadside spraying will soon commence
- Council has been advised that WAP funding is on its way

UPPER MACQUARIE COUNTY COUNCIL

Upper Macquarie County Council 2022/2023 Financial Year

Quarterly Budget Review Statement

CASH & INVESTMENTS						
2022.2023 Financial Year	Original	Adjustments	End Position		Actual YTD	
	Original	Revised	Recommended	Projected	Variation	Actual Cash at Bank @ 31/12/2022
Unrestricted	Budget (\$)	Budget (\$)	For Council (\$)	End Year (\$)	End Year (\$)	NOW (\$)
Operating Funds	\$ 688,758.00	\$ -		\$ -	\$ -	\$ 723,635.00
Total Un-restricted	\$ 688,758.00	\$ -		\$ -	\$ -	\$ 723,635.00
Externally Restricted						
Special Purpose Grants (LLS)	\$ 44,000.00	\$ -		\$ -	\$ -	\$ 44,000.00
Total Externally Restricted	\$ 44,000.00	\$ -		\$ -	\$ -	\$ 44,000.00
Internally Restricted						
Employee Leave Entitlements Fund	\$ 150,000.00	\$ -		\$ 150,000.00	\$ -	\$ 150,000.00
Plant & Vehicle Replacement Fund	\$ 9,000.00	\$ -		\$ 9,000.00	\$ -	\$ 153,000.00
Infrastructure & Technology Replacement Fund	\$ 86,000.00	\$ -		\$ 86,000.00	\$ -	\$ 100,000.00
Weed Biosecurity Response Fund	\$ 50,000.00	\$ -		\$ 50,000.00	\$ -	\$ 50,000.00
Business Viability Fund	\$ 400,000.00	\$ -		\$ 400,000.00		\$ 400,000.00
Biosecurity Enforcement Fund	\$ 31,000.00	\$41,000.00	\$ 10,000.00	\$ 41,000.00	\$ -	\$ 41,000.00
Total Internally Restricted	\$ 726,000.00	\$41,000.00	\$ 10,000.00	\$ 736,000.00		\$ 894,000.00
Total Cash & Investments	\$ 1,458,758.00	\$41,000.00	\$ 10,000.00	\$ 736,000.00		\$1,661,635.00

UPPER MACQUARIE COUNTY COUNCIL

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.

End of Year Position

Will reach close to budget.

Explanation

The committed cash from plant reserves and IT is planned to be expanded by end of 2022/2023 financial year.

Remedy

UPPER MACQUARIE COUNTY COUNCIL
TABLE 3

Upper Macquarie County Council 2022/2023 Financial Year

Quarterly Budget Review Statement [Consolidated Program Basis]

Capital Budget

		Original		Adjustments	Position		Revised	Actual
		Original	Revised	Recommended	Projected	Variation	YTD	YTD
Capital number	Capital description	Budget (\$)	Budget (\$)	For Council (\$)	End Year (\$)	End Year (\$)	Budget (\$)	Accrual (\$)
1	Tray top utility Triton	\$36,000.00			\$36,000.00		\$36,000.00	\$0.00
2	Tray top utility Triton	\$36,000.00			\$36,000.00		\$36,000.00	\$0.00
3	Tray top utility Triton	\$36,000.00			\$36,000.00		\$36,000.00	\$0.00
4	Tray top utility Ranger	\$0.00			\$0.00		\$0.00	\$0.00
5	Tray top utility Ranger	\$0.00			\$0.00		\$0.00	\$0.00
6	Tray top utility Ranger	\$0.00			\$0.00		\$0.00	\$0.00
7	Tray top utility Nissan	\$36,000.00			\$36,000.00		\$36,000.00	\$0.00
8	Quick spray Units (Large)	\$20,000.00			\$20,000.00		\$20,000.00	\$0.00
9	Quick spray Units (Medium)	\$0.00			\$0.00		\$0.00	\$0.00
10	Quick spray Units (small)	\$1,000.00			\$1,000.00		\$1,000.00	\$0.00
11	Drones Fleet	\$4,000.00			\$4,000.00		\$4,000.00	\$0.00
12	Office Furniture	\$5,000.00			\$5,000.00		\$5,000.00	\$1,454.00
13	Web Page	\$10,000.00			\$10,000.00		\$10,000.00	\$0.00
14	Technology & Equipment	\$14,000.00			\$14,000.00		\$14,000.00	\$0.00
Total Purchases	[NET COST BASIS]	\$198,000.00			\$198,000.00		\$198,000.00	\$1,454.00

UPPER MACQUARIE COUNTY COUNCIL

TABLE 4

Upper Macquarie County Council						
CONTRACTS & OTHER EXPENSES			1 st Quarter – 1 st July 2022 to 31 st December 2022			
Contracts Listing	2022.2023 Financial Year					
Contractor	Contract Details	Contract Purpose	Contract Value	Contract Commenced	Duration of Contract	Funding in Budget
Gregaldon Pastoral	To form part of a panel to be selected from to perform roadside spraying	Roadside spraying panel	Part thereof \$157,940	15/11/2021	3 years	Part thereof \$157,940
MJC Contracting	To form part of a panel to be selected from to perform roadside spraying	Roadside spraying panel	Part thereof \$157,940	15/11/2021	3 years	Part thereof \$157,940
Dean Grabham	To form part of a panel to be selected from to perform roadside spraying	Roadside spraying panel	Part thereof \$157,940	15/11/2021	3 years	Part thereof \$157,940
Brett Howarth	To form part of a panel to be selected from to perform roadside spraying	Roadside spraying panel	Part thereof \$157,940	15/11/2021	3 years	Part thereof \$157,940

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		2 nd Quarter – 1 st July 2021 to 31 st December 2021				
Consultancy & Legal Expenses Summary	2021.2022 Financial Year					
Expense	Number of Engagements		Expenditure YTD			Funding in Budget
Consultancies	NIL		N/A			N/A
Legal Fees	1		\$ 1,200			\$4,000

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

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

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 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%**. [*How much revenue exceeds expenditure*]

- The County Council YTD position at 30 September 2022 was **ACTUAL** = **62%**

2. 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 2021/ 2022 was **ACTUAL 100%**

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 borrowing debt – hence debt servicing and asset renewal/ capital works measures are not appropriate.*