

## Upper Macquarie County Council

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5 May 2023

Members of the County Council

### **Notice of Ordinary Meeting of Upper Macquarie County Council 12 May 2023**

I advise an Ordinary Meeting of the Upper Macquarie County Council will be held at the 7 Lee Street, Kelso chambers on 12 May 2023 beginning at 2.00pm

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. 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.
2. A VIDEO RECORDING OF THE MEETING WILL BE POSTED ON THE COUNTY COUNCIL WEBSITE ([WWW.UMCC.NSW.GOV.AU](http://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 12 MAY 2023**

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## 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 is moved by:	
Mover:	Seconder:

### 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 is moved by:	
Mover:	Seconder:

#### 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 **24 February 2022**.

#### Information:

##### ATTENDANCE

The Council Members were present:

- Cr. A. McKibbin
- Cr. B. Reynolds
- Cr. S. Lesslie
- Cr. A Smith
- Cr. A. Ewin
- Cr. Smith (via Zoom)

The following Council Staff attended:

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

#### Acknowledgement of Country

Item 1: Apologies

**Mover:** Member Reynolds

**Seconder:** Member Lesslie

That Council

1. acknowledge and accept the apologies of Members, Cr. Watt and Cr. O'Connor.
2. Allow Member Cr. Smith to attend via Zoom.

Item 2: Disclosure of interest and Statement of Ethical Obligations

**Mover:** Member Cr. Ewin

**Seconder:** Member Cr. Smith

Item 3: Confirmation of Minutes

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#### Certificate

This is page 4 of 4 of Meetings of the Meeting of the Upper Macquarie County Council held at the Council Chambers, Lee Street Kelso NSW, on Friday 11<sup>th</sup> November 2022.

**Mover:** Member Cr. Lesslie  
**Seconder:** Member Cr. Reynolds

That Council adopt the minutes of the Ordinary meeting of the 16<sup>th</sup> December 2022.

**Resolved in the affirmative.**

Item 4: Matters in Progress

**Mover:** Member Cr. Fry  
**Seconder:** Member Cr. Lesslie

Council notes the table of matters in progress.

**Resolved in the affirmative.**

Item 5: Chairman's Minute

**Nil**

Item 6: Governance Program

6.1 Legislative Compliance

6.1.1: 2022/2023 Delivery Program Progress Report

**Mover:** Member Cr. Fry  
**Seconder:** Member Cr. Ewin

That Council notes the Delivery Program Progress Report.

**Resolved in the affirmative.**

6.2 Policies

6.2.1 Risk Management Policy & Enterprise Risk Management Plan

**Mover:** Member Cr. Reynolds  
**Seconder:** Member Cr. Fry

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 BAM) 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.

**Resolved in the affirmative.**

6.2.2 ARIC Minutes

**Mover:** Member Cr. Fry

**Seconder:** Member Cr. Ewin

1. The minutes of Council’s ARIC on 18<sup>th</sup> May 2022 be noted.
2. The minutes of Council’s ARIC on 23<sup>rd</sup> August 2022 be noted.

**Resolved in the affirmative.**

6.3 Finance

6.3.1 Quarterly Budget Review Statement

**Mover:** Member Cr. Fry

**Seconder:** Member Cr. Reynolds

That Council notes the Quarterly Budget Review Statement for the 2<sup>nd</sup> Quarter.

**Resolved in the affirmative.**

6.3.2 Investment Report at 31 January 2023

**Mover:** Member Cr. Fry

**Seconder:** Member Cr. Ewin

Council notes the report.

**Resolved in the affirmative.**

Item 7 Landholder Support Program

7.1 Aerial Spraying Program Autumn 2023

**Mover:** Member Cr. Ewin

**Seconder:** Member Cr. Fry

That Council notes the report.

**Resolved in the affirmative.**

Item 8 Roadside Spraying Program

## 8.1 Roadside Spraying 2022/2023

**Mover:** Member Cr. Lesslie

**Second:** Member Cr. Smith

That Council note the report.

**Resolved in the affirmative.**

## 8.2 Roadside Discussion Paper

**Mover:** Member Cr. Ewin

**Second:** Member Cr. Reynolds

Council notes the report.

**Resolved in the affirmative**

## Item 9 Biosecurity Compliance

### 9.1 Biosecurity Compliance Inspections December 2022 and January 2023

**Mover:** Member Cr. Smith

**Second:** Member Cr. Fry

Council notes the report.

**Resolved in the affirmative.**

### 9.2 Penalty Infringement Notices

**Mover:** Member Cr. Smith

**Second:** Member Cr. Lesslie

Council notes the report.

**Resolved in the affirmative.**

### 9.3 Regional Engagement

#### 9.3.1 Transport for NSW and UGL Rail Network.

**Mover:** Member Cr. Fry

**Second:** Member Cr. Lesslie

Council notes the report.

**Resolved in the affirmative.**

#### 9.3.2 Central Tablelands Local Lands Services Regional Weed Committee



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

Council notes the information.

**Resolved in the affirmative.**

Item 10. Other matters

10.1 County Council Meeting Schedule

**Mover:** Member Cr. Reynolds  
**Seconder:** Member Cr. Fry

Council adopts the proposed meeting Schedule

<b>Date:</b>	<b>Time</b>	<b>Meeting &amp; Location:</b>
14 <sup>th</sup> April 2023	12:00pm	Workshop
12 <sup>th</sup> May 2023	2.00pm	Ordinary Council Meeting
16 <sup>th</sup> June 2023	2.00pm	Ordinary Council Meeting
11 <sup>th</sup> August 2023	2.00pm	Ordinary Council Meeting
15 <sup>th</sup> September 2023	12.00pm	Workshop
24 <sup>th</sup> 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. Smith

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 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 December 2022 and January 2023	

**Resolved in the affirmative.**

RESOLVE INTO OPEN COUNCIL

**Moved:** Member Cr. Fry

**Seconded:** Member Cr. Lesslie

That Council move into open session of the Council Meeting.

**Resolved in the affirmative.**

REPORT OF THE CONFIDENTIAL COMMITTEE OF THE WHOLE COUNCIL

12 General Manager’s Salary

Mover: Member Cr. Fry

Seconder: Member Cr. Smith

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 December 2022 & January 2023

Mover: Member Cr. Reynolds

Seconder: Member Cr. Smith

That Council notes report.

**Resolved in the affirmative.**

CLOSE OF MEETING

The Chairman declared the meeting closed at 3:47pm

**ITEM 4: MATTERS IN PROGRESS Update 12<sup>th</sup> May 2023**

Recommendation is moved by:	
Mover:	Seconded:

**Recommendation:**

Council notes the matters in progress update.

:SUBJECT	RESOLUTION No. & DATE	RESOLUTION	DESCRIPTION	ACTION
Strategic Roadside spraying rotation	Item 5 13 May 2022	<p>1. Council notes the report on the roadside spraying program 2021/2022.</p> <p>2. Council provides a Discussion Paper to each constituent Council on their roadside spraying program for 2021/2022</p> <p>16 December 2022: Proposed new Roadside Program to be Workshopped February 2023.</p> <p>Members workshopped the proposal to move away from the Roadside Program MOU to a Service Agreement that would see all roadsides treated each 3 years. Each LGA will have 3 sectors identified.</p>	The change from an MOU to a Service Agreement will be recommended to the Councils May 2023 meeting.	<p>Constituent Council's GMs responded to the Discussion Paper; each Council has provided positive responses to the 3 year rotation proposal under a Service Agreement replacing the MOU.</p> <p>Service Agreement for Roadside Program to be resolved at the May 2023 UMCC. The Service Agreement Proposal to be offered to each constituent council seeking their endorsement. <i>Due Date: May 2023</i></p>

<p>Change to Business Name</p>	<p>NOM 2 12 August 22</p>	<p>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</p> <p>Workshop April 2023 favoured Name considerations to Central Tablelands Weed Authority.</p>	<p>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. Recommendation being made to 12 May 2023 UMCC meeting to adopt preferred Trading as name. UMWA or CTWA</p>	<p>Name change and new website due date:</p> <p><i>1 July 2023.</i></p>
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## 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 Government Information Public Access Act

Recommendation is moved by:	
Mover:	Seconded:

**Recommendation:**

Council notes the report.

**Information:**

Legislative compliance in lodging the GIPA annual report for 2021/22. (NIL Return).

Approved by:
General Manager
T.N. Johnston

#### 6.1.2 Insurance Renewals 2023/2024

Recommendation is moved by:	
Mover:	Seconded:

**Recommendation:**

Council notes the report.

**Information:**

Council has received insurance renewal applications from Statewide Mutual that are due to be returned during May 2023 for renewals commencing 1 July 2023.

Legislative compliance in accordance section 382 Local Government Act requiring insurance for public and professional liability is being achieved for the pending financial year.

Approved by:
General Manager
T.N. Johnston

### 6.1.3 Register business name “Central Tablelands Weeds Authority”

Recommendation is moved by:	
Mover:	Seconder:

#### Recommendation:

That Council proceed to register business name “Central Tablelands Weeds Authority” if no opposition is received from the other Councils in the Central Tablelands District following consultation.

#### Information:

At Council’s ordinary meeting of 21 October 2022, Council resolved:

“That Council

1. Proceed to register business name “Upper Macquarie Weeds Authority”.

Council staff did not progress to accomplishing this task. However, at Council’s workshop on 14 April 2023, Members and Council Management considered an alternative name:

“Central Tablelands Weeds Authority”.

This name was also brought before a Council staff team meeting. Although there were some small concerns raised it seemed to be considered across the board to be a more descriptive name.

It was agreed by all that Council’s General Manager consult with the other Council’s in the Central Tablelands District to ensure there is no strong opposition to the idea.

If no opposition is received, it is recommended that Council go ahead and register business name “Central Tablelands Weeds Authority”.

Following the successful registration of the business name, Council will progress to applying it to their new website.

It is noted that during the period of developing a new website the Council is non-compliant with Local Government Act and GIPA Act requirements to make documentation such as Annual Reports, IP&R documents, Codes, Guidelines, Plans and Policies, Council meeting information including minutes being freely available to members of the public. This noncompliance is acknowledged, and work is progressing on the launch of the new Website by July 2023.

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

### 6.1.4 Modern Slavery Act 2018 (NSW)

Recommendation is moved by:	
Mover:	Seconder:

**Recommendation:**

That Council continue to investigate ways to ensure that their obligations under the Modern Slavery Act 2018 (NSW) are met.

**Information:**

On 11 April 2022, the Office of Local Government NSW produced a circular to Councils regarding “Council’s obligations under the Modern Slavery Act 2018”. (Circular 22-09/11 April 2022/A803923).

This will mean that “From 1 July 2022, councils will be required to take reasonable steps to ensure that goods and services procured by and for the council are not the product of modern slavery within the meaning of the Modern Slavery Act 2018 (NSW).” (Circular 22-09/11 April 2022/A803923)

“Modern slavery is a serious violation of an individual’s dignity and human rights. Exploitative practices including human trafficking, slavery, servitude, forced labour, debt bondage and forced marriage are all considered modern slavery and are serious crimes under Australian law.” This information was taken straight from <https://www.nsw.gov.au/nsw-government/projects-and-initiatives/modern-slavery> which contains further information regarding “Modern Slavery”. (Warning - this website contains disturbing written detail about violation of human rights).

Council management are currently working with Central NSW Joint Organisation and its other members to seek ways in which to reduce the cost of meeting obligations by producing a regional process for a Modern Slavery Risk Assessment of suppliers for regional councils. Members will be kept informed of the progress of this project.

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

### 6.1.5 Implementation of the amendments to the State Records Act 1998

Recommendation is moved by:	
Mover:	Seconder:

**Recommendation:**

That Council notes the report.

**Information:**

On 20 February 2023, the Central NSW Joint Organisation kindly facilitated an information session for Council’s Records Managers. The information was presented



by Museums of History and provided an overview of the amendments to the State Records Act 1998. From 31 December 2022, the *State Records Act 1998* (NSW) will be administered by two statutory bodies: State Records Authority NSW (State Records NSW) and Museums of History NSW (MHNSW).

Further to this information, in March 2023, Council participated in a jurisdiction wide assessment under Section 12(4) of the State Records Act 1998 which requires each public office to report on its records management program in accordance with arrangements made with the State Records NSW. State Records NSW will report on the results of the monitoring exercise in the first quarter of 2023-2024. This will include the publication of an aggregate/summary of results report on our website and in our Annual Report. Individual reports will be made available directly to each organisation.

Council staff will review the outcomes of the assessment when available and investigate ways for Council to ensure it's compliance with the State Records Act 1998.

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

#### 6.1.6 Interim External Audit Commencement

Recommendation is moved by:	
Mover:	Seconder:

#### Recommendation:

Council notes the report.

#### Information:

Similarly, to large ordinary multipurpose Councils, Upper Macquarie County Council is also submitted to an interim audit which has now commenced. Information that is gleaned initially is information surrounding Council's internal controls and moves through to conducting "walk throughs" of certain transactions. Although, administratively laborious work, working with the contracted auditors is found to be most beneficial as it highlights Council's strengths and weaknesses and enables transparency throughout it's systems, processes and transactions.

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

## 6.2 Polices

### 6.2.1 Amendments to Compliance & Enforcement Policy

Recommendation is moved by:	
Mover:	Seconded:

#### Recommendation:

That the Compliance & Enforcement Policy be amended are as follows.

1. Amend Table 4 Enforcement Action Guide **Levels of Decision Making** to increase Biosecurity Officers delegation. Currently biosecurity officers issue Weed Control Notices only. It is recommended to change this to enable Officers to inspect for and issue a first Direction, re-inspect and “recommend” issuing a Penalty Infringement Notice. Apply delegation limitations to Biosecurity Officers requiring evidentiary material being reviewed by the Manager Biosecurity Operations (MBO) before the PIN is issued and moving to a 2<sup>nd</sup> Direction that will be issued by the MBO.
2. Amend policy to reflect enforcement actions arising from non-compliance of a 2<sup>nd</sup> Direction includes enforceable undertaking, council undertakes control works or court proceedings. Remove 2<sup>nd</sup> PIN from Policy.
3. Amend section 14 Issue of Directions, Penalty Notices part 4 titled **Time Cycle for Notices & Directions** and part 6 **Enforcement Time Cycle** setting maximum limits on the compliance period as follows;
  - o for WCN 9 months and Directions 6 months and;
  - o applying extensions as per Guidelines only.

#### Information:

The primary purpose of the amendment is to reduce the time a landholder is active in the compliance system. Currently the Policy provides compliance and enforcement actions that may take 5 years to conclude, the objective of the proposed changes aims to reduce this to 3 or 4 years.

Aside from the above amendments to the Policy Management must develop Guidelines for Extensions in consultation with Biosecurity Officers.

Approved by:
General Manager
T.N. Johnston

## 6.3 Finance

### 6.3.1 Quarterly Budget Review Statement – Third Quarter

Recommendation is moved by:	
Mover:	Seconded:

**Recommendation:**

That Council notes the report.

**Information:**

Please note this will be a late report to Council.

### 6.3.2 Operational Plan, Delivery Program & Business Activity Strategic Plan

Recommendation is moved by:	
Mover:	Seconded:

**Recommendation:**

That Council

1. Place the Operational Plan & Delivery Program on public exhibition for 28 Days seeking public comment and bring back before the Ordinary Council Meeting 16 June 2023.
2. Place the Business Activity Strategic Plan on public exhibition for 28 days seeking public comment and bring back before the Ordinary Council Meeting 16 June 2023

**Information:**

It was recognised at Council's workshop on 14 April 2023, that further funding sources are essential for the Council to continue as a going concern.

The General Manager is currently investigating several different avenues that support the enhancement of Council's ongoing budget.

The method used in the making of the 2023/2024 Operational Budget deliver a positive bottom line includes the use of Council resources in programs such Roadside spraying and Aerial Spraying, however ensuring full cost recovery is implemented.

See attached Operational Plan/Delivery Program and Business Activity Strategic Plan.

### 6.3.3 Investment Report 30 April 2023

Recommendation is moved by:	
Mover:	Seconded:

**Recommendation:**  
Council notes the report.

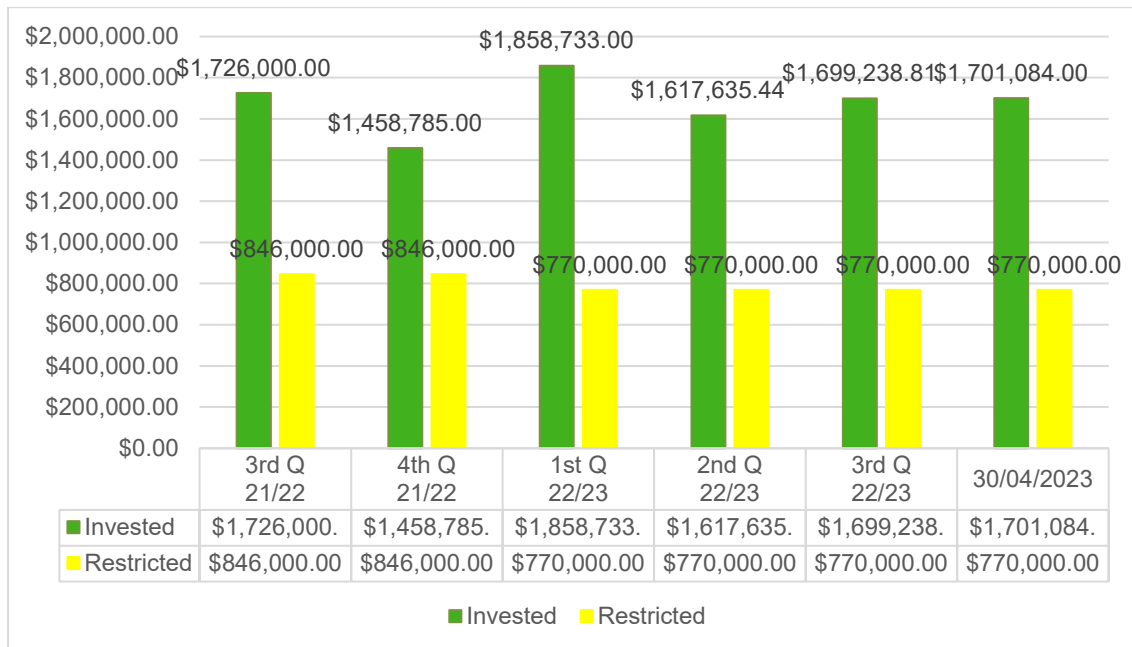
**Information:**  
To comply Clause 212 of the Local Government (General) Regulation 2005 – setting out current details of all moneys that Council has invested under Section 625 of the Local Government Act (1993) (the Act).

**INVESTMENT POSITION:**

**TABLE 1 - UMCC SCHEDULE of ACCOUNTS–30 April 2023**

Westpac Business 31 Day Notice Cash Reserve Account & Overdraft Account			
Rate	Amount	Term	Due Date
4.1%	\$1,450,000	No set term	No due date
1.35%	\$50,923	Cash Reserve	N/A
0%	\$200,161	Overdraft - daily working account	
<b>TOTAL</b>	<b>\$1,701,084</b>	<b>Balance on Reporting Date.</b>	

**TABLE 2 - CASH ALLOCATION– ON 30 April 2023**



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

## 6.4 Human Resources

### 6.4.1 General Manager’s Annual Performance Review

Recommendation is moved by:	
Mover:	Seconded:

**Recommendation:**

That

1. Council elects a member from Lithgow Council and Bathurst Council to participate in a Subcommittee with the Chairman Member Cllr Andrew McKibbin and Deputy Chairman Member Cllr Bruce Reynolds in an annual performance review with the General Manager Timothy Johnston.
2. Council nominates Member X from Bathurst Council and Member X from Lithgow Council to participate in the General Manager’s Performance Review Subcommittee.

**Information:**

Council’s General Manager, Tim Johnston commenced working for Council on 6 June 2022. The General Manager entered into a Performance Agreement with Council to establish performance requirements.

“The General Manager is entitled to make a submission to the UMCC Members in relation to the performance review but is not obliged to do so. If the GM does so, then he will self-assess against each of the performance criteria. The Council members may delegate the function to a subcommittee. The Members or Subcommittee will meet with the General Manager to review his performance and score the General Manager’s performance. The two parties will seek to agree on assessed score for each of the criteria listed in order that an assessment of the General Manager’s performance be made. If a score agreement cannot be reached with the General Manager, the Members score determination will prevail. The Members or subcommittee will detail where improvements are required and in particular where scores of less than 2 are obtained what specific improvements are required. The performance assessment will then be endorsed by the full Council at the next available meeting.” – Excerpt from General Manager’s performance agreement 2022/2023.

Council should now elect 2 Members, one from Lithgow Council and one from Bathurst Council to participate in the Performance Review Subcommittee.

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

### 6.4.2 Work Health & Safety

Recommendation is moved by:	
Mover:	Seconder:

**Recommendation:**

That Council notes the report.

**Information:**

On 9 March 2023, an Authorised Officer from Safework NSW arranged to meet with Council's General Manager and Biosecurity Administration Manager in response to a complaint received by Safework. Safework then investigated and gathered evidence by examining Council's WH&S documentation and physical workplace including PPE that is made available to the staff.

It was then arranged for Safework to join Council's staff whilst out conducting aerial spraying. Inspection reports were provided to Council on both visits.

As a result of the Safework investigation an improvement notice was issued to Council. In response to the improvement notice Management rewrote a Safe Work Method Statement (Aerial spraying related) and created an adjoining manual handling and a hazardous chemical procedure. These went through a consultation phase with staff before being presented to Safework before the compliance date of the improvement notice.

Safework provided feedback and was satisfied that the improvement notice had been complied with.

Management found this a good exercise in improving safety in and around Council's programs. Management looks forward to continuing to improve the WH&S practices. It should be noted by Council that Safework were professional, helpful, and cooperative with Council staff during this process. Management looks forward to working with Safework on a more proactive basis.

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

### 6.4.3 Staff Resourcing

Recommendation is moved by:	
Mover:	Seconder:

**Recommendation:**

That council notes the report.

**Information:**

The Weeds Biosecurity Officer (WBO) for Blayney Council area is currently off work.

In their absence, UMCC has employed a casual staff member to assist with the completion of the roadside spraying program across Bathurst, Blayney, Lithgow and Oberon council areas before the end of the spraying season. The casual contract is being funded by the Blayney WBO's wage.

The absence of the Blayney WBO has resulted in reduced inspection rates for Blayney Council area. To rectify this, the Chief Weeds Biosecurity Officer (CWBO) is making arrangements for one or more of the remaining WBO's to assist with Blayney Council area inspections once the roadside spraying program is completed.

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

## ITEM 7 LANDHOLDER SUPPORT PROGRAM

### 7.1 Aerial spraying Program Tender Changes

Recommendation is moved by:	
Mover:	Seconded:

**Recommendation:**

That Council notes the that the Aerial Program Tender was changed by Addenda.

**Information:**

The addenda was issued to registered Tenderers informing them that flupropanate granular herbicide was deleted from the scope of the tender, leaving liquid herbicides only. This matter was brought to the attention of Council by a registered prospective tenderer that they could not comply with the requirements of the tender because the APVMA approved label for granular flupropanate could only be applied by operators accredited by Granular Products Pty Ltd.

Council will now proceed to request a quotation from the only Granular Products accredited operator (helicopter) for the application of granular flupropanate. This change may result in Council contracting two helicopter businesses for the aerial program.

Approved by:
General Manager
T.N. Johnston



## ITEM 8 ROADSIDE SPRAYING PROGRAM

### 8.1 Roadside spraying 2022/2023

Recommendation is moved by:	
Mover:	Seconder:

**Recommendation:**

That Council notes the report.

**Information:**

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

The allocated funding for the spraying contractors has been exhausted within the four council areas of Bathurst, Blayney, Lithgow, and Oberon. Funding remains for UMCC staff to complete approximately a further 111 hours in Bathurst, 29 hours in Blayney, 23 hours in Lithgow and 16 hours in Oberon Council areas, respectively.

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

**Bathurst Council**

The spraying contractors have exhausted their funding and UMCC staff have approximately 111 hours remaining. The roads that have been completed to date are:

Road Name	Length (km)
Barnetts Rd	2.2
Chifley Dam Rd	1.8
Colleen Hagney Lane	3.5
Dingers Lane	0.7
Eleven Mile Drive	5.8
Freemantle Rd	26 of 42.1
Grate Western Hwy (Lithgow)	24.4
Grovedale Rd	2.9
Hill End Rd	41.6
Hobbys Yards Rd	8.8
Hollis Lane	2.1
Howards Dr	3.0
Killongbutta Rd	7.6
Kirkconnell School Rd	0.8
Locksley Station Rd	1.2
Macabees Rd	2.4
McIntosh Lane	1.1
Mount Homer Rd	1.0
O'Connell Plains Rd	0.6
Paling Yards Rd	4.8
Pymonts Lane	4.9

Red Hill Rd	13.8
Rivulet Rd	11.0
Saint Johns Rd	2.2
Samuel Way	1.2
Tabberatong Rd	1.1
Tarella Rd	0.3
Thomas Drive	2.3
Timber Ridge Rd	0.0
Triangle Flat Rd	23.3
Vale Road	7.5
Walang Dr	4.4
Walang Hwy Access	0.2
Stufford Street	0.2

### Blayney Council

The spraying contractors have exhausted their funding and UMCC staff have approximately 29 hours remaining. The roads that have been completed to date are:

RoadName	Length (km)
Bakers Road	4.7
Bentleys Lane	4.2
Carcoar Dam Road	9.3
Forest Reefs Road	12.9
Hobbys Yards Cemertry Road	0.5
Hobbys Yards Road	28
Junction Park Road	1.2
Junction Reefs Road	2.2
Kurangia Road	0.8
Neville - Trunkey Road	10.4
St Brigids Lane	0.8

### Lithgow Council

The spraying contractors have exhausted their funding and UMCC staff have approximately 23 hours remaining. The roads that have been completed to date are:

Road Name	Length (km)
Anarel Road West	4.3
Boulder Road	3.7
Cox's River Road	9.4
Cullenbenbong Road	11.2
Grate Westen Hwy (Bathurst)	16.1 of 30
Hartley Vale Road	6.0
Kanimbla Drive	3.1
McManus Road	1.5
Megalong Place	3.1
Tarana Road	4.3

### Oberon Council

The spraying contractors have exhausted their funding and UMCC staff have approximately 16 hours remaining. The roads that have been completed to date are:

<b>Road Name</b>	<b>Length (km)</b>
ABERCROMBIE RD.	71.5
BALD RIDGE RD.	14.5
BEATTIE RD.	2.5
BOSWORTH FALLS RD.	5.7
CAMPBELLS RIVER RD.	22.8
CHATHAM VALLEY RD.	4.3
EDITH RD.	23.0
FAIRVIEW DR.	0.7
GINGKIN RD.	12.3
GINGKIN VALLEY RD.	7.9
GLEN RD.	9.3
GORMANS LN.	2.8
GRADYS LN.	1.9
JERRONG RD.	23.0
KEITH ARMSTRONG RD.	3.3
LOWES MOUNT RD.	19.3
MARKS CR.	1.2
MILLERS LN.	0.9
MT. DAVID RD.	12.7
O'CONNELL PLAINS RD.	11.5
RYANS LN.	2.0
SHOOTERS HILL RD. (OLD)	6.5
SPRINGMOUNT RD.	3.7
SWALLOWS NEST RD.	7.5
TILSBURY RD.	0.0
TITANIA RD.	4.3
WHITELEY RD.	1.0
WILSON DR.	1.4

## ITEM 9 BIOSECURITY COMPLIANCE

### 9.1 Biosecurity Compliance Inspections February, March and April 2023

Recommendation is moved by:	
Mover:	Seconded:

**Recommendation:**

That Council notes the report.

**Information:**

**Inspections for February, March & April 2023**

TOTAL: 372 Inspections conducted in the months of February, March & April 2023	204 of the 372 were <b>high risk</b>
	168 of the 372 were <b>low risk</b>
	<b>335</b> of the 372 were <b>Re-inspections</b>
	<b>37</b> of the 372 were <b>First Inspections</b>

<b>335</b> of the 372 were Re-inspections	191 of the <b>335</b> were <b>high risk</b>
	144 of the <b>335</b> were <b>low risk</b>
<b>37</b> of the 372 were First inspections	13 of the <b>37</b> were <b>high risk</b>
	24 of the <b>37</b> were <b>low risk</b>

90 days past	At 30 <sup>th</sup> April 81 properties were beyond 90 days of their compliance date.
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Several factors have impacted on the current inspection programs throughout February, March and April 2023:

- UMMC Roadside Spraying Program  
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 and compared with the previous season to date.
- Aerial Spraying Program  
UMCC staff were committed with the aerial spraying program which operates in peak timeframe for property re-inspections. This has limited their opportunity to complete property re-inspections and inspections.
- Time Accrued and Taken  
Staff accrue additional hours during the aerial spraying program, which they are then entitled to take as leave at the completion of the program. This

compounds the impact of the aerial spraying program on the availability of UMCC staff to conduct property re-inspections and inspections.

- **Staff Resourcing**

UMCC has a Weeds Biosecurity Officer (WBO) currently off work. Being one WBO down is influencing the property inspection and re-inspections across UMCC.

**Inspections Year to Date 1st July 2022 to 30th April 2023**

TOTAL: 1455 Inspections conducted	739 of the 1455 were <b>high risk</b>
	571 of the 1455 were <b>low risk</b>
	<b>917</b> of the 1455 were <b>Re-inspections</b>
	<b>538</b> of the 1455 were <b>First Inspections</b>

<b>917</b> of the 1455 were Re-inspections	577 of the <b>917</b> were <b>high risk</b>
	340 of the <b>917</b> were <b>low risk</b>
<b>538</b> of the 1455 were First inspections	139 of the <b>538</b> were <b>high risk</b>
	399 of the <b>538</b> were <b>low risk</b>

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

## 9.2 Penalty Infringement Notices

Recommendation is moved by:	
Mover:	Seconder:

### Recommendation:

That Council notes the report.

### Information:

#### PIN Information Year to Date 1<sup>st</sup> July 2022 to 30<sup>th</sup> April 2023

TOTAL of 86 PIN's Issued since 1st July 2018	72 of the 86 are 1st PIN's
	14 of the 86 are 2nd PIN's
	43 of the 86 have been Paid
	22 of the 86 are owning
	21 of the 86 have been withdrawn

Of the 72 1st PIN's	38 of the 72 have been paid
	15 of the 72 are owning
	19 of the 72 have been withdrawn

Of the 14 2nd PIN's	5 of the 14 have been paid
	7 of the 14 are owning
	2 of the 14 have been withdrawn

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

## ITEM 10. OTHER MATTERS

### 10.1 County Council meeting schedule

Recommendation is moved by:	
Mover:	Seconder:

**Recommendation:**

Council adopts the proposed meeting schedule.

**Position:**

The proposed schedule is below:

<b>Date:</b>	<b>Time</b>	<b>Meeting &amp; Location:</b>
16 <sup>th</sup> June 2023	12.00pm	Ordinary Council Meeting
11 <sup>th</sup> August 2023	2.00pm	Ordinary Council Meeting
15 <sup>th</sup> September 2023	12.00pm	Workshop
24 <sup>th</sup> November 2023	2.00pm	Ordinary Council Meeting

**ITEM 11. NOTICES OF MOTION OR RESCISSION**

**11.1 Notice of Motion 1**

That the General Manager investigate the staffing structure of Upper Macquarie County Council and bring back a report to the Council on possible suggestions for projects and activities going forward which may provide budget efficiencies to the organisation.

Recommendation is moved by:	
Mover: Member Clr. Bruce Reynolds	Seconder:



**CONFIDENTIAL REPORTS**

Recommendation is moved by:	
Mover:	Seconded:

**Recommendation:**

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

REPORT SUBJECT	REASON FOR CONFIDENTIALITY [SECTION OF THE ACT]
<b>12 Chairman's Minute</b>	Section 10A 2(c). The report involves information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
<b>13 Transport for NSW, UGL Rail and City Rail Network</b>	Section 10A (2)(e) information that would if disclosed prejudice the maintenance of law (inc Privacy and Personal Information Act)
<b>14 Prosecution cases Update</b>	
<b>15 Compliance &amp; Weed Biosecurity Property inspections for January, February &amp; March 2023</b>	

**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.*