

Upper Macquarie County Council

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11 November 2022

Members of the County Council

Notice of Ordinary Meeting of Upper Macquarie County Council 18 November 2022

I advise an Ordinary Meeting of the Upper Macquarie County Council will be held at the Maldhan Ngurr Ngurra Transformation Hub, Mort Street and Bridge Street, Lithgow on 18 November 2022 beginning at 2.00pm

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 18 NOVEMBER 2022**

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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:

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 the Darrell Sligar Building, Hills Lane, Blayney, NSW at **2.00pm** on **Friday 21 October 2022**.

ATTENDANCE

The Council Members were present:

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

The following Council Staff attended:

General Manager Timothy Johnston
Biosecurity Operations Manager, Christopher Jackson
Biosecurity Administration Manager, Lisa Monardo

Acknowledgement of Country

Item 1: Apologies

Mover: Member Cr. Lesslie

Second: Member Cr. Smith

That Council acknowledge and accept the apologies of Member Cr. McKibbin and Member Cr. Watt will be running late and Member Cr. Ewin is an apology for today.

Item 2: Disclosure of interest and Statement of Ethical Obligations

Mover: Member Cr. O'Connor

Second: Member Cr. Fry

Item 3: Confirmation of Minutes

Mover: Member Cr. Smith

Second: Member Cr. O'Connor

1. Ordinary meeting of the Upper Macquarie County Council held at the Council Chambers, Kelso, NSW on Friday 12 August 2022.

Resolved in the affirmative.

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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 11th February 2022.

Mover: Member Cr. Fry

Second: Member Cr. Smith

2. Extraordinary Meeting of the Upper Macquarie County Council held at the Council Chambers, Kelso, NSW on Friday 9 September 2022.

Resolved in the affirmative.

Item 4: Matters in Progress

Mover: Member Cr. Fry

Second: Member Cr. O'Connor

Council notes the table of matters in progress. (Update Table with due by dates)

Resolved in the affirmative.

N.B. 2.23pm Chairman Member Cr. McKibbin began chairing the meeting.

Item 5: Chairman's Minute

Nil report.

Item 6: Governance Program

6.1 Legislative Compliance

6.1.1 Legislative Compliance Register

Mover: Member Cr. Fry

Second: Member Cr. O'Connor

Council's legislative compliance register (Document UMCC 2019-13) has been reviewed to identify reporting obligations.

Resolved in the affirmative.

6.1.2 Annual Report

Mover: Member Cr. Reynolds

Second: Member Cr. Fry

Council notes the report.

Resolved in the affirmative.

6.1.3 Public Interest Disclosures

Mover: Member Cr. O'Connor

Second: Member Cr. Fry

Council notes the report.

Resolved in the affirmative.

6.1.4 Annual Disclosures

Mover: Member Cr. Smith

Second: Member Cr. O'Connor

Council notes that members annual disclosures have been tabled at the 21st October 2022 ordinary council meeting.

Resolved in the affirmative.

N.B. 2.28pm Member Cr. Watt arrived and joined the meeting.

6.1.5 Registration of Business Name – “Upper Macquarie Weeds Authority”

Mover: Member Cr. Reynolds

Second: Member Cr. O’Connor

That Council proceed to register business name “Upper Macquarie Weeds Authority”

Resolved in the affirmative.

6.2 Policies

6.2.1 Debt Management Policy

Mover: Member Cr. O’Connor

Second: Member Cr. Smith

Council accepts the changes to the Debt Management Policy and place on exhibition for 28 days. If after 28 days on exhibition no submissions have been made, consider the updated policy as adopted.

Resolved in the affirmative.

6.3 Finance

6.3.1 Asset Change over

Mover: Member Cr. Smith

Second: Member Cr. O’Connor

Council notes the report.

Resolved in the affirmative.

6.3.2 Quarterly Budget Review – First Quarter

Mover: Member Cr. Reynolds

Second: Member Cr. Smith

Council notes the First Quarterly Budget review for Financial Year 2022/2023.

Resolved in the affirmative.

6.3.3 Investment Report

Mover: Member Cr. Smith

Second: Member Cr. O’Connor

Council notes the report.

Resolved in the affirmative.

6.4 Human Resources

6.4.1 GM Performance Review

Mover: Member Cr. Fry

Second: Member Cr. Smith

Council notes the report.

Resolved in the affirmative.

6.4.2 Organisational Structure

Mover: Member Cr. Fry
Seconder: Member Cr. O'Connor
Council notes the report.
Resolved in the affirmative.

Item 7 Landholder Support Program

7.1 Aerial Spraying Program Autumn 2023

Mover: Member Cr. O'Connor
Seconder: Member Cr. Smith
That Council notes the report.
Resolved in the affirmative.

Item 8 Roadside Spraying Program

8.1 Roadside Spraying

Mover: Member Cr. Lesslie
Seconder: Member Cr. Watt
That Council note the report.
Resolved in the affirmative.

Item 9 Biosecurity Compliance

9.1 Biosecurity Compliance Inspections August and September 2022

Mover: Member Cr. Smith
Seconder: Member Cr. O'Connor
Council notes the report.
Resolved in the affirmative.

9.2 Penalty Infringement Notices

Mover: Member Cr. Fry
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. Reynolds
Seconder: Member Cr. O'Connor
Council adopts the proposed meeting Schedule

Date:	Time	Meeting & Location:
18 th November 2022	2.00pm	Ordinary Council Meeting (Lithgow)
16 th December 2022	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. Fry

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.

Subject	Reason for Confidentiality [Section of the Act]
12 Prosecution Cases	Section 10A(2)(e) information that would if disclosed prejudice the maintenance of law (inc Privacy and Personal Information Act)
13 Consultation with Central Tablelands LLS Region Councils	Section 10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
14 Biosecurity Risk Register – July, August & September 2022	Section 10A (2)(e) information that would if disclosed prejudice the maintenance of law (inc Privacy and Personal Information Act)

Resolved in the affirmative.

RESOLVE INTO OPEN COUNCIL

Moved: Member Cr. Lesslie

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 Prosecution Cases

That Council notes report.

13 Consultation with Central Tablelands LLS Regional Council

It is recommended that Council endorse the proposal for the Chairman, Deputy Chairman and the General Manager to make presentations to Cowra, Cabonne, Orange and Midwestern councils discussing the UMCC Compliance & Enforcement Policy, the weed inspection risk rating tool, and the Register proposing greater alliance of weed management practices across the Central Tablelands LLS Region.

14 Biosecurity Property Inspection for July, August & September 2022

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

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	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	Meetings have been arranged with the Minister, Senior Members of DPI & LLS in the coming months. <i>Due Date:</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	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.	Analysis of WAP statistics is underway. <i>Due Date: February 2022</i>
Developing Regional Guidelines for the engagement of state bodies			A collaboration between CTLLS & UMCC to develop a structured and consistent way of approaching State Bodies about their priority weed problems in surrounding LCAs to UMCC but within CTLLS	Meetings with DPI and LLS have been arranged. <i>Due Date:</i>
Strategic Roadside spraying rotation	Item 5 13 May 2022	<ol style="list-style-type: none"> 1. Council notes the report on the roadside spraying program 2021/2022. 2. Council provides a report to each constituent Council on their roadside spraying program for 2021/2022 	Council obtained more information regarding roadsides which meant they could assist their constituent Councils by providing a more rotational roadside weed treatment	Constituent Council's GMs have history of the roadside program meeting to be arranged. Will look to

			program ensuring that each roadside was dealt with on a regular basis and helping the constituent Council meet their obligations under the Biosecurity Act.	encourage a more strategic approach next year. <i>Due Date: April 2023</i>
Compliance & Enforcement Intellectual Property	Report 6.2.1 12 August 2022	That Council notes the report on the Compliance and Enforcement Policy.	Council uses specific tools within its compliance and enforcement policy that could be considered Intellectual Property and potentially sold.	GM engaging with LCAs regarding the UMCC approach. Due Date:
Change to Business Name	NOM 1 12 August 2022	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	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	See Item 6.1 Legislative compliance

Matters in Progress (Update 8 Nov 2022)**State Prosecution Fund**

October 2022 LG NSW Annual Conference adopted the Prosecution Fund motion put by the UMCC. The Motion is now policy of LG NSW. The Chair, Deputy and GM made a presentation to NSW Farmers Executive staff 25th October 2022, NSWFA noted that the council was unable to secure a meeting with the Minister in relation to the Prosecution Fund and that LG NSW State Conference had adopted policy in relation to the need for a prosecution fund.

In consultation with the Chair and Deputy it was resolved that a chronology of council's actions in developing the concept of and promotion of the need for a Prosecution fund will be compiled. No further promotion work will be undertaken at this time. If Council is faced with budget pressures arising from prosecutions or defence of our legal actions (LEC) in the future, at that time Council will again raise the issue with DPI and the Minister seeking support.

This matter is recommended to be closed.

Compliance & Enforcement Systems of work (Intellectual Property)

5 of the 6 Weeds County Councils GM's meet on the 9th November 2022 via MS Teams. The following proposals are being considered;

- That GM's undertaking a detailed review of UMCC Compliance & Enforcement Policy carefully considering recommending its adoption by the 6 County Councils. UMCC will maintain the policy on behalf of the group and practice appropriate document management systems that includes input from each County Council. There will be an annual administration fee for this work.
- UMCC Risk Assessment Tool will always remain the property of UMCC. Each User (*Council*) of the tool will contribute financially to its maintenance and further development.
- UMCC Compliance "Register" will be reviewed by each county council for adoption. If adopted each county council will contribute financially to its maintenance and further development. The Register will be demonstrated to the General Managers and other Officers of the County Councils via MS Teams meeting during November.
- A General Manager decision to press forward with these proposals will be made early December 2022.
- A further update will be reported to the 16th December County Council meeting.

ITEM 5: CHAIRMAN'S MINUTE

Nil

There are no Chairman's reports for this meeting.

ITEM 6: GOVERNANCE PROGRAM

6.1 Legislative compliance

Recommendation:

Council notes the reports under Legislative Compliance.

Recommended changes to the Compliance & Enforcement Policy

It is recommended that section 12 a) be amended to address the following issue.

- The Policy be amended in section 12 a) to require Authorised Officers to identify the Person who has the Biosecurity Duty and to make a record of how and when the person was identified e.g., face to face meeting, telephone, email, or other written evidence. It is best practice for this to occur during the “cooperative phase” of enforcement actions and MUST occur prior to a Direction being issued.

It is recommended that section 13 Acceptance of an Undertaken be changed to reflect the following;

- The policy escalates the responsibility for acceptance of an Undertaking to the Manager Biosecurity Operations making recommendation to the General Manager. This limits the delegation of the Authorised Officer; the Act provides for an Authorised Officer to accept a written undertaking. Councils Policy is being amended to ensure that the option of developing and entering an Undertaking must be raised with the person with the biosecurity duty (weeds) if a Weed Control Notice or a Direction has been issued to that person. This amendment will compel the Authorised Officer to communicate this option to the person and to make contemporaneous notes of this communication and have these notes referenced in CREST (GIS).

Annual Report Information:

In accordance with s428 Local Government Act 1993 the annual report is being finalised and is expected to be posted on Council’s website before 30 November 2022 and disseminated to the Office of Local Government.

Registration of Business Name – “Upper Macquarie Weeds Authority” Information:

There has been a delay in the implementation of the registration of the business name “Upper Macquarie Weeds Authority”. Staff hope to have this finalised by Christmas 2022.

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

6.2 Polices

6.2.1 Pesticide Notification Plan

Recommendation

It is recommended that council adopt the revised Pesticides Use Notification Plan

KEY DOCUMENT: UMCC_2019/04 Pesticides Use Notification Plan

Council is required to have a Pesticides Use Notification Plan as prescribed under the Pesticide Regulation 2017. Council's Pesticides Use Notification Plan has been updated. As per clause 44 of the Pesticide Regulations 2017. As it is not believed that there are sufficient changes to the Pesticide Notification Plan, community consultation is not required.

The pesticides use notification plan has been update in November 2022. The change is the adding of 2 products within section 5. Herbicide Use, there are several other minor and insignificant changes. Changes marked up in [Attachment](#).

Background

Approximately 3 years ago the Council invested in the product Contact Organics' LocalSafe Weed Terminator. LocalSafe Weed Terminator is a glyphosate-free alternative. This product was brought in as there was a request from several landowners and other organisations within the UMCC for an alternative to glyphosate and there was no other stockist of the produce with the region.

Since the product arrived approximately 3 years ago the sales and demean for it has not been what was anticipated from the requests that were made for it. As a result, the council has a sufficient amount of the product that is available and with the shortage of fluoropropanate based herbicides for use on the Council's Roadside Spraying Program, it has been considered to use the available Contact Organics' LocalSafe Weed Terminator to assist with the treatment of grass base weeds.

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

6.3 Finance

6.3.1 Asset Change over

Recommendation:

Council

1. notes the report on the purchase of 4 new fleet vehicles and exceeding the budget set for the purchase.
2. Will make a retrospective alteration in the 2nd Quarterly Budget Review after December 2022.

Information:

Eight Requests for Quote (RFQ) went out to vehicle dealers selling Government contract approved motor vehicles. The dealers ranged from Lithgow, Bathurst and Orange. Of the 8 dealerships approached, 4 dealerships came back with 9 competing quotes. All of which meeting the essential criteria.

The tender considered both operational requirements from ANCAP rating and ground clearance to budgetary restraints and lead time on delivery of the new vehicles.

Based on all these criteria it was found that the Mazda BT-50 XT was the most suitable with only a 3-month lead time on delivery.

In Council's Capital Budget, there is \$36,000 allocated to purchase 4 new motor vehicles, totalling \$144,000. The BT-50 XT cost \$49,955.45 (excluding GST) each, totalling \$199,821.82. This will put Council over on the capital budget by \$55,821.82.

On the other hand, Council's Income Budget, was expecting \$44,000 (\$11,000 each) total from profit on trade in/sale of the 4 vehicles. The trade in offered from Mazda equates to \$53,636.36, exceeding the budget by \$9,636.36.

Given that the purchase will come late in the financial year, the new vehicle's depreciation will not begin until the 4th quarter of the financial year, therefore having less of an impact on the expenses of the 22/23 financial year.

Council's cash position will be lower than expected by \$55,821.82.

Council cannot delay any further in the purchase of new fleet vehicles. The Chairman and Deputy Chairman have been briefed and given their approval for the go ahead of the purchase.

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

6.3.2 Investment report at 31 October 2022

Recommendation:

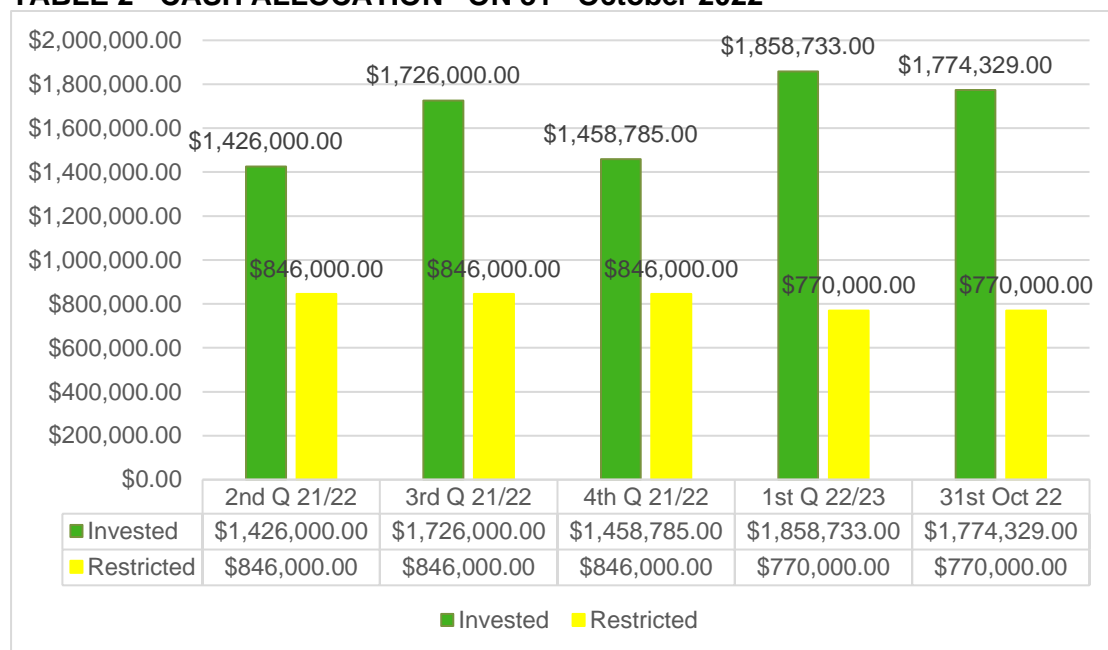
Council notes the report.

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–31st October 2022**

Westpac Business 31 Day Notice Cash Reserve Account & Overdraft Account			
Rate	Amount	Term	Due Date
3.35%	\$1,450,000.00	No set term	No due date
0.95%	\$100,478.28	Cash Reserve	N/A
0%	\$223,851.09	Overdraft - daily working account	
TOTAL	\$1,774,329.37	Balance on Reporting Date.	

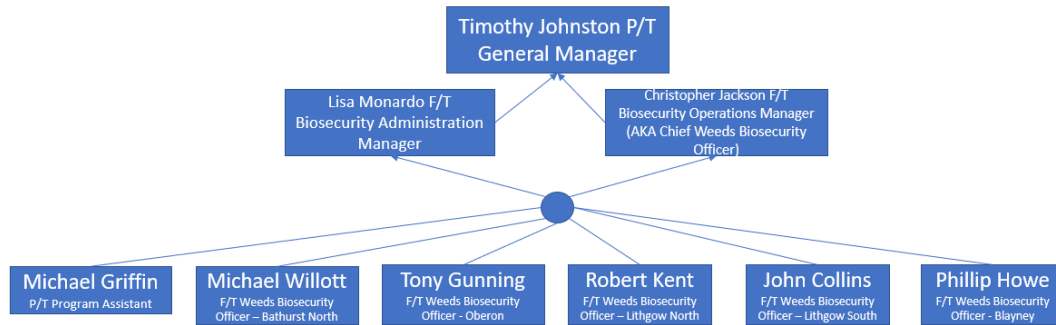
TABLE 2 - CASH ALLOCATION– ON 31st October 2022

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

6.4 Human Resources**6.4.1 Re-determination and review of structure**

Section 33 of the Local Government Act requires that the Council must review, and may re-determine, the organisation structure within 12 months after any ordinary election of the council.

It is recommended that the existing structure be maintained. The existing structure is as follows.



Business Continuity risks have been identified and will be addressed through the Councils Audit & Risk Committee. One of the risks relates to the Manager Biosecurity Operations being the sole administrator of the “Register” and the monthly Biosecurity reporting to DPI. A solution is being considered to mitigate this risk by establishing a Senior Biosecurity Officer role from within the existing structure. The senior would be trained in the above tasks providing a backup to the Manager.

The Biosecurity Administration Managers position would benefit from part time support to address the peak work periods e.g. End Financial Year, Quarterly reporting, Operating Plan etc.

At this time Councils budgetary restrictions do not allow for any changes to be recommended

Opportunities to generate additional income through our relationships with other Weed County Councils is progressing and may provide a solution to the current continuity risks in the future.

I will be providing a report to Council in February 2023 on annual work plans for the 2 Managers that will flow onto the Biosecurity Officer roles.

Approved by:
General Manager
T.N. Johnston

6.4.2 2022 Work Health and Safety Self – audit Action Plan

Recommendation:

Council notes the report.

Information:

The StateCover’s 2022 WHS Self-Audit has been completed by staff and has highlighted some areas for improvement.

StateCover has kindly provided a 2022 WHS Self-Audit Action Plan to help improve Council’s Work Health and Safety. A meeting has been arranged between StateCover and Management in the coming weeks to assist and guide on the best way forward for improvement.

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 interested landowners. At present there are 15 landowner that have been mapped, totalling 414Ha of Blackberry and 50Ha of Serrated tussock.

There are 35 landowner that are interested in Serrated tussock and are awaiting herbicide pricing and availability before arranging mapping. More landowners are joining the program however interest is slowing.

The aerial spraying program in plain to commence at the start of February 2023, weather permitting. Due to the unavailability of Flupropanate base herbicide, the program will be forcing on Blackberry. limited Serrated tussock work will be undertaken where landowner's have chemical on hand. Mapping for aerial spraying jobs is still being conducted for both Blackberry and Serrated tussock.

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:

A letter regarding this years 2022-2023 roadside spraying program has been sent to each of the four-constituent councils outlining the proposed list of roads for each council area for note and feedback if required from the councils and feedback is due back from the councils by 30th November 2022. The roadside spraying program is at this stage is planned to commence at the start of December 2022.

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

8.2 Roadside Discussion Paper

Recommendation:

That Council note the report.

Information:

A discussion paper has been sent to the four-constituent councils outlining the proposed changes in moving to a zone/area based rotation roadside spraying program for the 2023-2024 onwards roadside spraying programs, this will require minor changes to the current MOU between UMCC and the four-constituent councils. Council has requested responses by 30th November 2022, all responses will included within the 16th December 2022 UMCC report.

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

ITEM 9 BIOSECURITY COMPLIANCE

9.1 Biosecurity Compliance Inspections October 2022

Recommendation:

Council notes the report.

Information:

TOTAL: 110 Inspections conducted in the month of October 2022	56 of the 110 were high risk
	54 of the 110 were low risk
	64 of the 110 were Re-inspections
	46 of the 110 were First Inspections

64 of the 110 were Re-inspections	39 of the 64 were high risk
	25 of the 64 were low risk
46 of the 110 were First inspections	17 of the 46 were high risk
	29 of the 46 were low risk

90 days past	At 31st October 3 properties where beyond 90 days of their compliance date.
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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
	40 of the 82 have been Paid
	20 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	4 of the 13 have been paid
	7 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

ITEM 10. OTHER MATTERS

10.1 County Council meeting schedule

Recommendation:

Council adopts the proposed meeting schedule.

Position:

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

Date:	Time	Meeting & Location:
16 th December 2022	2.00pm	Ordinary Council Meeting

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

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

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

10.2 County Council meeting schedule 2023

Recommendation:

Council adopts the proposed meeting schedule.

Position:

The proposed Upper Macquarie County Council meeting for the calendar year 2023 is provided below.

Date:	Time	Meeting & Location:
13 th February 2023	2.00pm	Ordinary Council Meeting
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

Benefits of this schedule:

- Reduced member costs ie. Travel and subsistence
- Reduced staff expense due to less time spent on collation of reports and more time spent on Operational and Governance requirements.
- Meets statutory requirement of a County Council meeting 4 times a year
- Meets deadlines for the production and exhibition of certain statutory documents ie. Operational plans and budget and authorisation of Unaudited Financial Statements.
- Encourage continued communication between the General Manager and Chairman.

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

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

ITEM 11. NOTICES OF MOTION OR RESCISSION

NIL Notices of Motions or Rescissions.

CONFIDENTIAL REPORTS

Recommendation:

REPORT SUBJECT	REASON FOR CONFIDENTIALITY [SECTION OF THE ACT]
12 Prosecution cases	Section 10A (2)(e) information that would if disclosed prejudice the maintenance of law (inc Privacy and Personal Information Act)
13 Debt Write Off	Section 10A(2)(b)the personal hardship of any resident or ratepayer,
14 Compliance & Weed Biosecurity Property inspections for October 2022	Section 10A (2)(e) information that would if disclosed prejudice the maintenance of law (inc Privacy and Personal Information Act)

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.

Table 1

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.