

CASTLEREAGH MACQUARIE COUNTY COUNCIL MINUTES

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MINUTES OF THE MEETING OF THE CASTLEREAGH MACQUARIE COUNTY COUNCIL HELD AT THE WARREN SHIRE COUNCIL CHAMBERS ON MONDAY 24 JUNE 2019 COMMENCING AT 10:00AM

PRESENT: Clrs D. Batten (Chairman), G. Peart, M. Beach (10.10 am), B Fisher, R. Lewis, P. Shinton and I. Woodcock

ABSENT: Nil

Staff Members: D. Ramsland (General Manager), A. Fletcher (Senior Weeds Officer), C. Molloy (Weeds Officer) and A. Carraro (Minute Secretary).

1. **WELCOME:** Clr Batten welcomed all councillors and staff to the meeting.
2. **APOLOGIES:** Clrs A. Brewer and M. Martinez

06/19/1 Resolved:

That apologies from Clrs A. Brewer and M. Martinez be accepted and leave of absence be granted.

Moved: Clr Lewis
Seconded: Clr Shinton

Carried

3. **DECLARATIONS OF INTEREST- Nil**
4. **CONFIRMATION OF MINUTES**

06/19/2 Resolved:

That the minutes of the meeting of Castlereagh Macquarie County Council, held at Coonmable Shire Council Chambers on Monday 25th March 2019, having been circulated, be confirmed as a true and accurate record of that meeting.

Moved: Clr Peart
Seconded: Clr Fisher

Carried

5. **MATTERS ARISING FROM MINUTES – Nil**
6. **CHAIRMAN'S REPORT – Nil**

Item 7.1 Reconciliation Certificates 31 March, 30 April and 31 March 2019

Recommendation: That the Bank Reconciliations as at 31 March, 30 April and 31 May 2019 be received and noted.

06/19/3 Resolved:

That the Bank Reconciliations as at 31 March, 30 April and 31 May 2019 be received and noted.

Moved: Clr Woodcock

Seconded: Clr Fisher

Carried

Item 7.2 Quarterly Budget Review Statement – Period Ended 31 May, 2019

Recommendation: 1. That the Quarterly Budget Review Statement for the period ended 31 May, 2019 be received and noted, and the recommended variations to the revised budget as detailed in the attached statement be adopted.
2. That the General Manager investigate options for an appropriate depot facility site in Coonamble.

06/19/4 Resolved:

1. That the Quarterly Budget Review Statement for the period ended 31 May, 2019 be received and noted, and the recommended variations to the revised budget as detailed in the attached statement be adopted.
2. That the General Manager further investigate options for an appropriate depot facility site in Coonamble.

Moved: Clr Fisher

Seconded: Clr Lewis

Carried

Item 7.4. Organisational Action Plan Review – June 2019

Recommendation: That Council receive and note the General Manager's report in respect of the progress being made in respect of the revised Organisational Action Plan and endorse the action taken so far.

06/19/5 Resolved:

That Council receive and note the General Manager's report in respect of the progress being made in respect of the revised Organisational Action Plan and endorse the action taken so far.

Moved: Clr Peart

Seconded: Clr Shinton

Carried

Item 7.5. Adoption of Revised Codes of Conduct/Administrative Procedures and Meeting Practice

Recommendation: 1. That the General Manager's report be received and noted and that as no submissions were received during the advertised period from 1 May to 12 June, 2019 Council now adopt the Model Code of Meeting Practice and Model Code of Conduct/Administrative Procedures as required by OLG Circulars 18/44 and 18/45.

2. That the General Manager write to the Office of Local Government regarding Code of Conduct and Webcasting/Audio facilities using constituent council facilities which may not allow a consistent approach to webcasting.

06/19/6 Resolved:

1. That the General Manager's report be received and noted and that as no submissions were received during the advertised period from 1 May to 12 June, 2019 Council now adopt the Model Code of Meeting Practice and Model Code of Conduct/Administrative Procedures as required by OLG Circulars 18/44 and 18/45.

2. That the General Manager write to the Office of Local Government regarding Code of Conduct and Webcasting/Audio facilities using constituent council facilities which may not allow a consistent approach to webcasting.

3. That Council write to local Joint Organisations to ascertain the possibility of using their Conduct Review Panels.

Moved: Cllr Shinton

Seconded: Cllr Lewis

Carried

Item 7.6. Review of Investment Policy and Procedure – Transfer of Funds to Reserves

Recommendation: That Council receive and note the General Manager's report, adopt the revised Investments Policy and Procedure 2019 and delegate authority to the General Manager to place any surplus funds in a cash backed General Reserve or other reserves at the most effective rate of interest be it the cheque account, daily at call account or interest bearing deposits.

06/19/7 Resolved:

That Council receive and note the General Manager's report, adopt the revised Investments Policy and Procedure 2019 and delegate authority to the General Manager to place any surplus funds in a cash backed General Reserve or other reserves at the most effective rate of interest be it the cheque account, daily at call account or interest bearing deposits.

Moved: Cllr Woodcock

Seconded: Cllr Fisher

Carried

Item 7.7. Lightning Ridge, Quanda and Baradine – Research Collaboration Subcontract

Recommendation: 1. That the General Manager's report be received and noted and Council formally accept that grant and endorse the action taken to date in respect of the DPI Research and Collaboration Subcontract in the sum of \$250,000 (Ex GST) and the three year lease of the site on the Nine Mile Road at Lightning Ridge from the Lightning Ridge Opal Committee in the sum of \$100 per week, subject to CPI Adjustments and the rental agreement for the Depot/Caretaker's residence be left in the hands of the General Manager to formalise.

2. That the General Manager negotiate with DPI and LLS regarding the day to day management of the facility.

06/19/8 Resolved:

1. That the General Manager's report be received and noted and Council formally accept that grant and endorse the action taken to date in respect of the DPI Research and Collaboration Subcontract in the sum of \$250,000 (Ex GST) and the three year lease of the site on the Nine Mile Road at Lightning Ridge from the Lightning Ridge Opal Committee in the sum of \$100 per week, subject to CPI Adjustments and the rental agreement for the Depot/Caretaker's residence be left in the hands of the General Manager to formalise.

2. That the General Manager negotiate with DPI and LLS regarding the day to day management of the facility.

Moved: Clr Lewis

Seconded: Clr Peart

Carried

Item 7.8. Items for Brief Mention or Information Only – June 2019

Recommendation: That the above issues for brief mention or information only as detailed in the General Managers report to the June, 2019 meeting be received and noted and Council determine what further action, if any, should be taken in respect of the matters listed.

06/19/9 Resolved:

That the above issues for brief mention or information only as detailed in the General Manager's report to the June, 2019 meeting be received and noted and Council determine what further action, if any, should be taken in respect of the matters listed.

Moved: Clr Fisher

Seconded: Clr Peart

Carried

06/19/10 Resolved:

That the General Manager write to Coonamble Shire Council and request that a second Council delegate be nominated in respect of Clr Michael Webbs resignation and a report be prepared for the August meeting in relation to the earlier proposal to reduce constituent council representation.

Moved: Clr Shinton

Seconded: Clr Peart

Carried

Item 7.3. Draft Operational Plan and Budget – 2019/2020

Recommendation: 1. That the report of the General Manager be received and noted including the minor variations made following the exhibition period and that following public exhibition and the fact that no comments or submissions were received during that period, Council adopt the 2019/2020 Operational Plan and Budget (*scenario 3 planned*) and the supporting Integrated Planning and Reporting documentation noting that any legislative changes which occur will automatically be incorporated into such documentation.

2. It was noted that the budget should now include increased funding to enable 4 days per week Administrative Support from Walgett Shire Council.

06/19/11 Resolved:

1. That the report of the General Manager be received and noted including the minor variations made following the exhibition period and that following public exhibition and the fact that no comments or submissions were received during that period, Council adopt the 2019/2020 Operational Plan and Budget (*scenario 3 planned*) and the supporting Integrated Planning and Reporting documentation noting that any legislative changes which occur will automatically be incorporated into such documentation.

2. It was noted that the budget should now include increased funding to enable 4 days per week Administrative Support from Walgett Shire Council.

Moved: Clr Peart

Seconded: Clr Lewis

Carried

8. SENIOR WEEDS OFFICER'S REPORT

Item 8.1. Senior Biosecurity Officer's Report

Recommendation: That Council receive and note the Senior Biosecurity Officer's Report.

06/19/12 Resolved:

That Council receive and note the Senior Biosecurity Officer's Report.

Moved: Clr Fisher

Seconded: Clr Shinton

Carried

Item 8.2. Biosecurity Officers' Reports

Recommendation: That Council receive and note the Biosecurity Officers' Reports for the period 1 January to 31 May 2019.

06/19/13 Resolved:

That Council receive and note the Biosecurity Officers' Reports for the period 1 January to 31 May 2019.

Moved: Clr Woodcock

Seconded: Clr Shinton

Carried

Item 8.3. Contentious Issue: Use of Glyphosate in Land Management

Recommendation: 1. That Council receive and note the correspondence received in relation to the use of Glyphosate in Land Management.
2. Council will continue to be guided by scientific evidence as it becomes available.

06/19/13 Resolved:

1. That Council receive and note the correspondence received in relation to the use of Glyphosate in Land Management.
2. Council will continue to be guided by scientific evidence as it becomes available.

Moved: Clr Shinton

Seconded: Clr Fisher

Carried

CONFIDENTIAL SESSION

1. Motion to move in to Confidential Session

06/19/14 Resolved:

That at 12.25pm Council move into Confidential session and that the public be excluded from the meeting pursuant to Section 10A (2) (a) and (c) of the Local Government Act 1993 on the basis that the matters being considered are in relation to staff and/or commercial in confidence.

Moved: Clr Fisher

Seconded: Clr Woodcock

Carried

Item 9.1. Review of Council's Organisational Structure

Recommendation: That the General Manager's Report be received and noted and Council proceed with the proposed organisational restructure and follow the procedure set out below:

1. Determine a change in Council's organisational structure to include the position of Biosecurity Officer (Weeds) Coonabarabran at the appropriate band and level under the Local Government (State) Award, 2017 under Section 332 1(A) – (B) LGA.2.

2. If Council does decide to reclassify the position, commence a formal consultation process with the employee concerned as the employee should be kept well-informed about how the changes will affect his current position as this process would allow the employee to raise any concerns, or even contribute ideas, that might improve the role and business.

3. If the employee indicates a willingness to accept the new position of Biosecurity Officer (Weeds) Coonabarabran, Council would need to advertise the new role consistent with Section 348 of the LGA with a view to making an appointment based on merit under Section 349 of the Act.

4. Alternatively, if the employee indicates that he would be prepared to consider a voluntary redundancy option early in 2019/20 rather than undertake the retraining involved in becoming a Biosecurity Officer (Weeds) Coonabarabran, in view of his age and impending retirement that written consent be obtained from the employee before proceeding forward.

5. Where the employee consents in writing to a voluntary redundancy under Clause 38 (i)(e) of the Award, Council immediately implement such change in organisational structure provided the union to which the employee belongs has been given at least seven (7) days' notice of the proposed change.

6. Where the affected employee neither indicates a willingness to accept the new role or alternatively a voluntary redundancy under Clause 38 then Council determine to make the employee's position redundant by providing Notice of Termination, as per Clause 39(i)(a).

7. In the case of (6) above Council shall provide the employee with five weeks' notice of termination or alternatively five weeks pay in lieu of notice and to ensure that the redundancy was genuine, Council should be sure that:

The employee was offered alternative positions within Council's organisational structure but refused and

The employee was provided with appropriate ancillary services such as support under Council's EAP programme and professional advice from Local Government Super.

06/19/15 Recommended:

That the General Manager's Report be received and noted and Council proceed with the proposed organisational restructure by following the procedure set out below:

1.Vary Council's organisational structure to include the position of Biosecurity Officer (Weeds) Coonabarabran at the appropriate band and level under the Local Government (State) Award, 2017 under Section 332 1(A) – (B) LGA.2. and delete the position of Spray Operator (Gilgandra).

2.A formal consultation process with the Spray Operator (Gilgandra) as the employee should be kept well-informed about how the changes will affect his current position as this process would allow the employee to raise any concerns, or even contribute ideas, that might improve the role and business.

3. If this employee indicates a willingness to accept the new position of Biosecurity Officer (Weeds) Coonabarabran, Council would need to advertise the new role consistent with Section 348 of the LGA with a view to making an appointment based on merit under Section 349 of the Act.

4. Alternatively, if the employee indicates that he would be prepared to consider a voluntary redundancy option early in 2019/20 rather than undertake the retraining involved in becoming a Biosecurity Officer (Weeds) Coonabarabran, in view of his age and impending retirement that written consent be obtained from the employee before proceeding forward.

5. Where the employee consents in writing to a voluntary redundancy under Clause 38 (i)(e) of the Award, Council immediately implement such change in organisational structure provided the union to which the employee belongs has been given at least seven (7) days' notice of the proposed change.

6. Where the affected employee neither indicates a willingness to accept the new role or alternatively a voluntary redundancy under Clause 38 then Council determine to make the employee's position redundant by providing Notice of Termination, as per Clause 39(i)(a).

7.In the case of (6) above Council shall provide the employee with five weeks' notice of termination or alternatively five weeks pay in lieu of notice and to ensure that the redundancy was genuine, Council should be sure that:

The employee was offered an alternative position within Council's organisational structure but refused and

The employee was provided with appropriate ancillary services such as support under Council's EAP programme and advised to seek independent financial advice and professional advice from Local Government Super.

Moved: Clr Shinton

Seconded: Clr Fisher

Carried

Item 9.2. Adoption of Revised Salary System and Position Descriptions

Recommendation: That the General Manager's report be received and noted and that the revised Salary System Policy 2019, together with supporting documentation be adopted.

06/19/16 Recommended:

That the General Manager's report be received and noted and that the revised Salary System Policy 2019, together with supporting documentation (position descriptions) be adopted.

Moved: Clr Fisher
Seconded: Clr Woodcock

Carried

2. Motion to move out of Confidential Session

06/19/17 Resolved:

That at 12.35pm Council move out of Confidential Session.

Moved: Clr Fisher
Seconded: Clr Peart

Carried

GENERAL BUSINESS

1. In respect of Clr Webb's resignation, Chairperson Clr Doug Batten called for nominations for the election of Deputy Chairperson for the remainder of the ensuring term. There being only one nomination for the position of Deputy Chairperson, being Clr S Shinton the Chairperson declared Peter Shinton as the Deputy Chairperson for the remainder of the ensuring term.
2. **Motion to move in to Confidential Session**

06/19/18 Resolved:

That at 12.45pm Council move into Confidential session and that the public and staff be excluded from the meeting pursuant to Section 10A (2) (a) and (c) of the Local Government Act 1993 on the basis that the matters being considered are in relation to staff and/or commercial in confidence.

Moved: Clr Woodcock
Seconded: Clr Beach

Carried

Item 9.3. General Manager's Contract

06/19/19 Recommendation:

That Council note and decline the offer by Mr Ramsland to structure the Castlereagh Macquarie County Council as a stand-alone entity and in doing so rule his application as ineligible.

Moved: Clr Batten
Seconded: Clr Shinton

Carried

06/19/20 Recommendation:

1. That Council, through the Chair and Deputy Chair, offer Mr Gregory Craig Ingham the position of Part Time General Manager for a period of two years commencing 5 August 2019 and that approval be given for the signing and sealing of the related contract.
2. Council acknowledge the commitment and achievements of outgoing General Manager, Mr Donald Ramsland.

Moved: Clr Batten
Seconded: Clr Shinton

Carried

3. Motion to move out of Confidential Session

06/19/21 Resolved:

That at 12.55pm Council move out of Confidential Session.

Moved: Clr Fisher
Seconded: Clr Woodcock

Carried

4. Adoption of Closed Section Reports

06/19/22 Resolved:

That Council adopt the recommendations of the Confidential Committee Recommendations.

- Review of Organisational Structure
- Review of Salary System
- General Manager's Contract

Moved: Clr Woodcock
Seconded: Clr Shinton

Carried

MEETING

The next meeting is scheduled for Monday 19 August, 2019 at Coonabarabran.

THERE BEING NO FURTHER BUSINESS THE MEETING CONCLUDED AT 1.00 pm

To be confirmed as a true and accurate record at the next Council Meeting.

CHAIRMAN

GENERAL MANAGER