

MINUTES of the MEETING of RIVERINA WATER COUNTY COUNCIL,
held at 91 HAMMOND AVENUE, WAGGA WAGGA,
on WEDNESDAY, 22nd AUGUST 2012 at 1.38 pm

PRESENT: Clr. R. Kendall (Chairperson), Clr. A. Brown, Clr. W. Geale OAM, Clr. G. Hiscock, Clr. I. Kreutzberger, Clr. J. McInerney, Clr. J. Ross and Clr. L. Vidler.

The General Manager, Director of Engineering, Senior Project Engineer, Finance Administration Manager and Naomi Stuart were in attendance.

12/82 An apology for non-attendance was received from Clr. Yates and leave of absence was GRANTED on the motion of Clrs. Kreutzberger and Ross.

DECLARATION OF PECUNIARY & NON-PECUNIARY INTEREST

12/83 No declarations of Pecuniary & Non-pecuniary interest received

CONFIRMATION OF MINUTES

12/84 The Minutes of the Meeting of 27th June 2012 having been circulated and read by the Members, were taken as being CONFIRMED on the motion of Clrs. Hiscock and Brown.

CORRESPONDENCE

SHIRES ASSOCIATION OF NSW: forwarding a copy of weekly circulars 26/12 – 33/12.

HEALTH AND SAFETY COMMITTEE: (12TH July 2012) forwarding a copy of the Minutes of H&S Committee Meeting held 12th July 2012.

MURRAY DARLING ASSOCIATION INC: (20th July 2012) forwarding a copy of Minutes of the MDA Meeting held in Lockhart on 20th July 2012.

OH&S AND RTW CORDINATORS: (22nd August 2012) forwarding the Workers Compensation Performance Report for 2011/2012.

12/85 RESOLVED, on the motion of Clrs. Vidler and Brown that the correspondence be received.

GENERAL MANAGER'S REPORT

MINUTES OF AUDIT AND RISK COMMITTEE

12/86 RESOLVED on the motion of Clrs. Brown and Ross that Council receive and note the Minutes of the Audit and Risk Committee Meeting held on 2nd August 2012 and endorse the recommendations contained therein.

Clr. Brown advised that he is a neighbour of Steven Watson, Chairperson of the Audit and Risk Committee.

AUDIT AND RISK COMMITTEE ANNUAL REPORT FOR THE YEAR ENDED 30TH JUNE 2012

12/87 RESOLVED on the motion of Clrs. Hiscock and Brown that Council receive and note the Audit and Risk Committee Annual Report for the Year Ended 30th June 2012.

FINANCIAL STATEMENTS - LIST OF INVESTMENTS

12/88 RESOLVED on the motion of Clrs. Brown and Hiscock that the report detailing Council's external investments for the months of June and July 2012 be received.

QUARTERLY BUDGET REVIEW – PERIOD ENDED THE 30TH JUNE 2012

12/89 RESOLVED on the motion of Clrs. Kreutzberger and Brown that the Quarterly Budget Review for the period ended 30th June 2012 is submitted for examination by the Council.

FINANCIAL STATEMENTS – FUND POSITION AS AT 30TH JUNE 2012

12/90 RESOLVED on the motion of Clrs. Vidler and Hiscock that the unaudited statements of the financial position as at 30th June 2012 be received.

FINANCIAL STATEMENTS 2011 / 2012

12/91 RESOLVED on the motion of Clrs. McInerney and Geale OAM that:

- (i) Council's Draft Financial Statements be referred to audit by Council's auditors, John L Bush and Campbell,
- (ii) Council make a resolution in accordance with section 413 (2c) that the annual financial report is in accordance with:

- the Local Government Act 1993 (as amended) and the Regulations made there under,
 - the Australian Accounting Standards and professional pronouncements,
 - the Local Government Code of Accounting Practice and Financial Reporting,
 - presents fairly the councils operating results and financial position for the year,
 - accords with Council's accounting and other records, and
 - that Council is not aware of any matter that would render this report false or misleading in any way.
- (iii) That Council adopt the abovementioned Statement and that the Chairman, Deputy Chairman and General Manager be authorised to complete the "Statement by Members of the Council" in relation to Council's 2011/12 Financial Statements and Special Purpose Financial Reports and be attached thereto.
- (iv) That Council delegate to the General Manager the authority to "finalise the date" at which the Audit Report and Financial Statements are to be presented to the public.

UNCOMPLETED CAPITAL WORKS 2012 / 2013

- 12/92 RESOLVED, on the motion of Clrs. Vidler and Brown that expenditure totalling \$3,230,768 be transferred to and included in the 2012/2013 Capital Works Programme.

VOTING OF EXPENDITURE FOR THE FINANCIAL YEAR 2011 / 2012

- 12/93 RESOLVED, on the motion of Clrs. McInerney and ???? that the amounts provided in the Operational Plan, adopted by the Council for the year 2012/2013, by Resolution No. 12/61 be and are hereby voted for the several purposes for the 2012/2013.

OPERATIONAL PLAN – PERFORMANCE TARGETS

- 12/94 RESOLVED, on the motion of Clrs. Brown and Hiscock that the report detailing progress achieved towards the various objectives set out in the 2011/2012 Operational Plan be noted and received.

COUNCILLOR'S EXPENSES AND FACILITIES POLICY

- 12/95 RESOLVED, on the motion of Clrs. McInerney and Ross that the Draft Councillor's Expenses and Facilities policy be placed on exhibition and that Council consider public comments prior to adopting or amending the Draft Policy at its Ordinary Meeting on 24th October 2012.

DRAFT POLICY 4.16 WHS RISK MANAGEMENT

- 12/96 RESOLVED, on the motion of Clrs. Geale and Brown that the draft WHS risk management policy be adopted by Riverina Water County Council.

PECUNIARY INTEREST REGISTER – DISCLOSURE OF INTERESTS

- 12/97 RESOLVED, on the motion of Clrs. McInerney and Brown that the information be received and noted.

MEETING DATES

- 12/98 RESOLVED, on the motion of Clrs. McInerney and Geale OAM that Council's December Council Meeting be held on Friday 14th December 2012.

APPLICATION FOR ANNUAL LEAVE- GENERAL MANAGER

- 12/99 RESOLVED, on the motion of Clrs. Vidler and Ross that annual leave be approved for the period requested by the General Manager.

DRAFT RISK REMEDIATION PLAN

- 12/100 RESOLVED, on the motion of Clrs. McInerney and Kreuzberger that Council consider the Report "Draft Risk Remediation Plan" whilst the meeting is closed to the public as it relating to information the disclosure of which would prejudice the maintenance of the law, as prescribed by Section 10A(2)(g) of the Local Government Act 1993.

TEMPORARY TRADING OF WATER LICENCE

- 12/101 RESOLVED on the motion of Clrs. Hiscock and Geale OAM that the advice of the General Manager relating to the temporary trade of Council's 950 Megalitre license be received and noted.

POSSIBLE NAME FOR PROPOSED WATER TREATMENT PLANT

- 12/102 RESOLVED on the motion of Clrs. Ross and Hiscock that the Council consider the Report "Possible Name for Proposed Water Treatment Plant" whilst the meeting is closed to the public as it relates to information the disclosure of which create personal hardship for a resident or ratepayer, as prescribed by Section 10A(2)(b) of the Local Government Act 1993.

DIRECTOR OF ENGINEERING'S REPORTS

WORKS REPORT COVERING JUNE 2012

- 12/103 RESOLVED on the motion of Clrs. Kreutzberger and Hiscock that the Works Report covering June 2012 be received and noted.

WORKS REPORT COVERING JULY 2012

- 12/104 RESOLVED on the motion of Clrs. Brown and Vidler that the Works Report covering July 2012 be received and noted.

TENDER W.157 – TIP TRUCK REPLACEMENT

- 12/105 RESOLVED on the motion of Clrs. Brown and Hiscock that the offer from Wagga Trucks for a Hino GH1728 auto at a cost of \$139,939 excluding GST be accepted as the best value offer for Council.

TENDER W.158 – REPLACEMENT OF TIP TRUCK FOR BUILDING SECTION & TRANSFER OF REPLACED VEHICLE TO WATER TREATMENT OPERATIONS

- 12/106 RESOLVED on the motion of Clrs. Vidler and Hiscock that the offer from Wagga Motors for an Isuzu FRR600 6 speed manual tip truck at a cost of \$100,467.50 excluding GST be accepted as the best value offer for Council.

ANNUAL REPORT STATISTICS FOR 2011/2012

- 12/107 RESOLVED on the motion of Clrs. Vidler and Kreutzberger that the Director of Engineering's Report covering 2011/2012 annual statistics be accepted and the contents noted.

QUESTIONS AND STATEMENTS

- 12/108 Clr. McInerney: Question for General Manager to consider the feasibility of additional value adding to our business. I will contact General Manager of Greater Hume to discuss.
- 12/109 Clr. Ross: Have been a member of Council for 6 years, wish the board all the best, will miss coming here, been very worthwhile.
- 12/110 Clr. Brown: Thank Councillors Ross and Vidler for being part of this board, enjoy your retirement.
- 12/111 Clr. Kreutzberger: Reiterate Councillor Brown's sentiments.

12/112 Clr. Vidler: I'm the last of the inaugural members of Riverina Water, it has been great working with Council. I'd like to thank staff and members for their help over the years.

12/113 Chairperson: Express same views, with Clrs. Ross, Vidler and Goodlass retiring.

Express congratulations to Councillors that have been re-elected without contest, and thank all staff being present.

12/114 Chairperson: Next Meeting will be Wednesday, 24th October 2012.

RESOLUTION TO MOVE INTO CLOSED COUNCIL

12/115 RESOLVED, on the motion of Clrs. Ross and Hiscock that Council now resolve itself into Closed Council to consider business identified.

Council closed its meeting at 2.30 pm.

Pursuant to section 10A(4), the public were invited to make representations to the Council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

No members of the public were present or made representations.

CLOSED COUNCIL

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as 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.

12/116 RESOLVED, on the motion of Clrs Ross and Hiscock that:

1. 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 is to be considered is classified confidential under the provisions of section 10A(2)(g) and 10A(2)(b) as outlined above.
2. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required under section 11(2) of the Local Government Act 1993.

DRAFT RISK REMEDIATION PLAN

This items are classified as confidential under Section 10A(2)(g) of the Local Government Act which permits the meeting to be closed to the public for business relating to the following:

- a) Personnel matters concerning particular individuals (other than councillors).

- 12/117 RESOLVED on the motion of Clrs. McInerney and Kreuzberger that Council:
1. receive and endorse the RWCC Risk Remediation Plan with the exception of Items 9, 21, 22 and 23,
 2. Adopt the timetable for actions on the recommendations as submitted by the General Manager, and
 3. request that updates on progress of this program be provided to the Audit and Risk Committee by the General Manager.
- 12/118 RESOLVED on the motion of Brown and McInerney that *Item 9* be adopted, with the addition of the term "unless authorised otherwise by Council".
- 12/119 RESOLVED on the motion of Clrs. Kreuzberger and Ross that *Item 21* not be adopted (outside Council's powers).
- 12/120 RESOLVED on the motion of Clrs. McInerney and Brown that in regard to *Item 22*, the General Manager and Chairman be authorised to seek independent legal advice on this matter and, if appropriate, meet with Minister for Local Government in relation to the matter.
- 12/121 RESOLVED on the motion of Clr Brown and McInerney that in regard to *Item 23*, the General Manager and Chairman be authorised to seek independent legal advice on this matter and, if appropriate, meet with Minister for Local Government in relation to the matter.

POSSIBLE NAME FOR PROPOSED WATER TREATMENT PLANT

This items are classified as confidential under Section 10A(2)(b) of the Local Government Act which permits the meeting to be closed to the public for business relating to the following:

- a) Personnel matters concerning particular individuals (other than councillors).

12/122 RESOLVED on the motion of Clrs. Hiscock and Vidler that a comprehensive report be submitted to Council on the means of recognition of people that have made a significant contribution to Riverina Water County Council.

OPEN COUNCIL

12/123 RESOLVED, on the motion of Clrs Brown and Hiscock that Council move out of Closed Council and into Open Council.

DECISIONS READ ALOUD

The Chairman read aloud the decisions of the Council made whilst the meeting was closed to the public.

12/124 RESOLVED, on the motion of Clrs Ross and Vidler that the recommendations of The Committee of the Whole be adopted.

The Meeting concluded at 3.16 pm
