

**MINUTES of the MEETING of RIVERINA WATER COUNTY COUNCIL,
held at 91 HAMMOND AVENUE, WAGGA WAGGA,
on WEDNESDAY, 15th OCTOBER 2014 at 9.30 am**

PRESENT: Clr. G. Hiscock, Clr. R. Kendall I. Kreutzberger, Clr. J. McInerney, Clr. D Meyer OAM, Clr. A. Negline, Clr. K. Poynter and Clr. G Verdon.

The General Manager, Director of Engineering, Mr Greg Vidler (Manager Projects), Mr. Peter Anderson (Project Engineer) and Dannielle MacKenzie (Crowe Horwath Auswild) were in attendance.

Clr. G. Hiscock, Acting Chairperson opened the meeting.

DECLARATION OF PECUNIARY & NON-PECUNIARY INTEREST

14/108 No declarations of Pecuniary & Non-pecuniary interest received.

CONFIRMATION OF MINUTES

14/109 The Minutes of the Meeting of 27th August 2014 having been circulated and read by the Members, were taken as being CONFIRMED on the motion of Clrs. Kendall and Meyer.

ACKNOWLEDGEMENT OF COUNTRY

14/110 Chairperson Clr. Hiscock read out the Acknowledgement of Country.

CORRESPONDENCE

LOCAL GOVERNMENT NSW: forwarding a copy of Weekly Circulars 32/14 – 39/14.

STAFF CONSULTATIVE COMMITTEE: (17 Sept 2014) forwarding Minutes of the Staff Consultative Committee Meeting held 9 September 2014.

HEALTH AND SAFETY COMMITTEE: (9 October 2014) forwarding Minutes of the Health and Safety Committee Meeting held 9 October 2014.

14/111 RESOLVED, on the motion of Clrs. Kreutzberger and Verdon that the correspondence be received.

Clr. Hiscock handed meeting over to General Manager.

ELECTION OF CHAIRPERSON

There was 1 nomination for the office of Chairperson for the ensuing year, that of Clr. Hiscock.

14/112 Clr. Hiscock was ELECTED Chairperson.

ELECTION OF DEPUTY CHAIRPERSON

There was 1 nomination for the office of Deputy Chairperson for the ensuing year, that of Clr. Verdon.

14/113 Clr. Verdon was ELECTED Deputy Chairperson.

Clrs. Hiscock and Verdon thanked Council for their support.

GENERAL MANAGER'S REPORT

MINUTES OF AUDIT AND RISK COMMITTEE

14/114 RESOLVED on the motion of Clrs. Negline and Verdon that Council receive and note the minutes of the Audit and Risk Committee Meetings held on 28TH August 2014 and 18th September 2014 endorse the recommendations contained therein.

AUDIT AND RISK COMMITTEE ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2014

14/115 RESOLVED on the motion of Clrs. Kreutzberger and Kendall that Council receive and adopt the Audit and Risk Committee Annual Report for the Year Ended 30 June 2014.

FINANCIAL STATEMENTS – LIST OF INVESTMENTS

14/116 RESOLVED on the motion of Clrs. Kreutzberger and Negline that the report detailing Council's external investments for the months of August and September 2014 be received.

QUARTERLY BUDGET REVIEW – PERIOD ENDED THE 30TH SEPTEMBER 2014

14/117 RESOLVED on the motion of Clrs. Meyer OAM and Verdon that the Quarterly Budget Review for the period ended 30th September 2014 be received and adopted.

FINANCIAL STATEMENTS 2013/2014

14/118 RESOLVED on the motion of Clrs. Poynter and Kreutzberger that the 2013/2014 Audited Financial Statements be received.

14/119 RESOLVED on the motion of Clrs. Meyer OAM and Kreutzberger that Council suspend standing orders.

Dannielle MacKenzie of Crowe Horwath Auswild presented her report on the Annual Financial Statements for 2013/2014.

14/120 RESOLVED on the motion of Clrs. Poynter and Kreutzberger that Council resume standing orders.

Dannielle MacKenzie left meeting 9.45 am

OPERATIONAL PLAN – PERFORMANCE TARGETS

14/121 RESOLVED on the motion of Clrs. Kendall and Poynter that the report detailing the progress achieved towards the various objectives set out in the 2014/2015 Operational Plan be noted and received.

DISCLOSURE OF INTEREST RETURNS

14/122 RESOLVED on the motion of Clrs. Verdon and Negline that the information be noted.

APPLICATION FOR ANNUAL LEAVE - GENERAL MANAGER

14/123 RESOLVED on the motion of Clrs. McInerney and Verdon that annual leave be approved for the period requested by the General Manager and that the Director of Engineering, Mr Bede Spannagle, be appointed as Acting General Manager during this time.

APPOINTMENT OF COUNCIL REPRESENTATIVES

14/124 RESOLVED on the motion of Clrs. Kendall and McInerney that Council reappoint existing Councillor Representatives for the term of Council.

PERFORMANCE REVIEW – GENERAL MANAGER

14/125 RESOLVED on the motion of Clrs. McInerney and Kreutzberger that the Council consider the Chairman's Report "Performance Review – General Manager" whilst the meeting is closed to the public as it relating to personnel matters about an individual, as prescribed by Section 10A(2)(a) of the Local Government Act 1993.

POLICY 1.3 - GOOD GOVERNANCE

14/126 RESOLVED on the motion of Clrs. Kendall and McInerney that Riverina Water County Council adopt Policy 1.3 – Good Governance.

POLICY 1.4 - STATEMENT OF BUSINESS ETHICS

14/127 RESOLVED on the motion of Clrs. Kendall and McNerney that Riverina Water County Council adopt Policy 1.4 - Statement of Business Ethics.

POLICY 1.5 – COMPLAINTS MANAGEMENT

14/128 RESOLVED on the motion of Clrs. Kendall and McNerney that Riverina Water County Council adopt Policy 1.5 – Complaints Management.

POLICY 1.7 - GIFTS AND BENEFITS

14/129 RESOLVED on the motion of Clrs. Kendall and McNerney that Riverina Water County Council adopt Policy 1.7 - Gifts and Benefits.

POLICY 1.9 - COUNCILLOR'S ACCESS TO INFORMATION, INTERACTION WITH STAFF AND ACCESS TO COUNCIL PREMISES

14/130 RESOLVED on the motion of Clrs. Kendall and McNerney that Riverina Water County Council adopt Policy 1.9 - Councillor's Access to Information, Interaction with Staff and Access to Council Premises.

POLICY 1.11 – PROTECTED DISCLOSURES

14/131 RESOLVED on the motion of Clrs. Kendall and McNerney that Riverina Water County Council adopt Policy 1.11 – Protected Disclosures.

POLICY 1.14 - FRAUD AND CORRUPTION PREVENTION

14/132 RESOLVED on the motion of Clrs. Kendall and McNerney that Riverina Water County Council adopt Policy 1.14 - Fraud and Corruption Prevention.

POLICY 1.14a - FRAUD PREVENTION PLAN

14/133 RESOLVED on the motion of Clrs. Kendall and McNerney that Riverina Water County Council adopt Policy 1.14a – Fraud Prevention Plan.

POLICY 1.15 - PUBLIC ACCESS TO INFORMATION

14/134 RESOLVED on the motion of Clrs. Kendall and McNerney that Riverina Water County Council adopt Policy 1.15 - Public Access to Information.

POLICY 3.2 - PLANT & VEHICLE PURCHASE AND DISPOSAL

14/135 RESOLVED on the motion of Clrs. Kendall and McNerney that Riverina Water County Council adopt Policy 3.2 - Plant & Vehicle Purchase and Disposal.

COUNCIL RESOLUTION SHEET

14/136 RESOLVED on the motion of Clrs. Poynter and Verdon that Council receive and note the Resolution Sheet.

WORKS REPORT FOR MONTH OF AUGUST 2014

14/137 RESOLVED on the motion of Clrs. Poynter and Kendall that this report be received and noted.

WORKS REPORT FOR MONTH OF SEPTEMBER 2014

14/138 RESOLVED on the motion of Clrs. McInerney and Kreutzberger that this report be received and noted.

Peter Anderson, Project Engineer, entered meeting 11.00 am

REVIEW OF STRATEGIC DESIGN ON 1:100 YEAR FLOOD LEVY

14/139 RESOLVED on the motion of Clrs. McInerney and Kreutzberger that Council:

- 1) Proceed with the 1:100 year Flood Levee Project as the preferred solution for flood protection for the Hammond Ave site.
- 2) Complete the detailed design of the 1:100 year levee prior to commencing public consultation.

Peter Anderson, Project Engineer left meeting 11.30 am.

TENDER W.181 FOR PURCHASE OF BACKHOE/LOADER

14/140 RESOLVED on the motion of Clrs. Negline and Kreutzberger that Council consider the Report "Tender W.181 for Purchase of Backhoe/Loader" whilst the meeting is closed to the public as it could relate to commercial information, the disclosure of which would be likely to prejudice the commercial position of the person who supplied it, as prescribed by section 10A(2) (c) of the Local Government Act 1993.

TENDER W.174 FOR CONSTRUCTION OF ONE ELEVATED STEEL WATER SUPPLY RESERVOIR AT MANGOPLAH

14/141 RESOLVED on the motion of Clrs. Negline and Kreutzberger that Council consider the Report "Tender W.174 for Construction of one Elevated Steel Water Supply Reservoir at Mangoplah" whilst the meeting is closed to the public as it could relate to commercial information, the disclosure of which would be likely to prejudice the commercial position of the person who supplied it, as prescribed by Section 10A(2)(c) of the Local Government Act 1993.

REVIEW OF DEVELOPMENT SERVICING PLAN

14/142 RESOLVED on the motion of Clrs. Kendall and Negline and that Council note the report on the Development Servicing Plan

Clr. McNerney left meeting 12 noon.

QUESTIONS AND STATEMENTS

14/143 Clr. Meyer OAM: Advised that Clr. McNerney requested him to pass on his congratulations to General Manager and Manager Corporate Services for their contribution and presentation of 2013/2014 Financial Accounts.

14/144 Clr. Poynter: Congratulations on supporting Blue Day by wearing blue today draw awareness to mental health issues.

14/145 Clr. Kendall: Refer to rest area along walking track along Marshalls Creek, concern at graffiti and damage to site, who is responsible for the maintenance of the area?

General Manager: Combined project between Essential Energy, Riverina Water County Council and Wagga Wagga City Council. Will look into it.

14/146 Clr. Negline: Requested an update on Nash Bros court case and analysis/costs on water filling stations.

Director of Engineering: We should receive judgement on Nash Bros court case before November.

General Manager: Cost \$100,000 to date.

Director of Engineering: We expect costs to be awarded; Nash Bros couldn't claim refund of previous payments.

14/147 Clr. Kreutzberger: Would like to congratulate Clrs. Hiscock and Verdon on taking up roles again.

14/148 Clr. Verdon: Asked Director of Engineering if there is a possibility of building a reservoir on south side of railway line at The Rock, if no water from Southern Trunk Main?

Director of Engineer: Will take on notice?

14/149 Clr. Verdon: When reading Minutes from previous Meeting, only reflects resolutions adopted. Verbal reports on items not recorded?

General Manager: Minutes only record resolutions passed, we'd have to record Meeting.

Clr. Kendall: Wagga Wagga City Council add undertaking, sent out separately.

Clr. Verdon: Not easy to remember specific items that have been raised.

General Manager: Will record undertakings.

14/150 General Manager: REROC have requested a letter of support from Council, we are an associate Member.

Clr. Kendall: Request General Manager to send letter to Constituent Councils.

Next meeting will be Friday, 12th December, 2014, commencing at 2.00pm, to be followed by Council's Staff Christmas gathering.

RESOLUTION TO MOVE INTO CLOSED COUNCIL

14/151 RESOLVED, on the motion of Clrs Negline and Kreutzberger that Council now resolve itself into Closed Council to consider business identified.

Council closed its meeting at 12.35 am.

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.

14/152 RESOLVED, on the motion of Clrs Negline and Kreutzberger 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)(a) 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.

PERFORMANCE REVIEW – GENERAL MANAGER

14/153 RESOLVED, on the motion of Clr Hiscock that the Report be received and noted.

CONSIDERATION OF TENDER W.181 FOR PURCHASE OF BACKHOE/LOADER

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

*2(d) Commercial information of a confidential nature that would, if disclosed:
(i) prejudice the commercial position of the person who supplied it.*

14/154 RESOLVED, on the motion of Clrs Poynter and Meyer OAM that the offer from Norwood Farm Machinery Centre for a JCB 3CX APC Elite Backhoe, for the price of \$146,650 be accepted.

CONSIDERATION OF TENDER W.174 FOR THE CONTRUCTION OF ONE ELEVATED STEEL WATER SUPPLY RESERVOIR AT MANGOPLAH

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

*2(d) Commercial information of a confidential nature that would, if disclosed:
(i) prejudice the commercial position of the person who supplied it.*

14/155 RESOLVED, on the motion of Clrs Negline and Poynter that DTD Engineering Pty Ltd be awarded the contract for Construction of one Elevated Steel Water Supply Reservoir at Mangoplah, for the price of \$247,605.

14/156 RESOLVED, on the motion of Clrs Poynter and Meyer OAM 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.

The Meeting concluded at 12.45pm
