



MINUTES of the MEETING of RIVERINA WATER COUNTY COUNCIL
held at 91 HAMMOND AVENUE, WAGGA WAGGA,
on WEDNESDAY, 13th DECEMBER 2017 at 9.30 am

PRESENT: Clr. P. Bourke, Clr. Y. Braid OAM, Clr. G. Conkey OAM, Clr. P. Funnell, Clr. V. Keenan, Clr. T. Koschel, Clr. D Meyer OAM, Clr. T. Quinn and Clr. G. Verdon.

The General Manager, Director of Engineering, Manager Corporate Services and Manager Projects were in attendance.

ACKNOWLEDGEMENT OF COUNTRY

17/186 Chairperson Clr. Verdon read out the Acknowledgement of Country.

DECLARATION OF PECUNIARY & NON-PECUNIARY INTEREST

17/187 No declarations of Pecuniary & Non-pecuniary interest received.

CONFIRMATION OF MINUTES

17/188 The Minutes of the Meeting of 25th October 2017 having been circulated and read by the Members, were taken as being CONFIRMED on the motion of Clrs. Meyer OAM and Quinn.

CORRESPONDENCE

LOCAL GOVERNMENT NSW: forwarding a copy of Weekly Circulars 42/17 – 48/17.

STAFF CONSULTATIVE COMMITTEE: (10 November 2017) forwarding Minutes of the Staff Consultative Committee Meeting held 2 November 2017.

17/189 RESOLVED on the motion of Clrs. Keenan and Conkey that the correspondence be received.

GENERAL MANAGER'S REPORT

FINANCIAL STATEMENTS – LIST OF INVESTMENTS

- 17/190 RESOLVED on the motion of Clrs. Koschel and Meyer OAM that the report detailing Council's external investments for the months of October and November 2017 be received.

AUDIT AND RISK COMMITTEE MINUTES

- 17/191 RESOLVED on the motion of Clrs. Quinn and Funnell that Council receive and note the Minutes of the Audit and Risk Committee Meeting held on 20th November 2017 and endorse the recommendations contained therein.

AUDIT AND RISK COMMITTEE CHARTER

- 17/192 RESOLVED on the motion of Clrs. Funnell and Braid OAM that the revised Audit & Risk Committee Charter be adopted.

WORKSHOP OPERATIONAL PLAN 2018/2019

- 17/193 RESOLVED on the motion of Clrs. Koschel and Meyer OAM that Council hold a workshop to discuss key aspects of the 2018/2019 Operational Plan, following Council's February Meeting.

GENERAL MANAGER FAREWELL

- 17/194 RESOLVED on the motion of Clrs. Funnell and Braid OAM that Council approve meeting the cost of the General Manager's Farewell.

DELEGATION OF AUTHORITY TO NEW GENERAL MANAGER

- 17/195 RESOLVED on the motion of Clrs. Keenan and Koschel that in accordance with Section 377 Local Government Act 1993, Council ratify and grant the delegations as set out in the Delegations of Authority Register to the General Manager Mr. Andrew Crakanthorp, commencing 10 January 2018.

DARYL MAGUIRE MP – PROPOSAL TO INCREASE TARIFF STEP

- 17/196 RESOLVED on the motion of Clrs. Funnell and Meyer OAM that Council consider a proposal by Daryl Maguire MP to increase the Tariff step for residential blocks above 3 acres at the workshop examining the 2018/2019 Operational Plan, following Council's February Meeting and that the General Manager obtain further information from Wagga Wagga City Council and advise Mr Maguire.

Clr. Bourke entered meeting 9.50 am.

TENDER W.223 FOR LEVEE MATERIAL SUPPLY

- 17/197 RESOLVED on the motion of Clrs. Keenan and Funnell that Council consider the report "Tender W.223 for Levee Material Supply", whilst the meeting is closed to the public, as it relates to commercial information the disclosure of which would prejudice the commercial position of the person who supplied it, as prescribed by Section 10A(2)c) of the Local Government Act 1993.

PURCHASE OF PORTABLE DEVICES ON RETIREMENT

- 17/198 RESOLVED on the motion of Clrs. Funnell and Bourke that Council agree to sell used iPad Pro and iPhone SE to the General Manager for \$583 and \$418 respectively.

COUNCIL RESOLUTION SHEET

- 17/199 RESOLVED on the motion of Clrs. Koschel and Funnell that Riverina Water County Council note Council's Resolution Sheet.

WORKS REPORT COVERING OCTOBER 2017

- 17/201 RESOLVED on the motion of Clrs. Funnell and Koschel that the Director of Engineering's report covering the month of October 2017 received and noted.

WORKS REPORT COVERING NOVEMBER 2017

- 17/202 RESOLVED on the motion of Clrs. Funnell and Koschel that the Director of Engineering's report covering the month of November 2017 received and noted.

CONTRACT W.195 – WATER TREATMENT PLANT (WTP) PROGRESS REPORT

- 17/203 RESOLVED on the motion of Clrs. Funnell and Meyer OAM that Council receive and note these reports.

DEVELOPMENT OF NEW GENERAL MANAGER'S PERFORMANCE AGREEMENT

- 17/204 RESOLVED on the motion of Clrs. Meyer OAM and Keenan that the Council consider the Chairperson's Minute – 'Development of New General Manager's Performance Agreement' whilst the meeting is closed to the public as it relates to commercial information of a confidential nature that would, if disclosed: prejudice the commercial position of the person who supplied it, as prescribed by Section 10A(2)(d)(i) of the Local Government Act 1993.

QUESTIONS AND STATEMENTS

- 17/205 Clr. Meyer OAM: Wished everyone a happy Christmas
- 17/206 Clr. Conkey: Welcomed Bede bank, and wished everyone a Merry and Wholly Christmas and wished the retiring General Manager good luck.
- 17/207 Clr. Keenan: Same as everyone else, asked the retiring General manager to enjoy his last few weeks and passed on her congratulations to those that organised the retirement event on Monday night.
- 17/208 Clr. Koschel: Expressed same sentiments and wished the General Manager good luck and apologised for being unable to attend the retirement function on Monday.
- 17/209 Clr. Bourke: Wished the General Manager all the best and expressed his regret on being unable to attend the retirement function.
- 17/210 Clr. Braid OAM: Same as everyone else and thanked the General Manager for the work he's done and assisting the new Councillors.
- 17/211 Clr. Conkey: Recent report on television about Infrastructure Australia, considerable concern about Water Authorities' ability to service assets. Requested a report on our assets.
- Clr. Funnel: Referred to RWCC's Infrastructure Renewal Program. Others look favourably on us – we're pushing above our weight.
- General Manager: Outlined some rumoured proposals to privatise some Local Water Utilities in NSW. Felt that the State Government would receive any proceeds from such an occurrence, not the constituent councils. Given the need for a commercial rate of return for such an investment, would probably result in massive price increases.
- Clr. Conkey: Requested a brief summary of our assets.
- Direction of Engineering: Advised he will supply a report.

17/212 Clr. Verdon: Support Clr. Conkey comments. Welcomed Bede back from holidays. Wished staff and management a Merry Christmas and a happy New Year. And thanked Michele Curran and Judi Dunning for Monday night's Retirement Function on their efforts and choice of venue.

17/213 Chairperson: Next Meeting will be Wednesday, 28th February 2018

RESOLUTION TO MOVE INTO CLOSED COUNCIL

17/214 RESOLVED, on the motion of Clrs. Keenan and Conkey that Council now resolve itself into Closed Council to consider business identified.

Council closed its meeting at 10.45 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.

17/215 RESOLVED, on the motion of Clrs. Keenan and Conkey 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.

TENDER W.223 FOR LEVEE MATERIAL SUPPLY

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

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,

17/216 RESOLVED, on the motion of Clrs. Meyer OAM and Quinn that Council:

- Accept the Tender received from Steelpipes Pty Ltd in the amount of \$761,750 excl GST,
- Authorise the General Manager to undertake post tender negotiations with Steelpipes, to finalise outstanding technical requirements and any adjustments to the quantity of materials.

DEVELOPMENT OF NEW GENERAL MANAGER'S PERFORMANCE AGREEMENT

This item is classified as confidential under Section 10A(2)(d)(i) 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.*

17/217 RESOLVED, on the motion of Ctrs. Funnell and Braid OAM that the Chairperson be authorised to negotiate with Mr Terrey Kiss of Blackadder and Associates, for the engagement of their services for the development of a Performance Agreement, required under the employment contract with the new General Manager, Mr. Andrew Crakanthorp.

17/218 RESOLVED, on the motion of Ctrs. Koschel and Funnell that Council move out of Closed Council and into Open Council.

DECISIONS READ ALOUD

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

The Meeting concluded at 10.55 am.
