

**MINUTES OF THE MEETING of RIVERINA WATER COUNTY COUNCIL
HELD AT 91 HAMMOND AVENUE, WAGGA WAGGA,
ON WEDNESDAY, 22 AUGUST 2018 AT 9.30 am.**

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

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

ACKNOWLEDGEMENT OF COUNTRY

- 18/105 Chairperson Clr. Verdon read out the Acknowledgement of Country.
- 18/106 Apologies for non-attendance were received from Clr. T. Koschel, and Manager of Projects.

DECLARATION OF PECUNIARY & NON-PECUNIARY INTEREST

- 18/107 Andrew Crakanthorp declared a Pecuniary Interest in closed council item no.4, Performance Review – General Manager. Mr Crakanthorp left the room during discussion on that matter.

No Non-pecuniary interests were received.

CONFIRMATION OF MINUTES

- 18/108 The Minutes of the Meeting of 27 June 2018 having been circulated and read by the Members, were taken as being CONFIRMED on the motion of Clrs. Meyer and Quinn.

CORRESPONDENCE

LOCAL GOVERNMENT NSW WEEKLY CIRCULARS: previously forwarded to Councillors by Constituent Councils.

STAFF CONSULTATIVE COMMITTEE: (July 2018) forwarding a copy of Minutes of Meeting held 5 July 2018.

HEALTH & SAFETY COMMITTEE: (July 2018) forwarding a copy of Minutes of Meeting held 11 July 2018

STAFF CONSULTATIVE COMMITTEE: (August 2018) forwarding a copy of Minutes of Meeting held 13th August 2018.

18/109 RESOLVED on the motion of Clrs. Quinn and Keenan that the correspondence be received.

SUSPENSION OF STANDING ORDERS

18/110 RESOLVED on the motion of Clrs Quinn and Keenan that standing orders be suspended to allow a presentation by Leigh Mawby from WaterAid. The time at this stage was 9.32 am.

Cr Bourke entered the meeting at 9.35 am

Cr Conkey entered the meeting at 9.40 am

RESUMPTION OF STANDING ORDERS

18/111 RESOLVED on the motion of Clrs Keenan and Quinn that standing orders be resumed. The time at this stage was 9.56am

GENERAL MANAGER'S REPORT

INVESTMENT REPORTS

18/112 RESOLVED on the motion of Clrs. Meyer and Conkey that the report detailing Council's external investments for the months of June and July 2018 be received.

FINANCIAL STATEMENTS – FINANCIAL POSITION AS AT 30TH JUNE 2018

18/113 RESOLVED on the motion Clrs Kennan and Braid that the unaudited statements of the financial position as at 30th June 2018 be received.

FINANCIAL STATEMENTS 2017/2018

18/114 RESOLVED on the motion of Clrs. Quinn and Conkey that:

- (i) Council's Draft Financial Statements be referred to audit by Council's auditors, Audit Office of New South Wales,
- (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, Councillor and General Manager be authorised to complete the "Statement by Members of the Council" in relation to Council's 2017/18 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.

CAPEX BUDGET RESULT 2017/2018

- 18/115 RESOLVED on the motion of Clrs Meyer and Braid that Council receive and note report on the final Capital Expenditure Budget result for the 2017/18 financial year.

REVOTED BUDGET 2018/2019

- 18/116 RESOLVED on the motion of Clrs. Braid and Meyer that expenditure totalling \$4,931,186 be revoted and included in the 2018/2019 budget.

OPERATIONAL PLAN- PERFORMANCE TARGETS

- 18/117 RESOLVED on the motion of Clrs. Bourke and Conkey that the report detailing progress, as at 30th June 2017, achieved towards the various objectives set out in the 2017/2018 Operational Plan be noted and received.

PECUNIARY INTEREST REGISTER – DISCLOSURE OF INTERESTS

- 18/118 RESOLVED on the motion of Clrs. Quinn and Braid that the information be received and noted.

OVERDUE DEBTORS JUNE 2018

- 18/119 RESOLVED on the motion Clrs. Bourke and Meyer that the following report on overdue debtors for the period ended 30th June 2018 be received and noted.

LOST TIME INJURY STATISTICS 2017/2018

- 18/120 RESOLVED on the motion Clrs. Quinn and Keenan the quarterly statistics report on Lost Time Injuries for the 2017 / 2018 financial year to date be received and noted.

MINUTES AUDIT AND RISK COMMITTEE MEETING – 25TH JULY 2018

- 18/121 RESOLVED on the motion of Clrs. Braid and Meyer that the Minutes of the Audit and Risk Committee Meeting be noted.

PROPOSED MOTION FOR LGNSW ANNUAL CONFERENCE

- 18/122 RESOLVED on the motion of Clrs. Meyer and Conkey that Council submit the following motion to the Annual Conference of Local Government NSW to be held in October 2018:

That LGNSW make representations to the NSW Government to amend Section 391 (2) of the Local Government Act 1993 so as to read “the chairperson holds office for two years, subject to this Act”

POLICY 4.3 WORK HEALTH & SAFETY

- 18/123 RESOLVED on the motion of Clrs. Kennan and Meyer that Riverina Water County Council adopted Policy 1.2 Code of Meeting Practice.

COUNCIL MEETING DATES AND TIMES

- 18/124 RESOLVED on the motion of Clrs. Meyer and Conkey that Council's December Council Meeting be held on Wednesday 12th December 2018 commencing at 9.30am and that Council's October meeting be held on Wednesday 17 October 2018 also commencing at 9.30am.

LAND MATTERS FOR CONSTRUCTION OF RESERVOIRS AT DUNNS ROAD, WAGGA WAGGA

- 18/125 RESOLVED on the motion of Clrs. Meyer and Quinn that Council consider the report “Land Matters for Construction of Reservoirs at Dunns Road, Wagga Wagga”, 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)(d) of the Local Government Act 1993.

TENDER W.228 FOR SHEETPILE CONSTRUCTION AT 91 HAMMOND AVENUE

- 18/126 RESOLVED on the motion of Clrs. Meyer and Quinn that Council consider the report “Tender W.228 for Sheetpile Construction at 91 Hammond Avenue”, 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.

REVIEW OF ORGANISATION STRUCTURE

- 18/127 RESOLVED on the motion of Clrs. Meyer and Quinn that Council consider the report "Organisation Structure" 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.

PERFORMANCE REVIEW – GENERAL MANAGER

- 18/128 RESOLVED on the motion of Clrs. Meyer and Quinn that 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.

COUNCIL RESOLUTION SHEET

- 18/129 RESOLVED on the motion of Clrs. Quinn and Braid that Council receive and note Council's Resolution Sheet.

DIRECTOR OF ENGINEERING'S REPORT FOR MONTH OF JUNE 2018

- 18/130 RESOLVED on the motion Clrs. Conkey and Braid that the Director of Engineering's report covering the month of June 2018 received and noted.

DIRECTOR OF ENGINEERING'S REPORT FOR MONTH OF JULY 2018

- 18/131 RESOLVED on the motion of Clrs Conkey and Braid that the Director of Engineering's report covering the month of July 2018 be received and noted.

- 18/132 RESOLVED on the motion of Conkey and Braid that the General Manager and Director Engineering prepare a report to the October meeting of the Board on possible methods of drought assistance that could be considered by Riverina Water

CONTRACT W195 – WATER TREATMENT PLANT PROGRESS REPORT

- 18/133 RESOLVED on the motion of Clrs. Conkey and Quinn that Council receive and note this report.

LAND MATTERS FOR THE CONSTRUCTION OF RESERVOIRS AT GLENOAK, WAGGA WAGGA

- 18/134 RESOLVED on the motion of Clrs. Conkey and Quinn that Council:

- 1) Purchase 3750 m² of land on Lot 53 DP 1181931 for the construction of two 4ML reservoirs at Glenoak for the amount referred to in this report.
- 2) Establish an easement of approximately 3600 m² on Lot 53 DP 1181931 for the construction of pipeline and access road.
- 3) Delegate authority to the General Manager to negotiate the land purchase and establish the easement for the pipeline and access road.
- 4) Affix Council's Common Seal to documents as required.
- 5) In accordance with the Local Government Act 1993 (as amended) classify the land as operational upon acquisition.

QUESTIONS AND STATEMENTS

Clr. Conkey : Extended invitation to Mr Andrew Crakanthorp and Clr Greg Verdon on behalf of WWCC to a meeting for a planned drought relief concert to be held Thursday 23 August 2018 at 12.30 pm.

Clr Keenan: Expressed concerns around the WWCC Sewer treatment plant at Forest Hill as they relate to the PFAS matter

Response Andrew Crakanthorp: Management is aware of concerns and Jason Ip is on the local panel. A watching brief is being maintained.

Clr Bourke: Enquired about the proposed restriction of flows into Yanco/Colombo creek water system and the activities of the Yanco Creek and Tributaries Advisory Council.

Andrew Crakanthorp: Received invitation to Urana Progress Association Bird Aviary Opening on 12 September

Andrew Crakanthorp: RWCC has ongoing association with South Wagga Rotary Club, who are running a water project in Nepal. Mr Bruce Duffy and Mr Bede Spannagle to spend 4 days in village of project in Nepal. Airfares of \$1400 (for Mr Spannagle) are being met by Council sponsorship program.

Clr Greg Verdon: Where is RWCC at with sub track metering?

Response: Mr Spannagle provided a detailed response advising that management would, in the near future begin developing a policy position on the matter of sub track metering

Clr Greg Verdon: No water pressure at water fountain in The Rock and Lockhart.

Response Bede Spannagle: Operations Manager notified and they will work to resolve the issue.

RESOLUTION TO MOVE INTO CLOSED COUNCIL

18/135 RESOLVED, on the motion of Clrs. Conkey and Meyer that Council now resolve itself into Closed Council to consider business identified.

Council closed its meeting to the public at 12.02 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.

18/136 RESOLVED, on the motion of Conkey and Meyer 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.

LAND MATTERS FOR CONSTRUCTION OF RESERVOIRS AT DUNNS ROAD, WAGGA WAGGA

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 the disclosure of which would prejudice the commercial position of the person who supplied it.

18/137 RESOLVED on the motion of Clrs. Meyer and Bourke that Council;

- 1) Purchase and establish easement on Lot 11 DP 1054410 (South of Dunns road) for the construction of two 5ML reservoirs and pipeline at Dunns road.

- 2) Acquire 8378 m² of land for the reservoir site and 3928 m² for pipeline and access road easement, for the amount referred to in this report.
- 3) Establish 1.067 ha easement for pipeline through Lot 2 DP 587017, Lot 1 DP598249 and Lot 136 DP 754567 (North of Dunns road) for the construction of pipeline to the proposed reservoirs at Dunns road.
- 4) Delegate authority to the General Manager to negotiate the land purchase and establish easements for the pipeline and access road.
- 5) Affix Council's Common Seal to documents as required.
- 6) In accordance with the Local Government Act 1993 (as amended) classify the land as operational upon acquisition.

**TENDER W.228 FOR SHEETPILE CONSTRUCTION AT 91
HAMMOND AVENUE**

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 the disclosure of which would prejudice the commercial position of the person who supplied it.

- 18/138 RESOLVED on the motion of Ctrs. Meyer and Keenan that Council:
- Accept the Tender received from Southern Piling Pty Ltd as the Preferred Tender.
 - Authorise the Evaluation Committee to enter in to post tender negotiations with the preferred Tenderer to obtain clarification of the mobilisation date.
 - Authorise the General Manager to enter in to a Contract with Southern Piling Pty Ltd for sheetpile construction at 91 Hammond Avenue with a Contract Value of \$491,161 including GST.

REVIEW OF ORGANISATION STRUCTURE

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(a) Personnel matters concerning particular individuals (other than councillors),

- 18/139 RESOLVED on the motion of Ctrs. Kennan and Conkey that:
- (a) Council adopt the attached organisation structure noting the creation of the new positions of Manager Governance and Human Resources, Governance Officer and IT Officer.

(b) the financial implications associated with the implementation of the new structure be reflected in the September 2018 quarterly budget review.

Andrew Crakanthorp excused himself from the room for next resolution, the time being 12.10 and re-entered the meeting at 12.12pm.

PERFORMANCE REVIEW – GENERAL MANAGER

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(a) Personnel matters concerning particular individuals (other than councillors),

18/140 RESOLVED, on the motion of Ctrs. Meyer and Baird that this report be received and endorse the recommendation made by the General Managers Performance Review Committee which noted the General Manager's performance to be generally more than satisfactory.

W.229 – TENDER FOR SUPPLY AND DELIVERY OF WATER SUPPLY PRESSURE PIPES – BULGARY

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 the disclosure of which would prejudice the commercial position of the person who supplied it.

18/141 RESOLVED, on the motion of Ctrs. Quinn and Conkey that the tender received from Vinidex for the supply of 250mm oPVC pipe for \$273,808.00 be accepted

W.230 – TENDER FOR SUPPLY AND DELIVERY OF WATER SUPPLY PRESSURE PIPES – BOOROOMA (CSU)

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 the disclosure of which would prejudice the commercial position of the person who supplied it.

18/142 RESOLVED, on the motion of Ctrs. Quinn and Bourke that the tender received from Clover Pipelines for 450mm DICL at the price of \$608,120 be accepted.

OPEN COUNCIL

18/143 RESOLVED, on the motion of Clrs Conkey and Braid that Council move out of Closed Council and into Open Council.

DECISIONS READ ALOUD

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

The Meeting concluded at 12.17 pm.
