

MINUTES of the MEETING of RIVERINA WATER COUNTY COUNCIL,
held at 91 HAMMOND AVENUE, WAGGA WAGGA,
on WEDNESDAY, 24th AUGUST 2011 at 1.30 pm

PRESENT: Clr. R. Kendall (Chairperson), Clr. A. Brown, Clr. W. Geale
OAM, Clr. J. McInerney, Clr. L. Vidler and Clr. P. Yates.

The General Manager, Director of Engineering & Finance Admin
Manager were in attendance.

11/78 Apology for non-attendance was received from Clrs. Goodlass
and Ross and leave of absence was GRANTED on the motion
of Clrs. McInerney and Brown

DECLARATION OF PECUNIARY & NON-PECUNIARY INTEREST

Clr. Brown advised that, in relation to the Report of the Director of
Engineering, clause relating to training, he was employed by a
company that provides chemical handling training.

11/79 RESOLVED on the motion of Clrs. Yates and Geale that this advice be
received and noted.

CONFIRMATION OF MINUTES

11/80 The Minutes of the Meeting of 22nd June 2011 having been circulated
and read by the Members were taken as being CONFIRMED on the
motion of Clrs. McInerney and Brown.

CORRESPONDENCE

SHIRES ASSOCIATION OF NSW: forwarding a copy of weekly
circulars 24/11 – 32/11.

OCCUPATIONAL HEALTH AND SAFETY COMMITTEE: (18TH
August 2011) forwarding a copy of the Minutes of OH&S Committee
Meeting held 18th August 2011.

MURRAY DARLING ASSOCIATION INC: (5TH August 2011)
forwarding a copy of Minutes of the MDA Meeting held in Hay on 15th
July 2011.

OH&S AND RTW CORDINATORS: (19th August 2011) forwarding the
Workers Compensation Performance Report for 2010/2011.

11/81 RESOLVED, on the motion of Clr. Vidler and Brown that the
correspondence be received.

GENERAL MANAGER'S REPORT

FINANCIAL STATEMENTS - LIST OF INVESTMENTS

- 11/82 RESOLVED on the motion of Clrs. Brown and Vidler that the report detailing Council's external investments for the months of June and July 2011 be received.

FINANCIAL STATEMENT - FUND POSITION AS AT 30th JUNE 2011

- 11/83 RESOLVED on the motion of Clrs. Vidler and Brown that the unaudited statement of the financial position as at 30th June 2011 be received.

FINANCIAL STATEMENTS 2010/2011

- 11/84 RESOLVED on the motion of Clrs. Vidler and Yates 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 "Statement by Members of the Council" in relation to Council's 2010/11 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 2010/2011

- 11/85 RESOLVED on the motion of Clrs. McInerney and Brown that the expenditure totalling \$880,000 be transferred to and included in the 2010/2011 Capital works Programme.

VOTING OF EXPENDITURE FOR THE FINANCIAL YEAR 2011/12

- 11/86 RESOLVED on the motion of Clrs. Brown and Vidler that the amounts provided in the Operational Plan, adopted by the Council for the year 2011/12, vide Resolution No. 11/58 of 22nd June 2011 be and are hereby voted for the several purposes for the 2011/2012 year.

COUNCILLORS EXPENSES & FACILITIES POLICY

- 11/87 RESOLVED on the motion of Clrs. Yates and Geale that the existing Councillors Expenses and Facilities Policy be adopted as Council policy for 2011/2012.

PECUNIARY INTEREST REGISTER – DISCLOSURE OF INTERESTS

- 11/88 RESOLVED on the motion of Clrs. Brown and Yates that the information be received and noted.

MEETING DATES

- 11/89 RESOLVED on the motion of Clrs McInerney and Yates that:
- i) Council's October Meeting be held on Wednesday 5th October 2011 at 1.30pm.
 - ii) Council's December Meeting be held on Friday 9th December 2011 at 2.30pm.

PERFORMANCE REVIEW – GENERAL MANAGER

- 11/90 RESOLVED on the motion of Clrs McInerney and Brown 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.

PERFORMANCE REVIEW – DIRECTOR OF ENGINEERING

- 11/91 RESOLVED on the motion of Clrs McInerney and Brown that the Council consider the report "Performance Review – Director of Engineering" 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.

**ACQUISITION OF EASEMENT– URANGELINE/ BIDGEEMIA
PIPELINE**

RESOLVED on the motion of Clrs Brown and Vidler that the Council

- a) Council acquire easements on:
- (i) Lot 83 DP664604 & Lot 10 DP1014879
 - (ii) Lot 11 DP1014879
 - (iii) Pt. Lot 103 DP756449, Lot 14DP661937, Lot 1 DP134786, Lot 4 DP134786, Lot 5 DP134786, Lot 3 DP134786, Lot 94 DP756449, Lot 4 DP134789 & Lot 101 DP658052
 - (iv) Pt. Lot 107 DP756442 & Pt. Lot 106 DP1109372
 - (v) Lot 17 DP756442 & Lot 44 DP756442
 - (vi) Lot 144 DP756416; Lot 1 DP178972 & Pt. Lot 1 DP325505
 - (vii) Lot 34 DP756442 & Part Lot 87 DP756442
 - (viii) Lot 35 DP756442
 - (ix) Lot 91 DP 756442 & Lot 72 DP756442
 - (x) Lot 121 DP756442; Lot 1 DP1084890, Lot 2 DP1084890 & Lot 89 DP756416
 - (xi) Lot 1 DP391693
 - (xii) Lot 46 DP756416 & Lot 47 DP756416
 - (xiii) Lot 1 DP174302
 - (xiv) Lot 142 DP756416 & Lot 145 DP756416
 - (xv) Lot 143 DP756416
 - (xvi) Lot 2 DP601738 & Lot 107 DP756416
 - (xvii) Lot 164 DP756445 & Lot 105 DP756445
 - (xviii) Lot 104 DP756445
 - (xix) Lot 85 DP756445 & Lot 140 DP756448
 - (xx) Lot 47 DP756442, Lot 1 DP134772 & Lot 1 DP188149
 - (xxi) Lot 49 DP756442, Lot 22 DP756442, Lot 2 DP455213, Lot 50 DP756442, Lot 48 DP756442 & Lot 124 DP756442
 - (xxii) Lot 18 DP756403, Lot 28 DP661868 & Lot 1 DP610216
 - (xxiii) Lot 43 DP 756403 & Pt. Lot 16 DP756403

and

- b) Authority be and is hereby given to affix the Council's Seal on the transfer documents.

OVERDRAFT FACILITY

RESOLVED on the motion of Clrs. Vidler and Brown that Council formalise an overdraft facility and market rate facility to assist with cash flow.

PURCHASING POLICY

11/94 RESOLVED on the motion of Clrs. Brown and Vidler that Riverina Water County Council adopt the Draft Purchasing Policy.

INTERNAL AUDIT

11/95 RESOLVED on the motion of Clrs. Brown and Vidler that

- (a) Riverina Water County Council determine to appoint an Internal Audit resource, with the General Manager to report on options to the next meeting of the Council
- (b) Riverina Water County Council appoint a subcommittee, comprising the Chairman, Deputy Chairman and Clr McInerney, for the purpose of interviewing and recommending for appointment prospective members of Council's proposed Audit and Risk Management Committee.
- (c) Riverina Water County Council call for expressions of interest from suitably qualified members of the community for appointment to Council's Audit and Risk Management Committee.

DIRECTOR OF ENGINEERING'S REPORTS

WORKS REPORT FOR MONTH OF JUNE 2011

11/96 RESOLVED on the motion of Clrs. Brown and Geale that the Director of Engineering's report for the month of June 2011 be accepted and the contents noted.

WORKS REPORT FOR MONTH OF JULY 2011

11/97 RESOLVED on the motion of Clrs. Vidler and Geale that the Director of Engineering's report for the month of July 2011 be accepted and the contents noted.

ANNUAL REPORT STATISTICS FOR 2010/2011

11/98 RESOLVED on the motion of Clrs. Brown and Vidler that the Director of Engineering's Report covering 2010/2011 annual statistics be accepted and the contents noted.

QUESTIONS AND STATEMENTS

11/99 Clr. Brown: Thanked Council staff for their assistance with the setting up of IPADs for Councillors.

11/100 Clr. Brown: Mentioned the "Build a Bridge" Program and that Council needs to be more involved, due to the shortage of Civil Engineers.

- 11/101 Clr. Yates: Will not be able to attend the upcoming LGSA Water Management Conference due to work commitments. He suggested that another Councillor may be able to attend in his place.
- 11/102 Chairperson: Advised that the Chairperson and General Manager would arrange for another Councillor to attend, if possible.
- 11/103 Clr. Vidler: Urged caution by Councillors if making any comments to the Daily Advertiser.
- 11/104 Chairperson: Advised of the attendance of himself and the General Manager at a Meeting of Councils in Dubbo entitled "Destination 2036". He advised that he envisaged that there would be changes underway for Local Government in NSW. He further advised of a statement by the Minister for Local Government, that there was no "Hidden Agenda".
- 11/105 Chairperson: Next Meeting will be Wednesday 5th October 2011.

RESOLUTION TO MOVE INTO CLOSED COUNCIL

- 11/106 RESOLVED, on the motion of Clrs. Vidler and Brown that Council now resolve itself into Closed Council to consider business identified.

Council closed its meeting at 2.45 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.

- 11/107 RESOLVED, on the motion of Clrs. Vidler and Brown 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.

**REPORT OF CHAIRMAN - 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:

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

11/108 RESOLVED, on the motion of Clrs. Vidler and Yates that the Chairman's report be received and noted.

**REPORT OF GENERAL MANAGER - PERFORMANCE REVIEW –
DIRECTOR OF ENGINEERING**

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:

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

11/109 RESOLVED, on the motion of Clrs. Brown and Yates that the general Manager's report be received and noted.

OPEN COUNCIL

11/110 RESOLVED, on the motion of Clrs Brown and McInerney 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 2.55 pm
