



18th October 2012

NOTICE OF MEETING OF THE COUNCIL

The meeting of the Council will be held at

RIVERINA WATER COUNTY COUNCIL CHAMBERS,
91 HAMMOND AVENUE, WAGGA WAGGA

on

WEDNESDAY, 24th OCTOBER 2012 at 1.30 pm

and your attendance is requested accordingly

Yours faithfully

A handwritten signature in black ink, appearing to read "G J Haley", written in a cursive style.

G J Haley
GENERAL MANAGER

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GENERAL MANAGER'S REPORT TO THE COUNCIL

17th October 2012

The Chairperson and Councillors:

1. ELECTION OF CHAIRPERSON

RECOMMENDED

Returning Officer

- a) The General Manager is the Returning Officer

Nomination

- b) i) A Councillor may be nominated without notice for election as Chairperson.
ii) The nomination is to be made in writing by 2 or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
iii) The nomination is to be delivered or sent to the Returning Officer.
iv) The Returning Officer is to announce the names of the nominees at the Council Meeting at which the election is to be held.

Election

- c) i) If only one Councillor is nominated, the Councillor is elected.
ii) If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
iii) The election is to be held at the council meeting at which the council resolves on the method of voting.
iv) In this clause:
"ballot" has its normal meaning of secret ballot.
"open voting" means voting by a show of hands or similar means.

Count – 2 Candidates

- d) i) At such a ballot, if there are only 2 candidates, the candidate with the higher number of votes is to be declared elected.
ii) If there are only 2 candidates and they are tied, the one to be declared elected is to be chosen by lot.

Count – 3 or more Candidates

- e)
 - i) At such a ballot, if there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
 - ii) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
 - iii) If, after that, 3 or more candidates still remain, the procedure set out in subclause (ii) is to be repeated until only 2 candidates remain.
 - iv) Clauses d) and f) of this Schedule, then apply to the determination of the election as if the 2 remaining candidates had been the only candidates.
 - v) If at any stage during a count under this clause, 2 or more candidates are tied on the lowest number of votes, the one to be excluded is to be chosen by lot.

Choosing by Lot

- f) To choose by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the Returning Officer. The slips are then folded by the Returning Officer so as to prevent the names being seen. The slips are mixed and one is drawn at random by the Returning Officer and the candidate whose name is on the drawn slip is chosen.

Result

- g) The result of the election (including the name of the Candidate elected as Chairperson) is:-
 - (i) to be announced to the Councillors by the Returning Officer; and
 - (ii) to be sent to the Director-General and to the Secretary of the Local Government and Shires Association of NSW.

2. ELECTION OF DEPUTY CHAIRPERSON

The same procedure as for election of the Chairperson is to be followed.

3. MINUTES OF AUDIT AND RISK COMMITTEE

Author: Naomi Stuart
Director: Graeme Haley

RECOMMENDED that Council receive and note the minutes of the Audit and Risk Committee Meeting held on 2 August 2012 and endorse the recommendations contained therein.

Report

The Audit and Risk Committee Meeting was held on 2 August 2012. Minutes of the meeting are attached.

Budget

N/A

Policy

Audit and Risk Committee Charter

4. FINANCIAL STATEMENTS – LIST OF INVESTMENTS

RECOMMENDED that the report detailing Council's external investments for the months of August and September 2012 be received.

In accordance with the provisions of Clause 19(3) of the Local Government (Financial Management) Regulation 1993, I report details of the Council's external investments as at 31st August and 30th September 2012 be received.

Monthly Investment Report as at 31/8/12

a) Council's Investments as at 31/8/12

Investment	Inception Date	Term (Days)	Maturity Date	S&P Rating	Interest Rate (%)	Performance Benchmark	Benchmark Rate	Percentage of Portfolio	Principal Value	Market Value
Term Deposits										
IMB	14/06/2012	90	12/09/12	A-2	5.10	BBSW	3.59	9.516%	\$500,000.00	\$500,000.00
ME Bank	3/07/2012	86	27/09/12	A-2	5.07	BBSW	3.59	9.516%	\$500,000.00	\$500,000.00
Community CPS	8/08/2012	89	05/11/12	Unrated	4.85	BBSW	3.59	19.031%	\$1,000,000.00	\$1,000,000.00
Bendigo & Adelaide	8/08/2012	89	05/11/12	A-2	4.91	BBSW	3.59	19.031%	\$1,000,000.00	\$1,000,000.00
								57.093%	\$3,000,000.00	\$3,000,000.00
Cash Deposit Account										
T Corp				A-1+	4.78	Cash Rate	3.50	25.504%	\$1,340,125.08	\$1,340,125.08
AMP				A-1	4.35	Cash Rate	3.50	17.403%	\$914,474.72	\$914,474.72
								42.907%	\$2,254,599.80	\$2,254,599.80
TOTAL INVESTMENTS								100.000%	\$5,254,599.80	\$5,254,599.80
Cash at Bank										\$211,497.83
TOTAL FUNDS										\$5,466,097.63

b) Application of Investment Funds

Restricted Funds	Description	Value
Externally Restricted	Uexpended Grants	-\$23,415.00
		-\$23,415.00
Internally Restricted	Employee Leave Entitlements	\$862,500.00
	Asset Replacement	\$669,257.78
	Loan Funds	\$2,210,809.00
	Sales Fluctuation	\$600,000.00
		\$4,342,566.78
Unrestricted Funds		\$1,146,945.85
TOTAL FUNDS		\$5,466,097.63

* Externally & Internally Restricted Reserve figures are subject to final adjustment and external audit at 30 June each year.
 Figures shown above are estimate only.

CERTIFICATE

I hereby certify that all the above investments have been made in accordance with the provision of Section 625 of the Local Government Act 1993 and the regulations thereunder.

M. L. Curran

M Curran
FINANCE / ADMINISTRATION MANAGER

Monthly Investment Report as at 30/9/12

a) Council's Investments as at 30/9/12

Investment	Inception Date	Term (Days)	Maturity Date	S&P Rating	Interest Rate (%)	Performance Benchmark	Benchmark Rate	Percentage of Portfolio	Principal Value	Market Value
Term Deposits										
Bank of Queensland	21/09/2012	153	21/02/13	A-2	5.01	BBSW	3.62	10.622%	\$500,000.00	\$500,000.00
IMB	12/09/2012	29	11/10/12	A-2	4.60	BBSW	3.55	10.622%	\$500,000.00	\$500,000.00
ME Bank	27/09/2012	28	25/10/12	A-2	4.46	BBSW	3.58	5.311%	\$250,000.00	\$250,000.00
Community CPS	8/08/2012	89	05/11/12	Unrated	4.85	BBSW	3.58	21.243%	\$1,000,000.00	\$1,000,000.00
Bendigo & Adelaide	8/08/2012	89	05/11/12	A-2	4.91	BBSW	3.58	21.243%	\$1,000,000.00	\$1,000,000.00
ME Bank	5/09/2012	90	04/12/12	A-2	5.01	BBSW	3.58	10.622%	\$500,000.00	\$500,000.00
								79.662%	\$3,750,000.00	\$3,750,000.00
Cash Deposit Account										
T Corp				A-1+	4.74	Cash Rate	3.25	7.285%	\$342,921.91	\$342,921.91
AMP				A-1	4.35	Cash Rate	3.25	13.053%	\$614,474.72	\$614,474.72
								20.338%	\$957,396.63	\$957,396.63
TOTAL INVESTMENTS								100.000%	\$4,707,396.63	\$4,707,396.63
Cash at Bank										\$549,013.79
TOTAL FUNDS										\$5,256,410.42

b) Application of Investment Funds

Restricted Funds	Description	Value
Externally Restricted	Uexpended Grants	-\$93,522.00
		-\$93,522.00
Internally Restricted	Employee Leave Entitlements	\$862,500.00
	Asset Replacement	\$695,580.78
	Loan Funds	\$1,666,618.00
	Sales Fluctuation	\$600,000.00
		\$3,824,698.78
Unrestricted Funds		\$1,525,233.64
TOTAL FUNDS		\$5,256,410.42

* Externally & Internally Restricted Reserve figures are subject to final adjustment and external audit at 30 June each year.
 Figures shown above are estimate only.

CERTIFICATE

I hereby certify that all the above investments have been made in accordance with the provision of Section 625 of the Local Government Act 1993 and the regulations thereunder.

M. L. Curran

M Curran
FINANCE / ADMINISTRATION MANAGER

5. QUARTERLY BUDGET REVIEW – PERIOD ENDED THE 30TH SEPTEMBER 2012

RECOMMENDED that the Quarterly Budget Review for the period ended 30th September 2012 be received and adopted.

The Quarterly Review of Council's Budget for the period ended 30 September 2012 is submitted for examination by the Council.

The anticipated operating result for 2012/13 is a surplus of \$3,088,000. This is in line with the original budget.

Also included is a quarterly review of capital projects. This should be read in conjunction with proposed capital expenditure changes included in the Quarterly Review.

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Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

It is my opinion that the Quarterly Budget Review Statement for Riverina Water County Council for the quarter ended 30/09/12 indicates that Council's projected financial position at 30/6/13 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: M. L. Curran .

date: 12/10/2012

Ms Michele Curran
Responsible Accounting Officer

Income & Expenses Budget Review Statement

Budget review for the quarter ended 30 September 2012

(\$000's)	Original Budget 2012/13	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
Income					
Rates and Annual Charges	3,622			3,622	923
User Charges and Fees	15,203	500	3a	15,703	2,294
Interest and Investment Revenues	100			100	37
Other Revenues	618	(500)	3a	118	150
Grants & Contributions - Operating	195			195	-
Grants & Contributions - Capital	1,300			1,300	316
Net gain from disposal of assets	36			36	-
Total Income from Continuing Operations	21,074	-		21,074	3,720
Expenses					
Employee Costs	8,436			8,436	1,104
Borrowing Costs	333			333	-
Materials & Contracts	1,382			1,382	692
Depreciation	4,801			4,801	1,624
Other Expenses	3,034			3,034	788
Total Expenses from Continuing Operations	17,986	-		17,986	4,208
Net Operating Result from Continuing Operations	3,088	-		3,088	(488)
Net Operating Result from All Operations	3,088	-		3,088	(488)
Net Operating Result before Capital Items	1,788	-		1,788	(804)

Income & Expenses Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
3a	Categorise connection fees in line with financial statements as user charges and fees instead of other revenues

Capital Budget Review Statement

Budget review for the quarter ended 30 September 2012

(\$000's)	Original Budget 2012/13	Approved Carry Forwards	Revised Budget 2012/13	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
Capital Expenditure							
Plant & Equipment	1,125		1,125			1,125	89
Office Equipment & IT	404	10	414			414	29
Land & Buildings	3,543	1,016	4,559			4,559	434
Water Infrastructure	9,124	2,204	11,328	-	3b	11,328	817
Other Assets	550		550	254	3a	804	87
Loan Repayments (Principal)	122		122			122	
Total Capital Expenditure	14,868	3,230	18,098	254		18,352	1,456
Capital Funding							
Rates & Other Untied Funding	8,868	3,230	12,098	254		12,352	1,456
New Loans	6,000		6,000			6,000	
Total Capital Funding	14,868	3,230	18,098	254		18,352	1,456
Net Capital Funding - Surplus/(Deficit)	-	-	-	-		-	-

Capital Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
	Refer to Capital Works Progress report for more detail on Capital Projects
3a	\$254k Lawn replacement program revoked from 2011/12
3b	\$500k transferred from Shires Reservoirs to Kapooka Mains Reconstruction

Cash & Investments Budget Review Statement

Budget review for the quarter ended 30 September 2012

(\$000's)	Original Budget 2012/13	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
Externally Restricted ⁽¹⁾					
Lawn Replacement Program	-			-	(93)
Total Externally Restricted	-	-		-	(93)
<small>(1) Funds that must be spent for a specific purpose</small>					
Internally Restricted ⁽²⁾					
Employee Leave Entitlements	750	136	4a	886	862
Asset Replacement	200			200	695
Loan Funds	-			-	1,667
Sales Fluctuation	600			600	600
Total Internally Restricted	1,550	136		1,686	3,824
<small>(2) Funds that Council has earmarked for a specific purpose</small>					
Unrestricted (ie. available after the above Restrictions)	1,667	157	4b	1,824	1,525
Total Cash & Investments	3,217	293		3,510	5,256

Cash & Investments Budget Review Statement

Comment on Cash & Investments Position

Initial budgeted cash & investment balances were understated, as the actual 2011/2012 cash & investment balance was higher than originally budgeted. This was due to a combination of unspent loan funds of \$1.6m and lower than anticipated water sales. Provided quarterly review adjustments of \$293k are adopted, it is anticipated that the 2012/13 end of financial year cash & investment balance will be \$3.5m.

Investments

Investments have been invested in accordance with Council's Investment Policy.

Cash

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.

This Cash at Bank amount has not been reconciled to Council's physical Bank Statements as at 30/09/12

Reconciliation Status

The YTD Cash & Investment figure reconciles to the actual balances held as follows:		\$ 000's
Cash at Bank (as per bank statements)		773
Investments on Hand		4,707
less: Unpresented Cheques	(Timing Difference)	(236)
add: Undeposited Funds	(Timing Difference)	12

Reconciled Cash at Bank & Investments	5,256
Balance as per Review Statement:	5,256
Difference:	-

Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
4a	Adjustment to opening balance of leave entitlements after financial statements finalised. Higher than originally budgeted due to lower than anticipated discount rates used for calculating leave entitlement balances.
4b	Adjustment to opening balance of cash & investments after financial statements finalised. Opening balance higher than anticipated due to unspent loans for capital works revoted into current year. The final cash balance for 2012/13 is anticipated to be \$3,510k, which is \$293k higher than originally budgeted.

Key Performance Indicators Budget Review Statement

Budget review for the quarter ended 30 September 2012

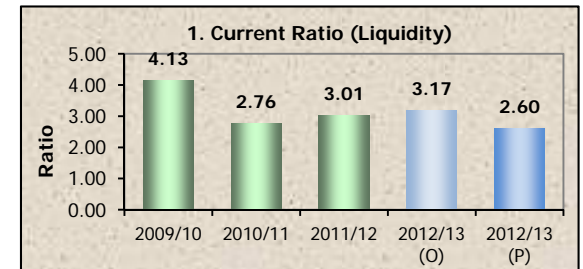
(\$000's)	Current Projection		Original Budget 12/13	Actuals Prior Periods	
	Amounts	Indicator		11/12	10/11
	12/13	12/13			

The Council monitors the following Key Performance Indicators:

1. Current Ratio (Liquidity)

Current Assets	7,464	2.60	3.17	3.01	2.76
Current Liabilities	2,866				

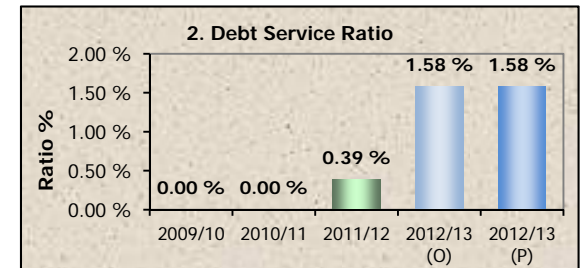
This measures Council's ability to pay existing liabilities in the next 12 months. (target 1 to > 1.5)



2. Debt Service Ratio

Debt Service Cost	333	1.58 %	1.58 %	0.39 %	0.00 %
Income from Continuing Operations	21,074				

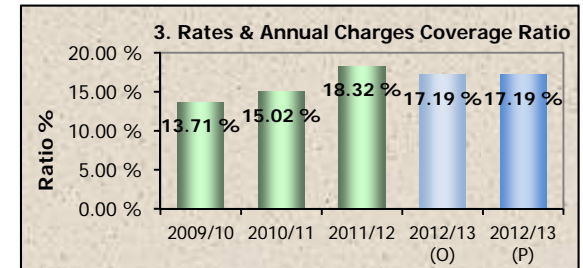
This measures Council's ability to meet interest payments and therefore service debt. (target 0% to 5%)



3. Rates & Annual Charges Coverage Ratio

Rates & Annual Charges	3,622	17.19 %	17.19 %	18.32 %	15.02 %
Income from Continuing Operations	21,074				

To assess the degree of Council's dependence upon revenue from rates and annual charges and to assess the security of Council's income. (target < 25%)

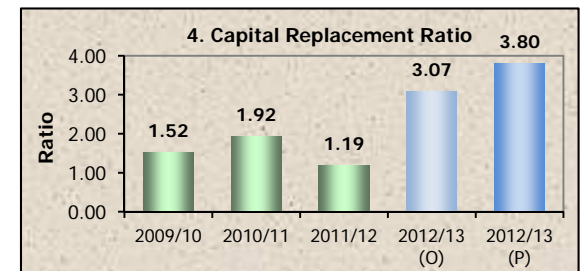


Key Performance Indicators Budget Review Statement

Budget review for the quarter ended 30 September 2012

(\$000's)	Current Projection		Original Budget 12/13	Actuals Prior Periods	
	Amounts	Indicator		11/12	10/11
	12/13	12/13			
4. Capital Replacement Ratio					
Infrastructure, Property, Plant & Equipment	18,230	3.80	3.07	1.19	1.92
Depreciation	4,800				

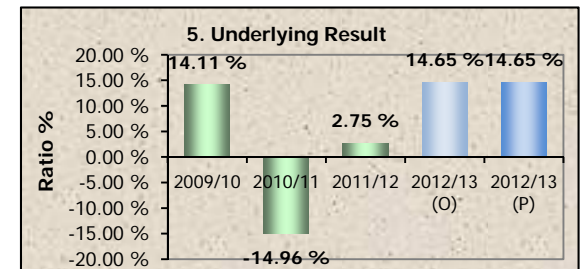
Comparison of the rate of spending on IPP&E with consumption of assets. This is a long-term indicator, as capital expenditure can be deferred in the short term if insufficient funds are available from operations and borrowing is not an option. (target 1 to > 1.5)



5. Underlying Result

Net Result	3,088	14.65 %	14.65 %	2.75 %	-14.96 %
Total Revenue	21,074				

A positive result indicates a surplus and the larger the percentage the stronger the result. A negative result indicates a deficit. Operating deficits cannot be sustained in the long term. (target -10% to > 0%)



Contracts Budget Review Statement

Budget review for the quarter ended 30 September 2012

Part A - Contracts Listing - contracts entered into during the quarter

Contractor	Contract detail & purpose	Contract Value	Start Date	Duration of Contract	Budgeted (Y/N)	Notes
EnPower Solutions	Supply and instal low voltage busbar and electrical mains cabling at Waterworks due to new electrical transformer installed by Essential Energy	\$59,050	09/07/12	3 months	Y	

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.
2. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
3. Contracts for employment are not required to be included.
4. Monetary figures are GST exclusive

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	-	
Legal Fees	28,986	Y

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Comments

Expenditure included in the above YTD figure but not budgeted includes:

Details

N/A

Riverina Water County Council

BALANCE SHEET	Actual 2010/11 \$'000	Actual 2011/12 \$'000	Projected Budget 2012/13 \$'000
ASSETS			
Current Assets			
Cash & Cash Equivalents	1,561	6,191	3,510
Receivables	2,531	1,991	2,139
Inventories	3,475	3,567	1,710
Other	44	179	104
Total Current Assets	7,611	11,928	7,464
Non-Current Assets			
Infrastructure, Property, Plant & Equipment	189,712	187,505	200,561
Intangible Assets	1,700	1,500	1,500
Other	-	-	-
Total Non-Current Assets	191,412	189,005	202,061
TOTAL ASSETS	199,023	200,933	209,525
LIABILITIES			
Current Liabilities			
Bank Overdraft	-	-	-
Payables	417	973	638
Borrowings	-	110	232
Provisions	2,342	2,875	1,996
Total Current Liabilities	2,759	3,958	2,866
Non-Current Liabilities			
Borrowings	-	3,059	8,827
Provisions	-	-	959
Total Non-Current Liabilities	-	3,059	9,786
TOTAL LIABILITIES	2,759	7,017	12,652
Net Assets	196,264	193,916	196,873
EQUITY			
Retained Earnings	61,714	62,199	65,156
Revaluation Reserves	134,550	131,717	131,717
Council Equity Interest	196,264	193,916	196,873
Total Equity	196,264	193,916	196,873

Riverina Water County Council

OPERATING SUMMARY	YTD ACTUAL \$'000	BUDGET \$'000	REMAINING \$'000	% AVAILABLE
OPERATING INCOME				
Access Charges				
Urban	750	2,861	2,111	74%
Non-Urban	173	761	588	77%
	<u>923</u>	<u>3,622</u>	<u>2,699</u>	<u>75%</u>
User Charges				
Consumption Charges				
Urban	1,796	12,393	10,597	86%
Non-Urban	333	2,713	2,379	88%
	<u>2,129</u>	<u>15,106</u>	<u>12,976</u>	<u>86%</u>
Extra Charges				
Urban	7	0	-7	0%
Non-Urban	6	0	-6	0%
	<u>12</u>	<u>0</u>	<u>-12</u>	<u>0%</u>
	<u>3,064</u>	<u>18,727</u>	<u>15,663</u>	<u>84%</u>
Other Income	173	715	542	76%
Interest	37	100	63	63%
Operating Grants & Contributions	1	195	194	99%
Capital Grants & Contributions	316	1,300	984	76%
Private Works Income	129	0	-129	0%
Asset Sales	0	36	0	0%
Loan Proceeds	0	0	0	0%
TOTAL OPERATING INCOME	<u>3,721</u>	<u>21,074</u>	<u>17,317</u>	<u>82%</u>
OPERATING EXPENSES				
Management	958	6,754	5,796	86%
Operations & Maintenance				
<i>Buildings & Grounds</i>				
Urban	155	555	399	72%
Non-Urban	23	63	40	64%
	<u>178</u>	<u>618</u>	<u>440</u>	<u>71%</u>
<i>Management - Operations</i>				
Urban	182	300	118	39%
Non-Urban	85	100	15	15%
	<u>267</u>	<u>400</u>	<u>133</u>	<u>33%</u>
<i>Sources</i>				
Urban	150	671	521	78%
Non-Urban	18	173	155	89%
	<u>168</u>	<u>843</u>	<u>675</u>	<u>80%</u>
<i>Pumping Stations</i>				
Urban	36	523	487	93%
Non-Urban	60	318	258	81%
	<u>97</u>	<u>842</u>	<u>745</u>	<u>89%</u>
<i>Reservoirs</i>				
Urban	34	118	84	71%
Non-Urban	22	131	109	83%
	<u>56</u>	<u>249</u>	<u>193</u>	<u>78%</u>
<i>Treatment Plant</i>				
Urban	199	1,696	1,498	88%
Non-Urban	61	505	444	88%
	<u>259</u>	<u>2,202</u>	<u>1,942</u>	<u>88%</u>
<i>Mains & Services</i>				
Urban	231	901	670	74%
Non-Urban	166	551	384	70%
	<u>398</u>	<u>1,452</u>	<u>1,054</u>	<u>73%</u>
<i>Other Operations</i>				
	380	-174	-554	319%
Depreciation	1,447	4,800	3,353	70%
TOTAL OPERATING EXPENSES	<u>4,208</u>	<u>17,986</u>	<u>13,778</u>	<u>77%</u>
OPERATING RESULT	<u>-487</u>	<u>3,088</u>		

SEPTEMBER 2012 - QUARTERLY REVIEW OF CAPITAL PROJECTS

Description	Current Budget	Actual	Budget Remaining
	\$	\$	\$
MANAGEMENT			
STRATEGIES			
Integrated			
Completion of IWCM - Urban	50,000	0	50,000
Completion of IWCM - Non-Urban	10,000	0	10,000
Strategic Planning Documents - Urban	0	13,500	-13,500
Demand Management			
Demand Management - Urban	80,000	3,935	76,065
Lawn Replacement Program - Urban	410,000	70,107	339,893
SUB-TOTAL STRATEGIES	550,000	87,542	462,458
LAND & BUILDINGS FOR ADMIN. DEPOTS AND WORKSHOPS			
Depot Buildings			
Store Building Hammond Ave - Urban	2,500,000	0	2,500,000
Depot Building The Rock- Non-Urban	10,000	0	10,000
Workshops			
Fitter/Electrician Workshop	1,466,212	322,631	1,143,581
Access, parking and Landscaping			
Levee protection stage 1 Hammond Ave - Urban	170,000	111,053	58,947
Levee protection feasibility study/land matters Hammond Ave - Urban	360,000	0	360,000
Environmental works - Urban			
Environmental works - Urban	10,000	0	10,000
Depot Residence - Urban			
Depot Residence - Urban	5,000	0	5,000
SUB-TOTAL LAND & BUILDINGS FOR ADMIN, DEPOTS & WORKSHOPS	4,521,212	433,684	4,087,528
PLANT & EQUIPMENT			
I.T. EQUIPMENT			
Corporate IT software upgrade/improvements - Urban	95,900	26,873	69,027
OFFICE FURNITURE & EQUIPMENT			
Office Furniture & Equipment - Urban	5,000	0	5,000
Office Furniture & Equipment - Non-Urban	5,000	0	5,000
WORKING PLANT & VEHICLE PURCHASES			
Routine plant & vehicle replacements	1,100,000	89,534	1,010,466
FIXED PLANT TOOLS & EQUIPMENT			
Fixed Plant Tools & Equipment - Urban	20,000	0	20,000
Fixed Plant Tools & Equipment - Non-Urban	5,000	0	5,000
SCADA SYSTEM, UPGRADES			
Bulgary WTP Control System Upgrade	55,000	0	55,000
Galore Repeater Replacement & RTU	0	169	-169
Solar magflow & RTU installations	15,000	0	15,000
Radio Telemetry Software Upgrade - Clear SCADA	55,000	0	55,000
CAD/GIS/ASSET MANAGEMENT SYSTEM			
Asset Management system & Implementation	110,000	-410	110,410
GIS integration with asset management system	30,000	0	30,000

Description	Current Budget	Actual	Budget Remaining
	\$	\$	\$
GIS Improvements	40,000	0	40,000
Engineering Software	3,000	2,495	505
COMMUNICATION EQUIPMENT			
Communication equipment for new workshop	38,000	0	38,000
SUB-TOTAL PLANT & EQUIPMENT	1,576,900	118,661	1,458,239
TOTAL MANAGEMENT	6,648,112	639,887	6,008,225
SOURCES			
Bores-renew/refurbish/decommission			
West Wagga Bore 4 - Reline & Riserless, Switchboard & Pump&Motor	0	16,770	-16,770
West Wagga Bore 1 - Power Supply Transformer (Country Energy)	50,000	0	50,000
TOTAL SOURCES	50,000	16,770	33,230
TREATMENT PLANTS			
General improvements			
Wagga Dosing Pumps replacements - Urban	10,000	0	10,000
HACCP - Urban	5,000	0	5,000
East Wagga Aeration Basin cover - Urban	25,000	0	25,000
Pit lid replacements at Water Treatment Plants - Urban	15,000	2,932	12,068
Rural Chlorinator replacements - Non-Urban	4,000	0	4,000
Rural Dosing Pumps replacements - Non-Urban	10,000	9,560	440
Rural Pit Lids replacements - Non-Urban	10,000	63	9,937
Safety Equipment			
Safety Equipment - Urban	5,000	0	5,000
Safety Equipment - Non-Urban	5,000	0	5,000
Wagga Pilot Plant			
Wagga Pilot Plant - Urban	0	3,587	-3,587
Specific Treatment Plant improvements			
West Wagga WTP - Bulk silica handling upgrade - Urban	34,316	0	34,316
Gardners Crossing WTP Fluoridation system upgrade - Non-Urban	15,000	0	15,000
Treatment Plant refurbishments			
Underground powerlines - Urban	883,071	8,966	874,105
WTP tender documentation - Urban	100,000	84,771	15,229
WTP stage 1 - Urban	2,800,000	0	2,800,000
WTP ancillary work including intake - Urban	1,000,000	0	1,000,000
Gardners Crossing WTP Gantry - Non-Urban	15,000	0	15,000
Urana WTP replacement - Non-Urban	300,000	61,170	238,830
Morundah WTP upgrade - Non-Urban	50,000	0	50,000
Laboratory Equipment			
Laboratory Equipment - Urban	5,000	0	5,000
Laboratory Equipment - Non-Urban	5,000	546	4,454
TOTAL TREATMENT PLANTS	5,296,387	171,595	5,124,792
DISTRIBUTION			
PUMPING STATIONS			
General improvements			

Description	Current Budget	Actual	Budget Remaining
	\$	\$	\$
Pit Lids replacements - Urban	10,000	4,948	5,052
Pit Lids replacements - Non-Urban	10,000	4,589	5,411
Flow recorders			
magflow communciation upgrades - Urban	30,000	0	30,000
magflow replacements - Urban	15,000	0	15,000
magflow replacements - Non-Urban	5,000	0	5,000
Pumping Stations renewal & upgrade			
Pumping Stations renewal & upgrade - Urban	50,000	0	50,000
Pumping Stations renewal & upgrade - Non-Urban	10,000	0	10,000
10MG High Level pump upgrade - Urban	20,000	0	20,000
Brucedale pumpstation - metering, electrical switchboard and VSD upgrade - Non-Urban	49,066	50,909	-1,843
Ralvona Bore 3 - Bore control systems, power supply and switchboard upgrade - Non-Urban	0	15,561	-15,561
West Wagga Shires pump upgrade - Urban	250,000	0	250,000
Refurbish pipework/fittings	20,000	0	20,000
SUB-TOTAL PUMPING STATIONS	469,066	76,008	393,058
MAINS			
System Improvements			
Hydraulic Analysis of RWCC Water Mains	0	39,105	-39,105
System Improvements - Urban	75,000	0	75,000
System Improvements - Non-Urban	10,000	0	10,000
Reticulation Mains Extensions			
Reticulation Mains Extensions - Urban	60,000	0	60,000
Reticulation Mains Extensions - Non-Urban	10,000	0	10,000
Reticulation for Developers			
Reticulation for Developers - Urban	500,000	78,157	421,843
Reticulation for Developers - Non-Urban	50,000	2,759	47,241
Robe - Bomen - Urban	0	394	-394
Trunk Mains Extensions			
Glenfield Reservoir Feeder Main - 600mm - Urban	500,000	0	500,000
Renew Reticulation Mains			
Renew Reticulation Mains - Non-Urban	100,000	0	100,000
Renew Reticulation Mains - Urban	300,000	20,674	279,326
General	0	108,219	-108,219
Brucedale System - The Gap Hall - Downside - Urban	0	50,536	-50,536
Renew Trunk Mains			
Low Level main to Hammond Ave - Urban	300,000	0	300,000
Morven Balance tank to township (7km 150mm) - Non-Urban	200,000	4,310	195,690
Bolton Park Watermain Realignment - WWCC 1/2 funded	0	11,699	-11,699
Hydrants & Valve refurbish			
Hydrants & Valve refurbish - Urban	60,000	0	60,000
Hydrants & Valve refurbish - Non-Urban	20,000	0	20,000
SUB-TOTAL MAINS	2,185,000	315,853	1,869,147
RESERVOIRS			
New Reservoirs			
Walla Walla Reservoir - Replace Roof	0	24,476	-24,476

Description	Current Budget	Actual	Budget Remaining
	\$	\$	\$
Construction of Red Hill Reservoir (3)	0	5,383	-5,383
Woomargama Reservoir 3	0	19,194	-19,194
Mangoplah - Non-Urban	347,000	0	347,000
Collingullie - Non-Urban	246,103	0	246,103
Shires - Non-Urban	1,500,000	0	1,500,000
Reservoirs- Protective treatment			
Reservoirs- Protective treatment - Urban	20,000	0	20,000
Reservoirs- Protective treatment - Non-Urban	50,000	0	50,000
Reservoirs-upgrade ladders and access			
Reservoirs- upgrade ladders and access - Urban	15,000	0	15,000
Reservoirs- upgrade ladders and access - Non-Urban	10,000	0	10,000
Road Access to Oura Reservoir - Non-Urban	50,000	0	50,000
Reservoirs-control valves and systems.			
Reservoirs-control valves and systems - Urban	10,000	0	10,000
Reservoirs-control valves and systems - Non-Urban	20,000	0	20,000
SUB-TOTAL RESERVOIRS	2,268,103	49,053	2,219,050
SERVICES			
Service Connections, new			
Service Connections, new - Urban	420,000	30,438	389,562
Service Connections, new - Non-Urban	60,000	0	60,000
Renew Services			
Renew Services - Urban	120,000	0	120,000
Renew Services - Non-Urban	30,000	0	30,000
SUB-TOTAL SERVICES	630,000	30,438	599,562
METERS			
Water meters replacement			
Water meters replacement - Urban	300,000	82,592	217,408
Water meters replacement - Non-Urban	65,000	5,864	59,136
Water meters, additional (new services)			
Water meters, additional (new services) - Urban	20,000	0	20,000
Water meters, additional (new services) - Non-Urban	5,000	0	5,000
Remote metering			
Remote metering - Urban	10,000	17,583	-7,583
Remote metering - Non-Urban	10,000	8,107	1,893
Standpipe replacement			
Standpipe replacement - Non-Urban	20,000	0	20,000
SUB-TOTAL METERS	430,000	114,146	315,854
TOTAL DISTRIBUTION	5,982,169	585,499	5,396,670
TOTALS	17,976,668	1,413,751	16,562,917

6. FINANCIAL STATEMENTS 2011/2012

RECOMMENDED that the 2011/2012 Audited Financial Statements be received.

Council's Auditors, John L Bush & Campbell, have completed their audit of the 2011/2012 Financial Statements. Peter King from John L Bush & Campbell will be present at the meeting to present the audit report.

7. OPERATIONAL PLAN – PERFORMANCE TARGETS

RECOMMENDED that the report detailing progress achieved towards the various objectives set out in the 2012/2013 Operational Plan be noted and received.

In accordance with the provisions of Section 407 of the Local Government Act 1993, I report to Council on the progress achieved in the year for the various objectives set out in the 2012/2013 Operational Plan.

Services

Strategies / Actions	Progress to 30 th September 2012
- Monitor urban and rural per capita demands and determine if they significantly exceed the design peak demand levels of service.	Average kilolitres per quarter not exceeding design
- Manage demand effectively using a range of measures	Water targets, Permanent Conservation Measure continue and Nature Strip Rebates introduced to urban areas outside of Wagga Wagga.
- Regularly monitor urban and village growth, and augment supply as required in line with ten year plan, and current needs	Customer needs met.
- Maintain network analysis of Wagga urban water system	Staff updating model outputs.
- Maintain the water supply infrastructure in good working order.	Some but infrequent breakdowns.
- Monitor the operation of the water supply system to ensure continuity of supply.	Continuity of supply maintained.
- Reinforce throughout the organisation that we are customer orientated. - Maintain a request and complaint handling system that ensures both attention to the request and advice of action taken or to be taken.	Timely responses.
- Use customer news-sheets to disseminate information to customers. - Utilise the local media when appropriate to increase awareness within the community. - Meet with sectional or interest groups or invite them to meet with us to communicate and receive feedback on relevant issues.	Numerous media outlets used to advise customers on demand management. Senior staff attend various meetings as required, residents groups, Probus, Tidy Towns, Great Green Challenge.
- Increase inspection and documentation of consumer pipework where there is potential for contamination from backflow.	Required protection devices in use.

Asset Replacement

Strategies / Actions	Progress to 30 th September 2012
Develop and maintain a rolling replacement plan for all assets with review every 3 years.	Program documented and executed.
Identify potential system capacity deficiencies and incorporate in capital works programme.	Monitoring, pressure testing and failure analysis undertaken.
Maintain water network analysis programme to identify timetable of system improvements and extensions.	Network model calibrated and run.
Utilise Asset Register and associated technology and pipeline breakage history to determine the timing of mains replacement to minimise over all costs.	Pipe break definitions improved in reports.

Human Resources

Strategies / Actions	Progress to 30 th September 2012
Identify and develop leadership potential in staff. Extend delegation and matching accountability to all levels of the organisation. Establish mechanisms for team building and operation.	Responsibilities accepted and met.
Continue system of position descriptions and skills based remuneration.	Skills review completed
Promote, enable and encourage multi-skilling.	Skills and needs reviewed regularly.
Continue practical operations of Health & Safety Committee, and Staff Consultative Committee.	H&S Committee in place and meeting regularly. Consultative Committee meeting regularly.
Continue staff training system	Competencies attained.

OH&S/WHS

Objectives	Means of achieving	Progress to 30 th September 2012
Continue promotion of responsibilities within the OHS/WHS Management System	Promote WHS responsibilities to all staff through regular Newsflash articles and induction processes.	WHS responsibilities undertaken by all staff. Can be measured through annual staff evaluations
Provide effective staff support through provision of appropriate and sufficient resources.	<ul style="list-style-type: none"> - Regular discussion with work teams on needs. - Ensure monitoring of human resources & equipment. 	Minutes of meetings or discussions between employees and supervisors/managers.
Improve Communication and Consultation	<ul style="list-style-type: none"> - Continue promotion of "Take & Break & Talk Safety" & incentive by way of rewards (i.e. Kit Kats / Fruit / Luncheon) - New requirement for manager to attend at least one meeting per team per quarter. - Provide timely and appropriate feedback. 	<p>All monthly meetings were held with all work teams with documented evidence being provided by Supervisors.</p> <p>Team meetings sheets show manager attendance. (1 per quarter)</p> <p>Outstanding issues raised are discussed with management & outcomes reached with feedback directly to the work team within a reasonable time frame.</p> <p>Diary or other appropriate recording of meetings with timely feedback to employees on raised issues.</p>

Develop & Review Safe Work Procedures	<ul style="list-style-type: none"> - Review, reformat & consolidate existing SWMS - Ongoing review of OHS/WHS Policies & procedures with a view to their effectiveness and legal compliance 	<p>Up to date supervisor manuals.</p> <p>Review all current policies/procedures within 12 months</p> <p>Review new WHS Act and Regulations.</p>
Develop & complete an annual CIAP (Continuous Improvement Action Plan)	<ul style="list-style-type: none"> - Develop CIAP in consultation with Management following annual OHS audits - Internal audits - StateCover Self Evaluation Tool - & manager's consultation with work groups 	CIAP developed & progress made on required actions
Identification of hazards & elimination/reduction of risks	<ul style="list-style-type: none"> - Workplace inspections to be undertaken every 4-6 months - Timely reporting of accident/incidents/near misses - Improved investigation reports. - Manager involvement and response to incidents - Hazard register in place & reviewed regularly 	<p>Inspection schedules up to date. Identified issues controlled within an appropriate time frame.</p> <p>Most reports and investigations received within the required timeframes</p> <p>Processes reviewed to gain improvements.</p>
Continue on-going OHS training of new & existing staff	<ul style="list-style-type: none"> - Undertake inductions of new staff. - Continue internal and external training programs for staff. - As procedures/SWMS are released, appropriate training or instruction is given. 	<p>Induction & review of all new staff (evidence available through completion of Individual Induction Booklets).</p> <p>Annual training plan in place and skills gap analysis.</p> <p>Training record sheets received & skills database updated.</p>
Improve Safety Culture	<ul style="list-style-type: none"> - Continuous promotion and monitoring of safety performance - Ensure follow up actions are scheduled and implemented where incident investigations identify employee actions are less than desired - Senior staff to lead by example ('walk the talk') - Continue with Watch Out Award - 	<p>Noticeable reduction in incidents relating to human factors.</p> <p>Noticeable increase in senior staff presence on job sites and areas outside of office.</p> <p>All incident reports involving human error element have follow up actions planned and implemented.</p> <p>Committee endorsed \$ Award continuation.</p>
Maintain & Improve Health & Well Being of Staff	<ul style="list-style-type: none"> - Continue with \$100 health incentive subsidy - Provision of EAP program 	"Take up" of staff into fitness programs. walking, cycling sports etc. outside of work hours. Subsidy promoted.

Environmental Protection

Strategies / Actions	Progress to 30 th September 2012
Water returned to the environment from the filtration plant will be monitored for quality.	EPA standards achieved.
All field work-sites will be protected and restored to eliminate degradation.	No soil loss or siltation. Vegetation restored.
Soiled water from Urban field site works will be returned for proper disposal.	No soiled water entering town drainage systems.
Electrical efficiency will be considered in infrastructure design.	Electrical efficiency taken into account.
Marshalls Creek environmental project to restore native vegetation and protect creek bed.	Native vegetation restored. Stable creek bed.
Fleet replacements to consider environmental criteria	Taken into account at all times. Diesel preference.
Decommission of Bores	Decommissioned as per DWE guidelines.

8. COUNCILLOR INDUCTION

RECOMMENDED that the information be noted

Congratulations on your appointment to the board of Riverina Water County Council.

We hope that as a Councillor at Riverina Water you will become an enthusiastic and valuable member of our team. At Riverina Water we endeavour to supply all our team members with the best working conditions, support and direction, which in turn, with your co-operation, should deliver positive results, opportunities and benefits to all parties.

We consider our team members to be the most valuable resource available to us, and we encourage the innovative and distinctive ideas that come with staff contribution. The following manual is intended as a guide to make you feel as comfortable as possible in your new position. Whilst the manual cannot answer all your questions, familiarising yourself with the contents of this manual will clarify basic policies and procedures, and should act as a primary step in learning about the structure of our organisation.

Should you have any further questions with regard to your responsibilities or any other issues, please do not hesitate to ask for clarification.

We trust that your experiences at Riverina Water will be fulfilling and enjoyable.

✓ when complete	Activity – Section 1	Handbook Ref. No.	Notes
	Specific/Special Needs of Councillor		
	Mission Statement	1.2	
	Organisation description	2	
	Facilities & location	2.1	
	Council & Executive Staff	2.2	
	Organisational Chart	Appendix 3	
	Internet site (www.rwcc.com.au)		Fact sheets, water restriction info
	Intranet site		Safety info, water restriction info, telephone numbers, etc.
	RWCC Policy Manual – access intranet site		
	Business Ethics	6.13	
	Code of Conduct		Refer to back of employee manual
	Work Health & Safety		
	Left Turn Only Policy	6.11	
	Safety Policy	Appendix 1	
	HS Responsibilities for Councillors	Attached	
	Intro. to Key Management if available		

QUESTIONS:

This induction will be provided to all Councillors, along with a copy of the Induction Handbook & Employee Manual.

Councillors Responsibility for Work Health and Safety

Under the **Local Government Act** Councillors as individually elected representatives, have no direct responsibility for the day-to-day operations of Council. Councillors as the corporate body have however the following statutory corporate responsibilities which have implications for the capacity of the corporate body to meet its obligations under the NSW WHS Legislation.

Section 232 of the [Local Government Act 1993](#) provides for:

the allocation of Council's resources for the benefit of the area;

development of the Council's objectives, policies and criteria relating to the exercise of its regulatory functions;

the review of the performance of Council in meeting its objectives as stated in the Council's Delivery Program and Operational Plan, and

the performance review of the General Manager.

Council recognises that with regard to alleged breaches of the Work Health and Safety Legislation, an elected representative is, in their capacity as a member of Council, statute barred from prosecution. However, this is not to be construed as a lack of corporate accountability. Councillors will promote an organisational environment which reinforces the Council's statutory obligations to ensure a safe and healthy Council workplace.

Councillors are committed to ensuring that in undertaking their corporate responsibilities attention is given to the organisational objectives for work health and safety. Council in adopting the Operational Plan, as required under the Local Government Act will take into consideration the practical implications of the Operational Plan for health and safety with regard to the following matters:

the statement of principal activities which Council proposes to undertake, refer to Local Government Act, Section 403(1);

the activities to be undertaken by Council, refer to Local Government Act, Section 403(2);

identified human resources activities, including provision of resources for training programs related to health and safety requirements, to be undertaken by Council, refer to Local Government Act, Section 403(2);

the performance review of the General Manager, refer to Local Government Act, Section 338(1).

At all times Councillors will;

follow the Council's relevant safety procedures while at a Council workplace;

demonstrate a commitment to promoting a safe Council workplace;

at an individual level, through demonstrated support of the Council's commitment to promoting a safe Council workplace, be a positive role model for work health and safety.

9. APPOINTMENT OF COUNCIL REPRESENTATIVES

RECOMMENDED that Council appoint representatives to the following Committees:

- a) General Manager's Performance Review Committee
- b) Audit and Risk Committee, plus an alternate
- c) Staff Consultative Committee
- d) Murray Darling Association – Murrumbidgee Region
- e) Riverina Eastern Regional Organisation of Councils (REROC) – Chairperson and General Manager.

With the election of a new Council, it is appropriate that the Council appoint representatives to the following Committees:-

- a) The General Manager's Performance Review Committee comprises 4 Councillors. These Councillors are the Chairperson, Deputy Chairperson and two others.
- b) The Audit and Risk Committee was formed in 2011 and is the subject to another Report recommending it be reappointed. The constitution of the Audit and Risk Committee specifies that one Councillor be appointed to the Committee, together with two independent persons. It was further stated in the constitution that the Councillor appointed should not be the Council Chairperson. It would also be appropriate for Council to appoint an alternate representative.
- c) The Constitution of the Staff Consultative Committee calls for the appointment of a councillor to attend the committee meetings as a management representative. The Consultative Committee Membership comprises the following:-

USU (Rural)	1 elected
USU (Office)	1 elected
USU (Depot)	1 elected
USU (Water Works)	1 elected
ETU	1 elected
APESMA	1 elected
Management	5 nominated, one of whom is a Councillor. (The previous Councillor representative was Cr Lindsay Vidler)

- d) Council is a member of the Murray Darling Association – Murrumbidgee Region. The association meets 4 times per year to discuss water issues associated with the Murrumbidgee Catchment. (The previous Councillor representative was Cr Lindsay Vidler)
- e) Council is an associate member of REROC. As an associate member Council has observer status only, with a maximum of two observers with no voting rights. Council's observers to REROC have been the Chairperson and General Manager

10. DISCLOSURE OF INTEREST RETURNS

RECOMMENDED that the information be received.

All returns in respect to Pecuniary Interest have been completed and returned to the General Manager and are now tabled.

Newly elected Councillors (i.e. excluding those who are current councillors who have been re-elected) are required to lodge a return within the three-month period after becoming a councillor, as required by section 449(1) of the Local Government Act.

11. PERFORMANCE REVIEW – GENERAL MANAGER

RECOMMENDED 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.

12. PERFORMANCE REVIEW – DIRECTOR OF ENGINEERING

RECOMMENDED 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.

13. DELEGATION OF AUTHORITY TO CHAIRPERSON AND GENERAL MANAGER

RECOMMENDED 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 Chairperson and General Manager.

With the election of a new Council it is appropriate for the Council Delegations to be reviewed. The delegations previously resolved by Council (22nd October 2008) were of a very general nature. The delegations for the Chairperson and General Manager have been summarised in the attached Draft Register, and are submitted for Council's consideration.

Delegations of Authority

Riverina Water County Council

Adoption date

Resolution

Introduction

In accordance with Section 377 Local Government Act 1993 the Riverina County Council at a Meeting held on 24 October 2012 ratified and granted the delegations as set out in this Delegations of Authority Register to the Chairperson and General Manager.

The General Manager has sub-delegated the matters set out in the section headed “**DELEGATIONS TO STAFF by the GENERAL MANAGER**”.

THE CHAIRPERSON

1. General

That the Chairperson (being Cr.....) , or Deputy Chairperson (being Cr.....) when acting for the Chairperson , be delegated authority under section 377 of the Act to exercise and/perform on behalf of the Council the powers , authorities ,duties and functions as prescribed for the position of Chairperson under the Act , Schedules, Regulations , cognate Legislation , related Legislation , Councils own adopted Policies , Codes and Resolutions , provided that such delegations are not to be sub-delegated without specific approval by Council or as prescribed under the Act.

If, under any other Act, a function is conferred or imposed on the Chairperson of a County Council, the function is taken to be conferred or imposed on the Council and the Chairperson of the County Council will exercise and/or perform on behalf of the Council the powers, authorities, duties and functions as prescribed under that other Act.

2. Specific Delegations-Chairman

(a) Conferring Powers or Duties

To give effect to the provisions of the Act, including but not limited to Sections 225-231 of the Act and any other Act conferring powers or duties upon the Chairperson and to any resolution of direction given to the Chairperson by Council.

(b) Preside at Meetings of Council

To preside at all meetings of the Council , Committees , Community Committees and Public Meetings convened by the Council at which the Chairperson is present unless the Chairperson otherwise appoints another Councillor or person to perform this function.

(c) Negotiations on behalf of Council

The Chairperson in conjunction with the General Manager, to participate in negotiations on behalf of the Council with third parties in relation with any significant matter associated with the operations of Riverina Water County Council.

(d) Code of Conduct

To give direction to the Council, following consultation with the General Manager, in the application of the Code of Conduct as adopted by Council.

(e) Represent Council-Government and Other Forums

To represent the Council, in conjunction with the General Manager in deputations to government enquiries and other forums where it is appropriate that the Chairperson should present the Councils position.

(f) Sign and Execute Documents

To sign and execute documents under the Seal of Council in conjunction with the General Manager.

(g) Media Releases

To make Media Statements and issue Press Releases in respect of Councils Resolutions/Recommendations and decisions.

(h) Approval of Urgent Works

To authorise expenditure outside the Council approved budget and in consultation with the General Manager ,to undertake urgent works in order to reduce or eliminate a significant safety hazard or critical matter affecting the operation of the water supply system up to an amount of \$100,000 subject to the action being reported to the next meeting of Council.

End of Delegation

DELEGATIONS – THE GENERAL MANAGER

1. That the General Manager of Riverina Water County Council (being Graeme Haley) be delegated authority under section 377 of the Local Government Act 1993 (“Act”) to exercise and /or perform on behalf of Council the powers , authorities , duties and functions of Council as prescribed under the Act , Schedules Regulations , Cognate Legislation , and related legislation and including those powers , authorities , duties and functions as listed in the addendum to this delegation excepting those powers, authorities , duties and functions of the Council that are expressly prohibited from delegation as listed under Section 377 of the Act.
2. If, under any other Act a function is conferred or imposed on the General Manager of Council, the function is taken to be conferred or imposed on the Council and the General manager of the Council will exercise and /or perform on behalf of the Council, powers, authorities duties and functions as prescribed under the other Act pursuant to Section 381 of the Act.
3. For the purposes of Section 381 of the Act , the General Manager’s delegated authority to act on behalf of Council includes all functions and powers conferred or imposed by any legislation set out from time to time in Section 22 of the Act ,including but not limited to the following:

Conveyancing Act 1919	placing covenants on council land
Fluoridation of Public Water Supplies Act 1957	fluoridation of water supply by council
Public Health Act 1991	inspection of systems for purposes of microbial control
Roads Act 1993	roads

The exercise by a council of its functions under this Act may also be modified by the provisions of another Act. Some of those Acts and some of the modifications they affect include:

Government Information (Public Access) Act 2009	council required to publish certain information and to grant access to certain documents
Privacy and Personal Information Protection Act 1998	council required to amend certain records that are shown to be incomplete, incorrect, out of date or misleading
Unclaimed Money Act 1995	unclaimed money to be paid to the Chief Commissioner of Unclaimed Money

4. That in the absence of the General Manager that his nominee as Acting General Manager assume all power and delegations of the General Manager for the period only of his absence.
5. In addition to the delegated authority conferred or imposed upon the General Manager by legislation, the General Manager is empowered to carry out his functions in reliance upon Section 335 of the Act and in accordance , with the following delegated authorities , subject to any express limitations contained within this Register or restrictions imposed by Section 377 of the Act:

General Manager-Delegated Authorities

In accordance with section 5 of this delegation of authority the General Manager is also delegated the following functions and powers:

Part A Operational

1. To establish, review and authorise operational and management policies and procedures in line with strategic directions set by Council.
2. To implement any work , service or action provided for in the adopted budget without further reference to Council except for ;
 - (a) The acceptance of tenders which are required under the Local Government Act 1993 to be invited by the Council , and
 - (b) The determination of priorities where lump sum funding only has been provided.
3. To authorise destruction or disposal of any records of Riverina Water County Council, after the expiration of six (6) years from the last transaction thereon, other than those defined in the Regulation and Local Government Records Disposal schedule.
4. To negotiate arrangements for agencies and financial institution to collect payments relating to the operation of Riverina Water County Council.
5. To write proposals or submissions to other levels of government on behalf of Riverina Water County Council.
6. To deal with and determine applications for access to information under the Government Information (Public Access) Act and Regulation 2009.
7. To execute any form of instrument necessary for the creation of easements that will benefit Riverina Water County Council for access services , pipelines , structures and/or any other form of assistance essential in the performance of its objectives.
8. To sign all correspondence relating to Riverina Water County Council.
9. To approve the loan of Riverina Water County Council equipment to community groups in accordance with Council's Policy.
10. To impose water restrictions on fixed hoses and sprinklers and lift such restrictions when appropriate.
11. To restrict or cut off supply of water to a property due to non payment of water charges as provided under Clause 144 of the Local Government (General) Regulation 2005.
12. To sign certificates issued in accordance with the provisions of Sections 603 (Certificate as to Rates and Charges) & 735A (Certificate as to Notices) of the Local Government Act 1993.

Part B Finance

1. Obtain quotations and to authorise the purchase of and issue official orders for goods, works and services requiring the functioning of Council and to incur expenditure for such goods, works and services up to \$150,000 provided that provision has been made in the approved Budget for incurring of such expenditure. The delegation is limited in accordance with Section 377(1)(i) of the Act.
2. To certify that the prices and computations on vouchers have been checked and are correct in as far as he has been able to ascertain , are fair and reasonable and are in accordance with any quotation /contract under which the goods /services were supplied.
3. Authorise the payment of Councils Salaries and Wages
4. Approve final payment to contractors and/or direct creditors
5. To sign or countersign cheques drawn on Council's Bank accounts
6. Approve changes in Plant Hire Rate Charges for all council plant.
7. To authorise expenditure outside the approved Council budget to enable urgent works to be undertaken to reduce or eliminate a significant safety hazard or critical matter affecting the operation of the water supply system up to an amount of \$50,000 subject to the action being reported to the next meeting of Council.
8. The authority to require the lodgement of a cash bond or bank guarantee for work outstanding.
9. To negotiate Council overdraft limit.
10. To sell old materials, spoilt or obsolete equipment.
11. To authorise the writing off of uncollectible debts up to a maximum amount for a single debtor of \$2,000.
12. To arrange the investment of money that is not, for the time being, required by Council for any other purpose. Funds may only be invested in the following :
 - (a) In any security authorised by the Trustee Act ;
 - (b) In the form of investment notified by order of the Minister published in the Gazette.
 - (c) Investments shall also be managed in accordance with Councils Policy (Number 1.16)

Part C Legal

1. To approve and settle statements of claim and insurance matters up to the level of Riverina Water's excess amounts payable under the respective insurance policies.
2. To determine a response to approvals sought under Part 1, Division 3-making and determination of applications for approval-generally, under the Local Government Act 1993.
3. To issue Orders under Chapter 7, Part 2 (Orders) of the Local Government Act 1993.
4. To affix the Common Seal of the Council and execute any documents requiring the signature of the General Manager in the company of the Chairperson ,Deputy Chairperson , or other Councillor where Council has approved the documents intent
5. To authorise the institution of legal proceedings for the recovery of outstanding charges and other debts due to Riverina Water County Council and to take all necessary action to recover such charges and debts.
6. Under Section 687 (Appearance in Local Court) of the Local Government Act 1993, as amended, be authorised to represent Riverina Water County Council in all proceedings in any Local Court or before any justice in all respects as though he were the party concerned and to institute and carry on proceedings which Riverina Water is authorised to institute and carry out under the said Act and shall extend to any proceedings under all other Acts.
7. To accept service of legal documents on behalf of Riverina Water County Council.

8. Contracts;
 - (a) To terminate a contract where the conditions of the contract have been breached and provide for such action.
 - (b) To approve extensions of time to contractor schedules except contracts subject to a tendering arrangement.
 - (c) To issue Site instructions to the contractor and/or their staff.
 - (d) To call for an audit of a contract using either internal or external audit staff.
 - (e) To issue a Practical Completion Certificate for works or part thereof under a contract.
 - (f) To sign contracts that have been approved by Council.
9. To approve Power of Entry under the provisions of Sections 191-201 of the Local Government Act 1993 for the purpose of inspections, works, and other functions permitted under these sections. The power of entry is also granted for the purposes of inspecting premises under the Public Health Act 1991.
10. To approve closure of roads or parts thereof, temporarily for repairs or construction and to approve applications to install pipelines within road reserves.
11. To authorise action in regard to any complaints or requests received under Councils Internal Reporting Policy.

Part D Environmental / Planning Matters

1. To authorise all functions pursuant to Riverina Water County Council powers under the Environmental Planning & Assessment Act 1979 as amended in relation to development proposals including subdivisions.
2. In relation to subdivision proposals;
 - (a) To approve designs, plans and specifications for water supply works in subdivisions, subject to those designs, specifications and plans being in accordance with Council subdivision policies.
 - (b) To certify that bonded works have been completed to Riverina Water County Council's satisfaction and then release the relevant bond.
 - (c) To authorise the release of Certificates of Compliance for a subdivision when all conditions of relevant approvals relating to water supply have been met.
 - (d) To authorise signing of linen plans of subdivisions when all water supply conditions have been met.

Part E Staff

1. To authorise the appointment of new staff within the adopted organisation's staff structure.
2. To negotiate with staff and Unions in relation to all staffing matters.
3. Reclassify staff and adjust salaries in accordance with Riverina Water County Council Enterprise Award.
4. To determine all leave applications for all staff having regard to the proper functioning of the Council and maintenance of appropriate levels of service to customers.

End of Delegation

14. DRAFT POLICY 5.3 COUNCILLOR'S EXPENSES AND FACILITIES

RECOMMENDED that the Draft Policy 5.3 Councillor's Expenses and Facilities be adopted.

At Council's August Meeting, it was resolved 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 24 October 2012.

The Draft Councillor's Expense and Facilities Policy was placed on exhibition, as resolved, and no submissions have been received. A copy of the Draft Policy is attached.

**COUNCILLOR'S EXPENSES AND FACILITIES
POLICY**

POLICY REFERENCE NUMBER:		POL 5.3	
Original publication date		27 August 1997	
Revision number	Issue Date	Approved	Approval date
0	27 August 1997	Res: 97/57	27 August 1997
<p>This document is to be reviewed every year. Next review date: August 2013</p>			
RESPONSIBLE OFFICER		General Manager	

PART A – INTRODUCTION

1.0 – GENERAL PROVISIONS

1.1 Purpose of the Policy

The purpose of the Policy is to ensure there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors.

The Policy also ensures that the facilities provided to assist Councillors to carry out their civic duties are reasonable.

1.2 Objectives and coverage of the Policy

To give guidance to the Chairman and Councillors as to what facilities and resources are available to them.

To provide direction for the payment of expenses incurred, or to be incurred, by Councillors and the provision of facilities to the Chairman and other Councillors in relation to discharging the functions of their office.

Implementation of our legislative responsibility, in adopting a policy concerning the payment of expenses and the provision of facilities and resources to the Chairman and Councillors in carrying out their civic duty (Sections 252 and 253 of the Local Government Act 1993).

1.3 Making and Adoption of the Policy

Council must implement section 253 of the *Local Government Act 1993* before adopting or amending a policy. Council must give public notice of its intention and allow at least 28 days for public submissions.

Council must consider any submissions received and make any appropriate changes to the policy. Council does not need to give public notice of a proposed amendment to the policy, if the amendment is not substantial. Within 28 days of adopting or amending the policy, the policy and details of submissions are to be forwarded to the Director-General of the Division of Local Government.

The term “not substantial” should be taken to mean minor changes to wording of the policy or changes to monetary provisions or rates that are less than 5%. It also means minor changes to the standard of the provision of equipment and facilities. Substantial amendments to the policy that could include larger changes to monetary limits than the limit noted above, and/or major changes to the standard provision of equipment and facilities, will require public notice of the amendment. Any new category of expenses, facilities and equipment included in the policy will also require public notice.

1.4 Promotion and Availability of the Policy

Council should promote its policies on the payment of expenses and the provision of facilities to councillors to the community by placing them on their websites and making them readily accessible. Council should ensure that the policy is easy to locate and view by the public.

1.5 Review

Councils are required on an annual basis to review and submit their policy to the Director-General of the Division of Local Government within 28 days of adoption by council, even if they propose to adopt an unchanged policy. Current policies must be submitted by 30 November each year.

1.6 Reporting Requirements

Section 428 of the *Local Government Act 1993* requires council to include in its annual report:

- the council's policy on the provision of facilities for, and the payment of expenses to, mayors and councillors,
- the total amount of money expended during the year on providing those facilities and paying those expenses
- additional information as required by the *Local Government (General) Regulation 2005*.

1.7 Legislative Provisions

1.7.1 Provisions under the *Local Government Act 1993*

Changes to sections 252(5) and 253 of the *Local Government Act 1993*, made by the *Local Government Amendment Act 2005*, require councils to make and submit their Expenses and Provision of Facilities Policy annually to the Department of Local Government.

Section 252 of the *Local Government Act 1993* requires councils to adopt or amend a policy annually for the payment of expenses and the provision of facilities to mayors, deputy mayors and other councillors. Mayors and councillors can only be reimbursed for expenses and provided with facilities in accordance with this policy.

Section 252 also makes provision for a council to reduce the amount payable to mayors and councillors (under sections 248-251 of the *Local Government Act 1993*) by the amount representing any private benefit of a facility provided by the council to them. It also requires that the policy be made under the provisions of this Act, the *Local Government (General) Regulation* and any relevant guidelines issued under section 23A of the Act.

Section 253 specifies actions that council must undertake before a policy concerning expenses and facilities can be adopted or amended. As earlier stated these actions include a requirement to give public notice with a

minimum period of 28 days for the making of submissions, procedure for consideration of any submissions received and circumstances where public notice is not required . This section also details the reporting requirements to the Director General.

Section 254 requires that part of a council or committee meeting which considers the adopting or amending of such a policy must not be closed to the public.

The Government Information Public Access Act 2009 and Regulation 2009 provides that the public is able to inspect during office hours at the council, and at no charge, the current version and the immediately preceding version of the council's expenses and facilities policy. The public are also entitled to a copy of the policy, either free of charge, or, on payment of a reasonable copying charge.

Section 23A makes provision for the Director-General of the Division of Local Government to prepare, adopt or vary guidelines that relate to the exercising by a council of any of its functions. It also requires that a council must take the relevant guidelines into consideration before exercising any of its functions.

Section 428(4)(b) requires that councils must report on any other information required by the regulations.

1.7.2 Provisions under the *Local Government (General) Regulation 2005*

Clause 217 Provides details of information to be included in Councils Annual Report in addition to the above provisions, such as details of overseas trips by councillors and staff representing Council and details of expenses paid to Councillors.

Clause 403 (Payment of expenses and provision of facilities) states:

A policy under section 252 of the Local Government Act 1993 must not include any provision enabling a council:

- (a) *to pay any councillor an allowance in the nature of a general expense allowance, or*
- (b) *to make a motor vehicle owned or leased by the council available for the exclusive or primary use or disposition of a particular Councillor other than a mayor.*

1.8 Other NSW Government Policy Provisions

1.8.1 Department of Local Government Guidelines

As previously noted under section 252(5) of the Local Government Act 1993 the council expenses policy must comply with these guidelines issued under section 23A of the Act.

1.8.2 Department of Local Government Circulars to Councils

The policy must take into account the following Circulars:

- Circular 11/27 Findings from Review of Councillors Expenses and Facilities Policies
- Circular 10/26 Misuse of Council Resources
- Circular 09/36 Updated Guidelines for the Payment of Expenses and the provision of facilities to Mayors and Councillors – Additional annual reporting requirements and other matters
- Circular 05/08 Legal Assistance for Councillors and Council Employees
- Circular 02/34 Unauthorised Use of Council Resources

1.8.3 The Model Code of Conduct for Local Councils in NSW

The policy should be consistent with the Model Code of Conduct for Local Councils in NSW, Department of Local Government – June 2008.

1.8.4 ICAC Publication – *No Excuse for Misuse, Preventing the Misuse of Council Resources*

Councils should also be aware of and take account of the Independent Commission Against Corruption (ICAC) publication, *No Excuse for Misuse, Preventing the Misuse of Council Resources (Guidelines 2)* November 2002.

This publication is available on the ICAC website at www.icac.nsw.gov.au.

1.9 Approval Arrangements

Approval of councillors to attend conferences and other council business that involves travel and/or accommodation should be, where possible, approved by a full meeting of the council. If this is not possible, the approval should be given jointly by the Chairperson and General Manager.

If the Chairperson requires approval to travel outside of council meetings, it should be given jointly by the Deputy Chairperson, or another councillor, if the Deputy Chairperson is unavailable and the General Manager.

PART B – PAYMENT OF EXPENSES

2.0 GENERAL PROVISIONS

2.1 Payment of Expenses Generally

This policy sets levels of expenses and facilities to realistically account for costs incurred by councillors independent of the level of their annual fees.

2.1.1 Allowances and Expenses

The Local Government Remuneration Tribunal determines the minimum and maximum limit of fees payable to Chairperson and councillors according to the category of council. The council will determine the actual level of fees between these limits on an annual basis following the determination of the Local Government Remuneration Tribunal.

The amount of the annual fee for the Chairperson and Councillors will be paid monthly in arrears.

During the month of June in each year, the Council will review the fees and expenses paid to or facilities provided for the Chairperson and Councillors and determine the amounts to be paid for the ensuing year.

The amount of expenses for conveyance to official Council functions by car will be determined by the rates provided in the Council's Award and will be paid monthly in arrears to Councillors that do not reside in the Local Government Area where the function is being held.

Provided that where a Councillor ceases to be the Chairperson, the fee to be paid will be calculated on a daily basis for the proportion of the month that the Councillor remained the Chairperson.

Similarly, where a Councillor is elected Chairperson, the fee to be paid will be calculated on a daily basis for the proportion of the month in which the Councillor became Chairperson.

2.1.2 Reimbursement and Reconciliation of Expenses

Actual expenses incurred by councillors in carrying out civic duty are only reimbursed upon the production of appropriate receipts, tax invoices and other documentation, together with the completion of the required claim forms. Expenses and costs incurred must be in accordance with the requirements of this policy.

2.1.3 Payment in Advance

Councillors may request payment in advance in anticipation of expenses to be incurred in attending conferences, seminars and training away from home. Councillors may also request an advance payment for the cost of any other

service or facility covered by the policy. However, councillors must fully reconcile all expenses against the cost of the advance when they return within two months. No allowance type expense payment will be payable in any circumstances.

2.2 Establishment of Monetary Limits and Standards

2.2.1 Monetary Limits as to Expenses

The monetary limit for expenses will be generally guided by the budgeted items in the Operational Plan under the following line items:

- Travelling and Subsistence Allowance – Councillors
- Councillor Expenses

Some expenses will have a specific limit or rate set.

2.2.2 Standard of Provision of Equipment and Facilities

The standard of provision of equipment and facilities will be done so in conjunction with staff to ensure the most economically efficient method of delivery. This applies to accommodation, travel, services and facilities.

2.3 Spouse and Partner Expenses

There may be limited instances where certain costs incurred by the councillor on behalf of their spouse, partner or accompanying person are properly those of the councillor in the performance of his or her functions (hence they are properly incurred by, and reimbursable to the councillor). An accompanying person is a person who has a close personal relationship with the councillor and/or provides carer support to the councillor.

As a consequence, meeting the reasonable costs of spouses and partners or an accompanying person for attendance at official council functions that are of a formal and ceremonial nature, is considered appropriate where accompanying councillors within the Riverina Water County Council area. Such functions would be those that a councillor's spouse, partner or accompanying person could be reasonably expected to attend. Examples could include, but not be limited to, Australia Day award ceremonies, civic receptions and charitable functions for charities formally supported by the council.

Limited expenses of spouses, partners or accompanying persons associated with attendance at the Local Government and Shires Associations' annual conference may be met by council. These expenses will be limited to the cost of registration and the official conference dinner. Travel expenses, any additional accommodation expenses, and the cost of partner/accompanying person tours etc. are the personal responsibility of individual councillors. Consideration will be given to the payment of expenses for the spouse, partner or accompanying person of the Chairperson, or councillor when they

are representing the Chairperson, when they are called on to attend an official function of council or carry out an official ceremonial duty while accompanying the Chairperson outside the council area, but within the general region of the Council. Examples include charitable functions to which the Chairperson has been invited and award ceremonies and other functions to which the Chairperson is invited to represent the council.

The above circumstances shall be distinguished from spouses, partners or accompanying persons who accompany a councillor at any event or function outside the council area, including interstate or overseas, where the costs and expenses of the spouse or partner or accompanying person should not be paid by council (with the exception of the attendance at the Local Government and Shires Associations' annual conference, as noted above).

The above examples shall also be distinguished from circumstances where spouses, partners or accompanying persons accompany councillors at seminars and conferences and the like. In these situations all costs, including any additional accommodation costs, must be met by the councillor or the Spouse/partner/accompanying person.

The payment of expenses for spouses, partners or accompanying persons for attending appropriate functions as permitted above shall be confined specifically to the ticket, meal and/or the direct cost of attending the function. Peripheral expenses incurred by spouses, partners or accompanying persons such as grooming, special clothing and transport are not considered reimbursable expenses.

2.4 Incidental Expenses

Reasonable out of pocket or incidental expenses associated with attending conferences, seminars or training courses that councillors incur may be reimbursed upon the presentation of official receipts and the completion of the necessary claim forms.

Incidental expenses could reasonably include telephone or facsimile calls, refreshments, internet charges, laundry and dry cleaning, newspapers, taxi fares and parking fees. In addition, the cost of meals not included in the registration fees for conferences or similar functions may be reimbursed after reconciliation.

All advanced payments are required to be reconciled.

3.0 SPECIFIC EXPENSES FOR CHAIRPERSON AND COUNCILLORS

3.1 Attendance at Seminars and Conferences

Riverina Water Councillors are required to represent Council from time to time at a variety of seminars and conferences.

Attendance at these events will be approved by Council and recorded in the minutes of the relevant meeting. All travel, accommodation and seminar/conference fees, as well as incidental expenses will be met by Council.

A written report shall be provided to the Council on the seminar/conference by the Councillor or accompanying staff member (Local Government and Shires Associations' annual conferences excepted).

3.2 Training and Educational Expenses

It is desirable for Councillors to undertake training and development from time to time.

Attendance at these events will be approved by Council and recorded in the minutes of the relevant meeting. All travel, accommodation and training fees, as well as incidental expenses will be met by Council.

3.3 Motor Vehicle Travel Arrangements and Expenses

A Council vehicle shall be made available for the use of councillors wherever possible. However where it is not possible and councillors are required to provide their own private transport for travelling on authorised Council business then the councillors shall be paid an allowance for travelling at the rate specified in the Riverina Water Council Enterprise Award, currently:

- Under 2.5 Litres - \$0.64 per kilometre
- 2.5 Litres and Over - \$0.73 per kilometre

Council will also meet the costs associated with parking and road tolls. The driver of the vehicle is personally responsible for all traffic or parking fines incurred while travelling in private or Council owned vehicles and should abide by Council's *Safe Driving Policy* (Policy 3.4).

3.4 Overseas Travel

Councils shall avoid international visits unless direct and tangible benefits can be established for the council and the local community. Detailed proposals for overseas travel should be provided, including the nomination of the councillors undertaking the trip, purpose of the trip and expected benefits. The duration, itinerary and approximate total costs of each proposed visit, should also be provided.

Overseas travel must be approved by a meeting of the full council prior to a councillor undertaking the trip. Travel must be approved on an individual trip basis. Council shall not allow the retrospective reimbursement of overseas travel expenses unless prior authorisation of the travel has been obtained.

Travel proposals should be included in the council business papers. The use of a chairperson's minute to obtain council approval for travel is not

appropriate and is not consistent with the principles of openness and transparency.

After returning from overseas, councillors, or accompanying member of council staff, should provide a detailed written report to council on the aspects of the trip relevant to council business and/or the local community. Councillors are also strongly encouraged to report back on their overseas travel to a full meeting of the council.

Details of overseas travel must also be included in council's annual reports.

3.5 Interstate Travel

Prior approval of travel should generally be required for interstate travel. The application for approval shall include full details of the travel including itinerary, costs and reasons for the travel.

3.6 Attendance at Dinners and Other Non-Council Functions

Consideration will be given to meeting the cost of councillors' attendance at dinners and other non-council functions which provide briefings to councillors from key members of the community, politicians and business. Approval to meet expenses shall only be given when the function is relevant to the council's interest. Only the cost of the service provided shall be met. No payment shall be reimbursed for any component of a ticket that is additional to the service cost of the function, such as a donation to a political party or candidate's electoral fund, or some other private benefit. An additional payment to a registered charity may be acceptable as part of the cost of the function after prior approval by Chairman and General Manager.

3.7 Care and Other Related Expenses

Riverina Water County Council will make the provision for the reimbursement of the reasonable cost of carer arrangements, including childcare expenses and the care of elderly, disabled and/or sick immediate family members of councillors, to allow councillors to undertake their council business obligations. This is in accordance with the principles of participation, access and equity and is considered by the Division of Local Government to be a legitimate expense. Councillors claiming the carer expense should not be subject to criticism for doing so.

Consideration shall be given to the payment of other related expenses associated with the special requirement of councillors such as disability and access needs, to allow them to perform their normal civic duties and responsibilities. Application shall be made for such expenses.

3.8 Insurance Expenses and Obligations

Section 382 of the *Local Government Act 1993* requires a council to make arrangements for its adequate insurance against public liability and

professional liability. Councillors are covered under such following insurance policies held by Riverina Water County Council:

- *Professional Indemnity* (for matters arising out of councillors' performance of their civic duties and/or exercise of their council functions)
- *Public Liability* (for matters arising out of councillors' performance of their civic duties and/or exercise of their council functions)
- *Statutory Liability* (provides indemnity for fines and penalties arising out of conduct of the business of Council)
- *Personal Accident* (provides for the payment of non-medical expenses and loss of wages resulting from an accident whilst on official business for the Council and a capital payment if the accident results in death)

3.9 Legal Expenses and Obligations

Council may indemnify or reimburse the reasonable legal expenses of a hearing into a Councillor's conduct by an appropriate investigative or review body in the following actions:

- a. A Councillor defending an action arising from the performance in good faith of a function under the Local Government Act (section 731 refers) or
- b. A Councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the Act or
- c. A Councillor for proceedings before the Council's Conduct Review Committee/Reviewer, Office of the NSW Ombudsman, Independent Commission Against Corruption, Division of Local Government, Department of Premier and Cabinet, NSW Police Force, Director of Public Prosecutions Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the Tribunal or investigative body makes a finding substantially favourable to the Councillor.

Council will not meet the costs of an action in defamation taken by a Councillor or council employee as plaintiff in any circumstances. Council will not meet the costs of a Councillor or council employee seeking advice in respect of possible defamation or in seeking a non-litigious remedy for possible defamation.

Legal assistance and reimbursement as specified above will only be provided upon resolution of Council.

PART C – PROVISION OF FACILITIES

4.0 GENERAL PROVISIONS

4.1 Provision of Facilities Generally

Councillors are provided with access and use of the following:

- Access to a room suitably furnished for use by all councillors
- Access to a motor vehicle for the purpose of attending conferences, seminars, official functions or meetings outside of Wagga Wagga
- Use of Council photocopiers, telephones, computers, facsimile machines and associated equipment in the course of undertaking official business.

Councillors should not generally obtain private benefit from the provision of equipment and facilities, nor from travel bonuses or any other loyalty schemes. However it is acknowledged that incidental use of Council equipment and facilities may occur from time to time. Such incidental use is not subject to a compensatory payment. Where more substantial private use has occurred, the Act provides that a payment may be made to cover the level of that private use.

5.0 PROVISION OF EQUIPMENT AND FACILITIES FOR COUNCILLORS

Each Councillor will be provided with business cards and name badge and an IPAD.

Any equipment issued to the Chairperson or Councillors remains the property of the Council and is to be returned to Council upon the Chairperson or councillor ceasing to hold office, unless Council makes a resolution otherwise.

6.0 ADMINISTRATIVE SUPPORT

The Chairperson shall be provided secretarial support in relation to official correspondence.

7.0 SUSTENANCE/MEALS

Councillors shall, at the discretion of the General Manager, be provided with a meal and/or refreshments in conjunction with their attendance at Committee/Council meetings or at any official ceremony or gathering authorised by Council or the Chairperson or in carrying out their Council responsibilities including meetings with its residents, ratepayers or guests of Riverina Water County Council.

8.0 DISPUTE PROCESS

Any dispute over the payment or reconciliation of expenses to a Councillor is to be addressed in writing to the General Manager outlining reasons. If available, the disputed claim should be supported with relevant documentation. The General Manager is to review the matter within 14 days and provide a written response detailing his/her resolution to the dispute.

15. DRAFT POLICY 5.19 COMPLAINTS MANAGEMENT

RECOMMENDATION that Riverina Water County Council adopt Draft Policy 5.19 Complaint Management.

Advice has been received that Riverina Water County Council needs to adopt a policy specifically relating how complaints are handled by staff and Councillors.

A draft policy has been developed and is attached for Councillors' information.

The objectives of the Policy are:-

- To improve Council's operations through responding positively to complaints.
- To facilitate the resolution of that complaint in accordance with the Council's statutory powers and responsibilities.
- To allow audit, monitoring and analysis to take place on complaints related data.
- To develop community confidence and trust that Council is responsive and caring.

It is appropriate that this policy be adopted to ensure that complaints are handled in an effective and transparent manner.

Like other policies suggested, this policy would be part of an improvement in Council's Internal Control mechanism.

COMPLAINTS MANAGEMENT POLICY

POLICY REFERENCE NUMBER:		POL 5.19	
Original publication date			
Revision number	Issue Date	Approved	Approval date
0		Res:	x
<p>This document is to be reviewed every 2 years. Next review date: October 2014</p>			
RESPONSIBLE OFFICER		General Manager	

PART 1: INTRODUCTION

Riverina Water County Council provides democratic government through its services and facilities for the benefit of our customers. Customers have the right to expect satisfactory standards of work and good conduct in service delivery.

The performance of the Council, at times, may not be to the satisfaction of customers or other external stakeholders. In those circumstances the Council is committed to ensuring the opportunity is available to express dissatisfaction through an effective complaints management system and that any complaint received through the system is dealt with courteously, investigated fully and acted on within an appropriate time period.

1.1 Policy Objectives

- To improve Council's operations through responding positively to complaints.
- To facilitate the resolution of that complaint in accordance with the Council's statutory powers and responsibilities.
- To allow audit, monitoring and analysis to take place on complaints related data.
- To develop community confidence and trust that Council is responsive and caring.

1.2 Scope of Policy

This policy covers the following types of complaint:

- Complaints of a general nature,
- Complaints of corrupt conduct, maladministration or misuse of Council resources,
- Competitive neutrality complaints,
- Complaints that cannot be resolved through normal Council procedures and where the customer expresses a clear desire and intention to lodge a formal complaint.
- Unreasonable complainant conduct.

The policy does not cover:

- Service requests,
- Requests for information or explanation of policies or procedures of decisions of Council,
- Reports of damaged or faulty infrastructure,

- Reports of hazards,
- Reports concerning neighbours or neighbouring properties,
- Appeals against Council decisions, policies or procedures, unless recorded as complaints about Council's decision-making process,
- Complaints under the *Code of Conduct* which are subject to a separate process,
- Privacy complaints which are subject to separate processes.

1.3 Definitions

Complaint	A complaint is any dissatisfaction expressed by an interested party about specific Council decisions, procedures, charges, staff, agents, or quality of service. The complainant defines the complaint.
Formal Complaint	This relates to complaints that cannot be resolved through normal Council procedures and where the customer expresses a clear desire and intention to lodge a complaint in writing. Formal complaints are referred to the General Manager for investigation following the <i>Guidelines for Managing Complaints</i> .
Competitive Neutrality Complaint	This is a complaint that Council has not met its obligations under the National Competition Policy and has not abided by the spirit of competitive neutrality in the conduct of a Council business. Competitive neutrality complaints are referred to the General Manager for investigation following the <i>Guidelines for Managing Complaints</i> .
Complaint under the Code of Conduct	These complaints relate to breaches of the Code of Conduct. Code of Conduct complaints are made in writing to the General Manager and are dealt with by processes set out in the <i>Guidelines for Dealing with Complaints under the Code of Conduct</i> .

<i>Protected Disclosure</i>	<p>This is a complaint made under the Protected Disclosures Act. It covers disclosures relating to corrupt conduct, maladministration or serious and substantial waste of public money.</p> <p>The investigation of protected disclosures follows the <i>Guidelines for Managing Complaints</i> but is subject to additional requirements relating to confidentiality and protection from retribution which are set out in the <i>Protected Disclosure Internal Reporting System</i>.</p>
<i>Privacy Complaint</i>	<p>This is a complaint made under the Privacy and Personal Information Protection Act, 1998. It covers complaints concerning breaches of the Act by Council.</p> <p>The investigation of Privacy complaints is set out in Council's Privacy Policy.</p>

1.4 Related Documents

- Council's Code of Conduct
- Guidelines for dealing with Code of Conduct Complaints (DLG)
- Protected Disclosures Policy (TO BE DEVELOPED)
- Practice Note No 9 - Complaints Management in Councils (DLG)
- Unreasonable Complainant Conduct - Practice Manual 2009 - NSW Ombudsman

PART 2: POLICY CONTENT

2.1 General Provisions

Council will:

- Deal with complaints promptly in accordance with its *Complaints Management Policy*,
- Seek to resolve complaints at the time they are made,
- Publicise its complaints management processes,
- Ensure members of the public dissatisfied with Council's conduct are aware of their right to lodge complaints,

- Acknowledge complaints within seven working days including advice about the action taken to resolve the complaint,
- Advise complainants of their right to complain to the Ombudsman, the ICAC or the Department of Local Government
- Deal with protected disclosures in accordance with its *Protected Disclosures Policy*,
- Ensure that only the people directly involved in the complaint, or in sorting it out, will have access to information about the complaint,
- Report in its annual report on the outcome of complaints, using this information to identify and rectify deficiencies in Council services.

2.2 Specific Provisions

2.2.1 Complaints of a General Nature

These complaints may range from simple matters involving rudeness by employees or delays in responding to water service interruptions through to serious matters concerning breaches of Council policies or procedures.

2.2.2 Complaints Made to Council Staff

The complaint handling process for Council employees is broken down into three levels:

Level One – First Line Complaint Handling

- All first line staff are responsible for receiving, registering and ensuring the resolution of all straightforward, minor complaints as speedily as possible. They have the authority to resolve problems on the spot.
- First line staff may refer complaints to their supervisor or department manager if they are unsure who should attend the problem.
- In the case of more serious complaints, first line staff shall direct the complaint to the General Manager.

Level Two – Internal Review or Investigation

- Where the customer is still dissatisfied the General Manager will review the complaint and report back to the complainant.

Level Three – Independent Review

In all cases, if a complaint cannot be resolved within Council, the complainant is offered one of the following alternatives:

- An alternative dispute resolution procedure such as mediation;
- Referral to an external agency such as the Independent Commission Against Corruption, the NSW Ombudsman or the Director-General of the NSW Division of Local Government.
- Appeal procedures or other legal remedies.

2.2.3 Complaints Made to Councillors

Complaints are sometimes made directly to Councillors rather than to Council staff. In order for the above processes to be followed, Councillors are requested to:

- Ask the complainant whether they have previously made the complaint to Council staff. If not, please ask them to contact Council's Customer Services staff so that relevant details can be logged,
- Log the complaint on a Request Form and refer it to the General Manager.

A report will be made to the respective Councillor regarding action taken on the complaint.

2.2.4 Complaints Concerning Corrupt Conduct

These complaints should be referred to the General Manager or if the complaint relates to the General Manager the complaint is referred to the Chairman and dealt with in accordance with the *Guidelines for Managing Complaints*. All complaints relating to allegations of corrupt conduct are to be immediately referred to ICAC in accordance with the published procedure.

2.2.5 Complaints Concerning Competitive Neutrality

In the event of a competitive neutrality complaint being received, the following procedures will be followed:

- Competitive complaints must be submitted in writing,
- The General Manager will acknowledge receipt of the letter within seven (7) days and will provide details of how it is proposed to handle the complaint,
- The General Manager will investigate the complaint, obtain any advice that is necessary and provide a full response within twenty-one (21) days.

2.2.6 Making Restitution

An important part of Complaint Management is ensuring that if a complaint is found to be correct then some form of restitution is made to the complainant. Making restitution is a way of acknowledging that a wrong has been done and that it is regretted.

There are various ways of making restitution:

Apologising

The most common form of restitution is making an apology. Often this is sufficient to resolve the complaint. Different forms of apology include a verbal apology, a written apology or a published apology. The type used depends on the situation and the nature of the complaint.

Making Good

There will be occasions where Council will agree to or be directed to make good any damage that it has caused to another party. Council will need to consult its insurer before taking such an action.

Compensation

Separate from any cost involved in making good, Council may agree to or be directed to make a payment of money to a complainant for pain, suffering, embarrassment or loss of income caused by Council's negligent action.

2.3 Difficult Complainants

There may be occasions where the complainant's actions or motivations are unacceptable. We recognise that staff have rights that must be respected when dealing with aggressive or vexatious complainants.

Many complainants are angry and aggrieved, sometimes with good cause. Most behave in legitimate ways. A very small minority make complaints that are vexatious, in that they persist unreasonably with their complaints, or make complaints in order to make it difficult for the Council rather than genuinely to resolve a grievance. This may involve making serial complaints about different matters, or continuing to raise the same or similar matters over and over again. Unreasonable complainants should be dealt with in accordance with the NSW Ombudsman's Practice Manual '*Unreasonable Complainant Conduct*'.

Definition of a Vexatious Complainant

Complainants (and/or anyone acting on their behalf) may be deemed to be habitual or vexatious where previous or current contact with them demonstrates that they meet two or more of the following criteria:

- Complaints made maliciously to damage a persons' career or reputation
- Complainants threaten or take violent action against themselves, staff or property

- Complaints made without evidence to cause annoyance
- Complainants persistently changing the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response or whilst the complaint is being addressed. (Care must be taken not to disregard new issues which are significantly different from the original complaint as they need to be addressed as separate complaints)
- Complainants are repeatedly unwilling to accept documented evidence given as being factual or deny receipt of an adequate response in spite of correspondence specifically answering their questions, or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed
- Complainants persist in pursuing a complaint, despite reasonable efforts of the Council to help them specify their concerns, and/or where the concerns identified are not within the realm of the Council to investigate
- Complainants regularly focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point.
- It is recognised that determining what is a trivial matter can be subjective and careful judgement will be used in applying this criteria
- Complainants who display aggressive or abusive behaviour such as abusive language (oral or written), threats, sexual remarks, rudeness, or have threatened or used physical violence towards staff at any time
- Complainants who have excessive contact with the Council and place unreasonable demands on staff. For the purposes of determining an excessive number, a contact may be in person, by telephone, letter, e-mail or fax. Discretion will be used in determining the precise number of excessive contacts applicable under this section, using judgement based on the specific circumstances of each individual case
- Complainants are known to have recorded meetings or face to face/telephone conversations without the prior knowledge and consent of other parties involved
- Complainants make unreasonable demands on the customer/complainant relationships and fail to accept that these may be unreasonable, for example, insisting on responses to complaints or enquiries being provided more urgently than is reasonable or with the Council's Complaints Procedure or normal recognised practice

16. DRAFT POLICY 5.20 CONFLICT OF INTEREST

RECOMMENDED that Riverina Water County Council adopt the Draft Policy 5.20 Conflict of Interest.

Advice has been received that Riverina Water County Council needs to adopt a policy specifically relating how Conflicts of Interest are handled by staff and Councillors.

A draft policy has been developed and is attached for Councillors' information.

The objectives of the Policy are:-

- To protect the public interest,
- To support transparency and accountability,
- To promote individual responsibility and personal example,
- To build a supportive organisational culture.

It is appropriate that this policy be adopted to ensure that conflicts of interest are avoided in an appropriate manner.

CONFLICT OF INTEREST POLICY

POLICY REFERENCE NUMBER:		POL 5.20	
Original publication date			
Revision number	Issue Date	Approved	Approval date
0		Res:	x
<p>This document is to be reviewed every 4 years. Next review date: October 2016</p>			
RESPONSIBLE OFFICER		General Manager	

PART 1: INTRODUCTION

The community has the right to expect that Councillors and Council staff will perform their duties in a fair and unbiased way and that the decisions they make are not affected by self-interest or personal gain.

Conflicts of interest can arise when Councillors or Council staff are influenced, or appear to be influenced, by personal interest when carrying out their duties. The perception of a conflict can be as damaging as an actual conflict, because it undermines public confidence in the integrity of the organisation involved and its staff.

1.1 Policy Objectives

- To protect the public interest,
- To support transparency and accountability,
- To promote individual responsibility and personal example,
- To build a supportive organisational culture.

1.2 Scope of Policy

This policy applies to Councillors, staff, delegates and contractors.

1.3 Definitions

Conflict of interest

A conflict of interest exists when you could be influenced, or a reasonable person would perceive that you could be influenced by a personal interest when carrying out your public duty.

Pecuniary interest

This is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

Non-pecuniary interest

This is any private interest that does not relate to money. A non-pecuniary interest may arise out of kinship, friendship, membership of an association, society or trade union, or involvement or interest in sporting, social or cultural activities.

Actual Conflict of Interest

This involves direct conflict between a Councillor's or Council employee's current duties and responsibilities and their existing private interests.

Perceived Conflict of Interest

This is where it could be perceived by others that a Councillor's or Council employee's private interests could improperly influence the performance of their public duties – whether or not this is actually the case.

Potential Conflict of Interest

This arises when a Councillor or Council employee has private interests that could interfere with their public duties in the future.

1.4 Legislative Context

Chapter 14 of the Local Government Act 1993 covers honesty and disclosure of interests and states that:

- The pecuniary interests of councillors, council delegates and other persons involved in making decisions or giving advice on council matters must be publicly recorded
- Councillors and staff must not take part in decisions on council matters in which they have a pecuniary interest.

Council's Code of Conduct and Code of Meeting Practice also provide direction on the declaration and management of conflicts of interest.

1.5 Related Documents

Code of Conduct

Fraud and Corruption Policy (Draft Pending)

Good Governance Policy

PART 2: POLICY CONTENT

2.1 Specific Provisions

2.1.1 Pecuniary Interests

1. Pecuniary interests must be disclosed.
2. A person will be considered to have a pecuniary interest if:
 - they or a person with whom they are associated has a pecuniary interest
 - their spouse, defacto partner, relative, partner or employer has a pecuniary interest (relative includes any of the following – parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or an adopted child of the person or the person's spouse).
 - they, a nominee, partner or employer are a member of a company or other body that has a pecuniary interest.
3. A person is not taken to have a pecuniary interest if:
 - they are unaware of the relevant pecuniary interest of the spouse, defacto partner, relative, partner, employer or company or other body
 - just because the person is a member of, or is employed by, a Council or statutory body or is employed by the Crown
 - just because the person is a member of or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body

4. A person does not have a pecuniary interest in a matter if the interest is so remote that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter. (Section 442 of the Act).

2.1.2 Non Pecuniary Interests

1. Non-pecuniary interests must be disclosed. If this is at a meeting, it must be done as soon as possible.
2. Councillors and employees and volunteers who are members of clubs should seriously consider whether their club memberships could give rise to conflicts of interest in Council matters that may affect the clubs. The greater the involvement with the club, such as the holding of an office, the greater the likelihood of a real or perceived conflict of interest.
3. In cases of a non-pecuniary interest, employees should not do anything which they could not justify to the public and should avoid any occasion for reasonable suspicion or the appearance of improper conduct or only partial performance of their public or professional duties.
4. Options for dealing with a non-pecuniary conflict of interest will depend on the circumstances of the matter and an objective assessment of it. Options can include:
 - take no action because the conflict is assessed as minor in nature;
 - allow limited involvement (e.g., participate in discussion but not in decision making);
 - prohibit any involvement;
 - require that the individual concerned remove the source of conflict;
 - include an independent process to provide assurances of probity (eg, for tendering or recruitment selection panels).

2.1.3 Interests that Need not be Disclosed

Section 448 of the Local Government Act advises that the following interests do not have to be disclosed:

- an interest as an elector,
- an interest as a ratepayer or a person liable to pay a charge,
- an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this Part,
- an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to a relative of the person by the Council in the same manner and subject to the same conditions as apply to persons who are not subject to this part,
- an interest as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not),
- an interest of a member of a Council committee as a person chosen to represent the community or as a member of a non-profit organisation or other community or special interest group if the committee member has been appointed to represent the organisation or group on the committee,
- an interest in a proposal relating to the making, amending, altering or repeal of an environmental planning instrument, other than an instrument that effects a change of permissible uses of:

- land in which the person or another person with whom the person is associated as provided in Section 443 has a proprietary interest (which, for the purpose of this paragraph, includes any entitlement to the land at law or in equity and any other interest or potential interest in the land arising out of any mortgage, lease, trust, option or contract, or otherwise), or
 - land adjoining, adjacent to or in proximity to land referred to in the subparagraph above, if the person or the other person with whom the person is associated would by reason of the proprietary interest have a pecuniary interest in the proposal,
- an interest relating to a contract, proposed contract or other matter if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company,
 - an interest of a person arising from the proposed making by the Council of an agreement between the Council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because a relative of the person is a shareholder (but not a director) of the corporation or is a member (but not a member of the committee) of the association or is a partner of the partnership,
 - an interest of a person arising from the making by the Council of a contract or agreement with a relative of the person for or in relation to any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreement as have been made, or as are proposed to be made, by the Council in respect of similar matters with other residents of the area:
 - the performance by the Council at the expense of the relative of any work or service in connection with roads or sanitation,
 - security for damage to footpaths or roads,
 - or any other service to be rendered, or act to be done, by the Council by or under any act conferring functions on the Council or by or under any contract,
 - an interest relating to the payment of fees to the councillors (including the Chairman),
 - an interest relating to the payment of expenses and the provision of facilities to councillors (including the Chairman) in accordance with a policy under Section 252 of the Local Government Act 1993,
 - an interest relating to an election to the office of Chairman arising from the fact that a fee for the following 12 months has been determined for the office of Chairman,
 - an interest of a person arising from the passing for payment of a regular account for wages or salary of an employee who is a relative of the person,
 - an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor or member of a Council committee,
 - an interest arising from appointment of a councillor to a body as representative or delegate of the Council, whether or not a fee or other recompense is payable to the representative or delegate.

PART 3: POLICY IMPLEMENTATION GUIDELINES

3.1 Disclosing Interests

3.1.1 Councillors

- Councillors who believe they have an interest in a matter, pecuniary or otherwise, must declare that interest in any meetings or discussions where that matter is considered.
- Councillors must complete an annual *Disclosure of Interest Return*.

3.1.2 General Manager

- If the General Manager declares a conflict of interest in a matter then the Mayor should decide future participation by the General Manager at any time during which the matter is being considered or discussed or voted upon by Council or the Committee.
- The General Manager must complete an annual *Disclosure of Interest Return*.

3.1.3 Employees and Delegates

- Employees and delegates who believe they have an interest in a matter, pecuniary or otherwise, must declare that interest in any meetings or discussions where that matter is considered. The conflict must be disclosed to the relevant supervisor or the General Manager in the first instance.
- Written notice of a conflict of interest must be given to the General Manager. Notice should be given on a *Conflict of Interest Declaration Form*.
- Designated employees must complete an annual *Disclosure of Interest Return*.
- *Purchasing Declaration Forms* must be completed by staff when purchasing goods/services according to RWCC purchasing policy and the declarations shall be kept on file with quotations or tenders.

3.2 Returns Disclosing Interests

1. A Councillor or designated person must complete and lodge with the General Manager, within 3 months after becoming a Councillor or designated person a return in the form in Part 1 of Schedule 3. (Refer Section 449 of the Local Government Act 1993).
2. Thereafter, the return must be lodged within 3 months of 30 June each year. Section 441 of the Act sets out the definitions of designated persons which are generally:
 - The General Manager
 - Senior staff of Council
 - Staff specifically designated by Council because the exercise of their functions could give rise to a conflict between that person's duty as a member of staff and the person's private interest

3.3 Disclosures at Meetings

1. A Councillor or a member of a Council committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
2. The Councillor or member must not be present at, or in sight of, the meeting of the Council or committee:
 - at any time during which the matter is being considered or discussed by the Council or committee, or
 - at any time during which the Council or committee is voting on any question in relation to the matter.
3. A person does not breach Section 451 of the Local Government Act 1993 or the above clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a Pecuniary Interest. (Section 457 of the Act)
4. The following criteria should be used to determine the extent of disclosure of the nature of the interest:
 - The details should be sufficient to enable other councillors, committee members and the public to appreciate in general terms the connection of the person with the matter under consideration;
 - The disclosure **must** not reveal sensitive information which is not relevant to the matter before the Council or Committee;
 - The disclosure **must** not reveal information which may be unnecessarily damaging to the reputation of some person(s) with whom the person disclosing the interest is associated;
 - The disclosure will not unnecessarily prejudice a sensitive commercial or legal situation.
5. A person who, at the request or with the consent of Council or a Council committee, gives advice on any matter at any meeting of the Council or a Council committee must disclose the nature of any pecuniary interest the person has in the matter to that meeting at the time the advice is given.

Section 456 of the Local Government Act 1993 is not breached if the advisor did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a Pecuniary Interest. (Section 457 of the Act)

3.4 Deciding if a Conflict of Interest Exists

The following questions may help in deciding whether a conflict of interest exists or whether a Councillor or staff member's conduct could create the impression that a conflict of interest exists:

- Do I, a relative, friend or associate stand to gain or lose financially from the Council's decision or action on this matter?
- Do I, a relative, friend or associate stand to gain or lose my/our reputation because of Council's decision or action on this matter?

- Have I contributed in a private capacity in any way to the matter before Council?
- Have I made any promises or commitments in relation to the matter?
- Have I received a benefit or hospitality from someone who stands to gain or lose from Council's decision or action?
- Am I a member of an association, club or professional organisation, or do I have particular ties and affiliations with organisations or individuals, who stand to gain or lose from Council's consideration of this matter?
- Is the person an election campaign donor or someone who helped during my election campaign?
- Could there be benefits for me in the future that could cast doubt on my objectivity?
- If I participate in assessment or decision making, would I be happy if my colleagues and the public became aware of my association or connection?
- Would a fair and reasonable person perceive that I was influenced by personal interest in performing my public duty?
- Do I need to seek advice or discuss the matter with an objective party?
- Am I confident of my ability to act impartially and in the public interest?
- Do I understand the possible penalties if I go on with the action?

Note: The references to “before Council”, “Council’s consideration”, etc, also refer to issues to be dealt with under delegated authority by Council officers.

3.5 Responsibility for Making a Disclosure

If a person is unsure as to whether or not they have a conflict of interest, they should give full written details to the General Manager (employees) or Chairman or General Manager (Councillors) or seek independent legal advice. The objective of notification is to protect both the individual and the Council.

Neither the Chairman nor General Manager has a responsibility to provide a person with a determination on whether or not they have a conflict of interest in a matter.

The responsibility rests with the individual. In many cases, only the individual will be aware of the potential for a conflict of interest. They are encouraged to err on the side of caution by declaring their interest and by not participating in discussion or in decision making if there is any doubt as to their interest in the matter.

3.6 Complaints Regarding Failure to Disclose an Interest

Staff may make a report under Council’s internal reporting system for protected disclosures if they think a colleague has failed to disclose a conflict of interest. The report will then be dealt with under the terms of Council’s Internal Reporting Policy.

Any person may make a complaint to the Director-General of the Department Local Government, or the Director General may make a complaint, that a person has or may have failed to disclose a pecuniary interest.

A complaint must be in writing; and

- must identify the complainant and the person against whom the complaint is made; and
- must give particulars of the grounds of the complaint; and
- must be verified by statutory declaration; and
- must be lodged with the Director-General at the following address:

Director-General, Division of Local Government

Locked Bag 3015, Nowra, NSW 2541

Fax: (02) 4428 4199

Phone: (02) 4428 4100

Email: dlg@dlg.nsw.gov.au

The Director General may investigate a complaint. The Director General may refer a complaint for investigation to an authority, being the Ombudsman, the Independent Commission Against Corruption, the Commissioner of Police or the Director of Public Prosecutions, if the authority agrees to the referral. Such referral may be made whether or not the Director General has begun to investigate the complaint.

The Director General may decide not to investigate a complaint but to authorise an investigation under Section 430 of the Local Government Act 1993 in respect of a matter to which the complaint relates.

The Pecuniary Interest Tribunal may consider reports concerning complaints.

3.7 Managing Conflicts of Interest

Apart from declaring an interest, Councillors and Council staff must manage that conflict.

Strategies for managing conflicts of interest include:

1. Take no action except to register the details in the case where the potential for a conflict is minimal.
2. Place restrictions on an employee's involvement in the matter in cases where they can be effectively separated from parts of the process.
3. Use a disinterested third party to oversee part or all of the process where it is not feasible or desirable for an employee to remove themselves for the decision-making process.
4. The employee or Councillor can choose to remove themselves completely from the matter.
5. The employee or Councillor may elect to relinquish the private interest that is the source of the conflict.

3.8 Conflicts of Interest Register

Council will maintain a register of all declared interests. This register will be available for public inspection under the Government Information (Public Access) Act 2009 and Regulation 2010.

17. DRAFT POLICY 5.21 COUNCILLOR'S TRAINING AND DEVELOPMENT

RECOMMENDATION that Riverina Water County Council adopt the Draft Policy 5.21 Councillor's Training and Development.

Advice has been received that Riverina Water County Council needs to adopt a policy to guide Councillors and staff in accessing training and development opportunities.

A draft policy has been developed and is attached for Councillors' information.

The objectives of the Policy are:-

- Ensure Councillors have equal access to training and educational opportunities; and
- Ensure Councillors have the opportunity to maintain their knowledge and skill base to contemporary standards and expectations.

It is appropriate that this policy be adopted to ensure that Councillors are able to access suitable training.

COUNCILLOR TRAINING AND DEVELOPMENT POLICY

POLICY NUMBER:	REFERENCE	POL 5.21	
Original publication date			
Revision number	Issue Date	Approved	Approval date
0		Res:	x
<p>This document is to be reviewed every 4 years. Next review date: October 2016</p>			
RESPONSIBLE OFFICER		General Manager	

PART 1: INTRODUCTION

1.1 Policy Objectives:

The aims of the policy are to:

- Ensure Councillors have equal access to training and educational opportunities; and
- Ensure Councillors have the opportunity to maintain their knowledge and skill base to contemporary standards and expectations.

1.2 Scope of Policy

This policy applies to all elected representatives of Riverina Water County Council.

1.3 Legislative Context

Councillors are bound by the Local Government Act 1993 and the Local Government Regulations, together with a number of other statutory instruments:

- State Records Act
- Privacy and Personal Information Protection Act

1.4 Responsibilities

Councillors are responsible for identifying their own development needs, together with making themselves available to attend the development and training sessions held each year.

The General Manager is responsible for planning, scheduling and facilitating training and development sessions for Councillors.

It would be anticipated that much of Councillors training would be undertaken by their individual constituent Council.

1.5 Related Documents

This policy should be read in conjunction with Policy 5.3 "Payment of Expenses and Provision of Facilities to Councillors".

1.6 Review Procedures

This policy is to be reviewed every four years.

PART 2: POLICY CONTENT

2.1 Information Collection

Council will collect information regarding the development and training needs of Councillors in a number of ways, including:

- Councillor Surveys/questionnaires
- Councillor feedback
- Observations during Council meetings and workshops

Such information will be collected prior to the close of each financial year, in order to draft a training plan for the subsequent year.

2.2 Training Needs

Council will develop and adopt a Training and Development plan each year so as to ensure that training activities available to all Councillors contribute to the achievement of the strategic and good governance objectives of Council.

Particular emphasis will be given in the Training Plan to the training needs of new Councillors elected to Council following a general election.

It is recognised that Councillors will have training provided by their constituent Council and this information will be taken into account when drafting the Training Plan

The training and educational opportunities made available to Councillors will include content which specifically relates to Councillors' legislative and governance roles and functions. Accordingly the following components will be included at an introductory level in post-election induction sessions, as well as in more detail in at least one training session during the four year term of Council:

- Role and Responsibilities of Councillors
- Relationship between Councillors , the General Manager and Staff
- Meeting Procedures
- Conflict of Interest
- Code of Conduct
- Good Governance
- Strategic Management
- Media Skills

Additional development areas will be assessed as they arise and incorporated into the Annual training Plan. Where urgent training is required, this will be accommodated in addition to planned development sessions and in accordance with Councillors' availability.

2.3 Delivery Methods

A range of delivery methods will be required to support the training needs of Councillors including:

- Workshops ,seminars and informal briefing sessions conducted by Council with appropriate guest speakers and trainers
- Attendance at workshops, seminars and conferences offered by organisations such as Local Government Learning Solutions, Australian Local Government Association, Local Government Managers Association of Australia and other private providers that offer an opportunity for Councillors to gain relevant skills.
- Distribution of training booklets and discussion papers for information.
- On line training delivery.

2.4 Annual Budget Allocation

A budget allocation will be provided to support the training and development activities undertaken by Councillors and expenditure will be reported on a quarterly and annual basis.

2.5 Reporting

In each financial year, the General Manager will maintain data pertaining to training undertaken by Councillors.

So much of this data, which is required by legislation, will be published in Council's Annual Report.

18. DRAFT POLICY 5.22 COUNCILLOR'S ACCESS TO INFORMATION, INTERACTION WITH STAFF AND ACCESS TO COUNCIL PREMISES

RECOMMENDATION that Riverina Water County Council adopt the Draft Policy 5.22 Councillor's Access To Information, Interaction With Staff And Access To Council Premises.

Advice has been received that Riverina Water County Council needs to adopt a policy to guide Councillors and staff as appropriate ways that Councillors can obtain information, interact with staff and have access to Council premises.

A draft policy has been developed and is attached for Councillors' information.

The objectives of the Policy are:-

- Provide a standard approach by which Councillors can access Council records.
- Ensure accessibility to Councillors of all documents that are required by them to undertake their statutory responsibilities.
- Ensure that Councillors receive accurate and timely advice to aid them in the performance of their civic responsibilities.
- Facilitate the appropriate level of access to staff.
- Facilitate a harmonious and respectful relationship between Councillors and staff, taking into account the differing roles that they are required to undertake as defined in the Local Government Act.
- Complement the Council's Code of Meeting Practice and the Council's Code of Conduct.

It is appropriate that this policy be adopted to ensure that Councillors are able to obtain information necessary to assist them in undertaking their role as a Councillor.

COUNCILLOR'S ACCESS TO INFORMATION AND INTERACTIONS WITH STAFF AND ACCESS TO COUNCIL PREMISES POLICY

POLICY REFERENCE NUMBER:		POL 5.22	
Original publication date			
Revision number	Issue Date	Approved	Approval date
0		Res:	x
<p>This document is to be reviewed every 2 years. Next review date: October 2014</p>			
RESPONSIBLE OFFICER		General Manager	

POLICY STATEMENT

Riverina Water County Council is committed to:

- Cooperation and collaboration between Council staff and its elected members;
- On-going professional development of elected members;
- Clear distinction between enquiries of civic and personal nature.

Objective

The objectives of this policy are to:

1. Provide a standard approach by which Councillors can access Council records.
2. Ensure accessibility to Councillors of all documents that are required by them to undertake their statutory responsibilities.
3. Ensure that Councillors receive accurate and timely advice to aid them in the performance of their civic responsibilities.
4. Facilitate the appropriate level of access to staff.
5. Facilitate a harmonious and respectful relationship between Councillors and staff, taking into account the differing roles that they are required to undertake as defined in the Local Government Act.
6. Complement the Council's Code of Meeting Practice and the Council's Code of Conduct.

Legislative Compliance – Intent

Councillors must have access to information and staff in order to ensure the smooth functioning of the Council. This policy establishes the protocols to be followed so that access to information and staff is facilitated through appropriate internal channels or legally available channels.

Provide direction on Councillors' rights of access the Council Administration Office.

Scope

This policy applies to all Councillors of Riverina Water County Council.

This policy applies to all employees, contractors and volunteers working on behalf of the Riverina Water County Council in whatever capacity.

Definitions

Councillors refer to all elected representatives of Riverina Water County Council as defined by the Local Government Act 1993.

The role of the Council is to determine the strategic direction and determine the policy framework of the Council.

The role and function of the General Manager is to effectively manage the organisation, direct staff and implement Council's policies and strategic objectives.

Statutory Provisions relating to Access to Council records are contained in the Local Government Act (LGA), the Government Information (Public Access) Act 2009 (NSW) and the Privacy and Personal Information Protection Act (PIPPA).

Council's Public Officer is the General Manager.

Junior Staff are defined as any staff member below the level of manager.

Public contact staff refers to:

Customer Service staff

Documents refer to:

- Files/correspondence
- Public Registers
- Development and other Applications

Provisions

Councillor Access Information

Open Access Information – Section 6 (1) of the Government Information (Public Access) Act 2009 (GIPA) provides that the Council must make government information that is open access information publicly available. Open access information is made available through Council's website or it may be viewed by appointment during office hours. Appointments can be made through the General Manager.

The General Manager/Public Officer is responsible for ensuring that members of the public and Councillors can gain access to the documents that are publically available.

Rights of Access to Information – The General Manager must provide Councillors with information sufficient to enable them to carry out their civic office functions.

A Councillor may request the General Manager to provide them with access to a document or other record of Council relating to a matter which is, or is to be, or has been, under consideration of the Council. Councillors are entitled to access all files, records or other documents where that document is identified as Open Access under GIPA or to a matter currently before the Council.

Councillors can request access to other documents of the Council by a GIPA application.

Information provided to a particular Councillor in the performance of their civic duties must also be available to any other Councillors who request it.

Councillors who have a personal (as distinct from civic) interest in a document of

Council have the same rights as any other person. Councillors can request access to other documents of the Council by making an application under GIPA.

Refusal of Access to Documents – Where the General Manager/Public Officer determines to refuse access to a document sought by a Councillor, they must act reasonably in reaching this decision, and they must take into account whether or not the document sought is required for the Councillor to perform their civic duty. The General Manager/Public Officer must then give the option of applying for the documents under the GIPA and if access is still refused must state the reasons for the decision (as specified under the provisions of GIPA). Councillors will not be provided with access to staff records.

Responsibility/Accountability - Councillors must not release personal information about a third party except in accordance with the provisions of the Privacy and Personal Information Act. Information can be obtained in Council's Privacy Management Plan and the Public Officer can also advise on this.

In regards to information obtained in the capacity as a Council Official, Councillors must:

- Only access Council information needed for Council business;
- Not use that Council Information for private purposes;
- Not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for themselves, or any other person or body, from information to which they have by virtue of their office or position with Council; and
- Only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

Councillors and staff are responsible for ensuring that any breaches of this policy are reported to the General Manager.

Where the breach relates to the conduct of a Councillor, the General Manager is responsible for immediately reporting the matter to the Chairperson and where the breach relates to the conduct of the Chairperson, the General Manager is responsible for reporting this to Council.

Where the breach relates to the conduct of staff the General Manager is responsible for taking appropriate disciplinary action if the breach is proven.

Use and Security of Confidential Information – Councillors must maintain integrity and security of confidential documents or information in their possession, or for which they are responsible.

In addition to their general obligations relating to the use of Council information, Councillors must:

- Protect confidential information;
- Only use confidential information for the purpose it is intended to be used;

- Not use confidential information gained through their official position for the purpose of securing a private benefit for themselves or any person;
- Not use confidential information with the intention to cause harm or detriment to the Council or any other person or body; and
- Not disclose any information discussed during confidential session of a Council Meeting.

Right of Review – If a Councillor is concerned about any refusal to provide information, he/she should firstly raise the matter with the General Manager (or the Chairperson if it was the General Manager who refused to provide the information) and refer to the Code of Conduct Policy.

For refusal of access under GIPA a Councillor may ask for an internal review or an external review by the Information Commissioner. For more information go to www.oic.nsw.gov.au.

Interaction between Councillors and Staff

During Meetings - Interaction between Councillors and staff at Council meetings and committee meetings is regulated by:

- Section 360 of the Local Government Act;
- Part 10 Divisions 1 to 4 of the Local Government (General) Regulation;
- Council's Code of Conduct; and
- Council's Code of Meeting Practice.

Councillors at Council Meetings can ask questions of other Councillors by going through the Chairperson, ask questions of Council staff by going through the Chairperson and then the General Manager and bring forward Notices of Motion, Questions on Notice and matters of urgency where relevant notice has been provided and procedure followed.

As defined by Council's Code of Meeting Practice, at a Council Meeting, Councillors may put a question through the Chairman to the General Manager to a member of staff to clarify a matter that is before the Council.

Access to staff outside of Meetings - The General Manager is responsible to the Council for the performance of all staff and day to day management of Council. Therefore, it is appropriate that all requests for information and approaches to staff on matters not generally available to the public and which are outside the forum of Council and Committee meetings, be directed to the General Manager or to person(s) nominated by the General Manager.

Persons nominated by the General Manager include the Director of Engineering. Only the General Manager and Director can provide advice to Councillors and any other officer nominated by the General Manager and/or Director, from time to time.

Requests for actions, services or maintenance may be made by contacting the Council Office or in writing and submitting it to the General Manager. Staff should ensure that all requests form part of Council records for as long as required.

When a detailed report is required, a Notice of Motion should be made to Council.

If a Councillor is concerned about any refusal to provide information, the matter should be raised with the General Manager. If the Councillor is still dissatisfied they should request the information by way of a Question on Notice to the Council.

Councillors who have lodged a Development Applicant or connection request must not discuss their application with junior staff unless the relevant Manager, Director or General Manager is present. All enquiries must be directed through the General Manager or Director. Discussions must be documented.

Councillors shall not approach junior members of staff directly for information or advice, other than public contact staff and then only for routine administrative matters.

The Chairperson may communicate with Council staff in the course of fulfilling the Chairperson's responsibilities and the General Manager is responsible for keeping the Chairperson informed of all matters relevant to those responsibilities.

Staff members will not approach Councillors directly on other than routine administrative matters. Any other contact with Councillors must be arranged through the Director of Engineering or the General Manager.

Staff members will not lobby Councillors on policy issues.

Councillors must not attempt to direct or influence staff as to the performance of their work.

Councillors must not request staff to undertake work of a personal nature for them or any other person.

Councillor Access to Council Offices

As elected members of the Council, Councillors are entitled to have unimpeded access to all public areas and meeting room.

Councillors who are not in pursuit of their civic duties only have the same rights of access to Council buildings and premises as any other member of the public. Appropriate protocols with respect to meeting OH&S requirements need to be followed in this instance with building entry sign-in being required as is the case for any other member of the public.

Councillors may not enter "staff only" areas unless with the permission of the General Manager or Director of Engineering.

Appropriate interactions between Councillors and staff and vice versa are required to be respectful and courteous and in line with Council's Code of Conduct obligations.

Related Policies/Codes/Guidelines

The Policy should be read in conjunction with:

- The Code of Conduct
- The Code of Meeting Practice
- Local Government Act 1993
- Local Government (Meeting) Regulations
- Under Careful Consideration: Key Issues for Local Government (ICAC)
- Good Conduct & Administrative Practice-Guidelines for Councils (NSW Ombudsman)
- The Government Information (Public Access) Act 2009 (NSW)
- Division of Local Government Circular to Councils 30/10
- Privacy and Personal Information Protection Act 1998
- State Records Act 1996

19. DRAFT POLICY 5.23 GIFTS AND BENEFITS

RECOMMENDED that Riverina Water County Council adopt the Draft Policy 5.23 Gifts and Benefits/

Advice has been received that Riverina Water County Council needs to adopt a policy to guide Councillors and staff as to the most appropriate way of dealing with gifts and benefits.

A draft policy has been developed and is attached for Councillors' information.

The objectives of the Policy are:-

- explain gifts and benefits, including token gifts and benefits and gifts and benefits of value
- provide clear guidelines on how to deal with gifts and benefits
- ensure that Council officials understand and meet their obligations under Council's *Code of Conduct and Conflicts of Interest Policy* so as not to be compromised or appear to be compromised because of a gift or benefit
- demonstrate that Council has a fair, transparent and accountable mechanism for dealing with gifts and benefits

It is appropriate that this policy be adopted to ensure that Council officials are able to operate in a transparent and ethical manner when acting on behalf of Riverina Water County Council.

Like other policies suggested, this policy would be part of an improvement in Council's Internal Control mechanism.



POLICY REGISTER

RIVERINA WATER COUNTY COUNCIL GIFTS AND BENEFITS POLICY

POLICY REFERENCE NUMBER:		POL 5.23	
Original publication date			
Revision number	Issue Date	Approved	Approval date
0		Res:	x
This document is to be reviewed every 2 years. Next review date: October 2014			
RESPONSIBLE OFFICER		General Manager	

PART 1: INTRODUCTION

Council is committed to preventing corruption in all its forms. One form of corruption that can seriously damage the credibility of an organisation is bribery.

Council recognises that gifts and benefits of nominal value are frequently offered and accepted and that there is little risk of harm in permitting this to occur. However, the Policy also recognises that on occasions, gifts and benefits are offered to influence the attitudes or decisions of Council officials in favour of the giver. In this case the gifts or benefits must be regarded as bribes and the giving and acceptance of them is a criminal offence.

1.1 Policy Objectives

The purpose of this policy is to establish guidelines for dealing with gifts and benefits and establish transparent processes so that the integrity and independence of the individual and the Council is not compromised.

The objectives of this policy are to:

- explain gifts and benefits, including token gifts and benefits and gifts and benefits of value
- provide clear guidelines on how to deal with gifts and benefits
- ensure that Council officials understand and meet their obligations under Council's *Code of Conduct and Conflicts of Interest Policy* so as not to be compromised or appear to be compromised because of a gift or benefit
- demonstrate that Council has a fair, transparent and accountable mechanism for dealing with gifts and benefits

1.2 Scope of Policy

This policy applies to all Council Officials as defined within this policy.

This policy does not deal with political donations and gifts that are dealt with under the *Environmental Planning and Assessment Act 1979*.

This policy operates in addition to all other obligations under the *Local Government Act 1993* (the Act), any other legislation, or relevant codes and policies regarding the disclosure of any interests.

1.3 Definitions

Benefit A non-tangible item of value (e.g. a new job or promotion, preferential treatment or access to confidential information) that one person or organisation confers on another. Some examples include:

- Tickets to sporting events or other entertainment;
- use of facilities such as a gymnasium or holiday home;
- free or discounted travel, Frequent Flyer points;

Bribery Is defined as receiving or offering any undue reward by, or to, any person in public office in order to influence his or her behaviour in that office, and to incline that person to act contrary to the known rules of honesty and integrity.

Council Official An individual who carries out public official functions or acts in the capacity of a public official. These include Councillors, members of staff, members of Council committees, conduct reviewers and delegates of Council.

Corruption The abuse of public office (ie public trust) for private or personal advantage.

Cumulative Gifts A series of small gifts, each of which is of minimal value, may have an aggregate value that exceeds Council's stipulated nominal value. Such circumstances need to be treated in the same way as gifts which exceed nominal value.

Delegate of Council A person or body, and the individual members of that body, to whom a function of Council has been delegated.

Nominal Value A value that usually does not create a sense of obligation in the receiver that will influence, or appear to influence, the exercise of his or her official duties. For the purpose of this Policy, Council has determined that \$50 is the maximum nominal value of any gift or benefit.

Gift

Gift influence of A gift that is intended to generally ingratiate the giver with the recipient for favourable treatment in the future.

Gift gratitude of A gift offered to an individual or agency in appreciation of performing specific tasks or for exemplary performance of duties. Gifts to staff who speak at official functions would be considered gifts of gratitude.

Token Gifts	Items of minimal value that are given in gratitude for services provided such as speaking at a conference or training seminar, end of year functions or local social or cultural events. Some examples of token gifts include: <ul style="list-style-type: none"> • Modest bottle of wine • Chocolates • Ties/scarves • Stationery - pens or diaries • Coffee mugs, coasters - tie pins • Clothing – caps T-shirts, Polo's etc.
Ceremonial Gift	An official gift from one agency to another agency e.g. commemorative plaque from an overseas delegation. Such gifts are often provided to a host agency when conducting official business with delegates from another organisation. Although these gifts may sometimes be offered to express gratitude, the gratitude usually extends to the work of several people in the agency, and therefore the gift is considered to be for the agency, not a particular individual.
Gift register	An official agency record that details gifts and benefits received by staff and how they were managed.
Official duties	The work done by a public official as defined by relevant or governing legislation (and regulations), the official's position description or lawful directions given by a supervisor.
Staff	All employees of Riverina Water County Council (full-time, part-time, temporary or casual). It also includes, for the purposes of this policy only, all volunteers and contractors (who principally provide their labour).

1.4 Legislative Context

Corruptly receiving a gift or benefit is an offence under both the common law and NSW legislation.

(1) Crimes Act 1900 (NSW)

Section 249B(1) of the Crimes Act 1900 (NSW) creates an offence if any employee corruptly receives or solicits (or corruptly agrees to receive or solicit) from another person any benefit as an inducement to do, or not do, something in relation to their official duties. This also pertains to receiving benefits for showing favour or disfavour to any person in relation to their official duties.

(2) Local Government Act 1993

Section 440 of the Act requires that councils adopt a code of conduct. The section states that serious corrupt conduct, of which bribery is an example, may lead to the dismissal or temporary suspension from office of a Councillor or of a staff member.

(3) Independent Commission Against Corruption Act 1988 (ICAC Act)

Under s11 of the ICAC Act, the General Manager has a duty to inform the ICAC about any matter that he or she suspects on reasonable grounds concerns or may concern corrupt conduct.

1.5 Related Documents

- Code of Conduct
- Conflicts of Interest Policy
- Statement of Business Ethics
- Anti-fraud and Corruption Policy
- Good Governance Policy

1.6 Code of Conduct

Gifts and Benefits are dealt with under clause 8 of the *Code of Conduct (Personal Benefit)*. This policy expands on the provisions of the Code of Conduct and establishes a procedure for disclosing and, where necessary, surrendering certain gifts and benefits.

PART 2: POLICY CONTENT

2.1 General Provisions

- 1) Council generally discourages the acceptance of gifts or benefits by Councillors, Council staff or Council delegates (Council Officials) unless such gifts are made to the Council as a corporate body rather than to an individual.
- 2) No gifts **of any value** (including nominal value) are to be accepted by Councillors, Council staff or Council delegates (Council Officials) in any circumstances during the course of a tender period.
- 3) If a gift or benefit is received in the course of a Council Official's duties and relates to the work of Council, or has a public benefit, it may be accepted. All such gifts become the property of Council and must be recorded in Council's Gifts and Benefits Register. Such gifts may be disposed of as provided for by clause 2.2.9 of this Policy.
- 4) No gifts or benefits of more than nominal value may be accepted by Council Officials, except in the circumstances set out in paragraph 2.2.1.(3) below.

- 5) Under no circumstances are offers of money, including items that can be redeemed for money such as gift vouchers, lotto/lottery/scratchie tickets, tickets to events, travel tickets, goods and/or services, to be accepted.
- 6) You must always consider the purpose, intent and value of the gift or benefit being offered before making a decision to accept such gift or benefit.

2.2 Specific Provisions

2.2.1 Special Circumstances

- 1) Gifts to family members – Council staff must take all reasonable steps to ensure that their immediate family members are not the recipients of gifts and benefits that could be perceived to be an attempt to influence the behaviour of that Council Official.
- 2) Prizes and gifts - On occasions Council officials may receive a prize or gift as a result of entering a competition while engaging in official Council business. Any such gifts/prizes that are received shall be deemed to be the property of Council, not the individual, and may be disposed of as provided under clause 2.2.9 of this Policy.
- 3) Gifts that cannot be returned – There may be circumstances where a gift, unacceptable under Council's policy, is inadvertently accepted by a Council official or may not be easily returned (for example, in some cultures where non-acceptance or returning a gift may cause offence, insult or embarrassment) or the value of such gift is unknown at the time of receipt. Such gifts shall be deemed to be the property of Council and disposed of appropriately as set out in clause 2.2.9 of this Policy.

2.2.2 Forms of Gifts

Gifts come in many forms and are given for a variety of reasons, some reasons being appropriate, whilst others inappropriate. Gifts may be categorised as ones of influence, gratitude, token or ceremonial – each providing a different perspective of its intent.

The intent of the gift giving provides some basis for decision making in determining whether a gift should be accepted or declined, and should be considered in consult with the other parameters provided in this Policy.

2.2.3 Nominal value

One factor in determining whether a particular gift or benefit may be accepted is its value. The value of a gift or benefit will determine how it is dealt with. Council has a nominal value of \$50. Examples of gifts and benefits of nominal value would be:

- Inexpensive pen or stationery
- Box of chocolates
- Modest bottle of wine

By contrast, the following gifts and benefits would be likely to have more than the stated nominal value of \$50:

- Tickets to sporting events or other entertainment eg football matches, cocktail parties, concerts
- Works of art
- Jewellery
- Free or discounted travel

2.2.4 Token gifts

Token gifts and moderate acts of hospitality include:

- Free or subsidised meals and/or beverages provided infrequently (and/or reciprocally) by representatives of other public sector agencies or at corporate training or conferences
- Free meals and/or beverages provided to public officials who formally represent Council at government-related functions or events

If a Council Official attends any business meeting or a meeting with community members at which food and/or beverages are purchased, any costs incurred for that Council Official should be borne by that individual so as to avoid a perception of indebtedness, even though such amount may not exceed the nominal value.

2.2.5 The Giving of Gifts by Council

There may be occasions when it is appropriate for Council to give gifts or benefits to individuals from other public or private agencies. Such gift or benefit is to be of a value appropriate to the circumstances and with endorsement from the General Manager. Appropriate caution should be exercised when the proposed recipient or organisation has a continuing business relationship with Council.

2.2.6 Reporting of Offering of Gifts or Benefits

Council officials who receive a gift or benefit, regardless of the value, must complete the Gifts and Benefits Register Form as soon as practical after receiving the gift or benefit. Such gift or benefit is not to be used, consumed or disposed of prior to finalisation of the approval process including the General Manager's authorisation

2.2.7 The Offering of a Gift or Benefit During a Tender Period

Under no circumstances are gifts or benefits **of any value** (including nominal value) offered by a tenderer (or any related entity or individual) during the course of a tender period, to be accepted by a Councillor, Council staff or Council delegates (Council Officials).

If a gift or benefit is offered during a tender period the General Manager must be notified immediately.

2.2.8 Inappropriate Offering of a Bribe

If a Council Official is offered a bribe, corrupt inducement or reward, such matter must be reported to the General Manager immediately. The offer must not be accepted in any circumstances.

Any Council Official who believes they have been offered a bribe must:

- Immediately reject the offer
- Terminate the interaction with the person
- Keep a record of the events
- Inform their supervisor (or in the case of a Councillor, the General Manager)
- The supervisor must inform the General Manager immediately
- The General Manager must inform ICAC and the Police

The General Manager has a duty under section 11 of the Independent Commission Against Corruption Act 1988 to notify the Independent Commission Against Corruption of any possible corrupt conduct.

2.2.9 Conflicts of Interest

Consideration should also be given by Council officials as to whether or not acceptance of a gift or benefit is, or could be perceived to be, a conflict of interest. Council's Code of Conduct and Conflicts of Interest Policy should be applied in these circumstances.

2.2.10 Gifts or benefits that become the property of Council

The General Manager has the discretion to dispose of gifts or benefits, deemed to be those of the Council, in an appropriate manner. Such disposal may be by way of:

- Holding an auction with all proceeds going to a charity which provides services to the local community;
- Donating such goods to a charity that provides services to the local community;
- Sharing the gift or benefit amongst all staff for the purposes of performing Council operations (e.g. a computer printer that could be networked);
- Holding a fundraiser with the gifts or benefits as prizes.
- In the case of tickets to local functions of a token value, offer the tickets to staff and where responses exceed the number of tickets, conduct a draw.

20. DRAFT POLICY 5.24 STATEMENT OF BUSINESS ETHICS

RECOMMENDED that Riverina Water County Council adopt the Draft Policy 5.24 Statement of Business Ethics.

Advice has been received that Riverina Water County Council needs to make a clear statement to persons that it does business with that outlines Riverina Water County Council's ethics and standards. This Statement reflects the contents of Council's Draft Gifts and Benefits Policy.

A draft Statement has been developed and is attached for Councillors' information.

It is appropriate that this statement be adopted to ensure that Companies that do business with Council are able to operate in a transparent and ethical manner when dealing with Riverina Water County Council.

Like the Policies suggested, this Statement would be part of an improvement in Council's Internal Control mechanism.

STATEMENT OF BUSINESS ETHICS

POLICY REFERENCE NUMBER:		POL 5.24	
Original publication date			
Revision number	Issue Date	Approved	Approval date
0		Res:	x
<p>This document is to be reviewed every 2 years. Next review date: October 2014</p>			
RESPONSIBLE OFFICER		General Manager	

GENERAL MANAGER'S MESSAGE

This statement provides guidance for the private sector when doing business with Riverina Water County Council.

It outlines Council's ethical standards and expectations of goods and service providers and contractors in all of their dealings with Council. The Statement will also outline what goods and service providers and contractors can expect of Council.

Council aims to promote integrity, ethical conduct and accountability throughout Council's operations.

Our staff are expected to maintain high standards of integrity and ethical conduct, consistent with the positions of trust they hold and we expect no less of the service providers and contractors that undertake work for Council.

OUR BUSINESS PRINCIPLES

This statement will ensure that all its business relationships are honest, ethical, fair and consistent in obtaining best value for money. Best value for money does not automatically mean the lowest price. Council will balance all relevant factors including initial cost, whole of life cost, quality, reliability and timeliness in determining true value for money.

Part of obtaining best value for money will also include ensuring that all our business relationships are honest, ethical, fair and consistent.

Council business will be transparent and open to public scrutiny where ever possible.

WHAT YOU CAN EXPECT FROM COUNCIL

Council will ensure that all its policies, procedures and practices relating to tendering, contracting and the purchase of goods and services are consistent with best practice and highest standards of ethical conduct.

Our staff are bound by Council's Code of Conduct when doing business with the private sector and will be expected to:

- Abide by the law and all relevant policies and procedures.
- Use public resources effectively and efficiently.
- Deal fairly honestly and ethically with all individuals and organisations.
- Avoid conflicts of interest (whether real or perceived).

In addition all Council procurement activities are guided by the following core business principles:

- All potential suppliers will be treated with impartiality and fairness and given equal access to information and opportunities to submit bids.

- All procurement activities and decisions will be fully and clearly documented to provide an effective audit trail and allow for effective performance review of contracts.
- Tenders will not be called unless Council has a firm intention to proceed to contract.
- Council will not disclose confidential or proprietary information.

WHAT COUNCIL EXPECTS OF OUR SUPPLIERS, CONSULTANTS AND CONTRACTORS

Council requires all private sector providers to observe the following principles when doing business with Riverina Water County Council:

- Respect the obligations of Council staff to act in accordance with this statement
- Not exert pressure on Council staff to act in ways that contravene the business ethics or code of conduct of Council.
- Not offer staff inducements or incentives such as money, gifts, benefits, and entertainment or employment opportunities.
- Provide accurate advice and information when required.
- Act ethically, fairly and honestly in all dealings with Council.
- Declare any actual or perceived conflicts of interest as soon as you become aware of the conflict.
- Prevent the unauthorised release of privileged or confidential information, such as commercial-in-confidence information.

WHY SHOULD THE PRIVATE SECTOR COMPLY WITH THE STATEMENT?

By complying with Council's Statement of Business Ethics you will be able to advance your business through the opportunity to bid for public sector work on a level playing field. You will also enhance your capacity to undertake public sector work with similar compliance requirements in the future.

As all Council suppliers of goods and services are required to comply with this statement, no provider will be disadvantaged in any way. By complying with Council's principles this will also prepare your business for dealing with the ethical requirements of other government agencies, should you wish to do business with them.

Consequences for not complying with the principles of business ethics as outlined in this statement can be significant for both public officials and people doing business with Council.

Consequences for Council staff include investigation, disciplinary action, dismissal or potential criminal charges.

Consequences for private sector partners could lead to:

- Investigation for corruption or other offences.
- Possible loss of work.
- Damage to reputation.
- Termination of contracts.
- Loss of rights (such as loss of operating or trade licences).

It should be noted that any individual can be found corrupt by the Independent Commission Against Corruption (even if they are not a public official) if they try to improperly influence a public official or a public authority's honest or impartial exercise of their official functions.

SOME PRACTICAL GUIDELINES

- Incentives: Gifts, benefits, hospitality, meals, travel and accommodation.

Advice in relation to Gifts and Benefits can be found in Council's Code of Conduct and additionally Council has also adopted a Gifts and Benefits Policy which states that:

2.1 General Provisions

- 1) Council generally discourages the acceptance of gifts or benefits by Councillors, Council staff or Council delegates (Council Officials) unless such gifts are made to the Council as a corporate body rather than to an individual.
- 2) No gifts **of any value** (including nominal value) are to be accepted by Councillors, Council staff or Council delegates (Council Officials) in any circumstances during the course of a tender period.
- 3) If a gift or benefit is received in the course of a Council Official's duties and relates to the work of Council, or has a public benefit, it may be accepted. All such gifts become the property of Council and must be recorded in Council's Gifts and Benefits Register. Such gifts may be disposed of as provided for by clause 2.2.9 of this Policy.
- 4) No gifts or benefits of more than nominal value may be accepted by Council Officials, except in the circumstances set out in paragraph 2.2.1.(3) below.
- 5) Under no circumstances are offers of money, including items that can be redeemed for money such as gift vouchers, lotto/lottery/scratchy tickets, tickets to events, travel tickets, goods and/or services, to be accepted.
- 6) You must always consider the purpose, intent and value of the gift or benefit being offered before making a decision to accept such gift or benefit.

2.2 Specific Provisions

2.2.1 Special Circumstances

- 1) Gifts to family members – Council staff must take all reasonable steps to ensure that their immediate family members are not the recipients of gifts and benefits that could be perceived to be an attempt to influence the behaviour of that Council Official.
- 2) Prizes and gifts - On occasions Council officials may receive a prize or gift as a result of entering a competition while engaging in official Council business. Any such gifts/prizes that are received shall be deemed to be the property of Council, not the individual, and may be disposed of as provided under clause 2.2.9 of this Policy.
- 3) Gifts that cannot be returned – There may be circumstances where a gift, unacceptable under Council's policy, is inadvertently accepted by a Council official or may not be easily return (for example, in some cultures where non-acceptance or returning a gift may cause offence, insult or embarrassment), or the value of such gift is unknown at the time of receipt. Such gifts shall be deemed to be the property of Council and disposed of appropriately as set out in clause 2.2.9 of this Policy.

2.2.2 Forms of Gifts

Gifts come in many forms and are given for a variety of reasons, some reasons being appropriate, whilst others inappropriate. Gifts may be categorised as ones of influence, gratitude, token or ceremonial – each providing a different perspective of its intent.

The intent of the gift giving provides some basis for decision making in determining whether a gift should be accepted or declined, and should be considered in consult with the other parameters provided in this Policy.

2.2.3 Nominal value

One factor in determining whether a particular gift or benefit may be accepted is its value. The value of a gift or benefit will determine how it is dealt with. Council has a nominal value of \$50. Examples of gifts and benefits of nominal value would be:

- Inexpensive pen or stationery
- Box of chocolates
- Modest bottle of wine

By contrast, the following gifts and benefits would be likely to have more than the stated nominal value of \$50:

- Tickets to sporting events or other entertainment e.g. football matches, cocktail parties, concerts
- Works of art
- Jewellery
- Free or discounted travel

2.2.4 Token gifts

Token gifts and moderate acts of hospitality include:

- Free or subsidised meals and/or beverages provided infrequently (and/or reciprocally) by representatives of other public sector agencies or at corporate training or conferences
- Free meals and/or beverages provided to public officials who formally represent
- Council at government-related functions or events

If a Council Official attends any business meeting or a meeting with community members at which food and/or beverages are purchased, any costs incurred for that Council Official should be borne by that individual so as to avoid a perception of indebtedness, even though such amount may not exceed the nominal value.

2.2.5 The Giving of Gifts by Council

There may be occasions when it is appropriate for Council to give gifts or benefits to individuals from other public or private agencies. Such gift or benefit is to be of a value appropriate to the circumstances and with endorsement from the General Manager. Appropriate caution should be exercised when the proposed recipient or organisation has a continuing business relationship with Council.

2.2.6 Reporting of Offering of Gifts or Benefits

Council officials who receive a gift or benefit, regardless of the value, must complete the Gifts and Benefits Register Form as soon as practical after receiving the gift or benefit. Such gift or benefit is not to be used, consumed or disposed of prior to finalisation of the approval process including the General Manager's authorisation

2.2.7 The Offering of a Gift or Benefit During a Tender Period

Under no circumstances are gifts or benefits **of any value** (including nominal value) offered by a tenderer (or any related entity or individual) during the course of a tender period, to be accepted by a Councillor, Council staff or Council delegates (Council Officials).

If a gift or benefit is offered during a tender period, the General Manager must be notified immediately.

2.2.8 Inappropriate Offering of a Bribe

If a Council Official is offered a bribe, corrupt inducement or reward, such matter must be reported to the General Manager immediately. The offer must not be accepted in any circumstances.

Any Council Official who believes they have been offered a bribe must:

- Immediately reject the offer
- Terminate the interaction with the person
- Keep a record of the events
- Inform their supervisor (or in the case of a Councillor, the General Manager)
- The supervisor must inform the General Manager immediately
- The General Manager must inform ICAC and the Police

The General Manager has a duty under section 11 of the Independent Commission Against Corruption Act 1988 to notify the Independent Commission Against Corruption of any possible corrupt conduct.

• **Conflicts of Interest**

All Council staff are required to disclose any potential conflicts of interest. Council also extends this requirement to business partners, contractors and suppliers. A conflict of interest can be either:

1. Pecuniary – An interest that a person or company has in a matter because of a reasonable likelihood or expectation of financial gain or loss to the person with whom the person is associated or,
2. Non Pecuniary – A private or personal interest of an official or staff member or delegate that does not amount to a pecuniary interest as defined in the Local Government Act 1993 (eg: a friendship, membership of an association, society or trade union, or involvement or interest in an activity an may include an interest of a financial nature (DLG Model Code of Conduct December 2004 Page 12). Any complaints about possible conflict of interest should be directed to Council's General Manager for attention.

- **Sponsorship and related practices**

Council will not ask for, entertain or enter into any sponsorship or similar arrangement that is not open and transparent or if such sponsorship creates a perception that it could be part of an attempt to improperly influence any organisational decision-making process.

- **Confidentiality**

Information that is considered sensitive may have commercial implications for Council together with staff matters of a personal nature will be considered confidential.

Under the Government Information (Public Access) Act 2009 (GIPAA), confidential information may be accessed upon payment of the appropriate application fees and application to Council's Information Access Officer.

- **Ethical Communication**

Providers of goods and services should ensure that communication is clear, direct and accountable to minimise the risk of perception of inappropriate influence on any business relationship.

If communication needs to be confidential for commercial in confidence or personal reasons, the communication shall still abide by the principles of clear, direct and accountable.

- **Use of Council Resources**

All Council resources must be used ethically, effectively, efficiently and carefully in the course of official business and must not be used for private purposes (except when supplied under a contract of employment) unless lawfully authorised and proper payment is made where appropriate.

- **Secondary Employment**

Under the Local Government Act 1993, all Council staff must obtain consent of the General Manager for any secondary employment that relates to the business of Council or might conflict with their Council duties. The General Manager will make the final determination whether to grant or refuse consent. Secondary employment will not be approved if it has the potential to create a real or perceived conflict of interest between the staff member's public role and their private interest.

- **Expectations of Contractors and Sub Contractors**

Council emphasises that all Contractors and Sub Contractors will be expected to be aware of and comply with the Statement of Business Ethics.

- **Who to contact about the Statement of Business Ethics**

If you are concerned about a possible breach of this Statement, or about conduct that could involve fraud, corrupt conduct, maladministration or serious and substantial waste of public funds, please contact the General Manager, Riverina Water County Council by one of the following methods:

Letter: P.O. Box 456, Wagga Wagga, NSW, 2650

Phone: (02) 6922 0608

Fax: (02) 6921-2241

Email: admin@rwcc.com.au

Persons reporting corrupt conduct are protected by the Protected Disclosures Act 1994. This Act protects individuals disclosing corruption related matters from reprisals or detrimental action and ensures that disclosures are properly investigated and dealt with.

21. DRAFT POLICY 5.25 GOOD GOVERNANCE

RECOMMENDED that Riverina Water County Council adopt the Draft Policy 5.25 Good Governance.

Advice has been received that Riverina Water County Council needs to adopt a policy that outlines its commitment to good governance. .

A draft policy has been developed and is attached for Councillors' information.

The objectives of the Policy are:-

- Achieve the highest standards of governance.
- Ensure the compliance of Councillors, Council staff and delegates with relevant legislation.
- Seek excellence in governance through continuous improvement and working on the system.
- Provide guidance to Councillors and Council staff in achieving good governance.

It is appropriate that this policy be adopted to demonstrate Council's commitment to good governance.

GOOD GOVERNANCE POLICY

POLICY REFERENCE NUMBER:		POL 5.25	
Original publication date			
Revision number	Issue Date	Approved	Approval date
0		Res:	x
<p>This document is to be reviewed every 2 years. Next review date: October 2014</p>			
RESPONSIBLE OFFICER		General Manager	

PART 1: INTRODUCTION

Governance is becoming an increasingly important concept and impacts all sectors of the community. The practice of good governance is increasingly seen as critical for ensuring that the governance of organisations has a legal and ethical basis, that decisions are taken in the interests of stakeholders, and that the organisation behaves as a good corporate citizen should.

This policy demonstrates Riverina Water County Council's commitment to the principles of good governance.

1.1 Policy Objectives

This policy, and the principles set out in the policy, aim to:

- Achieve the highest standards of governance.
- Ensure the compliance of Councillors, Council staff and delegates with relevant legislation.
- Seek excellence in governance through continuous improvement and working on the system.
- Provide guidance to Councillors and Council staff in achieving good governance.

1.2 Definitions

Ethics

Ethics are the moral principles by which any particular person or organisation is guided; the rules of conduct recognized in a particular profession or area of human life.

Governance

Governance is the process of decision-making and the process by which decisions are implemented or not.

Good governance

Good governance means that the structures, activities and operations of the Council are conducted in accordance with the principles of legal compliance, probity, transparency, accountability, and respect for people within the Council and for all other stakeholders.

1.3 Related Document

Code of Conduct

PART 2: POLICY CONTENT

2.1 General Provisions

2.1.1 *Characteristics of Good Governance*

The characteristics of good governance are:

- It is participatory
- It is consensus-oriented
- It is accountable
- It is transparent
- It is responsive
- It is effective and efficient
- It is equitable and inclusive
- It is law-abiding

2.1.2 *Roles of Local Government*

Council will apply the following general principles set out in its Charter to sustain community democracy and encourage active citizenship within its area:

- To provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively
- To exercise community leadership
- To exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism
- To properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- To have regard to the long term and cumulative effects of its decisions
- To bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible
- To raise funds for local purposes by the fair imposition of charges and fees, by income earned from investments and, when appropriate, by borrowings and grants
- To keep the local community and the State government (and through it, the wider community) informed about its activities
- To ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected
- To be a responsible employer

2.1.3 Principles of Good Governance

In addition to implementing the provisions of its Charter, Council will apply the following principles:

- Council decision-making will exhibit transparency, honesty and probity.
- Council will make decisions that represent the best long-term interest of the whole of the area covered by Riverina Water County Council.
- Councillors will respect the decisions of the majority and once decisions are made, will support those decisions.
- Councillors will be accountable for the development of policy and the strategic direction of the area serviced by Riverina Water County Council.
- The General Manager and Council officers will be accountable for the implementation of Council policy and decisions except where they apply exclusively to Councillors.
- All Councillors and Council staff will observe the Code of Conduct in spirit and in letter.

PART 3: POLICY IMPLEMENTATION GUIDELINES

3.1 Good Governance Framework

Council will achieve and maintain good governance through the use of a Good Governance Framework based on the key elements identified in the Local Government Managers Australia (LGMA) Governance Health Check. The use of the Governance Health Check is recommended by both the Department of Local Government and the Independent Commission Against Corruption (ICAC).

The four key elements of good governance are:

Ethics and Values

Setting an appropriate standard of ethics is an important factor in establishing and enforcing a high ethical culture. It helps Council reduce fraud, corruption, maladministration and wastage and ensures that Council has the respect of the community.

Key areas are:

- Code of Conduct
- Internal reporting
- Statement of adopted values
- Statement of business ethics for external parties
- Conflicts of interest
- Gifts and benefits
- Councillors' access to information and interactions with staff

Risk Management and Internal Control

In order to achieve its objectives and operate effectively and in accordance with sound governance principles, Council needs to be aware of key risks that it faces and needs to have appropriate controls in place to deal with those risks. Key areas are:

- Risk management
- Internal controls
- Fraud and Corruption Prevention Plan
- Legislative compliance
- Privacy
- Secondary employment
- Payment of expenses and provision of facilities to Councillors
- Procurement and disposal procedures
- Records management

Decision-making Processes

Sound decision-making processes that comply with the principles of good governance will help Council's individual decisions to withstand scrutiny by regulators, courts, the media and those affected by the decisions. Key areas are:

- Code of meeting practice
- Committee system
- Involvement of stakeholders
- Delegations of authority
- Integrated Planning & Reporting Requirements
- Policies and procedures
- Provision of advice
- Monitoring and Review

These processes are important to ensure that Council is operating appropriately and that Council and people at council are accountable for their actions. Monitoring and review also helps to ensure that Council can react to changes in its environment efficiently and effectively. Key areas are:

- Annual report
- Performance management
- Complaints handling
- Registers
- Access to documents

3.2 Implementation and Assessment

The Good Governance Framework will be implemented through the provisions of Council's Good Governance Action Plan.

The Good Governance Action Plan sets out a range of actions required to achieve compliance with legislation and to achieve excellence based on benchmark activities listed in the LGMA Governance Health Check.

Achievement will be assessed and reported annually against the LGMA Governance Health Check.

22. DRAFT POLICY 5.26 PUBLIC ACCESS TO INFORMATION

RECOMMENDED that Riverina Water County Council adopt the Draft Policy 5.26 Public Access to Information.

Under guidelines issued by the Division of Local Government, Riverina Water County Council needs to adopt a policy that summarises the rights of the public in accessing Council Information.

A draft policy has been developed and is attached for Councillors' information.

The objectives of the Policy are:-

- The purpose of this Policy is to facilitate the public's right to access government information under the Government Information (Public Access) 2009 (GIPA Act).
- This Policy sets out the documents and types of information that are available to members of the public as a matter of routine (open access information), and information not made publicly available which may be requested via the formal access application process.
- This Policy establishes an internal process for processing formal access applications and informal requests for access to Council records, and aims to demonstrate Council's commitment to the principles of the GIPA Act.

It is appropriate that this policy be adopted to demonstrate Council's commitment to good governance.

PUBLIC ACCESS TO INFORMATION POLICY

POLICY REFERENCE NUMBER:		POL 5.26	
Original publication date x			
Revision number	Issue Date	Approved at	Approval date
0	October 2012	Res:	x
1	x	Res No:	x
<p>This document is to be reviewed every year. Next review date: October 2013</p>			
RESPONSIBLE MANAGER		GENERAL MANAGER	

PART 1: INTRODUCTION

Members of the public have a legally enforceable right to access government information held by the Riverina Water County Council. The Government Information (Public Access) Act 2009 extends the right of the community to have access to information held by State Government departments, local and public authorities with a view to achieving more open, accountable, fair and transparent government.

The Riverina Water County Council, as a local authority, is subject to the Government Information (Public Access) Act 2009 (GIPAA) and accordingly acknowledges the right of the public to obtain government information about Council's structure, policies

1.1 Policy Objectives

- The purpose of this Policy is to facilitate the public's right to access government information under the Government Information (Public Access) 2009 (GIPA Act).
- This Policy sets out the documents and types of information that are available to members of the public as a matter of routine (open access information), and information not made publicly available which may be requested via the formal access application process.
- This Policy establishes an internal process for processing formal access applications and informal requests for access to Council records, and aims to demonstrate Council's commitment to the principles of the GIPA Act.

1.2 Principles

The Riverina Water County Council is committed to the following principles regarding public access to government information held by Council:

- Service Quality
- Open and transparent government
- Respect for the privacy of individuals
- Consideration of the public interest in relation to access requests

1.3 Scope of Policy

This Policy applies to all members of the public wishing to access Council information, all Councillors and Council personnel.

1.4 Definitions

Council	The Riverina Water County Council
Council Officials	Includes Councillors, members of the staff of Council, contractors and delegates of Council
Disclose Information	Includes making information available for release or provide access to information
GIPA Act, or GIPAA	The Government Information (Public Access) Act 2009

Formal Access Application	Valid application for access to government information under Part 4 of the GIPA Act.
Open Access Information	Records containing government information which is publicly available
Government Information	The information contained in a record held by Council: <ul style="list-style-type: none"> . any paper or other material on which there is writing, . any paper or other material on which there are marks, figures, symbols or perforations having a meaning for a person qualified to interpret them, . any disc, tape or other article or any material from which sounds, images, writings or messages are capable of being produced or reproduced (with or without the aid of another article or device)
Disclosure Log	Is a list of documents released following a decision about a valid access application for access under the Act, which is published on Council's website
Contracts Register	Is a register of government contracts that records information about each government contract to which Council is a party that has a value of \$150,000 or more
Publication Guide	Sets out the kinds of information that Council makes publicly available and routinely publishes on the website
Personal Information	Information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion (definition from NSW PPIPA 1998)

1.5 Legislative Context

- NSW Government Information (Public Access) Act 2009 (GIPA A)
- NSW Local Government Act NSW 1993 (LGA)
- NSW Privacy and Personal Information Protection Act NSW 1998 (PPIPA)
- NSW Privacy Code of Practice (Local Government)
- NSW Health Records and Information Privacy Act 2002 (HRIPA)
- NSW State Records Act 1998 (SRA)
- Federal Copyright Act 1968

1.6 Related Documents

- RWCC Policy 5.1 Code of Conduct
- RWCC Policy 5.12 Privacy Management Plan

1.7 Responsibilities

Customer Service	Receiving applications, answering incoming informal enquiries, releasing information held by Council through authorised proactive release
Information Access Officer	Responsible for processing of informal requests, formal access applications, making decisions regarding the release of information within the timeframes stipulated in the Act, providing assistance to the applicants with invalid applications, searching for information held by Council, maintaining and updating of Publication Guide and Disclosure Log
Contract Services	Maintaining contracts register
All Council Officers	Responsible for ensuring the security of all Council records and refusing to directly provide ad-hoc information to any person without forwarding it to the appropriate Council officer for processing, unless the document is otherwise available e.g. on Council's website.

1.8 Reporting Requirements

Council must prepare an annual report on its obligations under GIPA Act and submit it to the responsible Minister. A copy of the report must be also forwarded to the Information Commissioner.

1.9 Review procedures

This policy must be reviewed by the policy owner in accordance with the review schedule noted above.

1.10 Breaches of this Policy

Breaches of this policy will be investigated in accordance with Council's Code of Conduct

PART 2: POLICY CONTENT

2.1 Legislative Requirements

The Riverina Water County Council is committed to providing, as far as possible, an open, accountable and transparent environment, which enables members of the public access to Council records which do not require recourse to formal procedures. Council will seek to ensure that legitimate requests for access to information are handled promptly and that members of the public are able to access information, subject to the need to protect the privacy of others, commercially sensitive information and information the disclosure of which would not be in the public interest.

2.2 Access to Information

2.2.1 Accessing Personal Information & Amendment of Council records

1. The GIPA Act recognises privacy as a key principle against disclosure - Section 14 (2). Where an application for access to personal information involves the disclosure of personal information about another person, Council must consult with that other person before providing the applicant with access to the information requested.
2. The GIPA Act transfers the right for amendment of personal information held in Council's records from Part 4 of the Freedom of Information Act (FOI) to the new Part 6A of the Privacy and Personal Information Protection Act 1998 (PPIPA) - Schedule 3, Part 2, Section 4. All applications for amendment of Council's records will be dealt with under PPIPA.

2.2.2 Ways to access government information

Under the GIPA Act, a person seeking access to Council information has a legally enforceable right to be provided with access unless there is an overriding public interest against disclosure of the information.

In accordance with Part 2, Division 1 of the GIPA Act, access to government information may be exercised in four ways:

1. Mandatory proactive release of certain government information. Council publishes open access information, defined in Section 18 of the GIPA Act, on its website at www.rwcc.com.au

The following publications constitute open access information:

- Publication guide - described in Part 3, Division 2 of the GIPA Act
 - Policy documents - described in Part 3, Division 3 of the GIPA Act
 - Disclosure log - described in Part 3, Division 4 of the GIPA Act.
 - Register of government contracts - described in Part 3, Division 5 of the GIPA Act.
 - Additional open access information - described in Part 3, Division 1 Section 18(b), (f) & (g) of the GIPA Act.
2. Authorised proactive release of government information, which must be exercised in an appropriate manner by or with the authority of Council's principal officer, free of charge (or at the lowest reasonable cost), unless there is an overriding public interest against disclosure of the information - Part 2, Section 7 of the GIPA Act.

3. Informal release of government information via release of the information to a person in response to an informal request unless there is an overriding public interest against disclosure of the information. This may only be exercised by or with the authority of Council's principal officer - Part 2, Section 8 of the GIPA Act.
4. Formal access application. According to Part 2, Section 9 of the GIPA Act, in some limited circumstances, people seeking access to government information will need to make a formal request for that information (eg. where consultation with other agencies or third parties is required, or where the scope of request means that it will take significant agency resources to provide information).

2.2.3 Public interest considerations & the public interest test

Part 2, Division 2 of the GIPA Act provides a description of public interest considerations in favour (*Section 12*) and against disclosure of government information (*Section 14*).

In deciding which information to release, Council may apply the public interest test - in accordance with *Part 2, Division 2 Section 13* of the GIPA Act.

Schedule 1 of the GIPA Act provides 12 categories of information for which there is always an overriding public interest against disclosure. Any formal access applications for information described in those categories, are invalid under the GIPA Act.

2.3 Making a Formal Access Application

In some limited circumstances, when the government information is not open access information published on the website or available from the Customer Service Counter, and when releasing of the information requires previous consultation with third parties, this information may be accessed through a formal access application process.

2.2.3 How to make an access application

In accordance with Part 4, Division 1, Section 41 of the GIPA Act, a valid formal access application must:

- be in writing,
- specify it is made under the GIPA Act;
- state a postal address in Australia;
- be accompanied by the \$30 fee
- provide sufficient detail to enable the Council to identify the requested information.

In making an application, a person may include any other additional information they think is relevant to the public interest test, which should be taken into account in determining whether or not there is an overriding public interest against disclosure of the information. Access application may be amended or withdrawn by the applicant at any time.

The application form for access to information is available from Council's website, at Council's Customer Service centre, or by calling the Information Access Officer on 1300 292 442.

2.2.4 Processing access application

1. Initial decision as to validity of application.

The Information Access Officer is to decide whether the application is a valid access application (made in accordance with Part 4, Division 1, Section 41) or not (falls outside the scope of the Act), and notifies the applicant about the decision within 5 working days after the application is received - Part 4, Division 3, Section 51 of the GIPA Act.

The notification that the application is not valid must include - according to *Part 4, Division 3, Section 52* of the GIPA Act - a statement of the reason why it is not valid, and provide assistance to the applicant to provide such information as may be necessary to enable the applicant to make a valid access application.

2. Decide the application and provide notice of the decision

According to Part 4, Division 4, Section 57 of the GIPA Act, the Information Access Officer must decide a valid access application and give the applicant a notice of the decision within 20 working days after receiving an application.

If consultation with a third party is required and/or records are required to be retrieved from the archive - the decision period can be extended by up to 10 -15 working days.

3. The Decision

In accordance with Part 4, Division 4, Section 58 of the GIPA Act - to respond to valid access applications, the Information Access Officer may make the following types of decision:

- Decision that information is already available to the applicant
- Decision to refuse to deal with application
- Decision to refuse to provide access to information
- Decision to provide access to government information

2.4 Granting Access to Government Information

In accordance with Part 4, Division 6, Section 72 of the GIPA Act the access to the information in response to access information may be exercised by:

- Providing opportunity to inspect a record
- Providing a copy of a record
- Providing written transcript of the information

Council must provide access in the way requested by the applicant. Exceptions to that rule are described in *Part 4, Division 6, Section 72 (2)* of the GIPA Act.

The applicant has a period of 6 months to access the information. The access period starts from when notice of decision to grant access is given to the applicant.

2.5 Review of Decision

In accordance with Part 5, Division 1 of the GIPA Act, any member of the public who is dissatisfied with Council's decision for access to information, may lodge a request for review of Council's decision.

There are three ways of review of Council decision:

- **Internal review by a Senior Officer of Council** – an application for internal review must be made within 20 working days of receiving the decision, and accompanied by a \$40 fee - Part 5, Division 2 of GIPA Act.

Council must complete its internal review within 15 working days of receiving the application, which may be extended by up to 10 working days if further consultation is required.

- **External review by the Information Commissioner** – an application for Information Commissioner's review must be made within eight weeks of the person receiving notice of the council's decision - Part 5, Division 3 of the GIPA Act.
- **External review by the Administrative Decisions Tribunal** – an aggrieved person may seek review by the ADT within eight weeks of the decision or four weeks after the Information Commissioner's review - Part 5, Division 4 of the GIPA Act.

2.6 Other Provisions

2.6.1 Access to information listed in Section 12 of Local Government Act 1993

The GIPA Act abolishes the access to information regime under the Local Government Act 1993 (LGA). Section 12 of LGA now falls under the open access information - Schedule 5, Part 2, Section 3 of the GIPA Act.

2.6.2 State Records Act not affected

The GIPA Act does not affect the operations of the State Records Act 1998 (SRA) - Section 123.

2.6.3 Copying of public access documents

Published and released Council records are intended for general use and information. Information and files may be downloaded, stored, displayed and printed. Content must not be modified, copied, reproduced, or republished except with the written authorisation of Riverina Water County Council.

Copyright laws apply to all copies of documents provided for information purposes by Council, where the documents are used for any other purpose.

Council supports the sharing of information and the use of website content for the purposes of private study, research, criticism or review, as permitted under copyright legislation. However, Council does not give permission to reproduce or reuse content on its website for commercial purposes.

2.6.4 Personal Information about Council Employees

Personal information about employees of Council is not available to the general public unless it is subpoenaed or required by law.

2.6.5 Information about Tenders and Contractors

Information about the name and price of successful tenders, and also information about contracts ~~that have a value of \$150,000 or more~~, is publicly available from the Council's Contract Register, published on Council's website - Part 3, Division 5 of the GIPA Act. Accessing any further information about tenders will be processed on receipt of formal access application for information access.

23. DRAFT POLICY 5.27 STAFF EXPENSES

RECOMMENDED that Riverina Water County Council adopt the Draft Policy 5.27 Staff Expenses.

At Council's last Ordinary Meeting, a Risk Remediation Plan was considered by Council. This plan recommended, amongst other things, that Council adopt the NSW Government Expense Management Guidelines. These Expense Management Guidelines relate to expenditure by Ministers and senior public servants. Council has an existing expense and facilities policy that relates to Councillors (under review at present). The Draft Staff Expenses Policy was developed based on the Guidelines, adapted to apply to Council Management Staff.

A draft policy has been developed and is attached for Councillors' information.

Like other policies suggested, this policy would be part of an improvement in Council's Internal Control mechanism.

STAFF EXPENSES POLICY

POLICY NUMBER:	REFERENCE	POL 5.27	
Original publication date			
Revision number	Issue Date	Approved	Approval date
0		Res:	x
<p>This document is to be reviewed every 4 years. Next review date: October 2016</p>			
RESPONSIBLE OFFICER		General Manager	

EXPENSES RELATING TO GENERAL MANAGER, SENIOR STAFF OFFICERS AND MANAGERS

The question of out-of-pocket expenses incurred by officers is often related to entertainment and other forms of hospitality associated with performing official duties. Council Managers are responsible (and therefore accountable) to ensure that appropriate controls are exercised in this area of expenditure.

Where an officer is paid a salary and an identified expense allowance, or is paid a remuneration package based on a "Total Cost to Employer" (as is the case for the General Manager and the Director of Engineering) he or she is expected to cover expenditure of a minor nature associated with work and normal representational responsibilities, such as an occasional round of drinks, confectionery, etc.

The Chairperson may, in the light of particular circumstances, approve of certain out-of-pocket expenses by such officers forming a charge against the funds of the council. Such expenses must be directly related to the performance of an officer's official duties and the costs must be reasonable.

Examples include costs incurred on official representational duties (such as representing Council) and major hospitality duties (such as entertaining a group of interstate/overseas visitors or representatives of private organisations) where there is a definite business relationship with the Council. Staff should, however be mindful of their obligations to avoid a conflict of interest, as described in Council's Code of Conduct.

Where an officer is in receipt of only a cash salary, expenses of an irregular and/or minor nature associated with work and normal representational duties may be charged against the organisation. Other than in exceptional cases, such officers are required to obtain prior approval by an authorised senior officer for any out-of-pocket expenditure of this nature.

For out-of-pocket expenses incurred by officers to be acceptable as a charge against official funds, the following apply:-

- The event to which the charge is related must have a direct business relationship with the officer's duties.
- Working meals are not to be regular occurrences and would normally have relatively low charges per head and involve participation of persons from outside the organisation or, very rarely with senior officers from across the organisation.
- The expenditure incurred should not provide a predominantly personal benefit to the officers, members of their family or friends e.g. staff Christmas and Easter functions or other social functions for staff. Wreaths or flowers may be purchased for the purpose of a floral tribute to families or as an appreciation for long service to the Council.
- Tips would generally not be permissible, except where it may be a normally expected payment.

- Expenditure or minor gifts of protocol or public relations are not acceptable unless such gifts are in conformity with a Council's functions and would be considered acceptable in accordance with community expectations.
- Provision of certain facilities for work purposes at home which would, under normal circumstances, be provided by the officer for personal use, may not be claimed as a legitimate expense e.g. payment for a TV antenna which may be installed to enable officers to receive transmissions to be aware of matters raised by the media, as part of their normal duties.

The above requirements do not, of course, apply to expenditures to which Council directions provide for reimbursements of expenses.

Accounting arrangements Expenditure on Christmas season parties and out of pocket expenditure are subject to the same standards of documentation and scrutiny (including internal and external audit) as other expenditure. Councils should only make payment for expenditure relating directly to their operations. Generally, goods and services should be received before payment is made. Payment should only be made in advance where it is unavoidable.

24. ESTABLISHMENT OF AUDIT & RISK COMMITTEE

Author: Naomi Stuart
Reviewer: Graeme Haley

RECOMMENDED that Council:

- a. Adopt the Internal Audit Policy as a policy of Council.
 - b. Adopt the Audit and Risk Committee Charter.
 - c. Establish an Audit and Risk Committee under section 355 of the Local Government Act 1993 under the terms set out in the Audit and Risk Committee Charter.
Specifically:
 - i. The membership comprises three (3) voting members being one (1) Councillor (excluding the Council Chairperson) and two (2) independent external members; and three (3) non-voting members being the General Manager, Manager Internal Audit Services and Manager Finance and Administration.
 - ii. Endorse the payment of \$250 per meeting to the chairperson for each meeting attended by the chairperson of the Audit and Risk Committee.
 - iii. Endorse the payment of \$200 per meeting attended to the independent member of the Audit and Risk Committee.
 - iv. Council to elect the Councillor representative.
 - v. Council to elect an alternative Councillor representative.
 - vi. That Council appoints Mr Steven Watson and Mr Michael Commins as the two independent community members of Council's Audit and Risk Committee.
-

Report

This report and its attachments seek to re-establish an internal audit process at Riverina Water County Council ("Council") that will be both independent and effective.

An Audit and Risk Committee ("Committee") plays a pivotal role in the governance framework and provides Council with independent assurance and assistance in the areas of risk, internal controls, compliance and financial reporting. It establishes the importance and executive direction for internal audit activity and ensures that Council achieves maximum value from the Internal Audit activity.

The Division of Local Government considers that all councils should have an internal audit function for the following reasons:

- It supports good internal governance;
- To ensure consistency with other levels of government;
- To improve the effectiveness of risk management, control and governance processes; and
- Helps to instil public confidence in an organisation's ability to operate effectively.

The *Internal Audit Policy* sets out the role and activities of Council's Internal Audit Program. The *Audit and Risk Committee Charter* sets out the role of the audit committee within the broader internal audit function.

The activities set out in the *Internal Audit Policy* and the *Audit and Risk Committee Charter* were based on the *Internal Audit Guidelines* under section 23A of the Local Government Act 1993, published by the Division of Local Government in September 2010. The Guidelines are designed to provide councils with assistance to implement internal audit and risk management and are considered to be best practice. The *Internal Audit Policy* and the *Audit and Risk Committee Charter* were previously adopted by Council at its Ordinary Meeting held 22nd February 2012 and are attached for Councillor's information.

It is important to note that the Internal Auditor has independent status within Council and reports administratively to the General Manager and functionally to the Committee.

Reporting functionally to the Committee means the Committee:

- Approves the internal audit charter;
- Approves short and long term audit plans;
- Periodically reviews the performance of the internal audit function;
- Makes enquiries of management to determine if there are scope or budgetary limitations that impede internal audit's ability to function properly;
- Ensures that the internal audit function is adequately resourced;
- Approves the scope of external assessments of the internal audit; and
- Provides a forum for discussion to identify areas worthy of examination by internal audit.

Council, at its February 2012 Council Meeting, resolved to appoint two independent community members to Council's Audit and Risk Committee.

Council called for expressions of interest to the Audit and Risk Committee by way of public advertisement and a total of two applications were received.

A panel consisting of the Chairperson Councillor Rod Kendall, Deputy Chairperson Councillor John McInerney and the General Manager, met on 27 March 2012 to consider the applications. These applications were considered in line with the established Audit and Risk Committee criteria.

It was determined to recommend that Mr. Steven Watson and Mr. Michael Commins be appointed as independent community members of Council's Audit and Risk Committee.

In assessing the requirements of the Committee and in consideration of the calibre of members required, it is appropriate for some level of remuneration to be considered.

	Chairperson fee	Independent external member fee
Payment	\$250 per meeting attended	\$200 per meeting attended

The proposed payments are consistent with the rates recommended by the Statutory and Other Officers Remuneration Tribunal (SOORT) and also payments made at other councils.



Graeme J. Haley
GENERAL MANAGER

INTERNAL AUDIT POLICY

POLICY REFERENCE NUMBER:		POL 5.18	
Original publication date		22 February 2012	
Revision number	Issue Date	Approved	Approval date
0	22 Feb 2012	Res:	12/08
<p>This document is to be reviewed every 2 years. Next review date: February 2014</p>			
RESPONSIBLE OFFICER		General Manager	

PART 1: INTRODUCTION

Internal audit is *an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.*

It is important for Council to have an internal audit function for the following reasons:

- It supports good internal governance;
- To ensure consistency with other levels of government;
- To improve the effectiveness of risk management, control and governance processes; and
- Helps to instil public confidence in Council's ability to operate effectively.

1.1 Policy Objectives

The objective of internal audit is to provide independent assurance over the internal controls and risk management framework of Council. This policy establishes a formal, structured internal audit framework that is appropriate to Council's activities and operating environment.

1.2 Related Documents

Audit and Risk Committee Charter
Internal Audit Charter

1.3 Responsibilities

One of the primary objectives of the internal audit function is to add value to Council operations. The scope of services provided by Internal Audit shall encompass:

1. Develop and implement a comprehensive risk based cyclical Strategic Internal Audit Plan which is endorsed by the Audit and Risk Committee.
2. Undertake an annual Internal Audit Planning Day in conjunction with the Audit and Risk Committee.
3. Develop and implement a detailed Internal Audit Annual Work Program which is endorsed by the Audit and Risk Committee incorporating the following key functions:
 - a. The examination and evaluation of the adequacy and effectiveness of systems of internal control, risk management, governance, and the status of ethical behaviour.
 - b. Ascertaining conformity with the goals and objectives of Council.
 - c. Assessment of the economic and efficient use of resources.
 - d. The examination of compliance with policies, procedures, plans and legislation.
 - e. Assessment of the reliability and integrity of information.
 - f. Assessment of the safeguarding of assets.
 - g. All activities of Council, whether financial or non-financial, manual or computerised.

4. Provide advice to the Council, General Manager and management as requested.
5. Undertake special assignments as requested by the General Manager.
6. Liaise with the external auditor and co-ordinate audit coverage.
7. Undertake internal audit work in accordance with the Institute of Internal Auditors Australia's *International Standards for the Professional Practice of Internal Auditing*.

1.4 Reporting Requirements

Internal Auditor has independent status within Council and reports administratively to the General Manager and functionally to the Audit and Risk Committee. The Internal Auditor reports to the Audit and Risk Committee at least four times per year.



Riverina Water County Council

AUDIT AND RISK COMMITTEE CHARTER

Version History

Version	Date	Person(s)	Change
V. 1		Manager Internal Audit Services	Original version

1. Status and Name:

- (1) The Committee shall be known as “Riverina Water County Council Audit and Risk Committee” (hereinafter referred to as “The Committee”).
- (2) This Committee is an advisory Committee to Riverina Water County Council (hereinafter referred to as “the Council”) pursuant to and in accordance with provisions contained in Section 355 the Local Government Act 1993, and the Local Government (General) Regulations 2005.

2. Established:

The Committee was established by Council Res x on x.

3. Objective:

The objective of the Committee is to provide independent assurance and assistance to the Council on risk management, control, governance, and external accountability responsibilities.

4. Authority:

Council authorises the Committee, within the scope of its role and responsibilities, to:

- Obtain any information it needs from any employee or external party (subject to their legal obligations to protect information).
- Discuss any matters with the external auditor or other external parties (subject to confidentiality considerations).
- Request the attendance of any employee or councillor at Committee meetings.
- Obtain external legal or other professional advice considered necessary to meet its responsibilities following consultation with Council.

5. Composition and Tenure:

5.1 The Committee will consist of:

a) Members (voting)

- One (1) Councillor of Riverina Water County Council (with an alternate to be appointed)
- Two (2) independent external members (one of whom to be elected Chairperson)

b) Attendee (non-voting)

- General Manager
- Manager Internal Audit Services
- Manager Finance and Administration

c) Invitees (non-voting) for specific Agenda items

- External Auditor (or representative) to attend at the discretion of the Committee but must attend meetings considering the draft financial statements and external audit opinion.
- Other officers may attend by invitation as requested by the Committee.

5.2 The General Manager or his/her delegate shall be entirely responsible for:

- (a) the appointment or removal of all staff (either permanent or temporary) appointed as non-voting members to the Committee,
- (b) Direction of any staff member attending the Committee.

5.3 Selection of Members of the Committee

- (a) Councillor members shall be elected by the Council.
- (b) External independent persons will be appointed by way of a public advertisement. The members of the Committee, taken collectively, will have a broad range of skills and experience relevant to the operations of Riverina Water County Council including accounting, internal or external auditing, strategic risk management, insurance, senior business experience, legal or financial management. At least one member of the Committee shall have accounting or related financial management experience, with understanding of accounting and auditing standards in a public sector environment.

The evaluation of potential members will be undertaken by the Council Chairperson and the General Manager taking account of the experience of candidates and their likely ability to apply appropriate analytical and strategic management skills, and a recommendation will be put to Council.

6. Term of Office:

- (1) The Committee may be dissolved by resolution of the Council at any time but otherwise shall cease to hold office at the next general election of the Council following its appointment.

- (2) A Committee may be re-appointed with amendment or otherwise, by the Council following a general election.
- (3) The Council reserves the right to determine the appointment of all members of the Committee.

7. Vacation of Office:

- (1) The office of an elected, appointed or representative member of the Committee shall become vacant:-
 - (a) Upon his/her death.
 - (b) If she/he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit,
 - (c) If she/he becomes mentally incapacitated person
 - (d) If he/she resigns his/her membership by notice in writing to the Committee.
 - (d) If he/she is absent for more than three (3) consecutive meetings without prior leave of the Committee.
 - (e) If she/he ceases to be a member of the organisation which he/she represents.
 - (f) If he/she holds any office of profit with the Council.
 - (g) If she/he commits any breach of this Charter.
 - (h) If he/she is convicted of any indictable offence or of any summary offence related to dishonesty.
 - (i) If he/she is disqualified or dismissed from holding civic office.
 - (j) If the Committee is dissolved by the Council.
 - (k) If the position is used for any pecuniary interest of the individual.
 - (l) On the retirement of the Council.
- (2) Where such person was directly appointed by the Council, the vacancy shall be filled by the Council.

8. Role and Responsibilities:

The Committee has no executive powers, except those expressly provided by the Council.

In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with the Council and the General Manager as defined by the Local Government Act.

The responsibilities of the Committee may be revised or expanded by the Council from time to time. The Committee's responsibilities are:

8.1 Risk Management

Review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud;

Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings;

Review the impact of the risk management framework on its control environment and insurance arrangements; and

Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been tested periodically.

8.2 Control Framework

Review whether management has adequate internal controls in place, including over external parties such as contractors and advisors;

Review whether management has in place relevant policies and procedures, and these are periodically reviewed and updated;

Progressively review whether appropriate processes are in place to assess whether policies and procedures are complied with;

Review whether appropriate policies and procedures are in place for the management and exercise of delegations; and

Review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.

8.3 External Accountability

Satisfy itself the annual financial reports comply with applicable Australian Accounting Standards and supported by appropriate management sign-off on the statements and the adequacy of internal controls.

Review the external audit opinion, including whether appropriate action has been taken in response to audit recommendations and adjustments.

To consider contentious financial reporting matters in conjunction with council's management and external auditors.

Review the processes in place designed to ensure financial information included in the annual report is consistent with the signed financial statements.

Satisfy itself there are appropriate mechanisms in place to review and implement, where appropriate, relevant State Government reports and recommendations.

Satisfy itself there is a performance management framework linked to organisational objectives and outcomes.

Guidelines under section 23A of the Local Government Act 1993 September 2010 55

8.4 Legislative Compliance

Determine whether management has appropriately considered legal and compliance risks as part of risk assessment and management arrangements.

Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies.

8.5 Internal Audit

Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit.

Review the internal audit coverage and Internal Audit Plan, ensure the plan has considered the Risk Management Plan, and approve the plan.

Consider the adequacy of internal audit resources to carry out its responsibilities, including completion of the approved Internal Audit Plan.

Review all audit reports and consider significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices.

Monitor the implementation of internal audit recommendations by management.

Periodically review the Internal Audit Charter to ensure appropriate organisational structures, authority, access and reporting arrangements are in place.

Periodically review the performance of Internal Audit.

8.6 External Audit

Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit.

Provide input and feedback on the financial statement and performance audit coverage proposed by external audit, and provide feedback on the external audit services provided.

Review all external plans and reports in respect of planned or completed external audits, and monitor the implementation of audit recommendations by management.

Consider significant issues raised in relevant external audit reports and better practice guides, and ensure appropriate action is taken.

8.7 Responsibilities of Members

Members of the Committee are expected to:

Understand the relevant legislative and regulatory requirements appropriate to Riverina Water County Council.

Contribute the time needed to study and understand the papers provided.

Apply good analytical skills, objectivity and good judgment.

Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.

Guidelines under section 23A of the Local Government Act 1993 September 2010 56

9. Reporting:

At the first Council meeting after 30 June each year, the Committee will provide an annual report summarising activities undertaken during the year.

10. Administrative arrangements:

10.1 Meetings

The Committee will meet four (4) times per year, with one of these meetings to include review and endorsement of the annual audited financial reports and external audit opinion.

An extraordinary or special meeting of the Committee may be convened at the discretion of the Chairperson, or at a written request of any member of the Committee, internal or external auditor. All the provisions of this Constitution concerning the conduct of the Committee shall apply to an extraordinary or special meeting of the Committee.

A scheduled meeting of the Committee cannot be cancelled or postponed to another time and or date except;

- (a) Where a quorum is not, or will not be, present; or
- (b) Where the General Manager, after consultation with, and the agreement of, the Chairperson determines that there is no or insufficient information, reports or correspondence available for submission to the Committee.

A meeting of the Committee may be called by the General Manager where information or material is to hand which, for legislative, policy or emergency reasons, requires the consideration of the Committee prior to the Committee's next scheduled meeting.

10.2 Voting at meetings

- a) Voting on all matters shall be on the voices except where the Chairperson otherwise determines or a challenge to voting is made, in which case the voting shall be by show of hands
- b) Each member of the Committee entitled to vote, shall have one vote, provided that in the event of an equality of votes, the Chairperson presiding at the meeting shall have a casting vote as well as an original vote.
- c) A proposition which receives a majority of votes (i.e. more than half) of the voting members present shall be a decision of the Committee.
- d) It shall be the duty of the Chairperson at a meeting of the Committee to receive and put to the meeting any lawful motion or amendment brought before the Committee.
- e) The Minutes of the Committee meeting shall record all decisions of the Committee and shall record all decisions which are determined upon the casting vote of the Chairperson.
- f) Any voting member of the Committee may request that their name be recorded in the Minutes of a meeting as having voted against a recommendation of the Committee, and such shall be recorded in the Minutes.

10.3 Attendance at Meetings and Quorums

A quorum shall comprise a majority of the appointed voting members of the Committee, providing always that the Councillor member of the Committee shall be present throughout the conduct of the meeting. Meetings can be held in person, by telephone or by video conference.

Should a quorum not be present at the start of, or during, any meeting, the voting members present may decide that the Agenda items continue to be discussed, however any agreement or decision so made shall be recorded in the Minutes as "No quorum - decision of the members present", and not as a recommendation of the Committee.

The names of the Committee members present, whenever a quorum is not present, shall be recorded in the Committee minutes, and the reason as to why a quorum was not present.

The Committee may request any employees to participate for certain agenda items, as well as the external auditor.

The General Manager may attend each meeting but will permit the Committee to meet separately with each of the Manager Internal Services and the External Auditor in the absence of management on at least one occasion per year.

10.4 Secretariat

The Secretariat will ensure the agenda for each meeting and supporting papers are circulated, at least one week before the meeting, and ensure minutes of the meetings are prepared and maintained. Minutes shall be approved by the Chairperson and circulated to each member within three weeks of the meeting being held.

Minutes of the Committee meeting should be submitted to a meeting of Council before the next meeting of the Committee.

10.5 Conflict of Interests

Councillors, council staff and members of council committees must comply with the applicable provisions of Council's code of conduct in carrying out the functions as council officials. It is the personal responsibility of council officials to comply with the standards in the code of conduct and regularly review their personal circumstances with this in mind. *Guidelines under section 23A of the Local Government Act 1993 September 2010 57*

Committee members must declare any conflict of interests at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the Chair of the Committee.

10.6 Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

10.7 Assessment Arrangements

The Chairperson of the Committee will initiate a review of the performance of the Committee at least once every two (2) years. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chairperson), with appropriate input from management and any other relevant stakeholders, as determined by the Chairperson.

10.8 Review of Audit Committee Charter

At least once every two years the Audit and Risk Committee will review this Audit and Risk Committee Charter.

The Audit and Risk Committee will approve any changes to this Audit and Risk Committee Charter. Approved:	Audit and Risk Committee Meeting	Date: 22 February 2012
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**DIRECTOR OF ENGINEERING'S REPORTS TO COUNCIL MEETING OCTOBER
2012**

14th September 2012

1. WORKS REPORT COVERING AUGUST 2012

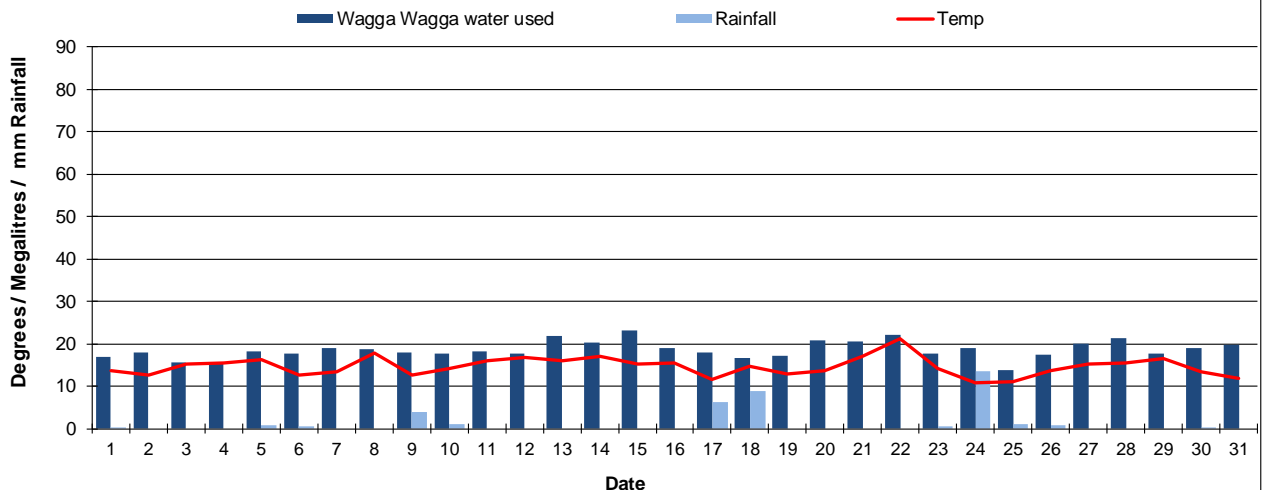
RECOMMENDED that this report be received and noted.

1.1 WATER SOURCED AND USED

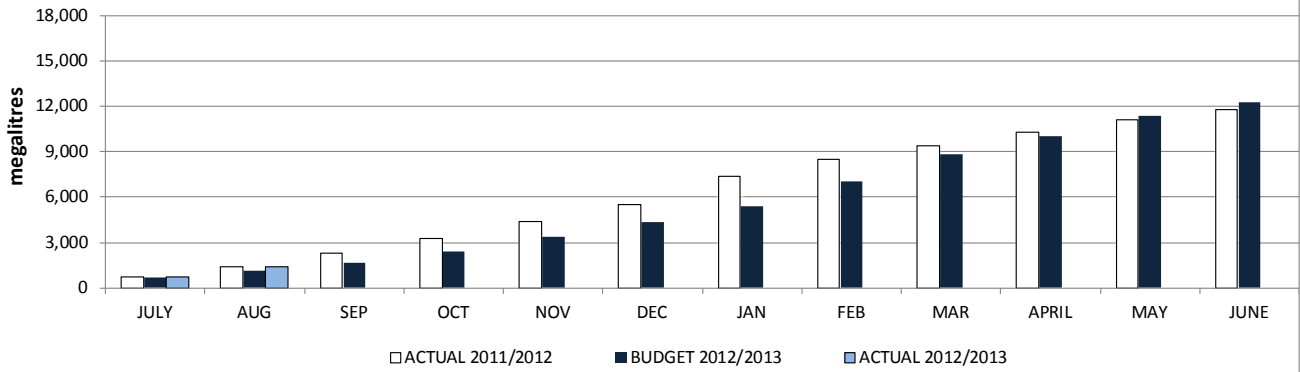
August	2010	2011	2012
Rainfall	94.8	48.4	37.6
Wet Days	20	10	12
WATER SOURCED August 2012 (MI)			
North Wagga bores	131.29	128.82	130.37
West Wagga bores	300.32	324.16	323.94
East Wagga bores	180.50	59.69	193.19
Murrumbidgee River	34.13	141.14	0.00
SUB-TOTAL	646.24	653.81	647.50
Bulgary Bores	0.00	24.88	23.21
Urana Source	0.00	0.00	0.00
Ralvona Bores	14.84	14.83	15.00
Walla Walla Bores	0.00	0.00	0.00
Goldenfields Water Supply System	0.79	1.08	1.01
SUB-TOTAL	15.63	40.79	39.22
Woomargama	0.69	0.91	0.73
Humula	0.66	0.46	0.74
Tarcutta	2.92	2.17	2.14
Oura	2.55	2.93	2.08
Walbundrie/Rand	1.32	1.79	1.85
Morundah	0.38	0.41	0.38
Collingullie	2.52	2.67	3.20
SUB-TOTAL	11.04	11.34	11.12
TOTALS	672.91	705.94	697.84

WATER USED August 2012 (MI)			
	2010	2011	2012
East Bomen	12.07	17.56	14.01
Estella	43.53	24.94	36.70
North Wagga	59.48	72.54	59.58
Wagga Wagga – Low Level	91.05	122.09	123.99
Wagga Wagga – High Level	290.00	307.57	288.93
Wagga Wagga – Bellevue Level	30.55	25.77	30.88
SUB-TOTAL	526.68	570.47	554.09
Ladysmith System	3.41	3.41	2.75
Brucedale Scheme	13.25	7.95	10.35
Currawarna Scheme	5.13	7.55	12.00
Rural south from Wagga Wagga	90.56	68.73	67.58
Rural from Walla Walla Bore	0.00	0.00	0.00
Bulgary, Lockhart and Boree Creek	7.75	11.49	10.80
From Boree Crk to Urana and Oaklands	7.75	12.02	11.13
Holbrook	14.84	14.83	15.00
SUB-TOTAL	142.69	125.98	129.61
Woomargama	0.69	0.91	0.73
Humula	0.66	0.46	0.74
Tarcutta	2.92	2.17	2.14
Oura	2.55	2.93	2.08
Walbundrie/Rand	1.32	1.79	1.85
Morundah	0.38	0.41	0.38
Collingullie	2.52	2.67	3.20
SUB-TOTAL	11.04	11.34	11.12
TOTALS	680.41	707.79	694.82

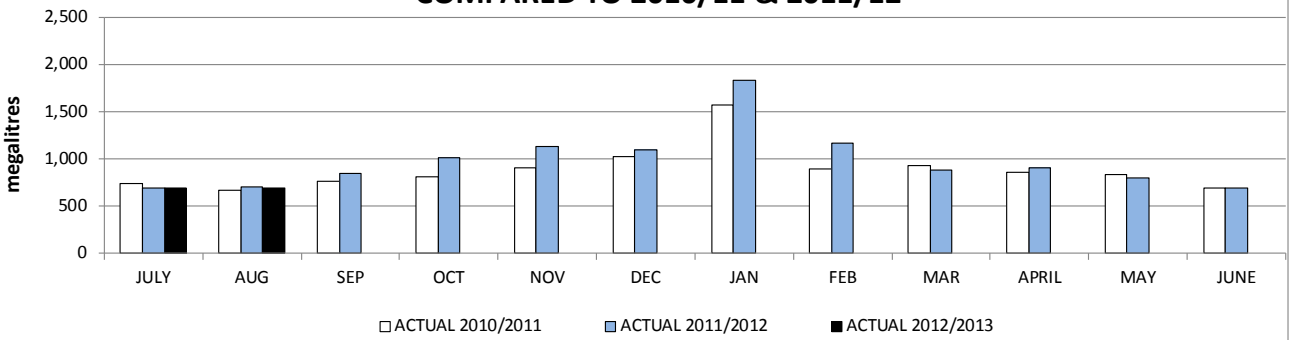
DAILY WATER USED, WAGGA WAGGA, August 2012



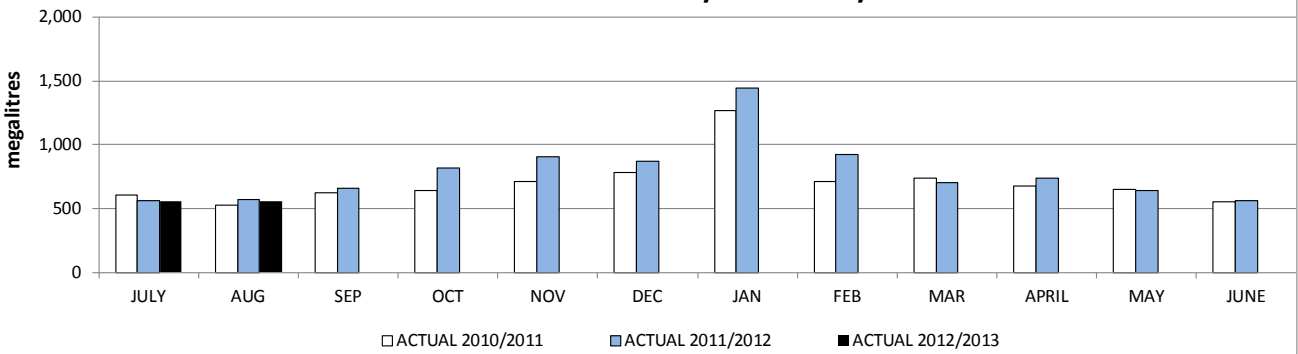
TOTAL CUMULATIVE WATER USED 2012/2013



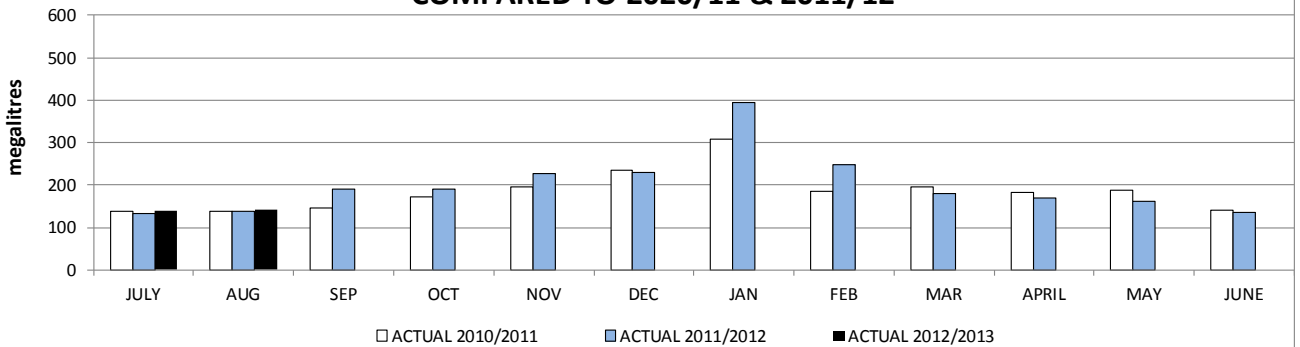
MONTHLY TOTAL WATER USED 2012/13 COMPARED TO 2010/11 & 2011/12



MONTHLY WAGGA WATER USED 2012/13 COMPARED TO 2010/11 & 2011/12



MONTHLY RURAL WATER USED 2012/13 COMPARED TO 2010/11 & 2011/12



**1.2 NEW SERVICE CONNECTIONS, REPAIRS, METERS, LOCATIONS & COMPLAINTS
FOR THE MONTH OF AUGUST 2012**

Location	New Connect., Residential	New connect., Non Residential	Services Renewed	Services Repaired	Quality Complaints	Supply Complaints *	Customer dealings complaints	Other Complaints	Frost damage	Meter or Metercock fault	Leaking valves or hydrants	Locations
Wagga	15		1	25	4	3			1	12	5	18
Brucedale				1	1	1				1	1	
Currawarna				1							1	
Euberta												
Humula				1								
Ladysmith										1		
Oura												1
San Isidore												
Tarcutta												
The Gap						1						
Bulgary				1								
Collingullie											1	
French Park						1						
Lockhart		1	1	1						1	1	
Mangoplah												
Milbrulong				1								1
Pleasant Hills				2								
The Rock				3							1	
Uranquinty				2								
Yerong Creek												
Culcairn												
Henty				3	2							
Holbrook		2		3						2	1	
Morven	1											1
Walbundrie						1						
Walla Walla												
Woomargama				2		2				1	1	
Boree Creek				1								
Morundah												
Oaklands												
Rand												
Urana										1		
TOTAL	16	3	2	47	7	9	0	0	1	19	12	21

1.3 WATER SYSTEM REPAIRS

WAGGA WAGGA								
Date	Location	Town	Main Type	Cause	Live Repair	Outage Duration Time	Customers Affected (no supply)	Water Lost KI
4	16 Lampe Ave	Wagga Wagga	100 AC	Pipe Failure (not specified)	Yes	0:00	0	10
9	Lake Albert Rd	Koorngal	150 AC	Accidental damage	No	1:00	6	14
12	Plumpton Rd	Springvale	80 AC	Pipe Failure (not specified)	Yes	0:00	0	8
14	Sturt H'way	Forest Hill	150 AC	Leaking collar	No	1:00	17	15
29	72 Travers St	Wagga Wagga	100 AC	Pipe Failure (not specified)	No	3:00	7	12
TOTALS						5:00	30	59
					Breaks needing shut off -	3	Breaks affecting customers -	3
Total Breaks -		5						

RURAL								
Date	Location	Town	Main Type	Cause	Live Repair	Outage Duration Time	Customers Affected (no supply)	Water Lost KI
1	Sydney St	Tarcutta	100 AC	Accidental damage	Yes	0:00	0	8
7	Old Narrandera Rd	Currawarna	100 WPVC	Accidental damage	No	3:00	41	50
7	Gap Hall Rd	The Gap	100 WPVC	Leaking SS clamp	Yes	0:00	0	5
7	Gap Hall-Downside Rd	The Gap	100 WPVC	Pipe Failure (not specified)	Yes	0:00	0	10
8	Ferrier St	Lockhart	100 AC	Tree Roots	Yes	0:00	0	2
9	Bidgeemia Rd	Bidgeemia	100 BPVC	Corrosion	No	2:30	3	10
12	Holbrook Rd	Morven	150 AC	Pipe Failure - Ground Movement	No	3:30	10	2,200
29	Lockhart Rd	Tootal	150 CI	Leaking collar	Yes	0:00	0	10
TOTALS						9:00	54	2,295
					Breaks needing shut off -	3	Breaks affecting customers -	3
Total Breaks -		8						

1.4 WATER QUALITY COMPLAINTS

Water quality complaints received during August 2012 were:

Date	Location	Problem	Action Taken
6/08/2012	5 Second St, Henty	Smell, taste	WQ from meter through property all OK. Flushed all taps.
24/08/2012	6 Laurel Rd, Lake Albert	Smell	Flushed main
24/08/2012	Henty Hospital	Dirty filter	WQ from meter through property all OK. Tap under sink with filter
28/08/2012	18 Church St, Wagga	Dirty water in one unit	HWS to be checked as only hot
29/08/2012	Berry & Morgan Sts	Dirty water	Flushed service
30/08/2012	Tarcutta St, Wagga	Dirty water	Flushed service
29/08/2012	Brucedale Dr, Brucedale	Milky water	Flushed air out of line

1.5 MAINS CONSTRUCTIONS

1.5.1 MAINS EXTENSIONS AND NEW WORKS

New water mains laid during August 2012 include:

LOCATION	PROJECT	150
		DICL
Lake Albert Rd Motel	New Connection	26.5
	TOTAL	26.5

1.5.2 REPLACEMENT OF EXISTING MAINS

Mains replaced during August 2012 include:

LOCATION	PROJECT	100	150
		OPVC	DICL
Brucedale	Mains replacement	592	
Urana Street	Mains replacement		38.5
	TOTAL	592	38.5

1.6 OTHER CONSTRUCTION

Other construction works during August 2012 include:

LOCATION OR PROJECT	WORK DONE
WWCC Recycled Water	115.5 metres of 250mm DICL Main
Urana Street	Service Renewals
The Rock	Hydrant Maintenance
Woomargama	Reservoir maintenance

1.7 MAJOR REPAIRS / OVERHAULS

Major repairs/overhauls during August 2012 include:

LOCATION OR PROJECT	WORK DONE
Waterworks Urana WTP	Overhaul No. 3 low level pump & motor Switchboard & Wiring replace post floods
West Wagga No 5 Bore	Replace discharge pipework
Ralvona WTP Tarcutta WTP	Overhaul No. 3 high lift pump & motor replace iron filter pipework
Collingullie Reservoir	Drain & clean
Woomargama Reservoir	Drain & clean
Ralvona Aeration 1 & 2	Drain & clean
Morundah WTP	Empty & clean filters reinstate

1.8 WATER FILLING STATION ACTIVITY

Water Filling Station activity during August 2012 include:

LOCATION	NUMBER OF FILLS
Red Hill Road	11
Plumpton Road	1
Gregadoo Road	0
Forest Hill	6
Estella	75
Bomen	0
Lockhart	4
Holbrook	23
Henty	10
Yerong Creek	8
Pleasant Hills	0

1.9 STAFF TRAINING & SAFETY

The following training and/or safety activities were undertaken during August 2012:

Training or Programme	Number of Staff
First Aid Refresher	4
Workcover Licence - C6 Crane	1

1.10 FLEET ACQUISITIONS

No fleet acquisitions made during August 2012.



Greg Finlayson
DIRECTOR OF ENGINEERING

2. WORKS REPORT COVERING SEPTEMBER 2012

RECOMMENDATION That this report be received and noted.

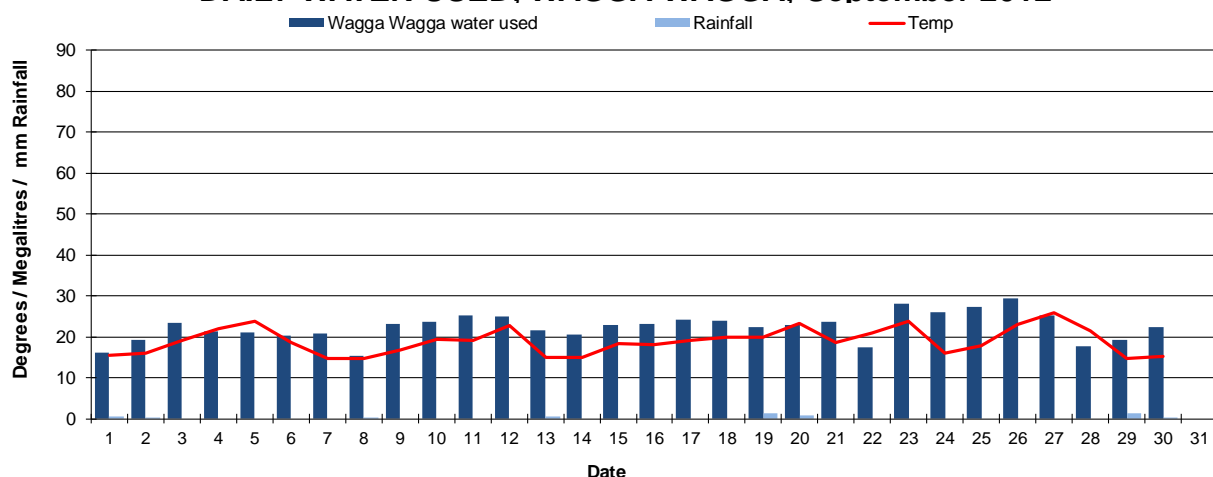
2.1 WATER SOURCED AND USED

September	2010	2011	2012
Rainfall	64.4	39.8	5.0
Wet Days	9	10	8
WATER SOURCED September 2012 (MI)			
North Wagga bores	139.32	133.37	152.35
West Wagga bores	309.76	368.80	388.05
East Wagga bores	180.05	148.98	229.38
Murrumbidgee River	87.22	120.75	0.00
SUB-TOTAL	716.35	771.90	769.78
Bulgary Bores	18.33	27.92	29.21
Urana Source	0.00	0.03	0.00
Ralvona Bores	14.71	13.65	16.41
Walla Walla Bores	0.64	0.00	0.00
Goldenfields Water Supply System	1.24	1.13	0.73
SUB-TOTAL	34.92	42.73	46.35
Woomargama	0.75	0.94	0.80
Humula	0.54	0.76	0.75
Tarcutta	2.73	2.34	2.01
Oura	2.65	2.77	1.71
Walbundrie/Rand	1.31	2.04	1.92
Morundah	0.41	0.55	0.49
Collingullie	2.79	3.35	5.36
SUB-TOTAL	11.18	12.75	13.04
TOTALS	762.45	827.38	829.17

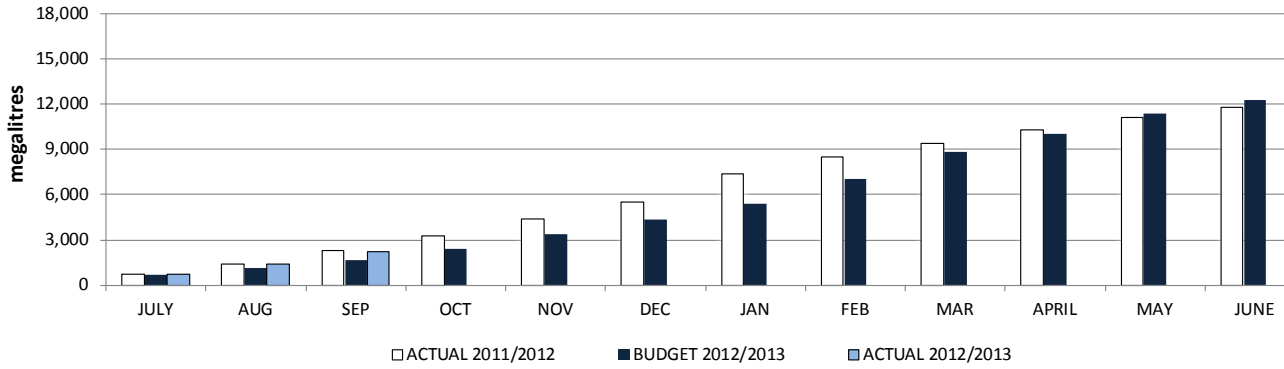
WATER USED September 2012 (MI)

	2010	2011	2012
East Bomen	15.95	14.12	14.32
Estella	43.91	31.71	31.14
North Wagga	60.35	65.50	87.54
Wagga Wagga – Low Level	162.09	158.29	137.35
Wagga Wagga – High Level	309.94	349.77	345.32
Wagga Wagga – Bellevue Level	29.60	37.76	38.07
SUB-TOTAL	621.84	657.15	653.74
Ladysmith System	4.52	3.50	2.47
Brucedale Scheme	16.24	12.85	9.63
Currawarna Scheme	4.87	7.72	12.07
Rural south from Wagga Wagga	76.85	82.08	77.74
Rural from Walla Walla Bore	0.64	0.00	0.00
Bulgary, Lockhart and Boree Creek	6.66	13.12	14.79
From Boree Crk to Urana and Oaklands	9.51	13.51	12.82
Holbrook	14.71	13.65	16.41
SUB-TOTAL	134.00	146.43	145.93
Woomargama	0.75	0.94	0.80
Humula	0.54	0.76	0.75
Tarcutta	2.73	2.34	2.01
Oura	2.65	2.77	1.71
Walbundrie/Rand	1.31	2.04	1.92
Morundah	0.41	0.55	0.49
Collingullie	2.79	3.35	5.36
SUB-TOTAL	11.18	12.75	13.04
TOTALS	767.02	816.33	812.71

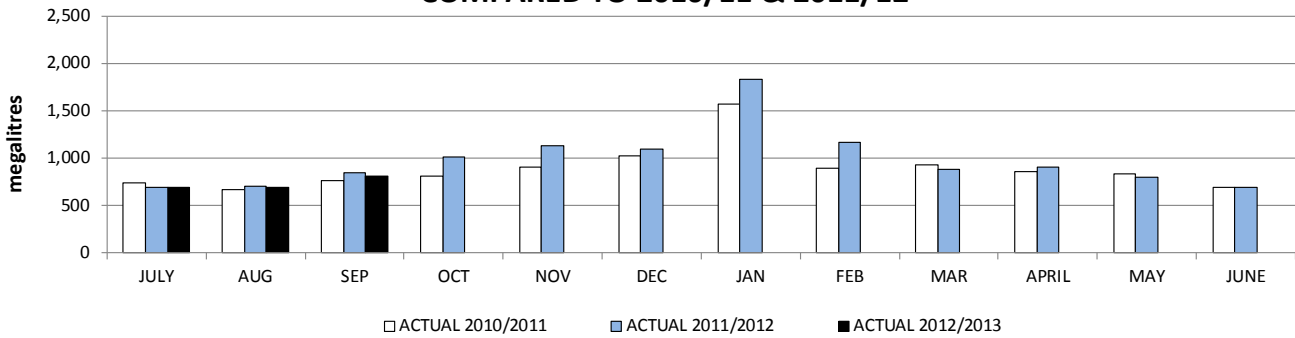
DAILY WATER USED, WAGGA WAGGA, September 2012



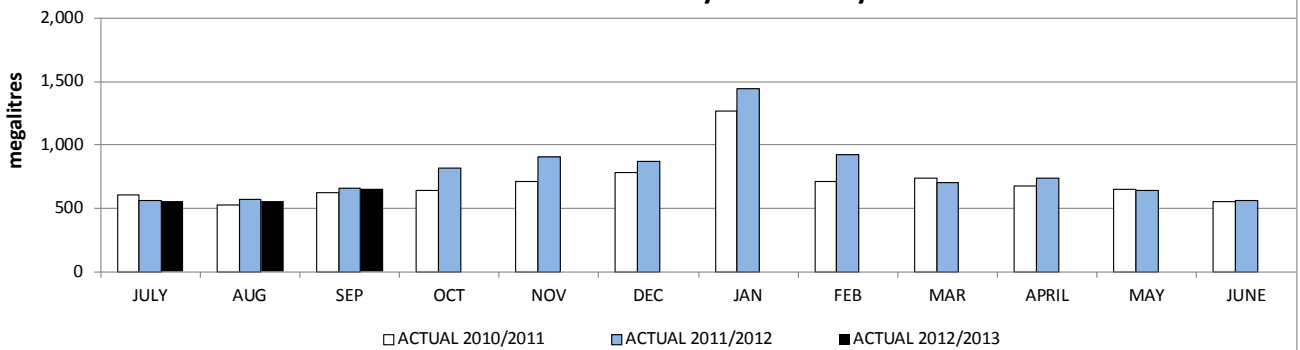
TOTAL CUMULATIVE WATER USED 2012/2013



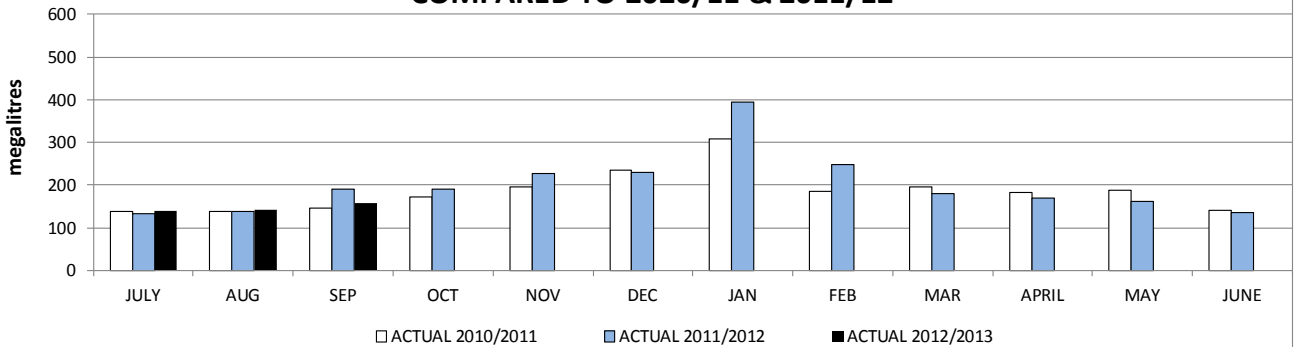
MONTHLY TOTAL WATER USED 2012/13 COMPARED TO 2010/11 & 2011/12



MONTHLY WAGGA WATER USED 2012/13 COMPARED TO 2010/11 & 2011/12



MONTHLY RURAL WATER USED 2012/13 COMPARED TO 2010/11 & 2011/12



2.2 NEW SERVICE CONNECTIONS, REPAIRS, METERS, LOCATIONS & COMPLAINTS FOR THE MONTH OF SEPTEMBER 2012

Location	New Connect., Residential	New connect., Non Residential	Services Renewed	Services Repaired	Quality Complaints	Supply Complaints *	Customer dealings complaints	Other Complaints	Frost damage	Meter or Metercock fault	Leaking valves or hydrants	Locations
Wagga	8		1	21	13	1				21	2	19
Brucedale				1		1				3		
Currawarna	1											
Euberta												
Humula												
Ladysmith												
Oura												
San Isidore												
Tarcutta											1	
The Gap				1								
Bulgary												
Collingullie				2		1						
French Park												
Lockhart											1	
Mangoplah												
Milbrulong												
Pleasant Hills												
The Rock				1							1	
Uranquinty				3						2		
Yerong Creek				1		1						
Culcairn												
Henty					3							
Holbrook		3	1	2	1						1	
Morven											1	
Walbundrie												
Walla Walla												
Woomargama												
Boree Creek				2							1	
Morundah												
Oaklands			1									
Rand												
Urana												
TOTAL	9	3	3	34	17	4	0	0	0	26	8	19

2.3 WATER SYSTEM REPAIRS

WAGGA WAGGA								
Date	Location	Town	Main Type	Cause	Live Repair	Outage Duration Time	Customers Affected (no supply)	Water Lost KI
16	65 Main St	Lake Albert	100 AC	Pipe Failure (not specified)	No	3:00	8	15
TOTALS						3:00	8	15
Total Breaks – 1		Breaks needing shut off - 1			Breaks affecting customers – 1			
RURAL								
Date	Location	Town	Main Type	Cause	Live Repair	Outage Duration Time	Customers Affected (no supply)	Water Lost KI
5	Holbrook Rd	Morven	150 AC	Pipe Failure - Ground Movement	No	4:45	20	100
6	Osbourne Rd	Pleasant Hills	32 PVC	Pipe Failure (not specified)	Yes	0:00	3	5
6	Urana Rd	Bidgeemia	100 BPVC	Accidental damage	No	3:00	7	20
9	Gap - Hall Rd	The Gap	100 WPVC	Pipe Failure (not specified)	Yes	0:00	0	10
14	Sturt Hwy	Collingullie	50 PVC	Leaking collar	No	2:30	10	5
18	Morundah Treatment Plant	Morundah	100 AC	Leaking Gibault	Yes	0:00	0	5
24	Lot 8 Scarborough	Gumly Gumly	150 BPVC	T/ Band Broken/Leaking	No	2:00	2	4
27	Lot 6 Scarbourough	Gumly Gumly	150 BPVC	T/ Band Broken/Leaking	No	1:30	2	4
TOTALS						13:45	44	153
Total Breaks – 8		Breaks needing shut off - 5			Breaks affecting customers – 6			

2.4 WATER QUALITY COMPLAINTS

Water quality complaints received during September 2012 were:

Date	Location	Problem	Action Taken
8/09/2012	Henty Township	Dirty water	All dead ends flushed in town
8/09/2012	17 Sladen St East, Henty	Dirty water	Flushed service & main
18/09/2012	4 Bradley Pl, Tolland	Stale taste	WQ within ADWG. Flush at
19/09/2012	5 Auderdale Cl, Bourkelands	Brown water	Flushed main
19/09/2012	65 Brunskill Ave, Forest Hill	Dirty water in spa	Filled from HWS which was dirty. Cold water within ADWG
24/09/2012	Cnr Commer/Smith St's, Henty	Dirty water	Flushed main & service
25/09/2012	16 Stirbeck St, Holbrook	Dirty water	Flushed main & service
25/09/2012	25 Balala Cr, Bourkelands	Dirty water	Flushed main
24/09/2012	13 Miller St, Tolland	Strong taste	WQ within ADWG. Flushed taps & HWS. Request meter be
26/09/2012	5 Wallis St, Lake Albert	Chemical taste in cold water	WQ within ADWG. Problem with dishwasher connection
26/09/2012	Clifton St, Bourkelands	Dirty water	Flushed main
26/09/2012	36 Meurant Ave, Wagga	Dirty water	Flushed main
26/09/2012	Dobbs St, Wagga (RSL)	Dirty water	Flushed main
26/09/2012	Lindoch St, Bourkelands	Dirty water	Flushed main
24/09/2012	Kapooka Rd, San Isadore	Strong chlorine	Flushed main & tested water

2.5 MAINS CONSTRUCTIONS

1.5.1 MAINS EXTENSIONS AND NEW WORKS

New water mains laid during September 2012 include:

LOCATION	PROJECT	150 OPVC
Boorooma Stage 2	New subdivision	154
	TOTAL	154

1.5.2 REPLACEMENT OF EXISTING MAINS

Mains replaced during September 2012 include:

LOCATION	PROJECT	150 DICL	450 DICL
Farrer Rd & Boorooma St intersection	Relocate main for round-about		98.5
Hammond Ave, Masters Warehouse	Replacement of main in slip lane	100	
Wagga Base Hospital	Lower main	6	
Bolton Park	Upgrade Main		54
	TOTAL	106	152.5

2.6 OTHER CONSTRUCTION

Other construction works during September 2012 include:

LOCATION OR PROJECT	WORK DONE
Boree Creek	Overhead Standpipe for Lockhart Shire Council
Cullivel	Overhead Standpipe for Lockhart Shire Council
Tarcutta St	Recycled water for WWCC (291mtrs x 250mm DCI)
Lockhart	Hydrant maintenance

2.7 MAJOR REPAIRS / OVERHAULS

Major repairs/overhauls during September 2012 include:

LOCATION OR PROJECT	WORK DONE
Brucedale Pump Station	Switchboard and pump starters replaced.
Water Works Transformer & Supply	Mains & transformer replaced & commissioned.
Water Works Low Level Pump No. 4	Overhauled motor.
Mangoplah	Ground level external chlorination line installed.
Boree Creek Reservoir	Ground level external chlorination line installed.
Morundah WTP	Chlorination system overhauled.
Water Works River WTP	Drained & cleaned flock tanks 1 & 2. Drained & cleaned sludge WTP & recommissioned.

2.8 WATER FILLING STATION ACTIVITY

Water Filling Station activity during September 2012 include:

LOCATION	NUMBER OF FILLS
Red Hill Road	9
Plumpton Road	23
Gregadoo Road	10
Forest Hill	31
Estella	51
Bomen	1
Lockhart	3
Holbrook	18
Henty	6
Yerong Creek	6
Pleasant Hills	0

2.9 STAFF TRAINING & SAFETY

The following training and/or safety activities were undertaken during September 2012:

Training or Programme	Number of Staff
Traffic Control - Stop/Slow	11
Traffic Control - Red Card	17
WIOA - Operators Conference	1
Working at Heights	3
Managing and Supervision	3
First Aid Refresher	2

2.10 COMMENTS ON WATER QUALITY

The 15 water quality complaints during September is a relatively high number. This is mainly due to the seasonal increase in velocity due to watering demands stirring up mains.

2.11 STRATEGIC PLANNING

Consultants HydroScience have been engaged since March 2012 to both update and draft numerous strategic planning documents. These documents satisfy both the best practice requirements of the NSW Office of Water and the Integrated Planning and Reporting requirements of the Division of Local Government.

The plans range from a new Strategic Business Plan through to Asset Management and Demand Management plans. These plans build on the Integrated Water Cycle Management Plan completed in 2011. I am pleased to report that the drafts are completed other than for a new Development Servicing Plan. The Strategic Business Plan and accompanying documents will be put to the December 2012 Council meeting.

2.12 HAMMOND AVENUE MASTER PLAN AND WTP

The Hammond Avenue Master Plan includes some major individual projects. These are:

- A levee bank designed for the 1:20 year flood.
- A new fitters workshop.
- A new Water Treatment Plant

The levee bank is completed and has been seeded and stabilised.

The fitters workshop is completed other than for shade sales and fitting out. This project is on track to be completed by the end of November 2012.

The Feasibility Study for the new water treatment plant is being undertaken by Hunter Water Australia and has investigated a number of processes. This was extended in September to include additional pilot plant trials of the Actiflo process, a process not widely used in Australia. The first draft of the feasibility study was completed in September and reviewed.

In parallel with this work NSW Public Works are engaged to assist in managing procurement. A draft procurement plan has been prepared. The Feasibility Study and procurement model will be the subjects of a comprehensive report to Council in December 2012.

1.2 NATURE STRIP LAWN REPLACEMENT REBATE SCHEME

The nature strip project is progressing well and this Spring is the prime time for both promotion and for landscaping. Progress in the past two months has included an industry workshop with landscaping contractors and the roll-out of the project outside of Wagga Wagga.

Some of the key statistics for the project are set out below in point form.

- Over 500 rebate eligibility inspections have been completed to date.
- More than \$280,000 worth of rebates has been offered to eligible customers.
- The Project Officer is fully booked with eligibility inspections until early November.
- Approximately 80 nature strips have been replaced to date and many residents are now busy completing their nature strips.
- To date over \$70,000 has been paid in rebates.

As this project was primarily designed to raise awareness and change the water use culture, a great degree of success has already been achieved.

2.13 DRINKING FOUNTAINS

Riverina Water are member of the SaveWater Alliance, who now offer a discounted drinking water fountain which is aimed to promote the water utility, to fill drink bottles, provide a bubbler and even a dog water bowl. Such fountains in other areas are often co-branded.

By coincidence Lockhart Shire Council contacted Riverina Water regarding a plan to install a fountain at Lockhart. It has been agreed that a fountain will be installed and the costs shared. This arrangement could also apply, to an extent, in other areas. The style of fountain is as shown here.



2.14 BOLTON PARK MAINS REALIGNMENT

The replacement of over 500 metres of the 450mm diameter low level trunk main across Bolton Park in central Wagga Wagga was initiated by the re-development of Robertson Oval and adjoining tennis courts. The project underwent detailed planning in conjunction with Wagga Wagga City Council staff. There are many other underground services in the area which restricted the route options to a great extent.

Significant delays were incurred when consideration was given to a future re-development of the basketball stadium. This required further adjustment to the route. The cost of the project has been shared between the two councils. It is anticipated the work will be completed by the end of November 2012.

A handwritten signature in black ink, appearing to read 'Greg Finlayson', with a stylized flourish at the end.

Greg Finlayson
DIRECTOR OF ENGINEERING

QUESTIONS & STATEMENTS

CLOSURE OF MEETING TO THE PUBLIC (Confidential Reports)