

**MINUTES of the MEETING of RIVERINA WATER COUNTY COUNCIL,
held at 91 HAMMOND AVENUE, WAGGA WAGGA,
on WEDNESDAY, 24th OCTOBER 2012 at 1.30 pm**

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

The General Manager, Director of Engineering, Senior Project Engineer, Finance Administration Manager and Naomi Stuart were in attendance.

Clr. R. Kendall as Acting Chairperson opened the meeting.

DECLARATION OF PECUNIARY & NON-PECUNIARY INTEREST

12/125 No declarations of Pecuniary & Non-pecuniary interest received.

CONFIRMATION OF MINUTES

12/126 The Minutes of the Meeting of 22nd August 2012 having been circulated and read by the Members, were taken as being CONFIRMED on the motion of Clrs. Hiscock and McInerney.

CORRESPONDENCE

SHIRES ASSOCIATION OF NSW: forwarding a copy of Weekly Circulars 34/12 – 42/12.

STAFF CONSULTATIVE COMMITTEE: (26th September 2012) forwarding Minutes of the Staff Consultative Committee Meeting held 28th August 2012.

JOHN L BUSH & CAMPBELL ACCOUNTANTS: (9th October 2012) forwarding annual audit report and management letter relating to Council's Annual Financial Statements for 2012. (These will be referred to Council's Audit and Risk Committee)

12/127 RESOLVED, on the motion of Clrs. Kreutzberger and Hiscock that the correspondence be received.

ELECTION OF CHAIRPERSON

There were 3 nominations for the office of Chairperson for the ensuing year those being Clrs. Hiscock, Pascoe and Poynter.

12/128 MOVED Clr. McInerney and Kreutzberger that an ordinary ballot be held.

Clr. Hiscock was ELECTED Chairperson.

The Chairperson, Clr. Hiscock, then took the chair.

ELECTION OF DEPUTY CHAIRPERSON

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

12/129 RESOLVED on the motion of Clrs. Kendall and Poynter that the ballot papers be destroyed immediately following the meeting.

Chairperson Clr. Hiscock thanked council for confidence in voting for him, appreciated support, and will put his heart and soul into it; he had dedicated his life to the city and will deal with integrity.

GENERAL MANAGER'S REPORT

MINUTES OF AUDIT AND RISK COMMITTEE

12/130 RESOLVED on the motion of Clrs. Negline and Kreutzberger that Council receive and note the minutes of the Audit and Risk Committee Meeting held on 2nd August 2012 and endorse the recommendations contained therein.

FINANCIAL STATEMENTS – LIST OF INVESTMENTS

12/131 RESOLVED on the motion of Clrs. Kreutzberger and Negline that the report detailing Council's external investments for the months of August and September 2012 be received.

QUARTERLY BUDGET REVIEW – PERIOD ENDED THE 30TH SEPTEMBER 2012

- 12/132 RESOLVED on the motion of Clrs. McInerney and Poynter that the Quarterly Budget Review for the period ended 30th September 2012 be received and adopted.

FINANCIAL STATEMENTS 2011/2012

- 12/133 RESOLVED on the motion of Clrs. Kendall and Negline that the 2011/2012 Audited Financial Statements be received.

Councillor's auditor Peter King from John L Bush and Campbell entered the meeting at 2 pm.

- 12/134 RESOLVED on the motion of Clrs. McInerney and Kendall that Council suspend standing orders.

Mr Peter King of John L. Bush and Campbell presented his report on the Annual Financial Statements for 2011/2012.

- 12/135 RESOLVED on the motion of Clrs. McInerney and Kendall that Council resume standing orders.

OPERATIONAL PLAN – PERFORMANCE TARGETS

- 12/136 RESOLVED on the motion of Clrs. Pascoe and Poynter that the report detailing the progress achieved towards the various objectives set out in the 2012/2013 Operational Plan be noted and received.

COUNCILLOR INDUCTION

- 12/137 RESOLVED on the motion of Clrs. Kendall and McInerney that the information be noted.

APPOINTMENT OF COUNCIL REPRESENTATIVES

- 12/138 RESOLVED on the motion of Clrs. McInerney And Poynter that Council suspend standing orders to discuss Council representation on the Committees.

- 12/139 RESOLVED on the motion of Clrs. McInerney and Negline that Council resume standing orders.

- 12/139 RESOLVED on the motion of Clrs. Kendall and McInerney that Council appoint the following representatives to the named Committees:

- a) General Manager's Performance Review Committee
Chairperson, Deputy Chairperson, Clr. Kendall and Clr. Verdon.

- b) Audit and Risk Committee, plus an alternate
Clr. Negline, with Clr. Poynter as the alternate.
- c) Staff Consultative Committee
Clr. Poynter
- d) Murray Darling Association – Murrumbidgee Region
The Chairperson.
- e) Riverina Eastern Regional Organisation of Councils (REROC) –
Chairperson and General Manager.

DISCLOSURE OF INTEREST RETURNS

- 12/140 RESOLVED on the motion of Clrs. Negline and Verdon that the information be received.

PERFORMANCE REVIEW – GENERAL MANAGER

- 12/141 RESOLVED on the motion of Clrs. Verdon and McInerney that the Council consider the Chairman’s Report “Performance Review – General Manager” whilst the meeting is closed to the public as it relating to personnel matters about an individual, as prescribed by Section 10A(2)(a) of the Local Government Act 1993.

PERFORMANCE REVIEW – DIRECTOR OF ENGINEERING

- 12/142 RESOLVED on the motion of Clrs. Kreutzberger and Negline that the Council consider the Chairman’s 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.

DELEGATION OF AUTHORITY TO CHAIRPERSON AND GENERAL MANAGER

- 12/143 RESOLVED on the motion of Clrs. Verdon and Kreutzberger 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.

DRAFT POLICY 5.3 COUNCILLOR’S EXPENSES AND FACILITIES

- 12/144 RESOLVED on the motion of Clrs. Verdon and Kendall that the Draft Policy 5.3 Councillor’s Expenses and Facilities be adopted.

DRAFT POLICY 5.19 COMPLAINTS MANAGEMENT

12/145 RESOLVED on the motion of Clrs. Kendall and Negline that Riverina Water County Council adopt Draft Policy 5.19 Complaints Management.

DRAFT POLICY 5.20 CONFLICT OF INTEREST

12/146 RESOLVED on the motion of Clrs. Kendall and Verdon that Riverina Water County Council adopt Draft Policy 5.20 Conflict of Interest.

DRAFT POLICY 5.21 COUNCILLOR'S TRAINING AND DEVELOPMENT

12/147 RESOLVED on the motion of Clrs. Kendall and Verdon that Riverina Water County Council adopt Draft Policy 5.21 Councillor's Training and Development.

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

12/148 RESOLVED on the motion of Clrs. Kendall and Verdon that Riverina Water County Council adopt Draft Policy 5.22 Councillor's Access to Information, Interaction with Staff and Access to Council Premises.

DRAFT POLICY 5.23 GIFTS AND BENEFITS

12/149 RESOLVED on the motion of Clrs. Kendall and Verdon that Riverina Water County Council adopt Draft Policy 5.22 Gifts and Benefits.

DRAFT POLICY 5.24 STATEMENT OF BUSINESS ETHICS

12/150 RESOLVED on the motion of Clrs. Kendall and Verdon that Riverina Water County Council adopt Draft Policy 5.124 Statement of Business Ethics.

DRAFT POLICY 5.25 GOOD GOVERNANCE

12/151 RESOLVED on the motion of Clrs. Kendall and Verdon that Riverina Water County Council adopt Draft Policy 5.24 Good Governance.

DRAFT POLICY 5.26 PUBLIC ACCESS TO INFORMATION

12/152 RESOLVED on the motion of Clrs. Kendall and Verdon that Riverina Water County Council adopt Draft Policy 5.26 Public Access to Information.

DRAFT POLICY 5.27 STAFF EXPENSES

12/153 RESOLVED on the motion of Clrs. Kendall and Verdon that Riverina Water County Council adopt Draft Policy 5.27 Staff Expenses.

ESTABLISHMENT OF AUDIT AND RISK COMMITTEE

12/154 RESOLVED on the motion of Clrs. McInerney and Kendall 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. That Council appoints Mr Steven Watson and Mr Michael Commins as the two independent community members of Council's Audit and Risk Committee.

DIRECTOR OF ENGINEERING'S REPORT FOR MONTH OF AUGUST 2012

12/155 RESOLVED on the motion of Clrs. Kreutzberger and Poynter that this report be received and noted.

DIRECTOR OF ENGINEERING'S REPORT FOR MONTH OF SEPTEMBER 2012

12/156 RESOLVED on the motion of Clrs. Kendall and Kreutzberger that this report be received and noted

12/157

RESOLVED on the motion of Clrs Kendall and Negline that in relation to item 2.13 that consideration be given during the preparation of the 2013/14 operation plan that provision be made for jointly funded drinking fountains, in partnership with constituent councils..

QUESTIONS AND STATEMENTS

Clr. McInerney: Welcomed new Councillors to Riverina Water, hope working relation is a good one.

Clr. Meyer OAM: Noted that there is a note on water accounts prohibiting fixed sprinklers being used during the day, why?

General Manager: the aim of the ban is to get people into habit of watering early and late, thereby lowering losses through evaporation. This is a permanent conservation measure..

Clr. Kendall: Press announcement recently review of water authorities?

General Manager: Article included in Report of Infrastructure NSW. This Report also covered many other announcements. This particular one proposed reducing the number of water authorities from 105 to 30. Minister of Local Government spoke on ABC radio recently, and advised that this is not a government plan.

Clr. Kendall: Thanked Councillors and Clr. McInerney and staff, pledge absolute support, will sit down in near future with new Chairperson to discuss ongoing issues.

Clr. Pascoe: Expressed his strong support for Riverina Water County Council as an organisation.

Clr. Negline: Does Riverina Water pursue Grants, and where from? Any in the short term?

General Manager: Council receives ongoing grants for pensioner rebates, and a loan subsidy new Water Treatment Plant was announced a few months ago. There are very few other state subsidies, RWCC is considered to be too big. No subsidy for Urana pipeline – we needed to surrender a water licence. Council received a subsidy for Nature-strip scheme and IWCM. We continue to look for opportunities, but there are not many available.

Clr. Negline: Questioned RWCC's Pensioner Rebate Policy

General Manager: The General Manager advised that this was set by the Local Government Act at \$82.50 per annum; it hasn't changed since about 1983.

Clr. Negline: Advertising expenditure for 2011/12 was quite high.

General Manager: There was a lot of sponsorship of community events – brand recognition.

Director of Engineering: Marketing program for latest publicity on nature-strip program.

Clr. Negline: Diversification, other forms of income? Also asked about a bus tour of region, update on aquifers and requested a briefing on current legal matters.

General Manager: Advised that a partial briefing could be given during the closed session of council.

Director of Engineering: will arrange bus tour, but require guidance of travelling distances. Suggested 3-4 hours local site tour recently during the Water Conference.

Clr. McInerney: Suggested a tour of Wagga Wagga facilities on morning of the December Meeting.

General Manager: A meeting will be held in a constituent Council area next year, as has been past practice.

Clr. Kreutzberger: congratulated Clr. Hiscock on gaining position of Chairperson and thanked Clr. Kendall on his time as Chairperson.

Clr. Verdon: Requested an update on nature-strip program in rural areas?

Director of Engineering: A high response from Lockhart area, 5 enquiries with inspections, and a lot will go ahead.

General Manager: Received a message from Clr. Peter Yates, thanking Councillors for assistance, good wishes to everyone.

Next meeting will be Friday, 14th December, 2012, to be followed by Council's Staff Christmas gathering.

Moved in closed council 3.20 pm

RESOLUTION TO MOVE INTO CLOSED COUNCIL

12/158 RESOLVED, on the motion of Clrs McInerney and Kreutzberger that Council now resolve itself into Closed Council to consider business identified.

Council closed its meeting at 3.20 pm.

Pursuant to section 10A(4), the public were invited to make representations to the Council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

No members of the public were present or made representations.

CLOSED COUNCIL

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

12/159 RESOLVED, on the motion of Clrs McInerney and Kreutzberger that:

1. Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business is to be considered is classified confidential under the provisions of section 10A(2)(a) as outlined above.
2. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required under section 11(2) of the Local Government Act 1993.

REPORT OF CHAIRPERSON

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

Personnel matters concerning particular individuals (other than councillors).

12/160 RESOLVED, on the motion of Clrs McInerney and Verdon that the Report be received and adopted.

REPORT OF GENERAL MANAGER

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

Personnel matters concerning particular individuals (other than councillors).

12/161 RESOLVED, on the motion of Clrs McInerney and Verdon that the Report be received and adopted.

OPEN COUNCIL

12/162 RESOLVED, on the motion of Clrs Kreuzberger and Poynter that Council move out of Closed Council and into Open Council.

DECISIONS READ ALOUD

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

The Meeting concluded at 3.50 pm
