

**MINUTES of the MEETING of RIVERINA WATER COUNTY COUNCIL,
held at 91 HAMMOND AVENUE, WAGGA WAGGA,
on WEDNESDAY 26th JUNE 2013 at 1.34 pm**

PRESENT: Clr. G. Hiscock, Clr. I. Kreutzberger, Clr. J. McInerney, Clr. A. Negline, Clr. K. Poynter and Clr. G. Verdon.

The General Manager, Director of Engineering, Senior Project Engineer, and Naomi Stuart (Internal Auditor) were in attendance.

13/54 An apology for non-attendance was received from Clrs. R. Kendall, D. Meyer OAM and K. Pascoe and leave of absence was GRANTED on the motion of Clrs. McInerney and Pascoe.

DECLARATION OF PECUNIARY & NON-PECUNIARY INTEREST

13/55 No declarations of Pecuniary & Non-pecuniary interest received. Clr. Poynter advised that he is a member of a union movement, but not involved with the Enterprise Award negotiations outlined in the General Manager's Report.

ACKNOWLEDGEMENT OF COUNTRY

13/56 Chairperson Clr. Hiscock read out the Acknowledgement of Country

CONFIRMATION OF MINUTES

13/57 The Minutes of the Meeting of 24th April 2013 having been circulated and read by the Members, were taken as being CONFIRMED on the motion of Clrs. Poynter and Kreutzberger.

CORRESPONDENCE

SHIRES ASSOCIATION OF NSW: forwarding a copy of Weekly Circulars 17/13 – 25/13.

HEALTH AND SAFETY COMMITTEE: (29th April 2013) forwarding Minutes of the Health and Safety Committee Meeting held 18th April 2013.

GREATER HUME SHIRE COUNCIL: (15th May 2013) thanking Riverina Water County Council for its support for the Holbrook Bypass Opening Celebrations

RIVERINA SUMMERSCHOOL FOR STRINGS: (18th May 2013) thanking Riverina Water County Council for its support for the 2013 Riverina Summer School for Strings.

SCHOOL OF ARTS COMMUNITY THEATRE: (20th May 2013) forwarding appreciation to Riverina Water County Council for its sponsorship of heir TenX 10 Playfest and to the Chairperson for launching the festival.

STAFF CONSULTATIVE COMMITTEE: (3rd June 2013) forwarding Minutes of the Staff Consultative Committee Meeting held 15th May 2013.

13/58 RESOLVED, on the motion of Clrs. Negline and Poynter that the correspondence be received.

GENERAL MANAGER'S REPORT

FINANCIAL STATEMENTS – LIST OF INVESTMENTS

13/59 RESOLVED on the motion of Clrs. McInerney and Poynter that the report detailing Council's external investments for the months of April and May 2013 be received.

DETERMINATION OF REMUNERATION FEES FOR COUNCILLORS AND CHAIRPERSON 2013/2014

13/60 RESOLVED on the motion of Clrs. McInerney and Poynter that the fees for 2013/2014 be set at:

- i. Councillors \$5,224, and
- ii. Additional fee for chairperson \$8,610.

CONSIDERATION OF PUBLIC COMMENTS TO DRAFT DELIVERY PROGRAM 2013/2017 AND OPERATIONAL PLAN 2013/2014 OPERATIONAL

13/61 RESOLVED on the motion of Clrs. McInerney and Poynter that a suitable response be sent to the person who made a public submission and that the following changes be made to Council's Draft Delivery Program 2013/2017 and Operational Plan 2013/14:

- 1) Page 33 Section 13.10.1 Include a reference in Sundry Fees and Charges to the 'Removal of a Flow Restricting Device'. The charge to be the same as for reconnection of supply.

- 2) Page 25 Section 13.2 near the bottom. Last dot point needs to be amended to read as follows:-

“The methodology to calculate the number of E.T.’s for a development is to primarily use the NSW Water Directorate guidelines as referred to in this Operational Plan. However it is only when these guidelines do not address the type of development is the alternate method used where we assess peak day demands and divide by 3.8kl.”

- 3) Page 28 Commercial or Industrial Development, amend the references to methods of calculation as follows:-

Method 1: Use the Water Directorate Guidelines, and multiply the recommended E.T. value by a factor of 0.7.

Method 2: Where the Water Directorate Guidelines are silent about the particular type of development, calculate the E.T. by dividing the assessed peak day demand by 3.8 kilolitres (e.g. a peak day demand of 19 kilolitres = 5 E.T).

ADOPTION OF DELIVERY PROGRAM 2013/2017 AND OPERATIONAL PLAN 2013/2014

- 13/62 RESOLVED on the motion of Clrs. Negline and Kreutzberger that the Draft Delivery Program 2013/2017 and Operational Plan 2013/14, as exhibited as amended in the previous item, following close of public comments, be adopted as Council's Delivery Program 2013/2017 and Operational Plan for 2012/2013.

SETTING OF RATES AND CHARGES FOR 2013/2014

- 13/63 RESOLVED on the motion of Clrs. McInerney and Verdon that the rates and charges be set for 2013/2014, as outlined in the Operational Plan 2013/2014.

INTERIM MANAGEMENT LETTER 2013

- 13/64 RESOLVED on the motion of Clrs. Negline and Poynter that the Interim Management Letter, together with management responses, be received and note

REPORT ON THE CONTRACTURAL CONDITIONS OF SENIOR STAFF

- 13/65 RESOLVED on the motion of Clrs. Poynter and Verdon that the Report on the Contractural Conditions of Senior Staff be received and noted.

LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

- 13/66 RESOLVED on the motion of Clrs. Verdon and Kreutzberger that:
- a) Council be represented at the Local Government NSW 2013 annual conference;
 - b) Council delegate be the Chairman and the General Manager (observer);
 - c) The Chairman and General Manager be authorised to attend the Local Government Managers Australian annual one-day forum on 1st October 2013;
 - d) Clrs. Verdon and McInerney to attend as observers; and
 - e) Council nominate issues that it believes are of concern and should be discussed at the conference

ENTERPRISE AWARD

- 13/67 RESOLVED on the motion of Clrs. Verdon and Poynter that the General Manager's report be received and noted.

AUDIT AND RISK COMMITTEE MINUTES

- 13/68 RESOLVED on the motion of Clrs. Poynter and Negline that Council receive and note the minutes of the Audit and Risk Committee Meeting held 30th May 2013 and endorse the recommendations contained therein.

DRAFT INTERNAL POLICY 1.25 INTERNET, E-MAIL AND COMPUTER USE

- 13/69 RESOLVED on the motion of Clrs. McInerney and Kreutzberger that Riverina Water County Council adopt Draft Policy 1.25 Internet, E-mail and Computer Use.

CONSIDERATION OF LEGAL ADVICE

- 13/70 RESOLVED on the motion of Clrs. McInerney and Verdon that the Council consider the Report "Consideration of Legal Advice" whilst the meeting is closed to the public as it relating to the receipt and consideration of legal advice concerning litigation or which would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege, as prescribed by Section 10A(2)(f) of the Local Government Act 1993.

CONSIDERATION OF TENDER W.127 PEST CONTROL

- 13/71 RESOLVED on the motion of Cllrs. McInerney and Verdon that Council consider the report "Consideration of Tender W127 Pest Control" whilst the meeting is closed to the public, as it relates to Commercial Information, the disclosure of which would be likely to prejudice the commercial position of the person who supplied it, as prescribed by Section 10A(2)(c) of the Local Government Act 1993.

CONSIDERATION OF TENDERS FOR CONSULTANTS TO PREPARE CONCEPT DESIGN FOR THE REPLACEMENT OF THE WAGGA WAGGA WATER TREATMENT PLANT

- 13/72 RESOLVED on the motion of Cllrs. McInerney and Verdon that Council consider the report "Consideration of Tenders for Consultants to Prepare Concept Design for the Replacement of the Wagga Wagga Water Treatment Plant" whilst the meeting is closed to the public, as it relates to Commercial Information, the disclosure of which would be likely to prejudice the commercial position of the person who supplied it, as prescribed by Section 10A(2)(c) of the Local Government Act 1993.

CONSIDERATION OF TENDER W.164 SOUTHERN TRUNK MAIN DESIGN FOR AUGMENTATION

- 13/73 RESOLVED on the motion of Cllrs. McInerney and Verdon that Council consider the report "Consideration of Tender W164 Southern Trunk Main Design for Augmentation" whilst the meeting is closed to the public, as it relates to Commercial Information, the disclosure of which would be likely to prejudice the commercial position of the person who supplied it, as prescribed by Section 10A(2)(c) of the Local Government Act 1993.

MASTER METER SYSTEMS

- 13/74 RESOLVED on the motion of Cllrs. McInerney and Verdon that Council consider the report "Master Meter Systems" whilst the meeting is closed to the public, as it relates to Commercial Information, the disclosure of which would be likely to prejudice the commercial position of the person who supplied it, as prescribed by Section 10A(2)(c) of the Local Government Act 1993.

COUNCIL RESOLUTION SHEET

- 13/75 RESOLVED on the motion of Cllrs. and that the information be noted.

DIRECTOR OF ENGINEERING'S REPORT FOR MONTH OF APRIL 2013

- 13/76 RESOLVED on the motion of Clrs. Poynter and McInerney that the Director of Engineering's report covering the month of April 2013 be received and noted.

DIRECTOR OF ENGINEERING'S REPORT FOR MONTH OF MAY 2013

- 13/77 RESOLVED on the motion of Clrs. Poynter and Negline that the Director of Engineering's report covering the month of May 2013 be received and noted.

BACKFLOW PREVENTION POLICY

- 13/78 RESOLVED on the motion of Clrs. Poynter and Negline that:
1. This report be received and noted.
 2. The revised backflow prevention policy be adopted.

DEVELOPMENT SERVICING PLAN FOR WATER SUPPLY – 2013

- 13/79 RESOLVED on the motion of Clrs. McInerney and Negline that:
1. This report be received.
 2. The submission received on the draft as exhibited be noted and a suitable response be made.
 3. The minor corrections as described in this report be endorsed.
 4. The Development Servicing Plan – 2013 be adopted with corrections.

QUESTIONS AND STATEMENTS

- 13/80 General Manager: Provided details of NSW Local Government Water Management Conference to be held 8th to 10th September 2013 in Terrigal.

MOVED Clr. McInerney and Negline that nominations be called as a matter of urgency.

MOVED Clr McInerney and Poynter that Chairperson, Clr. Verdon, General Manager and Director of Engineering attend as delegate and and observers.

- 13/81 Chairperson: Next Meeting will be Wednesday, 28th August 2013.

RESOLUTION TO MOVE INTO CLOSED COUNCIL

13/82 RESOLVED, on the motion of Clrs McNerney and Negline that Council now resolve itself into Closed Council to consider business identified.

Council closed its meeting at 2.30pm

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.

13/83 RESOLVED, on the motion of Clrs. McNerney and Negline 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)(c) 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.

CONSIDERATION OF LEGAL ADVICE

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

Receipt and consideration of legal advice concerning litigation or which would otherwise be privilege from production in legal proceedings on the grounds of legal professional privilege.

13/84 RESOLVED on the motion of Clrs Poynter and Kreutzberger that Council adopt the advice of Lindsay Taylor Lawyers and instruct them to draft a letter along the lines suggested.

CONSIDERATION OF TENDER W.127 PEST CONTROL

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:

c) Commercial Information, the disclosure of which would be likely to prejudice the commercial position of the persons who supplied it.

13/85 RESOLVED on the motion of Cllrs McInerney and Negline that Council award Tender W1.27 Pest Control to Avant Guard for the tender price of \$18,409 per annum.

CONSIDERATION OF TENDERS FOR CONSULTANTS TO PREPARE CONCEPT DESIGN FOR THE REPLACEMENT OF THE WAGGA WAGGA WATER TREATMENT PLANT

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

c) Commercial Information, the disclosure of which would be likely to prejudice the commercial position of the persons who supplied it.

13/86 RESOLVED on the motion of Cllrs Kreutzberger and Poynter that:

1. This report be received.
2. Kellogg Brown Root Pty Ltd be awarded the \$379,063 contract to Prepare Concept Design for Replacement of the Wagga Wagga Water Treatment Plant.

CONSIDERATION OF TENDER W.164 SOUTHERN TRUNK MAIN DESIGN FOR AUGMENTATION

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

c) Commercial Information, the disclosure of which would be likely to prejudice the commercial position of the persons who supplied it.

13/87 RESOLVED on the motion of Cllrs Kreutzberger and Verdon that:

1. This report be received by Council.
2. Gordon Gibson Nominees be engaged for the design and documentation of the southern trunk main for an upper limit fee of \$108,000.

MASTER METER SYSTEMS

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

c) Commercial Information, the disclosure of which would be likely to prejudice the commercial position of the persons who supplied it.

13/88 RESOLVED on the motion of Clrs Poynter and Kreutzberger that:

1. That this report be received and Council endorse the aim to progressively replace master meter systems.
2. That Council resources be used to promote the replacement of master meter systems where benefits to council justify this and that cost sharing of small mains extensions up to 50% by council be an option.

OPEN COUNCIL

13/89 RESOLVED, on the motion of Clrs Poynter and Negline 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 3.05 pm
