

**MINUTES of the MEETING of RIVERINA WATER COUNTY COUNCIL,
held at 91 HAMMOND AVENUE, WAGGA WAGGA,
on WEDNESDAY 25th JUNE 2014 at 9.30 am**

PRESENT: Clr. G. Hiscock, Clr. R. Kendall, Clr. I. Kreutzberger, Clr. J. McInerney, Clr. D. Meyer OAM and Clr. K. Poynter.

The General Manager, Director of Engineering, Manager Corporate Services and Stephen Byrns (Manager Internal Auditor) were in attendance.

ACKNOWLEDGEMENT OF COUNTRY

14/52 Chairperson Clr. Hiscock read out the Acknowledgement of Country

14/53 An apology for non-attendance was received from Clrs. Negline and Verdon and leave of absence was GRANTED on the motion of Clrs. Kendall and McInerney.

DECLARATION OF PECUNIARY & NON-PECUNIARY INTEREST

14/54 No declarations of Pecuniary & Non-pecuniary interest received.

CONFIRMATION OF MINUTES

14/55 The Minutes of the Meeting of 23rd April 2014 having been circulated and read by the Members, were taken as being CONFIRMED on the motion of Clrs. Kendall and McInerney.

14/56 The Minutes of the Extraordinary Meeting of 4th June 2014 having been circulated and read by the Members, were taken as being CONFIRMED on the motion of Clrs. Kendall and McInerney.

CORRESPONDENCE

LOCAL GOVERNMENT NSW: forwarding a copy of Weekly Circulars 16/14 – 23/14.

STAFF CONSULTATIVE COMMITTEE: (19th June 2014) forwarding Minutes of the Staff Consultative Committee Meeting held 6th May 2014.

HEALTH AND SAFETY COMMITTEE: (19th June 2014) forwarding Minutes of the Health and Safety Committee Meeting held 19th June 2014.

14/57 RESOLVED, on the motion of Clrs. Meyer OAM and Poynter that the correspondence be received.

GENERAL MANAGER'S REPORT

FINANCIAL STATEMENTS – LIST OF INVESTMENTS

14/58 RESOLVED on the motion of Clrs. Kendall and Poynter that the report detailing Council's external investments for the months of April and May 2014 be received.

DETERMINATION OF REMUNERATION FEES FOR COUNCILLORS AND CHAIRPERSON 2014/2015

14/59 RESOLVED on the motion of Clrs. Meyer OAM and Kreutzberger that the fees for 2014/2015 be set at:

- i. Councillors \$5,376, and
- ii. Additional fee for Chairperson \$8,826.

CONSIDERATION OF PUBLIC COMMENTS TO DRAFT DELIVERY PROGRAM 2014/2017 AND OPERATIONAL PLAN 2014/2015

14/60 RESOLVED on the motion of Clrs. McInerney and Poynter that Council note the submission made following the exhibition of the Draft Delivery Program and Operational Plan.

ADOPTION OF REVISED DELIVERY PROGRAM 2014/2017 AND OPERATIONAL PLAN 2014/2015

14/61 RESOLVED on the motion of Clrs. Meyer OAM and Poynter that the Draft Revised Delivery Program 2014/2017 and Operational Plan 2014/15, as exhibited, following close of public comments, be adopted as Council's Delivery Program 2014/2017 and Operational Plan for 2014/2015.

MAKING OF RATES AND CHARGES FOR 2014/2015

14/62 RESOLVED on the motion of Clrs. McInerney and Kreutzberger that the rates and charges be made for the 2014/2015, as outlined in the Operational Plan 2014/2015.

REPORT ON THE CONTRACTUAL CONDITIONS OF SENIOR STAFF

- 14/63 RESOLVED on the motion of Clrs. Kreutzberger and Meyer OAM that the Report on the Contractual Conditions of Senior Staff be received and noted.

AUDIT AND RISK COMMITTEE MINUTES

- 14/64 RESOLVED on the motion of Clrs. Kendall and Poynter that Council receive and note the minutes of the Audit and Risk Committee Meeting held 22nd May 2014 and endorse the recommendations contained therein.

LOCAL GOVERNMENT NSW 2014 ANNUAL CONFERENCE

- 14/65 RESOLVED on the motion of Clrs. Kendall and Meyer OAM that:
- a) Council be represented at the Local Government NSW 2014 annual conference;
 - b) Council delegate be the Chairman and the General Manager (observer);
 - c) Clrs. Verdon and McInerney to attend as observers; and
 - d) Council nominate issues and motions that it believes are of concern and should be discussed at the conference.

COUNCILLOR'S EXPENSES AND FACILITIES POLICY

- 14/66 RESOLVED on the motion of Clrs. Poynter and Meyer OAM 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 20 August 2014.

DRAFT POLICY 2.3 PESTICIDE USE NOTIFICATION PLAN

- 14/67 RESOLVED on the motion of Clrs. Kendall and Kreutzberger that Council adopt Draft Policy 2.3 Pesticide Use Notification Plan.

DRAFT POLICY 1.19 PROCUREMENT AND DISPOSAL

- 14/68 RESOLVED on the motion of Clrs. Kendall and Poynter that Council adopt Draft Policy 1.19 Procurement and Disposal

COUNCIL RESOLUTION SHEET

14/69 RESOLVED on the motion of Clrs. Kendall and Poynter that the information be noted.

DRAFT COMMUNICATIONS PLAN

14/70 RESOLVED on the motion of Clrs. Meyer OAM and Kendall that Council adopt the Draft Communications Plan.

REPORT FROM DIRECTOR OF ENGINEERING – POSSIBLE LITIGATION

14/71 RESOLVED on the motion of Clrs. Kendall and McInerney that Council consider the report from the Director of Engineering regarding possible litigation whilst the meeting is close to the public, as it relates to the consideration legal advice concerning litigation as described by section 10(2) (f) in local government act 1993

DIRECTOR OF ENGINEERING'S REPORT FOR MONTH OF APRIL 2014

14/72 RESOLVED on the motion of Clrs. Poynter and Kreutzberger that the Director of Engineering's report covering the month of April 2014 be received and noted.

DIRECTOR OF ENGINEERING'S REPORT FOR MONTH OF MAY 2014

14/73 RESOLVED on the motion of Clrs. McInerney and Poynter that the Director of Engineering's report covering the month of May 2014 be received and noted.

RESOLUTION TO MOVE INTO CLOSED COUNCIL

14/74 RESOLVED, on the motion of Clrs. Kendall and Meyer OAM that Council now resolve itself into Closed Council to consider business identified.

Council closed its meeting at 10.10 am

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)(f) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

14/75 RESOLVED, on the motion of Clrs. Kendall and Meyer OAM 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)(f) 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.

14/76 RESOLVED on the motion of Clrs Kendall and Poynter that Council received and note the verbal update from the Director of Engineering concerning possible litigation.

OPEN COUNCIL

14/77 RESOLVED, on the motion of Clrs McInerney and Kendall 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.

QUESTIONS AND STATEMENTS

14/78 Clr. Kendall: Hope everyone gets a chance to visit Holbrook and see the Yellow Submarine, worth a visit.

14/79 General Manager: Will be reporting to August 2014 Meeting, looking at an issue with the North Urana Water Group regarding a private scheme for 6 people, not considered to be feasible. NSW Office of Water discussing with us if we can connect NUWG to our pipeline.

Director of Engineering: Short answer, from an engineering point of view we can probably do it, and costs will be met by the NSW Office of Water, a lot of issues to work through.

14/80 Director of Engineering: Southern Trunk Main project commenced last week, not much progress to date. This will eventually be an advantage to consumers on Southern Trunk Main.

14/81 Chairperson: Next Meeting will be Wednesday, 20th August 2014.

The Meeting concluded at 10.30 am
