

**MINUTES of the MEETING of RIVERINA WATER COUNTY COUNCIL,  
held at LOCKHART SHIRE COUNCIL OFFICES, GREEN STREET, LOCKHART,  
on WEDNESDAY, 25<sup>th</sup> FEBRUARY 2015 at 1.30 pm**

**PRESENT:** Clr. P. Funnell, Clr. G Hiscock, Clr. I. Kreutzberger, Clr. J. McInerney, Clr. D Meyer OAM, Clr. A. Negline, Clr. K. Poynter and Clr. G Verdon.

The General Manager, Director of Engineering, Mr Greg Vidler (Manager Projects), Jason Ip (Operations Manager) and Clr. P. Yates, Mayor of Lockhart Shire were in attendance.

**ACKNOWLEDGEMENT OF COUNTRY**

- 15/1 Chairperson Clr. Hiscock read out the Acknowledgement of Country.
- 15/2 Apologies for non-attendance was received from Clr. R. Kendall. Leave of absence was GRANTED on the motion of Clrs. Negline and Meyer OAM.
- 15/3 Lockhart Shire Mayor Clr. Peter Yates welcomed Council to Lockhart and Clr. Hiscock thanked Lockhart Shire for allowing Riverina Water to hold its meeting at Lockhart Shire Council Chambers.

Clr. Yates left meeting 1.45 pm

**DECLARATION OF PECUNIARY & NON-PECUNIARY INTEREST**

- 15/4 No declarations of Pecuniary & Non-pecuniary interest received.

**CONFIRMATION OF MINUTES**

- 15/5 The Minutes of the Meeting of 12<sup>th</sup> December 2014 having been circulated and read by the Members, were taken as being CONFIRMED on the motion of Clrs. Negline and Poynter.

**CORRESPONDENCE**

**LOCAL GOVERNMENT NSW:** forwarding a copy of Weekly Circulars 48/14 – 7/15.

**STAFF CONSULTATIVE COMMITTEE:** (3 February 2015) forwarding Minutes of the Staff Consultative Committee Meeting held 13 January 2015.

HEALTH AND SAFETY COMMITTEE: (19 December 2014) forwarding Minutes of Health and Safety Committee Meeting held 18 December 2014.

- 15/6 RESOLVED, on the motion of Ctrs. Negline and Poynter that the correspondence be received.

## **GENERAL MANAGER'S REPORT**

### **FINANCIAL STATEMENTS – LIST OF INVESTMENTS**

- 15/7 RESOLVED on the motion of Ctrs. Funnell and Kreutzberger that the report detailing Council's external investments for the months of December 2014 and January 2015 be received.

### **QUARTERLY BUDGET REVIEW – PERIOD ENDED 31ST DECEMBER 2014**

- 15/8 RESOLVED on the motion of Ctrs. Poynter and Meyer OAM that the Quarterly Budget Review for the period ended 31<sup>st</sup> December 2014 be received and noted.

### **OPERATIONAL PLAN – PERFORMANCE TARGETS**

- 15/9 RESOLVED on the motion of Ctrs. Kreutzberger and Funnell that the report detailing progress as at 31<sup>st</sup> December 2014, achieved towards the various objectives set out in the 2014/2015 Operational Plan be noted and received.

### **OVERDUE DEBTORS JANUARY 2015**

- 15/10 RESOLVED on the motion of Ctrs. Kreutzberger and Poynter that the following report on overdue debtors for the period ended 31<sup>st</sup> January 2015 be received and noted.

### **AUDIT AND RISK COMMITTEE MINUTES**

- 15/11 RESOLVED on the motion of Ctrs. Negline and Funnell that Council receive and note the minutes of the Audit and Risk Committee Meeting held 19<sup>th</sup> February 2015 and endorse the recommendations contained therein.

## **RESIGNATION OF INDEPENDENT MEMBER – AUDIT AND RISK COMMITTEE**

15/12 RESOLVED on the motion of Clrs. McInerney and Poynter that Riverina Water County Council:

- a) call for expressions of interest for a replacement Independent member of the Audit and Risk Committee and
- b) write a letter of appreciation to Mr S Watson for his service on Council's Audit and Risk Committee.

## **FEBRUARY 2015 COUNCIL MEETING**

Information Noted.

## **LOST TIME INJURY STATISTICS**

15/13 RESOLVED on the motion of Clrs. McInerney and Negline that the quarterly statistics report on Lost Time Injuries for the 12 months ended 31<sup>st</sup> December 2014 be received and noted.

## **REQUEST FOR CONTRIBUTION – WAGGA WOMEN'S HEALTH CENTRE**

15/14 RESOLVED on the motion of Clrs. Verdon and Poynter that Riverina Water County Council make a contribution to the Wagga Women's Health Centre of \$3,580, equivalent to the cost of a 50mm connection.

## **EMPLOYMENT ENGAGEMENT SURVEY**

Information Noted

## **MEETINGS WITH SENIOR STAFF OF CONSTITUENT COUNCILS**

Information Noted.

## **CUSTOMER ADVISORY COMMITTEE**

15/15 RESOLVED on the motion of Clrs. Poynter and Negline and that Council defer the formation a Customer Advisory Committee until after the Fit for the Future process has been completed.

## **USE OF URANQUINTY RESERVOIR SITE**

15/16 RESOLVED on the motion of Clrs. McInerney and Funnell that Riverina Water County Council permit the use of the Uranquinty Reservoir site by the Uranquinty Progress Association Inc., subject to:

- a. a satisfactory license been drawn up with the Uranquinty Progress Association,

- b. Riverina Water County Council install adequate fencing on the existing reservoir structure,
- c. Riverina Water County Council remove the lower reservoir ladder access structure,
- d. Riverina Water County Council erect an Information Board to promote the history of Southern Riverina County Council and Riverina Water County Council, and
- e. Riverina Water County Council investigate any existing above-ground structures that may pose a safety risk and make the necessary modifications

#### **POLICY 1.7 INTERNAL AUDIT**

15/17 RESOLVED on the motion of Clrs. Negline and Kreutzberger that Council adopt Policy 1.7 Internal Audit Policy.

#### **POLICY 1.22 BUSINESS CONTINUITY**

15/18 RESOLVED on the motion of Clrs. Verdon and Meyer OAM that Council adopt Policy 1.22 Business Continuity.

#### **POLICY 4.2 SMOKE FREE ENVIRONMENT**

15/19 RESOLVED on the motion of Clrs. McInerney and Meyer OAM and that Council adopt Policy 4.2 Smoke Free Environment.

#### **INTERNAL POLICY 3.29 HEALTH AND WELLBEING**

15/20 RESOLVED on the motion of Clrs. McInerney and Poynter that Council adopt Internal Policy 3.29 Health and Wellbeing.

#### **DIVIDEND PAYMENT TO CONSTITUENT COUNCILS**

Moved by Clrs. Poynter and Funnell that:

- a) The General Manager report on access charges for non-residential consumers to the April 2015 Ordinary Meeting of Council.
- b) The General Manager seek advice from the NSW Office of Water on alternative methods of distributing dividends to constituent council.

AMENDMENT moved of Clrs. McInerney and Funnell that Council take no further action to pay dividends to constituent Councils.

THIS AMENDMENT LOST

A FURTHER AMENDMENT moved by Clrs. Funnell and Verdon that:

- a) Council defer any further action on the payment of dividends to Constituent Councils dividends.

- b) Council receive more information on Best Practice Compliance, and the restrictions on the payment of dividends, and
- c) Riverina Water advise Constituent Councils of the outcome of those investigations

THIS AMENDMENT WAS CARRIED AND BECAME THE MOTION.

15/21 THE MOTION WAS THEN CARRIED.

Clr. Yates entered meeting 2.15 pm

#### **CONSIDERATION OF TENDERS FOR W193 - CONSTRUCTION OF INDUSTRIAL WAREHOUSE AND OFFICE**

15/22 RESOLVED on the motion of Clrs. Kreutzberger and Meyer OAM that Council consider the Report " Consideration of Tenders for W193 Construction of Industrial Warehouse and Office" whilst the meeting is closed to the public as it could relate 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.

#### **PERFORMANCE REVIEW – GENERAL MANAGER**

15/23 RESOLVED on the motion of Clrs. Kreutzberger and Meyer OAM 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.

#### **CHAIRPERSON'S REPORT – REAPPOINTMENT OF GENERAL MANAGER**

15/24 RESOLVED on the motion of Clrs. Kreutzberger and Meyer OAM that the Council consider the Chairman's Report "Reappointment of 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.

#### **COUNCIL RESOLUTION SHEET**

15/25 RESOLVED on the motion of Clrs. Poynter and Funnell that Council receive and note Council's Resolution Sheet.

#### **DIRECTOR OF ENGINEERING'S REPORT FOR MONTH OF DECEMBER 2014**

15/26 RESOLVED on the motion of Clrs. Kreutzberger and Poynter that the Director of Engineering's report covering the month of December 2014 be received and noted.

## **DIRECTOR OF ENGINEERING'S REPORT FOR MONTH OF JANUARY 2015**

15/27 RESOLVED on the motion of Clrs. Verdon and Negline that the Director of Engineering's report covering the month of January 2015 be received and noted.

### **QUESTIONS AND STATEMENTS**

15/28 Clr. Meyer OAM: When is the new water main going to be installed in Henty at the Railway Crossing?

Director of Engineering: Will investigate and advise.

15/29 Clr. Poynter: Water pressure at The Rock, advice on how to address it?

Director of Engineering: Been raised numerous times, have commenced analysis, but recent advice regarding possible 900 new dwellings weren't considered. Investigations will continue with this in mind.

15/30 Clr. Funnell: Given the decision on Dividend Payments, is there any way to alleviate pressure on businesses? This has been brought to him numerous times.

Director of Engineering: We are 3 years into the 5 year Development Servicing Plan. We will start a review in 12 months' time.

Clr. Poynter: There is a problem in that some businesses have connections far in excess of what they really need.

15/31 Clr. Verdon: Asked if Council has received a letter from residents in Vincents Road, The Rock?

General Manager: It has and has been referred to the engineering department for investigation.

15/32 Clr. Hiscock: Next Meeting will be Wednesday, 22<sup>nd</sup> April 2015.

### **RESOLUTION TO MOVE INTO CLOSED COUNCIL**

15/31 RESOLVED, on the motion of Clrs. Kreuzberger and Funnell that Council now resolve itself into Closed Council to consider business identified.

Council closed its meeting at 3.05 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.

15/32           RESOLVED, on the motion of Clrs. McInerney and Funnell 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.

### **CONSIDERATION OF TENDER W.193 CONSTRUCTION OF INDUSTRIAL WAREHOUSE AND OFFICE**

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:

*2(d) Commercial information of a confidential nature that would, if disclosed:  
(i) prejudice the commercial position of the person who supplied it.*

15/33           RESOLVED, on the motion of Clrs. Funnell and Poynter that Riverina Water County Council accept the tender of Premier Building and Construction Pty Ltd for W193 – Construction of Industrial Warehouse and Office for \$3,819,581 ex GST

### **CHAIRPERSON'S MEMO PERFORMANCE REVIEW – GENERAL MANAGER**

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

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

15/34           RESOLVED, on the motion of Clrs. Verdon and McInerney that the Chairperson's Memo be received and that, under the provisions of Clause 8.3 of his employment contract, the total remuneration package of the General Manager be increased to \$201,258.66, commencing 17 January 2015.

**CHAIRPERSON'S MINUTE**  
**GENERAL MANAGER – APPLICATION FOR EMPLOYMENT**

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

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

15/35

RESOLVED, on the motion of Clrs. Funnell and Poynter that the Chairperson's Minute be received and that:

1. Mr Graeme Joseph Haley be offered re-appointment to the position of General Manager of Riverina Water County Council for a period of 2 years from 17<sup>th</sup> January 2016;
2. Schedule C (Remuneration) referred to in Section 8 of the contract be varied in consultation with Mr Haley so that the total remuneration package is \$206,290; and
3. Authority be and is hereby given for the execution of the contract under Council's Common Seal.

15/36

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.

Clr. Yates presented Councillors and Management with a pen as a memento on their visit to Lockhart.

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The Meeting concluded at 3.40 pm

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