

**MINUTES of the MEETING of RIVERINA WATER COUNTY COUNCIL**  
**held at 91 HAMMOND AVENUE, WAGGA WAGGA,**  
**on WEDNESDAY, 26<sup>th</sup> OCTOBER 2016 at 9.30 am**

**PRESENT:** Clr. Y. Braid, Clr. G. Conkey, Clr. P. Funnell, Clr. T. Koschel, Mr. I. Kreutzberger, Clr. D Meyer OAM and Clr. G. Verdon.

The General Manager, Director of Engineering, Manager Corporate Services, Manager Projects and Brad Bohun (Crowe Horwath)

16/161 Apologies for non-attendance were received from Clrs. V. Keenan and T. Quinn together with Mr. M. Eden and leave of absence was GRANTED on the motion of Clrs. Braid and Funnell.

**ELECTION OF CHAIRPERSON**

16/162 There was only nomination for the office of Chairperson for the ensuing year that of Clr. G. Verdon.

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

**ELECTION OF DEPUTY CHAIRPERSON**

16/163 There was only one nomination for the office of Deputy Chairperson for the ensuing year, that of Clr. P. Funnell.

16/164 Chairperson Clr. Verdon thanked Council for the honour allowing him to be Chairperson, working for benefit of Council and acknowledged the contribution of previous Chairperson Clr. G. Hiscock and previous Councillors.

Welcomed new Councillors looking forward to positive contribution and good governance. We have a dedicated management team, don't hesitate to ask questions.

**ACKNOWLEDGEMENT OF COUNTRY**

16/165 Chairperson Clr. Verdon read out the Acknowledgement of Country.

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

16/166 No declarations of Pecuniary & Non-pecuniary interest received.

## **CONFIRMATION OF MINUTES**

- 16/167 The Minutes of the Meeting of 24 August 2016 having been circulated and read by the Members, were taken as being CONFIRMED on the motion of Clrs. Meyer OAM and Funnell.

## **CORRESPONDENCE**

**LOCAL GOVERNMENT NSW:** forwarding a copy of Weekly Circulars 34/16 – 42/16.

**HEALTH AND SAFETY COMMITTEE:** (17 October 2016) forwarding Minutes of the Health and Safety Committee Meeting held 13 October 2016.

- 16/168 RESOLVED on the motion of Clrs. Funnell and Meyer OAM that the correspondence be received.

## **GENERAL MANAGER'S REPORT**

### **OATH OR AFFIRMATION OF OFFICE BY COUNCILLORS**

- 16/169 RESOLVED on the motion of Clrs. Koschel and Meyer OAM that it be noted that all Councillors have taken an oath of office or made an affirmation of office with the exception of Mr. M. Eden.

### **DELEGATION OF AUTHORITY TO CHAIRPERSON AND GENERAL MANAGER**

- 16/170 RESOLVED on the motion of Clrs. Meyer OAM and Braid 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.

### **INTRODUCTION TO RIVERINA WATER COUNTY COUNCIL – PRESENTATION BY DIRECTOR OF ENGINEERING**

- 16/171 RESOLVED on the motion of Clrs. Funnell and Braid that the information be noted.

Mr. Brad Bohun from Crowe Horwath entered meeting at 9.45 am.

RESOLVED on the motion of Clrs Funnell and Meyer OAM to move to Item 7 Financial Statements 2015/16

## **APPOINTMENT OF COUNCIL REPRESENTATIVES**

16/172 RESOLVED on the motion of Clrs. Meyer OAM and Braid that Council appoint the following representatives to the named Committees:

a) General Manager's Performance Review Committee  
*Chairperson, Deputy Chairperson, Clrs. Koschel and Meyer OAM.*

b) Audit and Risk Committee,  
*Clr. Braid, with Clr. Koschel as the alternate.*

d) Murray Darling Association – Murrumbidgee Region  
*The Chairperson and General Manager*

e) Riverina Eastern Regional Organisation of Councils (REROC) –  
*Chairperson and General Manager, with Deputy Chairperson as the alternate.*

## **DISCLOSURE OF INTEREST RETURNS**

16/173 RESOLVED on the motion of Clrs. Funnell and Koschel that the information be noted.

## **FINANCIAL STATEMENTS 2015/16**

16/174 RESOLVED on the motion Clrs. Conkey and Koschel that the 2015/2016 Audited Financial Statements be received.

Brad Bohun left meeting 10.15 am.

16/175 RESOLVED on the motion of Clrs Meyer OAM and Koschel to move back to Item 6.

## **FEBRUARY 2017 COUNCIL MEETING**

16/176 RESOLVED on the motion of Clrs. Funnell and Braid that Council determine when it intends to hold its meeting in the February Council area. Meeting to be held in Urana in April 2017.

## **AUDIT AND RISK COMMITTEE ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2016**

16/177 RESOLVED on the motion of Clrs. Braid and Funnell that Council receive and note the Audit and Risk Committee Annual Report for the Year Ended 30 June 2016.

**MINUTES OF AUDIT AND RISK COMMITTEE MEETING HELD 27  
SEPTEMBER 2016**

- 16/178 RESOLVED on the motion of Clrs. Conkey and Braid that Council receive and note the Audit and Risk Committee Meeting held 26 September 2016 and that the General Manager submit a report to the December 2016 Meeting on the level of Council's Reserves.

**EXTERNAL INVESTMENT REPORTS**

- 16/179 RESOLVED on the motion of Clrs. Meyer OAM and Conkey that the report detailing Council's external investments for the months of August and September 2016 be received.

**QUARTERLY BUDGET REVIEW – PERIOD ENDED THE  
30 SEPTEMBER 2016**

- 16/180 RESOLVED on the motion of Clrs. Funnell and Koschel that the Quarterly Budget Review for the period ended 30 September 2016 be received and noted.

**OPERATIONAL PLAN – PERFORMANCE TARGETS**

- 16/181 RESOLVED on the motion of Clrs. Braid and Funnell that the report detailing progress, as at 30 September 2016, achieved towards the various objectives set out in the 2016/2017 Operational Plan be noted and received.

**POLICY 1.3 – GOOD GOVERNANCE**

- 16/182 RESOLVED on the motion of Clrs. Meyer OAM and Funnell that Riverina Water County Council adopt Policy 1.3 – Good Governance.

**DRAFT POLICY 1.4 – STATEMENT OF BUSINESS ETHICS**

- 16/183 RESOLVED on the motion of Clrs. Meyer OAM and Funnell that Riverina Water County Council adopt Policy 1.4 – Statement of Business Ethics.

**DRAFT POLICY 1.5 – COMPLAINTS MANAGEMENT**

- 16/184 RESOLVED on the motion of Clrs. Meyer OAM and Funnell that Riverina Water County Council adopt Policy 1.5 – Complaints Management.

### **DRAFT POLICY 1.6 - CONFLICT OF INTEREST POLICY**

16/185 RESOLVED on the motion of Clrs. Meyer OAM and Funnell that Riverina Water County Council adopt Policy 1.6 – Conflict of Interest Policy.

### **DRAFT POLICY 1.7 – GIFTS AND BENEFITS**

16/186 RESOLVED on the motion of Clrs. Meyer OAM and Funnell that Riverina Water County Council adopt the Draft Gifts and Benefits Policy.

### **DRAFT POLICY 1.8 COUNCILLORS TRAINING AND DEVELOPMENT**

16/187 RESOLVED on the motion of Clrs. Meyer OAM and Funnell that Riverina Water County Council adopt the Draft Policy 1.8 Councillor’s Training and Development.

### **POLICY 1.9 COUNCILLOR’S ACCESS TO INFORMATION, INTERACTION WITH STAFF AND ACCESS TO COUNCIL PREMISES**

16/188 RESOLVED on the motion of Clrs. Meyer OAM and Funnell that Riverina Water County Council adopt Policy 1.9 – Councillor’s Access to Information, Interaction with Staff and Access to Council Premises.

### **DRAFT POLICY 1.10 COUNCILLOR’S EXPENSES AND FACILITIES**

16/189 RESOLVED on the motion of Clrs. Meyer OAM and Funnell that the Draft Policy 1.10 Councillor’s Expenses and Facilities be adopted.

### **POLICY 1.11 – PROTECTED DISCLOSURES**

16/190 RESOLVED on the motion of Clrs. Meyer OAM and Funnell that Riverina Water County Council adopt Policy 1.11 – Protected Disclosures.

### **POLICY 1.25 – PROJECT MANAGEMENT FRAMEWORK**

16/191 RESOLVED on the motion of Clrs. Meyer OAM and Funnell that the Draft Policy 1.25 Project Management Framework be adopted.

### **DRAFT POLICY 2.7 – PENSIONER CONCESSION REBATES**

16/192 RESOLVED on the motion of Clrs. Funnell and Braid that the Draft Policy 2.7 – Pensioner Concession Rebates be adopted.

### **APPLICATION FOR ANNUAL LEAVE – GENERAL MANAGER**

16/193 RESOLVED on the motion of Clrs. Conkey and Koschel that annual leave be approved for the period requested by the General Manager and that the Director of Engineering, Mr. Bede Spannagle, be appointed as Acting General Manager during this time.

## **COUNCIL RESOLUTION SHEET**

16/194 RESOLVED on the motion of Clrs. Funnell and Meyer OAM that Council receive and note Council's Resolution Sheet.

## **WORKS REPORT COVERING AUGUST 2016**

16/195 RESOLVED on the motion Clrs. Meyer OAM and Funnell that the Director of Engineering's report covering the month of August 2016 received and noted.

## **WORKS REPORT COVERING SEPTEMBER 2016**

16/196 RESOLVED on the motion Clrs. Meyer OAM and Funnell that the Director of Engineering's report covering the month of September 2016 received and noted.

Greg Vidler, Project Manager entered meeting 11.10 am

## **WATER SUPPLY TO THE ROCK 30 YEAR PLAN FOR FUTURE GROWTH**

16/197 RESOLVED on the motion of Clrs. Meyer OAM and Conkey that Council:

- Include the 1000m of main replacement in The Rock in the current 2016/17 Capital Works
- Further investigate the site location for the proposed reservoir and proceed with land negotiations.

## **REPLACEMENT OF LOW LEVEL RESERVOIR LAND MATTERS**

16/198 RESOLVED on the motion of Clrs. Funnell and Conkey that Council consider the report "Replacement of Low Level Reservoir land matters", whilst the meeting is closed to the public, as it relates to commercial information the disclosure of which would prejudice the commercial position of the person who supplied it, as prescribed by Section 10A(2)(c) of the Local Government Act 1993.

## **TENDER W.215 FOR A/C UPGRADES AT RIVERINA WATER ADMINISTRATION BUILDING**

16/199 RESOLVED on the motion of Clrs. Funnell and Conkey that Council consider the report "Tender W.215 for A/C upgrades at Riverina Water administration building", whilst the meeting is closed to the public, as it relates to commercial information the disclosure of which would prejudice the commercial position of the person who supplied it, as prescribed by Section 10A(2)(c) of the Local Government Act 1993.

### **TENDER W.216 FOR PURCHASE OF BACKHOE/LOADER**

- 16/200 RESOLVED on the motion of Ctrs. Funnell and Conkey that Council: consider the report "Tender W.216 for Purchase of Backhoe/Loader", whilst the meeting is closed to the public, as it relates to commercial information the disclosure of which would prejudice the commercial position of the person who supplied it, as prescribed by Section 10A(2)(c) of the Local Government Act 1993.

### **TENDER W.185 FOR THE CONSTRUCTION OF RESERVOIRS PAD AND ACCESS ROAD AT DUNNS ROAD, WAGGA WAGGA**

- 16/201 RESOLVED on the motion of Ctrs. Funnell and Conkey that Council: consider the report "Tender W185 – Construction of Reservoirs Pad and Access Road at Lot 11 DP 1054410, Dunns Road, Wagga Wagga", whilst the meeting is closed to the public, as it relates to commercial information the disclosure of which would prejudice the commercial position of the person who supplied it, as prescribed by Section 10A(2)(c) of the Local Government Act 1993.

### **TENDER W.217 FOR SUPPLY AND DELIVERY OF WATER SUPPLY PRESSURE PIPES**

- 16/202 RESOLVED on the motion of Ctrs. Funnell and Conkey that Council: Council consider the report "Tender W217 For supply and Delivery of Water Supply Pressure Pipes", whilst the meeting is closed to the public, as it relates to commercial information the disclosure of which would prejudice the commercial position of the person who supplied it, as prescribed by Section 10A(2)(c) of the Local Government Act 1993.

### **CONTRACT W.195 – WATER TREATMENT PLANT (WTP) PROGRESS REPORT**

- 16/203 RESOLVED on the motion of Ctrs. Funnell and Conkey that Council receive and note these reports.

### **QUESTIONS AND STATEMENTS**

- 16/204 Chairperson: Thanked everyone for support and congratulations, work diligently to move Council forward.
- 16/205 Chairperson: Next Meeting will be Friday, 9<sup>th</sup> December 2016 commencing at 2 pm (followed by Council's Christmas Gathering).

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

- 16/206 RESOLVED, on the motion of Ctrs. Meyer OAM and Funnell that Council now resolve itself into Closed Council to consider business identified.

Council closed its meeting at 11.30 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) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

16/207      RESOLVED, on the motion of Clrs Meyer OAM 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.

### **REPLACEMENT OF LOW LEVEL RESERVOIR LAND MATTERS**

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 c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,*

16/208      RESOLVED, on the motion of Clrs Funnell and Briad that Council:

- 1) Purchase the land on Lot 22 DP 835331 for the replacement of Low Level reservoir (10MG) at Willans Hill. The area to acquire is approximately 11,250m<sup>2</sup>. Compensation estimated by OPTEON property group \$130,000.00 ex GST.
- 2) Lease the land on Lot 22 DP 835331 (adjacent to proposed acquisition area) for Low Level reservoir (10MG) replacement earthworks (for material storage) at Willans Hill. Lease on Approximate area of 9600m<sup>2</sup> for 2 years. Lease amount per year estimated by OPTEON property group \$14,400.00 ex GST.
- 3) Delegate authority to the General Manager to negotiate the land purchase, lease, establishment of easements for the pipeline and access.
- 4) Affix Council's Common Seal to documents as required.



**TENDER W.215 FOR A/C UPGRADES AT  
RIVERINA WATER ADMINISTRATION BUILDING**

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 c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,*

- 16/209 RESOLVED, on the motion of Clrs. Braid and Koschel that Council accept the Martin & Wheeler Pty Ltd tender for a Daikin A/C System, fully conforming to tender specifications, for a price of \$128,050.00 excluding GST.

**TENDER W.216 FOR PURCHASE OF BACKHOE/LOADER**

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 c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,*

- 16/210 RESOLVED, on the motion of Clrs Meyer OAM and Funnell that Council accept the Cadmac tender for a JCB 3CX Elite Backhoe/Loader for a price of \$158,950 ex GST.

**TENDER W.185 FOR THE CONSTRUCTION OF RESERVOIRS PAD  
AND ACCESS ROAD AT DUNNS ROAD, WAGGA WAGGA**

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 c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,*

- 16/211 RESOLVED, on the motion of Clrs. Braid and Koschel that Council accept the Stephen Shaw tender for Tender W.185 – Construction of Reservoirs Pad and Access Road at Lot 11 DP 1054410 Dunns Road, Wagga Wagga for \$140,000 ex GST.

**TENDER W.217 FOR SUPPLY AND DELIVERY OF  
WATER SUPPLY PRESSURE PIPES**

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 c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,*

- 16/212      RESOLVED, on the motion of Clrs Funnell and Braid that Council accept the tender received from IPLEX Pipelines for the supply of 1,600m of Ductile Iron Cement Lined (DACL) pipe for \$228,947.
- 16/213      RESOLVED, on the motion of Clrs. Funnell and Braid that Council move out of Closed Council and into Open Council.

**DECISIONS READ ALOUD**

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

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The Meeting concluded at 11.35 am

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