



9th October 2014

NOTICE OF MEETING OF THE COUNCIL

The meeting of the Council will be held at

RIVERINA WATER COUNTY COUNCIL CHAMBERS,
91 HAMMOND AVENUE, WAGGA WAGGA

on

**WEDNESDAY,
15th OCTOBER 2014 at 9.30 am**

and your attendance is requested accordingly

Yours faithfully

A handwritten signature in blue ink, appearing to read 'G J Haley', is written over a light blue circular stamp.

G J Haley
GENERAL MANAGER



* AGENDA *

TABLE OF CONTENTS

APOLOGIES

DECLARATION OF PECUNIARY & NON-PECUNIARY INTEREST

CONFIRMATION OF MINUTES OF MEETING HELD 27TH AUGUST 2014

CORRESPONDENCE

GENERAL MANAGER'S REPORT TO THE COUNCIL	3
1. ELECTION OF CHAIRPERSON	3
2. ELECTION OF DEPUTY CHAIRPERSON	4
3. AUDIT AND RISK COMMITTEE MINUTES	5
4. AUDIT AND RISK COMMITTEE ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2014.....	6
5. EXTERNAL INVESTMENT REPORT.....	7
6. QUARTERLY BUDGET REVIEW – PERIOD ENDED THE 30TH SEPTEMBER 2014	8
7. FINANCIAL STATEMENTS 2013/2014	9
8. OPERATIONAL PLAN – PERFORMANCE TARGETS.....	10
9. DISCLOSURE OF INTEREST RETURNS.....	11
10. APPLICATION FOR ANNUAL LEAVE - GENERAL MANAGER.....	11
11. APPOINTMENT OF COUNCIL REPRESENTATIVES	12
12. PERFORMANCE REVIEW – GENERAL MANAGER	13
13. POLICY 1.3 - GOOD GOVERNANCE	14
14. POLICY 1.4 - STATEMENT OF BUSINESS ETHICS.....	15
15. POLICY 1.5 – COMPLAINTS MANAGEMENT	16
16. POLICY 1.7 - GIFTS AND BENEFITS	17
17. POLICY 1.9 - COUNCILLOR'S ACCESS TO INFORMATION, INTERACTION WITH STAFF AND ACCESS TO COUNCIL PREMISES	18
18. POLICY 1.11 – PROTECTED DISCLOSURES	19
19. POLICY 1.14 - FRAUD AND CORRUPTION PREVENTION	20
20. POLICY 1.14A - FRAUD PREVENTION PLAN.....	21
21. POLICY 1.15 - PUBLIC ACCESS TO INFORMATION.....	22
22. POLICY 3.2 - PLANT PURCHASE AND DISPOSAL.....	23
23. COUNCIL RESOLUTION SHEET	24
DIRECTOR OF ENGINEERING'S REPORTS TO COUNCIL.....	27
1. WORKS REPORT COVERING AUGUST 2014	27
2. WORKS REPORT COVERING SEPTEMBER 2014	28

3. REVIEW OF STRATEGIC DESIGN ON 1:100 YEAR FLOOD LEVY 29

4. TENDER W.181 FOR PURCHASE OF BACKHOE/LOADER 34

5. TENDER W.174 FOR CONSTRUCTION OF ONE ELEVATED STEEL WATER SUPPLY RESERVOIR AT MANGOPLAH.. 34

QUESTIONS & STATEMENTS35

CLOSURE OF MEETING TO THE PUBLIC (CONFIDENTIAL REPORTS).....35

1. PERFORMANCE REVIEW – GENERAL MANAGER 36

2. TENDER W.181 FOR PURCHASE OF BACKHOE/LOADER 36

3. TENDER W.174 FOR THE CONTRUCTION OF ONE ELEVATED STEEL WATER SUPPLY RESERVOIR AT
MANGOPLAH 38

GENERAL MANAGER'S REPORT TO THE COUNCIL

9th October 2014

The Chairperson and Councillors:

1. ELECTION OF CHAIRPERSON

RECOMMENDATION

Returning Officer

- a) The General Manager is the Returning Officer

Nomination

- b)
- i) A Councillor may be nominated without notice for election as Chairperson.
 - ii) The nomination is to be made in writing by 2 or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
 - iii) The nomination is to be delivered or sent to the Returning Officer.
 - iv) The Returning Officer is to announce the names of the nominees at the Council Meeting at which the election is to be held.

Election

- c)
- i) If only one Councillor is nominated, the Councillor is elected.
 - ii) If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
 - iii) The election is to be held at the council meeting at which the council resolves on the method of voting.
 - iv) In this clause:
 - “ballot” has its normal meaning of secret ballot.
 - “open voting” means voting by a show of hands or similar means.

Count – 2 Candidates

- d) i) At such a ballot, if there are only 2 candidates, the candidate with the higher number of votes is to be declared elected.
- ii) If there are only 2 candidates and they are tied, the one to be declared elected is to be chosen by lot.

Count – 3 or more Candidates

- e) i) At such a ballot, if there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- ii) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- iii) If, after that, 3 or more candidates still remain, the procedure set out in subclause (ii) is to be repeated until only 2 candidates remain.
- iv) Clauses d) and f) of this Schedule, then apply to the determination of the election as if the 2 remaining candidates had been the only candidates.
- v) If at any stage during a count under this clause, 2 or more candidates are tied on the lowest number of votes, the one to be excluded is to be chosen by lot.

Choosing by Lot

- f) To choose by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the Returning Officer. The slips are then folded by the Returning Officer so as to prevent the names being seen. The slips are mixed and one is drawn at random by the Returning Officer and the candidate whose name is on the drawn slip is chosen.

Result

- g) The result of the election (including the name of the Candidate elected as Chairperson) is:-
 - (i) to be announced to the Councillors by the Returning Officer; and
 - (ii) to be sent to the Director-General and to the Secretary of the Local Government and Shires Association of NSW.

2. ELECTION OF DEPUTY CHAIRPERSON

The same procedure as for election of the Chairperson is to be followed.

3. AUDIT AND RISK COMMITTEE MINUTES

Author: Phillip Swaffield
General Manager: Graeme Haley

RECOMMENDATION that Council receive and note the minutes of the Audit and Risk Committee Meeting held on 28th August 2014 and 18th September 2014 and endorse the recommendations contained therein.

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- **Audit & Risk Committee Minutes August 2014**
 - **Audit & Risk Committee Minutes September 2014**

MINUTES of the MEETING of AUDIT & RISK COMMITTEE
held at 91 HAMMOND AVENUE, WAGGA WAGGA,
on THURSDAY, 28 AUGUST 2014 at 1.00 pm

PRESENT:

Michael Commins (Chairperson)
Councillor Kevin Poynter

IN ATTENDANCE:

General Manager	Graeme Haley
Director Engineering	Bede Spannagle
Manager Internal Audit Services	Stephen Byrns
Manager Corporate Services	Michele Curran
Internal Audit Officer	Phillip Swaffield

The meeting of the Audit and Risk Committee commenced at 1:07pm.

1. APOLOGIES

Apologies for non attendance were moved and accepted for Councillor Andrew Negline and Steven Watson on the motion of Kevin Poynter and Michael Commins.

2. CONFIRMATION OF MINUTES 22 MAY 2014

Recommendation:

On the motion of K Poynter and M Commins

That the Minutes of the proceedings of the Audit and Risk Committee meeting held on 22 May 2014 be confirmed as a true and accurate record.

CARRIED

3. DECLARATIONS OF PECUNIARY INTEREST

No declarations of Pecuniary & Non-pecuniary interest received.

4. AUDIT & RISK COMMITTEE ACTIONS REGISTER

Recommendation:

On the motion of K Poynter and M Commins

That the Audit and Risk Committee receive and note the report.

CARRIED

5. GENERAL MANAGERS UPDATE, INCLUDING LITIGATION MATTERS

Recommendation:

On the motion of K Poynter and M Commins

That the Audit and Risk Committee note the verbal briefing provided by the General Manager.

CARRIED

6. SCHEDULE OF PUBLIC POLICIES

Recommendation:

On the motion of K Poynter and M Commins

That the Audit and Risk Committee receive and note the report.

CARRIED

7. BUSINESS CONTINUITY PLAN

Recommendation:

On the motion of K Poynter and M Commins

That the Audit and Risk Committee note the report.

CARRIED

8. COMMUNICATIONS PLAN

Recommendation:

On the motion of K Poynter and M Commins

That the Audit and Risk Committee note the report.

CARRIED

9. EXTERNAL AUDIT – INTERIM MANAGEMENT LETTER

Recommendation:

On the motion of K Poynter and M Commins

That the Audit and Risk Committee receive and note the external auditor's interim management letter.

CARRIED

10. LEAD ORGANISATIONAL CRITICAL ISSUES

Recommendation:

On the motion of M Commins and K Poynter

That the Audit and Risk Committee receive and note the report.

CARRIED

11. INVESTMENT REPORTS

Recommendation:

On the motion of M Commins and K Poynter

That the Audit and Risk Committee receive and note the investment reports for the periods 31 May, 30 June and 31 July 2014.

CARRIED

12. SUMMARY OF INSURANCE

Recommendation:

On the motion of M Commins and K Poynter

That the Audit and Risk Committee receive and note Council's insurance policy information.

CARRIED

13. REPORT ON LEGAL EXPENDITURE 2013/2014

Recommendation:

On the motion of K Poynter and M Commins

That the Audit and Risk Committee receive and note the report on legal expenditure during 2013/14 financial year.

CARRIED

14. AUDIT AND RISK COMMITTEE ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2014

Recommendation:

On the motion of K Poynter and M Commins

That the Audit and Risk Committee endorse the Annual Report for the year ended 30 June 2014 for submission to the next Council meeting.

CARRIED

15.PROJECT MANAGEMENT STATUS, INCLUDING ENGINEERING WORKS REPORTS

Recommendation:

On the motion of K Poynter and M Commins

That the Audit and Risk Committee note the Reports of the Director of Engineering.

CARRIED

16.INTERNAL AUDIT PROGRESS REPORT

Recommendation:

On the motion of K Poynter and M Commins

That the Audit and Risk Committee receive and note the report.

CARRIED

17.AUDIT AND RISK COMMITTEE MEETING SCHEDULE

Recommendation:

On the motion of K Poynter and M Commins

That the Audit and Risk Committee receive and note the Audit and Risk Committee Meeting Schedule.

CARRIED

18.WATER BILLING PROCESS

Recommendation:

On the motion of M Commins and K Poynter

That the Audit and Risk Committee receive and note the following report outlining Council's Water Billing Process.

CARRIED

GENERAL BUSINESS

Nil

Next General Meeting: Financial Statements Review - Thursday 18 September 2014.

Meeting Closed 3:10pm

MINUTES of the MEETING of AUDIT & RISK COMMITTEE
held at 91 HAMMOND AVENUE, WAGGA WAGGA,
on THURSDAY, 18th SEPTEMBER 2014 at 1.00 pm

PRESENT:

Steven Watson (Chairperson)
Michael Commins

IN ATTENDANCE:

General Manager	Graeme Haley
Manager Internal Audit Services	Stephen Byrns
Manager Corporate Services	Michele Curran
Internal Audit Officer	Phil Swaffield
External Auditor	Danielle MacKenzie

The meeting of the Audit and Risk Committee commenced at 1:03pm.

1. APOLOGIES

Apologies for non attendance were moved and accepted for Councillor Andrew Negline on the motion of M Commins and S Watson.

2. DECLARATIONS OF PECUNIARY INTEREST

No declarations of Pecuniary & Non-pecuniary interest received.

3. FINANCIAL STATEMENTS 2013 / 2014

Recommendation:

On the motion of M Commins and S Watson

That the Audit and Risk Committee:

- a) Receive and note the report
- b) Recommend Council receive the 2013/14 Financial Statements at the October 2014 Council meeting
- c) Recommend that Council request Local Government Superannuation to provide further details on the valuation of the deficit relating to the defined benefits scheme.

Meeting Closed 1:59.pm

4. AUDIT AND RISK COMMITTEE ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2014

Author: Stephen Byrns

General Manager: Graeme Haley

RECOMMENDATION that Council receive and note the Audit and Risk Committee Annual Report for the Year Ended 30 June 2014.

Report

The Audit and Risk Committee Charter requires that an annual report is provided to Council summarising the activities undertaken during the year.

This is the third report of the Riverina Water County Council Audit and Risk Committee, covering the Internal Audit and Audit and Risk Committee activities for the period 1 July 2013 to 30 June 2014.

The report was presented to the 28 August 2014 Audit and Risk Committee meeting.

Budget

Council, at the December 2012 Council meeting, endorsed payments for the following members of the Audit & Risk Committee per meeting attended:

- \$400 for the Chairperson
- \$300 for other independent members

Policy

Audit and Risk Committee Charter

- **Audit & Risk Committee Annual Report**

Riverina Water County Council

AUDIT AND RISK COMMITTEE ANNUAL REPORT

30 June 2014

Chairperson's Message

This is the third annual report of the Riverina Water Council Audit & Risk Committee, covering the Committee's and internal audit activities for the period 1 July 2013 to 30 June 2014.

The Audit & Risk Committee was established by Council in February 2012. It plays a pivotal role in the governance framework and provides Council with independent assurance and assistance in the areas of risk, internal controls, compliance and financial reporting.

The Committee makes a positive contribution in a number of key operational areas within Council. The Committee has continued to mature and displays a professional approach in all its dealings, meetings are well-planned and structured, with appropriate participation and strong support from Councillors and senior management.

The Committee has performed well, and is on track to meet its objectives under its Audit Charter. The Committee recognises the ongoing need for refinement and improvement in the effectiveness of the Committee and Internal Audit Function.

I would like to acknowledge the support to the Committee from the General Manager, Graeme Haley, his management team and the Internal Audit team.

On behalf of all members of the Audit & Risk Committee it has been a pleasure to be of service to Riverina Water County Council and the local community.

A handwritten signature in black ink, appearing to be "S. Watson", written over a light blue horizontal line.

Steven Watson
Chairperson, Audit & Risk Committee
13 August 2014

Providing Good Governance

Internal Audit is an essential component of good governance. Riverina Water County Council ("Council") has demonstrated its commitment to improved governance and better practice through the establishment and support of an Audit & Risk Committee and internal audit function in 2012.

As stated by the Institute of Internal Auditors, 'an effective, professional internal audit activity can provide meaningful insights and assurance on all areas of risk, internal controls and governance'.

The objectivity, skills and knowledge of Internal Audit adds significant value to Council's internal controls, risk management and governance processes, as well as helping to provide assurance to Council and management that Riverina Water County Council is operating both effectively and efficiently.

Internal Audit supports Council's mission "to provide our Community with safe reliable water at the lowest sustainable cost" through its audit recommendations and process improvements.

The Audit & Risk Committee Annual Report provides a summary of activities undertaken by the Audit & Risk Committee (the "Committee") and Internal Audit during the year ending 30 June 2014.

Audit and Risk Committee

Role

The Committee was established by Council Resolution No 12/08 on the 22 February 2012 and reconfirmed by Council Resolution No 12/154 on 24 October 2012 after the local government elections. The Committee is an advisory Committee to Council pursuant to and in accordance with provisions contained in Section 355 of the Local Government Act 1993, the Local Government (General) Regulations, and the terms set out in the Audit and Risk Committee Charter.

The Committee plays a pivotal role in the governance framework by providing Council and the General Manager with independent, objective assurance and assistance in the areas of risk management, internal control, governance and financial reporting.

It establishes the importance and executive direction for internal audit activity and ensures that Council achieves maximum value from the Internal Audit activity.

Membership

As governed by clause 5 of the Audit and Risk Committee Charter, the composition of the Committee for the year ended 30 June 2014 was as follows:

Members (voting)

Independent External Chairperson – Steven Watson is a Chartered Accountant, Registered Company Auditor and Audit Principal at Twomeys.

Independent External Deputy Chairperson – Michael Commins is a Director at Commins Hendriks Solicitors.

Council Committee Member – Councillor Andrew Negline.

Alternate Council Committee Member – Councillor Kevin Poynter.

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Attendee (non-voting)

General Manager – Graeme Haley

Manager Internal Audit Services – Naomi Stuart/Stephen Byrns

Finance and Administration Manager – Michele Curran

Internal Audit Officer – Phil Swaffield

Invitations are extended to guests as required.

Reporting lines

The Committee reports to Council after each meeting in the form of minutes and provides an annual report of activities undertaken during the year.

The Manager of Internal Audit Services has an independent status within Council and reports administratively to the General Manager and functionally to the Committee.

Reporting functionally to an Audit Committee means the Committee will:

- approve any changes to the Internal Audit Charter;
- review the scope of the internal audit plans and the effectiveness of the function;
- review the level of resources allocated to internal audit and the scope of its authority;

- review reports of internal audit and the extent to which Council and management react to matters raised by internal audit, by monitoring the implementation of recommendations made by internal audit;
- facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programs;
- critically analyse and follow up on any internal or external audit report that raises significant issues relating to risk management, internal control, financial reporting and other accountability or governance issues raised;
- monitor the risk exposure of Council;
- identify and refer specific projects or investigations deemed necessary through the General Manager, internal auditor and the Council if appropriate; and
- address issues brought to the attention of the Committee that are within the parameters of the Committee's terms of reference.

Items considered by the Committee

Items considered by the Committee during this reporting period included the review of:

- Audit & Risk Committee Annual Report for the year ended 30 June 2013;
- Quarterly Investment Report;
- Quarterly Budget Report;
- Quarterly Internal Audit Progress Report;
- LTFFP/Operational Plan and Delivery Plan
- Director of Engineering's Works Report;
- Lead Organisation Critical Issues;
- Internal Audit Strategy and Audit Universe
- Internal Audit Annual Works Plan
- External Audit Tender, commencing year ending 30 June 2014
- External Audit Timetable for the year ending 30 June 2014
- Financial Statements for the year ended 30 June 2013;
- External Auditor's Management Letter for the year ended 30 June 2013;
- Annual Residents Survey
- Project Management Status Reports
- Fraud and Corruption Prevention Plan
- Business Continuity Plan
- Delegations
- Insurance and Legislative Compliance matters
- Service Quality Report;
- NSW Office of Water Performance Monitoring Report
- NSW Treasury Financial Assessment and Benchmarking Report
- Impediments to Underground Asset Replacement and Maintenance Report

- Ongoing and miscellaneous matters.

Presentations were received on the following topics:

- External Auditors – Financial Statements for the Year Ended 30 June 2013;
- Water Treatment Plant Project; and
- Delegations, Policies/ Procedures and Risk Management.

A planning day was held on 10 April 2014 to facilitate discussion and plan the Audit & Risk Committee and internal audit work program for the year ahead.

Meeting attendance

Clause 10.1 of the Audit & Risk Committee Charter requires the Committee to meet at least four times per year, to coincide with relevant Council reporting deadlines and external audit visits.

During the 2014 financial year, the Committee met on six occasions. Meetings and attendees are detailed in the following tables.

Members (voting)

Member	Role	15 Aug 2013	10 Sep 2013#	28 Nov 2013	13 Feb 2014	10 Apr 2014*	22 May 2014
Steven Watson	Independent External Chairperson	✓	✓	✓	Apology	✓	✓
Michael Commins	Independent External Member	✓	✓	✓	✓	✓	✓
Councillor Andrew Negline	Councillor Member	✓	✓	Apology	Apology	✓	Apology
Councillor Kevin Poynter	Alternate Councillor Member	n/a	Apology	Apology	✓	n/a	✓

Attendee (non-voting)

Member	Role	15 Aug 2013	10 Sep 2013#	28 Nov 2013	13 Feb 2014	10 Apr 2014*	22 May 2014
Councillor Kevin Poynter	Alternate Councillor Member	✓	Apology	Apology	n/a	✓	n/a
Graeme Haley	General Manager	✓	Apology	✓	✓	✓	✓

Michele Curran	Manager Corporate Services	✓	✓	✓	✓	✓	✓
Naomi Stuart	Manager Internal Audit Services	✓	✓	✓	n/a	n/a	n/a
Stephen Byrns	Manager Internal Audit Services	n/a	n/a	n/a	n/a	n/a	✓
Phil Swaffield	Internal Audit Officer	✓	✓	✓	✓	✓	✓

Financial Statement Review meeting

* Planning meeting

During the period the following people were invited to attend Committee meetings for specific agenda items:

- Mr Peter King – Partner Bush & Campbell Pty Ltd;
- Mr Bradley Bohun – Principal, Crowe Horwath
- Mr Bede Spannangle – Director of Engineering
- Mr Greg Finlayson – Previous Director of Engineering
- Mr Bryan Short – Acting Director of Engineering
- Mr Greg Vidler – Manager Projects.

Secretariat services are provided by the internal audit officer.

The future meetings endorsed by the Committee for the 2015 financial year are as follows:

Date	Time	Meeting Type
28 August 2014	9am-11am	Regular Meeting
18 September 2014	9am-11am	Financial Statement Review Meeting
20 November 2014	9am-11am	Regular Meeting
19 February 2015	9am-11am	Regular Meeting
16 April 2015	9am-11am	Planning Meeting
28 May 2015	9am-11am	Regular Meeting

Internal Audit Function

The purpose of Internal Audit at Riverina Water County Council is to provide an independent, objective assurance and consulting service to add value and improve Council's operations.

Internal Audit aims to help Council accomplish its objectives by bringing a systematic, disciplined approach to evaluating and improving the effectiveness

of risk management, internal control and governance processes across all activities and processes.

Internal Audit Services are provided by Wagga Wagga City Council under a Shared Services Agreement entered into on the 12 January 2012 and extended for a further four years on 14 December 2012.

Internal Audit Services consists of two full time staff.

Internal Audit Activities

All work undertaken by Internal Audit Services in is accordance with the Institute of Internal Auditor's *International Professional Practices Framework* and the Department of Local Government's *Internal Audit Guidelines*.

Internal Audit activities are generally designed to gain a measure of assurance relating to:

- reliability and integrity of financial and operational information;
- effectiveness and efficiency of operations and programs;
- safeguarding of assets; and
- compliance with laws, regulations, policies, procedures and contracts.

Reasonable assurance is provided by Audit Opinions based on risk ratings assigned to observations arising from audit activities. The table below summarises the Audit Opinions issued to completed audits that were presented to the Audit and Risk Committee during the reporting period.

Audit Opinion Issued	No of Audits
Inadequate System of Internal Control – Findings indicate significant control weaknesses and the need for urgent remedial action. Where corrective action has not yet started, the current remedial action is not, at the time of the audit, sufficient or sufficiently progressing to address the severity of the control weakness identified.	0
Adequate Systems of Internal Control Subject to Reservations – A number of findings, some of which are significant, have been raised. Where action is in progress to address these findings and other issues known to management, these actions will be at too early a stage to allow a satisfactory audit opinion to be given.	2
Satisfactory Systems of Internal Control – Findings indicate that on a whole, controls are satisfactory, although some enhancements may have been recommended.	0
Total	2

As at 30 June 2014 there was one internal audit in progress.

Internal Audit Strategy 2014 – 2018

The Internal Audit Strategy outlines the strategic direction of Council's internal audit function over a four year period from July 2014 to June 2018. In preparing the Internal Audit Strategy a comprehensive mapping of the audit universe has been undertaken including consultation with Management and the Audit & Risk Committee.

The Internal Audit Strategy and Audit Universe describe in broad terms the risk areas that will be given priority for audit coverage and the types of audits that will be conducted in those areas. The Internal Audit Strategy was endorsed by the Audit & Risk Committee at the meeting held on 22 May 2014.

Looking Forward

With strong support from both Council and Management it is anticipated that the role and function of Internal Audit Services and the Committee will continue to grow and develop with the aim of adding value and improving Council's operations.

5. EXTERNAL INVESTMENT REPORT

RECOMMENDATION that the report detailing Council's external investments for the months of August and September 2014 be received.

In accordance with the provisions of Clause 19(3) of the Local Government (Financial Management) Regulation 1993, I report details of the Council's external investments as at 31st August 2014 and 30th September 2014 be received.

- **Investments Report - August 2014**
- **Investment Report - September 2014**

Monthly Investment Report as at 31/8/14

a) Council's Investments as at 31/8/14

Investment	Inception Date	Term (Days)	Maturity Date	S&P Rating	Interest Rate (%)	Performance Benchmark	Benchmark Rate (%)	Percentage of Portfolio	Principal Value	Market Value
Term Deposits										
Bank of Queensland	25/06/2014	153	25/11/14	A-2	3.60	BBSW	2.65	7.899%	\$2,500,000.00	\$2,500,000.00
ME Bank	5/06/2014	364	04/06/15	A-2	3.72	BBSW	2.62	7.899%	\$2,500,000.00	\$2,500,000.00
Westpac	28/01/2014	365	28/01/15	A-1+	3.76	BBSW	2.62	15.798%	\$5,000,000.00	\$5,000,000.00
ING	4/06/2014	181	02/12/14	A-2	3.61	BBSW	2.65	7.899%	\$2,500,000.00	\$2,500,000.00
Bank of Queensland	15/05/2014	180	11/11/14	A-2	3.60	BBSW	2.65	7.899%	\$2,500,000.00	\$2,500,000.00
Bank of Queensland	26/08/2014	182	24/02/15	A-2	3.61	BBSW	2.65	3.160%	\$1,000,000.00	\$1,000,000.00
AMP	23/07/2014	181	20/01/15	A-1	3.50	BBSW	2.65	3.160%	\$1,000,000.00	\$1,000,000.00
National Australia Bank	1/05/2014	180	28/10/14	A-1+	3.73	BBSW	2.65	6.319%	\$2,000,000.00	\$2,000,000.00
ME Bank	5/06/2014	119	02/10/14	A-2	3.57	BBSW	2.65	3.160%	\$1,000,000.00	\$1,000,000.00
Bendigo & Adelaide	4/06/2014	120	02/10/14	A-2	3.45	BBSW	2.65	3.160%	\$1,000,000.00	\$1,000,000.00
ME Bank	6/05/2014	120	03/09/14	A-2	3.56	BBSW	2.65	1.580%	\$500,000.00	\$500,000.00
								67.93%	\$21,500,000.00	\$21,500,000.00
Cash Deposit Account										
T Corp				A-1+	2.90	Cash Rate	2.50	13.06%	\$4,134,549.68	\$4,134,549.68
AMP				A-1	3.15	Cash Rate	2.50	19.00%	\$6,014,439.72	\$6,014,439.72
								32.07%	\$10,148,989.40	\$10,148,989.40
TOTAL INVESTMENTS								100.00%	\$31,648,989.40	\$31,648,989.40
Cash at Bank										\$348,788.57
TOTAL FUNDS										\$31,997,777.97

b) Application of Investment Funds

Restricted Funds	Description	Value
Externally Restricted	Unexpended Grants	\$0.00
		\$0.00
Internally Restricted	Employee Leave Entitlements (30% of ELE)	\$994,501.67
	Asset Replacement	\$1,250,428.95
	Loan Funds	\$169,017.57
	LIRS Loan Funds	\$13,093,701.61
	Sales Fluctuation	\$6,100,000.00
		\$21,607,649.80
Unrestricted Funds		\$10,390,128.17
TOTAL FUNDS		\$31,997,777.97

* Externally & Internally Restricted Reserve figures are subject to final adjustment and external audit at 30 June each year.
 Figures shown above are estimate only.

CERTIFICATE

I hereby certify that all the above investments have been made in accordance with the provision of Section 625 of the Local Government Act 1993 and the regulations thereunder.

M. L. Curran

M Curran

FINANCE / ADMINISTRATION MANAGER

Monthly Investment Report as at 30/9/14

a) Council's Investments as at 30/9/14

Investment	Inception Date	Term (Days)	Maturity Date	S&P Rating	Interest Rate (%)	Performance Benchmark	Benchmark Rate (%)	Percentage of Portfolio	Principal Value	Market Value
Term Deposits										
Bank of Queensland	25/06/2014	153	25/11/14	A-2	3.60	BBSW	2.65	8.236%	\$2,500,000.00	\$2,500,000.00
ME Bank	5/06/2014	364	04/06/15	A-2	3.72	BBSW	2.62	8.236%	\$2,500,000.00	\$2,500,000.00
Westpac	28/01/2014	365	28/01/15	A-1+	3.76	BBSW	2.62	16.471%	\$5,000,000.00	\$5,000,000.00
ING	4/06/2014	181	02/12/14	A-2	3.61	BBSW	2.65	8.236%	\$2,500,000.00	\$2,500,000.00
Bank of Queensland	15/05/2014	180	11/11/14	A-2	3.60	BBSW	2.65	8.236%	\$2,500,000.00	\$2,500,000.00
Bank of Queensland	26/08/2014	182	24/02/15	A-2	3.61	BBSW	2.65	3.294%	\$1,000,000.00	\$1,000,000.00
AMP	23/07/2014	181	20/01/15	A-1	3.50	BBSW	2.65	3.294%	\$1,000,000.00	\$1,000,000.00
National Australia Bank	1/05/2014	180	28/10/14	A-1+	3.73	BBSW	2.65	6.588%	\$2,000,000.00	\$2,000,000.00
ME Bank	5/06/2014	119	02/10/14	A-2	3.57	BBSW	2.64	3.294%	\$1,000,000.00	\$1,000,000.00
Bendigo & Adelaide	4/06/2014	120	02/10/14	A-2	3.45	BBSW	2.64	3.294%	\$1,000,000.00	\$1,000,000.00
National Australia Bank	3/09/2014	365	03/09/15	A-1+	3.70	BBSW	2.62	6.588%	\$2,000,000.00	\$2,000,000.00
ME Bank	3/09/2014	181	03/03/15	A-2	3.56	BBSW	2.65	1.647%	\$500,000.00	\$500,000.00
								77.41%	\$23,500,000.00	\$23,500,000.00
Cash Deposit Account										
T Corp				A-1+	2.85	Cash Rate	2.50	11.50%	\$3,491,886.37	\$3,491,886.37
AMP				A-1	3.15	Cash Rate	2.50	11.08%	\$3,364,439.72	\$3,364,439.72
								22.59%	\$6,856,326.09	\$6,856,326.09
TOTAL INVESTMENTS								100.00%	\$30,356,326.09	\$30,356,326.09
Cash at Bank										\$390,900.28
TOTAL FUNDS										\$30,747,226.37

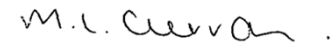
b) Application of Investment Funds

Restricted Funds	Description	Value
Externally Restricted	LIRS Loan Funds	\$11,905,054.61
		<u>\$11,905,054.61</u>
Internally Restricted		
	Employee Leave Entitlements (30% of ELE)	\$994,501.67
	Asset Replacement	\$1,289,544.95
	Loan Funds	\$0.00
	Sales Fluctuation	\$6,100,000.00
		<u>\$8,384,046.62</u>
Unrestricted Funds		\$10,458,125.14
TOTAL FUNDS		\$30,747,226.37

* Externally & Internally Restricted Reserve figures are subject to final adjustment and external audit at 30 June each year.

CERTIFICATE

I hereby certify that all the above investments have
Section 625 of the Local Government Act 1993
and the regulations thereunder.



M Curran

FINANCE / ADMINISTRATION MANAGER

6. QUARTERLY BUDGET REVIEW – PERIOD ENDED THE 30TH SEPTEMBER 2014

RECOMMENDATION that the Quarterly Budget Review for the period ended 30th September 2014 be received and adopted.

The Quarterly Review of Council's Budget for the period ended 30 September 2014 is submitted for examination by the Council.

The anticipated operating result for 2014/2015 is a surplus of \$4,513,000. The operating result was originally budgeted for a surplus of \$4,533,000. A quarterly budget review adjustment of \$20,000 additional operating expenditure is recommended, for the preparation of the Department of Health Drinking Water Management Plan. Water sales for the quarter are consistent with budgeted figures, therefore no quarterly budget adjustment is recommended.

Also included is a quarterly review of capital projects. No adjustments have been recommended for this quarterly review. The Quarterly Budget Review Statement should be read in conjunction with the detailed Capital Expenditure Quarterly Review, which is included at the end of this report.

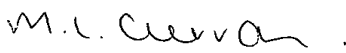
- **Quarterly Budget Review – Statement & Capital Expenditure 2014/2015**

Table of Contents	page
1. Responsible Accounting Officer's Statement	1
2. Income & Expenses Budget Review Statement's	2
3. Capital Budget Review Statement	4
4. Cash & Investments Budget Review Statement	6
5. Key Performance Indicator (KPI) Budget Review Statement a. Council specific KPI's	8
6. Contracts & Other Expenses Budget Review Statement	11
7. Additional Statements	
- Balance Sheet	12
- Operational Summary	13
- Capital Expenditure Review	15

Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

It is my opinion that the Quarterly Budget Review Statement for Riverina Water County Council for the quarter ended 30/09/14 indicates that Council's projected financial position at 30/6/15 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: 

date: 8/10/2014

Ms Michele Curran
Responsible Accounting Officer

Income & Expenses Budget Review Statement

Budget review for the quarter ended 30 September 2014

					Current Year	Prior Year
(\$000's)	Revised Budget 2014/15	Variations for this Sep Qtr	Notes Projected Year End Result		Actual YTD figures	Actual YTD figures
Income						
Rates and Annual Charges	4,821		4,821		1,253	1,086
User Charges and Fees	17,555		17,555		2,805	2,532
Interest and Investment Revenues	400		400		104	75
Other Revenues	119		119		51	49
Grants & Contributions - Operating	195		195		3	(159)
Grants & Contributions - Capital	2,300		2,300		340	236
Net gain from disposal of assets	-		-		-	-
Total Income from Continuing Operations	25,390	-	25,390		4,556	3,819
Expenses						
Employee Costs	7,826		7,826		1,694	1,253
Borrowing Costs	387		387		142	(94)
Materials & Contracts	2,344	20	2,364	2a	621	604
Depreciation	6,800		6,800		1,669	1,646
Other Expenses	3,500		3,500		651	634
Total Expenses from Continuing Operations	20,857	20	20,877		4,777	4,043
Net Operating Result from Continuing Operation	4,533	(20)	4,513		(221)	(224)
Net Operating Result before Capital Items	2,233	(20)	2,213		(561)	(460)

Income & Expenses Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes Details

2a	Department of Health Drinking Water Management Plan
----	---

Capital Budget Review Statement

Budget review for the quarter ended 30 September 2014

(\$000's)	Original Budget 2014/15	Approved Changes Carry Forwards	Revised Budget 2014/15	Variations for this Sep Qtr	Notes	Projected Year End Result	Current Year	Prior Year
							Actual YTD figures	Actual YTD figures
Capital Expenditure								
Plant & Equipment	1,307		1,307			1,307	68	152
Office Equipment & IT	673	114	787			787	98	61
Land & Buildings	4,066	113	4,179			4,179	75	-
Water Infrastructure	20,704	1,638	22,342			22,342	2,578	1,160
Other Assets	-		-			-		135
Loan Repayments (Principal)	1,529		1,529			1,529	332	-
Total Capital Expenditure	28,279	1,865	30,144			30,144	3,151	1,508
Capital Funding								
Rates & Other Untied Funding	28,279	1,865	30,144			30,144	3,151	1,508
New Loans	-		-			-		-
Total Capital Funding	28,279	1,865	30,144			30,144	3,151	1,508
Net Capital Funding - Surplus/(Deficit)	-	-	-			-	-	-

Capital Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
--------------	----------------

	Refer to Capital Works Progress report for more detail on Capital Projects and review adjustments
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Cash & Investments Budget Review Statement

Budget review for the quarter ended 30 September 2014

(\$000's)	Original Budget 2014/15	Approved Changes Carry Forwards	Revised Budget 2014/15	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
Externally Restricted ⁽¹⁾							
Loan Funds - LIRS	-		-			-	11,905
Total Externally Restricted	-	-	-	-		-	11,905
(1) Funds that must be spent for a specific purpose							
Internally Restricted ⁽²⁾							
Employee Leave Entitlements	1,030		1,030			1,030	995
Asset Replacement	1,766		1,766			1,766	1,290
Sales Fluctuation	6,100		6,100			6,100	6,100
Total Internally Restricted	8,896	-	8,896	-		8,896	8,385
(2) Funds that Council has earmarked for a specific purpose							
Unrestricted (ie. available after the above Restrictions)	5,129	(1,865)	3,264	-	20 4a	3,244	10,457
Total Cash & Investments	14,025	(1,865)	12,160	(20)		12,140	30,747

Cash & Investments Budget Review Statement

Comment on Cash & Investments Position

Cash & Investment balance at the start of the financial year was slightly higher than anticipated after 2013/14 end of year final results, which has increased the 2014/15 anticipated end of year balance.

Investments

Investments have been invested in accordance with Council's Investment Policy.

Cash

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.
The date of completion of this bank reconciliation is 30/09/14

Reconciliation Status

The YTD Cash & Investment figure reconciles to the actual balances held as follows:		\$ 000's
Cash at Bank (as per bank statements)		542
Investments on Hand		30,356
less: Unpresented Cheques	(Timing Difference)	(170)
add: Undeposited Funds	(Timing Difference)	19
Reconciled Cash at Bank & Investments		30,747
Balance as per Review Statement:		30,747
Difference:		-

Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
4a	Addition of Drinking Water Management Plan to operational expenditure

Key Performance Indicators Budget Review Statement - Council specific KPI's

Budget review for the quarter ended 30 September 2014

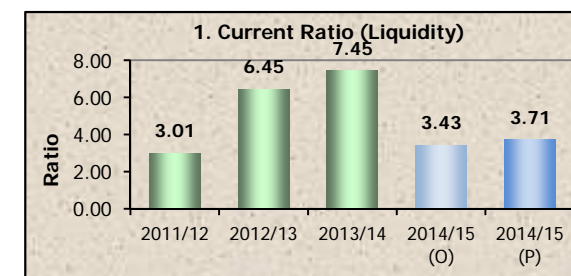
(\$000's)	Current Projection		Original Budget 14/15	Actuals Prior Periods	
	Amounts	Indicator		13/14	12/13
	14/15	14/15			

The Council monitors the following Key Performance Indicators:

1. Current Ratio (Liquidity)

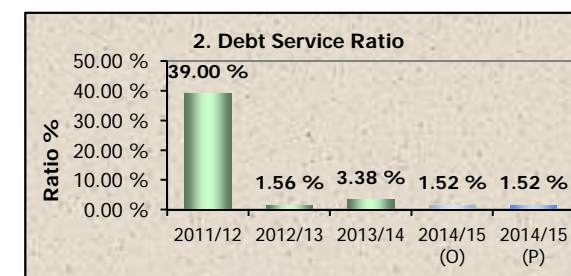
Current Assets	18974	3.71	3.43	7.45	6.45
Current Liabilities	5108				

This measures Council's ability to pay existing liabilities in the next 12 months. (target > 1.5)


2. Debt Service Ratio

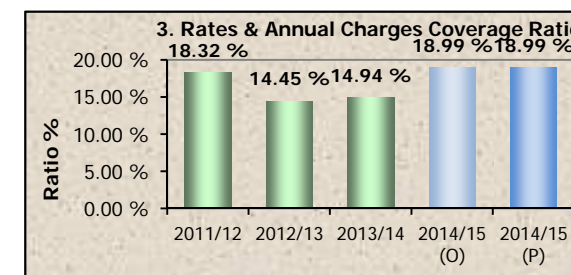
Debt Service Cost	387	1.52 %	1.52 %	3.38 %	1.56 %
Income from Continuing Operations	25390				

This measures Council's ability to meet interest payments and therefore service debt. (target 0% to 5%)


3. Rates & Annual Charges Coverage Ratio

Rates & Annual Charges	4821	18.99 %	18.99 %	14.94 %	14.45 %
Income from Continuing Operations	25390				

To assess the degree of Council's dependence upon revenue from rates and annual charges and to assess the security of Council's income. (target < 25%)



Key Performance Indicators Budget Review Statement - Council specific KPI's

Budget review for the quarter ended 30 September 2014

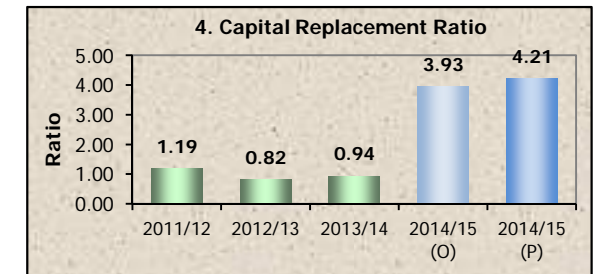
(\$000's)	Current Projection		Original Budget 14/15	Actuals	
	Amounts	Indicator		Prior Periods	
	14/15	14/15		13/14	12/13

The Council monitors the following Key Performance Indicators:

4. Capital Replacement Ratio

Infrastructure, Property, Plant & Equipment	28615	4.21	3.93	0.94	0.82
Depreciation	6800				

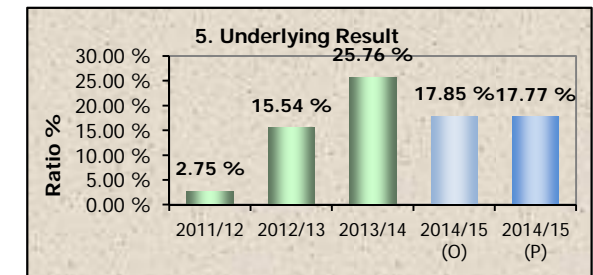
Comparison of the rate of spending on IPP&E with consumption of assets. This is a long-term indicator, as capital expenditure can be deferred in the short term if insufficient funds are available from operations and borrowing is not an option. (target > 1.5)



5. Underlying Result

Net Result	4513	17.77 %	17.85 %	25.76 %	15.54 %
Total Revenue	25390				

A positive result indicates a surplus and the larger the percentage the stronger the result. A negative result indicates a deficit. Operating deficits cannot be sustained in the long term. (target > 0%)



Contracts Budget Review Statement

Budget review for the quarter ended 30 September 2014

Part A - Contracts Listing - contracts entered into during the quarter

Contractor	Contract detail & purpose	Contract Value	Start Date	Duration of Contract	Budgeted (Y/N)	Notes
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Nil contracts for this quarter

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whichever is the lesser.
2. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
3. Contracts for employment are not required to be included.
4. Monetary figures are GST exclusive

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	2,360	Y
Legal Fees	96,589	Y

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Comments

Expenditure included in the above YTD figure but not budgeted includes:

Details

N/A

Riverina Water County Council

BALANCE SHEET

	Actual 2012/13 \$'000	Actual 2013/14 \$'000	Projected 2014/15 \$'000
ASSETS			
Current Assets			
Cash & Cash Equivalents	10,271	10,318	2,000
Investments	15,000	21,500	10,140
Receivables	2,820	3,120	2,548
Inventories	3,833	3,556	4,127
Other	49	-	160
Total Current Assets	31,973	38,494	18,974
Non-Current Assets			
Infrastructure, Property, Plant & Equipment	194,548	198,717	221,095
Intangible Assets	1,550	2,100	2,100
Total Non-Current Assets	196,098	200,817	223,195
TOTAL ASSETS	228,071	239,311	242,169
LIABILITIES			
Current Liabilities			
Payables	695	513	724
Borrowings	1,272	1,341	1,555
Provisions	2,987	3,315	2,829
Total Current Liabilities	4,954	5,169	5,108
Non-Current Liabilities			
Borrowings	16,515	15,172	13,199
Provisions	-	-	378
Total Non-Current Liabilities	16,515	15,172	13,578
TOTAL LIABILITIES	21,469	20,341	18,686
Net Assets	206,602	218,970	223,483
EQUITY			
Retained Earnings	66,205	73,598	78,111
Revaluation Reserves	140,397	145,372	145,372
Council Equity Interest	206,602	218,970	223,483
Total Equity	206,602	218,970	223,483

Note on Cash & Cash equivalents:

*** \$15m loan funds for LIRS re Wagga WTP taken up in 2012/13 - loan interest rate 5.49%, subsidy 4%

Unspent loan held in investment reserves earning average interest rate of 3.65%

Riverina Water County Council

OPERATING SUMMARY - SEPTEMBER 2014 REVIEW

OPERATING SUMMARY	YTD ACTUAL \$'000	CURRENT BUDGET \$'000	REMAINING \$'000	% AVAILABLE	30/9/14 REVIEW ADJUSTMENT	REVISED BUDGET \$'000	REVIEW ADJUSTMENT COMMENT
OPERATING INCOME							
Access Charges							
Urban	1,020	3,831	2,810	73%		3,831	
Non-Urban	232	990	758	77%		990	
	1,253	4,821	3,568	74%	0	4,821	
User Charges							
Consumption Charges							
Urban	2,300	13,971	11,671	84%		13,971	
Non-Urban	433	2,911	2,478	85%		2,911	
	2,733	16,883	14,149	84%	0	16,883	
Extra Charges							
Urban	7	20	13	63%		20	
Non-Urban	3	20	17	0%		20	
	11	40	29	73%	0	40	
Other Income	111	752	640	85%		752	
Interest	104	400	296	74%		400	
Operating Grants & Contributions	3	195	192	99%		195	
Capital Grants & Contributions	340	2,300	1,960	85%	0	2,300	
TOTAL OPERATING INCOME	4,556	25,390	20,834	82%	0	25,390	
OPERATING EXPENSES							
Management	1,644	6,499	4,855	75%	0	6,499	
Operations & Maintenance							
<i>Buildings & Grounds</i>							
Urban	102	733	631	86%	0	733	
Non-Urban	22	51	29	56%	0	51	
	125	785	660	84%	0	785	

OPERATING SUMMARY	YTD ACTUAL \$'000	CURRENT BUDGET \$'000	REMAINING \$'000	% AVAILABLE	30/9/14 REVIEW ADJUSTMENT	REVISED BUDGET \$'000	REVIEW ADJUSTMENT COMMENT
<i>Management - Operations</i>							
Urban	270	950	680	72%	20	970	Drinking Water Management Plan
Non-Urban	89	400	311	78%	0	400	
	358	1,350	992	73%	20	1,370	
<i>Sources</i>							
Urban	63	816	753	92%	0	816	
Non-Urban	36	225	189	84%	0	225	
	99	1,041	943	91%	0	1,041	
<i>Pumping Stations</i>							
Urban	66	426	360	84%	0	426	
Non-Urban	59	147	88	60%	0	147	
	126	574	448	78%	0	574	
<i>Reservoirs</i>							
Urban	67	183	117	64%	0	183	
Non-Urban	35	72	38	52%	0	72	
	101	256	154	60%	0	256	
<i>Treatment Plant</i>							
Urban	178	1,672	1,494	89%	0	1,672	
Non-Urban	97	544	447	82%	0	544	
	275	2,216	1,941	88%	0	2,216	
<i>Mains & Services</i>							
Supervision	87	230	143	62%	0	230	
Urban	206	1,161	955	82%	0	1,161	
Non-Urban	120	656	535	82%	0	656	
	414	2,046	1,632	80%	0	2,046	
<i>Other Operations</i>	-34	-709	-676	95%		-709	
Depreciation	1,669	6,800	5,131	75%		6,800	
TOTAL OPERATING EXPENSES	4,777	20,857	16,079	77%	20	20,877	
OPERATING RESULT	-222	4,533			-20	4,513	

30 SEPTEMBER 2014 CAPITAL EXPENDITURE QUARTERLY REVIEW

Description	Current Budget 2013/14	YTD Actual 2014/15	Budget Remaining	Original Budget 2014/15	2013/14 Carry Overs	30/9/14 Review Adjustment	Proposed Revised Budget 2014/15
	\$	\$	\$	\$	\$	\$	\$
MANAGEMENT							
LAND & BUILDINGS FOR ADMIN. DEPOTS AND WORKSHOPS							
Administration Office	15,000	315	14,685	15,000	0	0	15,000
Depot Buildings	3,515,000	29,359	3,485,641	3,515,000	0	0	3,515,000
Workshops	10,000	279	9,721	10,000	0	0	10,000
Access, Parking and Landscaping	639,000	45,292	593,708	526,000	113,000	0	639,000
SUB-TOTAL LAND & BUILDINGS FOR ADMIN, DEPOTS & WORKSHOPS	4,179,000	75,245	4,103,755	4,066,000	113,000	0	4,179,000
PLANT & EQUIPMENT							
IT Equipment	336,500	77,576	258,924	336,500	0	0	336,500
Office Furniture & Equipment	3,000	2,744	256	3,000	0	0	3,000
Working Plant & Vehicle Purchases	1,275,000	63,382	1,211,618	1,275,000	0	0	1,275,000
Fixed Plant Tools & Equipment	32,000	4,362	27,638	32,000	0	0	32,000
Telemetry & Control Systems Upgrade	135,000	11,608	123,392	135,000	0	0	135,000
Radio Communications Upgrade/Replacements/Improvements	20,000	0	20,000	20,000	0	0	20,000
RTUs - New/Additional	20,000	5,937	14,063	20,000	0	0	20,000
RTUs - Replacements/Upgrades	46,000	0	46,000	46,000	0	0	46,000
Energy Efficiency & Cost Minimisation	70,000	0	70,000	70,000	0	0	70,000
CAD/GIS/Asset Management System	100,000	0	100,000	10,000	90,000	0	100,000
Communication Equipment	56,000	0	56,000	32,000	24,000	0	56,000
SUB-TOTAL PLANT & EQUIPMENT	2,093,500	165,608	1,927,892	1,979,500	114,000	0	2,093,500
TOTAL MANAGEMENT	6,272,500	240,853	6,031,647	6,045,500	227,000	0	6,272,500
SOURCES							
Bores-renew/refurbish/decommission	338,000	202,740	135,260	75,000	263,000	0	338,000
Source Works General Improvements	10,000	0	10,000	10,000	0	0	10,000
Switchboards Improvements/Replacements	5,000	327	4,673	5,000	0	0	5,000
TOTAL SOURCES	353,000	203,067	149,933	90,000	263,000	0	353,000
TREATMENT PLANTS							
General Improvements	65,000	36	64,964	45,000	20,000	0	65,000
Aeration Tower Replacements	132,000	8,192	123,808	92,000	40,000	0	132,000
Aeration Tower Covers	50,000	2,218	47,782	50,000	0	0	50,000
Specific Treatment Plant improvements	58,000	16,417	41,583	58,000	0	0	58,000
Treatment Plant refurbishments	10,869,000	1,126,399	9,742,601	10,150,000	719,000	0	10,869,000
Laboratory Equipment	6,000	0	6,000	6,000	0	0	6,000
Laboratory Facilities Upgrade	50,000	2,906	47,094	50,000	0	0	50,000
Treatment Plant Switchboards/Control Systems Replacement/Upgrade	5,000	22,163	-17,163	5,000	0	0	5,000
TOTAL TREATMENT PLANTS	11,235,000	1,178,331	10,056,669	10,456,000	779,000	0	11,235,000
PUMPING STATIONS							
General Improvements	30,000	2,700	27,300	30,000	0	0	30,000
Magflow Replacements	33,000	0	33,000	10,000	23,000	0	33,000
Pump Stations Renewal/Refurbish/Upgrade	220,000	7,723	212,277	120,000	100,000	0	220,000
Pump & Motor Maintenance / Replacements	140,000	12,353	127,647	140,000	0	0	140,000
Pump Station Switchboards/Control Systems Replacement/Upgrade	5,000	0	5,000	5,000	0	0	5,000
TOTAL PUMPING STATIONS	428,000	22,776	405,224	305,000	123,000	0	428,000
RESERVOIRS							
General Improvements	28,000	0	28,000	28,000	0	0	28,000
New/Replacement Reservoirs	3,011,000	62,924	2,948,076	2,850,000	161,000	0	3,011,000
Reservoirs - Refurbish	15,000	0	15,000	15,000	0	0	15,000
Reservoirs - Upgrade Ladders and Access	62,000	1,131	60,869	25,000	37,000	0	62,000
Reservoir Hatches Magflows	30,000	0	30,000	30,000	0	0	30,000
Reservoirs - Control Valves & Systems	40,000	52	39,948	0	40,000	0	40,000

Description	Current Budget 2013/14	YTD Actual 2014/15	Budget Remaining	Original Budget 2014/15	2013/14 Carry Overs	30/9/14 Review Adjustment	Proposed Revised Budget 2014/15
	\$	\$	\$	\$	\$	\$	\$
TOTAL RESERVOIRS	3,186,000	64,108	3,121,892	2,948,000	238,000	0	3,186,000
MAINS, SERVICES & METERS							
System Improvements	170,000	184	169,816	170,000	0	0	170,000
Reticulation Mains Extensions	0	14,768	-14,768	0	0	0	0
Reticulation for Developers (including other extensions)	860,000	139,873	720,127	860,000	0	0	860,000
Renew Reticulation Mains	625,000	242,206	382,794	390,000	235,000	0	625,000
Renew Trunk Mains	4,370,000	596,583	3,773,417	4,370,000	0	0	4,370,000
SUB-TOTAL MAINS	6,025,000	993,614	5,031,386	5,790,000	235,000	0	6,025,000
SERVICES							
SUB-TOTAL SERVICES	850,000	111,388	738,612	850,000	0	0	850,000
METERS							
Water meters replacement	180,000	999	179,001	180,000	0	0	180,000
Remote metering	10,000	18	9,982	10,000	0	0	10,000
Water Filling Stations New	75,000	3,935	71,065	75,000	0	0	75,000
SUB-TOTAL METERS	265,000	4,952	260,048	265,000	0	0	265,000
TOTAL MAINS, SERVICES & METERS	7,140,000	1,109,954	6,030,046	6,905,000	235,000	0	7,140,000
TOTALS	28,614,500	2,819,088	25,795,412	26,749,500	1,865,000	0	28,614,500

7. FINANCIAL STATEMENTS 2013/2014

RECOMMENDATION that the 2013/2014 Audited Financial Statements be received.

Council's Auditors, Crowe Horwath Auswild, have completed their audit of the 2013/2014 Financial Statements. A representative from Crowe Horwath will be present at the meeting to present the audit report.

- **Financial Statements 2013/2014 – Separate document**

8. OPERATIONAL PLAN – PERFORMANCE TARGETS

RECOMMENDATION that the report detailing progress achieved towards the various objectives set out in the 2014/2015 Operational Plan be noted and received.

In accordance with the provisions of Section 407 of the Local Government Act 1993, I report to Council on the progress achieved in the year for the various Key Performance Indicators set out in the 2014/2015 Operational Plan.

Services

Measure	Key Performance Indicator	Progress to 30 th September 2014
Customer Satisfaction Rating	>4 (out of 5)	N/A – Annual Measure
Water Quality Satisfaction	>4 (out of 5)	N/A – Annual Measure

Asset Replacement

Measure	Key Performance Indicator	Progress to 30 th September 2014
Projects completed from Capital Works Program	>80%	N/A – Annual Measure (Refer DoE Report for Progress)

Demand Management

Measure	Key Performance Indicator	Progress to 30 th September 2014
Peak Day Demand (weekly average)	<65 ML	42.6 ML

WHS

Objectives	Key Performance Indicator	Progress to 30 th September 2013
Number of days lost through injury	< previous period	Sept Qtr. 1 June Qtr. 74
Percentage of sick leave hours to ordinary hours worked	<3.5%	3.93% 1.88%
Total hours worked compared to time lost through injury & illness	< previous period	0.03% 1.64%

Environmental Protection

Key Performance Indicator	Key Performance Indicator	Progress to 30 th September 2014
Power used per ML of water produced KWh	< same period last year	Sept Qtr. 2014 Sept Qtr. 2013 201.18 KWh 251.78 KWh
Power used per ML of water produced \$	< same period last year	\$57.95 \$34.10

Equal Employment Opportunity

Key Performance Indicator	Key Performance Indicator	Progress to 30 th September 2014
Number of legitimate EEO complaints resolved	100%	Nil lodged
Percentage of staff returning from parental leave	100%	100%

Charges and Fees

Key Performance Indicator	Key Performance Indicator	Progress to 30 th September 2014
Level of Water Charges overdue compared to water sales for previous 12 months	<5%	N/A – Annual Measure
Level of Sundry Debtor Accounts overdue compared to debtors raised for previous 12 months	<5%	N/A – Annual Measure

9. DISCLOSURE OF INTEREST RETURNS

RECOMMENDATION that the information be received.

All returns in respect to Pecuniary Interest have been completed and returned to the General Manager and are now tabled.

10. APPLICATION FOR ANNUAL LEAVE - GENERAL MANAGER

RECOMMENDATION 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.

Application is made for annual leave to be granted to the General Manager from 12 October 2015 until 6 November 2015, inclusive (4 weeks).

Unfortunately this leave coincides with Councils scheduled ordinary meeting on 28 October 2015.

11. APPOINTMENT OF COUNCIL REPRESENTATIVES

RECOMMENDATION that Council appoint representatives to the following Committees:

- a) General Manager's Performance Review Committee
- b) Audit and Risk Committee
- c) Murray Darling Association – Murrumbidgee Region
- d) Riverina Eastern Regional Organisation of Councils (REROC) – Chairperson and General Manager.

At this meeting is appropriate that the Council appoint representatives to the following Committees:-

- a) The General Manager's Performance Review Committee comprises 4 Councillors. These Councillors are the Chairperson, Deputy Chairperson and two others (previously Cr s Kendall and McInerney).
- b) The Audit and Risk Committee was formed in 2011 and is the subject to an earlier Report recommending it be reappointed. The constitution of the Audit and Risk Committee specifies that one Councillor be appointed to the Committee, together with two independent persons. It was further stated in the constitution that the Councillor appointed should not be the Council Chairperson. (The previous Councillor representative was Cr Andrew Negline)
- c) The Constitution of the Staff Consultative Committee previously called for the appointment of a councillor to attend the committee meetings as a management representative. The Consultative Committee Membership comprised the following:-

USU (Rural)	1 elected
USU (Office)	1 elected
USU (Depot)	1 elected
USU (Water Works)	1 elected
ETU	1 elected
APESMA	1 elected
Management	5 nominated, one of whom is a Councillor. (The previous Councillor representative was Cr Kevin Poynter)

Advice to Councils from the Office of Local Government, during "Towards Better Practice Reviews" has been that it is not appropriate for a Councillor to be a Management Representative on the Staff Consultative Committee.

- d) Council is a member of the Murray Darling Association – Murrumbidgee Region. The Association meets 4 times per year to discuss water issues associated with the Murrumbidgee Catchment. (The previous Council representative was the Chairperson, Cr Garry Hiscock).
- e) Council is an associate member of REROC. As an associate member Council has observer status only, with a maximum of two observers with no voting rights. Council's observers to REROC have been the Chairperson and General Manager

12. PERFORMANCE REVIEW – GENERAL MANAGER

RECOMMENDATION 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.

13. POLICY 1.3 - GOOD GOVERNANCE

RECOMMENDATION that Riverina Water County Council adopt Policy 1.3 - Good Governance.

In October 2012 Riverina Water County Council adopted Policy 5.25 – Good Governance. This Policy outlined Council’s commitment to good governance. .

This Policy has been renumbered and is now called Policy 1.3 – Good Governance.

The policy has been reviewed and is attached for Councillors' information.

Only minor changes are suggested for the Policy. These include date of the next review from the initial 2 years to once per council term (2016)

The objectives of the Policy are:-

- Achieve the highest standards of governance.
- Ensure the compliance of Councillors, Council staff and delegates with relevant legislation.
- Seek excellence in governance through continuous improvement and working on the system.
- Provide guidance to Councillors and Council staff in achieving good governance.

It is appropriate that this policy be again adopted to demonstrate Council’s commitment to good governance.

- **Policy 1.3 Good Governance**

GOOD GOVERNANCE POLICY

POLICY REFERENCE NUMBER:		POL 1.3	
Original publication date		24 October 2012	
Revision number	Issue Date	Approved	Approval date
0	24 Oct 2012	Res: 12/151	24 Oct 2012
Name Changed from 5.25 on 22/11/13			
1	15 Oct 2014	Res:14/???	
<p>This document is to be reviewed every 2 yearsonce per Council term.</p> <p>Next review date: October 2016</p>			
RESPONSIBLE OFFICER		General Manager	

PART 1: INTRODUCTION

Governance is becoming an increasingly important concept and impacts all sectors of the community. The practice of good governance is increasingly seen as critical for ensuring that the governance of organisations has a legal and ethical basis, that decisions are taken in the interests of stakeholders, and that the organisation behaves as a good corporate citizen should.

This policy demonstrates Riverina Water County Council's commitment to the principles of good governance.

1.1 Policy Objectives

This policy, and the principles set out in the policy, aim to:

- Achieve the highest standards of governance.
- Ensure the compliance of Councillors, Council staff and delegates with relevant legislation.
- Seek excellence in governance through continuous improvement and working on the system.
- Provide guidance to Councillors and Council staff in achieving good governance.

1.2 Definitions

Ethics

Ethics are the moral principles by which any particular person or organisation is guided; the rules of conduct recognized in a particular profession or area of human life.

Governance

Governance is the process of decision-making and the process by which decisions are implemented or not.

Good governance

Good governance means that the structures, activities and operations of the Council are conducted in accordance with the principles of legal compliance, probity, transparency, accountability, and respect for people within the Council and for all other stakeholders.

1.3 Related Document

Code of Conduct

PART 2: POLICY CONTENT

2.1 General Provisions

2.1.1 Characteristics of Good Governance

The characteristics of good governance are:

- It is participatory
- It is consensus-oriented
- It is accountable
- It is transparent
- It is responsive
- It is effective and efficient
- It is equitable and inclusive
- It is law-abiding

2.1.2 Roles of Local Government

Council will apply the following general principles set out in its Charter to sustain community democracy and encourage active citizenship within its area:

- To provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively
- To exercise community leadership
- To exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism
- To properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- To have regard to the long term and cumulative effects of its decisions
- To bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible
- To raise funds for local purposes by the fair imposition of charges and fees, by income earned from investments and, when appropriate, by borrowings and grants

- To keep the local community and the State government (and through it, the wider community) informed about its activities
- To ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected
- To be a responsible employer

2.1.3 Principles of Good Governance

In addition to implementing the provisions of its Charter, Council will apply the following principles:

- Council decision-making will exhibit transparency, honesty and probity.
- Council will make decisions that represent the best long-term interest of the whole of the area covered by Riverina Water County Council.
- Councillors will respect the decisions of the majority and once decisions are made, will support those decisions.
- Councillors will be accountable for the development of policy and the strategic direction of the area serviced by Riverina Water County Council.
- The General Manager and Council officers will be accountable for the implementation of Council policy and decisions except where they apply exclusively to Councillors.
- All Councillors and Council staff will observe the Code of Conduct in spirit and in letter.

PART 3: POLICY IMPLEMENTATION GUIDELINES

3.1 Good Governance Framework

Council will achieve and maintain good governance through the use of a Good Governance Framework based on the key elements identified in the Local Government [Managers Australia \(LGMA\) Professionals \(LGPro\)](#) Governance Health Check. The use of the Governance Health Check is recommended by both the [Department Office](#) of Local Government and the Independent Commission Against Corruption (ICAC).

The four key elements of good governance are:

Ethics and Values

Setting an appropriate standard of ethics is an important factor in establishing and enforcing a high ethical culture. It helps Council reduce fraud, corruption, maladministration and wastage and ensures that Council has the respect of the community.

Key areas are:

- Code of Conduct
- Internal reporting
- Statement of adopted values
- Statement of business ethics for external parties
- Conflicts of interest
- Gifts and benefits
- Councillors' access to information and interactions with staff

Risk Management and Internal Control

In order to achieve its objectives and operate effectively and in accordance with sound governance principles, Council needs to be aware of key risks that it faces and needs to have appropriate controls in place to deal with those risks. Key areas are:

- Risk management
- Internal controls
- Fraud and Corruption Prevention Plan
- Legislative compliance
- Privacy
- Secondary employment
- Payment of expenses and provision of facilities to Councillors
- Procurement and disposal procedures
- Records management

Decision-making Processes

Sound decision-making processes that comply with the principles of good governance will help Council's individual decisions to withstand scrutiny by regulators, courts, the media and those affected by the decisions. Key areas are:

- Code of meeting practice
- Committee system
- Involvement of stakeholders
- Delegations of authority
- Integrated Planning & Reporting Requirements
- Policies and procedures
- Provision of advice

Monitoring and Review

These processes are important to ensure that Council is operating appropriately and that Council and people at council are accountable for their actions. Monitoring and review also helps to ensure that Council can react to changes in its environment efficiently and effectively. Key areas are:

- Annual report
- Performance management
- Complaints handling
- Registers
- Access to documents

3.2 Implementation and Assessment

The Good Governance Framework will be implemented through the provisions of Council's Good Governance Action Plan.

The Good Governance Action Plan sets out a range of actions required to achieve compliance with legislation and to achieve excellence based on benchmark activities listed in the [LGMA LGPro](#) Governance Health Check.

Achievement will be assessed and reported annually against the [LGMA-LGPro](#) Governance Health Check.

14. POLICY 1.4 - STATEMENT OF BUSINESS ETHICS

RECOMMENDATION that Riverina Water County Council adopt Policy 1.4 - Statement of Business Ethics.

In October 2012 Riverina Water County Council adopted Policy 5.24 – Statement of Business Ethics. This Policy made a clear statement to persons that it does business with that outlines Riverina Water County Council's ethics and standards. This Statement reflects the contents of Council's Draft Gifts and Benefits Policy.

This Policy has been renumbered and is now called Policy 1.4 – Statement of Business Ethics.

The Policy is due for review after an initial 2 year period. The Policy has been examined and there are no suggested changes, except that the review date change to once each Council term (2016).

It is appropriate that this statement be again adopted to ensure that Companies that do business with Council are able to operate in a transparent and ethical manner when dealing with Riverina Water County Council.

- **Policy 1.4 Statement of Business Ethics**

STATEMENT OF BUSINESS ETHICS

POLICY REFERENCE NUMBER:		POL 1.4	
Original publication date		24 October 2012	
Revision number	Issue Date	Approved	Approval date
0	24 Oct 2012	Res: 12/150	24 Oct 2012
Name Changed from 5.24 on 22/11/13			
1	15 Oct 2014	Res: 14/???	
<p>This document is to be reviewed every 2 yearsonce each Council term.</p> <p>Next review date: October 2016</p>			
RESPONSIBLE OFFICER		General Manager	

PART 1: GENERAL MANAGER’S MESSAGE

This statement provides guidance for the private sector when doing business with Riverina Water County Council.

It outlines Council’s ethical standards and expectations of goods and service providers and contractors in all of their dealings with Council. The Statement will also outline what goods and service providers and contractors can expect of Council.

Council aims to promote integrity, ethical conduct and accountability throughout Council’s operations.

Our staff are expected to maintain high standards of integrity and ethical conduct, consistent with the positions of trust they hold and we expect no less of the service providers and contractors that undertake work for Council.

PART 2: STATEMENT CONTENT

2.1 OUR BUSINESS PRINCIPLES

This statement will ensure that all its business relationships are honest, ethical, fair and consistent in obtaining best value for money. Best value for money does not automatically mean the lowest price. Council will balance all relevant factors including initial cost, whole of life cost, quality, reliability and timeliness in determining true value for money.

Part of obtaining best value for money will also include ensuring that all our business relationships are honest, ethical, fair and consistent.

Council business will be transparent and open to public scrutiny where ever possible.

2.2 WHAT YOU CAN EXPECT FROM COUNCIL

Council will ensure that all its policies, procedures and practices relating to tendering, contracting and the purchase of goods and services are consistent with best practice and highest standards of ethical conduct.

Our staff are bound by Council’s Code of Conduct when doing business with the private sector and will be expected to:

- Abide by the law and all relevant policies and procedures.
- Use public resources effectively and efficiently.
- Deal fairly honestly and ethically with all individuals and organisations.
- Avoid conflicts of interest (whether real or perceived).

In addition all Council procurement activities are guided by the following core business principles:

- All potential suppliers will be treated with impartiality and fairness and given equal access to information and opportunities to submit bids.

- All procurement activities and decisions will be fully and clearly documented to provide an effective audit trail and allow for effective performance review of contracts.
- Tenders will not be called unless Council has a firm intention to proceed to contract.
- Council will not disclose confidential or proprietary information.

2.3 WHAT COUNCIL EXPECTS OF OUR SUPPLIERS, CONSULTANTS AND CONTRACTORS

Council requires all private sector providers to observe the following principles when doing business with Riverina Water County Council:

- Respect the obligations of Council staff to act in accordance with this statement
- Not exert pressure on Council staff to act in ways that contravene the business ethics or code of conduct of Council.
- Not offer staff inducements or incentives such as money, gifts, benefits, and entertainment or employment opportunities.
- Provide accurate advice and information when required.
- Act ethically, fairly and honestly in all dealings with Council.
- Declare any actual or perceived conflicts of interest as soon as you become aware of the conflict.
- Prevent the unauthorised release of privileged or confidential information, such as commercial-in-confidence information.

2.4 WHY SHOULD THE PRIVATE SECTOR COMPLY WITH THE STATEMENT?

By complying with Council's Statement of Business Ethics you will be able to advance your business through the opportunity to bid for public sector work on a level playing field. You will also enhance your capacity to undertake public sector work with similar compliance requirements in the future.

As all Council suppliers of goods and services are required to comply with this statement, no provider will be disadvantaged in any way. By complying with Council's principles this will also prepare your business for dealing with the ethical requirements of other government agencies, should you wish to do business with them.

Consequences for not complying with the principles of business ethics as outlined in this statement can be significant for both public officials and people doing business with Council.

Consequences for Council staff include investigation, disciplinary action, dismissal or potential criminal charges.

Consequences for private sector partners could lead to:

- Investigation for corruption or other offences.
- Possible loss of work.

- Damage to reputation.
- Termination of contracts.
- Loss of rights (such as loss of operating or trade licences).

It should be noted that any individual can be found corrupt by the Independent Commission Against Corruption (even if they are not a public official) if they try to improperly influence a public official or a public authority's honest or impartial exercise of their official functions.

PART 3: SOME PRACTICAL GUIDELINES

3.1 Incentives: Gifts, benefits, hospitality, meals, travel and accommodation.

Advice in relation to Gifts and Benefits can be found in Council's Code of Conduct and additionally Council has also adopted a Gifts and Benefits Policy which states that:

3.1.1 General Provisions

- 1) *Council generally discourages the acceptance of gifts or benefits by Councillors, Council staff or Council delegates (Council Officials) unless such gifts are made to the Council as a corporate body rather than to an individual.*
- 2) *No gifts **of any value** (including nominal value) are to be accepted by Councillors, Council staff or Council delegates (Council Officials) in any circumstances during the course of a tender period.*
- 3) *If a gift or benefit is received in the course of a Council Official's duties and relates to the work of Council, or has a public benefit, it may be accepted. All such gifts become the property of Council and must be recorded in Council's Gifts and Benefits Register. Such gifts may be disposed of as provided for by clause 2.2.9 of this Policy.*
- 4) *No gifts or benefits of more than nominal value may be accepted by Council Officials, except in the circumstances set out in paragraph 2.2.1.(3) below.*
- 5) *Under no circumstances are offers of money, including items that can be redeemed for money such as gift vouchers, lotto/lottery/scratchy tickets, tickets to events, travel tickets, goods and/or services, to be accepted.*
- 6) *You must always consider the purpose, intent and value of the gift or benefit being offered before making a decision to accept such gift or benefit.*

3.1.2 Specific Provisions

3.1.2.1 Special Circumstances

- 1) *Gifts to family members – Council staff must take all reasonable steps to ensure that their immediate family members are not the recipients of gifts and benefits that could be perceived to be an attempt to influence the behaviour of that Council Official.*
- 2) *Prizes and gifts - On occasions Council officials may receive a prize or gift as a result of entering a competition while engaging in official Council business. Any such gifts/prizes that are received shall be deemed to be the property of Council,*

not the individual, and may be disposed of as provided under clause 2.2.9 of this Policy.

- 3) *Gifts that cannot be returned – There may be circumstances where a gift, unacceptable under Council's policy, is inadvertently accepted by a Council official or may not be easily return (for example, in some cultures where non-acceptance or returning a gift may cause offence, insult or embarrassment), or the value of such gift is unknown at the time of receipt. Such gifts shall be deemed to be the property of Council and disposed of appropriately as set out in clause 2.2.9 of this Policy.*

3.1.2.2 Forms of Gifts

Gifts come in many forms and are given for a variety of reasons, some reasons being appropriate, whilst others inappropriate. Gifts may be categorised as ones of influence, gratitude, token or ceremonial – each providing a different perspective of its intent.

The intent of the gift giving provides some basis for decision making in determining whether a gift should be accepted or declined, and should be considered in consult with the other parameters provided in this Policy.

3.1.2.3 Nominal value

One factor in determining whether a particular gift or benefit may be accepted is its value. The value of a gift or benefit will determine how it is dealt with. Council has a nominal value of \$50. Examples of gifts and benefits of nominal value would be:

- *Inexpensive pen or stationery*
- *Box of chocolates*
- *Modest bottle of wine*

By contrast, the following gifts and benefits would be likely to have more than the stated nominal value of \$50:

- *Tickets to sporting events or other entertainment e.g. football matches, cocktail parties, concerts*
- *Works of art*
- *Jewellery*
- *Free or discounted travel*

3.1.2.4 Token gifts

Token gifts and moderate acts of hospitality include:

- *Free or subsidised meals and/or beverages provided infrequently (and/or reciprocally) by representatives of other public sector agencies or at corporate training or conferences*
- *Free meals and/or beverages provided to public officials who formally represent*
- *Council at government-related functions or events*

If a Council Official attends any business meeting or a meeting with community members at which food and/or beverages are purchased, any costs incurred for that Council Official should be borne by that individual so as to avoid a perception of indebtedness, even though such amount may not exceed the nominal value.

3.1.2.5 The Giving of Gifts by Council

There may be occasions when it is appropriate for Council to give gifts or benefits to individuals from other public or private agencies. Such gift or benefit is to be of a value appropriate to the circumstances and with endorsement from the General

Manager. Appropriate caution should be exercised when the proposed recipient or organisation has a continuing business relationship with Council.

3.1.2.6 Reporting of Offering of Gifts or Benefits

Council officials who receive a gift or benefit, regardless of the value, must complete the Gifts and Benefits Register Form as soon as practical after receiving the gift or benefit. Such gift or benefit is not to be used, consumed or disposed of prior to finalisation of the approval process including the General Manager's authorisation

3.1.2.7 The Offering of a Gift or Benefit During a Tender Period

*Under no circumstances are gifts or benefits **of any value** (including nominal value) offered by a tenderer (or any related entity or individual) during the course of a tender period, to be accepted by a Councillor, Council staff or Council delegates (Council Officials).*

If a gift or benefit is offered during a tender period, the General Manager must be notified immediately.

3.1.2.8 Inappropriate Offering of a Bribe

If a Council Official is offered a bribe, corrupt inducement or reward, such matter must be reported to the General Manager immediately. The offer must not be accepted in any circumstances.

Any Council Official who believes they have been offered a bribe must:

- *Immediately reject the offer*
- *Terminate the interaction with the person*
- *Keep a record of the events*
- *Inform their supervisor (or in the case of a Councillor, the General Manager)*
- *The supervisor must inform the General Manager immediately*
- *The General Manager must inform ICAC and the Police*

The General Manager has a duty under section 11 of the Independent Commission Against Corruption Act 1988 to notify the Independent Commission Against Corruption of any possible corrupt conduct.

3.2 Conflicts of Interest

All Council staff are required to disclose any potential conflicts of interest. Council also extends this requirement to business partners, contractors and suppliers. A conflict of interest can be either:

1. Pecuniary – An interest that a person or company has in a matter because of a reasonable likelihood or expectation of financial gain or loss to the person with whom the person is associated or,
2. Non Pecuniary – A private or personal interest of an official or staff member or delegate that does not amount to a pecuniary interest as defined in the Local Government Act 1993 (eg: a friendship, membership of an association, society or trade union, or involvement or interest in an activity an may include an interest of a financial nature (DLG Model Code of Conduct December 2004 Page 12). Any complaints about possible conflict of interest should be directed to Council's General Manager for attention.

3.3 Sponsorship and related practices

Council will not ask for, entertain or enter into any sponsorship or similar arrangement that is not open and transparent or if such sponsorship creates a perception that it could be part of an attempt to improperly influence any organisational decision-making process.

3.4 Confidentiality

Information that is considered sensitive may have commercial implications for Council together with staff matters of a personal nature will be considered confidential.

Under the Government Information (Public Access) Act 2009 (GIPAA), confidential information may be accessed upon payment of the appropriate application fees and application to Council's Information Access Officer.

3.5 Ethical Communication

Providers of goods and services should ensure that communication is clear, direct and accountable to minimise the risk of perception of inappropriate influence on any business relationship.

If communication needs to be confidential for commercial in confidence or personal reasons, the communication shall still abide by the principles of clear, direct and accountable.

3.6 Use of Council Resources

All Council resources must be used ethically, effectively, efficiently and carefully in the course of official business and must not be used for private purposes (except when supplied under a contract of employment) unless lawfully authorised and proper payment is made where appropriate.

3.7 Secondary Employment

Under the Local Government Act 1993, all Council staff must obtain consent of the General Manager for any secondary employment that relates to the business of Council or might conflict with their Council duties. The General Manager will make the final determination whether to grant or refuse consent. Secondary employment will not be approved if it has the potential to create a real or perceived conflict of interest between the staff member's public role and their private interest.

3.8 Expectations of Contractors and Sub Contractors

Council emphasises that all Contractors and Sub Contractors will be expected to be aware of and comply with the Statement of Business Ethics.

3.9 Who to contact about the Statement of Business Ethics

If you are concerned about a possible breach of this Statement, or about conduct that could involve fraud, corrupt conduct, maladministration or serious and substantial waste of public funds, please contact the General Manager, Riverina Water County Council by one of the following methods:

Letter: P.O. Box 456, Wagga Wagga, NSW, 2650

Phone: (02) 6922 0608

Fax: (02) 6921-2241

Email: admin@rwcc.nsw.gov.au

Persons reporting corrupt conduct are protected by the Protected Disclosures Act 1994. This Act protects individuals disclosing corruption related matters from reprisals or detrimental action and ensures that disclosures are properly investigated and dealt with.

15. POLICY 1.5 – COMPLAINTS MANAGEMENT

RECOMMENDATION that Riverina Water County Council adopt Policy 1.5 – Complaints Management.

In October 2012 Riverina Water County Council adopted Policy 5.19 Complaints Management. This Policy outlined how complaints are handled by staff and Councillors..

This Policy has been renumbered and is now called Policy 1.5 – Complaints Management.

The policy has been reviewed and is attached for Councillors' information.

Only minor changes are suggested for the Policy. These include date of the next review from the initial 2 years to once each Council term (2016).

The objectives of the Policy are:-

- To improve Council's operations through responding positively to complaints.
- To facilitate the resolution of that complaint in accordance with the Council's statutory powers and responsibilities.
- To allow audit, monitoring and analysis to take place on complaints related data.
- To develop community confidence and trust that Council is responsive and caring.

It is appropriate that this policy be again adopted to ensure that complaints are handled in an effective and transparent manner.

- **Policy 1.5 Complaints Management**



POLICY REGISTER

COMPLAINTS MANAGEMENT POLICY

POLICY REFERENCE NUMBER:		POL 1.5	
Original publication date		24 October 2012	
Revision number	Issue Date	Approved	Approval date
0	24 Oct 2012	Res:12/145	24 Oct 2012
Name Changed from 5.19 on 22/11/13			
1	15 Oct 2014	Res: 14/???	
This document is to be reviewed every 2 years once each Council term. Next review date: October 2016			
RESPONSIBLE OFFICER		General Manager	

PART 1: INTRODUCTION

Riverina Water County Council provides democratic government through its services and facilities for the benefit of our customers. Customers have the right to expect satisfactory standards of work and good conduct in service delivery.

The performance of the Council, at times, may not be to the satisfaction of customers or other external stakeholders. In those circumstances the Council is committed to ensuring the opportunity is available to express dissatisfaction through an effective complaints management system and that any complaint received through the system is dealt with courteously, investigated fully and acted on within an appropriate time period.

1.1 Policy Objectives

- To improve Council's operations through responding positively to complaints.
- To facilitate the resolution of that complaint in accordance with the Council's statutory powers and responsibilities.
- To allow audit, monitoring and analysis to take place on complaints related data.
- To develop community confidence and trust that Council is responsive and caring.

1.2 Scope of Policy

This policy covers the following types of complaint:

- Complaints of a general nature,
- Complaints of corrupt conduct, maladministration or misuse of Council resources,
- Competitive neutrality complaints,
- Complaints that cannot be resolved through normal Council procedures and where the customer expresses a clear desire and intention to lodge a formal complaint.
- Unreasonable complainant conduct.

The policy does not cover:

- Service requests,
- Requests for information or explanation of policies or procedures of decisions of Council,
- Reports of damaged or faulty infrastructure,

- Reports of hazards,
- Reports concerning neighbours or neighbouring properties,
- Appeals against Council decisions, policies or procedures, unless recorded as complaints about Council's decision-making process,
- Complaints under the *Code of Conduct* which are subject to a separate process,
- Privacy complaints which are subject to separate processes.

1.3 Definitions

<i>Complaint</i>	A complaint is any dissatisfaction expressed by an interested party about specific Council decisions, procedures, charges, staff, agents, or quality of service. The complainant defines the complaint.
<i>Formal Complaint</i>	<p>This relates to complaints that cannot be resolved through normal Council procedures and where the customer expresses a clear desire and intention to lodge a complaint in writing.</p> <p>Formal complaints are referred to the General Manager for investigation following the <i>Guidelines for Managing Complaints</i>.</p>
<i>Competitive Neutrality Complaint</i>	<p>This is a complaint that Council has not met its obligations under the National Competition Policy and has not abided by the spirit of competitive neutrality in the conduct of a Council business.</p> <p>Competitive neutrality complaints are referred to the General Manager for investigation following the <i>Guidelines for Managing Complaints</i>.</p>
<i>Complaint under the Code of Conduct</i>	<p>These complaints relate to breaches of the Code of Conduct.</p> <p>Code of Conduct complaints are made in writing to the General Manager and are dealt with by processes set out in the <i>Guidelines for Dealing with Complaints under the Code of Conduct</i>.</p>

<i>Protected Disclosure</i>	<p>This is a complaint made under the Protected Disclosures Act. It covers disclosures relating to corrupt conduct, maladministration or serious and substantial waste of public money.</p> <p>The investigation of protected disclosures follows the <i>Guidelines for Managing Complaints</i> but is subject to additional requirements relating to confidentiality and protection from retribution which are set out in the <i>Protected Disclosure Internal Reporting System</i>.</p>
<i>Privacy Complaint</i>	<p>This is a complaint made under the Privacy and Personal Information Protection Act, 1998. It covers complaints concerning breaches of the Act by Council.</p> <p>The investigation of Privacy complaints is set out in Council's Privacy Policy.</p>

1.4 Related Documents

- Council's Code of Conduct
- Guidelines for dealing with Code of Conduct Complaints ([DLGOLG](#))
- [Protected Disclosures Policy \(Pol 1.11\)](#)
- Practice Note No 9 - Complaints Management in Councils ([DLGOLG](#))
- Unreasonable Complainant Conduct - Practice Manual 2009 - NSW Ombudsman

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PART 2: POLICY CONTENT

2.1 General Provisions

Council will:

- Deal with complaints promptly in accordance with its *Complaints Management Policy*,
- Seek to resolve complaints at the time they are made,
- Publicise its complaints management processes,
- Ensure members of the public dissatisfied with Council's conduct are aware of their right to lodge complaints,

- Acknowledge complaints within seven working days including advice about the action taken to resolve the complaint,
- Advise complainants of their right to complain to the Ombudsman, the ICAC or the Department of Local Government
- Deal with protected disclosures in accordance with its *Protected Disclosures Policy*,
- Ensure that only the people directly involved in the complaint, or in sorting it out, will have access to information about the complaint,
- Report in its annual report on the outcome of complaints, using this information to identify and rectify deficiencies in Council services.

2.2 Specific Provisions

2.2.1 Complaints of a General Nature

These complaints may range from simple matters involving rudeness by employees or delays in responding to water service interruptions through to serious matters concerning breaches of Council policies or procedures.

2.2.2 Complaints Made to Council Staff

The complaint handling process for Council employees is broken down into three levels:

Level One – First Line Complaint Handling

- All first line staff are responsible for receiving, registering and ensuring the resolution of all straightforward, minor complaints as speedily as possible. They have the authority to resolve problems on the spot.
- First line staff may refer complaints to their supervisor or department manager if they are unsure who should attend the problem.
- In the case of more serious complaints, first line staff shall direct the complaint to the General Manager.

Level Two – Internal Review or Investigation

- Where the customer is still dissatisfied the General Manager will review the complaint and report back to the complainant.

Level Three – Independent Review

In all cases, if a complaint cannot be resolved within Council, the complainant is offered one of the following alternatives:

- An alternative dispute resolution procedure such as mediation;
- Referral to an external agency such as the Independent Commission Against Corruption, the NSW Ombudsman or the Director-General of the NSW [Division-Office](#) of Local Government.
- Appeal procedures or other legal remedies.

2.2.3 Complaints Made to Councillors

Complaints are sometimes made directly to Councillors rather than to Council staff. In order for the above processes to be followed, Councillors are requested to:

- Ask the complainant whether they have previously made the complaint to Council staff. If not, please ask them to contact Council's Customer Services staff so that relevant details can be logged,
- Log the complaint on a Request Form and refer it to the General Manager.

A report will be made to the respective Councillor regarding action taken on the complaint.

2.2.4 Complaints Concerning Corrupt Conduct

These complaints should be referred to the General Manager or if the complaint relates to the General Manager the complaint is referred to the Chairman and dealt with in accordance with the *Guidelines for Managing Complaints*. All complaints relating to allegations of corrupt conduct are to be immediately referred to ICAC in accordance with the published procedure.

2.2.5 Complaints Concerning Competitive Neutrality

In the event of a competitive neutrality complaint being received, the following procedures will be followed:

- Competitive complaints must be submitted in writing,
- The General Manager will acknowledge receipt of the letter within seven (7) days and will provide details of how it is proposed to handle the complaint,
- The General Manager will investigate the complaint, obtain any advice that is necessary and provide a full response within twenty-one (21) days.

2.2.6 Making Restitution

An important part of Complaint Management is ensuring that if a complaint is found to be correct then some form of restitution is made to the complainant. Making restitution is a way of acknowledging that a wrong has been done and that it is regretted.

There are various ways of making restitution:

Apologising

The most common form of restitution is making an apology. Often this is sufficient to resolve the complaint. Different forms of apology include a verbal apology, a written apology or a published apology. The type used depends on the situation and the nature of the complaint.

Making Good

There will be occasions where Council will agree to or be directed to make good any damage that it has caused to another party. Council will need to consult its insurer before taking such an action.

Compensation

Separate from any cost involved in making good, Council may agree to or be directed to make a payment of money to a complainant for pain, suffering, embarrassment or loss of income caused by Council's negligent action.

2.3 Difficult Complainants

There may be occasions where the complainant's actions or motivations are unacceptable. We recognise that staff have rights that must be respected when dealing with aggressive or vexatious complaints.

Many complainants are angry and aggrieved, sometimes with good cause. Most behave in legitimate ways. A very small minority make complaints that are vexatious, in that they persist unreasonably with their complaints, or make complaints in order to make it difficult for the Council rather than genuinely to resolve a grievance. This may involve making serial complaints about different matters, or continuing to raise the same or similar matters over and over again. Unreasonable complainants should be dealt with in accordance with the NSW Ombudsman's Practice Manual '*Unreasonable Complainant Conduct*'.

Definition of a Vexatious Complainant

Complainants (and/or anyone acting on their behalf) may be deemed to be habitual or vexatious where previous or current contact with them demonstrates that they meet two or more of the following criteria:

- Complaints made maliciously to damage a persons' career or reputation
- Complainants threaten or take violent action against themselves, staff or property

- Complaints made without evidence to cause annoyance
- Complainants persistently changing the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response or whilst the complaint is being addressed. (Care must be taken not to disregard new issues which are significantly different from the original complaint as they need to be addressed as separate complaints)
- Complainants are repeatedly unwilling to accept documented evidence given as being factual or deny receipt of an adequate response in spite of correspondence specifically answering their questions, or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed
- Complainants persist in pursuing a complaint, despite reasonable efforts of the Council to help them specify their concerns, and/or where the concerns identified are not within the realm of the Council to investigate
- Complainants regularly focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point.
- It is recognised that determining what is a trivial matter can be subjective and careful judgement will be used in applying this criteria
- Complainants who display aggressive or abusive behaviour such as abusive language (oral or written), threats, sexual remarks, rudeness, or have threatened or used physical violence towards staff at any time
- Complainants who have excessive contact with the Council and place unreasonable demands on staff. For the purposes of determining an excessive number, a contact may be in person, by telephone, letter, e-mail or fax. Discretion will be used in determining the precise number of excessive contacts applicable under this section, using judgement based on the specific circumstances of each individual case
- Complainants are known to have recorded meetings or face to face/telephone conversations without the prior knowledge and consent of other parties involved
- Complainants make unreasonable demands on the customer/complainant relationships and fail to accept that these may be unreasonable, for example, insisting on responses to complaints or enquiries being provided more urgently than is reasonable or with the Council's Complaints Procedure or normal recognised practice

16. POLICY 1.7 - GIFTS AND BENEFITS

RECOMMENDATION that Riverina Water County Council adopt the Draft Gifts and Benefits Policy.

In October 2012 Riverina Water County Council adopted Policy 5.23 – Gifts and Benefits. The Policy is a guide to Councillors and staff as to the most appropriate way of dealing with gifts and benefits.

This Policy has been renumbered and is now called Policy 1.7 – Gifts and Benefits.

The Policy is due for review after an initial 2 year period. The Policy has been examined and there are a number of minor changes suggested changes, including that the review date be now extended to once each Council term (2016).

A copy of a revised Policy is attached for Councillors' information.

The objectives of the Policy are:-

- explain gifts and benefits, including token gifts and benefits and gifts and benefits of value
- provide clear guidelines on how to deal with gifts and benefits
- ensure that Council officials understand and meet their obligations under Council's *Code of Conduct and Conflicts of Interest Policy* so as not to be compromised or appear to be compromised because of a gift or benefit
- demonstrate that Council has a fair, transparent and accountable mechanism for dealing with gifts and benefits

It is appropriate that this policy be adopted to ensure that Council officials are able to operate in a transparent and ethical manner when acting on behalf of Riverina Water County Council.

- **Policy 1.7 Gifts and Benefits**



POLICY REGISTER

RIVERINA WATER COUNTY COUNCIL GIFTS AND BENEFITS POLICY

POLICY REFERENCE NUMBER:		POL 1.7	
Original publication date		24 October 2012	
Revision number	Issue Date	Approved	Approval date
0	24 Oct 2012	Res: 12/149	24 Oct 2012
Name Changed from 5.23 on 22/11/13			
1	15 Oct 2014	Res: 14/???	
This document is to be reviewed every 2 years <u>once each Council term</u> . Next review date: October 2016			
RESPONSIBLE OFFICER		General Manager	

PART 1: INTRODUCTION

Council is committed to preventing corruption in all its forms. One form of corruption that can seriously damage the credibility of an organisation is bribery.

Council recognises that gifts and benefits of nominal value are frequently offered and accepted and that there is little risk of harm in permitting this to occur. However, the Policy also recognises that on occasions, gifts and benefits are offered to influence the attitudes or decisions of Council officials in favour of the giver. In this case the gifts or benefits must be regarded as bribes and the giving and acceptance of them is a criminal offence.

1.1 Policy Objectives

The purpose of this policy is to establish guidelines for dealing with gifts and benefits and establish transparent processes so that the integrity and independence of the individual and the Council is not compromised.

The objectives of this policy are to:

- explain gifts and benefits, including token gifts and benefits and gifts and benefits of value
- provide clear guidelines on how to deal with gifts and benefits
- ensure that Council officials understand and meet their obligations under Council's *Code of Conduct and Conflicts of Interest Policy* so as not to be compromised or appear to be compromised because of a gift or benefit
- demonstrate that Council has a fair, transparent and accountable mechanism for dealing with gifts and benefits

1.2 Scope of Policy

This policy applies to all Council Officials as defined within this policy.

This policy does not deal with political donations and gifts that are dealt with under the *Environmental Planning and Assessment Act 1979*.

This policy operates in addition to all other obligations under the *Local Government Act 1993* (the Act), any other legislation, or relevant codes and policies regarding the disclosure of any interests.

1.3 Definitions

Benefit	<p>A non-tangible item of value (e.g. a new job or promotion, preferential treatment or access to confidential information) that one person or organisation confers on another. Some examples include:</p> <ul style="list-style-type: none">• Tickets to sporting events or other entertainment;• Use of facilities such as a gymnasium or holiday home;• Free or discounted travel, Frequent Flyer points;
Bribery	<p>Is defined as receiving or offering any undue reward by, or to, any person in public office in order to influence his or her behaviour in that office, and to incline that person to act contrary to the known rules of honesty and integrity.</p>
Council Official	<p>An individual who carries out public official functions or acts in the capacity of a public official. These include Councillors, members of staff, members of Council committees, conduct reviewers and delegates of Council.</p>
Corruption	<p>The abuse of public office (ie public trust) for private or personal advantage.</p>
Cumulative Gifts	<p>A series of small gifts, each of which is of minimal value, may have an aggregate value that exceeds Council's stipulated nominal value. Such circumstances need to be treated in the same way as gifts which exceed nominal value.</p>
Delegate of Council	<p>A person or body, and the individual members of that body, to whom a function of Council has been delegated.</p>
Nominal Value	<p>A value that usually does not create a sense of obligation in the receiver that will influence, or appear to influence, the exercise of his or her official duties. For the purpose of this Policy, Council has determined that \$50 is the maximum nominal value of any gift or benefit.</p>
Gift	
Gift of influence	<p>A gift that is intended to generally ingratiate the giver with the recipient for favourable treatment in the future.</p>
Gift of gratitude	<p>A gift offered to an individual or agency in appreciation of performing specific tasks or for exemplary performance of duties. Gifts to staff who speak at official functions would be considered gifts of gratitude.</p>

Token Gifts	<p>Items of minimal value that are given in gratitude for services provided such as speaking at a conference or training seminar, end of year functions or local social or cultural events. Some examples of token gifts include:</p> <ul style="list-style-type: none"> • Modest bottle of wine • Chocolates • Ties/scarves • Stationery - pens or diaries • Coffee mugs, coasters - tie pins • Clothing – caps T-shirts, Polo's etc.
Ceremonial Gift	<p>An official gift from one agency to another agency e.g. commemorative plaque from an overseas delegation. Such gifts are often provided to a host agency when conducting official business with delegates from another organisation. Although these gifts may sometimes be offered to express gratitude, the gratitude usually extends to the work of several people in the agency, and therefore the gift is considered to be for the agency, not a particular individual.</p>
Gift register	<p>An official agency record that details gifts and benefits received by staff and how they were managed.</p>
Official duties	<p>The work done by a public official as defined by relevant or governing legislation (and regulations), the official's position description or lawful directions given by a supervisor.</p>
Staff	<p>All employees of Riverina Water County Council (full-time, part-time, temporary or casual). It also includes, for the purposes of this policy only, all volunteers and contractors (who principally provide their labour).</p>

1.4 Legislative Context

Corruptly receiving a gift or benefit is an offence under both the common law and NSW legislation.

(1) Crimes Act 1900 (NSW)

Section 249B(1) of the Crimes Act 1900 (NSW) creates an offence if any employee corruptly receives or solicits (or corruptly agrees to receive or solicit) from another person any benefit as an inducement to do, or not do, something in relation to their official duties. This also pertains to receiving benefits for showing favour or disfavour to any person in relation to their official duties.

(2) Local Government Act 1993

Section 440 of the Act requires that councils adopt a code of conduct. The section states that serious corrupt conduct, of which bribery is an example, may lead to the dismissal or temporary suspension from office of a Councillor or of a staff member.

(3) Independent Commission Against Corruption Act 1988 (ICAC Act)

Under Section 11 of the ICAC Act, the General Manager has a duty to inform the ICAC about any matter that he or she suspects on reasonable grounds concerns or may concern corrupt conduct.

1.5 Related Documents

- Code of Conduct
- Conflicts of Interest Policy
- Statement of Business Ethics
- Anti-fraud and Corruption Policy
- Good Governance Policy

1.6 Code of Conduct

Gifts and Benefits are dealt with under clause 8 of the *Code of Conduct (Personal Benefit)*. This policy expands on the provisions of the Code of Conduct and establishes a procedure for disclosing and, where necessary, surrendering certain gifts and benefits.

PART 2: POLICY CONTENT

2.1 General Provisions

- 1) Council generally discourages the acceptance of gifts or benefits by Councillors, Council staff or Council delegates (Council Officials) unless

such gifts are made to the Council as a corporate body rather than to an individual.

- 2) No gifts **of any value** (including nominal value) are to be accepted by Councillors, Council staff or Council delegates (Council Officials) in any circumstances during the course of a tender period.
- 3) If a gift or benefit is received in the course of a Council Official's duties and relates to the work of Council, or has a public benefit, it may be accepted. All such gifts become the property of Council and must be recorded in Council's Gifts and Benefits Register. Such gifts may be disposed of as provided for by clause 2.2.9 of this Policy.
- 4) No gifts or benefits of more than nominal value may be accepted by Council Officials, except in the circumstances set out in paragraph 2.2.1.(3) below.
- 5) Under no circumstances are offers of money, including items that can be redeemed for money such as gift vouchers, lotto/lottery/scratchie tickets, tickets to events, travel tickets, goods and/or services, to be accepted.
- 6) You must always consider the purpose, intent and value of the gift or benefit being offered before making a decision to accept such gift or benefit.

2.2 Specific Provisions

2.2.1 *Special Circumstances*

- 1) Gifts to family members – Council staff must take all reasonable steps to ensure that their immediate family members are not the recipients of gifts and benefits that could be perceived to be an attempt to influence the behaviour of that Council Official.
- 2) Prizes and gifts - On occasions Council officials may receive a prize or gift as a result of entering a competition while engaging in official Council business. Any such gifts/prizes that are received shall be deemed to be the property of Council, not the individual, and may be disposed of as provided under clause 2.2.9 of this Policy.
- 3) Gifts that cannot be returned – There may be circumstances where a gift, unacceptable under Council's policy, is inadvertently accepted by a Council official or may not be easily returned (for example, in some cultures where non-acceptance or returning a gift may cause offence, insult or embarrassment) or the value of such gift is unknown at the time of receipt. Such gifts shall be deemed to be the property of Council and disposed of appropriately as set out in clause 2.2.9 of this Policy.

2.2.2 *Forms of Gifts*

Gifts come in many forms and are given for a variety of reasons, some reasons being appropriate, whilst others inappropriate. Gifts may be categorised as ones of

influence, gratitude, token or ceremonial – each providing a different perspective of its intent.

The intent of the gift giving provides some basis for decision making in determining whether a gift should be accepted or declined, and should be considered in consult with the other parameters provided in this Policy.

2.2.3 Nominal value

One factor in determining whether a particular gift or benefit may be accepted is its value. The value of a gift or benefit will determine how it is dealt with. Council has a nominal value of \$50. Examples of gifts and benefits of nominal value would be:

- Inexpensive pen or stationery
- Box of chocolates
- Modest bottle of wine

By contrast, the following gifts and benefits would be likely to have more than the stated nominal value of \$50:

- Tickets to sporting events or other entertainment eg football matches, cocktail parties, concerts
- Works of art
- Jewellery
- Free or discounted travel

2.2.4 Token gifts

Token gifts and moderate acts of hospitality include:

- Free or subsidised meals and/or beverages provided infrequently (and/or reciprocally) by representatives of other public sector agencies or at corporate training or conferences
- Free meals and/or beverages provided to public officials who formally represent Council at government-related functions or events

If a Council Official attends any business meeting or a meeting with community members at which food and/or beverages are purchased, any costs incurred for that Council Official should be borne by that individual so as to avoid a perception of indebtedness, even though such amount may not exceed the nominal value.

2.2.5 The Giving of Gifts by Council

There may be occasions when it is appropriate for Council to give gifts or benefits to individuals from other public or private agencies. Such gift or benefit is to be of a value appropriate to the circumstances and with endorsement from the General Manager. Appropriate caution should be exercised when the proposed recipient or organisation has a continuing business relationship with Council.

2.2.6 Reporting of Offering of Gifts or Benefits

Council officials who receive a gift or benefit, ~~regardless of the~~[apart from gifts of a token](#) value, must complete the Gifts and Benefits Register Form as soon as practical after receiving the gift or benefit. [This declaration must also be made if the Council Official knows of a family member receiving a gift.](#) Such gift or benefit is not to be used, consumed or disposed of prior to finalisation of the approval process including the General Manager's authorisation

2.2.7 The Offering of a Gift or Benefit During a Tender Period

Under no circumstances are gifts or benefits **of any value** (including nominal value) offered by a tenderer (or any related entity or individual) during the course of a tender period, to be accepted by a Councillor, Council staff or Council delegates (Council Officials).

If a gift or benefit is offered during a tender period the General Manager must be notified immediately.

2.2.8 Inappropriate Offering of a Bribe

If a Council Official is offered a bribe, corrupt inducement or reward, such matter must be reported to the General Manager immediately. The offer must not be accepted in any circumstances.

Any Council Official who believes they have been offered a bribe must:

- Immediately reject the offer
- Terminate the interaction with the person
- Keep a record of the events
- Inform their supervisor (or in the case of a Councillor, the General Manager)
- The supervisor must inform the General Manager immediately
- The General Manager must inform ICAC and the Police

The General Manager has a duty under section 11 of the Independent Commission Against Corruption Act 1988 to notify the Independent Commission Against Corruption of any possible corrupt conduct.

2.2.9 Conflicts of Interest

Consideration should also be given by Council officials as to whether or not acceptance of a gift or benefit is, or could be perceived to be, a conflict of interest. Council's Code of Conduct and Conflicts of Interest Policy should be applied in these circumstances.

2.2.10 Gifts or benefits that become the property of Council

The General Manager has the discretion to dispose of gifts or benefits, deemed to be those of the Council, in an appropriate manner. Such disposal may be by way of:

- Holding an auction with all proceeds going to a charity which provides services to the local community;
- Donating such goods to a charity that provides services to the local community;
- Sharing the gift or benefit amongst all staff for the purposes of performing Council operations (e.g. a computer printer that could be networked);
- Holding a fundraiser with the gifts or benefits as prizes.
- In the case of tickets to local functions of a token value, offer the tickets to staff and where responses exceed the number of tickets, conduct a draw.

17. POLICY 1.9 - COUNCILLOR'S ACCESS TO INFORMATION, INTERACTION WITH STAFF AND ACCESS TO COUNCIL PREMISES

RECOMMENDATION that Riverina Water County Council adopt Policy 1.9 - Councillor's Access To Information, Interaction With Staff And Access To Council Premises.

In October 2012 Riverina Water County Council adopted Policy 5.22 – Councillor's Access to Information and Interactions with Staff and Access to Council Premises. This Policy was adopted to guide Councillors and staff as appropriate ways that Councillors can obtain information, interact with staff and have access to Council premises.

This Policy has been renumbered and is now called Policy 1.9 – Councillor's Access to Information and Interactions with Staff and Access to Council Premises.

Only minor changes are suggested for the Policy. These include date of the next review from the initial 2 years to once each Council term (2016).

A copy of the proposed policy is attached for Councillors' information.

The objectives of the Policy are:-

- Provide a standard approach by which Councillors can access Council records.
- Ensure accessibility to Councillors of all documents that are required by them to undertake their statutory responsibilities.
- Ensure that Councillors receive accurate and timely advice to aid them in the performance of their civic responsibilities.
- Facilitate the appropriate level of access to staff.
- Facilitate a harmonious and respectful relationship between Councillors and staff, taking into account the differing roles that they are required to undertake as defined in the Local Government Act.
- Complement the Council's Code of Meeting Practice and the Council's Code of Conduct.

It is appropriate that this policy be adopted to ensure that Councillors are able to obtain information necessary to assist them in undertaking their role as a Councillor.

- **Policy 1.9 Councillor's Access to Information and interactions with Staff and Access to Council Premises**

COUNCILLOR'S ACCESS TO INFORMATION AND INTERACTIONS WITH STAFF AND ACCESS TO COUNCIL PREMISES POLICY

POLICY REFERENCE NUMBER:		POL 1.9	
Original publication date		24 October 2012	
Revision number	Issue Date	Approved	Approval date
0	24 Oct 2012	Res: 12/148	24 Oct 2012
Name Changed from 5.22 22/11/13			
1	15 Oct 2014	Res: 14/???	
<p>This document is to be reviewed every 2 years <u>once each Council term</u>.</p> <p>Next review date: October 2016</p>			
RESPONSIBLE OFFICER		General Manager	

PART 1: POLICY STATEMENT

Riverina Water County Council is committed to:

- Cooperation and collaboration between Council staff and its elected members;
- On-going professional development of elected members;
- Clear distinction between enquiries of civic and personal nature.

1.1 Objective

The objectives of this policy are to:

1. Provide a standard approach by which Councillors can access Council records.
2. Ensure accessibility to Councillors of all documents that are required by them to undertake their statutory responsibilities.
3. Ensure that Councillors receive accurate and timely advice to aid them in the performance of their civic responsibilities.
4. Facilitate the appropriate level of access to staff.
5. Facilitate a harmonious and respectful relationship between Councillors and staff, taking into account the differing roles that they are required to undertake as defined in the Local Government Act.
6. Complement the Council's Code of Meeting Practice and the Council's Code of Conduct.

1.2 Legislative Compliance – Intent

Councillors must have access to information and staff in order to ensure the smooth functioning of the Council. This policy establishes the protocols to be followed so that access to information and staff is facilitated through appropriate internal channels or legally available channels.

Provide direction on Councillors' rights of access the Council Administration Office.

1.3 Scope

This policy applies to all Councillors of Riverina Water County Council.

This policy applies to all employees, contractors and volunteers working on behalf of the Riverina Water County Council in whatever capacity.

1.4 Definitions

Councillors: refer to all elected representatives of Riverina Water County Council as defined by the Local Government Act 1993.

The role of the Council: is to determine the strategic direction and determine the policy framework of the Council.

The role and function of the General Manager: is to effectively manage the organisation, direct staff and implement Council's policies and strategic objectives.

Council's Public Officer: is the General Manager.

Junior Staff: are defined as any staff member below the level of manager.

Public contact staff refers to: Customer Service staff

Documents refer to: _____ Files/correspondence
Public Registers
Development and other Applications

1.5 Legislative Content

Statutory Provisions relating to Access to Council records are contained in the

- Local Government Act (LGA),
- the Government Information (Public Access) Act 2009 (NSW) and
- the Privacy and Personal Information Protection Act (PIPPA).

Related Policies/Codes/Guidelines

The Policy should be read in conjunction with:

- The Code of Conduct
- The Code of Meeting Practice
- Local Government Act 1993
- Local Government (Meeting) Regulations
- Under Careful Consideration: Key Issues for Local Government (ICAC)
- Good Conduct & Administrative Practice-Guidelines for Councils (NSW
- Ombudsman)
- The Government Information (Public Access) Act 2009 (NSW)
- Office of Local Government Circular to Councils 30/10
- Privacy and Personal Information Protection Act 1998
- State Records Act 1996

PART 2: POLICY CONTENT

2.1 Provisions Councillor Access Information

2.1.1 Open Access Information – Section 6 (1) of the Government Information (Public Access) Act 2009 (GIPA) provides that the Council must make government information that is open access information publicly available. Open access information is made available through Council's website or it may be viewed by appointment during office hours. Appointments can be made through the General Manager.

The General Manager/Public Officer is responsible for ensuring that members of the public and Councillors can gain access to the documents that are publically available.

Rights of Access to Information – The General Manager must provide Councillors with information sufficient to enable them to carry out their civic office functions.

A Councillor may request the General Manager to provide them with access to a document or other record of Council relating to a matter which is, or is to be, or has been, under consideration of the Council. Councillors are entitled to access all files, records or other documents where that document is identified as Open Access under GIPA or to a matter currently before the Council.

| 2.1.2 Councillors can request access to other documents of the Council by a GIPA application.

Information provided to a particular Councillor in the performance of their civic duties must also be available to any other Councillors who request it.

Councillors who have a personal (as distinct from civic) interest in a document of Council have the same rights as any other person. Councillors can request access to other documents of the Council by making an application under GIPA.

| 2.1.3 Refusal of Access to Documents – Where the General Manager/Public Officer determines to refuse access to a document sought by a Councillor, they must act reasonably in reaching this decision, and they must take into account whether or not the document sought is required for the Councillor to perform their civic duty. The General Manager/Public Officer must then give the option of applying for the documents under the GIPA and if access is still refused must state the reasons for the decision (as specified under the provisions of GIPA). Councillors will not be provided with access to staff records.

| 2.1.4 Responsibility/Accountability - Councillors must not release personal information about a third party except in accordance with the provisions of the Privacy and Personal Information Act. Information can be obtained in Council's Privacy Management Plan and the Public Officer can also advise on this.

In regards to information obtained in the capacity as a Council Official, Councillors must:

- Only access Council information needed for Council business;
- Not use that Council Information for private purposes;
- Not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for themselves, or any other person or body, from information to which they have by virtue of their office or position with Council; and
- Only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

Councillors and staff are responsible for ensuring that any breaches of this policy are reported to the General Manager.

Where the breach relates to the conduct of a Councillor, the General Manager is responsible for immediately reporting the matter to the Chairperson and where the breach relates to the conduct of the Chairperson, the General Manager is responsible for reporting this to Council.

Where the breach relates to the conduct of staff the General Manager is responsible for taking appropriate disciplinary action if the breach is proven.

2.1.5 Use and Security of Confidential Information – Councillors must maintain integrity and security of confidential documents or information in their possession, or for which they are responsible.

In addition to their general obligations relating to the use of Council information, Councillors must:

- Protect confidential information;
- Only use confidential information for the purpose it is intended to be used;
- Not use confidential information gained through their official position for the purpose of securing a private benefit for themselves or any person;
- Not use confidential information with the intention to cause harm or detriment to the Council or any other person or body; and
- Not disclose any information discussed during confidential session of a Council Meeting.

2.2 Right of Review – If a Councillor is concerned about any refusal to provide information, he/she should firstly raise the matter with the General Manager (or the Chairperson if it was the General Manager who refused to provide the information) and refer to the Code of Conduct Policy.

For refusal of access under GIPA a Councillor may ask for an internal review or an external review by the Information Commissioner. For more information go to www.oic.nsw.gov.au.

2.3 Interaction between Councillors and Staff

During Meetings - Interaction between Councillors and staff at Council meetings and committee meetings is regulated by:

- Section 360 of the Local Government Act;
- Part 10 Divisions 1 to 4 of the Local Government (General) Regulation;
- Council's Code of Conduct; and
- Council's Code of Meeting Practice.

Councillors at Council Meetings can ask questions of other Councillors by going through the Chairperson, ask questions of Council staff by going through the Chairperson and then the General Manager and bring forward Notices of Motion, Questions on Notice and matters of urgency where relevant notice has been provided and procedure followed.

As defined by Council's Code of Meeting Practice, at a Council Meeting, Councillors may put a question through the Chairman to the General Manager to a member of staff to clarify a matter that is before the Council.

2.4 Access to staff outside of Meetings - The General Manager is responsible to the Council for the performance of all staff and day to day management of Council. Therefore, it is appropriate that all requests for information and approaches to staff on matters not generally available to the public and which are outside the forum of Council and Committee meetings, be directed to the General Manager or to person(s) nominated by the General Manager.

Persons nominated by the General Manager include the Director of Engineering. Only the General Manager and Director can provide advice to Councillors and any other officer nominated by the General Manager and/or Director, from time to time.

Requests for actions, services or maintenance may be made by contacting the Council Office or in writing and submitting it to the General Manager. Staff should ensure that all requests form part of Council records for as long as required.

When a detailed report is required, a Notice of Motion should be made to Council.

If a Councillor is concerned about any refusal to provide information, the matter should be raised with the General Manager. If the Councillor is still dissatisfied they should request the information by way of a Question on Notice to the Council.

Councillors who have lodged a Development Applicant or connection request must not discuss their application with junior staff unless the relevant Manager, Director or General Manager is present. All enquiries must be directed through the General Manager or Director. Discussions must be documented.

Councillors shall not approach junior members of staff directly for information or advice, other than public contact staff and then only for routine administrative matters.

The Chairperson may communicate with Council staff in the course of fulfilling the Chairperson's responsibilities and the General Manager is responsible for keeping the Chairperson informed of all matters relevant to those responsibilities.

Staff members will not approach Councillors directly on other than routine administrative matters. Any other contact with Councillors must be arranged through the Director of Engineering or the General Manager.

Staff members will not lobby Councillors on policy issues.

Councillors must not attempt to direct or influence staff as to the performance of their work.

Councillors must not request staff to undertake work of a personal nature for them or any other person.

2.5 Councillor Access to Council Offices

As elected members of the Council, Councillors are entitled to have unimpeded access to all public areas and meeting room.

Councillors who are not in pursuit of their civic duties only have the same rights of access to Council buildings and premises as any other member of the public.

Appropriate protocols with respect to meeting OH&S requirements need to be followed in this instance with building entry sign-in being required as is the case for any other member of the public.

Councillors may not enter "staff only" areas unless with the permission of the General Manager or Director of Engineering.

Appropriate interactions between Councillors and staff and vice versa are required to be respectful and courteous and in line with Council's Code of Conduct obligations.

18. POLICY 1.11 – PROTECTED DISCLOSURES

RECOMMENDATION that Riverina Water County Council adopt Policy 1.11 – Protected Disclosures.

In October 2012 Riverina Water County Council adopted Policy 5.26 – Internal Reporting. This Policy was developed under the aims of the Public Interest Disclosures Act and the Government Information (Public Access) Act, and provided a mechanism for dealing with protected disclosures by Councillors, staff and other persons engaged by Council.

This Policy has been renumbered and renamed and is now called Policy 1.11 – Protected Disclosures.

Only minor changes are suggested for the Policy. These include date of the next review from the initial 2 years to once each Council term (2016).

A copy of the proposed policy is attached for Councillors' information.

The objectives of the Policy are:-

This Policy establishes an internal reporting system for the reporting of disclosures of corrupt conduct, maladministration, the serious and substantial waste of public money or contravention of the GIPA Act by the Council, its staff and Councillors. The system enables such internal disclosures to be made to the Disclosure Coordinator, a Nominated Disclosure Officer, or the Chairman as an alternative to the General Manager.

It is appropriate that this policy be adopted to demonstrate Council's commitment to the Public Interest Disclosures Act.

- **Policy 1.11 Protected Disclosures**



POLICY REGISTER

INTERNAL REPORTING PROTECTED DISCLOSURES POLICY

POLICY REFERENCE NUMBER:		POL 1.11	
Original publication date		14 December 2012	
Revision number	Issue Date	Approved	Approval date
0	14 Dec 2012	Res:12/174	14 Dec 2012
Name Changed from 5.26 on 22/11/13			
1	15 Oct 2014	Res: 14/???	
This document is to be reviewed once each Council term . Next review date: October 2016			
RESPONSIBLE OFFICER		General Manager	

PART 1 INTRODUCTION

Riverina Water County Council will not tolerate corrupt conduct, maladministration or the serious and substantial waste of public money and acknowledges the reporting of suspected wrongdoing by staff, Councillors and Council engaged persons as being vital to its integrity.

Council is committed to the aims and objectives of the Public Interest Disclosures Act 1994 (the PID Act). It recognises the value and importance of contributions of staff, Councillors and other Council engaged persons to enhance administrative and management practices and strongly supports disclosures being made by those individuals which disclose corrupt conduct, maladministration, the serious and substantial waste of public money or contravention of the *Government Information (Public Access) Act 2009* (GIPA Act).

1.1 Policy Objectives

This Policy establishes an internal reporting system for the reporting of disclosures of corrupt conduct, maladministration, the serious and substantial waste of public money or contravention of the GIPA Act by the Council, its staff and Councillors. The system enables such internal disclosures to be made to the Disclosure Coordinator, a Nominated Disclosure Officer, or the Chairman as an alternative to the General Manager.

1.2 Scope of Policy

This Policy covers complaints and reports made under the PID Act such as disclosures of corrupt conduct, maladministration, serious and substantial waste of public money or contravention of the GIPA Act.

This policy applies to:

- Councillors and Council staff (including permanent employees whether full-time or part-time, temporary or casual employees); and
- Other persons engaged by Council (including consultants, individual contractors working for Council and volunteers)

1.3 Legislative Context

The PID Act has the purpose of ensuring that public officials who wish to make disclosures under the legislation receive protection from reprisals, and that the matters raised in the disclosures are properly investigated.

The Act aims to encourage and facilitate the disclosure - in the public interest - of corrupt conduct, maladministration, serious and substantial waste in the public sector and/or contravention of the GIPA Act. This is achieved by:

- enhancing and augmenting established procedures for making disclosures concerning such matters,
- protecting persons from reprisals that might otherwise be inflicted on them because of these disclosures, and
- providing for those disclosures to be properly investigated and dealt with.

Under section 14 of the GIPA Act, Responsible and effective government, there is a public interest consideration against disclosure of information if disclosure of the information could reasonably be expected to prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions.

1.4 Relevant legislation:

- Public Interest Disclosures Act 1994
- Local Government Act 1993
- Government Information (Public Access) Act 2009
- Independent Commission Against Corruption Act 1988
- Ombudsman Act 1974

PART 2: REPORTING PROCESS

| 2.1 Context of the policy

Riverina Water County Council is committed to protecting staff who report wrongdoing in the work place. Some reports of wrongdoing may be classified as “protected disclosures” under the Public Disclosures Act 1994 (PID Act). This policy specifically addresses those types of reports.

Other reports of wrongdoing may not meet the definition of “protected disclosures”, however the Riverina Water County Council supports and encourages such reports as Council does not condone or tolerate wrongdoing in the workplace.

In addition to this policy, staff and Councillors should refer to the Council's Code of Conduct and Ethics Policy as this sets out expected and required standards of conduct and behaviour.

This policy seeks to:

- To establish an internal reporting system for the reporting of disclosures of corrupt conduct, maladministration or serious and substantial waste of public money by Council, members of Council staff and Councillors. This enables protected disclosures to be made to the Disclosure Coordinator, a nominated Disclosures Officer, the Chairman, or the General Manager.
- To complement the normal means of communication between Managers and members of Council staff. (Members of Council staff are encouraged to raise appropriate matters at any time with their Managers but they also have to make protected disclosures in accordance with this policy).
- To ensure that Council will take all reasonable steps to protect any Councillor or member of Council staff or Council contractor who makes a disclosure from any detrimental action in reprisal for making that disclosure.

2.2 Organisational commitment

Riverina Water County Council will:

- create a climate of trust, where staff/Councillors are comfortable and confident about reporting wrongdoing.
- encourage staff/Councillors to come forward if they have witnessed what they consider to be wrongdoing within the Council.
- keep the identity of the staff/Councillor member disclosing wrongdoing confidential, wherever possible and appropriate.
- protect staff/Councillors who make disclosures from any adverse action motivated by their report.
- deal with reports thoroughly and impartially and if some form of wrongdoing has been found, take appropriate action to rectify it.
- keep complainants who make reports informed of their progress and the outcome.
- encourage staff/Councillors to report wrongdoing within the Council, but respecting any decision to disclose wrongdoing outside the Council – provided that disclosure outside the Council is made in accordance with the provisions of the PID Act

- ensure managers and supervisors at all levels in the Council understand the benefits of reporting wrongdoing, are familiar with this policy, and aware of the needs of those who report wrongdoing
- provide adequate resources, both financial and human, to:
 - encourage reports of wrongdoing
 - protect and support those who make them
 - provide training for key personnel
 - investigate allegations
 - properly manage any workplace issues that the allegations identify or create
 - correct any problem that is identified.

2.3 Roles and responsibilities of staff

This policy will apply to:

- both Council staff and Councillors
- permanent employees, whether full-time or part-time
- temporary or casual employees
- consultants
- individual contractors working for the Council.

The policy may also apply to other people who perform public official functions and their conduct and activities could be investigated by an investigating authority. This can include volunteers and those contracted to work for the Council.

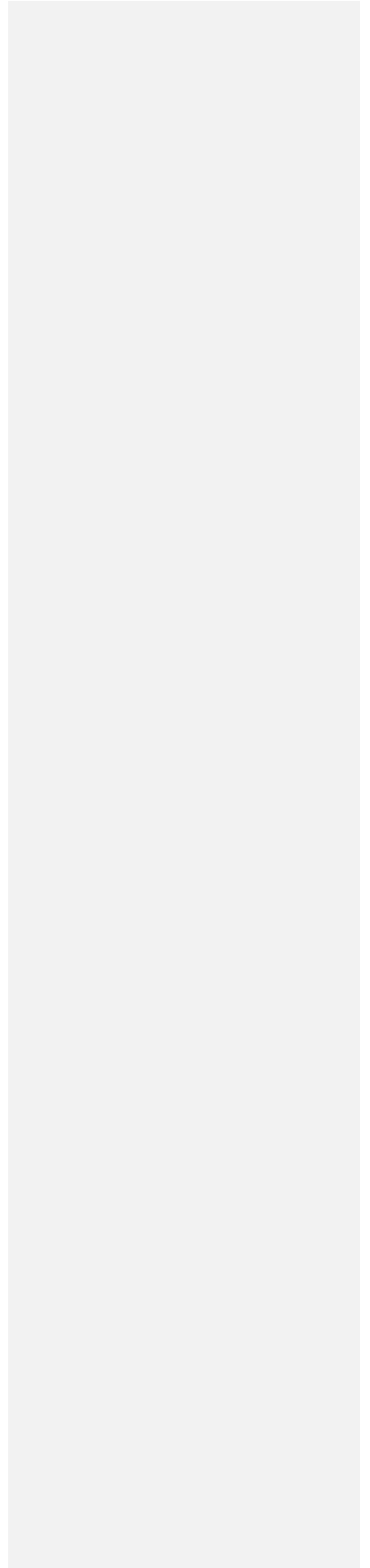
Staff and Councillors are encouraged to report known and suspected wrongdoing within the Council. This policy is just one of several relating to grievances and complaints. Council's policies including the Code of Conduct can be found on Council's web site www.rwcc.com.nsw.gov.au. Human Resource policies can be found on Council's Intranet service or by contacting the [Return to Work-Human Resources Coordinator Officer](#).

Staff and Councillors are encouraged to support those who have made disclosures, as well as to protect and maintain their confidentiality. Riverina Water County Council will not tolerate staff victimising or harassing anyone who has made a disclosure.

2.4 What should be reported?

Council staff should report any wrongdoing they see within the Riverina Water County Council. Reports about the four categories of serious wrongdoing – corrupt conduct, maladministration, serious and substantial waste of public money, and government information contravention – will be dealt with under the PID Act as protected disclosures and according to this policy.

|



(a) Corrupt conduct

Corrupt conduct is the dishonest or partial exercise of official functions by a public official.

For example, this could include:

- the improper use of knowledge, power or position for personal gain or the advantage of others
- acting dishonestly or unfairly, or breaching public trust
- a member of the public influencing or trying to influence a public official to use their position in a way that is dishonest, biased or breaches public trust.

For more information about corrupt conduct, see the NSW Ombudsman's guideline on what can be reported.

(b) Maladministration

Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.

For example, this could include:

- making a decision and/or taking action that is unlawful
- refusing to grant someone a licence for reasons that are not related to the merits of their application.

For more information about maladministration, see the NSW Ombudsman's guideline on what can be reported.

(c) Serious and substantial waste in local government

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in the loss or wastage of Council money. This includes all revenue, loans and other money collected, received or held by, for or on account of the Council.

For example, this could include:

- poor project management practices leading to projects running over time
- having poor or no processes in place for a system involving large amounts of public funds.

For more information about serious and substantial waste, see the NSW Ombudsman's guideline on what can be reported.

(d) Government information contravention

A government information contravention is a failure to properly fulfil functions under the *Government Information (Public Access) Act 2009* (GIPA Act).

For example, this could include:

- destroying, concealing or altering records to prevent them from being released
- knowingly making decisions that are contrary to the legislation
- directing another person to make a decision that is contrary to the legislation.

For more information about government information contravention, see the NSW Ombudsman's guideline on what can be reported.

(e) Other wrongdoing

Although reports about the previous four categories of conduct can attract the specific protections of the PID Act, you should report all activities or incidents that you believe are wrong.

For example, these could include:

- harassment or unlawful discrimination
- reprisal action against a person who has reported wrongdoing
- practices that endanger the health or safety of staff or the public.

These types of issues should be reported to a supervisor, in line with the Riverina Water County Council policies.

Even if these reports are not dealt with as protected disclosures, Council will consider each matter and make every attempt to protect the staff member making the report from any form of reprisal.

2.5 When will a report be protected?

Riverina Water County Council will support any member of staff who report wrongdoing. For a report to be considered a protected disclosure, it has to meet all of the requirements under the PID Act. These requirements are:

- The person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing.
- The report has to be made to one or more of the following:
 - a position nominated in this policy – see section 9 (b), (c) & (d)
 - the General Manager
 - one of the investigating authorities nominated in the PID Act – see section 10

Reports by staff and Councillors will not be considered to be protected disclosures if they:

- mostly question the merits of government policy, including the policy of the governing body of the Council.
- are made with the sole or substantial motive of avoiding dismissal or other disciplinary action.

2.6 How to make a report

[Staff Persons](#) can report wrongdoing in writing or verbally. [Staff Persons](#) are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation.

If a report is made verbally, the person receiving the report must make a comprehensive record of the disclosure and ask the person making the disclosure to sign this record. The staff member should keep a copy of this record.

~~If you~~[If a staff member is](#) concerned about being seen making a report, [he or she should](#) ask to meet in a discreet location away from the workplace.

2.7 Can a report be anonymous?

There will be some situations where a ~~Council staff member~~[person](#) may not want to identify themselves when making a report. Although these reports will still be dealt with by Riverina Water County Council it is best if the ~~staff members~~[persons](#) ~~identifies~~[identify](#) themselves. This allows Council to provide the ~~staff member~~[person](#) with any necessary protection and support, as well as feedback about the outcome of any investigation into the allegations. It should also be noted that it is extremely difficult to investigate an anonymous complaint if all information is not supplied in the first instance.

It is important to realise that an anonymous disclosure may not prevent a person from being identified. If Council's Disclosure Officers do not know who made the report, it is very difficult for them to prevent any reprisal action.

2.8 Maintaining confidentiality

Riverina Water County Council realises that many staff will want their report to remain confidential. This can help to prevent any action being taken against staff for reporting wrongdoing.

Council is committed to keeping the identity of the staff member, and the fact that they have reported wrongdoing, confidential. However, there may be situations where this may not be possible or appropriate. Council's Disclosure Officer will discuss with the staff member whether it is possible to keep their report confidential.

If confidentiality cannot be maintained, Council will develop a plan to support and protect the staff member from risks of reprisal. The staff member will be involved in developing this plan. The staff member will also be told if their report will be dealt with under the Council's code of conduct, as this may mean certain information will have to be tabled at a Council meeting.

If members of staff report wrongdoing, they should only discuss their report with those dealing with it. This will include the Disclosures Coordinator and the General Manager. If a report is discussed more broadly, it may affect the outcome of any investigation.

2.9 Who can receive a report within Riverina Water [County Council](#)

Council staff are encouraged to report general wrongdoing to their supervisor. However, the PID Act requires that – for a report to be a protected disclosure – it must be made to a public official in accordance with the Council's disclosure procedures. For Riverina Water County Council, this means in accordance with this policy and any supporting procedures.

Any Council supervisor who receives a report that they believe may be a protected disclosure must refer the staff member making the report to one of the positions listed below.

If you are Council staff and your report involves a Councillor, you should make it to the General Manager or the Chairman. If you are a Councillor and your report is about another Councillor, you should make it to the General Manager or the Chairman. The following positions are the only staff within Riverina Water County Council who can receive a protected disclosure.

a. General Manager

Wrongdoing can be directly reported to the General Manager. The General Manager is responsible for:

- deciding if a report is a protected disclosure
- determining what needs to be done next, including referring it to other authorities
- deciding what needs to be done to correct the problem that has been identified.

The General Manager must make sure there are systems in place in Council to support and protect staff who report wrongdoing. The General Manager is also responsible for referring actual or suspected corrupt conduct to the Independent Commission Against Corruption. The General Manager can be contacted on telephone 69220603.

b. Chairman

If a member of staff or a Councillor is making a report about the General Manager, the report should be made to the Chairman. The Chairman is responsible for:

- deciding if a report is a protected disclosure.
- determining what needs to be done next, including referring it to other authorities.
- deciding what needs to be done to correct the problem that has been identified.

The Chairman must make sure there are systems in place in Council to support and protect staff who report wrongdoing. ~~The Chairman can be contacted on telephone 0402 885 669 or through the General Manager's Secretary.~~

If the report is about the General Manager, the Chairman is also responsible for referring actual or suspected corrupt conduct to the Independent Commission Against Corruption.

c. Disclosures Coordinator

The Disclosures Coordinator has a central role in dealing with reports made by staff. The Disclosure's Coordinator receives them, assesses them, and refers them to the people within Riverina Water County Council who can deal with them appropriately.

The Disclosures Coordinator is the ~~Finance and Administration Manager~~ [Corporate Services](#) and ~~may be contacted on telephone 6922 0617.~~

d. Disclosures Officers

Disclosures Officers work with the Disclosures Coordinator, and are responsible for receiving, forwarding and/or dealing with reports made in accordance with this policy. The Disclosures Officers are the Customer Services Officer and Return to Work Supervisor ~~and can be contacted on telephone 6922 0609 and 6922 061.~~

2.10 Who can receive a report outside of Riverina Water County Council

Staff are encouraged to report wrongdoing within Riverina Water County Council, but internal reporting is not their only option. The guidance below provides details on how a report can still be a protected disclosure.

Members of Council staff can choose to make their report to an investigating authority either initially, or at any stage after an initial report to the Riverina Water County Council. If the report is about the General Manager or the Chairperson, the staff member should consider making it to an investigating authority.

Members of Council staff can also choose to make a report to a Member of Parliament or a journalist, but only in limited circumstances.

a. Investigating authorities

The PID Act lists a number of investigating authorities in NSW that staff can report wrongdoing to and the categories of wrongdoing each authority can deal with. In relation to Council, these authorities are:

the Independent Commission Against Corruption (ICAC) — for corrupt conduct
the Ombudsman — for maladministration
the Police Integrity Commission (PIC) — for police misconduct
the PIC Inspector — for disclosures about the PIC or its staff
the [Division Office](#) of Local Government, [Department of Premier and Cabinet](#) — for serious and substantial waste in Local Government (reports about serious and substantial waste in State Government agencies should be made to the Auditor General)
the ICAC Inspector — for disclosures about the ICAC or its staff
the Information Commissioner — for disclosures about a government information contravention.

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Members of Council staff should contact the relevant authority for advice about how to make a disclosure to them. Contact details for each investigating authority are provided at the end of this policy.

Members of Council staff should be aware that it is very likely the investigating authority will discuss the case with the Council. Council will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. Council will also provide appropriate support and assistance to staff who report wrongdoing to an investigating authority.

b. Members of Parliament or journalists

To have the protections of the PID Act, Council staff reporting wrongdoing to a Member of Parliament (MP) or a journalist must have already made substantially the same report to one of the following:

- the General Manager
- a person nominated in this policy
- an investigating authority in accordance with the PID Act.

Also, the Council or investigating authority that received the report must have either:

- decided not to investigate the matter
- decided to investigate the matter, but not completed the investigation within six months of the original report
- investigated the matter but not recommended any action as a result
- not informed the person who made the report, within six months of the report being made, whether the matter will be investigated.

Most importantly – to be protected under the PID Act – if you report wrongdoing to an MP or a journalist you will need to be able to prove that you have reasonable grounds for believing that the disclosure is substantially true and that it is in fact substantially true.

If a member of Council staff reports wrongdoing to a person or an organisation that is not listed above, you will not be protected under the PID Act. This may mean Council staff will be in breach of legal obligations or Council's Code of Conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside the Council contact the Disclosures Coordinator or the NSW Ombudsman's Public Interest Disclosures Unit. Their contact details are provided at the end of this policy.

2.11 Feedback to Council staff who report wrongdoing

Council staff who report wrongdoing will be told what is happening in response to their report.

When they make a report, they will be given:

- an acknowledgement that a disclosure has been received
- the timeframe for when they will receive further updates
- the name and contact details of the people who can tell them what is happening.

This information will be given to member of Council staff within two working days from the date the report is made.

After a decision is made about how a report will be dealt with, Council staff will be given:

- information about the action that will be taken in response to their report
- likely timeframes for any investigation
- information about the resources available within Council to handle any concerns Council staff may have
- information about external agencies and services Council staff can access for support.

This information will be given to you within 10 working days from the date the staff member made the report.

During any investigation, Council staff making a disclosure will be given:

- information on the ongoing nature of the investigation
- information about the progress of the investigation and reasons for any delay

- advice if the identity of any member of Council staff needs to be disclosed for the purposes of investigating the matter, and an opportunity to talk about this.

At the end of any investigation, Council staff will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to their disclosure and any problem that was identified
- advice about whether the staff member will be involved as a witness in any further matters, such as disciplinary or criminal proceedings.

2.12 Protection against reprisals

The PID Act provides protection for people reporting wrongdoing by imposing penalties on anyone who takes detrimental action substantially in reprisal for them making the protected disclosure.

The Council will not tolerate any reprisal action against Council staff who report wrongdoing. The criminal penalties that can be imposed include imprisonment or fines. Detrimental action is also misconduct that justifies disciplinary action. Council staff who take detrimental action against someone who has made a disclosure can also be required to pay damages for any loss suffered by that person.

Detrimental action means action causing, comprising or involving any of the following:

- injury, damage or loss
- intimidation or harassment
- discrimination, disadvantage or adverse treatment in relation to employment
- dismissal from, or prejudice in, employment
- disciplinary proceedings.

a. Responding to reprisals

Council will act to protect staff who report wrongdoing from reprisals. When a report is received, Council will ensure that a thorough risk assessment is conducted. This will identify any risks to the member of Council staff who reported the wrongdoing, as well as strategies to deal with those risks.

If a member of Council staff believes that detrimental action has been or is being taken against them or someone else who has reported wrongdoing in reprisal for making a report, they should tell your supervisor, the Disclosures Coordinator or the General Manager immediately. All supervisors must report any suspicions they have that reprisal action against a staff member is occurring, or any reports that are made to them, to the Disclosures Coordinator or the General Manager.

If the Disclosures Coordinator becomes aware of reprisal action against a person who has made a disclosure, they will:

- ensure a senior and experienced member of staff, who has not been involved in dealing with the initial disclosure, will investigate the suspected reprisal
- give the results of that investigation to the General Manager for a decision
- give the results of that investigation to the Chairman for a decision if the allegation of reprisal action is about the General Manager
- if it has been established that reprisal action is occurring against someone who has made a disclosure, take all steps possible to stop that activity and protect the member of staff who made the disclosure
- take appropriate disciplinary or criminal action against anyone proven to have taken or threatened any action in reprisal for making a disclosure.

If members of Council staff report reprisal action, they will be kept informed of the progress of any investigation and the outcome.

The General Manager may issue specific directions to help protect against reprisals. If the allegation of reprisal action is about the General Manager, the Chairman may issue similar directions. These may include:

- issuing warnings to those alleged to have taken reprisal action against the member of Council staff who made the disclosure
- relocating the member of Council staff who made the disclosure or the subject officer within the current workplace
- transferring the member of Council staff who made the disclosure or the staff member who is the subject of the allegation to another position for which they are qualified
- granting the member of Council staff who made the disclosure or the subject officer leave of absence during the investigation of the disclosure.

These directions will only be taken if the member of Council staff who made the disclosure agrees to it. The Disclosures Coordinator will make it clear to other Council staff that this action was taken in consultation with the staff member and with management support – and it is not a punishment.

If a member of Council staff has reported wrongdoing and feels that any reprisal action is not being dealt with effectively, contact the Ombudsman or the ICAC – depending on the type of wrongdoing you reported. Contact details for all these investigating authorities are included at the end of this policy.

b. Protection against legal action

If a member of Council staff makes a disclosure in accordance with the PID Act, they will not be subject to any liability and no action, claim or demand can be taken against

them for making the disclosure. They will not have breached any confidentiality or secrecy obligations and they will have the defence of absolute privilege in defamation.

2.13 Support for those reporting wrongdoing

Council will make sure that Council staff who have reported wrongdoing, regardless of whether they have made a protected disclosure, are provided with access to any professional support they may need as a result of the reporting process – such as stress management, counselling services, legal or career advice.

Council has staff who will support those who report wrongdoing. They are responsible for initiating and coordinating support, particularly to those who are suffering any form of reprisal. [Council's Return to Work Coordinator Officer to can be contacted on telephone 6922 0643](#)[Council encourages those staff to contact Council's Return to Work Coordinator or directly contact Council's Employee Assistance Program Provider.](#)

All supervisors must notify the Disclosures Coordinator if they believe a staff member is suffering any detrimental action as a result of disclosing wrongdoing. [The Disclosures Coordinator will in turn notify the General Manager or Chairperson, where appropriate.](#)

2.14 Sanctions for making false or misleading disclosures

It is important that all members of Council staff are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing.

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2.15 Support for the subject of a report

Council is committed to ensuring Council staff who are the subject of a report of wrongdoing are treated fairly and reasonably. If a member of Council staff is the subject of a report, they will be:

- treated fairly and impartially
- told their rights and obligations under Council policies and procedures
- kept informed during any investigation
- given the opportunity to respond to any allegation made against them
- told the result of any investigation.

2.16 Review

This policy will be reviewed by Council [every two years](#)[once each Council term](#). For any advice or guidance about this review, contact the NSW Ombudsman's Public Interest Disclosures Unit.

2.17 More information

Members of Council staff and Councillors can access further advice and guidance from the disclosures coordinator and the NSW Ombudsman's website at www.ombo.nsw.gov.au.

Part 3. Resources

The contact details for external investigating authorities that members of Council staff can make a protected disclosure to or seek advice from are listed below.

For disclosures about corrupt conduct:

Independent Commission Against Corruption (ICAC)
Phone: 02 8281 5999
Toll free: 1800 463 909
Tel. typewriter (TTY): 02 8281 5773
Facsimile: 02 9264 5364
Email: icac@icac.nsw.gov.au
Web: www.icac.nsw.gov.au
Address: Level 21, 133 Castlereagh Street, Sydney NSW 2000

For disclosures about serious and substantial waste:

Auditor-General of the NSW Audit Office
Phone: 02 9275 7100
Facsimile: 02 9275 7200
Email: mail@audit.nsw.gov.au
Web: www.audit.nsw.gov.au
Address: Level 15, 1 Margaret Street, Sydney NSW 2000

For disclosures about maladministration:

NSW Ombudsman
Phone: 02 9286 1000
Toll free (outside Sydney metro): 1800 451 524
Tel. typewriter (TTY): 02 9264 8050
Facsimile: 02 9283 2911
Email: nswombo@ombo.nsw.gov.au
Web: www.ombo.nsw.gov.au
Address: Level 24, 580 George Street, Sydney NSW 2000

For disclosures about serious and substantial waste in local government agencies:

[Division Office of Local Government in the Department of Premier and Cabinet](#)

Phone: 02 4428 4100
Tel. typewriter (TTY): 02 4428 4209
Facsimile: 02 4428 4199
Email: dlgolq@dlgolq.nsw.gov.au
Web: www.dlgolg.nsw.gov.au
Address: 5 O'Keefe Avenue, Nowra, NSW 2541

For disclosures about police misconduct:

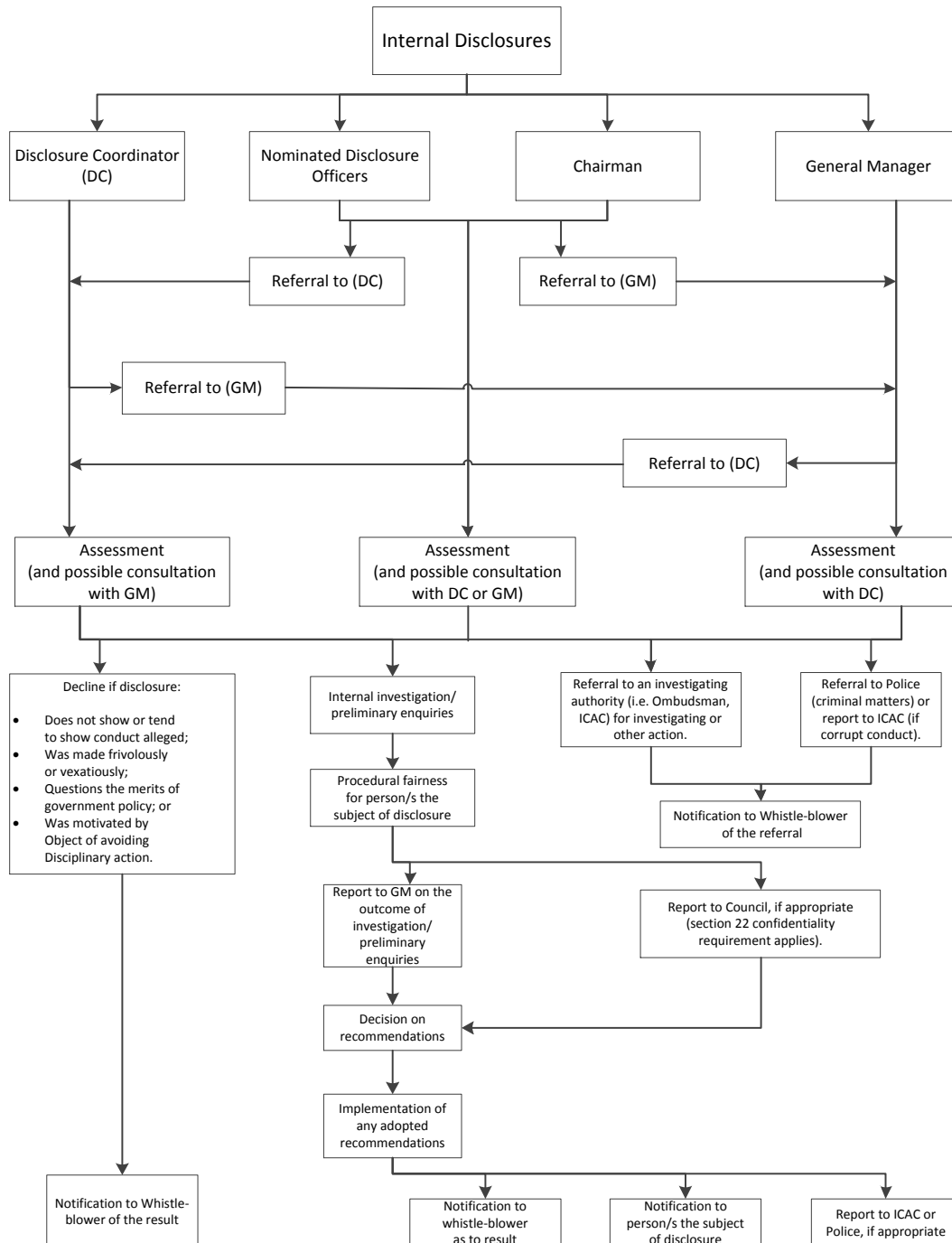
Police Integrity Commission (PIC)
Phone: 02 9321 6700
Toll free: 1800 657 079
Facsimile: 02 9321 6799
Email: contactus@pic.nsw.gov.au
Web: www.pic.nsw.gov.au
Address: Level 3, 111 Elizabeth Street, Sydney NSW 2000

For disclosures about breaches of the GIPA Act:

Information Commissioner
Toll free: 1800 463 626
Facsimile: 02 8114 3756
Email: oiinfo@oic.nsw.gov.au
Web: www.oic.nsw.gov.au
Address: Level 11, 1 Castlereagh Street, Sydney NSW 2000

Internal Reporting System

Attachment A



Attachment B

Summary of Riverina Water County Council – Internal Reporting (Protected Disclosures) Policy

Council does not tolerate corrupt conduct, maladministration or serious and substantial waste of public money.

Council is committed to the aims and objectives of the Public Interest Disclosures Act 1994. Council appreciates the value and importance of contributions from members of Council staff so as to improve administrative and management practices. Accordingly, Council strongly supports disclosures being made by members of Council staff which disclose corrupt conduct, maladministration, or serious and substantial waste.

1. What is Protected Disclosure?

Protection is available under the Public Interest Disclosures Act to public officials who voluntarily disclose information which shows or tends to show corruption, maladministration or serious and substantial waste of public money by a public authority or public official (refer to Policy for a more detailed description of these areas).

2. Who can receive a Protected Disclosure?

To be protected by the Public Interest Disclosures Act, a disclosure must be made by a member of Council staff or by a Councillor or a Council Contractor to the:

Disclosures Co-ordinator:

~~Finance and Administration Manager~~ [Corporate Services: Ph 02 6922 0608](tel:0269220608)

Disclosures Officers:

Customer Services Officer: [Ph 02 6922 0608](tel:0269220608)

Return to Work Co-Ordinator : [Ph 02 6922 0608](tel:0269220608)

General Manager: [Ph 02 6922 0608](tel:0269220608)

Chairman : [Ph 02 6922 0608](tel:0269220608)

NSW Ombudsman – Ph 02 9826 1000

~~Division Office~~ of Local Government – Ph 02 428 4100

Independent Commission Against Corruption – Ph 02 8281 5999

3. What protection is available?

The Public Interest Disclosures Act provides protection by imposing penalties, including fines and imprisonments, on persons who take detrimental action against another person in reprisal for a protected disclosure. Detrimental action means action causing, comprising or involving any of the following:

- Injury, damage or loss;
- Intimidation or harassment;
- Discrimination, disadvantage or adverse treatment in relation to employment or disciplinary proceedings.

A disclosure is not protected if:

- It is made frivolously or vexatiously (although all disclosures must be investigated);
- It is made to avoid disciplinary action; or
- It primarily questions the merits of a government policy.

4. What happens to the information provided?

The flowchart attached to this information sheet shows how a protected disclosure is dealt with after it has been made under the Internal Reporting Policy of Council. The flowchart provides an understanding of each step in the process.

The disclosure will be assessed by a Senior Officer of Council to determine whether it appears that the Public Interest Disclosures Act applies to the disclosure, and the appropriate action to be taken.

The disclosure may be internally investigated by a Senior Officer, or referred to ICAC, the NSW Ombudsman, the NSW Police, the Information Commissioner or the [Division Office](#) of Local Government (as appropriate) for investigation or other action.

The General Manager will determine the appropriate action to be taken as a consequence of any investigation that may be undertaken as a result of a disclosure. Any person who makes a disclosure will be notified within six months of the disclosure being made about the action taken or proposed in respect of his or her disclosure.

Any person who makes a disclosure and any Officer the subject of a disclosure will be advised of the outcome of any internal investigation.

5. Confidentiality

The identity of any person making a disclosure will be kept confidential by the member of Council staff responsible for dealing with the disclosure, except under the following circumstances:

- Where the person, himself or herself, discloses the information: or
- The person consents (in writing) to the release of his or her name: or
- It is essential, having regard to the principles of natural justice, that the identifying information should be disclosed to a person whom the disclosures concerns; or
- It is necessary to do so to investigate the matter effectively; or
- Release of the information is necessary in the public interest.

Decisions about fairness, effective investigation and public interest will be made by the Disclosure Co-ordinator, General Manager or Chairman, as appropriate. In all cases, the person who made the disclosure will be consulted about the matter.

ATTACHMENT C



Protected Disclosure Form (Confidential)

**Report under the Public Interest Disclosures Act 1994
To a designated Officer Riverina Water County Council**

Date:

**Name of Councillor/Member of Council
Staff/Contractor reporting the protected
disclosure:**

Contact Telephone number:

Name of designated
Officer receiving the
Protected Disclosure:

Type of Disclosure (circle relevant item or items):

a) Corrupt conduct (b) Maladministration (c) Substantial waste (d) Information contravention

Name(s) of person(s) who is/are the subject of this Protected Disclosure:

Nature and explanation of allegation. Attach any relevant supporting evidence or documents:

Signature of reporting
Councillor/Member of Council
staff/Councillor:

Date: Signed by Designated Officer receiving
this Protected Disclosure: Date:

Refer to the Protected Disclosures and Business ethics policy for further information.

19. POLICY 1.14 - FRAUD AND CORRUPTION PREVENTION

RECOMMENDATION that Riverina Water County Council adopt Policy 1.14 - Fraud and Corruption Prevention.

In December 2012 Riverina Water County Council adopted Policy 5.29 – Fraud and Corruption Prevention. This Policy summarised Council's commitment to the prevention of fraud and corruption throughout the operations of the Council.

This Policy has been renumbered and is now called Policy 1.14 – Fraud and Corruption Prevention.

Only minor changes are suggested for the Policy. These include date of the next review from the initial 2 years to once each Council term (2018).

A copy of the proposed Policy is attached for Councillors' information.

The objectives of the Policy are:-

- To ensure a sound ethical culture exists within Council
- To protect public funds and assets
- To protect the integrity, security and reputation of the Council and its staff

In separate reports to this meeting other policies and plans (Protected Disclosures Policy and Fraud and Corruption Prevention Plan) are presented for Council's consideration.

It is appropriate that this policy be adopted to demonstrate Council's commitment to the prevention of fraud and corruption.

- **Policy 1.14 Fraud and Corruption Prevention**

FRAUD & CORRUPTION PREVENTION POLICY

POLICY REFERENCE NUMBER:		POL 1.14	
Original publication date		14 December 2012	
Revision number	Issue Date	Approved	Approval date
0	14 Dec 2012	Res:12/172	14 Dec 2012
Name Changed from 5.29 on 22/11/13			
1	15 Oct 2014	Res: 14/???	
<p>This document is to be reviewed once each Council term.</p> <p>Next review date: July 2018</p>			
RESPONSIBLE OFFICER		General Manager	

PART 1: INTRODUCTION

Council is committed to preventing fraud at its origin and believes that an emphasis on prevention and detection is the best way to deal with fraud.

The underlining thrust of Council's policy on fraud prevention is to encourage the public and staff to understand that fraudulent acts against Council are unacceptable, may constitute a criminal offence and will be prosecuted.

1.1 Policy Objectives

- To ensure a sound ethical culture exists within Council
- To protect public funds and assets
- To protect the integrity, security and reputation of the Council and its staff

1.2 Scope of Policy

This policy applies to all Councillors, Council staff, delegates, volunteers, contractors, consultants and customers.

1.3 Definitions

Fraud

Fraud is a crime involving the dishonest obtaining of a financial benefit by deception.

A basic test for fraud could include the following questions:

- Was deceit employed?
- Was the action unlawful?
- Did it result in money/benefits being received to which a person was not entitled?

Some examples of fraud include:

- Unauthorised use of Council plant and equipment;
- Private use of Council's inventory and stores.
- Misuse of a Council issued credit card or taxi travel voucher
- Claiming incorrect travel expenses to attend a meeting of Council.
- Theft of money or goods from Council or its customers;
- Claiming unworked overtime on timesheets;
- Providing confidential Council information to unauthorised people or organisations;
- Allowing contractors to not fully meet contract requirements;
- Obtaining benefits by use of a false identity or false qualifications.

Corruption

Corruption involves breaching public trust. Corruption leads to wasted resources and wasted public money.

Corrupt conduct is broadly defined in section 8 of the Independent Commission Against Corruption Act, 1988. The key notion is the misuse of public office. Commonly it involves the dishonest or biased use of power.

Corrupt conduct is also any conduct of any person (whether or not [a](#) public official) that adversely affects or that could adversely affect, either directly or indirectly, the exercise of official functions by any public official, any group or body of public officials or any public authority.

Internal Reporting

Internal reporting is the situation where a Councillor or staff member reports an instance of fraud or corruption. The procedure in this circumstance is outlined in Council's [Internal Reporting Protected Disclosures](#) Policy under the provisions of the Public Interest Disclosures Act 1994 (Policy Number... [1.11](#))

1.4 Legislative Context

In Circular No. 06-46, dated 26 July 2006, the NSW Department of Local Government advised councils that they were required under Auditing Standard AUS210, “the Auditor’s Responsibility to Consider Fraud in an Audit of a Financial Report” to provide a written representation to its external auditors that it has systems to deal effectively with fraud risks.

1.5 Related Documents

Local Government Act 1993

Local Government (General) Regulation 2005

Fraud and Corruption Prevention Plan

[Internal ReportingProtected Disclosures](#) Policy

Complaints Management Policy

Council Code of Conduct

Independent Commission Against Corruption Act 1988

Australian Standard AS 8001-2008 Fraud and Corruption Control

PART 2: POLICY CONTENT

2.1 General Principles

1. Council believes that fraudulent acts are unacceptable, may constitute a criminal offence and will be prosecuted.
2. Council is committed to preventing fraud at its origin. Council believes that an emphasis on fraud prevention rather than fraud investigation will lead to a reduction of opportunities for waste, abuse and mismanagement.
3. All Councillors and Council managers are responsible for fostering an environment that makes active fraud control a responsibility of all staff and for issuing clear standards and procedures to encourage the minimisation and deterrence of fraud.

4. Council recognises that fraud prevention requires the maintenance of an ethical climate that encourages all staff to be active in protecting Council's funds and assets, and in reporting any breaches of accepted standards.
5. Measures to prevent fraud shall be continually monitored, reviewed, developed and reported.
6. Council will investigate all reported instances of fraud as thoroughly as possible. Depending upon the circumstances of the fraud, an internal investigation may be undertaken or the matter may be referred to an external body such as the NSW Police, the ICAC or the Ombudsman.
7. Any employee found guilty of fraud will be subject to disciplinary procedures that may involve admonition, termination, demotion or redeployment.
8. Council will make every effort to recover losses due to fraud where the likely benefits of such recovery will exceed the funds and resources invested in the recovery action.

2.2 Elements of Council's Fraud Control Policy

Council's fraud prevention strategy involves:-

Organisational Integrity and Leadership

As earlier stated the most effective form of fraud prevention is the establishment of an organisational culture that rejects fraudulent and corrupt practices. Commitment from elected members and senior management is essential in establishing a behaviour model for individual members of staff, contractors, volunteers or other individuals or entities working on behalf of Council including committee members.

Maintaining a fraud-resistant culture

- (a) Continue to employ managers and supervisors who will be positive role models for ethical behaviour;
- (b) Adopting and enforcing policies that emphasise the importance of ethical behaviour;
- (c) Issue clear standards and procedures to minimise opportunities for fraudulent and corrupt behaviour, and enhance detection mechanisms;

- (d) Advise elected members, staff and all other individuals or entities that they are accountable for their own actions.

Employee Education and Awareness

Employees will be made aware of Council's ethical conduct expectations by:

- (a) The inclusion of ethical conduct requirements in information packages for new employees;
- (b) An ongoing program of inclusion of ethical behaviour expectations within all position descriptions for new and existing positions;
- (c) Awareness training for all staff on Council's Code of Conduct on a regular basis;
- (c) Staff with particular responsibilities, such as cash handling and purchasing authority, will be given specific training in approved cash handling and purchasing procedures.

Customer and Community Awareness

Fraudulent activity may be detected as a result of complaints from Council, customers or other members of the public. It is essential that the community understands the impact of fraudulent and corrupt activity and the importance of exposing such behaviour. In order to increase community awareness and encourage the reporting of fraudulent and corrupt conduct, Council will:

- (a) Publish the Code of Conduct, Business Ethics Statement, and Complaints Handling Policy on Council's website;
- (b) Provide feedback to all persons who report suspected corrupt or fraudulent conduct on any action that has been taken.

Regular Review of Policies and Procedures

In addition to ongoing policy development directed at emphasising ethical behaviour and fraud prevention and detection, Council is committed to the ongoing review of existing policies and procedures.

Fraud Detection and Risk Management

Council's fraud detection strategy involves:

- (a) Encouraging disclosure;
- (b) The inclusion of training on fraud awareness and reporting procedures during the induction of newly elected members, employees, contractors, volunteers or other individuals or entities working on behalf of Council including committee members;
- (c) Refresher awareness training for elected members, members of staff, contractors, volunteers or other individuals or entities working on behalf of Council including committee members on a regular basis;
- (d) Advertising on Council's website of the various methods by which members of the public can report instances of fraudulent conduct that they may become aware of;
- (d) Providing feedback to people who report suspected fraud on the action that has been taken;
- (e) Internal Auditing by minimising opportunities for undetected fraudulent activity via a robust internal audit program. The General Manager shall establish and implement a detailed strategy and procedures, incorporating internal audit guidelines in order to give this policy effect;
- (g) External Auditing by complying with Section 415 of the Local Government Act 1993 to have its financial reports audited and to present those audited financial reports to the Director General of the Department of Local Government, the Australian Bureau of Statistics and members of the community.

Fraud Investigation

Council recognises that it will not always be successful in its efforts to prevent fraud. It will therefore investigate all reported instances of fraud and corrupt conduct as thoroughly as possible. Depending upon the circumstances of the alleged fraud, an internal investigation may be undertaken or the matter referred to an external body such as NSW Police, ICAC or the Ombudsman.

The following table indicates the line of responsibility in receiving and investigating complaints:

Complaint Regarding	Responsible Officer
Elected Member	Chairperson (where applicable), in conjunction with the General Manager
General Manager	Chairperson.
Employee or other persons / entities	General Manager

The ICAC publication 'A Guide To Conducting Internal Investigations' should be referenced and used in conjunction with this policy.

Fraud Correction

Once a fraudulent act has been identified and investigated, strategies and procedures will be implemented to ensure that the act will not be repeated. This may include:

- (a) Disciplinary action and/or dismissal of employees, committee members, volunteers or contractors involved in fraudulent conduct;
- (b) Review and alteration of operating procedures;
- (b) Additional training for employees, committee members, volunteers or contractors;
- (d) Making other employees aware of the situation in general terms in order to discourage similar conduct in the future;
- (e) Improvements in the physical security of assets.

Non Compliance

Non-compliance with this policy may result in disciplinary action and/or dismissal.

Rights of the Individual

Council recognises that in such circumstances where an allegation of fraud may carry the imputation of criminal conduct, then, by law, the individual's right to silence shall be recognised. Additionally, Council recognises the employee's right to due process, independent Union representation and legal advice.

Council takes the view that any suspected fraud will be taken seriously and appropriate investigations and appropriate referrals may occur. Subject to any legal obligations,

Council reserves the right to determine who will be informed of allegations and when. In particular, Council may investigate an allegation without informing the individual(s) to whom the allegation relates. Council may also keep allegations confidential while other agencies are reviewing or investigating the matter. Where disciplinary action is being considered, the suspected officer will be given an opportunity to explain the events at an appropriate time.

False Disclosure

Any persons found to make an accusation of fraud or corruption that is false in nature and knowing that the accusation is false in nature is guilty of an offence pursuant to the laws of New South Wales. Any persons found of such conduct may be prosecuted by Council;

Any persons who makes a disclosure or accusation of false public interest information knowing it to be false, or being reckless about whether it is false, in addition to being guilty of an offence may face disciplinary action.

Any elected members and / or members of a committee of Council may, in addition to being guilty of an offence under the Local Government Act, 1993 face action pursuant to Councils Code of Conduct for making false or reckless disclosures.

PART 3: POLICY IMPLEMENTATION GUIDELINES

The principles set out in this policy will be implemented and assessed through the provisions of Council's *Fraud & Corruption Prevention Plan*.

20.POLICY 1.14a - FRAUD PREVENTION PLAN

RECOMMENDATION that Riverina Water County Council adopt Policy 1.14a - RWCC Fraud Prevention Plan

In December 2012 Riverina Water County Council adopted a Fraud and Corruption Prevention Plan. This plan was developed in conjunction with Council's Fraud and Corruption Prevention Policy.

A Fraud Prevention Plan was developed; using a template designed by the NSW Independent Commission Against Corruption, and is attached for Council's consideration.

This is unchanged from the Plan adopted in 2012.

It is appropriate that this plan be adopted to implement Council's commitment to the prevention of fraud and corruption.

- **Policy 1.14a Fraud Prevention Plan**

Riverina Water County Council Fraud Prevention Plan

Introduction The purpose of this fraud prevention plan is to implement Riverina Water County Council's Corruption Prevention Policy by achieving the following outcomes.		
OUTCOMES What we want to achieve	CURRENT ACTIVITIES: POLICIES/PROGRAMS/etc What we currently do to achieve this outcome	PLANNED ACTION What will be done to achieve this outcome
THE FOUNDATIONS Leadership Executive, managers and supervisors are committed to successful implementation of the corruption prevention policy and the corruption prevention plan.	Code of Conduct specifies managers' responsibilities for promoting integrity and preventing corruption. Managers' job descriptions include these responsibilities. Managers' performance reviews measure these responsibilities.	Mandatory management training will include modules on promoting integrity and preventing corruption. Promotion and selection of managers will include criteria related to ethical management
Executive, managers and supervisors lead by example and support Council's standards and values	Policy requires all staff including senior managers to register financial interests and report gifts received in course of work.	Council policy and procedures will be included as a component of annual staff appraisal
Corruption prevention is integrated into business planning activities, including audit plan and appropriate policies and procedures	Line managers contribute to corruption risk management by identifying corruption risks related to their operational responsibilities.	Corruption prevention initiatives will be included as a regular agenda item at line manager meetings

Organisational culture Executive, managers and supervisors contribute to the development and maintenance of an ethical culture	Managers involved with staff in Code of Conduct training	An annual survey of staff will be introduced as a regular corporate activity and will include questions on ethical culture.
Standards and values Council promotes its standards and values as contained in its Statement of Business Ethics and Code of Conduct.	Organisational values are published in the code of conduct and the statement of business ethics for staff, suppliers and contractors.	Copies of the organisation's code of conduct and its statement of business ethics will be available on its public website.
Code of Conduct Council has a Code of Conduct that reflects its values and standards of conduct that is communicated to all staff.	The Code of Conduct is available on the intranet and is provided to all staff at the time of induction. The Code of Conduct is scheduled to be reviewed every 4 years.	Code of conduct training is scheduled for all staff
Staff understand and adhere to the Code of Conduct and to agency standards and values.	-	Staff feedback based on questions of ethical culture will be included as part of annual staff appraisals
Policies, procedures and systems Councils operations are supported by adequate policies, procedures and systems	Policies are reviewed regularly. The staff position assigned as the responsible manager of each policy is clearly stated on the policy. Policies also contain review dates.	Managers will be encouraged to inform the responsible manager of policies if the policy or procedure is effective or has become obsolete or can easily be subverted.

USING ORGANISATIONAL SYSTEMS Financial management systems The agency's financial controls are effective and comply with all applicable standards.	Council operates a software package known as "Authority" as its management and financial resource. A policy has been developed that establishes specific requirements to protect the integrity and data of this system.	The policy relating to the operation of "Authority" management and accounting systems is publicised on the intranet. This policy provides controls for rights to view, modify data or move values in the system.
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Performance management systems Council administers a performance management system that applies to all levels of staff.	Council undertakes an annual review of all staff which addresses skills and performance	The performance review component is been redesigned to provide for a briefing on anti corruption procedures and opportunities for feedback.
IT systems Councils IT systems are robust, comply with all applicable standards and are used to address corruption risks.	Council has established procedures and controls over the management of its IT systems. The annual budget provides for scheduled maintenance and upgrades of hardware and software	An IT Co-ordinator is engaged by Council to ensure management and compliance of the system as well as its ongoing maintenance and development
Records management Physical and electronic records of all Council activities are made and retained according to legal and government policy obligations	Council ensures regular training in management and compliance requirements of all its physical and electronic records. Access to the records is addressed in this training	Access and maintenance to the records is controlled and managed by a responsible officer
Council records are adequately stored, managed and secured	Staff are aware of the importance of records management .Storage facilities are secured and monitored	Record storage has been upgraded in conjunction with new building construction. The need for staff training in this area is evaluated in conjunction with annual staff appraisals and industry updates.
Agency records are accessible.	Delegations have been reviewed to provide appropriate access to records	Delegations are made available to staff.

Internal audit Internal audit assists and supports the corruption risk management process	Council has recognised the importance of internal audit facilities and procedures to manage corruption risk.	Internal audit facilities are provided through a contract agreement with Wagga Wagga City Council governance unit. Council operates an internal audit committee which meet quarterly.
Internal Audit is proactive in designing and running programs aimed at detecting corruption	Internal audit committee meets quarterly to review and evaluate corruption related programs and processes	All reviews by the internal audit committee are accompanied with recommendations for policy and procedural amendments. All amendments are provided to staff at team and managers' meetings.
Taking a risk management approach Risk management principles and processes are used to identify and manage corruption risks.	Risk management planning is recognised in a risk management policy and supporting management plan.	Risk management issues are supported by a draft risk management strategy and a risk management framework. A review of Councils Business Continuity Plan is also scheduled.
Identifying corruption risks Council reviews corruption risks as part of reviews of all policies relating to corruption. Corruption risks are also monitored in conjunction with the staff appraisal system	All policies have scheduled review dates and are promoted on the intranet and specific training sessions	All staff are encouraged to respond to corruption risks by including corruption prevention as an item in the Team Leader briefing agenda
Managing corruption risks Corruption risk management strategies are in place to manage corruption risks	Strategy includes continual education of staff in policies and procedures relating to corruption risk, training of all staff in code of conduct and promoting protected disclosure procedures on the intranet to all staff. Programs are also developed by the internal audit committee to address potential corrupt conduct	Training programs scheduled and implemented. Policy updated and publicised. Internal audit committee provides reports to council

DETECTING CORRUPTION Checking and work review There are sound supervision ,checking and work review practices in place	Procedures for corruption detection include relevant provisions for random checks and promotion of reporting provisions to all staff	Internal Audit committee establishes and reviews internal checks .Staff performance reviews publicise protected disclosure reporting procedures and offer opportunities for feedback on potential corruption. Code of conduct training also addresses corruption control.
Complaints and grievances Customer complaints are encouraged, facilitated and followed up	Council Code of Conduct and Complaints Management Policy are promoted on the council website	Procedures and potential corruption issues are evaluated in conjunction with responses to complaints
RESPONDING TO CORRUPTION Internal investigation Internal investigation is conducted by Council or appropriately resourced where necessary	Policies and procedures outline processes and responsibilities for investigation	Training in code of conduct and promotion of policies ensures all staff are aware of the investigative procedures.
External Reporting Corrupt conduct is reported to appropriate external authorities, such as ICAC and NSW Police.	Policies and procedures outline circumstances where external reporting of corrupt conduct is required.	External reporting procedures and detail is contained in Council policies and procedures
Disciplinary Action Appropriate disciplinary action is taken in response to breaches to code of conduct and related policies	All breaches to the code of conduct and associated policies are fully investigated and disciplinary action is determined by the General Manager in conjunction with any advice from human resources personnel	All disciplinary procedures are formally recorded. Policies and procedures are amended where considered necessary

21.POLICY 1.15 - PUBLIC ACCESS TO INFORMATION

RECOMMENDATION that Riverina Water County Council adopt Policy 1.15 - Public Access to Information.

In October 2012 Riverina Water County Council adopted Policy 5.26 – Public Access to Information. This Policy summarised the rights of the public in accessing Council Information.

This Policy has been renumbered and is now called Policy 1.15 - Public Access to Information.

Only minor changes are suggested for the Policy. These include date of the next review from the initial 2 years to once each Council term (2017).

The policy has been reviewed and is attached for Councillors' information.

The objectives of the Policy are:-

- The purpose of this Policy is to facilitate the public's right to access government information under the Government Information (Public Access) 2009 (GIPA Act).
- This Policy sets out the documents and types of information that are available to members of the public as a matter of routine (open access information), and information not made publicly available which may be requested via the formal access application process.
- This Policy establishes an internal process for processing formal access applications and informal requests for access to Council records, and aims to demonstrate Council's commitment to the principles of the GIPA Act.

It is appropriate that this policy be adopted to demonstrate Council's commitment to good governance.

- **Policy 1.15 Public Access to Information**

PUBLIC ACCESS TO INFORMATION POLICY

POLICY REFERENCE NUMBER:		POL 1.15	
Original publication date		24 October 2012	
Revision number	Issue Date	Approved at	Approval date
0	24 Oct 2012	Res: 12/152	24 Oct 2012
Name Changed from Pol 5.26 on 22/11/13			
1	15 Oct 2014	Res No: 14/???	
<p>This document is to be reviewed every 4 years<u>once each Council term</u>.</p> <p>Next review date: October <u>2017</u></p>			
RESPONSIBLE MANAGER		GENERAL MANAGER	

PART 1: INTRODUCTION

Members of the public have a legally enforceable right to access government information held by the Riverina Water County Council. The Government Information (Public Access) Act 2009 extends the right of the community to have access to information held by State Government departments, local and public authorities with a view to achieving more open, accountable, fair and transparent government.

The Riverina Water County Council, as a local authority, is subject to the Government Information (Public Access) Act 2009 (GIPAA) and accordingly acknowledges the right of the public to obtain government information about Council's structure, policies

1.1 Policy Objectives

- The purpose of this Policy is to facilitate the public's right to access government information under the Government Information (Public Access) 2009 (GIPA Act).
- This Policy sets out the documents and types of information that are available to members of the public as a matter of routine (open access information), and information not made publicly available which may be requested via the formal access application process.
- This Policy establishes an internal process for processing formal access applications and informal requests for access to Council records, and aims to demonstrate Council's commitment to the principles of the GIPA Act.

1.2 Principles

The Riverina Water County Council is committed to the following principles regarding public access to government information held by Council:

- Service Quality
- Open and transparent government
- Respect for the privacy of individuals
- Consideration of the public interest in relation to access requests

1.3 Scope of Policy

This Policy applies to all members of the public wishing to access Council information, all Councillors and Council personnel.

1.4 Definitions

Council	The Riverina Water County Council
Council Officials	Includes Councillors, members of the staff of Council, contractors and delegates of Council
Disclose Information	Includes making information available for release or provide access to information
GIPA Act, or GIPAA	The Government Information (Public Access) Act 2009

Formal Access Application	Valid application for access to government information under Part 4 of the GIPA Act.
Open Access Information	Records containing government information which is publicly available
Government Information	<p>The information contained in a record held by Council:</p> <ul style="list-style-type: none"> . any paper or other material on which there is writing, . any paper or other material on which there are marks, figures, symbols or perforations having a meaning for a person qualified to interpret them, . any disc, tape or other article or any material from which sounds, images, writings or messages are capable of being produced or reproduced (with or without the aid of another article or device)
Disclosure Log	Is a list of documents released following a decision about a valid access application for access under the Act, which is published on Council's website
Contracts Register	Is a register of government contracts that records information about each government contract to which Council is a party that has a value of \$150,000 or more
Publication Guide	Sets out the kinds of information that Council makes publicly available and routinely publishes on the website
Personal Information	Information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion (definition from NSW PPIPA 1998)

1.5 Legislative Context

- NSW Government Information (Public Access) Act 2009 (GIPA)
- NSW Local Government Act NSW 1993 (LGA)
- NSW Privacy and Personal Information Protection Act NSW 1998 (PPIPA)
- NSW Privacy Code of Practice (Local Government)
- NSW Health Records and Information Privacy Act 2002 (HRIPA)
- NSW State Records Act 1998 (SRA)
- Federal Copyright Act 1968

1.6 Related Documents

- Policy [1.1](#) Code of Conduct
- Policy [1.21](#) Privacy Management Plan

1.7 Responsibilities

Customer Service	Receiving applications, answering incoming informal enquiries, releasing information held by Council through authorised proactive release
Information Access Officer	Responsible for processing of informal requests, formal access applications, making decisions regarding the release of information within the timeframes stipulated in the Act, providing assistance to the applicants with invalid applications, searching for information held by Council, maintaining and updating of Publication Guide and Disclosure Log
Contract Services	Maintaining contracts register
All Council Officers	Responsible for ensuring the security of all Council records and refusing to directly provide ad-hoc information to any person without forwarding it to the appropriate Council officer for processing, unless the document is otherwise available e.g. on Council's website.

1.8 Reporting Requirements

Council must prepare an annual report on its obligations under GIPA Act and submit it to the responsible Minister. A copy of the report must be also forwarded to the Information Commissioner.

1.9 Review procedures

This policy must be reviewed by the policy owner in accordance with the review schedule noted above.

1.10 Breaches of this Policy

Breaches of this policy will be investigated in accordance with Council's Code of Conduct

PART 2: POLICY CONTENT

2.1 Legislative Requirements

The Riverina Water County Council is committed to providing, as far as possible, an open, accountable and transparent environment, which enables members of the public access to Council records which do not require recourse to formal procedures. Council will seek to ensure that legitimate requests for access to information are handled promptly and that members of the public are able to access information, subject to the need to protect the privacy of others, commercially sensitive information and information the disclosure of which would not be in the public interest.

2.2 Access to Information

2.2.1 Accessing Personal Information & Amendment of Council records

1. The GIPA Act recognises privacy as a key principle against disclosure - Section 14 (2). Where an application for access to personal information involves the disclosure of personal information about another person, Council must consult with that other person before providing the applicant with access to the information requested.
2. The GIPA Act transfers the right for amendment of personal information held in Council's records from Part 4 of the Freedom of Information Act (FOI) to the new Part 6A of the Privacy and Personal Information Protection Act 1998 (PPIPA) - Schedule 3, Part 2, Section 4. All applications for amendment of Council's records will be dealt with under PPIPA.

2.2.2 Ways to access government information

Under the GIPA Act, a person seeking access to Council information has a legally enforceable right to be provided with access unless there is an overriding public interest against disclosure of the information.

In accordance with Part 2, Division 1 of the GIPA Act, access to government information may be exercised in four ways:

1. Mandatory proactive release of certain government information. Council publishes open access information, defined in Section 18 of the GIPA Act, on its website at www.rwcc.nsw.gov.au

The following publications constitute open access information:

- Publication guide - described in Part 3, Division 2 of the GIPA Act
 - Policy documents - described in Part 3, Division 3 of the GIPA Act
 - Disclosure log - described in Part 3, Division 4 of the GIPA Act.
 - Register of government contracts - described in Part 3, Division 5 of the GIPA Act.
 - Additional open access information - described in Part 3, Division 1 Section 18(b), (f) & (g) of the GIPA Act.
2. Authorised proactive release of government information, which must be exercised in an appropriate manner by or with the authority of Council's principal officer, free of charge (or at the lowest reasonable cost), unless there is an overriding public interest against disclosure of the information - Part 2, Section 7 of the GIPA Act.

3. Informal release of government information via release of the information to a person in response to an informal request unless there is an overriding public interest against disclosure of the information. This may only be exercised by or with the authority of Council's principal officer - Part 2, Section 8 of the GIPA Act.
4. Formal access application. According to Part 2, Section 9 of the GIPA Act, in some limited circumstances, people seeking access to government information will need to make a formal request for that information (e.g. where consultation with other agencies or third parties is required, or where the scope of request means that it will take significant agency resources to provide information).

2.2.3 Public interest considerations & the public interest test

Part 2, Division 2 of the GIPA Act provides a description of public interest considerations in favour (*Section 12*) and against disclosure of government information (*Section 14*).

In deciding which information to release, Council may apply the public interest test - in accordance with *Part 2, Division 2 Section 13* of the GIPA Act.

Schedule 1 of the GIPA Act provides 12 categories of information for which there is always an overriding public interest against disclosure. Any formal access applications for information described in those categories, are invalid under the GIPA Act.

2.3 Making a Formal Access Application

In some limited circumstances, when the government information is not open access information published on the website or available from the Customer Service Counter, and when releasing of the information requires previous consultation with third parties, this information may be accessed through a formal access application process.

2.2.3 How to make an access application

In accordance with Part 4, Division 1, Section 41 of the GIPA Act, a valid formal access application must:

- be in writing,
- specify it is made under the GIPA Act;
- state a postal address in Australia;
- be accompanied by the \$30 fee [payable as per Council's adopted Fees and Charges](#)
- provide sufficient detail to enable the Council to identify the requested information.

In making an application, a person may include any other additional information they think is relevant to the public interest test, which should be taken into account in determining whether or not there is an overriding public interest against disclosure of the information. Access application may be amended or withdrawn by the applicant at any time.

The application form for access to information is available from Council's website, at Council's Customer Service centre, or by calling the [Information Access Officer on 1300 292 442](#) [Council Office on 02 6922 0608](#).

2.2.4 Processing access application

1. Initial decision as to validity of application.

The Information Access Officer is to decide whether the application is a valid access application (made in accordance with Part 4, Division 1, Section 41) or not (falls outside the scope of the Act), and notifies the applicant about the decision within 5 working days after the application is received - Part 4, Division 3, Section 51 of the GIPA Act.

The notification that the application is not valid must include - according to *Part 4, Division 3, Section 52* of the GIPA Act - a statement of the reason why it is not valid, and provide assistance to the applicant to provide such information as may be necessary to enable the applicant to make a valid access application.

2. Decide the application and provide notice of the decision

According to Part 4, Division 4, Section 57 of the GIPA Act, the Information Access Officer must decide a valid access application and give the applicant a notice of the decision within 20 working days after receiving an application.

If consultation with a third party is required and/or records are required to be retrieved from the archive - the decision period can be extended by up to 10 -15 working days.

3. The Decision

In accordance with Part 4, Division 4, Section 58 of the GIPA Act - to respond to valid access applications, the Information Access Officer may make the following types of decision:

- Decision that information is already available to the applicant
- Decision to refuse to deal with application
- Decision to refuse to provide access to information
- Decision to provide access to government information

2.4 Granting Access to Government Information

In accordance with Part 4, Division 6, Section 72 of the GIPA Act the access to the information in response to access information may be exercised by:

- Providing opportunity to inspect a record
- Providing a copy of a record
- Providing written transcript of the information

Council must provide access in the way requested by the applicant. Exceptions to that rule are described in *Part 4, Division 6, Section 72 (2)* of the GIPA Act.

The applicant has a period of 6 months to access the information. The access period starts from when notice of decision to grant access is given to the applicant.

2.5 Review of Decision

In accordance with Part 5, Division 1 of the GIPA Act, any member of the public who is dissatisfied with Council's decision for access to information, may lodge a request for review of Council's decision.

There are three ways of review of Council decision:

- **Internal review by a Senior Officer of Council** – an application for internal review must be made within 20 working days of receiving the decision, and accompanied by a \$40 fee - Part 5, Division 2 of GIPA Act.

Council must complete its internal review within 15 working days of receiving the application, which may be extended by up to 10 working days if further consultation is required.

- **External review by the Information Commissioner** – an application for Information Commissioner's review must be made within eight weeks of the person receiving notice of the council's decision - Part 5, Division 3 of the GIPA Act.
- **External review by the Administrative Decisions Tribunal** – an aggrieved person may seek review by the ADT within eight weeks of the decision or four weeks after the Information Commissioner's review - Part 5, Division 4 of the GIPA Act.

2.6 Other Provisions

2.6.1 Access to information listed in Section 12 of Local Government Act 1993

The GIPA Act abolishes the access to information regime under the Local Government Act 1993 (LGA). Section 12 of LGA now falls under the open access information - Schedule 5, Part 2, Section 3 of the GIPA Act.

2.6.2 State Records Act not affected

The GIPA Act does not affect the operations of the State Records Act 1998 (SRA) - Section 123.

2.6.3 Copying of public access documents

Published and released Council records are intended for general use and information. Information and files may be downloaded, stored, displayed and printed. Content must not be modified, copied, reproduced, or republished except with the written authorisation of Riverina Water County Council.

Copyright laws apply to all copies of documents provided for information purposes by Council, where the documents are used for any other purpose.

Council supports the sharing of information and the use of website content for the purposes of private study, research, criticism or review, as permitted under copyright legislation. However, Council does not give permission to reproduce or reuse content on its website for commercial purposes.

2.6.4 Personal Information about Council Employees

Personal information about employees of Council is not available to the general public unless it is subpoenaed or required by law.

2.6.5 Information about Tenders and Contractors

Information about the name and price of successful tenders, and also information about contracts, is publicly available from the Council's Contract Register, published on Council's website - Part 3, Division 5 of the GIPA Act. Accessing any further information about tenders will be processed on receipt of formal access application for information access.

22. POLICY 3.2 - PLANT PURCHASE AND DISPOSAL

RECOMMENDATION that Riverina Water County Council adopt Policy 3.2 - Plant Purchase and Disposal.

In April 2011 Riverina Water County Council adopted Policy 3.2 – Plant Purchase and Disposal. This Policy gave guidance to staff regarding the purchasing and disposal of plant assets..

The policy has been reviewed and is attached for Councillors' information.

Only minor changes are suggested for the Policy. These include date of the next review from 2 years to 4 years (2018) and to give more flexibility regarding the disposal of vehicles.

The purpose of this policy is to ensure that:

- (a) plant and vehicles purchased by Council are best suited for the intended purpose
- (b) there is accountability and transparency in the selection, purchase and disposal of items of plant; and
- (c) Council obtains value for money for plant purchases.

- **Policy 3.2 Plant Purchase and Disposal**



POLICY REGISTER

Plant and Vehicle Purchase and Disposal Policy			
POLICY REFERENCE NUMBER:			POL 3.2
Original publication date 28 th August 1994			
Revision number	Issue Date	Council resolution	Council meeting date
1	27 April 2011	Res 11/37	27 th April 2011
2	15 Oct 2014	Res 14/	15 Oct 2014
This document is to be reviewed every four years. Next review date: April 2018			
RESPONSIBLE OFFICER			Manager Projects

PART 1 : INTRODUCTION

1.1 Policy Objective

The purpose of this policy is to ensure that:

- (a) plant and vehicles purchased by Council are best suited for the intended purpose
- (b) ~~that~~ there is accountability and transparency in the selection, purchase and disposal of items of plant; and
- (c) ~~that~~ Council obtains value for money for plant purchases.

1.2 Scope of Policy

This policy applies to all plant and vehicles owned by Council

1.3 Definitions

The Act-	Refers to the Local Government Act 1993.
Light Vehicles-	All sedans, wagons, utilities and light trucks under 4.5 tonne.
Heavy Trucks-	<u> </u> All trucks over 4.5 tonne.
Tender-	As defined in the Local Government Act. May take the form of Open or Selective Tenders.
Invitation-	Request for Tender, Quote or Offer for the purchase or sale of plant or vehicles.
Open Invitation-	The invitation to Tender, Quote or offer is advertised appropriately in relation to the value of the contract.
Selective Invitation-	Preparation of a short list of Invitees following a call for Expressions of Interest advertised appropriately in relation to the contract.
Heavy Plant-	Includes but not limited to loaders, graders and backhoes.
Small Plant-	Included but not limited to mowers, brush cutters pumps and chainsaws

1.4 Related Documents

Local Government Act 1993
Local Government (General) Regulation 2005
Asset Management Policy
Code of Conduct
Fraud and Corruption Policy
Independent Commission Against Corruption Act 1998
Statement of Business Ethics

PART 2 : Policy Content

2.1 General Principles

Riverina Water operates a range of plant and vehicles to enable it to best serve the customers in the provision and distribution of water.

This Policy is intended to ensure that the most suitable plant is purchased, balanced with best value principles. It is also provided to ensure that plant and vehicles are replaced in a transparent manner and in accordance with legislative provisions and guidelines issued by the Division of Local Government and ICAC.

Council will maintain a plant replacement program to ensure effective management of all plant and vehicles. This program shall schedule all vehicles and plant to be replaced each year with estimated replacement value. The allocation required shall be included in the annual ~~draft~~ budget.

2.2 Policy Provisions

The provisions of this policy are set out below;

2.2.1 Criteria relating to purchase of plant and vehicles

Vehicles and plant are to be selected for purchase on the following factors;

- (a) Suitability for the intended purpose of the item, make or model
- (b) Reliability, service costs, operator preference, reputation and running costs
- (c) Purchase cost and resale potential

2.2.2 Replacement Frequency

Vehicles- changeover will be based on optimum replacement timing in order to achieve the lowest average annual cost during the lif of the vehicle. ~~should be replaced on a minimum basis of 40,000 km or two years.~~

Plant-~~this policy provides that replacement of~~ earthmoving plant and trucks should be replaced will generally be between two years and twelve years following an individual assessment of deterioration, reliability, frequency of use, and improved technology.
This criteria recognises that some plant items need not be replaced due to age where an assessment of serviceability has been conducted and a determination made that the item of plant is serviceable.

2.2.3 Method of Purchase

Vehicles

Vehicles requiring replacement will be advertised locally and /or specification sheets will be given to local motor dealers.

Quotations received will be determined after consideration of criteria as set out in [2.3-12.2.1](#) of this policy.

As an alternative, this policy reserves the option to replace vehicles under the NSW Procurement Contract.

Minor Plant

The annual replacement program will provide an allocation for the purchase and replacement of minor plant such as pumps, mowers, chainsaws etc. Quotations in accordance with councils purchasing policy shall be obtained prior to the purchase of minor plant.

Heavy Plant

Major plant purchases are advertised under tender arrangements.

2.2.4 Method of Disposal

Vehicles and plant will be disposed of using the most financially advantageous method. Acceptable methods include;

- (a) Auction. (Reserves set at market values)
- (b) Dealer Trade.(Minimum of 3 trade prices required)
- (c) Private sale by sealed tender following approved procedures.

No process favouring disposal to staff will be permitted.

23. COUNCIL RESOLUTION SHEET

Council Resolution Sheet – Meeting held 15/10/2014				
Report Ref	Subject	Responsible Officer	Council Decision	Action Taken
Meeting held 20 August 2014				
14/87	Financial Statement 2013/2014 – Fund Position as at 30 June 2014	GM	<p>That:</p> <ul style="list-style-type: none"> (i) Council's Draft Financial Statements be referred to audit by Council's auditors, Crowe Howarth, (ii) Council make a resolution in accordance with section 413 (2c) that the annual financial report is in accordance with: <ul style="list-style-type: none"> – the Local Government Act 1993 (as amended) and the Regulations made thereunder, – the Australian Accounting Standards and professional pronouncements, – the Local Government Code of Accounting Practice and Financial Reporting, – presents fairly the councils operating results and financial position for the year, – accords with Council's accounting and other records, and – that Council is not aware of any matter that would render this report false or misleading in any way. (iii) That Council adopt the abovementioned Statement and that the Chairman, Deputy Chairman and General Manager be 	<ul style="list-style-type: none"> (i) Statements Finalised, Council Auditor to attend Council's Ordinary Meeting on 15 October 2014. (ii) Financial Statement sent to the Office of Local Government.

			<p>authorised to complete the "Statement by Members of the Council" in relation to Council's 2013/14 Financial Statements and Special Purpose Financial Reports and be attached thereto.</p> <p>(iv) That Council delegate to the General Manager the authority to "finalise the date" at which the Audit Report and Financial Statements are to be presented to the public.</p>	
14/88	Uncompleted Capital Works 2013/2014	GM	That capital expenditure totalling \$1,865,000 be carried over and included in the 2014/15 Capital Works Programme.	Carried over
14/93	Lease of Land off Beauty Point Avenue	MCE	That the leases be renewed for land adjacent to 4, 14, 16 and 18 Beauty Point Avenue, for a further two years (2014/15 and 2015/16), with an annual rental of \$120 for 2014/15 and a CPI increase in 2015/16.	New lease documents being drawn up.
14/94	Draft Policy 1.10 Councillor's Expenses and Facilities	GM	The Draft Policy 1.10 Councillor's Expenses and Facilities be adopted.	Noted, updated on Council's website.
14/95	Draft Policy 2.9 Debt Recovery	GM	The Draft Policy 2.9 Debt Recovery be adopted.	Noted, updated on Council's website.
14/96	Murray Darling Association Annual Conference	GM	that: a) Council be represented at the Annual Conference of the Murray Darling Association in Tumut at an estimated cost of \$1,480; and b) Council delegates be the Chairman and the Director of Engineering 22nd May 2014 and endorse the recommendations contained therein.	Delegates Registered
14/97	Council Meeting Dates and Times	GM	That Council's December Council Meeting be held on Friday 12th December 2014 at 2.00pm and that the October meeting will be held 15th October at 9.30 am.	Noted
14/98	February 2015 Council Meeting	GM	That Council's February meeting be held on Wednesday 25th February 2015 commencing at	Meeting Room at Lockhart Shire Council booked.

			1.30 pm at the Lockhart Shire Council Chambers. This meeting to be preceded by a tour of Riverina Water facilities in the Lockhart region, commencing at 9.30 am at Lockhart.	
14/102	1 in 100 Year Flood Levee – Flood Impact Assessment	DoE	that: a) Council accept the Flood Impact Assessment as tabled, for information purposes only and that Council permit Mr. Stephen Gray (author of the report) to present to Council an overview of the report; b) Director of Engineering prepare a comparison report on building the new treatment plant & stores to be flood compatible instead of building the levee; and c) Suspend temporarily public consultation on levy, pending further discussions.	Noted, Director of Engineering to Report to October Ordinary meeting



Graeme J. Haley
GENERAL MANAGER

DIRECTOR OF ENGINEERING'S REPORTS TO COUNCIL

1. WORKS REPORT COVERING AUGUST 2014

RECOMMENDATION that this report be received and noted.

- **Works Report – August 2014**

**DIRECTOR OF ENGINEERING'S REPORTS
TO OCTOBER 2014 COUNCIL MEETING**

16th September 2014

1 WORKS REPORT COVERING AUGUST 2014

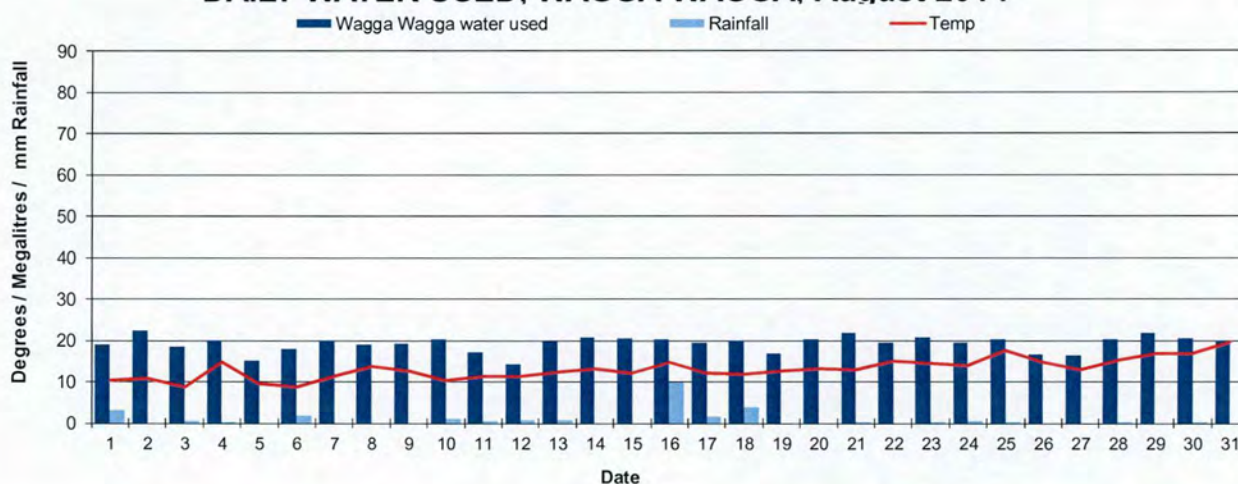
RECOMMENDATION That this report be received and noted.

1.1 WATER SOURCED AND USED

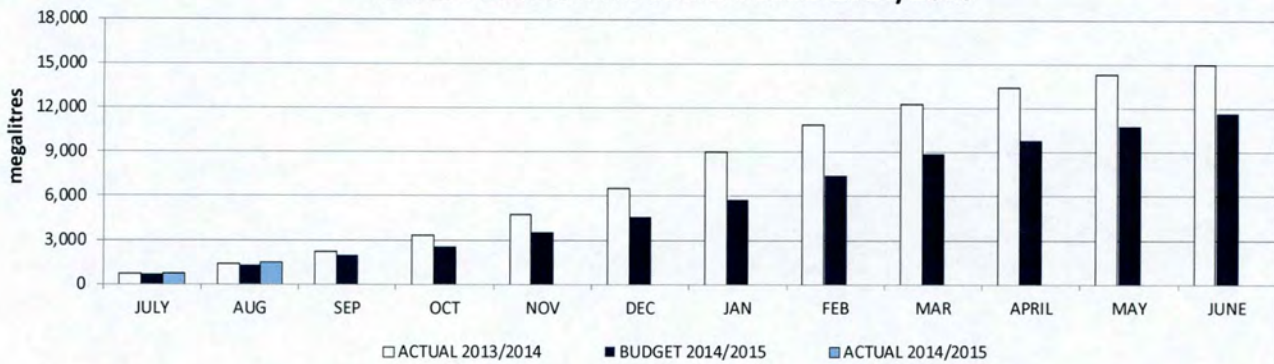
August	2012	2013	2014
Rainfall	37.6	46.6	25.4
Wet Days	12	18	17
WATER SOURCED August 2014 (MI)			
North Wagga bores	130.37	158.28	160.48
West Wagga bores	323.94	233.37	248.44
East Wagga bores	193.19	244.70	331.97
Murrumbidgee River	0.00	0.00	0.00
SUB-TOTAL	647.50	636.35	740.89
Bulgary Bores	23.21	20.95	25.92
Urana Source	0.00	0.00	0.00
Ralvona Bores	15.00	13.36	17.13
Walla Walla Bores	0.00	0.73	0.00
Goldenfields Water Supply System	1.01	1.54	0.63
SUB-TOTAL	39.22	36.58	43.68
Woomargama	0.73	0.89	1.54
Humula	0.74	0.74	0.61
Tarcutta	2.14	2.03	2.99
Oura	2.08	1.36	1.66
Walbundrie/Rand	1.85	1.49	1.82
Morundah	0.38	0.34	0.37
Collingullie	3.20	2.35	3.24
SUB-TOTAL	11.12	9.20	12.23
TOTALS	697.84	682.13	796.80

WATER USED August 2014 (MI)			
	2012	2013	2014
East Bomen	14.01	21.80	19.49
Estella	36.70	32.60	30.07
North Wagga	59.58	89.86	96.03
Wagga Wagga – Low Level	123.99	98.08	129.05
Wagga Wagga – High Level	288.93	293.43	337.52
Wagga Wagga – Bellevue Level	30.88	28.45	27.03
SUB-TOTAL	554.09	564.22	639.19
Ladysmith System	2.75	2.41	2.67
Brucedale Scheme	10.35	10.59	10.15
Currawarna Scheme	12.00	6.36	7.32
Rural south from Wagga Wagga	67.58	56.33	79.34
Rural from Walla Walla Bore	0.00	0.73	0.00
Bulgary, Lockhart and Boree Creek	10.80	11.34	14.70
From Boree Crk to Urana and Oaklands	11.13	9.42	10.93
Holbrook	15.00	13.36	17.13
SUB-TOTAL	129.61	110.54	142.24
Woomargama	0.73	0.89	1.54
Humula	0.74	0.74	0.61
Tarcutta	2.14	2.03	2.99
Oura	2.08	1.36	1.66
Walbundrie/Rand	1.85	1.49	1.82
Morundah	0.38	0.34	0.37
Collingullie	3.20	2.35	3.24
SUB-TOTAL	11.12	9.20	12.23
TOTALS	694.82	683.96	793.66

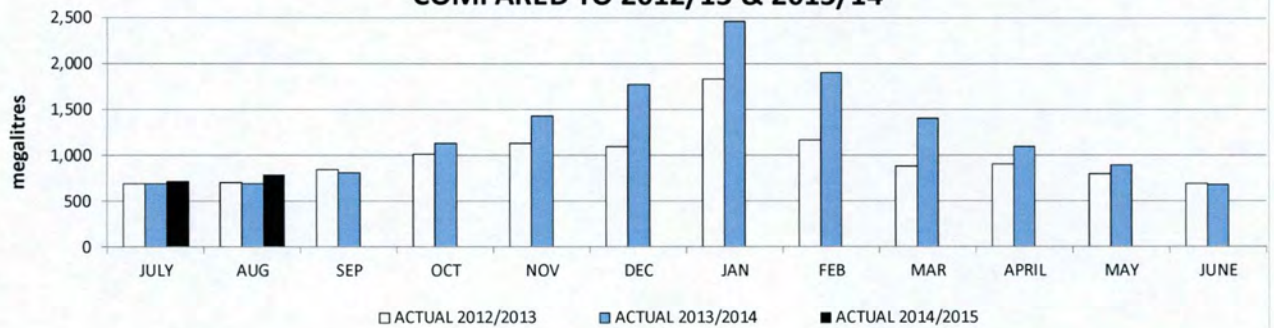
DAILY WATER USED, WAGGA WAGGA, August 2014



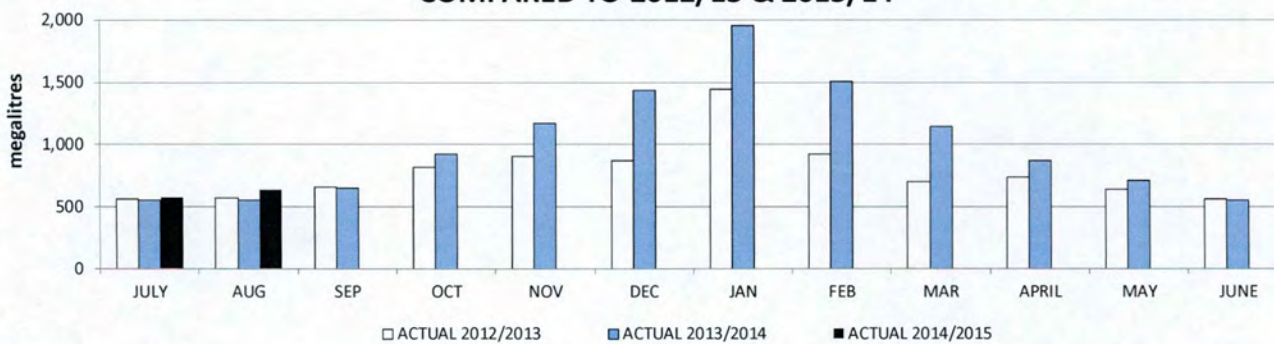
TOTAL CUMULATIVE WATER USED 2014/2015



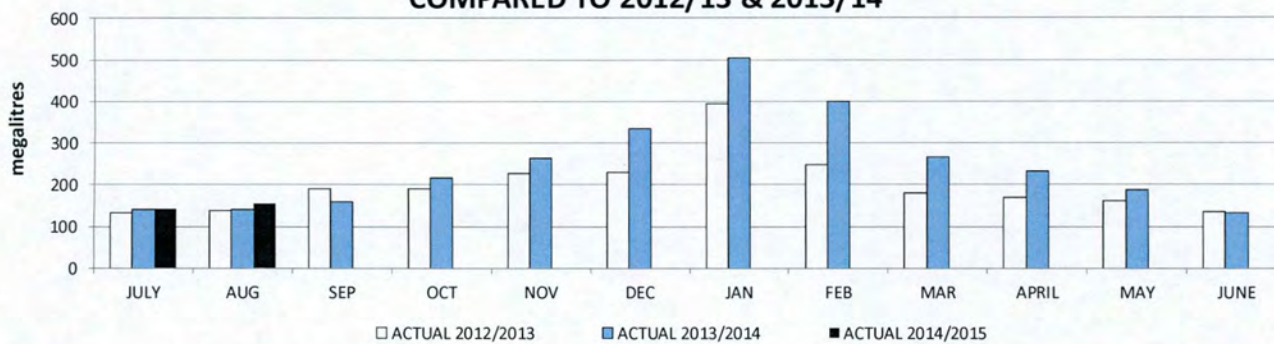
MONTHLY TOTAL WATER USED 2014/15 COMPARED TO 2012/13 & 2013/14



MONTHLY WAGGA WATER USED 2014/15 COMPARED TO 2012/13 & 2013/14



MONTHLY RURAL WATER USED 2014/15 COMPARED TO 2012/13 & 2013/14



1.2 NEW SERVICE CONNECTIONS, REPAIRS, METERS, LOCATIONS & COMPLAINTS FOR THE MONTH OF AUGUST 2014

Location	New Connect., Residential	New connect., Non Residential	Services Renewed	Services Repaired	Quality Complaints	Supply Complaints *	Customer dealings complaints	Other Complaints	Frost damage	Meter or Metercock fault	Leaking valves or hydrants	Locations
Wagga	10			28	7	3				39	8	3
Brucedale											1	
Currawarna												
Euberta												
Humula										1		
Ladysmith												
Oura												
San Isidore						1						
Tarcutta												
The Gap						1						
Bulgary				1								
Collingullie												
French Park												
Lockhart				2						1		2
Mangoplah				1								1
Milbrulong												
Pleasant Hills												
The Rock				3						2		
Uranquinty										2		
Yerong Creek				1								
Culcairn												
Henty				1								
Holbrook				1						6		
Morven												
Walbundrie												
Walla Walla										1		
Woomargama				1								
Boree Creek				1								
Morundah												
Oaklands	1	1										
Rand				1								
Urana						1						
TOTAL	11	1	0	41	7	6	0	0	0	52	9	6

1.3 WATER SYSTEM REPAIRS

WAGGA WAGGA								
Date	Location	Town	Main Type	Cause	Live Repair	Outage Duration Time	Customers Affected (no supply)	Water Lost KI
5	420 Lake Road	Wagga Wagga	150 AC	Leaking SS clamp	No	0:30	42	10
1	Ashmont Ave	Ashmont	375 AC	Pipe Failure - Ground Movement	No	6:30	0	550
2	2 Protea Place	Wagga Wagga	100 BPVC	T/ Band Broken/Leaking	Yes	0:00	0	2
8	146 Mitchell Rd	Lake Albert	150 AC	Leaking collar	No	1:00	30	10
10	Cnr Cochrane & Koorringal Rd	Koorringal	100 AC	Pipe Failure - Ground Movement	No	3:00	17	10
10	Junction Motor Inn	Ashmont	375 AC	Pipe Failure - Ground Movement	No	6:00	0	550
11	Junction Motor Inn Ashmont Ave	Ashmont	250 AC	Pipe Failure - Ground Movement	No	1:30	39	40
21	4 McDonnough St	Mt Austin	150 AC	Pipe Failure (not specified)	No	2:30	19	15
22	Narrung St	Wagga Wagga	100 AC	Pipe Failure (not specified)	No	3:30	13	10
25	Urana St - Showground	Turvey Park	250 AC	T/ Band Broken/Leaking	Yes	0:00	0	5
30	15 Athol St	Turvey Park	80 CI	Leaking collar	Yes	0:00	0	5
TOTALS						24:30	160	1,207
				Breaks needing		Breaks affecting		
Total Breaks – 11				shut off -	8	customers – 6		

RURAL								
Date	Location	Town	Main Type	Cause	Live Repair	Outage Duration Time	Customers Affected (no supply)	Water Lost KI
2	County Boundry Rd	Collingullie	32 PVC	Pipe Failure - Ground Movement	No	1:30	1	4
5	Mangoplah Rd	Morven	150 AC	Accidental damage	No	1:30	20	1
7	Olympic Hwy	Yerong Creek	300 DICL	Pipe Failure - Ground Movement	No	3:00	15	30
7	Eades St	Boree Creek	100 AC	Pipe Failure - Ground Movement	Yes	0:00	0	8
7	Macdonell St	Collingullie	100 WPVC	Pipe Failure - Ground Movement	Yes	0:00	0	2
8	Old Trunk Rd	The Rock	150 AC	Pipe Failure - Ground Movement	Yes	0:00	0	10
20	24 Yerong St	The Rock	100 AC	Pipe Failure - Ground Movement	Yes	0:00	0	4
26	16 Chapman St	Urana	100 AC	Leaking collar	No	0:30	9	1
TOTALS						6:30	45	60
Breaks needing					Breaks affecting			
Total Breaks – 8					shut off - 4 customers – 4			

1.4 WATER QUALITY COMPLAINTS

Water quality complaints received during August 2014 were:

Date	Location	Problem	Action Taken
1/08/2014	53 Flinders St, Wagga	Dirty water	Flushed service
4/08/2014	RSL Club, Knicaid St, Wagga	Dirty water	Flushed service
3/08/2014	2 Richard St, Wagga	Dirty water	Flushed service
7/08/2014	14 Carurina St, Springvale	Dirty water	Flushed service
11/08/2014	344 River Rd, Wagga	Dirty water	Flushed service
12/08/2014	32 Keneally Ave, Koorinal	Dirty water	Flushed service
14/08/2014	Police Stn, 41 Sladen St, Henty	Strong chlorine taste	All WQ within ADWG
29/08/2014	21 Gossett St, Wagga	Dirty water	Flushed service

1.5 MAINS CONSTRUCTIONS

1.5.1 MAINS EXTENSIONS AND NEW WORKS

New water mains laid during August 2014 include:

LOCATION	PROJECT	100		150	200
		OPVC	DICL	DICL	OPVC
Lloyd Stage 5	New Subdivision	551			264
Bourkelands Stage 20D	New Subdivision		18	6	24
Rose Place	New Subdivision	62			
Travers Street	Mains Extention		227		
	TOTAL	613	245	6	288

1.5.2 REPLACEMENT OF EXISTING MAINS

Mains replaced during August 2014 include:

LOCATION	PROJECT	150		450
		OPVC	DICL	DICL
Southern Trunk Main	Highway Upgrade			967
Morven	Rural Replacement	954	33	
	TOTAL	954	33	967

1.6 OTHER CONSTRUCTION

Other construction works during August 2014 include:

LOCATION OR PROJECT	WORK DONE
Dalton Street	100mm Fire Service

1.7 MAJOR REPAIRS / OVERHAULS

Major repairs/overhauls during August 2014 include:

LOCATION OR PROJECT	WORK DONE
Bulgary Bores	Overhaul silica dosing system
Humula Well	Replace high lift pump suction
Waterworks	Overhaul centrifuge hydraulic drive unit
West Wagga	Overhaul #2 pump & motor
Waterworks	Overhaul chlorine dosing system
Waterworks	Repair CWS #2 leak
Humula	Drain & clean reservoirs and CWS

1.8 WATER FILLING STATION ACTIVITY

Water Filling Station activity during August 2014 include:

LOCATION	NUMBER OF FILLS
Red Hill Road	64
Plumpton Road	31
Estella	24
Bomen	5
Gregadoo Road	Out of Service
Forest Hill	Out of Service
Lockhart	10
Holbrook	17
Henty	7
Yerong Creek	46
Pleasant Hills	4

1.9 STAFF TRAINING & SAFETY

The following training and/or safety activities were undertaken during August 2014:

Training or Programme	Number of Staff
Working Near Overhead Powerlines	13
HACCP Review Training	10
First Aid Refresher	5
3D Civil Training	1
Truck Licence - HR	1
Work Safely at Heights Training	11
Confined Refresher Training	11

1.10 FLEET DISPOSALS

Fleet disposals made during August 2014 are:

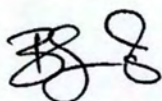
Vehicle Details					
Vehicle No	Description	Vehicle Type	Make & Model	Year	kms
290	The Rock Operator	4WD Extra Cab with Tray	Ford Ranger	2012	115,260
293	Urana Opera	4WD Extra Cab with Tray	Ford Ranger	2012	110,540

Disposal Details		
Vehicle No	Method	Price exc GST
290	Auction - 27/08/2014	\$23,455
293	Auction - 27/08/2014	\$23,818

1.11 FLEET ACQUISITIONS

Fleet acquisitions made during August 2014 are:

New Vehicle Details					
Vehicle No	Received	Accepted Tenderer	Vehicle Type	Make & Model	Price exc GST
290	5	Hillis Ford	4WD Extra Cab with Tray	PX Ranger	\$29,921
293	5	Hillis Ford	4WD Extra Cab with Tray	PX Ranger	\$29,921



Bede Spannagle
DIRECTOR OF ENGINEERING

2. WORKS REPORT COVERING SEPTEMBER 2014

RECOMMENDATION that this report be received and noted.

- Works Report - September 2014

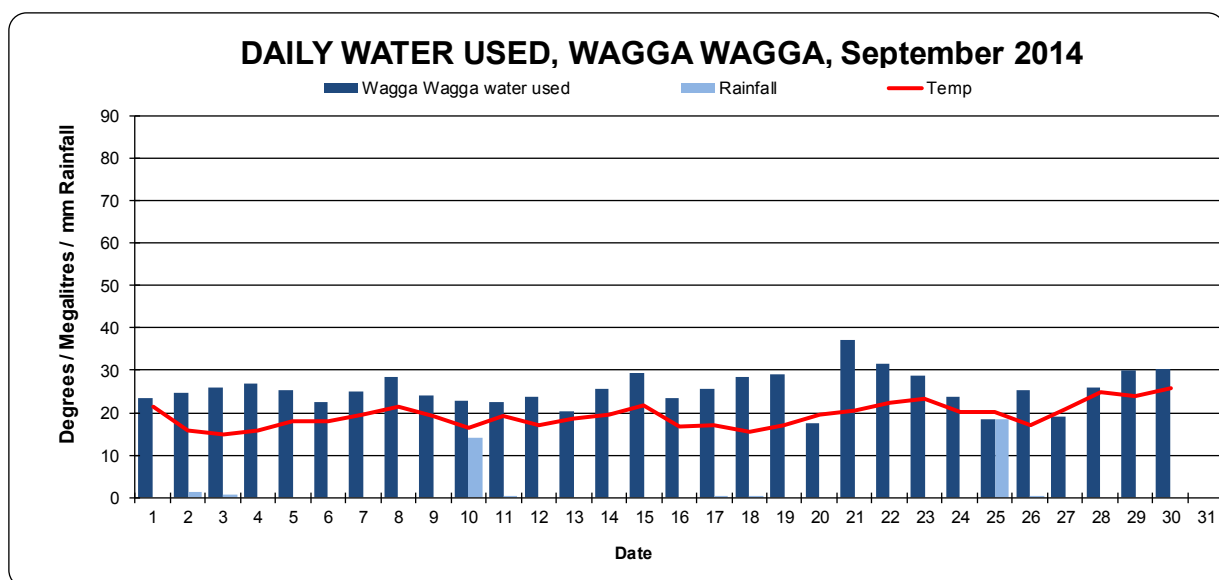
8th October 2014

1 WORKS REPORT COVERING SEPTEMBER 2014

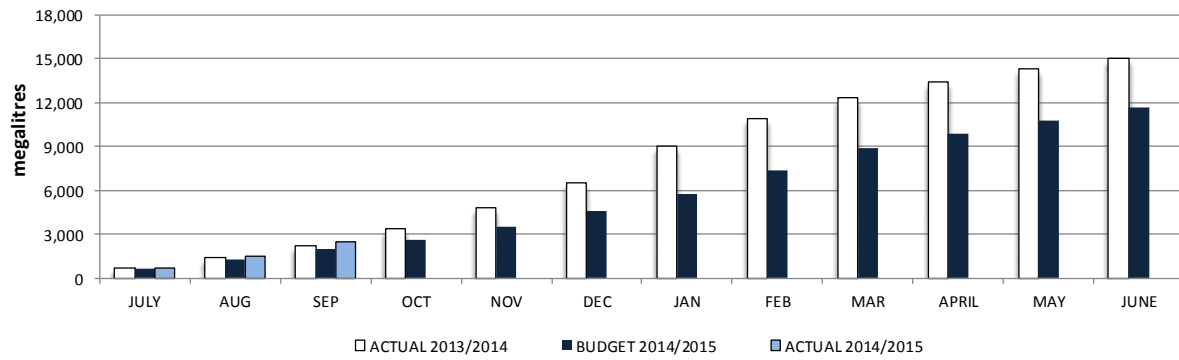
1.1 WATER SOURCED AND USED

September	2012	2013	2014
Rainfall	5	33.2	35.8
Wet Days	8	9	8
WATER SOURCED September 2014 (MI)			
North Wagga bores	152.35	146.15	182.80
West Wagga bores	388.05	201.35	271.24
East Wagga bores	229.38	369.58	422.81
Murrumbidgee River	0.00	0.00	0.00
SUB-TOTAL	769.78	717.08	876.85
Bulgary Bores	29.21	25.22	30.46
Urana Source	0.00	0.00	1.33
Ralvona Bores	16.41	15.49	17.20
Walla Walla Bores	0.00	0.00	0.00
Goldenfields Water Supply System	0.73	12.53	1.32
SUB-TOTAL	46.35	53.24	50.31
Woomargama	0.80	0.86	1.31
Humula	0.75	0.58	0.52
Tarcutta	2.01	2.43	4.31
Oura	1.71	2.13	1.95
Walbundrie/Rand	1.92	2.78	2.44
Morundah	0.49	0.46	0.58
Collingullie	5.36	3.37	3.83
SUB-TOTAL	13.04	12.61	14.94
TOTALS	829.17	782.93	942.10

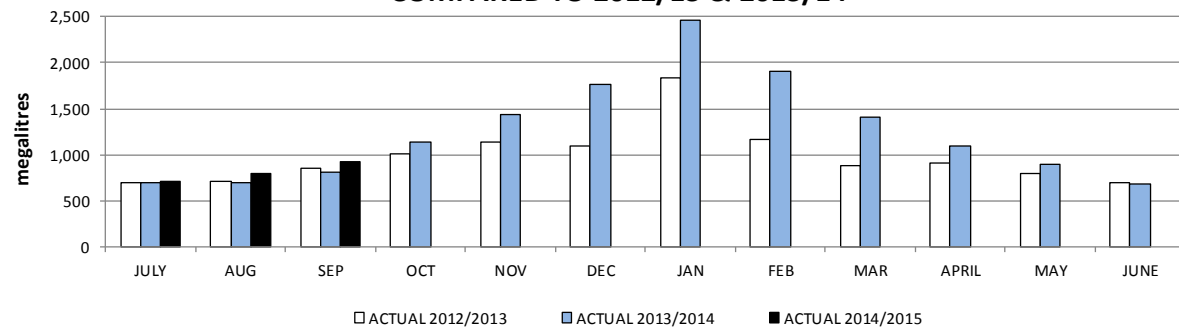
WATER USED September 2014 (MI)			
	2012	2013	2014
East Bomen	14.32	26.41	21.81
Estella	31.14	34.73	39.74
North Wagga	87.54	75.63	96.15
Wagga Wagga – Low Level	137.35	141.12	150.28
Wagga Wagga – High Level	345.32	321.93	393.82
Wagga Wagga – Bellevue Level	38.07	36.92	46.55
SUB-TOTAL	653.74	636.74	748.35
Ladysmith System	2.47	3.31	3.50
Brucedale Scheme	9.63	13.32	15.50
Currawarna Scheme	12.07	10.19	7.03
Rural south from Wagga Wagga	77.74	66.56	91.12
Rural from Walla Walla Bore	0.00	0.00	0.00
Bulgary, Lockhart and Boree Creek	14.79	14.31	18.34
From Boree Crk to Urana and Oaklands	12.82	10.76	13.72
Holbrook	16.41	15.49	17.20
SUB-TOTAL	145.93	133.94	166.41
Woomargama	0.80	0.86	1.31
Humula	0.75	0.58	0.52
Tarcutta	2.01	2.43	4.31
Oura	1.71	2.13	1.95
Walbundrie/Rand	1.92	2.78	2.44
Morundah	0.49	0.46	0.58
Collingullie	5.36	3.37	3.83
SUB-TOTAL	13.04	12.61	14.94
TOTALS	812.71	783.29	929.70



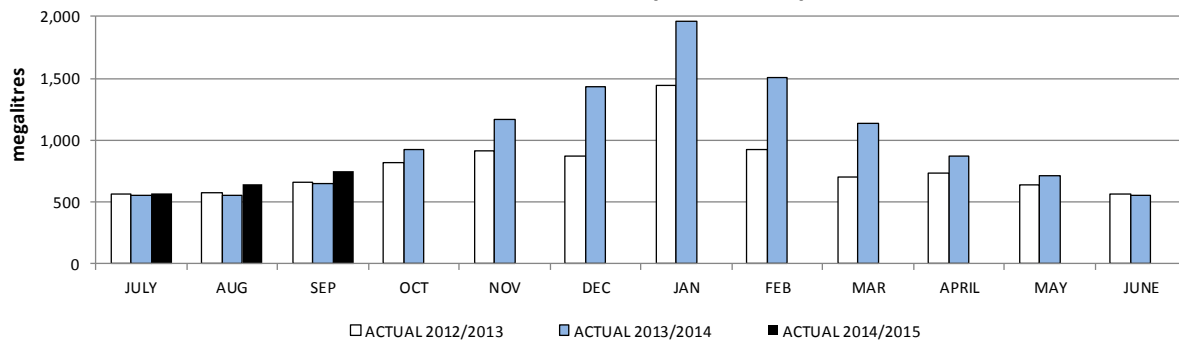
TOTAL CUMULATIVE WATER USED 2014/2015



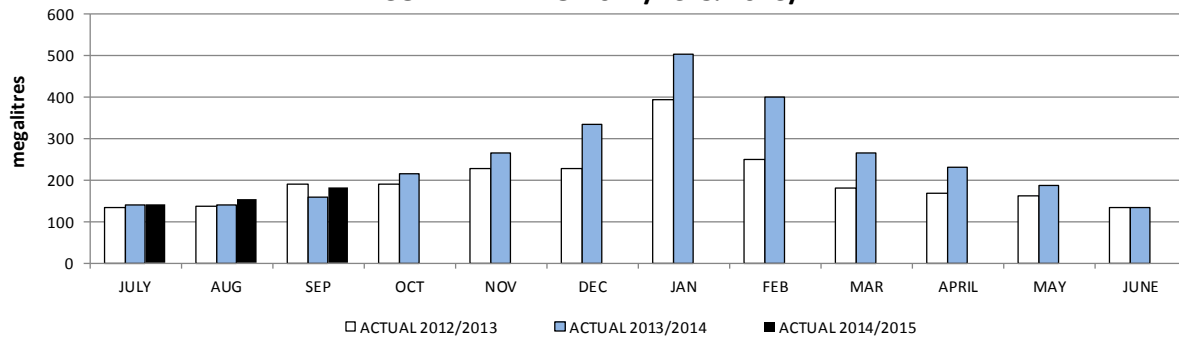
MONTHLY TOTAL WATER USED 2014/15 COMPARED TO 2012/13 & 2013/14



MONTHLY WAGGA WATER USED 2014/15 COMPARED TO 2012/13 & 2013/14



MONTHLY RURAL WATER USED 2014/15 COMPARED TO 2012/13 & 2013/14



1.2 NEW SERVICE CONNECTIONS, REPAIRS, METERS, LOCATIONS & COMPLAINTS FOR THE MONTH OF SEPTEMBER 2014

Location	New Connect., Residential	New connect., Non Residential	Services Renewed	Services Repaired	Quality Complaints	Supply Complaints *	Customer dealings complaints	Other Complaints	Frost damage	Meter or Metercock fault	Leaking valves or hydrants	Locations
Wagga Wagga	17	2		12	10	9				52	6	6
Brucesdale						1						
Currawama												
Euberta												
Humula												
Ladysmith										1		
Oura												
San Isidore										1		
Tarcutta										3		
The Gap				1								
Bulgary				1								
Collingullie				1								
French Park				1								
Lockhart										1	1	
Mangoplah												
Milbrulong												
Pleasant Hills				2								
The Rock				1						3		
Uranquinty	2											
Yerong Creek												
Culcairn											1	
Henty												
Holbrook					2					2	1	
Morven			1									
Walbundrie												
Walla Walla												
Woomargama				2								
Boree Creek						1						
Morundah				1								
Oaklands												
Rand				1								
Urana				1								
TOTAL	19	2	1	24	12	11	0	0	0	63	9	6

1.3 WATER SYSTEM REPAIRS

WAGGA WAGGA								
Date	Location	Town	Main Type	Cause	Live Repair	Outage Duration Time	Customers Affected (no supply)	Water Lost KI
3	14 Youlong St	Glenfield	100 BPVC	T/ Band Broken/Leaking	Yes	0:00	0	2
6	21 Crawford St	Ashmont	100 AC	T/ Band Broken/Leaking	No	2:00	21	10
15	Biliga Place	Wagga Wagga	100 AC	Pipe Failure - Ground Movement	No	2:45	17	15
15	Billiga Place	Wagga Wagga	100 AC	Pipe Failure (not specified)	No	1:15	17	10
15	Ashmont Ave	Wagga Wagga	200 AC	Pipe Failure - Ground Movement	No	3:30	24	25
16	Billiga Place	Wagga Wagga	100 AC	Pipe Failure - Ground Movement	No	2:00	17	15
14	Biligah St	Wagga Wagga	100 AC	Pipe Failure - Ground Movement	No	27:00	17	10
24	Pattersons Rd	Wagga Wagga	32 PVC	Accidental damage	No	1:00	4	5
20	Trevor/Jarrick St	Wagga Wagga	100 DICL	Pipe Failure (not specified)	No	2:15	23	5
28	Hale St	North Wagga	375 AC	Pipe Failure - Ground Movement	Yes	0:00	0	20
TOTALS						41:45	140	117
				Breaks needing shut off -	8	Breaks affecting customers – 8		
	Total Breaks – 10							

RURAL								
Date	Location	Town	Main Type	Cause	Live Repair	Outage Duration Time	Customers Affected (no supply)	Water Lost KI
9	Lockhart Rd	Collingullie	100 WPVC	Pipe Failure - Ground Movement	Yes	0:00	0	4
10	Gap Rd	The Gap	100 WPVC	Pipe Failure (not specified)	Yes	0:00	0	10
11	Olympic Hwy	Henty	200 AC	Tree Roots	No	2:45	20	35
18	Boree Creek Rd	Lockhart	150 BPVC	Pipe Failure - Ground Movement	No	2:00	8	15
19	Albury St	Holbrook	100 AC	Accidental damage	No	1:30	12	15
22	Shepard Siding Rd	The Gap	32 PVC	Pipe Failure (not specified)	Yes	0:00	0	5
24	Urana Rd	Boree Creek	100 AC	Pipe Failure - Ground Movement	No	2:45	15	75
23	19 Allan St	Henty	200 AC	Pipe Failure (not specified)	No	1:00	20	75
25	Flowerdale Rd	The Gap	100 AC	Pipe Failure (not specified)	No	1:30	10	5
1	Dickson St	Woomargama	80 PVC	Pipe Failure - Ground Movement	No	3:00	0	2
26	74 Hebden St	Lockhart	100 AC	Pipe Failure - Ground Movement	Yes	0:00	0	4
29	Woomargama Way	Woomargama	50 PVC	Pipe Failure - Ground Movement	Yes	0:00	0	15
TOTALS						14:30	85	260
			Breaks needing		Breaks affecting			
Total Breaks – 12			shut off -		7	customers – 6		

1.4 WATER QUALITY COMPLAINTS

Water quality complaints received during September 2014 were:

Date	Location	Problem	Action Taken
2/09/2014	140 Morgan St, Wagga	Dirty water	Flushed mains in area
3/09/2014	105 Hammond Ave, Wagga	Dirty water	WQ within ADWG. Gal pipe causing problem
4/09/2014	Simmons St, Wagga	Dirty water	Flushed service
4/09/2014	14 Morrow St, Wagga	Dirty water	Flushed service
4/09/2014	2 Malumba St, Koorringal	Concerns over WQ	Resolved over phone
4/09/2014	55 Crawford St, Flowerdale	Taste	WQ turb, CI within ADWG.
7/09/2014	Sky Motel, Albury St, Holbrook	Washing hard and powdery	WQ turb, CI within ADWG
11/09/2014	20 Clifton St, Bourkelands	Dirty water	Flushed main
13/09/2014	50 Simmons St, Wagga	Dirty water	Flushed service
17/09/2014	2/27 Wiradjuri Cres, Wiradjuri	Dirty water	Flushed dead end
20/09/2014	26 Wooden St, Turvey Park	Dirty water	Flushed main

1.5 MAINS CONSTRUCTIONS

1.5.1 MAINS EXTENSIONS AND NEW WORKS

New water mains laid during September 2014 include:

LOCATION	PROJECT	100	200
		OPVC	OPVC
Strickland Drive	New Subdivision	200	100
Bourkelands Stage 20D	New Subdivision	90	42
	TOTAL	290	142

1.5.2 REPLACEMENT OF EXISTING MAINS

Mains replaced during September 2014 include:

LOCATION	PROJECT	450	600
		DICL	DICL
Hammond Ave	Main Replacement		132
Southern Trunk Main	Main Replacement	904	
	TOTAL	904	132

1.6 OTHER CONSTRUCTION

Other construction works during September 2014 include:

LOCATION OR PROJECT	WORK DONE
Mirbelia Drive, Wagga Wagga	100mm Fire Service

1.7 MAJOR REPAIRS / OVERHAULS

Major repairs/overhauls during September 2014 include:

LOCATION OR PROJECT	WORK DONE
Morundah Water Treatment Plant	Install clear water storage & high lift pumping system
Henty Pump House - Morven No. 2 High Lift	Overhaul
Water Works Sludge Treatment Plant	Overhaul centrifuge hydraulic pumping system
Oura No. 1 Reservoir	Repair leaks in tank and clean
Tarcutta Clear Water Storage	Repair leaks in tank and clean
Humula Well Treatment Plant	Inspect and clean clear water storage
West Wagga Water Treatment Plant - Shires Pump	Repair pump base and re-align pump and motor
Walbundrie No. 1 & 2 Reservoirs	Inspect and clean

1.8 WATER FILLING STATION ACTIVITY

Water Filling Station activity during September 2014 include:

LOCATION	NUMBER OF FILLS
Red Hill Road	42
Plumpton Road	94
Estella	16
Bomen	2
Gregadoo Road	Out of Service
Forest Hill	Out of Service
Lockhart	0
Holbrook	17
Henty	12
Yerong Creek	57
Pleasant Hills	3

1.9 STAFF TRAINING & SAFETY

The following training and/or safety activities were undertaken during September 2014:

Training or Programme	Number of Staff
WSAA Conference - 3 Days	1
Rail Worker Medicals	3
Fire Extinguisher Training	11
First Aid Refresher Training	4
Confined Space Refresher Training	12

1.10 FLEET DISPOSALS

No fleet disposals made during September 2014.

1.11 FLEET ACQUISITIONS

No fleet acquisitions made during September 2014.

1.12 MAJOR CAPITAL PROJECTS PROGRESS



- On track



- Behind Schedule



- Unlikely this Financial Year

MAJOR PROJECTS 2014/15 (> Over \$100,000) - August 2014

Description	2014/15 Budget	Actual & Committed to Date	Comments
MANAGEMENT			
Depot Buildings			
Store Building Hammond Ave - Urban	\$3,500,000	\$29,359	Design complete, awaiting levee outcome before advertising tender.
Access, parking and Landscaping			
Levee protection Stage 1 Hammond Ave	\$121,000	\$3,119	95% complete.
Levee protection feasibility study/flood modeling/soil testing/Review of Environmental Factors - Wagga depot	\$500,000	\$41,352	Options report to be presented at October Council Meeting.
PLANT & EQUIPMENT			
IT Equipment			
Corporate IT software upgrade/improvements	\$294,500	\$45,906	Ongoing
Working Plant & Vehicle Purchases			
Routine plant & vehicle replacements	\$1,275,000	\$63,382	Ongoing
Telemetry & Control Systems Upgrade			
Radio Telemetry SCADA Upgrade	\$135,000	\$11,608	Received quotation to complete ClearSCADA integration. Purchase Order to be issued for \$90k in October

SOURCES			
Bores-renew/refurbish/decommission			
Walla Walla Bore 1B or 2B - Non-Urban	\$263,000	\$197,982	Bore development and water quality testing completed and satisfactory. Final pipework and meter fitout to be completed after summer
TREATMENT PLANTS			
Aeration Tower Replacements			
East Wagga Aeration Tower	\$120,000	\$3,702	Design completed and quotes obtained for material.
Treatment Plant Refurbishments			
Underground powerlines - Urban	\$426,000	\$941,243	66kV and 11kV overhead powerlines removed and underground powerlines installed and commissioned. Link between existing substation and switching station 50% complete.
WTP Preliminaries and Tender Documentation - Urban	\$0	\$134,200	Public Works have progressed well with the detailed design. Preliminary detailed designs received and currently being reviewed.
WTP stage 1	\$10,000,000	\$0	Work planned to commence on site early in 2015
Urana WTP replacement - Non-Urban	\$443,000	\$640	Preliminary plans completed. RQF sent to Public Works for technical advice.
PUMPING STATIONS			
Pump Stations Renewal/Refurbish/Upgrade			
West Wagga Shires pump upgrade - Urban	\$100,000	\$6,721	New 1.5MVA transformer ordered and HV electrical designed work has been assigned to a contractor. Quotation received for new shires pump&motor, VSDs, switchboards and pipework. Site survey organised
Watson Road Mangoplah Pump Station Upgrade	\$100,000	\$0	Not started
Pump & Motor Maintenance / Replacements			
Pump & Motor Maintenance / Replacements - Urban	\$120,000	\$12,353	Ongoing routine pump & motor maintenance
RESERVOIRS			
New Reservoirs			
Woomargama Reservoir 3	\$445,000	\$4,060	Reservoir size revisited and reduced.

Mangoplah HL Reservoir Replacement/Upgrade - Non-Urban	\$376,000	\$45,680	Tenders received. Recommendation to October Council Meeting.
Collingullie Reservoir Upgrade - Non-Urban	\$509,000	\$1,272	Geotechnical completed. Waiting for proposal from Public Works for specifications and tender documentation.
Shires Reservoir Relocation - Non-Urban	\$1,481,000	\$11,593	Geotechnical investigation and REF completed. Location on site selected and specification 80% complete.
Main Low Level Reservoir Investigation & Design - Urban	\$200,000	\$320	Alternate locations near existing reservoir being investigated.
MAINS, SERVICES & METERS			
<i>MAINS</i>			
System Improvements			
System Improvements - Urban	\$150,000	\$184	Ongoing
Reticulation for Developers			
Reticulation for Developers - Urban	\$800,000	\$139,873	Ongoing
Renew Reticulation Mains			
Lake Albert Rd Replacement	\$142,000	\$0	Design Complete
Flinders St Replacement	\$100,000	\$0	Design Complete
The Gap / Brucedale System - Urban	\$100,000	\$0	Not started
Renew Trunk Mains			
Bomen trunk main A (south of river) - Urban	\$300,000	\$0	Not started
Southern Trunk - Kapooka Highway Realignment 2km 450mm DICL	\$900,000	\$440,044	Construction commenced in June. Anticipated completion October 2014.
Southern Trunk - West Wagga to Kapooka 2.2km 450mm DICL	\$890,000	\$92,144	Programmed to start second quarter, following completion of Kapooka Highway Realignment.
Southern Trunk - Highway to New Reservoir 1.8km 450mm DICL	\$900,000	\$0	Not started
Low & High Level Rising Mains from CWS	\$420,000	\$0	Not started
Bulgary Bore Rising Main - 7.5km 200mm oPVC	\$400,000	\$0	Not started
Morven Balance tank to township (7km 150mm) - Non-Urban	\$260,000	\$64,024	2km completed. Remaining 5km to commence December 2014.
Mountain View to Walla Reservoir (5.5km 100mm)	\$300,000	\$0	Not started
<i>SERVICES</i>			

Service Connections, new			
Service Connections, new - Urban	\$600,000	\$97,606	Ongoing
Service Connections, new - Non-Urban	\$100,000	\$9,223	Ongoing
Renew Services			
Renew Services - Urban	\$120,000	\$4,214	Ongoing
METERS			
Water Meters Replacement			
Water meters replacement - Urban	\$150,000	\$999	Ongoing



Bede Spannagle
DIRECTOR OF ENGINEERING

3. REVIEW OF STRATEGIC DESIGN ON 1:100 YEAR FLOOD LEVY

RECOMMENDATION that Council;

- 1) Proceed with the 1:100 year Flood Levee Project as the preferred solution for flood protection for the Hammond Ave site.
 - 2) Complete the detailed design of the 1:100 year levee prior to commencing public consultation.
-

Background

Council at its last meeting, 20th August 2014, resolved the following:
1 in 100 YEAR FLOOD LEVY – FLOOD IMPACT ASSESSMENT

14/100 RESOLVED on the motion of Cllrs. Funnell and Poynter that:

- a) Council accept the Flood Impact Assessment as tabled, for information purposes only and that Council permit Mr, Stephen Gray (author of the report) to present to Council an overview of the report;
- b) Director of Engineering prepare a comparison report on building the new treatment plant and stores to be flood compatible instead of building the levee; and
- c) Suspend temporarily public consultation on levee, pending further discussions.

The strategic direction of Riverina Water County Council to date has been to protect the Hammond Avenue site by means of a 1:100 year flood levee. As an interim measure, the existing 1:20 year flood levee was built following the 2012 floods. The cost of flood damage and clean up after the 2012 flood was \$220,000.

The 1:100 year levee project was previously included in the 2013/14 Operational Plan and detailed design and flood modelling was commenced at a cost of \$88,000. Council adopted the 2014/15 to 2016/17 Delivery Programme that included \$2,000,000 for construction of the levee over the next 2 financial years. The final Flood Impact Assessment was presented to Council at its August meeting.

The merits of 'flood resistance', i.e. levee verses flood resilience, i.e. flood compatible buildings were discussed by Council at that meeting.

Additional relevant information and the current status of projects affected by the proposed levee;

- The Flood Impact Assessment has been completed for the 1:100 year flood levee with the only measurable impact being on RWCC's immediate neighbours, the caravan park.
- The 1:100 year flood levee design is 70% complete, but further work is currently suspended pending the outcome of Council's deliberations.
- The new Water Treatment Plant (WTP) detailed design is 60% complete and is continuing under existing contractual arrangements.
- The high voltage project is 98% complete and is expected to be complete in the next few weeks.

As part of the review, a detailed estimate of the current levee design was undertaken. Due to the large amount of sheet piling to accommodate width restrictions, the estimate has been revised to \$2,500,000 - \$3,000,000.

At this stage of the design, there are still some issues surrounding constructability, underground services and width restrictions that need to be worked through, however, I believe a realistic final estimate for the construction phase of this project is \$2,750,000.

Option 4 – Flood Compatible New Buildings

New Water Treatment Plant (WTP)

The proposed WTP is a 55ML per day plant designed to provide Wagga Wagga and surrounds with high quality drinking water beyond 2040.

The construction budget is approximately \$45 million over a 3 financial year period.

To ensure the WTP can operate under flood conditions, a number of changes need to be made to the design. Our existing detailed design engineers (Department of Public Works) were engaged to provide new estimates for a WTP with critical components raised 2 metres to be above the 1:100 year flood levels. The additional costs involved for this solution are estimated to be \$2,425,000. The detailed breakdown of this amount can be found in the attachment at the end of this report.

New Stores Building

The proposed stores building has a foot print of 2650sqm and would need to be raised 1.6 metres to be above the 1:100 year flood level. At this height, integration into the surrounding infrastructure is not feasible. The recommended increase to the floor level is approximately 800mm which would provide some protection up to an estimated 1:40 year flood level. Modifications to the electrical wiring, building structure, fuel bowser/tank could then be carried out to provide flood 'resilience' to a 1:100 year flood event.

The combined estimate for raising the floor level and making design changes to the facility is \$380,000.

Existing infrastructure on the site

The cost of damage and cleaning after the 2012 flood was \$220,000. Since lessons were learnt during this flooding event, we could expect a lower cost for a future event, however, a 1:100 year flood would increase the risk of water velocity damage and this cost is impossible to estimate. Therefore in this report the figure of \$220,000 has been adopted.

High Voltage Transformers

The recently completed high voltage (HV) relocation project was designed and approved by Essential Energy on the basis that RWCC would construct a 1:100 year flood levee. Essential Energy will require the transformers and switching stations (currently at ground level) to be raised 2 metres if RWCC does not proceed with the levee.

Since Essential Energy will not allow HV cables to be joined, this would also require the replacement of the existing cable. Each transformer and switching station raised is estimated to cost \$30,000 (5 in total equals \$150,000). Some of the current cable is direct buried and may not be able to be reused, so replacement cost is estimated to be \$83,000, plus \$15,000 for new terminations.

The total retrofit would cost approximately \$248,000.

(Note: This is a concept estimate only, based on the recently tendered prices. An allowance has been made to use two sections of existing cable. If these sections of the existing direct buried cable cannot be used, the estimate may be higher).

Summary of additional costs for flood compatible buildings.

The additional costs involved in making the new WTP, stores building and existing HV installations flood compatible and allowing for the damage and clean-up on two occasions during the foreseeable life of the infrastructure are summarised below. (All estimates are present day costs);

WTP	\$2,425,000
Stores Building	\$ 380,000
HV Transformers	\$ 248,000
2 flood incidents during life of WTP	\$ 440,000
	<hr/>
	\$3,493,000

COMPARISON TABLE FOR FLOOD PROTECTION OPTIONS		
	Advantages	Disadvantages
1:100 Year Flood Levee	<ul style="list-style-type: none"> • Flood protection for the whole site including existing infrastructure • Lower cost option in the order of \$750,000 • Known level of safety for staff working in flood conditions 	<ul style="list-style-type: none"> • 20mm flood impact on our eastern neighbour • Unquantifiable cumulative flood level impact • External aesthetics
Raising new buildings to be flood compatible	<ul style="list-style-type: none"> • Little or no impact to peak flood levels on neighbours 	<ul style="list-style-type: none"> • Higher cost option of \$750,000 • No flood protection for existing infrastructure including new electricians/fitters workshop, trades workshop, depot offices, training room, amenities, existing WTP and residence (heritage) • Whilst stores building and WTP could operate, there would still be access issues for staff, which would require crossing flooded areas by boat • Higher buildings would have a detrimental effect aesthetically • Larger construction footprint

- **Breakdown Costs of New WTP**

WAGGA WTP

Impacts, Modifications and Re-design Requirements, and increase in Capital Cost without a 1:100 year Levee

OPTION 2 - GRAVITY - Raise all structures by 2m

Structure	Impact	Modifications	Re-designs required	Estimated hours			Fees	Increase in Capital cost
				Engineer	Geotech E	Draftperson		
Rapid Mixer	Need to raise by 2m. Taller structure	Taller columns with same foundation level	Re-design of columns (now slender)+Geotech advice. Amend drawings	21	2	30	8980	38000
Clarifiers (Reactivator)	Need to raise by 2m. Same structure on a 2m fill	2m filling required. Need geotech advice	No re-design. 2m fill. Amend drgs to show new RLs	12	2	14	4800	320000
Clarifier (Lamella)	Need to raise by 2m	2m filling required. Need geotech advice	No re-design. 2m fill. Amend drawigns to show new RLs	12	2	14	4800	165000
Filters - Units	Need to raise by 2m	None. Geotech advice on foundation preparation	None. Amend drawings to show new RLs etc.	12	4	14	5200	210000
- Pipe gallery	Need to raise by 2m. Will still be Inundated	Raise side wall, provide access, raise cranes, water bars for expansion joint, flap for drainage	Design side walls and modify drawings (5 Nos)	35		35	11900	51000
- FW Channel	Need to raise by 2m	2m filling required.	No re-design. 2m fill. Amend drawigns to show new RLs	14		21	5880	40000 As for pump option
Clear Water Tank	Raise by 2m	Raise the tank by 2m, Modify pipework, provide access, seek geotech advice for foundation preparation	Amend drawings to show new RLs, access, modified pipework etc.and foundation requirements Uplifting check not required as advised by RWCC	21	2	35	9780	165,000 As for pump option
Chemical building	Need to raise by 2m	2m fill is required with batters OR retaining walls	No design changes unless otherwise advised by geotech. Engineer'd fill. Amend drawigns to show new RLs	21	4	35	10180	166000
Electrical switch room - RWPS	Raise by 2m	Raise the building (support on columns) , access	Re-design the floor including foundation	35		28	10780	99000 As for pump option
			Geotech advice	2			360	
			Access	1		5	980	
Electrical switch room - CW Pumps	Raise by 2m	Raise the building (support on columns) , access	Re-design the floor including foundation with new access	35	2	28	11180	69300 As for pump option
Centrifuge Building	Inundation of electricals	Raise electrical room floor and modify layout	Design electrical room floor and modify building, amend drawigns	35		35	10000	100000
Access road	From the Entry to end of Chemical building need to be raised by 2m.	Need 1:3 batters OR retaining walls dependin on the available space.	Re-design of site layout showing new road levels, fill areas, batters, r/w etc.	35	2	65	17100	550000
Interconnection pipework and walkways	Need to raise by 2m	Redesign all supports which will be taller by 2m	Redesign and amend drawings	21	2	35	9780	50000
RWPS	Inundation	Raw water pump capacity increased to 190kW	Additional pump cost				5000	90000
Electrical		Field termination panels and other field installations to be raised	Switchgear and other equipment Electrical installation additional cost Additional pump installation				20000	60000 90000 15000
							\$ 146,700	\$ 2,278,300

TOTAL

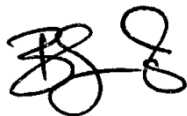
\$ 2,425,000

4. TENDER W.181 FOR PURCHASE OF BACKHOE/LOADER

RECOMMENDATION That Council consider the report “Tender W.181 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.

5. TENDER W.174 FOR CONSTRUCTION OF ONE ELEVATED STEEL WATER SUPPLY RESERVOIR AT MANGOPLAH

RECOMMENDATION That Council consider the report “Tender W.174 FOR CONSTRUCTION OF ONE ELEVATED STEEL WATER SUPPLY RESERVOIR AT MANGOPLAH”, 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.



Bede Spannagle
DIRECTOR OF ENGINEERING

QUESTIONS & STATEMENTS

CLOSURE OF MEETING TO THE PUBLIC **(Confidential Reports)**