

# Minutes of the Meeting of Riverina Water County Council held on Thursday 24 August 2023

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**The meeting of the Riverina Water County Council Board was declared open at 10:01am.**

## **Present**

Chairperson Tim Koschel  
Councillor Doug Meyer OAM  
Councillor Dan Hayes  
Councillor Georgie Davies  
Councillor Gail Driscoll  
Councillor Michael Henderson

## **In Attendance**

Chief Executive Officer	(Andrew Crakanthorp)
Director Corporate Services	(Emily Tonacia)
Director Engineering	(Troy van Berkel) (via Teams)
Executive Assistant to Chief Executive Officer	(Melissa Vincent)
Customer & Communications Team Leader	(Joshua Lang)
Governance & Corporate Reporting Officer	(Wendy Reichelt) (via Teams)
ICT Officer	(Riley Campton)
ICT Officer	(Alex Corneliusen)
Chairperson, ARIC	(Bryce McNair) – for part

## **Livestreaming of Meeting**

Board meetings, including public address speeches, are recorded and webcast live on Council's website. If you are addressing a meeting, your image, voice and name, will form part of the webcast.

## **Statement of ethical reminders**

Board members are reminded of the Oath or Affirmation of Office that they made under Section 233A of the Local Government Act 1993. Board Members and staff are also reminded of their obligations under Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

## Acknowledgment of Country

I would like to acknowledge the Wiradjuri people who are the Traditional Custodians of this Land. I would also like to pay respect to the Elders both past and present of the Wiradjuri Nation and extend that respect to other Community members present.

**23/088 RESOLVED:**

On the Motion of Councillors D Meyer OAM and D Hayes

**RECOMMENDATION that the Board suspend standing orders at 10:05am.**

**CARRIED**

*A presentation of artwork titled 'Living Water' was made by artist, Mr Owen Lyons, to Riverina Water.*

**23/089 RESOLVED:**

On the Motion of Councillors D Meyer OAM and GD Davies

**RECOMMENDATION that the Board resume standing orders at 10:19am.**

**CARRIED**

## Apologies

**23/090 RESOLVED:**

On the Motion of Councillors M Henderson and G Davies

**That apologies be received from Councillor Jenny McKinnon, Councillor Tony Quinn and Councillor Pat Bourke for non-attendance at the meeting.**

**CARRIED**

## Declaration of pecuniary and non-pecuniary interests

Chairperson Tim Koschel declared a non-pecuniary non-significant interest in R2 List of Investments the reason being he works for a financial institution and remained in the meeting during the discussion.

Mr Andrew Crakanthorp declared a non-pecuniary interest in R13 Contractual Conditions of Senior Staff the reason being he is named in the report and remained in the meeting.

Mr Troy van Berkel declared a non-pecuniary interest in R13 Contractual Conditions of Senior Staff the reason being he is named in the report and remained in the meeting.

Miss Emily Tonacia declared a non-pecuniary interest in R13 Contractual Conditions of Senior Staff the reason being he is named in the report and remained in the meeting.

Mr Andrew Crakanthorp declared a pecuniary and significant interest in CONF 3 Chief Executive Officer Annual Performance Review for the period ending 30 June 2023 the reason being he is the subject of the report and left the meeting during the discussion.

## Confirmation of Minutes

**23/091 RESOLVED:**

On the Motion of Councillors D Meyer OAM and M Henderson

**That the minutes of the meeting of 22 June 2023, having been circulated and read by Members, be confirmed as a true and accurate record of the proceedings.**

**CARRIED**

## Correspondence

Local Government: NSW Weekly Circulars: previously forwarded to Councillors by Constituent Councils

Staff Consultative Committee: Forwarding a copy of Minutes of the meeting held on 25 May 2023

Work Health & Safety Committee: Forwarding a copy of Minutes of meeting held on 5 July 2023

SOACT Letter of Thanks – 28 June 2023

**23/092 RESOLVED:**

On the Motion of Councillors G Davies and G Driscoll

**That the correspondence be received.**

**CARRIED**

## Procedural Motion – En Globo

**23/093 RESOLVED:**

On the Motion of Councillors G Davies and D Hayes

**That the standing orders be varied for the meeting as set out hereunder:**

- **Items where the Board Members intend to vote against the recommendation;**
- **Items where the Board Members wish to speak on.**

**CARRIED**

**23/094 RESOLVED:**

On the Motion of Councillors D Hayes and G Davies

**That R2, R6, R9, R12, R15, R16, R17, CONF 1 and CONF 2 be adopted as recommended in the business paper.**

**CARRIED**

## Open Reports

**R1 Riverina Water Audit Risk & Improvement Committee Annual Report 2022-2023**

**23/095 RESOLVED:**

On the Motion of Councillors G Davies and D Hayes

**That Council receive the report from the Riverina Water Audit, Risk & Improvement Committee (ARIC) as prepared by the ARIC Chair, Mr Bryce McNair.**

**CARRIED**

Bryce McNair left at 10:38

**R2 List of Investments**

**23/096 RESOLVED:**

On the Motion of Councillors D Hayes and G Davies

**That Council receive and note the report detailing external investments for the months of June 2023 and July 2023.**

**CARRIED**

**R3 Financial Statements 2022/2023**

**23/097 RESOLVED:**

On the Motion of Councillors G Davies and D Hayes

**That:**

- a) Council receive and note the unaudited 2022/23 Primary Financial Statements**
- b) Council's Draft Financial Statements be referred to audit by Council's auditors being the Audit Office of New South Wales;**
- c) Council makes a resolution in accordance with Section 412(2c) that the annual financial report:**
  - i. is in accordance with the Local Government Act 1993 (as amended) and the Regulations made there under.**
  - ii. is in accordance with the Australian Accounting Standards and professional pronouncements.**
  - iii. is in accordance with the Local Government Code of Accounting Practice and Financial Reporting.**

- iv. presents fairly the council's operating results and financial position for the year
  - v. is in accordance with Council's accounting policies and other records.
  - vi. that Council is not aware of any matter that would render this report false or misleading in any way.
- d) Council adopts the above-mentioned statement and that the Chairperson, Deputy Chairperson, Chief Executive Officer and Responsible Accounting Officer be authorised to complete the 'Statement by Members of the Council' in relation to Council's 2022/23 Financial Statements and Special Purpose Financial Reports and be attached thereto;
- e) The Chief Executive Officer be delegated the authority to issue the audited Financial Statements immediately upon receipt of the Auditor's Reports, subject to their being no material changes or audit issues; and
- f) Council presents the final audited Financial Statements and Auditor's Report to the public at its ordinary meeting to be held 26 October 2023.

**CARRIED**

**R4 Revoted Budget - 2023/24**

**23/098 RESOLVED:**

On the Motion of Councillors G Driscoll and G Davies

**That Council:**

- a) Revote capital budget totalling \$4,995,711 from the 2022/23 budget to be included in the 2023/24 budget; and
- b) Note capital budget items committed to be spent prior to 30 June 2023, totalling \$3,108,732 will be carried forward to the 2023/24 budget.

**CARRIED**

**R5 CAPEX Budget Results 2022/23**

**23/099 RESOLVED:**

On the Motion of Councillors GD Driscoll and MH Henderson

**That Council receive and note the report on the final capital expenditure budget result for the 2022/23 financial year.**

**CARRIED**

**R6 Overdue Debtors - June 2023**

**23/100 RESOLVED:**

On the Motion of Councillors D Hayes and G Davies

**That Council receive and note the report on overdue debtors for the period ended 30 June 2023.**

**CARRIED**

**R7 2023/24 Enriching Communities program**

**23/101 RESOLVED:**

On the Motion of Councillors D Hayes and D Meyer OAM

**That Council:**

- a) Receive and note the report**
- b) Endorse the draft Enriching Communities grants program guidelines and timeline as attached to this report**
- c) Nominate one Board member and an alternate per Local Government Area, as required to Community Grants Program assessment panels**
- d) Authorise the CEO to make changes to the assessment panel members due to unavailability or conflict of interest to be made at his discretion, should that be required.**

**CARRIED**

Nominations from the Board to the Community Grants Program assessment panels were received as below:

Federation Council – Councillor Bourke, alternate will be as per report

Lockart Council – Councillor Driscoll, alternate will be as per report

Greater Hume – Councillor Meyer OAM, alternate Councillor Quinn

Wagga Wagga City Council – Councillor Davies, alternate Councillor Henderson

**R8 2022-23 Operational Plan final report progress toward Delivery Program 2022/23-2025/26**

**23/102 RESOLVED:**

On the Motion of Councillors G Driscoll and D Meyer OAM

**That the Board note the end of year result for the Operational Plan 2022-23 and Year 1 of the 2022/23-2025/26 Delivery Program, including progress against Delivery Program performance measures.**

**CARRIED**

**R9 Lost Time Injury Statistics July 2022 - June 2023**

**23/103 RESOLVED:**

On the Motion of Councillors D Hayes and G Davies

**That Council receive and note the statistics report for Lost Time Injuries for the period July 2022 to June 2023.**

**CARRIED**

**R10 Local Government NSW Annual Conference**

**23/104 RESOLVED:**

On the Motion of Councillors G Davies and M Henderson

**That Council:**

- a) Approve the attendance of the Chairperson and the CEO at the 2023 LGNSW Annual Conference to be held in the Rosehill Gardens Racecourse from 12-14 November 2023**
- b) elect Councillor Tim Koschel as Council's voting at the Conference**
- c) Nominations be called for other Board Members to attend.**

**CARRIED**

No further nominations were received during the meeting. The Chief Executive Officer was requested to reach out to Board Members unable to attend today's meeting, to determine if they would like to attend.

**R11 Murray Darling Association 2023 Annual Conference**

**23/105 RESOLVED:**

On the Motion of Councillors D Hayes and M Henderson

**That**

- a) Riverina Water be represented at the Murray Darling Association 2023 National Conference and AGM.**
- b) Nominations be called for a Board Member to attend as a voting delegate.**
- c) A member of staff as a Riverina Water representative.**

**CARRIED**

Councillor Henderson nominated to attend the Murray Darling Association 2023 Annual Conference and was duly elected to attend as a voting delegate.

**R12 Council Meeting Schedule 2024**

**23/106 RESOLVED:**

On the Motion of Councillors D Hayes and G Davies

**That Council endorse the schedule of Council meeting dates for 2024 as follows:**

- **Thursday 22 February**
- **Thursday 18 April in the Federation Council area**
- **Thursday 27 June**
- **Thursday 22 August**
- **Thursday 24 October**
- **Thursday 13 December**

**CARRIED**

**R13 Contractual Conditions of Senior Staff**

**23/107 RESOLVED:**

On the Motion of Councillors G Davies and D Hayes

**That the report on the contractual conditions of senior staff be received and noted.**

**CARRIED**

**R14 Riverina Water Open Day - Saturday 14 October 2023**

A motion was moved by Councillors G Davies and D Hayes

That Council note and receive the report and approve the "Riverina Water Open Day" to be held on Saturday 14 October 2023.

**LOST**

**R15 Council Resolution Sheet**

**23/108 RESOLVED:**

On the Motion of Councillors D Hayes and G Davies

**That the report detailing the status of the active resolutions of Riverina Water be received.**

**CARRIED**



**R16 Works Report covering June 2023**

**23/109 RESOLVED:**

On the Motion of Councillors D Hayes and G Davies

**That the Works Report covering June 2023 be received and noted.**

**CARRIED**

**R17 Works Report covering July 2023**

**23/110 RESOLVED:**

On the Motion of Councillors D Hayes and G Davies

**That the Works Report covering July 2023 be received and noted.**

**CARRIED**

## Questions and statements

The following questions and statements were made by those present:

1. Councillor Driscoll enquired as to where The Rock Depot project was up to. The Director Engineering advised that designs are in place and the project has been included in this year's budget. The Chief Executive Officer also advised that it is a 2 year phased project and 2 independent tenders are associated with the project.

## Closed Council

Pursuant to section 10A(4), the public were invited to make representations to the Council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

No members of the public were present or made representations.

**23/111 RESOLVED:**

On the Motion of Councillors D Hayes and M Henderson

**That the Council now resolve itself into a Closed Council, the time being 11:22am.**

**CARRIED**

*Andrew Crakanthorp, Emily Tonacia, Troy van Berkel, Wendy Reichelt, Josh Lang, Alex Corneliusen, Alan Eacott and Natasha Harris left the meeting at 11:22am*

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

## Confidential Reports

### CONF-1 Lease of Part of Lot 1 DP742224 to Mawsons Pty Ltd

#### 23/112 RESOLVED:

On the Motion of Councillors D Hayes and G Davies

#### That the Board;

1. Enter two (2) consecutive leases with E B MAWSON & SONS PTY LTD (ACN 004 519 617) of land in Folio Identifier 1/742224 being 5,963m2 area marked "A" in attached draft lease.
  - a. First lease being for 4 years 1 October 2023 to 30 September 2027
  - b. Second lease being for 4 years 1 October 2027 to 30 September 2031
2. delegate authority to the CEO to execute such lease.
3. Endorse the recommended budget adjustments to the 2023/24 Operational Plan as outlined in the report.

**CARRIED**

### CONF-2 W309 - Supply and Delivery of 42km PVC-O Pressure Pipe Tender

#### 23/113 RESOLVED:

On the Motion of Councillors D Hayes and G Davies

#### That the Board:

- a) Decline to accept any of the tenders in accordance with Clause 178 (1)(b) of the Local Government (General) Regulation 2021.
- b) Enter negotiations with any person (whether or not the person was a tenderer) with
  - a view to entering into a contract in relation to the subject matter of the tender in accordance with clause 178, (3)(e) of the Local Government (General) Regulation 2021.
- c) Authorise the Chief Executive Officer to enter into a contract for the Supply and Delivery of 42km PVC-O Pressure Pipe.

**CARRIED**

**CONF-3 Chief Executive Officer Annual Performance Review for the period ending 30 June 2023**

**23/114 RESOLVED:**

On the Motion of Councillors D Hayes and D Meyer OAM

**That Council note and adopt this Chairperson's Minute which includes the Chief Executive Officer's Performance Review Panel's position following the Annual Review for 2022/23.**

**CARRIED**

### **Reversion to Open Council**

**23/115 RESOLVED:**

On the Motion of Councillors M Henderson and D Hayes

**That this meeting of the Closed Council revert to an open meeting of the Council, the time being 11:56.**

**CARRIED**

*Andrew Crakanthorp, Emily Tonacia, Troy van Berkel, Wendy Reichelt, Josh Lang, Alex Corneliusen, Alan Eacott and Natasha Harris joined the meeting at 11:56am*

### **Decisions Read Aloud**

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

**This concluded the meeting of the Riverina Water County Council Board which rose at 11:59am**