

**MINUTES of the MEETING of RIVERINA WATER COUNTY COUNCIL,
held at HOLBROOK LIBRARY COMPLEX, HOLBROOK
on TUESDAY, 23 APRIL 2019 at 10:45 am**

PRESENT: Clr P Bourke, Clr Y Braid OAM, Clr G Conkey OAM, Clr T Koschel,
Clr D Meyer OAM, Clr T Quinn and Clr G Verdon.

The General Manager, Manager Corporate Services, Manager Projects (Acting Director Engineering), Manager Works, Minute Secretary and Community Engagement Officer were in attendance.

19/36 Apologies for non-attendance were received from Clr P Funnell and Clr V Keenan and a leave of absence was GRANTED on the motion of Clrs. Conkey and Meyer.

DECLARATION OF PECUNIARY & NON-PECUNIARY INTEREST

The General Manager declared a pecuniary interest in the report to the closed session of Council relating to the Performance Review of General Manager and left the room during discussion of that matter.

CONFIRMATION OF MINUTES

19/37 The Minutes of the Meeting of 24 February 2019 having been circulated and read by the Members, were taken as being CONFIRMED on the motion of Clrs Meyer OAM and Quinn.

CORRESPONDENCE

LOCAL GOVERNMENT NSW WEEKLY CIRCULARS: previously forwarded to Councillors by Constituent Councils.

STAFF CONSULTATIVE COMMITTEE: (March 2019) forwarding a copy of Minutes of Meeting held 21 March 2019.

WORK HEALTH & SAFETY COMMITTEE: (April 2019) forwarding a copy of Minutes of Meeting held 17 April 2019.

19/38 RESOLVED on the motion of Clrs Quinn and Keenan that the correspondence be received.

GENERAL MANAGER'S REPORT

FINANCIAL STATEMENTS – LIST OF INVESTMENTS

- 19/39 RESOLVED on the motion of Clrs Koschel and Bourke that the report detailing Council's external investments for the months of February 2019 and March 2019 be received.

QUARTERLY BUDGET REVIEW – PERIOD ENDED 31 MARCH 2019

- 19/40 RESOLVED on the motion of Clrs Meyer OAM and Koschel that the Quarterly Budget Review for the period ended 31 March 2019 be received and adopted.

OPERATIONAL PLAN – PERFORMANCE TARGETS

- 19/41 RESOLVED on the motion of Clrs Meyer OAM and Koschel that the report detailing progress achieved towards the objectives set out in the 2019/2019 Operational Plan as at 31 March 2019, be noted and received.

DRAFT DELIVERY PROGRAM 2019/20 – 2022/23 AND DRAFT OPERATIONAL PLAN 2019/20

- 19/42 RESOLVED on the motion of Clrs Braid OAM and Koschel that Council
- a) In accordance with Sections 404 and 405 of the Local Government Act, 1993, place on public exhibition the Draft Revised Delivery Program and Draft Operational Plan, and that it be on display at the Administrative Office, Hammond Avenue Wagga Wagga.
 - b) Bring forward the capital budget for the Rock Reservoir into the 2020-21 financial year.

RIVERINA WATER VISUAL IDENTITY AND STYLE GUIDE PROJECT

- 19/43 RESOLVED on the motion of Clrs Conkey OAM and Quinn that the Council endorse Concept 4 by L+L Designs as the revised Visual Identity for Riverina Water.

RIVERINA JOINT ORGANISATION AND REROC UPDATE

- 19/44 RESOLVED on the motion of Clrs Quinn and Bourke that Council continue its membership of REROC and review the matter following the scheduled independent evaluation of RIVJO at the conclusion of the 2019/20 financial year

ANNUAL COMMUNITY SATISFACTION SURVEY 2019

- 19/45 RESOLVED on the motion of Clrs Koschel and Bourke that:
- a) The General Manager's report on the 2019 Riverina Water County Council community satisfaction survey be received and noted.
 - b) The Board acknowledges the excellent work of staff as reflected in the outstanding results of the community satisfaction survey results and that the congratulations of the Board be conveyed to all staff.

MINUTES OF AUDIT & RISK COMMITTEE MEETING – MARCH 2019

- 19/46 RESOLVED on the motion of Clrs Braid OAM and Quinn that Council receive and note the Minutes of the Audit and Risk Committee Meeting held on 6 March 2019 and endorse the recommendations contained therein.

ENTERPRISE AWARD 2019

- 19/47 RESOLVED on the motion of Clrs Quinn and Koschel that:
- (a) The various unions be advised that Council agrees to enter into an enterprise award for a period of three years with wage increases as follows:
 - 3.0% effective 1 July 2019
 - 3.0% effective 1 July 2020, and
 - 3.0% effective 1 July 2021
 - (b) The various unions be advised that Council agrees to maintain a 5.50% buffer into future years above the Federal Government Superannuation Guarantee in respect of its contributions to superannuation for employees, noting that the current buffer is 5.50%.
 - (c) Council authorise the General Manager to affix the Council seal to the documents at the appropriate time.

MEDIA REPORT 19 DECEMBER 2018 – 31 MARCH 2019

- 19/48 RESOLVED on the motion of Clrs Koschel and Braid OAM that Council receive and note the report on media, including social media statistics.

RIVERINA WATER COMMUNITY GRANTS PROGRAM GUIDELINES

- 19/49 RESOLVED on the motion of Clrs Meyer OAM and Conkey OAM that Council adopt the Riverina Water Community Grant Guidelines and launch the program in August 2019.

LOCAL GOVERNMENT NSW – 2019 WATER MANAGEMENT CONFERENCE

- 19/50 RESOLVED on the motion of Clrs Conkey OAM and Meyer OAM that:
- a) Council be represented at the Local Government NSW 2019 Water Management Conference
 - b) The Chairman or his nominee attend as a delegate
 - c) On the calling of nominations by the Chairman for attendance by other councillors, that Clrs Quinn, Meyer OAM, Bourke and Braid OAM will attend as observers
 - d) The General Manager and Director of Engineering or their nominees attend as observers.

LOCAL GOVERNMENT NSW 2019 ANNUAL CONFERENCE

- 19/51 RESOLVED on the motion of Clrs Koschel and Meyer OAM that:
- a) Council be represented at the Local Government NSW 2019 Annual Conference
 - b) Council's delegate be the Chairman and the General Manager as observer
 - c) On the calling of nominations by the Chairman for attendance by other councillors, that Clr Koschel will attend as an observer
 - d) Council determine motions that it believes are a concern and should be discussed at the conference

ADOPTION OF MODEL CODE OF CONDUCT AND PROCEDURES

- 19/52 RESOLVED on the motion of Clrs Bourke and Conkey OAM that:
- a) Council endorse draft Policy 1.1 Code of Conduct and draft Policy 1.1a Procedures for the Administration of the Model Code of Conduct
 - b) Council continue its arrangement with Riverina Eastern Regional Organisation of Councils (REROC) to share a panel of conduct reviewers
 - c) Both the Code of Conduct and the draft Procedures for the Administration of the Model Code of Conduct be placed on public

exhibition for a period of 28 days and invite public submissions (for a period of no less than 42 days) on the draft policy during that period

- d) Receive a further report following the public exhibition and submission period:
 - i. Addressing any submissions made in respect of the proposed Policy 1.1 Code of Conduct and proposed Policy 1.1a Procedures for the Administration of the Model Code of Conduct
 - ii. Proposing adoption of both policies unless there are further recommended amendments deemed to be substantial and requiring a further public exhibition period

POLICY 1.2 CODE OF MEETING PRACTICE

19/53 RESOLVED on the motion of Cllrs Koschel and Bourke that Council:

- a) Endorse draft policy 1.2 Code of Meeting Practice to be placed on public exhibition for a period of 28 days and invite public submissions on the draft policy (for a period of no less than 42 days) during that period
- b) Receive a further report following the public exhibition and submission period:
 - i. Addressing any submissions made in respect of the proposed Policy 1.2 Code of Meeting Practice
 - ii. Proposing adoption of the Policy unless there are any recommended amendments deemed to be substantial and requiring a further public exhibition period

REVIEW OF ORGANISATION STRUCTURE – ENGINEERING (WORKS SECTION)

19/54 RESOLVED on the motion of Cllrs Conkey OAM and Meyer OAM that Council:

- a) Adopt the proposed organisation structure noting the creation of the new positions of Ganger, Plan Operator, Water Services Plant Operator and Maintenance Operator
- b) Include the additional \$13,160 associated with the implementation of the new structure in the 2019/2020 operational budget
- c) Include the additional \$400,000 required for new plant for the additional team within the new structure in the 2019/2020 capital budget.

LEASE OF LAND OFF BEAUTY POINT AVENUE

- 19/55 RESOLVED on the motion of Clrs Koschel and Braid OAM that the leases be renewed for land adjacent to 4,14,16 and 18 Beauty Point Avenue for a further five years (2019/20 – 2023/24) with an annual rental of \$179 for 2019/20 with CPI increases to be applied every year thereafter.

PENSIONER REBATES

- 19/56 RESOLVED on the motion of Clrs Quinn and Koschel that Council note the report on pensioner rebates

PERFORMANCE REVIEW – GENERAL MANAGER

- 19/57 RESOLVED on the motion of Clrs Meyer OAM and Koschel that the Council consider the Chairman's report Performance Review – General Manager whilst the meeting is closed to the public as it is relating to personnel matters about an individual, as prescribed by Section 10A(2)(a) of the Local Government Act 1993.

COUNCIL RESOLUTION SHEET

- 19/58 RESOLVED on the motion of Clrs Conkey OAM and Meyer OAM that Council receive and note the information contained within the Council Resolution sheet.

DIRECTOR OF ENGINEERING'S REPORT

REPORTS COVERING FEBRUARY 2019 and MARCH 2019

- 19/59 RESOLVED on the motion of Clrs Quinn and Meyer OAM that the Director of Engineering's reports covering the months of February 2019 and March 2019 be received and noted.

CONTRACT W195 – WATER TREATMENT PLANT (WTP) PROGRESS REPORTS

- 19/60 RESOLVED on the motion of Clrs Quinn and Meyer OAM that Council consider the report on Contract W195 – Water Treatment Plan Progress whilst the meeting is closed to the public as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, as prescribed by Section 10A(2)(c) of the Local Government Act 1993.

TENDER W.232 FOR SUPPLY OF THREE BACKHOE LOADERS

- 19/61 RESOLVED on the motion of Clrs Quinn and Meyer OAM that Council consider the report Tender W.232 for Supply of Three Backhoe Loaders, 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)© of the Local Government Act 1993.

QUESTIONS AND STATEMENTS

Clr Bourke congratulated the organisation on its ongoing good financial results and the results of the customer satisfaction survey which was generally echoed by the other councillors' present

Clr Conkey queried who was paying for the repair of Plumpton Road following a mains break.

Acting Director of Engineering – take this on notice, and will look into this

Clr Verdon endorsed Clr Bourke's sentiments regarding Riverina Water staff

RESOLUTION TO MOVE INTO CLOSED COUNCIL

- 19/62 RESOLVED, on the motion of Clrs Quinn and Meyer OAM that Council now resolve itself into Closed Council to consider business identified.

Council closed its meeting to the public at 12:10 pm.

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

No members of the public were present or made representations.

CLOSED COUNCIL

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

- 19/63 RESOLVED, on the motion of Quinn and Meyer OAM that:
1. Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business is to be considered is classified confidential under the provisions of section 10A(2)(a) as outlined above.

2. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required under section 11(2) of the Local Government Act 1993.

PERFORMANCE REVIEW GENERAL MANAGER

As the matter in discussion related to the General Manager, the General Manager excused himself from the meeting until after this matter was discussed.

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

2 a) relating to personnel matters about an individual

- 19/64 RESOLVED, on the motion of Clrs Meyer OAM and Bourke that the report on the Performance Review of the General Manager be received and that the recommendations made by the General Manager's Performance Review Panel be endorsed, which noted that the General Manager's performance overall was very pleasing.

The General Manager returned to the room at 12:22 pm

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

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

2 (c) contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it

- 19/65 RESOLVED on the motion of Clrs Meyer OAM and Braid that Council receive and note the Water Treatment Plant (WTP) Progress Report.

TENDER W.232 FOR SUPPLY OF THREE BACKHOE LOADERS

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

2 (c) contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it

19/66 RESOLVED on the motion of Cllrs Quinn and Koschel that Council accept the tender received from JCB Construction Equipment Australia for the supply of three (3) JCB 3CX APC "Elite" ECO Backhoe Loader at a cost of \$179,590 ex GST per unit the best value offer for Council.

OPEN COUNCIL

19/67 RESOLVED, on the motion of Cllrs Koschel and Quinn that Council move out of Closed Council and into Open Council.

DECISIONS READ ALOUD

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

The Meeting concluded at 12.33 pm
