

# Reports of the Corporate Governance Committee Meeting held at 5.30pm on Tuesday, 23 February 2010.

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## **APOLOGIES**

## **ACKNOWLEDGEMENT OF LAND**

## **DECLARATIONS OF INTEREST**

### **Pecuniary Interests**

### **Non Pecuniary – Significant Interests**

### **Non Pecuniary – Less than Significant Interests**

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**Minutes of the Corporate Governance Committee held on 23 February 2010**

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**Present** His Worship the Mayor, Councillor A Rule  
Councillor P Hawker (Chairperson)  
Councillor A Chanthivong  
Councillor P Lake  
Director Business Services - Mr M Sewell  
Director City Works - Mr J Hely  
Manager Assets and Supply Services - Mr G Mitchell  
Manager Business Assurance – Ms M McIlvenny  
Acting Manager Communications and Marketing - Ms J Uluibau  
Manager Corporate Support - Mr S Kelly  
Manager Customer Service - Mr I Hudson  
Manager Emergency Services - Mr J Dodd  
Manager Executive Services – Mr N Smolonogov  
Manager Financial Services – Ms C Mears  
Manager Human Resources - Mr B Mortimer  
Manager Information Management and Technology – Mr S McIlhatton  
Acting Manager Operations - Mr A Davies  
Manager Property Services - Mr J Milicic  
Manager Waste and Recycling Services - Mr P MacDonald  
Executive Assistant - Mrs K Peters

**Apology (Chanthivong/Lake)**

That the apologies from Councillor Borg, Dobson, Greiss and Matheson be received and accepted.

**CARRIED**

**Acknowledgement of Land**

An Acknowledgement of Land was presented by the Chairperson Councillor Hawker.

**DECLARATIONS OF INTEREST**

There were no Declarations of Interest at this meeting.

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## **1. COMMUNICATIONS AND MARKETING**

### **1.1 Australia Day Post Event Report**

#### **Reporting Officer**

Manager Communications and Marketing

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#### **Attachments**

Australia Day Program

#### **Purpose**

To advise Council of the celebrations that took place on Tuesday 26 January for Australia Day.

#### **Report**

Campbelltown City Council celebrated Australia day with two events, one at Koshigaya Park, Campbelltown and the other at Ingleburn Community Centre and Hallinan Park, on Tuesday 26 January.

Koshigaya Park activities commenced at 8.00am with the official proceedings, which included speeches by the Mayor, 2009 Campbelltown Citizen of the Year, Tanyia Harris, and Campbelltown's 2010 Australia Day Ambassador, Iva Davies.

Each year, the Australia Day Council allocates an Ambassador for each Local Government Area. In December, Council was informed that Iva Davies would be Campbelltown's representative for its 2010 Australia Day activities. Iva, is an Australian music icon. Best known as front man of the popular 80s band, Icehouse, Iva achieved national and international success over a period of 20 years, with classic hits such as *Hey Little Girl*, *Electric Blue* and the iconic *Great Southern Land*.

Iva's diverse musical talents were recognised in 2006, when he was inducted into the ARIA Hall of Fame for achievement in music.

Iva's speeches at both the Campbelltown and Ingleburn festivities were very well received.

The morning's formal proceedings also included the announcement of the 2010 Campbelltown City Australia Day Awards. Tiger Anderson was proclaimed the 2010 Campbelltown Citizen of the Year. The other winners were:

Young Citizen of the Year: Kathryn Millar

Sportsperson of the Year: Jason Nelson

Young Sportsperson of the Year: Katie Lewis

Junior Sportsperson of the Year: Matthew Harris

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Young Junior Sportsperson of the Year: Maverick Tweedie  
Community Event/Project of the Year: The Nagle Centre - Outreach Kitchen.

A Citizenship Ceremony followed the announcement of the Australia Day Awards, with 52 candidates becoming new Citizens on the day.

A full day of entertainment followed the formal proceedings, commencing at 10.35am and concluding at 9.30pm. The day's entertainment included 11 hours of non stop stage entertainment a mix of local performers, traditional and contemporary Aboriginal performances, a colourful mix of multicultural acts, children's entertainers, and Australia Day Tribute bands, the John Farnham Experience, Hot Aussie Rock Show and Legends of Oz.

The NSW Corps of Marines presented historical re-enactments of the colonial era, bringing history to life with convict floggings, a musket firing display, honour guards, period encampments and historical memorabilia.

The annual Youth Talent Quest, featured 29 performers. The Youth Talent Quest is open to anyone under the age of 25 who lives, works or studies in the Macarthur Area and is divided into age and performance categories.

The Campbelltown event also featured a range of stalls, including a BBQ run by the Rotary Club of Ingleburn. The Rotary Club of Macarthur Sunrise also donated their time in running lamington making for several hours on the day. A number of carnival rides operated at the event between 10am and 4pm and were provided free for the public. The event concluded at 9.30pm, shortly after a fireworks display at 9.00pm. A complete entertainment schedule is attached to this report.

The attendance numbers were down this year as the weather was extremely hot reaching 40 degrees at times. Towards dusk as the day cooled there was an influx of people for the evening entertainment and fireworks. The event was supported by the local Police and St John Ambulance.

The Ingleburn Community Centre event commenced at 10.00am and ran until 1.30pm. The event included formal proceedings and a Citizenship Ceremony, with 64 candidates participating in the ceremony. Following the formalities, a number of free activities and games were held, including a thong throwing competition, Sheep Shearing and Sand Art. The Ingleburn CWA and the Lions Club of Ingleburn also supported the event through the provision of a free morning tea and BBQ lunch respectively.

The Campbelltown Macarthur Advertiser and the Macarthur Chronicle both ran Australia Day feature wraps, which contained several articles detailing Campbelltown City's Australia Day activities.

A summary of expenses and income for the Australia Day Celebrations is currently unavailable as invoices are still pending.

### **Officer's Recommendation**

That the information be noted.

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**Committee's Recommendation: (Lake/Chanthivong)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 2 March 2010 (Hawker/Lake)**

That the Officer's Recommendation be adopted.

**Council Minute Resolution Number 32**

That the Officer's Recommendation be adopted.

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**ATTACHMENT 1**



***Koshigaya Park, Campbelltown - 8am to 9.30pm***

- 8.00am Official welcome, flag raising ceremony and presentation of Australia Day Awards  
Address by Campbelltown's 2010 Australia Day Ambassador, Mr Iva Davies
- 9.10am Citizenship ceremony to welcome our City's newest citizens
- 10.35am Performance by local Aboriginal group
- 10.45am The Wizard of Oz Show - children's entertainment
- 11.10am Australiana re-enactments by the NSW Corps of Marines - bringing history to life
- 11.25am Reef Thunder - local talent
- 12.00pm Hot Aussie Rock Show - Australian music tribute show
- 12.45pm Australiana re-enactments by the NSW Corps of Marines - bringing history to life
- 1.00pm The John Farnham Experience - tribute show
- 2.05pm Le Groove Dance Company - a trendy mix of jive and salsa dance performances
- 2.30pm Youth Talent Quest - showcasing our diverse mix of local talent
- 4.45pm Youth Talent Quest announcement of winners
- 5.00pm Descendance - traditional Aboriginal live music and dance performance
- 5.50pm Glenda Yee Academy of Dance - group performances
- 6.45pm Leah Cassar Productions - local performers
- 7.10pm Melange World Show - demonstrating dance from across the globe
- 8.00pm Lowering of the flags
- 8.07pm Legends of Oz - tribute show
- 9.00pm Fireworks spectacular in celebration of our national day
- 9.10pm Legends of Oz - final performance to conclude a day of fun and celebration
- 9.30pm Close

***Ingleburn Community Centre / Hallinan Park, Ingleburn - 10am to 1.30pm***

- 10.00am Free morning tea presented by Ingleburn Country Women's Association
- 11.00am Official proceedings including Mayoral welcome, an address by the 2010 Campbelltown City Australia Day Ambassador, Mr Iva Davies, and citizenship ceremony, followed by fun activities for the whole family in Hallinan Park, including the annual thong throwing competition, entertainment by Macarthur Country Music Club, egg and spoon races, jumping castle, children's sand art activity and sheep shearing demonstration
- 12.00pm Free sausage sizzle presented by the Lions Club of Ingleburn from 12pm

*Please note that scheduled entertainment is subject to change without notice*

**4645 4921**  
**[www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)**



*Campbelltown City Council's Australia Day celebrations are proudly drug and alcohol free events*

## **2. CORPORATE SUPPORT**

### **2.1 Local Government Association Legal Assistance**

#### **Reporting Officer**

Manager Corporate Support

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#### **Attachments**

Letter from the Local Government Association

#### **Purpose**

To advise Council of advice received from the Local Government Association concerning Councils request for financial assistance in regard to actions being taken in respect of the Leafs Gully Gas Turbine Power Station.

#### **History**

Council at its meeting held on 29 September 2009 resolved to engage DLA Phillips Fox to undertake research and review documentation relating to the Leafs Gully Power Station approval by the State Government. Council further resolved to write to the Local Government Association seeking their financial support for this action.

#### **Report**

The Local Government Association has responded to Councils correspondence requesting financial assistance in regard to Councils ongoing objections to the Leafs Gully Power Station.

Although the Association recognises the importance of this matter to the community it has advised that assistance is not available for matters not involving immediate Court action. The Association has further advised that a written report on the issues outlined in Councils correspondence will be provided to the Executives of both Associations for their further consideration.

Should this matter become the subject of Court action the Association has advised not to hesitate in lodging a further application for financial assistance.

#### **Officer's Recommendation**

That the information be noted.

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**Committee's Recommendation: (Chanthivong/Lake)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 2 March 2010 (Hawker/Lake)**

That the Officer's Recommendation be adopted.

**Council Minute Resolution Number 32**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

### Local Government Association of NSW



Our ref: R90/0240-02  
Your ref:  
4 January 2010

JAN 18 2010 11:40 AM

Mr Paul Tosi  
General Manager  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

#### Legal Assistance

Dear Mr Tosi,

I refer to the above matter and your letter dated 17 November 2009.

You have sought the financial support of all councils by way of the Legal Assistance Policy and Guidelines.

The Legal Assistance Policy and Guidelines provide that:

“A council may apply for the support of the Associations in seeking contributions from all councils to assist with its legal costs where that council is involved in litigation and the principle in question in the matter;

- involves a major local government principle which may be eroded but for pursuing the matter; and
- is one which should not be eroded merely because the council involved is not itself, so seriously affected by the outcome of the case that the legal costs associated with pursuing the principle outweigh any other consequences. That is, just because the council involved itself, has decided in all the circumstances not to further pursue the matter, legal assistance can be provided where the matter is of such significance and broader concern to the whole of local government to warrant pursuing the principle;

Assistance is not available for matters not involving immediate court action (for examples, matters involving mediation or for the seeking of advice on the any available courses of action).”

It would appear from your letter that council is not yet at the stage of litigation in this matter.

In these circumstances it does not appear that the matter falls within the Legal Assistance Policy.

GPO Box 7003 Sydney NSW 2001  
L8, 28 Margaret St Sydney NSW 2000  
Tel: (02) 9242 4000 • Fax: (02) 9242 4111  
www.lgsa.org.au • lgsa@lgsa.org.au  
ABN 49 853 913 882

Nevertheless, I understand the importance of this matter to the community and will be providing a written report on the issues outlined in your letter to the Executives of both Associations for their further consideration.

If this matter becomes the subject of litigation, please do not hesitate to contact me with a further application.

I have enclosed a copy of the Legal Assistance Policy and Guidelines for your information.

If you have any questions in regards to this matter please do not hesitate to contact me direct on (02) 9242 4125.

Yours sincerely,



Frank Loveridge  
**Legal Officer**

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## **LEGAL ASSISTANCE POLICY & GUIDELINES (01/2003)**

### **POLICY AND GUIDELINES - REQUESTS FOR ASSISTANCE WITH LEGAL COSTS**

A council may apply for the support of the Associations in seeking contributions from all councils to assist with its legal costs where that council is involved in litigation and the principle in question in the matter;

- involves a major local government principle which may be eroded but for pursuing the matter; and
- is one which should not be eroded merely because the council involved is not itself, so seriously affected by the outcome of the case that the legal costs associated with pursuing the principle outweigh any other consequences. That is, just because the council involved itself, has decided in all the circumstances not to further pursue the matter, legal assistance can be provided where the matter is of such significance and broader concern to the whole of local government to warrant pursuing the principle;

Such applications are to be considered and dealt with on the following basis;

1. The question of whether or not an application for legal assistance will be supported is entirely for the Associations to decide and the decision will be based on the general application of the principle involved in the case to all councils.
2. Assistance under these guidelines will only be granted in respect of appeal matters to the New South Wales Court of Appeal or the High Court of Australia. Assistance will not be available to fund litigation in a court of initial jurisdiction (including the Land and Environment Court) unless the Associations are satisfied that there exists special and exceptional reasons for doing so. This may include a 'test case' where the matter will affect all councils.

Assistance is not available for matters not involving immediate court action (for examples, matters involving mediation or for the seeking of advice on the any available courses of action).

Assistance is not available in relation to matters which arise as a consequence of any entrepreneurial activities which may have been initiated or undertaken by the council concerned in the matter.

Assistance will not normally be in appeals against penalties imposed on a council in a prosecution action by another authority unless there are exceptional grounds for granting it, such as the imposition of a penalty which is significantly inconsistent with penalties imposed in other matters having essentially similar facts and the matter has significance for the whole of local government.

3. Requests for assistance will only be considered if submitted to the Associations prior to the commencement of the proceedings in the Court of Appeal or other court, unless the council is involved as the respondent to the appeal. In that event, the request should be submitted as soon as possible after the council becomes aware that the appeal has been or is to be lodged.
  4. Support will not be available where the estimated legal costs are less than \$20,000.
  5. All applications should include the following details;
    - a brief statement of the facts of the matter;
    - a clear indication of the principle involved which makes the outcome of the case of relevance to all councils;
    - an estimate of the costs involved; and
    - advice from Counsel as to the prospects of success.
  6. Where the Associations agree to support a request for assistance, contributions will be sought from councils calculated on a pro rata basis according to the proportion of the basic membership subscription assessed against each council and based upon the estimate of costs submitted with the initial request (unless an updated figure has been submitted in the meantime). Requests for
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contributions will be circulated as soon as possible after the Executive meetings at which approval is given to seek contributions in the matter.

7. Contributions are entirely voluntary and no council is under any obligation to make a contribution in any instance.
8. The Associations may, if it is considered appropriate, seek contributions for an amount which is less than the estimated costs involved in the matter.
9. The Associations will pay to the council involved in the matter, the lower of;
  - the total amount collected by the Associations through the contribution process; or
  - the residual amount of costs remaining liable upon the council involved in the matter, after any costs are recovered from or ordered by the court to be paid by the other parties to the action,

subject to the fact that the council involved in the matter will bear the first \$20,000 of legal costs itself.

10. Where the council to which support has been given recovers costs from another party after the Associations have paid contributions to it, it shall account and repay to the Associations these amounts not previously taken into consideration. That is, no council shall be entitled to make a profit from receiving assistance.

11. Where a council has received support in respect of an appeal to one court suffers an adverse verdict in that court and wishes to appeal to a higher court, for example to have an adverse verdict of the Court of Appeal tested in the High Court, a fresh application for assistance must be submitted. Each application will be considered on its merits. The fact that assistance was given in the lower court should not be seen as guaranteeing that assistance will be available for a further appeal.

12. Any excess funds accumulated by the Associations from the legal assistance scheme shall be retained by the Associations and applied to other matters involving legal assistance as approved by the Executives. Any interest earned upon accumulated funds is to be allocated to the Lgsa NSW general working account. This amount will be to assist Lgsa NSW in relation to the costs incurred in managing the account, making calls upon members and in handling all aspects of determining applications from councils for assistance under the legal assistance scheme.

When submitting a request for assistance, councils should ensure as far as possible that all necessary information is included in the initial application. A request cannot be considered until all information has been supplied and failure to do so can lead to unnecessary correspondence and delays. If there is information which cannot be supplied when the request is submitted, that fact should be stated and an indication given as to when it will be available.

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## 2.2 Local Government Association of NSW Annual Report

### Reporting Officer

Director Business Services

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### Attachments

1. Copy of letter from the Local Government Association of NSW
2. Copy of Council's letter

### Purpose

To provide an update to Council on the financial position of the Local Government Association of NSW.

### History

Council considered a report at its meeting of 15 December 2009 regarding the audited financial statements of the Local Government Association of NSW for the year ended 30 June 2009.

Council requested that further information be sought regarding the deficit incurred by the Local Government Association NSW, specifically as it relates to Local Government Procurement.

### Report

The Local Government Association of NSW has forwarded a response addressing Council's request in providing further information as it relates to their annual financial reports for the year ended 30 June 2009.

The items associated with contributing to the deficit of \$1.9m are as follows:

Reduction in valuation of investments	\$1,163,166
Special projects	\$103,467
Unbudgeted items	\$40,639
Local Government Procurement	\$240,603
Learning Division	\$50,813
Employment Solutions	\$22,554

As highlighted above the write down of investments has made a substantial contribution to the deficit that was incurred. Local Government Procurement is jointly owned by the Local Government Association and the Shires Association NSW. The Association has fifty percent ownership and has contributed \$240,603 to the deficit as reported above.

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The correspondence has highlighted that for the reporting period ending December 2009; the Association's investment portfolio has recovered significantly and is currently reflecting a surplus of \$1,413,260.

**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation: (Lake/Chanthivong)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 2 March 2010 (Hawker/Lake)**

That the Officer's Recommendation be adopted.

**Council Minute Resolution Number 32**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

### Local Government Association of NSW



28<sup>th</sup> January 2010

JAN29'10 08:12:44 RCVD

Mr Michael Sewell  
Director Business Services  
Campbelltown City Council  
P O Box 57  
Campbelltown, NSW 2560

Dear Mr Sewell

Re: Annual Report

The Local Government Association of NSW (LGA), being a non profit organization and operating in a market where growth in income is generally restricted to inflation, is dependant on income sourced from Member subscriptions, Sponsorships, Management fees and Investment income.

The cost of the operation, essential to the provision of member services is slightly higher than revenue before investment income, hence income from investments is critical to the ongoing viability of the Association. Prior to the down turn in the international and domestic equities markets, the positive returns achieved from the Association's investment portfolio enabled the build up of reserves as well as the undertaking of special projects without any extra imposition on members. However with the downturn the investment value has been severely impacted with a resultant reduction in the financial year to June 2009 of \$1,163,166.

An analysis of the deficit incurred during the year to June 2009 of \$1,910,908 reveals that a more sustainable result (Deficit of \$289,666) would have been achieved if investment valuation decreases and other abnormal losses were excluded – see below.



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	\$
<b>LGA Deficit</b>	<b>1,910,908</b>
<b>Less:</b>	
Reduction in valuation of investments	1,163,166
Special projects	103,467
Unbudgeted items	40,639
Local Government Procurement (1)	240,603
Learning Division Deficit (2)	50,813
Employment Solutions Deficit (3)	22,554
<b>Adjusted Deficit</b>	<b>289,666</b>

**Notes:**

- (1) Local Government Procurement: This subsidiary is jointly owned by the LGA and the Shires Associations of NSW (50/50). Whilst the Association has had to contribute \$240,603 to the running of LGP, this is 59% lower than the previous year's contribution of \$590,020. Forward estimates are very positive and for the six (6) months to December 2009, LGP has been able to achieve a surplus of \$138,350 from which the LGA is entitled to \$69,175 .
- (2) Learning Division: This division provides training services to councils' elected members and staff and normally achieves a small surplus or a breakeven result. Due to the downturn in the economy its services were used less by councils resulting in the above deficit.
- (3) Employment Solutions Division provides recruitment and management services to councils. It also usually achieves a small surplus or breakeven result; however the reduction in staff movements leading up to the council elections in 2008 as well as the economic downturn aided the deficit of \$22,554.

We would also like to take the opportunity to advise council that the Association's overall operating result to December 2009 has returned to positive territory aided by the recovery of the equities market and the implementation of cost controls approved by the Executive Committee. For the period to the end of December 2009 the LGA has a surplus of \$1,413,260

We hope the above explanation has clarified the situation and answered your concerns however if you would like to discuss any of the above points or have any further questions in relation to this matter please do not hesitate to call me direct on 9242 4030.

Yours sincerely



Peter Coulton  
Director Corporate Services  
Local Government & Shires Associations of NSW

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## ATTACHMENT 2



22 December 2009

Mr Bill Gillooly AM  
Secretary General  
Local Government Association of NSW  
GPO Box 7003  
SYDNEY NSW 2001

Dear Mr Gillooly

### **Annual Report**

Council is in receipt of your correspondence dated 30<sup>th</sup> November 2009 where the Association forwarded the Annual Financial Statements, Audit Report and Operating Report for the year ended 30<sup>th</sup> June 2009.

Council at its meeting of 15<sup>th</sup> December 2009 considered the information forwarded by the Association and Council requested that a further explanation be sought regarding the deficit incurred through the Operating Report presented. Specifically, as it relates to Local Government Procurement. Council understands the write down of the Association's investment portfolio but also requests further information as to other contributing factors that have impacted the deficit.

If you require any further information please contact me on (02) 4645 4662.

Yours sincerely

A handwritten signature in black ink, appearing to read "M. Sewell", written in a cursive style.

Michael Sewell  
Director Business Services

## **2.3 National Growth Area Alliance**

### **Reporting Officer**

Director Business Services

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### **Attachments**

Nil

### **Purpose**

To provide Council with information regarding the National Growth Area Alliance (NGAA) including achievements to date and future strategies for lobbying of Government in financing major infrastructure for Growth Centres.

### **History**

A presentation was provided to Council at a briefing in 2009 on the structure and membership of the NGAA. The NGAA was formed in 2006 promoted by the City of Whittlesea Council in Victoria to form an alliance between growth areas around Australia to lobby Federal Government in dealing with major infrastructure issues that are consistent with fringe metropolitan Councils.

### **Report**

The National Growth Area Alliance is made up of 25 councils around Australia which include the Northern Territory, South Australia, Victoria, New South Wales, Western Australia and Queensland. The objectives of the alliance are to represent and advocate for member councils, provide a network for research and sharing information which provides the basis of lobbying Federal Government in dealing with issues consistent across all Councils. All member councils are fringe metropolitan councils of capital cities in states and territories.

The achievements of the NGAA to date include:

- Acknowledgement in the lead up to the last Federal Election.
  - A seat at the Australian Council for Local Government.
  - Regional and Local Community Infrastructure Program (RLCIP) Funding recognised for growth areas.
  - Industry recognition (e.g. invite to the Australian Centre for Excellence - Local Government Round table)
  - Prime Ministers announcement of cities and planning included key issues that the NGAA had advocated.
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Other projects that have been prepared relate to community profiling of all councils, a detailed cost benefit research project that included Campbelltown City Council on the funding of critical infrastructure was conducted. Communications strategy has been prepared and submissions have been forwarded to the Global Financial Crisis Inquiry as well as Infrastructure Australia and the Federal Budget.

NGAA through the Chief Executive Officer and the National President have ongoing dialogue with the Major Cities Unit and a range of Federal political advisors. There is also a presence at the Urban Development Institute of Australia (UDIA), Property Council and Australian Council of Social Services (ACOSS).

The Federal Budget submission prepared by the NGAA includes ongoing funding consistent with the Sustainability Package (RLCIP), recognition in weighting of councils that are encountering significant growth. This submission also includes lobbying for priority projects that include young people, indigenous communities, recreational facilities, community and service centres and town centre improvements.

Within the submission there was also lobbying for major strategic infrastructure including the establishment of a refined Building Better Communities program, establishing a regional infrastructure program and the implementation of an interest free loan regime for councils. Projects used as an example include connecting communities to employment and services, improvement of regional facilities and the provision of facilities to support employment and training.

In 2010 the NGAA will implement a structured communication strategy and develop a set of indicators that will measure the health of councils within growth areas. The major issues leading into the Federal election will include improved access to employment, better personal mobility, more local community services and more diverse housing affordability.

In summary, Council continues to have a watching brief while being a member of the NGAA. The funding received in 2009 from the Federal Government Stimulus Package had additional recognition for growth area Councils with Campbelltown City Council receiving an additional \$450,000.

### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Rule/Lake)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 2 March 2010 (Hawker/Lake)**

That the Officer's Recommendation be adopted.

### **Council Minute Resolution Number 32**

That the Officer's Recommendation be adopted.

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### **3. PROPERTY SERVICES**

#### **3.1 Rescinding of Policies**

##### **Reporting Officer**

Manager Property Services

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##### **Attachments**

1. Policy 6.1.01 Property Acquisition
2. Policy 6.1.02 Council Cottages

##### **Purpose**

To rescind policies that have been identified as obsolete when reviewing the Business Services Policy Register.

##### **History**

Policy 6.1.01 Property Acquisition – was adopted by Council 20 December 1994 and reviewed 1 September 1999.

Policy 6.1.02 Council Cottages – was adopted by Council on 3 May 1988 and reviewed 31 March 1992.

Both policies are due for review in accordance with the Records and Document Management Policy.

##### **Report**

Campbelltown City Council's Policy Register is periodically reviewed to ensure that Council policies comply with the Local Government Act, 1993, other legislation and operation requirements. A number of policies within Business Services have been identified as obsolete.

Policy 6.1.01 Property Acquisition – is now obsolete and is covered by current legislation, Land Acquisition (Just Terms Compensation) Act, 1991.

Policy 6.1.02 Council Cottages – is now obsolete as the cottages referred to in the Policy have been either sold off to the private property market or demolished and used for alternative Council activities.

##### **Officer's Recommendation**

1. That Policy 6.1.01 Property Acquisition be rescinded.
  2. That Policy 6.1.02 Council Cottages be rescinded.
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**Committee's Recommendation: (Lake/Chanthivong)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 2 March 2010 (Hawker/Lake)**

That the Officer's Recommendation be adopted.

**Council Minute Resolution Number 32**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

### Campbelltown City Council

#### Policy Register

**Policy No** 6.1.01

**Policy Title** Property Acquisition

**File No** 18988

#### £Related Policies

**Section Responsible** Property and Recreation Department

**Review Date** 1 September 1999

**Policy details may change prior to Review Date due to legislative changes etc, hence printed document details are current as at the stated print date.**

#### Objectives

To determine guidelines for the acquisition of properties within the City of Campbelltown where Council is the responsible acquiring body.

#### Policy Statement

The policy provides for Council to compensate owners where properties are acquired by way of negotiation. The policy incorporates the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 and additional special provisions.

1. Compensation payable to dispossessed owners will be negotiated having regard to the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.

2. **Reinstatement**

It is felt that under special circumstances, consideration on a reinstatement basis should be given to specially developed properties of a use where little or no market would normally exist, i.e. church properties, special schools, etc. However, each case would need to be considered by Council on its individual merits.

3. **Home for a Home**

Where low cost housing is acquired, it is often impossible for an owner to purchase comparable accommodation with his "compensation" money and unless the vendor has other resources or borrowing power, he is generally transformed from a landowner to a tenant. It is felt that special consideration should be given in such instances which may involve loan assistance to people such as old age pensioners, etc. However, each case would need to be dealt with on its merits.

4. **Leasehold Interest**

Lessees are entitled under law to compensation for the loss of leasehold interest but this is under statute calculated only by reference to the unexpired term of the lease. Many short term lessees have in fact occupied premises for years and have a reasonable expectation of remaining in occupation indefinitely. It is felt that

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Policy 6.1.01 continued

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special consideration should be given in instances where this situation could be proved to exist.

The abovementioned policies, which in part take into account special circumstances, are considered to provide any dispossessed owner as far as money is concerned with a position equal to that which they would have held if the land had not been taken.

**Policy Documentation**

<b>Document Number</b>	<b>Document Title</b>

<b>Adopted:</b>	<b>End of Policy Statement</b>	
<b>Last Reviewed:</b>	<b>Date: 21.5.84</b>	<b>Minute No: 194</b>
	<b>Date: 20.12.94</b>	<b>Minute No: 419</b>



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## ATTACHMENT 2

### Campbelltown City Council

#### Policy Register

Policy No 6.1.02

**Policy Title** Council Cottages

**File No** 18987

#### Related Policies

**Section Responsible** Property and Development

**Review Date** 31 March 1992

**Policy details may change prior to Review Date due to legislative changes etc, hence printed document details are current as at the stated print date.**

#### Objectives

To determine the criteria for the renting of Council owned cottages.

#### Policy Statement

Council acquires cottages which are adversely affected by zoning for the provision of car parking, road construction, road widenings, open space, etc.

In many cases the cottages are kept for as long as it is economically possible to provide some small income to defray expenses associated with the acquisition.

It should be noted that a minimum amount of money is spent on these properties in maintenance and repair. However, Council presently has approximately 15 properties available for lease.

Private tenants for the cottages are either original owners of the properties who remain in occupation after acquisition, or people to whom the cottage has been let following acquisition and vacation by the owner.

It has been established practice in Council that people interested in leasing Council cottages contact the Property Department and are placed upon a list, to be contacted when a property becomes available.

Of the people on the list, many have specific needs and are often not prepared to accept the cottage offered to them and are therefore bypassed to the next person.

The list is examined on an annual basis to establish whether people are still in the area or have moved and whether they are still interested in leasing a property should one become available.

Several Council staff members have also applied for inclusion upon the list of tenants and are subject to the same criteria of placement as other enquirers.

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6.1.02 continued

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Some staff have already been placed with accommodation over the years.

It should be noted that no strict policy is adhered to except in the offering of centrally located Council properties to community groups.

The list is not advertised because if properties are subject to demolition and security of tenure cannot be guaranteed, Council should not be placed in a position of being held responsible to relocate people when the property is required for planning purposes.

**Policy Documentation**

Document Number	Document Title

<b>Adopted:</b>	<b>End of Policy Statement</b>	
	<b>Date: 9.4.84</b>	<b>Minute No: 111</b>
<b>Last Reviewed:</b>	<b>Date: 3.5.88</b>	<b>Minute No: 156</b>

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## **4. FINANCIAL SERVICES**

### **4.1 Monthly Rates Summary**

#### **Reporting Officer**

Manager Financial Services

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#### **Attachments**

1. Monthly Rates Summary
2. Actual to budget result
3. Rates Statistics

#### **Purpose**

This report details the Rates and Charges levy and monthly cash collections result as at 31 January 2010.

#### **Report**

Rates and Charges levied to the end of January 2010 were \$71,857,505, representing 99.88% of the budget amount.

Rates and Charges collected to the end of January totalled \$41,832,327. In percentage terms this amount represents 56.27% of all rates and charges due to be paid. In comparison, the amount collected in the same period last year was 55.83%. Considerable effort has been directed towards reducing the outstanding balances each month.

The February rate instalment notices were issued on 20 January 2010 to 40,506 ratepayers. This represents a slight decrease of 32 below last years figure of 40,538. Ratepayers continue to register to receive their annual and instalment notices via email with 586 ratepayers registered for eRates.

Debt recovery action during the month involved the issue of 276 Statements of Claim to ratepayers who had either failed to maintain arrangements or had not responded to previous correspondence. In addition, 56 Writs were served on ratepayers who failed to respond to the Statement of Claim.

Ratepayers who purchased property since the issuing of the February instalment notices are issued a 'Notice to new owner' letter. This letter advises ratepayers of the annual amount levied and any balance unpaid since settlement occurred. During the month, 43 of these notices were sent to ratepayers.

#### **Officer's Recommendation**

That the information be noted.

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**Committee's Recommendation: (Chanthivong/Rule)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 2 March 2010 (Hawker/Lake)**

That the Officer's Recommendation be adopted.

**Council Minute Resolution Number 32**

That the Officer's Recommendation be adopted.

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# ATTACHMENT 1

## RATES SUMMARY

### STATEMENT OF ALL OUTSTANDING RATES AND EXTRA CHARGES

RATE - CHARGE	NET ARREARS 1/7/2009	NET LEVY FOR YEAR	PENSION REBATES	EXTRA CHARGES	TOTAL RECEIVABLE	CASH COLLECTED	NET AMOUNT DUE	POSTPONED RATES & INTEREST	GROSS AMOUNT DUE
RESIDENTIAL	2,342,456.62	40,129,195.38	1,207,191.70	522,034.24	41,786,494.54	22,897,321.62	18,889,172.92	342,617.15	19,231,790.07
BUSINESS	281,061.70	6,798,565.09		33,106.45	7,112,733.24	4,153,694.08	2,959,039.16		2,959,039.16
BUSINESS - IND	297,101.96	6,936,516.11		28,860.72	7,262,478.79	4,387,353.86	2,875,124.93		2,875,124.93
FARMLAND	-1,636.66	302,510.84	700.11	270.36	300,444.43	178,448.36	121,996.07	148,101.22	270,097.29
LOAN	203,799.99	4,343,306.98		9,771.31	4,556,878.28	2,532,817.56	2,024,060.72	52,432.57	2,076,493.29
F5 ACCESS RAMPS	44,979.98	1,070,139.89		2,301.96	1,117,421.83	674,771.93	442,649.90		442,649.90
MAIN STREET	12,054.91	0.00		115.11	12,170.02	11,872.78	297.24		297.24
<b>TOTAL</b>	<b>\$3,179,818.50</b>	<b>\$59,580,234.29</b>	<b>\$1,207,891.81</b>	<b>\$596,460.15</b>	<b>\$62,148,621.13</b>	<b>\$34,836,280.19</b>	<b>\$27,312,340.94</b>	<b>\$543,150.94</b>	<b>\$27,855,491.88</b>
GARBAGE	549,198.05	11,504,600.83	349,801.45	23,850.80	11,727,848.23	6,479,732.87	5,248,115.36		5,248,115.36
SANITARY	0.00	927.00		0.00	927.00	463.50	463.50		463.50
STORMWATER	46,837.61	874,679.98		1,773.40	923,290.99	515,850.17	407,440.82		407,440.82
<b>GRAND TOTAL</b>	<b>\$3,775,854.16</b>	<b>\$71,960,442.10</b>	<b>\$1,557,693.26</b>	<b>\$622,084.35</b>	<b>\$74,800,687.35</b>	<b>\$41,832,326.73</b>	<b>\$32,968,360.62</b>	<b>\$543,150.94</b>	<b>\$33,511,511.56</b>

Total from Rates Financial Transaction Summary	33,254,330.46
Overpayments	-257,181.10
Difference	0.00

### ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears	1,160,235.03
Rate accounts greater than 12 months less than 18 months in arrears	76,387.77
Rate accounts greater than 18 months in arrears	58,796.16
<b>TOTAL rates and charges under instruction with Council's agents</b>	<b>\$1,295,418.96</b>

## ATTACHMENT 2

COMPARISON OF BUDGET TO ACTUAL						
DESCRIPTION	ORIGINAL BUDGET	REVISED BUDGET	ACTUAL	BALANCE STILL REQD.	% RAISED	
RESIDENTIAL	40,239,000	40,239,000	40,129,195	109,805	99.73%	
BUSINESS	6,695,000	6,695,000	6,798,565	(103,565)	101.55%	
BUSINESS - INDUSTRIAL	6,868,000	6,868,000	6,936,516	(68,516)	101.00%	
FARMLAND	321,500	321,500	302,511	18,989	94.09%	
LOAN	4,341,000	4,341,000	4,343,307	(2,307)	100.05%	
F5 ACCESS RAMPS	1,070,100	1,070,100	1,070,140	(40)	100.00%	
TOTALS	59,534,600	59,534,600	59,580,234	(45,634)	100.08%	
INTEREST CHARGES	195,000	195,000	134,721	60,279	69.09%	
LEGAL COSTS RECOVERED	900,000	900,000	463,304	436,696	51.48%	
PENSIONERS - Sec 575	(1,520,000)	(1,520,000)	(1,557,693)	37,693	102.48%	
PENSIONERS SUBSIDY	836,000	836,000	856,731	(20,731)	102.48%	
SUB TOTAL	59,945,600	59,945,600	59,477,297	468,303	99.22%	
DOMESTIC WASTE CHARGES	11,134,400	11,134,400	11,504,601	(370,201)	103.32%	
SANITARY INCOME	1,000	1,000	927	73	92.70%	
STORMWATER MNGMNT	860,000	860,000	874,680	(14,680)	101.71%	
GRAND TOTALS	71,941,000	71,941,000	71,857,505	83,495	99.88%	
COLLECTIONS AS A % OF:						
RESIDENTIAL	TOTAL RECEIVABLE	TOTAL LEVIED	TOTAL RECEIVABLE	TOTAL LEVIED		
BUSINESS	54.80%	57.06%				
BUSINESS - INDUSTRIAL	58.40%	61.10%	RATES	56.05%	58.47%	
FARMLAND	60.41%	63.25%	GARBAGE	55.25%	56.32%	
LOAN	59.39%	58.99%	SANITARY	50.00%	0.00%	
F5 ACCESS RAMPS	55.58%	58.32%	STORMWATER	55.87%	58.98%	
ALL RATES	60.39%	63.05%	TOTAL RATES & CHARGES	56.27%	58.49%	

### ATTACHMENT 3

#### RATES STATISTICS

No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June	Jan-09
Rate Notices	49,847	113		130									40,538
Instalment Notices				41,084			40,506						
Missed Instalment Notices			7,062			7,223							
- Pensioners > \$15,00			601			591							
Notice to new owner	213	193	49	33	24	97	43						49
7-day Letters - Council issued			1,525			1,596							
- Pensioners > \$500.00			129			119							
7-day Letters - Agent Issued			671										613
Statement of Claim	208	12	6	239	11	31	276						
Judgements	7	3	41	16	6	9	9						23
Writs	6	28	5	50	5	4	56						
eRates	544	559	564	572	578	581	586						506
Arrangements	316	265	339	295	264	342	298						223

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## 4.2 Investment Report - January 2010

### Reporting Officer

Manager Financial Services

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### Attachments

Investment Portfolio Performance – January 2010

### Purpose

To provide a report to Council outlining performance of the investment portfolio for January 2010.

### Report

Council invests any surplus funds that become available through the financial instrument designated by the Ministerial Order from the Department of Local Government. The *Local Government Act 1993* and the Local Government (General) Regulation 2005 require a monthly investment report be presented to Council.

Council's Investment Portfolio as at 31 January stood at approximately \$68m. Funds are currently being managed both by Council staff and Fund Managers and are in accordance with the *Local Government Act 1993*, Local Government (General) Regulation 2005 and Council's Investment Policy.

#### **Monthly Performance**

The return for the entire portfolio on an annualised basis was 5.02%. This reflects an out performance of the bank bill index benchmark which returned 3.89%. Funds directly invested returned 4.99% for the month.

<b>Rolling Year to Date (annualised) Return</b>	<b>January</b>
Council Managed Funds	4.53%
Local Government Ethical Fund	4.66%
Local Government Fixed Out Cash Fund	3.86%
<i>Benchmark: 90 Day Bank Bill Index</i>	3.35%

Council's credit exposure as at 31 January shows 56% of investments placed with institutions rated AAA to AA-, 31% in institutions rated A+ to A, 9% in institutions rated A- to BBB- and 4% in other financial institutions. All investments are placed with Approved Deposit Taking Institutions who meet the eligibility for the government wholesale funding guarantee.

The current composition of the portfolio is 25% managed funds, 62% direct council managed term deposits, 12% in floating rate notes and 1% in offset facilities.

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The decrease in the portfolio balance of \$5m since last reported for the December period is directly attributable to significant cash outflows to Council's contractors for the construction of the Sports Stadium, various roadworks projects and garbage collection.

***Economic Outlook***

At its meeting on 2 February, the Reserve Bank of Australia (RBA) surprised the market by leaving the cash rate unchanged at 3.75%. However in his statement, RBA Governor Glenn Stevens acknowledged that interest rates nonetheless remain lower than average and that if economic conditions continue to improve as expected, monetary policy will, over time, need to be further adjusted.

A number of Councils were exposed to the collapse of financial markets last year. The global financial crisis has changed the way in which Council can invest and has resulted in major restrictions in products that can be held within Council's portfolio. Given these restrictions, Council does enhance its portfolio with length of maturity and diversification in financial institutions to outperform the benchmark of the 90 day bank bill index.

Regular liaison with Council's external financial advisor, Spectra Financial Services, assists in monitoring all of the risk factors to maximise Council's return on the investment portfolio while minimising the risk associated with this strategy.

**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation: (Lake/Chanthivong)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 2 March 2010 (Hawker/Lake)**

That the Officer's Recommendation be adopted.

**Council Minute Resolution Number 32**

That the Officer's Recommendation be adopted.

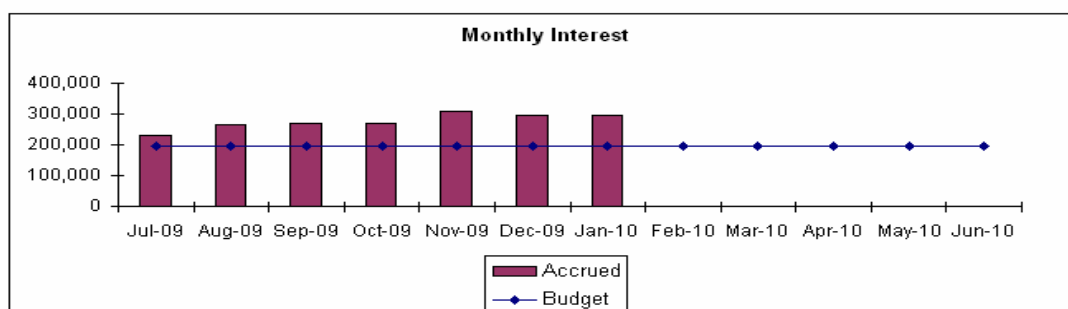
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# ATTACHMENT 1

## CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO Summary January 2010

Benchmark UBS Warburg 90 Day Bank Bill Index  
 Portfolio Balance \$68,088,628.69

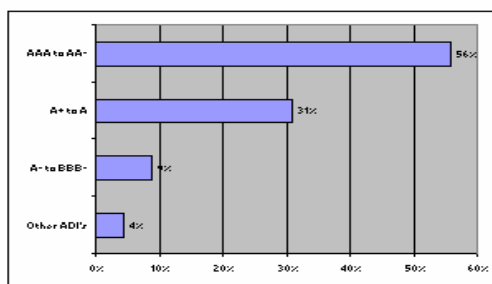
Monthly Performance	Return (mth)	Return (pa)
UBSW 90 Bank Bill Index	0.33%	3.89%
Total Portfolio	0.43%	5.02%
<i>Performance to Benchmark</i>	+ 0.10%	+ 1.13%
Portfolio - Direct Investments	0.42%	4.99%
<i>Performance to Benchmark</i>	+ 0.09%	+ 1.10%
Portfolio - Managed Funds	0.44%	5.22%
<i>Performance to Benchmark</i>	+ 0.11%	+ 1.33%



### Year to Date Performance

Rolling 12 Month Period  
 4.53% Council Managed Funds  
 4.66% LGFS Ethical Fund  
 3.86% LGFS Fixed Out Cash Fund  
 3.35% Benchmark

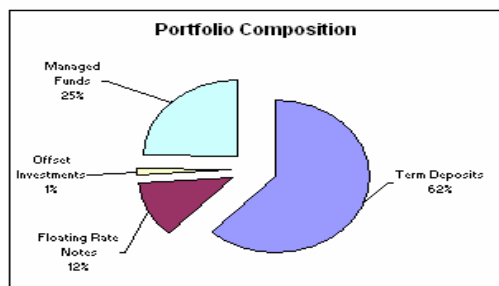
### Credit Exposure



Interest Budget to Actual \$1,383,375  
 Budget to Period \$1,931,429  
 Accrued to Period \$1,931,429

### Securities

### Institutions



	Amount Invested	% Portfolio
Macquarie Bank	\$ 1,000,000.00	1%
LGFS Managed Funds	\$ 16,996,417.84	25%
Suncorp Metway	\$ 3,072,234.20	5%
National Australia Bank	\$ 6,946,914.80	10%
NSW Treasury	\$ 3,570,000.00	5%
Westpac Bank	\$ 9,034,235.61	13%
ANZ Bank	\$ 5,000,000.00	7%
Citibank	\$ 1,015,603.29	1%
St George Bank	\$ 2,075,504.40	3%
Commonwealth Bank	\$ 6,033,425.70	9%
Bank Western Australia	\$ 4,344,292.85	6%
Illawarra Mutual BS	\$ 1,000,000.00	1%
Newcastle Perm BS	\$ 1,000,000.00	1%
Heritage BS	\$ 1,000,000.00	1%
Rural Bank	\$ 1,000,000.00	1%
Members Equity Bank	\$ 1,000,000.00	1%
Bank of Queensland	\$ 1,000,000.00	1%
Mystate Financial CU	\$ 1,000,000.00	1%
Defence Services CU	\$ 1,000,000.00	1%
Maitland Mutual BS	\$ 1,000,000.00	1%
<b>Total</b>	<b>\$68,088,628.69</b>	<b>100%</b>

### **4.3 Sundry Debtors Report - January 2010**

#### **Reporting Officer**

Manager Financial Services

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#### **Attachments**

1. Debtors Summary
2. Ageing of Sundry Debtors – January 2010

#### **Purpose**

To provide a report detailing the amount outstanding by type and age for sundry debts for the period ending 31 January 2010.

#### **Report**

Sundry debts outstanding to Council as at 31 January 2010 were \$2,151,445 reflecting an increase of \$788,673 since 31 December 2009. The ratio of outstanding debts to current invoices has decreased from 31% in December to the current level of 24%. This ratio has been affected by an increase in the current and 30 day debts and an increase in the volume of receipts received for this period. This debtor management ratio is a measure of the effectiveness of recovery efforts, however is impacted by Council policies as well as economic and social conditions.

At Council's previous committee meeting held on 2 February 2010 concern regarding debts which have aged by more than 90 days were raised. A selection of the higher amounts due as at 31 January 2010 and the action taken to recover these debts are as follows.

#### **Corporate Administration - \$179,753**

Two accounts have been selected, the combined amounts due represent 45% of the total amount due.

Costs associated with the non-compliance of an order to erect hoarding around the old Campbelltown RSL site of \$63,879. The debtor has since been declared bankrupt and the property has recently been sold. Efforts to recover the debt by identifying the debt on outstanding rates and charges certificates were dismissed on settlement and subsequently the debt was not paid. Council prepared for this unpaid debt through a doubtful debtor provision that was raised for an equal amount effectively offsetting the invoice.

An agreement exists between James Meehan High School and Council to maintain the air conditioning and to recover electricity charges incurred by the hall. Costs including materials in the repair of the air conditioner have accrued to \$18,131. This matter is presently being reviewed by Council's Manager Property Services.

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The balance of accounts due is represented by contributions for capital works carried out for which arrangements to make smaller regular payments have been received and costs associated with the recovery of unpaid accounts that remain due.

### **Sportsground and Field Hire - \$39,410**

Mainly these debts relate to sporting groups that have made arrangements to pay off their accounts over the summer season lease period causing their accounts to escalate into the 90 day plus ageing.

There remains a small number of unpaid accounts and these are currently under review with Council's Manager Healthy Lifestyles.

### **Government Grants - \$32,000**

There are two invoices within this category, the first will remain unpaid until the Master Planning of Campbelltown and Ingleburn Centres Grant works have been completed. The second invoice relates to a contribution due by the NSW Rural Fire Service for works undertaken at the Wedderburn Brigade Station, this matter is currently being followed up by the Manager Emergency Management.

### **Various Sundry Items - \$71,274**

Public health inspection fees for shops within the local area that remain unpaid despite the efforts of Council's inspectors are referred to Finance for debt recovery. Within this category \$6,275 is represented by unpaid shop inspection fees.

Other debts are due by Sydney Water for \$4,562 relating to costs associated with a water pressure management project undertaken on Council land, unpaid effluent disposal charges of \$3,105. Debts due by Integral Energy are \$13,200 for costs associated with an easement required to erect a substation on Council land, road occupancy fees to the total of \$11,393 and \$7,500 for the servicing of the Macarthur Rural Fire Service's vehicles.

Of the remaining balance, \$11,365 relates to costs incurred by Council in works carried out where the land owner has failed to comply with an order. These debts are directly associated with the property and as such are recoverable when the property is sold. Officers have been successful in formalising payment arrangements with most of the property owners.

During the period, 150 invoices were raised totalling \$1,915,224 and of these, the most significant have been in the following areas:

### **Government and other Grants - \$1,715,783**

The main invoices relate to:

Department of Transport & Regional Services – Grant to redevelop Coronation Park Netball Complex Minto	\$738,500
Department of Transport & Regional Services – Grant funding for the National Bike Path Program at Macquarie Fields Triathlon Track	\$70,000
Roads and Traffic Authority of NSW – Blaxland Road pavement rehabilitation, Raby Road, road rehabilitation and rural rehabilitation	\$235,400

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**Land and Building Rentals - \$60,074**

The main invoices relate to:

Glenquarie Hotel – Glenquarie	\$29,817
Caltex Oil – Macquarie Fields	\$13,661
Mycorp Group Pty Ltd – BP Petrol Station	\$12,056

**Shop and Office Rentals - \$49,162**

The main invoices relate to:

Nuvezo Pty Ltd – Dumaresq Street Cinema	\$20,429
McDonalds Australia Limited – Glenquarie Shopping Centre	\$6,720
Campbelltown Amcal Pharmacy – Milgate Arcade, Queen Street	\$4,888
J & R Versteeg Pty Ltd – Campbelltown Arts Centre Café	\$3,898
SA & S Thai – Macquarie Fields Neighbourhood Store	\$3,702

Receipts to the value of \$1,126,552 have been received during the period, the most notable in the following areas:

Government and other Grants	\$797,000
Corporate Administration	\$100,123
Private Works	\$66,682
Land and Building Rentals	\$52,941

Council officers continue to provide assistance to debtors experiencing difficulties in paying their accounts. Debtors are encouraged to clear their outstanding debts through regular payments where possible to avoid any further recovery action.

During the month, four accounts progressed to recovery action. The defaulting debtors were issued a letter of demand on Council letterhead advising that if the account was not settled or an appropriate arrangement was not made their account may be escalated to formal legal action through Council's agents.

**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation: (Chanthivong/Rule)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 2 March 2010 (Hawker/Lake)**

That the Officer's Recommendation be adopted.

**Council Minute Resolution Number 32**

That the Officer's Recommendation be adopted.

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**ATTACHMENT 1**

***DEBTORS SUMMARY 1 January 2010 to 31 January 2010***

DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/12/2009	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 31/01/2010	% DEBT RATIO
Corporate Administration	462,653	40,492	100,123	403,022	18.73%
Abandoned Items	3,395	297	297	3,395	0.16%
Child Care Debts	36,227	0	0	36,227	1.68%
Community Bus	89	0	0	89	0.00%
Tennis Court Hire	757	0	0	757	0.04%
Sportsground and Field Hire	82,601	33,792	10,822	105,571	4.91%
Government and other Grants	214,074	1,715,783	797,000	1,132,857	52.66%
Public Hall Hire	21,603	14,268	7,217	28,654	1.33%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	58,265	60,074	52,941	65,398	3.04%
Library Fines and Costs	146,502	0	0	146,502	6.81%
Healthy Lifestyles	42,600	768	3,275	40,093	1.86%
Pool Hire	18,912	0	5,324	13,588	0.63%
Private Works	107,035	0	66,682	40,353	1.88%
Road and Footpath Restoration	43,397	0	120	43,277	2.01%
Shop and Office Rentals	23,150	49,162	31,406	40,906	1.90%
Various Sundry Items	89,025	588	3,913	85,699	3.98%
Waste Collection Services	51,574	0	47,431	4,143	0.19%
	<b>1,362,772</b>	<b>1,915,224</b>	<b>1,126,552</b>	<b>2,151,445</b>	<b>100%</b>

**ATTACHMENT 2**

**AGEING OF SUNDRY DEBTOR ACCOUNTS - 31 January 2010**

Description	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	39,869	110,855	72,546	179,753	403,022	186,132
Abandoned Items	0	0	0	3,395	3,395	1,076
Child Care Debts	36,227	0	0	0	36,227	0
Community Bus	89	0	0	0	89	0
Tennis Court Hire	757	0	0	0	757	0
Sportsground and Field Hire	36,044	15,082	15,035	39,410	105,570	28,470
Government and other Grants	1,047,428	49,029	4,400	32,000	1,132,857	32,000
Public Hall Hire	12,641	9,103	3,494	3,417	28,655	4,308
Health Services	0	0	0	350	350	0
Land and Building Rentals	59,964	2,672	25	2,736	65,398	2,711
Library Fines and Costs	146,502	0	0	0	146,502	0
Healthy Lifestyles	768	5,626	3,980	29,719	40,093	27,521
Pool Hire	349	12,330	253	655	13,588	374
Private Works	1,189	30,299	0	8,864	40,353	12,650
Road and Footpath Restoration	0	0	27,653	15,624	43,277	14,445
Shop and Office Rentals	36,871	2,953	1,062	0	40,906	963
Various Sundry Items	1,528	12,105	792	71,274	85,699	47,322
Waste Collection Services	0	28	0	4,115	4,143	9,752
	<b>1,380,791</b>	<b>250,081</b>	<b>129,260</b>	<b>391,313</b>	<b>2,151,445</b>	<b>367,724</b>

## **4.4 Council's Electronic Banking Facility**

### **Reporting Officer**

Manager Financial Services

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### **Attachments**

Nil

### **Purpose**

This report is provided to update Council on the proposed changes to Council's current electronic banking facility, known as NAB Online.

### **Report**

Council's electronic banking facility with the National Australia Bank (NAB) is used for the electronic payment of Council suppliers, payroll payments, interbank funds transfer for investments and direct debit of rate payments.

This facility known as NAB Online, has been an efficient and expedient way of processing banking transactions however, the National Australia Bank is now offering a more streamlined internet banking solution – NAB Connect.

The new internet solution will enhance the efficiency, convenience and ease of managing Council's business banking by allowing Council the ability to manage its everyday business finances online. Some of the enhancements include:

- Ability to view 18 months of transaction history,
- NAB corporate credit card self service,
- View customer cheques/vouchers/remittances,
- Make international payments, and
- Allow for periodical payments to be scheduled.

It should be noted that electronic banking is subject to thorough security processes requiring two levels of authorisation before any transactions are processed.

The added security features of NAB Connect include:

- Automatic log out after 30 minutes of inactivity,
  - Flexibility to customise viewing rights for each account to protect confidential information,
  - Security capabilities that disallow the user from creating the payment and also authorising the payment (Segregation of duties).
-



It is further envisaged that Council may be able to reduce its banking fees by upgrading to NAB Connect as it will allow for banking services to be paid for on a transactional basis rather than an all inclusive amount.

**Officer's Recommendation**

That a further report be submitted on saving to the Innovation and Performance Sub Committee meeting.

**Committee's Recommendation: (Chanthivong/Lake)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 2 March 2010 (Hawker/Lake)**

That the Officer's Recommendation be adopted.

**Council Minute Resolution Number 32**

That the Officer's Recommendation be adopted.

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## **5. BUSINESS ASSURANCE**

**No reports this round**

## **6. HUMAN RESOURCES**

### **6.1 Rescind Policy - Salary Sacrifice for Motor Vehicles and Leaseback**

#### **Reporting Officer**

Manager Human Resources

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#### **Attachments**

Salary Sacrifice for Motor Vehicles and Leaseback Policy

#### **Purpose**

To rescind a Council Policy that has been identified as no longer required due to the adopted changes in Council's Records Management Policy and Procedures.

#### **Report**

Council at its meeting of 11 December 2007 adopted a new Records Management Policy with a hierarchy that provides for Authorised Statements to be approved by the General Manager for activities that are internal in nature and that define the Organisation's attitudes on operational issues.

This Policy specifies the conditions and procedures for employees choosing to salary sacrifice a component of their leaseback payment. The choice to salary sacrifice is at the option of the employee.

The maximum amount that can be salary sacrificed is the leaseback contribution in excess of the employees contribution that is necessary to negate Council's liability for the vehicle. Salary sacrifice options assist Council in providing a range of employment benefits in becoming an employer of choice.

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The abovementioned policy is due for review and in accordance with Council's Records Management Policy and the adopted procedures for policy development and review, this policy is no longer required and is being transferred to an Authorised Statement.

**Officer's Recommendation**

That the Salary Sacrifice for Motor Vehicles and Leaseback Policy be rescinded.

**Committee's Recommendation: (Chanthivong/Rule)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 2 March 2010 (Hawker/Lake)**


That the Officer's Recommendation be adopted.

**Council Minute Resolution Number 32**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

 campbelltown city council		<b>POLICY REGISTER</b>
Policy Number	1.5.36	
Policy Title	Salary Sacrifice for Motor Vehicles and Leaseback	
Related Policies	<a href="#">1534 Salary Sacrifice Superannuation</a> <a href="#">1535 Salary Sacrifice Child Care Fees</a>	

**Policy details may change prior to review date due to legislative changes etc, therefore this document is uncontrolled when printed.**

### Objectives

1. To specify conditions and procedures for employees who choose to salary sacrifice a component of the payments applicable under Council's Leaseback Agreement.
2. To give a degree of flexibility in remuneration packaging.

### Policy Statement

#### 1. Scope

This policy is to apply to all employees who are participating in Council's Motor Vehicle Leaseback Scheme.

#### 2. General

- a. This policy should be read in conjunction with the Campbelltown City council Notional Agreement preserving the Local Government (State) Award 2004. The Award will take precedence with regard to any inconsistency between this policy and the award.
- b. This policy should be read in conjunction with Council's Motor Vehicle Leaseback Agreement.

#### 3. Maximum Salary Sacrifice

The choice to salary sacrifice is at the option of the employee. The amount that can be salary sacrificed is the leaseback contribution in excess of the employee's contribution that is necessary to negate Council's liability for the vehicle.

#### 4. Effect on Other Entitlements

Other Award entitlements such as superannuation, overtime, allowances or penalty rates will still be based on the pre salary sacrifice rate of pay.

## **5. Employees' General Responsibilities**

- a. It is the responsibility of the employee in determining whether to sacrifice part of the leaseback charge to assess the implications of such a decision on his or her financial circumstances.
- b. Therefore, employees are strongly advised to seek independent financial advice. If they do not obtain such advice, they will still be asked to sign a declaration form stating that they have not obtained financial advice, but they fully understand the implications of their election.
- c. It is also the responsibility of the employee to monitor the number of kilometres they travel.
- d. If, after having fully assessed the implications, an employee wishes to sacrifice salary for Leaseback contributions, the employees' responsibilities are to:
  - Complete the request form (refer Attachment 1)
  - Forward the form to Financial Services.

## **6. Determining the amount an employee may sacrifice**

- a. The employee must estimate the total number of kilometres to be travelled from April 1 to March 31 annually.
- b. Prior to approval for commencement of a salary sacrifice Council may refer to the driving history of the employee to verify the employee's forward estimate of travel.
- c. The amount an employee may sacrifice is determined by the value of the motor vehicle and the number of kilometres travelled.

## **7. Review of the amount an employee may sacrifice**

- a. Council will review the travel patterns and the Fringe Benefits Tax liability associated with the employee's leaseback agreement on a quarterly basis.
- b. Financial Services shall notify the employee of the number of kilometres travelled. The employee may then elect to cease the salary sacrifice arrangement. The ceasing of a salary sacrifice arrangement on one review date will not prohibit an employee from re-entering a salary sacrifice agreement at a subsequent review date.

## **8. Review of salary sacrifice levels and amounts.**

- a. The amounts that are available to be sacrificed under this policy will be reviewed in March of each year. Employees will be given 14 days notice of any changes prior to the amounts able to be sacrificed becoming effective the first full pay week in April each year.
  - b. Subject to the review required in March, June, September and December each year, if an employee's sacrifice arrangement is to continue the reviewed amounts shall be automatically applied from the 1st day of the month following the review. Council shall notify all employees on leaseback arrangements of the reviewed amounts.
  - c. In accordance with Clause 11 of the Award, an employee may request in writing to change the benefits to be salary sacrificed once per year, and Council shall not unreasonably refuse the request.
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## **9. Cancellation of a salary sacrifice arrangement**

- a. The employee may cancel the salary sacrifice at any time by the giving of one weeks notice and completing Attachment 2 and returning the completed form to Financial Services.
- b. If the leaseback agreement is ceased on a permanent or temporary basis and no leaseback payment is required to be paid by the employee to Council the salary sacrifice agreement shall also cease for the same period.
- c. The employee will be liable to repay any FBT incurred as a result of salary sacrifice. Following the cancellation of an agreement the FBT liability will be calculated at the end of the FBT year and any liability recovered from the employee.

## **10. Interpretation**

The General Manager is the interpreter of this policy.

## **11. Review**

This policy shall remain current unless further reviewed or amended

<b>Paul Tosi</b> <b>General Manager</b>	<b>Russell Matheson</b> <b>Mayor</b>
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**END OF POLICY STATEMENT**

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## **6.2 Rescind Policy - Salary Sacrifice for Child Care Fees**

### **Reporting Officer**

Manager Human Resources

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### **Attachments**

Salary Sacrifice for Child Care Fees Policy

### **Purpose**

To rescind a Council Policy that has been identified as no longer required due to the adopted changes in Council's Records Management Policy and Procedures.

### **Report**

Council at its meeting of 11 December 2007 adopted a new Records Management Policy with a hierarchy that provides for Authorised Statements to be approved by the General Manager for activities that are internal in nature and that define the Organisation's attitudes on operational issues.

This Policy is applicable to all employees whose children are cared for in a Council owned and operated Child Care Centre. Salary sacrifice options assist Council in providing a range of employment benefits in becoming an employer of choice.

The abovementioned policy is due for review and in accordance with Council's Records Management Policy and the adopted procedures for policy development and review, this policy is no longer required and is being transferred to an Authorised Statement.

### **Officer's Recommendation**

That the Salary Sacrifice for Child Care Fees Policy be rescinded.

### **Committee's Recommendation: (Lake/Rule)**

That the Officer's Recommendation be adopted.

**CARRIED**

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**Council Meeting 2 March 2010 (Hawker/Lake)**

That the Officer's Recommendation be adopted.


**Council Minute Resolution Number 32**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

 campbelltown city council		<b>POLICY REGISTER</b>
Policy Number	1.5.35	
Policy Title	Salary Sacrifice for Child Care Fees	
Related Policies	<a href="#">Policy No 1.5.34 - Salary Sacrifice for Superannuation</a> <a href="#">Policy No 1.5.36 - Salary Sacrifice for Motor Vehicles</a>	

**Policy details may change prior to review date due to legislative changes etc, therefore this document is uncontrolled when printed.**

### Objectives

1. To specify conditions and procedures for employees who choose to salary sacrifice a component of their child care fees.
2. To give a degree of flexibility in remuneration packaging.

### Policy Statement

#### 1. Scope

- a. This policy is to apply to all employees whose children are cared for in a Council owned and operated Long Day Care or Occasional Care Centre.
- b. Employees whose children are not currently cared for in a Council owned and operated Long Day Care or Occasional Care Centre must compete with the general public for a placement.

#### 2. General

- a. This policy should be read in conjunction with the Campbelltown City Council Notional Agreement preserving the Local Government (State) Award 2004. The Award will take precedence with regard to any inconsistency between this policy and the Award.
- b. This policy should be read in conjunction with the Department of Community Services guidelines on the allocation of childcare vacancies.

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### 3. Employee's General Responsibilities

- a. It is the responsibility of the employee in determining whether to salary sacrifice to assess the implications of such a decision on his or her financial circumstances particularly child care benefits, entitlements. **Therefore, employees are strongly advised to seek independent financial advice. If they do not obtain such advice, they will still be asked to sign a declaration form stating that they have not obtained financial advice, but they fully understand the implications of their election.**
- b. If, after having fully assessed the implications, an employee wishes to sacrifice salary for child care fees, the employees' responsibilities are to:
  - i. Complete the request form
  - ii. Forward the form to Financial Services

### 4. Timing of the Election and Variations

- a. A salary sacrifice election will only be implemented from a period of service commencing one month after the election has been received.
- b. An employee can commence or cease salary sacrifice at any time.
- c. In accordance with Clause 11 (iv) of the Award, an employee may request, in writing, to change the benefits to be salary sacrificed once per year, and Council shall not unreasonably refuse the request.

## END OF POLICY STATEMENT

<b>Paul Tosi</b> <b>General Manager</b>	<b>Russell Matheson</b> <b>Mayor</b>
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## END OF POLICY STATEMENT

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## **6.3 Centrelink Jobs Expos**

### **Reporting Officer**

Manager Human Resources

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### **Attachments**

Nil

### **Purpose**

To advise Council of its participation as an exhibitor at the Centrelink Jobs Expos at the Whitlam Centre, Liverpool on 23 October 2009 and at the Bankstown Town Hall on 12 February 2010.

### **Report**

The Centrelink Jobs Expos are a part of the Keep Australia Working initiative through the Australian Government's National Economic Stimulus Plan, enabling employers to connect with job seekers.

The main objectives of the Expos is to provide direct information to unemployed people and job seekers about jobs and job pathway opportunities, bringing real jobs to areas hardest hit by the global financial crisis, such as South - Western Sydney.

The Jobs Expos are an exciting opportunity for employers, industry groups, recruitment and training providers to participate in a local community event that provide people with access to job vacancies and information about opportunities that enhance employability.

Council has now participated as an exhibitor at both the Liverpool and Bankstown Expos, to promote career and employment opportunities at Campbelltown City Council and in local government generally.

Over 9,000 people have attended each of the Expos daily with over 1,500 people visiting the Campbelltown City Council stall at each Expo, where they were provided with information regarding the operations of Council, the current vacancies available and advice on how to apply for positions.

The Expos have received positive media coverage from Channel Nine, the ABC and local media.

### **Officer's Recommendation**

That Council continue to attend the Centrelink Jobs Expos held in South Western Sydney during 2010.

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**Committee's Recommendation: (Chanthivong/Lake)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 2 March 2010 (Hawker/Lake)**

That the Officer's Recommendation be adopted.

**Council Minute Resolution Number 32**

That the Officer's Recommendation be adopted.

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## **7. INFORMATION MANAGEMENT AND TECHNOLOGY**

**No reports this round**

## **8. CUSTOMER SERVICES**

**No reports this round**

## **9. GENERAL BUSINESS**

Nil.

### **Confidentiality Motion: (Rule/Lake)**

Due to the confidential nature of the business and the Committee's opinion that the public proceedings of the Committee would be prejudicial to the public interest, the Committee in accordance with Section 10 of the Local Government Act 1993 resolves to exclude the public from the meeting during discussions on this item.

**CARRIED**

## **13. CONFIDENTIAL ITEMS**

### **13.1 Proposal to Sell Surplus Property at Eschol Park**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

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

P Hawker  
CHAIRPERSON

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