

Reports of the Corporate Governance Committee Meeting held at 5.30pm on Tuesday, 1 May 2012.

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 1 May 2012

Present His Worship the Mayor, Councillor A Chanthivong
Councillor G Greiss (Chairperson)
Councillor F Borg
Councillor S Dobson
Councillor A Rule
Director Business Services - Mr M Sewell
Director City Works - Mr J Hely
Manager Assets and Supply Services - Mr G Mitchell
Manager Business Assurance – Mrs M McIlvenny
Manager Executive Services - Mr N Smolonogov
Manager Financial Services – Mrs C Mears
Manager Governance and Administration - Ms D Bourke
Manager Information Management and Technology - Mr S McIlhatton
Manager Property Services - Mr J Milicic
Manager Technical Services – Mr K Lynch
Acting Manager Waste and Recycling - Mr L Atkinson
Business Review Improvement Officer - Mr C Taylor
Business Planning Officer - Mr M Smith
Revenue Accountant - Mr A Butcher
Executive Assistant - Mrs K Peters

Apology (Rule/Chanthivong)

That the apologies from Councillors Hawker, Lake and Matheson be received and accepted.

CARRIED

Acknowledgement of Land

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

DECLARATIONS OF INTEREST

There were no Declarations of Interest at this meeting.

1. COMMUNICATIONS AND MARKETING

1.1 Media Analysis Report - March 2011 to February 2012

Reporting Officer

Manager Communications and Marketing

Attachments

Nil

Purpose

To update Council on the success of the tourism media familiarisation program and subsequent positive media generated.

Report

The Macarthur Regional Tourism Strategy 2008–2011, a collaboration between Campbelltown City Council and Camden Council, was adopted in October 2008. A key objective of the strategy was to develop and enhance the image of the Macarthur region and to promote the experiences available within the region.

To deliver on this objective, tourism staff at Campbelltown and Camden councils worked consistently to promote the region to travel journalists and actively implemented a media familiarisation program. The familiarisation program involved journalists visiting Macarthur for a three day period, on average, and experiencing the range of attractions within the region first hand.

Between the period of March 2011 and February 2012, a total of 10 journalists participated in a familiarisation tour of the Macarthur region, including representatives from the Daily Telegraph, Illawarra Mercury, Australian Traveller, Southern Highlands News, Gardening Australia and Senior's Lifestyle Newspaper.

Also during this period, interviews with tourism operators from the Macarthur region featured on 2UE radio station and Channel 7's Sydney Weekender filmed two dining segments in Macarthur.

A Media Monitors report was compiled to determine the amount of publicity generated for the Macarthur region during this 12 month period. The finding of this report concluded:

- the total volume of coverage generated was 167 articles and reports, reaching a cumulative audience/circulation of approximately 22 million people, comprising of press, radio, internet and television
-

- the cost of this publicity would have totalled approximately \$2.6m if the space gained as editorial was purchased as advertising
- press was the leading media type, with 96 articles, followed by television with 15 reports
- the majority of the coverage appeared in NSW media
- the leading press outlet was the Daily Telegraph with 44 articles
- there were 14 television broadcasts due to the Channel 7 syndication across metropolitan and regional Australia.

The familiarisation program will continue throughout 2012 as part of the Strategy 2012 – 2015.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Rule/Dobson)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 8 May 2012 (Chanthivong/Dobson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 79

That the Officer's Recommendation be adopted.

2. GOVERNANCE AND ADMINISTRATION

No reports this round

3. PROPERTY SERVICES

3.1 Transfer of land to Council - Glenfield Road Release Area

Reporting Officer

Manager Property Services

Attachments

1. Plan of Lot 2 DP 1149933
2. Plan of Lot 2 DP 1151924

Purpose

To seek Council approval to accept the transfer of land identified as open space within the Glenfield Road Release Area from Mirvac and Crownland Developments as identified in the Section 94 Development Contributions Plan - Glenfield Road Urban Release Area - May 2007 and enter into any necessary Material Public Benefits/Land Dedication and Works In Kind agreements if required.

History

Both Mirvac and Crownland Developments are currently developing sections of the Glenfield Road Release Area which has involved the dedication of open space land as public reserve to Council.

Although sections of open space land have previously been dedicated to Council upon registration of the survey plans which identified the land to be dedicated as public reserve two parcels of open space land have previously been registered without a public reserve notation which remain in the ownership of Mirvac and Crownland Developments.

Report

As part of the development of the Glenfield Road Release Area both Mirvac and Crownland Developments have been developing respective sections of land which they currently own which in addition to the residential development has included open space and drainage land identified in the Section 94 Development Contributions Plan - Glenfield Road Urban Release Area, May 2007.

As Mirvac and Crownland Developments have undertaken development of their respective holdings they have been progressively dedicating the land identified as being required for open space and drainage purposes into Council title through registration of the subdivision plans.

It has recently been identified by both Mirvac and Crownland Developments that they each have respective parcels of land zoned open space which have not been dedicated to Council through the standard process of notating the land as public/drainage reserve and having title created in Councils name upon registration of the subdivision plan.

The respective parcels of land were created as separate lots but not notated as public reserve at the time of registration of the subdivision plans although it was the intention to have the parcels transferred into Council ownership.

Mirvac Homes (NSW) Pty Limited and Cornish Group Pty Limited

Mirvac has requested that Council accepts the transfer of Lot 2 DP 1149933 which is master planned as public reserve land to be dedicated to Council as required under the Section 94 Development Contributions Plan - Glenfield Road Urban Release Area, May 2007.

The subject property is open space land zoned 6(a) open space and has an area of approximately 4,337 square metres and is situated on Atlantic Boulevard Glenfield.

It is proposed that in return for the land being transferred to Council as public reserve that the applicable Section 94 credit in accordance with the contributions plan will be provided by Council to Mirvac as part of the reconciliation of the Section 94 contributions relating to the development. This Section 94 credit would be for land only.

Accordingly it is recommended that Council approve acceptance of the transfer of land as public reserve as identified in the Section 94 Development Contributions Plan - Glenfield Road Urban Release Area, May 2007 with Section 94 credit to be applied in accordance with the prevailing rate identified in the plan at the time of transfer.

Crownland Developments Glenfield (No.1) Pty Limited

Crownland Developments has requested that Council accepts the transfer of Lot 2 DP 1151924 which consists of two separate parcels of land which are identified as open space land to be dedicated to Council as required under the Section 94 Development Contributions Plan - Glenfield Road Urban Release Area, May 2007.

The subject property consists of two separate parcels of land both zoned 6(a) open space with the larger parcel having an area of 4,736 square metres being required for open space and drainage purposes and the other parcel having an area of 2,091 square metres being required for an off line detention basin.

It is proposed that in return for the land being transferred to Council for a nominal consideration of \$1 that an applicable Section 94 credit in accordance with the contributions plan will be provided by Council to Crownland Developments as part of the reconciliation of the Section 94 contributions relating to the development.

This Section 94 credit would be for land only as a separate credit for any Section 94 works in kind for construction of the detention basin and drainage system would be provided separately.

At this stage the developer has not submitted a staged development application for this section of land however has requested that Council provide approval that it will accept the transfer of land and provide the Section 94 credit as identified in the Section 94 Development Contributions Plan - Glenfield Road Urban Release Area, May 2007 in order that reconciliation can be undertaken in respect to the Section 94 contributions.

Although the land is owned by Crownland Developments it has been indicated that in an arrangement with Mirvac, that Mirvac will undertake construction works for the detention basin required for Lot 2 DP 1151924. On this basis it has been indicated that Mirvac would likely seek the Section 94 credits for the works in kind when undertaken.

To ensure that the necessary works are undertaken if transfer of the land is required in the interim period a security would be sought to ensure that the drainage works would be completed.

Crownland Developments has also requested that Council finalise a Land Dedication/Works In Kind Agreement to reconcile the Section 94 Development Contributions and Land Dedication/Works In Kind undertaken in relation to the development. This agreement could also provide the opportunity to incorporate conditions to provide the necessary security to ensure that any required works are undertaken in addition to any development consent conditions which could be imposed when an application is received for development of this section of land.

Accordingly it is recommended that Council approve the acceptance of the transfer of land to Council for open space and drainage purposes as identified in the Section 94 Development Contributions Plan - Glenfield Road Urban Release Area, May 2007 with Section 94 credit to be applied in accordance with the prevailing rate identified in the plan at the time of transfer.

Council approval will be subject to an appropriate arrangement being in place to ensure that the works required for the drainage and detention basin on Lot 2 DP 1151924 are completed.

On this basis it is recommended that Council also provide approval to enter into any necessary agreements (eg. Material Public Benefits agreement or Land Dedication/Works In Kind agreement) with Crownland Developments Glenfield (No.1) Pty Limited and Mirvac Homes (NSW) Pty Limited/Cornish Group Pty Limited if required to finalise the reconciliation of the Section 94 Development Contributions.

Officer's Recommendation

1. That Council approve the acceptance of the transfer of open space land being Lot 2 DP 1149933 on the terms outlined in this report.
2. That Council approve the acceptance of the transfer of open space land being Lot 2 DP 1151924 on the terms outlined in this report.
3. That Council provide approval to enter into any necessary agreement with the developers to reconcile any Section 94 Development Contributions through a Material Public Benefits agreement or Land Dedication/Works In Kind agreement if required on the terms outlined in this report.
4. That all documentation associated with the transfers be executed under the Common Seal of Council if required.

Committee's Recommendation: (Rule/Chanthivong)

That the Officer's Recommendation be adopted.

CARRIED

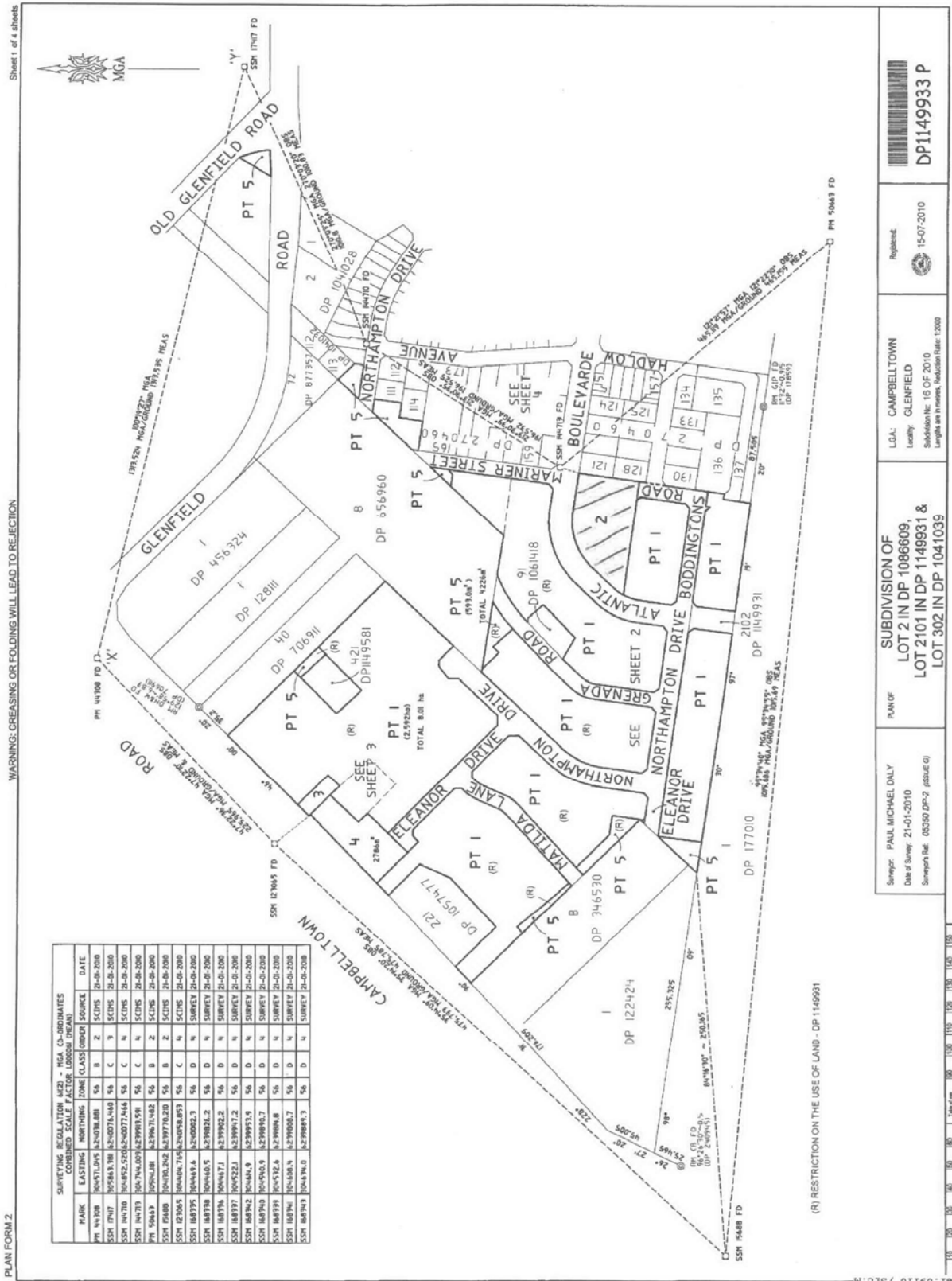
Council Meeting 8 May 2012 (Chanthivong/Dobson)

That the Officer's Recommendation be adopted.

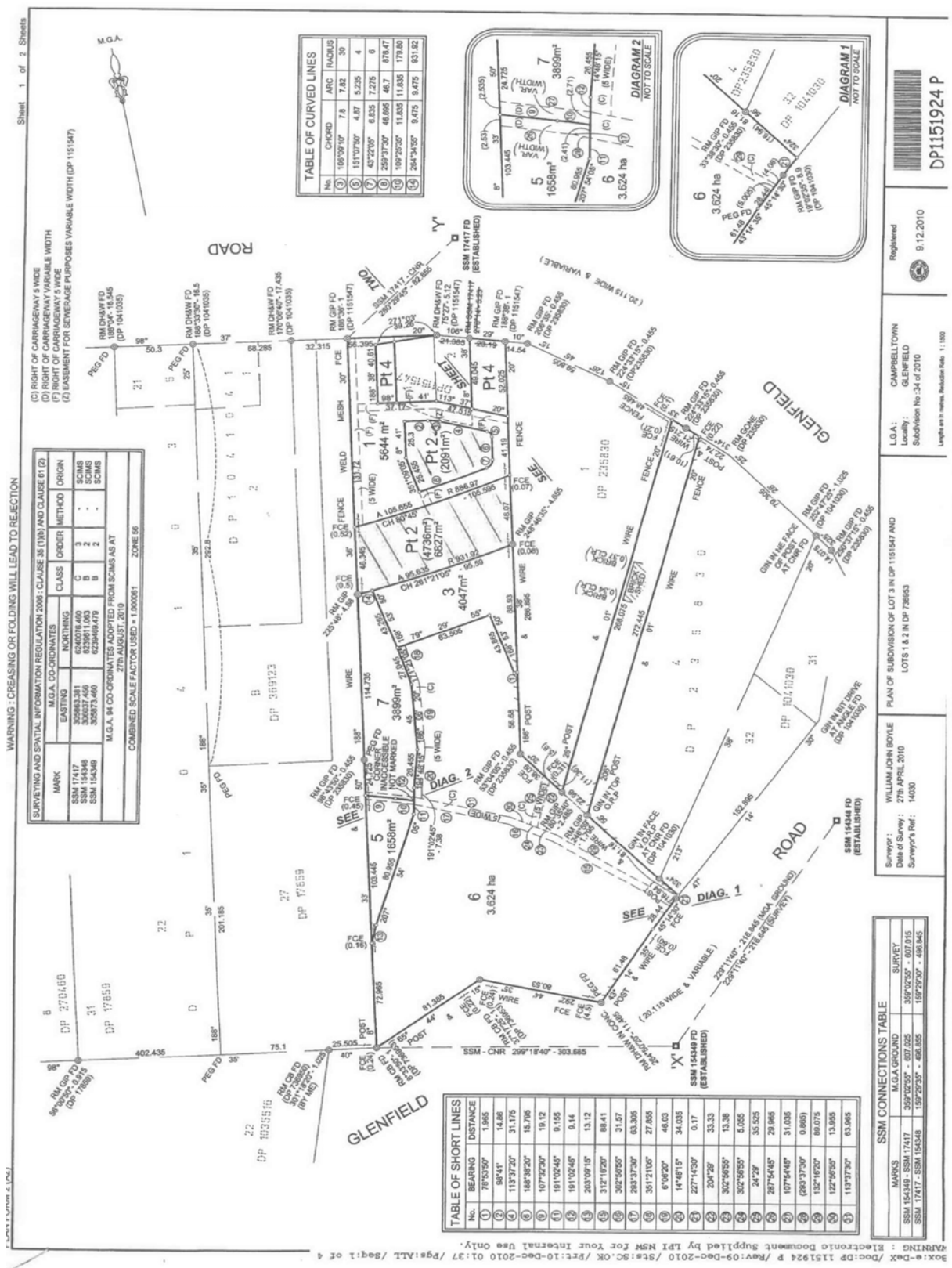
Council Resolution Minute Number 79

That the Officer's Recommendation be adopted.

ATTACHMENT 1



ATTACHMENT 2



Sheet 1 of 2 Sheets

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

SURVEYING AND SPATIAL INFORMATION REGULATION 2008: CLAUSE 36 (1)(b) AND CLAUSE 61 (2)

MARK	EASTING	NORTHING	CLASS	ORDER	METHOD	ORIGIN
SSM 11417	540071.60	630037.46	B	2	-	SCMS
SSM 154349	539873.46	629698.47	B	2	-	SCMS

M.G.A. 14 CO-ORDINATES ADAPTED FROM SCMS AS AT 27th AUGUST, 2010
 COMBINED SCALE FACTOR USED = 1.000081 ZONE 56

TABLE OF CURVED LINES

No.	CHORD	ARC	RADIUS
1	109°09'07"	7.8	7.82
2	151°17'30"	4.87	5.235
3	43°22'30"	6.835	7.275
4	289°23'30"	46.896	46.7
5	109°23'30"	11.835	11.835
6	284°33'30"	9.475	9.475

TABLE OF SHORT LINES

No.	BEARING	DISTANCE
1	78°53'30"	1.985
2	88°41'	14.86
3	113°37'20"	31.175
4	168°35'20"	15.795
5	107°32'30"	19.12
6	191°02'45"	9.155
7	191°02'45"	9.14
8	203°09'15"	13.12
9	312°16'20"	88.41
10	302°58'55"	31.57
11	293°37'30"	63.395
12	351°21'05"	27.655
13	6°09'20"	48.03
14	14°48'15"	34.035
15	227°14'30"	0.17
16	204°25'	33.33
17	302°59'50"	13.38
18	302°58'55"	5.035
19	24°29'	35.525
20	287°54'45"	29.985
21	107°54'45"	31.035
22	293°37'30"	0.865
23	132°16'20"	89.075
24	122°49'50"	13.995
25	113°37'30"	63.395

SSM CONNECTIONS TABLE

MARKS	M.G.A. COORDINATES	SURVEY
SSM 154349	53972929 - 607.025	189°02'55" - 657.616
SSM 17417 - SSM 154349	159°29'30" - 466.855	159°29'30" - 466.845

Registered
 9.12.2010

L.G.A.: CAMPBELLTOWN
 Locality: GLENFIELD
 Subdivision No: 34 of 2010

DP1151924 P

Surveyors: WILLIAM JOHN BOYLE
 Date of Survey: 27th APRIL 2010
 Surveyor's Ref: 14030

PLAN OF SUBDIVISION OF LOT 3 IN DP 1151547 AND LOTS 1 & 2 IN DP 73963

3.2 Release of Right of Carriageway, Glenfield

Reporting Officer

Manager Property Services

Attachments

Location Plan of Right of Carriageway

Purpose

To seek Council approval to the surrender/release of a Right of Carriageway created as part of the Glenfield residential release area.

History

Council on 19 November 2010 provided its consent to DA 1636/2010 for a four lot subdivision of land owned by Mirvac. The purpose of the four lot subdivision was to allow land swaps to occur between Crownland Developments and Mirvac in order to facilitate the orderly development of their respective land holdings. The four lot subdivision created Lots 17, 18, 19 and 20 in Deposited Plan 1159589.

Lot 20 in this plan had no direct road frontage and as such a Right of Carriageway was created to provide access. The Right of Carriageway prescribed Council as the authority whose consent is required to release, vary or modify the terms of the easement.

Report

Lot 20 comprised part of a detention basin which was identified as being required for open space purposes. In this respect it was intended that Lot 20 would be dedicated to Council as a 'public reserve'. Lots 19 and 20 in DP 1159589 were subsequently acquired by Crownland Developments.

Council on 29 September 2010 provided its consent to DA 3453/2005 for the subdivision of land owned by Crownland Developments into thirty 35 residential lots, five residual lots and one public reserve. Crownland Developments refers to this as Stage 1 of its Glenfield Project.

It should be noted that as part of the Stage 1 subdivision, Lot 20 DP 1159589 was consolidated into Lot 100 (Linen Plan subdivision DP 1157854).

On 11 March 2011, consent was provided to Crownland Developments DA 2014/2010 for the subdivision into 50 residential lots, two residue lots and one public reserve. This subdivision is referred by Crownland Developments as Stage 2 of its Glenfield Project.

Within Stage 2 it was intended to release the original Right of Carriageway (created by DP 1159589) as a new public road, Albion Crescent has been created which provides direct street frontage and access to former Lot 20 now known as Lot 100 (Linen Plan subdivision DP 1157854) to be dedicated to Council as 'public reserve'. As the Stage 2 subdivision creates formal street frontage to Lot 100, the original Right of Carriageway is no longer required.

Accordingly as legal access is now available through the creation of a public road (Albion Crescent) it is recommended that Council provide its approval to the surrender/release of the subject Right of Carriageway created by DP 1159589 benefiting Lot 19, burdening Lot 20 in that Plan and being the easement firstly referred to in the Section 88B instrument accompanying DP 1159589 for a nominal \$1 if demanded.

Officer's Recommendation

1. That Council provide approval to the surrender/release of the Right of Carriageway created by DP 1159589 benefiting Lot 19, burdening Lot 20 in that Plan and being the easement firstly referred to in the Section 88B instrument accompanying DP 1159589.
2. That all documentation associated with the release of the easement be executed under the Common Seal of Council if required.

Committee's Recommendation: (Rule/Dobson)

That the Officer's Recommendation be adopted.

CARRIED

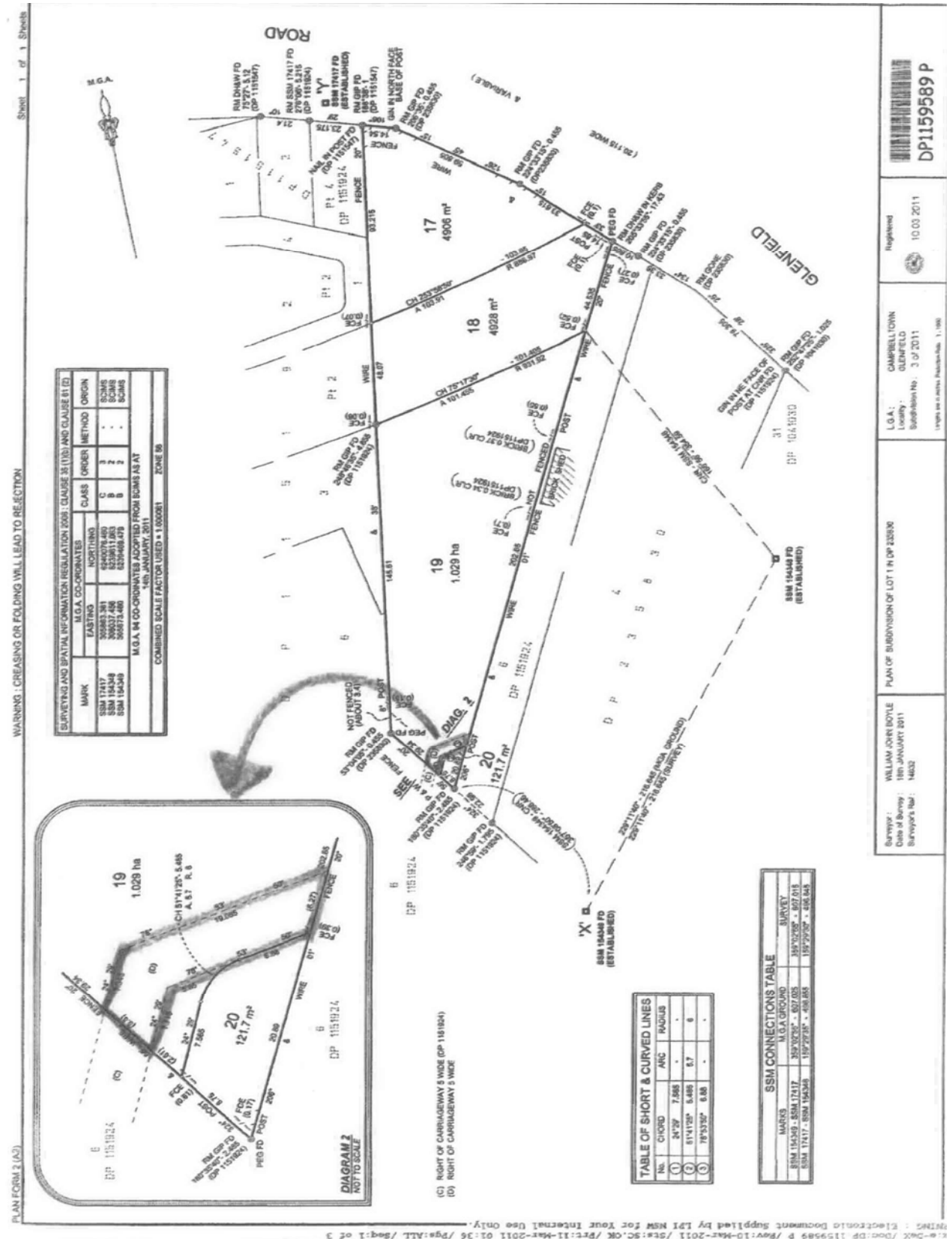
Council Meeting 8 May 2012 (Chanthivong/Dobson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 79

That the Officer's Recommendation be adopted.

ATTACHMENT 1



Registered
 10.03.2011

L.G.A.: CAMPBELL TOWN
 GLENFIELD
 Subdivision No.: 3 of 2011

PLAN OF SUBDIVISION OF LOT 1 DP 228390

Surveyor: WILLIAM JOHN BOYLE
 Date of Survey: 18th JANUARY 2011
 Surveyor's No.: 14622

Surveyor: WILLIAM JOHN BOYLE
 Date of Survey: 18th JANUARY 2011
 Surveyor's No.: 14622

3.3 Access Deeds with Vodafone Hutchinson Australia

Reporting Officer

Manager Property Services

Attachments

Nil

Purpose

To seek Council approval to enter into seven Access Deeds with Vodafone Hutchinson Australia concerning the occupation of several parcels of Council owned land and infrastructure.

History

Council in its meeting of 4 July 2006 resolved:

1. That Council advise Telstra it will enter into the Access Deed with compensation being paid annually by Telstra for each site as outlined in the body of the report.
2. That all documentation associated with the Access Deed be executed under the Common Seal of Council.

The Access Deeds which applied to 11 telecommunication sites throughout the Campbelltown Local Government Area were subsequently entered into between Council and 3GIS (a joint venture between Telstra / Vodafone Hutchinson Australia) for the operation of Telstra's 3G network.

The 11 telecommunication sites subject to the Access Deeds with Council were constructed in early 2006.

Report

On 21 October 2010 Telstra and Vodafone Hutchinson Australia published a media release which announced their network joint venture using the 3G network (2100MHz mobile phone spectrum) would conclude in 2012. The joint venture was created in 2004, before Telstra's launch of the Next G™ network.

In May 2011, representations were received from the consultant, TCI, acting on behalf of Vodafone Hutchinson Australia (VHA) concerning the ongoing operation of existing sites.

It is understood that as part of the termination of the 3G network that the assets which formed part of the network would be allocated between Telstra and VHA. The network assets which involve Council are the telecommunication facilities constructed upon Council land which utilise a ground footprint for equipment shelter huts along with an associated pole or mast for antennas, panels etc.

TCI have informed Council that the following networks assets which are subject to existing Access Deeds with Council would be allocated to VHA:

- Cnr Queen Street and Campbelltown Road, Campbelltown (Lot 4 DP 109161)
- Fullwood Football Reserve, Claymore (Lot 33 DP 258939)
- Waminda Oval, Campbelltown (Lot 331 DP 752062)
- Thomas Acres Reserve, Rosemeadow (Lot 1264 DP 262848)
- Council Works Depot, Minto (Lot 53 DP 1642)
- Canterbury Road, Glenfield
- Mary Brookes Park, St Helens Park (Lot 7301 DP 1018242)

On this basis it is anticipated that with the termination of the 3G network that seven of the existing 11 Access Deeds previously entered into between Council and Telstra/VHA in 2006 would be surrendered. As it is proposed to surrender the existing Access Deeds it is Council's position that VHA would need to enter into new Access Deeds for the seven nominated sites.

It is understood that the telecommunication carriers intend to continue the ongoing operation of the various telecommunication facilities that are subject to being upgraded with new technology and equipment which would form part of the Next G and 4G telecommunication network.

As part of the network allocations and upgrading of the telecommunication network, TCI had informed Council that it intended to issue a Land Access Activity Notice (LAAN) in accordance with the *Telecommunications Act 1997* (Cth) which would essentially permit VHA to install its new telecommunication equipment at these various locations.

Council advised TCI that it would not permit access over Council land unless VHA entered into new Access Deeds with Council.

In this respect Council's solicitor has prepared updated Access Deeds which have been provided to VHA for review.

In terms of the ground rental income generated from the seven VHA sites there are two sites which require access only and five sites which require access and equipment shelter occupancy.

The current commercial charge for these sites as adopted by Council in its 2011/2012 Fees and Charges is \$14,553 per annum (including GST) for access only and \$31,834.70 per annum (including GST) for access and shelter hut occupancy. In this regard, the seven VHA sites subject to the Access Deeds would yield an annual ground lease rental of approximately \$188,279.50 which is also subject to 5% annual indexation.

Accordingly it is recommended that Council approve the surrender of the existing seven nominated Access Deeds with Telstra and 3GIS subject to VHA concurrently entering into seven new Access Deeds for the same sites on the basis that:

- The Access Deeds are required as a result of the 3G network concluding and network assets being allocated between the joint venture partners Telstra and VHA;
- The Access Deeds provide certainty in terms of VHA contributing an annual commercial ground rental return for the occupation of Council land and certain protection mechanisms benefiting Council should any liability claims be made arising from the telecommunication facilities occupying Council land.

On this basis it is also recommended that Council approve new Access Deeds being entered into with Vodafone Hutchinson Australia for the seven nominated sites.

Officer's Recommendation

1. That Council provide approval to the surrender of the existing seven nominated Access Deeds with Telstra and 3GIS subject to Vodafone Hutchinson Australia concurrently entering into seven new Access Deeds for the same sites.
2. That Council provide approval to enter into seven new Access Deeds with Vodafone Hutchinson Australia for the seven nominated sites.
3. That all documentation associated with the Access Deeds be executed under the Common Seal of Council.

Committee's Recommendation: (Borg/Rule)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 8 May 2012 (Chanthivong/Dobson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 79

That the Officer's Recommendation be adopted.

4. FINANCIAL SERVICES

4.1 Investment Report - March 2012

Reporting Officer

Manager Financial Services

Attachments

Investment Portfolio Performance as at 31 March 2012

Purpose

To provide a report outlining Council's investment portfolio performance for March 2012.

Report

Council invests any surplus funds that become available through the financial instrument designated by the Ministerial Order from the Division 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 March 2012 stood at approximately \$86m. Funds are currently being managed by Council staff and are in accordance with the *Local Government Act, 1993, Local Government (General) Regulation 2005* and Council's Investment Policy.

Portfolio Performance

Directly managed investments show an outperformance of the 90 day bank bill index benchmark by up to 100 basis points for the reporting period.

Return	Annualised	Month
Council Managed Funds	5.77%	0.49%
Benchmark: 90 Day Bank Bill Index	4.69%	0.40%

Investment returns can fluctuate during any one reporting period based on market perceptions, or as in the case of funds under management, changes in asset classes. As such any measurement of performance is better reflected over a rolling 12 month period to average out any fluctuations in monthly performance. Council's total investment portfolio has outperformed the benchmark on average over the last twelve months.

Rolling Year to Date Return	March
Council Managed Funds	5.87%
Benchmark: 90 Day Bank Bill Index	4.78%

Council's portfolio as at 31 March 2012 is diversified with 69% in term deposits of varying lengths of maturity which are managed in accordance with market expectations and Council's investment strategy, 22% in floating rate notes which gives Council a set margin above either 30 or 90 day bank bills, 7% in fixed rate bonds, 1% in funds in a short term at call account and 1% in a National Australia Bank offset facility which expires in 2014.

Duration Profile	March
Short Term at Call	\$1,106,636
1 – 3 Months	\$8,229,711
3 – 6 Months	\$46,485,698
6 – 12 Months	\$3,089,967
12 Months +	\$27,554,066

All investments are placed with Approved Deposit Taking Institutions. No funds are placed with unrated institutions.

Credit Exposure	March
AAA to AA-	91%
A+ to A	9%
A- to BBB-	0%
Other Approved Deposit Taking Institutions	0%

Economic Outlook

The Reserve Bank Board (RBA) left the cash rate unchanged at 4.25% at its meeting on 3 April. In the media release issued, it was stated that, although the Board judged the pace of output growth to be somewhat lower than earlier estimated, it also believed it would be prudent to see forthcoming key data on prices to reassess its outlook for inflation, before considering a further step to ease monetary policy.

Summary

Council's investment portfolio continues to outperform the benchmark of the 90 day bank bill index. The Local Government Investment Guideline leaves little scope for the enhancement of Council's investment portfolio with the various investment products being offered. However, to enhance the portfolio, advantage is taken on the length of maturity of the investment given the rating of the institution as well as reviewing any new investment products offered in consultation with Council's financial advisor, Spectra Financial Services.

Regular liaison with Council's external financial advisor 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: (Rule/Dobson)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 8 May 2012 (Chanthivong/Dobson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 79

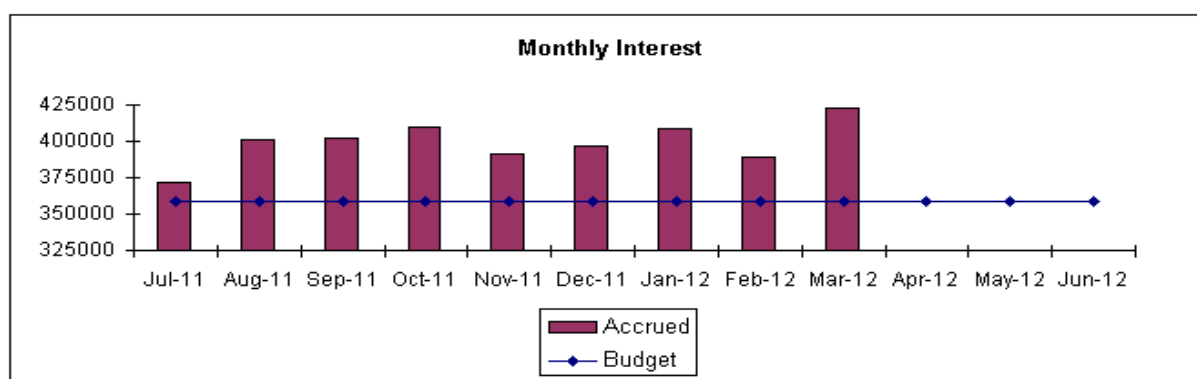
That the Officer's Recommendation be adopted.

ATTACHMENT 1

CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO Summary March 2012

Benchmark UBS Warburg 90 Day Bank Bill Index
 Portfolio Balance \$86,466,078.84

Monthly Performance	Return (mth)	Return (pa)
UBSW 90 Bank Bill Index	0.40%	4.69%
Total Portfolio	0.49%	5.77%
<i>Performance to Benchmark</i>	+ 0.09%	+ 1.08%
Portfolio - Direct Investments	0.49%	5.76%
<i>Performance to Benchmark</i>	+ 0.09%	+ 1.07%
Short Term Call Account	0.39%	4.65%

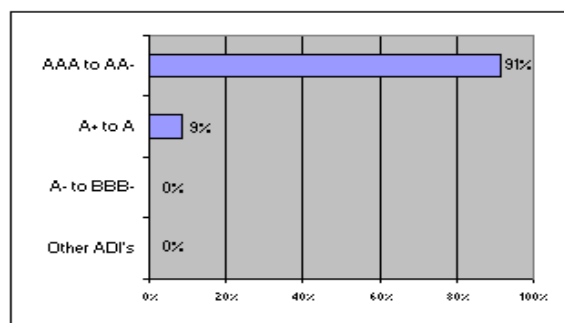


Year to Date Performance

Rolling 12 Month Period
 5.87% Council Managed Funds
 0.00% Other Managed Funds
 4.78% Benchmark

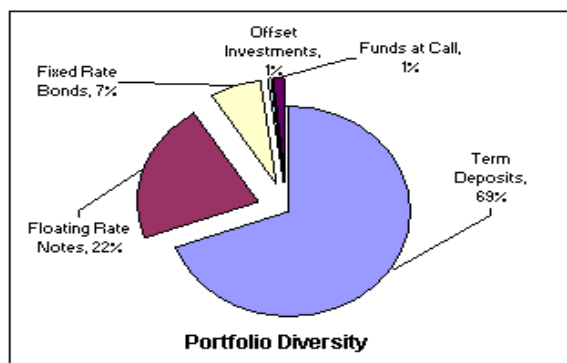
Interest Budget to Actual
 Budget to Period \$3,225,000
 Accrued to Period \$3,595,094

Credit Exposure



Securities

Institutions



	Amount Invested	% Portfolio
Funds at Call	\$ 1,106,636.16	1%
Suncorp Metway	\$ 6,419,016.41	7%
National Australia Bank	\$ 12,722,755.00	15%
ANZ Bank	\$ 10,591,445.49	12%
NSW Treasury	\$ 4,250,000.00	5%
Westpac Bank	\$ 18,945,665.23	22%
St George Bank	\$ 8,268,339.08	10%
Commonwealth Bank	\$ 12,500,000.00	14%
Bank Western Australia	\$ 11,662,221.47	13%
Building Societies	\$ -	0%
Unrated Institutions	\$ -	0%
Total	\$86,466,078.84	100%

4.2 Sundry Debtors Report - March 2012

Reporting Officer

Manager Financial Services

Attachments

1. Debtors Summary to 31 March 2012
2. Ageing of Sundry Debts to 31 March 2012

Purpose

To provide a report detailing the amount outstanding by type and age for sundry and miscellaneous debts for the period ending 31 March 2012.

Report

Debts outstanding to Council as at 31 March 2012 were \$1,219,267 reflecting an increase of \$50,005 since February 2012. The ratio of outstanding debts to current invoices has decreased from 27% in February to the current level of 20%. 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.

During the month, 984 invoices were raised totalling \$1,144,011 and of these, the most significant have been in the following areas:

Land and Building Rentals - \$396,183

The main invoices relate to:

3GIS Pty Limited - Various Telstra leases in the Local Government Area	\$309,562
Aldi Stores - Macquarie Fields	\$21,567
Glenquarie Hotel Pty Ltd - Glenquarie Shopping Centre, Macquarie Fields	\$18,392
Caltex Oil Australia Pty Ltd - Macquarie Fields	\$14,723
Optus Mobile Pty Limited - Ground lease at Glen Alpine	\$13,371
Mycorp Group Pty Ltd - BP Petrol Station, Macquarie Fields	\$12,610

Corporate Administration - \$285,467

The main invoices relate to:

Landcom - Completion of concrete slab at Benham oval	\$137,500
Macarthur District Rural Fire Service - Supply and installation of mezzanine floor at Kentlyn Fire Station	\$22,800
Macarthur Saints JRLFC - Contribution to viewing platform and floodlighting upgrade at Oswald Reserve	\$6,600
4a Centre for Contemporary Asian Art - Edge of Elsewhere project expenses including artist, photographer and accommodation	\$6,531
Marsdens Law Group - 2012 Mayor's Charity Race Night sponsorship	\$4,950
Clintons Toyota - 2012 Mayor's Charity Race Night sponsorship	\$4,510

Government and Other Grants - \$132,650

The main invoices relate to:

Road and Maritime Services - RMS repair grant for Ben Lomond Road, Cary Grove and Campbelltown Road	\$123,750
NSW Government Family and Community Services - NSW Seniors Week 2012	\$4,500
New South Wales Land and Housing Corporation - Mobile Book Library funding	\$4,400

Sportsground and Field Hire – \$74,303

The main invoices relate to:

Various schools in the Local Government Area - Hire of Campbelltown Athletics Stadium for athletics carnivals	\$22,610
Total Event Management Services Pty Ltd - Commission from sales at Campbelltown Sports Stadium	\$14,728
Campbelltown UWS Collegians Athletics Inc - Hire of Campbelltown Athletics Stadium	\$12,065
Western Suburbs District Rugby League Football Club - Hire of Campbelltown Football Stadium	\$9,720
Harlequins Rugby Club - Electricity account from June 2010 to February 2012	\$6,964

Waste Collection Services - \$60,455

The main invoices relate to:

Thiess Services Pty Ltd - Effluent disposal	\$31,821
G & G Waste Services - Effluent disposal	\$28,506

Receipts to the value of \$1,094,006 have been received during the period, the most notable in the following areas:

Land and Building Rentals	\$377,345
Corporate Administration	\$189,998
Government and other Grants	\$154,293
Sportsground and Field Hire	\$76,749
Private Works	\$59,147

Debts exceeding 90 days of age totalled \$172,510 as at 31 March 2012. The major invoices relating to this balance include:

Debtor 68316.9 - Retaining wall between Lot 1451 DP 703487 2 & 4 Brownlow Pl, Ambarvale. Debtor has made arrangements approved by Council to make monthly payments of \$450	\$25,457
Debtor 71438.6 - Personal injury claim for Council employee due to a motor vehicle accident - recovery action	\$19,946
Various Sundry Items - Recovery of costs relating to four separate incidents of damage to Council property	\$16,569
NSW Rural Fire Service - Application fees for the demolition of existing fire station and construction of a new fire station at Kentlyn. Payment will be made as part of the next claim - May 2012	\$6,422
Private Works - Recovery of costs relating to two separate incidents of damage to Council property	\$4,798
Sydney Water - Various road restorations in the Local Government Area	\$3,339

During the month, 14 accounts progressed to recovery action. The defaulting debtors were issued a letter of demand on Council's letterhead advising that if the account was not settled or an appropriate arrangement was not made, the account will escalate to formal legal action through Council's agents.

Council's agents were instructed to proceed with one Statement of Claim for refund of exhibition fees for Tourism Expo and one Judgment for damage to Council property.

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.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Rule/Borg)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 8 May 2012 (Chanthivong/Dobson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 79

That the Officer's Recommendation be adopted.

ATTACHMENT 1

DEBTORS SUMMARY 1 March 2012 to 31 March 2012

DEBTOR TYPE/DESCRIPTION	ARREARS AT 29/02/2012	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 31/03/2012	% DEBT RATIO
Corporate Administration	233,754	285,467	189,998	329,223	27.00%
Abandoned Items	4,237	203	2,500	1,940	0.16%
Child Care Debts	13,937	4,254	0	18,191	1.49%
Community Bus	339	400	250	489	0.04%
Sportsground and Field Hire	58,530	74,303	76,749	56,084	4.60%
Government and other Grants	155,693	132,650	154,293	134,050	10.99%
Public Hall Hire	17,786	17,180	19,614	15,352	1.26%
Health Services	350	0	0	350	0.03%
Land and Building Rentals	48,631	396,183	377,345	67,469	5.53%
Healthy Lifestyles	4,023	18,588	19,144	3,467	0.28%
Library Fines and Costs	157,404	1,632	0	159,036	13.04%
Shop Licence Fees	43,804	11,850	17,675	37,979	3.11%
Pool Hire	38,601	21,136	46,430	13,307	1.09%
Private Works	125,627	36,474	59,147	102,953	8.44%
Road and Footpath Restoration	47,921	0	29,626	18,295	1.50%
Shop and Office Rentals	93,506	53,502	53,982	93,026	7.63%
Various Sundry Items	114,895	29,734	22,440	122,189	10.02%
Waste Collection Services	48,903	60,455	24,812	84,546	6.93%
	1,169,262	1,144,011	1,094,006	1,219,267	100%

ATTACHMENT 2

AGEING OF SUNDRY DEBTOR ACCOUNTS - 31 March 2012

Description	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	214,018	45,910	55,293	14,002	329,223	77,463
Abandoned Items	203	0	0	1,737	1,940	1,737
Child Care Debts	18,191	0	0	0	18,191	0
Community Bus	439	50	0	0	489	0
Sportsground and Field Hire	35,371	11,394	0	10,075	56,841	11,080
Government and other Grants	132,650	0	0	1,400	134,050	1,500
Public Hall Hire	3,584	8,461	2,939	369	15,352	3,669
Health Services	0	0	0	350	350	350
Land and Building Rentals	46,375	244	5,664	15,186	67,469	201
Healthy Lifestyles	1,833	227	0	1,407	3,467	1,631
Library Fines and Costs	159,036	0	0	0	159,036	0
Shop Licence Fees	8,017	2,839	930	26,193	37,979	32,540
Pool Hire	10,239	820	1,187	1,061	13,307	204
Private Works	37,663	26,507	0	38,783	102,953	39,233
Road and Footpath Restoration	0	14,971	0	3,324	18,295	25,741
Shop and Office Rentals	18,253	74,651	122	0	93,026	0
Various Sundry Items	27,398	35,433	733	58,624	122,189	49,813
Waste Collection Services	60,125	24,249	173	0	84,546	0
	733,960	245,756	67,040	172,510	1,219,267	245,161

4.3 Monthly Rates Summary

Reporting Officer

Manager Financial Services

Attachments

1. Monthly Rates Summary
2. Actual to Budget Result
3. Rates Statistics

Purpose

To provide details of the 2011-2012 Rates and Charges Levy and cash collections for the month ending 31 March 2012.

Report

Rates and charges levied for the period ending 31 March 2012 totalled \$76,088,616 representing 99.3% of the current budget estimate.

The rates and charges receipts collected to the end of March totalled \$59,700,527. In percentage terms 75.6% of all rates and charges due to be paid have been collected, representing an increase to the amount collected in the same period last year of 74.7%.

Debt recovery action during the month involved the issue of 1,906 seven-day letters to ratepayers with two or more instalments outstanding and a combined balance exceeding \$500. Towards the end of March a review of matters still outstanding resulted in 679 accounts being referred to Council's recovery agents for a second letter of demand. Aside from penalty interest no additional costs have been incurred at this stage.

Also during March, missed instalment notices were issued to remind 7,709 ratepayers that they had overlooked payment by the 28 February 2012 instalment due date.

Council staff continue to provide assistance to ratepayers experiencing difficulty in settling their accounts. This includes the monitoring of 454 ratepayers with a total arrears balance of \$458,662, who have made suitable payment arrangements.

Ratepayers who purchased property since the February instalment notices are issued with a 'Notice to new owner' letter. During the month, 15 of these notices were sent to ratepayers advising them of the amount unpaid on their account and the amount levied in annual rates and charges.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Rule/Dobson)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 8 May 2012 (Chanthivong/Dobson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 79

That the Officer's Recommendation be adopted.

ATTACHMENT 1

RATES SUMMARY

STATEMENT OF ALL OUTSTANDING RATES AND EXTRA CHARGES

RATE - CHARGE	NET ARREARS 1/7/2011	NET LEVY FOR YEAR	PENSION REBATES	EXTRA CHARGES	TOTAL RECEIVABLE	CASH COLLECTED	NET AMOUNT DUE	POSTPONED RATES & INTEREST	GROSS AMOUNT DUE
RESIDENTIAL	2,651,511.85	43,005,945.16	1,296,564.92	679,502.09	45,040,394.18	33,530,019.79	11,510,374.39	390,278.16	11,900,652.55
BUSINESS	468,880.66	14,459,780.47		77,817.07	15,006,478.20	11,469,615.68	3,536,862.52		3,536,862.52
BUSINESS - IND	172,708.36	0.00		3,460.53	176,168.89	160,326.76	15,842.13		15,842.13
FARMLAND	53,259.58	348,359.10	883.57	3,485.24	404,220.35	354,326.53	49,893.82	154,187.07	204,080.89
MINING	0.00	13,051.33		24.67	13,076.00	13,051.33	24.67		24.67
LOAN	251,772.85	4,023,037.69		14,163.85	4,288,974.39	3,198,777.53	1,090,196.86	53,654.72	1,143,851.58
F5 ACCESS RAMPS	24,330.32	0.00		517.47	24,847.79	22,641.42	2,206.37		2,206.37
MAIN STREET	72.86	0.00		0.00	72.86	0.00	72.86		72.86
TOTAL	\$3,622,536.48	\$61,850,173.75	\$1,297,448.49	\$778,970.92	\$64,954,232.66	\$48,748,759.04	\$16,205,473.62	\$598,119.95	\$16,803,593.57
GARBAGE	706,630.61	13,336,230.86	391,555.04	39,418.98	13,690,725.41	10,248,362.89	3,442,362.52		3,442,362.52
SANITARY	0.00	73.21		0.00	73.21	0.00	73.21		73.21
STORMWATER	55,274.31	882,976.29		2,483.19	940,733.79	703,404.73	237,329.06		237,329.06
GRAND TOTAL	\$4,384,441.40	\$76,069,454.11	\$1,689,003.53	\$820,873.09	\$79,585,765.07	\$59,700,526.66	\$19,885,238.41	\$598,119.95	\$20,483,358.36

Total from Rates Financial Transaction Summary	20,050,537.67
Overpayments	-432,820.69
Difference	0.00

ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears	1,084,530.58
Rate accounts greater than 12 months less than 18 months in arrears	297,971.98
Rate accounts greater than 18 months in arrears	54,877.64
TOTAL rates and charges under instruction with Council's agents	\$1,437,380.20

ATTACHMENT 2

COMPARISON OF BUDGET TO ACTUAL

DESCRIPTION	ORIGINAL BUDGET	REVISED BUDGET	ACTUAL	BALANCE STILL REQD.	% RAISED
RESIDENTIAL	42,819,100	42,819,100	43,005,945	(186,845)	100.44%
BUSINESS	14,484,800	14,484,800	14,459,780	25,020	99.83%
FARMLAND	364,600	364,600	348,359	16,241	95.55%
MINING	13,104	13,104	13,051	53	99.60%
LOAN	4,010,200	4,010,200	4,023,038	(12,838)	100.32%
TOTALS	61,691,804	61,691,804	61,850,174	(158,370)	100.26%
INTEREST CHARGES	240,000	240,000	201,174	38,826	83.82%
LEGAL COSTS RECOVERED	1,100,000	1,100,000	578,040	521,960	52.55%
PENSIONERS - Sec 575	(1,649,996)	(1,649,996)	(1,689,004)	39,008	102.36%
PENSIONERS SUBSIDY	907,498	907,498	928,952	(21,454)	102.36%
SUB TOTAL	62,289,306	62,289,306	61,869,336	419,970	99.33%
DOMESTIC WASTE CHARGES	13,208,604	13,208,604	13,011,314	197,290	98.51%
COMMERCIAL WASTE CHARGES	273,266	273,266	324,917	(51,651)	118.90%
SANITARY INCOME	1,000	1,000	73	927	7.32%
STORMWATER MNGMNT	880,000	880,000	882,976	(2,976)	100.34%
GRAND TOTALS	76,652,176	76,652,176	76,088,616	563,560	99.26%

COLLECTIONS AS A % OF:

	TOTAL RECEIVABLE	TOTAL LEVIED	TOTAL RECEIVABLE	TOTAL LEVIED
RESIDENTIAL	74.44%	77.97%		
BUSINESS	76.43%	79.32%	RATES	78.82%
FARMLAND	87.66%	101.71%	SANITARY	0.00%
LOAN	74.58%	79.51%	STORMWATER	79.66%
ALL RATES	75.05%	78.82%	TOTAL RATES & CHARGES	79.05%

ATTACHMENT 3

RATES STATISTICS

No. of documents issued	July	August	September	October	November	December	January	February	March	April	May	June	Mar-11
Rate Notices	48,056	175		173			129						
Electronic - DoH	5,617												8,223
Instalment Notices				41,808			41,257						618
Electronic - DoH				5,752			5,804						15
Missed Instalment Notices			9,857			8,572			7,110				
- Pensioners > \$15.00			603			611			599				
Notice to new owner	299	103	18	36	21	23	40	36	15				
7-day Letters - Council issued			1,701			1,794			1,797				1,686
- Pensioners > \$500.00			123			114			109				119
7-day Letters - Agent issued			693				724		679				826
Statement of Claim	278	26	9	272	19	14	255	32	23				17
Judgements	20	61	37	35	72	9	31	52	44				96
Writs	22	14	43	53	11	32	33	12	51				62
eRates	1,029	1,039	1,056	1,066	1,072	1,079	1,085	1,097	1,121				906
Arrangements	381	369	519	336	304	431	376	330	454				389

5. BUSINESS ASSURANCE

5.1 Quarterly Report against the 2011 - 2014 Management Plan - May 2012

Reporting Officer

Manager Business Assurance

Attachments

Campbelltown City Council 2011 - 2014 Management Plan Quarterly review January - March 2012 (distributed under separate cover)

Purpose

To advise Council of the progress in undertaking the significant projects detailed in the 2011 - 2014 Management Plan.

History

It is a requirement of the *Local Government Act 1993*, that Council receive a quarterly report against the projects in the Management Plan.

Report

In 2011, Council adopted the 2011 - 2014 Management Plan. The Management Plan outlines the services, functions and projects that Council will undertake during 2011 - 2014.

This report provides an update on the projects outlined in the Plan.

In summary, the majority of projects outlined in the plan are on track or completed. Projects completed throughout the January - March quarter included: the seventh successful Midnight Basketball Tournament, the adoption of the new Regional Tourism Strategy and the roll out of the Electronic Content Management (ECM) upgrade. A small number of projects are being closely monitored. These are:

- The Urban Sustainability Projects (Upper Georges River and Campbelltown Golf Course) require close monitoring due to ongoing negotiations with the NSW Environmental Trust
 - The scope of the work to the Macquarie Fields Swimming Centre is currently being reviewed
 - Delays have been experienced in obtaining a Rail Access Deed for the Leumeah pedestrian overbridge
 - The open space and community facilities review continues to undergo final analysis and evaluation.
-

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Borg/Rule)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 8 May 2012 (Chanthivong/Dobson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 79

That the Officer's Recommendation be adopted.

5.2 Revised Work Health and Safety Policy

Reporting Officer

Manager Business Assurance

Attachments

Revised Work Health and Safety Policy

Purpose

To seek the endorsement of Council for the revised Work Health and Safety Policy.

History

The abovementioned Policy was adopted by Council on 12 May 2009 and is now due for review to ensure it complies with the changes with the new *Work Health and Safety Act 2011* and Regulations introduced in January 2012. A review of all OHS related documentation including this Policy, is required.

Report

The abovementioned Policy has been developed in accordance with the Record Management Policy and the adopted procedure for Policy Development and Review of Council.

The review of the Policy was undertaken by the Work Health and Safety Unit to ensure the document continues to meet the relevant legislative requirements and is consistent with Council's OHS (WHS) Management System.

The review resulted in a number of re-wording changes to the document. The changes were minor and are consistent with the new Act. The changes included:

- Changing Occupational Health and Safety (OHS) to Work Health and Safety (WHS)
 - Changing the objectives in the policy to the objectives listed in Section 3 – Object of the *Work Health and Safety Act 2011*
 - The commitments listed in the Policy remain the same and are in line with the requirements contained in the WorkCover National Self-Insurer OHS Audit Tool.
-

The Policy was released for staff comments in mid-February 2012, with minor comments being received, which have been incorporated into the document.

Officer's Recommendation

1. That the revised Work Health and Safety Policy as attached to this report be adopted.
2. That the Policy review date be set at 30 June 2015.

Committee's Recommendation: (Rule/Chanthivong)

That the Officer's Recommendation be adopted.

CARRIED


Council Meeting 8 May 2012 (Chanthivong/Dobson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 79

That the Officer's Recommendation be adopted.

ATTACHMENT 1

		<h1>POLICY</h1>
Policy Title	Work Health and Safety	
Related Documentation	WHS Management System Model Injury Management Program Return to Work Program Policy – Workers Compensation Policy – Occupational Rehabilitation/Injury Management	
Relevant Legislation/ Corporate Plan	Work Health and Safety Act 2011 Work Health and Safety Regulations 2011 Workplace Injury Management and Workers Compensation Act 1998	
Responsible Officer	General Manager	

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

Objectives

To document Council’s commitment to providing and maintaining a safe and healthy work environment for its employees and members of the public, through the effective implementation of the Work Health and Safety Policy and Management System. The objectives of this policy are:

1. To protect workers and other persons against harm to their health, safety and welfare through the elimination or minimisation of risks arising from work or from specified types of substances or plant, and
2. To provide for fair and effective workplace, representation, consultation, co-operation and issue resolution in relation to work health and safety, and
3. To encourage unions and employer organisations to take a constructive role in promoting improvements in work health and safety practices, and assisting Council and workers to achieve a healthier and safer working environment, and
4. To promote the provision of advice, information, education and training in relation to work health and safety, and
5. To ensure compliance with the Work Health and Safety Act and Work Health and Safety Regulations through effective and appropriate compliance and enforcement measures, and
6. To ensure appropriate scrutiny and review of actions taken by persons exercising powers and performing functions under the Work Health and Safety Act, and

-
7. To provide a framework for continuous improvement and progressively higher standards of work health and safety, and
 8. To maintain and strengthen the national harmonisation of laws relating to work health and safety and to facilitate a consistent national approach to work health and safety.

Policy Statement

1. Campbelltown City Council is committed to ensuring the health, safety and welfare of all persons in the workplace.
2. Campbelltown City Council is committed to:
 - a. A Risk Management approach to identify, assess, eliminate and control hazards which have the potential to harm persons in the workplace and ensure consistency with the nature of workplace activities and scale of WHS risks;
 - b. Complying with relevant WHS legislation and other requirements placed upon the organisation or to which the organisation subscribes;
 - c. Establishing measurable Key Performance Indicators (KPI's) and targets for WHS to ensure continuous improvement aimed at elimination of work related illness and injury;
 - d. The provision of appropriate WHS training to all employees
 - e. A consultative process to ensure all employees including where relevant contractors and labour hire employees are included in the decision making processes impacting on workplace health and safety;
 - f. The dissemination of WHS information to all employees and where relevant contractors, labour hire employees, suppliers, regulatory authorities, visitors and volunteers to the workplace;
 - g. The effective implementation of the WHS policy;
 - h. Injury Management and timely return of employees to duties in accordance with the *Workplace Injury Management and Workers' Compensation Act 1998*.
3. Campbelltown City Council will develop, implement and keep under review a WHS Management System for managing health, safety and welfare. This system will be supported by appropriate policies, authorised statements, procedures and forms that are implemented and reviewed on a regular basis.

Scope

The WHS Policy provisions will be implemented consistently in all areas of business activity and on all sites where business activities are undertaken.

Definitions

Nil

Legislative Context

In accordance with the *Work Health and Safety Act 2011* and *Work Health and Safety Regulation 2011*, Council has adopted practices that meet these requirements.

Principles

Documentation including Authorised Statements, Procedures, Form, Risk Identifications, Work Method Statements (WMS) and Safe Operating Procedures (SOP), to support this policy, are contained in the **WHS** Manual.

Responsibility

The General Manager has assigned to the **Work** Health and Safety Corporate Representative the responsibility, authority and accountability for ensuring the **WHS** Management System, including all elements of the WorkCover National Self Insurers Audit Tool are implemented.

Effectiveness of this Policy

Key Performance Indicators (KPI's) will be identified and targets set to monitor and improve overall **WHS** performance. These KPI's will be reported monthly and quarterly to Executive. The KPI's will be reviewed annually to review **WHS** performance and evaluate the effectiveness of the overall **WHS** Management System.

END OF POLICY STATEMENT

DOCUMENT HISTORY AND VERSION CONTROL RECORD

Contact for inquiries and proposed changes

Name	
Position/Section	Work Health and Safety Coordinator
Contact Number	

Version Number	Revised Date	Authorised Officer	Amendment Details

5.3 Rescinded Policy Provisional Liability

Reporting Officer

Manager Business Assurance

Attachments

Policy – Provisional Liability

Purpose

To rescind the policy that has been identified as being redundant due to changes in the policies and procedures at Council.

History

The abovementioned Policy was adopted by Council in August 2003, to detail the obligation as a Self-Insurer to make weekly wages and medical expenses payments without admitting liability. The Policy enabled Council to make payments to the worker without delay, for a period of up to 12 weeks for time lost and \$7,500 for medical expenses. These provisions are a statutory requirement. The policy is due for review in accordance with the Records and Document Management Policy.

Report

The abovementioned Policy has been rescinded in accordance with the Record Management Policy and the adopted procedure for Policy Development and Review of Council.

In reviewing the Provisional Liability Policy it was identified that the commitment and information contained in the policy is contained in the Injury Management Program which was recently approved by WorkCover.

Accordingly it is recommended that the Policy be rescinded.

Officer's Recommendation

That Policy – Provisional Liability be rescinded.

Committee's Recommendation: (Rule/Dobson)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 8 May 2012 (Chanthivong/Dobson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 79

That the Officer's Recommendation be adopted.

ATTACHMENT 1

		POLICY
Policy Title	Provisional Liability	
Related Documentation	Injury Management Program Workers Compensation Occupational Rehabilitation/Injury Management	
Relevant Legislation/ Corporate Plan	Workers Compensation Act, 1987 Workplace Injury Management and Workers Compensation Act, 1998 Workers Compensation Amendment Regulation, 2005	
Responsible Officer	Director Business Services	

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

Objectives

Provisional liability allows Campbelltown City Council as a Self-Insurer to make weekly wages and medical expenses payments without admitting liability. This enables Council to make early payments to the worker without delay, for a period of up to 12 weeks for time lost and \$7,500 for medical expenses.

Policy Statement

1. An initial notification means the first notification of a workplace injury where the worker is required to seek medical treatment or time off work.
2. Campbelltown City Council is to make sure that the person giving the information for an initial notification is guided through the process to make sure they give all the information needed for the notification.
3. To ensure the prompt management of a worker's injuries.
4. To ensure that a worker returns to work as soon as possible.
5. To give worker's certainty and proper income support while they are incapacitated by work injuries.
6. To facilitate timely and sound decision making.
7. To reduce disputes.
8. To promptly resolve disputes if they happen.

Scope

This policy applies to all staff employed by Campbelltown City Council.

Definitions

Any person who has entered into, or works under a contract of service or apprenticeship with Campbelltown City Council may lodge a workers compensation claim.

DATA AND DOCUMENT CONTROL		
Division: Finance Services Section: Workers Compensation	Adopted Date: 05/08/03 Revised Date: 03/06/2008 Minute Number: 352 Review Date: 01/05/2011	Page: 1 of 6

Campbelltown City Council

An Initial Injury Notification of Injury to Employee form should be completed by the employee or his/her representative when a work related injury or illness occurs to that employee where there is a:

1. Medical expenses are incurred, or
2. Time lost from the workplace.

Section 9 of the Workers Compensation Act 1987 creates entitlements to compensation benefits. The quantum and nature of these benefits are determined by what happened to the worker. The worker in general terms will be entitled to weekly payments of compensation calculated to a formulae applying at various times for so long as he/she remains incapacitated for work and suffers economic loss.

In addition he/she will be entitled to payments, of medical, hospital and other ancillary expenses, including a lump sum payment, referable to any permanent injury and possibly in respect of pain and suffering.

There is no need for an employee to complete a claim form if there is no lost time or medical expenses however an Incident/Hazard report form is to be completed.

Injured Worker

An injured worker means a worker who a received a workplace injury.

Insurer

Insurer means a licensed insurer (managed fund) or a self-insurer.

Notification of Injury

Notification of injury refers to all workplace accidents causing injury to a worker. All injuries are to be notified to the insurer within 48 hours.

Provisional Liability

Allows an insurer to make weekly and/or medical expense payments without the admission of liability. This enables the insurer to make early payments to the injured worker, without delay.

Significant Injury

A significant injury is when an injured worker is unlikely to be able to undertake their usual duties and/or normal hours for a continuous period of more than seven calendar days.

Injury Management Program

Section 43 of the Workplace Injury Management and Workers Compensation Act states that:

"Each insurer must have an Injury Management Program. The Injury Management Program is a coordinated and managed program that integrates all aspects of injury management including treatment, rehabilitation, retraining, claims management and employment practices. The purpose of Injury Management is to achieve timely, safe and durable return to work for the injured workers.

Campbelltown City Council

Return to Work Program

Section 52 of the Workplace Injury Management and Workers Compensation Act 1998 states that:

“An employer must establish a Return-to-Work Program with respect to policies and procedures for the rehabilitation (and, if necessary, vocational re-education) of any injured workers of the employer. An employer’s Return-to-Work Program must be consistent with the Injury Management Program of the employer’s insurer and is of no effect to the extent of any such inconsistency.”

Injury Management Plan (IMP)

Section 42 of the Workplace Injury Management and Workers Compensation Act states that:

“An injury Management Plan is a plan for coordinating and managing those aspects of injury management that concern the treatment, rehabilitation and retraining of an injured worker, for the purpose of achieving a timely, safe and durable return to work for a particular worker”

Return to Work Plan (RTWP)

The return to work plan is the written, formal offer of suitable duties by the employer, to the injured worker. It is designed to make clear what the worker can and cannot do when they return to work, and when this will be reviewed. The plan must be agreed by all relevant parties – the Worker, Supervisor, nominated treating Doctor, Return to Work/Injury Management Officer, Worker’s Representative (if appropriate) and accredited Rehabilitation Provider (if applicable). This plan must be regularly monitored and reviewed by the Return to Work/Injury Management Officer or Provider. Physical restrictions, suitable duties, hours worked, supervision arrangements, and treatment times and dates must be clearly outlined in the return-to-work plan.

Suitable Duties

Suitable duties are short term duties, agreed between the employer and the injured worker to assist the injured worker’s rehabilitation. Suitable duties must comply with a current medical certificate, and may include:

- parts of the job the worker was doing before the injury,
- the same job, but reduced hours,
- different duties altogether,
- duties at a different site,
- training opportunities or redeployment, or,
- a combination of some or all the above.

The definition of suitable employment (duties) states that the following must be taken into account:

- the medical certificate – the treating doctor will list work capabilities,
- the age, education and work skills of the injured worker,
- where the worker lives,
- the duties must be useful to the employer’s trade or business,
- the duties must comply with the injury management plan, and
- the duties must not be demeaning or token jobs.

Campbelltown City Council

Return to Work/Injury Management Officer

A person titled a "Return to Work/Injury Management Officer" is often referred to in various literature and pamphlets relating to Injury Management and Worker's Compensation.

At Campbelltown City Council, the Return to Work/Injury Management Officer's role forms the integral part of the Injury Management and Return to Work. The Injury Management and Return to Work Officer is a key person in the injury management process. Their role includes acting as a link between all parties involved and assisting the injured/ill worker with respect to their injury management and return to work.

Injury Management Consultant (IMC)

An Injury Management Consultant is a registered Medical Practitioner experienced in Occupational Injury and Work Place based Injury Management. Injury Management Consultants (Return to Work/Injury Management Officer) are facilitators who liaise with the injured worker, their nominated treating doctor, the workplace Return to Work/Injury Management Officer, the Rehabilitation Provider (if applicable) and the Insurer to assist with an effective Return to Work Plan and treatment.

Referral to an IMC should be considered when the following situations arises: confused goals, complexity of injury or workplace environment, poor communication between insurer/employer and nominated treating doctor, perceived conflict between the nominated treating doctor's recommendations and the workplace requirements, disagreement about the suitability of duties offered to an injured worker.

Nominated Treating Doctor (NTD)

A nominated treating doctor is the doctor nominated by the injured worker to manage their recovery from injury and to assist them with returning to work safely.

The nominated treating doctor will:

recommend and organise treatment for their injury/illness,
complete WorkCover medical certificates,
inform the injured Worker's Employer, Insurer, Rehabilitation Provider (if applicable) about their health condition, progress and needs,
assist the insurer/employer with development of the Injury Management Plan,
review the injured worker's condition and fitness for work.

Accredited Rehabilitation Provider

A rehabilitation provider is an external organisation accredited by WorkCover NSW to provide the injured worker with specific rehabilitation services to assist them to return to work. The injured worker, nominated treating doctor, employer and insurer may refer an injured worker to an external rehabilitation provider for assistance in respect to re-training, job seeking, workplace assessments, vocational assessments, functional assessments and for further advice in injury management.

Interpreters/Language Services

A service to provide communication assistance to an injured worker of a non-English speaking background.

1.4.16DATA AND DOCUMENT CONTROL		
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WorkCover Claims Assistant Service (CAS)

The Claims Assistant Service (CAS) is a service, which commenced in January 2002 and is part of the wider WorkCover Assistance Service. CAS provides assistance to injured workers and employers with questions about workers compensation and injury management. The service provides information about injury and accident notifications, making a claim, entitlements and dispute resolution process. The aim of the service is to prevent an issue from turning into a dispute that needs to be addressed by the Workers Compensation Commission.

The telephone number of the WorkCover Assistance Service is 13 10 50.

Workers Compensation Commission (WCC)

The Workers Compensation Commission (WCC) was established on 1 January 2002. It provides a single place to help parties come to an agreement about a dispute (conciliation) or, when needed, will make a decision about a dispute (arbitration). The Workers Compensation Commission replaces the Compensation Court and the Workers Compensation Resolution Service and was established to provide a more flexible dispute resolution process to allow injured workers to resume their normal lives with less impact on their long-term health.

The President, two Deputy Presidents, a Registrar and Arbitrators, supported by Approved Medical Specialists and other staff, head the Workers Compensation Commission.

Legislative Context

Council is required under the Workers Compensation Act, 1987, Workplace Injury Management and Workers Compensation Act, 1998 and Workers Compensation Amendment Regulation, 2006.

Principles

Campbelltown City Council's obligations to commence injury management as described in Chapter 3 Workplace Injury Management and Workers Compensation Act 1998 are required by, and work in parallel with the provisional liability provision in, Part 3 Division 1 of that Act.

1. To satisfy legislative requirements, Campbelltown City Council, workers and advisors will obtain and provide information about the injury in a timely manner.
2. Campbelltown City Council is required to obtain relevant information to enable sound based decisions.
3. Campbelltown City Council will make sound based decisions on the information available within timeframes the law allows and keep those decisions up to date as new information is received.
4. Campbelltown City Council will record the reasons for decision and show that we have considered all relevant decisions.
5. Campbelltown City Council will arrange for all decisions not to pay provisional liability weekly payments to be reviewed by a suitably experienced person.
6. Campbelltown City Council to ensure that worker gives their consent to the collection, use and disclosure of personal and health information.
7. Campbelltown City Council is to ensure that the Commonwealth Privacy Law and the National Privacy Principles apply to the information collected and used for the purposes of handling the workers claim.

Responsibility

All Senior Management, Coordinators, Supervisors, Injured Workers, Nominated Treating Doctors.

Effectiveness of this Policy

This policy will be reviewed annually in accordance with the current legislation to ensure its continuing suitability and effectiveness. Records of reviewed shall be maintained.

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END OF POLICY STATEMENT

DOCUMENT HISTORY AND VERSION CONTROL RECORD

Contact for inquiries and proposed changes

Name	Michael Sewell
Position/Section	Director Business Services
Contact Number	4645 4663

Version Number	Revised Date	Authorised Officer	Amendment Details

5.4 Rescinded Workers Compensation Policy

Reporting Officer

Manager Business Assurance

Attachments

Policy – Workers Compensation

Purpose

To rescind the Policy that has been identified as being redundant due to changes in the policies and procedures at Council.

History

The abovementioned Policy was adopted by Council in August 2004, to detail the commitment by Council to commence injury management as described in the *Workplace Injury Management and Workers Compensation Act 1998*. The policy is due for review in accordance with the Records and Document Management Policy

Report

The abovementioned Policy has been rescinded in accordance with the Record Management Policy and the adopted procedure for Policy Development and Review of Council.

In reviewing the Workers Compensation Policy it was identified that the commitment and information contained in the policy is contained in the Injury Management Program which was recently approved by WorkCover.

Accordingly it is recommended that the policy be rescinded.

Officer's Recommendation

That Policy – Workers Compensation be rescinded.

Committee's Recommendation: (Borg/Chanthivong)

That the Officer's Recommendation be adopted.

CARRIED


Council Meeting 8 May 2012 (Chanthivong/Dobson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 79

That the Officer's Recommendation be adopted.

ATTACHMENT 1

		POLICY
Policy Title	Workers Compensation	
Related Documentation	Injury Management Program Provisional Liability Occupational Rehabilitation/Injury Management	
Relevant Legislation/ Corporate Plan	Workers Compensation Act, 1987 Workplace Injury Management and Workers Compensation Act, 1998 Workers Compensation Amendment Regulation, 2005	
Responsible Officer	Director Business Services	

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

Objectives

Workers compensation provides injured workers with weekly payments to cover loss of earnings, payment of medical expenses and vocational rehabilitation expenses and where necessary, to assist them to return to work.

Policy Statement

1. Workers compensation benefits are payable when a worker formally lodges a workers compensation claim. This is when the worker suffers an injury or contracts a disease, which arises out of or in the course of their employment where the employment is a contributing factor.
2. Benefits are also payable for injuries received on a normal journey to or from work (without interruption or diversion) or during an authorised recess, providing the workers did not expose themselves to any abnormal risk of injury.
3. The injured worker will have to make a claim for workers compensation if Campbelltown City Council asks the injured worker to make one or if the injured worker will require benefits that exceed entitlements covered under Provisional Liability or if payments have been stopped covered under Provisional Liability and the injured worker still thinks that they are entitled to more benefits.
4. Campbelltown City Council is to make sure that the person giving the information for workers compensation claim is guided through the process to make sure they give all the information required.
5. To ensure the prompt management of a worker's injuries.
6. To ensure that a worker returns to work as soon as possible.

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7. To give worker's certainty and proper income support while they are incapacitated by work injuries.
8. To facilitate timely and sound decision-making.
9. To reduce disputes.
10. To promptly resolve disputes if they happen.

Scope

This policy applies to all staff employed by Campbelltown City Council.

Definitions

Any person who has entered into, or works under a contract of service or apprenticeship with Campbelltown City Council may lodge a workers compensation claim.

An Initial Injury Notification of Injury to Employee form should be completed by the employee or his/her representative when a work related injury or illness occurs to that employee where there is a:

1. Medical expenses are incurred, or
2. Time lost from the workplace.

Section 9 of the Workers Compensation Act 1987 creates entitlements to compensation benefits. The quantum and nature of these benefits are determined by what happened to the worker. The worker in general terms will be entitled to weekly payments of compensation calculated to a formulae applying at various times for so long as he/she remains incapacitated for work and suffers economic loss.

In addition he/she will be entitled to payments, of medical, hospital and other ancillary expenses, including a lump sum payment, referable to any permanent injury and possibly in respect of pain and suffering.

There is no need for an employee to complete a claim form if there is no lost time or medical expenses however an Incident/Hazard report form is to be completed.

Injured Worker

An injured worker means a worker who a received a workplace injury.

Insurer

Insurer means a licensed insurer (managed fund) or a self-insurer.

Notification of Injury

Notification of injury refers to all workplace accidents causing injury to a worker. All injuries are to be notified to the insurer within 48 hours.

Provisional Liability

Allows an insurer to make weekly and/or medical expense payments without the admission of liability. This enables the insurer to make early payments to the injured worker, without delay.

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Significant Injury

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Injury Management Program

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“Each insurer must have an Injury Management Program. The Injury Management Program is a coordinated and managed program that integrates all aspects of injury management including treatment, rehabilitation, retraining, claims management and employment practices. The purpose of Injury Management is to achieve timely, safe and durable return to work for the injured workers.”

Return to Work Program

Section 52 of the Workplace Injury Management and Workers Compensation Act 1998 states that:
“An employer must establish a Return-to-Work Program with respect to policies and procedures for the rehabilitation (and, if necessary, vocational re-education) of any injured workers of the employer. An employer’s Return-to-Work Program must be consistent with the Injury Management Program of the employer’s insurer and is of no effect to the extent of any such inconsistency.”

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Suitable duties are short term duties, agreed between the employer and the injured worker to assist the injured worker’s rehabilitation. Suitable duties must comply with a current medical certificate, and may include:

- parts of the job the worker was doing before the injury,
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- The definition of suitable employment (duties) states that the following must be taken into account:
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- where the worker lives,
- the duties must be useful to the employer's trade or business,
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- the duties must not be demeaning or token jobs.

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An Injury Management Consultant is a registered Medical Practitioner experienced in Occupational Injury and Work Place based Injury Management. Injury Management Consultants (Return to Work/Injury Management Officer) are facilitators who liaise with the injured worker, their nominated treating doctor, the workplace Return to Work/Injury Management Officer, the Rehabilitation Provider (if applicable) and the Insurer to assist with an effective Return to Work Plan and treatment.

Referral to an IMC should be considered when the following situations arises: confused goals, complexity of injury or workplace environment, poor communication between insurer/employer and nominated treating doctor, perceived conflict between the nominated treating doctor's recommendations and the workplace requirements, disagreement about the suitability of duties offered to an injured worker.

Nominated Treating Doctor (NTD)

A nominated treating doctor is the doctor nominated by the injured worker to manage their recovery from injury and to assist them with returning to work safely.

The nominated treating doctor will:

- recommend and organise treatment for their injury/illness,
- complete WorkCover medical certificates,
- inform the injured Worker's Employer, Insurer, Rehabilitation Provider (if applicable) about their health condition, progress and needs,
- assist the insurer/employer with development of the Injury Management Plan,

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Campbelltown City Council

- review the injured worker's condition and fitness for work.

- **Accredited Rehabilitation Provider**

A rehabilitation provider is an external organisation accredited by WorkCover NSW to provide the injured worker with specific rehabilitation services to assist them to return to work. The injured worker, nominated treating doctor, employer and insurer may refer an injured worker to an external rehabilitation provider for assistance in respect to re-training, job seeking, workplace assessments, vocational assessments, functional assessments and for further advice in injury management.

Interpreters/Language Services

A service to provide communication assistance to an injured worker of a non-English speaking background.

WorkCover Claims Assistant Service (CAS)

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The telephone number of the WorkCover Assistance Service is 13 10 50.

Workers Compensation Commission (WCC)

The Workers Compensation Commission (WCC) was established on 1 January 2002. It provides a single place to help parties come to an agreement about a dispute (conciliation) or, when needed, will make a decision about a dispute (arbitration). The Workers Compensation Commission replaces the Compensation Court and the Workers Compensation Resolution Service and was established to provide a more flexible dispute resolution process to allow injured workers to resume their normal lives with less impact on their long-term health.

The President, two Deputy Presidents, a Registrar and Arbitrators, supported by Approved Medical Specialists and other staff, head the Workers Compensation Commission.

Legislative Context

Council is required under the Workers Compensation Act, 1987, Workplace Injury Management and Workers Compensation Act, 1998 and Workers Compensation Amendment Regulation, 2006.

Principles

Campbelltown City Council's obligations to commence injury management as described in Chapter 3 Workplace Injury Management and Workers Compensation Act 1998 are required.

1. To satisfy legislative requirements, Campbelltown City Council, workers and advisors will obtain and provide information about the injury in a timely manner.
2. Campbelltown City Council is required to obtain certain relevant information to make sound based decisions.
3. Campbelltown City Council will make sound based decisions on the information available within timeframes the law allows and keep those decisions up to date as new information is received.

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4. Campbelltown City Council will record the reasons for the decisions and show that we have considered all relevant decisions.
5. Campbelltown City Council will arrange for all decisions not to pay a workers compensation claim to be reviewed by a suitably experienced person.
6. Campbelltown City Council to ensure that worker gives their consent to the collection, use and disclosure of personal and health information.
7. Campbelltown City Council is to ensure that the Commonwealth Privacy Law and the National Privacy Principles apply to the information collected and used for the purposes of handling the workers claim.

Responsibility

All Senior Management, Coordinators, Supervisors, Injured Workers, Nominated Treating Doctors.

Effectiveness of this Policy

This policy will be reviewed annually in accordance with the current legislation to ensure its continuing suitability and effectiveness. Records of reviewed shall be maintained.

 Paul Tosi General Manager	 Aaron Rule Mayor
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END OF POLICY STATEMENT

DOCUMENT HISTORY AND VERSION CONTROL RECORD

Contact for inquiries and proposed changes

Name	Michael Sewell
Position/Section	Director Business Services
Contact Number	4645 4663

Version Number	Revised Date	Authorised Officer	Amendment Details

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6. HUMAN RESOURCES

No reports this round

7. INFORMATION MANAGEMENT AND TECHNOLOGY

No reports this round

8. GENERAL BUSINESS

8.1 University of Western Sydney

Committee's Recommendation: (Dobson/Rule)

1. That Council write to the Minister for Planning, the Hon Brad Hazzard and the Director General, Mr Sam Haddad expressing Council's concern with the traffic management arrangements for the proposed residential development on the Campbelltown Campus of the University of Western Sydney.
2. That the correspondence request that a meeting be held with the Minister of Planning, the Director General, His Worship the Mayor, the General Manager and or their representatives in order that Council's concern can be clearly explained.

CARRIED

Council Meeting 8 May 2012 (Chanthivong/Dobson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 79

That the Officer's Recommendation be adopted.

8.2 Management Arrangements for the Dharawal National Park

Committee's Recommendation: (Dobson/Borg)

1. That representatives of the National Parks and Wildlife Service and the University of Western Sydney (Koala Research team) be invited to brief Council in regard to the management arrangements for the Dharawal National Park.
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2. That if following the briefing Council has any concerns regarding management arrangements for the Dharawal National Park a submission outlining Council's concerns be prepared and forwarded to the NSW Government for their consideration.

CARRIED

Council Meeting 8 May 2012 (Chanthivong/Dobson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 79

That the Officer's Recommendation be adopted.

8.3 Proposed Land Acquisition - St Helens Park

Committee's Recommendation: (Dobson/Borg)

1. That a submission, in similar terms to that as previously submitted, be again forwarded to the NSW Government requesting that the Government give urgent consideration to the acquisition of the former Landcom site at St Helens Park, to ensure the preservation of the most sensitive flora and fauna of endangered ecological communities which exist across the site.
2. That a copy of this submission also be forwarded to the Environmental Protection Agency of the Federal Government with a request that they intervene in this proposal.

CARRIED

Council Meeting 8 May 2012 (Chanthivong/Dobson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 79

That the Officer's Recommendation be adopted.

21. CONFIDENTIAL ITEMS

No reports this round

There being no further business the meeting closed at 6.10pm.

G Greiss
CHAIRPERSON
